# HISTORICAL REVIEW

pp 383

OF THE POLITICAL RELATIONS BETWEEN THE

# BRITISH GOVERNMENT IN INDIA

January 1835 AND THE

# EMPIRE OF AVA;

*FROM THE EARLIEST DATE ON RECORD TO THE END OF THE YEAR* 1834:


COMPILED BY

**G. T. BAYFIELD, ESQ., ACTING ASSISTANT TO THE RESIDENT IN AVA.**

AND REVISED BY

**LIEUTENANT-COLONEL BURNEY,**

**BRITISH RESIDENT.**



**Calcutta:**

**SAMUEL SMITH AND CO., No, 1, HARE-STREET.**

1835.

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The earliest record of the British in Burmah is so far back as the year 1619, when we began a trade at Pegu, encouraged by a King of Ava, but by the ill management of those employed, they were forced to abandon it almost as soon as they had commenced it. In 1607 or 1627 the Dutch appear to have had possession of the Island of Negrais.

1619. Modern Universal History, vol. 7, p. 112, from Method in Purchas's Pilgrims. Dalrymple's Oriental Repertory, vol. 1, p. 98.

The precise time of our arrival in the country is uncertain, but in the beginning of the 17th century we possessed factories at Syriam, Prome, Ava, and on the borders of China, probably at the Burmese frontier-town of Bhanmo or *Banmau*. We were established by permission and not by treaty; but owing to some offensive and insolent threats of the Dutch to the King of Burmah, we were both expelled from the kingdom, and were not permitted to return to it for many years. The Dutch never returned. At this time maps, &c. were made of the Upper Country, which perhaps might even now be discovered amongst the old records of Madras; we have never had such opportunities for observation since, and probably shall not again. *Dalrymple's Oriental Repertory* contains extracts from the records of the Government of Fort Saint George and other documents, giving all the account which can now be obtained of our intercourse and transactions with the kingdoms of Ava and Pegu, from the earliest times down to the year 1760.

Dalrymple's Oriental Repertory, vol. 1, p. 98, and vol. 2, pp. 345, 397.

The Portuguese, who had been in the country since 1540, if not before, were in the beginning of the 17th century in considerable force at Syriam,* under the celebrated Philip De Brito and Nicote, who was even proclaimed King of Pegu. His conduct, however, in attacking Toongoo and carrying off the King of that country, a chief styled in Burmese History *Kuli ya men*, King obtained or seized by foreigners, provoked the King of Ava, Maha Dhamma Raja, who besieged and destroyed Syriam, and impaled De Brito on an eminence above the Fort. The Burmese Monarch removed many of the Portuguese and their descendants from Syriam to the vicinity of Ava, where some traces of them exist to this day in a race of people with light coloured hair and eyes.

Modern Universal History, vol. 7, p. 112 to 120.

* Called by the Burmese *Thalyen*.

1680.
Dalrymple's Oriental Repertory, vol. 1, p. 102, and vol. 2, p. 345.

From the period of our expulsion to this date, English ships continued to trade, but we appear to have gained little in a political point of view. In 1680, an endeavour, under orders from the India Company, to re-establish factories in this country effected nothing.

1684-1685.
Dalrymple's Oriental Repertory, vol. 1, p. 102.

The British Government again made an unsuccessful attempt through a Mr. Dodds to obtain a settlement in this country, and particularly at "*Prammoo* on the confines of China."

1686.
Dalrymple's Oriental Repertory, vol. 1, p. 103.

In this year, as the Burmese insisted upon some person of consequence being sent to them, all thoughts of settling in their country were given up; but a resolution was taken to settle at Negrais, which was considered at this time as part of the Arracan dominion. A sloop was sent to make a survey of that island,* but losing her passage she was obliged to return. At this time, letters from the Burman King were received at Madras, and the King of Arracan also made an ineffectual effort to obtain through that Government, the assistance of some Native States for the purpose of quelling disturbances which had broken out in his kingdom.

1687.
Dalrymple's Oriental Repertory, vol. 1, p. 103, and vol. 2, p. 189 to 193.
Hamilton's New Account of the East Indies, vol. 2, p. 63, 64.

Captain Weldon was sent to Musni to declare war against Siam, and on his return, he surveyed the Island of Negrais, planted the English flag, and took possession of it in the name of the British. Negrais at this time appears to have belonged to Siam, as the report says, "that Cap-
"tain Weldon destroyed some Siamese† huts that were on the Island."

1688.
Dalrymple's Oriental Repertory, vol. 1, p. 104.

The Governor of Syriam invited the British Government to re-establish a factory at that place, but the offer was rejected, owing to a projected expedition against Chittagong.

1695.
Dalrymple's Oriental Repertory, vol. 2, p. 337 to 396.

Notwithstanding the early date of the arrival of the British in Burmah, no regular official intercourse appears to have been instituted until the year 1695, when the views of Government towards Burmah being changed, Messrs. Fleetwood and Lesly were sent as Ambassadors to the Court of Ava, with presents, and a petition to the King for the restoration of the property of one Adrian Tilbury, whose estate, when he died intestate at Martaban, had been seized by the Burmese Government; also for the release of the ships *Saint Anthony* and *Saint Nicholas*, which had put into a Burmese port for wood and water, and had been unjustly confiscated, and her commander and crew detained captives; and to obtain, if possible, certain commercial advantages, and a re-establishment of our factory at Syriam. Mr. Fleetwood, who alone appears to have proceeded to Ava, was well received by the local authorities at Syriam, and forwarded to the capital, where, after much procrastination and delay, he obtained an audience of the King, who restored the captives, but not the property, and granted a remission of one-third of the Custom duties, and leave to build a factory as required. On entering the Palace, the Ambassador was made to kneel down three separate

* Called by the Burmese *Hain-gyee-Kywon*.
† Probably *Shans*, who were also called Siamese by old travellers and writers.

times, and "*Shék,ho*"* three obeisances each time. On his return to Syriam, the Burmese chief of that place maintained, that the King's orders granting an abatement of one-third of the Custom duties, applied, not to the India Company, but to Mr. Fleetwood alone, for any *one* ship he might send or come in. Government did not avail itself of the permission granted to build a factory at Syriam, and as the main points of the Mission were not obtained, in the year 1697, the Government of Madras deputed a Mr. Bowyear as Ambassador to the Burmese Court, with a humiliating petition, praying the restitution of all ship-wrecked property and persons, but particularly of that mentioned by the former embassy, and repeating the request for permission to build a factory at Syriam, and to have an Agent resident there in the name of the Company, for the protection of commerce. The result of this mission is not known; probably there was none, and Mr. Bowyear may have refrained from proceeding to the capital, as the Burmese King, *Menyè-Kyau-den*, died in 1698, just after Mr. Bowyear's arrival in the country.

1695.

Dalrymple's Oriental Repertory, vol. 2, p. 396 to 404.

Mr. Bowyear remained until this year at Syriam; and trade and commerce appear to have been carried on without any further protecting efforts on the part of the British Government.

1700.

Dalrymple's Oriental Repertory. vol. 2, p. 192.

From 1697 till 1709 there appears to have been no important intercourse between the two Governments. In this last year, however, Mr. Pitt, Governor of Madras, deputed a Mr. Richard Allanson or Allison to the Court of Ava, the account of whose missions must exist among the old records of Madras. This gentleman was twice at the Court of Ava and Syriam on the part of the Government of Madras, and we may reasonably conclude that his missions were successful, for although we can find no record of important official communications with Ava, yet we may observe that for several years after the date of his missions, the English were settled at Syriam and trading freely between the British possessions and Burmah under the protection of Residents, who were however mere supervisors of the private trade, and not immediately in the service of the Company, that body itself having had no commerce with Burmah since its expulsion in the 17th century. One of these Residents, named Tornery, is said to have written a complete description of this Empire, but what became of so curious a work Dalrymple could not learn.

1709.

Dalrymple's Oriental Repertory, vol. 1, p. 104, and vol. 2, p. 193. Also Hamilton's New Account of the East Indies, vol. 2, p. 46.

Dalrymple's Oriental Repertory, vol. 1, p. 105.

Between the years 1726 and 1740, the English were still settled at Syriam, and commerce continued to be carried on. There are letters from different Residents on record, some complaining of grievances, and others of no further importance than to shew our continued connection with this country. In 1740 the Peguers and Siamese leagued together and reconquered Syriam from the Burmese. The British Agent and Merchants, as well as all foreigners, remained unmolested. In 1741 the King of Pegu, Simento,† being anxious for the assistance of the British, wrote to Mr. Smart, the British Resident, proposing that he should have the regulating of the port charges and Customs, inviting him to Pegu, and

1726 to 1740.

Dalrymple's Oriental Repertory, vol. 2, p. 194, 195.

Dalrymple's Oriental Repertory, vol. 2, p. 195, 196.

* A mark of homage performed in the kneeling posture, by raising the folded hands to the forehead and bowing the head nearly to the ground.

† *Thameint, hau*, the Pegu title corresponding with the Burmese "*Men-dara*" King of righteousness.

1740. giving free permission to the English to build ships, and to trade and export all kinds of goods. Mr. Smart evaded His Majesty's offers, being apparently disposed to favor the Burmese.

1743. The Peguers vacated Syriam, and the Burmese re-took it; they held it for the three days only, when the Peguers returned, and having strong suspicion of unfairness and duplicity on the part of the British Agent, they burnt the Company's factory to the ground, which, together with the unsettled state of affairs, occasioned Mr. Smart to retire from the country, and thereby, through the misconduct of its Agent, the Company forfeited its advantages, present and prospective.

Dalrymple's Oriental Repertory, vol. 1, p. 105, 106, and vol. 2, p. 196.

1750. About the year 1750 a very interesting paper on the consequence of settling an European Colony on the Island of Negrais, was written and delivered to the Government of Fort St. George, which paper, afterwards in 1753, seems to have been the foundation of what was called "the Negrais Expedition."

Dalrymple's Oriental Repertory, vol. 1. p. 129, 97.

1752. Having quitted Syriam under circumstances of such an unfavorable nature, the King of Tavoy (at this time setting himself up for an independent Prince) made overtures to the British Government, to establish a settlement at that place; but the terms proposed were so exorbitant in a pecuniary point of view, that the acceptance of them was not likely in any way to tend either to our honour or advantage. The offer was consequently neglected, though not positively refused, without any attempt to obtain a settlement at a lesser sacrifice.

Dalrymple's Oriental Repertory, vol. 1, p. 115.

1753. In 1687, as was before shown, the Island of Negrais was surveyed and taken possession of in the Honorable Company's name, and in this year, 1753, the Governor of Madras established a settlement on it, under a Mr. Hunter, a clever, but haughty, ill-tempered, and disappointed man, who, ignorant of the requisites for a good, healthy, and advantageous site, and impatient of advice from persons capable of giving it, acted in such a manner as to disgust his followers, and place the settlement in a very unpromising condition, so that in 1754, Mr. Brooke, one of the members of the new settlement, wrote, that the Fort had been built in a swamp, influenced by the tides, by which they were suffering great sickness and mortality, augmented by a scarcity of provisions and mismanagement. Mr. Hunter, however, soon after died, and was succeeded by Mr. Brooke. At this time the Burman and Pegu war continued with various success, and each party was anxious for the assistance and countenance of the British; for which purpose the King of Pegu wrote to Mr. Brooke, and also dispatched Ambassadors to Governor Pigot at Madras. We continued neutral, although British interference would have decided the contest either way, and have enabled us to obtain some advantages for ourselves.

Dalrymple's Oriental Repertory, vol. 1, pp. 97, 124, 125 to 128.

Dalrymple's Oriental Repertory, vol. 1, p. 195.

1755. At this time we had a settlement at Bassein,* and Captain Baker, who was there in charge of the Factory, wrote that the Peguers having

* Called by the Burmese "*Bathein*," and by old European Authors "Kosmin" and "Persaim."

quitted Bassein, the Burmese came and destroyed the place, respecting however the Company's factory and property on being informed to whom they belonged. Mr. Brooke pointed out to the Madras Government, the improbability of obtaining any advantages from the Pegu King, who had been joined by the French, and recommended our joining the Burmese, for, should either party gain the ascendant without our assistance, we could expect no advantages. He, therefore, strongly urged our declaring for the Burmans, whose cause was in a flourishing state, and their King anxious for our assistance. The Burmans had now nearly re-conquered the country from the Peguers, and his Burman Majesty sent Ambassadors to the English Resident at Negrais, whither they were escorted by Captain Baker from Bassein. On their return to Bassein, they found the Peguers had retakin it, and being there in force, they demanded the persons of the Burmese Ambassadors and suite; but Captain Baker refused to deliver them up, and returned with them to Negrais. The Burmese, however, eventually prevailed, and a friendly communication took place between them and the Resident, who received from the King a present of 2 horses, and in July deputed an embassy to *Mout-tsho-bo,** consisting of Captain Baker and Lieutenant North with presents, and a proposed Treaty of Alliance. Mr. North died on the way up. The objects of this Mission were:—

1755.
Dalrymple's Oriental Repertory, vol. 1, p. 136.

Dalrymple's Oriental Repertory, vol. 1, pp. 196, 197.

Dalrymple's Oriental Repertory, vol. 1, p. 137, 138.

Dalrymple's Oriental Repertory, vol. 1, p. 141.

Dalrymple's Oriental Repertory, vol. 1, p. 143 to 162.

1st.—A treaty of Friendship and Alliance.

2nd.—Certain Commercial Advantages: and

3rdly.—Legal grants of Negrais Island and grounds for Company's Factories at Bassein and Dagon, since called Rangoon. But through our vaccilating policy, this application was too late, the Burmese having defeated the Peguers, and established themselves without our assistance. The Mission having entered the Royal presence, knelt down and "*Shek-hoed*" three separate times. Alompra received them haughtily, and after a long discussion, granted verbal permission for a factory and ground at Bassein and Dagon, but refused to give Negrais without some previous pledge of the Company's sincerity, which he had good reason to doubt; for when we could have assisted him we hung back, and whilst Mr. Brooke was professing friendship, and was really desirous of assisting the Burmese, when such aid was needed and sought after, some English ships at Dagon took part with the Peguers, and fired upon the Burmese Army. This, however, Captain Baker explained away as an unauthorized act, for which the perpetrators† would be punished. On reading that part of the proposed Treaty of Alliance, which says—"by which means your "Majesty will obtain the friendship and assistance of so great a power "as the Honorable Company,"—the King laughed heartily in derision, and pulling up his *putsho* or waistcloth, and slapping his thighs and arms in the true Burmese bravodo style, he exclaimed, "look at *this*, and do not talk to me of assistance,—I want none." He then enumerated his various feats, real and imaginary. The courtiers, as in duty bound, joined in a roar of laughter against Captain Baker, whose eloquence on this occasion was of no further avail. Captain Baker had several

Dalrymple's Oriental Repertory, vol. 1, p. 177, &c. 183.

* Mout-tsho-bo was the celebrated Alompra's usual place of residence.

† Mr. Whitehill, Schooner Hunter, Captain Jackson of Company's Snow Arcot, and others.

1755. audiences of the King, but finally quitted Court without obtaining the ground, or any one of the objects of his Mission. The King pretended to distrust us.

During the contentions between the Burmese and Peguers, Mr. Brooke wrote to Syriam for some guns belonging to the English Factory, and ordered such British ships as were there at that timeround to Negrais. The Pegu chief however accused Mr. Brooke with assisting the Burmese, and refused to part with the guns and ships, until he had obtained satisfaction from the Madras Government. The English were consequently confined, and Pegu troops sent on board their vessels, whilst the French, who had declared for Pegu, were free and unmolested. In December, our ships were still detained by the Peguers, and compelled to assist them in the war against the Burmese, whose cause Mr. Whitehill (beforementioned) vainly urged the British Government to espouse.

Dalrymple's Oriental Repertory, vol. 1, p. 177 to 200.

1756. At this time the situation of the British in Burmah was most unpleasant. Alternately solicited and suspected by both States, Pegu and Ava, the Madras Government in opposition to the advice of its Resident and others, would neither take advantage of passing events, nor the offers of the contending parties for its own aggrandizement. Mr. Brooke, therefore, desired to be relieved; and on 12th April was succeeded by a Captain Howes, who died in a few months, when the management of affairs devolved upon the senior officer present, a Lieutenant Newton.

Dalrymple's Oriental Repertory, vol. 1, p. 177 to 200.

1757. In the early part of this year, Alompra, the most celebrated of all the King's of Burmah, wrote a letter to the Resident, requesting a meeting at or near Prome. On the same occasion, he also addressed a letter in his own name to the King of England, written on a leaf of virgin gold, ornamented with rubies, and which he delivered to a Mr. John Dyer and some other persons who visited him at Rangoon. It would be curious to know what became of this letter, a copy of which, with a description of the handsome style in which it was prepared, is given, I am informed, by Colonel Burney, in the Burmese History, and in a collection in his possession of Alompra's "orders." Alompra considered it derogatory to write in his own name any thing but an "order," either to the Governor of Bengal or Madras, who, up to the period of the late war, were styled "*Bengala thembau-zeit-ts-a*" and "Tsinapatan* "*thembau-zeit-ts-a*," Eater (or Lord) of the Ports of Bengal and Madras "also *Gombanee Bengala* Myo-za" "The Company, Lord of the City of "Bengal."

Dalrymple's Oriental Repertory, vol. 1, p. 201.

Dalrymple's Oriental Repertory, vol. 1, pp. 106, 211.

Dalrymple's Oriental Repertory, vol. 1, p. 200 to 226. Lieutenant Newton accordingly prepared presents and a Treaty of Friendship and Alliance, and deputed Ensign Lester as Ambassador Extraordinary to the Court of Ava. The embassy left Negrais on the 26th June, and was met *en route* by a Portuguese named Antony, who was appointed by the Burmese to escort it to the presence. Mr. Lester experienced much insolence and disrespectful treatment from this man, and was supplied with very unsuitable boats for the journey. At this

* From the Native name Chinapatam.

time the King was on his return to Ava, and the embassy overtaking him, received audience on board the royal boat. Mr. Lester left his shoes and sword outside the audience room, and upon entering the presence, knelt down and "*Shek,hoed,*" three times. His Majesty received him affably, and accepted his presents, but at first seemed indisposed to listen to the proposed terms of alliance. At length, however, he acquiesced, and the meeting broke up. 1757.

This Treaty consisted of five articles. The

1st.—Conceded to the British Government the Island of Negrais in perpetuity.

2d.—Ground at Bassein to the extent of one thousand four hundred square cubits, and more if required, in perpetuity. For these two grants we were to give one 12-pound cannon and 200 viss of powder.

3d.—Trade between the Chiefs of the two countries to be duty free.

4th.—The Company to aid and defend the King of Ava against all his enemies, the King to pay the expense of any troops with which he may be furnished.

5th.—Pledge on the part of the Company not to assist the King of Tavoy.

Notwithstanding the King's promise, Mr. Lester discovered that nothing could be obtained without a bribe, and the Prince of Bassein and his vassal Antony refused to get the King's signature to the Treaty, until Mr. Lester gave a bond on the Hon'ble Company for 30 viss of silver (about 3,500 Rupees), which, after much discussion, he reluctantly did, rather than return with the Treaty unratified. Had this Treaty been respected by the Burmese, it would have been worth the sum of money, which Mr. Lester was compelled to pay for it; but its provisions were not observed; and rumour said, that Alompra was ignorant of its import, which is very likely, as the Burmese, even up to the period of the late war, never dreamed of being bound by Treaties, when it appeared to be their interest to break them.

Mr. Lester received an audience of leave and also the Royal return presents, consisting of 1758.

24 Heads of Indian Corn,
18 Oranges, and
5 Cucumbers;

he was then informed, that he might depart; but as His Majesty required the boat in which he came, he was compelled to embark himself and baggage on board another, which was in such bad condition that it sunk during the night. The treatment he received gave him a very unfavorable opinion of the Burmese, and happy in escaping, he retraced his steps to Bassein, where on the 22d August, having measured out the ground granted by the Treaty, he planted the Company's flag, fired a volley, and took possession in the Company's name. Dalrymple's Oriental Repertory, vol. 1, p. 222.

The establishment was this year withdrawn from Negrais, and three or four persons only were left in charge of some pro- 1759. Dalrymple's Oriental Repertory, vol. 1, p. 343.

1759.

perty and timber, as well as to hold possession of the Island. The troops under Captain Newton returned to Calcutta in May, and in July of the same year Government deputed Captain Southby to Negrais to superintend such portion of the establishment and Timber as remained. He sailed on board the *Victoria*, Captain Alves, and arrived at Negrais Island on 5th October, and on the following day, Antony (the man who attended Mr. Lester) delivered to him a letter, purporting to be from the King of Burmah. Antony dined with Captain Southby that day, and on the following was invited to meet all the European gentlemen then at the station. The guests assembled at the appointed hour, and were on the point of setting down to dinner, when at a signal given, a large body of armed Burmese rushed into the house and barbarously murdered every soul, except a Midshipman of the *Inglis*, Indiaman, who made off to his ship and gave the alarm. After the Europeans (10 in number) had been dispatched, a general massacre of the natives took place, and of the whole settlement, only sixty men, four women, and one child escaped to the ships. Captain Alves, who fortunately had not been ashore, returned to Bengal with the tidings of this perfidious massacre, which it is said was planned and executed by a Frenchman named Lavene, without the King's authority; but the truth was, Alompra believed that our Factory at Negrais had been in communication with his enemies, the Peguers. At all events, we had declined to assist him when he required and applied for our assistance. Our ships were much damaged by the fire of the guns from the Fort, which the Burmese shortly afterwards burnt to the ground and then decamped.

Dalrymple's Oriental Repertory, vol. 1, p. 343 to 350, 356, 357, 358.

1760.

On the 15th of May of this year the celebrated Alompra died, when returning from his invasion of Siam; and in the same month, Captain Alves returned to Negrais with letters and presents from Governor Holivell of Bengal, and Governor Pigot of Madras. The objects of this Mission were:—

Dalrymple's Oriental Repertory, vol. 1. p. 351 to 398,

1st.—Satisfaction for the massacre of Negrais, and liberty to all prisoners taken at that time.

2nd.—Remuneration for the loss of Captain Whitehill's ship, which had been forcibly taken by the Burmese, and employed in the war against the King of Tavoy.

Having anchored off Diamond Island on the 5th June, he sent the mate of his vessel up to Bassein to report his arrival. Antony was forthwith dispatched to the ship, and on meeting Captain Alves, he entered into a long defence of his own conduct in the late massacre, attributing the blame to the Frenchman Lavene, and Gregory, the Armenian Shabunder at Dagon, who from private feelings of revenge, had exceeded the King's orders, which were merely to take the English prisoners in hopes of obtaining a large ransom. The pretended excuse for this outrage was our having taken part with the Peguers at Syriam, and a Mr. Hope, a settler at Negrais, having furnished fire-arms and shared in their spoils, together with a suspicion, that it was the object of the Honorable Company to subjugate Burmah, as it had already done the Coast of Coromandel and Bengal. This open and apparently friendly reception, coupled with the leaky condition of his vessel and tempestuous weather, induced

1760.

Captain Alves at Antony's request, to take his vessel up to Bassein, where he was at first kindly treated. The Prince of Bassein, who was at this time at Dagon, sent repeatedly for the King's presents, but Captain Alves had resolved to deliver them in person; and not yet being furnished with suitable boats, he declined giving them up; on which the Burmese forcibly carried off from the vessel muskets, and whatever else they could get at. At length he procured a boat and quitted Bassein on the 30th of July, and on arriving at Dagon, the Prince compelled him to deliver the King's presents, and ordered him up to Court, whither he would rather not have gone, as the country was in a very unsettled state. He remonstrated in vain against the treatment he had met with. During the passage to Court, a great portion of his private baggage, &c. was taken out of his boat, on pretence of lightening her, which it did most effectually, as no portion of it was ever returned to him. On arriving at Court, he found the City of Ava in a state of rebellion, and His Majesty, the eldest son of Alompra, styled *Noung-dau-gyee*, great elder brother, besieging it from the opposite City of Isagain. He performed the usual ceremonies on receiving audience, when the King accepted the presents and restored to liberty such persons as had been taken alive after the massacre at Negrais; he also gave permission to transport the remainder of the Company's timber and property; but peremptorily refused to remunerate Mr. Whitehill for the loss of his ship. His Majesty was astonished at our demanding redress for the massacre, which he was determined not to give, declaring that his soldiers might kill any one they pleased: finally, he prohibited the return of the British to Negrais, but granted a spot of ground for a Factory at Bassein. In order to obtain the little which His Majesty had promised, and after much vexatious delay and the temporary loss of his private papers, which the King had ordered to be taken from him and examined, he was compelled to bribe the Ministers largely, besides paying a sum of money for the release of each prisoner, and the expense of gilding the borders of the King's letters to the Governors of Bengal and Madras! At the King's desire, some private trade which Captain Alves had taken with him was sent into the Palace for inspection, where on the plea of "customs," it was plundered by the King and his Ministers-in the most shameful manner, and after taking as much as they required, permitted him to dispose of the remainder to any one he pleased. On taking his departure, His Majesty, with *non-chalance* peculiar to Burmah, desired him to bring more things next time, as these were scarcely worth the trouble of counting!! He quitted Tsagain heartily disgusted, and proceeded to Dagon, where he obtained the release of the prisoners, and having appointed Messrs. Robertson and Helass to the temporary charge of the Hon'ble Company's stores, &c. at Bassein, he returned with the report of his Mission to Bengal, where he arrived in December. Captain Alves, in his report, mentions a general wish of the poorer class of Burmese to place themselves under the British protection, and also, the marked hostility of Armenians and Moguls. His Majesty's letters to the Governments of Bengal and Madras granted:

1st. —The release of the Negrais prisoners.
2d. —Ground for a Factory at Bassein.
3rd.—Liberty to trade on paying the usual duties:

1760.

thus abolishing the previous grant of Negrais and the whole of Ensign Lester's Treaty, the import of which, it is said, His late Majesty did not thoroughly comprehend, and which appears to have been a job between the Prince of Bassein and his vassal Antony. This Mission, which left us in a worse condition than before, tended to tarnish the respectability of our name, and plainly shewed the utter insecurity of both British persons and property in Burmah. Government did not avail itself of the proferred ground at Bassein, nor did it take any further measures for the redress of wrongs, or the chastisement of bad faith and perfidious treachery.*

Dalrymple's Oriental Repertory, vol. 1, p. 345.

1782.

After the failure of Captain Alves's Mission in the year 1760, and the consequent withdrawal of the establishment from Bassein, commerce continued to be carried on to a greater or less extent at Rangoon, (formerly known by the name of Dagon) where at this time the Honorable Company possessed a factory surrounded by a brick wall, on which its "colours was hoisted."—English vessels, however, on frequenting this port were still subjected, without a prospect of redress, to great and unnecessary delays, and their commanders to personal indignities. The Company's vessels were, however, better treated than free traders; but its Agent had no authority or weight in the Burmese Councils, and in this state, affairs continued until the year 1794.

Dr. Hunter's Concise Account of the Kingdom of Pegu. London, 1789, p. 61.

1794.

Large parties of Mughs, or native inhabitants of Arracan, who had been driven by the tyranny and oppression of their conquerors, the Burmese, to fly into the jungles, became a wild and lawless banditti, frequently attacking and plundering the Burmah traders, and then unknown to the British authorities, taking refuge in Chittagong. On its being ascertained that three distinguished leaders of these robbers had sought refuge in the British districts, the King of Ava, without previously acquainting the English authorities of his intention, or cause of offence, unceremoniously sent a party of 5000 armed men into the Chittagong Province, to arrest the robbers, dead or alive. Besides this gross violation of British territory, a Burmese army of 20,000 men was collected in Arracan for the purpose either of intimidation or actual assault. To meet these threatening and hostile demonstrations, the British Government promptly dispatched a force composed of European and Native Troops under General Erskine to the Chittagong Frontier, where it had no sooner arrived, and the Burmese General perceived our determination to resist them, than a messenger was deputed to the British camp, with proposals of friendship, followed shortly afterwards by the Burmese General himself. Previously to entering upon any discussion, General Erskine peremptorily demanded the removal of the Burmese troops from their threatening position on the frontier, which being done, affairs were speedily accommodated, and the prisoners having been tried and found guilty, were surrendered.

Symes's printed Account of his Embassy to Ava, 4to. ed. p. 117 to 121.

It was well known, that about this time the unsettled state of Europe induced the French nation to look anxiously towards the means of obtain-

* It is difficult to discover why our Government omitted to instruct our negotiators at Yandabo to insist upon the cession of Negrais island, and to give that territory an important place in any Treaty of Peace. Such an act would have taught a great moral lesson to the Burmese and other Indo-Chinese nations, showing them that treachery and assassination could never be forgotten, or allowed to pass with impunity.

ing a settlement in Burmah, or an influence in her Councils, either by friendly negociation or otherwise; and Monsieur Suffrein, who, whilst in India, had made surveys and projected plans for this purpose, had publicly declared, soon after his return to France, that "Pegue was the country through which the English might be attacked in India with most advantage." In consequence of the above circumstances, and from a consideration of the political and commercial advantages to be derived from a more intimate connection with Burmah, the Right Honorable Sir John Shore, Governor-General, deemed it advisable, if possible, to strengthen the existing intimacy and friendship with this State; and therefore, in the year 1795, deputed Captain Michael Symes, as Ambassador to the Court of Ava, with suitable letters and presents.

1794.

Captain Cox's Letter to Lord Mornington, dated 15th September, 1798.

Lieut.-Colonel Symes's Report to the Governor-General, dated February, 1803.

## CAPTAIN SYMES' FIRST MISSION.

1795.

Instructions from the Governor-General in Council, dated 6th February, 1796.

Symes's printed Account of his Embassy to Ava, 4to. ed.

This Mission was supplied on the most liberal scale, and was of much greater respectability and consequence than had been any of the previous embassies to this country; in fact, it may be taken as the date of our first attempt to treat with Burmah on a footing of equality, and in earnest. On arriving at Rangoon, Captain Symes was doomed to experience the usual *modicum* of Burmese arrogance and insolence, in some measure the effect of the conciliatory conduct of General Erskine, and the surrender of the criminal Mugh fugitives in the year 1794, which acts were constructed by this benighted people as the result of fear of their mighty power. The commanders of the English vessels then at Rangoon were forbidden to hold communication with the embassy, which also was restricted in its intercourse with the town. After suffering neglect and every species of arrogance for some time, he informed the Local Government, that unless he was immediately acknowledged and respected as the representative of the Governor-General, he would return to Bengal with the letters and presents intended for the King. This remonstrance and the fear of losing the presents produced a good effect, and all vexatious restrictions were forthwith removed. Orders for his proceeding to Court had now arrived, and suitable boats were furnished for himself and suite, who were escorted by Baba Sheen, the Armenian Collector of Land Revenues at Rangoon, who appears to have been a man of great cunning and plausibility, and ever ready to reply to Captain Symes's queries, in the manner most likely to impress him with respect and admiration for the power, character, and customs of the Burmese King and nation. The announcement of so respectable an embassy was gratifying to the King, and the tone of Court feeling was evidently in our Envoy's favour, for the nearer he approached to the capital, the better his treatment became, and when within seven days' journey of it, he was met and escorted up to Court by a deputation consisting of two or three officers of rank, with a royal barge towed by two gilt war boats. Notwithstanding this favorable reception, he had no sooner arrived at the former capital, Umarapoora, than he had to undergo a repetition of the same disgraceful neglect, which he suffered at Rangoon. He was left entirely unnoticed for many days, and the Ministers refused to shew him the least attention, either as a private gentleman, or in his public capacity. At length, after fights and remonstrances, he succeeded in improving his situation. He

Symes's printed Account of his Mission, p. 146, &c.

p. 155, &c.

p. 225.

p. 266.

1795.
Symes's printed Account of his Embassy, p. 411, 414.

was, however, presented to the King on a "*Kodau*" or beg pardon day, thus placing the Governor-General upon an equality with his Majesty's *Tsaubwas* and vassals; he was also obliged to take his seat at the *Shwottou* behind the *Nakhans*, officers of very inferior rank. Captain Symes considered, that he had gained a great point in being permitted to wear his shoes until he reached the inner enclosure of the Palace, where all the noblemen of the Court unslipper; but his Majesty did not condescend to honor him with any verbal notice, nor did he take any notice of the Governor-General or his letter. By this mission a paper was obtained from the *Woonggees*, directing the customary duties only to be levied, with permission to appoint a British Resident or Superintendent at Rangoon, for the protection of British subjects and trade. Captain Symes was also furnished with a letter addressed by the *Woonggees* to the Governor-General, who is styled "Gombanee Bengala Myo-za," which document his translators led him to believe was written in the name of the King of Ava himself to the Governor-General, and as such it is published in his work. Captain Symes states, that he obtained several subsidiary papers expressing in clear detail the regular dues of Government and the authorized perquisites of its officers, so as to prevent future arbitrary exactions. These papers were never published; but they would, even at this day, prove of great utility to our commerce at Rangoon. Colonel Burney has only lately obtained through a private channel at Rangoon, a Burmese copy of one of these papers, fixing the rate of port charges and import duties to be levied on British vessels and commerce, and he believes that had our merchants been able to refer to these important documents, many of the exactions of the local officers at Rangoon, as well as the increase of the old rates of charges and customs, might have been prevented. Captain Symes having as far as practicable, considering the character of the people, completed the service on which he was deputed to Ava, returned to Bengal. It is not within the limits of this paper to discuss the correctness and fidelity of Captain Symes's Picture of Ava as published by himself, but it may not be irrelevant to observe, that his description of the Court of Ava, and of men and manners, differs as much from what they were a year afterwards, as related by Captain Cox, and from what they now are, as a polished European differs from an Andamanese.

pp. 412, 413, 414.

Appendix No. 4, p. 494.

App. No. 3, p. 488, 4to. ed.

App. No. 3, p. 418.

## CAPTAIN COX'S MISSION.

1796

Sometime after the return of Captain Symes to Calcutta, Mr. Edmondstone, Secretary to the Supreme Government, wrote in friendly terms to the Viceroy of Pegue, informing him that the state carriage, coining apparatus, &c. which Captain Symes had been commissioned to procure for the King, were being prepared, and would be forwarded as soon as ready. The Viceroy made his subordinate, Baba Sheen, answer this letter direct to the Governor-General, and although there was nothing offensive in the answer itself, still the source from whence it came, and the assumed superiority which forbade the Viceroy to write, were highly offensive. In pursuance of the paper given by the Burmese Government in 1795 to Captain Symes, and miscalled a "a Treaty," the Right Honorable the Governor-General, Sir John Shore, Bart., appointed Captain

Received at Calcutta 13th May, 1796.

Hiram Cox to be Resident at Rangoon on the part of the British Government of India. The principal objects of this mission were:

1796.

Letters of Instructions from Mr. Secretary Barlow, dated 27th June, 1796, and 12th September, 1796.

1st.—To render permanent and effective the friendship and alliance formed by "the Treaty" of 1795.

2d.—To protect the political and commercial interests of British India and its subjects from Burmese oppression.

3d.—To counteract, in a private manner, as far as practicable, the designs of the French towards obtaining a footing in Burmah, should such be attempted; and to endeavour to prevail on the King to send Ambassadors to Bengal.

Captain Cox's instructions directed him, on all occasions to make it clearly understood, that he appeared only in the capacity of Resident at Rangoon, and not as Ambassador on the part of the Governor-General. He was not to proceed to Court unless invited by the King, nor to endeavour to obtain any relaxation of the degrading ceremonies exacted from Captain Symes. The mission having left Calcutta on the 15th September, 1796, got aground at the mouth of the Rangoon river on the 6th October, but receiving prompt assistance from the Local Government, arrived off Rangoon on the 10th, saluted the Fort, which salute was returned by an equal number of guns. On the 12th, Captain Cox landed under another salute, and having previously withstood several attempts to induce him to go to the King's Custom House or godown, like a private trader or Commander of a vessel, he was received at the Wharf by the Shabunder Jhansee, and Baba Sheen, who were civil and polite, and immediately escorted him to a house, which his private Agent had prepared for his residence. During the day the principal officers of the Local Government waited upon him, though not until they had tried in vain, to induce him to receive his first audience at the Custon House. At this time the Viceroy was at Court, whither Captain Cox wrote to him and forwarded translations of his public letters.

Letter from Captain Cox to the Governor-General, dated 19th October, 1796.

*November.*—Orders having arrived from the Ministers, preparations were made for forwarding the mission to Court; but, notwithstanding so large a sum as 35,000 rupees was collected from the inhabitants of Rangoon for the expenses of the journey, very unsuitable boats were supplied. Captain Cox quitted Rangoon on the 5th of December, 1796, and without any occurrence of moment, arrived opposite the former capital, Amarapoora, on the 24th January, 1797, where he was ordered to halt on a barren sand bank, and doomed to suffer a series of premeditated insults and degradations. At this time, His Majesty held his Court at *Menguon*, a few miles above Amarapoora, where he was superintending the building of an immense Pagoda. After waiting four days unnoticed on the sand bank, Captain Cox wrote a spirited remonstrance to the Viceroy of Rangoon, who, in answer, requested him to proceed to Court. He, however, refused to move until he had received satisfaction for this neglect. At length, the Viceroy promised to meet him half way, and he accordingly proceeded to the appointed place, another sandy island opposite Menguon, where not finding the Viceroy as he expected, he refused to go on. The Viceroy now flatly denied having made any such promise, and sent the

Captain Cox's manuscript Diary, 28th Nov., 1796.

Diary, 28th Nov., 1796.

Diary, 28th Nov., 1796.

Appendix C, to Captain Cox's manuscript Diary, dated 27th January, 1797.

1796.

*Yê-Woon** of Rangoon to escort him. Captain Cox being thoroughly disgusted, and seeing the inutility of further resistance, acquiesced on condition that the Viceroy should receive him on landing, which after much further subterfuge, he did on the 2d February.

*2d to 5th February.*—Captain Cox tried in vain to procure an answer to a letter which he had written to the *Woonggees* from Rangoon regarding the ceremony of his reception; and which letter, although forwarded on the 14th October, and accompanied by a translation, he learnt on his arrival at the capital had not even been opened. No public notice had as yet been taken of him, and on the 6th, he was surprised at receiving intimation that the 8th had been fixed for his introduction to the King. He remonstrated against such precipitancy, and objected to leave his house until furnished with a written statement of the forms and ceremonies expected of him, seeing clearly that their anxiety to become possessed of the State Carriage, &c. was the cause of this early interview. On the next day the Viceroy called upon him, wearing his slippers in the house, and in the evening he received a formal statement of the ceremonials of his introduction. Accordingly, on the 8th every thing being prepared, and the smaller presents and Governor-General's letters laid out on trays, the procession left the Bungalow, escorted by a *Than-dau-zen*. It had been settled that the Viceroy and a Woondouk should escort him, and they accordingly attended the presents, but would neither enter his house nor his boat. The Woondouk, however, entered a boat next to Captain Cox's, and sent to say he was waiting, but very properly no notice was taken of him. On arriving at the entrance of the enclosure round the Tent in which the King received him, he was made to unshoe, and was also desired to uncover his head and walk bare-headed in the sun, in order that every one might witness his degradation; this last, however, he objected to do. He was then led about from one entrance to another, making three English bows at three separate parts of the palace, and having entered it, he knelt down on one knee before the Throne, and bowed his head. His Majesty received him well, was talkative and complimentary, but avoided enquiring after either the King of England or the Governor-General, although he was highly delighted with the handsome State Carriage and expensive coining apparatus, &c. which the latter personage had sent him. No notice was taken of the Governor-General's letter, and the King having retired, refreshments were served, and shortly afterwards, Captain Cox returned home, much pleased with his interview, and believing he had made a favorable impression. His Majesty having become possessed of the handsome baubles, had now in his short-sighted selfishness, no further object in wearing the mask of conciliation, and from this date Captain Cox experienced a system of the most shameful neglects and gross insults, that were ever submitted to by a representative of the British Government. The *Ye-woon* was his daily visitor, and cunningly persuaded him to make presents to such of the Government Officers and Princes as his own desire or interest prompted; always bringing polite verbal returns.

Diary, 8th February, 1797.

* An Officer, the third in rank at Rangoon.

1797.

*17th February.*—Since the day of his introduction he had received no public notice, and the customary supplies of rice, &c. had been discontinued.

*18th February.*—The Ye-woon tried very hard to obtain a present for the first Queen, supporting his endeavours by a string of falsehoods. Captain Cox, however, had determined to give nothing more, until he was publicly acknowledged, for notwithstanding the Ye-woon's oft repeated statements that the King had issued the necessary orders for his being recognized as Resident, still he remained unnoticed. Yesterday a basket of rice was sent to him from the *Lhwotlan*, which he returned, and to-day on being assured that it was customary, he reluctantly accepted 100 tickals for 10 days supply of the Royal bounty!

Cox's manuscript Diary.

*March 11th.*—The Government studiously avoided recognizing him, and with the exception of the interested visits of the Ye-woon, he continued totally neglected. On this day, His Majesty had the meanness to return the rupees which had been gratuitously coined for him in Calcutta at his own request, on the plea of having none but pure silver current in his dominions! Captain Cox indignantly refused to receive them, and complained of this act as an insult offered to the Governor-General.

*March 12th.*—Being still unnoticed, and finding all former remonstrances vain, he again complained of their insulting neglect, and applied for suitable boats to convey him from Court. On the 15th, he was informed, that if he wanted boats, he must buy them, and one belonging to the Viceroy, which had been hitherto attached to the Mission, was this day withdrawn.

At this time a Rajah of Assam who had usurped the Throne, and had been deposed with the aid of the British, made an application to the Burmese Court for assistance, and great preparations were making for invading Assam, although Captain Cox had previously informed the Ministers, that that State was under British protection. He therefore reiterated his complaints, and applied officially for boats, he likewise remonstrated with the Viceroy, who was the only person of rank with whom he could communicate, and warned him of the consequences of such conduct. On the following day, affairs wore an improved aspect, and he received trifling presents of elephants' teeth, a ring, and 25 ticals in money from the first and second Queens, to whom he had made liberal presents; and on being desired to shew his inclination and ability to serve the King, he gave in to the Government his extraordinary proposition for collecting a revenue from Beetlenut, Salt and Balachong, by which His Majesty was to derive several lacs of tickals yearly; and constituting himself and the Rangoon Viceroy the managers, who were to divide the surplus revenue between them, with his share of which he intended to have defrayed part of the expenses of the mission. This proposition, fortunately, was never accepted, or perhaps believed practicable by the avaricious old King. It would have been dreadfully oppressive to an already overburdened people, and I am informed that some of the old courtiers yet talk of it as a remarkable circumstance in Captain Cox's

1797.

mission. Preparations were still going on for invading Assam, and His Majesty intended to head the Army; he, however, had no tent: a polite message was therefore concocted and delivered by the Ye-woon to Captain Cox, who, immediately supplied the deficiency. At length on the 21st and 22d March, Captain Cox carried his point in making the principal Minister, the Myen Woongyee,* exchange visits with him; they met on the first day in a *Té*, or temporary building, erected for the occasion near the house which the Woonggee was occupying for the time at Mengwon, and on the next day, after Captain Cox had visited the Woonggee at his habitation, the Woonggee went through the form of going over to Captain Cox's dining bungalow in great state to return the visit. This he was informed was an unprecedented favor; he removed his shoes and made extravagant presents, with a view of conciliating the *Woonggee*, but unfortunately he was indebted for this tardy politeness to the King's desire to interest the British Government in obtaining for him one of *Gaudama's* teeth, which was in possession of the King of Candy, and not to any wish of this haughty and mean Court to atone for past neglect.

Cox's manuscript Diary.

*24th March.*—He had now spent two months' at *Mengwon* entirely unnoticed by the Government; he therefore returned in disgust to Amarapoora, where he arrived on the 25th. Here also he remained totally disregarded and neglected for some days, when proposals were made for his visiting the heir apparent, who was in charge of the city during His Majesty's absence. These propositions, however, were of so humiliating a nature, that he was reluctantly obliged to reject them, and the visit was put off. Captain Cox visited the Viceroy and voluntarily unslippered, although the latter did not. An attempt was then made to induce him to quit Amarapoora, and on his refusing to do so, the Viceroy sent an insolent message, saying he would have no further communication with him. Captain Cox attributed the humiliating terms proposed for his visiting the Prince to the *Yè-Woon*, a man to whom he had invariably shewn the greatest kindness and liberality. On the 30th, he detected an attempt of this "high-minded Court" on Captain Symes, to pass off silver of 22½ per cent. alloy for 5½ per cent., in payment of the rupees which had been gratuitously coined for the King, in Bengal!!! He, however, was not surprised at this ungrateful return, his eyes were beginning to be opened to Burmese policy.

*April 1st.*—Captain Cox visited the Viceroy, who was about to start for Rangoon, and notwithstanding his former insolent message, they parted friends. The *Yè-Woon*, who was also about to return to Rangoon, had the impudence to send for a present; although he had absented himself ever since the failure of his arrangements for the visit to the Prince.

On the 25th he received a written message, said to be from the King, importing that His Majesty would himself accompany him to Rangoon, and establish him as Resident, on an equality with the Myo-woon or Governor there.

Cox's manuscript Diary.

*May 2d.*—Notwithstanding His Majesty's condescending communications, of which Captain Cox had received several, he had now

* Called by Captain Cox Mhee Whoonghee.

1797.

been two months at *Mengwon*, and thirty-eight days at Amarapoora, entirely unregarded; and on again remonstrating against further delay, he was waited upon by a deputation of *Lhwotlan Tsarè-daugyees** ostensibly with orders from the King regarding himself; he, however, refused to receive them, until the Ministers had publicly acknowledged him as Resident. After a day or two, he dispatched his assistant to *Mengwon* with a repetition of his complaints, but obtained no redress. On the 8th, the bamboo fence which enclosed his house was taken away, on pretence that the heir apparent wanted it, and the populace then pelted his house and sentry with stones. But there was some excuse for this last insult. Captain Cox lived in an upper-roomed house, and as he and his followers, in ignorance of the customs of the country, appeared in the varandah and above the heads of men of rank whenever they passed in the streets below, the followers of these men of rank pelted the mission with stones, in order to force them to remove from a situation in which no junior officer can show himself before a superior. Affairs continued in this state until the 20th, when a cousin of the heir apparent, and a young Tsaubwa, proposed to him to *pay* for an audience of the Prince, but to this he objected and made an unsuccessful effort to obtain by letter and remonstrance that which he refused to purchase. On the 8th June, the King returned to Amarapoora, on which occasion Captain Cox decorated his house, and on the 10th he accepted an invitation from the *Myen-Woonggee* to bring over his dinner and spend the day at his private house; he accordingly went, but was kept so long waiting in the lobby amongst a crowd of supplicants, that heartily disgusted, he returned home, leaving his dinner for the *Woonggee*, and his Interpreter to explain the reason of his quitting. He had nearly reached his house, when a messenger from this "polished Nobleman" overtook him, and persuaded him to return. After many apologies they sat down to dinner. The *Woonggee*, who pretended that anger had taken away his appetite, ate nothing, but begged of Captain Cox to set apart something for him, which being done, he retired and this *friendly dinner party* broke up.

*June* 13*th*.—The *Woonggee* having promised to assist Captain Cox in presenting a suitable memorial to the King, complaining of his unpleasant situation, and requesting to be immediately acknowledged as Resident at Rangoon; on the 14th, as a spur to his exertions, Captain Cox presented him with a handsome diamond ring, and on the following day, the *Woonggee* sent for him as he imagined on the subject of the memorial, but on arriving, he was annoyed to find it was merely to ask him for some scarlet cloth for the Prince, prefacing his request with a desire to know if he had any for sale.

Capt. Cox's manuscript Diary.

*June* 26*th*.—In compliance with a request from the King, and with a view to conciliation, Captain Cox decorated his house in honor of the arrival of an Assamese Princess for His Majesty. He also endeavoured to ingratiate himself into favor with the different influential persons about the Court, but particularly with His Majesty's grand-child (the present king,) and the *Myen-Woonggee*, but his civilities availed him

Capt. Cox's manuscript Diary.

* Burmese Secretaries of State, Officers of low rank at the Capital.

1797.

Capt. Cox's manuscript Diary, and Note at the end of it.

nothing, and he now detected the *Myen-Woonggee* (of whom he had hitherto thought well) in an attempt to deceive him regarding an embassy which had just arrived from some Prince of Behar, soliciting the interference of the Burmese to persuade the English Government to restore to him his jaghire. On the 3d of July, the *Woonggee* sent for him, and at first treated him very cavalierly, pretending that he knew nothing of the memorials, although they had been in his possession for three weeks, and he had more than once apologized for the delay in bringing them forward. He at length softened his tone, and after a few promises and fine speeches, which were returned with interest, the meeting broke up. On the 6th, Captain Cox learnt that his memorials would certainly be laid before the king that day, and on the thirteenth he learnt as certainly that they had not been presented. Dr. Keys was most grossly insulted by the *Myen-Woonggee*, who had sent for him professionally, and the Ministers now positively refused to present the memorials, saying that His Majesty had already given Captain Cox permission to reside at Rangoon as Company's Resident, and that he might attend at the *Lhwotlan* for his Commission, and take his seat, as Captain Symes is said to have done, behind the *Nakhans*. He then informed the Ministers of his intention instantly to quit the capital, —upon which they consulted upon the propriety of detaining the embassy as a hostage, until the 7000 persons who were said to have fled from Arracan, into Chittagong at the Burmese conquest in 1783, were delivered up, and Chittagong, Dacca, Luckipore and Cossim Bazaar, formerly under Arracan, were restored to Burmah, together with one half of the revenues collected from these countries since they first came into the British possession!!! Cáptain Cox now feared personal restraint, and mentions that a *Woondouk* who had promised to assist him, had given up his cause from a dread of being thought friendly to the English, and strongly urged him not to quit the capital. He attributed this disgraceful treatment to the jealous fears of the King and Court, which continued to be fed and nourished by the malicious reports of Moguls and others inimical to the English.

Capt. Cox's manuscript Diary.

18*th July*.—Being actuated by an earnest desire to settle amicably the difference between himself and the Ministers; but at the same time fully determined that no consideration of personal convenience should induce him to compromise his character as the Representative of the British Government, he objected to go to the *Lhwotlan* for His Majesty's Commission on the terms proposed, but after some trouble he came to an understanding, that it should be delivered to a respectable deputation from him. He accordingly deputed his assistant with an escort of sepoys to receive it, but the Ministers had changed their minds, and now refused to deliver it to any one but to Captain Cox himself, who, they said, must take an oath of allegiance to the Burmese King! But to this he of course objected. At this time his most puissant Majesty was employed in compelling his subjects to purchase the copper pice brought for him from Bengal, at the rate of 20 pice per tical!!!

Capt. Cox's manuscript Diary.

*August* 20*th*.—The last month was consumed in unsuccessful efforts to obtain redress, still no one would take the least notice of him. His

1797.

Assistant had been refused admission to the *Lhwotlan*, and every effort answered by a fresh insult. On this day he succeeded in hiring boatmen to convey him from the capital, but as the Government used every means of intimidation, they became frightened and ran away, on which he again applied to the Ministers, who provokingly replied that "he might go if he wished, and that the King was astonished at his remaining so long!" At length, to shew his determination to depart, and having, after much difficulty, persuaded the boatmen to return, he succeeded in embarking his baggage, although he had previously resolved not to quit without making a last attempt to bring this semi-barbarous Court to reason. Accordingly from this time to the 18th September was spent in unavailing efforts to obtain redress; he was lavish of his presents, but obtained only empty promises in return. Disreputable Moguls and Portuguese were busy, as usual, in circulating reports of disasters and combinations of native powers against the British rule in India. Burmese credulity was sharpened by Burmese desire, and every *ragamuffin* with ingenuity to invent a tale of British misfortune, found ready and attentive auditors in the Members of this imbecile Court. British merchants were plundered and imprisoned, and Captain Cox was unable to assist them. On the 20th September he made an application to the *Myen-Woonggee* for redress of insults offered to himself and Dr. Keys, whose servant had been falsely imprisoned, together with a British merchant named Reeves, who, without committing any offence, had been privately seized, tried, and condemned by two of the *Woonggee's* writers. The *Woonggee* found it impossible to understand the merits of the case, without a fee, and in reply asked Captain Cox for a watch, which the latter gave. A mock investigation then took place, and the *Woonggee*, with affected gravity, told Mr. Reeves, that "if ever his people did so again to punish them!" This *satisfaction* was afforded amidst the laughter and jests of the by-standers. Captain Cox then applied for two peons to protect himself and people from the mob, which was continually pelting them with stones, but was refused. The Viceroy with his family had returned to Court, and made great protestations of friendship, for which the whole of them received handsome presents. He promised to procure permission for Captain Cox to depart, and some days after, on being asked for it, said he had not yet applied, but requested Captain Cox to send him some quicksilver, which the latter immediately did. Thus every insult and broken promise was rewarded with a present.

*October 5th.*—The feeling at Court was so inimical to the English, and their persons and property so insecure, that the merchants determined upon quitting the capital, and applied for passes, which, however, the Burmese refused. Insults upon insults, continued to be poured upon the Mission, and after having suffered the grossest indignities for a period of nine months, Captain Cox at length resolved to bear them no longer, and accordingly embarked himself and followers on board his boats this evening, and dropped 4 or 5 miles down the river, promising, at the Viceroy's request, to wait there for him.

*October 8th.*—Whilst waiting for the Viceroy a few miles below the capital, he learnt that a great change had taken place in the sentiments

Capt. Cox's manuscript Diary.

1797.

of the Heir Apparent, who now was willing to see him on his own terms. He accordingly prepared a most extravagant present, and on the 11th proceeded on elephants to the Prince's house, at the steps of which he unshoed, and was ushered into the hall of audience, where after waiting 15 minutes, the Prince made his appearanee. He was well received, and the Prince having promised to use his influence with the King, the meeting broke up. Captain Cox did not appear to see, that the affection which so suddenly seized the Prince was not for himself but his presents; he therefore made another attempt at reconciliation, and sent a handsome present to the Queen's mother, who readily promised to assist him. On the 14th, however, she sent to say that the King was immoveable, and that she must give up his cause, begging of him to send her a piece of long cloth and some otto of roses, which he accordingly did, and upon which she sent him a present of 60 ticals in silver. This token of gratitude being unusual, so gratified him that he returned it with an acknowledgment of four time its value, for which he received a paltry sapphire stone.

Capt. Cox's manuscript Diary.

*October 17th.*—Having waited for the Viceroy ever since the 6th, he this day had the mortification of seeing this Chief pass him without notice in great State on his return to Rangoon. He was now quite satisfied that further attempts would be in vain, and fairly tired out and disgusted, dropped down the stream as far as *Fsa-gain.* He reached Prome on the 27th, having passed and repassed Symes's *friend*, the Viceroy, twice or thrice without recognition. On the following day, whilst sitting in his boat he was struck severely on the shoulders with a stone weighing 2lbs. by some "wag," as he good-humouredly expresses it. He continued his journey under some apprehension of violence from robbers and others, but arrived at Rangoon without further molestation on the 1st November, where on the 6th the Viceroy also arrived in State, and on the 9th issued a Court order, prohibiting the departure of the Mission from the country. He now made several efforts to obtain an interview between Dr. Keys and the Viceroy, but failing in this, he renewed his acquaintance with the *Yè-Woon*, who had behaved so ill to him when at Court. British merchants continued to suffer both in person and property, and appealed in vain to him for redress; he had no power to help them. On the 27th November he wrote to inform the Supreme Government, that he was under restraint, and dreaded that his private papers would be taken from him, stating also that in defiance of Captain Symes's treaty, a Mussulman had received a monopoly of all trade, and was styled "the Company," in imitation of the India Company. He also charged Captain Symes with sinister motives in recommending the Shabunder and Baba Sheen to his confidence, having previously denounced them in a private letter to the Viceroy as two "villains," and concluded by advising the British Government to treat the Burmah "sword in hand," and to demand complete indemnification for all past insult. On the 31st December, 1797, he informed the Supreme Government, that he was on terms of communication with the *Yé-Woon* and Baba Sheen, and that the Burmese were a little more civil to him, although it were difficult to discover in what respect, for orders had been issued to

Letter No. 3 to the Governor-General, dated 27th November, 1797, and 10th December, 1797.

Letter to the Governor-General from Captain Cox, dated Rangoon, 27th November, 1797.

Letter to the Governor-General from Captain Cox, dated 31st December, 1797.

1797.

the pilots to run ashore all armed vessels, the prohibition against his leaving the country formally announced, and a Captain Bacon of the Seggy threatened with a rope's end on his own quarter deck by a chokey peon, for attempting to take his vessel up to Rangoon without a pilot.

1797-1798.

Letters to the Governor-General from Captain Cox, dated 5th and 26th January, 1798.

*December, and January.*—The Shabunder insisted upon examining some private stores belonging to Captain Cox, which had been landed at the Custom House, but rather than submit them for inspection, they were re-shipped, and at this time a packet of letters belonging to Dr. Keys was broken open, on pretence of searching for diamonds. In the midst of these insults and without any previous notice, the Viceroy invited Captain Cox to a feast, which he declined to attend. The British merchants now voluntarily came forward and refused to transact any more business, until Captain Cox's stores were passed, and a promise given for the free transmission of letters. After two days' consideration, the Viceroy gave in, Captain Cox then attended the feast, and trade resumed its usual course. Affairs now bore the appearance of improvement, and in January 6th, 1798, Captain Cox, hoping that even yet it was not too late for reconciliation, sent a present to the Viceroy of eight barrels of gunpowder, but for four days afterwards, had the mortification to receive for the *third* time a packet of letters with the seals broken. This fresh outrage, however, had been committed by the authorities at Bassein. The Viceroy continued his civilities, and at Captain Cox's request, restored the property of two persons, one of whom had died, and the other been ship-wrecked. In the mean time, he was re-called. The Honorable Mr. Speke, the Vice-President in Council, being of opinion that as the conduct of the Court of Ava and its officers was accompanied with strong indications of personal dissatisfaction with Captain Cox, the removal of which could hardly be expected, no benefit could result to the public interests from his continuance at Rangoon. Letters were at the same time addressed to the King of Ava, his Ministers and the Viceroy of Pegu, expressing the Vice-President's concern at hearing that Captain Cox had returned to Rangoon without obtaining an audience of leave of His Majesty, notifying his recall, and offering, should His Majesty desire it, to depute another gentleman, in whom the Vice-President had the greatest confidence, to reside at Rangoon;—thus tacitly blaming Captain Cox, whose chief faults were, stipulating for ceremonies, which by his instructions he was particularly directed to avoid, and not quitting Court seven months earlier than he did, by which much expense, and hundreds of indignities would have been avoided. Captain Cox was unfortunate in having engaged as his Interpreter a Mr. Moncourtuse, who deceived him upon every occasion. It does not become me to criticise the motives, views or acts of the Supreme Government; doubtless the then state of Europe, our situation in India, and an erroneous idea of Burmese power had their weight in influencing its decision; but it is evident that the temporizing policy which it adopted was a little less than a premium on future aggressions and insults, which the result shewed this semi-barbarous Court was not slow of profiting by. Captain Cox having made known his intention to depart, paid two or three visits to the Viceroy, who received him on equal terms, and appeared anxious to atone for his past

Letter from Mr. Secretary Barlow to Capt. Cox, dated 13th February, 1798. Resolution of the Vice President in Council and Letters addressed by him to the King of Ava, Chief Minister and Viceroy of Pegu, dated 20th February, 1798.

Letter to the Honorable P. Speke, Esq., from Capt. Cox, dated 27th March, 1798.

1798.

offences, which were indeed numerous enough; his civility, however, like every thing Burman, had its origin in interest. He wished to be permitted to purchase fire arms and ammunition at Calcutta without restriction, and wrote to the Governor-General on the subject. His subordinate, Baba Sheen, also wrote, observing that "Captain Cox had met with every attention, and that every assistance had been afforded him in his business"!!! At this time, His Majesty had been taken with a mania for arms, and wishing our Envoy's assistance to procure them, sent down an order, acknowledging him as resident at Rangoon and granting ground for a factory and garden. This order, which would have lasted only so long as Burmese policy rendered it advisable, came too late, for the mission was at the mouth of the Rangoon River on its return to Bengal. Captain Cox left Rangoon on the 1st of May, 1798, on friendly terms with the Local Government, but without either letters or presents from the King. On quitting the country he gave Baba Sheen a letter to the authorities at Penang, to permit the Burmese to export fire-arms, &c. There is no official record in this office of the final opinion of the Supreme Government on the conduct of this Mission, but from Captain Cox being immediately after sent in civil employ to Chittagong, it is presumed, notwithstanding the Vice-President's letters to the King and Court of Ava, that his strenuous and long continued exertions in Burmah were approved of, and that his eighteen months of toil and painful anxiety met at length their due reward.

Letters from the Viceroy of Pegu and Baba Sheen, Collector of Land Revenue, to the Governor-General, received at Fort William, 30th April, 1798.

Letters from Capt. Cox to the Honorable P. Speke, Esq., dated 28th April, 1798, and 30th April.

Letter to Mr. Secretary Barlow from Captain Cox, dated 12th June, 1798.

1798. *November 19th.*—About this time the Viceroy of Rangoon addressed a letter, on terms of equality to the Governor-General, the Most Noble Marquess Wellesley, requesting him, after the usual quantity of bombast, **to send to the King of Ava from 10 to 20 thousand muskets,** ammunition, &c. to be paid for on delivery. This letter, it appears, as well as those on the same subject written in April to the Deputy Governor, Mr. Speke, were unanswered. Captain Cox attributed the civilities which he received during the last month or two of his stay at Rangoon to an apprehension of an attack from us, and their great anxiety for fire-arms may perhaps be ascribed to the same cause. No remonstrance was ever made against, or explanation demanded, for the insults which the British Government had received in the person of its representative; and as the Burmese, who are a compound of arrogance and ignorance, had not the faintest idea of power tempered with justice and moderation, they attributed our disregard of insults and desire for peace to an inability to maintain war; and actuated by this spirit, the Rajah of Arracan soon after wrote a most insolent and menacing letter to the Governor-General, demanding the instant surrender of some Mugh fugitives who had taken refuge in Chittagong from Burmese oppression.

1801. In this year the Governor-General, Marquess Wellesley, contemplated some further communication with the Burmese Government, on which Major Franklin, of the Bengal Army, was to have been employed. This officer being furnished with the whole of Captain Cox's papers, drew out a memorial upon the subject, which, together with a selection from Captain Cox's reports, he afterwards, in the year 1811, published in

Tracts Political, Geographical and Commercial, on the Dominions of Ava and North Western parts of Hindoostan, by Major Franklin.

London. Early in the following year, however, Captain Symes returned from Europe with the increased rank of Lieutenant-Colonel, and the Governor-General resolved on deputing him to the Court of Ava, relying upon his address, management and knowledge of the Burmese, to conciliate their haughty spirit, and to remove from their minds the unfavorable impression left by the failure of the last Mission.

1801.

## COLONEL SYMES'S SECOND MISSION.

1802.

Letter of Instructions from Mr. Secretary Edmonstone to Lieut.-Col. Symes, dated 30th March and 26th April, 1802.

This Mission was attended by an escort of 100 sepoys, and was furnished and equipped in the magnificent and imposing style which characterized every act of Lord Wellesley's Government. It had for its objects:—

1st. An improved treaty of friendship and alliance.

2nd. Protection to commerce against the daily extortions of the Burmese.

3d. To demand an acknowledgment, or disavowal, on the part of the British Government of the insolent and menacing threats of invasion contained in the Governor of Arracan's letter to the Governor-General, and to explain to the Court of Ava, that according to the laws of civilized nations, the Mugh fugitives could not be surrendered, and that His Excellency's doubts of the authenticity of the letter was his only reason for not immediately appealing to arms, to convince the Burmese Government that the British power could not be insulted with impunity.

4th. To establish a Resident at the Court of Ava, and a Consul at Rangoon, for the protection of trade, the enforcement of the Treaty of 1795, and the prevention of French interest in Burmah.

5th. To claim the Island of Negrais, or to obtain some commercial advantages equivalent to the value of it.

Letters from Lieut.-Col. Symes to Chief Secretary Lumsden, dated 31st May, 8th June, 14th June, 12th July, and 9th August, 1802.

Colonel Symes arrived off Rangoon on the 31st of May, 1802, and was well received. The usual dispute, however, occurred about the place of reception, the *Yè-Woon*, who was now acting Governor, refused to salute him unless he agreed to proceed to the Custom House, which being derogatory to his public character, he objected to. At length it was agreed, that the *Yè-Woon* should receive him at the Public Wharf, and on the 2d June, he landed under a salute, and was met by the Shabunder, who conducted him to a shed prepared for the purpose, and after waiting about 33 minutes, the *Yè-Woon* arrived in great state, and took his seat at the head of the room. During the interview, which was a very short one, this upstart of a day treated Colonel Symes with great *hauteur*, and after asking two or three ridiculous questions, retired in the same state as he had come. He arrived last and quitted first, which in this country are marks of superiority, an assumption to which by his actual rank he was by no means entitled. Colonel Symes observed on his arrival, that the feeling was evidently against the British, and in favor of the French, who had just sent two vessels from the Mauritius loaded with arms and ammunition, one of which was wrecked in the Gulf of Martaban, and

1802.

the other had just arrived. Having great cause to be dissatisfied with his interview, he wrote a remonstrance against the conduct of the *Ye-Woon*, and matters were speedily accommodated. Trade and ship-building appear at this time to have been flourishing, for Colonel Symes writes, "several ships are laid down and launched every week," and attributes this prosperity to the protecting influence of the Treaty of 1795, which it is well known, was never observed.* From the date of his remonstrance to the 11th August, 1802, he was well treated by the Local Government, and on this day, in pursuance of orders from Court, he quitted Rangoon for the Capital, again attended by the cunning Baba Sheen, continued to receive every attention and civility, until he arrived at the City of Pagahm,

Report addressed to the Governor-General by Lieutenant-Col. Symes, dated February, 1803.

when the *Myo-Woon*, though civil, refused to shew him any mark of public attention, and the hitherto respectful conduct of the people henceforth declined. On the 30th of September, 1802, he arrived at *Mengwon* (where the King temporarily resided) totally unnoticed by the Government, and was made to halt at an Island, on which corpses were burned and criminals executed. Here his assistance was implored by two Englishmen who were detained as slaves to the Heir-apparent on a monthly subsistence of two baskets of paddy! Colonel Symes attributed this unfavorable change to the increase of French interest. His Majesty had openly avowed his friendship for them and hostility to us, and as his attendant, Baba Sheen, gave him reason to fear actual violence, he addressed a letter of remonstrance to the Heir-apparent, who foolishly enough excused his father's conduct, by pretending to think Colonel Symes, like Captain Cox, had been deputed by Sir John Shore, Bart. The explanation produced no relief.

Report addressed to the Governor-General by Lieutenant-Col. Symes, dated February, 1803.

*October* 14*th*.—The Rangoon Viceroy paid Colonel Symes a private visit, and for want of a better excuse for the shameful conduct of his Government, commenced by traducing Captain Cox, against whom he pretended His Majesty was highly incensed, and concluded by inquiries, which shewed that information regarding the presents for the King was not overlooked in the objects of this visit. On the 16th he repeated his visit and frivolous excuses, and concluded by begging Colonel Symes to exert his patience for a few days longer. On this day the supercargo of the French vessel which was wrecked, arrived at Court, and deposed that the vessel contained a letter and presents from the Governor of the Mauritius for His Majesty, and that the peace concluded between the English and French nations was at the urgent solicitations of the former, who had agreed to restore all the places in India which they had taken during the war, &c. These were just the kind of stories in which His Majesty delighted, and probably with a view to discover further disasters, he detained,and opened a packet of letters which had arrived for Colonel Symes. The letters were delivered the next day, the seals remained unbroken. In the meantime, the Company's armed vessel which brought the despatches, was prohibited from coming up to Rangoon, unless she unshipped her guns and rudder, and His Majesty, in a fit of gloomy despotism, ordered Colonel Symes's Escort to be disarmed. This latter disgraceful outrage was however avoided by the good sense of the Heir-

* See numerous petitions of British Merchants in Captain Cox's journal.

1802.

Apparent, who evaded the order, and on the 31st sent him a present of rice, ghee, &c., upon which he wrote to inform His Highness of the objects of his Mission, and remonstrated against further delay. No notice was taken of this letter, and two days afterwards, another was dispatched in search of it, when the following answer was received: "The King says you must wait;" on which he threatened to quit the capital unless speedily and suitably acknowledged.

*November 2d.*—Being still unnoticed, he again notified to the Government, that he would remain no longer than the end of the month, unless publicly and suitably received by the Court; and His Majesty being pressed on all sides, at length promised to receive the Mission on his return from *Tsa-gain*, whither he was going for a few days.

*8th.*—Having been forty days confined to his boats and tents, he this day received an order to move into a house, which had been long since prepared for him, but which he had not before been permitted to occupy. He took possession of his new residence, unattended and unnoticed by any Government officer. It was then, and is still the custom of this Government, to furnish foreign Embassies with supplies of every kind, and they were accordingly ordered for this Mission, but the purveyors were the only persons that benefited by the order. The feeling against the British still continued very strong, and His Majesty consulted with a refugee Englishman named Rogers, upon the propriety of sending the Embassy back to Bengal unnoticed. He, however, was dissuaded from this plan; but notwithstanding his former promise to receive the Mission on his return from *Tsa-gain*, he now refused to do so until the arrival of the Captain and Supercargo of a French vessel, who had been ordered to Court, to be converted into French Ambassador, to be exalted over Colonel Symes, to witness his degradation, and to enable His Majesty the more fully to demonstrate his partiality to our enemies. Sometime previous to this, the Burmese flag had been insulted at the Isle of France, whose Governor wishing to conciliate the Burmese, had written to say he would punish the offenders. The King, by some mental obliquity, misunderstood the letter, and imagined that the French Governor had threatened to punish the English, who, he supposed, were the offenders; hence, probably, the continued hostility of this proud and ignorant monarch. On the 13th November, Colonel Symes made an application to the Heir-Apparent to be either speedily acknowledged, or permitted to return to Bengal; but no notice was taken of it. On the 16th, the Frenchmen, whom His Majesty had ridiculously invested with the importance of Ambassadors, although nothing more than private merchants, entrusted with the letter abovementioned, arrived, and were immediately ushered into a house prepared for them close to that of Colonel Symes! The party consisted of an American Supercargo; a Frenchman, just escaped from the Calcutta jail; and two half French half Burmese youths, vassals of one of the Burmese Princes! Two days after the arrival of this "motley group," His Majesty condescended to acknowledge Colonel Symes as British Ambassador, he having then been entirely unnoticed for fifty days; forty of which he was compelled to reside on an execution and burial ground!! The Frenchmen, who

Report addressed to the Governor-General by Lieutenant-Col. Symes, dated February, 1803.

1802.

denied having any power or authority from the French Government, were astonished at their respectability, and fearful of the consequences of the farce, endeavoured to avoid it. His Majesty, however, persisted in calling them the "French Embassy," and *nolens volens* compelled them to receive a public audience on the 26th, at which time the British Embassy had been for two months subjected to insults and neglect, and had not been publicly received. His Majesty at length consented to receive the Mission; and on the 28th, Colonel Symes was escorted from his residence by a *Than-dau-zen*,* and reached the Palace at 6 A. M. The King received the presents, and soon after retired, without once deigning to mention the Governor-General's name, giving the Mission a most disrespectful reception, and very unlike what Colonel Symes had been led to expect.

29*th*.—Visited the Heir-Apparent, who like his Royal father, condescended to receive the presents, but not to inquire after the donor.

Report addressed to the Governor General by Lieutenant-Col. Symes, dated February, 1803.

*December* 2*d*.—In answer to the Governor-General's letter, the Rangoon Viceroy brought a verbal message, as if from the King, that no further demand should be made for the Arracan fugitives, and that the Governor of that district was not authorized to make any disrespectful or threatening demand for them. His Majesty would offer no apology, neither would he listen to any new treaty, nor permit the establishment of a British Resident at Rangoon as promised to Captain Cox. Commercial affairs should remain on the footing settled by the treaty of 1795, and His Majesty would not grant either lands or settlements in Burmah to any European power whatever. Colonel Symes now visited several of the Princes, who were anxious to see him on account of the presents, but none of them made any thing approaching to a suitable return, and the Heir-Apparent was the only member of the Royal family that condescended to inquire after the Governor-General, and this was at a private visit.

15*th*.—This evening a son of the first *Woondouk* privately brought a letter, purporting to be an answer from the Ministers to the Governor-General's letter to the King, which, instead of resenting as a gross insult, Colonel Symes good-naturedly accepted. The Viceroy and the Shabunder, however, soothed him in private, for the insults which he received in public. At length, the pretended French Mission died a natural death, and Monsieur Desbruislais, one of its members, renounced his country, married a Burmese girl, and became a slave to the Heir-Apparent.

21*st*.—Colonel Symes never having seen the *Woonggees*, or been acknowledged by the Burmese Government, except in so far as was necessary for them to obtain the presents; and having now submitted to mortifying neglects and gross insults for a period of nearly three months, this day quitted Court, without audience of leave or notice from any one but the Viceroy of Rangoon, who furnished him with war boats to proceed to Amarapoora, where, after viewing the different curiosities, he visited the Prince of Prome, who received him with politeness.

* An officer of subordinate rank.

1802.

The Viceroy appears to have behaved exceedingly well throughout, and at Colonel Symes's request, obtained the liberation of one of the Europeans, (the other had died) mentioned on his arrival, together with a young Frenchman, who was also detained captive. On the 23d he returned to Court on a private visit to the Viceroy, and finally quitted the capital on the 27th, *en route* to Rangoon, where he arrived on the 11th January, 1803. The *Yé-woon*, who had behaved so ill on the first arrival of the Mission, now prohibited the Mission ship from saluting Colonel Symes; but this piece of insolence was disregarded, and the salute fired as usual. On landing, the gates of the town were closed against him, and he was forthwith summoned to the *Youm*. He, however, refused to attend, but sent his assistant, Mr. Campbell, whom the *Yè-woon*, foaming with rage, most grossly insulted, and accused the ship of having fired ball into the town. Mr. Campbell tried in vain to explain, and then took leave, his interpreter being detained in custody. Colonel Symes immediately sent two gentlemen of the escort to demand his instant liberation, which was accomplished, although not until they had received a liberal quantity of abuse. The *Yè-woon* now detained Colonel Symes's dispatches, and otherwise behaved in a most violent manner, prohibiting the departure of the vessel, and menacing the Mission with various acts of outrage. The escort slept on their arms for several nights, and all further intercourse with the Government ceased. A native vessel at anchor between the Fort and the Company's ship *Mornington*, was directed to move a little higher up the river, but at midnight, by order of the *Yè-woon*, she resumed her original station, when Colonel Symes sent people on board to weigh her anchor and inform her Commander, that if she returned, she would be cut adrift without further ceremony. On hearing this, the *Yè-woon* proclaimed, that the English had taken possession of the Town, which in consequence presented one grand scene of confusion. Gongs were beat during the night, and *peons* paraded round the Town, warning the people to keep awake, and guard themselves against the English, whose intention was "*to cut all their throats in their sleep!*" The inhabitants, though much excited, appeared to possess more sense than their Governor, and kept quietly within doors; and on the 18th, the *Yè-woon* conscious of having committed himself, sent Colonel Symes a present with an apology, both of which he rejected. Having received some attentions from Baba Sheen and others, and made arrangements for forwarding a statement of the *Yè-woon's* conduct to the Viceroy at Court. On the afternoon of the 20th, he took his departure from Rangoon, under a salute from the Fort, and without any shew of violence or opposition.

1803.

Report addressed to the Governor-General by Lieutenant-Col. Symes, dated February, 1803.

Thus terminated Colonel Symes's second Mission. How different from his highly-colored description of the first! quitting the country with ample cause for war, but still a crevice to creep out of, and of which, it was the policy of the British Government to avail itself. The Mission was a complete failure. The letter which Colonel Symes received at night from the *Woondouk's* son, mentioned the Governor-General as having "paid homage at the Golden Feet, and solicited the Royal protection;" it complained against Captain Cox, but was silent on the subject of the letter which it pretended to answer. There were letters also from the

Report addressed to the Governor-General by Lieutenant-Colonel Symes, dated February, 1803.

Appendix No. 9 to the Report addressed to the Governor-General by Lieutenant-Colonel Symes, dated February, 1803, being a letter from the Chief Ministers of State to the Governor-General.

1803.

Appendix Nos. 11 and 12 to Lieutenant-Colonel Symes's Report.

Viceroy of Rangoon to the Governor-General, written in the usual style of arrogance and ignorance; and with the exception of the pretended verbal disavowal by the Viceroy in the name of the King, of the Governor of Arracan's insolent letter, the Mission may not only be considered as a perfect failure, but as having subjected the British name to further degradation. No account of Colonel Symes's second Mission has ever been published.

## CAPTAIN CANNING'S FIRST MISSION.

Letter from Mr. Secretary Edmonstone to Lieutenant-Colonel Symes, dated 6th May, 1803.

Memorandum by the Governor-General, dated 30th June, 1830.

*May 6th.*—The friendly feelings evinced by the Burmese towards the French, and the palpable failure of the two preceding Missions, having placed the British Government in a situation of some difficulty, more especially as the state of European politics rendered a rupture with Burmah at this time a very undesirable event, it became necessary to devise some plan to keep in check, and watch over the increasing spirit of Burmese arrogance, without appearing to succumb to it, and with this view the Governor-General, Marquess Wellesley, sanctioned the appointment of Lieutenant Canning, as Agent at Rangoon on the part of Colonel Symes. The ostensible object of this appointment was, to assure the Burmese Government of the Governor-General's sincere wish to maintain inviolate the relations of amity and peace. The real objects, however, were—

1st.—To give the Burmese Court an opportunity of apologizing for the insults, which it had so lavishly heaped upon the two preceding Missions.

2nd.—To obtain good and early information of the state of French interests in Burmah, and to observe the general conduct and feelings of the Burmese Court towards the British Government.

Letter from Lieutenant-Colonel Symes to Lieutenant Canning, dated 7th May, 1803, and from the latter to the former, dated July, 1803.

Being furnished by Colonel Symes with a letter to the Viceroy at Rangoon, and another to the Heir-Apparent and Ministers at the Court of Amarapoora, and presents amounting to three thousand rupees, the Mission left Calcutta on the 21st, and arrived at Rangoon on the 31st May, 1803. Lieutenant Canning being ordered to dispense with all kind of official ceremony, and to live as a private gentleman, proceeded to the Custom House, where he was very civilly received by Thansy, the Shabunder, who was at this time acting Governor, the *Ye-woon* having been removed, as Lieutenant Canning heard, for his ill-conduct to Colonel Symes. He agreed, as a matter of form, to land his baggage and the Government presents at the Custom House, on condition that the boxes were not to be opened. Burmese faith, however, proved too brittle, and every package was opened and examined, and the public presents detained, because they were not for his own use, but were given up after many discussions. Thansy informed him, that the King was highly pleased with Colonel Symes, although he had an awkward way of shewing it. On the 3rd of June, 1803, by way of lulling suspicion, he shewed copies of his letters to Thansy and Baba Sheen, who being such rogues themselves, suspected him of having other objects than he chose to avow. On the 14th he forwarded the letters to Court, and on the 23rd of July received a reply from the Viceroy, with orders from the *Engy-Tulhen* and Viceroy to the Rangoon officers, stating that His Majesty having granted

Letter from Lieutenant Canning to Lieutenant-Colonel Symes, dated 29th July, 1803, and enclosures.

1803.

Colonel Symes's every wish, saw no necessity for sending Burmese Envoys to Calcutta, as at first intended; and that "in consequence of the Governor-General's desire to seek refuge under the Golden Feet, Lieutenant Canning was permitted to reside at Rangoon." This unusual condescension from Court, as well as the civility of the local Government, may probably be traced to the consternation caused by the near approach to the walls of the Capital of the Siamese army, which, however, after defeating the Burmese and driving them from before *Zen-may*, was compelled to retire to the Eastern bank of the Salueen River, in consequence of the setting in of the monsoon. Reports of hostilities with the British were also rife, owing to the non-arrival of the usual trading vessels from Bengal.

Letter from Lieutenant Canning to Lieutenant-Colonel Symes, dated 23d September, 1803.

Lieutenant Canning had not received permission to reside at Rangoon many days, when a letter, dated 4th August, arrived from the Italian Bishop of Ava, Don Louis, so often and so favorably mentioned by Colonel Symes, stating that the King had never seen, and probably never heard of, Colonel Symes's letter; that he was directly opposed to the wishes of the British Government; and that the *Yè-woon*, who was supposed to have been removed from office at Rangoon, owing to his conduct to Colonel Symes, was in high favor, whilst the Viceroy, the only person that shewed the Mission any attention, was removed from office and disgraced. A French vessel arrived at Rangoon, bringing a letter from the Governor of Tranquebar for the King, and 1,150 muskets, of which 1,000 were ostensibly purchased by the Shabunder for His Majesty, and the remaining 150 distributed among the Officers of Government. Lieutenant Canning thought the muskets were a present from the French Government, and that the sale was merely intended to deceive him; for shortly afterwards, the French Captain laid his vessel up, and there was reason to think he had been privately appointed Agent. French interest was consequently on the increase, and the British Agent and followers, though still civilly treated, were very narrowly watched. These civilities, however, were not of long duration, for in November, the *Yè-woon*, so far from being disgraced as the Shabunder and others reported, came down to Rangoon with full powers, and being as inimical to the British as ever, his first act was, to direct all English letters to be opened. To reason with this violent and wrong-headed man was impossible, and the order being persisted in, Lieutenant Canning returned to Bengal; and thus terminated the fourth attempt to "improve our relations of amity and peace with Burmah."

Letters from Lieutenant Canning to Lieutenant-Colonel Symes, dated 8th, 16th, and 23d September, 1803, and 16th October.

The power of the *Yè-woon* was but transient; for on the 19th December, 1803, the Viceroy having regained the "Royal countenance," was reinstated in the Government of Rangoon, and immediately wrote to Lieutenant Canning at Calcutta, expressive of his sorrow for the *Yè-woon's* conduct, rescinding the offensive order for opening foreign letters, and hoping that the friendship between the two nations would now be stronger than ever.

Letters from Lieutenant Canning to Mr. Secretary Edmonstone, dated 7th and 11th May, 1804.

1804.

*23rd January.*—The Brig *Henry*, Captain Baker, on her way from Penang to Calcutta with dispatches, put into the Fort of Bassein for wood and water, when the Chief officer and a passenger proceeded to town,

Letter from Lieutenant Canning to Mr. Secretary Edmonstone, dated 23d January, 1804.

1804. where they were detained by the Governor, who insisted upon opening the public dispatches, and desired the Chief Mate to request the Captain to bring the vessel up to town. The Mate, however, wrote and informed the Captain of his situation, and advised him to put to sea, which he immediately did, leaving his Chief officer and the passenger prisoners, who, after one month's detention at Bassein and great trouble, were permitted to purchase boats to convey themselves to Rangoon, whence they proceeded to Calcutta. This unjustifiable outrage was allowed to pass unnoticed.

1805. The only occurrence of this year was the capture, by H. M. ship *Albatross*, of a vessel named the *Regina*, which was in some way connected with the Burmese, who on hearing of it, imprisoned and threatened with death all British subjects then in Rangoon. This vessel was afterwards given up to the Burmese authorities at Rangoon by order of Admiral Trowbridge, an act which was of course attributed to our fears.

1808. In this year an Envoy arrived at Calcutta from the Governor of Arracan, object not known.

## CAPTAIN CANNING'S SECOND MISSION.

1809. The French Isles having been blockaded, by orders from England, Captain Canning was deputed to Rangoon as Governor-General's Agent for the following objects :—

Letter from Mr. Secretary Edmonstone to Captain Canning, dated 20th July, 1809.

1st.—To acquaint the Burmese Government, that the Isles of France were blockaded by orders from England, and that all vessels, whether from Burmah or any other country, detected in communicating with them, would be confiscated.

2d.—To soothe them for the consequent dimunition of their Pegu trade; to explain the nature of the blockade system, that by European states, where it is understood, it is submitted to as an unavoidable inconvenience, and is not considered as an hostile act.

3rd.—To explain to them that the brig *Burmah*, which together with her cargo, had been seized and condemned by the English Admiralty Court, was proved to be French property.

4th.—To protect British persons and property in Burmah, and to watch narrowly the state of French interests, &c.

Captain Canning was directed not to proceed to Court, unless invited to do so, and not even then, unless he deemed it expedient; but having accomplished the objects of his Mission, to return with all speed to Bengal. He arrived at Rangoon on the 2d October, 1809, and was well received by the Local Government in their state dresses at a private house. The *Yè-woon* was again acting Governor, and for the first time behaved with politeness, and dispensed with the ceremony of sending the baggage to the Custom House.

Letters from Captain Canning to Mr. Secretary Lushington, dated 2d, 18th, 21st, and 25th October, and 23d November, 1809; and Narrative of his Mission, addressed to Mr. Secretary Edmonstone, dated 8th May, 1810.

18*th October*.—The Local Government displayed their usual anxiety to get at the presents, and were much surprised at Captain Canning's communications, and could not understand why our war with France should injure their commerce, they being at peace with both nations. His letters were this day forwarded to Court, and on the 25th he had a friendly interview with the Viceroy, who returned from the capital and re-assumed the Government of Rangoon.

1809.

Letter from Captain Canning to Mr. Secretary Lushington, dated 8th January, 1810.

1810.

Narrative of Captain Canning's Mission, dated 8th May, 1810, in a letter to Mr. Secretary Edmonstone.

The Local Government continued their civilities to him until the 21st December, when in pursuance of orders from the King, he set out for Court, and arrived at Amarapoora on the 10th February, 1810, having been well treated during his journey. Here, however, the usual drilling commenced, and he remained unnoticed until the evening of the 14th, when he was ordered to move into a house which had been prepared for him. On the following day he moved up opposite to his new house, but was forbidden to take possession until further orders. On the 16th the orders came, and with them certain rumours that the King intended renewing his absurd demand for Chittagong, Dacca, &c. The country was at this time much disturbed, owing to the tyranny of this despot's rule.

17*th*.—He complained of neglect, and was recommended to have patience! Received several private communications both from the Rangoon Viceroy, and a writer of the Heir-Apparent, regarding British aid, to secure to this Prince the throne on the death of his grand-father, and promised to lay a statement of the request before the Governor-General.

Captain Canning's Narrative of his Mission.

19*th February*.—Having been ten days unnoticed, he now received intimation, that on the 21st a deputation would wait on him from the *Lhwottau*. Baba Sheen wished to tell the King, that Lord Minto, following the practice of all Governors-General, had sent a letter and presents, and begged as a favour that His Majesty would not permit his ships to carry support to our enemies, the French; but Captain Canning very properly forbade any such speech to be made in his name. On the 21st, according to appointment, a deputation of subordinate officers waited on him, and discussed the objects of his Mission. The meeting took place in a temporary shed, erected for the occasion, on entering which, the English officers were desired to make a slight obeisance to the palace, distant about two miles, as a mark of respect to the King. The conference lasted for eight hours, after which they adjourned to Captain Canning's bungalow, and having partaken of refreshments, the party broke up, mutually pleased with each other.

28*th February*.—He received audience of the King, and was excused most of the humiliating ceremonies exacted from his predecessors, Symes and Cox. He took off his shoes, and made one slight inclination of his head, but neither knelt down, nor "*shekoed*." His Majesty received him good humouredly, and expressed a wish to receive an Embassy from the King of England, as he considered the Governor-General beneath him, and consequently not entitled to the respect and courtesy due to crowned heads. No notice, as usual, was taken of the Governor-General's letter or his presents. The Envoy had previously learned, that both the King and Heir-Apparent were satisfied with his explanation of the blockade system, also that through the machinations of the *Yè-woon*, the Viceroy, who of all Burmese of rank was certainly the best disposed towards the British, had been again disgraced, and ordered up to Court in chains. He continued to be civilly treated by the Government, and visited all the Princes in succession, by whom he was well received. His Highness of Pagahm was so condescending, as to regret that the Embassy had not come direct

1810.

from the King of England, instead of from the Governor-General; as in the former case, the King of Burmah would have sent an army overland to our assistance, and he probably would have had the command, which, by his account, would at once have put us in possession of the continent of France! French interest had been declining for some time past.

Captain Canning's Narrative of his Mission.

15*th March.*—Day after day, Captain Canning in vain urged the Ministers to dispatch him, and permit him to return to Calcutta by the overland route. No business, however, could be done, as His Majesty was employed in casting bullets, and the Princes in Horse-racing.

Captain Canning's Narrative of his Mission, in a letter to Mr. Secretary Edmonstone, dated 8th January, 1810, with Appendix No. 8.

17*th March.*—After many urgent entreaties and remonstrances, he this day received a most impertinent letter from the Ministers to the Governor-General, desiring his Lordship to inform the King of England of the result of this Mission, and always to consider himself as under the protection of the Golden Feet; throwing out a vague hint at the restoration of Dacca and Chittagong, but making no mention of mutual good will and friendship. He therefore complained to the Heir-Apparent of the vague expressions and offensive tone of the Ministers' letter, which His Highness promised to get altered, or to substitute a friendly one in its stead; he also prohibited the Rangoon Government from granting passes to vessels bound to the French Isles.

22*nd.*—Instead of the promised alteration in the above letter, Captain Canning this day received from the Ministers of the Prince, one still more offensive, full of bombast, Golden Feet, White Elephant, &c. &c., and most impertinently concluding with a request for a state carriage and several other expensive articles for the Prince, "worthy of being touched by Royal hands."

He had now received two messages from the *Lhwottau* to know, why he delayed, and hurrying his departure, he therefore quitted Amarapoora the same evening, and without any occurrence of moment, arrived at Rangoon on the 14th of April, 1810, having met the deposed Viceroy on his way to Court in a most pitiable plight. Here he discovered, that the *Ye-woon*, who was again acting Governor, had detained his packets and refused to give them up, until he knew their contents. In a few days a new Viceroy, with more friendly feelings arrived, and took charge of Rangoon. Captain Canning now received his letters, and wrote to Court, complaining of the *Ye-woon's* conduct, and forwarded the following complaint, which he had received from the Supreme Government.

Appendix No. 11 to Captain Canning's Narrative of his Mission.

In January of this year, 1810, the Honourable Company's brig *Montrose* put into Junk Ceylon (for water), at this time in possession of a Burmese Army. Her Captain on going ashore was detained by the Burmese Commander-in-Chief, who also ordered the vessel to be brought in; this however was resisted; she stood off and on for three or four days, when finding her Captain did not return, she sailed for Penang and informed the authorities of the circumstance, on which the Secretary to the Penang Government addressed a letter to the Burmese Commander-in-Chief, complaining of the outrage, and demanding Captain Peter's instant liberation, forwarding at the same time 15 Burmese, who were picked up at sea, having been blown out by stress of weather.

Captain Canning soon after heard of Captain Peter's liberation, and quitted Rangoon on the 19th April, having privately informed the British merchants of the unjust demand of the King of Burmah upon Chittagong and Dacca, to give them time to act as they thought proper, as it was probable His Majesty would support his claim to those places by force of arms. 1810.

In the early part of the year 1811, a native of Arracan, named King Berring, and called by the Burmese Khyen Byen, who had before taken refuge with a number of his followers in the district of Chittagong, contrived to embody these followers as well as other Mugs, who had emigrated from Arracan, and invade that province. He pursued his design with such promptitude and secrecy that his proceedings were unknown to the officers of the British Government, until he had crossed the river Naaf, the common boundary of the two countries; and he in a very short time subjected the whole of Arracan to his authority, with the exception of the capital. The Vice-President in Council, learning that the local authorities of Arracan entertained a conviction that this invasion of their province was instigated and supported by the British Government, and fearing that the first measure of the Burmese Government of Rangoon, acting on such conviction, would be to seize and barbarously revenge themselves on the persons and property of British subjects residing there, determined on sending another Mission to Ava. 1811.

## CAPTAIN CANNING'S THIRD MISSION.

In the latter end of September, 1811, therefore, Captain Canning was for the third time deputed with the following instructions.

1st. To remove from the mind of the King and Court of Ava, a firm conviction which they appeared to entertain, that the invasion of Arracan by the Mug refugees under King Berring, was instigated and supported by the British Government, which was supposed to participate in the proceedings of that chief. Letter from Mr. Chief Secretary Edmonstone, dated 6th September, 1810.

2d. To represent the unjust and unfriendly conduct of the local Government of Pegu with respect to British ships and British subjects trading to Rangoon, and especially the unwarrantable conduct of that Government in seizing the ship *Elephant*, dispossessing her Commander, and sending her in charge of another person with troops to Tavoy, and refusing to offer any compensation for the injury the vessel had sustained, and for the heavy loss occasioned by her detention.

3d. To explain certain other questions between the two Governments respecting the seizure of a Burmese vessel and her cargo at Coringa, of the crew of another vessel charged with murder and piracy, and of certain military stores which the Commander of a British ship of war had taken out of a brig on her passage from Junk Ceylon to Tavoy.

Captain Canning being furnished with letters, and presents to the amount of 10,000 rupees, arrived at Rangoon on the 18th October, 1811, and was well received by the Viceroy, who forwarded the Vice-President's communication to Court. The explanations afforded by Captain Canning to the Burmese Government, respecting the disturbances in Arracan, were declared by the Viceroy of Pegu, on the part of his Govern- Reports from Captain Canning, dated October and 26th November, 1811.

1811.

ment, to be satisfactory; and Captain Canning took up his residence at Rangoon, waiting for the usual authority from the King to proceed to the capital. In January, 1811, however, King Berring and his colleagues, Larung Bage and Nakloo, being defeated and driven out of Arracan by the Burmese force, took refuge in the jungles of Chittagong, upon which the Governor of Arracan marched a considerable force to our frontier, and demanded the surrender of the fugitives in the language of menace and insult, whilst parties of his troops actually entered the Company's limits. The Governor of Arracan ostentatiously declared in his letters the expected approach of 80,000 men for the express purpose of invading our territory, and boasted to an emissary employed by the Magistrate of Chittagong, of the Burmese having formed an alliance with the French for the same purpose. Subsequently, negotiations took place between him and the Chittagong Magistrate, when he recalled his troops within the Burmese frontier, and like a true Burman denied all knowledge of their ever having exceeded it, and concluded by expressing a desire for negociation. Chittagong was immediately placed in a state of defence, and to Captain Canning, who was still at Rangoon, the following additional instructions were forwarded.

1812.

Letters from Mr. Chief Secretary Edmonstone to Captain Canning, dated 21st and 29th February, 1812.

1st. To complain of the breach of existing friendship in the violation of British territory, and the insulting tone of the Governor of Arracan's letters.

2d. To explain that by their conduct, they had created a state of affairs, which, but for the friendly disposition of the Governor-General, would justify an immediate appeal to arms, and to inform them, that no negotiation could take place until the recal of the Burmese troops from their threatening position on the frontier.

3d. That the Chittagong frontier had been fortified as a measure of defence; that having no interest in war, the Governor-General's object was peace, and that the British Government would be at all times ready to resist insolence and aggression, although open to the call of justice and reason, when urged in a suitable manner.

4th. The surrender of the Mugh rebels must be negotiated by proper persons, according to the usage of civilized states.

Reports from Captain Canning, dated 19th and 20th January, 1812, and 29th February.

Captain Canning made the necessary representations to the Viceroy of Pegu, and our differences seemed in a fair way of adjustment, and the Envoy was even preparing for his journey to the capital, when on the 18th March, advice arrived from the Supreme Government, of a second invasion of Chittagong by the Burmese army, whilst negotiations were pending, and the Burmese Vakeels were actually at the British camp. Captain Canning therefore now declined to proceed to the capital, notwithstanding the earnest recommendations of the Viceroy, who finding his persuasions in vain, endeavoured to obtain forcible possession of the Envoy's person, but fortunately, he escaped with his suite to the ship, and forwarded a report of this outrage to Bengal.

Letter from Mr. Secretary Edmonstone to Captain Canning, dated 2d March, 1812.

Report from Captain Canning, dated 5th April, 1812, and Postscript dated 9th April.

Captain Canning's Report, dated 6th May, 1812.

Some time afterwards, the Viceroy appeared sensible of the unjustifiable nature of his late attempt, and made overtures to Captain Canning for a friendly meeting, which took place, and the latter returned to his residence on shore. He, however, had lost his confidence, and to all

1812.

future meetings, his escort went armed, and himself with five or six hatchets secreted in his palankeen, to guard against being taken by surprise. On the receipt of Captain Canning's reports of the 5th and 9th of April, the Supreme Government determined upon withdrawing the Envoy, and on the 2nd of May, sent him orders of recal, which orders were modified on the 12th June, and authority given to the Envoy to continue at Rangoon, without proceeding however under any circumstances to the capital. On the 23d of the same month, additional advices induced the Supreme Government to renew its determination of ordering the Envoy to return to Bengal, but in the mean time, three peremptory orders had arrived from Ava to forward him to Court, "by force if necessary." The Viceroy begged he would excuse himself on account of sickness, and send a British officer to Court with the presents; to this he objected, but expressed his willingness to assist the Viceroy in any way consistent with his character and truth. A private meeting was therefore proposed for the following day, when after a discussion of three hours, Captain Canning agreed to write him a friendly letter excusing his not proceeding to Court, on account of the sickness of many of his followers, and being out of supplies &c., and promising to forward the presents by his sub-interpreter, Mr. Edward DeCruz.

Report of Captain Canning, dated 9th September, 1812.

Captain Canning's Report, dated 9th September, 1812.

*July 12th.*—A fourth order arrived for Captain Canning to be sent up to Court without delay; he, however, still refused to go, and the presence of the Hon'ble Company's armed vessel *Malabar*, deterred the Viceroy from resorting to force.

Captain Canning's Report, dated 9th September, 1812.

*26th.*—The Hon'ble Company's ship *Amboyna* arrived at the mouth of the river, and her commander, Captain Lyall, in bringing up the dispatches in his own boat, was forcibly detained at the Chokey all night.

On hearing of this, Captain Canning wrote a spirited remonstrance to the Viceroy, who sent orders for his immediate release, and promised to punish the offenders.

The *Amboyna* brought the repetition of the recall of the Mission, and the Viceroy dreading the consequences of his disobedience of the Royal orders, "to seize the Embassy," again begged of Captain Canning to feign sickness, and hoped that he would excuse his collecting a number of men as a shew of resistance to his departure, and not take offence at having a few shot fired at him, which would assure the Court of his exertion, and be satisfactory to all parties!!! Captain Canning exhorted him not to entertain for a moment such a thought, and explained, that the result would be precisely the same as if his intentions were hostile. After some discussion regarding the second incursion of King Berring, against whom Captain Canning promised the assistance of the British troops after the rains, the meeting broke up, and the Viceroy engaged to send an Envoy to Bengal.

Letter from the Secretary to Government, dated 25th June, 1812.

Report from Captain Canning, dated 9th September, 1812.

31*st July.*—A fifth and most peremptory order arrived to send Captain Canning to Court immediately, "by force, and well secured, if necessary;" it being the anxious wish of this benighted and half-savage Court, regardless of consequences, to obtain possession of the Envoy and followers, as hostages for the delivery of the Mug rebels. The Heir-Apparent also privately wrote to him, endeavouring to inveigle him into

Captain Canning's Report, dated 9th September, 1812.

1812.

acquiescence; but he was not thus to be deceived, and wrote a friendly letter to the Viceroy, regretting his inability to proceed, &c., to which the Viceroy made a satisfactory reply.

Captain Canning's Report, dated 9th September, 1812.

*August 6th.*—The very officers who were sent from Court to convey Captain Canning thither "well secured," visited the ship *Malabar*, and were much astonished at the economy and force of a ship of war. The armed vessel *Amboyna* was now also present, and the dread of these two ships no doubt deterred the local government from resorting to force. On the 8th he took a friendly leave of the Viceroy, who, on the 14th was superseded by an officer from Court, and disgraced for disobedience of orders, which in truth he had not the means to enforce. Orders were immediately issued, that the Mission was on no account to quit the country. Captain Canning, however, having all things ready, embarked himself and suite the same day, and after great difficulty, obtained two pilots, wrote a friendly letter to the new Viceroy, and on the 16th sailed for Bengal.

Captain Canning's Report dated 9th September, 1812, and letter to Mr. Secretary Adam, dated 5th February, 1813.

The sub-interpreter, Mr. Edward DeCruz, who carried the presents to Court, returned to Calcutta on the 1st February, 1813, and made the following report. He was well received at Court, and the presents were accepted, but during his stay at Mengwon, his boat was robbed, for which he could obtain no redress. When the King heard of Captain Canning's departure, his rage knew no bounds; he immediately ordered the former Viceroy to be crucified in seven fathoms water at the mouth of the Rangoon river, that his body might float to Bengal, and shew the Governor-General the result of disobedience of the Royal orders. In the mean time, however, the Shabunder, Mr. Rogers, appeased the Royal wrath by very large presents, and exerted himself so effectually in the Viceroy's favor, that, instead of being crucified, he was appointed to the Government of the Town and District of Dalla! Envoys were forthwith ordered to Calcutta, and the Burmese troops on the Arracan frontier were desired to restrain their valor, until such time as the Governor-General should answer a letter, addressed to him by the Rangoon Viceroy, informing his Lordship, that by surrendering the Mug fugitives, and sending another Ambassador to Ava, he might obtain the Royal pardon for the numerous falsehoods which he had written. "His Majesty would take patience, "and many human beings would enjoy peace and tranquillity."

1813.

*April.*—In the early part of this year, Burmese Vakeels arrived in Calcutta, with a renewal of the demand for the Mug fugitives, which it is scarcely necessary to say was rejected, and the Burmese Court, conscious of having committed themselves by the tenor of their former communication, and having nearly ruined their commerce by arbitrary exactions, dispatched another Envoy, who arrived at Calcutta previous to the departure of the former Vakeels. The letter brought by this Envoy repeated, in more respectful terms, the demand for the Mug rebels, and announced the abolition of all those duties, which in ridicule of the British Government had been styled "Company's duties."

Letter from Captain Canning to Mr. Secretary Adam, dated 25th October, 1812.

Letter from Captain Canning, dated 30th October, 1813, to Mr. Secretary Adam.

When the above announcement was made known, vessels from all parts of India resorted to Rangoon, but no sooner did this most arbitrary of all arbitrary Governments find trade begin again to flourish, than

it made known its intention of adding a duty of 2 per cent. on those formerly collected, declaring at the same time even those vessels that had actually left the port, liable to this duty, and taking security from those that had transacted their concerns for the payment of it. 1813.

21*st May*.—About this time, a Burmese Shabunder was arrested on his way to Delhi, whither he was going ostensibly in search of Burmese religious books and curiosities, but it was supposed really to try and league the native powers against us. A person had previously gone upon the same errand, and this man was compelled to return.

This year King Berring continued to anoy the Burmese from the Chittagong frontier, and a party of Burmese troops again (5th time,) invaded the British territory in pursuit of the rebels, committed various depredations on our villages, and carried off four of our subjects. The Magistrate immediately wrote a strong remonstrance to the Rajah of Arracan, who, in a civil letter denied all knowledge of the business and promised to punish the ring-leaders. Early in April, however, the Burmese defeated King Berring at his principal strong hold, and small parties of British troops had also been successful against the insurgents. 1814. 5th March, 1814.

The unhealthiness of the country, however, and disagreeable nature of the service induced the Supreme Government to authorize the incursions of the Burmese troops into the hills and jungles in pursuit of the rebels, but they were on no account to enter the plains. The Magistrate accordingly sent an agent to ascertain the Arracan Governor's sentiments regarding this friendly proposition: the Governor avoided giving a direct answer to the Magistrate's proposal, but stated as a preliminary, that the British must furnish the Burmese troops with stores and ammunition, &c., whilst employed in our territory;" thus reversing the tables and appearing to confer, instead of receive, a favor. In the mean time the Burmese made a sixth incursion into our territories, and murdered two innocent Mugs, British subjects. 17th June, 1814.

The Magistrate of Chittagong now discovered and reported an intrigue of the Burmese to engage the Native Princes to join them in a scheme to expél the British from India. But about the end of 1814 the Agent of the Magistrate of Chittagong having been forcibly detained at Arracan for twenty days under a guard, in consequence of this insult to the British Government, the Magistrate was directed to correspond no more with the Rajah of Arracan. 4th October, 1814.

1815.

No particular occurrence took place from the above date until the commencement of the present year, when the principal Mug Chief King Berring died, and most of his followers dispersed and returned peaceably to their homes; a few, however, held out under a Chief named Regnjunzing, who, after suffering great privations and disease, saw the inutility of further resistance, and in the month of May, surrendered himself to the British Government. At the Magistrate's suggestion, he and the remaining Chiefs were kept as state prisoners, and persons of lesser rank and importance were liberated. Dispatch from the Supreme Government to the Court of Directors, dated 20th December, 1817.

1816.

When the above event became known, the Arracan Rajah sent his son to Chittagong, to demand the rebel chiefs, and the Magistrate referred him to Bengal. Ditto ditto. Ditto ditto.

1816.

Several Embassies were sent both to Chittagong and Bengal, with the above object; at length the Governor-General refused to deliver them up, and wrote a temperate letter to the Rangoon Viceroy to inform the King of Ava, of the inutility of any further application on this subject; and in the meantime, Chittagong was reinforced to guard against any sudden irruption of the Burmese.

Dispatch from the Supreme Government to the Court of Directors, dated 20th December 1817.

1817.

The peremptory and firm tone assumed by the British Government in its refusal to deliver up to Burmese vengeance such of the Mug rebels as were within its power, was for a short time attended with salutary consequences, and trade began again to flourish; but, in October of this year, an attempt at intrigue with the Court of Lahore was discovered and prevented. The agents were three natives of Western India, named—Deevy Dutt, Shaik Daoud, and Namerozia; and came accredited from the Court of Ava to the British Government, with a renewal of the demand for the Mug fugitives, and a request to be permitted to proceed to Lahore, ostensibly in search of religious books, but really to engage that State in league against us. The Governor-General, who, at the time was absent from the seat of Government, directed that these persons should be sent back in custody to Rangoon, but in the interim, they had been acknowledged by the Vice-President in Council, which rendered this step impolitic, and it was consequently abandoned. They were accordingly dismissed, and explanatory letters written to Ava on the subject. At this time, a boat load of fire-arms and ammunition, clandestinely purchased by the Burmese, was seized by the Magistrate at Calcutta, but eventually restored, with an intimation that any future attempt would subject the property to confiscation.

Ditto ditto, 4th June, 1818.

Ditto ditto.

1818.

In July of this year, the Rajah of Ramree, in the name of the King of Ava, wrote another most insolent letter to the Governor-General, demanding the cession of Ramo, Chittagong, Dacca, and Moorshedabad, and garnished with a liberal allowance of threats, in the event of a refusal. In a letter to the Viceroy of Pegu, the Governor-General regretted that the King of Ava should be guided by such foolish Councillors, and hoped the Rajah of Ramree would be punished for his insolence. Previous to these communications, the Burmese were known to have made overtures to the Mahrattas, and by a simultaneous rising of these two States, the British were to have been annihilated. The Burmese, however, are generally a little too late in their arrangements, and it happened so on this occasion, for their friends, the Mahrattas, had been already crushed, and this ebullition of Burmese insolence died a natural death. The Burmese Envoys above-mentioned, being afraid to return, still remained in Calcutta, and were now demanded by the Ava Government,—and the Vice-President in Council, as a mark of favor, gave up Shaick Daoud and Namerozid, but refused Deevy Dutt, on account of his being a British subject.

Ditto ditto, 17th March, 1820, par. 134 and following.

1819.

At this time the peace and tranquillity of our north-east frontier was disturbed, by the disputed succession to the Musnud of Assam. At length the Burmese interfered in favor of Rajah Chunder Kaunt, who was successful. Poorunder Chunder Sing, the deposed and rightful successor now applied to the Supreme Government for assistance, which was re-

Ditto ditto, 12th September, 1823, par. 90 and following.

fused; he then accepted the offer of an asylum within the British territory for himself and followers, but repeated applications to seize and surrender him were made by Chunder Kaunt, a Minister of the King of Ava. The disputes in Assam still continued, and a Mr. Bruce, a native of India, entered the service of the Ex-Rajah Poorunder Sing, and with the consent of the British Government supplied fire-arms and ammunition to his forces. Towards the end of May this year Poorunder Sing invaded Assam with a force under the command of Mr. Bruce, and in an action between the forces of the two Rajas, Mr. Bruce at the head of Poorunder Singh's army was defeated and taken prisoner. Rajah Chunder Kaunt, though successful, was not long permitted to enjoy his usurped power; he began to get tired of his friends the Burmese; and as a first act against them, is supposed to have ordered the murder of his Chief Minister, who was warm in their interest, and for which, in September, he was deposed and a successor appointed. The Assamese were now growing weary of the plundering and devastations of the Burmese army, which at this time had to contend against the forces of the two deposed Princes, Poorunder Singh and Chunder Kaunt; our frontier consequently became the scene of various excesses for which the Governor-General authorized his agent Mr. Scott to demand satisfaction. The Burmese Commander-in-Chief apologized, and stated that our villages had been attacked by mistake, and offered remuneration for whatever injuries had occurred.

1819.

1821.

Dispatch from the Supreme Government to the Court of Directors, dated 12th September, 1823, par. 99 and following.

Dispatch above cited par. 102, 103, 104.

Mr. Bruce now exerted himself in the cause of Rajah Chunder Kaunt, and applied to the Supreme Government for permission to convey arms and ammunition through the British territory to his assistance. The Government granted his request, being anxious to prevent the Burmese from occupying Assam, by which they would command the upper part of the Burrumpooter, much to our disadvantage. In the latter part of this year, Chunder Kaunt was temporarily triumphant, having defeated the Burmese in several skirmishes, and advanced to Gowahati. Rajah Poorunder Singh also continued to annoy the Burmese, in his endeavours to regain his lost kingdom, when the Burmese General Maha Theelawa, being sorely perplexed, wrote in the usual lofty and arrogant style to the Governor-General, not to assist the Assam rebels, but to deliver up both the Chiefs and their followers, to which letter the usual reply was made.

The temporary successes of Chunder Kaunt were arrested by the reinforcement of the Burmese army to the extent of 18,000 men, under the renowned General Mengyee Maha Bundoola, who, in June, easily defeated and threatened to pursue the Assamese chief into the Hon'ble Company's territories. The Magistrate was therefore directed to repel invasion by force, and to demand reparation for the injuries done to our frontier villages by the troops of the nominal ruler, Rajah Poorundur as well as the Burmese by whom he was supported. Strict orders had just arrived from Ava to pursue the fugitives whithersoever they had fled, and such was the defenceless state of our frontier that had the Burmese Generals been so determined, we could not have prevented them. Fortunately, they pursued a different course, and in July a Burmese Vakeel arrived at Calcutta, bearing for the first time, civil and respectful

1822.

Ditto ditto, par. 114.

1822.

Dispatch from the Supreme Government to the Court of Directors dated 12th September, 1823.

letters from the Chiefs Bundoola and Maha Theelawa demanding Chunder Kaunt and his followers. In reply, the Governor-General in Council expressed his desire for peace and friendly relations, but refused to surrender the fugitive chiefs, and remonstrated against a recent seizure, and detention by the Governor of Arracan, of some of our elephant hunters from the province of Chittagong. In the mean time, Assam had ceased to be an Independent State, and had become a province of the Burmese Empire. Rajah Poorunder, hitherto supported by the Burmese, was deposed, the Assam Princes set aside, and the Supreme authority vested in Maha Theelawa. In July Bundoola returned with the army to Ava, leaving Maha Theelawa with 2,000 men in Assam, who soon disputed our right to a small unimportant sand bank, but after many threats and some impertinence he gave in.

Dispatch before mentioned.

Under the above circumstances our line of defence on the north-east frontier was strengthened, with a view to protect our valuable provinces of Rungpore and Dacca, the possession of which had long been the anxious object of the King of Ava.

The ex-Rajah Poorunder Singh having failed to negociate his restoration with the Burmese, offered to become tributary to the British, and to pay all the expenses of re-establishing him, besides an annnal tribute of three lacs of rupees: his proposals were rejected.

1823.

Ditto ditto, 10th September, 1824.

Mr. Scott, the Magistrate of Rungpoor, brought to the notice of Government, the yet unprotected state of our north-east frontier, and the facility for Burmese invasion; likewise, that the destruction of our frontier villages and injuries to British subjects remained unredressed. Maha Theelawa now applied for permission to return to Ava, viâ Chittagong, but as no satisfaction had been received for the excesses of the Burmese and Assamese armies, and as he had a great number of armed followers and Assamese slaves, his request was refused.

The Assamese Chiefs, who were again busy in collecting forces for another attack upon the Burmese, received intimation from the Supreme Government, either to quit the British territory, or to desist from any further attempt. Lieutenant Davidson had been offered twenty-one thousand rupees, and our native officers largely bribed to permit them to assemble unmolested.

For years past, the Burmese had been gradually encroaching on the south-east frontier of Chittagong, and advancing claims to the jungles frequented by our elephant hunters, whom they had unjustly seized and detained. Taking advantage of the conciliatory policy of the British Government, and misinterpreting its forbearance under insults to an inability to resent and punish them, they now claimed the Island of Shapooree* which independently of being situated on the Chittagong side of the river Naaf, fordable at low water, had for years past, been occupied by British subjects, and paying revenue to the British Government. Early this year, the Burmese, in pursuance of their arrogant pretensions, and with a view to deter our people from occupying the island, attached a Mug merchant boat, and wantonly shot the helmsman. The Magistrate

Ditto ditto, 21st November, 1823.

* Called by the Burmese Shyen-ma-bhyoo-Kywon—white woman's Island.

immediately established a protecting guard of twelve sepoys upon it, and reported to Government, that a Burmese force was collecting on the East bank of the Naaf. In the mean time, the Governor of Arracan desired us "to evacuate the island, or there would be war," and denied our right to any portion of the Boundary River, which, between the disputed island and the Arracan Shore, is two miles wide. He also deputed an Ambassador to Calcutta, to enforce his unjust demand, in which, however, he was unsuccessful.

Having failed either by threats or persuasion to induce us to relinquish the disputed territory, on the night of the 24th September, 1823, a Burmese force of one thousand men attacked and took the island, killing three sepoys and wounding three others. An army of 15,000 men was collecting in Arracan, and sixty boats were already prepared to transport it across the river into Chittagong. These hostile demonstrations greatly alarmed the Mug population, many of whom voluntarily came forward and offered to assist in protecting their own villages. The Governor-General, although determined upon resistance, and the punishment of the offenders, wished to consider it a local affair, and wrote to the King of Ava demanding the dismissal of the Arracan Rajah.

Dispatch from the Supreme Government to the Court of Directors dated 21st November, 1823.

In October, 1823, the position and demeanour of the Burmese forces became less threatening, and it was thought that their original object was exclusively confined to the seizure of the Shahpooree Island; the orders of Government were consequently modified and restricted to the re-occupation of that island. The Rajah of Arracan, however, intimated to the Magistrate, that as the King had been informed of his troops having taken it, any attempt on our part to re-occupy it, would be resisted and lead to a war. In reply to the Governor-General's letter, he denied that the island ever belonged to the British, and stated that if we desired peace, we must be quiet; if we rebuilt our stockade, he would destroy it; and should we still persist, he would take from us Dacca and Moorshedabad. He told the messenger of the Magistrate of Chittagong, that the Burmese would invade Bengal by Assam and Goalpara, whither they had sent an army of 3,000 men, and that they had armies ready for the invasion of the British dominions at every point.

Dispatch before cited.

From the spirit of the above letter, it was evident that affairs instead of improving were getting worse; and that some decisive measure must be adopted to preserve not only our territory but our character entire. The Governor-General however in his remonstrance to the King had treated the outrage as an unauthorized act of the local Government, and determined to await the result of his Majesty's answer. In the mean time, Captain Canning was ordered to the Presidency to be employed either on a friendly embassy to the Court of Ava, or to give the Government the advantage of his local knowledge of Burmah in the event of an unavoidable War. On the 21st of November, 1823, our troops re-took the Island, which was at this time unoccupied. The Commanding officer was warned off by the Burmese but refused to go; when the letter having declared their conviction that war would ensue, waited quietly for further orders from Court.

Ditto ditto, 9th January, 1824.

An attempt between Captain Cheap of the Bengal Engineers and a

1823.

Dispatch from the Supreme Government to the Court of Directors, dated 9th January, 1824.

Burmese Vakeel for the friendly adjustment of the boundary had scarcely commenced, when the Magistrate was informed that a Burmese army had left Assam for the subjection of Cachar. The Supreme Government had before taken steps for effecting a connection of a tributary and protective nature with that petty state, and therefore now warned the Commander of the Burmese force to desist.

Ditto ditto, 23d February, 1824.

Sickness at length compelled the British troops to retire from the Island of Shapoore to Tek-naaf, a post on the main land, at no great distance from it, and Mr. Robertson informed the Burmese, that any attempt on their part to retake it would be punished by us. In the mean time, the King of Ava deigned not to answer the Governor-General's letter, but peremptorily ordered the Arracan Governor to retake the island at all hazards, and a large Burmese force was assembled for this purpose. Four messengers with a letter were deputed to the Magistrate of Chittagong by the Governor of Arracan, and in the conferences which took place, these messengers declared, that they would be satisfied by a declaration, that the island should be considered neutral ground, and remain unoccupied by either party. This proposition, which if brought forward in a suitable manner in the earlier proceedings might have been admitted without disgrace, could not now be listened to, and the Supreme Government therefore determined to expel them by force. Hostilities had already commenced on the Sylhet frontier, and a strong party was now posted at Tek-naaf for repelling and adequately chastising on the spot any attempt which the Burmese might make to re-occupy the Island of Shapooree.

1824.

Ditto ditto.

*January* 14*th*.—The Magistrate of Sylhet announced, that two Burmese armies had actually invaded Cachar at the invitation of the Ex-Rajah Govind Chunder, although it had been previously intimated to them, that the British Government being in treaty with this State would not permit Burmese interference. They were accordingly requested to desist, and the Magistrate was directed to repel them by force, if necessary, and to inform them that a reference had already been made to Ava on the subject, and that after the late insolent threats of the Arracan Chiefs, they could not be permitted thus to overrun the States on our Frontier. The Burmese replied, that they had received the Royal Orders to re-instate Govind Chunder on the throne of Cachar, and to arrest the three Munipoorean Chiefs: Georjeet Singh, Marjeet Singh and Gumbheer Singh—which they were determined to do. Arrangements were immediately made for opposing them, and on the 17th Major Newton fell in with the northern division of their army, which after a severe struggle he entirely defeated. The Burmese now united the northern and eastern divisions of their Army on the banks of the River Soormah, and repeated their threat of following the Munipore Chiefs, without reference to whose territory they were in. Mr. Scott again made several attempts to negociate our differences, and sent his interpreter to the Burmese Commander-in-Chief, who treated him exceedingly ill, threatened to behead him, and eventually to march his Army to England!! The Magistrate remonstrated against an order lately sent to the Rajah of Jyntea, who was under British protection, " to bow his head to the golden feet, and consider his territory as an appendage to Assam."

1824.

Whilst the above transactions were going on in the north-east, matters were progressing in an equally unfavorable manner on our south-east frontier. The Arracan Rajahs, who were not thought sufficiently active had been relieved by four Chiefs from Court, whose first act was to cross over to Shapooree Island, and burn to the ground the only habitation on it at the time, our redoubt having been razed, when our detachment was removed.

Despatch from the Supreme Government to the Court of Directors, dated 9th January, 1824.

Shortly after the above violence, the Burman Chief at *Mung-doo* (opposite Tek-naaf) invited some British officers over on a friendly visit. The military refused the invitation, but a Mr. Chew, Commander of the Company's pilot vessel *Sophia*, and a person named Ross, accepted it and were immediately marched into the interior as prisoners, together with eight boat lascars. The Magistrate demanded them and threatened in vain, the Burmese refused to give them up, in consequence of the *Sophia* being anchored off Shapooree Island, on which the Burmese had lately hoisted their standard. The captives wrote that they were well treated. A large Burmese force was collecting in Arracan.

Ditto ditto.

Under the above circumstances, the British Government resolved to fortify its frontier, and commence operations in earnest, at the same time that it announced its unwillingness to accept of a suitable apology for the past, and security for the future.

Moderation and justice, however, ever had been, and still continued strangers to the councils of the Court of Ava, and so far from making reparation for the past, they were meditating only on further aggressions; and, after the failure of every conciliatory means, His Lordship in Council reluctantly declared war against that kingdom; a measure, if hailed with delight by the British army, was not less eagerly anticipated by the Burmese, who, totally ignorant of our power, and measuring their invincibility by the test of the surrounding petty states, had been accustomed to consider the British as an easy prey.

Dispatch from the Supreme Government to the Court of Directors, dated 9th January, 1824, and declaration on the part of the Governor-General in Council, dated 24th February, 1824. Dispatch from the Supreme Government to the Secret Committee of the Court of Directors, dated 23d February, 1824.

On the 5th March, 1824, the two powers were declared to be at war, and such was the activity with which the British preparations were made, that on the 11th May, Sir Archibald Campbell arrived at Rangoon with the Head-Quarters division of the army, and took the town and fort with scarcely any opposition. About the same time, a British force under Colonel Richards advanced towards Assam and the north-east frontier, and in the beginning of the following year, a third division under Colonel Morrison invaded Arracan.

Proclamation by the Governor-General in Council, dated 5th March, 1824.

To note the minutiæ of the war in either division of the army, or the barbarous cruelties and savage indecencies practised upon our unfortunate stragglers, together with the several faithless overtures of the Burmese for a cessation of hostilities, would be tedious and uninteresting; volumes having been already written on the subject. I shall therefore pass on the result, which was a treaty of peace signed at Yandabo on the 24th February, 1826, by which the Burmese ceded to the British, the territories and towns of—

1826.

Ditto ditto, 11th April, 1826.

1st. Yè, Tavoy, Mergui, Tenasserim and Arracan.

2nd. The King of Ava ceased to have dominion over the states of Cachar, Jyntea and Assam.

1826.

3rd. The Burmese acknowledged the independence of Munipore, and the right of Siam to the benefit of this treaty.

4th. The mutual right of keeping a resident from one state at the Court of the other.

5th. A commercial treaty to be afterwards negotiated.

6th. One crore of rupees as a token of His Majesty's sincere friendship and part indemnification of the expenses of the war.

For the accommodation of the Burmese, the tribute was to be paid in four equal instalments, the first instalment of 25 lacs to be paid down and the British Army to retire to Rangoon; the second within three months, when the army would evacuate the Burmese dominions; the third was to have been paid within one year; and the fourth within two years from the date of the treaty; but unfortunately our negociators took no security for the punctual performance of this engagement.

When the treaty of peace was concluded, Sir Archibald Campbell deputed Captains Lumsden and Havelock to the Court of Ava with a conciliatory message on the termination of hostilities. They arrived at Ava on the night of the 28th of February, and were escorted by a numerous deputation of officers to the house of the commander of the northern gate of the palace, *Moung Shive Loo*, where they were very hospitably entertained. The king, half distracted by the termination of events, at first determined not to receive them, but at length gave them a civil though hurried audience on the 1st of March, and on the 3rd they quitted the "Golden City," apparently well pleased with their reception; although, when it is considered that they were landed late at night, that no public place of residence was allotted to them, that Moung Shive Loo, the commander of the north gate, was the only person that would receive them, and except their half smuggled audience of His Majesty, they received no public notice whatever, there was no great cause for congratulation. It would have been a much more judicious measure, as after events proved, if the British General had appointed an officer of rank to proceed to Ava, and act as British Resident, pending a reference to the Supreme Government. Such an officer might have settled all the ceremonies of his reception, and established the British Residency on a proper footing, before the British Army retired from Yandabo.

Havelock's Memoir of the three Campaigns of Major-General Sir A. Campbell's Army in Ava, p. 328 to 366, and Appendix No. 2. Extract from *Government Gazette* of 13th April, 1826, p. 215, in Wilson's Historical Sketch of the Burmese War.

The first instalment being paid according to Treaty, the Army broke up; one battalion under Captain Ross, returned overland to Arracan, and the remainder retired to Rangoon under Sir Archibald Campbell, there to await the payment of the second instalment.

Trant's Two Years in Ava, p. 416 to 449.

## MR. CRAWFURD'S MISSION.

1826.

In pursuance of the 7th article of the Treaty of Yandabo, stipulating for the negociation of a Commercial Treaty, Mr. Crawfurd having received the necessary instructions for this purpose, quitted Rangoon on board the *Diana* Steamer on the 1st September, 1826, entered the Irrawaddy on the 4th, and reached Henzada on the 8th, Prome 16th, Yandabo 27th, and Kyouk-ta-loun, about 12 miles below Ava, on the 28th, where he was met by a respectable deputation of Burmese officers, who wished him to halt until orders could be received from Court, but he refused on the principle of right, and the improbability of receiving any other than a friendly

Letters of Instructions from Mr. Secretary Swinton to Mr. Crawfurd, dated 14th April, 30th June, and 5th August, 1826.

Mr. Crawfurd's printed Journal of his Embassy to Ava.

1826.

invitation from the Court, and proceeded as far as the village of Pouk-tau, 3 or 4 miles below Ava. Here he halted on learning that another and more respectable deputation would escort him thence to the city. On the following day, (29th September, 1826,) a Woondouck conducted him to a temporary house, which had been built for him a little below Ava, where the Legain Woongyee and Kyee-Woon-Atwen-Woon were waiting to receive him. This was the first suitable reception ever given to a British Embassy. Great anxiety prevailed at Court for the evacuation of Rangoon by the British troops, and on the 3rd October the Kyee-Woon-Atwen-Woon and others waited upon the Envoy, and entreated him to order them away. In reply *he* referred them to the treaty of Yandabo, which stated that as soon as the second instalment, at this time long overdue, was paid, the troops would depart. Ava became alarmed at the presence of his European escort, and many vague rumours were circulated as to the object of his Mission. On the 9th, at the urgent solicitation of the Kyee-Woon-Atwen-Woon, he agreed to enter upon business previous to his presentation to the King, which Burmese arrogance had induced them to fix for first "*kodau,*" or beg pardon day, when all his Majesty's *Tsaubwas* and vassals make presents, "*shikho,*" and ask pardon for past offences. On the 12th the Burmese Commissioners* attended in full dress, and held their first conference in a temporary shed, having previously refused to enter Mr. Crawfurd's house, which had been prepared for the occasion. After the usual preliminaries, Mr. Crawfurd tendered a draft of a Commercial Treaty, in which the free exportation of bullion and permission for British Merchants to take away their families from the country, formed prominent objects. The three successive days were devoted to boat racing, and on the 16th another conference took place, at which nothing was determined upon. Mr. Crawfurd's presentation was also to have taken place this day, but owing to a fall of rain, it was postponed till the 20th October, when two gilt and ten plain war, boats conveyed himself and suite to the opposite shore, where they were received by a deputation of *Ts-arè-dau-gyees* with seven elephants, horses, &c. &c., for their accommodation and the conveyance of the royal presents. The European escort was prohibited from entering the town with their arms, and as Mr. Crawfurd would not permit them to be disarmed, they were remanded to the steam vessel. The next impertinence was a request from the *Ts-arè-dau-gyees*, to put down his umbrella as a mark of respect to the palace, although not within sight of it. He was then paraded round the west and south sides of the palace yard, to give all persons an opportunity of seeing him, and was made to dismount at the south east angle of the palace compound, and walk along the eastern face to the principal entrance, although the meanest Burmese officers are allowed to ride close to the gate, if they wish. It had been previously settled, that the Mission should rest themselves at the *Youm-dau,* but they were purposely led beyond it, and the *Ts-arè-dau-gyee* desired Mr. Crawfurd to "*shikho*" to the palace; this he indignantly refused to do, and discovering the trick that had been imposed upon him, he immediately turned round, and of his own accord ascended the *youm* with his shoes on, to which

Mr. Crawfurd's printed Journal of his Embassy, p. 128 to 147.

* Two Atwen-Woons or Ministers of the Interior.

1826.

no objection was raised, and insisted on the punishment of the offenders. Here he was kept waiting two hours and a half, and when ordered to proceed, he requested a gilt salver for the Governor-General's letter, which they refused to give and offered an old one with the gilt worn off, which he declined to accept, and the letter was eventually carried by Lieutenant Montmorency. He unslippered at the foot of the palace steps, having been allowed to wear his shoes within the inner enclosure of the palace, some distance beyond the spot where Captain Symes had been made to unslipper on his first Mission, and after waiting in the Hall of Audience for about 10 minutes, His Majesty appeared, and Mr. Crawfurd removed his hat and *salamed* with one hand in the European manner. This was a "*kodau,*" or general beg pardon day, and to add to the insults already received, neither the King nor the Queen condescended to mention the Governor-General's name; his presents were the last received, and unknown to Mr. Crawfurd, a Burmese officer read an address to their Majesties, expressive of His Lordship's submission to the Golden Feet, and desire of forgiveness of his past offences. No notice whatever was taken of His Lordship's letter, which was afterwards privately delivered to a *Na-khan-dau* and the degrading ceremony broke up.

*22nd October.*—Mr. Crawfurd held another conference with the Commissioners, who were much annoyed on being told in answer to questions from themselves, that the Siamese Court is far superior to theirs, that the King of Siam had six white elephants, and that Mr. Crawfurd was highly dissatisfied with the audience he had received. A very lengthy discussion ensued during which the Burmese claimed the Saluen River.

Nothing settled from the 23d to the 25th. Visited the Heir-Apparent, Tharawadi and Men-za-gyee Princes. The latter kept him waiting a shorter time than the others, was more respectful, and gave a far superior entertainment.

Mr Crawfurd's Printed Journal of his Embassy, p. 177, 187, 291.

*November 3d and 5th.*—The negociations were renewed. The Burmese Commissioners having previously objected to, now proposed the free exportation of bullion, and permission for British Merchants to take away their families, in return for which they asked the restoration of the tribute and all the ceded territories. These extravagant proposals were of course rejected. Finding Mr. Crawfurd immoveable, they attempted to bribe him with five viss of gold equal to about 12,000 rupees. He then demanded an explanation, for the opening by the Burmese Government, of some private letters addressed to him and his suite from Munnipore, the style and matter of which letters Mr. Lanuago assured Lieutenant-Colonel Burney, had given great offence, and cause for jealousy and suspicion against our proceedings in Munnipore.

*6th November.*—At this conference, the Burmese repeated their proposal to grant the free exportation of bullion and permission to Merchant's families to quit the country, for free liberty on their part to purchase fire-arms and ammunition at Calcutta. This proposal was also rejected, and after a long discussion on the delay in paying the second instalment, in which nothing was settled, the meeting broke up. At a conference held on the 10th, the Burmese consented to Mr. Crawfurd's

proposed Treaty under certain modifications, and upon condition that the payment of the third and fourth instalments should be postponed for one year beyond the stipulated time; to this he readily agreed. The Burmese then, as if fearful of having granted too much, requested a further extension of three months., which Mr. Crawfurd refused, and the meeting broke up for the seventh time, without any prospect of a final settlement. 12th.—The discussion opened to-day on the part of the Burmese, with a long dissertation on the advantages of upright conduct, after which they desired to know by what authority a British force was stationed at Moulmein, contrary, they said, to the treaty of Yandabo. A very long discussion ensued, at the end of which the Commercial Treaty was introduced, when it was discovered that they had clandestinely altered the 4th article regarding merchant's families, and the words "return to the country" were substituted for "quit the country." They were not in the least abashed at the exposure of their disgraceful attempt at fraud, and after some further discussion the meeting dissolved, the Burmese Commissioners agreeing to deliver the Treaty signed and sealed on the 15th, in return for which Mr. Crawfurd agreed that the Army should evacuate Rangoon in 20 days; also, to postpone for one year the payment of the third, and fourth instalments, and to relinquish a balance of 1½ lacs still due upon the second.

10*th November*.—A complaint was preferred against some of the European escort and lascars, for not squatting down in the road and "*shikoing*," on meeting His Majesty. They were consequently forbidden the town. The King was dreadfully annoyed at Mr. Crawfurd's refusing to give up the Ceded Territory and the remaining ½ crore of rupees, which he had been led to expect by his imbecile ministers, who had informed him of the Governor-General's submission to the Golden decrees, and that such was the object of Mr. Crawfurd's present Mission.

Mr. Crawfurd's Printed Journal of his Embassy to Ava. p. 225.

15*th November*.—At the meeting to-day the Burmese refused to sign the treaty as they had agreed to do, until the whole of the British army should have evacuated the Burmese dominions. Mr. Crawfurd accordingly absolved himself from his former promises, which were made under an impression that the treaty, as then agreed upon, would be concluded at this meeting, and refused to hold any further discussions with them, offering to accept of any treaty they might think proper to give him. The Burmese Commissioners now altered their tone, and desired to see the paper of concessions which Mr. Crawfurd had drawn up, and whilst reading it, they were detected in an attempt to alter the date of payment to four months later. They then promised to complete the negociation in two days, and departed.

19*th November*.—The Burmese negociators now put off the final settlement, not having seen the King, and Mr. Crawfurd being anxious to depart, gave up the question of gold, and proposed the exportation of silver only, but they refused; upon which he again expressed his willingness to accept of any treaty they would give him, and laid before them a paper on the subject, but which they declined to receive.

24*th November*.—The Commissioners met again to-day, and without further discussion or reference to previous negociations, declared they

Ditto ditto, p. 255, &c.

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had made up their minds what treaty they would give, if Mr. Crawfurd was willing to accept of it.

In this treaty, which is made between the Governor-General under the title of the "Engleit Men" the "India Company Buren" and the King of Ava, the second and fourth articles of Mr. Crawfurd's draft, relating to the free exportation of bullion and merchant's families, were struck out, and as there was nothing objectionable in the remaining articles, Mr. Crawfurd expressed his willingness to accept of it. It consists of the following articles, and was signed and agreed to by both parties.

Page 258 of Mr. Crawfurd's Printed Journal.

1st.—Provides for the free ingress and egress to and from Burmah, of "merchants with an English certified pass from the country of the English ruler," upon paying the customary duties. They are not to be molested in their mercantile transactions.

2d.—Is a mere repetition of the 9th article of the treaty of Yandabo, with this disadvantage of the vague expresson as to vessels paying "customary duties."

3d.—Refers to British resident merchants who are about to quit Burmah, and is comprised in the 1st, of which it is nearly a repetition.

4th.—Provides for assistance to British vessels wrecked on the Burman coast. The Burmese to be remunerated with a suitable salvage, and all property recovered from the wreck to be restored to the owners.

The Commercial Treaty being concluded by Mr. Crawfurd thus accepting the paper drawn up by the Burmese Commissioners, they again wished to negociate the postponement of the third and fourth instalments, but Mr. Crawfurd replied, that his business was now settled, and that he must hasten away. Between the 26th of November and 2nd of December, the Atwen-Woons visited him several times, and urged him again and again, to delay the payment of the remaining portions of the tribute, but he replied as before, that his business was finished, and urged his speedy departure.

P. 257.

P. 262, 265, 281.

At length, a discussion ensued relative to the captive Cassays and Assamese, who were taken at the commencement of, and during the war, and when in order to ascertain the wishes of these unfortunate people, Mr. Crawfurd desired they might be called before him, the Ministers cunningly observed, that he had no right to make such a demand, for by his own shewing "his business was already done," &c. &c.

P. 283 to 287.

P. 284.

*December 4th.*—He was informed that the King would receive him on the following day at the Elephant Palace. He again demanded the English, Cassay and Assamese prisoners, who were detained in Ava contrary to the 11th article of the treaty of Yandabo, and offered a list of their names, which the Commissioners refused to receive. He then applied for the estate of an English Merchant named Stockdale, who had died at Ava three years before, and left property to the amount of 20,000 Rs which had been seized by the Queen; but was again doomed to suffer by his own impolitic admission, for they evaded his demands by questioning his authority to treat upon such points. He relinquished the captives without further effort, though not without the consolation, that it was sufficient for himself "having formally demanded them."

P. 205.

P. 202.

6th and 7th December, received audiences of the King at the Elephant and Water Palaces, at the former of which he was obliged to remove his shoes and walk over scorching bricks, a distance of about 100 yards. 1826. P. 298.

*December* 11*th*.—The Burmese demanded three natives of India, (British subjects) who being anxious to escape, had sought refuge on board the steam vessel, and Mr. Crawfurd surrendered them taking only a list of their names. P. 311.

12*th*.—Having received some return presents, though no letter for the Governor-General, and His Majesty having granted titles to each of the gentlemen of his suite, Mr. Crawfurd quitted Ava this day, and getting aground several times in the passage down, anchored off Rangoon on the 17th January, 1827, after a tedious and difficult passage of 36 days. Here he refused to meet the Viceroy on business, saying "he was now merely a passenger to Bengal without any authority;" he however afterwards met him at a private house, when the Woongyee delivered to him a respectful letter "from the Ministers at Ava, to the War Chiefs in Bengal," which Mr. Crawfurd received, having previously satisfied himself of the suitableness of the letter, and informed the Woongyee that none but the King could address the Governor-General direct, except in the form of petition. On the 23d he quitted Rangoon, and touching at the new settlement of Amherst, arrived at Calcutta on the 21st February, 1827. 1827. P. 339 of Mr. Crawfurd's Printed Journal of his Embassy, 341.

It is much to be regretted, that Mr. Crawfurd should have accepted the Commercial Treaty offered to him by the Burmese; indeed it is said, the Court of Ava never considered it as a Treaty, but as an "*Akhwhen-dau*" or royal license, which they usually style it. This Treaty concedes to the King of Ava the right of prohibiting the free exportation of the precious metals, as well as of levying "Royal and all *customary* duties on our vessels and trade." The free exportation of the precious metals is not prohibited by the Treaty of Yandabo, and if Mr. Crawfurd, instead of pressing the Burmese negociators so earnestly to permit, what it was not certain they had a right to forbid, had taken up another ground, and questioned their right to prohibit it, maintaining, that there was nothing in the Treaty of Yandabo to authorize such an obstruction to the opening of the "gold and silver road," perhaps he would have gained the point for which every other object of his Mission appears to have been sacrificed. It is to be regretted also, that Mr. Crawfurd had not, during his stay at Ava, endeavoured to maintain a more regular and frequent correspondence with Sir Archibald Campbell, and to persuade that officer to remain at Rangoon with the British Army, until such time as he heard that a suitable Commercial Treaty had been signed; for which purpose, four or five *dâk* boats manned by Bengal lascars might have been employed. It is well known, that the Burmese Court kept up a regular and almost daily correspondence with their officers near Rangoon, and knew the moment when the British General left it. Article 1st and 2d of the Treaty.

The King finding the impossibility of collecting the amount of the third instalment within the specified time, consulted Mr. Lane, an English merchant residing at Ava, on the probable concequences of breaking his engagement. In reply, Mr. Lane explained the nature of treaties, Letter from Major-General Sir A. Campbell to Mr. Secretary Swinton, dated 20th February, 1827.

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but expressed himself ignorant of the steps which the Supreme Government might adopt, and hinted in plain terms at the forfeiture of Rangoon. His replies tended much to impress the Court with a sense of the necessity of fulfilling their engagement, as well as of the justice and power of the British Government. His Majesty, therefore, proposed to pay interest on the overdue instalment, for which purpose, almost immediately after Mr. Crawfurd's departure from Ava, the King, in defiance of the newly formed treaty, gave an Armenian merchant named Sarkies Manook, the entire monopoly of all export trade, and laid a duty on all British goods brought into the port of Rangoon, although not intended to be landed, with the proceeds of which monopoly the Armenian bound himself to pay the interest upon the overdue instalment, should the Supreme Government agree to accept it. These infringements of the commercial treaty were speedily relinquished at the remonstrance of Captain Rawlinson, the British agent left at Rangoon by Sir Archibald Campbell.

Letter from Major-General Sir A. Campbell to Mr. Secretary Swinton, dated 9th March, 1827.

Letter from Mr. Secretary Swinton to Major-General Sir A. Campbell, dated 12th April, 1827.

The second instalment was paid four days before Mr. Crawfurd quitted Ava, and on the 9th December, the remainder of the British army evacuated Rangoon under Major-General Sir Archibald Campbell, who appointed Lieutenant Rawlinson to act as British agent at Rangoon, as well for the protection of commerce as for receiving the remaining instalments of the Tribute.

Letters from Major-General Sir A. Campbell to Mr. Secretary Swinton, dated 8th and 17th Dec. 1826.

In March a Burmese Embassy arrived at Calcutta with the following objects:—

Translation of a document received from the Burman Embassadors at Fort William, dated 11th April, 1827. Note by the Deputy Persian Secretary to Government, dated 26th April, 1827. Answer to the paper of Requests by the Burman Ambassadors, dated 28th April, and letter from Mr. Secretary Swinton to Major-General Sir A. Campbell, dated 9th May, 1827.

1st.—To postpone for a time the payment of the third and fourth instalments of the tribute.

2nd.—To remonstrate against our occupation of a small village near Bassein.

3rd.—To object to British officers travelling through and surveying Rajah Gumbheer Singh's territory near the Burmese boundary, and also to the occupation of the valley of Kubo by that Prince.

The Vice-President in Council objected to any delay in paying the tribute, but most judiciously referred the Commissioners to Sir Archibald Campbell for the adjustment of this question, as well as of the disputed boundary of the Burmese and Munipore dominions, and the negociating the release of the Assamese and Cassay captives, whose case the Governor-General thought was not present to the minds of the British Commissioners who negotiated the treaty of Yandabo. The truth is, the Burmese, although they desired to retain these prisoners, never questioned our right to demand their release, and the argument, founded on the words of the 11th article of the treaty of Yandabo, that they did not provide for the case of these captives, was first adduced by Mr. Crawfurd. The Burmese never referred to that article, and even if they had, Major-General Sir A. Campbell's proposal to meet it, by founding our right upon the 6th article, which provides that no person whatever, whether native or foreign, is hereafter to be molested by either party on account of the part which he may have taken, or been compelled to take, during the war would have been successful at Ava.

The Ambassadors arrived at Moulmein on the 3rd June, and had seve-

ral meetings with Sir Archibald Campbell, in all of which they evinced an extraordinary dread of committing themselves, and an indecision of purpose, which induced them to renounce to-morrow what they had agreed to to-day. They however pleaded their inability to make good their payments to us, and unblushingly denied the existence of any prisoners within the Burmese dominions. At length, they promised to sign an agreement to pay the third instalment within 130 days, and to deliver up all prisoners to a British officer to be deputed to Ava for that purpose; but on the following day, after dining with the General, they objected to the article concerning the prisoners *in toto*, and gave a written declaration of their inability to treat on that subject, for which they were well frightened and threatened with the fate of Tippoo in vain. Finally, they gave a bond to complete the third instalment within 50 days from the 4th September, 1827, and the fourth instalment within 50 days from the 31st August, 1828, and returned to Rangoon, no doubt delighted at their escape.

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Minutes by Governor-General, dated 12th May, 1827, and Letter from Major-General Sir A. Campbell to Mr. Secretary Swinton, dated 16th July, 1827, and 28th October, 1827.

Letter from Major-General Sir A. Campbell to Mr. Secretary Swinton, dated 11th June, 1827, with enclosures.

In June, 1827, the Supreme Government removed a prohibition which Major-General Sir A. Campbell had issued, preventing British subjects from importing fire arms to Rangoon for sale. The reasons which induced the Government to desire the Major-General to discontinue this interdict were just and valid; but it is much to be regretted that he, knowing how ardently the Burmese at this time were desiring to supply themselves with fire-arms, and how much they had been willing to concede to Mr. Crawfurd for a free traffic in fire-arms, did not endeavour to obtain some return from the Court of Ava, for what they considered as a very great boon. In November the Governor-General in Council discovering how totally impracticable it was to ascertain the number of persons, natives of Arracan, Assam, Cachar, &c. supposed to be detained captive at Ava, or to obtain any information sufficiently accurate to enable us to claim the parties, and adverting to a statement made by the officer in charge of Sandoway, that the Burmese do not appear to exercise any restraint over the inhabitants of the adjoining territories who had accompanied them to Ava, expressed to Major-General Sir A. Campbell an opinion, that without some more positive proof than was then possessed, we must be satisfied with the assurances which the Government of Ava should be required to give us that they will not oppose any obstacle to the return of natives of Assam, Munipore, Cachar, Sylhet, Chittagong and Arracan, who may have been carried off during the war and desired to return to their homes. The Major-General was, at the same time informed, that whenever he obtained any certain information of the detention of our subjects, natives of any district of Bengal, he was to consider himself authorized to demand their release: but that officer having obtained a promise from the Burmese authorities that all such prisoners as remained should be delivered over to a British officer, Lieutenant Rawlinson was deputed to Ava to receive them, where he arrived on the 22d February.

Letter from Major General Sir A. Campbell to Mr. Secretary Swinton, dated 7th May, and reply dated 22d June, 1827.

Letter from Mr. Secretary Swinton to Major-General Sir A. Campbell, dated 23d November, 1827.

In the mean time, as it never was the intention of the Burmese Government to part with so valuable an acquisition as these unfortunate people proved to be, they were conveyed into the interior of the country, so that after a strict search Lieutenant Rawlinson could not discover a single individual that had been captured during the war.

Letters from Major-General Sir A. Campbell to Mr. Secretary Swinton, dated 28th October, and 26th and 28th December, 1827, 21st January, 1827, and 12th April, 1827.

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Letter from Major-General Sir A. Campbell to Secretary Stirling, dated 20th May, 1828.

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There are hundreds of captive Cassayers now in Ava and living within 500 yards of the Residency, besides many others scattered over different parts of the kingdom, the majority of these however were taken during former wars, and have become naturalized.

Letters from Mr. Secretary Swinton to Major-General Sir A. Campbell, dated 15th June, 1827, 23d November, 1827, and 20th December, 1827; and to Mr. Commissioner Tucker, dated 23d November, 1827, and 28th December, 1827.

Letters from Major-General Sir A. Campbell to Mr. Secretary Swinton, dated 19th and 20th July, 1827, 20th October, 1827, 12th December, 1827, and 26th December, 1827.

A dispute having occurred between the states of Ava and Munipore regarding a slip of territory lying between a line of hills and the Khyendwen river styled the Kubo Valley, the Governor-General, after hearing such evidence respecting it as could be brought forward at the time, determined that the Khyendwen river was the true and ancient boundary, thus depriving the Burmese of the Valley which before the late war was in their possession. The Burmese court objected strongly to the line of boundary selected by the Supreme Government, and at length it was settled between Major-General Sir A. Campbell and the Viceroy of Rangoon, that officers should be deputed by each state to meet on the Khyendwen river, and amicably settle the future boundary between Ava and Munipore. The Supreme Government appointed Captains Grant and Pemberton as the British Commissioners, and Lieutenant Montmorency of the 3d Regiment Madras Cavalry was deputed to Ava, in order to accompany the Commissioners who might be appointed by the Court of Ava, and to bear dispatches from Sir A. Campbell to the British Commissioners, when they met on the frontiers of Munipore at the appointed time, early in the month of February, 1828. Captain Montmorency arrived at Ava, in company with Lieutenant Rawlinson; he remained four days unnoticed; at length he set out in the train of the Burmese Commissioner for the place of meeting, which he reached in the end of March, nearly two months beyond the appointed time. The season was now too far advanced, and in consequence of the setting-in of the rains, the place became unhealthy, and Captains Grant and Pemberton, who had been waiting there many days, were obliged to retire to a more healthy spot, two days' journey from the Valley, where they intended to await the arrival of the Burmese Commissioner, having left persons in the Valley to carry them the news of his approach. Lieutenant Montmorency, however, not finding the Munipore Commissioners at the appointed place, and having much reason to be dissatisfied with the manner in which the Burmese were treating him, left the Burmese Commissioner to manage for himself, and returned, without waiting for the arrival of Captains Grant and Pemberton. The Burmese Commissioner also appears to have persuaded him to admit the correctness of a Burmese map, in which a large river, which had no existence in reality, was drawn to the westward of Kubo Valley. This it was maintained, was the Ningthi river and true boundary between Ava and Munipore, and it was denied that the Khyendwen in any part of its course bore the appellation of Ningthi. Captain Pemberton immediately exposed the inaccuracy of this Burmese map, which was evidently forged in order to deceive the Supreme Government, to which another copy of it however was sent in November, 1829.

Letter from Mr. Secretary Stirling to Major-General Sir A. Campbell, with enclosures, dated 13th June, 1828; and Letter from Major-General Sir A. Campbell to Mr. Secretary Stirling, dated 20th May, 1828, with enclosures. Letters from Mr. Commissioner Tucker to Mr. Secretary Stirling, dated 23d March and 15th April, 1828.

Letter from Major-General Sir A. Campbell to Mr. Secretary Stirling, dated 20th May and 16th July, 1828. From Mr. Secretary Swinton to Captains Grant and Pemberton, dated 8th August, 1828, 13th September, 1828, with enclosures, 30 October, 1828. Letter from Captains Grant and Pemberton to Mr. Secretary Swinton, dated 17th November, 1829, with enclosures.

In the early part of February, 1828, some of the English merchants of Rangoon petitioned Sir A. Campbell against alleged extortions in the Burmese Custom House and Post charges, for which, however, there was not much foundation. One of these merchants went to the Rangoon

Letter from Major-General Sir A. Campbell to Mr. Secretary Swinton, dated 7th April, 1828, with enclosures.

Woongyee's house, treated him with disrespect and used indecorous language also towards the Supreme Government. Rangoon has long been notorious as an asylum for fraudulent debtors and violent and unprincipled characters from every part of India, and the only way of keeping this description of persons in order, and preventing them from disgracing the British character, impairing British interests, and disturbing the good understanding which now subsists between the British and Burmese Governments, would be by the Supreme Government maintaining always a British officer at that port, and conferring upon him the same judicial powers as are entrusted to British consuls at Constantinople and in the Barbary states. 1828.

*November.*—For months past the inhabitants of Moulmein had been kept in a state of alarm and excitement by the incursions of robbers from the town and province of Martaban, and the frequent and urgent remonstrances both of Major-General Sir Archibald Campbell and Mr. Commissioner Maingy being attended with no relief, the latter gentleman, by order of the Governor-General, wrote a final remonstrance to the Court of Ava and to the Woongyee of Rangoon, informing them, that if they could not keep their frontiers quiet, we must do it for them, and that if on the next aggression of Burmese subjects, the offenders were not surrendered to our demand, a British force would be sent over to seize them within the Burmese territory. This remonstrance shared the fate of the former, and another violent outrage having been perpetrated, and the offenders not being surrendered to our demand, a detachment of British troops was immediately sent over to Martaban to seize them. On the crossing over of our troops, the Martaban authorities and inhabitants fled into the interior, the place was evacuated, and the offenders were not arrested; but some Taliens, who accompanied the detachment, unauthorizedly set fire to the town, which was totally consumed. 1829.

Letter from Mr. Commissioner Maingy to Mr. Secretary Prinsep, dated 26th March, 1829, with reply and enclosure, dated 27th March. Letters from Mr. Commissioner Maingy to Mr. Secretary Swinton, dated 11th April, 17th October, 19th October, and 13th November, 1829, with enclosures.

This was the most wise and energetic measure which the British Government ever adopted against the Burmese, and no doubt all the quiet and freedom from depredations which the inhabitants of Moulmein have enjoyed since December, 1829, are entirely owing to this salutary example. Although the town of Martaban was accidentally burnt, the accident was not to be regretted, inasmuch as it rendered the example more signal and complete. The fame of this proceeding spread through all the neighbouring countries, and greatly raised in their estimation the character and power of the British Government.

## MAJOR BURNEY'S MISSION.

At length, in conformity with the 7th article of the treaty of Yandabo, providing for the establishment of a Resident at the Court of Ava, on the 31st December, 1829, Major Burney, of the 25th Regiment Bengal Native Infantry, was appointed to that office, with the following instructions.

1st.—To reside permanently at the Court of Ava as British Resident, and, to open communications by dâk with our newly acquired provinces of Moulmein and Arracan.

2d.—To remonstrate against the delay in paying the fourth instalment of the tribute, which by the treaty of Yandabo should have been completed

1828. by the month of February, 1828, and by an after engagement made at Moulmein between Sir Archibald Campbell and the Burmese Envoys, was postponed till September of the same year, but was not yet paid.

3rd.—To protect the British frontiers from Burmese aggression, to encourage commerce, and to observe the feeling of the Burmese Government consequent upon the destruction of Martaban, and to gather any useful information relating to the Court of Ava, &c.

4th.—To adjust the boundary dispute between the states of Ava and Munipore, and to ascertain what equivalent the Burmese Government would be willing to give, in exchange for the Tenasserim Provinces, which the home Government had ordered to be retroceded; and generally, for the settlement of such other questions as may arise.

Letter of Instructions from Mr. Chief Secretary Swinton to Major Burney, dated 31st December, 1829.

1830. *April 23d.*—At *Let Tshoung-yoo* village, about 1½ mile below the capital, Major Burney was met by the Senior Woondouck and a Tsarè-daugyee, who informed him that a deputation of Ministers of State would receive him on the morrow, and on arriving at Ava the next day, he was welcomed by the same deputation as received Mr. Crawfurd.

Par. 1st and 4th of Major Burney's Journal of his Mission.

Par. 13th of Major Burney's Journal. *May 1st.*—The Padein Woongyee, two Atwen-woons and a Woondouck waited upon him and were persuaded to meet him at his own house, and not at a temporary shed as on former occasions. These officers said, they had been appointed to discuss all matters of business with him, and requested to see the Governor-General's letter; but Major Burney refused to produce it, except in the presence of the assembled Woongyees, thus at the outset objecting to intermediate and secondary agents, and endeavouring to open a direct communication with the whole of the Ministers of State, whose duty it would be to consider and decide upon his propositions. They objected to this on the grounds of its not being the custom, &c., but he insisted upon seeing all the Ministers of State, either at the Lhwottau, or some other place.

1830. *May 4th.*—Met the Woongyees in full Divan at the Younm-dau, which he ascended with his shoes on, followed by his native escort with their side arms. After the usual preliminaries, Major Burney delivered his letters, discussed some minor points, and presented a memorial, praying His Majesty to dispense with the ceremony of removing his shoes in the royal presence, and to receive him in the same manner as the King of Siam had done. Major Burney was in great hopes, that as the distance at which former British Envoys had been made to unslipper, had been gradually reduced from the palace gate to the foot of the hall of audience steps, that with a little management the remaining space between the steps and the hall itself might have been dispensed with. It is necessary here to explain, that this custom of removing shoes is carried to an extraordinary and most disagreeable extent at Ava. You must not be seen by the King any where, even in the high way, with your shoes. You are requested to remove them, not as in other Indian Courts just before you enter a room or step upon a fine carpet, but in the dirt and filth or hard gravel of public streets, a hundred paces before you come to the spot where the King may be sitting. Notwithstanding the good effect produced on this Court by the recent destruction of Martaban, Major Burney thought they were not yet sufficiently humbled.

Par. 22d of Major Burney's Journal.

1830.

*May* 19*th.*—The Ministers* met at Major Burney's house, and a discussion of three hours duration ensued, relative to the ceremonials of his presentation; they wished him to be received on a "*kodau*" or beg pardon day, and to unslipper, both of which he refused to do. On the 20th and 21st, Mr. Lanciago, the Rangoon Shabunder, and one of the Ministers, called to know his determination on the above discussion. He continued firm not to unslipper, and informed them that any attempt to smuggle him into a "*kodau*" audience would be considered as an insult offered to the Governor-General. Mr. Lanciago, who speaks English imperfectly, misinterpreted the above message to the Woongyees, who took offence, and refused either to see Major Burney again, or to receive any communication from him. His Majesty also insisted upon the removal of his shoes, and his being presented on a "*kodau*" day. This, however, Major Burney was resolved to resist, and having made several fruitless attempts at reconciliation, on the 27th on the plea of ill health and the inutility of remaining at Ava unnoticed, he applied for boats to enable him to quit the capital.

*June* 1*st.*—At this time the Men-tha-gyee Prince was employed in drawing up a set of frivolous charges against the Resident; the Ministers would neither answer his letter nor grant boats to convey him from the capital, and he could hire none without their consent. The King would not see him except on a "*kodau*" day, and without his shoes. Major Burney being without the means of quitting the capital, and finding that he could not remain under existing circumstances so as to be useful to the Government, chose the lesser of two evils, and resolved to concede the point of the shoes, and, as he could not now communicate with the Ministers direct, he availed himself of the friendly assistance of Mr. Lane, the English gentleman before mentioned, who had resided at Ava ever since the war, and possessed at this time considerable influence over the Court, which, at Major Burney's request, he exerted in making those explanations which were required to effect a reconciliation, just as affairs were assuming an unpleasant aspect.

The Woongyees having assured the King of Major Burney's willingness to be presented as former envoys had been, the two Woongyees, Atwen-woons, &c., obtained permission to visit him again, and at this interview he conceded the point of the shoes, upon condition of not being presented on a *kodau* day. They were happy to compromise the affair, and consented to lay his desire before the King, to whom they afterwards reported, that Major Burney was too unwell to attend the *kodau* day of audience. Had the King been apprized of the Resident's determination not to be presented on that day, there is no question that he would have refused to see him at all. On the day Major Burney and the Ministers were reconciled, they requested him to explain the objects of his Mission, which he did, and strongly urged the payment of the fourth instalment. The Ministers were very sore at the destruction of Martaban, which they were informed was an accident, against which it was their duty to have guarded, and to which the town of Men-dorin on the Arracan frontier, as well as Martaban, would be liable, if they took no means to prevent depredations and incursions into our territories.

* Two Woongyees, two Atween—Woons Woondoucks, Tsare-dau-gyees, &c. &c.

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They then claimed a Talain Chief, who had fled to Moulmein and prefaced their demand with the question, "are not the enemies of the English the enemies of the Burmese?" and *vice versâ*, which Major Burney answered in the negative and instanced the state of Siam. After some further discussion, the meeting broke up. On the 3rd, the same Ministers produced a letter which they had just received from Munipore, dated in English "15th May, 1830," declaring that after forty days all persons found to the westward of the Khyendwen, would be considered and treated as subjects of Gumbheer Sing; a declaration which they feared, if persisted in, would lead to a war. Before Major Burney arrived at Ava, the Supreme Government had received and entirely approved of a report from Captains Grant and Pemberton of a second conference which they had had in the month of January, 1830, with some Burmese Commissioners on the frontiers of Munipore, and of their having planted flags and fixed the Khyendwen river as the future boundary between Ava and that state. Kubo Valley was accordingly settled to the satisfaction of Gumbheer Sing as his territory. At that conference, the chief Burmese Commissioner, Woondouk, Moung-Khan-Yè, had contented himself with denying the assertions of our Commissioners, refusing to hear their witnesses, and declaring, without attempting to produce any proof, that the disputed slip of territory lying between the Ungoochings hills and the Khyendwen river, called by us Kubo Valley and by the Burmese the territory of Thoungthwot, had been in their undisputed possession for a period of *two thousand* years. Our Commissioners, however, considered themselves bound by their orders from the Supreme Government to fix the Khyendwen river as the boundary, and in spite of all the Burmese Commissioner's protests, remonstrances, and even threats, they carried their orders into effect. The report which the Burmese Commissioners made to the Ministers at Ava excited great dissatisfaction, and believing that what our Commissioners had done at the conference was unauthorized, and not to be considered as final, the Court of Ava had resolved upon deputing Envoys to Bengal to complain of the conduct of our Commissioners, and substantiate the claims of Ava to the Kubo Valley, when intelligence was received of Major Burney's appointment as Resident at their Court. Major Burney found the Court and particularly the King, highly dissatisfied with the reported conduct of our Munipore Commissioners, and determined not to acquiesce in the loss of the Kubo Valley; he therefore, agreeably to his instructions, persuaded the Ministers to allow him to invite Lieutenant Pemberton to join him at Ava, in order to explain to them the grounds on which Gumbheer Sing claimed the Valley of Kubo. The Ministers had refused permission to Mr. Crawfurd to communicate in any way with our officers in Munipore, but they now readily promised to forward a letter from Major Burney, and to conduct Lieutenant Pemberton to Ava in a suitable manner. At this meeting between the Burmese Ministers and Major Burney, Woondouk Moung-Khan-Yé who had lately returned from Munipore was convicted of a gross falsehood. The Ministers then requested to see the Governor-General's letter to the King, but Major Burney refused to produce it, until they promised to persuade His Majesty to answer it in his own name, to which, after much trouble, they agreed.

The "*kodau*" audience took place; but Major Burney did not attend. On the 9th the negociators dined with him, and informed him that the King had issued the necessary orders for paying the fourth instalment, and for keeping the frontiers quiet and secure.

16*th*.—Since the above date several fruitless attempts have been made to settle the ceremony of Major Burney's introduction, and this day the Ministers waited upon him, and proposed that he should "*shiko*" to the palace, and leave his shoes outside the palace compound, both of which he refused to do; and it was afterwards agreed that he should unslipper at the palace steps as Mr. Crawfurd had done, that the Governor-General's letter should be carried upon a golden tray, and a translation of it, as delivered by Major Burney, read in his Majesty's presence, who should answer it in a suitable manner in his own name, the Governor-General to be styled the "*Angaleit Men*, or English Chief, who rules over India and "the great countries to the westward;"—and as the Ministers objected to Major Burney again ascending the "Youmdau" with his shoes on, a small shed was to be erected for him as a receiving room, previous to entering the palace yard. The 17th was fixed for the presentation, and elephants and horses were sent for his accommodation. The necessary arrangements being completed, and the presents made, the most of "the procession," attended by some Tsare-dau-gyees, moved on to the eastern gate of the palace, where Major Burney discovered, that, Burmah-like, a suitable shed had not been erected, and they wished him to enter a small one on the ground floor, which he refused to do. The Myawadi-Woongyee then took him to a place which he called "a lesser Youm," where he was kept waiting for two hours, as his predecessors had been, until the Princes and principal officers of state had passed in. He was then conducted to the palace, at the steps of which he unslippered as agreed upon. He found the Court assembled in full dress, and in a few minutes the King appeared, and seated himself upon his throne. His Majesty enquired after the Governor-General's health, but the question was put in such an ambiguous manner, that it was doubtful whether he referred to the Governor-General, or to the King of England. The letter was then read aloud, together with a list of the presents, and after an interview of 10 or 12 minutes, the King retired, and Major Burney having received some trifling presents, returned home.

19*th*.—The Ministers hoped he was satisfied with his audience, and appointed the 24th for his visit to the Heir-Apparent. Major Burney then informed them, that by his orders he could not receive the presents, but they could neither discover the sense nor the principle upon which he refused to take them in a quiet way. They then begged he would postpone the payment of the fourth instalment until February next; but he objected to this delay, and they promised to procure him a private audience of the King, at which he might mention his complaints both upon this subject, and, some recently imposed obstructions upon the Arracan trade. On the 22d, another long discussion upon the Munipore boundary occurred, and on the 24th and subsequent days, he visited the Heir-Apparent and other Princes of the blood; at which nothing particular occurred.

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*July 23d.*—Between the above and the present date, Major Burney received several visits and communications from the Ministers, who have always evinced much anxiety to recover the Ceded Provinces, which they had heard were a great expense to the British Government, and this day, at their instigation, Mr. Lansiago sounded him upon their gratuitious restoration, believing such to be the principal object of his Mission, and that delicacy had hitherto prevented him from broaching the subject.

26*th.*—Received another audience of the King, and a day or two afterwards, obtained permission to pay friendly visits to the Woongyees, as often as he wished, and without removing his shoes. He, however, afterwards removed them on entering the inner apartments, out of respect to the ladies. This permission to visit all the Ministers at their private houses, whenever he wished to do so, must be considered as one of the most important of concessions, for the intimacy and friendship which it created between Major Burney and the Ministers, and the frequent opportunities which it afforded of amicable conversation between them, enabled him to carry many other points, as well as to feel his way, and quietly to give suitable explanations and instructions to the leading Ministers, before any public question was officially brought forward at the Lhwottau.

*August 7th.*—Attended a royal feast in honor of a large block of marble, which was to be hewn into a Burmese God, and as a Woongyee consented to conduct Major Burney, he agreed to perform whatever ceremonials were performed by the Woongyee; advantage, as usual, was taken of this concession, and the Woongyee removed his shoes on the high road the moment he saw the building in which their Majesties were, and Major Burney was obliged to unslipper and walk a distance of 80 feet through sand to the shed erected for their Majesties, who had not yet presented themselves.

12*th.*—Lieutenant Pemberton arrived at Ava this day. In the invitation which Major Burney had sent to this officer, he was requested not to avail himself of it, without a previous reference to the Supreme Government, to which Major Burney had reported his proceedings at Ava, pointing out the inconvenience of further inquiries and discussion, and the advantage of communicating at once its determination, that the Khyendiwen river should be the boundary. Lieutenant Pemberton, however, confident that the Burmese Ministers could not refute the grounds on which Gumbheer Sing claimed the Kubo Valley, and believing that his means of information would enable him to assist Major Burney to disprove the assertions, and answer the arguments of the Burmese Ministers, did not wait the result of the reference to Bengal, but quitted Munipore on the receipt of Major Burney's letter.

Letter from Major Burney to Major Grant and Captain Pemberton, dated 5th June, 1830.

The Burmese have always shewn a rancorous hatred to the Munipoorees, and no sooner did they learn that Lieutenant Pemberton was approaching the capital with a good number of followers of that nation, than they immediately requested that the Munipoorees might be ordered to halt a few miles below the capital, which was done; two or three days afterwards, however, at Major Burney's request, they were permitted to come up.

15*th*.—Lieutenant Pemberton was this day presented at Court. The feeling continued very strong both against himself and the Muniporees, whose champion he was considered to be. The Woondouk Moung-Khan-Yè, had also prejudiced the Ministers against him, and His Majesty looked very serious, until Lieutenant Pemberton presented him with a handsome gun, and evinced a disposition to be friendly and conciliatory. On this occasion an Assamese, Siamese, and Arracanese prince were ostentatiously displayed.

16*th*.—Major Burney and Lieutenant Pemberton held their first conference with the Ministers on the subject of the Munipore boundary, when the latter exposed the barefaced fabrication of the Burmese maps, and the duplicity and falsehoods of the Woondouk Moung-Khan-Yè, who, Burmah-like, had asserted that at the conference of 1830, the Munipore Commissioners gave him but one interview instead of four.

21*st*.—A discussion on the Munipore boundary took place on the 18th, and on this day the Ministers called on Major Burney to shew to him and Lieutenant Pemberton, extracts from their ancient records and historical works by which the claim of Ava to Kubo Valley could be traced back regularly to a very ancient date. They produced also the original writings, and allowed Major Burney to verify their extracts. At this discussion one most important fact in favor of Ava was established. Our Commissioners in Munipore dwelt strongly upon an old Shan Chronicle, which stated that the first possession of Kubo Valley by Munipore arose out of a cession made to it of that territory by a King of Pong or Mogoung in the year 1475. The Burmese Ministers, however, produced their historical records, to shew that 33 years *before* the King of Pong made such cession, he himself had been conquered and rendered tributary to Ava, to which state Pong, or as the Burmese call it Mogoung, had, not only before 1475, but repeatedly after that date, been subject. The establishment of this fact delighted the Burmese Ministers, and determined them more than ever to appeal to the justice of the Governor-General against the decision by which Kubo Valley had been conferred on Gumbheer Sing.

25*th*.—Munipore discussions renewed. The Ministers wished the Governor-General to depose Gumbheer and raise Marjeet Singh to the throne of Munipore; they also avowed their expectation of getting back the Tenasserim Provinces, so soon as the tribute should be paid, and pretended to be much surprised on learning the contrary. They then again agitated the Saluen boundary question, which Major Burney declared both Sir Archibald Campell and Mr. Crawfurd to have finally settled. His Majesty was exceedingly annoyed at being obliged to submit his claim to Kubo to the decision of the Governor-General, whom he had so frequently refused to acknowledge as his equal, and the principal Woongyee, Moungza, after some remonstrance from Major Burney, was heard to exclaim "that except for the late war, he would not have condescended to speak to him."

28*th*.—The Munipoorees were prohibited from entering the town, but two days afterwards, on Major Burney's remonstrance, the order was revoked to give them an opportunity of purchasing necessaries for their

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return trip. In the intervening days, Major Burney and Lieutenant Pemberton visited the Royal boat races and Water Palace.

*September 6th.*—Lieutenant Pemberton received audience of leave, at which he was introduced to Petumber Sing, nephew of Gumbheer Sing, and Major Burney obtained permission to establish an overland dâk to Calcutta viâ Arracan, an object of great importance. On the following day, he paid his first visit to the Lhwottau, removing his shoes at the foot of the steps as the first Ministers of state always do, and going in and taking his seat in the midst of them on terms of perfect equality. The King was now in a gracious mood, and was pleased at Lieutenant Pemberton's request, urged by Major Burney, to grant the release of two Munipore captives as a special mark of his Royal favor. On the 8th the Kyee-Woongyee and other Ministers dined with Major Burney by regular invitation, and since this date all the Ministers of state have dined at the Residency in a friendly and unceremonious way, whenever they have been invited. This was another point gained towards establishing a greater intimacy between himself and the Ministers; and facilitating materially all public business; and it is necessary to add, that no Woongyee had ever before dined at the house of a British officer.

13*th.*—Captain Pemberton quitted Ava this morning, having permission to proceed by the overland route to Deng, which, as he was known to belong to the Survey Department, afforded an additional proof of the good feeling of the Burmese Court towards us at this time. This officer's visit to Ava unfortunately tended to satisfy the Burmese Court of its right to the Valley of Kubo, and consequently of the injustice of the Governor-General's decision in favor of Gumbheer Sing. The Ministers treated him, on his departure, therefore, with a far kindlier feeling than they had evinced on his first arrival.

The difficulties and merits of the Kubo question are fully shewn in Major Burney's letter to Mr. Secretary Swinton, dated 5th July, 1832, in which, after a long and most laborious research into the ancient records of the country, and a consideration of concurrent and circumstantial testimony, the right of Ava to the disputed territory is fully established on the following grounds.

1*st.*—The Kingdom of Pong or Mogoung, upon a cession from which in the year 1475, Munipore first occupied the Kubo Valley, was proved to have been conquered by, and tributary to, Ava, 33 years before that date.

2*nd.*—The historical and other records of Ava shew, that Kubo Valley, distinct and separate from the Kingdom of Munipore, had been, for a long series of years, considered as a part of the Empire of Ava.

3*rd.*—Kubo Valley, distinct from Munipore, was in the uninterrupted possession of Ava for a period of 12 years before the late war.

Mr. Crawfurd's Commercial Treaty gave the Burmese Government no right to levy duties on the overland trade viâ Arracan or Moulmein, and for two or three years after the war, no duties were charged on the Arracan traders, who, consequently were enabled to under-sell the British

merchants, who imported their goods to Ava viâ Rangoon, where the duties are very heavy. A British merchant complained of this preference, and led the Men-tha-gyee Prince to levy duties to a most injurious extent upon the Arracan trade, Major Burney remonstrated with this gentleman, on the impropriety of his interference, and after some discussion, he agreed to assist in getting the Arracan duties placed upon a proper footing; and on the 15th Major Burney held a long discussion on this subject at the Lhwottau, at which the Ministers admitted that by Mr. Crawfurd's Treaty they had no right to tax this branch of trade, and finally agreed to draw up a scale of duties for his approval, to be levied at Ava. It was also settled that British subjects should make their complaints through the Resident, and that he might attend the Lhwottau whenever he had any business to transact. On the 20th, a discussion took place relative to a suspected intrigue to place the brother of an Assamese Princess (one of His Majesty's ladies) on the throne of Assam, but which could not be proved, and the Ministers admitted the advantage of having a British Resident at their Court, which, they said, prevented the accumulation of petty, unfounded charges, and was a means of preserving peace and friendship. Major Burney then complained against some of their frontier officers harbouring dacoits, urged the speedy payment of the fourth instalment, and obtained permission to export gram, wheat, and copper from Rangoon, which had been prohibited by the Woongyee of that place. On the 23rd a long and angry discussion took place upon the subject of the Arracan duties, and was repeated on the 25th.

Major Burney, by his instructions, had been directed to engage the Court of Ava to send a Resident to Calcutta, and shortly after his arrival, the Ministers apprised him of the King's intention to do so, chiefly for the purpose of supporting his claims to the Kubo Valley. To induce the Ministers to send their Envoys by the overland route of Arracan, Major Burney engaged to appoint his Assistant, Lieutenant George Burney, to accompany them, and to apply for a steam vessel to meet them at Akyab. When Lieutenant George Burney was appointed to accompany them, he applied for permission to use a gilt chattah, to place him upon a footing of equality with these Officers.

28*th*.—Major Burney had been invited to attend the boat races, but the Ministers were too busy to recollect their invitation. On the following day, he remonstrated against their neglect, and this morning a gilt war boat and two common ones conveyed himself and suite to the Water Palace. On receiving audience, he was informed that an application, which he had previously submitted to attend the King's levee once in eight or ten days, was now granted, as well as a title, gilt chattah, and pony, to Lieutenant Burney.

*October 4th*.—Major Burney had already made many applications for an authentic copy of the reply which the Ministers proposed to send to the Governor-General in the name of the King, and this day he repeated his request. The Ministers refused to give it, on the plea of its not being customary. He then objected to his Assistant Lieutenant Burney accompanying the Envoys until he was satisfied not only of the respectful

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tenor of the letter, but of its being written in the King's name, upon which they acquiesced. On the 8th after many previous discussions and delays, the Arracan duties were fixed at ten per cent. for the King, and half per cent. for the local officers on imports. No export duty whatever to be charged. These duties remain to the present day.

*October 9th.*—The Burmese Envoys, accompanied by Lieutenant G. Burney, quitted Ava, *en route* to Bengal, bearing a letter from the King to the Governor-General, who is styled the "*Angaleit Men,*" or English Chief, as had been agreed upon between Major Burney and the Ministers, in June.*

14*th.*—Major Burney attended the Lhwottau, and complained to the Ministers of the many extortions and obstructions to trade; nothing was settled, except that they were to meet again on the 17th, when he was also to receive an audience of the King. On reaching the Lhwottau on that day, none of the Ministers were present to receive him, and he returned home. They afterwards sent an apology, and begged he would return, which he did, and received an audience of His Majesty, who two days afterwards invited him to the Elephant Palace.

21*st.*—Major Burney was now in high favor with His Majesty, and consequently so with the whole Court. He was informed by the Ministers, that the King had ordered him to be furnished with a copy of the fixed chokey duties at Ava. On the 25th they denied ever having said so, and promised to lay his request before the King that day; but as usual they did not keep their promise. On the 28th, he held another and very long discussion with them on the retrocession of the Tenasserim Provinces and Arracan, in exchange for Negrais Island, &c.; but the King had determined not to part with one inch of territory in exchange for these Provinces, and on Major Burney mentioning that it was possible the Siamese might eventually make us an offer for them, the Atwen-Woon Moung Yeet, threatened to wrest them from that State. On the 30th, the Ministers dined with him, and the above discussion was renewed; the Atwen-Woon mentioned the numerous favors which the King had bestowed upon Major Burney, as an argument in favor of the gratuitous restoration of Tenasserim.

*November 3d.*—Met the Ministers at Lhwottau, and settled the rate of duties chargeable on merchandize and boats leaving Ava; repeated his visit on the 4th, and applied for a copy of the chokey duties, which was refused. On the 6th, two of the Ministers dined with him, and appointed the following day for an audience of the King; but when he arrived at the Palace, they informed him that the King did no business on a wet day, and requested him to come again to-morrow, if it did not rain. On the 9th, he attended at the Lhwottau, and re-urged the punishment of the *Maphé* Myo-thoogyee, who had been assisting and encouraging robbers on the Arracan frontier. He also urged the settlement of a Mogul merchant's claim, and other minor business. On the following day he received an audience, at which the King ordered a title and gold chain, a Burmese badge of honor and distinction, to be prepared for him. The Ministers

* This was the first time that an appropriate letter, and in the name of the King of Ava himself, was sent to the Governor-General of India.

again promised him a copy of the chokey duties, but on sending for it this day, they again refused to give it. This being the second time they had deceived him, he memorialized the King upon the subject, and enclosed the letter to the Atwen-Woons; the Woongyees refused to forward it and returned it by the clerk. Major Burney then proceeded in person to the Lhwottau, but found no one there to receive him; he therefore left the letter with the officer commanding the guard and returned home. On the 13th he remonstrated through the treasurer, and refused to hold any further intercourse with the Ministers, unles they apologized for their conduct: but on the 15th instead of apologizing they pretended to be offended with him, for sending a letter to the Atwen-Woons through them. Two days afterwards, they sent an excuse that that they were very busy when the clerk brought the letter. Major Burney, however, refused to receive such an apology as this, and wrote a statement of the insult to the King. On the 18th they sent a second excuse by a Tsaré-dangyee, which he also refused, and on the 21st a suitable apology was made by a Woon-douk, and the affair terminated.

24*th*.—Held a friendly meeting with the Ministers, who wished to interdict the transmission of specie from one part of the Burmah dominions to the other, in addition to the prohibition against exporting it from the country; this Major Burney objected to as being contrary to treaty and ancient custom, and proposed to them to allow the transportation of bullion from the country on payment of a small duty. He then obtained a list of the chokey duties, for which he had so frequently and perseveringly fought.

On the 25th, Dr. Richardson, Surgeon to the Civil Commissioner at Moulmein, arrived at Ava, having been ordered hither in consequence of the long impaired and declining state of Major Burney's health. Shortly after a dispute occurred on the Munipore frontier, and Major Burney anxious to obtain a knowledge of the overland route of that portion of the country through which no European had ever before travelled, proposed to the Ministers to depute Dr. Richardson on the part of Ava to the Kubo Valley, and there in conjunction with the Commissioner of Munipore and the Burmese frontier officers, to investigate certain complaints preferred against the Munipore frontier officers and others. The Ministers gladly availed themselves of Major Burney's offer, but being particularly jealous of Europeans travelling through the interior of their country, they objected to Dr. Richardson going overland. This objection, if persisted in, would have defeated Major Burney's object, he therefore told the Ministers, that he could not persuade Dr. Richardson, so soon to take another long water journey, and rather than lose his services, they sacrificed their prejudices and gave up the point, by which the Supreme Government obtained a knowledge of a portion of country hitherto unexplored by any European, and the opinion of an eye-witness as to the impracticability of moving a military force in that direction in the event of another war. On the day after Dr. Richardson's arrival, he received an audience of the King, on which occasion, as a mark of the Royal favor, Major Burney was presented with a gold *Tsalway* and a Wondouk's title. On the 29th, they received another audience, and on both occasions,

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conducted by a Woongyee, were obliged to remove their shoes 50 or 60 feet from the shed in which His Majesty received them. Major Burney now obtained the settlement of some Mogul merchants' claims, which had been pending for a long time, and but for the presence of a British Resident, had probably still remained unadjusted. After the audience, he held a conference with the Ministers, when the Atwen-Woon desired him in speaking of the Governor-General in the presence of the King not to call him "Company Chief*" but "English King,"† so that His Majesty's dignity might not be compromised, by having sent a letter and Embassy to any other than a crowned head, and requested him to expunge the word "Calcutta" from his Lordship's letter, that it might appear in their history, as if the Mission had been sent to the King of England. Major Burney repeated his former observations upon this subject, and desired them not to be alarmed for the King's dignity, and refused to lend himself to any deception practised upon the King. As a method of gaining time for the completion of the fourth instalment, the Burmese now began to dispute about the quality of the silver in which the crore ought to have been paid.

*December* 10*th*.—From the above to the present date several long discussions took place, both regarding the quality of the silver and the time of paying of the fourth instalment. Major Burney in vain urged them to exertion. Mogul and Armenian traders now frequently sought his assistance, without which they might apply for redress in vain. On this day the King laid the first stone of a large Pagoda, which ceremony Major Burney attended. He was was obliged to remove his shoes on entering the enclosure of the Pagoda, as it was said to be consecrated ground, and walk over hard mud and broken bricks, which, like Mr. Crawfurd's audience at the Elephant Palace, was "a rough and warm reception."

13*th*. The tenor of dispatches lately received from Lieutenant Rawlinson at Rangoon, induced Major Burney to apply to the Lhwottau for an injunction against two persons of notoriously bad character, named Low and McCalder, who were supposed to have made away with, and appropriated to their own use, property to a considerable amount, belonging to the estate of the late Captain Sumner, who died intestate at Rangoon, they having fraudulently, it was said, constituted themselves executors to a will of their own forging, to which they affixed the deceased's name with his own hand after his death. This last charge was afterwards found to be incorrect.

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Letters from Mr. Secretary Swinton to Major Burney, dated 20th Aug.

On the 2d of January, Major Burney received a dispatch from the Chief Secretary to the Supreme Government. This was the first reply received to Major Burney's communications since his arrival at Ava, and in it his Lordship in Council was pleased to accede to that officer's request to have an establishment of gun-boats and lascars attached to the Residency. These arrived in the following month, and placed the Resident at last on an independent and proper footing. The boat establishment is the most important part of the Resident's suite; through the want of such means, Captain Cox was so long exposed to insult and derision, and Major Burney, on his first arrival at Ava, was completely helpless and unable alike to resist insult, or command attention.

* "Gompanee Buren."

† "Engaleit Men."

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18*th.*—Early in this month, Major Burney received an audience of the King, and held two or three discussions with the Ministers, and on this day, Dr. Richardson received an audience preparatory to starting for Kendat on the frontiers of Munipore: Major Burney applied for a gilt chattah and title for him, as a mark of the Sovereign's favour, and to ensure him the respect of the people on his journey. His Majesty likewise granted a gilt chattah to Major Burney. During this interview, the King ignorantly or impertinently styled the Governor-General the "Bengala Myo-Woon,"* against which Major Burney afterwards remonstrated. On the 19th, Dr. Richardson received a title and chattah, and on the following day started for Kendat.

28*th.*—Major Burney obtained judgment against an influential Mogul merchant, who had embezzled upwards of 2,000 rupees, from the estate of a deceased Madras merchant, and which Major Burney afterwards, as a special favor, obtained the permission of the Ministers, for the brother of the deceased to export. The exportation from the country, of the estate of deceased persons, is provided for by the 8th Article of the English version of the Treaty of Yandabo, which says, that in the absence of legal heirs the property of deceased persons shall be placed in the hands of the British Resident or Consul, "*who shall dispose of the same according to the tenor of the British Law,*" but this important passage is omitted in the Burmese version.

*February 24th.*—Dr. Richardson returned to Ava, having completed his Mission in a most satisfactory manner, and proved the complaints of the Burmese to be either altogether unfounded, or very much exaggerated. He marched from Ava to Kendat in 11 days and reported the first 4 or 5 marches from Ava to be well cultivated and abounding with fine cattle, and the rest of the journey a mere jungle.

*March 17th.*—Major Burney thought he had nearly obtained the permission of the Ministers for Dr. Richardson to return to Moulmein overland viâ Toungoo, but on this day, they decided against it, probably owing to their inability to propose the question to the King, who had now shewn symptoms of insanity, and Major Burney had not seen him for two months.

22*nd.*—Notwithstanding Major Burney's urgent and frequent solicitations, the Ministers positively refused Dr. Richardson's request, they also ceased to collect money for the completion of the fourth Instalment, upon which he intimated his intention of immediately quitting the Capital and returning to Rangoon, taking great pains, however, to explain, that he should quit them for a short time only, and with the most friendly feelings. On the 24th he attended the Lhwottau; the Ministers urged him to remain, and proposed applying to the King to grant Dr. Richardson's request; he agreed to this proposition, and on the 28th, received an audience of His Majesty; who, however, refused his assent.

Major Burney now caused to be apprehended fourteen convicted criminals, who had escaped from the Arracan Jail and taken refuge

Par. 625 to 628 of Major Burney's Journal, and ... ter to Mr. Secretary S... ton, dated 8th April, 1...

* A Myo-Woon is a Governor of a Town, a rank several grades below that of a Woongyee.

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in the Burmese territory; but the Ministers at first objected to surrender them to the Arracan authorities, as there is no provision in our treaties with Ava for the mutual surrender of criminals. The discussion on this subject lasted several days, and the Ministers insisted upon Major Burney entering into a general engagement to surrender every description of fugitive criminals. They were astonished on being informed, that it was contrary to the practice of civilized states to surrender political offenders, who might take shelter among them. The fourteen fugitives were at length surrendered; and it was mutually agreed, that in future each individual case should be considered upon its own merits, and such fugitives only should be surrendered as the state in which they had taken shelter might deem proper.

Par. 666 of Major Burney's Journal.

On the 13th of May the Burmese Vakeels in Bengal complained, that no public officer had received them on their arrival at Calcutta, also, that they received no allowance from Government for their subsistence. His Majesty continued too ill to give an audience.

Letter from Mr. Secretary Swinton to Major Burney, dated 25th February, and reply dated 19th May, 1831.

*May 19th.*—In answer to Major Burney's reports, the Supreme Government objected to the practice of accepting titles from this Court, and ordered it to be discontinued, although there is no question that such tokens of their Sovereign's favor and good-will will ensure to a British Officer the respect of all the inhabitants of the country, and from this consideration, so far back as 1797, Captain Cox had been especially authorized to accept of a title. At the same time all further discussion on the restoration of the Provinces was prohibited, as well as the proposed relinquishment of any portion of the tribute as a *bonus* for the adjustment of the boundary of Munipore, and the strict prohibition against the exportation of bullion from the country was not to be interfered with.

*June 27th.*—The Ministers requested Major Burney to inform the Governor-General, that according to their calculation, they had completed the crore; upon which he attended at the Lhwottau, and after a very long discussion, refused to comply with their request, and warned them that their shuffling and evasive conduct would probably lead to his recal, and the forfeiture of their chance of receiving the Kubo Valley. On the 14th of July he recommended the Supreme Government to grant a liberal allowance for the personal comfort of the Burmese Vakeels, but to treat them officially with the greatest *hauteur*, and to silence at once any attempt on their part to stipulate for ceremonials of introduction. The Ministers now positively refused to collect any more money for the completion of the tribute, until they received from Calcutta, statements of the out-turn of what they had already paid.

On the 23rd, Major Burney received an audience of the King, who had partially recovered; and on the 3rd August, after many previous unsuccessful attempts, he succeeded in stopping the customary Government supplies to himself and followers, with the exception of rice, flour, and fire-wood which, by the customs of this Court, they said could not be remitted.

On the 6th August he complained of the Ministers having ceased to

collect money, when they repeated their determination not to do so, until they heard from their Vakeels; he then again threatened to quit Ava, and in the evening sent in a written statement of his intentions.

Owing to the circumstance of large sums of money having been lately smuggled out of the country viâ Rangoon, the Ministers, about this time, as a means of detecting the smugglers, issued an order requiring all traders, on leaving Ava, to give in a list of their cargo. No one seems to have been aware of this regulation until this morning, when a Mogul merchant of Moulmein, who was conveying away a large quantity of treasure, and had made no report of his cargo, was stopped at the Burmese Chokey of Kyouk-ta-lɔun. Major Burney remonstrated against this act, because the recent regulation had not been properly proclaimed before the Mogul took his departure, and wrote a Memorial upon the subject to the King, which, however, the Ministers evaded presenting. He then sent to say he would be trifled with no longer, and that he would quit Ava immediately; upon which they desired to see his authority for taking such a step, but he refused to comply with their request, and repeated his demand and determination. Accordingly on the 9th, he embarked his baggage, intending to quit in the evening, but the Ministers became uneasy, and issued an order for the Mogul's release.

On the 10th Woondouk Moung Khan Yé and the Treasurer begged of him not to quit, and in the name of the Ministers apologized for the delay that had occurred in releasing the Mogul, and engaged to pay the balance of the crore immediately after hearing from their Envoy in Bengal. At Major Burney's request they promised to give this in writing the next day, and then took their departure. On the following day, however, instead of the promised written engagement, they brought a request that he would discuss the subject with the Ministers at the Lhwottau; but he refused to hold any further communication with them until these points were adjusted. On the 12th, the Ministers finding him immoveable, sent a very unsatisfactory letter, which in his anxiety to avoid a total rupture, he accepted, and engaged to meet them on the following morning. A long altercation then ensued, and notwithstanding their former promises they positively refused to fix a day for the payment of the money. Major Burney being worn out with their tergiversations and want of faith, and seeing the inutility of further discussion with such people, left the Lhwottau, having repeated his most positive determination to quit Ava the next day at 10 o'clock, if the business was not satisfactorily adjusted before that time.

*August* 14*th*.—No notice was taken of his threat and this day, at 10 o'clock, he embarked himself and suite, and quitted the capital in the gun-boats attached to the Residency. The intelligence of his departure came like a thunder-bolt upon the King and Courts, and before he had proceeded seven miles, he was overtaken by the Treasurer, who entreated him to halt. A discussion then ensued, and Major Burney promised to return to Ava, if the Ministers would agree to pay the balance in one month after hearing from their Vakeels; and as a slight concession to them, he agreed, on the part of the Supreme Government, to refund any surplus that might be due to them within a like period. The agreement

1831.

being drawn out, the Treasurer departed, and Major Burney promised to wait until 6 o'clock the following morning for the Woongyees' answer.

15*th*.—The answer arrived within the specified time, and he returned to Ava. On the 21st he had a reconciliatory meeting with the Ministers, who promised to annul the late regulation requiring traders to report what they may be conveying to Rangoon from the capital. On the 25th, however, His Majesty issued an order strictly and positively prohibiting the transmission of specie from the capital or any town to Rangoon; in spite of which large quantities of specie are daily conveyed from the capital. Major Burney took no notice of the recent prohibition, but allowed the matter to rest and reported his proceedings to the Supreme Government, who approved of his conduct on this head; but for various reasons, disapproved of his quitting the capital. Although the Supreme Government disapproved of Major Burney's departure from the capital, as a step once taken not easily retracted, and as likely to cause embarrassment, it is evident that this decided measure produced a most beneficial effect upon the Burmese Ministers, who, when he threatened to depart, questioned his authority and supposed the responsibility of the step too great to be taken by him, and that they could practise upon him with impunity, the same gross delays and indignities as they were in the habit of practising upon British Envoys before the war. They were consequently both astonished and alarmed, when they ascertained his departure, and knowing themselves to be in the wrong, hastened to retrieve a step, the responsibility of which they very naturally concluded, would fall upon themselves. Had Major Burney been in possession of boats on his first arrival, he doubtless would have had a much better prospect of success in abolishing that most degrading ceremony of unslippering in the presence of the King and Princes. He was then, however, in the Burmese power, and they knew it.

Letter from Major Burney to Mr. Secretary Swinton, dated 28th August, 1831, and reply dated 2d December, 1831.

On the 24th he was grossly insulted by one of the city gate-keepers, and applied to the Ministers to punish the man, but they neglected to do so. On the 29th, he wrote a complaint of it to the King without effect, and two or three days afterwards, he again addressed the Ministers on this subject, who now finding him determined, promised to punish the offender.

*September* 13*th*.—Major Burney laid before the Ministers, a complaint which Mr. Commissioner Maingy had preferred against the Governor of Martaban, and warned them that a repetition of such aggressions would inevitably lead to a second destruction of that town. They took this threat very stoickally, and only objected to Mr. Maingy's haste in laying every trifling complaint before the Supreme Government.

15*th*.—Mr. Blundell, the Deputy Commissioner of the Tenasserim provinces, who had been temporarily appointed to relieve Major Burney, arrived this day, and on the 17th, was introduced to the Ministers.

On the 1st October a discussion took place regarding the Islands of *Pulo-gywon* and *Kauckien* in the *Sulueen* river. The Ministers maintained that no part of the Province of Martaban, in which Moulmein and these Islands were included before the war, was ceded to the British Govern-

ment by the treaty of Yandabo; but Major Burney shortly replied, that the treaty of Yandabo expressly declares, "that the Saluеen river shall be the boundary," and that Major-General Sir Archibald Campbell and Mr. Crawfurd had already convinced the Burmese negotiators of the untenableness of their claim, and that the Governor-General would neither relinquish this territory now that it had been so long in our possession, nor allow our right to it to be made a matter of discussion or question.

Between the 8th and 14th, two further discussions took place relative to our right to the Islands in the Saluеen, when the Ministers expressed their intention of instructing their Vakeels in Bengal, to take up the subject. His Majesty, who for some time past had been too unwell to attend to public business, now appointed a commission for its dispatch, consisting of the Tharawadi, Menthagyee, Bowoon, and Thibau Princes. Major Burney preferred charges against the Governor of Martaban and complained of illegal restrictions upon commerce, both of which the Ministers promised to attend to.

30*th November*.—As Mr. Blundell had now become acquainted with the Ministers and their method of transacting business, Major Burney this day applied for His Majesty's permission to quit Ava on the plea of ill health.

*December 4th*.—The Ministers dined with him, and urged him to assist them on the points so often discussed, and in a friendly conversation which occurred this day with the Myolat-woon and the Treasurer, it was clearly evident that the martial spirit of the Court was by no means subdued, but that some of them confidently look forward to a very different result from another war. This, with a few exceptions (as far as I have observed) is the general feeling of all classes, but particularly of those who were not actually engaged with us in the late war.

Par. 848 of Major Burney's Journal.

On the 15th, Major Burney received an audience at the Elephant Palace, and on the 20th, accounts having arrived from Bengal, a conference took place with the Ministers on the subject of the balance of the crore.

With a view to gain time, and in all probability by orders from Ava, the Burmese Vakeels in Bengal had fabricated a false statement of the out-turn of bullion, by which they pretended to have overpaid 2 or 3 lacs of tickals, although they had been furnished with an authentic statement of the actual out-turn by the Calcutta Mint-Master, shewing a deficiency of a much greater amount. As the object of this behaviour could not be mistaken, Major Burney peremptorily informed the Ministers, that they were more likely to injure themselves than us by such low artifices, and that the Governor-General had ordered the remainder of the crore to be paid as usual in "Dain silver," and that our Mint Master's account should not be disputed. Several discussions ensued, at which nothing could be settled. On the 28th Major Burney proposed that they should pay the balance in 180 days from this date. They replied to this concession by denying the accuracy of the Mint-Master's account, and insisted that the balance shewn by an account lately received from Captain Robinson, the

1831.

receiving officer at Rangoon, was the correct one, which Major Burney, of course, refused to acknowledge.

*January 4th.*—Another long discussion occurred, in which Major Burney explained the difference between the Rangoon and Calcutta accounts to be owing to too high an appraisement of the bullion by the officer in Rangoon; and at length the Ministers agreed to acknowledge the Calcutta account on condition of being allowed 10 months to pay it, promising to pay interest at the rate of 1 per cent. per month, for all sums that might remain unpaid beyond that time. These terms, as they would put an end to the dispute about the valuation of the silver, Major Burney thought it best to accept, when documents were drawn out and the meeting broke up. Major Burney's Journal ought to be read in order to see exactly, what extraordinary trouble it cost him to settle this balance of the crore of rupees which he claimed, but which the Burmese Court disputed. The Burmese have no regular monetary system, and no two pieces of their silver, one can be sure, are of the same value. Our officers had been receiving the Burmese bullion by inspection only, and without stipulating that its real valuation should be settled by the out-turn at the Calcutta Mint. There was a difference against us of 3 lacs of rupees between the valuation of our receiving officers and the out-turn at the Calcutta Mint of the first instalment paid to us at Yandaboo;—and on the second instalment, there was a difference in our favour of 1,70,000 rupees. The treaty of Yandabo did not specify whether the crore of rupees should be paid in sicca or Madras rupees, which last were the currency of the camp at the time that treaty was signed; and in the Burmese version of the article, the crore was termed "75,000 viss of *good* silver, a very vague term, and one which enabled the Burmese Ministers to argue fairly, that their *Yowetnee* or standard silver of the country, was called by them *good*, and that as they had paid us more than 75,000 viss of bullion of that standard, their debt ought to be considered as liquidated. Major Burney had to explain and argue, and prove to unwilling minds the correctness of the out-turn of the Burmese bullion at the Calcutta Mint, showing that a crore of sicca rupees would not be completed, unless the 75,000 viss were paid in silver of the quality termed *Dain*, which averages from 7 to 10 per cent. better than *Yowetnee*. At length the Court of Ava duly kept this their last engagement, and on the 27th October, 1832, they had not only completed the crore, but had overpaid 14,000 sicca rupees. During the numerous and difficult discussions on this subject with the Ministers, Major Burney had repeatedly assured them that any surplus over one crore of sicca rupees would be refunded to them; and the fact of returning such surplus unasked, will not only give weight to any future promise made to them by the Resident, but will teach them to rely with greater confidence upon the upright and just policy of the Supreme Government.

Letter from Major Burney to Mr. Secretary Swinton, dated 1st November, 1832; and from Mr. Secretary Macnaghten to Major Burney, dated 16th March, 1833.

1832.

*March 4th.*—Arrangements were made for preserving the tranquillity of the Martaban frontier, and several minor objects settled. To-day the Tshau-Atwen-woon sounded Major Burney on the abolition of the residency, proposing to substitute a 10-yearly Embassy in its stead, after the manner of the Chinese Missions. His Majesty is known to have suffered

much anxiety and distress of mind at the continuance of the residency at the capital, and is particularly desirous for its removal, considering it as the symbol of our supremacy and his disgrace. 1832.

On the 10th, Major Burney received audience of leave, and on the 28th applied to the Governor-General's agent at Assam for the release of a son of the Burmese General Maha Theelawa, and some Khans and Burmese who were said to be detained there against their will, but which turned out not to be the case. Some Mogul and Armenian merchants complained, that a close monopoly of trade had been given to the chief *Pivè-Zas* or Agents at Ava, and Major Burney in consequence desired them to meet him at the Lhwottau on the following day. He accordingly attended and urged the complaint, but not a single Mogul or Armenian was present to substantiate it. On the 5th April, the Ministers took a farewell dinner with him, and urged and re-urged all their arguments regarding the retrocession of Tenasserim, Arracan and Kubo, the removal of the residency, &c. &c., but without offering any equivalent. Finally, the Atwen-woon informed him, that His Majesty had remarked the great increase of revenue at Ava since his arrival.

*April 10th.*—Major Burney quitted Ava this morning on terms of cordiality with the whole of the Ministers, and was escorted for some distance down the river by Woondouk Moung Khon-Ye.

During Major Burney's two year's residence at Ava, he succeeded in bringing himself into frequent communication with the King, from whom he received several marks of favor, and who, through his exertions, was induced to answer the Governor-General's letter in his own name, and to submit his claim to Kubo Valley to His Lordship's decision. He accomplished a most familiar and frequent intercourse with the Woongyces whose houses he visited constantly without form or ceremony; established a *dâk* viâ Arracan and Moulmein; protected Indian merchants from Burmese oppression and exactions; obtained a fixed scale of duties for the Arracan trade; effected the surrender of several fugitive criminals, and arranged the reciprocal surrender of such characters in future whenever it is conformable to the usage of civilized states, and lastly, made the Court of Ava enquire into, and maintain a more strict controul over, the conduct of all its frontier officers, and thus put a stop to depredations and incursions into our territories. It is but just also to the Burmese to mention here, that during Major Burney's residence at Ava, although he received hundreds of packets from Rangoon, Moulmein, Calcutta, Arracan, and Munipore, many of them brought under charge of Burmese officers, not a single instance occurred of a packet to his address been broken open, or lost, or even detained.

Mr. Blundell having been left in charge of the residency, continued to perform the functions of resident with advantage to his own Government and satisfaction to the Burmese, until the month of October, when he was relieved by Captain Macfarquhar, who was afterwards appointed assistant to the resident and continued at Ava until September of the following year, 1833, when he was compelled to return to Rangoon for the restoration of his health. In November, 1833, Major Burney returned 1833.

1833.

to Ava with a letter and presents from the Governor-General to the King.

Letter from Mr. Secretary Macnaghten to Major Burney, dated 16th March, 1832, with enclosures.

The Supreme Government having at length determined to restore the long disputed Valley of Kubo to the Court of Ava, Major Burney was instructed to depute a British officer to accompany the Burmese Commissioner to the Valley, there to meet Major Grant and Captain Pemberton, who, on the part of Munipore, would deliver over the territory to the Burmese, and point out the line of hills which should be fixed as the future boundary. Lieutenant MacLeod, of the 30th Regiment Madras Native Infantry, was accordingly selected for this duty; and having received a title and gold chattah from the King, on the 23rd November he quitted Ava, in company with the Burmese Commissioner Moung Bhan Yê, and proceeded by water to Kendat, where they met Major Grant and Captain Pemberton, who, according to instructions received from the Supreme Government, delivered over to the Burmese the disputed territory, and marked the future line of boundary between the two States, as follows:

Letters from Major Burney to Mr. Secretary Macnaghten, dated 24th November, 1833, 22d January, 17th February, and 5th March, 1834.

1*st*. On the west, the eastern foot of the chain of mountains, which rise immediately from the western side of the plain of Kubo Valley, including Moreh and all the countries to the westward of it.

2*nd*. On the south, a line extending from the eastern foot of the same hills at the point where the river called by the Burmese "Nansawing" and by the Munipories "Numsaulung" enters the plain, up to its source and across the Hills due west down to the "Kathe Khyoung," or Munipore river.

3*rd*. On the north from the foot of the same hills at the northern extremity of Kubo Valley, passing due north up to the first range of hills east of that upon which stand the villages of Choortar, Noongbree and Noonghur, of the tribe called by the Munipories "Loohoopha," and by the Burmese "La-gweng-Soung," now tributary to Munipore.

Major Grant and Captain Pemberton selected as the western boundary a range of hills sometimes named "Muring hills," and which had before been considered to be the same as that termed the "Yoma hills" by the Burmese, but the Woondouk Moung-Khan-Yé maintained, that it was not the Muring range but another six or seven miles to the westward of it, which the Burmese considered as a part of the Yoma hills, and pressed and entreated our Commissioners to fix the line of boundary along this more western range, which the Burmese called the "Yoma," and considered to be a prolongation of the great mountainous chain which rises at point Negrais and divides the whole Kingdom of Arracan from Ava; our Commissioners, however, refused to go beyond the "Muring range, which had been specified in their instructions, and after some days of fruitless discussions, the Burmese Commissioners consented to sign the agreement drawn out by our Commissioners, on condition of being allowed to enter a protest on the part of their Government, against the line of hills now selected. They also requested, that such of the wild race of Khyens residing to the westward

of the line of boundary, as might desire to remove within the Burmese territory, might be permitted to do so, but our Commissioners refused to allow the Burmese to interfere in any manner with these people. 1833.

The agreement was then signed, after which the boundary was walked over, land marks planted, and the conference broke up.

The Mission returned to Ava on the 16th of February, and after some discussion, Major Burney persuaded the Ministers to relinquish the idea of disputing the line of boundary selected by our Officers, and to be satisfied with what had been restored to them, without attempting to prolong the discussion for 5 or 6 miles of worthless jungle. They then wrote and delivered to him a suitable letter to this effect, to the Secretary to the Supreme Government, and this question, which for years past had occasioned much trouble to the Supreme Government, and an infinity of ill-will and irritation at Ava, was finally and satisfactorily adjusted. 1834.

Letter from Major Burney to Mr. Secretary Macnaghten, dated 17th February and 5th March, 1834.

Lieutenant MacLeod and our Commissioners in Munipore received the approbation of the Supreme Government for the ability, temper, and firmness with which they had conducted their discussions with the Burmese Commissioners.

It is needless for me to comment upon the conduct of the last Mission to Ava, the advantages gained speak eloquently for themselves; but I cannot conclude without expressing my obligations to Lieutenant-Colonel Burney, for the liberality with which I have received access to his valuable library upon the Indo-Chinese States, and his public and private documents relating to Ava, as well for the kind assistance which I have received from him in the compilation of this Memoir.

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## THE KING.

The succession to the Crown of Ava is by strict lineal descent, but it frequently falls to the lot of him who has most power or enterprize to obtain it, and the death of the King is not unusually the signal for a general scuffle, when the unsuccessful aspirants and their families are sacrificed to the safety of the victor. The present dynasty was founded by the Great Alompra in the Burmese year 1116, A. D. 1754, and has reigned uninterruptedly since that period. A crisis, however, is not far distant, which *may* establish a new line of Kings for this country.

The present state of Ava is well known; the King is deranged, alternately gloomy and melancholy, seldom violent. He is utterly incapable of attending to the ordinary affairs of state, which have consequently fallen into the hands of the Queen and her brother Men-thagyee, whose avaricious and grasping natures are involving the country in disaffection and ruin. Previous to his illness, His Majesty was much beloved by his people, to whom he was uniformly kind and considerate. Their loyalty is not yet shaken, although he is entirely in the hands of those whose measures are far from popular.

1834.

## THE QUEEN.

Her Majesty is a person of low birth, a daughter of a former Governor of the Jails. She was a junior wife to the present King, when he was Heir-Apparent. She is clever, of an avaricious, intriguing and unforgiving disposition, and possesses an unlimited influence over the King's weak mind, which she employs for the aggrandizement of herself and relations. On the King's accession to the throne, she took possession of the royal apartments, and being a great favourite, soon persuaded His Majesty to repudiate the first Queen, and rose to her situation in the state. Her Majesty has a daughter 13 or 14 years of age, who is to be married to the Heir-Apparent.

The repudiated Queen is still living in penurious and miserable obscurity in Ava, she is the daughter of the Mek-kherra Prince, the King's uncle, who, to save his own life at the time of her repudiation, feigned madness until all suspicion and excitement had subsided.

## THE HEIR APPARENT.

This Prince is the King's only son by a deceased and highly respected Queen of royal blood. He is now about 20 years of age, weak in intellect, proud and violent in disposition, and should he succeed to the throne, likely to be easily led away by the bombastic adulations of his courtiers, and to prove a troublesome, rather than friendly, neighbour. By the custom of the country he should 'ere this have been installed "*Eing-She-Men** *or Ean-ye men*, an office of great weight, and little inferior in power to the King's. He, however, is unjustly kept back by the machinations of the Queen and her brother Men-tha-gyee, whose present usurped power would be abridged by his assuming that rank in the state to which he is entitled.

To reconcile the Queen's interest with the legal succession to the crown, it is proposed to marry the prince to his sister-in-law the young princess, whom he is said to dislike. His Highness, though without much public weight, is not without influential private supporters, and should he inherit the throne of his father, he will doubtless remember the authors of his present degraded situation.

## THE THARAWADI PRINCE.

The Tharawadi Prince is the King's brother, and they are known to possess a strong mutual affection for each other. He is about 42 or 43 years of age, clever, open-hearted, and liberal to the extent of his resources, which, by the bye, are by no means ample. He has always shewn a great partiality for foreigners in general, but Englishmen in particular, and although his protegés are generally of no very respectable order, still his communications with them have convinced him of the superiority of the British power over the Burmese. He strongly opposed the late war, and his oft-repeated remonstrances against it and entreaties for peace, induced their Majesties to suspect him of luke-warmness in their

* Prince of Eastern House or Crown Prince.

cause. Small paper pellets accusing him of treachery, &c. &c., were frequently strewn about the palace, and in the King's path, and powerful endeavours were used by the Queen and her party to prejudice the King against him but without effect; at length he absented himself from the Palace Councils for several months, since which time he has never taken any active part in the administration of the country. He is a great boating character, and makes this diversion an excuse for always keeping a great number of men in the capital, who serve to guard against any sudden attack upon his person, as well as to secure protection in the event of the King's death. For some time past he has been collecting muskets, and I am informed by good authority, that he has as many as 8,000. He is of royal blood, is liked by the people, and is supposed to have a fair chance of succeeding, in any attempt which he may make for the throne.

## THE MEN-THA-GYEE.

This Prince is the Queen's brother, and consequently a man of low origin. He is now the Acting Regent, and is by far the most influential personage in the kingdom. He is rather more than 50 years of age, and attempts to conceal his grossly avaracious, cunning and intriguing disposition, under the garb of meekness and religion, of the external rites of which he is a strict observer. He was the head of the war party, and though immensely wealthy, for a Burman, has suffered less by the war than any other officer in the state.

In 1831 owing to the King's continued insanity, this Prince, in conjunction with three others, was appointed to form a commission for the dispatch of business, but he soon usurped the office of Dictator, and the others gradually declined in their attendance. He has now the principal resources of the Government at his command, and should he aspire to the throne, which in all probability he will do, he has a fair chance of success. He is a person of some talent and is said to feel the error of the late war, and to be anxious to avoid a repetition of it. His accession to the throne might probably be considered a desirable event, for not being of Royal Blood he is less likely to brood over the loss of Arracan, Tenasserim, and the territories to the north-west, than if he were a descendant of the Great Alompra, the lustre of whose dynasty has been so sadly tarnished.

I have thus endeavoured to give a short account of the principal characters and the state of parties at the Court of Ava. There are many other members of the Royal family, but they are not immediately connected with the succession to the throne, have no political importance, and are too numerous to require separate notice.

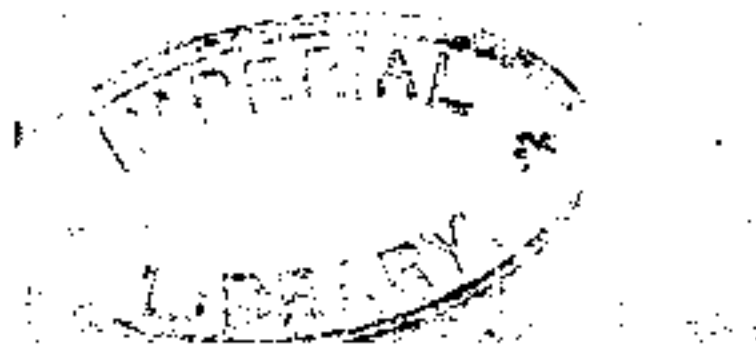
G. T. BAYFIELD,

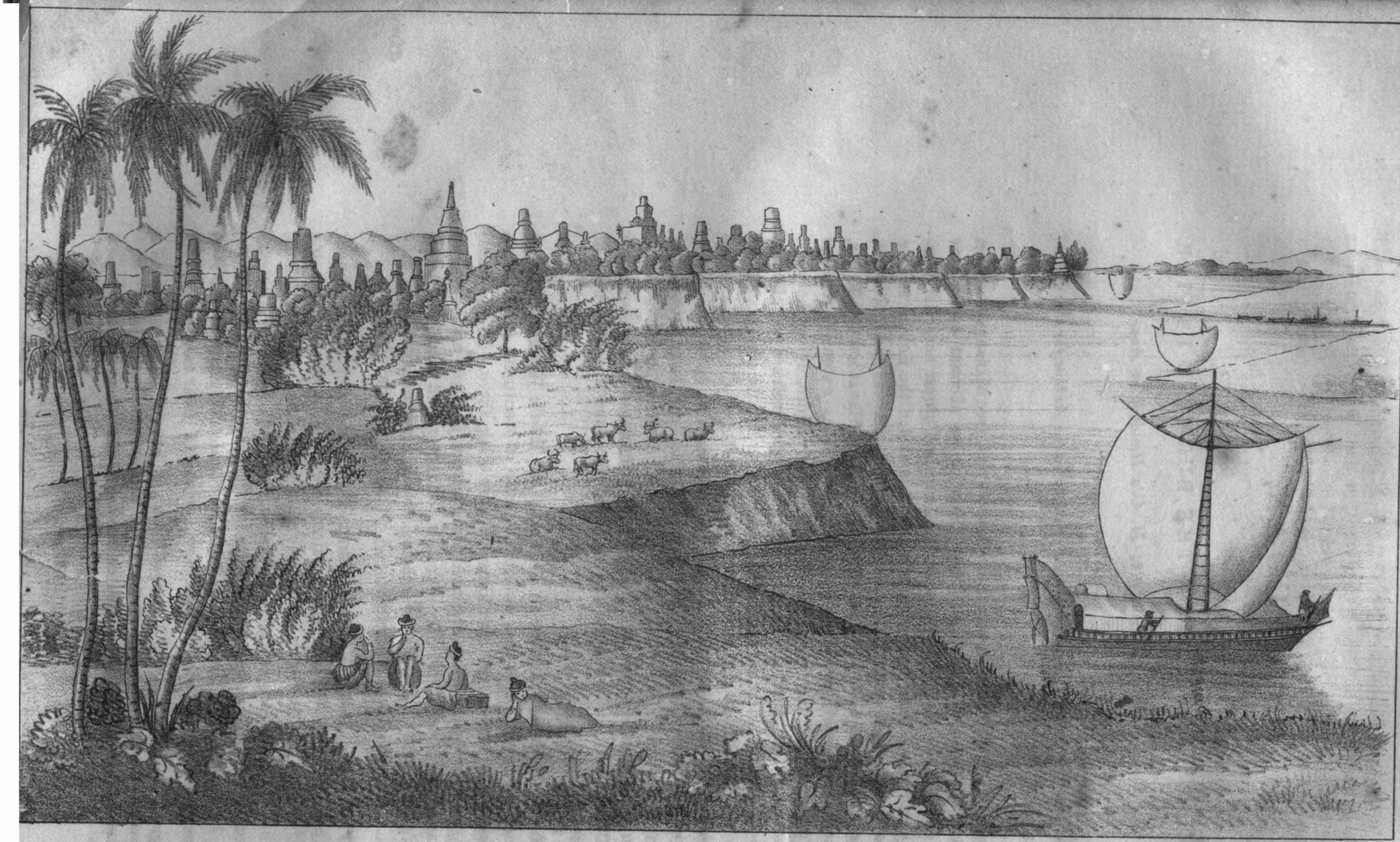
*Assistant-Surgeon, Madras Establishment,*

*Acting Assistant to the Resident in Ava.*

H. BURNEY,

*Lieutenant-Colonel, Resident in Ava.*





*Remains of Pugan the ancient Capital of the Burmese Empire.*

*On Stone by J. Bennett.*

# PUGAN,

THE

# ANCIENT CAPITAL OF THE BURMESE EMPIRE.

*By Lieut.-Col.* H. BURNEY, *H. C.'s Resident in Ava.*

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[*From the Journal of the Asiatic Society—revised by the Author for this work.*]

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The celebrated Venetian traveller, MARCO POLO, (see MARSDEN'S edition of his Travels, pages 441 to 451,) has given us an account of the war between the Tartars and the people of Mien (the Chinese name for Burmah), which occurred some time after 1272, and led the former to take possession of the then capital of the latter nation. SYMES and CRAWFORD, in the Journals of their Missions to Ava, as well as HAVELOCK and TRANT, in their accounts of the late war, have described the extensive remains of Pugan, the former capital of the Burmese empire, lying between Prome and Ava, with its innumerable ruins of temples and columns. Perhaps the following account of the destruction of that city, translated from the 5th volume of the large edition of the Royal Chronicles of the Kings of Ava, (*Maha Yazawen dau gyee,*) may be deemed curious. *Pugan,* also called *Poukgan* and *Arimaddana,* is stated to have been founded by a king THAMU-DIRIT, A. D. 107, shortly after the destruction of the *Tharè Khettara* or Prome empire, and the king NARATHIHAPADE, in whose reign the Chinese took possession of the city, was the 52nd from the time of its foundation.

"In the Burmese year 643, (A. D. 1281,) the Talain WAREEROO killed the noble ALEIMMA, who was lord of the city of Mouttama (Martaban), a part of the empire, and set himself up as king there. In the same year, the emperor of China deputed ten nobles with 1,000 horsemen, to demand certain gold and silver vessels, on the ground that king ANAURATHA MEN ZAU* had presented them. Some historians assert that they came to demand a white elephant.

"The Chinese envoys conducted themselves in a disrespectful manner in the royal presence, when his majesty ordered the whole of the ten nobles and 1,000 horsemen to be put to death. One of the ministers, NANDA PEETZEEN, respectfully addressed the King, saying, 'Although the envoys of the emperor of China are ignorant of what is due to a king, and have conducted themselves in a disrespectful manner, yet if it seemeth well to your glorious majesty, a report of their conduct should

* This King of Pugan is said to have invaded China about A. D. 1049, and gold and silver flowers or ornaments are the emblems of tributary subjection among all the Indo-Chinese nations.

† There is some kind of tradition at Ava, that the Chinese envoys insisted upon appearing in the royal presence with their boots or shoes on.

be made to the emperor of China. If it pleaseth your majesty to have patience, and issue such orders as may promote the interests of the country, such orders should be issued. To put ambassadors to death has not been the custom during the whole line of our kings. It will be proper then for your majesty to forbear.' The king replied, saying, 'They have treated with disrespect such a sovereign as I am; put them to death.' The officers of government, fearing the royal displeasure, put the whole of the Mission to death, without a single exception †.

"When the emperor of China received the intelligence of the execution of his envoys, he was exceedingly angry, and collecting an army of at least six millions of horse and 20 millions of foot, sent them down to attack Pugan; the king of which, NARATHEEHAPADE, as soon as he heard of the coming of this force, placed under the generals NANDA PEETZEEN and YANDA PEETZEEN 400,000 soldiers, and numerous elephants and horses, with orders to proceed and attack the Chinese army. The two generals marched to the city of *Nga-zoung-gyan*, and after putting its walls, ditch, and fortifications in a proper state of defence, opposed the Chinese army at the ford of the *Bamau* river, killing during three months so many of that army, that not a grass-cutter even for its elephants and horses remained. The emperor of China, however, kept reinforcing his army, and replacing those who were killed, by sending 200,000 men, when he heard of the loss of 100,000 men, and 400,000, when he heard of 200,000. Hence the Burman army was at last overpowered with fatigue, and the Chinese crossed the river and destroyed *Nga-zoung-gyan*.

"As the *Nats* or spirits attached to either nation were fighting together in the air, four of the Pugan Nats, namely, *Tebathen*, (the guardian of one of the gates of Pugan city,) *Tsalen-wot-thakan-zoung Nat*, *Kan-shye-zoung-Nat* (guardian of the long lake or tank), and *Toung-gye-yen Nat* (lord of the foot of the mountain), were wounded by arrows. In the new *Yazawen*, *Tebathen Nat* is styled *Thanbathen*. On the very day on which the stockade of *Nga-zoung-gyan* was taken, the *Nat Tebathen* returned to Pugan, and entered the house of the king's teacher on whom he had always been accustomed to wait. The King's teacher was asleep at the time; but the *Nat* shook and awakened him, and said, '*Nga-zoung-gyan* has been destroyed this day. I am wounded by an arrow, and the *Nats Tsalen-wot-thakan*, *Kan-shye* and *Toung-gye-yen* are also wounded in the same manner.' The priest and king's teacher called one of his disciples, a young probationer, and sent him to the king to report the loss of *Nga-zoung-gyan*. His majesty inquired how this circumstance was known, when the young probationer declared, that the *Nat Tebathen*, guardian of the *Tharabha* gate, had just arrived from *Nga-zoung-gyan*, and reported the matter to the king's teacher, who had thus learned, that that place had been destroyed on that very day.

"The king then summoned a council of his ministers and officers, and addressed them as follows: 'The walls of the city of *Pugan* are low, and enclose too small a space to permit all the soldiers and elephants and horses to remain comfortably within, and defend them. I propose therefore to build a strong wall, extending from the eastward, from the village of *Balen*, in the upper part of the river, straight down to the

southward, taking in the village of *Yowatha*. But it is not possible just now to procure bricks and stones quickly; if we break down some of the temples, and use the bricks, we shall be able to complete this wall most expeditiously.' Accordingly, 1,000 large arched temples, 1,000 smaller ones, and 4,000 square temples were destroyed. During this operation, a sheet of copper, with a royal prediction inscribed on it, was found in one of the temples. The words were as follows: 'In the city of Pugan, in the time of the father of twins, the Chinese destroying, will be destroyed.' The king thereupon made inquiries among the royal women, and learnt, that a young concubine had just given birth to twins.

"As his Majesty now believed, that even if he built the intended fortification, he would be unable to defend it, he caused 1,000 boats with figure-heads and war-boats, to be made ready, and embarked in them all his gold and silver and treasures; a thousand cargo boats, also, he loaded with paddy and rice; in a thousand state boats he embarked all his ministers and officers, and in the gilded state boats, his concubines and female attendants. But as the boats could not accommodate all the royal concubines and female attendants, who were very numerous, the king said, 'These women and servants are too numerous to be all embarked in the boats, and if we leave them here, the Chinese will seize and take possession of them; tie their hands and feet together, therefore, and throw them into the river.' The king's teacher however observed, 'in the whole circle of animal existence the state of man is the most difficult of attainment, and to attain that state during the time of a Buddha, is also most difficult. There can be no occasion for your majesty to commit the evil deed of throwing these people into the water. Such an act will be for ever talked of even among kings, and will be registered in the records of the empire. Let your majesty therefore grant permission for any person to take such of the royal female attendants as cannot be embarked in the royal boats, and by so doing, your majesty will be said not only to have granted them their lives, but to have afforded them protection.' The king replied, 'Very true,' and set at liberty 300 of the female servants of the interior of the palace, who were taken and carried away by different inhabitants of the city.

"The king then embarked in his gilded accommodation boat, and retired to the Talain city of Bathein (Bassien).

"NANDA PEETZEEN and YANDA PEETZEEN, after the loss of *Nga-zoung-gyan*, retreated and built a couple of stockades on the eastward slope of the malee mountain, where they again resisted the Chinese. Both the generals, holding some *fixed quicksilver** in their mouths, leaped 15 and 16 cubits high in the air at a time, and attacked the Chinese; but whilst fighting in this manner, an arrow, which had been discharged by one of the *Nats* of the two countries, who were contending in the air, struck NANDA PEETZEEN, and threw him to the ground lifeless. In consequence of this event, and the Chinese army being very numerous, victory was

* Among the Burmese alchemists, fixed, or as they call it dead, quicksilver, is an object of great desire owing to the miraculous power which it is said to confer on the possessor.

unattainable, and defeat again ensued. The Chinese pursued vigorously, and the Pugan generals retreated, keeping their force as much together as possible. On arriving at *Pugan*, and finding that the king and the whole of the population had left that city and fled to the *Talein* country, the army followed them to *Bathein*.

"The Chinese continued the pursuit until they reached *Taroup mau*,* but their army, owing to the great distance which it had marched, and its great numbers, began to experience a scarcity of provisions; and was induced to turn back from that place.

"In the Burmese year 646 (A. D. 1284), two *pat* or quarters wanting to complete the 27th lunar asterism, the king NARATHEEHAPADE fled in fear of the Chinese. Hence he is styled *Taroup-pye-men*, the king who fled from the Chinese."

After remaining five months at Bassien, the king, hearing that the Chinese had retreated from Pugan, made arrangements for returning thither. On his way up the river, it is recorded on one occasion, his cooks having been able to serve him up a dinner of only 150 dishes, instead of the 300, to which he had always sat down every day, he covered his face with his hands and wept, saying, 'I am become a poor man.' Shortly after on his arrival off Prome, he was poisoned by his own son, the governor of that place.

The building at *Pugan*, which MARCO POLO calls 'a sepulchre of the king,' must have been one of the large Buddhist temples, containing some relics of *Gaudama*. The body of a deceased king of Ava is usually burnt within the palace enclosed, and the bones and relics carefully collected in some vessel, and thrown into the *Irawádi* river.

Like the early kings of England, named *Rufus*, *Beauclerk*, *Lackland*, *Longshanks*, &c., most of the Burmese kings are distinguished by some *sobriquet* or particular appellation. A king, NARATHU, who was killed by some *Kulas* or natives of India from Chittagong, about the year 1171, is styled *Kula-gya-men*, the king who fell or was killed by *Kulas*. Another of *Toungu* or *Toungngu*, who was taken prisoner and carried away from *Toungngu* to *Syriam*, by the celebrated Portugueze chief, PHILIP DE BRITO and NICOTE, about the year 1612, is called *Kula-ya-men*, the king whom the *Kulas* obtained or seized.—See Modern Universal History, vol. 7th, page 118.

In the sketch of the remains of Pugan, the large pagoda on the *proper* right, is called *Ananda*; it was built by a king KYAN-ZEET-THA, who reigned between A. D. 1064 and 1093, and was repaired by the father of the present king of Ava, in 1795, when Captain SYMES visited the place. The pagoda on the high point of land, washed by the river, is called *Lauga Nanda*; it was built by ANAURATHA-ZAU, who reigned between A. D. 1017 and 1059.

* Chinese Point, the same as Symes's Tirroup-miou.

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## NOTES ON INDIAN AFFAIRS.

### No. XLI.

### ON THE CHARACTER OF THE PEOPLE: GENERAL OBSERVATIONS.

Two papers have already been devoted to preliminary observations on this head.* In the first I endeavoured to show, that though the vanity and self-esteem of the English had exalted them to an almost immeasurable height in their own opinion above the natives of India, yet that when we became better acquainted with their character and with our own, the difference might be reduced within much narrower limits; and many instances were there quoted to show that if we could claim exemption from some of the peculiar vices and follies of the natives, others of which they were guiltless might be justly charged upon us. In the second, I endeavoured to remind my readers of the immense extent of India, and the great variety of nations of which it was composed, differing in their manners, customs, and language. The general tenor of those two papers is to impress these facts upon my readers; to warn them against the absurdity of drawing general conclusions from a few local observations, in a country as large, and containing as great a variety of nations as Europe; and to urge upon them the necessity of impartiality, and of freedom from prejudice in forming an estimate of the character of a people who so greatly differ from ourselves in religion, manners, and habits.

Before entering into the detail a few additional general observations seem to be requisite; and first I would caution those who are desirous to obtain a knowledge of the character of the people of India to avoid the error of judging of every thing by an English or European standard. This is a habit much too common. We forget the totally different circumstances of the two portions of the globe; the difference in the mode of governments to which the people have been subject; and the little similarity which exists between their customs and habits and our own. We do not sufficiently call to mind the early age at which the East India Company's servants and many of the other classes leave England; but finding in general that the manners, usages, and structure of society are different from what we have been accustomed to see at home, or what we imagine to exist there, we at once pronounce upon the decided inferiority of the one, and adopt a corresponding prejudice in our own favour.

It is necessary to protest at once against such a criterion, as it is inapplicable for several reasons. In the first place, all those whose sole knowledge of England is derived from their early observations and recollections before they entered the Company's service as writers and cadets, and all those who left their native country at the early and inexperienced age at which an Indian career is usually embraced, are, with perhaps a few singular and remarkable individual exceptions, most incompetent judges of the state of society in England; and however well qualified to form an opinion of what they meet with in India, they are not to be relied on when they attempt to decide on the comparative merits or demerits of the two nations. Nor can the result of their observations on their countrymen in India be allowed to form any sufficient grounds for making a proper comparison. The chief portion of the English in this country are the civil and military servants of government; they are almost all the sons of gentlemen; have enjoyed, generally speaking, a liberal education; and are placed above pecuniary temptation by being in the receipt of good salaries. Those in the mercantile line are, or at least were, until the late failures, and the chance of circumstances in the administration of the affairs of

* See some explanatory observations published between the tenth and eleventh numbers, and No. 34.

India, in a very different situation from what they would have occupied had they remained in England. They were few in number, and enjoyed a monopoly of trade; almost all the subordinate stations were filled by natives; the greater number of the English employed in mercantile pursuits were each at the head of an establishment of which the profits were sufficient to enable them to live in a style not only of comfort but of splendour; while at the same time they could accumulate considerable, and sometimes immense fortunes on which they might retire to their native land. Of the small number who composed the miscellaneous class, the majority were decidedly better off than they would have been had they remained at home.

Among men, situated as the different classes of English in India have been, and to a considerable extent still are, it is obvious that the tone of morality would be much higher than among a similar number, taken indiscriminately from all ranks and degrees, either of their own or any other nation; and there is another powerful cause which operates most strongly to produce a general rectitude of conduct—self-interest. The number of the English in India is so limited, that the character of each individual instead of being confined to one small province, town, or even village, is well known over many hundreds of miles. In England a man who has by any act rendered himself an object of suspicion or censure, has only to change his residence to a place even a few miles distant, to find himself an utter stranger; and he will there have an opportunity of continuing his evil courses, or if disposed to become honest, and "turn over a new leaf," he has it in his power to become a respectable member of society. In India little or no such resource is left him. If he once receives the condemnation of the circle in which he moves, a change of residence affords him no escape. His character accompanies, or most probably has preceded him, and generally speaking, he is a marked man for ever, and is either obliged to leave the country or sinks into contempt and neglect, frequently followed by penury and disease, from which his only refuge is but too often the grave. This state of things doubtless has its advantages; there are certainly some men, who are only beginning the "*descensus averni*" who would, had they been allowed some indulgence and probation, have refrained in time from their evil conduct, and regained their position in social life; but who rendered desperate by the odium with which they found themselves regarded, have sunk at once into irretrievable ruin. On the whole, however, the existence of such a state of things has perhaps been more beneficial than injurious to the character of the English population in its peculiar situation in India. It should at the same time be borne in mind, (to our shame be it spoken) that perhaps with reference to this, we allow ourselves a very considerable latitude on many points of morality; and that much is tolerated among us here, without seriously, or sometimes in any degree, injuring a man's reputation, which in England would entirely exclude him from the respectable portion of the community.

The immense inferiority of the natives of India to ourselves is however so favourite a topic with the English, that a considerable time will of necessity elapse before we shall have sufficiently conquered our old prejudices to view the subject with a philosophic or impartial mind. Their ignorance of history; their comparative deficiency in knowledge, in arts, and arms; and the childishness of their amusements are often quoted in illustration. Here again we are too prone to fall into comparisons without considering the inadequacy of the grounds on which they rest. We find the native gentry of India very imperfectly acquainted with, sometimes perfectly ignorant of, the history of Europe and of the new world: these are the points to which our historical studies are chiefly confined, as being those which contain to us the greatest interest. We forget the wide separation which has always existed between the European and the Asiatic quarters of the globe till within a very few years; and until the late encroachments of Russia on Persia and Turkey, how little power the transactions in Europe had to affect the destinies or influence the movements of the Asiatic world. If this be the criterion of the amount of interest which should be excited in the history of other countries, it is not too much to say, that the wars and occurrences among European nations have been to the inhabitants of the East objects of as little importance as those of the African hordes are to us.

On the subject of their acquaintance with history, we should adopt a test which would enable us to arrive at a much fairer judgment. We should try them on those points which more immediately concern themselves, and the nations with whom they are and have been connected; and I have little hesitation in saying that we shall find the native gentry of the East, particularly the Mahometans, fully as well acquainted with Asiatic history as the educated classes of the West are with that of Europe. Indeed I believe I might go further, and assert that in some res-

pects the superiority would be found on their side; and that, to a certain degree, they are better informed on the public transactions of Europe than gentlemen in England are on those of the East. I say, to a certain degree, because I limit my observations to the occurrences of their own times. The absence of a press and other causes have operated to prevent their acquisition of the knowledge of past European history; but I suspect that the name of Napoleon is much more known in Asia than those of Nadir Shah, Hyder Ali, or Shah Zeman are in England; yet the two latter were, at no very distant period, sufficiently powerful to excite considerable alarm among us for the safety of a large portion of our Indian empire. The transactions of Europe are as well, if not better known in India than even those of the South American States are in England. We may recollect the anecdote mentioned in the notes to Childe Harold, of Mahmood, a boy only ten years of age, the grandson of Ali Pasha, asking whether Lord Byron and his fellow travellers were in the upper or lower House of Parliament; and Elphinstone relates, that on his stating at Peshawur, that no rebellion had occurred in England since 1745, one of the Nobles of the Court, Mirza Geraunee, remarked that he had forgotten the American war, and then enquired the reason why the insurance of ships should be raised so high by the success of the French privateers when we had so manifest a superiority at sea? The fact mentioned by Heber is perfectly correct, that the leading events of the last war in Europe, particularly the victories of Bounaparte, were often known to the natives in Calcutta a fortnight before the Government received the intelligence; and that the same priority of information occurred on the occasion of the suicide of an English Minister. Now as the news of these events must have travelled to India overland, through Persia and Kabool,—for had it arrived by sea it would have reached the English public at least as soon as the natives—it is idle to attribute to the latter either apathy or ignorance on the affairs of foreign countries. On the contrary I think were a fair examination instituted between the parties, it would be found that as much or more general information exists among the native gentry of India relative to the affairs of Europe as will be met with among the English on the subject of Indian politics, setting aside those immediately connected with the Government or a few of those who have relations in India.

In science and in arms they are certainly at present very far behind the English and some other European nations, but with others, the Spaniards and Italians for instance, it is probable that, on the whole, the comparison would not be unfavorable to the natives of India. Many of their amusements are pronounced by us to be childish, simply because they are different from our own. This is a point on which it is difficult to pronounce an opinion as each nation will probably prefer their own; and to arrive at any conclusion, it would be requisite to lay down some rule on which judgment may be formed. If it be this, that an amusement ought to be productive of some improvement either to the mind or body, there are many of ours which will no more stand this test than those of the natives. We ridicule them for their foundness for flying kites, playing pucheesee, chewing pân, listening to story tellers, and many other modes of passing their time. It would probably be difficult to point out the superiority of billiards, card-playing, smoking cheeroots, and drinking gin and water, or the idle and unprofitable talk which too often passes for conversation. Much of the time of the military, and of some of the civilians is spent in one or other of these modes.

Many people appear to look on the natives of India as a set of childish simpletons, and seem to be quite surprised at any trait of intelligence, or even of common sense which they exhibit. The extraordinary stories and anecdotes which are related in illustration of this idea, and which are believed by many of the English, certainly do not speak much to their judgment or observation. The following is an example, which was current in Calcutta some years ago. A gentleman sent a basket of fruits and a note to a friend, by a servant, who ate some of the fruits by the way. The note mentioned the exact number of fruits which the basket contained; and the bearer was questioned as to the deficiency. A short time after, when the same man was again sent on a similar errand, before he ate the fruit, he hid the note under a stone; and when again taxed with his fault, was quite thrown off his guard, and observed "how could the note tell tales? He did not see me when I took the fruit." The story was I believe of considerable antiquity, and had been handed down from one set of new arrivals to another. That such an occurrence might have happened in the West Indies, among the African Negroes, is possible, but to relate such an anecdote of a people who, though they are in many things both simple and superstitious, have known the use of letters for centuries; and of a country, in which there is not a village

which does not contain individuals who can read and write, was *un peu de trop*. It is introduced here as an illustration of the extent of knowledge which many of the English acquire, and an evidence of the proportion of attention which they deign to bestow upon the natives; for this story was related and believed by people who had passed several years in India; and I could mention several others of the same stamp.*

Another striking feature among the English, is a disposition to detract from any merit which the natives do possess, and if possible to the credit of what they are compelled to acknowledge, to European agency and influence. Take for instance that beautiful building the Taj Mahal at Agra. All who are real judges and unprejudiced, allow it to be perfectly unique; and it is sufficient to quote the words of Heber. "I went to see the celebrated Taj Mahal, of which it is enough to say, that after hearing its praises ever since I had been in India, its beauty rather exceeded than fell short of my expectations." Yet I have heard several, whose knowledge of architecture was as great as could be expected from the want of any means of acquiring it, who had never bestowed a thought upon the subject or seen any buildings better than a common brick house in England and those in the city of Palaces, profess that *they were rather disappointed;* while even those who have sufficient taste to appreciate the beauty of this exquisite work of art, are very prone to qualify their admiration by attributing either the plan or the execution to Italian artists. Though it is possible that this may have been the fact, a moment's reflection will show that the improbability is great. The architecture of the building is of the same style that may be observed at all Mahomedan cities in Hindostan and Lahore; in Kabul and Persia; and totally different from any thing to be found in Europe except where the Mahometan power has been established in Spain and Turkey. Moreover, there are in many cities of the East, buildings of a similar style of architecture, whose merit, though of a different nature, fully equals that of the Taj, and which if they must yield to it the palm of beauty and elegance, far surpass it in grandeur and splendour; and in the erection of which we know that no Italians or any other Europeans could have assisted as they were never domesticated in their neighbourhood. Under such circumstances what is the rational conclusion but that the Taj Mahal was solely planned and built by natives of the country; but in our zeal for exalting ourselves at the expense of the people of the East, we overlook all this, and having learnt that some Italian monks resided at Agra, about the period at which the Taj was built or even at an earlier date, and observed some tombs at that city with Italian names inscribed upon them, we at once jump to the conclusion that so rare a work could never have been designed by natives, but that they must have had the assistance of European artists.

The same spirit displays itself whenever Jyepoor is mentioned. The broad streets, and the regularity of the plan on which they are laid out, together with the beautiful scite of the city attract universal notice; and because an Italian is known to have resided under the protection of its founder, he of course enjoys the credit of having been the architect, yet the style of the architecture of the town and palace, and of the neighbouring palace of Ameer, is purely oriental. The regularity of the city, as justly observed by Heber, is to be attributed to its being the work of one sovereign who laid down one regular plan, and the complete division of the city into different wards is perfectly according to eastern ideas of having a separate ward for each tribe; and no more than what did, and to a considerable degree does still, exist in almost every town and even village in India. The chief superiority of Jyepoor, the breadth of its streets, may surely, without any great stress of the miraculous, be conceded to a native prince who was founding a new city. The observatories built at Delhi and Benares by the same sovereign, are generally alluded to in the same spirit; yet there is no difficulty in believing that such works might be the production of a people who not only kn w how to calculate an eclipse, but who were in possession of this knowledge, when our ancestors were clothed in skins, painted their bodies, and worshipped wicker idols.

The same disposition to depreciate whatever is of native production and prefer that of European manufacture may be traced in a variety of other instances, some of them of rather an amusing description. Innumerable articles of daily use are procured at a high price from England, or from some foreign country, which might be produced equally good in India, at much less expense. Indeed the whole of the eastern world seems

* It is amusing to hear these stories and anecdotes spoken of by each succeeding narrator, as having occurred in his own time; occasionally the circumstances are stated to have happened under his own observation. I can however inform my readers on the faith of assurances from men of the late Mr. Brooke's standing, that a great proportion of these anecdotes were current in India at least as far back as nearly sixty years ago; and that most of them are inventions of Englishmen of lively imaginations to gull their newly imported countrymen.

sometimes to be placed under the ban. Some years ago, hardly any one in Calcutta would place on his dinner table any but the plainest white English crockery-ware. Even English China was objected to for fear it might be mistaken for real China, and not perceived to be of English manufacture. All the rich and beautiful materials for dress, which at home are so highly prized by ladies of fashion, are here noted "low and native-like," to use the identical vulgar expression which is adopted. To give an instance in point. A gentleman who had been for some time resident in Upper India, among other specimens of the productions of the country, had collected drawings of all the different descriptions of jewellery and ornaments worn by the native women. On a visit to Calcutta, in one of the first jewellers' shops, he observed that the ornaments of the newest fashion which had been received from England were in the Hindostanee style; and struck with the circumstance, he shewed his drawings to the jeweller, and offered to lend them to him for patterns. The jeweller thanked him, but declined the offer, observing that it would be useless to take advantage of it, unless they were first taken to England and executed there, in which case they would be considered fashionable and immediately adopted here; but that otherwise no lady would think of wearing any thing in the native style.

We may observe a kindred spirit and tone of feeling to prevail in the attempts to account for any check or want of success which has been experienced in our military enterprizes. When the different hordes of Pindarries for some time eluded the pursuit of the British troops; when the Goorkas repelled our first attacks; and when the slow progress which was made in the invasion of the Burmese territories attracted public attention, we felt that some explanation must be given. The intelligence or bravery of the enemy, in some instances decidedly superior to that of our own troops, was seldom alluded to. Any hint as to deficiency of proper arrangements on our own part was scouted,* and in order to prove that we were neither beaten nor out-manœuvred by *mere natives*, it was, in each case, generally asserted as a matter of course, that the enemy had some European leaders.* Yet with regard to the Burmese and Pindarries, there was not the shadow of ground for such assumption; and, with respect to the Goorkas, the only foundation for any such idea, was the supposed existence of an European in the Nipal territory, who never was even near one of their armies, but who was reported by the natives to be employed in one of their arsenals in the manufacture of gunpowder.

As long however as this style of thought and opinion is current, it will be in vain to hope for any correct estimate of the people of India. The situation of the English in India and the circumstances under which they come to the country, present considerable obstacles on their part to the formation of a true comparison between the character of the natives and corresponding classes of their own countrymen. But this at least is in our power; to divest ourselves from prejudice; to view the people with impartiality and benevolence; and to note carefully what we observe; giving at the same time the extent of locality and population over which our observation has extended and the reasons which have influenced our opinions. This, at least, will enable others who are competent judges of European customs, to form a comparison between the natives of the east and west, with a greater prospect of fairness than any that has ever yet been instituted.

The great desideratum for judging of the people of India and delineating their character accurately, would be a body of intelligent and well informed Englishmen of mature age, well acquainted with society in all its grades in England; men of knowledge, observation, and experience in the world, who had mixed in all classes at home, and in other European countries, with ample opportunities for noting the peculiar characteristics of each; and who should at the same time be free from that exclusive prejudice in favor of England and English habits, which has so often been attributed to our own countrymen in foreign countries, and which in proportion to its existence more or less disqualifies the mind from impartial observation or investigation. They should be prepared to treat with indifference the petty annoyances to which all travellers are ex-

* The extraordinary neglect and inefficiency of the Commissariat during the Burmese war is notorious to all, and indeed has been published to the world, both in the public papers in India, and in one publication in England. Yet to avoid the discredit that would attach both to that establishment and to Government, the business was hushed up here; and when an enquiry was held, matters were so managed as to quash what might have proved offensive. The hundreds of lives, both English and Native, which were sacrificed by the want of proper arrangement was of minor consideration compared with the bringing discredit on the Government, or those who had interest with the powers that be.

* It is quite amusing to observe the difference in the style of report adopted by Generals or other Commanding Officers when they have been victorious, and when they have been beaten. In the former cases, the devoted and desperate bravery of the enemy, the strength of his position, and the excellent disposition of his forces, are largely descanted on—the inference being plain as to the superiority on the part of the victor and his troops, to have overcome such obstacles. When a General has been beaten, he then puffs his own arrangements, and the bravery of his own forces, and attributes his defeat to some unavoidable accident which it was impossible to foresee and guard against.

posed in a greater or less degree on their first arrival in a country where every thing is so totally different from what they have been accustomed to; unimbued with prejudices either for or against the natives; but ready to observe, reflect, and form their judgment from what lies before them. They should possess a competent knowledge of the vernacular language; and make themselves familiar with the forms and etiquette of native society; having also sufficient leisure to devote to the object in view. With these preliminaries, they should then mix as much as possible with the respectable natives, and take every opportunity in their walks and rides, of conversing with the peasantry. But where, it may be asked, are such men to be found, and what probability is there of their enlightening the horizon of India? A few individuals have occasionally appeared possessed of the primary qualifications, but there was nothing in the object in view sufficiently attractive to induce them to undergo the drudgery of learning what was requisite after their arrival here; and they have gone their round, and perhaps published a book on their return home, in which we may indeed find correct descriptions of scenery, costume, modes of travelling, and other superficial points, enlivened by entertaining anecdotes: while of the habits, thoughts, feelings, and opinions of the people, together with the causes which have influenced them, as little has been discovered as of the treasures of a mine into which the traveller has never descended, or of the very existence of which he has been ignorant while amusing himself with gathering the flowers or weeds which cover the surface of the superincumbent soil. Both pleasure and profit may doubtless be gained from such an occupation, but he who wishes to gain a correct knowledge of what is below, must undergo the toil of descending into the mine, having first provided himself with the means requisite and the implements necessary to explore it. Of such men, one and one only has hitherto appeared —Reginald Heber. Long may the people of India deplore his untimely death, and long I fear must they wait ere they see another like him!

We need not, however, wait for such another avatar. If young men on their first arrival in India will pursue the course above suggested, and continue to follow it up when after ten or twelve years' residence they take advantage of their furlough to return to England, the result of their observations will soon enable us to appreciate both our own countrymen and the natives of India; and to form a proper comparison between the good and bad qualities of the respective nations.

Instead of this mode of proceeding, what, let me ask, has been the conduct too generally adopted by the English? "Drest in a little brief authority" have we not arrogated to ourselves an entire and unyielding superiority over the natives of the country, and treated them with scorn, contempt, or haughty indifference? Has not our Government been one of systematic extortion and injustice? Have we not humbled their rulers to the dust, and deprived them of power, dignity, and self-respect, appropriating their wealth to swell the rent-roll of the British Government?* Have we not kept ourselves aloof from all but those whom necessity obliges us to communicate with, the lowest and the meanest of the people in the capacities of servants or officials, or rather has not our behaviour disgusted or alienated all others from holding intercourse with us? And with such qualifications and such recommendations to facilitate an acquaintance, we affect to judge of the native character, and to compare it with the only portion of the English with whom we have been brought into contact, a few selected individuals, who have every inducement that education and self-interest can give to exhibit themselves in the most favourable light! Lord Byron's remarks on the Greeks and their detractors are peculiary applicable here. "Some of them

* The repeated assertions of the extortion of the British Indian Government may excite remark: it is however impossible to say too much or bring it to light too often, for the more acquaintance we acquire of the system, the more it glares forth in its deformity. Many instances in illustration have been given; two more are subjoined. It has actually been declared that all debtors are entitled to the benefits of the insolvent act, *except those confined by a collector for arrears of Government revenue*. A verbal technicality in the law has been taken advantage of to enable the British Government to commit this piece of injustice. See construction Book as to the meaning of Regulations, published by orders of the Suddur Dewannee, Nos. 24, 86, 302, 319, 328, and 372, the first dated September 20, 1806, the last December 31, 1824.

The next is as follows. In the attachment of property in the execution of decrees in favor of individuals, a proclamation of the intended sale is to be made not less than thirty days before the sale take place. All claims to the property attached are to be immediately investigated; and if proved, the property is to be released. See 1825 Reg. VII. Further if the claim be disallowed, the order for the sale shall not be carried into effect until the usual period for appeal shall have passed from the date of the order. Circular orders of the Suddur Dewanee, July 19, 1833. But when property is attached for arrears of revenue no claims to such property are even to be investigated; it is (unless the arrear be paid or security given by the defaulter) at once to be sold, and the claimant may have his redress in a regular suit in the civil court, *i. e.* as has been repeatedly indirectly pronounced even by Government itself, shall be virtually denied justice altogether. See Con. Book at supra, No. 348, April 19, 1822. A legal quibble has here also been taken advantage of. Such is the difference with which the interests of individuals, and those of Government, are treated. Such decisions might have been expected from a conclave of "Crack Collectors" and "first rate Revenue Secretaries," but were unworthy of the Judges of the chief tribunal for the administration of justice. These should have exhibited a little more independence and proper feeling, and if the regulations did not admit of a construction consistent with justice, might at least have brought the subject to the notice of Government. But in many of their constructions they have assumed a greater latitude than would have been necessary in these cases to promote justice.

actually boasted of the little intercourse which they have had with the Greeks, and yet persumed to give an opinion of them. One gentleman, Mr. Thornton, claims the public confidence on the strength of a fourteen years' residence at Pera, and a few voyages in Greek vessels in the Black Sea," which, as Byron justly observes, "would give a man as much idea of Greece, as a residence in Wapping and a few cruises in a Berwick Smack, would of the Highlands and the manners of the Highland gentry: others condemn the whole nation wholesale, on the same grounds that a Turk in England might do so; because he had been cheated by his lacquey, or overcharged by his washerwoman." So is it with the English in India. You may constantly hear individuals expressing their contempt for the *black fellows*, and declaring that they have such a dislike to them that they have as little communication as possible with them; yet at the same time affect to be very good judges of their character;—and we have many Mr. Thorntons in India. In short so far from having entered the *mine*, we have not even taken the best that the surface of the ground presented: the flowers have been too often neglected or trodden under foot, we have been annoyed by the thorns and the thistles, and we have accordingly pronounced the land to be barren and incapable of improvement.

But it is cheering to perceive that a better feeling is rising among us. We are beginning to know both ourselves and the people of India better than we did, and the nature of our Government is revealing itself in its true colours. When we have advanced a little further into the study, we shall discover that the difference between us is not so great as we have been accustomed to take for granted; and that if the Hindostanees exceed us in some of their vices and follies, they are free from others to which we must plead guilty. Some of their laws and customs are of such nature that every friend to them, and to humanity, would wish to see them eradicated, but they have it in their power, unfortunately, to retort upon us in points which we shall find it difficult, if not impossible, to answer. With what face can we declaim against the tyrannical acts of an oriental despot so long as we retain the system of the impressment of seamen, a system only rendered necessary by the inadequate remuneration for service given by the English Government and the ill treatment the sailors too often receive?—Nay, we need not travel to England for examples. Notwithstanding the eloquent declamation so often pronounced in favour of the British Indian Government, and against the "tyrannical barbarians" whom we have supplanted, the truth is at length forced upon us, that whatever might have been their situation under their former masters, we have not gained any superior favor, respect, or popularity in their eyes; but on the contrary are regarded by them with the strongest feelings of aversion, and that they would hail with joy the first opportunity of emancipating themselves from our yoke; so bitterly do they feel our oppression and injustice. Yet had this state of affairs been only hinted at a few years since: and had any one dared to warn our rulers of the precipice on which they stood; he would have been transported without trial to the utter ruin of his affairs. We point with horror to the mutilations * and other barbarious punishments inflicted on criminals by the native powers, and we forget that we introduced a law into India, by which a man whose sole crime was *misfortune* might be imprisoned for life, his prospects entirely ruined, and his family reduced to beggary, to gratify the malice of a vindictive creditor.† Indeed when we discuss the introduction of laws unsuited to the country and the people, what is to be said to the establishment of the Supreme Court, with its expensive paraphernalia, and the unjust extension of its jurisdiction over the whole of India, which has been assumed by the Judges? Put the matter home, suppose our African conquerors, so often alluded to, had established a Court of which the system of law was founded on the Koran, and the business conducted by Mahommedan Moolahs in the Arabic language, at ten times the expense of the most expensive Court in England; that this Court had been fixed at Rome, and that its jurisdiction extended over the British empire; that the salaries of the Judges and officers attached to the Court were fixed on the most exorbitant scale for which the people of England were taxed to pay. Suppose also, that when we complained of the evils and injustice inflicted on us by such a Court, we were taunted by the successive African Judges who presided in it, and told that we were now enabled to obtain justice, which it was vain

* Mutilations were commmon in England up to the reign of Charles First; and torture to extort confessions was regularly practised in Scotland in the time of Charles Second. It was frequently inflicted by justices and other local authorities during the last rebellion in Ireland, and is not altogether discontinued in that kingdom even in the present day. The cruelties of the Duke of Cumberland in Scotland after the "forty five" are notorious.

† Let it be remembered that, with the exception of those confined for arrears of revenue, such legal injustice and oppression could only be practised under the shadow of the Supreme Court and English law; it was unknown in the British Indian provinces.

to hope for from our own corrupt and inefficient tribunals. This is not by any means an overdrawn comparison; it would be a precisely parallel instance to the introduction of English law into India; administered solely by the Supreme Court at Calcutta. And for what purpose was this piece of oppression inflicted on the people of India?—Mainly to procure at their expense some patronage for the British Ministers.

The practice of Suttee may fairly be ranked with that of duelling; and till the former is abolished among us, we have no right to pronounce on the latter as a custom "peculiar to the barbarous and ferocious inhabitants of Hindostan," the same feeling promoting to either practice in both nations, *i. e.* the point of honor and the dread of ignominy. In honesty if we are in some particulars superior to the natives, in others the English must concede the point to them. Falsehood and want of truth is justly attributed to them, yet in certain cases, the latitude we allow ourselves is great; for solemn declarations *on honor* are falsely made, without a man losing his consideration in society, while inaccuracy and exaggeration in common conversation are of so frequent occurrence that it become a proverb "only to believe half that is told you," and "the difficulty of getting at the truth" is a complaint that is universal, not only in questions of *meum* and *tuum*, but on the most trivial subject that is agitated between parties of opposite opinions. In some points of outward decorum, personal delicacy, &c. the superiority must be awarded to the English; in others to the natives. When we tax them with practices which offend our notions of decency and propriety, we must blush at the sight of a party of officers, sitting up more than half the night, singing the most profane and indecent ribaldry, and finally carried to bed by their native servants, in a perfect state of intoxication; while the very next day, before they have well recovered from their debauch, some of these very officers are sitting on a Court-Martial, to try and punish a poor private for having done no more than they themselves have been guilty of!

Such comparisons might be extended to a very great length, and would tend to lessen in a considerable degree the imaginary distance between the two nations; but this is not the system we adopt when contrasting our enlightened and superior selves with the despised and degraded natives. Every insulated instance of misconduct on their part is blazed abroad with the utmost publicity, and inferences are drawn of the unfitness of the people to be trusted or employed; while a similar occurence on the part of an Englishman is as much as possible hushed up* and all sorts of excuses are devised to extenuate his misdeeds. When a really fair and equitable comparison shall be drawn between the two nations by men who are properly qualified for the task, we shall possibly agree to the truth of an opinion which I once heard expressed by an old man who had travelled much and transacted business in various countries, and with all descriptions of people, viz. "that setting aside those who were entirely in the savage state, although between *individuals* the difference was immense, yet that if we fairly balanced one vice or virtue with another, as *a whole*, there was not ten per cent. difference between the *very best* and the *very worst* upon earth." The following observations were made by a friend of mine, who has passed several years among the natives engaged in mercantile affairs, and secluded from European society, in reply to some queries on the subject in 1829.

"On the whole, however, I like the people, and do not think very ill of them. They are what formerly the absence of all law, and subsequently the abuse of all law, have made them, but I do not think they mean to carry their vices of falsehood, cunning, duplicity, and dissimulation beyond self-defence; and I should be sanguine of a great general improvement from their more frequent communication with men who had found out that "honesty was the best policy." And again in the present year he writes:—"I like the people, but I am afraid I must admit that their bad qualities predominate. It is scarcely possible it should be otherwise."—"The native is, I am afraid, bad; but I readily allow he is what his situation has made him, and as I said at the beginning of this letter, after all I like him, and indeed place more confidence in him than I do in the majority of my own countrymen. This seems somewhat in opposition to my opinions; but the fact is, I have a high opinion of their fidelity, if one goes the right way to secure it. Donald Bean would not have minded breaking any ordinary oath to oblige the clergyman who attended him at the gallows; but having sworn on the edge of his dagger, Rose Bradwardine's secret was inviolable. So is it with the native—secure him after his own fashion, and you may rely upon him:

* The frequency with which misconduct on the part of Civil and Military officers, provided only that the natives alone suffer, and that it does not affect Government in a pecuniary point, is passed over, in order not to bring discredit on the British name in India, is disgraceful; but I am glad to see that a rather higher tone of morality than was exhibited a few years back, is beginning to appear.

and by the bye, to judge him fairly, we should be animated by the feelings which influence him, and not by those which our different habits and education have created."

That the natives have faults, I readily admit; and that as a nation they are inferior to the English I also allow, but what I wish to inculcate on my readers is that the shades which mark the superiority of the one and the inferiority of the other are neither so distinct nor so broad as we have generally supposed, and that, until we shall have learnt to bring them nearer to the eye and to compare them more minutely, our system of government and our conduct towards them can never rest on a secure foundation.

In a paper of this nature some observations of a general nature might be expected, on the prevailing features of the native character; but among a people so varied and dispersed over so vast an extent of country, subject to such infinite diversity of climate, customs, and habits, it is extremely difficult to describe any striking characteritic as common to the whole race. In reading lately some accounts of the Spaniards, I have been much struck with the great resemblance which they are said to exhibit in some points to the natives of this country, particularly in their habit of boasting, love of procrastination and dilatory proceedings, and in their natural civility and politeness. The character of the two grand divisions of Hindoos and Moosulmans, and many of the sub-divisions of each class, is in many things so radically different, that observations on a comprehensive scale can hardly be framed, so as to present a correct picture. One grand distinction is religion—their degrading superstition and abominable and absurd system of idolatry, added to the immorality of certain descriptions which it tolerates, have a tendency to render the Hindoos an inferior people to the Mahometans, whose code of morality is in many points pure and correct, being principally taken from our own Scriptures; yet strange to say that in practice, the difference in the effect produced by the two systems on the conduct of the respective votaries is much less than might have been supposed. A remark which I fear will apply but too well to the profession and practice of Christianity, or indeed of any other religion that imposes restraints upon the mind or body of man. The most universally prevailing feature, and one which will perhaps be applicable equally to both classes in India, is a deficiency in truth,—a want of exactness in their ideas and habits of estimating and defining, a dislike to trouble or exertion of any kind, and the love of procrastination. Elphinstone observes of the natives of Persia and India that "a man of the first nation seems incapable of observing any thing accurately; and one of the second of describing it truly;" but I am inclined to think, that both remarks are equally appropriate to the people of India of all creeds, ranks, and classes. The origin of most of their faults, I suspect, may be traced to indolence; and with regard to procrastination, they seem too often to resemble the Spaniard in never doing any thing to-day which can by any means be postponed till to-morrow; and any one who has any transactions with them, will have his memory as well impressed with the "*hojaega*" and "*dekha chahie*," (Anglice "we will see about it") so constantly used, as he who deals with the Spaniards will remember the "manana" (pronounced manijana—"to-morrow,") of procrastinating indolence.

And here the question may be with propriety proposed what is the best mode of improving the moral character of the people? But first let me enquire what have the English done or attempted towards this desirable end? Education and the endeavour to inspire them with a higher tone of principle will undoubtedly be the surest means to be adopted; but a long period must elapse before this will accomplish the object in view; and we should endeavour to discover whether in the mean time a judicious application of legal enactments, a better system of administering the affairs of the country, and a change in our own conduct will not prove great auxiliaries. Mortifying as it may be to our vanity and self-love, it is notorious to all who mix with the people, and indeed generally allowed by almost every Englishman in India, that the more the natives have been brought into contact with the English, the more has their character deteriorated. Immorality and crime have increased; and many vices adopted from which they were formerly free. Of the efficacy of education, it is needless to descant, unless one could entertain the hope of rousing the Government to a proper sense of its duties on this head, and the legal enactments which may be suggested, may more appropriately be introduced under each subordinate head which will be discussed.

Some general remarks on the tendency of all English legislation to enact extremely severe penalties will not be out of place, for though our British Indian Code is much milder than that of England, the pernicious principle has been too much introduced [illegible]

our Indian laws. Some people advocate severity of punishment as the panacea for the prevention of all crimes. Provided we could ensure the detection and punishment of every offender, or even of a considerable majority, the plan would in the end be productive not only of benefit to the community, but be one of compassion to the evil-disposed who would thereby be deterred from the commission of crime; but as the English police arrangements (which term I here use in an enlarged sense to signify any plans for the prevention of crime) have hitherto been very deficient in this respect, I should be rather inclined to draw the attention of those who administer the affairs of the country to this point, and ordain only a moderate punishment. When this becomes pretty certain, should crime not decrease, it will then be time to encrease the severity of the penalty. In thefts, for instance, suppose that the police could be brought to that pitch of perfection, that every thief was *certain* to be discovered, and the whole amount of the stolen property certain to be recovered within a day or two after the occurrence. The restitution of the stolen property, accompanied by a very slight fine on the thief, would be quite sufficient to deter any one from committing this crime. Indeed, were such certainty attained, it is probable that the mere restitution would be sufficient, and that not a single theft would ever be committed in the country in which the Police had arrived at such perfection; while on the other hand to annex the penalty of death indiscriminately to every theft would not effect much towards annihilating the crime, if police arrangements were so lax that few criminals were discovered. It is almost needless to advert to the numerous instances in which severity of punishment has defeated the object intended, the reasons for which are various. In the first place unless the police arrangements be improved this result is certain, inasmuch as the criminals are more on the alert, and take greater precautions to prevent discovery; and consequently detection becomes much less frequent than before. Then, again, judges and juries are more lenient, witnesses hesitate in giving positive evidence, and prosecutors often decline to come forward; all actuated by a laudable feeling. The two former observe that the punishment to which the prisoner, if found guilty, will be subjected, is so severe, that he ought to be allowed every chance of escape: and the latter have frequently given as their reason that they could not reconcile it to their consciences to be the cause of inflicting a penalty so much more excessive than the crime deserved. It is also an observation founded on experience, that in whatever country punishments are inordinately severe, there the police is proportionably lax. Finding crime increase, instead of going to the root of the evil, ignorant or careless legislators have contented themselves with enacting an enhanced punishment, and have been surprised to find that their object has entirely failed. Indeed an over-severity of punishment has not seldom been the lamentable cause of producing worse crimes. A man who is perpetrating a minor offence, to which an over severe punishment is attached, will, if he be in danger of discovery, be guilty of murder to prevent such a chance.

This axiom has at length, after several centuries, began to be understood in England even by the lawyers, and of late great attention has been given to the improvement of the police, while the punishments for a variety of crimes have been lessened, and with good effect. In India, where we are not hampered by English law, and the prejudices of English lawyers, the discovery was made in a much shorter time. For several years, the general feature in the criminal enactments has been to lessen the punishment prescribed to various crimes, and to render the cases cognizable by the subordinate tribunals. At first, all but the most petty cases were committed for trial at the sessions. The punishment for simple burglary was at one time no less than fourteen years imprisonment. It was then reduced to seven; and in 1818 made cognizable when unaccompanied by aggravating circumstances, by the magistrates, and often punished by only one or two years imprisonment. Gang robbery cases were formerly referred by the circuit judges to the superior court (Sudder Nizamut) and the punishment was death or imprisonment for life. Since 1825—(Regulation 16) this crime, if unaccompanied by aggravating circumstances, may be punished by the sessions judge by as little as seven years imprisonment. Formerly, all cases of affrays or boundary disputes were committed to the sessions: at present minor cases are cognizable by the magistrates, with a maximum punishment, not exceeding one year's imprisonment. Several other instances might be adduced, in all of which I believe the beneficial effect has been decrease of crime; at least, it is reasonable to infer this, since a greater number have been punished than formerly. I should like to see the same experiment tried with regard to forgery and perjury.

I have before alluded to one means of checking this, and indeed many other crimes and evils, *i. e.* a more frequent communication with the people and a better acquaintance with their character and modes of thinking, and more particularly is this knowledge requisite with respect to those individuals with whom we are constantly brought into official contact. One of the best modes of ensuring this would be frequently to make local enquiries and investigations in particular case. A very different result will often ensue from an investigation so conducted compared with what would have been the case, had it been carried on in court. Our courts and public offices are held in such abhorrence by the people, as the hot beds of villany of every description, that it is the endeavour of every respectable person to avoid the contamination of any connexion with them. The very nature of the people seems to be changed when they come within their atmosphere; and almost all who do come are under some influence of fear, force, fraud, or their own bad passions, which seems to transform them into totally different beings from what they are in ordinary circumstances. In a local enquiry, the very reverse occurs. The people are in the first place taken unawares; and even if inclined, have not time to prepare a story. Seated on the village Chubootra,* one is immediately surrounded by the most respectable of the inhabitants, who will readily communicate the knowledge they possess; while those who might be inclined to conceal the truth feel themselves under the eye of all whom they are accustomed to respect and whose good or bad opinion is a matter of considerable importance, and know that should a misstatement be made, it will be immediately checked and pointed out by some of the numerous assembly. I appeal to all those who have ever made the experiment, provided they have possessed some knowledge of the people and language of the country, to corroborate the assertion, that one half hour's local enquiry will produce a more correct knowledge of the facts and truth of a case, than is usually acquired by days or even weeks of investigation in a court or office, situated perhaps from twenty to fifty or seventy miles from the scene of action.

If this mode of proceeding were more frequently resorted to, our British functionaries would not lie under the stigma of being too stupid to discover what every clown in the village knows, or of having shared in the bribes which have been given to obstruct the cause of justice: and mortifying as the idea may be, this is undoubtedly the character we too often bear among the people over whom we are placed. In every district there are people whose chief livelihood arises from giving evidence in favor of any who will pay them. These people are notoriously known to the native public. Yet the British functionaries remain totally ignorant of their persons or even of their existence. How can the people believe us in earnest in our professed detestation of falsehood and perjury when they see such proceedings, and entertain such opinions of us as those which I have above mentioned? But how, it may be asked, can such local enquiries be conducted under the present system, when every office is so overloaded with business that to get through it in the hurried and unsatisfactory manner so often described in these papers, is all that can be expected: and when the system adopted regarding the subordinate native functionaries to whom enquiries and investigations might be intrusted, is to give salaries often literally and utterly inadequate for subsistence, so that they are compelled by necessity to use their official power as a means of extortion and corruption? From men educated in such a school, I grant that little honesty is to be expected; but I do not therefore draw the conclusion that the natives are not only unfit to be trusted but incorrigible. When the same liberal policy shall have been adopted towards them which has been introduced in the case of the covenanted civil servants, we shall then have an opportunity of estimating their characters with some impartiality, and it is probable that a very different order of affairs will then appear.

Indeed so much stress do I lay on the freedom of intercourse between the English functionaries and the people over whom they are placed, that I am convinced no man will ever be a good public officer who does not adopt this system. I mean with reference to the interests of the people; for unfortunately it is very possible to acquire a high character with government though the individual who has gained it is the object of detestation to every class of men in his district, and though he has rendered the British name a bye-word for tyranny and extortion. A man might become a "first-rate collector," and yet be extremely ignorant of the country and the people. Indeed in charity it is to be hoped that this is generally the case, for any one who was really ac-

* Chubootra a sort of raised platform constructed either of earth, masonry, or timber, in almost every village in India; on which the heads of the community meet to discuss any business of general interest to themselves.

quainted with the state of affairs and the deplorable poverty and wretchedness which exists, must have a heart steeled against the common feelings of humanity, and ready to execute the most severe and oppressive measures to entitle him to such an appellation. Had they not been ignorant, some at least of these "crack revenue officers" would have felt some compunction, and most probably have relaxed a little in their extortions, by which their names would not have been so highly on the list of efficient Government servants. In the present day, some knowledge is requisite to form a first-rate collector, for the greater poverty of the people renders it much more difficult to discover funds for taxation. And here we should be cautious of attributing more blame than is justly due to the subordinate officers of this department. Many of them are driven to obstinacy and compelled to shut their eyes to the misery and impoverishment which they inflict; and they are only instruments in the hands of their superiors to whom they must render the full measure expected or lose their situations. Many of the "crack collectors," however, have gratuitously adopted means to acquire this title; and some have even solicited to be employed in settlement making in other districts than their own, in the hopes of promoting their advancement.*

When the English shall have mixed more with the people, and acquired a knowledge not only generally, but to a considerable degree of individual character, of those over whom they are placed, they will be able to add the weight of their private to that of their official demeanour which would greatly encrease their influence. It has often been urged against the natives of India that their scale of morality is so low that they attach no disgrace to successful villainy—that men, guilty of the greatest atrocities and the basest crimes, maintained an unimpaired station in society and are rather courted than shunned by their equals and inferiors, from admiration of their ingenuity or fear of their hostility. A case has just been brought to my notice where an individual by some fraud got possession of an estate, and kept the owners out for many years. A suit was at length brought forward, and the defence set up was a pretended deed of sale, which was however discovered, and judicially declared a forgery. Yet the guilty person is as much courted by his native acquaintance as ever, and I am ashamed to say with one exception treated with the same familiarity as before by the English functionaries, even by the man whose sentence declared his villainy.

There is, I grieve to admit, too much truth in this state of feeling; but I cannot allow that it is universal and it unfortunately tells as much in discredit of the English as of the natives. It is true that men whose evil courses are successful, too seldom meet with any change in the behaviour of their countrymen which should mark a reprobation of their conduct; but to our shame, be it said, they find as little among the English. Natives who are discharged by one functionary for the most infamous conduct, are often employed by his successor with as little hesitation as if their characters were fair and respectable. I could quote cases of native officers who had been guilty not only of receiving bribes and extortion, but of forgery, who were notwithstanding appointed by civil functionaries who were perfectly aware of their characters, to situations in the collection of the revenue. And what was the reason? In some cases it may be attributed to the constant change of the European officers and the consequent ignorance of the characters of those whom they employed; while the little intercourse they had with the people prevented their acquiring this knowledge; but in the cases to which I allude, it was done with full knowledge of what had occured and of the characters of the parties. In some instances the British functionary professed his conviction that all the natives were equally bad, and that the individual in question was no worse than the rest; and in others it was observed that although he might be a rascal, yet he was an excellent revenue officer, and contrived to levy the Government taxes to an extent that no other had been able to do.

Besides, in forming an estimate of the people, we ought in fairness to take into con-

* One of this description of officers has been heard to boast, that he would make such a settlement (or in plain English raise the rents to such a pitch of extortion by forcing the farmers to agree to pay them) as no one else ever did or would do again. He did as he said, but forgot that it would be one the rents of which no one would ever be able to realize; as the result proved. The discredit of being unable to collect the Government revenue, he calculated would fall upon his successor, and that he should have established his name as an efficient officer, and have left the district before the ruin to the people and ultimate loss to Government, from attempting to extort more than the country could possibly yield, should be discovered. Another declared that if the people would not consent to pay the rent he demanded, he would make the province a grazing ground sooner than allow them to cultivate their own lands at a lower rent.

It is indeed the constant boast of these officers how much they have raised the revenue, that is, extorted from the people. To shew the little regard for the people which the being engaged in such proceedings engenders, and the pitch to which their anger can be carried at any opposition to their will, the following may be mentioned. A collector was heard to boast that under cover of some Regulation he had caused a fine mango grove to be cut down out of revenge, because the proprietor had quarrelled with his servants about the sale of some fire wood.

sideration the state of society and the feelings which exist among them. In some parts of the country, dakoitee, or plunder by banditti, is not looked upon as a theft, but as a lawful and spirited excursion; just as a foray was considered in days of yore on the borders of England and Scotland. The very man who would boast of such an exploit would scorn to commit a theft; and the inhabitants of a village who would not join in any affray upon a dispute with their neighbours, would be despised just as a man would be among the majority of English gentlemen who submits to an insult without calling for an apology or the alternative of a duel. I do not defend this state of things, and should rejoice to see them eradicated, and it is to be hoped that better feelings will gradually prevail both among them and ourselves; but in estimating the character of any people, it is but fair to view the subject in all its lights and bearings.

The English however cannot plead an imperfect code of morals, a perverted sense of write and wrong, or an ignorance of their duty to extenuate the faults which are complained of. In proportion to their superiority in all these respects over the people of India, a higher tone of feeling and conduct must undoubtedly be expected from them, and a corresponding severity of judgment must attach to their misconduct. It is with a view to remind my countrymen of this, and not to cast any additional stigma on the individuals themselves that I would call their attention to the many instances of the grossest dishonesty, immorality, and general want of principle which must be familiar to their recollection to which in some cases little or no public expression of disapprobation was awarded, and which in no degree affected the general reception of the offenders in the society of their peers. Have we not seen the successful libertine received with smiles and attention, particularly if the character of a duellist be added to the catalogue of his recommendations? The man who has cheated his friend or acquaintance in the sale of horses is equally honored provided he keep within certain limits. Is the civil officer whose infamous neglect of duty occasions the ruin of hundreds, and the oppression of thousands, made sensible of his misconduct by any change in the behaviour of his countrymen towards him. Mr. Ravenscroft, in plain English, stole two hundred thousand rupees out of the Government Treasury. Not long since a civil functionary of high rank was convicted of bribery and corruption to the most shameful degree. Several others have at various times been proved guilty of the same, and others, though legal proof may have been deficient, are known to have left their situations in the possession of a much larger sum than the whole of their salary accumulated would have amounted to, although it was notorious that they were not only pennyless, but in debt, at the date of their appointment. Some of these have been publicly dismissed the service; yet has any one of them been made to feel by the conduct of their friends and acquaintances that they were degraded members of society? No!—to our shame and disgrace be it spoken.

In consequence of the disclosures caused by the late failures at Calcutta, was it not proved that one of the houses of Agency had for a considerable time previous to their insolvency, invested in their own name in the Government securities money which had been transmitted to be expressly invested in the names of those by whom it was sent? For what earthly purpose could this have been done, but on a systematic and deliberate intention to make use of the amount for their own benefit, or in plain English, to embezzle it, should the difficulties of the house render such a course expedient? God forbid that I should even appear to trample on misfortune. I am the last man to adopt such a despicable course; but there is a vast difference between misfortune and fraud; and the transactions alluded to are neither more nor less than robbery of the worst species—robbery under trust—robbery by which numerous widows and orphans have been rendered destitute. —Yet are the partners of the firm who were guilty of such conduct in any way shunned by society? No!—to our shame and disgrace again be it said; they are received on the same footing that they were before.

Yet we presume to taunt the natives of India with their debasement, in not marking their abhorrence of crime by excluding the guilty from their society. Let us first cast the beam out of our own eye; and when we have practically shown them that our code of morality is better than theirs, we shall then be entitled to boast; and in time may be able to convince them of its superiority.

A FRIEND TO INDIA.

October 25, 1834.

# SKETCH OF COCHIN.

*Sketch of Cochin, subsequent to the retirement from office of the late Fiscal Mr. Henry Lendert Groenbaart, up to the month of October.*

Perhaps there is no part of British India labouring under such oppression as Cochin is at the present moment; and it is evident that Government are totally unacquainted therewith, or they would undoubtedly afford relief. They suppose that the Magistrate at Calicut is competent to the due administration of justice at Cochin; but when it is recollected that the residence of the Magistrate is upwards of a hundred miles distant, and that individuals must either go to him personally to seek redress for their grievances, or make them known through the channel of the Post Office, how is it possible for them to obtain such redress without suffering great privations and hardships? If the former mode is adopted, it sometimes happens that the party aggrieved is obliged to refer his case to the Court of Appeal, and after all submit the whole of the proceedings to Government, who have been known to see into the equity of an individual's claim, in opposition even to the decree of the Appeal Court, of which an instance is said to have not long ago occurred.

If the complainant happens to be poor, and not possessed of funds to make an appeal, he returns from Calicut, overwhelmed with grief at the failure of his suit, the expenses attendant on which, including those of his journey, having most probably exhausted his limited pecuniary resources, and his family is in consequence reduced to a state of poverty. Should his complaint have been against the Fiscal of Cochin, he is there persecuted to such an extent that his life becomes a burden to him, being obliged to seclude himself for fear of persecution as long as he can, and he would with pleasure fly the place of his nativity had he the requisite means.

Should the complainant be unable from his private pursuits to leave Cochin for Calicut, without serious injury to himself or family, he is obliged to resort to the channel of the Post Office, where in the first place he must pay all postage expenses to Calicut, and, if against the Fiscal, the latter will loose no time in working the unfortunate man's ruin, if possible, before an answer can arrive, it appearing that all letters which pass through the Post Office are made into packets at the Fiscal's Cutcherry; and the Post Office writer when a representation is made on certain abuses in that department, refers the party to the Fiscal. An instance not long ago occurred, where a person sent a sealed petition to the Post Office addressed to the Magistrate, preferring a complaint against the Fiscal, and on the day following the latter got the same discharged from his employ, by which means this unfortunate man was thrown into great distress; afterwards he was forced to go to Calicut to answer a complaint in which he thought he was the defendant, and on his return, continued to be sorely oppressed. Numerous other instances of a similar nature could be quoted of the oppressions to which the inhabitants of Cochin are now obliged to submit.

The residence of a Magistrate at Cochin is essentially necessary for the public weal; indeed it is totally impossible that one residing at such a distance as a hundred miles can ever take cognizance of every complaint made to him. For instance, suppose a ship lays off the river of Cochin, and the commander coming on shore, enters into contracts with the merchants, and delivers part of his cargo upon doubtful musters, which when discovered, the commander refuses to refund the amount received, or take back the goods—what redress can the merchants get? The fiscal or monsif have no power to act, and if they write to the Magistrate at Calicut, before an answer arrives, the said ship has taken her departure, to the serious prejudice of the merchants of Cochin.

The merchants of Cochin are likewise suffering many other grievances for the want of a Magistrate on the spot, to take cognizance thereof and to report the same to Government; whereas it is impossible for them to bring the subject of their complaints daily before the Magistrate at Calicut, without incurring heavy expenses, which they naturally wish to avoid, added to the dread of being summoned to Calicut; and besides, it does not suit the convenience of most of them to enter into such detailed correspondence, from their being otherwise employed, which could easily be made known, if a Magistrate was at hand.

It is rather singular that a place of such celebrity during the last century should be now considered of no intrinsic importance; but this may be partly accounted for from

its present decayed state of commerce. There is, however, reason to think that if Cochin was converted into a Naval Arsenal, and such other assistance rendered to the inhabitants as they now stand in need of, it would in a short time become a flourishing place. At all events considering its number of European inhabitants, and extensive native population, it perhaps requires to be as much immediately under the eye of magisterial authority as Calicut or Tellichery.—*From a Correspondent of the Madras Gazette.*

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## THE CINNAMON TRADE.

In the *Penny Magazine* for October 1833, we have met with an article on the subject of the cinnamon tree, supposed to have been written by Mr. Henry Marshall, formerly on the medical staff of this Island.

In the comments upon the second letter of VERAX, we recommended that all parties should enter upon the consideration of the cinnamon question with impartiality, divesting themselves of all pre-conceived opinions on the subject. No one will deny that the revenue which this Island has hitherto derived from the monopoly of cinnamon, has supplied the place of taxes which the former profuse expense of Government must have rendered necessary;—the recent reductions in the expenditure of the Island may have rendered us less dependent upon this particular source of revenue, but it will not be contended that a *moderate* revenue, really so harmless in itself, and which from *natural* causes must be payable by the foreign consumer, ought to be abandoned, for, if the Government do not need it, there are surely other taxes, which being taken off will be more beneficial to the trade and agriculture of the colony; if however the revenue now deprived is properly appropriated, we do not think that there is any real necessity for a reduction of taxation, excepting some items of export duty which yielding but little in amount act as a restriction upon cultivation, and all that can be derived from the exportation of cinnamon ought to be secured, as a means of enabling the Government to continue its *improvements* of the country, by the formation of roads and other measures conducive to the progress of the civilisation of the natives. Admitting this as a general principle, we propose reviewing the subject, with the advantage we now possess of a full year's experience of the effects of a free trade—we by no means mean to say that the past year's operations should be considered as conclusive of the advantage or otherwise of the new system; on the contrary, we conceive that it will take at least five years before *the trade in Europe* will settle itself down to the newly introduced mode of supply from this Island, of an article which has hitherto been in the hands of a few London brokers and their more particular continental constituents. The experience we have gained is not, however, to be thrown away, many opinions conscientiously entertained must be admitted to have been erroneous, and none will be more ready to avow these erroneous opinions than ourselves.

We feel that we cannot enter upon this subject with greater claim to attention than by in the first instance candidly stating the points on which our experience has tended to alter the opinions we, in common with many others entertained, as to the quantity of cinnamon likely to be brought into the market for sale by the natives, independent of the quantity gathered from the Government plantations; and the probable price which that cinnamon would realize in the London market under the new system.

Our readers are aware that of the quantity of cinnamon collected by the Government in the time of the monopoly, a great proportion was from the private property of individuals and the jungles. At the commencement of the free trade a most material point to ascertain, was the precise quantity which might have been expected to be gathered by the natives, independent of the Government plantations; without an accurate knowledge upon this subject all speculations were reduced to a mere gambling transaction, and knowing as we do that the Government devoted their particular attention to this enquiry, it is a matter of regret and, as we consider, honest reprobation of their conduct, that they did not communicate to the public the result of the enquiry they had set on foot, and which *they* only had the means of eliciting.

Our opinion on one point has never yet been altered, and that is, that this Government did not enter into the spirit of the instructions from home, they foresaw the embarrassment which the free trade system would cause to their finances, they knew that the anticipation of this had induced a severe curtailment of expenditure by the home Government, and instead of boldly meeting the difficulty and endeavouring to

do their best in the introduction *here* of the new system, they took the pet, and collecting all the information they could, likely to bear out their view of the subject, they contented themselves with fixing the highest export duty their instructions would warrant (being fifty per cent. beyond the amount recommended by Colonel Colebrooke) and referred the matter to the re-consideration of the home authorities; this at least is what we learn to be the case, if it be not so, we have to thank our rulers for our ignorance, for most assuredly they have taken care not to afford the public any clue to their proceedings or intentions.*

The average annual sale of cinnamon in London may be taken at 450,000lbs. and under a monopoly system the average annual sale must be assumed as the average annual supply; but under the monopoly system the annual supply did not necessarily imply the power or facility of annual production, and therefore it is not surprising that we adopted a very prevalent opinion, that a trifling increase of remuneration to the peeler would produce a more abundant supply of the commodity *to be gathered from the jungles.*

Now the average annual supply obtained by the Government under the monopoly system being 450,000lbs. it was estimated that only one third was produced in their preserved plantations, and that consequently the remaining 300,000lbs. might be expected to be obtained from the property of individuals and the jungles. When we state that within twelve months after the opening of the trade, only 200,000lbs. were actually collected for sale in the market, our readers may be surprised, but we must, to enable them to form a correct judgment on the subject, point out that the peeling season commencing in May and the trade only being opened on the 10th of July, the Government had all the intermediate time to collect, through the agency of natives, armed with roving licenses, as much cinnamon as could be gathered by them from the adjacent gardens of individuals, the spice upon which did not actually become their own property until the 10th of July, and we are assured that every exertion was made to peel as much cinnamon as possible from the private gardens in the month preceding the general surrender of those gardens to the benefit of the owners. In stating this we must beg to be distinctly understood as admitting that the proprietors of most of these lands had no cause of complaint, they held them on a certain tenure, and the right of the Government to the cinnamon growing upon their grounds was as legal a claim as they had themselves to the possession of the property; but we do maintain that under the circumstances, *a liberal Government*, with a knowledge that it had in store a quantity of cinnamon equal to the supply of three years, and knowing also that this stock was the great bugbear which would prevent all prudent people from entering upon extended speculations in the article, ought to have been less anxious to increase it, and should the rather have gladly availed themselves of the opportunity of shewing the natives, that *they at least* had pleasure in granting them the full extent of the indulgence comprised in the orders emanating from His Majesty's Ministers at home; but this opportunity, like many others, of raising the local Government in the estimation of the natives, was lost.

We have thus, perhaps, only in part accounted for the deficiency in the quantity of cinnamon expected to have been brought to market by the natives. The produce of the present year commencing from May 1834 to April 1835 may further enlighten us upon this head, but taking into consideration the great extent of ground which has been cleared of the tree, we are bound to admit that the information we at present possess does not justify our adherence to our original supposition that the native would supply the Europe market with the quantity of 300,000lbs., and therefore it is clear that, the demand continuing the same, the Government stocks must be drawn upon. Having arrived at this point in the consideration of our subject, let us devote a little attention to the Government upset prices. Supposing the quantity of cinnamon to be gathered from the private property and jungles of the Island, *not to be equal to the annual demand*, it will, we imagine, be generally admitted that the Government being in possession of the only stock from which the excess of demand can be supplied, possesses a virtual monopoly and can command *its own price;* and that price will be the guage by which the sale of all other cinnamon will be adjusted—*to this principle we call particular attention*—and with the greatest sincerity do we beseech our friends, nay even our antagonists, to come forward and enlighten us upon this subject if we are in error; but we believe it will not be denied, and therefore we enter into the consideration of what should be the conduct of the Government under these circumstances, with reference to the general interests of the Island.

We must not omit to thank our correspondent VERAX for the suggestion that a high price of Ceylon cinnamon will prove

a bounty to the cultivation of that spice on the Malabar Coast, whence, as it is proved, large quantities have been exported; and consequently much greater quantities may in course of time and under the protective system of this Government, be expected to be forthcoming.

But we will confine our observations to the effect of the ruling price to be nominated by this Government, in the sales of its stock and the imposition of its duty (for the two conjoined must be taken as the cost of the article here), upon the cultivation of the article in the Island, for most assuredly, whilst so high a price can be obtained for a commodity which can be produced with the prospect of such ample remuneration, cultivation must increase, and in time, as a matter of course, it will so far increase, beyond the limits of the demand at a high price, that *a very great reduction of price in Europe* must be the inevitable consequence.

We are ready to admit that it will take 6, 7 or even 8 years before this increased supply can amount to the extent we have anticipated; but *in time* it will do so, and therefore we are bound to consider the position of the Government with this certainty before it.

If the Government had alone their *present stock* to consider, we might admit that it would be absorbed in the time we have mentioned, and at very profitable selling prices, but it must be recollected, that the Government plantations supply a quantity equal to the annual deficit of the exportation by the native growers, and the Government, having, as before explained, the monopoly power of fixing the price at which the consumer shall be supplied, if they do not alter that price, the average annual consumption will remain stationary, until the production of the private plantations shall render the public independent of the Government gardens, and consequently the Government stock of cinnamon in store will remain from year to year the same.

But supposing the Government to proceed upon this plan, when through the encouragement afforded by their high monopoly prices, the private plantations shall have come into full bearing, what will be the value of their stock of cinnamon still remaining in store? and, which is of much more consequence, what will their cinnamon gardens then realise? Their stock in hand will be reduced to the value of cinnamon at the actual cost of production (possibly not only upon this Island but upon the Malabar Coast), and their plantations will in like manner be valued according to their production taken at the same valuation. We therefore address ourselves to the consideration how this is to be avoided and the reasons which should press upon the Government the necessity of avoiding such a crisis, if we may so call it, in a trade which should as much as possible be allowed to pursue an even course, unchecked by starvation of the market on the one hand or excessive supply on the other.

The Government have a stock of cinnamon on hand equal to 3 or 4 years' demand, and the Island is still able to produce an annual supply equal to the annual demand, and therefore it would be almost a blessing if this said stock did not exist; but it does, and what is more, we believe the local Government has taken credit in its accounts for the whole stock at a fixed valuation, which of course could only be fictitious. Well, then, as it would not be judicious in these times to burn the stock in hand, let us see if it cannot be made available to one general plan in furtherance of the permanent interests of the Island.

We are not at present prepared to enter upon the consideration of the controversy so ably conducted by the Editor of the *Colombo Journal* and his correspondent LIBER—we care not for the abstract principle as to whether it be right, that the greater possible amount of money should be levied in return for the least possible quantity of cinnamon or not, because we are morally certain that the trade having been thrown open, the cultivation *will increase*, and it is equally the duty of the Government to encourage, and at the same time to guard against any probable reaction, which may entail a loss upon the cultivators. This reaction it is in their power to cause or, to prevent, and it is our especial purpose to point out to them the mode in which they may save the Island from such a ruinous catastrophe.

In continuation of the above remarks on the cinnamon trade, we now proceed to point out the danger of a reaction which a great increase in the production of the article unaccompanied by a corresponding increase in the demand, will be attended with, and the means which we suggest as being likely to avoid it.

The Government having for many years, just fed the market with the actual quantity of cinnamon required, have been able to keep the price pretty steady at a high remunerating rate; and whilst the monopoly existed we may be inclined to admit that they were correct in so doing (saving always the consideration of the danger of stirring up the competition of cassia and cinnamon to

be cultivated on the Malabar Coast); but now we anticipate that the cultivation in Ceylon will annually progress and at the period of 7, 8 or 10 years hence the production will be considerably increased, and therefore we would endeavour to create a corresponding increased demand, and that can only be done by a reduction of price. If the Government do not effect this increased demand by the reduction of price, when the newly planted gardens begin to produce, the demand for the Government cinnamon will cease, and they will then be exactly in their present position, having a large stock on hand, but of less value than it now is, and if they should then throw their stock upon the market, they would cause the ruin of the cultivator and they would also lessen the value of their plantations which they will still have for sale, inasmuch as the produce of those gardens will be lessened in value in common with that of the private plantations. Here then is the dangerous reaction to be guarded against, and while that can be so easily done, we should hope that the Government will lend its attention to the mode we now suggest.

The grand desideratum is to get rid of the present stock, that can only be gained by an increase of demand which only can be effected by reduction of price: we for the present defer the consideration as to whether this decrease in price shall be made by a reduction of duty or of the upset prices of the Government, but content ourselves with stating our opinion that the price to the consumer in Europe being reduced 30 per cent. the demand will be increased 50 per cent., and as in the next few years the supply will remain the same, the Government *resting stock* will of necessity be drawn upon, and in the course of these few years absorbed, and thus the dead weight which now hangs about our shoulders will be removed—the produce of the new plantations will then come into the market and supply the quantity hitherto drawn from the Government stores—the trade may then safely be left to itself, as the Government no longer possessing the monopoly power of fixing the price, it will naturally be adjusted in the usual manner by the relation of the supply to the demand.

It may perhaps be doubted by some that a reduction of 30 per cent. in the price will cause an increase in the demand to the extent of 50 per cent.; but to shew that we are warranted in this position we beg to call attention to the following fact.

The largest quantity of cinnamon taken for home consumption in Great Britain up to 1828 was 15,696½lbs.; at that time the average price of the second sort (and we assume the second sort is that in most general demand) was 7*s*. 6*d*. and the duty 2*s*. 6*d*. so that the cost to the wholesale dealer was 10*s*. per lb.—In 1829 the duty was reduced to 6*d*. per lb. and consequently the price to 8*s*. or 20 per cent. less than the year previous, and the consumption rose to 45,921lbs.; the consumption in Great Britain having in consequence of the reduction of price to the consumer of 20 per cent. increased 200 per cent; surely then it is not to be doubted that a reduction of 30 per cent. in the price to the community in general, may be safely assumed to effect an increased demand of 50 per cent. at all events having a surplus stock to get rid of, it would be prudent to endeavour to do so by trying the effect of the proposed reduction, not that the increased demand can be expected to take place in a single year, probably not even in two years, for a change in the annual consumption of what is now a luxury will naturally be gradual, but let that gradual increase of demand be encouraged by a regular supply at a moderate price, and in time the luxury will become as much a necessary of life as tea now is.

But it will be necessary also that the Government plantations should be disposed of, in order that the whole produce of the Island may fall into the hands of individuals.

We have hitherto considered the produce of these gardens as a part of the annual production of the Island, and have always presumed the supply annually derived from them to be absorbed before the *resting stock* will be drawn upon; but in order to render the trade really free, Government must get rid of these gardens and therefore we have next to consider how this is to be accomplished.

Here we fear we have the greatest difficulty to contend against, for the Government attaching a high value to their plantations, and knowing that a reduction of the price of cinnamon will have the effect of lowering the estimated value of the gardens producing it, will be inclined for the sake of maintaining the value of their plantations, also to maintain the high price of cinnamon. This is one of the great errors of placing the Government in the position of a private trader, but we will yet hope that they may be induced to take the subject in a more enlarged and enlightened view. If a revenue is to be derived from an export duty on cinnamon, the sooner their gardens can be transferred to the more active superintendence of private individuals the better, for the sooner will the general production of the Island be increased to meet the anticipated

increased demand arising from the proposed reduction of price.

We would now endeavour to shew how the real value of these gardens should be estimated with a view to inducing purchasers to come forward, but as the foundation of all calculations must necessarily rest upon the price of the article, we will in this place enter upon the consideration of what that price should be fixed at, to create the increased demand.

We believe that no objection will be taken to our assuming, throughout our argument, the second quality of cinnamon as the standard of general value, because the proportion that it bears to the whole quantity produced is equal to three-fourths and the average betwixt the proportion of firsts at its price in Europe and that of the thirds will be about equal to the price of seconds. We may take the average price of the second sort of cinnamon for the last 6 or 7 years at 7*s.* 6*d.* and the consumption stationary at 450,000*lbs.* per annum, now the Government have in hand a stock equal to 3 years' supply or 1,350,000*lbs.* which they have valued at 4*s.* 6*d.* per *lb.* or £303,750, and we presume taken credit for this sum *as assets* in their accounts with the mother country, for what purpose it may have been necessary to make up a statement of assets, we do not know, nor does it much signify, but it may be as well to undeceive the Government upon this head, if in truth they are not the deceivers instead of the deceived.

It must be perfectly clear that the annual supply from the Island being equal to the annual demand at the ruling selling price, the demand not being increased, the stock cannot be drawn upon, and *is therefore valueless*; and again *under the monopoly system* Government did not reduce the price so as to get off their stocks, because the money return for the lesser quantity was equal to what they would have got for the larger supply at a lower price: this was the true monopoly system; but now that the trade is open, very different principles must be adopted, because the higher the selling price the greater the inducement to increase the supply by cultivation, and the less the probability of quitting the present stocks. We have already stated our object to be a reduction of 30 per cent. on the price to the consumer, and as this cannot be effected but by the Government, we must address ourselves to them, in the hope that if we can shew that they will not be loosers in revenue by this reduction in price, they may be induced to assent to it.

According to the generally admitted statements of the Journal the *actual net revenue derived from cinnamon under the monopoly* was £90,000, and the annual supply being 450,000lbs. gives precisely a net return to Government of 4*s.* per lb. and yet in the face of this they fix their upset price of second sorts at 2*s.* with an export duty of 3*s.*, thus claiming an increase of 25 per cent. upon the price formerly *netted.*

It is clear that at this price their stock cannot be decreased; nay more, an increase of price repressing the demand, their stocks will be annually augmented.

Now it will be necessary that we ascertain the rate at which the merchant will be able to purchase here, with reference to the price at which he is to sell, for it is an unanswerable position, that *in the long run,* the selling price in Europe will be regulated by the purchasing price here, and will fall to the lowest price which will cover the charges of transmission with the usual rate of profit derived from similar operations.

Well, then, the price at home is to be reduced from 7*s.* 6*d.* to 5*s.* per lb.

| | | |
|---|---|---|
| Deduct freight..... ..... | | 3*d.* |
| Insurance..... | 3 per ct. | 1*s.* 3*d.* |
| Home charges ... ... | 4 ,, ,, | |
| Loss in weight. .... | 7½ ,, ,, | |
| Merchant's profit...10 | ,, ,, | |
| Charges here..... | ½ ,, ,, | |
| in all 25 per cent. | | 1*s.* 6*d.* |

Leaves per lb. 3*s.* 6*d.*

as the price at which the merchant should be able to ship, *to cause an increase of demand:* now this price is to be composed of two elements; remuneration to the grower and revenue (or export duty) to the Government, and it will require very careful consideration, as to the proportion which should be allotted to each: if a large proportion be levied for duty, the revenue derived therefrom will be the greater, but the revenue to be derived from the sale of Government cinnamon will be proportionately less, and in like manner will the inducement to cultivation be repressed, a middle course will therefore be found most conducive to the general interests of Government and the Island.

We have shewn that the merchant cannot afford to give more for the second sort of cinnamon than..... ..... ..... 3*s.* 6*d.* per lb.
*to induce cultivation* we would
give the grower..... ..... 2*s.* ,, ,,

which would leave for export
duty to Government..... 1*s.* 6*d.*

At this price let us estimate the revenue of Government after a year or two have elapsed, so as to give time for the reduction of price to effect the increased demand of fifty per cent.

| | | |
|---|---|---|
| Export duty on 670,000*lbs.* | at 1*s.* 6*d.* | £ 50,625 |
| Sale of *stock* say 225,000*lbs.* | at 2*s.* .. | „ 22,500 |
| Sale of plantation cinnamon 150,000*lbs.* | at 2*s.* .. | „ 15,000 |
| | Total | £ 88,125 |

which is within a fraction of the revenue under the monopoly.

But it may be observed that until the increased demand takes place neither the sale of stock or the duty on that quantity can be received: admitted—deduct then for 225,000lbs. at 3*s*, 6*d* £ 33,750, the revenue for a year or two will then be £ 54,375, being in excess by 10 per cent. of what it was estimated at by the commissioners; but if the Government will adopt this principle of the value of the article, they will find purchasers for their plantations, and thus the purchase money anticipate a portion of the revenue of following years, and by getting rid of their plantations at an early period, they will the sooner reap the benefit of the increased revenue from duties, arising from the increase of supply, for we do not hesitate stating our decided opinion that a continued and gradual reduction of price to the consumer will increase the demand to the full power of the Island to meet it—it is time only, with judicious management, that is required.

We think we have now pointed out a safe and profitable mode of getting rid of the resting stock, and have also obtained a price which we think will secure an ample revenue to the Government, and at the same time by affording fair remuneration to the grower encourage cultivation.

We have now arrived at a point in our consideration of the cinnamon question of the utmost importance, the value of the Government plantations, and the means by which they may be, with advantage to the Government and the Island generally, transferred to the management of individuals.

When we look at the great importance of the subject we have to discuss, considered with reference to the great value of the gardens themselves, the influence their production has in the market upon the price of the commodity, and the magnitude of the value of the trade to this Island, in relieving the natives as it assuredly does, of a load of taxation, we may well feel diffident of our ability to do it ample justice; we give it however dispassionate, unprejudiced consideration, and if we do err in our judgment, we will receive into our columns with pleasure, the opinions of those who may differ from us, with the hope that from the collision of opinions truth may be extracted, to the improvement and benefit of all.

The value of a plantation must of course depend mainly upon the price of its produce, and if these gardens were the property of one individual, he would be fully justified in estimating them at the actual market value of the day; but being the property of the Government, we conceive they ought to be guided by very different principles, for, by an *apparent* present sacrifice of value *in estimation*, they may secure to themselves a future permanent gain, and an accession of wealth to the export trade of the Island. The subject, therefore, must be considered entirely with reference to the principle upon which it may be decided the future trade is to be conducted, and in order clearly to shew the justice of the conclusions we arrive at, we beg the reader's permission to recapitulate the several positions we have assumed as the foundation of our argument.

It must be borne in mind, that we have never once broached the subject of the propriety or otherwise of the abolition of the monopoly, therefore the theory of high prices and limited supply or *vice versa*, was perfectly irrelevant to our subject. Had the monopoly been continued *in any form*, much might have been said on either side, but the cultivation of an article of value being free, must as a mere matter of course, without any power of controlling it, *increase*; and this we take as our *first position*. *Secondly*, present supply and demand being equal, present prices will be maintained; unless a power can be found in any party to effect an alteration in the price or supply. *Thirdly*, that power does at present rest in the Government, as the proprietor of one third of the annual production, and of an overwhelming resting stock. *Fourthly*, the annual supply being equal to the annual demand, unless that demand can be increased, the resting stock cannot be drawn upon, and is therefore *valueless*. *Fifthly*, unless means be devised of quitting this stock, the tendency of the private cultivation to increase, will in a certain number of years, render the private supply equal to the demand, when the Government stock will annually augment. *Sixthly*, were the Government then to force their stocks upon the market, private cultivators would be ruined, and their own gardens be lessened in value by a fall in prices. *Seventhly*, in order to quit the *resting stock*, demand must be increased by reduction of price, and that can alone be effected by the Government. *Eighthly*, this

reduction must take place principally in the duty, in order, by keeping up the selling price, to encourage cultivation, so as to meet by increased supply the demand which will arise from the reduction of prices. *Ninthly*, the quantity of cinnamon the Government will annually sell will make up for their apparent loss of revenue derived from the duty. *Tenthly*, we have assumed that the grower should have 2s. per lb. for his spice *to induce cultivation*. *Eleventhly*, every annual increase of cultivation must lessen the value of the government plantations, and therefore the sooner they are disposed of the better, and the more likely will they be to add to the required increased supply, to meet the demand which will in the meantime be fed by the Government resting stock. *Lastly*, if the Government will adopt these principles and fix this value to the spice, purchasers will be found for their plantations.

We do not anticipate a denial of these several positions, for we believe them to be founded upon correct principles of *free trade*.

We now proceed to apply these principles to the value of the Government gardens. It must however, in the first place, be distinctly understood, that our calculations all rest upon the position that the Government duty be reduced to our rate of 1s. 6d. per lb. for second sort, because if it be not, the value of the spice will be different, and our valuation of the gardens will be diminished at least one half, because no man in his senses will buy a property, the value of the produce of which must be acted upon by the resting stock in the Hands of Government, unless he see clearly that provision be made to get rid of that stock without injury to him as a cultivator.

We have hitherto taken the value of the second sort as the average of all sorts, and with reference to the whole quantity exported it is a fair estimate, but not so with regard to the value of the Government plantations, for they produce the greater portion of all the first sort shipped, and but little or no proportion of the third. We must now therefore turn our attention to the value of the first and third kinds: taking the average value of firsts in the last 6 or 7 years at 9s. and deducting as with seconds 30 per cent. in order to increase the consumption, gives us 6s. as the selling price in London, and then, from this deducting charges as before of 1s. 9d. we have left 4s. 3d. as the price which the shipping merchant can afford to pay for it, and which also has to be divided betwixt the grower and the Government. It occurs to us that very much difficulty will attend the collection of duties, if a scale according to quality be adopted, because in the event of the shippers not finding their cinnamon in the Europe market pass, as equal to the respective qualities assigned to them, they will be constantly complaining to the Government on the subject, and with a shew of reason, but we also consider that the Government putting a higher duty upon the first sort, will tend to repress improvement in cultivation, inasmuch as the buyer having to pay an extra duty for first sort on exporting, will not be inclined to take it from the grower except at the same price as seconds, and consequently the latter will have no inducement to improve the quality of his produce, but rather be inclined to leave the bark upon the tree till it becomes thicker when it will weigh heavier. As another reason for keeping the duty on firsts and seconds at the same rate, we may observe that we shall then be justified in putting the whole difference to the price of first sort, viz. 4*s*. 3*d*. less 1*s*. 6*d*. leaves 2*s*. 9*d*. and as the great proportion of firsts is grown upon the Government garden, they will reap the full advantage of this in the value of their produce. It remains to be seen whether the same reasons apply to the third sort, taking the price at 4*s*. 6*d*. deduct 30 per cent. leaves 3*s*. 0*d*. charges 1*s*. gives a price of 2*s*. for the merchant to pay, and if the duty be 1*s*. 6*d*. the grower would only get 6*d*. which the peeler will require to induce him to bring it in, and consequently we fear but little would be exported.—Then again we have the objection to meet of the difficulty in sorting;—we admit the evil, but we think it less than in former case, because the natives have been much more in the habit of distinguishing the third than the other two kinds, the East India Company having rejected the thirds during their contract, and the Government having always paid the peeler a very much lower price for this quality, and not having made any difference in the firsts and seconds, at all events we would rather submit to the evil than check the export of the thirds, for by encouraging the export of this sort, we gain two points—we induce the native to prune his trees, which will improve the quality of our spice, and we throw into the Europe market a powerful adversary to the progress of the consumption of cassia, for we are convinced that we have only to give them cinnamon cheaper, and we shall drive the other spice, which is but a spurious kind of our own, entirely out of the market; we would therefore recommend the export duty on thirds to be fixed at 1*s*. per pound.

Having thus obtained the value of the firsts and thirds, with reference to that of the seconds, we proceed with our enquiry.

The whole extent of the Government plantations, properly so called, may be taken at 9,000 acres, and from a statement now before us, the produce is estimated at 134,000*lbs.* of which we have 33,500 of firsts, 83,750 of seconds, and 16,750 of thirds which valued at our prices of 2*s.* 9*d.*, 2*s.* 0*d.* and 1*s.* would give for the annual gross value of the produce £13,818 15*s.* from which deduct expense of peeling at 5*d.* per 1lb. £708 6*s.* 8*d.* leaves the return £13,110 from which we have yet to deduct the expense of establishment, watching and keeping the gardens in order, and we should think the actual net income derived by Government would not exceed £10,000.

We will now consider the price which an individual or company wishing to purchase the whole of these gardens would be deemed prudent in offering.

An investment of money in houses will in Ceylon produce a net return of 10 per cent. and consequently we find the usual value of well situated houses to be *ten years purchase*; requiring not any further outlay of capital and but very little personal superintendence or judgment.

But to conduct the cinnamon plantations it will be seen that besides the purchase money, an annual outlay *in advance* equal to one third of the whole *net income* is required, active superintendence and a competent knowledge of cultivation is also indispensable, and in order to secure the money return quoted, a degree of judgment as to the time and mode of disposing of the produce would be equally requisite. These several qualifications are not always to be met with, and more especially in one individual, and therefore the possessor of them, or one who can command them, is entitled to a full consideration in return, and assuredly it is but natural that before he would invest his capital in the purchase of a cinnamon plantation, he would require that he should be able to derive from it an equal return to what would be obtainable from any other similar investment; now we believe that it will be admitted by those who are most competent to form an opinion, that in the generality of cases, a capitalist in Ceylon, possessing a competent knowledge of business and an average portion of discretion, may certainly calculate upon an annual net return of at least 25 per cent. upon his capital, and therefore, according to this standard, an investment in cinnamon gardens should be expected to yield the same, or, in other words, that their value upon this basis would be *four years' purchase:* if this mode of valuation be admitted we find the actual value of the Government plantations to be £40,000, but we will concede that it is probable an individual would be enabled to conduct the plantations with a less expensive machinery than that employed by Government, and therefore that the same annual outlay would be unnecessary, or would if expended, produce an equivalent return by increased production, and consequently an individual would estimate his return at about £12,000 and that would produce to the Government a purchase money of £48,000, and which we consider it would be for the interest of the Island they should accept.

We have preferred considering the subject as a single purchase by an individual, but the principle to be adopted would be precisely the same in the case of a number of individuals wishing to become purchasers of small parcels of ground, and we feel assured that, if our principle of valuation be admitted, and the prices we have stated be adopted as the basis of calculation, Government have only to come to the determination and explicitly explain their intentions, present and future, to secure the almost immediate investment of private capital in the purchase of their gardens, and then, from the anxiety of proprietors to improve their plantations, employment will necessarily be given to a vast number of natives, and the Government will indirectly derive an additional revenue from the increase to the circulation of capital, and the gradual improvement of the condition of their subjects, which it will give rise to.

We have now arrived at the conclusion of our subject, and we can only express a hope that we have not entirely failed in the task we have undertaken, doubtless we have fallen into some errors, at least we can affirm, that they have not been intentional, and most thankful shall we be to have them pointed out; but we believe that the principles we have advocated are sound in themselves, and that we are fully justified in the adaptation of them to the subject; if it be considered otherwise, we invite those who differ from us to come forward and place their opinions before the public, who will then be able to judge of their respective merits.

But in conclusion we would respectfully address a few observations to the consideration of the Government, in the hope that the interest which the mercantile body have in the trade, may induce a candid consideration

of a subject, treated in a paper devoted to their interests.

We believe we are correct in stating that the revenue derived last year from the cinnamon trade did not exceed £30,000, and the Government stock must have been augmented by at least 250,000lbs. the market at home has been deprived of more than one half of its annual demand, and as a consequence, consumers will be driven to use cassia as a substitute. Let us guess at the result of the current year, and we believe that our information as to generally entertained opinions at home, is the best to be obtained. The quantity to be produced by the natives *may by possibility* be estimated at 300,000lbs. (but from the quantity of cinnamon trees destroyed we doubt it) and supposing Government to sell 150,000lbs. (which also we doubt at the present upset prices and export duty) the revenue will stand thus—

| | |
|---|---|
| Of the native cinnamon 100,000lbs. being third sort will not be exported till March, when the duty will be reduced to 2*s.* giving..... | £10,000 |
| the remaining 350,000lbs. at 3*s.*. | 52,500 |
| and for value of 150,000lbs. of seconds (first cannot be touched) at 2*s.* | 15,000 |
| | £77,500 |

this is the very utmost the Government can venture to reckon upon, but will their stock have been diminished? and can they expect the trade at home to get settled whilst the merchants engaged in it know that so large a stock is hanging over their heads, which may at the whim or caprice of an individual, as one theory or another may happen to have the sway in his mind, be at once thrown upon the market, and utterly confound all their calculations? Can even the merchants here, knowing as they must, that the present system *will not do*, and that the Government must in time change it, venture to recommend their correspondents to embark in it? We assert that the trade *is not safe* under the present system, and we are morrally certain that at the full market prices now demanded by Government, nothing but a *starved Europe market* will induce orders for the spice—and is this a state of things to be wished for? are we for the sake of one good year to hazard the existence of the trade for the future, by driving our best customers to the use of an article, which by its rapidly increased consumption, is proved to be no contemptible substitute for our own commodity? Surely not, we wid yet hope that ere it is too late, the Government will openly and fairly come forward, upon enlarged and liberal free trade principles, tending to infuse present confidence in their wisdom, and well grounded hopes of future benefit to the Island. Let them do this and we will promise them the support of those, who through extensive commercial correspondence, can direct attention to, and instil confidence in, a trade which is of not a little importance to Great Britain and of paramount interest to this Island.—*Colombo Observer.*

## LAND ASSESSMENT OF INDIA.

The land assessment of India so inseparably connected with the economical, and so closely with the moral and intellectual condition of the people, cannot fail to be a matter of regard to those who have their advancement at heart. To all such the various methods which have been in use for fixing the amount of the territorial revenue, as probably involving the amount, and the equal or uneven distribution of the burthen on the possessors of land, will also appear objects of reasonable curiosity and enquiry. It must be known to all who have paid any attention to the subject that the enactment of Regulation VII of 1822 introduced a great change into the mode of assessment, which had previously been summary uncertain proceeding on the details yielded by the native officers, which varied in value with their probity and natural sagacity, and were modified only by such general and precarious checks as the European functionary, unaided by correct mensuration, or other systematic and scientific information, had it in his power hastily to apply. The law just mentioned, which, with all its defects and its redundancies is a wonderful specimen of acuteness and industry, and an interesting proof of what the enquiry and research of an active mind even when unaccompanied by a practical knowledge of details can effect, aimed at the acquisition of certain information as to the capabilities of the land, by careful measurement, by registry of the various species of soils, and of the extent and productiveness of each sort, by a record of the peculiar circumstances of villages as dependent on the seasons, or possessed of facilities for irrigation, and their situation as near, or remote from towns and rivers. Minute enquiries were [illegible]

the same time directed into the statistics of every estate. In its practical operation, however, this Regulation was a failure. It speedily appeared that the distinguishing principles of its letter and of the voluminous instructions from the Government by which it was accompanied and explained, when carried to their full extent, created a cumbrous mass of details which, at the same time, in several respects conveyed no satisfactory or trust-worthy information. The effective superintendence of the work was found to be beyond the power of most of the Collectors by whom it was undertaken. The native surveyors being thus to a considerable degree left to themselves, had full scope for the perpetration of mal-practices, which no vigilance of supervision could have entirely prevented. Frauds in the mensuration and classification of lands, and in the rates of rent imposed on the various soils must have been continual, and as it was the interest of few save an occasional and casual informer to point them out to the collectors, they must have generally escaped detection. The native officers employed on this difficult duty must also have been in many cases incompetent to form a correct judgment as to the capabilities of the several soils, even if they were honest in their intentions. These defects and dangers of the system could never be neutralized even by the experience and knowledge of the ablest European revenue officers. The systematic methods sometimes adopted by the latter to test the results obtained by their native subordinates were often such as to lead their framers into serious errors. The estimates of the rentals of villages founded on calculations of their produce, which in the absence of all confidence in village records, and the arbitrary rates proposed by Ameens, were taken by some officers of eminence as the basis of their assessments, have been in many instances proved by disastrous experience to be exaggerated. In other instances they have probably fallen short of the truth; but it is only where the estimation has been excessive that the error was likely to become known, the impossibility of a continuance of payment being speedily apparent. To these positive defects and dangerous tendencies of the system of Regulation VII. of 1822, there are other inconveniences and faults to be added. The enquiries authorized into the entire scale of interests in the land must have had the hurtful effect of disturbing the security arising from possession and prescription, in the case at least of the class of rights termed by us *zemindary*. The agitation of the question of the rights of the inferior cultivators, had the interference gone no further than enquiry and registry, might perhaps have been productive of good, by impressing on the minds of their landlords the anxiety of the Government to protect the lower classes from exaction, and might have had the effect, when viewed in connexion with the regular march of the law, of producing a change for the better in their treatment, at least in those states where the moderation of the assessment gave no colour to the zemindar's plea of necessity as an excuse for rack-renting. But when the collectors arbitrarily proceeded under the sanction of the Regulation to determine the rates and even the exact amount which the ryot was to pay, and bound him by an engagement to discharge this sum punctually every year, the results have in most cases soon proved unfortunate. The zemindar impatient of the trammels by which the collector has attempted to confine him and deprive him of the power, or it may be the right, to make his own bargain with the cultivator, has desisted from shewing him that degree of rude consideration which self-interest previously prompted; has forborne to make those advances which calamities and even ordinary contingencies render necessary, and has not failed to exercise the right, with which the collector has armed him to demand, year by year, from his tenant that fixed sum which the latter has by the suggestion, and perhaps solicitation, of the same functionary, bound himself to make good irrespectively of the seasons. Thus is the simple yet effectual link by which mutual interest had bound together the landlord and his cultivator, rent asunder by an unfortunate though well meant interference, and a bone of contention in the shape of a potta substituted in its place.

Besides all these evils and inconveniences, the great length to which proceedings conducted according to Regulation VII. of 1822, and the instructions by which it was followed up, were found in practice to extend, and the very slow progress which had been made in a period of ten years, owing to all these causes, and also to the occupation of the collectors in other duties, concurred in demanding a reform in the system.

The steps by which this was effected, though they might be sketched from documents generally known, it would exceed convenient limits to detail. It will be sufficient to describe the result which it is understood has been at length arrived at.

The operation of the scientific survey under the superintendence of able and experienced European officers had been proceeding in some of the north western dis-

tricts under the old system; but latterly they have been extended by an increase in the number and strength of the parties, and conducted, under more watchful superintendence, with greater vigour and effect. The accurate and trust-worthy measurements of this survey, and the specification afforded by it of the extent of cultivated arable and barren land in each village, now universally form the basis of assessment. The native revenue officers then succeed, and perform their part. Having been furnished by the professional surveyors with a register of the fields composing the cultivated area of the mouza, they record the distribution of the lands, the names of the occupants of each field and the amount of rent paid by them, as stated by the parties concerned. This part of the process, however, being regarded as immaterial to the determination of the revenue, and being chiefly intended as a record of the rights and engagements existing at the time of settlement, is frequently left undone until the collector has decided the amount of the Government demand. The principles upon which it is now understood that the collectors are to proceed are the following. The whole of a pergunnah or other similar territorial tract having been prepared as above, the collector refers to its past fiscal history, to the amount of revenue which has been from time to time imposed upon it, the ease or difficulty with which generally or in particular instances the demand has been realized, the fact of the rarity or frequency of the alienation of landed property, and other circumstances indicative of the general condition of the people; he ascertains, by inspection, the prevailing character of the soil, or the proportions of the various species of land and crops, the facilities which exist for irrigation, and the extent to which it is in use in the pergunnah with the existence or absence of other natural or artificial advantages, and by a consideration of all these circumstances, viewed in connexion, a judicious officer will find little difficulty in determining the proper amount of the *aggregate* assessment which should be imposed on the *entire tract*, under settlement. He next proceeds, with a statement in a convenient tabular form in his hand, exhibiting the entire area of each mouza in the pergunnah, the extent of its arable land, and of that actually under tillage, together with the amount of its present revenue, and of the average rate per acre at which that revenue falls on the whole area, on the whole culturable and the whole cultivated lands respectively, to apportion on each village its quota of the aggregate pergunnah assessment previously fixed by the means already described. Here a principle which is far from being recondite or far-fetched, but which would seem until very recently to have escaped the observation of the revenue officers, (at least as far as its practical application is concerned,) comes with good effect into play. It is obvious that the lands of a pergunnah must for the most part, be similar in soil and circumstances, the rate of assessment should therefore, generally speaking, be *equal*. And if any concurrence of circumstances should certainly indicate what is a *fair* amount of revenue to demand from any particular mouza or mouzas included in such a tract, the revenue, taken from the remaining estates to be *equitable* must approximate to this standard. The equal distribution of the revenue thus becomes a simple process; instances of very heavy or very light assessment can be at once corrected; and those peculiar cases in which variations may be just and necessary, will be not obscurely shewn either by a reference to the average rates of the revenue previously assessed on those particular estates and to the effects which their imposition has produced, or to other facts which intelligent enquiry will discover. Any mouza may be an exception to the general fertility or sterility of the tract of which it forms a part, or the extent of another estate and the rank or position of the proprietor may, perhaps, render its management more expensive:—these and a multitude of other circumstances—which must in each case be specially *shewn* in order to justify a deviation from the prevalent rate of the revenue—will in fairness be allowed to exercise their legitimate influence on its distribution.

The advantages of the system of assessment, of which the above is an imperfect sketch, are manifest. It secures, as certainly as the nature of the case will permit, the equalization of the public burthens; an object which though professedly and really aimed at by Regulation VII of 1822,—as its preamble explicitly sets forth—that law was utterly unfitted to effect. The separate ascertainment and classification of the soils of each mouza and the separate valuation of its produce, which whatever may have been the intention of the enlightened framer of the law was undoubtedly the course which enquiries instituted under its sanction, practically took, were arbitrary and uncertain cases of assessment. And if it at first sight seem more reasonable to judge of the productiveness of an estate by a scrutiny of the records of its past rents, a little further consideration will shew that the probity of the

interested parties is, by such a process, exposed to a severity of temptation which none but an Aristides could resist; and it will appear wonderful that experience was needed to convince us that zemindars or their slaves the putwarries do not scruple habitually to falsify those village records which are to be produced before the collectors. As the equalization which it has been shewn will be effected in the land revenue by the new system under Regulation IX of 1833 does not necessarily involve *moderation* in the *rate*, it being possible that the equality might as well be one of grievous weight as of light pressure, a word or two on this head may be necessary: it is generally known that there is at least one instance, that of Bundlekund, which has taught the Government the wholesome lesson of the disastrous effects of over assessment; other illustrations of the same truth are not unknown to those whom they concern. These bitter yet salutary results of experience, combined with the sentiments of leniency which are understood to influence the fiscal measures of the "powers that be," afford ample security that justice will be done to the country, by the imposition of a revenue moderate, as well as uniform in its pressure, and by the grant of leases of such a duration as will stimulate the possessors of land to improve their properties to the utmost by the hope of a long and undisturbed enjoyment of their enhanced resources.—*Cawnpore Examiner.*

## THE OVERLAND JOURNEY FROM INDIA.

Dr. James Burnes, who was one of the passengers in the *Hugh Lindsay* steamer from Bombay, in letters to his friends, extracts of which are given in a Scotch paper,* has furnished an account of the voyage and journey, from whence we extract some of the most material circumstances.

The steamer sailed on the 1st February, under the command of Captain Wilson with an agreeable party of passengers.† She carried thirteen days' supply of coal; her average sailing was not more than six knots an hour, varying from four and a-half to eight, although the weather was fine. From Cape Fartash, which was descried on the 9th, the steamer skirted the Arabian shore, along a gloomy and thinly-peopled coast. On the 11th she took in a supply of coals at Maculla, a paltry town of dirty hovels, overlooked by barren mountains of great height, and inhabited by 1,000 or 1,500 half naked savages, most of whom were armed with swords, daggers, and shields. On visiting the Shekh or governor and his son, whom they found seated on a mat in the corner of a wretched apartment, during the interview, some negroes among the attendants were offered them for sale by persons in the room.

Owing to rejoicings for the termination of the *Ramazaan*, the coals could not be got on board till the 13th, when the *Hugh Lindsay* weighed anchor, and on the 15th entered the Red Sea, the weather being unusually fine; but the next day her progress was checked by a strong N. W. gale off the desert island Jebel Zyghar, and Captain Wilson put back to Mocha. The decline of this celebrated city, owing chiefly to the imbecile and dissolute character of the Iman of Senna, was marked by the absence of ships from its harbour; an American trader and two Egyptian men-of-war were all that were seen in the roads. The city itself was in the possession of a body of wild Bedouin Arabs, who had seized and sacked it some days before. The streets were a spectacle of desolation, most of the inhabitants having fled to the desert, and nothing being exposed for sale in the bazaars. The rude Arab chief, however, who had established himself as governor, received our countrymen very civilly.

Early on the 18th the steamer resumed her voyage, and continued to propel against a constant gale till the evening of the 22d, when off Jedda, though she could not enter that harbour till next morning, in consequence of the dangerous coral reefs. The streets, markets, and numerous coffee-houses of Jedda were found full of troops,—the head quarters of Ahmet Pacha, the generalissimo of the army of Hedjez destined for the subjugation of Southern Arabia, being then within a few miles of it. The soldiers were armed and disciplined in the French fashion; but were far inferior in every respect to Indian sipahis. There were eight or nine Italian officers with the army; and, strange to say, a St. Simonian Frenchman, who had penetrated into that distant country, with the double purpose of searching for the *mère*, and disseminating its doctrines. In this lately bigotted city, our travellers overtook the Rev. Joseph Wolff, who preached fearlessly with the Bible in his hand, at one of the chief entrances, to a crowd of at least

* The *Montrose Review*.
† See p. 148, As. Intell, &c.

200, composed principally of armed soldiers, who offered him no indignity. The European visitors were most courteously received by Suleiman Aga, the governor: they walked without molestation through the Medina gate, to inspect the tomb of Eve, and the cantonment of the troops; and no objection was made (except by some idle children, who threw a few stones at them) to their re-entering the Mecca gate at sunset, so as to witness the departure of the pilgrims which Mr. B. describes as a most interesting spectacle. That day's caravan (for one leaves Jedda every evening for Mecca) consisted of 200 or 300 camels, which carried the aged and infirm amongst the pilgrims, most of whom, however strode boldly forward, bare-footed and bare-headed. Amongst them were several Persian and Hindostan Mussulmans; and there were some who, from their countenances, must have met at this spot from the confines of China and Tartary, and the west coast of Africa.

On the 25th the *Hugh Lindsay* proceeded on her voyage, and again encountered an almost continual tempest to Cosseir. The decks were constantly wet, and the paddle boxes broken by the force of the sea, which was so heavy, that her speed at one time was reduced to two or three miles an hour. Late on the evening of the 28th, the land of Egypt was visible at a distance, and at 4 o'clock on the 1st of March she anchored at Cosseir; from whence, after landing some passengers for Thebes, she again sailed on the 2d, and run a distance of 260 miles, over smooth water, in about thirty-nine hours. Early on the 3d she entered the Straits of Jubal, and dropped anchor on the morning of the 4th in Suez roads. The *Hugh Lindsay* had now completed her voyage, and though struggling for nearly 1,000 miles amidst the dangers of the Red Sea, against a strong adverse gale and heavy waves, had run 3,242 miles in 31½ days, including stoppages, which amounted to 6½. She is, however, described as a vessel unsuited for long passages; and, in addition to the extra weight of coals, was encumbered with two heavy engines of eighty horse power to a tonnage of little more than 400.

Suez and Cosseir are miserable towns, composed chiefly of clay built houses, and almost entirely dependent on the pilgrims who pass through them for Mecca. The *Cavendish Bentinck*, an English ship, having carried 500 or 600 of these wanderers from the former, a few days before the steamer arrived, it looked particularly desolate. The streets of Cosseir, however, were full of well-dressed Mahomedans of all nations; and the number of vessels in its port showed it to be a place of considerable resort, though it can never be a populous town, as it contains no water except what is sold in the bazaars, and which is brought from the banks of the Nile, 125 miles across the desert. At Suez, the water is so bitter as to be scarcely drinkable. On the 5th of March, the passengers disembarked from the steamer, and after taking a slight repast in a room which had been occupied by Buonaparte, about 2 o'clock commenced their journey across the Isthmus of Suez to Cairo, 75 miles, Captain Wilson and two of the officers of the *Hugh Lindsay* having resolved to accompany them. The caravan consisted of twelve gentlemen mounted on dromedaries, attended by Arab guides, and followed by thirty or forty camels, carrying the water, baggage, tents, and requisite supplies. This journey was accomplished in four days, and was attended with few of the usual discomforts, as the party had furnished themselves with most of the comforts and even luxuries of life, in respect to provisions. One had brought London soups and Scotch salmon: another produced a ham and tongues: a third, French *bouille*, champagne, claret, &c. Fowls, mutton, and bread were in profusion; and, in fact, there was an abundance of every thing except water, which some of the party had neglected to bring in bottles from Bombay, and a quart of which was considered more valuable than wine before the journey was over. On the 8th they met the poor Dey of Algiers, who with his harem and attendants was proceeding to Mecca; and by 1 o'clock they entered one of the stupendous Saracen gates of Cairo, having in the course of a short half hour made a transition from a silent wilderness into the heart of a mighty metropolis, swarming with human beings, and filled with interesting objects.

They remained at Cairo five days, inspecting the curiosities in the city and its neighbourhood, and were presented to the Pacha, who though the war in Yemen appeared to be his favourite topic, declared his intention of making a rail-road across the isthmus of Suez, for which purpose English engineers are already engaged in surveys. On the 13th Dr. Burnes and some of the party embarked at Boulac, on the Nile, entered the Mehmoudieh canal, and arrived at Alexandria, which on the 20th he left, with the Rev. Mr. Wolff, for Malta, where they arrived on the 4th April, and were shut up in the Lazaretto for twenty days.

The following details which have been transmitted to us by another of the travellers, will be useful to those who contemplate the overland journey.

Required by a party of three travellers (the most convenient number), proceeding from India to Europe *viâ* Cossier, Thebes, and Alexandria, for the Egyptian part of the journey.

*Spanish Dollars.*—Four hundred and fifty, of which about eighty each may be, exclusive of interpreter's pay, considered ample for the Egyptian part of the trip to Europe; the rest of travellers' funds by letter of credit on London or good bills on ditto. In Egypt the exchange on London is in traveller's favour generally.

*Interpreter.*—One to act also as servant; and, as much of their future comfort in Egypt depends on him, the party cannot be too particular in selecting a proper and well qualified person; usual pay of such a person from 300 to 500 rupees.

*Tea.*—Three months' supply (or more than may be calculated on as necessary), as it should run short it cannot be replaced.

*Sugar.*—One month's.

*Coffee.*—To be laid in at Mocha, or any other port in the Red Sea.

*Sherry or Madeira.*—Two dozen; each bottle of this and other liquors to be separately packet in straw or coir.

*Brandy.*—Two dozen; a most acceptable present to camel and boat-men.

*Water in bottles.*—Two dozen, well packed.

*Water in kegs.*—A couple of small kegs for servants and cooking, which are to be well-looked after, to prevent camel-men from helping themselves.

*Hermetically sealed Bouillé or Ox-tail Soup.*—One dozen canisters; this is the best, most portable, and quickest prepared food for the desert. Two canisters with bread form an abundant meal for three persons, and almost supersede the necessity of any other food.

*Table Salt, Pepper, Mustard, &c.*—Enough for one month.

*Candels.*—The same.

*Canteen.*—A small one, containing all requisite apparatus for breakfast and dinner-table, and which ought to be chiefly of pewter or other metal.

*Lantern or Cabin Lamp, with oil burners.*—One.

*Powder and Shot.*—The former a welcome present to Arabs; occasional shooting on the Nile, particularly of pigeons, which are good eating.

*Rope.*—Enough to secure baggage on camels.

*Cooking Utensils.*—A small assortment, including kettle, pestle and mortar, &c.

*Camp Table.*—One.

*Camp Chairs.*—Three.

With nails, hammers, gimlet, twine, sail-makers' needle, brass or pewter basin and ewer, flint and steel.

Besides the above in common, each traveller should provide himself with pistols, umbrella, green gauze veil or goggles to ward off the heat and glare, plenty of warm-clothing, including blankets and cloak, a Mirzapoor rug or carpet, about three dozen shirts, with corresponding stock of stockings, towels, soap, &c. and bedding, which with his sea cot placed on a pair of trunks at night, will serve him to sleep on; or still better a common stout but narrow charpoy or camp bed, well clamped with iron at the corners, and with posts and thick curtains will supercede the necessity of any tent in the desert, and will also be useful on the Nile, more particularly if provided with musquito curtains.

A tent is not necessary, as it is never required, at least from November to March, except at night, when as there is no chance of rain, it may well be dispensed with; and at any rate, the agent at Cosseir will supply one for a trifling gratuity.

Before starting from Cosseir, a sufficient supply of bread, butter, eggs, charcoal and fire-wood for four days ought to be laid in, and a milch goat (with a cradle to place it on the camel,) with food for it, will also be a very grateful addition to the travellers' comforts. Previous to leaving Cosseir, or rather India, one box ought to be exclusively set apart for the four days' consumption of such liquors and other supplies as may be required in the desert; for unless things are easily come at, fatigue and want of attendants will prevent their being at all available. This and a similar caution in regard to clothes and dressing apparatus will greatly tend to lessen the inconveniences of travelling across the desert.

In regard to the mode of conveyance across, decidedly the easiest is sitting on the cot mattrass, placed over a pair of bullock trunks, on the back of a camel, which may be varied occasionally by riding a donkey.

With exception of the first day, when it is usual to start about noon or shortly after, in order to make a short march to the *Beer Inglez* or English well, the best plan is to get up about day-break, and after taking a cup of tea or coffee, while the camels are loading, move on till a well (of which there are four with brackish water in the desert,) or a rock for shelter from the sun, is met

with towards mid-day: when about an hour's halt is made to breakfast and refresh men and cattle; then mount and proceed again till sun-set, when arrangements are made for dinner and passing the night, at which making the camel-men keep alternate watch and fire off occasional shots to deter thieves are not the least requisite. In this way the desert may be passed with but slight fatigue in about forty-four hours' actual travelling.

Although Thebes is about equi-distant with Kenne (or Ghenneh) from Cosseir, it is most advisable to proceed, in the first instance, to the latter place, where alone arrangements can be made for future progress. At Kenne a kanja or boat for proceeding up to Thebes and thence to Cairo, ought to be hired for from 400 to 600 piastres: but it is exceedingly difficult to procure that or any thing else for less than double the proper price, more particularly if any impatience to get on is betrayed. The boat before starting ought to be sunk, and that completely under water for several hours, to kill vermin, and the travellers should superintend this operation themselves, as also smoking her well afterwards, for with every precaution, it is scarcely possible to prevent annoyance from bugs and other vermin. At Kenne, foul linen can be washed, and a day of the time which will be taken up by these arrangements, may be occupied in viewing the magnificent ruins of Dendera, which are about an hour's ride on donkeys from the opposite side of the Nile.

The Spanish dollar is worth from 15 to 18 piastres in Egypt. The hire of a camel for the trip from Cosseir to Kenne, from 8 to 12 piastres and in abundance, though probably, on first landing, the authorities will intimate that there is not one procurable.

On reaching the banks of the Nile, supplies of milk, butter, eggs, fowls, &c. will be found in profusion, and the water of the Nile is considered perhaps the finest in the world. At Cairo there is a tolerable hotel, kept by an Italian, with whom a previous bargain must be made. About a dollar and a-half *per diem* for bed and board we paid a-head.

It is unnecessary to enlarge on the rest of the Egyptian part of the expedition, as the trip from Cairo to Alexandria down the Nile to the canal (where a change of boats is necessary,) cannot be attended with any difficulty.

At Alexandria opportunities of proceeding to Malta or Marseilles are almost of daily occurrence. From personal experience, the traveller is recommended to select the former to perform his twenty days' quarantine in, as the accommodations afforded at the Lazaretto there are excellent, and a well-supplied table from Beverly's, at a moderate charge, with the perusal of English papers and new publications. Also rowing about in the harbour will make the first half of the time pass off merrily enough, while it must be acknowledged that the latter part would be found exceedingly irksome. Some of these weary hours were passed in drawing up what is now offered for publication in the *Asiatic Journal*, and which it is hoped may prove acceptable to such of the writer's fellow exiles as may contemplate following his track.

In conclusion, it may be stated, from Malta he proceeded through Sicily to Naples, thence to Rôme, Florence, Milan, across the magnificent road of the Splujen to Zurich, down the Rhine to Rotterdan and London.

The Italian part of the trip was performed in the best and most expensive mode; that is, the party of three purchased a carriage at Naples and posted to Zurich, where they parted with the carriage. From Zurich they went by the Diligence to Carlsrube, near to which they embarked on the Rhine, and finished the rest of the journey to London on steamers.

The whole expense of this journey to London from Bombay, including Rs. 1,200 passage-money on the *Hugh Lindsay*, cost each traveller about three hundred pound sterling.

M.

*Madras Herald.*]

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# TOWNS OF INDIA—SAHARUNPORE.

There's twa Wullee Wulisons,
And twa Jamie Jamiesons
And twa long lugged Sows
In the Lang toon o' Kircaldee.

In general we know as much about the towns of the country we live in as the above grotesque description gives us of my ain gude brose eating town of Kircaldy. I propose then to commence a series of short statistical accounts of such towns as in my peregrinations I have visited, and for which I hope you will be able occasionally to afford me a little space in your journal.

I begin my lucubrations with the first town of any consequence at the head of the Dooab, a country well known as situated at the bottom of the lower range of Sewalic hills, between the rivers Ganges and Jumna to their junction at Allahabad, and known to

most natives under the term of Meean Dooab. The town of Saharunpore (often within 20 miles of its suburbs round the shuhur) gives name to a very extensive and populous district formerly possessed by Tuleeta Khan and Gholaum Khadur, (the *neemukh harum*), but I will not trouble your readers with a disquisition on matters irrelevant to the subject I have taken in hand, but proceed immediately to the description of the town which is situated on the west bank of the Pondhoo *nudee*, one of the numerous streams which take their rise from the bottom of the hills. The Pondhoo joins the Dumola nudee a little below the town; this stream is also a mere hill torrent, and flows into the Hindun river about 8 miles farther south, a little below the bridge built over the Hindun on the Meeruth road. The town originally appears to have been a long, narrow street from which others have diverged as the place increased in size; the principal shops are in this street, and from its extreme narrowness and filthy state, particularly after a little rain, a residence in it must be any thing but agreeable. I have been through the whole of Delhi and Benares, but for filth and heat have seen nothing to equal this. The principal streets, narrow as they are, have a gutter or common sewer in the middle, which not being properly drained off fills up the whole street in rainy weather, and some of the streets are in the rains impassable except for an elephant. The population of the town and suburbs may be estimated at 25,000 souls, or by way of making a comparison a little less than Paneeput; the inhabitants are propably half of them Mussulmans and half Hindoos. The principal suburb is on the east bank of the Pondhoo called Kuthill Gunge, the communication is over a small bridge in bad repair; at this bridge there is a hot bath establishment where English gentlemen sometimes resort; a little farther on to the east we pass the Botanical Garden and come to Nuwab Gunge or the Suraee. The Nuwaub Ahmud Khan resides here, but in small state and his Nuwaubship is merely assumed; beyond this we come to the fort which has been put into a tolerable state of defence by the Government, sufficient to have resisted any inroad of the Goorkhas in former times when they were in possession of Dehra Dhoon. The fort is called Kumue Bahadoor ka Gurhee, and it was a principal residence of Zalata Khan's family, at present it is used as Jail. The most interesting addition to the town since the British rule is the flourishing and active little bazar called Moore Gunge, established by Mr. Moore the collector, whose name is likely to be handed down to posterity in this unassuming place. Here are neither pucka walls or Corinthian pillars, and yet we see it daily covered and the street filled with merchandize quite a triumph over your famous Delhi Gunge, a lesson to some of our great men, that trade in this country can only flourish when it is left to itself unhampered by restrictions, which though they appear trival to Europeans yet effectually debar timid natives from entering into it with energy.

The trade of Saharunpore is considerable in comparison to other towns of its size. The hill states send down vast quantities of musalus, which are so much used all over India, and take back grain and sugar. Refined sugar is better and cheaper at Saharunpore than at any other city I know up here, which I attribute to the plentiful and fresh supplies of the vegetable used in refining, which is produced in great quantities in the Pondhoo nudee and is called jungar by natives.

Coarse and fine cloth is made in great abundance, and that kind of cotton cloth called *khasc* is of the best description, and the manufacture of Saharunpore well known all over these parts. There are also a number of dyers and chintz-makers, blacksmiths and carpenters under their several branches, superior to what we generally find in this country.

Previous to the Goorkha war a considerable force was stationed here. Saharunpore was formerly remarkably healthy and reckoned the Montpelier of India, but about 10 years ago it began to get unhealthy, and the insalubrity of the climate, particularly west of the Pondhoo, has continued to increase so fearfully that the situation the inhabitants find themselves in, has at length roused them to action. The Pondhoo nudee is filled with vegetable productions of the most rank kind, and frequently during the rains it overflows its banks, bearing deposits of vegetable and other matter to produce malaria in a more extensive degree. To this cause, and the filthy state of the streets and suburbs no doubt the Saharunporeans owe the present state of the climate in their own immediate neighbourhood.

I was told by a gentleman, capable of giving the best information, that the Regiments stationed here subscribed a sum of money to clean out the Pondhoo nudee twice a year. Some corps omitting this precaution, the unhealthiness first appeared among the troops, and they got so sickly that the cantonment was removed to the east of the Dumola nudee, where the civil station now

flourishes, and which is tolerably healthy. The civil station communicates with the town over a very fine bridge on the Dumola nudee, a little below where it is joined by the Pondhoo. Many of the inhabitants lay the blame of this sickness on the canal, the ramifications of which extend on both sides of the town; but this is certainly not the case, the sickness commenced many years before the canal was opened, and no other place has been similarly affected by the canal.

The inhabitants being much alarmed at the state of the city from sickness, every family having suffered severely, a meeting was lately held, and about 2,000 rupees were at once subscribed for the purposes of effecting a general cleansing of the Augean stable. This object has no doubt been brought about by the worthy Magistrate, who has always evinced a wish to put matters to right, but it was only at this present time that the Saharunporeans could be made to feel the necessity of their stirring to save themselves; and now it is hoped the city will soon be relieved from the causes which have so powerfully operated to produce such an extent of desolation from disease as has lately been suffered; but moreover we have here the first germ of public hustings in this country got up by its native inhabitants spontaneously, for the general good and welfare, and I hope the hint may be improved upon elsewhere. I am told the public spirit exhibited by all classes on the occasion was quite refreshing. The Saharunporeans are good subjects, apparently much attached to Government, and on the best of terms with the civil authorities, who exert themselves in every way to conciliate them.

The low lands are all rent free excepting about 20 beegahs, and on some pretence in former times a land revenue of 900 rupees was imposed, it is said, for these 20 beegahs, and which continues to be exacted and paid; and if this is the case, the Government it is to be hoped will come forward and assist in the laudable endeavour of the inhabitants to improve the state of the town and its vicinage.—*Delhi Gazette.*

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## THE CONSERVANCY OF CALCUTTA.

*To the Owners and Occupiers of Premises in Calcutta.*

Gentlemen,—It is now some months since I addressed to you two letters on the subject of the Conservancy of Calcutta, and proposing to you the establishment of a Committee as an experiment in one division of the Town to watch over these affairs. Such of you as take any interest in such matters at all know that no Committee has yet been formed, and some perhaps wonder why it is so, and one or two of you connected with the public press, boldly accuse me of having abandoned the plan.

Gentlemen, I have not abandoned the plan, and am as ready now to foster the slightest appearance of zeal in the cause as ever I was.

Let me recall to your recollection the manner which this scheme was received; two of the daily papers were against it, one had but cold approval for it, and a fourth supported it. Amongst my acquaintances most men said "the plan is very good, but you will never get the people to take the necessary trouble;" others wholly disapproved of it; and amongst the public in general there was not one man to come forward and say "I will lend my best support to this plan, I exhort you to go on." The Grand Jury would not notice it, and I sent circulars to a number of people, taking the names at random from the Assessment Books, not one-half of which were ever answered.

The plan you will recollect is based upon the supposition that the inhabitants would willingly come forward to support it,—does the above narrative shew any such willingness?—Gentlemen, I believe that if I had got a few friends to call for a public meeting to enter upon and settle the plan, it would have been a complete failure. In doing so I should effectually *have abandoned* the plan.

I am thoroughly persuaded that the Town never will receive the improvements which it requires, till the great mass of the inhabitants are brought by degrees to understand that it is their Town, and that the inconveniences and annoyances which vex them, if beyond the reach of the means and funds at present authorized, are things which it is their own affair to remedy or let alone. The interference of Government to compel the people to provide funds for the execution of improvements which they are indifferent about, is in my judgment unwarrantable.

It is on this ground that I am anxious to witness an interest in these affairs; it and it only will lead to the formation of Committees. Neither the terror of law nor the persuasions of Magistrates will ever do so.

In the conclusion of my last letter to you I said, municipal reforms of this nature to be effectual, must be demanded by the people.

I certaioly have not found any such demand. If I have looked for it in the wrong quarter, or failed to take the proper means to develop it, I am open to correction, and as ready now as ever to answer the call of any considerable body of persons who may wish well to it.

In regard to the division chosen for the experiment, I may I think say that Government will willingly grant authority for selecting the one that shews the greatest desire to carry the arrangement into effect.

It is, however, my deliberate conviction, that no sufficient interest will ever be excited in the question till Government shall so arrange the funds applicable to Police purposes, that the inhabitants may know distinctly what is the utmost amount of assistance they can expect from Government. This point being fixed, they should be left to tax themselves for every thing else required to be done, or if they are willing to submit, Government may tax them and do the work for them.

Gentlemen, I think this a favourable opportunity for calling your attention to an Act of Parliament in operation in Ireland.* It lays down a complete code of procedure to be followed in those rising Towns which the prosperity of the British Islands brings from time to time into existence; and I confess I should be glad to see the law enacted here, with modifications suited to local circumstances: when once placed upon our book of statutes, it would remain for any of the divisions of this large Town, or all of them, to apply for and put the law in operation; commencing probably with the execution through this process of some special improvement the inhabitants might desire to effect, such as the construction of same great main sewer, of foot pavements, of improved lighting and watering, and ending, if the institution worked well, in the entire management of all the executive arrangements of their division, including, of course, the present assessment of 5 per cent.

The act is necessarily long, and I can only give the heads succinctly, avoiding the details which are extremely full and complete.

In any City or Town the lighting, watching, cleansing, or paving of which is not provided for, 21 householders, each occupying a house of the annual value of £20 or more, may apply to the Lord Lieutenant to require the Mayor or two Justices to call a meeting of the inhabitants.

At such meeting every inhabitant assessed by the Vestry on a house of the yearly value of £5 and upwards, is entitled to vote. If in arrear they shall not vote.

Such meeting, presided at by the Mayor or Justices, shall decide by a plurality of votes, whether the act shall be put in force for the purpose of raising a rate for all or any of the above purposes.

The question being once settled in the negative by any such vote, shall not be raised again for three years—after three years the same process may be again gone through.

If the raising of a rate for all or any of the above purposes is resolved upon by the meeting, they are to elect Commissioners to carry into effect the subsidiary details. The Commissioners to vacate their office after three years, and to be capable of re-election.

Persons occupying premises of a less amount value than £5 not liable to rates or competent to vote.

Tickets of Registration to be granted.

Commissioners to meet at a given place on the first Monday of every month, any householder may appear at such meeting and prefer any matter of complaint he may think proper concerning any thing connected with the act.

Commissioners to appoint officers during pleasure, and keep books of proceedings, to frame estimates of yearly expense, and impose rates according to a scale, the highest a shilling in the pound, except an extraordinary assessment be agreed upon at an extraordinary general meeting.

Then follow detailed Conservancy rules to be put in force by Commissioners.

Annexed is a view of the receipts and expenditure of the Calcutta House Tax during the year 1833-34.—I have the honor, &c.

D. McFARLAN, *Chief Magistrate.*

Calcutta, Police Office, 15th Nov., 1834.

P. S. In the above report I have inadvertently omitted to notice the service rendered by Baboo Dwarkenauth Takoor in this matter. With much zeal and liberality he caused a Bengallee version of the original proposals to be prepared and circulated.

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CALCUTTA POLICE.

*Expenditure & Receipt in the Assessment Department,* FOR 1833-34.

| | | | |
|---|---|---|---|
| Establishment of Police Thannadars, Burkundazes and others.... Sa. Rs. | 1,45,652 | 2 | 7 |
| Materials for repairing Roads..... | 16,267 | 2 | 3 |
| Labor in ditto ditto..... | 12,184 | 0 | 5 |
| Repairing Cross Bridges, &c..... | 10,667 | 1 | 0 |
| Sundry charges, including Thannah Rent, new Carts, Rollers, repairs of Buildings, Office charges, &c. &c... | 12,245 | 11 | 2 |
| Labor in cleansing the Town..... | 66,748 | 12 | 11 |
| Feeding Bullocks for cleansing, &c. .. | 6,206 | 2 | 5 |
| Sa. Rs. | 2,69,971 | 0 | 9 |
| Net collections of Assessment..Sa. Rs. | 1,95,799 | 10 | 9 |
| Excess paid by Government...Sa. Rs. | 74,171 | 6 | 0 |

* 9 Geo. IV. Cap. LXXXII.

# THE COORG CAMPAIGN.

TO THE EDITOR OF THE MADRAS MALE ASYLUM HERALD.

Sir,—In forwarding to you the accompanying "sketch of the operations of the western auxiliary column Coorg field force" at so late a period, it becomes necessary to state the reasons which have delayed it till now.

In G. O. G. G. 17th May, 1834, the Right Honorable the Governor-General having notified that "the conduct of Lieutenant-Colonel Jackson in command of the north-western column being under investigation, His Lordship refrains from making any remarks on the operations of that part of the force," the publication of any statement of these operations during such investigation would have been improper; but as in General Orders by His Excellency the Commander-in-Chief, dated 9th September, it is notified that the Governor-General "has much pleasure in publishing his concurrence in the opinion expressed by the committee which sat to investigate the conduct of that officer" (which opinion was entirely in Colonel Jackson's favour)—the bar to the publication of any detail of the operations of that column is now removed. Should therefore the accompanying sketch be still deemed of sufficient interest, might I request you will be good enough to give it a place in your valuable columns, as from it I hope will be seen that the "western auxiliary column" did its duty, and though not favoured with praise, is at least not undeserving of it.

I remain, Mr. Editor,

Your obedient servant,

ONE OF THE W. A. C. C. F. F.

*October* 10, 1834.

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*Sketch of the operations of the western auxiliary column of the Coorg field force, under the command of Lieutenant-Colonel* GEORGE JACKSON.

The W. A. C. of the Coorg field force, consisting of 150 men of H. M. 48th regiment and the head-quarters of the 40th regiment N. I. 400 strong, having been ordered to be formed at Coomlah, these parties marched respectively from Cannanore and Mangalore so as to reach that place on the 24th of March last, where they united, and Lieutenant-Colonel George Jackson assumed the command, Captain M'Cleverty, H. M. 48th regiment, being Brigade-Major.

Bullocks not being employed in Canara as carriage, and there not being time to procure them from the Mysore country, and every endeavour to obtain them either through the civil authorities in Canara or the Commissariat at Cannanore having failed, the officers of the 40th regiment were obliged, with the exception of a very few bullocks purchased in the lines of the regiment, to employ bearers and coolies at great expense to carry their tents and baggage, which was reduced as much as possible.

The column halted at Coomlah from the 25th to the 28th of March, during which time the Commissariat, which was also obliged to employ coolies to a great extent instead of bullocks, procured grain, &c.; and every endeavour was made to establish camp bazaars independent of the Commissariat that the latter might be enabled to carry on their supplies of grain untouched for as great a length of time as possible. This through the assistance of Mr. Maltby, Assistant Collector, who was at Coomlah to superintend the arrangement of the supplies, and who spared no personal trouble, was accomplished by a native undertaking to supply the camp with the common necessaries of life. While halted at Coomlah 1 jemadar, 2 havildars, 2 naiques, 1 bugler and 34 privates, instead of 50 as ordered, joined the force.

On the 29th of March the column moved right in front at 3 A. M. without drums or other signals that the enemy, who were known to be at a fortified place called Bailacottah about six miles distance, might not be aware of our march towards them; the light company of the 40th under Captain Rawlins in advance, followed by the Sappers and Miners and the column, the detachment of H. M. 48th leading, followed by the 40th regiment—the quarter guards of both forming the rear guard. The road from Coomlah is over very rocky ground, in most places rough but in many completely broken into deep steps, causing much impediment to the advance of the column. About day-light a piquet of the enemy was seen under a large

tree, of whom three or four were taken prisoners but no firing took place. After advancing further along a very indifferent road for about 1½ miles Bailacottah became visible, when a body of the enemy under a leader on horseback who seemed to have come out to reconnoitre our motions, were seen retiring towards it. The fortifications consisted of a stone wall breast high on the crest of a rocky hill, with a gate in the middle; the left of the wall joined a precipitous hill which was unassailable, and the right rested on another rocky hill which could be ascended, but from its steepness and roughness with difficulty; the road leading up to the gate was in a hollow betwixt these two flanking hills; in the rear of this wall at some distance, but concealed by jungle, was a stockade with a gate in the centre; its left resting on a rocky and wooded ridge and its right extending towards a ravine running into the jungle.

The stone-wall above-mentioned was lined with armed men and the column prepared for the attack. Captain Campbell and Lieutenant Smith with a party of H. M. 48th regiment and two companies of the 40th under Captain Noble and Lieutenant Cannan moved into the hollow to force the gate in the centre of the wall, while the remainder of the force under Colonel Jackson closed up and mounted the face of the rocky hill to the right of the wall to turn the enemy's right flank. So soon as the enemy perceived the head of the column outflanking them, they called a parley, on which the column paused, when that part of the enemy, to the right of the gate, moved off to their right and rear towards the front of our column as if they intended to give in and join our party, they moved on and were closely followed by the column. The party with Captain Campbell, seeing the right flank turned, charged the gate when those having the left of the wall ran, part of them across towards the head of the column to join those already there, and under the same impression that the former party had given in, they were allowed to do so without molestation, while the rest retreated through the jungle betwixt the wall and the stockade. Captain Campbell's party then moved on towards the stockade by the direct road, while the column followed the body of the enemy through a very deep and dense jungle towards the same point. As soon as the enemy had reached the stockade itself at Bailacottah, they suddenly opened a fire on our front and right flank, which from being fixed too high did no damage; the column returned the fire and immediately advanced when the stockade was taken possession of, the Coorgs flying with precipitation into the ravines and fastnesses where they could not be followed, leaving the ground strewed with arms, accoutrements and rice.

Lieutenant Smith who was with Captain Cambell's party which arrived first at the stockade, had at its entrance a personal encounter with one of the Coorg sirdars, which ended in the former giving the latter a severe sword cut in the neck.

The column halted for some time about a couple of hundred yards beyond the stockade, to reconnoitre in front, and to give time to destroy sufficient of the stockade to let the elephants with the European tents pass, and for the baggage to be got into order again as the bearers and coolies had thrown down their loads on the firing commencing, but were prevented from making their escape by the nature of the country and the rear guard.

The column moved on about three miles further through a very difficult and hilly road, the country affording many favorable points for the enemy to occupy for the purpose of stopping our progress, but which they neglected to do. We encamped on a table land in an excellent position, being free from jungle and having no hills near enough to cause trouble, although the enemy might have given us some at the watering place. This day's march was reckoned by the route furnished to be 9 miles, 2 furlongs and 110 yards beyond Coomlah but appeared considerably more.

The column halted on the 30th and 31st of March for the purpose of completing our bazaars, &c. when the fatal mistake of having bearers and coolies for the baggage began to manifest itself by their desertion in considerable numbers, causing much anxiety regarding our future progress and consequent success. The Mangalore bearers and coolies in particular deserted, and their places were supplied by others from Coomlah, who in like manner took the first opportunity of slipping away. On the morning of the 31st, Captain Noble, 40th regiment, and Captain McCleverty, Brigade-Major, proceeded in advance to reconnoitre, accompanied by the light company of the 40th under Captain Rawlins, the information received and the route furnished not agreeing with the real face of the country. They brought back information of the road being clear of obstacles for about seven miles, where there was a stockade on

the top of a high hill which was abandoned.

On the 1st of April the column moved off right in front at 4 P. M. preceded one hour previously by the Sappers and Miners and 50 rank and file of the 40th regiment under Captain Noble for the purpose of destroying the abandoned stockade. No opposition was made to the advance of this day, but the road was steep and rugged in many places. The encamping ground at a place called Rourika, about $5\frac{1}{2}$ miles from the last ground, was a small confined spot completely commanded by jungly hills. The detachment of H.M. 48th was encamped to the front and right of the 40th on ground separated from the latter by a deep ditch and acclivity; this was unavoidable as no other place of encampment could be found within several miles. About $\frac{3}{4}$ of a mile in advance of this ground was the above mentioned stockade, well situated on a high hill; it was composed of trunks of trees from 10 to 14 feet high, placed upright in the ground close to each other, merely leaving small loop holes to fire through, the whole being bound to and fastened with stakes behind. It was a formidable defence, but could have been turned though not without considerable loss on the part of the assailants; the gateway and a space sufficient for the passage of the elephants were cut down by the Sappers and Miners.

On this day several of the inhabitants of the country made their appearance in apparently a pacific manner, but no indication of inhabitants in general. Every protection was given to their houses and fields near our encamping ground to shew to them that we wished not to treat them as enemies.

Ensign Johnstone, 51st regiment N. I, arrived at this encamping ground to act as Quarter Master to the 40th regiment in the room of Lieutenant Cannan, who had left for the purpose of proceeding to Europe on sick certificate.

2d April.—The column moved of right in front at 4 A. M. through a most difficult road, being a succession of ascents and descents and over hills in general jungly but near the road in many places densely so and intersected with ravines. About $3\frac{1}{2}$ miles beyond the stockade above mentioned is a small rocky table land surrounded by hills, beyond which for about two miles is a deep pass lined on each side with dense jungle, through which and along the edge of the hills the road winds, exposing those upon it to cross fires in many places; and about one mile beyond this pass is a flat piece of ground, with a stone and mud wall across the centre of it, having an opening in the middle; deep ravines covered with jungle flank the whole of this flat ground.

The column moved on about four miles further through a country comparatively open, to a piece of encamping ground near a place called Eshwarmungul or Mudanoor, which was surrounded by hills, but the jungle on them was generally low; water was only procurable at one spot, and would have required a covering party if the enemy had taken advantage of their ground. The column was not molested during this march, although the country afforded many excellent positions for offensive operations.

At this encamping ground the potail of the village of Padampollie, about three miles to our left and rear, which is in the extreme confines of the Company's territory, came into camp. At this place also the first information was received of a formidable stockade about five miles in our front on the road we were to move by, and that a reinforcement had joined it the day before from Upper Coorg.

During the last two days constant desertions took place amongst the bearers and coolies, causing much inconvenience, a very few bullocks had in the meantime been procured from amongst those which had brought up bazaar articles.

3d April.—A party under the command of Captain Noble, 40th, consisting of 40 men of H. M. 48th regiment with Lieutenant Smith, the grenadier company of the 40th regiment completed to 80 men and 40 men of the light company, accompanied by Brigade Major M'Clevrty, and Ensign Johnstone, 51st regiment as Interpreter, left camp about 6 A. M. to reconnoitre the road and stockade at Kolathugay, said to be in front, while a detail of H. M. 48th and the other half of the light company of the 40th proceeded on a road to our right for a similar purpose. The latter returned in about two hours; but about 10 A. M. a heavy firing was heard in front in the direction of the former party. A detail of H. M. 48th under Captain Campbell, with Lieutenant Tidy, and a company of the 40th under Ensign Latour were ordered off to favour their retreat as the firing obviously was approaching the camp, while a small party of the 40th, under Captain Wright of that corps was ordered to follow and take up a position as a reserve for the whole to fall back upon. By degrees several wounded men made their

appearance and then the original party quite exhausted and considerably reduced in numbers.

The reconnoitring party had advanced to about 100 yards of the stockade when it halted, being under cover from any fire which might be opened from it, while the reconnoitring officers went forward to a tree about 30 or 40 paces from the stockade when a full view of the gate was afforded. The stockade was found to be of the most formidable description, and in the opinion of those who saw it, it would have been scarcely possible to have taken it with a force so small and armed as the W. A. C.; the road up to it was lined on both sides with dense jungle, along which the party had been allowed to proceed unmolested till the object of reconnoitring being accomplished, it was faced about for the purpose of returning to camp, when a heavy discharge of fire-arms from an invisible foe took place, which killed several of the European soldiers at once, Ensign Johnstone was twice wounded and then cut down. The party moved on steadily towards the camp, engaged hotly on both flanks and rear until they were met by the supporting party under Captain Campbell which, allowing the reconnoitring party to pass to their rear, advanced to the top of a rising ground over which the road led, when they found a body of the enemy exposed on the other side, following up the returning party, but ignorant of the approach of the advancing one, which poured a volley amongst them, doing considerable execution and driving them back for a time. Captain Campbell's party then retired towards the camp warmly engaged with the enemy, till they came within about a mile of the camp, where the road passed along the edge of a narrow strip of a cultivated ground, which was bounded on the opposite side by a high hill covered with thick jungle at the bottom but thinner towards the top, a high hill with thin jungle skirted the other side of the road, and a low isolated hill closed in the cultivated ground towards the camp, allowing a passage on either side but commanding both. The Coorgs pushed along the thick jungle on the opposite side of the fields apparently with the view of either getting possession of the low hill, which completely enfiladed the road Captain Campbell's party were marching by, or of pushing through the opening round it and intercepting that party which was still fired upon from the rear and right flank; but the hill had previously been occupied by Captain Wright with a part of the reserve, while the remainder of it flanked the opening at the bottom of it towards which the Coorgs were pushing. This occupation of the hill was no sooner observed by the enemy than they withdrew from the jungly bottom of the hill beyond the fields and part ascended to line its top. This relieved the retiring party which proceeded into camp, and the Coorgs after exchanging shots with the party of the reserve on the top of the hill ceased their exertions, and the reserve was shortly afterwards withdrawn by orders from camp.

The number of killed and wounded on this occasion was—

Killed, H. M. 48th regiment 1 sergeant and 8 privates; wounded, 1 lieutenant and 7 privates—total 17. Killed 40th regiment N. I., 1 ensign, 2 havildars, 1 naique, 1 bugler, and 16 privates; wounded, 1 havildar and 28 privates, total 50.—Grand total 67.

During the day arrangements were made for the safety of the camp, in case of an attack at night, by bringing the stores, commissariat supplies and sick into the centre, and the Sappers and Miners were employed making litters of jungle wood for the conveyance of the wounded, the 40th regiment having only 10 doolies, while there were 29 wounded to be conveyed. Towards evening it was found that 77 coolies belonging to the commissariat department had deserted (21 having done so the day before) and out of 55 dooly bearers furnished to the 40th regiment only 17 remained, and these were Madras bearers, chiefly procured from the detachments of the 2d regiment on relieving those of the 40th, the rest, Mangalore men, having fled; the whole of the bazaar-men who supplied the bazaars of the camp also deserted, thereby completely paralyzing the operations of the column, for although even the stockade in front had been forced, which with guns could have been done, or even without guns might have perhaps been so with the sacrifice of a great part of the men, yet the impossibility, with the now crippled means, of bringing up and ensuring a supply of provisions or of carrying off our wounded who would be materially increased as we advanced, would alone have prevented any attempt to push further into such a country; the information afforded regarding which was found so incorrect, while the column was not strong enough to have advanced and left a sufficient guard to have protected the wounded had they been left in camp. A considerable number of the officers' servants and most of their coolies also deserted this day.

In the evening about sunset an alarm was given that the enemy was advancing, which proved to be a false one, and the requisite arrangements having been made by posting a party of H. M.'s 48th, with a company of the 40th to the right, the same to the front, a company of the 40th to the left, and one to the rear, the whole, with those left in camp, lay on their arms all night.

6th April.—Information having been received that large bodies of the Coorgs had passed during the night to our front on the Coomlah road with the view of attacking us, for which the road betwixt our encamping ground and Bailacottah afforded every opportunity. Colonel Jackson, wishing to avoid further and unnecessary loss of life, moved in the same formation as before, across the country towards Cassergode through a range of lower hills than those further in the interior and which were also comparatively bare of jungle, thereby affording, should the enemy be able to put in upon us, less shelter to, and bringing us more upon a par with them. About four miles from our encamping ground the road was found to be impassable from a nullah which was dammed across for the irrigation of the fields. A detention here of about 1½ hour took place until the Sappers and Miners had cut the dam down to allow the water to decrease sufficiently for the force to pass over; this being accomplished it proceeded and arrived at Cassergode about 6 P. M. The road this day was excessively bad, indeed in several places so much so as not to deserve the name of a road; but with exception of one or two places, the enemy could not have availed himself of the ground, and from these he could have been speedily driven. One of the privates of H. M. 48th who had been wounded on the 5th died on the road and was buried on the arrival at Cassergode.

Thus the W. A. C. C. F. F. made good its retreat, surrounded by the enemy, deserted by its followers, denied assistance by the Company's villagers, and beating the enemy at every point when they attacked it. No men could do more—the patience with which both the Europeans and natives bore the privations to which they were exposed was most praise-worthy, and the kindly feeling which existed betwixt the two was most exemplary. Caste and prejudice seemed to be put aside, and the Europeans and sepoys mingled together as if they were of the same nation and same regiment, mutually regretting that they had not an opportunity of meeting their enemy on fair ground where they might avenge the murder of their wounded comrades.

7th April.—Halted to re-organize the force by procuring fresh carriage, &c. The wounded of H. M. 48th were sent by sea to Cannanore and those of the 40th to Mangalore; the greater part of the medicines and all the surgical instruments having been lost on the 5th by the desertion of the coolies, &c. This evening the flag of truce from the Coorg Rajah made its appearance in the camp, instead of reaching it on the 4th, which it might have done, and thereby saved the necessity of the force retiring further than Padampollie.

8th April.—Halted at Cassergode. 9th April.—Marched to Coomlah where the force was ordered to halt till further orders. On the 11th fever began to shew itself amongst the detachment of H. M. 48th, which on the 12th had increased to such a height that 22 men went into hospital.

On the 22d April the Sappers and Miners marched for Bellarypett to join the 9th regiment Native Infantry under Lieutenant-Colonel James which had come down the ghauts from Upper Coorg, and on the 28th, in conformity with orders received, the W. A. C. C. F. Force was broken up and the detachment H. M. 48th marched to Cannanore and the 40th regiment to Mangalore; the former giving the latter three cheers on parting in token of the good feeling which had throughout existed betwixt them, thus completing the service of that column in the Coorg campaign, which though only denominated an auxiliary column and the last warned for service, (the first information received by the 40th regiment being only on the 9th of March, while it had to recall detachments from the distance of 180 miles), yet was the first and the last in action, having commenced its operations on the 29th of March, three days previous to any of the other columns, which enabled a most disproportionate force to be concentrated to oppose them. This force from information since received, of the correctness of which there is no reason to doubt, amounted to upwards of 300 Coorgs, regular fighting men, from above the ghauts under the command of a Dewan, father-in-law of the Rajah, upwards of 1,000 Shoolia Coorgs, the best soldiers below the ghauts, and 1,400 armed inhabitants of Lower Coorg, all of whom were trained to the use of arms, being obliged to serve as feudal militia, a force strong

enough in such a country to have annihilated so small an invading column.

The mere withdrawal of the 300 men from Upper Coorg and preventing the Shooliah men from proceeding above the ghauts by giving them sufficient employment below was of use, as it relieved the columns in that direction of that number of opponents; and had the W. C. C. been furnished with guns, there cannot be the least doubt but it would also have performed the part laid down for it as well as the others, the moral effect of guns being such on the inhabitants of Coorg that before marching from Coomlah it was understood to be the common talk of the Coorg people, that if the W. C. C brought guns they would not fight, but that if it did not, they would, and the same was repeated during the march by such inhabitants as were seen, and on the morning of the 3d of April, when the reconnoitring party were on their way, they fell in with an old man, an inhabitant of the country, who on being questioned concerning the stockade at Roluthugay, described it as very strong, saying "there are plenty of men, but if you had a gun they would not remain there;" had the column had guns, it would have enabled it to have cleared the jungles with them instead of only opposing the fire of muskets against that of matchlocks, which carry nearly double the distance and consequently whose shots told where ours would be thrown away; besides the presence of guns would have instilled so much confidence into the minds of the followers that probably the desertions would have been but few in comparison to what took place and the efficiency of the force been left unimpaired.

On the breaking up of the column the following order was issued by Colonel Jackson, to whom sufficient praise cannot be given for his patience and ability in obtaining information in the heart of an enemy's country, without a map (none being procurable) and with no assistance but that afforded by a common peon, who fortunately was an intelligent man for one in his situation, the information regarding the country previously received having been found incorrect, and for the judicious retreat he made, completely baffling the plans of the Coorgs, by misleading them regarding the road the column was to take, thereby enabling it to retire to where it could obtain fresh carriage with but small loss on its part, while from all accounts that on the part of the enemy, especially on the 5th, was very great.

*General Order by Lieut. Colonel Jackson.*

*Camp Coomlah, 27th April*, 1834.

"On the occasion of the breaking up of the brigade Lieutenant-Colonel Jackson offers his best thanks to Captain Willtas commanding the detachment of H. M. 48th regiment and second in command with the force, and to Captain Wright commanding the 40th N. I. for their zealous and steady support and assistance in the execution of his orders upon all occasions during the late service. The Lieutenant-Colonel desires likewise to convey to the officers of both corps his sense of their zealous and officer-like conduct, also to the non-commissioned and privates for their general steadiness and soldier-like bearing, especially to those of H. M. 48th, whose examples on the 3d and 5th merit his highest praise.

"Referring to the operations of the reconnoitring party on the 3d, Lieutenant-Colonel Jackson cannot refrain from particularly noticing the high sense he entertains of the soldier-like conduct of Captain Noble who commanded that party and Captain M'Cleverty who accompanied it, and considers his acknowledgments justly due to these officers notwithstanding the unfortunate result of the service on which they were employed. The activity and bravery of Lieutenant Smith commanding the detail of H. M. 48th regiment, as reported by Captain Noble on the above occasion, merit particular notice.

"To the memory of an unfortunate comrade, Ensign Johnston, the Lieutenant-Colonel takes a melancholy pleasure in paying the tribute due to courage and high character, for both of which he was eminently distinguished.

"Independently of the occasion which has already been alluded to regarding the services of Captain M'Cleverty, Major of Brigade, Lieutenant-Colonel Jackson desires that officer to accept his unqualified acknowledgments and thanks not only for the unremitting attention to every part of his official duty, but for the aid and assistance he has afforded in every respect while acting under his orders.

By order,

(Signed) W. A. M'CLEVERTY,

*Brigade-Major.*

# NOCTES OOTACAMUNDIANÆ.

## No. I.

### PERSONÆ DRAMATIS.

*Dominus Bataviensis, Ptsittacus, Bombeiensis.*

SCENE.—*A handsome dining room. Wine, decanters, glasses, &c. a good fire blazing on the hearth.*

*Dom.*—Pray allow me to ask Mr. Ptsittacus why *you* come out to these parts of the world.

*Ptsit.*—To lay up money and lay down the law.

*Dom.*—Very good—objects praise-worthy both, and for the former purpose it cannot be denied that no further knowledge is requisite, with an income like yours, than will enable you to make a safe remittance; but with respect to the latter, do you not think that some little acquaintance with the people for whom we are to legislate—some slight knowledge of their laws as they *are*—of their habits, manners, customs, prejudices, even superstitions and mode of worship, would not be found disadvantageous to their future law-giver. For my own individual part, I have been some twenty years off and on, trying to qualify myself after my manner in the knowledge above specified, and trying my hand at law tinkering, and I am not altogether satisfied that I am master of the business yet.

*Ptsit.*—I think it will not be considered either vain or presumptuous for one who conquered or acquired, for conquest and acquisition, according to Blackstone, are one and the same, or perhaps I should more fitly say mastered the Italian language in the short period of six weeks to assert that in six weeks he can master the whole of Hindoo and Musselman Law. Pythagoras—

*Bomb.*—D——n Pythagoras. — Begging your pardon.

*Dom.*—You need not beg my pardon, he is no friend or acquaintance of mine, nor can I imagine that Ptsittacus can esteem him other than an imbecile, seeing that he came to these realms to imbibe a knowledge of men, laws and customs, at an age at which Ptsit. comes to diffuse and teach it.

*Ptsit.*—It may be rather a pedantic observation to say that in every kind of knowledge *discimus docentes;* and to speak more accurately I came out to this country with the complex object of saving money and of gaining money—of law making and of law learning—of laying it down and picking it up, and indeed what method can be more effectually adapted both for the acquisition of a Solon's knowledge, and the promulgation of a perfect code, than the happy opportunity afforded here of trying the effect of every kind and variety of law, regulation and enactment that imagination can suggest.

*Dom.*—Allow me to ask have you already turned your attention to the future legislation of these dominions.

*Ptsit.*—I have already dedicated a very serious portion of time and labour thereto, the result of which I will to-morrow submit to your examination. In the meantime I may intimate that I have drawn up a table for the classification of future enactments, which will comprise: 1st. Laws immutable, irrevocable, permanent and irreversible. 2d. Laws tentative, experimental—experimenta in corpore vili. 3d. Laws of Janus or ambiguous, uncertain, double-faced laws, capable, if one mode of construction don't answer, of receiving, onappeal, a different interpretation.

*Dom.*—I had been led to suppose Ptsit. that the great beauty of a law was its certainty.

*Ptsit.*—Your ——— is to consider that in the enactment of laws there are two parties to be considered—the law makers and the law-obeyers. A wise legislator like a wise general will therefore so dispose of his forces that he expose not himself—upon whose safety the success of the expedition, and consequently the safety of the whole army must depend—to unnecessary danger. Now a skilful legislator, knowing that it is not in the compass of human nature to enact a perfect

code, will ever aim at that which will produce the same effect as far as *he* is concerned, that is to say, he will enact such laws as if they be found to work ill under one interpretation, will leave room for him to turn round upon the Judge, and reprehend him for a mistake in judgment, whilst at the same time he passes a declaratory enactment, giving the other interpretation. This is the origin and source of that glorious uncertainty which has raised England to its present pitch of greatness.

*Dom.*—Why, Mr. Ptsittacus, I always was given to understand that you were a reformer in its most extended sense, a whig at least of the most liberal views, and surely these sentiments of yours do not correspond with the principles of whiggery.

*Ptsit.*—It is always advantageous for those who are to labour in the same work to look as much as possible the same way. I shall therefore explain as candidly as possible my notions regarding party. In order to do this, a familiar illustration may perhaps serve much better than an elaborate definition. I recollect an old country gentleman, of good estate, one of the old school who used generally to dress in a blue coat and red waistcoat, kept an excellent table, a good pack of hounds, and all the usual appendages of a country squire. This gentleman had three sons, the eldest whose name was John, he brought up from his very childhood to hard labour. He was from morning till night toiling and sweating, ploughing and harrowing, now in the smithy looking over the blacksmiths, now in the factory among the cotton spinners, and in a word, he got no rest till a hard day's work was done, and then went to sleep upon a crust or at best a pot of porter, and bread and cheese. He kept his old father, however, in good and flourishing condition, and he did not care for the labour. After some years the old gentleman had two other youngsters by different wives (some slanderous people would have it by kept mistresses) whose names were Tom and William, smart clever chaps, very much alike in their general characters, though their poor old father thought them quite different both in complexion and disposition. As these two youngsters grew up, they each fancied they could manage the old man's estate much better than he could himself, and were constantly urging him to entrust all his affairs in charge to one or other of them. Teased out of his life, he at last consented and made Tom his manager and steward. Will did not at all like this; so what does he do but go to John, who was a great, big, brawney fellow, of prodigious strength—had he known how to use it—and cries "brother,"—(*that* was the first time he had ever called him brother)—"brother you work very hard and get very hard fare; I really feel commisseration for you; what do you think, there's father has put Tom over *us*, (he never said *us* before to poor John in all his life) and Tom swears he'll make you work twice as hard and eat twice as little as you do now: listen to me. If you will come to father and take my part, and threaten to knock Tom down if he don't get out and let me into the steward's place, I'll take care you shall have your pot of beer every day of your life as you ought, for you work very hard for it." "That is true," said John, and on these conditions John doubled his fist, and a devil of a fist it was, and the very sight of it, together with the reasonableness of John's demand, operated so strongly upon the old man and upon Tom and his rascally friends, that he took to his heels, and Will took possession of the steward's room. After a little time, however, Will, finding it necessary to make up a large demand from the upholsterer, on account of some hangings furnished upon occasion of a wedding in the family, began to nibble at John's beef and porter himself, and though he softened matters down as well as he could, John bore it very surlily, and Tom one day watching his opportunity took him aside and said "brother John,—(*he* never called John brother before in *his* life)—what do you think that rascal William is about? you know he accused me of spending the rent and profits of the estate upon my cast off mistresses. Do you know: I can prove it, he now wants to reduce you to small beer for that very purpose himself." "Does he," cried John, "by jingo—why he's ten times worse than you, the—what shall I do?"—"why," cries Tom, "if you will only double that fist of yours—I never remarked before *what* a fist you have brother—go with me to father and Tom and tell them that he must get out and I get in again, I will take care you shall have your regular allowance, which is but just and right, seeing that you work very hard for it." "That is true," said John, and forthwith he went and acted in respect to Tom as he had before done to Will. This kind of manœuvre had been repeated so often that when I left England, I called Tom and Will together, for I have an *interest* in the family, and gave them my parting advice in these words—"Tom and Will, I observed your brother John the other day scratching his head, and I am exceedingly mistaken if he

has not at length began to find out a matter, which it is only surprising we have been so long able to keep him in the dark about. He is rather slow of apprehension, but depend upon it, if like John Kemble he is slow in taking a joke, when he *does* find out what very serious jokes you have both been playing off upon him so long, he will be not unlikely to give you both such a thumph as will disqualify you from taking your seats upon any other place than the stool of repentence for the rest of your days: a whig and a tory *we* know are *identical*, and like a Spartan thief, have but one crime—to be found out—and as I very much fear brother John has hit it at last, I'm off to-morrow."

*Dom.*—Ha, ha, ha! but see we have despatches—let us see what news abroad.

*Enter servant with a pacquet of letters.*

*Ptsit.*—I find by the public journals that the venerable bishop is absent from Calcutta upon an eastern visitation, by which I shall be deprived of the unction of his blessing upon my arrival; he goes I see on board the *Enterprize*, steamer, it is said by the express desire of a party, for whom I have a very great respect (looking complimentarily.)

*Dom* —Humph.

*Ptsit.*—(aside.) Now is that humph I wonder meant for my compliment or the matter of the steamer? (aloud.) It is perfectly in keeping with the dignity and importance of his lordship's mission, that the best steamer should be put in requisition upon such an occasion.

*Dom.*—Humph.

*Ptsit.*—The motion of the paddle wheels, the hissing of the boiler and the smoking of the chimney, are altogether admirably adapted to the composition of homilies and pious discourses.

*Dom.*—Humph.

*Ptsit.*—The revolution of the first will suggest to the exuberant imagination of the pious orator a thousand allusions to the changes and variations of human fortune, the resisting medium of the water may be likened to difficulties in the way of the propagation of faith, the boiling cauldron and sulphurious fumes will furnish images, calculated to awaken the slumbering sinner—what a pity it is there were no steamers in St. Paul's day.

*Dom.*—If our bishop make as many Christians with the aid of steam, as St. Paul made without it, I shall think he has preached very effectually.

*Bomb.*—Do you think that at all probable? If he does he will well deserve a salute from the Fort upon his return.

*Dom.*—He shall have the salute whether he does or no.

*Bomb.*—It strikes me, however, and I speak in all humility—it strikes me that there is something not quite congruous and consistent in the saluting a missionary of peace, of charity, and of life, in the thunders of the engines of war, the instruments of destruction and implements of death. I question whether St. Paul would have approved a discharge of Catapultæ or Ballistæ upon his landing at any given port. I rather think that had some zealous proselyte in authority ordered 19 blows of the *aries*, or battering-ram against the city wall, in celebration of his arrival, he would have reprehended such method of doing him honor as utterly incompatible with his mission.

*Dom.*—I am no casuist in these matters, but for my own part though I am no missionary I would rather avoid these explosions. It is however a matter of taste.

*Bomb.*—I observe some strictures upon the expensiveness of this trip thus performed in a steamer. If I may be allowed to give an opinion, I should say that the man who can censure expense on such an occasion, deserves to be blown away in a great gun. But the folly of the fellow neutralises his own argument; he talks among other items of the "insurance"—now what captain or owner would ever think of throwing away his money by insuring the vessel that carried a bishop—"*quid times—episcopum vehis.*"

## No. II.

*Dominus Bataviensis, Ptsittacus, Bombeiensis, Madracus, Miles.*

*Dom.*—Pass the bottle Madracus.

*Bomb.*—Whether the Coorghs are not identical with the Girgashites of old, is a question involving many important considerations, and requiring the deepest research into antiquarian and traditionary lore.

*Ptsit.*—And intimately connected with the object of our present meeting.

*Bomb.*—Homo sum Mr. Ptsittacus and Man whether Girgashite or Coorgh is my proper study.

*Dom.*—I question much whether they would thank us at the Aula Plumbea, though we settled the matter beyond dispute, unless at the same time we could shew that a Coorgh could pay as good a tribute as a Girgashite. "The gold of that land is good": will form the most interesting point of resemblance between the two peoples that we can furnish in our despatches. *Our* business is the ways and means. Think of *that* gentlemen, and abandon all idle and useless discussion.

*Bomb.*—Idle?

*Miles.*—D—ned idle. The only question we have to look to is, how to raise the wind. We must make a little fuss about law mending and legislating, but our proper function is getting in the cash. It were useless *among ourselves* to mince the matter. This country is like an Irish estate, our masters are the absentees and we are the middle men—and we all know a middleman's duty, eh!

*Omnes.*—All—all.

*Ptsit.*—As we are all unanimous as to the chief *end* of our mission, let us give our earnest thoughts to the *means*, *that* is, the question—*nocturna versate manu versate diurna*—and let me tell you that we *must* exert ourselves, for just before I left England a circumstance occurred in the Aulà Plumbeâ which excited a wonderful sensation, and is likely not to be forgotten.

*Omnes.*—Aye, what was it.

*Ptsit.*—It was upon a day dedicated to the open discussion of subjects connected with oriental literature, more especially as regards the learning which treats of fiscal and financial matters and the art of saving. I was present myself and was listening to an harangue from the curule spokesman, the whole hall—and the hall was full—was wrapt in deep attention—the speaker paused when lo! a voice other than that of the orator—a thrilling, sharp, sonorous, penetrating, supernatural voice, was heard to utter forth in accents which the deaf might hear, and which made the roof and rafters ring—

CLIP THE CLIPPERS!!!

[Here all start from their seats with looks of horror and exclaim—clip the clippers—oh we're undone!]

*Ptsit.*—Aye, clip the clippers was the sound—it yet rings in my ears—and well might it make an impression on me, for I had that very morning received official intimation of my appointment.

*Dom.*—(After a glass of wine.) That sound have I heard in my dreams—clip the clippers! well Mr. Ptsittacus—(despondingly.)

*Ptsit.*—But this was not all—for on the instant the sound of, as it were innumerable fighting men, an army in short, was heard repeating "clip the clippers;" then came a sound like that of 100 millions of turband men shouting aloud "kulip the kulipers." It was awful and it went to the very bottom of my breeches pocket.

*Mad.*—This is indeed a *touching* affair, and though it never could affect me—my remuneration being far inadequate to my office, I think your pockets may tremble, and your purse may wince Mr. Ptsittacus.

*Ptsit.*—We may *all* tremble, for I understood on very good authority that a very able fellow is preparing a pamphlet at home to prove on incontestible proof, by figured statements, that had the system of saving commenced at the head instead of the feet, began at the great stream and ended at the little rill, had cut down the Leviathan instead of the fry, the Triton instead of the minnows, a greater saving—salvâ dignitate non obstante would have been effected than ever yet has been accomplished by the operation of the cabalistic Greek word *αλφ βαττα* or the conjugation of the verb *κλιπω* in all its moods and tenses.

*Bom.*—I do not think our masters will allow it, provided we do all we can to clip every one beneath us. What has been our master's maxim of late but to pay the best price for the best clipper and squeezer.

*Dom.*—There is one consideration, gentlemen, that alarms me, but only on your account. Suppose my master should not be satisfied with clipping subordinates, but constituting me clipper of clippers, should require me on peril of being subjected to the same process, to adjust your pay exactly to your necessities and wants, or still severer, to your meritorious claims. The great object that my master John had in giving me a very large and unclippable salary was, that I might *have no sympathy with those the clipping of whom I was to superintend.* I was a soldier and therefore might have sympathized with soldiers. I was a man and might have sympathized with men, *if* I had been

poor or subject to contingencies. Such, gentlemen, being the state of the case, I am apprehensive on your account.

*Mad.*—I don't think you'll clip me in a hurry.

*Dom.*—Stronger wings and higher flyers may find their master and feel the shears.

*Mad.*—There's Miles, you may clip him as much as you please, but I am a Domine as well as yourself, and I must be spared.

*Miles.*—*You* could *be spared* very well I am sure, but why the deuce am I to be made the scape goat?

*Mad.*—Why, because you are a soldier to be sure, and the poorer you are the better you'll fight. You are not yet half poor enough to fight well.

*Miles.*—You had better not try the experiment.

*Mad.*—Poh, poh.

*Miles.*—Poh, poh—don't poh poh me. I came here to give my opinion on great questions, not to be poh pohed.

*Mad.*—*Your* opinion on great questions! If the magnitude and importance of the question be proportional to the depth and weight of the opinion, we great guns are I suppose assembled here to settle the vexata questio "*Si unam halecem et dimidium pro uno obolo obtineas quam multas proundecim obolis emes?*

*Mil.*—You may be the "first of men" in your own estimation, but you are the last in mine, and if we were in another place I would let you know what I thought of you.

*Dom.*—Gentlemen, this is no place for a quarrel. If you intend to squabble you had better *go out.*

*Mad.* and *Miles* go out.

*Dom.*—What with their bickerings and sparrings and our isolated situation, we get through very little work, really gentlemen this won't do.

[Here two shots are heard.]

What the deuce, have they been fighting—a pretty mode of sitting in council truly. Why, it will be said that we came to this out of the way part of the world merely to be free from interruption whilst settling our affairs of honor,—a shooting party in the hills—sporting in the wilds indeed!

*Ptsit.*—We might it is true occupy our time more philosophically and more profitably—but here is news.

*Enter a servant with letters, &c.*

*Ptsit.*—Ha, the crisis has passed—my friends have survived the blast—but let us see how have they settled the Irish Church question—a commission! humph—a commission—why I see they avow a principle of interference, then why delay putting it into effect?

*Miles.*—(Speaking as he enters.) That fellow is invulnerable. I swear my bullet hit him on the head; it struck firm on the hard substance—the only fire he ever shewed—he's *adam an't* he—

*Ptsit.*—If Mr. Stanley's doctrine hold, and his party get in, we shall have a vast accession to the clergy in this part of the world.

*Dom.*—Why so?

*Ptsit.*—He insists that wherever there's a protestant there must be a clergyman maintained for him. Now the same holds as good in this country as in Ireland, and every indigo and silk factory in the Mofussil may claim its clergyman.

*Dom.*—I would not recommend it but—(pausing.)

*Bom.*—If a Catholic who is a Christian must pay a protestant clergy who are no clergy to them, surely heathens, pagans, and idolaters ought at least to do the same and to the same extent, that is, wherever there is a protestant indigo factor or silk grower.

*Dom.*—The comparison is convincing and puts the matter beyond dispute.

*Eusebius* having entered and heard the last remarks.

*Eus.*—When George the 3d was applied to on behalf of Dr. Dodd, the argument which convinced him that he ought to sign the warrant for the execution of that unhappy being was this. "If I don't hang *him* I murdered the Perreaux." This mode of reasoning was doubtless *conclusive* to the Doctor, but how it is possible for those in whose hands are placed the awful responsibility of a fellow being's existence so to reason, is altogether inapplicable. George the 3d's argument amounts to this: "If I don't commit another murder I am guilty of one"; and with this deplorable paradox this lamentable aberration of head,

apathy of heart, the monarch slept soundly upon his pillow in confidence that he had done and acted according to the dictates of conscience! The argument is the same, just as strong, just as fallacious, and probably just as effective in reference to the protestant clergy, and may be thus framed. "If we compel the Irish Christian to pay for a clergy whom he does not recognise, and do *not* compel the Hindoo pagan to pay for a clergy whom *he* does not recognise, we commit injustice, far greater injustice indeed than George the 3d when he hanged Doctor Dodd, *because he had hanged the two Perreaux, for* the Perreaux were Christians as well as Doctor Dodd, and the Irish Catholic is a Christian, and a Hindoo is not. Now I must confess that whatever degree of laxity, moral or physical, this climate may produce, I cannot yet bring myself to concede all this. I think George's logic was bad, and Mr. Stanley's worse.

*Dom.*—I have no doubt that George the 3rd on the occasion you mention acted conscientiously.

*Eus.*—Nor have I the slightest. He *did* act conscientiously, and I am sorry to say, it is a melancholy truth that he did so.

*Dom.*—How, I pray you?

*Eus.*—I argue not as to whether Dodd ought to have suffered or not, but his death, determined by such reasoning, shews that whether the monarch be good or bad, merciful or cruel, MEN HAVE NO SECURITY IN KINGS—the wretch for mercy, the honest man for right.

*Dom.*—We are talking confidentially I presume.

*Eus.*—Strictly, but if such were not the truth I should not be here.

*Dom.*—Why so?

*Eus.*—Every aspiring mind who knows what kings are, is a republican, but a republic can never be in my time, at least in England, nor could I aid it, nor indeed is England yet fitted for the change.

*Dom.*—Do you think she will ever be?

*Eus.*—Think! I am as sure, aye, *surer* than that the sun will rise; for both are matters of inference and calculation, and I can calculate more correctly upon human conduct than I can dare to presume upon the continuance of the solar system.* The sun and the stars will pass away, and I know not when *that* will be; but of the period when kings and monarchs will pass away, I can form a pretty correct judgment. It would not be very difficult to frame the horoscope of monarchy for the next century.

*Dom.*—I should like to see it under your hand.

*Eus.*—You shall upon this day week. In the mean time you may receive this as a maxim, that as sure as the tendency of tyranny is to produce revolution, the tendency of reform is to produce change: revolutions being generally the result of madness and fury, seldom produce good; changes in political government, being the result of deliberation, are calculated to work improvement. The tories in one respect are wiser than the whigs; *they* know that the spirit of reform neither slumbereth nor sleepeth; that it is an active, vigilant and persevering spirit, to which corruption can never say, "thus far shalt thou go and no further;" hence with much consistency they strive to stifle it outright; but the whigs think that *they can* prevent the tide which has carried them into port from carrying them farther than they wished to go. They are mistaken, and know not what they wish; were that tide to ebb, whiggism would at once be left upon the shoals a naked, deserted, melancholy hulk, an inert mass, helpless, hopeless—swampt to eternity.—*Bengal Herald.*

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* The several advocates of the ether and non-ether systems are reviving with the discussion of the *vacuum* question, a dispute as to the probable duration of our solar system. We think that when astronomers are led into disquisitions so fruitless by a study so glorious, the stars are *less* in fault than they.

# NOTES ON INDIAN AFFAIRS.

## No. XLII.

### ON THE CHARACTER OF THE PEOPLE, FALSEHOOD, FORGERY, PERJURY.

This is one of the features of the people of India, which has attracted the attention of all who have ever had any dealings with them. The accusations to which they have been subject for their want of truth have been universal; and their best friends must allow that these have been too well founded. Although there are undoubtedly some exceptions, yet it may be affirmed of the nation at large, both of Hindoos and Moosulmans, that truth is not in them. The slightest interest is generally sufficient to induce a native to say what he thinks will best promote it, without regard to the accuracy or inaccuracy of his statement: often, indeed, are we disgusted with hearing them utter falsehood without any conceivable motive being apparent for so doing; and it is a common remark among official men that a cause is frequently lost, and a criminal prosecution has failed from the improbabilities and even impossibilities which are sworn to, whereas success would have been complete had the parties concerned merely related the simple truth.

This is certainly a serious charge to bring against the character of any nation in the mass, and will require to be impartially discussed. And in the first place, it should be considered, that a very broad line must be drawn between a wilful falsehood or fabrication and an unintentional deviation from truth. We must also bear in mind the great difference of ideas on the subject which exists in the minds of the natives of India, and those which prevail among the English; and due allowance should be made for this difference instead of a rigid adherence to our standard.

Under the first head must be placed their proneness to exaggeration, even in the commonest affairs of life; and in matters which are not of the slightest importance. Figurative language and amplification in the extreme, have long been the characteristics of oriental nations. Thousands and millions are words of common use to signify a considerable number: a man who has been struck, generally represents himself to have been nearly murdered: he who has been defrauded of a few pence usually asserts that he has been plundered and ruined beyond redemption: another, who is seeking for employment, states himself to be your humble slave, ready to follow you to the world's end, and to lay down his life in your service: and so on. Those who make use of these expressions by no means intend that they should be taken literally; they are mere words of course, and are understood as such by all who are acquainted with the character of those by whom they are adopted.

But the evil consequences which this laxity of speech engenders, is a far more serious question than the intrinsic evil of a few hyperbolical expressions. Those who are in the habit of using them are too apt to lose sight of truth altogether; and when any point arises in which their own interest is concerned, constantly make the most extraordinary exaggerations and the grossest misstatements that can well be conceived; of a nature too, which has a material effect on the point at issue. They seem to entertain a notion that such a practice is necessary to ensure their being attended to, and that in order to obtain ten, it is best to begin by demanding a hundred—a practice, by the way, by no means unknown to the dispensers of that law which they would have us believe is the perfection of human wisdom. English lawyers, either in framing a criminal indictment, or in bringing an action for damages, seem to have as good a notion of this mode of proceeding as any class of natives of the East.

The effects which the Governments of oriental nations have had on the minds, morals, feelings, and habits of the people, is not generally taken sufficiently into consideration in our attempts to form an opinion regarding them. A pure despotism is not the most favorable state for developing the better qualities of human nature; and where this exists, many a man, even a superior man who naturally professes and would practise a high tone of morality, is driven in self-defence to say and do many things at which his mind revolts. Can it, for instance, be supposed that the English merchants in the interior of India have any predilection for a system of giving bribes and douceurs to the native officers of our Courts? Setting moral feeling aside, can it be imagined that they would not prefer a system by which justice should be attainable by fair and open means? and that they would not be glad to avoid the expense which this bribery entails upon them? Yet

they are compelled by imperious necessity to have recourse to such proceedings, because a refusal to pay those exactions to a set of officials whose extortions are virtually sanctioned, would cause great injury to their concerns. If the English merchants are driven to such practices, how much more must it be the case with the natives? and when men have long been habituated to such measures, and have been forced to pay bribes in order to obtain their just ends, is it to be wondered at, if their minds and feelings become so changed, as to induce them occasionally to offer a bribe to secure an unjust advantage?

The people of India possess not only a laxity of morals and of speech, but of ideas, which leads them to treat as venial, or even to attach no sense at all of criminality to actions which, in our estimation, would be viewed in a very heinous light. I have not unfrequently known a man come forward as a witness, and swear to having witnessed facts of which he was perfectly ignorant, as far as his own observation went. The real person was either absent from illness or some other cause, and those interested had brought a substitute, who had been duly tutored as to what points he was to testify. I have even known instances when some one present has pointed out the substitution of the attending person for the real witness, which the former has at once acknowledged, observing, "True enough; my real name is B.—A. whom you summoned is my brother, (or cousin, &c.) he is unable to attend, but I have often heard from him the facts of this case, and am just as well able, as he is, to tell you about them: he desired me to attend in his stead: what more do you require?" On one occasion, an English merchant had a cause called on, and a most material witness was absent. A native friend of his, who was of the same name as the absent witness, chanced to be in court: he immediately stepped forward, swore to the execution of the document on which the suit was founded, and a decree was accordingly given: when he next met the merchant, he incidentally mentioned the lucky contingency which enabled him to do this piece of service, without taking particular credit to himself, and seemed quite at a loss to understand some observations which his remark elicited from the Englishman. "What," he exclaimed, "have I acted improperly? It is true I did not see the bond executed: but I perfectly well know that the money is due to you, and the effect of my evidence is not to do the other any injury, but to promote justice; he owes you the amount, and ought to pay it."

Another extraordinary notion entertained by many of the natives of India, when summoned as witnesses by a particular person, is that, if they consent to give evidence for him, it is their bounden duty to swear to any thing and every thing which may tell in his favor, or in any way promote his interest, and, if possible, not to divulge any thing which may be turned against him. On one occasion, the merchant just alluded to had a suit in court in which a Brahmin pundit was a witness. He had given his evidence clearly and satisfactorily, for it was a plain straight-forward case, when the judge asked an immaterial question on a point of which he knew nothing: he swore, however, without hesitation, to the fact. On the merchant's asking how he could think of doing so, and pointing out, moreover, that it was a gratuitous falsehood, for it could not bear on the issue of the trial; he observed, that "this occurred to him at the moment, but that as he had not time to reflect upon the judge's object, he thought it best to act as he had done, for fear the non-establishment of that point might prejudice the suit; that no one had been injured by what he had done; and that although, strictly speaking, he had deviated from the truth, the fault was so venial as scarcely to deserve the designation of a lie."

I recollect another instance, in which after a witness had given his direct evidence in favor of the prosecutor, on cross-examination some facts were disclosed which tended greatly to exculpate the defendant from some suspicions of fraud, without in the slightest degree injuring the cause of the person on whose part he had been summoned, and which were of a nature to have been embodied in the evidence he had previously given. To the question, "why did you not mention all this at once," the reply was—"I am not C——'s witness. I am summoned on the part of the plaintiff."

From these and numerous other anecdotes and instances which might be adduced, it is obvious how much knowledge of the native character is necessary to enable us to know how to treat them; how far we may rely on what they say; what is the best mode of eliciting the truth; how imperative it is that those who are placed over them in the situation of judges and magistrates, should acquire this knowledge; how much the difficulty is increased when these officers are foreigners; and how unfit those must be for these duties who seclude themselves from the people, and hold no communion with any but those with whom they are brought into official contact! The following remarks of

Johnson on the Highlanders, are extremely applicable to the people of India:

"Many of my subsequent inquiries upon more interesting topics ended in the like uncertainty. He that travels in the Highlands may easily saturate his soul with intelligence, if he will acquiesce in the first account. The Highlander gives to every question an answer so prompt and peremptory, that scepticism itself is awed into silence; and the mind sinks before the bold reporter in unresisting credulity: but if a second question be ventured, it breaks the enchantment, for it is immediately discovered, that what was told so confidently, was told at hazard, and that such fearlessness of assertion was either the sport of negligence or the refuge of ignorance. If individuals are thus at variance with themselves, it can be no wonder that the accounts of different men are contradictory. The traditions of an ignorant and savage people have been for ages negligently heard, and unskilfully related: distant events must have been mingled together, and the actions of one man given to another. These however, are deficiencies in story for which no man is now to be censured: it were enough, if what there is yet opportunity of examining were accurately inspected and justly represented; but such is the laxity of Highland conversation, that the enquirer is kept in continual suspense, and by a kind of intellectual retrogradation, knows less as he hears more."—*Johnson's Tour of the Hebrides: page* 111.

And again:—

"He that goes into the Highlands with a mind naturally quiescent and a credulity eager for wonders, may come back with an opinion very different from mine; for the inhabitants, knowing the ignorance of all strangers in their language and antiquities, perhaps are not very scrupulous adherents to truth; yet I do not say that they deliberately speak studied falsehood, or have a settled purpose to deceive. They have inquired and considered little, and do not always feel their own ignorance. They are not much accustomed to be interrogated by others, and seem never to have thought upon interrogating themselves, so that if they do not know what they tell to be true, they likewise do not distinctly perceive it to be false."—*Ibid: page* 272.

Another remarkable feature in the character of the people of India, is the inaccuracy of their memory; and the little attention they pay to matters on which we are accustomed to lay considerable stress. Certain prominent facts usually remain well impressed on their minds, but in the detail their want of observation or of recollection is most extraordinary. The following observations of the Judge of Circuit in the Rajshahy division in 1808, are well worthy of note. "Every day's experience and reflection on the nature of our Courts, and the minds and manners of the natives, serve to increase my doubts about our capacity to discover truth among them. It appears to me that there is a very great deal of perjury of many different shades in our judicial proceedings; and that many common rules of evidence would here be inapplicable and absurd. Even the honest men as well as the rogues are perjured. The most simple and the most cunning alike make assertions that are incredible, or that are certainly false. If the prosecutor, in cases of dacoity was always to be disbelieved because there was perjury, scarcely a dacoit would be convicted. By cross-examination you may draw an honest witness into as many absurdities and contradictions as you please. It is not easy to detect the persons who come forward, as eye-witnesses in cases of dacoity: their story is all true—but one point, the identity of the persons whom they accuse; and how can you discover whether this be true or false? Some witnesses are loquacious—some taciturn; some frigid—others over-zealous; some willing—others unwilling; some bold—some timid; some scrupulous—some come to give false evidence in favor of a friend or a master—some to ruin an enemy; and the signs of the different modes that disguise truth are so very equivocal, and often so unintelligible that nothing can be depended on. There is not one witness in a dozen on whom you can rely for a purely true story. It has very often happened, that a story which, by attending only to the plain, direct course of things, I believed to be true, has, by examining into matters, apparently connected in a very distant degree with the case, turned out to be entirely false. I am afraid that the evidence of witnesses in our Courts is for the most part an instrument in the hands of men and not an independent, untouched source of truth."—*See App. to Fifth Report: page* 589.

Times, seasons, dates, even to the month or year, are often stated with the greatest inaccuracy. An event that happened two or three months back, will, by different witnesses, be described to have taken place at various times from one to twelve months previous. A variation of as many years will often be given to the date of an event which happened one or two years before; and all this too, in cases in which the people have not the remotest idea of telling an untruth: the discrepancy arises from that want of thought and of the habit or reflection, which is one of their strongest characteristics. Hardly a native in the country, whether Hindoo or Moosulman, educated or uneducated, can tell you precisely his own age, or even that of his children, without consulting his family priest or private memoranda. In the Himaleyah mountains, the people are still more ignorant than in the plains, to an extent which is scarcely credible by an Englishman. They have literally no conception as to time and space. With regard to time, they have certain eras to which they refer: these are commonly the periodical twelfth yearly grand fair at Hurdwar, called the Koomb Mela; to which, at the present day, they add the Goorka invasion, the British conquest, and the year[illegible]

which the cholera was so destructive, which is emphatically called "the year of death;" a famine, flood, or other general calamity would give another era; all that can be usually ascertained is, that certain transactions occurred before or after one of these periods. A man will often describe an occurrence as having taken place a year ago, which when you come to refer to one of these eras, you find to have happened twelve or even twenty years previously. An event will often be said to have occurred "*purson*" (literally, the day before yesterday) of which the real date was a year or two before. Nay, to an occurrence of a considerable time past they will apply the term of "*purson pfunda*" —of which the best translation I can give, is "yesterday a long way off." With respect to distances, their ideas are equally lax: of any thing like a measured distance in *koss* (miles,) they have not a notion: the expression usually is "a day's journey" or "half a day's journey;" under which a distinction is drawn for a loaded man, or a messenger.*

It is obvious that it must be out of the question to expect from a people of such vague and inaccurate ideas, that exactness in giving evidence and describing transactions which we are accustomed to think necessary. The very attempt to exact it only bewilders them still more, and renders the inconsistency of their testimony still more irreconcilable. To make any progress, we must learn to give up our own preconceived notions, make ourselves acquainted with the character and peculiarties of the people with whom we have to deal, and accommodate our mode of conduct accordingly. For instance, an English judge would frame a question as follows: "Were you, on the 15th April, last year, about ten o'clock in the day, at such a place, in company with such an one?" The prompt reply from an Englishman would commonly be "I was:" from a Hindostannee peasant, it would probably be, a repetition of some part of the question followed by "I am a poor illiterate man, Sir, I know nothing about it." The only way to extract evidence at all, so as to afford a chance of its being satisfactory, is to say, in a mild, encouraging tone of voice, "well, my friend, what do you know about the matter?" To let the witness tell his own story in his own way, even at the risk of a little prolixity; and then putting questions to him on those points which require further elucidation.

It has been truly observed that by cross-examination you may draw an honest witness into as many absurdities as you please; although, on the other hand, they sometimes doggedly stick to one point, and profess ignorance of every think else that can be asked. But this is, in some measure, to be attributed to the extraordinary notion before alluded to, so prevalent among the natives, that it is their duty to swear to any thing which may, by any possibility, turn out in favour of the person on whose part they are summoned to give evidence. For instance, when the defence of a person accused of any crime is an *alibi*, that he was a couple of hundred miles distant from the spot where the offence had been committed, and had been there for a whole month, and did not return until some days after the occurrence—suppose a question were put respectively to the witnesses —"Did you watch the prisoner all day and night for a month together that you speak so positively?" In such a case, in England, some witnesses might be puzzled, others might laugh at the absurdity of the question, and the greater number would rationally reply— "No, but I saw him every day at work, and he never was out of my sight a sufficient length of time to have enabled him to go such a distance and return again." There is, perhaps, scarcely a man in England who would do what three natives out of four would— that is, swear unhesitatingly in the affirmative: yet these very men, if a little pains were taken to explain to them the absurdity they were uttering, would immediately retract the assertion, and observe, "of course I do not mean to say that I watched him day and night, but merely that I know the prisoner was at such a place during the whole of such a month."*

The mode of questioning and speaking to the people is also well worthy of consideration. When an unsophisticated villager is dragged into a Court of Justice, and pushed up through the crowd into the presence of the Judge or Magistrate; when we consider the strangeness of the scene, the white face of the presiding officer, and even the appearance of the building, all which are so new to him and so different from any thing he has been accustomed to see, it is no wonder that

* The difficulty of seeing and observing correctly, is not however confined to the natives of the East. After the battle of Aumale in which Henry IV. of France was wounded, he inquired from the officers collected round his bed, what had passed subsequent to his having left the field. No two agreed in their narratives. "And yet thus it is that history will be written!" he exclaimed. We have a still later instance. The battle of Waterloo was stated by different generals to have began at various hours, by some as early as ten A. M., by some as late as half past one.

* I recollect a circumstance which occurred in a London Police Office. It was necessary to prove the ownership of a gun, for which purpose an Irish witness was produced, who swore "that he knew the gun well, having known it ever since it was no bigger than a pistol." The Magistrate rather angrily asked if he meant to say that the gun had grown from a pistol into what it now appeared; which was answered in the affirmative.

he should be in some measure confounded; and, indeeed, the degree of self-possession which the common people retain, is certainly extraordinary, and probably greater than would be shown by English peasants under similar circumstances. Still, if they be addressed in a loud tone or a harsh manner, they are soon frightened, and are then easily driven into inconsistencies. Questions put in an authoritative manner, will produce replies in the affirmative, or else a denial of all knowledge of the circumstances of the case, coupled perhaps with an assertion, in order to prevent any blame resting on him for refusing to give evidence, that his attendance had been caused by the person on whose part he was summoned, solely out of spite, in order to injure his business.

As an illustration my readers may recollect the anecdote of an over-zealous Missionary, who in a tone of authority was putting questions to a native on points of faith—as "Do you not perceive the truth of this axiom? Do you not perceive the absurdity of such a notion? and so on; to all which he replied most certainly." At last the question was asked, "How long have you resided here?" —"Most certainly" was the reply. The fact was, that the poor man hardly understood what was said to him, but fancying the Englishman was rather angry, thought it best to agree to all he said. I recollect a precisely similar instance in England. The master of a school with whom I was acquainted was very passionate, and as may be supposed would sometimes behave very unjustly. On one occasion one of the boys was accused of some heinous offence, no less than plucking a couple of plums on his return from Church, from the branch of a tree which overhung the road. All of a sudden the master burst into the schoool room, seized the unfortunate culprit by the collar, and without giving him the least intimation of the cause of his displeasure, began shaking him violently, and dragging him round the room, exclaiming, "What do you mean by it Sir? You will be sent to jail. You will come to the gallows. You will go to hell! Where do you think you will go to?" "To hell, Sir," answered the affrighted culprit. On this the master all aghast turned to the other boys, vociferating—"Do you hear such depravity! He has actually made up his mind to go to hell!" The fact was, that the poor boy not having a conception of what all this business was about, his offence having entirely escaped his recollection, and frightened out of his wits, thought the only thing he could do to appease his master's wrath, was to agree to every thing he said; while the latter was too much blinded by his passion to have any perception left him.*

Another circumstance is worth noting as illustrative of the carelessness in the manner of doing business among the people of India. The mode of drawing up bonds and deeds is quite at variance with the regular habits of transacting affairs to which we are accustomed. In a suit founded on a bond, it appears all plain and straight-forward: the money is sworn to have been lent, and the bond executed in presence of the witnesses; yet, in perhaps nine cases out of ten this is not the real fact. When a man wishes to borrow money of another, a bond is usually drawn out at once; and the money is sometimes paid simultaneously; sometimes not till several days after. Some days also elapse before the signature of the witnesses is affixed, which is done when any convenient acquaintance of the lender chances to drop in; and these witnesses sometimes ask the borrower if he has received the money, but as often neglect to do so, if he should not happen to be in the way when their signature is affixed. Even in the factories of English merchants and indigo planters, a mode of transacting business obtains, which would be deemed very extraordinary in England. At the period of making advances on indigo engagements, perhaps twenty cultivators will attend at the time the advances are made; but in order to obviate delay and detention from their work, the bonds are often not written at the time. A very common mode is the following:—The treasurer sits down in company with a writer, and three or four people, as witnesses; as the money is given, a memorandum merely is made, on a slip of paper, of the sum paid to each, who departs immediately on receiving it; and when the whole is done, in the evening or perhaps the next day, the bonds are respectively drawn out on the prescribed stamped paper, and the signature of the borrower, as well as of those who were seated as witnesses, are all written by the clerk, in whose department this part of the business lies. The witnesses again, who were perhaps talking among themselves, totally inattentive to the business transacted, have so little recollection of the detail of what took place, that in the event of a suit being founded on one of these bonds, unless their memories were refreshed when they were summoned to give evidence, they would be utterly unable to give an account of what had occurred.

The little education which is received by

* A literal and unexaggerated fact, I beg to assure my readers.

a large portion of the common people in India, who are unable to read or write, which renders it necessary to write their signature for them, is one cause of this lax mode of proceeding; and it is also one reason of the ease with which a deed may be forged, and destroys one great means of detection in the authentication of a signature This is still further aided from the absurd affectation in which those of the better classes, who can write, indulge, of affixing their seal instead of their signature to a paper. It would be a very wise measure if Government were to endeavour to alter this custom, which might be done without any great difficulty. At present. police and revenue officers, moonsiffs, kazees, vakeels, (attorneys) and even law officers of the Sessions Courts, often affix their seals only to papers. With regard to all in office, a simple order only from Government, that the signature as well as the seal should be affixed would be sufficient. If these officers were ordered to oblige every person who signed (if the expression be allowable) an official paper before them to do the same, it would extend the practice; and it might be still further ordained, that in the event of any document being filed in a public office, purporting to bear the signature of any person who could write, but not actually written by his own hand, he should be called on to supply the omission, and pay a slight fine. This would, ere long, render the custom of autograph signature universal, and tend greatly to check fraud, without producing any evil whatever.

The question which naturally arises is, what is the best mode of checking this propensity to exaggeration and falsehood? But, first, let me inquire, what has hitherto been done by the English towards this desirable end? It is allowed to be an undeniable fact, that wherever the natives of India have seen most of the English, there has morality been at a lower ebb than it was before; and, among other crimes, that falsehood and perjury have increased to a frightful extent, under our system for the administration of justice.* The evil, as at present existing, is allowed by all, and the necessity is imperative to endeavour to adopt some measures for remedying it; for the barefaced, unblushing way in which falsehood and perjury is too often exhibited in our Courts, is perfectly heart-sickening. In all attempts hitherto made to correct it, it is lamentable to perceive the same fundamental errors which pervade English legislation, punishment for the crime after it has been committed, and that too, in many cases, with an indiscriminating over-severity, unaccompanied by any measures of prevention. In others, undecided half-measures and deficiency. Until the year 1817, the punishment awarded to perjury and common forgery, was disgraceful exposure, thirty stripes, branding on the forehead the words "perjured," and seven years imprisonment. For forgery of coin or stamps, the period of imprisonment was fourteen years, for a sort of minor species of perjury, in making false, malicious, or vexatious complaints, both civil and criminal Courts had the power of imposing fines to a certain extent, commutable to imprisonment if not paid. By Regulation XVII. of 1817, the Court has the power of mitigating the punishment, in the first case, to three years simple imprisonment; and in the second, to seven years.

It should be observed, that although these remarks are general, and apply more or less to the whole of the Regulation provinces under the Bengal government; yet, that considerable variety will be found in the people of the different sub-divisions, and even among different castes and sects in the same district.

Few persons are, I believe, sufficiently aware of the impunity with which, under our rule, the most gross cases of forgery, perjury, and false accusations may be committed, and the little disgrace or punishment which is attached to them. The people themselves are lost in amazement, at the practices which they daily witness in our Courts and offices, and do not fail to draw comparisons to our disadvantage between what they there see, and what would have occurred under their own tribunals, where such proceedings, they remark, would never have been tolerated. It is much to be hoped, that a new system will be introduced. The first step should be to call the attention of the different functionaries to the subject. Every instance, not only of perjury and falsehood, but of prevarication and exaggeration, should be carefully watched, noted, and punished; and a very considerable alteration both of the law and the practice of the Courts must be introduced.

With respect to a positive forgery of a deed, it is needless saying much: so palpable a case as this, if proved, will not, I hope, as has hitherto been too often the case, be passed over, without the parties being committed for trial; but there are a variety of instances, which, morally speaking, are nearly as bad, but which do not amount to positive forgery; others again are supported by

* The names only of the authorities, Civil, Military, English Lawyers, Judges of Supreme Court and others, who might be quoted to prove this assertion, would fill a page. The fifth report in Mill exhibits a tolerable catalogue.

perjury. But here, I will do the natives the justice to say, that, generally speaking, they are not prone to bring forward a plaint founded on downright forgery or perjury. There are, undoubtedly, in every district a certain number whose livelihood is notoriously made by this practice, and by extorting money, by threats privately given of bringing forward false suits; and others are tempted to be guilty of this out of malice; but the majority, I certainly acquit of any such general accusation. On the part of those who come forward as plaintiffs, whether in civil or criminal cases, there is, unhappily, a great deal of prevarication and exaggeration; but there are usually some grounds at the bottom to shield them from the charge of a totally false complaint. It is on the part of the defendants and prisoners, that the abominable cases of forgery and perjury are so often manifest, in their anxiety to defeat a just demand, or to escape punishment; and this should be borne in mind, which it never has been sufficiently, in the observations on the litigiousness of the people of India. This too, will account, in some measure, for the disgusting sight, so often observed, of sets of witnesses swearing to facts diametrically opposed to each other. I will endeavour to illustrate this, by an example:—A. files a suit against B for a sum of money due on a bond. B. in his defence admits the bond, and having received the money; but urges having repaid it, or a considerable part of it, and brings forward witnesses to swear to this: as a reason for not having retaken the bond, he declares, that on asking for it, the plaintiff made some excuse, such as, that his partner or brother had got the key of his box, and promised to return it the next day: or should only a part have been paid, of course the reason given is, that A. promised to endorse the receipt on the bond. A. stoutly denies having received a farthing of the money due on the bond. Now the real facts of a case like this, are very often as follows:—Besides the sum on the bond, B. has received goods on credit from A. which the latter has, in good faith, neglected to take a note of hand for, or to enter in a regular business-like manner in his books, a suit for which would consequently be rather difficult to prove. Having afterwards some suspicion that B. is a fraudulent character, and will endeavour to avoid payment, he demands the amount on the bond, which is a good document, and having received it, makes some excuse for not returning the deeds, places the sum in his own mind to the other's account, and sues on the bond. He carefully avoids making any allusion to the other account, knowing, that if he should acknowledge any payment, and the defendant deny those items, his present suit would be dismissed as the payment would have been held to have been made on the bond. B. also avoids the subject, knowing that the other will find it difficult to prove the running accounts, and that if he should admit it, or even mention it in open Court, it would supply good presumptive proof. Where the case is conducted by vakeels (attorneys) and written proceedings have been prepared in the office, it is impossible to learn more of the case than what is just mentioned; and the judge leaves the Court in disgust at the abominable perjury of one or other of the parties. But if the witnesses be examined by the judge personally, and especially if the parties themselves are called and questioned pretty closely, the whole business will generally be brought to light. In such cases as these, a moderate fine should be imposed on the plaintiff. Strange as it may appear, I can assure my readers, that setting aside the regular bankers and merchants on a large scale, such laxity in the mode of conducting their business is extremely common among the retail dealers and their customers. It is in such cases as these that the benefit of the Local Moonsiff's Courts is felt; and I am convinced that, on the whole, the amount of real justice dispensed in those Courts is infinitely greater than was received from the Courts in which a British judge presided under the old system, and fully equal to what is to be obtained at the present day. I could mention many other cases in illustration, but they will come more appropriately under the head of "*litigation.*"

But to come to the point as to plaints which are positively and literally false, and supported either by forged documents and perjury, or founded on accounts supported only by perjury. There is not a court in the country in which causes of this nature have not been brought forward, discovered, and dismissed; in many, the Judge has openly recorded in his proceedings his conviction that the suit was a completely false one. Here one would suppose punishment would follow, or at least a committal for trial; yet such is rarely the consequence. Why? Here we have a specimen of the anomaly and indecision so characteristic of the British Indian Administration. Should the Judge show any indication of any such intention, the plaintiff would of course appeal the cause to the superior Court, and in his petition, most probably deal largely in aspersions on the Judge and his officers. The appeal would

of course be admitted, and would lie from two to ten years (under the system which has hitherto existed) and virtually quash all criminal proceedings. But, it may be asked, "why not fine at least the plaintiff under the regulation (II. of 1803) which authorizes such a proceeding. The same system would nullify the order here also. An appeal would, of course, be preferred; of course, admitted: and the Judge, of course, ordered to stay all proceedings until the appeal were decided: this would be after the lapse of several years, when the chance of the fine being enforced would be small indeed.

Many suits are, of course, dismissed, in which no fraud whatever is attributable to the plaintiffs. Claims to real property, of the truth of which he may feel a tolerably strong moral conviction, are often difficult to prove legally from lapse of time, loss of documents, or death of witnesses, or are defeated by superior tact and roguery on the part of the defendant. Others again are brought forward under a mistaken notion of the nature of their rights; and in complicated transactions between merchants, a man whose claim is just, occasionally sues the wrong person. Of such I am not now treating; but where suits are pronounced openly to be positively false, I think some provisions should be enacted to provide for immediate punishment to the plaintiffs and witnesses also, if these should be found to have been aware of the real nature of the case. If the present system of committal for perjury or forgery be retained, it should be provided that no appeal of the civil suit should be heard until the criminal case were decided. But the same person who holds the office of Civil Judge, presides also in sessions: of course his decision in his latter capacity would support that which he had just given in his former one; and the prosecutor and witnesses would needlessly be compelled to undergo two more attendances: once at the Magistrate's office and again at the sessions: for although practically it is little more than a form, a Civil Judge does not actually commit a person for trial at the sessions; he sends all the parties to the Magistrate who makes out the commitment.*

But the misfortune is, that if all were committed who had been guilty of perjury, according to our idea of the crime, the number would be immense: therefore, while the severity of punishment remains so great as it is at present, Judges are reluctant to have recourse to the measure, and the law defeats its own object.

In civil actions, it is on the part of the defendants that the most barefaced cases of perjury and forgery occur. Men who are in the possession of property unjustly acquired, when a suit is brought against them, do not scruple to forge deeds and bring witnesses to support them. Others, when sued for money, forge receipts, and attempt to prove them by false evidence. Repeated experience has shewn them that the chance of punishment is extremly small; the only loss they anticipate is the costs of the suit; the chances of success in the defence are considerable, and the positive gain certain in keeping possession of the money, and enjoying the usufruct—for it is rare that the plaintiffs are allowed any interest, so great is our horror of usury—and they realize thereby much more than the amount of the costs of the suit. Nay, were the legal interest of twelve per cent. always given, the delay in the decision is so great, that the defendants would gain by resisting the demand. They probably employ the money at twenty-four or even thirty per cent.; so that allowing for some bad debts, they realize more than the legal interest and costs awarded against them. This is another cause of the increase of forgery and perjury caused by the system we have introduced.

The same observations will apply to criminal as to civil cases. Occasionally positively false complaints are brought forward; but it is among the prisoners and their witnesses that the most numerous cases of perjury are to be found. Among the prosecutors, it is generally exaggeration upon some foundation. Almost daily are petitions presented to every Magistrate regarding assaults, each setting forth that the petitioner has been severely beaten "with fists and feet, sticks and shoes," for no cause whatever. Now, supposing, as is generally the case, that some provoca-

* There is a great want of arrangement in the law and in practice. Reg. XVII. of 1817, Sec. 14, provides that no charge of perjury and subornation of perjury in a Civil suit, shall be attended to, unless the Civil Judge takes up the matter. This officer is to investigate the case, record his opinion, &c. and then "the whole of the original papers relative to the case shall be transferred to the office of the Magistrate, that the order of the Judge may be carried into effect, and the case brought before the Court of Circuit, in the same manner as if the charge had been instituted, and proceeded upon in the Court of the Magistrate." This has in practice been usually understood to mean that the Magistrate is to sign the final order of committal for trial, and such has been the course adopted, with which in general no fault has been found by the superior Court. But in the Nizamut Reports I find a case decided November 20, 1829, Government *v.* Neamut Ooliah and Aman, in which the proceedings were annulled because the Magistrate had signed the committal instead of the Judge. On this another question arises as to the trial of such cases. The Civil and the Sessions Judge in each district are now the same individual. As Civil Judge he is to investigate and commit the case; as Sessions Judge he is to try it. Yet the same individual is prohibited from trying a case as Sessions Judge in which as Magistrate he even issued any preliminary orders; one would suppose this principle would apply in both cases. Again, suppose a false suit be preferred founded on a forged bond and supported by perjury: the Judge is to commit the witnesses for the perjury—the Magistrate will commit the Plaintiff for the forgery. Surely these anomalous rules should be rectified.

tion has been given by the prosecutor; this is according to the definition laid down, a positive forgery; for in *all* criminal cases, however petty, the prosecutor is obliged to testify on oath to the truth of his petition of plaint. The definition of perjury as laid down by Reg. II. 1807, Sec. 4, is as follows: "giving intentionally and deliberately, before a Court of Judicature, Magistrate, or other authorized public officer, a false deposition, upon oath, or under a solemn declaration taken instead of an oath, relative to some judicial proceeding, civil or criminal, and upon a point material to the issue thereof."

Now as the deponent has declared on oath that he has been beaten without cause or provocation, and as it will be allowed that the fact of his having given provocation or not, is very material to the issue of the case,—as the law stands, the complainant has been guilty of perjury. Yet in a case where the utmost penalty will be a slight fine on the defendant, surely no one who knows the native character would advocate that every one who brings forward a complaint of this sort should be committed for perjury, for which the least punishment is three years' imprisonment. Accordingly, by Regulation VII. 1811, Magistrates are authorized to punish a plaintiff in a case like this by imprisonment, according to the circumstances of the case, but not exceeding six months. The anomaly is, that this provision does not extend to the witnesses, supposing them to have supported the plaintiff's statement in every particular; if punished at all, they can only be so by committal for perjury. The consequence is that, practically, the conduct of the witnesses in such cases is rarely noticed. Some Magistrates do occasionally fine them on that plea of great latitude, "contempt of Court" —a very proper proceeding morally considered, but I do not know how far it may in a legal construction.* In the trial in sessions the most bare-faced cases of perjury are exhibited, in the attempts on the part of prisoners, to set up alibis. And here, I must again allude to the difference in the mode of committing a case by Magistrates in England and in India. In England, if an accusation be consistently sworn to, in general no notice is taken of what defence the prisoner may have to offer. (It is indeed only within these few years that a Magistrate or Justice of the Peace has been pronounced to possess the power to do so) but he is told to reserve it for the sessions. In India the very reverse takes place. A Magistrate attends to every thing the prisoner has to urge, summonses witnessess in his behalf, investigates most fully the whole cases, and then, if it seems well founded commits it; or if he think the charge not proved dismisses the prisoner. All this he is compelled to do for his own sake to avoid the reprimand which he would receive on committing a case without sufficient grounds. After all this, so considerate is our Indian code for the prisoners, that at the time of committal, they are asked if they have any additional witnesses whom they may wish to bring forward at the sessions. Should any be mentioned, their names are taken down, and they are summoned on the part of Government without a farthing of expense to the prisoners; nay, to such a pitch is this carried, that although the prisoners may at the period of committal say they have no witnesses, yet, if at any subsequent period they intimate a wish to have any called, the Magistrate is obliged to summon them, or even when on their trial, should they express a desire to produce any, the Judge is required to cause their attendance. At least one half of these give the names of several persons! In general, those named have never before been alluded to in the investigation before the Magistrate by the prisoners, which, if their evidence really were good, would hardly have been omitted. They are generally the friends or relations of the prisoners; often the participators in the crime, whom it is intended to summon with the intent to prove an alibi. They are all summoned accordingly by the Magistrate, and sent up to the sessions, and swear to the alibi. A part of the form is to have their depositions taken first in the Magistrate's office, which is usually done by some native subordinate, and signed by the Magistrate. The latter rarely questions them himself—his time being too valuable to give to what is considered a mere matter of form. What is the consequence? The prisoners are pronounced guilty, an observation being recorded by the Law Officer and corroborated by the Sessions' Judge or the Sudder Nizamut, that the prisoner's witnesses do not prove any thing in their favor. I have heard many Judges say, that if the case for the prosecution be consistent, and well proved by circumstantial as well as positive evidence, they never pay the least attention to mere alibi witnesses, whose names have only been mentioned by the prisoners at the period of committal, yet no notice is taken of the conduct of these alibi witnesses: they are allowed to perjure themselves sessions after sessions, and to return to their homes, merely lamenting that they have not succeeded [illegible]

* In a case in the Nizamut Reports July 27, 1829 Hurrischunder Chuttiurgea, *v.* Munneenauth Baboo, it is indirectly pronounced that a man falsely confessing himself guilty of a crime may be punished for contempt of Court.

time, and hoping to be more fortunate the next.

I am not blaming the principle laid down for the guidance of Magistrates in India, in the investigation of charges which will ultimataly be committed to the sessions; it is founded on a laudable anxiety to give the prisoners an impartial hearing, and is one of the points of great superiority of our British Indian Code over English law. I would give every facility to prisoners to exculpate themselves; and there are many cases in which it is highly consonant to justice to summon witnesses in their behalf for the sessions, although these may not have been alluded to in the preliminary investigation by the Magistrate.

Sometimes the evidence in favor of the prisoner is of a nature that could not in any way affect the decision of the Magistrate as to their committal for trial, although it may very materially influence the sentence which may ultimately be pronounced. For instance, such as witnesses to a good character, or in case of an assault, to the provocation the prisoner may have received. But this deliberate encouragement to perjury which is afforded by the system of allowing the sort of alibi witnesses alluded to, to pursue the course which is now followed, without the slightest notice being taken of it, is carrying the principle of the tenderness a little too far.

The consequence is that the system of bringing forward these alibi witnesses on trials in sessions, is becoming daily extended. The parties concerned perceive that they have nothing to fear, and that there is a chance of the prisoner's acquittal: indeed, since the plan of district sessions, and trial almost immediately after committal has been introduced, a refinement in the mode of proceeding has been adopted. It some times happens that the trial follows so speedily, that the prisoners have not time to send to their witnesses to instruct them on what particular point they are to swear in order to prove the alibi, consequently the witnesses decline all knowledge of any circumstance in favor of the prisoners. The mode of proceeding very often is to decline wishing to call any witnesses when asked by the Magistrate—immediately to send some friend to make arrangements with some of their relations, or with men who make their livelihood by giving evidence when required, and this done, to *give in a list of* their names, and they are accordingly summoned upon the trial.

If a judge wish to punish such miscreants, his only mode under the present system is to send the case to the Magistrate; and this involves either a protracted attendance to all those who would be required as prosecutors or witnesses, or attendance at two further additional investigations—once before the Magistrate, and again at the sessions. These parties have, in addition to the inquiry they originally sustained, perhaps already spent a month or more in attendance at and in journies to and from the different courts; and the dislike to occasion them any further annoyance, added to the pressure of business, is probably one reason why no notice is taken of these cases of perjury. It seems expedient that some plan should be adopted to enforce immediate punishment to the guilty.

When two sets of people swear diametrically opposite to each other, it is evident that one must be in the wrong. Whether wilfully so, or by mistake, is another question. There are certainly cases of this nature which are doubtful; and in these we naturally lean to the side of mercy and acquit the accused. In some, such as identifying a particular person or article of property, each person may conscientiously believe that they are right; but in these alibi cases, to which I am alluding and in which it is evident, from the whole tenor of the proceedings, that the witnesses for the prisoners come prepared to be guilty of deliberate perjury, I think that where the prisoners are found guilty, the judge should, without any further investigation, be empowered to award punishment to their perjured witnesses.

Another point deserves to be mentioned. It repeatedly happens that before the session Judge, witnesses give statements very different from those they made before the Magistrates. Sometimes the difference is immaterial, at others it arises from forgetfulness, or the want of exactness so characteristic of the lower orders in India, but not unfrequently it is deliberality done for a bad purpose.

The superior Court have, in a Circular order, (date July 16, 1830) required the superior Judges always to note such instances in their proceedings, it is supposed with a view of punishing the parties concerned; but here one of the anomalies of the British Indian legislation nullifies all such intention. The proof on which a sentence of punishment would be founded, would, one might naturally suppose, be the discrepancy between the evidence offered to the sessions Judge, and in the recorded deposition of the same person before the Magistrate. Strange to say, this is not considered sufficient proof. The attention of the Magistrate, a man who is vested with such extensive powers, to the deposition, passes for nothing, unless he should have taken the precaution to have caused

two or three people to witness the deposition and attest it by their signatures. The sort of people usually selected for this purpose when it is done, are petition-writers and a species of low attorney called Mooktars; but it is never done in the Magistrate's office, except in confessions. The pressure of business prevents it in ordinary cases. The reason for this anomaly I imagine to be the well known mode in which depositions are too often taken in a Magistrate's office, viz., by a native writer; and after being muttered over to the Magistrate in *Persian*, signed by him and filed with the case as described in No. 22 of these papers. That this mode of doing business is unavoidable from the overplus of business I am well aware, and the superior Courts have acknowledged it, as is sufficiently proved by the circular order once before quoted. It is an additional argument, if any were wanting, for encreasing the number of officers sufficiently to enable them to perform their duties properly; and then, the attestation of a Magistrate to a written deposition might be considered a sufficient proof of its having been made. As matters are at present conducted, all such cases as those now discussed pass without notice.*

There is an extraordinary notion prevalent as to what constitutes perjury, which should not here escape attention. Suppose a man accuse another on oath, before a Magistrate of any crime, and that after investigation the latter is committed for trial; that the accuser, on coming before the sessions Judge, voluntarily retracts his first assertion, which, however, he allows that he made on oath, declares the whole to be false, and that he was instigated and suborned to make the accusation by some one who bore an ill-will to the prisoner. Such cases do sometimes occur. Surely the confession voluntarily made before the sessions Judge is sufficient evidence of the perjury: or granting that the first accusation were correct, that the accuser has been since bought off, and induced to accuse as his instigator some person against whom the prisoner bears malice, he is, morally speaking, equally deserving of punishment. Yet some British Judges and Mahomedan law officers actually have considered this insufficient, unless the prosecutor make this second statement on oath before them, and actually proceed to administer to him the oath, take his deposition, after which the perjury is complete, and the man is punished —such abominable prostitution and degradation of an appeal to the Almighty is execrable; yet such has actually occurred in the British Indian Courts.*

Much falsehood has been caused on the part of native witnesses, by our attempts to introduce a preciseness in giving evidence, which is quite foreign to the ideas of the people. We are not content with a general description; we either forget or are ignorant, that the common people, when giving true evidence, are unable to particularize, and that an attempt to extract such particulars as we are accustomed to think necessary, will only drive them to the impression of contradictions and absurdities. However desirable it may be to obtain evidence given with precision, we must too often, when the common people of India are concerned, be content with generalities, and by the concurrent testimony of several, and collateral facts and assertions, draw the best inference we can. But in some cases, the English judicial officers commit the most extraordinary absurdities in their zeal for precision. For instance, an affray occurs between the inhabitants of two villages, in which perhaps fifty, a hundred or more persons are engaged, of whom some have gone expressly to join in the affray, others to prevent it, and others, as we should express it, "to see the fun;" almost every one being armed with either sword and shield, spear, club, bow and arrow, some with more than one weapon, and which ends in two or three being killed, and six or eight wounded. The evidence in all these cases, is none of the best; that the wounded were concerned in the affray is sufficiently clear from their wounds; but as to the others, generally speaking, the only evidence which can be obtained is the accusations respectively of the opposite party; and some of each side are allowed to come forward to prove the guilt of those who appear most to blame. It is rare, indeed, that in cases of this sort any really independent testimony can be procured. Now, in by far the greater proportion of these cases, were the witnesses to speak "the truth, the whole truth, and nothing but the truth," it would be to the following effect:—That among the crowd they distinguished such and such persons; that most if not all were armed; that they observed such and such persons certainly to have been so; and that such and such persons appeared to be the most forward; but that they could not possibly tell who had struck the blows that had occasioned the deaths or the wounds; though in some instances, of course, this may be partly as-

* The attestation of the Magistrate alone is not, I believe, ever considered sufficient; but there have been cases in which the evidence given and recorded was considered proved, by the depositions of the writer, and person who administered the oath. See Nizamut Reports, July 23, 1829. Government *v.* Gomanee and Bhowanee. But such cases are rare.

* About two or three years ago, some extraordinary trials took place in the Moradabad Division, in which men were made to swear backwards and forwards in the most unaccountable manner. Some account of the proceedings appeared in the public papers.

certained. In examining the early records of our Courts, we shall find that such was often the tenor of the evidence in cases of affray, and it is so occasionally still; but this did not suit our English notions; we must have each man's share of guilt positively ascertained; consequently, all sorts of questions were asked as to who struck each particular blow, accompanied by observations "you are concealing the truth," &c. "you must have observed more than your state, &c.," till the poor witnesses were so badgered, that in despair they used to manufacture details suited to what they imagined the meridian of the English intellect. As this practice gained ground, the people to save trouble have got into the habit of manufacturing the story beforehand; and now it is usual for a witness to go on as readily as if he were repeating his creed. First of all A. cut B. with a sword, in the leg. Then C. struck D. with a club. Then E. speared F. Then G. cut B. again on the arm. Then F. came up and knocked down G.—and so on, and give as a reason, that unless they are so particular, the English Judge will be angry. Of course, after a man has given details of this sort to the Magistrate, when he is called on at the sessions, which, till the new system, were held at six months or a year apart, to do the same, some discrepancies will often arise; and this has not unfrequently resulted in the acquittal of prisoners, and a tirade against the perjured natives.*

Another great encouragement to exaggeration and false complaints, is afforded by the English mode of proceeding, in receiving appeals from the decisions of inferior tribunals. In a petition of appeal, it has become an almost established custom, to indite a certain portion of abuse against the subordinate authority. Accusations of bribery, partiality, refusal to hear the petitioner's witnesses' protestations that he will be utterly ruined, &c., are the ingredients selected with no unsparing hand, in a petition of appeal. Sometimes being directed against the subordinate functionary himself, sometimes against the officers of his court. Whether the petition be presented against the decision of a British Judge, Magistrate, Collector, Commissioner, or of a native functionary, the style is usually the same: and what is the extraordinary part of it is, that no notice is, generally speaking, taken of such. Some think it too much trouble; others are flattered with the neat compliments to their own superior sagacity and discernment which are usually insinuated in a petition of appeal to the individual appealed to, and do not like to find faults; and all this is allowed to pass without question. Indeed, it usually happens that the more violent a petition of appeal is the more likely is the case to receive immediate attention. It is astonishing that our different functionaries should never have been struck with the tendency which the allowing such proceedings to exist, has to degrade our courts and officers in the eyes of the natives, more particularly as every man feels this, when he is himself subject to it. I have known natives, who believed that English functionaries were as ready to take bribes as any of the people of India, appeal to this very practice as a proof, and observe "that the English would never allow their own characters to be so aspersed, if they were not conscious of the truth of these statements, and that it was better to pass it over and not provoke inquiry." The best mode of checking an evil which is grown to such a height, is, no doubt, to promote the education of the people and to raise their standard of religious and moral feeling; but, as before observed, much may be done in the mean time, if the different government officers will set about it in the right way. Much may be done both officially and in our private behaviours. Officially the first step will be to render punishment more certain than it is at present; and it is probable that were the amount diminished, and a discretion given to different public officers to punish the minor species of perjury and even forgery by a fine immediately imposed, this end would be in a great measure gained. My readers may at first sight be startled at such a proposition. According to our notions, perjury, whatever may be the object to be attained, is so heinous a crime, that in any shape we consider it to merit a most severe punishment. The justice of this idea is very questionable. There is as great a difference in the degree of criminality to be attached to perjury as to any other crime: the object intended should alway's be considered. To defraud a man of a few shillings by a forged receipt supported by false witnesses, is surely not to be compared to the crime of bringing a false charge of murder against another to which, if proved, the punishment inflicted would be death. Probably the most just measure of punishment for perjury would be to sentence the guilty in addition to a specific penalty for the jury to suffer that punishment or loss which would have accrued to the others should the perjury or forgery have

* See the trial already alluded to Nizamut Reports, July 23, 1829. Government *v.* Gomanee and Bhowanee. Two witnesses deposed to certain persons having met and fought, but that they did not distinguish who beat each other. The law officer pronounced this not to be good evidence, because they did not specify that such a person struck such a person; and on this ground acquitted them of perjury, when they, on giving evidence a second time, swore that they had not seen any fighting at all!

been successful; on this point, however, there is much to be said and much room for difference of opinion. But at any rate to consider perjury or forgery as one unvaried crime, alike deserving of a severe punishment with little variation, seems as unjust and inexpedient as to visit all thefts with the same penalty, on the plea that the intention is equally bad in a minor as in a serious theft, and that a man who would steal a penny would, if he had an opportunity, steal a pound. Or it may be compared to the laws of China, which all Europeans condemn as absurd, which inflict on every species of homicide the same punishment. It is, in fact, taking a leaf out of the book of Draco.*

Some, I am aware, do argue upon this principle, and assert that a man who would perjure himself in a matter of small importance would not hesitate to do so in one of more serious consequence. Possibly this may be just as regards some nations, but I am certain that it does not apply generally to the natives of India, of whom it may truly be said "*Nemo repenté fit turpissimus.*" The object proposed by the forgery or perjury, and the benefit which is likely to be obtained by those who give false testimony, should be considered, and the punishment apportioned accordingly. Many a man would not hesitate in forging a receipt for a small sum of money, or in procuring witnesses to testify to it who would be struck with horror at the idea of swearing a false accusation of murder against another. We have abundance of proof how completely over-severity of punishment defeats its object; and it is time to try the experiment of a moderate but certain penalty to deter from the commission of crime "*principiis obsta.*" Suppose a man to forge a bond or a receipt for a moderate sum of a hundred or a few hundred rupees, and to bring several false witnesses to testify to it; what is the probable inducement to the witnesses to come forward? in nineteen cases out of twenty, or perhaps ninety-nine out of a hundred, a sum of money given as a bribe; the amount of which may vary according to the object in view proposed by the person who procures their testimony, and which, in some cases, will not amount to more than four or five rupees. Were these witnesses fined ten or twenty immediately on the discovery of their conduct, it stands to reason that this would have great effect in checking such proceedings both on the part of those immediately concerned and in others. We have already a law which allows a judge in civil cases to fine a plaintiff for a "frivolous, vexatious, or groundless complaint," (Regulation II. 1803, Section IX.) and one which gives the same power to a magistrate, (Regulation VII. of 1811,) and in the latter case, it allows the magistrate to punish positive perjury, since every complaint, even the most trivial, must there be made on oath. I think it would be found a most beneficial enactment to lessen the penalty for the slighter species of forgery or perjury, and allow the different authorities to inflict it at once upon the investigation which they have already made, and that this should extend to witnesses as well as principals; and the power should be given to every authority empowered to conduct any sort of judicial inquiry. A maximum punishment would of course be prescribed: a fine commutable, if not paid, to imprisonment, with or without labour, according to the situation in life of the person, would be the most expedient punishment; and the amount and the sort of cases in which the infliction was authorized should be accurately laid down for each grade of functionary—Commissioner, Civil and Sessions Judge, Magistrate, Collector, Principal Sudder Ameen, Sudder Ameen, &c.—cases appearing of a more serious nature to be committed to the sessions as usual. One proviso I would propose, viz., the sentence under such a law

* I hope I shall not be understood to consider perjury and forgery as too venial a crime. It is in fact a double crime; the perjury or forgery is in itself one—the object to be attained by it is another, and the magnitude of the latter will be infinitely varied. Thus, suppose perjury to be estimated at ten, to cheat a man of a few shillings at two, and murder at a hundred. In this view, if a man in defending a suit of a demand of a few shillings, bring false witnesses to swear that he has repaid the debt, he and they commit a crime of the amount of twelve. If a man accuse another falsely on oath, of a crime of which the punishment is death, and succeed in causing the accused to be hanged; he has virtually as much committed murder as if he had perpetrated it with his own hands, and has committed a crime of the amount of a hundred and ten, or nine times as heinous a crime as in the other instance. This may seem a quaint mode of illustration, but the principle is worthy of consideration.

The same observation will apply to forgery, and the following instance will show how a forgery may be committed, yet the real guilt be very slight. By Reg. XXIII. of 1814, Sec. 45, decrees of Moonsiff's are not to be executed, unless application be made within one year, from the date of the decree, except when satisfactory cause or the delay can be shown. When this is not done, and a delay of more than a year has elapsed, the plaintiff may institute a new suit in the District Judge's Court; and the defendant in replying to such suit, is not to impugn the original judgment, (unless it were passed *ex parte*) but may show that the amount has been subsequently paid. Had the law merely fixed a period for the decree to be brought forward for execution, and in default enacted, that plaintiff should lose his claim altogether; one could understand it as being founded on a wish to put a period to litigation; but as it stood, I can only conceive its object to have been to raise some little extra revenue for Government, by the stamp paper, which would be required for the new suit. This is the effect, and in addition the law tended to encourage fraud and promote litigation. Well, a man named Balmokoond obtained a decree against Goolab in the Court of the Moonsiff of Mohabuns on the 25th July 1824. He neglected to apply for its execution until the 6th July 1826. (The probability is that the delay was caused by promises to pay on the part of the defendant, on purpose to prevent the application being made within the prescribed period.) Fearing that the Judge might refuse to execute the decree, and that he should be put the trouble and expense of a new suit, he altered the date of the decree from 1824 to 1825. A positive forgery according to the definition of the law—as much so as if he had forged a deed to defraud another of a hundred thousand rupees. But will any one say that the same punishment should be inflicted for both cases. See Nizamut Reports, May 8, 1827. Government *v.* Balmokoond and others.

should never be pronounced until the day after the proceedings had been completed. This may seem a strange suggestion, but public officers become so disgusted at the falsehoods and prevarications which they hear, that unless they take a little time to consider it coolly, they would be apt, in the heat of the moment, to pronounce a more severe penalty than the offence deserved.

Setting aside the general remarks on the efficacy of a certain but moderate punishment, I have seen so much benefit result from the same principle being adopted in the subject under discussion, viz. perjury and forgery among the natives of India, that I am anxious it should be attempted generally on a legal and proper footing. I have known some functionaries, who, in the minor cases, adopted the very mode recommended under the plea of contempt of Court. and have witnessed the most excellent effects from prompt notice of even the most trivial cases, though the penalty inflicted was of the slightest nature. For instance, a man presents his petition to a Magistrate of the usual aggravated nature—" that he has been beaten without cause or provocation," &c. &c. Instead of passing this over as a matter of course, administering at once the oath to the complainant as to the truth of his petition, and then ordering a summons to the opposite party; the officer to whom I allude would question the man as to the origin of the quarrel, and if he presisted in his story of having been beaten without cause, would perhaps say, " I will not hear any such story; go and find out the cause, and the orgin of the quarrel, and come to-morrow and tell me." Next day, on the man's appearance—" well my friend, have you found it out"? " Why, Sir, the truth is, that he owed me money for a long time; I went to ask payment and pressed him hard, on which he grew angry, and said if I plagued him, he would not pay me for a year to come; and then I *did* call him a cheat and a rascal, on which he beat me." " Then why did you file your petition with such exaggerations? take it back, and draw out another in which you will please to state the case as you have now told it to me."

In the attachment of property in the execution of a decree, it constantly happens that a petition is presented, claiming some part of what is attached; and that the petitioner will persist in declaring that the property is his, and that there exists no cause or plea whatever on which the plaintiff could have imagined it be that of the defendant with whom petitioner is totally unconnected. I have seen the same plan adopted here; and when the complainant came up the second time, his story would perhaps be, " why, Sir, the shop which has been attached is mine, as I can satisfactorily prove; but the truth is, that the defendant rents it from me; and has occupied it for the last six years, on which account plaintiff may have supposed it to be his." I have even known a man, after declaring himself to be unconnected with defendant, to admit the next day that he was his own brother. It seems extraordinary that people should make such wanton and absurdly false assertions, particularly when a moment's reflection would assure them, not only that the truth would appear as soon as the parties were confronted, but that no benefit could possibly accrue to them from so acting. The practice may be attributed to that proneness to exaggeration which has already been noted; and to the foolish notion that any admission which they might make tending to exculpate the opposite party, might be used to their own prejudice. I mention these instances to show how much good might be done by slight means, where these are unceasingly applied. In the Courts both of the Judge and Magistrate to which I allude, these exaggerated statements were after some time almost entirely checked, yet with the exception of occasionally a petty fine the chief penalty inflicted, was giving the parties the trouble of attending twice, and putting them to the expense of a second petition, of which the prescribed stamp was of only eight annas value.

A more extended intercourse between the English functionaries and the people, to which I alluded in my last and many previous numbers, will have a powerful effect in counteracting the evil now lamented; and it will also give them opportunities of marking and discountenancing bad characters, which will be found to have a considerable auxiliary influence.

The system of the perpetual administration of oaths which is carried to such an excess in our Courts and offices, has had no slight share in promoting the frequency of perjury and falsehood. It is shocking and appalling to see a solemn appeal to the Almighty degraded by being put in force upon the most trivial occasions. It is introduced into every sort of proceeding; and to such a height is it carried, that a man cannot send an agent with a power of attorney to receive a few shillings which may be lying in the Court treasury, due to him on a decree, without at the same time sending two witnesses, who are to depose, on oath, that the power of attorney was regularly executed: and this too, though the distance may be fifty or a hundred

miles. So much for the facilities for business afforded by the British Indian Courts. The nature of the oath too, is another absurdity. Instead of having a *formula* of the different modes of oath most binding on the respective classes of Hindoos, with very few exceptions, the oath "by the water of the Ganges" is imposed upon all: yet, it is well known, among the people at least, that many sects do not respect the sacred stream, or consider an oath by its water as any way binding. It is to be hoped that a more rational (to use the mildest term) custom will be shortly introduced of reserving the appeal to God for the more serious cases. But this subject is of itself sufficient to form an essay, and is merely alluded to here as being one cause of the frequency of perjury.

In conclusion, I cannot refrain from offering a few remarks, to obviate some conclusions which might be drawn from the observations here offered particularly by those who are bent upon representing the people of India as an utterly degraded and unprincipled race. As to their moral feelings on the subject of truth, the scale on which they must be placed is indeed very low; but I cannot perceive the policy or the justice of declaring that because they are bad, they never will be any better. In fairness, the state in which they are placed by their Government and social ordinances, should be taken into consideration. They have for ages been subject to despotism, to foreign aggression, and internal commotion; the mode in which they have been governed is one which causes their life to be a struggle against truth, and obliges them to be vicious in self-defence. These effects have been kept up in full force, under the British Government, by the extortion which has been pursued in revenue matters, and by its sanction of the plunders and oppression of the police and other officials, together with the utter insufficiency of any tribunals from which justice might be obtained. It can scarcely be expected that men who have lived for several generations under such disadvantages, can exhibit a high tone of morality; but there is no reason whatever to suppose that this may not spring up and increase among them, when a favorable opportunity shall be afforded. The Government must do its duty, in setting a limit to its cupidity; in establishing some security of property; and in promoting education on a rational and practical plan.

Nevertheless, I fear, that bad as they are, even on the point we are now considering, the difference between them and the English is not so wide as some are inclined to believe. Between the lower classes in the respective countries, it is difficult to say on whose side the comparison would show to the greatest disadvantage. Heber's Observations have been already alluded to. I have heard several Justices of the Peace in England protest, that "it was impossible to trust to any assertions of the common people, where their interests were at all concerned; and more than one lawyer of extensive practice in London, has, to my knowledge, declared, that "as many oaths as might be required upon any point were to be procured at *a shilling a head.*" I quote the very expressions made use of. Between the middling ranks of each nation, the comparison would probably be rather in favor of the English. There is much of good faith in these classes of both nations: the merchants and bankers of Hindostan are as much to be trusted as those of any country, though some do assert, which may probably be true, that self-interest here has more influence from the necessity of maintaining a character than moral feeling. Among farmers and agriculturists, possibly the balance may incline somewhat in favor of the English, though English landlords in general might perhaps be slow to allow it when comparing their rent-roll and the disbursements together, and the excuses made by the farmers. Among the higher ranks of the gentry* and the nobility the difference is immense. These two classes of Hindostannees are too often guilty of the most audacious frauds and falsehoods, and of these again the worst are to be found among the decayed Moosulman families of rank and the Brahmins. They are by no means without exceptions; on the contrary, many instances of high moral feeling exist among them; but it is a peculiarity among these two classes, but the individuals which compose them almost always exhibit extremes; either very bad or very good. There is another singularity regarding these two classes. When an European who is within the pale of respectability is tempted to be guilty of any thing mean or fraudulent, he at least endeavours to conceal his actions or to disguise them under fair pretences, but the above mentioned individuals will too often assert the meanest falsehoods and be guilty of the most disgraceful acts with so little shame, and that too often in matters in which it would be very easy to conceal it, that it would seem as if they were completely indifferent as to how much their character suffered; it is a characteristic which it is difficult to account for, except by attributing it in some instances to the recklessness which a continued course of profligacy produces, and in others, to the supposition that they con-

sider themselves placed by rank, situation, and caste, so completely above all scandal, that no reports to their disadvantage would obtain credit.

There is one point in the character of the natives of India which should not be omitted in discussing this subject. The gratuitous and wanton falsehoods in which they indulge. It is prevalent, more or less, in all ranks and classes, and is almost universal amongst the lower orders. Where the interests of these are concerned, I doubt whether, on the whole, they are much worse than the same classes in England: but the latter do not certainly exhibit that intollerable disregard of truth on points of not the smallest importance which is the disgrace of the natives of India. The most simple questions to a servant, such as "have you been to the bazar to-day?" "do you know who that person is?" or a hundred others, are generally at once answered in the negative, although it is directly opposed to the truth, the utterance of which could not in any way affect the person addressed. The only solution one can give is, that in each case the person supposes that to avow the plain truth might possibly occasion him some trouble or inconvenience, and that therefore it is better to profess ignorance of the subject alluded to.

In elucidation of the remark that we must, in judging of any point in the character of a nation, take their habits and feelings in consideration, I beg to advert to a custom utterly indefensive on the score of morality, which was practised in England, and would be again were the regulation revived which caused it—that of military officers who used to assert *on honor*, the one that he had not paid, and the other that he had not received more than the regulation price for his commission; while so little concealment was practised that immediately after, had even the Commander-in-Chief asked in private, neither would have had the least hesitation in informing him how much in excess of the fixed price had been paid. False oaths are regularly taken by the clerks of respectable merchants as to the value of goods at Custom Houses in England. "Custom House oaths" are a regular phrase, and the Collector of Customs at Calcutta, not long ago, publicly asserted that the manufactory of invoices was carried on so openly in that city, that those papers dated *London* were often brought to him, with the ink scarcely dry. "Oh! but these cases are mere business, matters of course which every body does, and understands to be done"—I imagine I hear it said. The fact is, indeed, too true and too much to be lamented. But while our own morality is so loose, let us at least exhibit as much charity and leniency in judging of the natives of India as we bestow upon ourselves.

A FRIEND TO INDIA.

November 1, 1834.

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## THE CHINESE EMPIRE.

Only inferior to Russia in extent, it surpasses all other countries on the globe in resources, which however fall short of the exigencies of the empire. It may be compared to a slumbering giant, who might by activity destroy the pigmy beings of the human species, but who is satisfied with possessing the spot where he rests in peace and quietness, and boasting of the strength of his limbs, which by long disuse cannot carry him, so that even children may tease him with impunity. It is not our object at present to discuss its political strength, but to present a general view of the countries which constitute this huge empire.

The eighteen provinces comprised by our geographers under China Proper in contradistinction to its colonial possessions and Cochin-China, differ widely in extent and fertility, but each of them might separately constitute a kingdom. The union between them has never been so firmly cemented as under the present dynasty. Even at the accession of the Mantchoo family to the throne, the southern provinces were ruled by vice-roys who possessed almost sovereign power, and were often found in rebellion against the emperor. Such a state of things did not last very long; the provincial supreme government was divided between the highest functionaries, who acted as a check upon each other, and to ensure their fidelity, were surrounded with spies sent purposely from Peking. At the present moment, a governor of more subjects than the largest kingdom in Europe can boast, may be deprived of his rank and life, without the least fear of disturbing the public peace. There in not one instance on record in which a disgraced vice-roy turned rebel; nor do we remember that the people ever showed so much affection for their fallen ruler as to take up arms on his behalf. The government of Peking has full controul over the most distant parts of the

empire, and rules over them with far greater ease than the Grand Signor over his turbulent capital. Of all the provinces, Keang-soo is the most fertile. It is the delta of China, upon a large scale, on the banks of the magnificent Yang-tsze-keang and Hwang-ho. Che-keang, the smallest of all the provinces, is more productive than Sze-chuen, the largest, though intersected with barren mountain ridges. Keang-se and Honan may be called the heart-arteries of the giant; the former is pointed out as the centre of the world by the Chinese, whose monarchy was founded there. Of the highest importance as maritime provinces are Kwang-tung and Fuh-keen; a honor in which Che-keang also shares. The first is far superior in agricultural riches to Che-keang, which has, however, its tea hills and orchards. We are far from considering China as a garden, nor is the boasted abundance of every necessary of life and the extraordinary fertility of the soil a matter of fact. We should rather be induced to believe that it had, in general, a poor soil, which was raised by mere dint of industry to that flourishing state in which we find it at the present moment. Shan-tung stands isolated amongst the provinces; it produces, however, as much as will suffice for its own consumption, without having many articles for exportation. Though advantageously situated for trade, its merchants have neither ventured to Corea nor Japan; and if sheer want had not forced them to leave their homes, they might still be ignorant of the opposite coast Leaou-tung. Pih-chih-le, without the coast, would be in a wretched state, and similar to the adjacent territories beyond the great wall. Shan-se and Kan-suh bear much resemblance to each other; they are partly mountainous, enjoy a rigorous climate, and produce all the grains and vegetables of Europe. Being excluded from participating in all the trade, they indemnify themselves by carrying on a barter with the inhabitants of the northern and western deserts, and visit also the Russian settlers. Such is the commercial spirit of the Chinese nation, which is innate in them, that they will overcome all natural disadvantages in pursuit of their favorite occupation—trade.

What can show a greater spirit of enterprise than the wanderings of these Chinese merchants for months and years in the dreary deserts of Mongolia, which even appal the hardy Russian Hoo-nan and Hoopih are very similar to Heang-soo, possessing the equal advantages of rich irrigation for the cultivation of the staff of life—rice. Gan-hwuy is more mountainous, but fertile to a great degree. Yun-nan and Kwei-chow are partly still in the possession of the aboriginal Meaou-tsze; the former is a burden to the Chinese government, by absorbing annually much treasure without re-imbursing the emperor. When the Chinese shall have learnt to dig in the bowels of the earth for metals, and when the government shall be more liberal, it may be expected that the Switzerland of China—Kwei-chow—will become one of the richest provinces. Yun-nan, though a very extensive province with many rivers and verdant plains amongst towering mountains, has never been much valued by the government. It is too distant, without manufactures and trade; neither do the inhabitants rank very high in the estimation of their countrymen. Kwang-se, though under the same governor as Kwang-tung, is totally different. It is entirely an agricultural province, thinly inhabited, with few large cities, and is the granary of Kwang-tung. In the estimation of government it stands very low. The large territory of Sze-chuên is well cultivated on the banks of the Yang-tsze-keang, which is here called Kin-sha-keang—golden sand river—but great tracts present either a barren soil, or an impenetrable jungle. In the mountain recesses the Aborigines defy the whole power of their Chinese lords. The two islands, Tae-wan and Hae-nan, with a great number of smaller ones, are of the utmost importance to the maritime provinces. Very unlike the picturesque groupes in the Indian archipelago, they exhibit nothing but barren ridges of mountains, but are thickly inhabited and in a state of the highest cultivation. Comparing the natural situations of China Proper with that of other countries, it is peerless in Asia, and in advantages resulting from it inferior to none. With an extensive coast and splendid rivers, it touches the extremes of cold and warmth, whilst it itself enjoys a temperate climate. But it must be allowed that it lies isolated; it has natural boundaries to the south, west and north, which are nearly impassable. The cause of this is obvious. The industrious Chinese, like all other civilized nations, have gradually driven the neighbouring nomades towards the deserts, and occupied all the land fit for tillage. Only where ridges of mountains stop their progress, their endeavours of extending their territory proved fruitless; otherwise we might have sought for the boundaries of the Chinese empire near the Caucasus.

The safety of the northern provinces was formerly much endangered by the continual inroads of the Tartars. During the sway of the Mantchoos the peace and security of the empire has been established upon a firm basis; the inveterate enemies of the Chinese

are now their vassals and rulers, and have common interest in the preservation of the empire The policy which led to this great result is worthy of the great Kang-he, who may be said to have laid the foundations of the extensive empire under the present family; Keen-lung, who resembled him most as a warrior, continued the same line of policy, though not with the same success; his successors have added little, but persevere in the beaten track.

Mantchooria is now incorporated with China Proper; Leaou-tung would form a natural appendage to the state, but the two upper provinces, Kirin and Tsitsihan have nothing in common with it. The fertility of Leaou-tung is well known, but it owes its prosperity to Chinese colonists. Kirin has extensive forests and marshes, but the Aborigines, from whom the reigning family descended, do not delight in agriculture, they prefer a pastoral and indolent life, and their territory resembles a wilderness. Tsit-si-han, the western part of Mantchooria, is on the whole, a cold inhospitable country, not unlike Siberia, inhabited both by Mantchoos and remnants of the Mongols who, when driven out of China, there took refuge. The numerous tribes who inhabit the banks of the rivers, and live in a state of the utmost wretchedness, remind us strongly of the Samoyedes and Tongooses in Siberia.

Mantchooria, however, is superior to Mongolia in point of soil. The Mongols, once the conquerors of the world, and who had spread over Asia and Europe, inhabit the worst spot of Asia, Siberia excepted. The territories along the great wall have a few fertile spots, which are either imperial hunting grounds or domains. The region about the yellow river is barren. Ka-a-tchin is fertile, but the lands bordering upon Tsitsi-han are frightful deserts. The country of the Kalkas, to the north of the Kobi desert, is not much better; Ouliarutai, on the Russian frontiers, participates in all the horrors of a Siberian climate, added to the sterility of the soil. Entirely different from both inner and outer Mongolia is Kokonor, including Sé-fán, the fourth ill-defined province of Mongolia; situated between Thibet and Sze-chuen, it partakes of the soil of both, but mostly inhabited by nomadic tribes; it is in a very low state of cultivation, and too mountainous to give a free scope to agriculture. The Mongols possess a cheerful disposition, and can even enjoy themselves in their dreary deserts; as vassals of the Chinese empire they enjoy many advantages; and as their numerous standards, into which the whole nation is divided, have never been called upon to perform actual service, they have little to complain of their Chinese masters. Some parts of Mongolia, however, are under the immediate control of the Mantchoos, and stand to it in the same relation as eastern Turkestan and Soungaria, which constitute the government of Ele. Both dependencies are of little value to the state. The soil is in most parts poor, and the population, on account of the destructive and continual wars, very scanty. The Mantchoos would have acted wisely in not grasping at possessions, the tenure of which is very uncertain, and have been bought with much blood. It is from this quarter that China is assailable, and if ever the Usbecks, Kinghis, or Russians are tempted to an invasion, they can easily penetrate to Can-suh and Shen-se.

In annexing Thibet as a fief to the empire, which Kan-he commenced and Keen-lung accomplished, the Mantchoos did it most likely with the view of exercising an uncontrolled sway over the Popes of Shamanism, in order to check its bigoted votaries, the Mongols.

The Dalai Lama and Bontchin Erdeni are indebted for their existence to the Mantchoo family, who drove the Kalmucks out of Thibet. Though viewing every mortal as their slaves, they pay homage to the Chinese emperor, who, in his turn, does not fail to render them due honor. The greater part of Thibet is under Chinese influence, but the state is not a gainer by the possession of an alpine table land, so cold and unproductive that the poor inhabitants find it very difficult to subsist. If the gold mines were worked to any extent, the expenses of government might be defrayed, but there are important considerations which prevent the greedy Chinese officers from having recourse to such a measure.

By the acquisition of Thibet the possessions of China have thus nearly come in contact with the British. The government is perfectly aware of this fact, but Chinese policy thinks itself sufficiently sheltered behind the anti-national system. Attempts have been made by the martial Keen-lung to extend the frontiers towards the south. Birmah and Ton-king, were each attacked in their turn, but to no purpose. If the Chinese had succeeded, would they have stopped there? Would not Siam, a country inhabited by myriads of Chinese, likewise have fallen a prey to their grasping ambition? How their conquests would have changed the face of the Indian archipelago! But let us not be carried too far by conjectures; we know that heaven's son claims the whole earth for his own; and it is only

magnanimous forbearance which prevents him from spreading the influence of his benign government to the shores of the Atlantic. Few nations have profited by the generous offer of receiving the transforming influence of the celestial empire. Amongst these the Coreans hold the foremost rank. Their country is a fief of China, and always viewed as such by the emperor, but notwithstanding the constant homage of the Coreans, their frequent embassies, under the name of tribute-bearers, they have kept both the Mantchoos and Chinese out of their country, and are sovereign masters at home. The Loo-choo islands are included in the imperial compassion, and have been much benefited by a nominal vassalage.

We have completed our tour throughout the Chinese dominions. Their component parts are as strange an anomaly as the government itself. The whole is held together as by magic. But the building composed of such heterogeneous materials has been erected with care, stone has been added upon stone, and it is now become unwieldy, tottering from its own massiveness.

We cannot say much of the foundation, but whenever a political tempest begins to rage, such as occasionally arises in Europe, it may fall with a tremendous crash. To pry, however, into futurity is not our object; we leave the destiny of nations to the great disposer of all events. Shall we call the inhabitants happy, whilst they live in ignorance, and are indifferent towards objects which constitute the prime aim of human life? A nation may live for centuries in peace and nevertheless be wretched, because government is in actual warfare against its prosperity. We leave our readers to muse upon the subject.

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POPULATION OF CHINA.—The Roman empire including the provincials and conquered nations, is said to have comprehended under the Antonines, about 120 millions of inhabitants. The extent of its territory was fully equal to China Proper, and although some of the provinces were only lately reclaimed from barbarians, and therefore by no means well cultivated, its ancient possessions in Europe, Asia, and Africa, were, if not superior, at least equal in populousness to China. From whence does then arise the disparity between 120 and 361 millions? luxury, as well as the frequent wars may have thinned the population, but they cannot have reduced it to such odds.

In our humble opinion, we can cherish no doubts about the correctness of the imperial statement, that the numbers according to a well authenticated census, as near to the truth as possible, but we state freely some difficulties, which wiser men than ourselves will be able to remove.

In Shing-king or Leaou-tung, the imperial statistics estimate the census to 942,003; now we have visited some districts of this territory ourselves, and, with all allowance for mistakes, we suppose, that the number of inhabitants must at least be four fold. In Kirin it is said there are only 307,781 inhabitants. We know that this country is extremely thinly inhabited, but this census would only give 11 inhabitants to a square mile, which is incredible, on account of the continual influx of Chinese. In Tsit-si-han there are only 2,398 families, which, considering the numerous tribes living scattered throughout this extensive country, must be far below the truth. Perhaps those only who pay tribute, and serve in the militia, are included in the number. We will not now discuss the census of Kokonor and of Ele; the same remarks apply to this country, but merely intimate that the numerous Mongul tribe is not comprised under the 361 millions.

So far we have seen, that the census is below the actual number, but in some provinces it is the reverse. But we are rather cautious to advance opinions, which might militate against facts, and give here the list of the extent and population of each province.

Pe-chih-le; extent, 58,949 square miles; inhabitants 27,990,874; upon each square mile 473.

Shan-tung; extent, 65,104 s. m. inhabitants 28,958,764; upon each s. m. 515.

Keang nan (the two provinces Keang-soo and Gan-hwuy) extent, 92,961 s. m. inhabitants 72,011,560; upon each s. m. 774.

Shan-se; extent, 55,268 square miles, inhabitants 14.004,210; upon each s. m. 253.

Honan; extent, 65,104 square miles, inhabitants 23,037,171; upon each s, m. 354.

Keang-se; extent, 72,176 square miles, inhabitants 30,426,999; upon each s. m. 421.

Fokien; extent, square miles 53,480, inhabitants. 14,777,410; upon each s m. 276.

Che-keang; extent, square miles 39,150, inhabitants 26,256,734; upon each s. m. 671.

Hoo-pih and Hoo-nan; extent, square miles 144,770, inhabitants 46,022,605; upon each s. m. 317.

Shense and Kan-suh; extent, square miles 154,008, inhabitants 25,400,381; upon each s m. 164.

Sze-chuen; extent, 166,800, sqnare miles, inhabitants 21,435,678; upon each s. m. 128.

Kwang-tung; extent, 79,456 square miles, inhabitants 19,174,030; upon each s. m. 241.

Kwang-se; extent, 78,250 square miles, inhabitants 7,317,895; upon each s. m. 93.

Yun-nan; extent, 107,969 square miles, inhabitants, 5,561,320; upon each s. m. 51.

Kwei-chow; extent, 64,554 square miles, inhabitants, 5,288,219; upon each s. m. 82

We ask the political economist, whether 774 human beings can live upon one square mile, which is thrice the population of England, where only 225 live upon the same spot. If, however, the census of Gan-hwuy and Keang-soo is correct, we are persuaded, that there is no spot upon the whole globe which is so thickly populated; nor can a larger number possibly live upon the same extent of territory. Keang-soo, moreover, is full of lakes, and has also considerable marshes, which are of course not arable. The utmost industry can subsist the cultivator, yet he has nothing to spare from his hard earned produce; and nevertheless both Gan-hwuy and Keang-soo have very largely to contribute towards the maintainance of the imperial courts. Shan-tung and Che-keang are mountainous provinces, with many barren tracks and unproductive plains, yet according to the imperial census the former has 515 and the latter 671 inhabitants upon each square mile. We allow the Chinese to be a most frugal people, who do not require half the extent of territory to maintain themselves as an European would need, to live in a state of comfort, but can 617 human beings find subsistence in so small a space? Surely if the imperial statistics are correct, the populousness of Keang-soo, Gan-hwuy and Che-keang overthrows the theory of Malthus. Pih-chih-le is apparently barren, but has nevertheless 473 inhabitants upon the square mile.

We are at a loss to find out why Yunnan should have fewer inhabitants than Kwei-choo, the most unproductive of all the provinces, nor can we make out why Kwantung and Honan, both possessing a dense population, should not have an equal number with Che-keang upon each square mile, whilst the former is only one third, the latter one half as populous.

It is not with a view to impeach the statements given in the Repository that we write this, but we are anxious that our doubts should be solved for our own satisfaction. Upon the whole we think, that the total amount of 361 millions is not too much for the Chinese empire. It is very evident, that the Chinese are the most prolific nation on the globe. Instead of conquering other nations like the Romans, they took possession by the numerical force of their population, colonized and spread until mountains and deserts prevent their farther progress. A nation like the Chinese, so numerous, guided by the same laws, attached to the system of the ancients, were more likely to abide the subjects of one prince, than the heterogenous tribes who acknowledged the sway of the Romans. The striking characteristic, which doubtless constitute the Chinese nation, a people distinct from all human kindred, contributed much to that unity of design, which caused them to abhor foreigners and to crowd under the protection of their native lead ers.

Has China ever been as populous as it is now? Can the nation continue to increase in proportion, without absorbing finally all resources? These are the questions, which we should fairly ask, to come to a satisfactory conclusion. The rising generation is at the present moment so great, as to frighten the mandarins, who tremble at the prospects before them. Fully persuaded, however, that in the providence of God, the population keeps pace with the means of subsistence, and if increasing to excess finds an outlet in emigration, we fondly hope, that the threatening evil may be averted from this empire. Mantchooria presents still a large field for Chinese colonists, they may also find uncultivated lands on the western frontiers, and may even send colonies to the west coast of America. It is very obvious, that this great mass of mankind is near a grand crisis. The world has changed, without their partaking in those changes, and it will be finally their turn to yield to the common impulse given from the west. If a handful of barbarians from the desert could change the face of the country, should the enlightened spirit of enterprise, which now pervades Europe, remain dormant on its approach to the Chinese frontiers? We should regret if so many millions got into a state of fermentation, for the consequences would be awful; but if they do not advance with the world, they will sooner or later fall a sacrifice to their stubbornness.

Intelligent Chinese in reading this paper might perhaps quote a passage of their Sages, and leave matters to proceed in their natural course, whilst they with all their countrymen persevered in the beaten track. Such is also the maxim of the government; nothing influences it, but bare necessity. Time is on the wing with its revolutions, but they do not heed his flighty companion, until it is too late to keep pace with him.—*Canton Register.*

# TRADE BEYOND THE INDUS AND SUTLEJ.

[*Concluded from Vol. V., Second Series, page* 556.]

## IMPORTS.

WOOLLENS.—Broadcloth is exported to the Punjaub in considerable quantities. The prevailing colour is red for the uniform of Runjeet Sing's regular troops, and the natives are in the habit of wearing long pieces of red cloth in the cold weather thrown over their shoulders. Next to red the colour in greatest demand is, green, and there is one way in which green broadcloth is consumed which is well deserving of notice. Some years ago the manufacturers in Cashmere found out that green shawls were in demand with the Europeans, and having no other mode of procuring the dye, they were obliged to extract it from green broadcloth, and they have continued the practice ever since. Two yards of broadcloth, to the value of about ten rupees, are spoilt in the process of extracting colouring-matter sufficient for a single shawl, and it would of course be a profitable speculation to import a small quantity of the dye itself, furnishing at the same time directions for its proper application. The remainder of the export is made up of every colour.

Our broadcloth is held in esteem by the Affghans for making up their winter dress; and after the opening of the trade, it is likely to be extensively consumed by them and their neighbours, the Uzbecs and Turkomans. The excellence of our broadcloth is fully appreciated by the Affghans in common with the rest of the Asiatics, and it is their dearness alone which prevents their having a more extended consumption. A low standard of price therefore ought always to be kept in view, and this should be combined as far as possible with a specious glossy appearance. The lighter kinds, as ladies' cloths, cassimere, and camlets, will be required only in small quantities. Our flannels and blankets were never in much demand in the east, but they will probably be required more to the west of the Indus on account of the coldness of the climate.

When the north-western trade is opened, the market for woollens will be entirely our own. The Indians never had any, except Cashmere shawls, and a coarse stuff called purpet or puttoo, and after the opening of the Indus, the Russians will be as inferior to us in the means of transport as they are at present in the manufactures.

SILKS.—Silk of the natural colour or light yellow is very much worn by the Seiks, this being their sacred colour. It is all Moorshedabad silk exported by the Marwarries who buy it at Mirzapoor. The countries beyond the Indus are mostly supplied over-land from Persia and China, but when the trade is thrown open, they will mainly depend upon us for their supply. When there is no great difference of price, nations always lay in their supplies of foreign goods at the places where they are able to dispose of their own produce.

We have not yet acquired so decided a superiority over the Indians in our silk manufactures as we have in our woollen and cotton, and the French are also able successfully to compete with us. The market of the Indus therefore will be supplied at first from all quarters. After a time it will be seen what kinds of silk are most in demand, and our merchants will then make it their study to get up their investments accordingly. Keemkhab and other Indian silk stuffs, velvet, satin, crape, brocades and embroidered goods will sell to a certain extent for the consumption of the rich. Although these articles can be consumed only by a few in each community, yet being light and valuable, they are capable of the longest land carriage, and when an ingress has been given, they will find their way into the heart of Central Asia.

Imitation shawls will hereafter become an important article of export, but they must be made on purpose for the market. The people to the west of the Indus use shawls or sashes to tie round the waist, or as turbans to wrap round the head, and they seldom wear them thrown over the shoulders like the people of India. For this market therefore shawls require to be made very long and narrow. It is difficult to speak with certainty regarding the pattern, and the best plan will be to send to England a few specimens of the genuine Cashmere shawl, of the kinds which are most in use.

SPICES—Are a very important branch of the export trade. They are not an article of luxury, the use of which is limited to a few, but they are in general request, and their consumption will increase just in proportion as their cheapness renders them ac-

cessible to the community at large. The climate of the countries beyond the Indus unfits them for the production of any kind of spice, and they must, therefore, always get what they want from abroad. Spices are mentioned by the Emperor Baber as one of the principal exports in his time, and they have continued to find their way in greater or smaller quantities in proportion to the facilities which the state of the intermediate countries happened to afford to their passage.

The following are the kinds which are most in use; black pepper, gol-mirch; cardamums, elachee; cloves, long; nutmeg, jaiphol; betel-nut, supeyree; cinnamon, daul cheenee; mace, jowtree.

The quantity at present exported, falls very far short of what the market would take off if proper facilities were given. Neither Russia nor Persia produce spices, and there is, therefore, no other quarter from which any supply can be obtained except Hindoostan, the whole external commerce of which is in our hands. When the navigation of the Indus is opened, spices will be brought by sea to Bukker, almost as cheap as they are brought at present to Bombay. From Bukker they will be sent by water to every part of the Punjab and Cashmere; and on the other side, the Affghan merchants will convey them by land to Candahar, Heraut, and Bukhara, from which they will find their way to the frontiers of Russia and China. Meeting with no competition and having a better market always before them, they will be pushed on to an indefinite extent, only as they recede further from the mart, they will become more and more articles of luxury and less of general consumption. Even the most distant countries must have spices to cousume more or less as articles of luxury.

SUGAR.—Sugar-candy and refined and common sugar are another of the exports of Hindoostan to the north-west, mentioned by Emperor Baber. Although a little sugar-cane is grown in gardens, no sugar is made in the countries beyond the Indus, and they are entirely dependent upon India for their supply of this necessary article. A good deal is sent from the Dooab to Shikarpoor by way of Palee, and the Russians export lump sugar made from beet root by way of Bokhara. But this supply is quite inadequate to the consumption of the country, and the price is such as to place it beyond the reach of the bulk of the people. After a mart has been established upon the Indus, sugar will find its way in every shape and through every channel. The produce of the Dooab will come by Behawulpoor and Palee, and the produce of Bengal, and the maritime countries of India, will be brought by sea.

This will become a very important branch of traffic. Sugar is an article of general consumption by all, both high and low, and here we shall have several nations entirely dependent upon us for their supply, for the Russian competition with such inadequate means as they possess, will be too insignificant to merit attention when the market has once been thrown open. In order to render it more capable of bearing a long land-carriage, sugar requires to be refined. What the Russians export is lump sugar, and what comes from this side is sugar-candy. The best plan perhaps will be to engage persons from Becaneer, Calpee, and other places where the best sugar-candy is made, to settle a Bukker, where the sugar will be refined and sent on.

INDIGO, *(Neel)*—Is another permanent export to the other side of the Indus. None is produced in the country. The article is one of general consumption, and Hindoostan is the only source from which any supply can be derived. Between one and two lacs of rupees worth of native indigo is annually exported from the Dooab to Amritsur. The factory indigo is not in demand owing to the great difference in the price, which is seldom less than one hundred per cent. There is a kind of refined indigo, however, which is exported from Bombay to Shikarpoor and Amritsur in rather considerable quantities by the route of Baonuggur and Palee. It is called by the Native merchants *Cheen ka neel*, but as no indigo comes from China, I conclude that it is Bengal factory indigo, the refuse of which is refined at Calcutta, and exported to Bombay and the Gulf. The exports of indigo to the Gulf are very important, amounting in some years to more than eleven lacs from Calcutta alone, and a great deal more must be sent from Bombay.

Indigo will find its way to the new mart both by land and sea. The produce of the Dooab will be conveyed *via* Delhi and Behawulpoor or Delhi Ramghur, Becaneer, and Jeesulmere, the produce of Bengal will arrive by sea round Cape Cormorin and up the Indus. Purchasing it at the mart, the Affghans will convey it to Mushed and Bokhara, and from thence it will find its way to the most distant parts of Central Asia. We have no competition in this article from Russia and China. Even the most distant countries of Central Asia must be supplied with indigo to a certain extent, and Hindoostan is the only quarter from which it can be obtained.

COCHINEAL, (*Kirum*).—This is the most precious of all our dying drugs, affording the scarlet crimson and many other valuable dyes. It is a native of Mexico, and arrives in the country through the medium of England. Cochineal is the dye which is used for the crimson Cashmere shawls, and this being the prevailing colour, the consumption is of course, considerable. It is also used at Amritsur to dye the silk, which is imported there from Bengal. Sometimes lac dye is mixed with the cochineal, but the colour thus yielded is very inferior to that of the genuine cochineal.

The mart upon the Indus will give to the consumption of the article a much wider range than it has at present. The dye is very much admired in Persia and India, and notwithstanding its high price, it meets with an extensive sale. When it becomes equally accessible to the cities of Affghanistan, it will no doubt be equally appreciated by them. Being very susceptible of land carriage, it will be transported to Bokhara, and the most distant marts of Asia, and as the taste for it increases, it will acquire a permanent demand which will make it a very important article of export.

TEA.—Is not much used in the Punjab, except as a medicine, but it is in great demand in the Mussulman countries on the other side of the Indus. At Bokhara it is taken daily by all classes, and the taste for it is prevalent in Affghanistan, but it is less accessible to the people there, owing to the source of supply being more distant. Bokhara is supplied direct from China overland, and a portion finds its way as far as Cabul. The principal exportation from this side is by Bombay and Palee, and a small quantity is sent up the Ganges from Calcutta. The whole quantity at present exported is under a sack. When the new mart is established, it will be brought direct from China to the mouth of the Indus, and it is impossible to say how much the consumption may be increased by the saving of the long land carriage, and the opportunity which will be given to the Affghans of laying in an investment to any extent that may be required.

SANDAL WOOD, (*Chundun*).—The principal demand for this article is in the Punjab and Cashmere, being used by the Hindoos in various religious ceremonies. The principal importation is from Bombay, where it is produced, and a small quantity is also sent from Calcutta.

CAMPHOR, (*Kufoor*).—Is an article in great request in all the countries of the East, and it is exported both from Bombay and Calcutta.

SPAN WOOD, (*Bukum*).—Is in great demand with the dyers all over the East. It is exported in considerable quantities from Calcutta to Amritsur, but I cannot find that any is sent from Bombay.

VERMILION, (*Shungruff*).—Is in some demand, and it is exported in small quantities both from Bombay and Calcutta.

DATES, (*Chohara*).—Are in general demand throughout the Punjab, Cashmere, and the whole of Central Asia. They form an important article of commerce, and there is no competition, none being produced in the country. The shores of the Persian Gulf furnish the principal supply.

COCOANUTS, (*Nariyul or Girigola.*)—This is an article of general consumption in the Punjab and Cashmere, being much used by the Hindoos in various religious ceremonies. They are not much in demand among the Mahomedan population on the other side of the Indus, but a few are exported for the use of the Hindoos who are scattered pretty thickly, especially in the large towns. The principal exportation takes place from Bombay, and at Palee they are stript of their shells, after which they are called giri-gola. The original cost being little or nothing, the price is made up principally of the expense of carriage, and by diminishing this the consumption of course will greatly increase.

CORAL, (*Moongha*); PEARLS, (*Mootee*); and IVORY, (*Hatheedânt*).—Are articles of export which are by no means unimportant. The consumption of pearls in particular is very great, as every native woman must have an outfit of ornaments of which pearls always form a very large proportion with those who can afford it. The above-mentioned articles are all productions of Hindoostan, or of the adjoining seas, and being light and valuable, they are capable of the most extensive circulation.

CUTLERY AND HARD-WARE OF EVERY KIND.—That is, hunting knives, clasp knives, scissors, needles, locks, lacquered trays, tea urns and apparatus, China-ware, glass-ware, metal buttons, spangles, beads, gold and silver lace, &c. &c. These articles will be required in certain quantities and they are all at this moment exported from Russia. The demand for them is so much a matter of taste, that before the market is opened, it is difficult to say which will be in greatest request. One object, however, must always be kept in view, that is, to furnish them as cheap as possible. The inability of the bulk of the people to purchase

our commodities is the great obstacle to the increase of the commerce, and it is therefore, of the utmost importance that the price of every article should be such as will place it within their reach. They are suited only to a rich country, and a refined taste. The people to whose wants we have to administer are poor and simple, and cheap goods got up as shewily as possible are therefore required.

There are many other articles at present little known in the countries beyond the Indus, which will find a sale when the market has been opened, such as cocoanut oil, brandy and liquors, coffee, &c.

## EXPORTS.

Every trade is limited by the means of realizing returns disposable in the markets of other countries. The difficulty of obtaining adequate returns is the great incubus upon our Indian trade, and the imports from England are limited by the amount of the available exports from India, almost as effectually as they could be by legislative enactment. Our merchants bring out ship loads of English goods for the India market, and think themselves fortunate if they can secure themselves from loss in making their returns. Under these circumstances how can the trade increase? What inducement does the single profit and the double expense offer to our merchants to engage in it, and what a check upon consumption is the comparatively high price of our manufactures in India which these disabilities involve? On the side of the Natives the check is still more decided. If we open a market for their produce, we may depend upon their taking off our manufactures, because no trader ever makes his returns in cash, so long as there are any goods which yield a profit, however small. Besides, unless we take off the produce of a country, what resources can it have for buying our commodities? Agriculture and internal trade will do a great deal, but no country can become rich and able to purchase foreign commodities to any extent without the additional source of wealth which it raises from foreign trade. If there is no foreign demand for their productions, they accumulate upon their own hands, and there can be little surplus value to purchase the goods of other countries.

In order, therefore, to increase the demand for our manufactures, we must endeavour to take off as much as possible of the produce of the countries with which we trade. In the abundance of exportable commodities the new mart upon the Indus will be more favoured than any of the ports of India. The countries on the left bank yield all the productions which are peculiar to the hot climates, and on the right bank are to be found many of those which belong exclusively to a cold temperature. Those of its productions which have a demand in England, are assafœtida, saffron, madder, tobacco, cotton, rice, saltpetre, sal ammoniac, alum, Cashmere shawls, Heraut carpets, and many kinds of drugs. There is also a brisk demand for most of these articles in the other markets of the East, whence returns are procurable in various kinds of merchandize, fit for the English market, and there are some articles, such as groceries, rock salt, Cashmere paper, horses, &c., which are only in demand for the country trade, and for the realization of returns in other markets for the Europe trade. On the whole I am of opinion that, with attention, ample returns may be procured for the imports from England.

It will be observed that all the exports are raw produce, except Cashmere shawls and Heraut carpets, and so far from interfering with our own manufactures, these will be found to give material assistance in procuring an extended circulation for them.

ASSAFŒTIDA.—Called by the Persians *Angozeh*, and by the Indians *Heeng*, is a gum resin of a strong, disagreeable, fœtid odour and a bitter subacrid taste. It is produced from a plant called Ferulœ Assafœtida, the stalk of which is cut off near the root and a milk exudes which gradually hardens like opium. The plant requires no attention but what is necessary for extracting the gum.

Assafœtida has medical properties: "it is used in medicine as a powerful stimulant, particularly of the nervous system, it also possesses carminative and expectorant properties," which make it an article of general consumption in Europe. In India it is a favorite ingredient in the cooking both of Hindoos and Mahommedans, and its dearness is therefore the only limit to its consumption. It was used in a similar manner by the ancient Greeks and Romans under the name of Sylphium or Laserpitium.

The Assafœtida plant grows wild upon the mountains in the west of Affghanistan, and as far as I have been able to learn it is found in any part of the known world. As early as the period of Alexander's expedition, this part of the country was noted for its pro-

duction. "Nothing" says Arian "but Sylphium and the turpentine tree grow there notwithstanding which it is very populous and multitudes of sheep and neat cattle are seen there; for they feed upon Sylphium; and the sheep expecially are so fond thereof, that if they chance to smell it at a distance. they immediately hasten thither, and having cropped the flower, they even dig up and gnaw the root, for which reason some of the Cyreneans keep their sheep at a distance from the places where the Sylphium grows, and others enclose it with a fence, lest their sheep should smell it if too near, or break in and devour it, for it is there very valuable." To this day it is usual to fence round the Assafœtida plants on the mountains with walls of loose stones to prevent the sheep from devouring them.

Being produced in the neighbourhood of Herant, the principal exportation takes place by way of Shikarpoor and Bukker, Bombay is supplied from the port of Kurachee in Scind, and Bushire in Persia. The Bengal transit duty is ten rupees per cent. three fourths of which is drawn back upon exportation, and the English duty is 10*d.* a pound. Assafœtida does not appear at present upon the lists of exports either of Bombay or Calcutta, though no doubt some must be exported.

There are three varieties of Assafœtida called Multan, Turrah and Lussunee, which are imported in nearly equal quantities. The Lussunee is so called from its coarseness and similarity in taste to garlic—*lussun*. Assafœtida is brought to England packed in cases, mats and casks, that in the cases proving generally the best. It is in irregular masses, adhering to each other, externally of a burnish yellow colour, and containing many little shining tears of a whitish, redish or violet hues. The best is clear and of a pale redish colour, contains many of the white tears, and has the odour very strong.

Considering the demand for this article both in England and India, it is likely to become an important export after the navigation of the Indus has been opened. Bukker is infinitely nearer the country where it is produced than either Kurachee or Bushire, and to reach the former the Affghans have to pass only through their own country.

SAFRON,* PEL ZAFERON, HIND: KESUR.—This beautiful aromatice is the dried flower of the crocus. It is an article of general consumption in Europe and in India; it is used to a great extent in the offices of the Hindoo religion, and as a condiment to flavour pulaos and other dishes. The cultivation is expensive and the flower is prepared by a delicate and difficult process which keeps up the price. If this could be reduced, saffron would be consumed in India to almost any extent.

Saffron used to be cultivated to a considerable extent in Cambridgeshire, but the quantity of land employed for the purpose has been gradually lessening for some years past, owing to the lowness of the price occasioned by the great importation of foreign saffron. It is calculated that an acre of ground in England yields 26 pounds of net saffron in three years, and that the expense of cultivating and preparing it is £23: 12: 0. This makes the expense of raising a pound of saffron £0: 18*s*: 1¾*d* without taking into account the interest of the money. The average price is thirty shillings a pound. In plentiful years it is sold at twenty shillings, and it is sometimes worth three or four pounds sterling. Saffron is also cultivated in France and Sicily, but in greatest quantities in Spain. English saffron is generally preferred to what is imported from abroad, and may be distinguished by its parts being larger and broader. It ought to be of an orange or fiery red colour staining the hand in rubbing it, and yielding a dark yellow tincture. It should be choosen fresh, not above a year old, in close cakes, neither dry nor yet very moist, tough and firm in tearing, of the same colour within as without, and of a strong acrid diffusive smell.

In the East, the only districts where saffron is produced are Cashmere and the neighbourhood of Kayn to the north of the lake of Zurrah in Khorasan. Herat is of course the entrepot for what is produced in Khorasan and from thence it is imported into India by Shikarpoor and Bukker, except a small quantity which finds its way across the hills to Bhawulpoor and Delhi. The produce of Cashmere is imported by Amritsur and Delhi.

The Cashmere saffron is all of the kind called *luccha*, which is nothing more than the genuine article in its original state of dry detached particles. The Cashmerians are deterred from pressing the Saffron by the Hindoo prejudice against the destruction of animal life, and the same feeling combined with an idea that the blood of some animal is mixed up with cake saffron, induces the Hindoos of the plains to confine their consumption entirely to the *luccha*.

The other kind is the *tikiya* or cake saffron, which is the *luccha* or raw saffron, reduced to a consistency by being wetted and

* Saffron is used in medecine. A strong infusion of it in water is used in colouring maps. It is also employed with success in dyeing, being esteemed a good yellow.

pressed according to the European practice; but in undergoing this process, it is generally adulterated, and hence it is considered an inferior kind to the other; both luccha and tikia are imported from Heraut. The Bengal transit duty is ten per cent., ¾ of which are drawback on exportation. The English duty is 2-6 a pound, which is much too heavy, amounting to 12½ per cent.

This is a very valuable article of export. The demand for it both in England and in India is, practically speaking, unlimited, and when the Indus is opened, there can be no doubt that a great impulse will be given to its production. At present the channels of trade are so effectually closed that it is the same as if there were no foreign demand at all, and none is exported either from Bombay or Calcutta, and the whole quantity imported is used for the consumption of the country.

Bukker lies on the direct road to the coast from both the saffron districts.

*Additional information contained in a letter from Monsieur Jacquemont, written from Cashmere.*

The saffron is the *seggma* of a liliuceous plant called *crocus stations*, (Linnæ), well known in Europe, and extensively cultivated in Italy and Spain, where it is used as a spice and in the Central Provinces it is used chiefly as a dye.

The cultivation in Cashmere is confined to a small district in the Pergunna of *Shevoce*, (pronounced in French, also English), distant 5 miles from the city of Cashmere.

The hulks are committed to the ground in July, and this plant blossoms in the beginning of October, when the flowers are gathered, their *seggma*, the female organ of the flower, separated and put up to dry in the air. The half of the harvest is the share of the Sirkar (Runjeet) the other half belongs to the cultivators.

The best crops yield 40 Cashmere maunds and the worst 12 or 15 maunds to the Sirkar. The Cashmere maund is only 30 seers and its average bazaar price commonly is 100 Cashmere Rs. A Cashmere rupee is only 12 or 11 annas, so the average revenue of the Sirkar on that head may be esteemed at about 25,000 Cashmere rupees or 30,000, is about 20,000 Sonat rupees. The villages of saffron district are not poorer than the others, perhaps they are less so. The cultivation should be extended a little more, if the inhabitants were not foolishly persuaded that no other spot would be adapted to it. The demand for it as spice in the Punjab and in Hindostan would increase if the price was defined. But it could never be very cheap owing to the extremely small quantity raised on a large superficies of ground and the very expensive workmanship.

I don't know the price of saffron in Europe.

MADDER*, (*Munjeet.*)—Has been cultivated to a very great extent for three hundred years in Holland. The root is dug up for use in the third year of its growth. It is then baked and pounded, and the powder thus produced, is a beautiful red dye for linens and cottons. As madder is an article of great national importance, many attempts have been made to cultivate it in England, but without success, the Dutch madder being both better and cheaper than ours. The best comes from Zealand to which Britain is said to have paid £200,000 annually for madder. In India it is an article of general consumption both as dye and a medicine.

The process by which madder is cultivated on the other side of the Indus is described by Lieutenant Pottinger as follows:

"The ground being prepared and lined off into small trenches, the seed is put into them and flooded, and while in that state, the trenches are filled with earth and rich manure. The plants appear in nine or ten days and in the course of the first summer the stalks increase to three or four feet in height, they are cut down in September and given as fodder to the cattle. After this the ground is repeatedly flooded and manured until spring, when the plants again shoot forth, and such as are intended for seed, are set apart, as this second year is deemed the best for that purpose; the remainder are cut every month or six weeks, which throws all the vegetation into the roots and adds to their size. Each stalk of those selected for seed, produces one flower on the very top of it. In the pod which succeeds are two seeds; this, when ripe, is plucked off and laid apart, the stems are then taken away, as in the first year, and similar precautions adopted to enrich the soil. In the third summer the stalks are pruned as in the two preceding, and in September the roots are dug up; they are quite straight without any ramification whatever, and usually from three to five feet long, but very thin; these roots are immediately cut into small pieces and dried, in which state they are sold for about 10 pounds a rupee."

This is the state in which the article is brought to all the marts of India, and it is not reduced to powder till it arrives at the place of its final destination. The native merchants distinguish it into two kinds. The thick kind called *chor*, which is the best, and the thin called *chalee*. The specimens which have been sent to England are found

* It gives out its colour both to water and rectified spirit: the watery tincture is of a dark dull red, the spirituous of a deep bright one. It imparts to woollen cloth prepared with allum and tartar, a very durable though not a very beautiful red dye. As it is the cheapest of all red drugs, and gives a durable colour, it is the principle one commonly made use of for ordinary stuffs. Sometimes its dye is heightened by the addition of Brazil wood, and sometimes it is employed in conjunction with the dearer reds, as cochineal, for demi-scarlets and demi-crimsons.

Madder is principally cultivated in Holland, Germany, and France, especially the former, where it grows in greater abundance than in any other part of the world. A kind also brought from Smyrna, called——— the European, is always imported in its original state as a root.

With a view to encourage its cultivation, it has been provided by law that five shillings an acre shall be received in lieu of all manner of tithe upon madder.

equal in quality to the best Dutch madder. An inferior sort is brought to Calcutta from the Peeleebeet and Nipaul hills, but none is produced in the plains. The cultivation of the plant being confined, it is said, to cold climates.

The greatest exportation takes place by Shikarpoor and Bukker to Palee, and from Palee it is sent to Calcutta and every part of India. In 1821-30, 1443 maunds were exported to England from Calcutta, and up to the end of April this year, the exportation has amounted to 1447 maunds; none is exported from Bombay. The Bengal transit duty is 7 Rs. 8 As. per cent. with a drawback of ¾ on exportation by sea. The English duty is 1*s.* 6*d.* the cwt.

As soon as the navigation of the Indus is opened, madder is likely to become a very important article of export. It is the natural growth of Affghanistan, and the agriculture of the country is at present in that stage of its progress which is best suited for the raising of produce for a foreign market. There being few towns and no manufacturing population, the products of agriculture possess little exchangeable value in the home market, and the cultivators therefore gladly avail themselves of any demand there happens to be from abroad. The case was nearly the same in India, and it was no sooner discovered after the pacification of Malwa that there was a foreign demand for opium, then it began to be cultivated in quantities which threatened to overstock the Chinese market. In England, on the contrary, where there is a great demand for corn, nobody thinks it worth his while to cultivate madder which yields a return only once in three years, and the same observations apply to saffron, the cultivation of which, though an annual produce, is still more expensive than madder.

The demand which will ensue upon the opening of the Indus, will give a certain impulse to the productions both of madder and saffron. They will be brought to market in much greater quantities, and the expense of transport to the sea shore will be reduced to less than one-tenth of what it is at present. We may therefore hope that England, and perhaps the greater part of the continent of Europe, will derive their principal supply of these valuable articles of commerce from this quarter.

TOBACCO—Is another very important staple which will be laid open to our commerce by the navigation of the Indus. A very superior kind, which goes by the general name of Kuker tobacco, is produced in the irrigated lands of the lower parts of the Punjab, where the rivers converge towards each other. It is of a much milder flavor than the Bengal tobacco, and appears to be of the same kind as the Manilla and Persian.

There are three varieties of the Kuker tobacco.

The first called Multanee, is produced in the immediate neighbourhood of Multan. It is of a darker colour and stronger flavor than the other kinds, and sells at a much higher price. It is both chewed and smoked, but principally smoked. The prime cost at Multan is six rupees a maund.

The second is called Mussa Tobacco from a place of that name where it is said to be produced. I have not been able to ascertain the exact situation of this place, but it appears to be somewhere between Multan and Behawulpoor. It is of a slight colour and milder flavor than what is produced at Multan, and both men and women chew it in great quantities, the latter generally mixed in their pawn. The prime cost of this kind of tobacco in the field is four rupees a maund.

The third kind is called Amanut Khanee, from its being produced, they say, at a place called Amanut Khan. It differs very little from the Mussa, but sells rather cheaper.

COTTON.—The exportation of raw cotton from India to England is almost extinct, but there is still a brisk demand for it in China. The opening of the navigation of the Indus and its tributary streams will furnish an easy water carriage from every part of the Punjab, and if the quality is sufficiently fine, raw cotton will be largely exported for the foreign market. It is at present grown in the Punjab as far as it is required for internal consumption, and there is every reason to believe that it is at least as good as the produce of the Delhi territory, which is exported to a considerable extent. The whole of the Bengal transit duty upon cotton is remitted upon exportation by sea.

GROCERIES—Form an important branch of the exports of the countries beyond the Indus and Sutlej. The climate of Hindostan is too hot to allow of the grapes and other fruits which constitute this branch of traffic coming to perfection, while the temperate climate of Affghanistan is admirably adapted for them. The transition from the temperate climate to the hot is also so sudden that there is no intermediate space between the countries which require these commodities and those which produce them. "The cold and hot countries" says the Emperor Baber, in his personal memoir, "are very near to each other at this place. One day's journey from Cabul you may find a place where snow never falls, and in two days' journey, a place where the snow

scarcely ever melts. The air is delightful. I do not believe there is another place like Cabul in the world. The fruits of cold climates;—grapes, pomegranates, apricots, apples, quinces, peaches, pears, plums, almonds and walnuts are abundant. I planted a cherry tree myself at Cabul: it grew very well and was thriving when I left it." The beautiful valley of Cabul furnishes at this day the greatest supply of fresh and dried fruits, which may therefore be considered its staple.

Black dry raisins, (*Munukk,*) are from a large black grape. This is the kind of raisin which is in general consumption in Upper India.

Red fleshy raisins, (*Abjoosh,*) are produced in the neighbourhood of Candahar and no where else. This is a very delicious kind of raisins, but it is not in general use, having only lately begun to be imported. Coming from Candahar it arrives principally by the way of Shikarpoor and Bukkur.

RICE—Is produced in great abundance in Cashmere, where it forms almost the only food of the inhabitants. The rice of Peshawur is also of a very superior quality. It is one of the articles with which the kings of Delhi used to be supplied by a cariel dawk, and it is even now imported in small quantities, as a luxury, to Delhi, Lucknow, and other places in Hindostan.

When the navigation of the Indus is opened, rice will become an important article of export to Ajmere, Joudhpoor, and the dry sandy country of Rajpootana, generally, where none is produced, as well as to Baloochistan and the lower part of Affghanistan. At present these countries are mostly supplied by a long land carriage from Bombay; it will also be exported to England as well as to the Isle of France and other eastern markets: up to the end of April, this year, 51,433 bags have been sent to the Isle of France from Bengal alone. There is no duty charged upon this article in Bengal and the English duty is 7½*d.* a pound.

ALMONDS, *Badam*, are of two kinds, one called *sungeen* by the Affghans, and *kata* by the Indians is the kind with thick shells, and the other is called *kaghizee* or the kind with paper or thin shells. This last is held in the greatest esteem owing to the facility with which the shell is broken, it yielding easily to the teeth, and to the superior flavor of the fruit. Cabul almonds are an article of great consumption in Upper India, and they are sent as far as Calcutta; they are not so coarse and oily as those which have occasionally been brought from Calcutta, and are much preferred by the natives on this account.

PISTACHIONUT, (*Pistah*).—The Pistachio tree grows wild in the mountains of Hindostan, and the principal supply is drawn from thence and from the neighbouring country of Bulk. The Pistachionut is an article of general consumption throughout India and large quantities are imported. In Europe it is also in general demand. The principal supply is at present drawn from Sicily, but the Pistachio of the east are acknowledged to be far superior to those of any part of Europe. Besides being in general request in Europe as an article of luxury, they are administered medicinally in many complaints.

CHILGOOZEH—Is the seed of a kind of pine which grows wild on the mountains of the Sheeranees near Dera Ismael Khan. It is of an elongated form and is enclosed in a thin shell. The flavour is pleasant, but they are said to be heating. The quantity imported is mostly consumed at Delhi and Lucknow.

WALNUTS, (*Ukrote*)—Are a native of Affghanistan, and they are imported in considerable quantities.

FILBERT NUT, (*Khinduk*)—Is a native of Affghanistan and is imported into India in small quantities In native pharmacy it is used as a strengthening medicine.

DRIED PLUMS, of an acid taste, called *Aloo Bokhara*.—They are produced in the neighbourhood of Cabul and are brought to India in great quantities. This is an article of general consumption both for food and for medicinal purposes. Tarts and preserves are made of it. It is used by the natives in *sherbets* and other cooling medicines, and is held in high estimation for its opening qualities. It is sent to all parts of India, and a considerable quantity finds it way to Calcutta.

DRIED APRICOTS, which go by the name of *Khoobanee,* although the apricot itself is called *zerd aloo.* They are of a flattened shape and a sweet agreeable flavor. This is an article in considerable demand: large quantities are imported.

DRIED CHERRIES, (*Aloo Baloo*)—Are imported in small quantities. They are of the sour kind and are mostly used in medicine, being esteemed for the same quality as the *Aloo Bokhara.*

Fresh grapes are imported in great quantities. They are pulled before they are quite ripe and carefully packed with cotton in wooden boxes. The fresh fruits which are packed in this way are coarse grapes, apples, pears and quinces. Pomegranates require no packing and they stand the journey better than the others. When the navigation of the Indus is opened the fresh fruit will

reach Bombay in two months, and as they keep much better on ship board than by land, they will arrive in a good state of preservation.

According to Hamilton, the passage from Lahore to the sea occupies only 12 days, at which rate goods would reach Bombay from Caubul in little more than a month.

POMEGRANATES, (*Anar*)—There are extensive plantations of the pomegranate in the Caubul valley, whence it is chiefly imported. The best called *bedana*, or "without stones," come from Kuja near Caubul. It is an article in great demand, principally for making *sherbet*, and vast quantities are imported.

APPLES, (*Seu*)—Are imported in vast quantities. They are not so good as the English apple, nor do they offer so many varieties of kind, but they are infinitely superior to any which can be produced in India.

PEARS, (*Nashpatee*)—Are imported in smaller quantities, and the same observations apply to them as to the apples.

QUINCES, (*Bihee*)—Are imported in small quantities. They are of the same kind and are as good as the English quinces

There is no Government duty charged upon any of these articles in the Bengal presidency.

Groceries, such as those which have been described, constitute an important branch of the food of the people, and as such, they must always form a considerable article of traffic. Being perishable goods the demand for them can never slacken. If they are not consumed at the time, decay will shortly follow, and in either case, the future supply will not be effected. The consumption of the whole of Upper and Central India is supplied from Caubul and Bombay; Ceylon, Calcutta, and the whole of the coast of India, together with the Mauritius and the Isle of France, are supplied at present from the Persian Gulf.

The original cost of fruits, like that of salt, is little or nothing. At Caubul, Mr. Elphinstone says:—"The people derive a great luxury from the prodigious abundance of fruit—grapes are dear when they sell for more than a farthing a pound; pomegranates are little more half a penny a pound; apples sell at two hundred pounds for a rupee; two sorts of apricots are equally cheap, and the dearer sorts are less than a half penny a pound; peaches are dearer, but quinces and plums are as cheap, melons much cheaper; grapes often bear scarcely any price and the coarse sort which is exported with so much care to India, is sometimes given to cattle. Nuts of all kinds are very cheap, and walnuts, with which the hills north of Caubul are covered, sell at two thousand for a rupee." When the navigation of the Indus is opened, the Groceries of Caubul will be brought by land to Attock, or they may be passed down the Caubul river upon the floats which are even now in common use. Taking the most expensive of these modes, the cost of conveying them to Attock will be eight annas a maund, and from Attock they will reach Bombay in two months at 1 r. 5 as per maund after the opening of the Indus, therefore raisins may be sold at Bombay at rupees 2 rs. 8 as. a maund including the expense of drying them; and all other fruits in proportion.

I cannot believe that fruit is found in the same quantities in the south of Persia as it is at Caubul. The latitude and climate of the latter give it a decided superiority and justify the reputation it possesses for the surpassing excellence and abundance of its fruit.

If the Caubul groceries are able to obtain an ascendancy in the Bombay market, they will become an article of very extended consumption. Madras, Calcutta, Ceylon, the Isle of France, and probably New Holland and the Cape will be supplied from this source, and this branch of trade with Caubul will become as important in the East as that which is carried on with Smyrna and Zante in the West.

ROCK SALT.—This is the only kind of salt which is found in a natural state, all the others being produced by evaporation. It abounds in Affghanistan and in one district of the Punjab, but I have never heard of its being found further eastward. The natives of India know it by the name of Lahore or Soudha salt, and they prefer it to every other. It is of a superior flavor and purity, and is comparatively free from the mixture of foreign substances which prevails in the other Indian salts. The specimens I have seen are of the kind called by mineralogists "foliated rock-salt," and they were slightly tinged with oxide of iron, but when pounded they appeared quite white and pure. By the Hindoo religion this kind of salt is held to exceed (as it really does) all the others in purity, and it forms the seasoning which is prescribed to be used with the articles of food (answering to our fish on Good Friday) which are permitted to be eaten on the monthly fast day, the *Ikyadusee*, or eleventh day of the month. It is also esteemed for its medicinal qualities, and is prescribed to be eaten by persons who have cutaneous and other disorders.

The grand source from which the supplies of rock-salt are drawn is a detached range of hills to which Mr. Elphinstone has appropriately given the name of "the salt range." It is a branch thrown out eastward from the great Suleman range, and crossing the Indus in latitude 33°, it extends as far as the Jhelum or Hydaspes. The mines at present in use are said to be at Meanee, called also Lon Meanee, a place in the salt range a few coss beyond Pindee Daden Khan, and from thence the rock salt is conveyed by a long land carriage to every part of the interior as far as Benares and Indore. The estimation in which it is held is such, that although its price exceeds that of all the other kinds of salt from 100 to 200 per cent. it finds a ready sale, and if the duty were to be lowered so as to enable it to enter the market more nearly on equal terms with Sambur salt, there can be no doubt that the latter would be superseded to a great extent.

At Kalabaug, where the salt range crosses the Indus, there are cliffs of this kind of salt exposed to view sufficient to supply the consumption of all India, but owing to the navigation being closed, none has been exported for many years past. "The Indus," says Mr. Elphinstone, "is here compressed by mountains into a deep channel only 350 yards broad. The mountains on each side have an abrupt descent into the river, and a road is cut along their base for upwards of two miles. It had been widened for us, but was still so narrow and the rock over it so steep that no camel with a bulky load could pass; to obviate this inconvenience 28 boats had been prepared to convey our largest packages up the river. The first part of the pass is actually overhung by the town of Kalabaug, which is built in a singular manner up on the face of the hill, every street rising above its neighbour, and I imagine, accessible by means of the flatness of the houses below it. As we passed beneath we perceived windows and balconies at a great height, crowded with women and children. The road beyond was cut out of solid salt, at the foot of cliffs of that mineral, in some places more than 100 feet high above the river. The salt is hard, clear, and almost pure. It would be like crystal were it not in some parts streaked and tinged with red. In some places salt springs issue from the foot of the rocks and leave the ground covered with a crust of the most brilliant whiteness. All the earth, particularly near the town, is almost all blood red; and this with the strange and beautiful spectacle of the salt rocks, and the Indus flowing in a deep stream through lofty mountains past this extraordinary town, presented such a scene of wonders as is seldom to be witnessed. Our camp was pitched beyond the pass in the mouth of a narrow valley and in the dry bed of a torrent. Near it were piles of salt in large blocks (like stone at a quarry) lying ready for exportation either to India or Khorasan."

The original cost of salt, whether produced by evaporation or cut from the rock, is always trifling, and the price is made up of the subsequent charges of carriage and duty —whatever kind of edible salt can be brought to market cheapest will be in common use, and other kinds will be consumed as a luxury with reference to their superior qualities by those who can afford it.

The original cost of the Kalabaugh salt will be only the expense of cutting it from the rock, and as the salt cliffs are situated upon the brink of the river, there will be no land carriage. It may therefore be sold at Bombay for a trifle more than the cost of conveying it there, or rupees 1 r. 5 as. per maund and the Government duty. At present the salt consumed at Bombay is produced by evaporation on the spot, and neither importation nor exportation takes place.

Besides Bombay, Kalabaug salt will be exported to the Isle of France, Ceylon, Calcutta, and perhaps to all the maritime marts of the East. Wherever there is water carriage for its transport, the superior estimation in which rock salt is held makes it an important article of trade. The produce of the Cheshire mines is exported in vast quantities to Ireland, Denmark, Sweden, Russia, Prussia, Germany and the West Indies, although evaporation salt can be procured by all those countries at a much cheaper rate. It is even sent to Calcutta, and it must pay, else it would not continue to arrive every year. Rock salt is brought to Calcutta in larger quantities from Bushire, to which it comes by land from the interior of Persia. In the year 1828-9 the total import was as follows:— From Great Britain, maunds 1,194-39-14; Persian Gulf maunds 12,118-38-12.

*Additional information contained in a letter from Monsieur Jacquemont, written from Cashmere.*

The only salt works I have hitherto visited in Punjab are those situated north of Prindaded Khan, on a low but very regular range of hills, bordering at first the right banks of the Djhelon (Hydaspes) and extending itself across the Indus in a direction very nearly parallel to that of the Himalaya.

These mines are by far the most important of this country; it is not known how long

since they were worked; the historians of Alexander dont notice them.

Six hundred workmen are employed about them except during solstitial rains when they retire to their villages. The quantity of rock salt extracted in a year is 375,000 pucca maunds, for which the Sirkar pays to the workmen 22,500 Nanok Shah Rs. at the door of the mines, *i. e.*, 6. rs. per 100 maunds, and he pays the same sum to have it carried from the mines at Pendaded Khan on the banks of the river, distance 7 miles.

This salt that cost him 12 rupees per 100 maunds at Pindaded Khan, he sells at 125 Rupees per 100 maunds, you may calculate his benefit. However, part of that salt is sent down to Mooltan, by boats on the river (the boats loading by average 250 maunds) and whenever the Sirkar makes mercantile operations he gains little by them.

That salt stands its ground at Mooltan against the marine salt brought up from the mouth of the Indus, and if the price were lowered might crush it altogether.

It is the exclusive supply for Cashmere. For the conveniency of the Cashmere merchants the Sirkar has *established* a depôt at the city of Djhelon, where 11 or 12 thousand maunds are sold yearly to them at a very trifling price, higher than that at Pindaded Khan, really not more than it cost to the Sirkar for the carriage.

The red rock salt you see at Dehlee and in all the northern provinces of Hindostan, is salt from Pindaded Khan. If there was a greater demand for it, the extraction might be carried on a much larger scale, and with some trifling prime cost for improving the system of working the mines, a great deal cheaper too.

At a place called *Bentoha* and *Tohoa*, two contiguous spots, 30 or 35 miles west of Pindaded Khan, in the same range, mines of the same nature exactly are worked, that produce not more than 100,000 maunds of salt yearly. The salt is of a still better quality than at Pindaded Khan and sells a little dearer. The cost of extraction is also a little higher, but I have not seen them.

SALTPETRE, (*Shora.*)—Mr. Elphinstone says "is made every where in Affghanistan from the soil;" and Pottinger speaking of the neighbouring country of Bellochistan, says "Saltpetre is dug up in a native state. At Kalet they make it from the soil and esteem it much the strongest." The native accounts I have received lead to the same conclusion regarding the abundance of saltpetre and it seems only probable that it should be found in a country which contain such rich supplies of salt. The valleys of the great rivers are, generally speaking, the most favourable situation for the production of saltpetre, and as the character of the soil is the same in both cases, there is every reason to suppose that it may be produced in the same abundance on the banks of the Indus as it now is on those of the Ganges. A small quantity is annually exported from Korachee; and beyond this, whatever stores the country possesses, remain to be developed. As yet there has been no demand and consequently it has been worth no body's while to trouble himself about it, except so far as it is required for internal consumption. Saltpetre is well known as one of the most important articles of export from India to Great Britain, France, the United States, &c. The Bengal duty is 7½ per cent., ¾ of which are drawback on exportation. The English duty is 6*d.* per cwt.

SAL AMMONIAC, (*Norshadir*).—Is a valuable article of commerce which is used extensively in dyeing and in several manufactures, as well as in medicine. It is collected in considerable quantities at Keitul on this side of the Sutlej and is sent to Calcutta for exportation to England. It is said to meet with a brisk sale, and for some time it realized very high profits. The quantity exported to England from Calcutta in 1829-30 amounted to maunds 903. It does not appear that any is exported from Bombay. The Bengal transit duty is 5 per cent. ¾ of which is drawback on exportation. The English duty is 3*d* a pound.

Sal Ammoniac is found in a natural state in various parts of the country beyond the Indus. In Lieutenant Pottinger's travels there is a curious account of the Sal Ammoniac mountain near Rasman in the western division of Bellochistan. After describing his visit to a hot sulphurous well, he proceeds to say: "On my return home to the village, Moorad Khan pointed out to me a mountain about fifteen miles distant, where he said water oozed from various clefts in the rock, hot enough to boil meat in a few minutes, and that he and many others were of opinion that the fountain I had been to look at, was connected with that hill by a subterraneous aqueduct. The mountain to which the Sirdar alluded, is here invariably spoken of by the name of the Kohe Noushadir, or hill of Sal Ammoniac, which drug is said to be a native production of it, and found in the first fissures of the rocks. I had not an opportunity of seeing any of this mineral, but Moorad Khan assured me that plenty of it, and also and incrustation of brimstone was to be gathered; and had I remained with him a second day, he would willingly have sent a

man for specimens of both. He told me that they were unacquainted with the uses to which Sal Ammoniac might be applied, but that the sulphur, when pounded, was valued as the best and strongest ingredient of that sort, for gunpowder." The situation in which Sal Ammoniac is most frequently found sublimed is in the crevices of volcanos such as Etna, Vesuvius, the Lipari Islands, &c., and this account has therefore every appearance of being correct.

The Sal Ammoniac mountain however is not the only place in the neighbourhood of the Indus where this valuable article of commerce is to obtained, but there being no demand, it lays, as it does there, neglected and unused. Sal Ammoniac is manufactured in Europe by an expensive chemical process, and wherever it is to be obtained in a natural state, it is sure to yield a considerable profit.

ALUM, (*Phitkuree.*)—Is a very important article of commerce, being in general use as a mordaunt for fixing colours, as a remedy for various disorders, &c. &c. At Kalabaug it is found mixed with the clay, which is its natural basis, and it abounds in the hills between Nelaut and Kutch Gundava. It used to be imported in large quantities from Amritsir, but latterly its sale has been lessened by the importation of Chinese alum from Calcutta. The Affghanistan alum is of a light red colour, and that which comes from Calcutta is white. The Bengal transit duty is ten per cent., $\frac{1}{4}$ of which are drawback on exportation.

CASHMERE SHAWLS—Are an article too well known to need description, and it only remains to speak of the effect which will be produced upon the trade by the opening of the navigation of the Indus.

Bukker is not half so far from Cashmere as either Bombay or Calcutta, and the native merchants will therefore be able to effect two sales and to realize two profits, for every one which they are now able to do. The return investments of our manufactures and of foreign goods imported by us, will be obtained in half the present time, and they will therefore yield two profits for every one they now yield. Both going and coming, the merchants will have the advantage of water carriage, and instead of having to pay an infinity of duties to a number of independent chiefs, they will have only two to pay, one to Runjeet Singh and the other to Behawal Khan. The expenses of transport will be diminished by more than one half. Owing to the quick return, the merchants will be able to carry on business upon much lower profits, and both exports and imports becoming cheaper, the trade will increase to an indefinite extent.

It is a very mistaken notion to discourage the importation of Cashmere shawls for the sake of protecting our own manufactures. Their original cost is so heavy that even if the utmost facilities are given to the trade, they must always be a very expensive article. They will consequently always be accessible only to a few, and the extent to which they can supersede the use of any other article will be very small indeed.

But every shawl which is disposed of by the native merchant, throws a quantity of capital upon his hands to be laid out in purchasing return investments of English and foreign goods. The high value of the article, which in England prevents its interfereing with the consumption of our manufactures, acts here only to throw a greater quantity of capital upon the market to be employed in taking them off. In short, the effect the trade in Cashmere shawls has in securing an extended sale for our manufactures abroad, is infinitely greater than any it can have in superseding their use at home, and they become in practice a tax paid by our rich men to furnish the native merchants with the means of taking off our manufactures.

The shawl trade has been on the decline for some years past, and the French captains are now almost the only purchasers in the market. In 1827-28 only 319 pieces of the value of 41,616 Rupees were exported from Calcutta. Supposing these were all sent to England, 319 pieces represent the utmost extent to which this importation could supersede the use of our own manufactures while the capital it threw upon the market to be laid out in return investments of our goods amounted to near half a lac of rupees. Imitation and other shawls sell for about as many shillings as the Cashmere shawls do pounds, and therefore, without burthening the latter with oppressive duties, we need not be afraid of their interfereing with the consumption of our shawls.

Cashmere is a rich country, and the capital alone is said to contain near 200,000 inhabitants. It is of importance therefore to cultivate a brisk trade with it, which cannot be done without taking off the shawls, which are its staple, to a much greater extent than we do at present. If we do so the returns will nearly all be made in English piece goods, and we may hope before long to see them in as general consumption at Srinuggur, the capital of Cashmere, as they have become of late years at Delhi. The Bengal transit duty is 10 per cent., $\frac{3}{4}$ of which is draw-

back on consumption. The English duty is 30 per cent.

HERAUT CARPETS.—These are of the same kind as the Persian carpets, but of superior texture and the colours are in the highest degree rich and beautiful. They are exported in considerable quantities to Persia, which is a proof of the esteem in which they are held.

The same remark applies to this article as to the Cashmere shawls Whatever pains are taken to reduce their price. Heraut carpets must always be articles of high luxury, and they can therefore never interfere with the consumption of our English carpets. This is the staple manufacture of Heraut, and by opening a market for it, we shall offer a certain inducement to the merchants of the place to take off our goods. Heraut is the second city in the Affghan dominions, and it is therefore of great importance that we should give it an interest in keeping up a close commercial connection with us. In order to give full effect to the measure of opening the navigation of the Indus, with a view to afford a new outlet for British manufactures, it will be necessary to reduce the heavy English duties both upon Cashmere shawls and Persian carpets. The Bengal transit duty is $7\frac{1}{2}$ per cent., $\frac{3}{4}$ of which is drawback on exportation. The English duty is 15 per cent.

When the trade is opened, Heraut carpets will be in great demand in India, particularly among the rich natives, the common Mirzapoor carpets being the only ones at present in the market. The first Heraut carpet which appeared was brought this year by the Hissar district. A kind of rug however is brought there in some quantities, which is believed to be made at Caubul.

PAPER.—The Cashmerians fabricate the best writing paper in the East. It is in general use in the Punjab, and formerly it was an article of extensive traffic. It is of the glazed kind for Persian and Hindee writing, and is not adapted for writing English. When the Indus is opened this will become an important article of export to Persia and to the coasts of India and Ceylon. Cashmere is also famous for its lacquered-ware, which will be exported in small quantities.

HORSES.—Hindostan has always depended upon foreign countries for a large supply of horses of the better description. The source from which this supply is at present derived is Persia and Arabia, but in all former ages it used to be the countries beyond the Indus. The Emperor Baber mentions that in his time no less than "seven, eight or ten thousand horses" used to arrive by this route, and the Uzbegs alone sell yearly above threescore thousand horses at Caubul for the supply of Hindostan. Page 57, part 3. "Skins to the country of the sires" is one of the articles of import for the emporium at the mouth of the Indus, in the third century.

Excepting Heraut, where they are very fine, Affghanistan itself is not remarkable for its breed of horses. The province of Bulk and the Turcoman country on both banks of the Oxus is the quarter from which they are brought. The frame of the Turcoman horse is one of perfect strength and beauty, but the head is large and rather coarse. This characteristic, however, is softened by a mixture of the Arab blood. The wealthiest among the Turcomans have Arab stallions and mares, and the produce of the two castes is very good. Great attention is paid to pedigree and preference is given to those bred in the desert as being more hardy. These horses will kill all others at hard labour. They are never under cover. In the hot weather, the heat of the sun being intense, they are covered with two nummuds or felt cloth, and in the winter with one. Their food is barley, coarse grass, except in the spring, when they are dieted with green food, jowarree or barley stalks. When a Turcoman wishes to bring his horse into condition he does not give him his food at one time, but feeds him with a little at several times, so that the horse is eager for his food. They are allowed from the first, but very little water, and their general character is that of a hardy, healthy horse, which is very little subject to sickness of any kind. There is another kind called the Türkì, which is smaller, but very stout, capable of much work and cheap. It is bred in the provinces of Bulk and Bokhara and is the kind generally purchased by the natives of India. The great marts are Bulk and Bokhara.

When a mart has been established at Bukker the Scindh and Bhawulpoor duties, and what is of more importance, the expense and risk of a long journey into the interior of Hindostan, will be saved to the Affghan merchant, and horses will be brought for sale to the full extent of the demand. When they find it worth their while to struggle through so many difficulties to the distant marts of Bombay and Delhi, they will certainly resort in much greater numbers to a

mart upon their own frontier which offers a safe and speedy return.

The northern horses are much cheaper than the Arab and Persian; very good ones may be had for 400 or 500 Rs. and the best do not cost more than 800 or 1000 Rs. We shall now no longer be forced to submit to the heavy prices which are demanded by the Arab and Persian merchants for very inferior cattle. A new source of supply will be opened and the competition which will take place will reduce the price of horses all over India. Arab horses can never lose the estimation in which they are justly held, but they will be sold at less extravagant prices.

By stationing an officer for the purpose at Bukker, the Governmet will be able to purchase horses of a hardy, active breed, for the cavalry and horse artillery, at a much cheaper rate than they are turned out at the studs, and it will also have a very beneficial effect in giving steadiness to the demand. The circumstance of a Company's officer being stationed at a place upon the borders of the Affghan empire for the express purpose of purchasing horses, will soon become notorious at all the marts of Central Asia, and the consequence will be, that they will be brought in numbers which will be fully equal to every demand.

The opening of the navigation of the Indus will have an effect also upon the importation of the Arab and Persian horses, which must not be overlooked. The stations of Upper India are at present supplied with these animals from Bombay, whence large batches annually arrive by way of Malwa. When the navigation is opened, instead of this circuitous route, some of them at least will proceed up the river at once to Bukker, or even if they are unshipped at Lahorree Bunder and proceed by land to the Upper Provinces, it will save the whole of the navigation from that place to Bombay and several hundred miles of land journey, besides Arab horses will then be as cheap at Bukker as they now are at Bombay, and the smaller description will be placed, as they are there within every body's reach.

FURS—Are likely to form an important article of export. Ermine *(leeacum)*, sable *(simoor)*, and almost all the warm skins find their way to India from Hindoo Coosh and Tartary; and the quantity which arrives is annually increasing. The ermine being an inhabitant only of the coldest climates, must be brought from Siberia by the Russian caravan to Bokhara, and most of the others are produced in the intermediate countries. This must always be an important branch of trade with India. Whether it will be so with England remains to be proved. I have known a large ermine cloak offered for sale at 150 Rs., which is cheap for good ermine.

SWORDS—Form an important article of import to India. They are mostly Khorasanee blades, which are very much prized in India, where they cannot be imitated. The first check upon their importation was the rise of the lawless power of the Sikhs, and what this has left undone has been completed by the disturbed state of the other border countries, and the heavy duties which are exacted by the Sciudees and Behawul Khan.

DRUGS.—Nearly all the drugs which are used in native pharmacy come from the country beyond the Indus, and many of them therefore are important articles of local consumption. Few, however are exported to England. In some cases their very existence in this quarter is unknown to our merchants, and in others, the absence of the information necessary for making a judicious selection prevents their finding a place in the export trade. It is impossible for the merchant to acquire from his own experience a competent knowledge of the various articles of delicate and peculiar property of which the *materia medica* is composed, and correct mercantile information regarding this branch of the demand is therefore a great desideratum. The list I have furnished is very incomplete, and I shall add to it and enlarge upon the description and uses of the different items as I find time and opportunity.

### *Catalogue of Drugs.*

BUSOUTEE.—Nothing can be ascertained regarding this.

BUZROLBURJ, a. *Ajwaeen Khorasani* p. *Ajwoain* h. *Sigusticum.* It is an excellent aromatic, and extensively used by the natives as an agreeable condiment in their dishes, and also to give a flavour to the beetle leaf and nut, in their pauns. It is a powerful remedy in the flatulent colic, and veterinary practitioners employ it in analogous diseases of horses and cows. It is subject to a transit duty in Bengal of 7-8 per ent, $\frac{2}{3}$ of which are drawback on exportation.

CACNEJ, a. *Salanum Dulcamarum.* (Night shade.) This drug is used in a variety of diseases by the natives, but chiefly as a *de obstruent.*

CUMMOON, a *Geera* p. *Jeera* h. *Cuminum Cyminum.* Cumin seed which is well-known. It is subject to a transit duty in Bengal of 7½ per cent, 3¼ of which are drawback on exportation.

EOCHUNNI.—It is used in cataplasms and for sores generally.

HULAILIJ, a *Hullela* p. *Hur.* h. *Terminalia Chebula.* It used as a cathartic and mordaunt. The *Gungi hur is* used as a laxative.

HUMMEZ, a *Chook* h. The *Wild Sorrel, Hibiscus.* This is used as a remedy for certain disorders peculiar to camels and is brought to every part of India

IKLEELOL MULEEK. a *Isparuk* h. *Melilotus Trijolium.* It is esteemed as an emollient and digestive and is used in fomentations and cataplasms

INTAMEKT, a *Curunjooa* h *Cisalpinia. Bonducella.* The fruit is used as a fibrifuge. Two eagle stone, a fossil to which the virtue of accelerating or retarding delivery is ascribed both by Europeans and Asiatics. *Lapis Aquil*

JOUZMASIL, a *Gozgeea.* p. *Dhatoora.* h. *Datura.* Whether the D. Metel; or D. Fastuosa, as imported from Umritsur, is not ascertained, probably the latter, as it is used as a remedy for spasmodic asthma. The D. Stramonium is not produced in Hindoostan.

JOSA, a *Bekh Soosun* p. *Ins. Fleur-de-Luce.* The roots of the white Ins have a pectoral virtue: the flowers are cathartic and good in dropsies. The Siberian Ins cures the venereal disease.

JUDWAR, a *Nibrisi.* h. It is of singular efficacy in the jaundice. The root communicates a beautiful but perishable yellow dye with alum to woollen, cotton or linen.

KAHRUBBA, a *Ambur.* A concrete resinous substance imported from Bussora and sold under the name of Kahrobba and Ambur, though it has been ascertained to be *Copal* so much used in England as a varnish—*Abernethy's Surgical Obs. p.* 50. It is subject to a transit duty in Bengal of 7-8 per cent., 2½ of which is drawback on exportation.

KHEIR a. *Acacia Catechu.*

KHOOLINJAN a. *Cooleejen* h. *Piper Betle.*

KHOOSEEUT *Saleb Misri.* pp. *Orchis Mascula.* Male fool's stone: all these names are literal synonymies from the resemblance which the two bulbs composing the root of this plant have to the scrotum of animals, whence the term. The root forms a considerable part of the diet of the inhabitants of Turkey, Persia, and Syria, where this perennial flourishes. From it is made the alimentary powder called saleb. The English duty on this article is 1-3 per pound.

KIBREET a. *Gogird.* p. *Gundic* h. *Sulphur*—Brimstone. It is found in abundance in Affghanistan. The Bengal transit duty is 10 per cent. 3¼ of which is drawback on exportation.

KUROEEA a. *Shahzera.* p. *Carum Carui,* Carraway. Too well known to need description.

KUSSEES. *Heera Kussees, Copperas, Vitriol*—It is used both as a medicine and as a mordaunt for dyeing.

KUSSOOS a. *Bantul.* p. *Cascuta.*—Seed of the dodder plant. It is used in bowel complaints and dysentery.

KOO *Costus Arabicus Puteholah. Radix Dulcis.* It is in high esteem with the natives as an attenuent, and as a remedy for venereal disorders, and it is also used for veterinary purposes. There are two kinds, the stick root and the kumber root, the latter being a resinous extract from the former. It is sent in considerable quantities to Calcutta, whence it is exported to England, but as I can find no mention of it in commercial books, it must have a name and use with which I am unacquainted. English duty one shilling a pound.

SABAN a *Cundroo.* h. *Cundeh Firozeh.* p. *Alibanum, Frankincense.* It is in considerable estimation as a remedy in catarrh and hamoptysis. This is an article of export to England from Bombay and Calcutta, where it is brought from the Gulf. The Bengal transit duty is 7-8 per cent., ¾ of which is drawback on exportation. English duty 2*s.* per cent.

LESEIN *Ulusefur,* a *Curhaye* h. *Echites Antidysenterica.* The seed is called Inderjaoa.

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*Catalogue of articles of the materia medica brought from beyond the Sutlej.*

ABHUL a *Hobruj,* h. *Juniper. or Sycea Juniper.*

ASSCENTEEN, a. *Mistara* h. A decoction of the leaves of this herb acts as a diuretic and a strong emmenagogue.

AMMONIAC, a *Heracleum Gummiferum Ashook.* This gum resin is met with in the plains of Yezed in Persia. It is in drops of tears, of a pale yellow, but they are frequently

run into a mass before they arrive. The inside is white and it is brittle and breaks with a vitreous fracture. In taste it is both sweet and bitter. It is used medicinally as a stimulative expectorant, deobstruent and antispasmodic, and in large doses as a purgative, and it is chiefly exported to Europe.

AMSOON, a. *Badian* i. *Romee* p. *Souf or Mowrie* h. *Aniseed Pimpinella Anisum.* The Bengal transit duty is 7-8 per cent. $\frac{2}{3}$ of which are drawback on exportation.

AUA, a. *Durckt Moured* p. *Myrtus Communis*, Myrtle. The water distilled from its flowers is detersive, astringent, and cosmetic; a decoction of the flower and leaves is applied in fomentation.

BEHMAN SOORK and b SOFIED a. ISGUM h. *Bch rubrum and* B. *album.* This is a fruit of the size and shape of a nut, used as a purgative by the natives.

BIHEEDANA, or the quince seed, is imported in considerable quantities. It is used as an astringent and also as a cooling medicine.

BUCH h. *Acorus Calamus.*

BUNUSSA p. *Viola Odorata.* The flowers of this plant act as a purgative and also possess an anodyne and pectoral quality.

MASOOM, a. *Bekh Unjbar*, Bistoot or Snake weed: a medicinal herb given to stop spitting of blood.

MUSQ, a. *Moshk*, p. *Custoree*, h. *Musk*, comes from Cashmere and Hindoo Coosh. It is imported in the greatest quantities from Nepaul to Patna; the Nepaul musk being considered of a better quality, and the duty is only 5 per cent. The duty on all other musk is 7-8 per cent., $\frac{3}{4}$ of which is drawback on exportation. The English duty is 5*s.* on an ounce.

MOSUBBUR, a. *Elwa*, h. *Aloe* Perfoliata. Upward of 500 maunds of this article are annually exported from Calcutta to England. It is brought to Calcutta from the Persian Gulf, and it must be exported in still larger quantities from Bombay. English duty 9*d.* a pound.

MURV, a. *Conoucha*, h. a medicinal herb, used by the natives in complaints of the chest.

NEPHT, a. *Mitti-tele*, he. *Naptha*, *Asphaltum*, *Petroleum.* This is imported from the shores of the Caspian sea. It is an article of great consumption in oil painting, &c.

OOD SULEEB, also FAWANI, a *Wood of Aloes.* A small piece of it is usually suspended from the neck of children by way of a talisman, or charm of great supposed efficacy in epilepsy.

OOD OL HEA, a. *Naydown*, s. *Artimisia*, *Valguris Wormwood.* E. It is reckoned an excellent vermifuge.

ONNAB, a *Jejube Zizyphus.* It is a fruit of a red colour of the pulpy kind, and resembles a small plum. It is used in pectoral defluctions, and is in great request with the natives, who also use it in their *sherbets* Affghanistan produces great quantities.

OSMOD, a. *Soorma*, h. *Unjun*, *Sulphuret of Antimony.* It is an article of great consumption with the natives for ornamenting the eyes.

OSTOO KOODOOS, g. *Dharoo* h. a grass to which many virtues are ascribed. It is a mild purgative.

PAIE a mineral used in dyeing, a light green colour. English name unknown.

QIRDMANA, *Calajeera*, *Nigella Indica.* The seed of this plant is used by the natives more in diet than in medicine, and forms the principal condiment in their curries. The seed of its congener, the Nigella Satira, is known in Europe as *tout spice* or all spice. It is subject to a transit duty in Bengal of $7\frac{1}{4}$ per cent.

QUILLEE, a. *Sujjee Mittee*, Carbonate of Soda,—impure kind.

RESHA KHUTMEE, *and Gul Rheitoo Althæa Vulgaris*, Marsh Mallow. In native pharmacy it is used as an emollient medicine, and sometimes externally for softening and moistening hard tumours.

REWUND, a. *Rawund* p. *Revund Chint*, h. *Rheum*, *Palmatum*, *Rhubarb.* The uses of this are sufficiently well known. English duty 2-6 a pound.

REHAN, a. *Nazboo* p. *Toolsee*, *Ocymum*, *Pilosum* Rehan: when infused in water forms a mucilage, much used by the natives as a demulcent in catarrh. It is a favorite medicine with the native women, who take it after parturition to relieve the after pains.

SELEEKHA, a. *Tejpat*, h. *Laurus Cassia.* The base cinnamon: this species is known in the shops by the name of Cassia Legnea. Various medicinal qualities are ascribed to it in native pharmacopiæ.

SHEKACOOL, a. a species of wild carrot. The kinds are imported from Umritsur, the

Shekacle Misree (Egyptian) and the s. Caubullee.

SHEETRUJ, a. *Checta*, h. *Plumágo Zeylanica*. The Hindoos use it as a vesicatory.

SHOMA, a. *Mom* p. p. Wax.—Bengal transit duty 10 per cent., 3¼ of which is drawback on exportation.

SHEERKIST, *Persian Manna, also called Caubul Misree or Caubul Sugar*. It is a natural exudition from the Hydesarum Alhagi, Jewasa, camel thorn or khari-shootur, and there is an inferior kind called Turinjbeen, but whether it is produced from the same plant or not I cannot tell. The Calabrian manna is a natural exudation from the leaves and branches of the ash in hot weather.

SOOMBOOL OTEEL, a. *Soombool*, p. *Jatamansi*, h. *Valleriana Jatamansi*. The Hindoos also call it Balch'hur. It is an antispasmodic in epilepsy, hysteria, and other convulsive disorders. This is the celebrated plant of the ancients called spikenard, and used as a perfume. Bengal transit duty 7-8 per cent. ¾ of which are drawback on exportation. English duty 2-9 the pound.

SOOQMOONIA, a. *Convolvulus Scammonia, Scammony*.—English duty 9-4 the pound.

SOORINJAN, a. *Meadow Saffron, Dogs bane, Colchicum*. It is a powerful pectoral and diuretic. The s. Shereen is more esteemed, and sells at 2 rupees a seer. The s. Soork, 25 rupees the maund.

SOOS, a. *Molehti* p. *Jetheemudh* h. *Glycyrrhiza*, a. *Glabra, Adipson. Liquorice*. It is a very useful, pectoral, and detergent medicine, and is produced in great abundance in Affghanistan. English duty £3, 3, 4, the cwt.

SUMULFAR, a. *Soomolkher*, p. *Sunkhia*, h. *Arsenic:* the white oxide. It is found in considerable quantities in Affghanistan.

SUNA MUKKEE, a Cassia Senna.

TISI *h. Lilum Nisatimum*,—the Annual flax. The seeds are excellent emollient and anodyne: an infusion of them is good in pleurisies and nephritic complaints.

UFTEEMOON *a. Akasbelee h.* (doubtful whether cuscutæ reflexæ of Roxb or the Epidendron) it is valued as an effectual remedy in cutaneous disorders.

UMBERBAREES *g. Zerish, p. Zerk, h. Oxyacanthus, Barberry*. It is an anti-bilious medicine.

UROOSUC PUS-I-PERDA *p. Missi, p.*

*Urq ol Kibreet, a Ab-i-Gogird, p. Gunduc, p.* Sulphuric acid.

USL *a. Shehed p. Meedoo, h.* Honey.

UZIROOT *a. Kernoon, Lamee, h.* A kind of gum, excellent for the closing of wounds and in gonorrhœas.

UZFAROTEEB *a. Nakhon-i-suddef p. Nik h.* A drug, the fumes of which are said to cure the rickets in children.

OZRAC *a. Coochila h. Strychnos, Nux Vomica*. The seeds are reckoned among the strongest narcotic poisons. The spolatorum is valuable from its quality of clearing muddy water, and rendering it potable.

ZEHER OOL FISTOOQ *a Gool-i. Pisto p. Pistachio flower, Pistacio Terebrinthus*, which grows naturally in Arabia, Persia, and Syria, whence the nuts and flowers are annually exported to different parts of Europe. The natives of Hindostan use it both as a medicine and a dye. The consumption is very great.

ZERAWAND, *a. Isarmel and Berala, h. Aristolochia Birthwort*. It is supposed to possess the emmenagogue and antarthritic virtues. There are too kinds, zerawund taweel or longa and the zerawund modheerij, or rotunda.

ZENGEBREL *a Udruc, h. Amomum Zingeber*.

ZOOPHA, *a. Hyssopus Officinalis*. It is an aromatic of great virtue in numoral asthmas. Zoopha ruttub is also the name given to the fat of the tail of the *dommba* or Persian sheep.

All drugs, not particularly enumerated in the English tariff, nor otherwise charged with duty, have to pay 20 per cent. on the value. In the Bengal provinces those which are not expressly named are exempted from duty.

*Bedelium*, C. D. Periplus Maris Erythræi Pottinger.

LYCIUM, box wood, P. M. Erythræi.

MULTANEE MITTEE—A kind of a clay stone much used by the natives as an emollient for rashes, &c. it is said to be dug up in the neighbourhood of Multan whence its name.

MIRABOLONS grow in the mountains of Caubul, and that is the reason why the orientals call it Caubullee. There are many other sorts of drugs gathered there; and, besides that they are full of aromatic trees which turn to good account to the inhabitants, as also do mines of a certain iron which is fit for all uses. From this province especially come the canes of which they make halbards and lances, and they have many grounds planted with them. P. 57 Thewort, Part 3. —*Delhi Gazette.*

# HALLAM'S CONSTITUTIONAL HISTORY—MR. MACAULAY.

## No. I.

TO THE EDITOR OF THE BENGAL HURKARU AND CHRONICLE.

Sir,—I have lately read Hallam's Constitutional History, and the criticism on that work published in the 95th Number of the *Edinburgh Review*. May I suppose without presumption, that some of the thoughts which occurred to me in the course of this literary labour, may be communicated without offence, certainly without harm, and possibly with some advantage, to the European community in India? At all times, and under all circumstances, surely a discussion concerning any part of the history of the most remarkable country in the world, cannot appear unimportant to any but the stocks and stones of humanity: but at this time, and upon this occasion, there are two circumstances which seem to me to render such a discussion more than commonly interesting. The first of these is the present political crisis in England; and the second, is the appearance amongst us of the celebrated individual to whom the article on Mr. Hallam's work is universally ascribed. With regard to the first, the dullest observer cannot fail to see, that the minds of men are wrought up to a pitch of excitement far beyond any parallel in former times. The timid are afraid, the bold are stout of heart, the thoughtful are in doubt, the selfish have bitter forebodings, and the ardent and generous are filled with hopes of joy, touching the future fate of England. All are sensitively alive to passing events, and by reason of this sensitiveness, will eagerly read any thing respecting the past in the hope that it will bear them out as to the justness of their opinions respecting the present and the future. And if the subject on which I write has any peculiar claims on the reader's notice because of the circumstance I have just alluded to, those claims will scarcely be lessened when it is borne in mind, that my theme includes in it an attempt to estimate the intellectual character of Mr. Macaulay. That gentleman, yet a young man, has for several years past held a high place in the respect of his countrymen. His writings and speeches have made his name "familiar in men's mouths as household words;" and he is now about to take a leading part in a work which in its mighty effects for good or for evil is fit to mark the present as one of the most important epochs that have yet happened in the history of the British rule in India. The Law Commissioners, if they do not dwindle into idle sinecurists or insignificant triflers, have the following questions to answer:—What grievances do our native subjects labour under the consequence of a defective system of jurisprudence? On the supposition that manifold grievances shall be proved on inquiry, to exist, can they be partially or wholly removed? Can any effectual means be devised for the physical, intellectual and moral improvement of the people of India? I envy little that man's heart who can turn from such questions with a sneer or a gibe; and he must be mentally blind who does not see, that for the satisfactory answer of these questions there are required intellectual qualifications of the rarest and highest order, and bodily labour of the most appalling magnitude. The results reasonably to be expected from a commission invested with sufficient power and composed of properly qualified members, cannot possibly, in consequence of the want of leisure for reflection, emanate from the government itself, nor from its servants employed in executive duties. All, therefore, by whom sincere sympathies are felt in favour of countless masses of their fellow creatures, must rest their hopes in the Commission; and cannot fail to take an intense interest in any thing which shall shed a light, however dim, on the character of him who must necessarily wield a powerful influence in its councils. Of all the writings of Mr. Macaulay with which I am acquainted, I know of none which seems better fitted than his critique on Hallam's history, to furnish a criterion by which to judge of the nature, extent, and limits of his capacity, and of the tone of his moral feelings. In that critique are to be found those admirable historical portraits for which this writer is so strikingly remarkable,—those sketches, which for justness of conception, and vividness of description are unequalled by any English historian: *there* is to be seen in perfection, that clear, powerful, eloquent, varied, yet withal, simple and idiomatic style, which "writes down" Mr. Macaulay, a master of his country's language: *there* are abundant proofs of the extraordinary extent and variety of the writer's information, and of the activity of his fancy in turning his knowlege to account in the shape of the happiest illustrations: *there* too, we meet with a constant succession of remarks, just, striking and original, and with theories

which if not always sound, are always ingenious, and fitted to sharpen the wits of the most sluggish reader: and *there*, above all, appear the unequivocal marks of the writer's true nobility of mind—not those bastard signs of rank which wealth and ancient descent unaccompanied by virtue can confer; but the higher emblems of greatness exemplified in his detestation of tyranny, his undisguised abhorren e of every thing base and sordid, his contempt of hypocrisy, his condemnation of intollerance, and in fine, his apparent yearning after a more intellectual and moral state of society than the world has yet furnished examples of: alas, that honest conviction should constrain me to add after so much praise, *there* also are to be found, according to my judgment, false opinions and false reasonings on truly important subjects. That I may not be charged with that vagueness which I own I dislike so much to meet with in others, I will proceed to offer some evidence in support of what I have written; and in the course of my remarks, I shall endeavour to ascertain how far Mr. Macaulay is right in the judgment he has passed on Mr. Hallam as a philosophical historian. But I reserve for future letters the farther prosecution of this my undertaking.

I am, Sir, your obedient servant,

A BENGAL CIVILIAN.

## No. II.

TO THE EDITOR OF THE BENGAL HURKARU AND CHRONICLE.

Sir,—To adduce evidence sufficient to satisfy all men that a writer's historical likenesses are true to life, is no easy matter. The qualities of an author's style may at once be made manifest, by putting forth a smaller or greater number of extracts from his writings. Little difference of opinion exists as to what constitutes good composition. Few or none, for instance, would question the excellency of Southey's writings as far as language is concerned; though many would not only question but utterly deny his claims to rank high as a profound thinker. In like manner, Southey himself, though he condemns in no measured terms the opinions of Hallam, readily admits that he writes genuine English. But it is a very different affair to attempt to convince all that a writer has judged accurately of eminent historical characters. The political and religious predilections of most men who take any interest at all in past times are so strong, that it is seldom they either will or can listen with patience or temper to any thing which tends to disturb their likings or dislikings, their loves or hatreds. As far, therefore, as relates to the praise I have given to Mr. Macaulay for his delicate discrimination of character, I would be understood rather to affirm that his judgments coincide with my own, than to attempt to produce a universal conviction of their truth. But to my own mind, I confess, this writer's estimates of character generally carry their demonstration along with them. Before he arrives, for example, at the conclusion, that Cranmer was not a Saint, as his admirers would have it, but "merely a supple, timid, interested courtier, in times of frequent and violent change," does he not enumerate a whole host of historical facts indisputably true, in proof of this conclusion? Is not a Saint one who revolts against injustice and sanguinary cruelty, and who with calm firmness, at least, if not with enthusiastic alacrity, meets death rather than swerve from the faith in which he implicitly believes? That such qualities cannot possibly be ascribed to Cranmer, every impartial man must confess, who will take the trouble to read Mr. Macaulay's character of him. Again, in the case of Charles the First, there may be those who like him not the worse for his love of arbitrary power, but his inconceivable duplicity, and his cold indifference to the fate of his friends, what man of honor can defend? Now, these, his most striking defects, are set forth by the reviewer with a truth and a force not to be resisted. The sketches to which I would specially direct the reader's attention, are those given of Cranmer, of Wentworth, (though in this instance the writer is wrong in saying "his early prepossessions were on the side of popular rights." Brodie, clearly proving Wentworth to have been a courtier from the first), of Charles the First, of Lord Falkland, of Laud, of Hampden, of Cromwell (whom perhaps he too much favours), and of Churchill. It would occupy too much space, to transfer all these sketches from the pages of a review to the columns of a newspaper. I cannot refrain, however, from quoting a few specimens. They will serve to justify the encomiums I have passed on the writer's style, and the tone of his feelings; and will probably induce the reader to ponder over the article itself. Let me take, for instance,

the following observations on Wentworth, the celebrated Lord Strafford :—

His whole practice, from the day on which he sold himself to the court, was in strict conformity to his theory. For his accomplices various excuses may be urged: ignorance, imbecility, religious bigotry. But Wentworth had no such plea. His intellect was capacious. His early prepossessions were on the side of popular rights. He knew the whole beauty and value of the system which he attempted to deface. He was the first of the Rats,—the first of those statesmen whose patriotism has been only the coquetry of political prostitution; whose profligacy has taught governments to adopt the old maxim of the slave-market, that it is cheaper to buy than to breed, to import defenders from an opposition than to rear them in a ministry. He was the first Englishman to whom peerage was not an addition of honor, but a sacrament of infamy,—a baptism into the communion of corruption. As he was the earliest of the hateful list, so was he also by far the greatest—eloquent, sagacious, adventurous, intrepid, ready of invention, immutable of purpose, in every talent which exalts or destroys nations, pre-eminent, the lost Archangel, the Satan of the apostacy. The title for which, at the time of his desertion, he exchanged a name honorably distinguished in the cause of the people, reminds us of the appellation which, from the moment of the first treason, fixed itself on the fallen Son of the Morning—

> —'So call him now,—His former name
> Is heard no more in heaven.'

Many enemies of public liberty have been distinguished by their private virtues. But Strafford was the same throughout. As was the statesman, such was the kinsman, and such the lover. His conduct towards Lord Mountmorris is recorded by Clarendon. For a word which can scarcely be called rash, which could not have been made the subject of an ordinary civil action, he dragged a man of high rank, married to a relative of that Saint about whom he whimpered to the Peers, before a tribunal of his slaves. Sentence of death was passed. Every thing but death was inflicted. Yet the treatment which Lord Ely experienced was still more disgusting. That nobleman was thrown into prison, in order to compel him to settle his estate in a manner agreeable to his daughter-in-law, whom, as there is every reason to believe, Strafford had debauched. These stories do not rest on vague report. The historians most partial to the minister admit their truth, and censure them in terms which, though too lenient for the occasion, are still severe. These facts are alone sufficient to justify the appellation with which Pym branded him —'the wicked Earl.'

Hear what is said too, of Churchill, the great Marlborough :—

It may well be conceived that, at such a time, such a nature as that of Marlborough would riot in the very luxury of baseness. His former treason, thoroughly furnished with all that makes infamy exquisite, placed him indeed under the disadvantage which attends every artist from the time that he produces a masterpiece. Yet his second great stroke may excite wonder, even in those who appreciate all the merit of the first. Lest his admirers should be able to say that at the time of the Revolution he had betrayed his King from any other than selfish motives, he proceeded to betray his country. He sent intelligence to the French court of a secret expedition intended to attack Brest. The consequence was, that the expedition failed, and that eight hundred British soldiers lost their lives from the abandoned villainy of a British general. Yet this man has been canonized by so many eminent writers, that to speak of him as he deserves may seem scarcely decent. To us he seems to be the very San Ciappelletto of the political calendar.

The perusal of these sketches suggests two reflections. It proves the intrepid fearlessness of the writer, who thus records, with unflinching severity, his conscientious conviction respecting the characters of two noblemen, both of whom have living representatives, and the representative of one of whom belongs to his own political party in the state—and it finely illustrates the moral truth, that crime sooner or later *may* meet with its reward In his own day, a state criminal may be surrounded by unprincipled flatterers: his power, his rank, and his wealth may screen him from the openly expressed indignation of his countrymen: but if he has any regard to his future fame, let him seriously bethink him, that time "both joy and terror of good and bad," *may* reveal all his wickedness and consign his name to eternal infamy. It is pleasing to turn from the contemplation of exemplars of the bad part of our nature to the solemn dirge chanted to the memory of Hampden. The writer in treating of the absolute necessity that existed for superseding such irresolute and trimming men as Essex and Waller in the command of the popular army, takes occasion to lament the irreparable loss which the cause of good government sustained by the death of Hampden; and I will venture to assert that notwithstanding all that has been said of that worthy man, no one acquainted with history, and whose partialities lean in favour of democratical institutions, can read the following passage without feeling all the freshness of grief that is caused by some great and recent calamity:—

Unhappily the illustrious man who alone united in himself all the talents and virtues which the crisis required, who alone could have saved his country from the present dangers without plunging her into others, who alone could have united all the friends of liberty in obedience to his commanding genius and his venerable name, was no more. Something might still be done. The Houses might still avert that worst of all evils, the triumphant return of an imperious and unprincipled master. They might still preserve London from all the horrors of rapine, massacre and lust. But their hopes of a victory as spotless as their cause—of a reconciliation which might unite together the hearts of all honest Englishmen for the defence of the public good,—of durable tranquillity,—of temperate freedom, were buried in the grave of Hampden.

For the present I must conclude. I am, &c.

A BENGAL CIVILIAN.

# NOTES ON INDIAN AFFAIRS.

## No. XLIII.

### CHARACTER OF THE PEOPLE—LITIGIOUSNESS, LITIGATION, &c.

Among the prevailing characteristics of the people of India, few have been mentioned more frequently, or in more unmeasured terms of reprehension, than their disposition to litigation. It is a point which requires to be well understood by those who are destined to legislate for them, but which, it is lamented, has not yet received due attention: those who have hitherto presided in the British Indian Government have been too much influenced by the popular clamour, and instead of investigating the matter with the eyes of statesmen, have allowed themselves too much to be guided by this, and the vulgar notions arising from it, in the enactment of the laws which they have promulgated.

Before either denying or admitting this charge against the people, we should endeavour to obtain a correct definition and understanding of the meaning of the term "litigiousness," and to ascertain the grounds on which they are accused of this propensity. If by litigation it be intended to signify that in a given population a much greater number of suits and complaints are brought forward in India than would occur in England, I acknowledge and lament the fact, the reason of which I shall presently discuss; but if it be meant that the natives of India are generally prone to bring forward false or malicious accusations, I most positively deny this imputation against them.

This declaration, however, it will be observed, is opposed to the opinion of all received authorities. Mill speaks of "that litigiousness of character which almost all writers have ascribed to this most ancient race," and he quotes in support two passages: one from Orme, who alludes to the people on the Madras Coast; and one from Mr. C. Broughton Rouse, who speaks of the people of Dacca. So it is; an observation made at two corners of an immense tract of country, passes current for delineation of the character of the whole people: just as a custom prevalent in Portugal or Naples, might be pronounced to be common to the whole European continent.

What, then, it will be asked, are the reasons that this notion of the people of India, if incorrect, should have obtained such general belief? First, the immense number of suits and complaints which are known to be preferred in every British Indian Court of Justice, and in which the business utterly exceeds the physical ability of the presiding officers to perform. But this is no proof of the prevalence of a litigious spirit. It only affords an additional proof of the utter neglect of the interests of the people evinced by the British Indian legislation. The districts into which our possessions are divided, average, as I have often before stated, seventy miles long by nearly sixty broad, and contain a population of about a million, *i. e.*, equal in extent and number of inhabitants to the county of Yorkshire in England. Till lately, a single individual held the joint situations of Civil Judge and Police Magistrate for the whole of each district; and the only assistance he received was derived occasionally from one or two English assistants who were empowered to decide minor cases, and in some places from a native Commissioner in the decision of petty money suits. Conceive the county of Yorkshire so situated, under the Government of an African Judge and Magistrate! would any one in his senses imagine the possibility of his being able to transact a tenth part of the business which would be brought before him, or to give redress or even listen to the complaints of numbers subject to his authority? Yet these are the circumstances which have formed one principal foundation for the opinion we have pronounced on the litigiousness of the natives of Hindostan.

It is at the same time rather amusing to perceive how we have contrived to turn this state of things into nourishment for our own national vanity. As soon as the British authority has been established, the country divided into districts, and Judges appointed, who usually respectively reside in the chief town of each division, it has been observed that ten, twenty, fifty or a hundred times the number of suits have been preferred to the English functionary than were ever brought before the native officer who formerly presided in the same town. This has been trumpeted forth as a proof of the greater confidence which is reposed in the British Judge, and it has been gravely and repeatedly asserted, that the people finding an uncorrupt tribunal to which they could appeal, now brought forward their grievances instead of patiently submitting to them as they were obliged to do from the impossibi-

lity of obtaining justice under their former rulers—it was, in short, "one of the blessings conferred on them by the English!" The simple fact, that in that very town there existed, under the native government, two, three, or even four different officers for the administration of civil and criminal justice, either solely within its limits, or in addition over a small tract of neighbouring country; that there were perhaps two or three towns in the district, in which were established similar authorities; and that in the country, many of the large landholders had previously, not only exercised powers greater than our English Justices of the Peace in criminal matters, but also possessed some authority in civil jurisdiction; that all these authorities had been abolished at a blow, and the several powers and duties concentrated in one office, under a single functionary. All this was overlooked, and the mere increase of business in the single office has been brought forward to demonstrate in how much higher estimation we are held by the people than that which they bestowed on their own countrymen.

Another reason which has contributed to form the opinion which we are pleased to entertain of the universal litigiousness of the people of India, is but an illustration of the tendency so often alluded to, to form general conclusions on partial observation. Every functionary in India sees before him occasional instances of persevering litigation. The same suit, although repeatedly dismissed, is brought forward again in every conceivable form, before every existing authority. In one shape it is preferred to the Collector; in another, to the Magistrate; in a third, to the Civil Judge; and again, in appeals to the superior tribunals over each of these officers. But we quite forget to remark upon the small proportion of suits so persevered: the disgust excited by such a spirit and the annoyance at the trouble occasioned by a few cases of this sort, cause a sweeping declaration to the disparagement of the people at large. There is no country in the world wherein occasional instances of this, as of every other evil propensity, may not be found. We also forget to observe how much more common this spirit is among the prisoners and defendants than among prosecutors and plaintiffs. That a man accused of a crime, should try every possible chance to escape punishment is nothing extraordinary; and with regard to the refusal in the first instance, to pay a just demand, and the subsequent persevering efforts to avoid payment, or to keep possession of property unjustly acquired; the cases of this nature which do occur are chargeable not so much upon the litigious disposition of the people, as the inadequate provisions which we have introduced for the administration of justice; to the introduction of some laws and rules of practice totally at variance with the ideas and usages of the people; (the usury laws for instance), the encouragement thereby held out to dishonesty and fraud; and to the appointment, in many instances, of men to judicial offices, who were not only grossly ignorant of the people and their customs, but even of our own laws and regulations, which has caused a discrepancy in the decisions and orders given, utterly irreconcilable with any imaginary code or systematic administration. This will be enlarged upon presently.

These are the principal causes which have produced the almost universal opinion entertained by the English of the litigiousness of the Indians. But I again repeat, that taken in its literal sense, as signifying a general tendency to prefer false or malicious complaints, I must unequivocally deny the justice of the imputation in their behalf. General assertions, however, must be supported by some proof.—In the first place, then, I quote the following from Sir Henry Strachey, that "out of a hundred suits, perhaps five at the utmost may be fairly pronounced *litigious*." This was written at Midnapore, in 1802. The following table will show this in a strong light. The first line was also published in No. 36. It contains the decision of our British Judges, and six Native Judicial Officers; and refers to decisions passed two or three years back. The second line contains the decisions during six months of 1834, of another set of English and Native Judicial Officers:—

| 1 To all Number of suits. | 2 Decreed in full, for Plaintiff, with costs | 3 Adjusted by agreement, (razeeh-na meh.) | 4 Partially Decreed. | 5 Non suited | 6 Dismissed. Costs to be paid by the Plaintiffs. | 7 Number appealed. |
|---|---|---|---|---|---|---|
| 1228 | 702 | 327 | 57 | 31 | 61 | |
| 1932 | 1081 | 291 | 262 | 102 | 196 | 101 |

From these, we see, that in the first example, the number of suits dismissed is barely five per cent.; and in the second, a little more than nine per cent. I have no other tables by me to refer to just now; but I have looked over the record books of two other courts, and find that the average is about the same, viz. seven or eight per cent. of causes filed are dismissed. But it does not at all follow that all suits dismissed are false or litigious, many of them may have been just demands, but in which proof failed from the death of witnesses, loss of documents, or other cause. Those nonsuited are probably almost all just demands: in some, a private ar-

rangement has been made betweenthe parties, but the plaintiffs refrain from registering the same in court to avoid the delay and extortion of illegal fees, to which they would be subject but too often, and which would more than compensate for the value of the stamp paper to be refunded: some are dismissed in default, from neglect on the part of plaintiffs, whose patience has been exhausted; and others have had business of greater importance which caused their absence. It will be observed, that the proportion of causes nonsuited has been less since the new system has been introduced than formerly.

The second line also gives another criterion, to enable us to judge of the litigiousness of the natives, in the proportion of decisions appealed: this appears to be one hundred and one out of nineteen hundred and thirty-two, or a little more than five per cent. It is also worth noting, that on examining into the detail, I find the proportion of the Judge's decisions appealed to the Sudder Dewannee to be greater than that of the subordinate functionaries of the same district appealed to the Judge: yet in the former instance the appellants had either to travel or send nearly three hundred miles, and to submit to a very expensive process in pending forward their appeals: in the latter, they had but a few miles to come, and much less expense to be undergone. The reason of the difference is simply this, that in the Superior Court, the Sudder Dewannee, the appeals even under the improved system lie for from two to three years on the average: in the Court of the district Judge to which I allude, the appeals are now decided in about four or five months, and will probably, ere long, be disposed of in less than half that time, as the average period during which appeals lie on his file, has ever since 1832 been progressively decreasing. Two years ago, the period of pending was nearly two years, and the number of appeals from the decisions of the native judicial officers was about twenty per cent. I also looked over forty-seven consecutive reversals by the district Judge, of the decisions of the subordinate tribunals: of these, I find twenty-six to have been originally dismissed, but in which, on the appeal, decrees were given in favour of the appellants, the former plaintiffs; and in twenty-one which had been originally decreed in favor of the former plaintiffs, the plaints were dismissed in the appeal, thus showing a still further proportion in which the claims were just in the original suits. It would be extremely desirable that Government should order returns of this nature from every Court in the country.

We also hear much of the vindictiveness of the natives, and the unrelenting manner in which they will pursue a debtor, and persist in keeping him in confinement almost for life, to his ruin and to their own loss. Undoubtedly there are instances of this nature to be exhibited; and the Calcutta Jail, where alone, under the shadow of English law, could such oppression be practised, until a few years ago it contained debtors who had been confined for many years: I doubt, however, whether just as many cases of this nature in proportion to the population might not have been found in any jail in England, previous to the enactment of the Insolvent Debtor Laws. But the character of a nation ought not to be stigmatized from the conduct of a few individuals, and whether the natives generally deserve this character may be inferred from the following statement of transactions in one Court.

During the past and present year, old decrees passed at all periods, even to as far back as 1812, have been brought to be executed. Some have been executed by the sale or transfer of property. The following refer solely to those executions in which the decrees were for money, and in which the defendants were arrested.

| No. of decrees executed in 1833, and to September 1834. | No. of defendant's actually arrested and brought to Court. | Total amount due from them. |
|---|---|---|
| 1,062 | 1,395 | Rs. 1,25,779 |

| No. of defendant's who paid the whole demand against them and were released. | Amount realized from these. |
|---|---|
| 263 | Rs. 17,043 |

| Balance No. of defendants. | Amount due. |
|---|---|
| 1,132 | Rs. 1,08,736 |

| Number who paid part and promising instalments were released. | Amount realized from these. |
|---|---|
| 721 | Rs. 12,291 |

while the amount due from them was Rs. 60,430, leaving Rs. 48,306 due from 411 debtors, who, as they would neither pay nor seemed inclined to make any exertions to liquidate their debts, were sent to jail; yet these found so little vindictiveness on the part of their creditors, that they were speedily released. Very few paid at once the whole demand against them, and no great number paid any thing before their release; but no sooner did they either pay part and promise instalments of the remainder, or even evince an inclination to make some exertion to liquidate their debts, than their creditors at once consented to their discharge. They were not on the average in confinement above a month each, as is sufficiently proved from the numbers in the Civil Jail. This, on the first of January, 1833, was seventy; in October of the present year, it was seventy-two:

in each intervening month it has been about the same, being sometimes a little above, at others, a little below that number. Out of the whole, thousand and sixty-two cases, which, as in some there are two or three, would give about thirteen hundred plaintiffs of almost every caste and class, only fifteen cases occurred in which the creditors might be justly charged with a vindictive spirit.

I have another statement by me showing thirty cases of execution of decress upon forty-three defendants from whom were due Rs. 1,576; all of these showing an inclination to pay their debts were at once released from arrest by their creditors without even being brought up to court, although the whole amount actually paid on the arrests was Rs. 590; and this, let it be remembered, is after they have waited years before they have been able to realize their just demands, while every species of legal delay, fraud, and chicanery has been practised against them by those who were indebted to them.

But although I deny that the epithet of "litigious," in its proper sense is generally justly attributable to the natives, it is a lamentable fact, that in a given population the number of law suits and complaints is much greater than it would be in England. The causes of this are to be found partly in the laws and in the customs of the people, and partly in those which we have established. When we consider the difference in the manners, customs, and systems of law extant among the people of India from those which exist in our own country; the youth and inexperience of those to whom the administration of affairs was instrusted; how much these had to learn not only of the above points, but of the language, or rather languages, in which business was conducted, and the immense mass of current duties which devolved upon them; it might have been expected that one of the first cares of government would have been to have caused the compilation of a concise code both of Hindoo and Mahomedan law for the guidance of those who were to administer the laws. To this day nothing of the kind has been attempted by authority. The British Regulations are little more than rules of practice relating to the forms to be observed in the different courts and offices; while the rights and interests of the people are left to chance, the caprice of the presiding functionary, or the dictum of a native who is styled "law officer," who, from education and fitness for his situation, is about on a par with an attorney's clerk in England. On this head, I beg to refer to No. 27 of these papers. The extraordinary and almost incomprehensible jumble of equal division of property—arbitrary and most unequal division—the law of primogeniture in some cases, and all but community of property in others (which were alluded to in No. 18) which obtains among the people, and the undefined rights and claims to which this unsettled state of affairs gives rise, is another great source of dispute. All these must be borne in mind in viewing the present subject; and then my readers will be able to understand the following detail of causes and suits which are constantly occurring in the British India Courts. Nothing bearing any resemblance to them could happen in England; and some of them will probably appear to an untravelled Englishman rather as flights of the imagination, or at best, only what might possibly occur once in a century even in India; but any judge who has attended to his duty, and many other civil officers not in the judicial line, will bear testimony to their being matters of every day's experience I will now proceed to detail, and for convenience sake shall number the respective illustrations.

First.—A. dies, leaving three sons. His property consists of a landed house, value a thousand rupees, and little personal effects. The latter are divided between the sons; but as there is great difficulty in dividing the house, and as the sons agree and continue to live together, every thing goes on smoothly at first. But after some time, as their respective families increase, and difference of interests arise, disagreements ensue, and one of the brothers demands to have his share of the house divided off from that of the others. In many cases, this is utterly impossible, without completely ruining the comfort and convenience of the abode. Sometimes an attempt is made to apportion off different apartments, (which in some cases, where there is room to make separate entrances can be done) this gives rise to complaints of partiality in the division—fresh inspections, measurements and re-apportioning are the consequence—fresh complaints from the other parties—and so on. Then, again, supposing an equitable division be made; if there be but one entrance, the jealousy and dislike which have arisen between the parties creates all sorts of quarrels and affrays, with complaints to the Magistrate. I have actually known cases of this sort go on for years, until it ended in the ruin of all the parties, the house being sold to pay their respective debts; while the parties themselves, after having been more than once in jail, finally become disreputable characters, and live by gambling and thieving. In some instances, the dispute

has been settled by measuring off one third or one half of the house, (as might be), and running a wall up, cutting through rooms, walls, roofs, &c.; and completely destroying its comfort and convenience.

Second.—It not unfrequently happens, that one of the sons, sharers of the house, getting in debt is sued in Court, and that to liquidate the sum decreed against him, his share of the house is attached: but as no division has taken place, the creditor cannot know which portion of the house belongs to his debtor, and which to the other sharers; he accordingly, attaches the whole house, and affixes the proclamation for sale on some conspicuous part; and the other sharers then come forward to claim their portions. This is one piece of litigation, which, when the family has lived in the house for two or three generations, without any division having taken place, is often no easy matter to arrange: in other cases it is simple enough. The next step is to divide off the share of the debtor with a view to its sale. Here the difficulties arise which have just been described in the first illustration, and the result sometimes is, that finding the disputes and complaints endless, an order is passed to sell the right and interest of the defendant, without defining what these are. The consequences of this are various. On some cases it virtually prevents the sale taking place at all: if the rest of the family are numerous, and tolerably rich, they threaten all intending purchasers with personal ill-treatment, and with ruin to their affairs by constant complaints against them in the different Courts. In others, if the creditor be far more powerful by his wealth and connexions than the family of the debtor be, in default of other purchasers, buys the share of the property himself at the sale; and he then says to the debtor's relations, "now, if you choose to pay me my demand, I will give up the purchase to you; if not, I will make you repent of it, for I will rent my share of the house to a set of bhungies (a tribe of the sweeper cast) to keep their hogs in it; or to a set of choomars (another low tribe who barely rank as Hindoos), to establish a tannery of cow-hides and eat beef (according as the party addressed be Mahomedans or Hindoos)—"you may complain as you please, I am rich enough to ruin you all if we go to law." The result of this is, either continual quarrels and complaints until the family are ruined, or that they with difficulty raise the sum required, although it may be ten times the value of the share of property sold, and pay the creditor who gives up his purchase to them. In other cases, when a third person has bought the right and interest of the debtor, he of course demands that the Court shall at least put him in possession of what has been sold by its authority; and here again arise all the difficulties alluded to in the first illustration. Yet all this mass of litigation and evil might be remedied by a simple rule, to which I shall advert hereafter.

Third.—B. dies, leaving a mud house value fifty rupees; clothes and furniture, value twenty rupees, to which his two sons, C. and D. succeed without any disputes and live in harmony together. C., an active man, goes into service, or enters into some trade, and gains considerable property. D., of a different disposition, either works enough, independantly, to procure a bare subsistence, or perhaps makes himself useful to his brother by going on errands or affording him other little assistance, in return for which the latter maintains him. After some time C. pulls down the mud house, and builds a substantial one of masonry at an expense of perhaps two thousand rupees, which occupies the whole ground left by B., the father, in which ground each brother has an equal share. D. makes no objection, as both live together in union, and he will have a better house to reside in than before. In England, in such a case, the matter would be simply settled in one of two ways:—Either C. would just purchase D.'s share of the ground, or would draw up an agreement to pay him ground rent, to which payment the house, if sold, would be subject; but in the extraordinary way in which the natives of India carry on their concerns, such a thing would rarely if ever be thought of. But to return.—Some time after C. falls into difficulties, runs in debt, and ultimately his house is sold for satisfaction. No sooner is this advertized than D. claims his share of the ground, on which it stands: he warns all creditors and purchasers that only half the house can remain as it is, and that of the other half, only the right to the materials is sold which must be pulled down and carried away. This is often done at the instigation of the insolvent C., in the hopes of deterring creditors from causing the sale, because the whole house would, under such circumstances, be of no more value than what the materials would realize, which, after the expense of pulling it down, would not clear above two hundred rupees; and C. would escape confinement under the Insolvent Act. Now, the common sense in proceeding in such cases would be, either to sell the house, as it stood, with the condition of a specified ground rent payable to D or what would be much better, and prevent all subsequent complaints and disputes, arising from a rise or fall in the value of property or other causes

would be to sell the house, as it stood, and award a proportion of the money realized to D. for his share of the ground, to be settled by a jury.

Regulation XIX. of 1814, sect. 9, for the partition of estates, contains a provision to this very effect: that if the dwelling house of one sharer be situated on ground belonging to another, he shall retain his house, subject to the payment of a specified ground rent to the latter. It would be much better to award a fixed sum for the value of the ground, and put a stop to further litigation; but the law, as it stands, is rational. With such a law as this before him, one would suppose that a Judge would naturally apply its spirit to the description of cases now under discussion; especially, with the authority before him that is contained in the following enactment; Reg. II. of 1803, sect. 17. "In cases coming within the jurisdiction of the courts, for which no specific rule shall exist, the Judges shall act according to justice, equity, and good conscience"—but no; over and over again have I known good houses destroyed to no purpose by being sold in the manner described. In one case, the district Judge ordered the house to be sold, subject to the payment of a ground rent: on appeal to the superior court, the order was reversed, and a house which has cost more than two thousand rupees to erect, and for which, if sold as it stood, several purchasers were willing to pay fifteen hundred, was actually sold for a little more than three hundred, which, after deducting the expense of pulling it down, netted about two hundred, to the great injury both of debtor and creditor. This is probably a specimen of the introduction of our English law notions, of giving every man his right in the abstract, without attention to common sense.

With respect to the proposal to award a fixed sum of money to the owner of the ground, which would finally settle the matter; and to the observation, that the awarding a ground rent would give rise to much litigation, a little explanation is necessary. Suppose the families of the payer and the receiver respectively to live together in harmony, the head of the former regularly paying the rent to the head of the latter, all would go on well; but after a generation or two, disagreements would infallibly arise, and a separation of rights and interests would be demanded. The number of each family might be a dozen or twenty; each of the one having to pay, and each of the other being entitled to receive a portion of the ground rent. There is cause for months of litigation to arrange the dfferent shares, and the respective payers and receivers of each, as any one who had ever to decide a case of a similar nature will well know, all of which might have been prevented, by awarding a specific sum in the first instance as compensation for the right; and such is the course which would have been adopted by any tribunal under the native governments.

I have another observation to make to rebut the often-repeated accusation against the natives of being actuated by a vindictive spirit. I have repeatedly known instances where the sale of houses has been ordered on the condition of their being pulled down and the purchaser to take away only the materials, in which the creditor has declined to enforce the sale, remarking—"my object is to realize my demand not to injure my debtor; the sale on these terms would only destroy a good house to his loss, without benefiting me. Let him remain in possession, and I must wait, he may be able to pay me hereafter."

There is another turn on the same point which remains to be provided for: supposing it to be D., the owner of one half of the ground on which the house stands, who is in debt, and that his share of the ground is attached and proclaimed for sale. The intrinsic value of the price of ground is perhaps twenty or thirty rupees, but the debt owed by D. is perhaps two hundred. Accordingly the creditor goes to C. and demands his full debt, threatening, if he be not paid, to force the sale, and if C. should be inclined to purchase, to bid him up, and so realize the whole sum due; or if C. allow the lot to be knocked down to him, (the creditor), he will force C. to pull down the half of the house which stands on the ground sold, and carry away the materials: as this would completely ruin the whole building, value two thousand rupees; the manœuvre generally succeeds in extorting the money from the owner of the house. In such cases, the most just rule would be, before carrying into effect the sale, to empannel a jury to fix a value on the ground belonging to D. on which C.'s house stands, and give the latter the option of becoming the owner of the ground, by paying the sum fixed for the benefit of D.'s creditors. This, under the native governments, would have been the course adopted.

Fourthly.—It is very common in towns to build a row of two, perhaps, twenty shops, each consisting of one room and the open verandah in front. The goods are contained in the former, which is locked up at night, and brought out and exposed for sale daily in the veraudah; the owner, or shopkeeper, residing in his dwelling, which is altogether separate. The owner of the shops sells one to E. and shortly after, the adjoining one to

F., but in the loose way in which such transactions are too often conducted by the natives, no mention is made in either deed of sale of the walls, but simply that the shop is sold. Shortly after, one of the purchasers wishes to raise a second story, but his preparations to build on the partition wall are resisted by his neighbour, who also claims his right to it. Here begins a litigation, which is sometimes years before it is concluded, and the variety of decisions which have been given in such cases is most extraordinary.

Under the old system, when the Civil Courts were virtual nonentities, the first step was to bring the matter before the Magistrate; whatever might be his decision, an appeal followed to the Commissioner, when this was concluded, it would be brought into the Civil Court, and no sooner was a decision given by a subordinate judicial functionary, than an appeal was preferred to the Judge, and sometimes a special appeal from his decision was preferred to the Superior Court. I have known cases of this nature go on for ten years together before they were finally settled, as neither party would give way to the other; each conceiving, and with perfect justice, that his right was at least as good as the others. Strictly speaking, this description of case is not cognizable by a Magistrate, but it was necessary to hear it, and give some sort of decision, to prevent quarrels and perhaps bloodshed between the parties. Sometimes after, a hurried inquiry, or perhaps a report from the police officer, the disputed wall is awarded to one party; sometimes it is declared to be the property of neither; sometimes it is referred to a *Punchaet* (jury); sometimes it is pronounced to be the joint property of both. Sometimes one party is allowed to raise his second story and build upon the disputed partition wall, with the proviso, that if at any future period the lower wall should be awarded to the other party, the latter should also become the owner of the upper wall which is built upon it—and so on. I could mention cases in which nearly every one of these conflicting orders have been passed in the same dispute in different courts.

Yet all this might be prevented by some rule without much difficulty. The only rational decisions which I have known given in such case have been generally those of the *Punchaets* to this effect: a certain sum being fixed as the value of the partition wall, the option is then offered to the one who is longest in possession, to pay that sum to the other, and thereby acquire the right to the wall: should he decline, the offer is then made to the other; and should both decline, the wall is then declared to be the property of neither: but this would never happen. There remains still one contingency—if both should have made their purchase on the same day. In this case, the only way would be to put up the wall to auction, between the parties, whoever bid highest, to have possession of the wall, and to pay the sum he had bid, to the other party. No such dispute could arise between the original owner of the shops or houses and a purchaser, as the former would of course maintain, that he reserved the right of the partition wall; for had he sold it, it would have been inserted in the deed of sale.

Fifth.—The same disputes and litigation ensue as to walls which separate yards, which have been sold under similar circumstances, or between members of the same family. For instance, a man has a yard, forty yards long by ten broad, at each end of which is a house. Before his death, fearing disputes between his two sons, he builds a wall across the yard leaving one house and part of the yard to each; but, unfortunately, he neglects to settle the right to the partition wall, and the result is a series of quarrels and litigation as just described, between the sons or their descendants, or those to whom they may have sold their houses. Sometimes a man will make the above division of his property between his two sons, as far as the house at each end of the yard, but without dividing the latter, or even mentioning it. At some future time, the usual disputes arise to the right of the yard, between the occupants of each house, and each will bring fifty witnesses to swear that it is his property; the reason for such belief and assertion being, that the party in whose favor they are summoned, always had the use of the yard; and both parties swear truly, to the perplexity of the Judge and Magistrate, or other officer, before whom the cause is brought. The result is, the same variety of decisions, as is described in the 4th illustration, instead of adopting the very rational course of dividing the yard between them by a line, and allowing each party, if he chooses, to build a wall on his side of the line.

The poverty and improvidence of the people is a fertile source of litigation, to which may be added, the want of Savings' Banks, or any institution in which small sums may be deposited at interest. The majority of the lower orders of natives, on occasion of a marriage in the family or other ceremony, never think of future consequences: they are urged by vanity, and the instigation of their relations and connexions, to make as fine a display as possible; and often borrow sums which embarrass them for years, or even for their lives. But the natives in this re-

spect are always in extremes: they are either spendthrifts or misers. No sooner is a native out of debt and in the way of saving something, than he turns money lender. I think, Ward observes, that in Bengal, probably three-fourths of the people were in debt to the remaining fourth: a remark which might with great truth be extended to the Upper Provinces. In England, if a peasant or a servant, or other of the poorer classes, is enabled to save a little money, he has his benefit Club, Savings' Bank, or other similar institution in which it may be deposited. There thousands of the middle and lower classes, shop-keepers, farmers, labourers, servants, &c., although they may have had goods upon credit either for the use of their families or in the way of their respective trade or employment, have never perhaps borrowed or lent a farthing in money during the whole course of their lives. In India. on the contrary, there is scarcely a man of thirty years of age who has not been either a lender or a borrower; most of them more than once, and a great many very often.

It is true the large bankers and merchants receive money for which they allow moderate interests, just as our English agents in Calcutta are in the habit of doing; but the former, like the latter, will only receive sums of considerable amount, and will not be troubled with the petty savings of the poor, amounting to a few annas or a few rupees monthly. Those, therefore, who do save, in order to avoid the risk of losing their money by theft or accident, and to increase their hoard, immediately begin lending to those of their own class, tempted by the enormous interest which is offered. This course is much pursued by the soldiery, both Native and European; and it may be mentioned, by the way, that in lending to each other among the English soldiers, *twenty-five per cent. per month interest* is not unfrequently given, or rather more than *fourteen hundred and fifty per cent. per annum.* So much for usury laws, absurd regulations, and the want of Savings' Banks—to be again alluded to hereafter. The security which the majority of the middle and lower classes have to offer is such (*i. e.*, generally none at all), that no regular banker or merchant of respectability would ever lend them any thing, they therefere indulge present gratification or vanity, and borrow of one another by the temptation of exorbitant interest.

Without meaning to be dishonest (for in fact the good faith with which money is repaid by the lower classes upon transactions, which if brought into any Court, civil or military, would at once be dismissed, according to the existing laws, is a highly praise-worthy trial) their improvidence and carelessness often makes them neglect to pay their creditor. If the latter are on the spot to be constantly dunning their debtors, the debts are generally repaid, sooner or latter, by monthly or quarterly instalments; but if at a distance, the debtors too often spend all that they receive, without making any provision for liquidating what they owe: or should they have saved money for that purpose, are too often unable to resist any temptation to spend it which comes in their way. Ultimately, an immense number of suits are brought into Court, whereas neither these nor the transactions which gave rise to them would exist, were there any Clubs or Savings' Banks for the deposit of small sums, and were a little pains taken to explain to the people the benefit of such institutions. Government has, I am glad to see, made an effort to establish a Savings' Bank; and I trust they will be set on foot all over the country.

With respect to the poverty of the people, —we have heard so much of the blessings of the British Government and the wealth which the people have accumulated while reposing under its beneficent shadow, that some of my readers will probably sneer at the mention of poverty. It is nevertheless true. Each district of the Bengal presidency averages about a million of inhabitants; yet in each there are not, on the average, fifty men among the carpenters, blacksmiths, masons, jewellers, boat-builders, and other artificers, who could undertake to perform a piece of work to the value of fifty rupees, without receiving an advance in cash to enable him to procure the necessary materials; and this is a fact well known to all merchants and others who have ever had occasion to build a house or construct any work or machine. What should we think of the wealth and prosperity of England, if there were not fifty artificers out of every million of population, who could engage to perform a work to the value of fifty pounds, without receiving an advance of money? It is precisely the same in the cultivation of the soil. The land is sub-divided into small portions, each tilled by its respective owner, who has his own plough and bullocks: nineteen-twentieths of these are so poor, that without periodical advances at every harvest to procure seed and food to live on till the crop is ripe, they would not be able to cultivate at all.

In England, in every country, there are hundreds of master artificers, each of whom possesses capital to enable him to undertake orders to the amount of thousands of pounds, while the work is performed by men who

receive regular wages. So the land is divided into farms of considerable size, held by men who have capital enough to undertake improvements, and to carry on the cultivation by labourers at a stated hire. In either case, a moderate share of superintendence is sufficient; for, if a workman or labourer be negligent, he is discharged and another engaged.

In India it is totally different:—after the advances are made, a man cannot sit down quietly in anticipation that the work will be duly performed, or the ground tilled by the stipulated time: either he or his agents must be constantly on the alert to stimulate the people to their work, and see that they do not squander the money they have received, or waste their time in going to some fair or festival till the season is passed. In the old times, at sowing season, an indigo-planter would keep seven or eight horses in constant work in inspecting the lands, to the owners of which he had made advances; and with all the labour and precaution that can be taken, a certain portion of money will be lost by the negligence or improvidence of the people to whom it has been given. Negligence and improvidence are to a great degree characteristic of the English poor; but the plan of paying regular wages on Saturday nights, after the work has been performed, acts as a great check there: to use a common phrase, the people feel it to be—"No work no withalls"—the effects are much worse where the system of advances is in force; and in India an immense number of suits are preferred, of a nature which in England are scarcely known,—and that too, without supposing any intentional roguery on the part of those who are employed.

But unfortunately, there is no scarcity of a dishonest proportion of the people in India any more than in any other country. Many artificers and cultivators will deliberately take advances, without any intention of performing the stipulated work: others receive money from two or three at once, although they know that they will not be able to fulfil their engagements; and I am sorry to say that this spirit has occasionally been fostered by English merchants and indigo-planters in their anxiety to promote their own, and injure their neighbours' concerns—short-sighted policy! as they have at length discovered. Here again, is another source of litigation, which would never exist, were the system of performing work by hired labourers substituted for that of making advances, which, however, is prevented by the poverty of the people.

Much of the litigation in India again is to be charged to the system which we have introduced for the administration of justice. It is obvious, that in a country where the customs first described are in existence, it was peculiarly necessary to establish Courts on a simple plan, in which causes should be heard at little or no expense to the suitors, decided, and the decision enforced with as little delay as possible; so far from this, it is now universally acknowledged that our Courts were so overloaded with business that justice was unattainable. The fundamental principle of the British Indian Government has till lately been to take as much as possible from the people and to do for them as little as possible; and in prosecution of this, one court of justice was established where four or five were requisite: thus, as suits could not be heard, offering every temptation to the people to commit breach of contracts and withhold just demands; which species of roguery has been progressively increasing for the last thirty years, until the introduction of the new system in 1832. The consequences were most lamentable; for at the latter part of that period, confidence and credit were so destroyed that trade and manufactures were at the lowest ebb; while people refrained from bringing forward just complaints, on the other hand false and fraudulent suits were on the increase; those who preferred them, knowing that the pressure of business was such that a full and impartial investigation was out of the question; for what with the hurry of business and the little attention which was paid to the affairs of the Civil Court, even when discovered, a simple dismissal was all that was to be apprehended—punishment very rarely followed.

This was particularly apparent in the shameful manner in which pauper suits were brought forward. I would here observe, that it is a disgrace to the legislature of any country that there should be any necessity for special laws to enable a poor person to prefer a complaint. "The nearer we approach to the rule of granting to all speedy justice, without any expense whatever, the nearer we shall, in our judicial system, approach perfection," in which sentiment of Sir Henry Strachey I most cordially concur. Nevertheless, I cannot see any objection to judicial fees, provided they be levied with discrimination; for surely fraud and roguery are fair subjects for taxation. But instead of indiscriminately taxing all applicants for justice, I would have all suits and complaints heard and decided with as little expense as possible—if with none at all, so much the better—and let the judge have the power of imposing a fine for the benefit of Government, according to the nature of the case and the circumstances of the party who was proved to have acted in a dishonest manner,

or to have wilfully withheld a just demand: the fine to be instantly levied or committed by a specified imprisonment, with or without labour, according to the rank of life of the person imprisoned. It may be remarked, that if the law which allows a Judge to imprison a fraudulent pauper plaintiff has been neglected, such a one as is above proposed would be equally disregarded. It is, however, useless to reply to such an argument: if we assume that laws will, as a matter of course, not be enforced, we may as well spare ourselves the trouble of enacting them. Government has hitherto, far too much neglected its duties; but our rulers have shown a better spirit of late; and if they do not do so voluntarily, they will ere long be compelled to pay a proper attention to the interests of the people. Unfortunately, however, the law, if duly enforced, does not provide a sufficient penalty to prevent fraudulent pauper suits from being preferred. A man who has no property has only to swear to this and bring forward a couple of witnesses to corroborate it, and he is immediately allowed to prefer a suit to any amount against any person. It is to no purpose that the opposite party attend in the first stage of the business to show that there cannot be a shadow of ground for the suit: he is told that this forms no proof of the present inquiry: if he can disprove the pauperism of the complaint, and that the latter possesses money or property, he will be heard, but not otherwise. Consequently all that the fraudulent plaintiff has to calculate on is the chance of gain against the only punishment which can be inflicted on him, viz., six months' imprisonment in the Civil Jail, where he is comfortably lodged and well fed.*

The following are a few only of many similar cases which have occurred within my own knowledge:—A man named Purrumsook borrowed various sums of money from a great many different people, on pretence of trading; but he was, in fact, a mere swindler: on his character being discovered, one of those he had defrauded sued him in the District Court for five hundred rupees lent, and obtained a decree. No sooner was this decided, than Purrumsook sent a common servant of his, whose whole wages were three rupees a month, to sue his creditor in the Provincial Court, situated a hundred and fifty miles distant, for the sum of ten thousand rupees. The servant swore to his pauperism, and the suit was at once admitted. As the creditor who now became defendant was a man of property, he was forced to defend the suit in the regular way. It was impossible for him to neglect his concerns in order to do so in person, and he was obliged to appoint a vakeel (attorney). This alone was an expense of three hundred and fifty rupees, and the stamp paper, summonses to witnesses, &c., might amount to about fifty more; not one farthing of which he could ever recover; for the scoundrel who sued him was in reality a pauper. He might have caused Purrumsook's servant to be put in jail; but the latter would, probably, have been immediately released by a petition under the Insolvent Laws. Having filed this suit, Purrumsook went round to all his creditors and warned them, that if they sued him in the District Court, he would adopt the course above described regarding every one of them; and thus effectually prevented any plaint being lodged against himself.

I have repeatedly known sums of money, a hundred or two hundred rupees, extorted from rich merchants by the threat of filing a pauper suit against them in the Provincial Court for ten or fifteen thousand rupees. The person threatened knew that at the worst, the Court, if it did its duty, could only imprison the plaintiff six months, and that the four or five hundred rupees which he would be obliged to expend in defending the cause, could by no possibility be recovered; therefore, as the lesser evil, he paid a moderate sum to the rascal who threatened him, to avert the heavier loss. I have known people whose livelihood was chiefly gained by these and other fraudulent proceedings; all which roguery, let me observe, has been introduced by the system on which our Courts have been conducted. It did not exist under the native Governments, corrupt and inefficient as we choose to pronounce them.

This is not, however, by any means, the only way in which the system introduced by the British Indian legislation has tended to produce litigation and fraud. Much is to be attributed to the rules of practice adopted by us, which are at variance with the customs of the people. I must here allude to the rule of succession to property which practically obtains both among Hindoos and Mahomedans in India; being a strange compound of equal division, arbitrary and very unequal division, and all but community of property, according as chance, or a variety of concurrent causes, may determine, and which were described in No. 18 of these papers. It is extremely common for a family,

* I knew one instance in which the opposite party offered to prove that the plaintiff, who swore to his being so far a pauper as to be unable to advance three hundred Rs. for the expenses of his suit, had just received more than two thousand Rs., the result of a decree he had gained in a District Court. No attention was paid to this by the Court of Appeal, and the plea of pauperism was allowed. Security is demanded from a person before he is allowed to sue as a pauper, but it is only security to produce the pauper in person.

composed of father, sons, sons-in-law, uncles, nephews, cousins, and some other branches, to live together, and virtually enjoy their property in common. One or sometimes two of the whole are the managing head, but by no means always the eldest member, or even of the eldest branch of the family: in general, the most clever, active, bustling individual is tacitly selected. All money required for the use of the family collectively; for the marriage of an individual; for carrying on their cultivation or trade, or for any purpose, is borrowed by the head in his own name and he signs the bond. On the other hand, all sales of produce or merchandize are conducted by the manager. Indeed, so far is it often carried, that should one or more individuals of the family be in service which enables them to save money, they transmit the amount, not to their one nearest relative, but to the manager of the whole. Nay, further, so very contrary to our notions is the mode of arranging these matters among the natives, that not unfrequently, should the manager chance to have any business in hand which renders it inconvenient for him to go to his banker, he will send some other member without any letter or even token to procure the sum required, while the bond is drawn out in the name of the manager.

It is obvious that where such customs exist, when debts are contracted for the benefit of the whole family, they conjointly, and not the manager alone, ought, in strict justice, to be answerable for the money due; and such was invariably the case under every native Government that ever existed in India. But we have reversed all this. Should a suit be filed against a family collectively, it is thrown out, and a decree is only given against the manager, in whose name the money was borrowed, and his property alone is allowed to be seized in execution. This individual's share of the real property is, perhaps, a twentieth part of what belongs to the family in general, and it is so difficult to separate it from the rest, that very often no one can be found to brave the ill-will of the clan by purchasing it; and as to household furniture, cattle, and other personal property, none but the members of the family and their nearest relations can possibly know what portion is under the immediate superintendance of ("in the possession of," would, where such extraordinary customs exists, be a misnomer), each individual. Whatever is attached, some member of the family claims his portion and brings forward two or three of the others as witnesses to substantiate it; it is consequently released from attachment. Thirty years ago such proceedings were unknown, but they are daily becoming more frequent, the people being instigated by the officials about the Courts; and latterly, a new plan is adopted. In cases where the manager has sent another member of the family to borrow the money required in the name of the former, he denies the debt altogether; declares it to be a false demand; and brings a host of witnesses, who in fact only swear the truth, to prove that on the day specified, he was at some other place, many miles distant from that in which the bond was written.

The result is, that by one or other of these modes, the creditor loses his money, and the English are ridiculed for their ignorance of the customs of the people, and bitterly inveighed against for the ruin of justice which their absurd laws have caused. I have known respectable vakeels, (attorneys) when asked how they could instigate men to act in defiance of justice and the custom of the country:—"your observation is true enough, but my business is, if possible, to gain my client's cause, for thereupon depends my reputation and profit;—I would not willingly do any thing fraudulent, but what the law allows is not fraud. The rules which the English have introduced, both on this and other points, are absurd and unjust enough, God knows—but since *such is the law*, it is all fair to take advantage of it." It is chiefly among the agricultural classes that this community of property exists. These now find great difficulty in getting credit or borrowing money; and this is one of the causes that agriculture is at such a low ebb, and of the difficulty which has been latterly experienced in realizing the revenue derived from lands.

It is needless descanting on the increase of litigation which is always caused by the impediments of delay and expense in the way of obtaining justice; that is a point allowed by all unprejudiced men, who have any knowledge of human nature. Sufficient also has been said on the insufficiency of the British Indian establishment to perform the business which devolves upon it: I shall, in conclusion, show how much temptation is given to a man to withhold a just demand, allowing the business to be conducted by an upright judge, and without any delay beyond what the law actually prescribes.

A. on the 1st of January, 1833, lends B. ten thousand rupees on a bond, bearing full legal interest at 12 per cent. payable in one year. On the 1st of January, 1834, as the latter finding he has very profitable employment for the money, refuses to pay it, A. files his suit for the principal and one year's interest, total 11,200 rupees. First a notification is issued, which is generally fixed

for about fifteen days. No notice being taken of this, the proclamation is issued for fifteen days more. After this, it being the intention of the defendant to suffer the suit to go by default, plaintiff is called on for his proofs: he files the bond and list of witnesses, who are summoned and their evidence taken: this may take about ten days: it will require a day or two between each process to write the necessary papers, so that a decree cannot be obtained under a month and half. Plaintiff then petitions for the decree to be executed, on which defendant comes forward declares that he intends to appeal, and gives security, which effectually stays the execution for three months from the date of the decree.

On the last day of the three months defendant gives a petition of appeal to the Superior Court, (Sudder Dewannee) in which he declares that he has repaid the debt; urges that the notice and proclamation were never served upon him,—the court-runners having been bribed by the plaintiff to report falsely that they had been duly served;—accused the Judge of having connived with the native officers who had been bribed, in hurrying on the suit;—declares that the plaintiff is known to be one of the most notorious rogues in the country, &c. The British functionaries have such extraordinary notions of the roguery of the natives, that they appear to imagine that too much leniency cannot be shown to the defendant; accordingly, if an exaggerated and violent petition of appeal be presented to the Sudder, well seasoned with accusations of fraud and bribery, and abuse of the district Judge and all his officers, it is sure to attract attention, and the Superior Court will not only remand the case with an order for hearing the defendant's plea, but return him the value of the stamp paper he has purchased for his petition of appeal and very often, without the slightest inquiry or investigation, send word to the Judge that they consider his proceedings harsh and contrary to justice.*

By the time this order reaches the District Judge, another month will have elapsed. The next step is to send a notice to the defendant to prove his plea of having repaid the money by a certain date, on the average, at a fortnight's distance of time. The defendant takes no steps in the cause; and the judge, to avoid the repetition of an order, similar to the one he has received, sends him another notice, giving him another fortnight, at the end of which as no notice is taken of it, he confirms his first decree, and intimates to the plaintiff that it may be executed.

Plaintiff accordingly petitions for this purpose; and arrest of person and attachment of property is ordered. The defendant, being a rich man, and as no force is allowed in civil process, easily avoids arrest; but his property is attached, and a proclamation ordered for the sale. By the time this is affixed, another fortnight has passed; and the sale cannot take place for thirty days after the date of the affixing of the proclamation.

On the last of the thirty days, defendant sends some person to prefer a claim to the whole of the property attached; the investigation of which cannot well be got through with a very little management on the part of the claimant, in less than a fortnight. The claim is disallowed; but no matter how absurd it may have been, as it has been preferred within the period of the proclamation, the sale cannot be carried into effect until three months from the date of the order. At the end of this, an order for the sale is issued; and then defendant pays plaintiff the whole sum decreed with his costs and interest from the date of the filing of the suit to that of payment. Just one year! and coolly says to him "your interest is 12 per cent. The costs of suit amount to 8 per cent. total 20. I have realized thirty per cent by the use of this money during the year, *i. e.*, clear gain of ten per cent. on 11,200 Rs. or 1,120 rupees in my pocket, by resisting your just demand."*

This mode of proceeding on the part of the defendant was introduced after the British Courts had been established some time; and it became every year more frequent, until the new system was introduced, which has given some check to it. It never would have been resorted to had we allowed the common market rate of interest to be given, instead of introducing the usury laws in defiance of common sense, justice, and the customs and inclinations of the people. It should be observed also, that in the Courts of the subordinate judicial officers, (Sudder Ameens and Moonsiffs,) for the time occupied in a suit of the nature described, would not be above a third of the above. It is a strange anomaly, that while we are so eternally descanting on the corrupt and ignorant character of the natives, and trumpeting the praises of our upright and intelligent selves, the checks on the proceedings of the

* My readers may be surprised at this: if they were to examine the proceedings and orders of the Sudder Dewannee, their astonishment would be raised to a still higher pitch.

* Thirty per cent. by a good manager may often be realized with tolerable security against loss: on good security eighteen to twenty four per cent. is the common rate of interest: and fifty or seventy per cent. is often promised when little or no security can be given, but in these cases some loss is always incurred, often very great.

native judicial officers are much less than those imposed on the English Judges. It is also worthy of remark how fraud is encouraged where such proceedings can occur in a country in which so much of the trade is carried on by travelling merchants, who pass over hundreds of miles of ground in the course of the year; many of whom come from distant foreign territories, [illegible] are obliged to submit to a loss of money, rather than sacrifice the time necessary to enforce a just demand: all which is calculated on by those who buy their goods and then refuse payment. The extraordinary, absurd and unjust decisions, subverting the customs among the merchants which are given in suits arising from mercantile transactions, are notorious; in particular, the almost invariable disallowing the enforcement of a recorded penalty in the event of the non-fulfilment of a contract: thus offering every encouragement to men to act in a fraudulent manner. [illegible] roes I can-

Much more might be said on transatlantic there is however quite enough at Opera to hig' of eir

induce our rulers to examine the matter, and to enact the so much required improvement in our judicial system, if they are really so inclined. I hope also it will be allowed, that the propositions with which the paper commenced have been pretty well established, viz. that the term litigious, in the strict sense of the word, cannot properly be applied to the people of India; that nevertheless there is, in a given population, a much greater amount of litigation than would exist in England—that this is attributable partly to the circumstances of the country and the customs of the people;—partly to our ignorance of the native habits, opinions, and feelings;—partly to their own improvidence;—partly to the absurd laws and rules of practice which we have introduced in consequence of this ignorance;—and *mainly* to the utter inadequacy of the system which we have introduced for the administration of justice.

A FRIEND TO INDIA.

December 4, 1834.

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# NOCTES HUMANIORES.

## ALCANOR AND BELCOUR.

A.—A truce to politics—who 's in, who 's out, or rather who 's in to-day, or who will be in to-morrow, let to-morrow decide—to-night let us dedicate to more grateful subjects—to themes more congenial to the festive hour—to-night let us give loose to fancy—imagination—*cras magnum iterabimus æquor* of politics and reform.

B.—Agreed—I quaff to the repose of politics—Aristides *was* just—reform *is* good—but here goes my oystershell—let reform be banished this society for the evening. Is it a sentence?

A.—It is—it is—reform is banished and *a propos de bottes*—here's Miss Mitford's good health.

B.—With all my heart, and I will add, success to her Tragedy, but though my wish be father to my toast, I am fearful it cannot be realized.

A.—Why, no, I do not think success in such a case is within the compass of possibility. Neither Charles the First, nor Cromwell, are characters for the stage—and yet I do not see why this should be, for they where both actors of the same character, and the only difference between them was, that the one was skilful, the other an unskilful player of the hypocrite.

B.—True, but forgetting ancient as well as modern politics—who can she get to fill the parts?

A.—What the dramatic strength of the Victorian stage may be, I have no manner of notion, but I recollect no actor extant upon any boards who could answer to the idea which we all so distinctly form in our own minds of Cromwell. Depend upon it, all that was grand about him in nature, would sink into burlesque upon the stage.

B.—Miss Mitford tells us that Macready first suggested to her the subject, and probably she will get him to play the principal character.

A.—He'll never fill it—play it he may—but he, nor any man will ever fill it—allowing it to be drawn with Shakesperian skill. But much as we love Miss Mitford, seeing her in her works, I deem not her's the pencil to portray the dark stern features of Oliver—exquisite though she be in likeness taken from rural and village life.

B.—She is rich in true touches of nature, and character is stamped on all her portraits.

A.—It is—but none of those are Oliver's—by the way what could have led that ass Colman to denounce a *second* Tragedy on this theme? *One* is already old enough to

have become obsolete, and all the injury it has done is to have deprived Miss Mitford of the charm and novelty.

A.—Probably some loyal scruples arising from the reflection that as George the Fourth had caused poor Charles's coffin to be opened and ascertained the truth of the catastrophe, every evening would become a 29th of January in his eyes, an anniversary which, as Voltaire remarks, gives every king in Europe a crick in the neck.

B.—It is a foolish and invidious office, that licencing faculty of the Lord Chamberlain—unworthy of the age and nation. It is a disgraceful relic of the *ancien regime*, the exercise of a similar piece of literary tyranny which nearly drove Moliere's Tartuffe from the stage. Poor Moliere—the fierce and angry priesthood—and fierce and angry they well might be—were nearly too much for him; but he with great adroitness appealed from clerical fury to the vanity of the despot—the seasonable piece of flattery of Louis, conveyed in the last scene overbalanced the clamourous remonstrances of the whole ecclesiastical *enrages*.

A.—Yes—but it is to be regretted that an author must stoop to such indignities to secure a hearing—I remark that Miss Mitford has rather blunderingly attempted a similar piece of *finesse* in her preface, but it bears no more resemblance to the delicacy of Moliere than does William IV. of England to Louis the XIV. of France.

B.—She had done better to omit it—William IV. may defy modern Cromwells as she says—but she does not give the true reason *why*.

A.—Nor shall you *now*, or there is no virtue in an oystershell.

B.—Fear me not—I was thinking of the singular fact of the head of Charles's staff falling off, as he stood protesting against the tribunal that arraigned him. *That* might furnish a clap-trap for the galleries.

A.—Yes—but there are many singular coincidences in the history of the unfortunate Charles, that might lead a mind of relaxed fibres—into superstition. The anecdote of the *Sortes virgilianæ*—authentic as strange, is one of them. Poor Falkland! *he* was a martyr indeed to the calamities of the times—the sufferings of his country—and the integrity of his heart—the truth of his principles—*he* was worthy of falling still more—of standing in a nobler cause than his, who, but for his base duplicity to Cromwell, had lived out nature's lease, and saved his country the reproach of being regicides—and let me tell you that it is nor the smallest of Charles's crimes that he made his country regicidal—England is strongly monarchical, and I firmly believe that Oliver knew that so well, that he never would have thought or dreamed of cutting off Charles's head—if he had not detected him in that utterly unenglish duplicity, which, whilst he was ratifying the most solemn contracts with Cromwell, could disclose to his wife his mental reservation, his secret determination to seize the first opportunity to annul his own compact!—and did so noble a fellow as Caroy, live in misery, and fall prematurely, for such as one as he?

B.—I fear we cannot sympathise much with Charles, whether on or off the stage. But you said it was one of Charles's crimes that he made the English regicidal—I think that however monarchical England may have been, she will—must—ultimately become republican.—She will become convinced that kings are luxuries, and the English are not at bottom a luxurious race.

A.—My friend we are forgetting the oyster shell and to recal us to our resolve, let me toast—the health of Mr. Gee. *vinctus!*

B , ha.—I will drink to worthy Mr. Gee much satisfaction—the more so, as I conversed with many learned and experienced in the law, who assure me they never recollect in all their practice to have met with any thing approaching to Mr. Gee's adventure, in the singularity of its circumstances; and what is more, that the records of trials do not furnish a parallel.

A.—There is nothing in the *causes célèbres* approaching to it.

B.—I should like to see the pictures which were prolated on this interesting subject—poor Gee might edify the professional world much by the publication of his meditations during his incarceration—

> What ruined clients—what miserable suiters in spectral garb arrayed!!!

rose in vision to appal him—but they must have bungled the matter most confoundedly not to convict that sharp-sighted, blind rascal, under the circumstances.

A.—No—neither common law nor statute contemplated such a machination—Milton was blind—and Homer was blind—and Tyrtæus was blind—and Madam du Deffand was blind—but *their* blindness never engendered so sublime a conception as that of the blind deluder of Mr. Gee. It was the sublimest instance of the blind leading the blind into the ditch—nay, into the—in short into destruction I have ever read or heard of.

B.—*Monstrum*, &c. horrific, measureless, vast, eyeless—Partridge would quote and mark him at once to do a deed of shame—after all (saving Mr. Gee's personal vexation and vexation of spirit) after all, speaking abstractedly, I almost wish the rascal had

succeeded, he managed the matter so cleverly, and failed only, not like Buonaparte by any fault of his own, but by the want—not of *foresight*—he had amply sufficient of that for all his party—but of plain, straightforward sightedness, in those whose organs he employed.

B.—I would have given him the privilege of being hanged without a cap over his eyes.

A.—I hope some Mitford of the marvel-loving mob, will dramatize the story under the title of " The Clandestine Marriage," perhaps, Bulwer, who has sentimentalized Eugene Aram, may dignify blind Edwards into the hero of a romance.

B.—I remember at York Castle they show you the skull of the poor fellow whom Aram murdered. It has a round hole just at the back, so that the blow must have been from behind—much such a matter as Thurtell's—and how Bulwer, in the face of such evidence could set down to make Aram a sentimentalist—a tender lover—a hero in short after the fashion of novel heroes I cannot imagine. Our scrupulous transatlantic relations will not permit Gay's Opera on their stage—lest the charms of a high-way and bye-way life, after the manner of Macheath should encourage and foster their embryo Turpins into life and action—surely they would regard Bulwer's work as an apology for murder.

A.—That he might have spent his time better there can be no question—I like Bulwer, however. He seldom twaddles.

B.—He'll never do much in the house, however.

A.—No—and I am the more sorry for it, that I had hopes he would have shown that a literary man may be a good useful man of business—a statesman— aye, and an orator—why should he not?

B.—I don't know morally or physically *why*, but look at Buckingham, what is he doing—bringing in some foolish Bill about duelling! Why he might as well bring in a bill against the cut of a coat. It is all a matter of taste—bad taste to be sure—of opinion, of fashion, and to legislate against it were as useless as it was to pass sumptually statutes against excessive " pikes" to shoes, and other follies; or as it would have been to denounce, by statute the hopes and powdered heads, which disgraced the females of the last century. The world grows wiser and leaves off their follies of itself, but will not part with them upon compulsion—so it will be with duelling.

A.—All that can be said about duelling—*against* the practice I mean—was said long ago by Lord Bacon, in a speech which as a special honor was published together with a solemn decree of the Court of Star Chamber before which it was spoken, against the practice. This decree was as ineffectual as were the attempts of Henry IV. and Louis XIII. of France; and Richelieu as vainly endeavoured by example to suppress it. He had a nobleman of the first rank and interest in France, a Marquis Bonteville I think, executed for fighting a duel. Duelling however survived both Bonteville and the Cardinal, and will Mr. Buckingham—

B.—He exhibits more wisdom in getting Fergusson to urge his claim for indemnification.

A.—Yes, and he'll get it—I am *not* sorry for *that*, but I *am* sorry that the weakness, or whatever it was, no matter he is dead now—of John Adam should be thus visited on the unhappy ryut. It were difficult for philosopher Square to reconcile it to the eternal fitness of things, that a naked ryut should be mulcted, because James Silk Buckingham writes a squib against Mr. A. or satirizes Mrs. B. It would be difficult to show that such ryut was in any way *particeps criminis*, or as the Scotch say, *art and part* thereto.

B.—True, and if he were, who is to indemnify *him* for *his* losses occasioned by the suppresion of Mr. Buckingham's Press and the transmission of that honorable member. —Poor wretch, how with astonishment would he stare, if the application of the fruits of his labour could be analyzed and set clearly before his eyes,—how would he stare when he came to the item " so much for reimbursing Mr. Buckingham"—" good Gods," he would exclaim, " what have I to do with Mr. Buckingham? *I* neither banished him, nor aided and abetted him—I never wrote libel, lampoon, or seditious paragraph in my whole life.—Why should the sweat of my brow flow to fill Mr. Buckingham's pockets?"

A.—*Plectuntur achivi* would be the only reply—but we are on the verge of politics again—I see the *Quarterly* and Colonel Gurwood are doing all they can to do away the old impression about General Baird's being superseded in the command of Seringapatam, (which he had just taken) by Colonel Wellesley.

B.—*Yes*,—and the *Quarterly* does more than Gurwood to explain away the impression, which Baird himself could hardly be mistaken about. Baird says himself in a letter " before the sweat was dry on my brow I was superseded by an inferior officer." —Now Gurwood, to do away this assertion, abuses Hook the biographer of Baird, accuses him of suppressing passages of original letters, and then broadly asserts

that Baird desired to be relieved, and that in consequence Colonel Wellesley was ordered to take the command. This Gurwood asserts without adducing any proof or authority, and the *Quarterly* kindly comes to his aid and helps him out with an absurd allusion to a remark of Henry IV. as to the difficulty of getting at the truth in sieges and battles, (an argument which of course cuts both ways) and then produces from Hook's own work, a passage from one of Baird's own letters by which it appears that Baird being exhausted with fatigue, did "express a wish through Major Beatson *to be relieved for a short time*, that I might myself have had the honor of reporting our success and informing you in person of every particular relative to the storm." He applied to be *relieved* not *superseded*, and he was superseded, and that is the long and the short of it—I do not deny the value of Colonel Gurwood's work* in both a military and historical view, but that his hero was brother to Lord Wellesley is a matter of notoriety and does not detract from his fame, and might, I think, have been admitted, with some of the necessary consequences of that relationship, without detracting from the Duke's reputation, or the value of his General Orders. The *Quarterly*, however, in order to support his own and Colonel Gurwood's position, and clinch the matter at once, inserts a letter from Sir John Malcolm, written at a much later period, which I think fully establishes the fact that Baird knew he had been superseded, and that there was no "mistake" as the *Quarterly* insinuates, but that he had sufficient magnanimity to confess he had been well superseded. This letter tells so well for the old veteran that I will read it aloud to you. (Reads—)

'I never saw Baird from 1803, when he spoke thus sorely about Wellesley being so often, as he called it, "put over his head," until ten years afterwards, when I met him in Hyde-park. He then came up with open hand and heart, saying—"Times are changed: no one knows so well as you how severely I felt the preference given, on several occasions, to your friend Wellesley; but now I see all these things in a far different point of view. It is the highest pride of my life, that any body should ever have dreamed of my being put into the balance with him. His fame is now to me joy, and, I may almost say, glory; and his kindness to me and mine" (he alluded, I believe, particularly to the Duke's friendly attentions to his nephew, Sir Alexander Gordon, afterwards killed at Waterloo) "has all along been most distinguished. I know both him and myself *now*."'

Now surely this proves that Baird still remained convinced that he had been superseded, and that, frequently; and a skilful flatterer would not have so laboured a matter merged into insignificance as regards the Duke of Wellington's present fame.

* Despatches of Field Marshall the Duke of Wellington compiled, from official and authentic documents, by Lieutenant Colonel Gurwood, Squire to his Grace as K. B.

A.—Have we no news of his Lordship the Bishop? I hope his visitation thrives.

B.—We have heard that his health has benefited and that is news enough to every friend of the church.

A.—True, but I cannot but think he might have employed his means to better purposes as regards the promotion of religion: pray, is he not a subscriber of one rupee a month towards the fund for the building of churches?

B.—He is.

A.—How many months do you think this fund will be accumulating to an amount sufficient to build a single church?

B.—That is a matter I am utterly incompetent to answer.

A.—Well, no matter—the Greek Kalends probably will see the foundation stone laid—but to put a more solveable query—how many churches—very handsome proper churches, do you think the cost and expenses of his eastern visitation, would have raised at once, if applied to *that* object, instead of being cast upon the waters, in steaming a Bishop to the eastward?

B.—*That* question I *can* reply too, with some degree of confidence—I should say three or four.

A.—Four—going economically to work—four—the expenses of the trip will not be less than between 30 and 60 thousand rupees, and for that sum—three very handsome—four very decent edifices might be raised.

B.—Why they are complaining in many parts of this country of the want of churches—in consequence of which they are compelled at some stations to assemble in very unseemly buildings—at one place I think the theatre even is used as a church.

A.—Yes it is. Now if it be not a profane question, I should like to be satisfied, as to the comparative degree of actual good effected by his Lordship's visitation to Penang, &c. and the probable good which would have been derived from the application of the same amount of funds which this expedition has cost, to the building of churches in situations such as you have just mentioned.

B.—So far from considering it as a profane or unhallowed question, I think it a very fair, plain, and reasonable matter of inquiry, which his Lordship the Bishop is bound to reply to in the fullest and most satisfactory manner; as no doubt he will, cheerfully and openly, when called upon so to do; for as his great, and indeed only, object is the propagation of Christianity, he will necessarily be the first to listen to any suggestion as to the best and most effectual means of forwarding that object, and doubtless he will be perfectly ready to explain

how it is that a visitation to the eastward can be more conducive to the promotion of Christianity, than the erection of three or four churches. I confess my own inability to discover how it is, but I am nevertheless open to conviction.

A.—And so I hope am I, but at present I labour under the same doubts with yourself upon the subject—or rather I must say, that were the matter put to me in the shape of an abstract question, on the principle or maxim that of two great goods we should choose the greatest, I should give my decided opinion in favor of the churches, and I should do so on this plain ground, that where an outlay is made to enable a sincere and pious Christian to perform his worship in a church, instead of a play house, I should *know* that some good had been effected; but that where the same outlay is made to enable a Malay to look at a Bishop, I should *not* know that any good whatsoever had been thereby done. There may be perhaps, but I confess I do not see it.

B.—I wish his Lordship, whilst he is to the east-ward, would try his hand at preaching down piracy. What a dreadful business this is of the *Young Rover*.

A.—It is so, and I trust the Government will take some more strenuous measure for the suppression of this evil than the mission of a Bishop; though should he volunteer the experiment of a homily amongst these gentry, I think he ought not to be refused an opportunity of making the attempt. But to talk seriously upon a very serious matter, although we may hang those we have caught, that mode of punishment will have little effect by example, in repressing the evil for the future. A rumour of it may reach the surviving piratical-scoundrels, but a rumour from such a distance will never deter them when a prize is in sight. Why do we not suppress them at any cost? Why do we tolerate so abominable a nuisance in our eastern seas?

B.—Ask Europe why she tolerated so long the Barbary Corsair. What is the interest and the duty of every state, becomes the actual business of none, and in this consists the safety of all great national common nuisances such as pirates and conquerors.

A.—True—but horrible as is the catastrophe of the *Young Rover*, and little as these wretches deserve mercy, I should like to know the truth in this particular matter. I fear me the sufferers were not altogether blameless. I do not mean merely in the sense in which the *Hurkaru* puts the matter, that is to say, in employing Manilla men in preference to natives of this country, but in committing some act offensive to the feelings of this class of men. The *Hurkaru* objects to their employment, and recommends a prohibitory clause to that effect in every policy. Now these men are employed because they have *good* qualities—qualities of the first rate and order in the character of a seaman; and he who employs them should always bear in mind, that good qualities in any state of society, are not to be found without some drawbacks. These Manilla men being, to make use of a sporting phrase, a cross between the Spaniard and the Malay, are brave and courageous to an extreme, prompt and ready to a very unusual degree, and possessed of that most invaluable endowment, presence of mind and self-command in sudden dangers and emergencies; all which faculties are admirably adapted to the perfection of the seaman's character. But then they are immeasureably vindictive, and of all causes of offence they never forgive a blow—vengeance in that case becomes in their eyes a virtue—now I do not mean to assert that this was the case in the *Young Rover*, but some great provocation, some very strong exciting cause must have existed to urge on so terrible a catastrophe. I think for my own part, if provision is to be made in the policy against these calamities for the future, I would rather recommend the insertion of a clause making it an act of barratry in the master, to strike these men, seeing that the merchant service can neither afford to lose such proper seamen, nor the merchant himself to lose his vessel, in whatever jeopardy the masters' ignorance or tyranny may choose to put his own life. Why we regard the whims and follies and superstitions of the miserable imbeciles of Bengal, and surely we might respect the prejudices of such men as I have described; especially when the tendency of those very prejudices is to render them bold and fearless. We all recollect Mr. Richardson's death at Alipore—no man will condemn the justice which hanged the perpetrators—but rely on it, *that* was the consequence of a personal injury or insult—fancied or real. If you look to history you will find, that of the vast multitude of scoundrels called tyrants, who have come to an untimely end, the immediate cause of the death of the great majority was neither public oppression, nor patriotic spirit, but revenge for some individual wrong, some personal affront—injury or insult—a blow—the seduction of wife or daughter, or some disgraceful infliction.

A.—It would be uncharitable and unfair to *assume*—for the evidence goes to the contrary—that the Captain in this instance was guilty of cruelty towards these men.

B.—Men who have a respectable mode of earning their bread, consistent too with their habits and education, will not proceed to sudden violence and murder in its worst character, without a motive, and that a strong one. Plunder, in some instances might be sufficient temptation, but plunder does not appear to have been the immediate cause of this outrage. The fellows appear to have run a muck, and the primary cause of such phrenzy is usually an insult.

A.—Whatever were the cause I heartily agree with the *Hurkaru*, that if it be possible to dispense with them altogether, it had better be done—insult and injury towards these fellows can be reduced to no tangible ascertainable boundaries—no definite principle. They may be useful but they are very dangerous weapons, and were I a Captain, I would rather employ blunter but less deadly agents.

B.—Well, well, I object not to that either, but we cannot hope to get man's best qualities into our service without a drawback—I had rather sign the application of the Cochin bodies against the "farming system." Why the devil we should retain that most flagrant relic of the ancient continental financial system, and why put it in operation here I cannot for the life of me divine. It is almost ludicrous to read the dilemmas into which this foolish delegation of the sovereign authority frequently led France under the best of her monarchs. "They had," that is the several farmers of the several branches of the revenue, says the Duke of Sully, "they had their commissaries and receivers among those of his Majesty, and who applied themselves with equal industry to pillage the people. Certainly there never was a more dangerous, and at the same time, a more shameful abuse that every one, and particularly foreigners, should be thus suffered to concern themselves with the revenues of the state; and monopolizers of all nations multiply usuries and extortions in the most audacious manner, and with impunity arrogate to themselves part of the royal authority." The system of farming a tax or excise, is peculiar to despotic states—to Turkey, to old France, Spain, in short, every country under the grinding influence of subordinate gradations of extortioners. I trust now the Government of India has began to act—and to *enact*, we shall find this evil speedily amended. 'Twill be a better occupation than reviewing histories and criticising authors.

A.—*I do not* know that. A critical knowledg of history is no disadvantage to a legislator.

B.—I very much question whether one single useful deduction applicable to the subject of legislating for India, can be derived from all the English historians that ever wrote on English annals.

A.—Why, what think you of Hallam?

B.—Hallam's history is a very good peg to hang a criticism on, at least after the modern fashion of criticism, the function of which consists at present, neither in the exercise of judgment in the censure of defects, nor of taste in drawing forth and pointing out the beauties of an author, but in conveying political opinion, or establishing political dogmas, under the ostensible object of a fair and just critique. For my part I regard such productions as little other than prostitutions of the literary character and office to party purpose, under whose biassing and partial influence, talent, genius, learning, are remorselessly offered up at the shrine of politics, to serve some party, and therefore paltry purpose—an election—the passing of a particular Bill—or the cajoling a majority.

A.—Politics among women is disgusting enough; but when the accursed spirit of party infuses its venom into the hallowed fountains of literature, it poisons the source of criticism at its well-spring, and that which should be at once the food, nourishment and delight of the reader, becomes tainted, unwholesome and infectious carrion.—The political critic, who ought to be the guide and teacher of the public taste, becomes the furious instigator to party violence, and regards an author only as valuable as he furnishes occasion for encomiums on his party, or strictures on their opponents. He takes up a recent work—he opens it, he looks not for the beauties of imagination—the riches of science—the result of the laborious operations of the mind; or, if he looks for them it is only to use them to the low and degraded purposes of party—party—party.

B.—It is indeed too true—history as at present compiled, is so deeply steeped in party politics, that posterity must not look to the contemporary HISTORIAN for the annals of their country; they will have still to sift "FACT" that poor solitary grain of wheat in the chaffy bushel of falsehood, misrepresentation and the downright lying of *Blackwood*, without much aid from contemporary history, which itself will require the same scrupulous and careful process of sifting, with the periodical sources of information of the day. For my part though no *Roman* I like Lingard—regarding him of course with an unvarying recollection of his creed.

A.—Perhaps there is more genuine information to be gathered from Dr. Henry's history than any one of them.

B.—Why, for a Scotchman perhaps there is. He has not the bigotry—loyal bigotry of course I mean of Hume, and he searches far more deeply.

A.—I have heard from very good authority that the head lately exhibited at home as the authentic head and front of Cromwell, is supposed by persons most capable of judging, really to be the identical head of the Protector. If so, I would rather see *that* than read all the characters, descriptions, and pictures that have ever been drawn or written of that extraordinary man. As for comparing him with Buonaparte—the thing is absurd; it can amount to no more than a *Quarterly's* comparison, of the Revolution of 88, with the reformation of 31; there is but one point of resemblance—they both fought and won great and decisive battles—in all others they are wide apart as were the times—the people, and the manners in, and among which, they lived.

B.—As for Hallam's opinion of Cromwell, it is about as accurate and correct as would be the estimate which Mr. Attorney Dicas would form of Jeremy Bentham. Without the remotest capacity for appreciating the strength, energy, and grasp of mind he was contemplating, he would yet be able to discover that the philosopher, now and then used harsh terms and rugged English. A writer fit only to chronicle small beer, is not the man to understand or portray the character of Cromwell. "He neither can enter into his rest, nor into his disquietings; understand the sources whence he derives the calm unshaken firmness, or the causes whence arise the tempests of his soul. If it be necessary that in order truly to understand a poet, a reader must have some poetical genius within himself; it is equally so that in order to comprehend a hero, a man must have something of heroism in his own nature.—*Bengal Herald.*

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## HALLAM'S CONSTITUTIONAL HISTORY—MR. MACAULAY.

### No. III.

### TO THE EDITOR OF THE BENGAL HURKARU AND CHRONICLE.

Sir,—A consideration for your space alone restrains me from following up the extracts I have already given by inserting at full length the character of Cranmer.

The concluding remark, however, cannot on any account be omitted.

"That which has always been represented as his distinguishing virtue, the facility with which he forgave his enemies, belongs to the character. Those of his class are never vindictive, and never grateful. At present interest effaces past services and past injuries from their minds altogether. Their only object is self-preservation; and for this they conciliate those who wrong them, just as they abandon those who serve them. Before we extol a man for his forgiving temper, we should inquire whether he is above revenge or below it."

A thorough paced courtier could not be more truly described. With such a man, friendships and enmities are matters of calculation. When we hear of such a man's forgiveness of injuries, we think not of genuine, mild forbearance, but call to mind a remark of Hacket in his life of Williams, that "at court it is usual for men in place to drink down such affronts as would scald *their* throats, that could not endure the vassalage which is tied to ambition." I might make numberless quotations from Mr. Macaulay's paper, illustrative of the various qualities I have given him credit for possessing, but my readers, I believe, will be better pleased if I proceed to point out some of the subjects on which I differ with that gentleman. Of the writer whose work he criticizes, we meet with the following character. "Mr. Hallam is, on the whole, far better qualified than any other writer of our time for the office which he has undertaken. He has great industry and great acuteness. His knowledge is extensive, various, and profound. His mind is equally distinguished by the amplitude of its grasp, and by the delicacy of its tact. His speculations have none of that vagueness which is the common fault of political philosophy." Had the reviewer praised Mr. Hallam for the extent of his information—had he expressed his admiration of the historian's occasional or even frequent acuteness of observation—had he allowed him to be honest—had he given him credit for steering clear of the bigotry of Roman Catholic and Anglican churchmen, and the no less frantic zeal of the early Puritans—or had he acknowledged his work to be valuable for many of the *meterials* it contains, I could have had nothing to object to such an estimate of the qualifications of the author of the Con-

stitutional History, for the important duty he has endeavoured to discharge in that work. But when the reviewer says there is no vagueness about Mr. Hallam—when he asserts him to be the fittest man of his time to be the philosophical historian of his country, and when he says Mr. Hallam's mind is "equally distinguished by the amplitude of its grasp, and by the delicacy of its tact," I cannot help wondering where Mr. Macaulay found a justification of (as it seems to me) so much extravagant praise.

Let us inquire a little into the nature of some of Mr. Hallam's historical opinions and the grounds on which they have been formed. A very favorite theory of his, and one to which he is continually recurring in the course of his work, is the excellence of the ancient legal constitution of England. This is one of those subjects about which there has been much contention amongst the Whigs and Tories of modern times. The Tories, in asserting the existence of an ancient despotism, seem to suppose, that they furnish a reason against lessening monarchical or aristocratical power in our own day. The Whigs, on the other hand, seem to think, that they establish fresh claims for the extension of the elective suffrage, by standing up stoutly for the early freedom of our ancestors.

The reasoning of both appears to me to be worthless alike, and that of the Whigs might be turned against themselves. With respect to the Tories, no enlightened man, surely, can admit, that because arbitrary governments existed some centuries ago, they are therefore to continue now and for ever! With respect to the early freedom of our ancestors, contended for by the Whigs, if it existed, it must either have been achieved by combinations of the people, in spite of kings or nobles; or it must have been acquired by *legal* concessions from kings or nobles. If it was proper in the first case supposed, for the people to combine for the working out of their own freedom, then the principle is recognized, that the great body of the people are justified in carrying their will into effect. If so, the people of our own day do not require that their desire for reform should be bolstered up by precedents from antiquity. If on the contrary it would not have been proper for our ancestors to get freedom without concessions from kings and nobles, then kings and nobles may now refuse to give a nation what it wants! a sort of doctrine which though convenient enough for certain holders of power, is somewhat inconsistent as coming from Whigs, and will scarcely pass muster with the sturdy advocates of the omnipotent of the national will when unequivocally expressed. But though a speculation concerning the nature of our ancient constitution cannot be brought to bear on questions respecting the propriety of political changes in the present day, it may nevertheless be very interesting and important. Every question touching the past condition of man cannot fail to excite the curiosity of a philosophical mind; and a knowledge of the early political condition of a country is frequently indispensable towards forming a correct moral judgment of the conduct of men at some future stage of its history. If, for instance, Charles the First conscientiously believed, that from time immemorial the kings of England exercised an unlimited sway over their subjects, could we with any fairness condemn his character as strongly for desiring a continuance of absolute power, as we should be entitled and called upon to do, if we could show that Charles contended for absolutism, in opposition to all preceding custom?

In inquiring how far a country enjoys constitutional freedom, we are naturally led to ask, what ideas these terms comprehend? Does it consist in a set of empty forms, or in a smaller or greater number of legal expressions vaguely favorable to liberty? Or does it consist in the habitual enjoyment by the great body of a nation, of protection of person and property as between subject and subject, and between subjects and rulers? If the first of these descriptions rightly characterises the term constitutional freedom, it may be a fine sort of thing, and deserving of record in ponderous quartos, but it means, in truth, a freedom that can co-exist with diabolical oppression! Now, this is exactly the sort of constitutional freedom for the existence of which Mr. Hallam so elaborately contends. Hear what he in substance says:—The following checks on royal power existed at the accession of Henry VII. 1st,—no *new* tax could be levied without the sanction of Parliament: 2d,—the same sanction was required for the enactment of every *new* law: 3d,—imprisonments required legal warrants, and specification of the offences; and speedy trials were the right of the accused: 4th,—the innocence or guilt of a man was ascertained by a public trial and by the unanimous verdict of a jury against whose award there was no appeal, and who likewise decided on questions of fact in civil cases: 5th,—the officers of the Crown might be sued in action for damages, if guilty of violating the rights of the subject: in some cases they were liable to criminal process; nor could they plead in justification the direct order of the king*. I will not stop to inquire

* Hall. Constl. Hist. vol. 1st. pp. 2, 3. 4to. Ed., 1827.

how far it is true, that such checks legally existed; (though I cannot help doubting whether the lawyers of Henry VII.'s time would have acknowledged such dicta, however much it may suit our modern lawyers to bepraise English statute and common law) but I would put it to any intelligent reader, whether he could expect to find the following passage, after the enumeration of the checks 3, 4, 5. "Great violence was often used by the various officers of the Crown, for which no adequate redress could be procured; the Courts of Justice were not strong enough, whatever might be their temper to chastize such aggressions; juries, through intimidation or ignorance, returned such verdicts as were desired by the Crown; and, in general, there was perhaps little effective restraint upon the Government, except in the two articles of levying money and enacting laws*." I shall by and by inquire what Mr. Hallam means by "the asserted existence of effective restraint on the Government" in matters of taxation and the making of laws; but I would now ask what inference he intends to draw in saying, "the general privileges of the nation were far more secure than those of private men †?" By such a proposition the writer obviously intends to pay a compliment to the state of constitutional freedom; with what justice I am utterly at a loss to conjecture. What he says must be true under the most brutal tyranny that the imagination can conceive. It must have place amongst the most savage tribe over whom the fiercest chief ever exercised the most bloody sway. Beyond a certain point a whole nation can never be oppressed. But what then? on the safe side of that point, there may exist such a degree of oppression over all, and the exercise of such merciless cruelty towards *some*, that to talk of the existence of freedom in such a country, call it constitutional or what you will, would be an abuse of terms insulting to the understanding. Yet such was the sort of freedom generally enjoyed by our ancestors (not to go further back) from the Norman conquest downwards. We have seen how Mr. Hallam has explained away the checks which he asserted to exist on the royal power at the commencement of the Tudor dynasty. The same writer elsewhere says, that if documents had preserved to us the memorials of earlier times, (he is talking of the reign of the Tudors) "equally flagrant instances of oppression" would possibly be revealed*: and he subsequently admits, that such a guarantee of civil liberty as consists of "an open administration of justice, according to known laws truly interpreted, and fair constructions of evidence," was defective under the Plantagenets and Tudors, "our Courts of Justice in cases of treason" being "little better than caverns of murderers†." After such admissions as these, rational beings will no doubt be curious to know what "effective restrains upon government" could exist as far as the freedom of the subject was concerned. I will endeavour to gratify this curiosity in my next letter.

I am, &c.

A BENGAL CIVILIAN.

* Hall. Consti. Hist. vol. 1st. p. 5.
† Hall. Consti. Hist. vol. 1st. p. 5.

* Hall. Consti. Hist. vol. 1st. p. 49.
† Vol. 1st p. 218. Mr. Hallam, from his mode of defining the guarantee of civil liberty in as far as it is derivable from the laws themselves, seems to think openness of administration, fixedness in the laws, truth of interpretation, and fair constructions of evidence make that guarantee perfect. Without these, to be sure, civil liberty would be a mockery; but something more is wanted. The laws must be equal in their nature. No individuals or classes must enjoy through them, rights subversive of the general good.

## No. IV.

### TO THE EDITOR OF THE BENGAL HURKARU AND CHRONICLE.

Sir,—Before I attempt to show that in England no effectual restraint upon the sovereign power existed during the rule of the Tudors, and that the proofs of the existence of such a restraint in preceding times are, to say the least, unsatisfactory, I must be permitted to make some preliminary explanations.—1st. I do not hold that the Governments of some other countries may not have been *more* absolute than that of England. One country, from the abundance and comparatively happy distribution of its wealth, or from the plentiful private resources of its monarch, or from whatever cause, might generally have fewer and less severe pecuniary calls made upon it than another, and yet it might be quite a perversion of terms to say that in that country the power of the Government was limited.—2dly. A country may have an essentially despotic Government, and yet resistance in certain cases may not only be possible, but may actually occur. There may be intolerable taxation, the national religion may be attacked, or, to the horror of the people, an attempt may

be made to transfer them to a foreign yoke. Thus, when in 1525 Commissioners were appointed throughout England by Henry VIII., to swear every man as to the amount of his property, and to be rated and to pay accordingly, (*a*) we are told, the opposition became so great that the commissions were revoked, and sums demanded under them remitted. (*b*) A fact like this, though it proves that the people of England would not as one man, bare the neck to the axe of the tyrant at his bidding, is yet a very unsatisfactory demonstration of the existence of a regulated freedom. Again, so unpopular was the new Protestant faith, that at one time foreign troops from Calais were sent for to quell the discontent that prevailed. (*c*) That Protestantism was unpopular seems obvious. Paget writes to Somerset, that "the use of the new faith is not yet printed in the stomachs of eleven out of twelve parts of the realm, whatever countenance men make outwardly to please them in whom they see the power resteth." (*d*) Latimer, in his rough style, complains of the lukewarmness of the clergy to the new faith—"Out with them all! I require it in God's behalf: make them *quondams*, all the pack of them." We need not marvel then that discontent should have existed, but rather ought to infer, if we look below the surface, how great must have been the power of a Government which could introduce a foreign force with impunity, and which could with so much ease, comparatively speaking, change a national religion backwards and forwards as it happened to please the rulers for the time being. Taking Michele the Venetian Ambassador's remark, with some grains of salt on the score of its exaggeration, it seems not to be very untrue, "the English in general would turn Jews or Turks if thei sovereign pleased." (*e*)—3dly. I would not be understood as denying, obstinately, the assertion that the English liked to be taxed by, and to obey laws coming from, Parliaments. It might, no doubt, be disputed, whether as a general rule the taxing by Parliament or not, did not rest with the pleasure or convenience of the monarch.

Mr. Hallam, it is true, quotes a speech as coming from rich and poor on the occasion of the commission of 1525, already referred to. "If men should give their goods by a commission, then it were worse than the taxes of France, and England should be bond and not free." (*a*) But that was an instance of intolerable exaction: and Mr. Hallam afterwards mentions that Secretary Paget, in Hayne's State papers p. 54, gives the reasons why a benevolence is to be preferred to a Parliamentary grant, amongst which reasons no hint is expressed of there being *any difficulty* in obtaining the money from Parliament. (*b*) Again, the author of the Constitutional History counts much on the statute of 31st H. 8. c. 8. giving to proclamations by the King and Council, under penalty of fine and imprisonment, the force of statutes, and in case of heresy, the power of death; (*c*) and on the statute 1 Ed. 6. c. 12 repealing the same, (*d*) as showing the repugnance that was felt to proclamations. But Mr. Hallam seems to forget that in spite of the statute of the 1st Ed. 6, proclamations were common during that reign, and that of the proclamation of 1549 to Justices of the Peace respecting the "sowers and tellers-abroad of vain and forged tales and lies," (*e*) and authorising the said Justices to commit such offenders to the galleys, there to row in chains as slaves during the king's pleasure, the historian himself remarks, that the late repeal was made, one would imagine, because it too much restrained the royal power. (*f*) After all, however, are such points as these worth contending about? Admitting the fact of the fondness of the English for Acts of Parliament, does this prove the existence of constitutional freedom? A little attention to the history of the Government of the Tudors will, I believe, convince all impartial men, that the preference given to the decrees of the legislature, the stickling for the mode in which laws were made, resulted from political superstition, and that not freedom, but the most grinding despotism, was the common lot of the English people. Is Mr. Hallam free from this superstition? In my eyes far from it. He always appears to me to write as if he thought the form of passing or carrying into execution of laws, rather than the nature of the laws themselves, is that which constitutes freedom or despotism. He praises Gardiner, for instance, for having comparatively sound notions of the civil constitution of England. (*g*) Yet what reasonable love Gardiner felt for freedom may be gathered from the fact that he joined the party in the Council, who attempted the

(*a*) Hal. vol 1st, p p 20, 21.
(*b*) Hal. vol 1st, p p 22, 23.
(*c*) Hal. vol 1st, p 100.
(*d*) Hal. vol 1st, p 100, Note.
(*e*) Hal. vol 1st, p 112, Note from Lansdowne's MSS.

(*a*) Hal. vol. 1st, p 22.
(*b*) Hal. vol. 1st, p 26, Note.
(*c*) Hal. vol. 1st, p 87.
(*d*) Hal. vol. 1st, p 39.
(*e*) We all know what is too often meant by such expressions as "forged tales and lies" when proceeding from the pen of power.
(*f*) Hal. vol 1st, p 40.
(*g*) Hal. vol 1st, p 104, Note.

subjugation of England to Spain! Again, the historian seems to be very angry with Mary because she did not wait for an Act of Parliament to restore the Latin liturgy, to expel the married clergy, and to imprison many Protestant ministers for no other crime than their religion, though he tells us her Parliament was ready to do what she wished! (*a*) And, (not to multiply examples,) in justification of Elizabeth's proclamations, our author writes, "Many of her proclamations, which may at first sight appear illegal, are warrantable by statutes then in force, or by ancient precedents. Thus the Council is empowered by an act 28. H. 8. c. 14. to fix the prices of wines." (*b*)

Does not this look as if Mr. Hallam thought the arbitrariness of a law was got rid of by showing it to be according to statute?—4thly. I would particularly guard the reader against confounding apparent and occasional, with real and lasting independence. A monarch may sometimes from the goodness of his temper, sometimes from policy, sometimes from the state of factions, and sometimes from his own weakness of character, make concession which writers may very erroneously lay hold of as proofs of the general existence of a limited prerogative. No one surely can doubt the truth of this. A monarch, however large his power, is not always morose and truculent. A despotism both theoretical and practical is surely compatible in many cases with much individual moderation in the sovereign. In like manner tyranny often assumes two distinct shapes—one of guile, concealment, and crafty sagacity—the other of open, bold, bare-faced daring: so that a monarch may well find it convenient to make the appearance of yielding, while conscious of possessing strength sufficient to quash all opposition, did he choose to put that strength forth. Equally certain is it, that in countries essentially despotic the state of parties, or the weakness of the existing head of the Government, has frequently the effect not indeed of destroying tyranny, (for the evil spirit of tyranny is ever slowly cast out) but of transferring the sovereign power to other hands. Truths like these, however obvious, are often lost sight of, though it is not too much to assert that the writer who does not keep them for ever before his eyes, will fail, even from the most ample and valuable materials, to extract the philosophy of history. I must now proceed to ask what is civil freedom, and what is to be regarded as a security for its preservation? An answer to these questions, will probably, furnish us with a test, the application of which to the history of the Tudors will enable us to decide how far the constitution of England deserved in those days to be called free. The definition which I incorrectly gave in my last letter of "constitutional," would better describe civil, freedom—"the habitual enjoyment by the great body of a nation, of protection of person and property as between subject and subject, and between subjects and rulers."(*a*) Without very strictly examining the goodness of this definition, let us take it for better or for worse, as comprehending the notions we have of civil freedom. Of course the existence of civil freedom implies the existence of a wise system of laws ably and honestly administered. For although it is *conceivable* that all the members of society should be enlightened and so virtuous as to perform their duty without the intervention of human laws, it will readily be granted that such a state of things has never yet been in times past, and it is, to say the least, doubtful whether such a state of things will ever be in times to come.

On the supposition that civil freedom of the nature I have mentioned existed in any country, how is its preservation to be secured? The only lasting safe-guard of civil freedom must be the wisdom and virtue of the community, "for who loves that must first be wise and good." Men must be intelligent enough to see the value of, and they must have benevolence and firmness enough to combine for the support of, civil freedom. "The will to do, the soul to dare" must be their motto who would retain so inestimable a blessing. But to give effect to the wishes and acts of the community, to facilitate its exertions, there must be a chosen body of representatives appointed, and this is what may be called the constitutional guarantee of civil freedom. It seems quite obvious that to deserve the name of a real guarantee, the members of this body must be freely chosen, and they must *act* with wisdom, with disinterestedness, and without fear. Let us see how far these requisites were found in the Parliaments of England in the time of the Tudors. Mr. Hallam says civil liberty has two guarantees. His first I have given in my last letter. His second is "the right of Parliament, without let or interruption, to inquire into and obtain the redress of public grievances."(*b*) Now what I contend for is either that these words must be interpreted to mean what I have above described as "a real guarantee," or

(*a*) Hal. vol 1st, p 44.
(*b*) Hal. vol 1st, p 255.

(*a*) Monthly Journal, Letter III., p. 104 col. 2.
(*b*) Hal. vol 1st, p 248.

they are altogether worthless and ought not to have been used by a sensible man. Is it not so? How is it possible to talk of "the right without let or interruption, to inquire into, and obtain the redress of public grievances," as a *guarantee* of civil freedom. unless the Members of Parliament were freely chosen and acted wisely, honestly, fearlessly? Let us see whether this was the case. Brodie quotes from Grafton the account of the summoning of Henry VII.'s second Parliament. "He therefore summoned again hys great Court of Parliament, whereto he woulde that there should bee elected the most prudent and gravous persons of every countie, citie, port, and borough; and in especiall such as he in all his daungers, calamities, miseries and tumulteous affaires, used, trusted, and fauvoured, as partakers, councelers and companions, both of his wo and adversitie, and also of his triumph and glorious victory, whose mindes and studies he perfitly knewe to bee fixed and set in the politique regiment and prudent governaunce of the publique welth of his realme and dominion."(*a*) In other words, Henry possessed the power of summoning a Parliament of his creatures. Mr. Hallam admits that the government exercised an avowed interference with elections.(*b*) Writs were issued by Edward VI. to 22 new boroughs, and by Mary to 14.(*c*) No less than 62 members were added during the reign of Elizabeth, and the court continually interfered with elections, (*d*). A letter of Edward VI. to all the Sheriffs, amongst other things enjoins that the men recommended by the Privy Council should be elected, and the men were recommended and returned accordingly, (*e*). A circular of Mary's in 1554 directs the Sheriffs to admonish the efectors to choose good Catholics. (*f*) The Earl of Sussex wrote to the gentlemen of Norfolk, and to the burgesses of Yarmouth to reserve their voices for the person he should name.

(*g*). It is curious enough, that Mr. Hallam adduces these facts to prove the importance of the Commons, and argues, that however pernicious to the integrity of Parliament, this system is distinguishable from Hume's assumption of an almost absolute prerogative, and would not have been had recourse to could the prerogative alone have done the crown's business (*h*). According to the strict letter Hume may have been wrong. In substance, what could better demonstrate the truth of Hume's belief in the existence of a real despotism than Mr. Hallam's own book! How vain, how delusive, to talk of a free constitution which should consist of Parliaments without integrity! Let me inquire then what was the conduct of the Parliaments in the times of which I write. And first, with respect to taxation. Henry VII. we are told, resorted to benevolences or forced loans from richer subjects, (*a*). Most people have heard of the story of Morton's fork. Those who lived sumptuously were told by this ingenious fiscal agent, that their mode of life was proof of their wealth; those who lived sparingly were informed that their economy must have enabled them to save supplies for the royal coffers!

Another mode of raising money resorted to by Henry VII. was, that of levying exorbitant fines on obsolete statutes. Did the Parliament boldly remonstrate against such acts? Not one word is recorded of disapprobation of confiscation by fines as far as benevolences were concerned; it passed an act 11. H. 7. c. 10. enforcing the arrears of money which private men had been prevailed on to promise.(*b*) Henry VIII.'s demands on Parliament were frequent and heavy. The enormous grant of £800,000 in 1524 was partially opposed in Parliament, and a smaller one passed, to be paid by instalments in four years. Wolsey compelled the people to pay the whole sum and at once! (*c*) After these there was *no* Parliament for seven years. (*d*) When this assembly did meet, was the sovereign taken to task for so monstrous an abuse of power? The members were silent as the grave. I have already alluded to the commission of 1525, which, as altogether intolerable, goaded the people to successful opposition. But how far the hand of power could go, even this ultimately revoked commission amply testifies. Wolsey on the attempted remonstrance of the Mayor and Chief citizens of London warned them to beware "lest it might fortune to cost some their heads."(*e*) Some were sent to prison for hasty words. (*f*). The Duke of Norfolk tells Wolsey, that the people shed tears in paying their rates. Warham's letter has all the marks of the fiscal agent of remorseless, relentless, and insatiable tyranny. It is afraid of offending—it mentions information respecting the feelings of the people as *secretly* commu-

(*a*) Brodie, vol 1st, p 14 Note.
(*b*) Hal. vol 1st, p 48.
(*c*) Hal. vol 1st, p 48.
(*d*) Hal. vol 1st, pp 285, 286.
(*e*) Hal. vol 1st, pp 48, 49.
(*f*) Hal. vol 1st, p 49.
(*g*) Hal. vol 1st, p 49.
(*h*) Hal. vol 1st, pp 49, and 285, 286.

(*a*) Hal. vol 12th, p 14, or 15.
(*b*) Hal. vol 1st, p 15.
(*c*) Hal. vol 1st, pp 18, 19.
(*d*) Hal. vol 1st, p 20.
(*e*) Hal. vol 1st, p 22.
(*f*) Hal. vol 1st, p 22.

nicated to the writer, "it hath been shewed me in a secret manner of my friends." In another letter Warham writes, "I have been in this shire 20 years and above, and as yet have not seen men but would be comformable to reason (*a*) and would be induced to good order, till this time, and what shall cause them now to fall into their wilful and indiscreet ways I cannot tell, except poverty and decay of substance be the cause of it."(*b*) After all, for the above commission was substituted a voluntary benevolence, and Mr Hallam is forced to admit, that "generally rich individuals had no remedy but to compound with the Government."(*c*) The Parliament passed a statute to render all previous loans unredeemable.(*d*) In 1544 a similar act was passed with respect to monies borrowed in 1542, and containing provision, that if the loan in any case had been discharged, the party should repay the same to the king.(*e*) In 1545 recourse was had to a general action,(*a*) and the instructions given to the Commissioners are curiously illustrative of the cunning sagacity of despotism—the people are to be summoned apart,—soft words are to be used to the obedient—the refractory are to be called before the council—and silence is to be enjoined.(*b*) Richard Reed, an Alderman, for refusing was sent to serve as a private soldier against the Scots, and the General, Sir Ralph Ewer, was instructed to "use him in all things according to the sharpe disciplyne militar of the northern wars."(*c*) A similar commission was appointed two years afterwards.(*d*) *Where* were the voices that with one loud clamour were lifted up in Parliament against a system of Government like this? An echo answers where? For the present I must take my leave.

I am, &c.

A Bengal Civilian.

(*a*) Most men are aware what notions a tyrant's tool has of "reason."
(*b*) Hal. vol 1st, pp 21, 22, Notes.
(*c*) Hal. vol 1st. p 23.
(*d*) Hal. vol 1st, p 25.
(*e*) Hal. vol 1st, p 25.

(*a*) Hal. vol 1st, p 26.
(*b*) Hal. vol 1st, p 26. From Lodge's Illustration of British History, &c.
(*c*) Hal. vol 1st, p 27.
(*d*) Hal. vol 1st, p 27.

# LORD NAPIER'S NEGOCIATIONS WITH THE CHINESE.

## PUBLIC MEETING.

*(From the Canton Register, August 12.)*

At a meeting of all British subjects, in Canton, convened by circular notice from the secretary to H. M. Superintendents, and held yesterday at half past ten o'clock A. M. in the hall of the British Consulate, the Chief Superintendent, the Right Honorable Lord Napier, delivered the following speech:

Gentlemen,—I have called you together here this day because I have been informed that yesterday a notice from the Hong Merchants was sent to you severally, inviting you to a meeting or conference with them in the Consoo-hall at one o'clock to-day. You are doubtless aware of my present position, and of my instructions and powers; but, perhaps, I may as well now state to you that I am not here for the purpose of endeavouring to form any commercial treaty, nor have I authority to communicate directly with Peking. My orders extend no further than to the Viceroy. I have succeeded in attaining my present residence against the wishes of the Viceroy and the Hong Merchants; and my business at present is only to collect information on all points connected with the British interests with China, in order that I may send such information home, to be submitted to the crown for guidance in the future instructions with which H. M. may honor me. Gentlemen, I now advice you not to attend this meeting at the Consoo house, for I consider your compliance with the requisition of the Merchants would not only embarrass my present views, but ultimately recoil with two-fold effect on yourselves, and be highly detrimental to your own interests. I do not profess to have much knowledge of China, further than what I have heard, and gained from books; but I appeal to your common sense whether if you once, by an overt act, acknowledge the authority of these Hong Merchants, such proceeding will not hereafter be quoted as a precedent, and entail serious consequences on the British trade with this empire. I call upon you to assist me in supporting the honor of the King's commission, and the dignity and influence of H. M. Superintendents, by refusing to attend this meeting; the least reflection must convince you that your attendance there will be pregnant with evil; and to prevent disastrous consequences, I request you will sign a letter, which I have drafted, and send it to the Merchants by Mr. Mor-

rison; this letter I will now read to you: (his Lordship read the letter, and continued.) It may be that from your refusal to attend at the Consoo house, the trade may be stopped, and the Viceroy may order me away; but as I have all the responsibility, I can only say that from this house I will not go unless driven out at the point of the bayonet. I shall be most happy to attend to any suggestion you may wish to offer; and I again invite you to come forward and sign your names to this letter.

His Lordship having sat down, Mr. Davis, the second superintendent, rose and said, that he could have nothing to offer in addition to what Lord Napier had so ably and eloquently expressed. He did not presume on his own knowledge, although it had been his misfortune to have dwelt nearly twenty years in this country. But he appealed to all present whether experience did not dictate caution when any novel measure was originated by the Hong Merchants; had not exactions on, and impediments to the trade always followed such manœuvres? what good ever came of a meeting with the Merchants? what benefit ever rose from an attendance at the Consoo house? was it not there that the unfortunate Terranova signed his own death warrant? The Chinese, though they are not acquainted with the words, know well the force of the maxim *divide et impera*. He therefore recommended unanimity, and felt confident that H. M. Superintendents would be supported by the Merchants.

His Lordship and Mr. Davis were heard with deep attention, and often cheered while speaking.

These speeches are written from our recollection of what was spoken, not from notes taken at the time; consequently they are but weak and meagre semblances of vigorous and florid substances. The speech of Lord Napier suffers miserably in our version. It was much longer, but connected, convincing and eloquent; delivered in a calm and dignified manner, yet with such a frank and honest earnestness, and sincerity of self-conviction, that the whole assembly were at once of his own opinion: and that is all an orator wants.

Lord Napier had prepared a letter and got it translated in order to save the valuable time of the Merchants, and he requested every gentleman to state his sentiments *for and against* the letter, or make such alterations as they liked.

Mr. Dent and Mr. Jardine proposed a few verbal alterations, and in a short time the following letter was agreed to; which was read by Lord Napier, and signed by all British subjects present.

*To the Hong Merchants.*

Gentlemen,—The BritishMerchants having severally received your notice of yesterday, requesting a general meeting of their body, to be held at the Consoo house at this day at one o'clock.

Having taken the same request into consideration, the British Merchants are unanimously of opinion that such an attendance is altogether unnecessary and uncalled for, the specific object not having been duly expressed, and they, further, unanimously intimate and declare to you, that in all official matters they feel themselves bound to consult the wishes and regulations proposed by the Superintendents of the British Trade.

Canton, August 11, 1834.

(Signed)

| | |
|---|---|
| Jardine, Matheson & Co. | John Slade. |
| Thomas Dent & Co. | Joseph Cragg. |
| Dadabhoy Rustomjee. | N. Crooke. |
| Fox, Rawson & Co. | Bapoorjee Vickajee. |
| Whiteman & Co. | Nanabhoy Framjee. |
| Muncherjee Jamsetjee. | Darabjee Hormasjee. |
| Nassawanjee Jamsetjee. | Bomanjee Monarchjee. |
| Nassawanjee Mucherjee. | Jamonarjee Nasserwanjee. |
| James Innes. | Jemsetjee Burjorijee. |
| Richard Turner & Co. | Bomanjee Jenserjee. |
| W. Sprot Boyd. | Framjee Jensetjee. |
| Charles Compton. | Eduljee Furduljee. |
| John Mendez. | Hormasjee Biromjee. |
| C. A. Vertanes. | Sarabjee Nassarwanjee. |
| Framjee Muncherjee. | Dassubhoy Rustoomjee Sett. |
| John Templeton & Co. | Dinear Derabjee. |
| R. Brown. | E. W. Brightman. |
| Burjorjee Furdoonjee. | R. Markwick and Co. |
| Dhanjebhoy Muncherjee. | C. Markwick. |
| Cowasjee Sapoorjee. | D. Kennedy. |
| Dursubhoy Furdoonjee. | T. Sindry. |
| Rustomjee Burjorjee. | G. Melville. |
| Ilbery & Co. | W. Allen. |
| Monackjee Rustoonjee. | R. Miller. |
| R. Thom. | |

## PUBLIC MEETING.

*(From the Canton Register, August 19.)*

At a general meeting of British subjects, convened on the morning of the 16th instant by circular notice from the secretary to H. M. Superintendents, and held at 11 o'clock on that day in the hall of the British Consulate, Lord Napier, after apologising in the first place for the shortness of the notice for assembling the British inhabitants together, and for detaining them a little time, which he had done on account of the flood, thinking that some would not be able to arrive at the appointed hour, and remarking that the flood seemed almost to have conspired with the government to prevent the meeting, but that before it was over he hoped our position would be stronger: proceeded to say, that he had requested this meeting in consequence of his having received from Mr. Morrison, the Chinese secretary and interpreter, a translation of a letter from the Hong to the British

Merchants, with the contents of which he supposed they were already acquainted, but he would, however, read it. Here his Lordship read the following letter:—

*From the Hong Merchants to Messrs. Jardine, Dent and others, 15th of August, 1834.*

A respectful notification. On the 9th (13th of August,) we received your answer, stating, that the copies which we had respectfully made and sent to you, of four orders from his excellency the governor, had been offered to your honorable officer, but he had refused to receive them. We find on examination that the great commands of his excellency the governor have all been enacted in accordance with the established laws of the celestial empire. Now your honorable officer has come to Canton to examine and have superintendence of the affairs of merchant vessels of your honorable country;—but having come to the dominions of the celestial empire, he certainly should obey with trembling awe the laws and rules of the celestial empire, just as persons of another country going to your honorable country, must also obey the regulations of your honorable country.

Now the refusal to receive the governmental orders is disobedience to the laws of the celestial empire. We are official merchants, and in all public affairs must entirely and implicitly obey and act up to the established laws. Since now your honorable officer will not act in obedience to the established laws, we dare not hold commercial intercourse with the gentlemen of your honorable nation, and can only detail the circumstances in a full report to the great officers, that they may put a stop to buying and selling.

For this special purpose we write, we pray you to return an answer. This is what we have to impose on you. With compliments, &c.

The names of eleven Hong Merchants are subscribed.

His Lordship continued, that he had two propositions to submit to the meeting; firstly, that the receipt of the Hong Merchant's letter should be acknowledged by the British Merchants; secondly, that a Chamber of Commerce should be established in Canton, with a committee, some of whom were to be Parsees, and a secretary. His Lordship proceeded to observe that he had heard with great pain that a difference of opinion and ill-feeling existed, having their source in what was, by some, considered a delay on the part of the gentleman who first received on the 11th instant the Viceroy's four letters to the Hong Merchants, in sending translations of those letters round for general perusal; respecting those letters and their delivery, he felt bound, in common candour to that gentleman, Mr. Jardine, to say a few words. His Lordship said that Mr. Jardine had occasion to see him on business, when he (Mr. J.) stated that four edicts had been received. In the course of conversation his Lordship remarked that although he did not receive the edicts it would be as well to have copies of them to send home to his sovereign. And his Lordship further said that if making these copies occasioned any delay, that delay ought to be attributed to himself; and as to the advice which his Lordship had given on the 11th instant, respecting the receipt of letters from the Hong Merchants, that advice had been unanimously approved and adopted by the British Merchants themselves. His Lordship then again referred to the establishment of a Chamber of Commerce, in order that the affairs and interests of British Merchants might be put into a course of regular management, and a proper channel of communication be opened with himself and with the Hong Merchants on all points connected with those interests. His Lordship observed he was happy to hear there was a gentleman present who, from the knowledge he possessed would be able to point out the proper course of proceeding on the occasion. His Lordship then observed there remained a very painful subject for him to notice, but, however painful, it was, nevertheless, his duty to notice it. He had heard of it since his arrival—and he had heard of it before his arrival—he had heard of it in England; his instructions alluded to it; even the benevolent heart of our gracious king had been moved to notice it: this was, the dissensions and animosity that existed in the British mercantile community of Canton. His Lordship observed he was directed to exhort them all to concord. Here his Lordship read the following paragraph from his instructions:

*Extract from His Majesty's Instructions.*

"We do require and enjoin you to watch over and protect the interest of our subjects resident at, and resorting to, the empire of China for the purposes of trade; and to afford to them all such advice, information, and assistance as it may be in your power to give, with a view to the safe and successful conduct of their commercial transactions;—and to the utmost of your ability to protect them in the peaceable prosecutions of all lawful enterprises;—and by the exertion of your utmost influence and authority, to adjust by arbitration or persuasion, all dis-

putes in which our subjects may be there engaged with one another."

His Lordship feelingly lamented that such dissensions should exist, and the British subjects in Canton not live in their own homes in respect and quietness, and enjoy and improve their present advantages. They were formerly, in some degree, subject to the E. I. Company, but now they stood upon that independent ground which had been the object of their cherished hopes; these hopes had been realized: this independent ground had been attained, and the proper use of it now remained with themselves. He begged for the sake of H. M.'s good intentions towards them—for their own sakes,—and also for a slight feeling on behalf of himself and his present position, that all disagreements should be arranged and cordiality be the feeling amongst the British merchants in Canton, as their own interests would, undoubtedly, be best promoted by union and good fellowship; for himself, his Lordship continued, he could only say he was always ready at all hours, night or day, to attend to all, either in personal conference, or by written communications. His instructions were to watch over and protect their interests; he was wholly and totally impartial, and he despised with the utmost venom his breast was capable of feeling, that man, who indulged the thought that he could be biassed by any party-spirit. His Lordship then said he had never thought for one moment affairs would proceed as quietly in Canton as heretofore. But he trusted, when they (the Merchants) wrote home to their friends they would not have to say he had refused any of them justice, or been regardless of their interests.

"Gentlemen," said his Lordship, "H. M.'s ship will return to her former anchorage." His Lordship then stated he had conferred with Captain Chads, who had readily come into his opinion; that the *Andromache* should proceed to sea, and cruize for about a week, and then return to Chuen-pe; and Captain Chads had promised, in the event of falling in with H. M. S. *Imogene*, he would communicate to Captain Blackwood, his senior officer, the wishes of his Lordship. It had been his Lordship's object, by the sailing of the *Andromache*, to feel the pulse of the Chinese, and that object had been attained. Their demands had become more manifest and absolute. "The trade is already, or about to be stopped," his Lordship observed, "and of course you know what for; it is because I will not go down to Macao." He continued to say, the Chinese were alike ignorant of the return of the *Andromache* and the arrival of the *Imogene*. He expected the return of these two ships would operate on the Viceroy and Hong Merchants; and when the merchants formed themselves into a committee, they would exhibit a more imposing attitude, and show the Chinese the advantages were not altogether on their side. If, however, it was thought necessary, H. M.'s ships should come up to Whampoa; and, if their presence there was not sufficient protection, they should anchor under the walls of the town; his Lordship conceived the local government would speedily alter its proceedings; that, however, remained to be proved. It only rested for his Lordship again to recommend the formation of a Chamber of Commerce, and he read the following plan for its formation:—

*Suggestions for the consideration of the Merchants.*

1. The Merchants to hold a general meeting here this day at 1 o'clock, for the purpose of forming themselves into a Chamber of Commerce.

2. To ballot for a committee of ——, of whom are to be —— Parsees.

3. Committee, when chosen, to appoint a secretary by majority of votes, either from their own body, or from the general body of the merchants.

4. If the secretary is chosen from the committee, another committee-man to be chosen by ballot.

5. Answer to be given by the general meeting to the letter of the Hong Merchants of yesterday.

6. The committee to meet and draw up general regulations; namely:

1. For management of general business.
2. For correspondence with the Superintendents.
3. For correspondence with the Hong Merchants.

7. These regulations to be laid before a general meeting for their approval as soon as possible.

8. The first committee to continue on trial for —— weeks

N. B. When the committee are at leisure, the Superintendents will confer with them as to accommodation.

(Signed) NAPIER.

Canton, August 16, 1834.

His Lordship then said that the hall of this house should be at all times at the service of the Chamber of Commerce, if required. He had heard that there was a subscription reading room in Canton, and perhaps the Chamber would rather meet there; but whether they met in that room or this hall, he recommended that they immediately procure writing desks, &c. with

locks and keys in charge of their secretary, to be kept in their place of meeting.

A few rambling desultory observations were made by various persons when his Lordship had finished speaking, which his Lordship checked, as they tended apparently to no good result, nor the establishment of that harmony which his Lordship has so much at heart, and had so strongly recommended. His Lordship, having left the chair, recommended Mr. Fox, as a proper person to preside at the meeting of the Merchants; that gentleman, therefore, with the general consent, took the chair, and the meeting proceeded to pass the following resolutions:

At a meeting of the British Merchants of Canton, held this day in the hall of H. M.'s Superintendents, Mr. Fox in the chair, it was —

Proposed by Mr. Jardine, seconded by Mr. Dent, and carried unanimously;—That the letter from the Hong Merchants to the British Merchants of Canton, intimating the possible stoppage of the trade, should be at once acknowledged by informing them that as it refers to official matters, over which we have no control, we could not notice it.

Proposed by Mr. Jardine, seconded by Mr. Whiteman, and carried unanimously;—That in accordance with the suggestions of Lord Napier regarding the establishment of a Chamber of Commerce, Mr. Geddard be requested to draw out a scheme for the formation of the same, and when ready, to submit it to a public meeting;—and that Mr. Boyd be requested to act as secretary in the interim.

(Signed) THOS. FOX, *Chairman.*
WM. S. BOYD, *Sec. pro temp.*

Canton, August 16, 1834.

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*Answer to the Hong Merchants.*

Gentlemen,—We have received your letter of the 15th instant, and as it contains official matter over which we have no control, the communication cannot be noticed beyond a mere acknowledgment thereof.

(Signed as the letter of 11th August.)

Before the meeting adjourned there was a conversation amongst the merchants on certain parts of Lord Napier's speech: and there was a general feeling extant of the propriety of attending to his Lordship's strenuous recommendations: the meeting separated with the declared intention of acting with unanimity on all future occasions.

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## CHOPS FROM THE VICEROY AND HOPPO TO THE HONG MERCANTS.

(*From the Canton Register, August* 19.)

Referring to the invitation of the Hong Merchants to the British Merchants to meet the whole Hong in the Consoo house at 10 o'clock on the 11th instant, and the refusal of the British Merchants,—after having heard the sentiments of Lord Napier, as detailed in in the preceding pages, to attend the meeting, we now lay before our readers translations of some Chops from the Viceroy and Hoppo to the Hong Merchants, which were sent by the latter to the British Merchants on Monday last.

The first document, which we think unnecessary to publish at length—and indeed, we have curtailed the whole, as containing a great deal too much useless verbiage and repetition—is a letter from the Hong Merchants, dated on the 11th instant, in which they state that our "honorable officer" had refused several times to see them, and receive the "government orders." Consequently, they had not been able to return any report to the Viceroy, who, they say, "for their not being able to enjoin the orders, will inflict punishment, which it will be impossible for them to sustain." As the British Merchants had refused to meet them at the Consoo house, they forwarded the four orders of H. E. the governor, praying the British Merchants to inform their honorable officer of the contents. The following is the first document.

"Loo, Governor of Canton, &c. to the Hong Merchants.

"The Hee (or the naval officer) of the Heangshan district, with others has reported 'that an English war vessel, having on board one barbarian *eye*, had anchored at Cabreta point. On inquiry, it was stated, that he was to examine and have superintendence of the said nation's merchant vessels coming to Canton to trade, &c. As duty requires, a report is made.'

"According to this, I have examined and find, that hitherto, outside barbarians trading at Canton have only had *taepans* (chief supercargoes,) buying and selling goods. They have been permitted to request permits, and then come to Canton. But ordinarily they have only had permission to reside at Macao. The English have traded at Canton upwards of a hundred years; and with regard to all the regulations, there had long been mutual tranquillity. The said Hong Merchants before reported that this year the English Company is dissolved. The barbarian *eye* who has now come, is of course, for the superintendence and examination of this business. But the barbarian *eye* is not comparable with the *taepans*. If he wish to come to Canton, it will be necessary to make first a clear report, requesting the imperial will on the subject. As to the commercial affairs, if there be circumstances absolutely requiring the establishment of other regula-

tions, a petition of requests must also be sent, after inquiry and deliberation on the part of Hong Merchants, through them; that a memorial may be prepared, and obedience called for.

"Uniting these circumstances, this order is issued. When the order is received by the said merchants, let them immediately go in person to Macao, and ascertain clearly from the barbarian *eye*, for what he has come to Canton province. Let them also inquire fully and minutely as to what other regulations require to be now established, since this year the said nation's company has been dissolved. Then let them report in answer, to afford evidence on which to make a plain and full memorial, for directions as to what conduct is to be observed and to what obedience is to be required.

"And let them authoritatively enjoin the established laws of the *celestial empire*, that with exception of the *taepans* and other barbarian merchants trading at Canton, none can be permitted to come to Canton, without a report having been made, and the *mandate* received. The said barbarian *eye*, having to examine concerning, and superintending the affairs of commerce, may reside at Macao. If he wishes to come to Canton, he must inform the said merchants, that they may previously petition me, the governor, and I will by post-conveyance send a memorial, and all must respectfully wait till the mandate of the great emperor has been received. Then orders will be issued to require obedience. Oppose not! a special order."

Taoukwang, 14th year, 6th moon, 15th day, (July 21, 1834.)

We can discover nothing very alarming in this letter; the governor appears to be a little prudish, and fearful of the coming change in his condition; there is no doubt, however, that he will soon be reconciled to his new friend: but the coincidence of his opinion with those expressed in the *Quarterly Review* and *Morning Post*, that "the barbarian *eye* is not comparable with the *taepans*" is remarkable; there must be a communion of souls between this trio, the two editors and *Loo-tayin*.

The governor in his second letter, after repeating part of the first, and referring to the past days of tranquillity, and ordering the merchants, linguists and compradors to instruct the "new-come barbarians in all things," proceeds to remark that hitherto the foreigners coming to Canton have been permitted to request and receive leave from the Hoppo; and he then observes—

"On this occasion, the barbarian *eye* (that is, headman, principal-man) Lord Napier, has come to Canton, without having at all resided at Macao, to wait for orders. Nor has he requested or received a permit from the superintendent of customs; but has hastily come up to Canton. A great infringement of the established laws! The custom-house writers and others, who presumed to admit him to enter, are sent, with a communication, requiring their trial. But in tender consideration for the said barbarian *eye* being a new comer, and unacquainted with the statutes and laws of the *celestial empire*, I will not strictly investigate. But it is not expedient that the said barbarian *eye* should long remain at Canton provincial city: it must be required, that, when the commercial business regarding which he has to inquire and hold jurisdiction is finished, he immediately return to Macao. And hereafter, without having requested and obtained a permit, he cannot be permitted to come to Canton.

"As to the object of the said barbarian *eye's* coming to Canton, it is for commercial business. The *celestial empire* appoints officers—civil ones to rule the people—military ones to intimidate the wicked. The petty affairs of commerce are to be directed by the merchants themselves. The officers have nothing to hear on the subject. In the trade of the said barbarians, if there are any changes to be made in regulations, &c., in all cases, the said merchants are to consult together, and make a joint statement to the superintendent of customs and to my office. Whether (the proposals) shall be allowed or disallowed must be learned by waiting for a reply publicly. If any affair to be newly commenced, it is requisite to wait till a respectful memorial be made, clearly reporting to *the great emperor*, and his *mandate* received. Then it may be commenced, and orders may be issued requiring obedience.

"The great ministers of the *celestial empire* are not permitted to have private intercourse by letter with outside barbarians. If the said barbarian *eye throws in* private letters, I, the governor, will not at all receive or look at them.

"With regard to the barbarian factory of the company, without the walls of the city, it is a place of temporary residence for barbarians coming to Canton to trade. They are permitted only to eat, sleep, buy, and sell in the factories. They are not permitted to bring up wives and daughters; nor are they permitted to go out to ramble about. All these are points decided by fixed and certain laws and statutes; which will not bear to be confusedly transgressed.

"To sum up: the *nation* has its laws; it is so every where. Even England has it laws

how much more the *celestial empire!* How flaming bright are its great laws and ordinances. More terrible than the awful thunderbolt! Under this whole bright heaven, none dares to disobey them. Under its shelter are the four seas. Subject to its soothing care are the ten thousand kingdoms. The said barbarian *eye*, having come over a sea of several myriads of miles in extent, to examine and have superintendence of affairs, must be a man thoroughly acquainted with the principles of high dignity; and in his person he sustains the duties of an officer—an '*eye*'. He must necessarily in every affair act in accordance with reason: then only can he control and restrain the barbarian merchants.

"I, the governor, looking up, will embody the extreme wish of the *great emperor* to cherish with tenderness the men from a distance: and assuredly I will not treat slightingly the outside barbarians. But the *national laws* are extremely strict and close-drawn; we dare not in the least transgress. Let the said barbarian *eye* be very careful not to listen to the artful instigations of evil men, enticing him, until he fails of the object of the said nation's king in sending him so far.

"Uniting all, I issue this order to be enjoined. When the order reaches the said merchants, let them immediately act in obedience to it, and enjoin the order on the said barbarian *eye*, that may know it thoroughly.—Oppose it not.

"The said merchants have had intercourse with the barbarians for many years. Their knowledge of their language and feelings must be good. The linguists and compradors are more closely allied to the barbarians. If they truly explain clearly, opening and guiding the understanding, the said barbarian *eye* assuredly cannot but obey. If there should be disobedience and opposition, it must be owing to the bad management of the said merchants, and to the instigation of the linguists. Assuredly, the said merchants shall be reported against that they may be punished; and on the linguists the laws shall instantly be put in full force.* Their respectability—their lives are concerned. Tremble fearfully hereat. Make not repentance (necessary). These are the orders."

Taoukwang, 14th year, 6th moon, 21st day. (July 27, 1834.)

The third order, dated July 30, 1834, repeats, as usual, the former orders, Lord Napier's coming to Canton, without having first petitioned for permission, the governor says "is, indeed, a great infringement of the laws. Considering that the said barbarian *eye* has but newly arrived, and is unacquainted with the dignity of the statutes of the *celestial empire*, he is absolved from strict investigation." He again blames the merchants, and threatens to report them to the emperor, but yet, indulgently, "once more commands urgent haste." He says "the barbarian *eye* must immediately set off and leave the port, and not stop in the foreign factories outside the city, loitering about."—"The affair concerns the national dignity. I, the governor, will be able only to report against the said merchants, that they may be brought to trial." He then tells them to "tremble."

The fourth document contains the following report to the Hoppo of the arrival of H. M.'s Superintendents in Canton.

"On the 19th day, 6th of the moon, in the 14th year of Taoukwang, (July 25,) I received the following communication from Chung, superintendent of the Canton maritime customs;—

"The 'domestics' at the custom-house station behind the factories (on the river side, in front,) have reported as follows:—

"In examining we perceived, during the night of the 18th of the present moon, about midnight, the arrival of a barbarian ship's boat at Canton, bringing four English devils, who went into the barbarian factories to reside. After having searched and examined, we could find no permit or pass. And having heard by report that there is at present a ship-of-war of the said nation anchored in the outer seas; but not having been able to learn for what purpose, we think that such coming as this is manifestly a clandestine stealing into Canton. Whether or not the Hong Merchants and linguists are in any way consorting with them, we must, making our report, request you, as our duty requires, to examine. This is a list of the four barbarians' names: Lord Napier, who we hear is a war commander, Davis, Morrison, Robinson."

Taoukwang, 14th year, 6th moon, 25th day. (July 31, 1834.)

This report the Hoppo communicates to the Viceroy, repeats the usual story of the old regulations, complains of the neglect of the Hong Merchants and linguists, and ends with "again issuing his strict orders to the Hong Merchants to examine and reply." Here the governor again takes up his pencil, and tells, the merchants to "immediately obey, and in accordance with the tenor of the several previous orders, ascertain clearly for what the said barbarian *eye* has come to Canton, and why, in disobedience to the regulations,

* A phrase for capital punishment.

he has not requested a red permit. Let them instantly—the same day—report in answer. At the same time, let them order and compel him immediately, with speed, to return to Macao, and reside there, waiting till I the governor have made a prepared report, to request the imperial will to be made known, that it may be obeyed. He must not linger about at Canton. Should there be any opposition, the said merchants will be held solely responsible. Tremble hereat—intensely tremble. These are the orders."

Taoukwang, 14th year, 6th moon, 25th day. (July 31, 1834.)

Now, uniting all these circumstances, to use a favorite phrase of the governor, what conculsion is to be drawn? simply that the local government will soon fall in with the new system of things. The advantages of having a controlling British authority in Canton, or elsewhere, both the emperor and his officers will quickly discover the tone of these edicts are anything but *repulsive;* steadiness, quiet, and union on the part of the British will have the desired and deserved effect. Let us understand no communication from the government or the merchants but what is for our own interest; it is easy to say *puhtung—no can understand.* It is their own way. They will not *act:* and even should the governor be so energetic, which we scarcely hope, as to stop the trade until he hears from Peking, Taoukwang, "the brightness of reason" will surely not be so unreasonable as to turn his *Kwo-haou,* the designation of the years of his reign, into a *sobriquet.* No—any edict from Peking which permits the continuance of the free trade will be the first self-inflicted blow on the exclusive system of the Chinese court. We consider a stoppage of the trade by the local government at the present time, and for the assigned reason of the presence of Lord Napier in Canton, the best thing that could happen for its future freedom and prosperity. Our opinion, perhaps, may not be a very general one; but surely when a reference is made to a supreme authority, it is better to be the aggrieved than the aggressor; and especially when that supreme authority has the most despotic power as in the present case, to punish its officers for their rash impolitic proceedings. The purses of the Hong Merchants will suffer—perhaps their persons; they may be degraded and bambooed for their imputed negligence. The next step of the officers will be to permit and reconcile themselves to what they must be fully aware they cannot alter or prevent. If the emperor and his governors are once thoroughly impressed by the determination of the British nation to have an open trade with China, that open trade will be conceded.

The remark of the governor that "even England (the abode of devils—a regular pandemonium), has its laws," is a concession. The *son of heaven* seems now to know the world contains "that little body with a mighty heart." "A golden bridge for a flying enemy:"—hurt not even the ridiculous pride of the government officers: convince them by the small still voice of reason—so according to their own proverb: *Yew le puh yung kaou shing—he who has reason on his side need not talk loud:*—that the revolving heavens have now brought on a universally beneficial change, which has been indicated yearly by natural phenomena since the "brightness of reason" has occupied the "divine utensil;" say to them

——— jam redeunt Saturnia regna.
* * * * *
tuus jam regnat Apollo.

Allow them to make a good retreat; grant them the honors of war, arms shouldered, drums beating, colours flying; and we are greatly mistaken if the policy of the Tatsing dynasty will not be altered favorably to all the nations under the azure heavens.

## POST OFFICE REGULATIONS.

*(From the Canton Register, August 26.)*

At a meeting of British Merchants, held at the office of H. M.'s Superintendents this eighth day of August, 1834, for the purpose of re-considering the preliminary resolutions of the 4th instant regarding the formation of a Post Office establishment at Canton and Macao. The following resolutions were unanimously agreed to regarding the receipt of letters and parcels.

1. Mr. Markwick is recommended as a fit and proper person to take charge of a Post Office.

2. A Post Office is to be established at Macao and Canton.

3. Authority to be given to Mr. Markwick or his deputy to receive all letters from British ships arriving in China, such authority to be shown to the masters of vessels, on application.

4. To defray the expense and leave a fair remuneration to the Post Master, a postage must be levied on all letters, as follows:

Five cents on each ship letter.

Twenty cents on parcels not exceeding in weight one lb. and five cents additional per lb. the maximum to be one dollar.

Newspapers, and parcels containing newspapers, to be delivered free.

5. A receipt to be given for all letters and parcels, stating ship's name, and day and hour of receiving them.

6. After selecting the Macao and Lintin letters, those for Canton to be immediately forwarded by an express boat.

7. A printed form to be sent with each ship's letter, stating ship's name, number of letters, date of arrival at, and despatch from, Macao.

*Regarding the despatch of Letters.*

1. The intended departure of British vessels, either from Whampoa or outside the Bogue, is to be made known to the Post Master, in order that he may make up a packet for transmission thereby: the same to be delivered to the master of the ship, or the agent, as may be most convenient.

2. Letters to and from Macao to be forwarded on Wednesdays and Saturdays; the hour of starting to be regulated by the tide, of which due notice is to be given by circular, and by advertisement at the Post Office; each letter to be charged ten cents, payable on delivery.

All other foreign merchants, connected with the commerce of China, are invited to give their authority to Mr. Markwick, according to the above resolutions, as far as may be consistent with their own convenience.

As the foregoing plan is only to be considered experimental, and may be liable to future arrangements, the following gentlemen were requested, and agreed, to form themselves into a committee, namely: Messrs J. C. Whiteman, T. Fox, And. Johnstone, Alex. Matheson and W. S. Boyd, any three of whom to be considered a quorum. All future matters relating to the Post Office establishment to be conducted by these gentlemen, who are to report their proceedings to H. M.'s Superintendents, as may be necessary.

(Signed)

J. H. Astell, on the part of H. M. Superintendents.
Jardine, Matheson & Co.
Thomas Dent & Co.
Fox, Rawson & Co.
Whiteman & Co.
James Innes.
T. R. Colledge.
Richard Turner & Co.
Jas. Goddard.
John Templeton & Co.
Dadabhoy Rustomjee.
Dossabhoy Hormajee.
Muncherjee Jamsetjee.
Dossabhoy Rustomjee.
Hormuzjee Byramjee.
Alex. Matheson.
W. S. Boyd for self & Douglas McKenzie & Co.
J. S. Mendes.
E. W. Brightman.
J. R. Morrison.
Naurabhoy Framjee.
Curseljee Sapoorjee Pureck.
Bomanjee Manackjee.
Burjorjee Furdoonjee.
J. Henry.
Ilbery and Co.
John Watson.
A. S. Keating.
R. Browne.
Nich. Crooke.
John Slade.
C. A. Vertannes.
Andrew Jardine.
Robert Thom.
Thos. Allport.
Joseph Cragg.
H. Wright.
Framjee Muncherjee.
Dorabjee Hormasjee.
Framjee Jamsetjee.
Bapoojee Viccajee.
Manackjee Rustomjee.
Ardiseer Furdoonjee.
Jummojee Nesservanjee.

## CONFERENCE.

(*From the Canton Register, August* 26.)

We are glad to have it in our power to lay before our readers the following authentic report of the Conference held on Saturday last between Lord Napier and some Chinese officers.

On the evening of Friday, the 22d August, Howqua and Mowqua came to Lord Napier, requesting that he would receive a visit from the Kwang-chow-foo, the Kwang-chow-hee and the Chaou-chow-foo, in the hall next day, at 11 o'clock. On Saturday at nine the linguists and others arrived with the chairs, stools, &c. of state. These having been placed in a manner altogether derogatory to the dignity of His Majesty's commission, an immediate alteration was made, more consistent with the relative importance of the two parties, and very much to the dissatisfaction of Howqua and his coadjutors. The settling of this important point took up above two hours, when the mandarins having arrived were received by the Superintendents in full dress, and took their seats, without any remark, according to the more recent arrangement of the chairs.

The mandarins having thus kept the Superintendents waiting for above a couple of hours, Lord Napier stated in the strongest terms possible his extreme dissatisfaction, acquainting them that such conduct would not be suffered on a second occasion.

The mandarins stated the object of their visit was in obedience to the commands of the Viceroy, to inquire: first, the cause of Lord Napier's arrival at Canton? second, the nature of the business he was instructed to perform? and third, when was it his intention to return to Macao?

To the first, Lord Napier replied by reading from the records the edict of the Viceroy dated 16th Jan. 1831. Stating that "in case of the dissolution of the Company, it was incumbent on the British Government to appoint a chief to *come to Canton* for the general management of commercial dealings, and to prevent affairs from going to confusion:" And hereupon Lord Napier produced His Majesty's commission in accordance with the said edict, and suggested the possibility of his excellency the Viceroy, as well as themselves, having altogether forgotten the existence of such a document. In respect to the second question, his Lordship's letter to the Viceroy contained an explanation, and he recommended the propriety of their conveying it to his excellency, or of reading it themselves, on condition that it should be deposited among the other national archives,

it being altogether impossible to commit such weighty matters to the hazards of verbal communication. Thirdly, his Lordship's return to Macao would be regulated entirely by his private convenience. A great deal of desultory conversation then took place, in which the mandarins argued that the king of England should have addressed a letter to the Viceroy on the subject, to enable him to report to the emperor.

Lord Napier conceived that such would be a degradation on the part of His Majesty; that the king had appointed him, one of his own household, and hereditary nobleman, and a captain in his Royal Navy, to perform the duties suggested in the edict, and that he conceived himself to be upon a perfect par in rank with the Viceroy, and of course the proper channel of communication. The mandarins also appeared desirous of holding Lord Napier's letter to the Viceroy in the light of a private communication, which might be opened by the Hong Merchants, a proposal which, of course, was firmly resisted; the business of the day being thus concluded, the mandarins partook of a refreshment, and departed in the best possible humour, hinting the probability of their return in a short time. The great military ardour of the Kwang-chow-hee induced him to remark "how very unpleasant it would be for the two nations to come to a rupture;" to which Lord Napier replied, "not the least fear on our parts, as we were perfectly prepared, but that he could assure him of His Majesty's most gracious desire to maintain the most friendly intercourse with the Emperor of China."

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## PROBABILITY OF A STOPPAGE OF THE BRITISH TRADE.

*(From the Canton Register, August 26.)*

Our readers, after perusing the following correspondence, will easily draw their own conclusions as to the probability of a stoppage of the British trade by the Chinese Government.

Office of British Superintendents, Aug. 18, 1834.

*Thomas Fox, Esq., Chairman of the Meeting of Merchants.*

Sir,—I beg to acknowledge the receipt of your note of yesterday, accompanied by an intimation from the Hong Merchants to the British Merchants that "in consequence of my having declined to receive the edicts of the Chinese Government, they, the Hong Merchants, had put a stop to the shipping off cargoes on British account."

I have now to request you will have the goodness to take steps to find out whether this unjust measure has proceeded from the Hong Merchants themselves, or in consequence of orders issued to them by his excellency the Viceroy.—I beg to remain, &c.

(Signed) NAPIER.

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Canton, August 19, 1834.

*To the Right Honorable Lord Napier, His Majesty's Chief Superintendent of Trade, Canton.*

My Lord,—I have the honor to acknowledge the receipt of your Lordship's letter of yesterday's date, requiring information if the stoppage of shipping off cargo on British account has proceeded from the Hong Merchants themselves, or in consequence of orders issued to them by H. E. the Viceroy.

Soon after receiving your Lordship's letter last night, a chop was put into my hands from the Hong Merchants; enclosing copy of one addressed to them by H. E. the Viceroy, entering very fully upon the recent discussions on the subject of British trade; copy of the translations by Mr. Morrison are herewith enclosed for your Lordship's information.

From inquiries I have been enabled to make amongst my brother merchants in Canton, I gather that the threatened measure of the entire stoppage of trade, though apparently originating with the Hong Merchants, could have emanated only from the government authorities.

I have the honor to be, &c.

(Signed) THOS. FOX, Chairman.

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In answer, on the 20th his Lordship acknowledges the receipt of the above letter and chops; expresses regret that his compliance with His Majesty's instructions should be maliciously used by the Chinese for the purpose of annoying the British trade, and favors Mr. Fox, for the information of the British Merchants, with the following extracts from these instructions.

"In execution of the said commission you will take up your residence at the port of Canton, in the dominions of the emperor of China, and you will discharge the several duties confided to you by the said commission and orders in Council respectively, at Canton as aforesaid, or at any other place within the river or port of Canton, or at any other place which may be for that purpose hereafter appointed by us, and *not elsewhere*.

"The Bocca Tigris, which is marked by a fort immediately above Anson's Bay, forms the *limit of the port of Canton*, and your Lordship will accordingly conform to that understanding."

*To the Right Honorable Lord Napier, His Majesty's Chief Superintendent of Trade, Canton.*

My Lord,--I have the honor to acknowledge your Lordship's letter of the 20th instant, and beg to acquaint you that the same has been generally circulated amongst the British Merchants here.

I now beg to enclose copy of a chop received yesterday from the Hong Merchants, requesting a reply to their letter of the 18th, which reply has been sent them this morning, and copy is also herewith sent for your Lordship's information.

I have the honor to be, &c.
(Signed) THOMAS FOX, Chairman.

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Canton, August 21, 1834.

*To the Hong Merchants of Canton.*

We have the honor to acknowledge your letter of the 18th instant, accompanied by copy of one to your address from H. E. the Viceroy of Canton.

We can only repeat that our commercial interests are now under the Superintendence of the Right Honorable Lord Napier, the representative of the king of Great Britain, our most gracious sovereign.

We may, however, remark that the letter of H. E. the Viceroy alludes to the *possibility* of a stoppage of trade, while you state to us that the trade is actually stopped by authority of the high officers.

(Signed as before.)

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*Letter from the Hong Merchants.*

A respectful notification. We have just now received an official reply from his excellency the governor, which we are commanded to enjoin and make known to you.

We now copy out the official order, and send it for your perusal, praying you, gentlemen, to examine it minutely. You will then know that his excellency the governor's extreme desire to cherish those from remote parts is great beyond the power of increase. We pray you to return an answer. This is the task we impose. For this we write. And with compliments, &c.

7th moon, 14th day (August 18.) Signed by eleven Hong Merchants.

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*From Governor Loo to the Hong Merchants.*

Loo, governor of Canton and Kwangse provinces, &c. &c. in reply to the Hong Merchants.

On examination I find, that the trade from the English nation to Canton has been carried on for a hundred and some tens of years. In this long period all regulations have from time to time been reported and established. Whether the said *barbarian eye* (Lord Napier) be an officer or a merchant, there are no means of ascertaining. But having come for affairs of commerce to the *celestial empire*, it is incumbent on him to obey and keep the laws and statutes. It is an old saying "when you enter the frontiers, inquire respecting the prohibitions; when you enter a country inquire into its customs." The said barbarian *eye*, having been sent by the said nation's king from a great distance, is undoubtedly a man who understands things; but his having precipitately come to the provincial city, without having made a full report of the circumstances and causes of coming here, was indeed a want of decorum. I, the governor, considering that it was his first entrance into inner dominions, and that he was yet unacquainted with the established laws, commanded the said merchants at that time to enjoin orders on him, and to inquire and ascertain for what he had come to the provincial city:—that if it were, that, on account of the Company's dissolution, it had become necessary to establish other regulations, he should immediately inform the said merchants, that they might make a report to me;—to afford me data for sending a memorial, by the government post. And that the said barbarian *eye* should meanwhile return to Macao, and await the will and mandate of the *great emperor* being received and published to command obedience. Thus the business would be altogether managed in perfect accordance with dignified decorum, rendering change needless.

To refer to England,—should an official personage from a foreign country proceed to the said nation for the arrangement of any business,—how could he neglect to have the object of his coming announced in a memorial to the said nation's king,—or how could he act contrary to the requirements of the said nation's dignity,—doing his own will and pleasure! Since the said barbarian *eye* states he is an official personage, he ought the more to be thoroughly acquainted with these principles. Before, when he offered a letter, I, the governor, saw it inexpedient to receive it; because the established laws of the *celestial empire* do not permit ministers and those under authority to have private intercourse by letter with outside barbarians; but have hitherto, in commercial affairs, held the merchants responsible; and if, perchance, any barbarian merchant should have any petition to make requesting investigation of any affair, (the

laws require) that, by the said *taepuns* (chief supercargoes), a duly prepared petition *should be in form* presented, and an answer by proclamation awaited. There has never been such a thing as outside barbarians sending *in* a letter. I at that time commanded the *Kwang-chow-hëe* to give minute verbal orders on this subject.

Again, I have examined in order, the points of regulation established by report (to the emperor), and have thrice issued orders, which the said merchants were required to make themselves acquainted with and to enjoin. The subjects discussed in these several orders are the long established regulations, well known to all the barbarian merchants of every nation who have business at Canton—the *flamingly luminous* ordinances and statutes. Thus commencing, I was treating not slightingly the outside barbarians.—Obey, and remain—disobey, and depart.—There are no two ways.

Now, (the merchants) have reported, that on going to the factory to inquire and ascertain facts, the said barbarian *eye* desired to have official correspondence, to and fro, with all the public offices, and would not obey the orders. On examination I find, that the English nation and the officers of the *celestial empire* have hitherto had no intercourse of official correspondence. The barbarians of the said nation, coming to or leaving Canton have, beyond their trade, not any public business.—And the commissioned officers of the *celestial empire* never take cognizance of the trivial affairs of trade. From the time that Canton has admitted outside barbarians to its open market, all affairs relating to commerce and the control over the barbarian merchants have been placed under the entire cognizance and responsibility of the said Hong Merchants. Never has there been such a thing as official correspondence to and fro with a barbarian *eye*.—And of those trading at Canton there is not only the English nation; nor have the English barbarian merchants been at Canton only *one* or *two* years. Yet all have been tranquil and quiet, obeying the laws. There has been no occasion for officers to examine into and manage business; on the contrary, they would but embarrass and impede the merchants. This request to have official correspondence to and fro is not only contrary to every thing of dignity and decorum; but also would prove very inexpedient for the barbarian merchants of all the nations. The thing is most decidedly impossible.

The said merchants, because the said barbarian *eye* will not adhere to the old regulations, have requested that a stop should be put to the said nation's commerce. This manifests a profound knowledge of the great principles of dignity. It is most highly praiseworthy. The circumstances of the said barbarian *eye* (Lord Napier's) perverse opposition necessarily demand such a mode of procedure. It would be most right immediately to put a stop to buying and selling.—But, considering that the said nation's king has hitherto been in the highest degree reverently submissive, he cannot in sending Lord Napier here at this time have desired him thus obstinately to resist. The some hundreds of thousands of commercial duties yearly coming from the said country, concern not the *celestial empire* the extent of a hair or a feather's down. The possession or absence of them is utterly unworthy of one careful thought. Their broad cloths and camlets are still more unimportant, and of no regard. But the tea, the rhubarb, the raw silk, of the inner dominions are the sources by which the said nation's people live and maintain life. For the fault of one man (Lord Napier,) must the livelihood of the whole nation be precipitately cut off! I, the governor, looking up and embodying the *great emperor's* most sacred—most divine wish,—to nurse and tenderly cherish, as one, all that are within and all that are without,—feel that I cannot bring my mind to bear it. Besides, all the merchants of the said nation dare dangers, crossing the seas myriads of miles, to come from far here. Their hopes rest wholly in the attainment of gain by buying and selling.—When, the other day, being summoned by the said merchants to a meeting for consultation, they did not attend,—it was because they were under the direction of Lord Napier. It assuredly did not proceed from the several merchants' own free will. Should in one morning the trade be wholly cut off, it would cause great distress to many persons,—who, having travelled hither by land and sea, would by one man (Lord Napier,) be ruined. They cannot in such case but be utterly depressed with grief. In commiseration, I again give temporary indulgence and delay. Let the said merchants again immediately enjoin, particularly and minutely the orders, requiring the said barbarian *eye*, with unruffled mind, to consider thrice. He should know that the said nation trades here, and annually amasses great gain, entirely in consequence of this *sacred dynasty's* extreme wish to cherish tenderly those from far. It in no way regards the trade as an advantage, and cannot be hampered or constrained by any consideration for it. If the old-

established regulations be not in accordance with reason, how could all the barbarian merchants yield to them the willing submission of their hearts! and obediently keep them! Since the said barbarian *eye* occupies an official situation, all merchants of the said nation, when they do not keep the laws, will require to be controlled and constrained by him. But if he talk not reasonably, how can he gain the submission of the multitude! I, the governor, have for some tens of years, extended my care over those within and those without, and have never treated a man contrary to propriety. How can I be willing to treat tyrannically the requests of men from far! But what concerns the *national* dignity will not admit of being transgressed or passed over.

I hear that the said barbarian is a man of very solid and expansive mind, and placid speech. If he consider he can himself doubtless distinguish right and wrong, let him on no account permit himself to be deluded by men around him. If he can repent and arouse, obey the previous orders, and act according to them, let him answer through the said merchants, and the trade shall continue as commonly. If he still maintain his obstinacy and do not arouse, then it will appear, that the said barbarian *eye* does not wish the said nation to have here the liberty of the market, the trade shall be immediately stopped, and the commerce eternally cut off. Hereafter, when the said nation's king hears respecting these repeated orders and official replies, he will know that the whole wrong lies on the barbarian *eye*,—it is no way owing to any want on the part of the *celestial empire* of extreme consideration for the virtue of reverential submission exercised by the said nation's king. —Let the said merchants take also this reply and, having enjoined it authoritatively on the private merchants of the said nation, and the barbarian merchants of every nation, that they may make themselves acquainted with it, let it be folded up and preserved.

Taoukwang, 14th year, 7th moon, 14th day, (August 18, 1834.)

## HIS MAJESTY'S BIRTHDAY.

*(From the Canton Register, September 2.)*

On Tuesday, the 26th instant, Lord Napier gave a sumptuous dinner to the British subjects in Canton, in honor of H. M.'s birthday. Invitation had been issued by his Lordship for Thursday the 21st, the anniversary-day, but, in consequence of the floods, the dinner was postponed. Tables had been prepared for about ninety guests, but the officers of H. M.'s ships *Imogene* and *Andromache* did not arrive to dinner. About sixty persons sat down to table, the Parsees who declined dining, came after dinner to drink the king's health; a separate table being laid for them in the verandah.

The cloth being removed, Lord Napier proposed the health of our most gracious sovereign King William IV. with four times four. His Lordship said, in rising to propose His Majesty's health, he was at a loss for words fully to express his feelings. The sovereign whose health the company present were about to drink had done more good to his country than any of his predecessors. The passing of the Reform Bill alone would transmit his name with honor to the latest posterity. That great measure had not only had a magical effect on Europe, but its influence had been felt around the wide circle of the globe itself. But the efforts of our beloved king had not been confined to the destruction of parliamentary monopoly alone; in his reign commercial monopoly had also been overthrown. The trade to China was no longer hampered and shackled as it had once been. The gentlemen who formed the present party might now push their spirit of commercial enterprize to the farthest verge that British daring would carry it; and he trusted their efforts might be crowned with ample success. Our gracious sovereign had once sailed the salt seas himself, and in his heart he was still a true English sailor. He sincerely loved the profession, and it was his ardent wish to patronize to the utmost of his power—navigation—and her twin sister—trade. The British residents in Canton engaged, in a peculiar degree, the paternal care of His Majesty. He had it from his most gracious Majesty's own lips how much he loved them; and it was now in their power to show that they were not wanting in loyal feeling to their patriot king.

Never was toast drunk more enthusiastically. It would have done our beloved sovereign's own heart good (God bless him) to have heard the cheers with which his health was drunk by his loyal subjects in this distant part of the world. A gentleman facetiously observed that the cheering was loud enough to startle the governor from his bed. After the king's health had been drunk, Mr. Compton senior, sang "God save the King," in very fine style, and the whole company joined in the chorus.

His Lordship then gave the "Queen," and said that within the wide circle of the British dominions there is no woman who can add a greater grace to her private character, or a brighter lustre to her domestic virtues.

Drunk with three times three.

Lord Napier then gave the "Princess Victoria," and when it should please Almighty Providence to call her to the throne of the British empire, may she prove as good a woman as her mother, and as great a queen as Queen Bess. Drunk with three times three. The "Army and Navy" were then drunk with hearty cheers. Captain Elliott, R. N. returned thanks, and gave "the Commerce of Canton." Mr. Jardine, as one of the commercial community, returned thanks. Lord Napier then proposed the health of two gentlemen, the pleasure of whose company he had hoped for that evening, but, from some mistake or other, they had not arrived. These two gentlemen, his Lordship said, were ornaments to one of the professions we had just toasted, and were now in this country merely to afford us protection. He gave Captain Blackwood and Captain Chads of the Royal Navy.

Their healths were drunk with cheers, and Captain Elliott having returned thanks for the honor done to his brother officers, begged all the gentlemen present to fill bumpers, as he was going to give a toast which he knew they would drink with loud applause. He gave the health of H. M.'s Chief Superintendent, Lord Napier.

There certainly never was cheering more tremendous. The hall rang with one universal shout, which was heard over the whole range of the foreign factories. After the cheering had subsided his Lordship rose and said, were he gifted with the eloquence of a Cicero, he might even then feel at a loss to make a meet return for the courtesy with which his health had been drunk. He feared the applause was above his merits; all he could boast of—and on that point he would yield to no man—was a sincere desire to discharge his duty. He deeply lamented that in acting up to the instructions contained in H. M.'s commission, he had been involved in a misunderstanding with the Viceroy, which had, for the present, caused a stoppage of the trade. He trusted, however, this would be for no length of time; and he was of opinion that a show of firmness in the present instance would have a good effect; that the principles of free trade would be spread among the Chinese, and that ere long British stems would visit every port of China. To effect this was the worthy object of his highest ambition. It was an honest pride—and he was not ashamed to avow it—that he would glory in having his name handed down to posterity as the man who had thrown open the wide field of the Chinese empire to British spirit and industry. His Lordship then adverted in a very feeling manner to the East India Company. It did not become us to cherish feelings of enmity against the mighty dead. The East India Company was now defunct in China. There might be some present who had felt galled by its monopoly, when it existed; but now that its power in China was extinct, hostility should be buried in oblivion. The influence of the East India Company in China had been overthrown by the genius of free trade; and, perhaps, in a few short years that body might no longer have a being. We ought, therefore, only to remember the great men it had given to the country, the lustre which has been added to the British name by its deeds of glory, and the solid advantages which our native country is actually deriving from it while it still sways the rod of empire. He would give "The Honorable East India Company, and success to its measures when they are not opposed to the good of the people," which toast was drunk with loud applause.

Mr. Young, who was a member of the late factory, returned thanks; and made use of a metaphor of the branch and parent stem. We regret that we were too far removed to hear the whole of Mr. Young's speech, who evidently spoke with impassioned eloquence.

Lord Napier then gave Captain Neish and the country trade: loud cheers.

Captain Neish, in returning thanks, declared himself very much taken aback by the honor that had been done him so unexpectedly. As a return he begged to propose the health of Lady Napier and her amiable family. The toast, which was given with much good taste and gallantry by the veteran captain, was drunk with rapturous applause.

Lord Napier, in returning his sincere thanks, vowed to make Captain Neish himself, as the *youngest* married man, bearer of the news to her ladyship of the honor that had been done her.

The Parsees having now joined the party, his Lordship rose, and proposed the health of our Parsee friends. They were, his Lordship observed, a most industrious, enterprising and valuable class of British subjects. Their peculiar situation made them especially an object for exercising the generosity of the English people. The remnant of a once mighty nation, they had been driven from their homes by the iron hands of the Turk and the Arab. They had sought protection under the shadow of our banners, and lived in the hope of yet returning to their native land, when Mahommedan superstition should have passed away.

This toast was drunk with loud cheers, when Dinear Derabjee, in simple and affecting terms, returned thanks on the part of his countrymen, and proposed the health of Lord Napier, which was drunk with three times three. At the particular desire of the Parsees, the health of Lord Clare, governor of Bombay, was proposed and drunk with the usual honors.

The health of Lord William Bentinck, Governor General of India, was drunk with the usual honors. Captain Baker proposed the health of Captain Charles Napier, late of the British Navy, and now admiral of her most faithful majesty Donna Maria. Lord Napier returned thanks for the honor done the gallant admiral, whom he was proud to call his cousin.

In the course of the evening several songs were sung by Mr. Compton, junior, Captain Melville, Captain Crawford, Mr. Whiteman, Mr. Keating, Mr. Cragg, &c.

The party broke up about 12 o'clock, but several joined the Parsees in the verandah, where their festivities were prolonged to a late hour.

The dinner passed off extremely well. Lord Napier did every thing an able chairman could do to make his guests feel at home. We never witnessed a greater display of general good feeling. We must apologize for giving a mere outline of what Lord Napier said; we did not take any notes, and have been obliged to trust entirely to memory

The public dinner in Canton of the 26th of August, 1834, in honor of H. M.'s birthday, will long be remembered by all who had the happiness to partake thereof with feelings of the most sincere pleasure.

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## INTERESTING TO THE CHINESE MERCHANTS.

*(From the Canton Register, September 2.)*

The following is the official translation of the notice hung up at the public entrance of the British Consulate on Saturday last, and generally distributed throughout Canton :—

*State of relations between China and Great Britain at present. A true and official document.*

On the 16th January, 1831, the Viceroy Le, in consequence of advice from the Hong Merchants, issued an edict requiring the chief of the factory to write home, stating that in case of dissolution of the East India Company, it was incumbent on the British Government to appoint a chief to come to Canton for the general management of commercial dealings, and to prevent affairs from going to confusion; whereupon, at the dissolution of the Company, the king of Great Britain, in accordance with the wishes of the Viceroy, appointed Lord Napier, a member of his own household, an hereditary nobleman, and captain in his Royal Navy, to come to Canton for the above most laudable purpose; and report himself by letter to the Viceroy. Accordingly Lord Napier arrived at Canton on the 25th July, and next day forwarded his letter to the city gates, which was offered to the mandarins for the purpose of being delivered, and refused by the whole of them. It is false to say that the British officer who carried the letter desired to force his way within the precincts of the palace. The Hong Merchants, it is true, desired to take it, but it was quite derogatory to the dignity of the representative of the king to communicate through the merchants. The Viceroy now complains that he knows not for what reason Lord Napier has come, at the same time forgetting the edict of his predecessor, which brought him here, as well as his own obstinacy in refusing to receive the letter of a man of equal rank with himself. His excellency then publishes edicts requiring Lord Napier to retire to Macao; and on the 18th August publishes another edict, in which he states that the Hong Merchants have requested the trade to be stopped, but in commisseration says he "I again give temporary indulgence and delay;" knowing at the same time that the trade had been actually stopped by the Hong Merchants two days before. The Viceroy then sends the Kwang-chow-hee, and the Chaou-choo-foo, to require of Lord Napier the object of his visit, the nature of his duties, and the time of his return to Macao. Lord Napier replies to the first by a reference to the edict of January 1831; to the second by a reference to his letter to the Viceroy, which contains all the intelligence, and which they refuse to open or convey; and to the third, that his return to Macao depends entirely on his private convenience. The ignorance and obstinacy of the Viceroy has thus allowed the Hong Merchants to put a stop to the trade, when he himself only threatens to do so. He sends his mandarins, and they return as empty as they went when the official document was offered for their conveyance; and the consequence is, that thousands of industrious Chinese who live by the European trade, must suffer ruin and discomfort through the perversity of their government. The merchants of Great Britain wish to trade with all China on principles of mutual benefit, they will never relax in their exertions till they gain a point of equal importance to both countries, and the Viceroy will find it as

easy to stop the current of the Canton river, as to carry into effect the insane determinations of the Hong.

(Signed) NAPIER,
Chief Superintendent.

Canton, August 26, 1834.

## MEETING OF BRITISH MERCHANTS.

*(From the Canton Register, September 2.)*

At a meeting of British Merchants held in the hall of His Majesty's Superintendent on Monday, the 25th August, 1834.

Mr. W. S. Boyd apologized in Mr. Fox's name for that gentleman's absence on account of ill health, and proposed that another person should be appointed to the chair to preside at the present meeting.

It was unanimously agreed that Mr. W. S. Boyd should take the chair on the present occasion.

The proceedings since the last meeting were then read and approved.

Moved by Mr. Dent, seconded by Mr. Jardine, and unanimously agreed, that the consideration of the letter from the Right Honorable Lord Napier to Mr. Fox, of the 20th instant, be deferred, and subsequently referred to the Committee of the Chamber of Commerce when formed.

The observations of Mr. Goddard on the rules and regulations for the establishment of the Chamber of Commerce were then read.

Moved by Mr. Dent, seconded by Mr. Innes, and resolved, that the rules and regulations be now referred to a committee to be appointed.

Proposed by Mr. Innes, seconded by Mr. Dent, that gentlemen willing to become members of the Chamber of Commerce do now signify the same; when the following gentlemen gave in their names, reserving to themselves full power to draw back if they should not be satisfied with the rules as formed by the committee.

| | |
|---|---|
| Mr. Innes. | Framjee Muncherjee. |
| ,, Jardine. | Mr. Thom. |
| ,, Whiteman. | ,, Vertannes. |
| ,, Dent. | ,, Fox, by Mr. Whiteman. |
| ,, Keating. | ,, A. Johnstone, by Mr. Jardine. |
| ,, Crooke. | ,, Matheson, by Do. |
| ,, Watson. | Nanabhoy Framjee. |
| ,, A. Matheson. | Muncherjee Jansetjee. |
| ,, Henry. | Dorabjee Hormuzjee. |
| ,, Mendes. | Bapoorjee Viccajee. |
| ,, A. Jardine. | Bomanjee Maneckjee. |
| Burjoorjee Furdoonjee. | |
| Dadabhoy Rustomjee. | |

Proposed by Mr. Jardine, seconded by Mr. Whiteman, and resolved; that the following gentlemen be appointed to act as a committee to revise or approve the rules and regulations drawn up by Mr. Goddard:

| | |
|---|---|
| Mr. Dent. | Mr. J. Matheson. |
| ,, Turner | ,, W. S. Boyd. |
| Dadabhoy Rustomjee. | |

And that three should be a quorum; and that they do report their proceedings to a meeting to be called for the purpose at the earliest possible date.

Proposed by Mr. Dent, seconded by Mr. Jardine, and carried unanimously, that the most cordial thanks of the meeting be voted to Mr. Goddard for the trouble he has taken in drawing up the scheme for a Chamber of Commerce.

Proposed by Mr. Jardine, seconded by Mr. Dent, that the thanks of the meeting be voted to Mr. Fox for his services in carrying on the correspondence since the last meeting, and to Mr. W. S. Boyd, for the trouble he has had in the office of Secretary and for filling the chair on the present occasion.

The meeting then dissolved.

WM. SPROTT BOYD, Chairman.

## STOPPAGE OF THE BRITISH TRADE.

*(From the Canton Register, September 9.)*

We publish the official translation of the edict of governor *Loo*, ordering the stoppage of the British trade, to which we have subjoined a few notes:—

*Edict of the Governor of Canton.*

Loo, governor of the provinces of Canton and Kwang-se, &c. &c. and Ke, Fooyunne of the provinces of Canton, &c. hereby issue a proclamation and clear order; that in consequence of the English nation disobeying the laws and statutes, the holds of its ships are to be closed, and a stop put to its trade.

* Outside barbarians being admitted to a general market, is owing to the good favor of the celestial empire towards men from afar, it is of no advantage to the commercial duties. All who are of the barbarian people should in every thing obey the laws and statutes, they must not transgress or oppose them. England has traded at Canton during a course of a hundred and several tens of years. For all matters regulations have been established, having been reported to the emperor. The chief supracargoes and

* The first clause in this edict begins with a most extraordinary assertion. We have no desire to kindle the wrath of our Chinese friends to a greater degree than that in which it is now burning, but we cannot help thinking that governor Loo must be ill-informed as to the statistics of the two provinces of his government, Kwang-tung and Kwang-see, and of the neighbouring maritime province of Fuh-keen, containing, combined, a population of 41,269,835, mostly employed in, if not dependent on, foreign commerce, and its thousand ramifications, when he states that the admission of "barbarians to a general market"—so called by him because it is *not a general* market—is of no moment to the resources, aye, to the stability of this unwieldy empire. And the admission that the English have traded here "during a course of a hundred and several tens of years," is a strong cause for claiming the restoration of old privileges and demanding new, consonant with our present imposing position. As to obeying the laws—if we knew what they were, and if they protected us from every villainous extortion—had we a right of appeal—then in requiring us to obey the laws, and the *laws* only, governor Loo would have his much boasted reason more on his side.

the private merchants of the said nation, conducting affairs here, have long paid obedience thereto. We, the governor and lieutenant governor, from the time of taking our offices, have soothingly treated outside barbarians; and with this view have in nothing failed to display tenderness. This is what you, merchants and people, have all known and seen.

* In the 6th moon of the present year, an English barbarian, Lord Napier, who asserts that he is a barbarian *eye* (or head-man) and has come to Canton to inquire into and direct the affairs of trade, suddenly came up to reside in the barbarian factories outside the city. Not having previously reported respecting himself, and not having requested and obtained a red passport from the superintendent of customs, this conduct was rash and ignorant. I, the governor, commanded the Hong Merchants, Woo-Tunyuen (How-qua) and the others, to investigate respecting the occasion of his coming; and I ordered that, if there were any commercial affairs in which changes were requisite and necessary, he should inform the Hong Merchants, that they might make a prepared report, thereby affording grounds whereon to present to the great emperor a memorial, requesting his mandate, to be obeyed and acted on. The said barbarian *eye* did not at all pay obedience to the order and inform the merchants; but hastily presented a letter. Examining at that time the established rules of the celestial empire, and finding that ministers have no outward intercourse with outside barbarians, I disallowed any private intercourse by letter. But Lord Napier, in coming to Canton, is wholly without an official communication from the said nation's king: whether he be a merchant or an officer cannot be known. Heretofore, when, in the affairs of foreign commerce, officers have had to investigate any matter, they have ordered the Hong Merchants to enjoin their commands. And when the barbarian merchants have had to petition on any subject, they have petitioned through the medium of the Hong Merchants. Even though Lord Napier be really a barbarian *eye* (or head man), how can he have intercourse by letter with the commissioned officers of the celestial empire! It would be greatly detrimental to the dignity of government.

* I, at that time commanded the Kwang-chow-hee to make it known authoritatively, that he was not permitted to report respecting, or to present letters. Considering that as it was the said barbarian *eye's* first entrance into the central flowery nation (China), he was ignorant of the principles of dignity. I further made a minute examination of the old regulations established at successive periods by sanction of memorials to the emperor, and arranging these, I commanded the Hong Merchants to enjoin them authoritatively upon him: to make him plainly hear the prohibitions and the customs; and to inform him of the decorum of propriety and good sense, and of the impracticability of acting unreasonably: thus to turn the subject in every direction, opening the way, and guiding him again and a third time.

† After this, How-qua and the others stated, that the said barbarian *eye*, Lord Napier, would not obey the orders enjoined by them, and wished to have official correspondence with the officers of China; that he did not keep the laws, and they therefore requested that a stop should be put to the said nation's trade. If the circumstances of Lord Napier's dullness and stupidity were referred to, it would have been right immediately to have closed the ships holds. But I, the governor, considered that the said nation's king has hitherto been reverently obedient; that Lord Napier's want of understanding in affairs was not in conformity with any purpose of the said nation's king; and there were no means of ascertaining positively whether he had been sent by the said nation's king or not. I also considered, that the said nation's barbarian merchants are many, and it is just now the time when they are bringing on cargo in great quantities, having crossed over the sea several myriads of miles, and braved dangers, all in the hope of trafficking and getting gain; and that while the woollens, clocks, and watches brought from the said nation are in this inner land extremely unimportant, the tea, the rhubarb, &c. of this inner land are absolutely necessary for the support of life, throughout

* With reference to the "*changes*" in commercial affairs, and the presence of Lord Napier in Canton, how limpingly the governor endeavours to hobble out of the dilemma in which he has fixed himself by believing or professing to be, ignorant of the communication made to his predecessor Le, by the Select Committee, and his reply to it. As to his doubts as to the real station of Lord Napier, we trust they will be so speedily removed as to make even himself wonder he ever entertained them. Indeed, by and by he will deny he ever did doubt Lord Napier's being a *real eye*, or that he ever took him for a *glass one*.

* His fatherly schooling of Lord Napier is admirable, and will be highly lauded, no doubt, by the Court of Directors and the *Quarterly Review*.

† His Britannic Majesty, King William IV. will doubtless be highly gratified at this approval of his zealous fealty to his suzerain Lord, Taou kwang, emperor of China. And the considerate and unbounded compassion of the governor will also be equally appreciated by the British merchants; but we are sorry to say that the governor has in this paragraph said the thing that is not, which common circumstance cannot excite any surprise, even in those who know the least of China and its government officers.

the whole of the said barbarian nation. Looking up, therefore, and embodying the extreme desire of the great emperor, that his grace should be displayed to the four quarters, and that all, within and without, should be alike regarded with the same benevolence, I could not bear, on account of the fault of one man, Lord Napier, precipitately to reject them utterly. I replied to the Hong Merchants, commanding them to give indulgence and temporary delay. And I again commanded the said merchants further to elucidate the orders; that if he would repent, arouse, and be reverently obedient, the trade should continue as formerly; but that if he still adhered to stupidity, then, as requested, the buying and selling should be immediately stopped.

* Again, thinking as the Hong Merchants have heretofore long directed the commerce of the barbarians, why Lord Napier should alone be unwilling to petition through the medium of merchants; I apprehended that the subject of his petition might have included something expedient to be mentioned, which was therefore kept secret within the merchants breasts; or that the said merchants in enjoining the orders might have been wanting in plainness and perspicuity. The affair concerned those out of the bounds of civilization, whose minds, without perfect clearness and entire sincerity, could not be broken down and brought into subjection. I accordingly sent the Kwang-chow-foo and Hëe, with a deputed officer, to proceed to the barbarian factories, to investigate and give verbal orders, thus to admit of a personal petition and statement being made, and so prevent there being any thought cherished but not spoken out. Owing to the said Foo and his colleagues not having taken with them linguists, they were unable to say all. They were ordered to take linguists and again proceed to give commands; but now the said barbarian *eye* has become suspicious and apprehensive, and will not receive the linguists as communicators of what is said. The languages of the flowery people and the barbarians are not the same, and without linguists by what means can any thing be communicated? This is still more removed from what is reasonable.

† Having examined we find that in the intercourse of merchants, a mutual willingness is necessary on both sides. There can be no overruling control exercised by officers. How can the officers of the celestial empire hold official correspondence with barbarians! In the important territory of the provincial metropolis, how can an outside barbarian official *eye* be suffered to dwell, transacting business, and extravagantly lauding and magnifying himself. To the mercantile guests it is attended with many real objections.—With regard to territory it would also have its consequences. All these are things which cannot be allowed to be brought into operation.

* Moreover, Lord Napier, without having made petitions for the purpose of asking that a clear memorial should be drawn out to request information of the imperial will, did suddenly rush up and thrust forth his own opinion. From time to time orders were enjoined on him. Of myself, I, the governor, may say, that I have lowered myself to regard the barbarian disposition; but the said barbarian *eye* has listened to what has been told him as if he were entangled in a net. He is indeed stupid, blinded, and ignorant. It is impossible to make him comprehend reason. If such a misled extravagant man be at Canton in control of the trade, the mercantile people also will hereafter be unable to enjoy mutual quiet. It is evidently becoming that the ship's holds should, according to law, be closed.

With the exception of all goods, the sale or purchase of which was settled previously to the stoppage, and which in consequence are still allowed to be transferred, it is now justly decided by us, the governor and lieutenant governor, that from the 12th day of the present moon (August 16th,) all buying and selling on the part of the English nation is wholly put a stop to.

Besides giving orders to all the Hong Merchants to pay obedience hereto, and to withdraw from the barbarian factories all compradores, linguists and hired servants; besides, also, sending an official communication to the Hoppo, making inquiry for and seizure of Chinese traitors, to be tried and punished; and making a proclamation in

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* Here the governor "is still more removed from what is reasonable." Lord Napier possesses an excellent interpreter in Mr. J. R. Morrison, the eldest son of the late Dr. Morrison; whose blunt correctness, however, is too much for celestial "ears" polite. The governor wishes all the reports made to him to be of a "fine rose colour," as passive obedience and non-resistance is what he observes to his superiors and demands from his inferiors.

† The observation of the governor, "*with regard to territory it would also have its consequences*," we consider one of the most important in the edict. In a pamphlet on the China trade, published in London, 1830, it was observed that, "the government must allow the introduction of the warehousing system, if the monopoly of the Hong Merchants is destroyed; and this concession, however desirable, is hardly to be hoped for, as it would be thought to be yielding the first outwork to foreign intrusion, for it would at once imply a right of residence, and a claim to protection." The governor foresees what must eventually occur, and with politic address endeavours to prevent the taking root of—what must appear to him—so strange an anomaly.

* The governor here draws a most weak and miserable conclusion. It may be evident to him that Lord Napier should depart from the provincial city, but he will, we suspect, shortly find that his *non-sequitur* of "closing the ships holds," will lead him into serious difficulties and responsibility. The rest of the edict is undeserving of any special notice.

print drawn from the several successive orders before issued; this proclamation and clear order is now also issued. For this purpose, proclamation is hereby made to all you soldiers and people, mercantile men and others; and to all the barbarian merchants of every nation, requiring your full acquaintance herewith.

From the period of this proclamation, mercantile people of this inner land are not permitted to buy of, or sell, to the English nation any goods or things whatever, large or small; and all manner of workmen, boatmen, &c. are also not allowed to receive hire or employ of the said barbarians. Should there be any having clandestine dealings or receiving hire, let the local officers immediately examine and seize them, to be punished according to the law against holding clandestine intercourse with foreign nations. In this the said barbarian *eye*, Lord Napier, has cut himself off from the celestial empire. It is not at all what we the governor and lieutenant governor have liked to do.

The barbarian merchants of all other nations are still permitted to trade as usual. They need have no suspicion or anxiety.

Let all with trembling awe obey: oppose not. A special proclamation.

Taoukwang, 14th year, 9th moon, 29th day. (September 2, 1834.)

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*Letter from Lord Napier to the Secretary of the British Merchants.*

Office of British Superintendents, Sept. 5, 1834.

Sir,—Translation of an edict, dated the 2d instant, and issued by the Viceroy and Foo-yuen, has been laid before the Superintendents, by which it appears "that all commercial dealings up to the 18th ultimo are to be confirmed, all goods paid for up to that date are to be shipped, after which the trade is altogether stopped."

Referring back to the 16th August, it appears that an order was issued by the Hong Merchants to suspend the trade. On the 18th an edict from the Viceroy appeared "threatening to cut off the trade for ever—but of commiseration granting indulgence and delay."

In spite of this indulgence, no chops for embarking or landing cargoes were issued, consequently a complete stop to foreign trade has ensued since the 16th. In the meantime, however, in full reliance on the edict of his excellency of the 18th, a great deal of business has been done in the way of buying and selling between the British and Chinese merchants, which obligations do not appear to be acknowledged by the edict of the 2nd instant.

This forms a ground of grave complaint and remonstrance to the Viceroy on the part of the British.

The permission to embark goods, paid for up to the 16th, is vitiated in a great measure by the prohibition to land cargoes from those ships daily expected for the very purpose of embarking the cargoes so contracted for.

This anomaly presents a second ground of remonstrance.

These two points shall be made subjects of discussion with the authorities, and any remarks on the part of the merchants will be attended to accordingly.

The edict goes on further to state, that all workmen, boatmen, or others are no longer allowed to receive hire, consequently all such persons, including servants and watchmen, have deserted the service of the Superintendents.

To remedy this inconvenience, and to afford a sufficient protection to the treasury of the E. I. Company, it has been requested that a guard of marines may be landed within the premises, and that His Majesty's ships *Imogene* and *Andromache* may pass the Bogue, and take up a convenient position at Whampoa for the more efficient protection of British subjects and their property. I have to request you will make the same known to the merchants and believe me, your very obedient servant,

(Signed) NAPIER.

To Wm. Sprott Boyd, Esq.

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*Second Letter from Lord Napier to the Secretary of the British Merchants.*

Office of British Superintendents, Sept. 6, 1834.

Sir,—Copy of a chop has been laid before me this evening by Mr. Morrison, by which it appears, "that the governor has ordered all the forts and guard houses only to allow British vessels to go out, but none to come into port."

Now it appears to me, from the delay and difficulty which will be experienced by ves-

sels arriving from England before they can deliver their cargoes, that it may be absolutely necessary for the same boats or vessels to pass between Lintin and Canton *several times* before the trade even up to the 16th can be embarked.

Under these circumstances, I am desirous of letting the Viceroy know, as soon as possible, that any such insult as firing on the British flag, before the trade is all embarked, will be duly resented. If any of the merchants have any remarks to offer either on this head or those mentioned to you in my letter of yesterday, I shall be obliged by their doing as soon as possible.

I am, &c.

(Signed) NAPIER.

To W. S. Boyd, Esq., Sec. to the Merchants.

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*From the Hong Merchants to the British Merchants.*

A respectful communication. We have just now received an order from the governor, which states that he has ordered all the forts and guard-houses, that English boats and ships are only allowed to go out of port; they are not allowed to enter. As is right we inform you [illegible]ing that you will examine [illegible]d act acc[illegible], pray and also that you will an[illegible]ordingly; [illegible] of the ships that inform all the gentlem[illegible] this we trouble they may all obey. With [illegible] you. For this we write.

(Eleven names subscribed.)

8th moon, 4th day. (September 6, 1834.)

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The following is the reply of the Hoppo to a petition for a renewal of the British trade drawn up by Messrs. Whiteman and Co., and signed by them, by Messrs. Thomas Dent and Co., E. W. Brightman, and several Parsees, and presented in the course of the past week.

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*Answer of Hoppo Chung to the address of Messrs. Whiteman and Co., Dent and Co., and other British merchants, dated September 7, 1834.*

*Chung*, by imperial appointment, superintendent of customs at the port of Canton, &c. &c.

Hereby issues an order to the Hong Merchants, requiring their full acquaintance herewith.

The English barbarian merchants, Whiteman and others, have presented a barbarian petition in Chinese writing, as follows:

[Here follows the address of the 2d instant.]

This coming before me the Hoppo, and being authenticated, I at the time issued the following public reply.

During the trade of the English nation at Canton, the said barbarian merchants have hitherto respectfully regarded the sacred virtue which has cherished them tenderly, and have implicitly obeyed the laws and statutes of the celestial empire for a continued period of upwards of a hundred and several tens of years; they have thus enjoyed mutual tranquillity, pleasure, and profit. Now, Lord Napier, calling himself the said nation's barbarian *eye*, has, without having previously reported respecting himself and requested a permit, suddenly came to the barbarian factories. This is extremely rash and ignorant. Several times he has been with assiduous earnestness and clearness commanded, if there be any affairs of trade which it is requisite and necessary to alter, he must immediately inform the Hong Merchants, that they may report fully, thereby affording grounds whereon to send a memorial to the emperor, in order that his mandate may be obtained and obeyed.

Further, considering that as it was the first time the said barbarian *eye* had come to the central flowery nation, he was ignorant of [illegible]principles of dignity, the governor [illegible]the p[illegible]and military officers [illegible]ain deputed high civil [illegible] to go to the barbarian factories, to explain fully the regulations established at successive periods by memorial to the emperor: thus opening the way and guiding him again and a third time.

Afterwards, the Hong Merchants, on account of the barbarian *eye*, Lord Napier, not obeying the orders enjoined, requested that a stop should be put to the said nation's trade. It would have been proper to have closed the ship's holds immediately. But it was considered that the said nation's king has hitherto been reverently obedient, and that the said barbarian merchants have come from far, passing over many seas, and sailing for several times ten thousand miles, in defiance of dangers, to come here, so that it would be inexpedient, because of one man, Lord Napier's, perverse disobedience, to overwhelm all the said merchants with grief. The government lowered itself to the barbarian dispositions. Most perfect and well arranged was its conduct. Not as Lord

Napier's obstinate, unyielding, wilful, irregularly honoring and magnifying himself; both full of objections with respect to the mercantile guests, so as to be impracticable, and also, it may be apprehended, productive of consequences to the commercial affairs of the said barbarian merchants. At that time the governor and Fooyuen, with me the Hoppo, consulted, and resolved from the 12th day of the 7th moon to issue a prohibition stopping the trade, as is on record.

Now the said barbarian merchants have made a petition requesting and earnestly soliciting the favor of continuing the trade as usual. It was because Lord Napier did not obey the laws and statutes of the celestial empire, but presumed to squat himself down in the barbarian factories; therefore a stop was put to the said nation's trade. It is commanded that the orders be immediately enjoined on Lord Napier, that on the same day he request a passport and retire to dwell in the barbarian factory at Macao. If he wish to come to Canton, to manage the trade of the barbarian merchants, let him, according to old regulations, make a petition through the Hong Merchants to the governor and Fooyuen, and to me, the Hoppo, that we may have ground whereon to forward a conjoint memorial, requesting the mandate of the great emperor, to be obeyed and acted on, report being at the same time made that it has been obeyed.

Our imperial sovereign's glory is displayed to the four quarters. There is no place so distant that it is not reached. There is none who does not stand under the copious showers of his gracious favors. It is necessary to seek to obtain his permission and sufferance. Let the said barbarian *eye* immediately leave the provincial city and retire to reside at Macao, in every thing obeying the enactments, statutes, and old regulations of the celestial empire, and acting according thereto. Then I, the Hoppo, will condescend to grant what is requested:—I will immediately communicate and consult with the governor and Fooyuen, to issue orders re-opening the ship's holds, and continuing the trade as usual.

I, the Hoppo, have exercised my office five years, and am deeply convinced that the said barbarian merchants, having approached the civilization of the celestial empire, do implicitly obey the wisely-enacted laws. Now I, the Hoppo, have received commands to return to court to fill an official situation. I certainly cannot bear, that for the actions of one man, Lord Napier, the trade of all the men of the said nation should be precipitately cut off.

Besides now writing a communication to the governor and Fooyeun, I issue this order. When the order reaches the said merchants, let them immediately enjoin the order on the said nation's barbarian merchants, that they may know it. A special order.

Taoukwang, 14th year, 8th moon, 5th day. (September 7, 1834.)

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## ACTION OF THE BOGUE FORTS.

(*From the Canton Register, October 7.*)

At half past 12, on the 7th September, H. M.'s ships *Imogene* and *Andromache*, under the command of Captain Blackwood, got under weigh to proceed through the Bogue. A stir was immediately perceived among the war junks in Anson's Bay, and the Chunpee and Taykoktay forts. All of them at first commenced firing blank cartridge, and the two forts followed it up immediately with shot, which from the distance fell far short and astern of H. M.'s ships. The junks, about a dozen in number, got as far as they could into the recesses of Anson's Bay. As H. M.'s ships neared and got within range of the forts, the wind suddenly shifted to the N., the *Imogene* standing towards Wangtong fort on one tack, and the *Andromache* towards Anunghoy on the other. The *Imogene* waited until Wangtong had fired several shots, when the last one having nearly reached her, was answered by two; another was answered by two more in quick succession; the *Andromache* in the meanwhile returning the fire of the Anunghoy battery with several well aimed shot, some of which plunged into the parapet with prodigious effect, and raised clouds of dust, while others passed clean through the embrasures. The British fire while it lasted silenced the forts, but as it soon appeared that any pause on the part of the ships produced a renewal from the batteries, it became necessary to discontinue the order to cease firing on the maindeck. The action was most brisk on getting into the middle of the channel, but the Chinese fired like men in a panic, aiming very wild, or rather letting fly as the ships arrived nearly at the line of fire for each gun as it was laid. There could not have been much re-loading or training of the guns, after the first discharge. The only tolerable firing was on the part of Wangtong fort, on the island, from which

the *Imogene* received several shot, one of them coming through the side of the quarterdeck, knocking down and slightly bruizing a seaman with the splinters, and grazing the fore-part of the mainmast, a great many more passed between the hammocks and the awning; and the interest which one, new to this species of argumentation, took in such a splendid sight, on a fine day (which it was) now and then received a rude interruption by the whistling of a shot close to the head. The whole of the slow working passage occupied nearly an hour and three quarters, during which the frequent tacks so often exposed H. M.'s ships to be raked by the batteries, that the little or no damage experienced from the enemy sufficiently demonstrates their want of steadiness and skill. They ought to have sunk both ships. The round stern armaments proved extremely useful. The perfect indifference with which the *Louisa* cutter was manœuvred through the passage by Captain Elliot sitting upon deck under an umbrella, must have provoked the spleen of the Chinese, for several of their shot struck her, one of them cutting nearly a third through the mast, and another injuring the gunwale of the jolly boat. The lascars behaved extremely well on this occasion, the cutter being, on tacks, nearly as much exposed to t' of her friends as of the forts. S having effected the passage and t the batteries to their perfect sa the wind obliged H. M.'s ships to a elow Tiger island.

Perpetual calms or baffling airs kept them at anchor here until the afternoon of the 9th, when they weighed to pass Tiger island. In the interim the Chinese were observed very busy in adding to their means of annoyance; a number of boats bringing additional supplies of arms and men, and a parade of some hundred match-lock men took place on the rampart. As the ships got under weigh with a fair breeze, the larboard guns were duly trained and prepared. The battery reserved its fire longer than was expected, but the moment the first shot had passed the ship's bows, a most tremendous and well directed cannonade was opened from them. The ships steered close under the fort, not more than 200 yards from it, the parapet over-looking them. The crews gave a loud cheer just as they got in front of the battery, and the effect was evident in slackening the enemy's fire. Some grape shot of a rude cast reached the ships in a spent state, which was answered with grape and canister, and the musquetry of the marines and top men. One of their shot killed the captain of the *Imogene's* fore castle, and three more were wounded, but not severely. The *Andromache* had a seaman killed on the maindeck and three wounded. So many thirty-two pounders entered the embrasures, or shattered the stone parapet, that the Chinese loss must have been considerable. A jos house within the fort was a heap of ruins. This battery got very severely punished; more business having been done in a shorter time than on the former occasion. The ships then anchored below second bar from want of wind.

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## FORCING OF THE BOGUE.

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*(From the Cawnpore Examiner, December 27.)*

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*Extract from a Letter dated His M.'s ship Imogene, at anchor in Urmston's Harbour, mouth of the Canton River, September 28, 1834.*

We left Singapore on the 3d August, and on the 11th anchored at the island of Lungnedt, the mouth of the Canton River. Here we fell in with H. M.'s ship *Andromache*, the ship which brought out Lord Napier. The two ships proceeded up to Chuentree, an anchorage 34 miles below Canton. Doubtless before this reaches you, you will have heard of Lord Napier's arrival at Canton, of his being refused to be received by the Viceroy, of the stoppage of the Chinese trade, and though last not least, of the forcing of the passage of the Bocca Tigris by H. M.'s ships *Imogene* and *Andromache*.

If I were to give you a full account of the whole business, and endeavour to do justice to the subject, I should fill many sheets; even with considerable curtailments, I filled four letters crossed at all points to *John Bull*.

Considering the uncertainty of the post conveyance to the district India stations, I am induced on the present occasion to contract my operation within still narrower limits, but as I flatter myself that the proceedings in which I have had a share must be interesting to you, I shall enter fully into their details.

Perhaps you are aware that the local government at Canton, holding foreigners, whom they styled in their edicts as *barbarian*, in the greatest contempt, only to deign to

carry official correspondence with the British authorities through the medium of the Hong Merchants. Lord Napier on his arrival at Canton sent to the Viceroy a letter announcing his coming, and his objects in doing so, but as he refused to allow his letter to be opened by the Hong Merchants, it was not received, the Chinese government taking umbrage, or pretending to be offended at Lord Napier's coming to Canton without having previously obtained permission. The emperor published several edicts, ordering him to set off instantly and return to Macao. The style of these edicts is extremely absurd. Lord Napier's precipitately coming to Canton is declared to be a great infringement of the established laws, and altogether contrary to the high principles of dignity, but in consideration of the barbarian *eye* (that is, chief or head man) being a new comer he is absolved from strict investigation. I cannot forbear quoting at length the following high flown passage, as it conveys an idea of the opinion of the Chinese of the relative political condition of their own country and England, " to sum up, the nation has its laws, it is so every where; *even England has its laws* (!) How much more then the celestial empire! How flaming bright are its great laws and ordinances, more terrible than the awful thunderbolt; under the whole heaven none dares disobey them, under its shelter are the four seas; subject to its soothing care are the ten thousand kingdoms." As Lord Napier paid no attention to these orders of government, the Viceroy put a stop to the British trade, and this measure producing no effect on the 3rd or 4th of September, the Chinese posted up insulting placards against the walls of the factory, and took away all their servants, and soon after stopped Lord Napier's supplies. In consequence of these proceedings, Lord Napier requested Captain Blackwood to move the ships up the river to Whampoa, the highest anchorage up the river, about 8 miles below Canton, where the ships generally receive their cargoes. The narrow part of the Canton river terminates at the Bocca Tigris, about 2 miles above the anchorage, at Chuentree. The Bocca Tigris, sometimes also called the Bogue, is defended by six forts, three placed immediately in the entrance and about 2 or 3 miles below one on each side and one about 2 miles above on the west side of the river. The lowest fort on the east side of the river is Chuerpee fort, and opposite to it on the other shore is Tyeock fort. The distance across from one to the other is about $2\frac{1}{2}$ or 3 miles. Each of these forts mounts about 10 guns. About three miles above Chuentree fort, on the east side of the river, are the old and new forts of Anenghoy, the former mounting 10 guns and the latter 40 or 44 guns. A little above Anenghoy new fort on the opposite side of the river is Wanghton first fort, a very extensive fortification, having a tier of guns as well as a fortified tower on the upper part of the island, the lower tier has 48 guns and the upper 58; we were too far distant to ascertain whether any guns were mounted on the tower behind.

About two miles above Wangton, first on the west side of the river is a fort on Tiger island, mounting, we imagine, about 30 guns; the position of this fort is admirably chosen, as the channel of the river obstructed in many places by shoals passing in this part close to the walls of the forts. The width of the river abreast of Wangton forts does not exceed two thirds of a mile, so that if the fort were properly manned the passage would be quite impossible. This digression on the position of the forts is necessary to enable you to understand the ensuing narration. To return to the ships. Captain Blackwood received Lord Napier's letter on the 1st September, and immediately a party of 13 marines, commanded by a lieutenant and two mates, supplied by the two ships, sailed in a small schooner up to Canton. They passed the forts unobserved and reached Whampoa before day light the next morning, whence they were forwarded to Canton in the boats of the merchant's ships. As soon as the arrival of the marines at the factory was known to the Chinese, they put a stop to all communications up to the river. In the mean while the ships at Chuerpee made every preparation for battle and were joined on the night of the 6th by the cutter belonging to the factory, having Mr. Davies, the second superintendent on board. I should also observe, that on the night of the 5th, Sir G. Robinson, the third superintendent, arrived from Canton with further despatches from Lord Napier, so that his Lordship at this juncture was without the assistance of either of his colleagues in office. On Sunday the 7th, we weighed in company with the *Andromache* and *Love* cutter and stood across the entrance of the Bogue, the wind being very light and not fair.

At 12-25 the junks in Anson's Bay, seven in number, commenced firing blank guns; 12-47 we tacked and stood towards the fort on Tiger island; at 2-15 we bore up, ran through the channel, which is only 800 yards wide, accompanied by the *Andromache* and *Love*, and stood towards the old and

new forts of Anenghoy, and soon after Chuerpee and Tyeock forts fired some shots which passed astern and fell far short. As we continued to advance regardless of their fire, at 1-16 Wangtou fort, and soon after the old and new forts of Anenghoy opened their fire at 1-27. As there was no longer reason to doubt their intention of opposing our passage, we opened our fire in return, and our example was soon after followed by the *Andromache*, as we passed through the passage. We were engaged with Wangtou fort on one side and Anenghoy on the other, sometimes even as we were obliged to work through, we were in a position to be racked; but thanks to the bad aim and bad powder of the Chinese, and to the able support of the *Andromache*, our damages were notwithstanding very trifling. At 2 we ceased firing as our guns would no longer bear, and as by this time the wind had fallen nearly calm, we found it necessary to anchor, although we had still to pass the fort on Tiger island. The only person wounded on either of the ships was one of our men hurt in the arm by a splinter. Our damages were very trifling, one shot in the larboard side and one of the chain plates shot through, and one shot through the quarter deck hamock netting, which grazed the main mast, together with some half dozen ropes shot away. The *Andromache's* damages were still more trifling. On the 8th, the forenoon being calm and the wind being foul in the afternoon, we were compelled to remain inactive; on the 9th fortune was more favorable: at 2-10 P. M. we weighed with a light breeze from the southward, and at 2-20 the fort on Tiger island opened its fire, which we returned as fast as our guns would bear, being as we passed about 250 yards distant; we kept up a heavy fire, so that at 2-35 the fire of the fort was silenced, our efforts being ably seconded by the *Andromache;* our firing continued till 2-45, when we ceased; our guns being no longer able to bear; at 4 P. M. we anchored about five miles from Tiger island. Neither of the ships received any damage, worth mentioning, in rigging, mats or sails, but I am sorry to say that each ship had one man killed and three or four wounded —none very seriously; my station was on the quarter deck, on the first day, as the upper deck quarters were busily engaged trimming sails. As we worked through the passage we only fired the quarter deck guns once, but having a fair breeze on the 9th, our men made up for their inactivity at the guns. From subsequent observations made as we re-passed the forts on the 24th, our antagonists appeared to have experienced considerable injury from our fire; marks of new masonry being in many places visible on the walls. Various reports have been in circulation as to the number of their killed and wounded, on which however no reliance is to be placed, as they evidently disagree, and the Chinese government from motives of policy conceal information on that head. On the 10th and 11th we pursued our voyage up the river, our progress being unavoidably slow by our want of pilots and by the intricacy of the navigation of the river. On the 11th we got on the shore twice, but luckily got off both times, and anchored at Whampoa late in the evening. While at Whampoa we continued perfectly ready for action, and as rumours were prevalent of the intention of the Chinese to send fire rafts down the river to destroy us, boats were sent away every night manned and armed and provided with fire grapnels to guard against them. In the interim Lord Napier continued to negociate with the Chinese authorities, but unsuccessfully, so that on the 15th he publicly announced his intentions of retiring and allowing the trade to be opened, which the Chinese had declared they would do as soon as he had withdrawn to Macao in compliance with their wishes. He, however, wished to go down to Macao in the cutter belonging to the factory, then lying at Whampoa with us, but this the Chinese refused to allow unless the frigates previously went down the river, but they offered to furnish him with one of their own boats. This demur caused the protraction of the negotiation for some days, but at length Lord Napier yielded the point in dispute, as his ill-health rendered it absolutely necessary that he should leave Canton; his departure was immediately followed by the retirement of the marines from Canton and by the withdrawal of the ships from Whampoa. We re-passed the forts on the 24th quite peaceably, although we were prepared for the worst in case of an attack. We are now lying in Urmston's Harbour, whence, when the weather is settled, we proceeded to Macao. Lord Napier is now at Macao, and of course there his commission has been respected, he must remain there inactive till he hears from England. In the interim, the trade has been resumed and affairs proceed quietly as before. If the home government take up Lord Napier's affairs warmly, there will probably be work for the Navy here next year; at any rate, I think we shall find it necessary to make a demonstration on the coast to support the negociations which will be entered into relative to this business.

*( To be continued. )*

# SKETCHES IN THE EASTERN SEAS.

## No. I.—PENANG.

He who can endure with equanimity a dead calm at sea for three days together under a vertical sun, may truly be said to keep his heart, like Benedick, "ever on the windy side of care." For myself, I found it quite as difficult in such a situation to get to the windy side of care as to the windy side of the ship. For three panting days did we experience an uninterrupted calm in the Bay of Bengal; on the fourth, when our hearts were nigh fainting within us, a gentle breeze sprung up, it gradually freshened towards the afternoon, nor failed us till we made the Islands called the Seyers, when shaping our course further east, we were carried by a squall in a few days within sight of Pulo Bouton, and next morning the Island of Penang was seen dimly shading the horizon many a league a-head. A delightful breeze during the day brought us within a few miles of our port, when at sunset the clouds gathered darkly around us, and a gale came on, accompanied by violent rain, and heightened in its interest by a thunder-storm such as I had seldom before experienced. The night set in dark as pitch, save when the lightning shone out with a fearful and dazzling brightness that paled the lights in our cabins through the very chinks in the bulkheads. We were glad to anchor. All ports and scuttles were closed in, and in a short time, nought was to be heard but the raging of the sea, the creaking of the ship as she laboured heavily, and the awful crashing of the thunder over head as if the very rafters of heaven were breaking. I fell fast asleep in my cabin, and did not awake till after sunrise.

The port of my cabin was open, a fragrant and refreshing air was playing in, I heard the waters ripling gently without, and a soft sunbeam was stealing tenderly upon my couch; the sound of distant voices chaunting a wild strain, and ever and anon swelling out into full chorus seemed approaching—and half doubting the evidence of my senses, full as my dreaming ear still was of "the wild wind and the remorseless dash of billows," I hastily arose, and beheld a scene of picturesque splendour that needed not the tempest as a foil for its peaceful and majestic beauty. The first rays of the morning sun were struggling through a noble canopy of clouds, and fell in all their richness on the romantic hills of Penang, which but a few hundred yards on our right, towered in lofty and fantastic groups from the very water's edge, covered to their summits with luxuriant foliage. Falling gently back in form of an amphitheatre, they bounded a verdant plain beneath, whose sandy beach winded off in the distance, spotted with pleasant white cottages and terminating finally in the headland where the flag of Fort Cornwallis was already saluting our approach. On our left, the coast of Queda, or the Malay territory, stretched down a broad level expanse of country, lined behind by a broken range of blue mountains on whose breast hung the fleecy vapours of the valleys, imparting a singular character to the landscape as they floated away into innumerable forms. The advance of the sun gradually altered the features of the scene, and as the channel narrowed in our approach, nearer beauties on either side became visible, the bungalows on the Penang beach more frequent, and we could even descry the sentries passing their rounds on the ramparts of the fort. In about half an hour, we doubled the jetty and dropped anchor.

The neat little town of Penang now lay before us, basking in the morning sun, an irregular assemblage of white-walled, tile-covered, broad-eaved houses, wharfs and godowns; built with small pretensions in the open and airy style of eastern architecture, and chiefly pleasing from the romantic beauty of its situation. Nothing can well be conceived more picturesque than this. Behind the town, about two miles distant, stood "this goodly pile, this solemn theatre" of mountains decked in "majestic woods of every vigorous green," the highest peak, or *the hill* as it is called *par eminence*, rising very abruptly to the height of nearly 3,000 feet above the sea. The plain on which the town is situated narrowing as the bay forms to the south, the hills in that direction swell at once into lesser and more diversified groups, and possess a character of their own from the extensive cultivation of spices which is there carried on. Patches of green lawn peep out occasionally from underneath the bright shade I may almost call it, of the graceful nutmeg and clove-trees which here burden the air with their

fragrance; while neat thatched bungalows, rather like summer houses from a distance than dwellings, command from the summits of these balmy hills an enchanting view of the bay beneath, the town, the shipping, and the sunny islands that gem the straits far as the eye can see. The range of which *the hill* is most conspicuous, presents here, too, a greater variety of scene than from the channel on the east. Remoter peaks are described between the tops of the nearer hills, and in front a deep and wild ravine attracts the eye by the superior gloom of its sylvan solitude and the dark luxuriance of its umbrage.

Lastly, you turn your eye to the south, where some four miles off, the bold Island of Pulo Jarajah stands like a sentinel at the further end of the harbour, and though intercepting the view of many a fair island beyond, makes amends by the beauty of the deep tints which distinguish its foliage from the "lighter glories" behind it.

Leaping ashore on the sandy beach beside the pier, where a few idle natives were sitting on their hams, or lying "carelessly diffused" in still more indolent postures, we proceeded up the road. The place appeared half-deserted; not a *deganiero* even saluted us; the houses that we passed looked on us, with their broad-low eaves, like heavy eyelids half concealing their windows, as if they were falling asleep in the deep shade of the almond-trees that screened them: the flies buzzed about our ears; a sepoy or two saluted and gazed at us as we went by; a couple of Chinamen, who crossed the way at some distance with pitchers of waters slung across their shoulders, were objects of interest; and in a little green by the wayside, a row of ship's anchors, not to be out done in the heavy listlessness which reigned around, seemed as if they had taken root for ever among the long grass that shot up about them. "A weary land of drowsy heads it was." How strangely did this appearance of lifelessness in nature called *animated*, jar with the active emotions of delight and admiration which the *animate* scene had previously awakened within me!

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## No. II.—MALACCA.

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Malacca, from its political adventures, has acquired a strange union of characteristics in themselves the most uncongenial and unamalgamable. Its fort was originally very strong, was built by the Portuguese, strengthened by the Dutch, and blown up by the English—so that it is now reduced to some picturesque ruins. Its annihilation in 1808, when the place was restored to the Dutch, gave vast offence to that worthy nation. The houses which are still occupied by Dutch from the nearest street in the town. They are not built with verandahs after the Anglo-Indian fashion, but are sheltered from the sun by far-projecting eaves, and tall trees of deep shade at top. The ground apartments are all tile-floored and sometimes sanded in genuine Batavian taste, while from their dark, well-polished wainscoating, their broad-latticed windows graced with flower-pots, and sometimes a massy and capacious fire-place with its black marble-cheeks and lofty mantle-piece, surmounted by an old fashioned mirror, decorated with fragments of venerable China-ware, and the walls perhaps animated with the solemn visage of some erst redoubtable Burgomaster, or his equally redoubtable help-mate—European associations are insensibly recalled to the mind of the looker-on, and beguile him for a moment into a forgetfulness that he is a sojourner in the east. Should the broad-bosomed "house mother" pass herself across his vision, in all the pomp and plenitude of petticoat—"fold within fold, voluminous, inscrutable," the enchantment will for an instant be complete.

But "the day" of Malacca has "gone by"; some old names and recollections are all that remain to it; and it looks now for all the world like a superannuated Dutch clock that has *stopped going*.

But let no stranger who visits here, pass by the house of a certain venerable matron who keeps, and who has kept for Lord knows how long, the principal place of entertainment, so called in the town, Mrs. —— (I cannot trust myself with the orthography) is quite the tutelar goddess of Malacca; her inn is her temple; and the heavy oaken table in the large well-sanded public room, and which seems coeval with Albuquerque himself, is her altar. Ah, the libations that have been poured thereon! The air of ever-duringness and imperishability in this sanctum is conceivably imposing. One is irresistibly impelled to

"quaff some immortality" in the massy wooden-bottomed arm-chair, whose tall, stiff back has ere now, he is almost persuaded, given ease to the limbs of many a stalwart hero, jaded and weared with cuirass and taslet, and whose eyes must have reposed, through the cloudiness of a fifth flagon, with something short of a holy lustre, on the sweet image of the Virgin which once graced these walls. But no! These things, dear traveller, if they occur to you, are the mere coinage of the brain. The antiquity of aspect which so gains on you is not remote; this dusky apartment has been hallowed by the presence of other worthies than those of the field, and blackened by the smoke of other pipes than ever fumed beneath plume and head piece. It is sacred to the memory of jolly Burghers—"ancient men, men of renown"—faithful disciples of him who held that "not to be at bed at midnight, was to be up betimes," and who have kept moistening their barren clay in these their easy chairs, (for the other is the only one that is not so) till either their kind help-mates withdrew the goblets, or Mrs. —— herself hinted the propriety of an adjournment, dropping something further perhaps touching "good hours" and "evil tongues." Whose else than the awful and impressive weight of a real Burgomaster, big with designs that would have crushed any other than an Atlas, could have "stamped" on that spacious and well-worn velvet-cushioned chair so vast "an image of himself?" What powerful political influence is expressed in that huge indenture! What comprehension and magnitude of design in this wide circuit! What calm resolution and unshakedness of purpose in the equable compression! What imperturbability of temper, and what gravity of deportment embodied in that soft rounding! and withal, what solemn (I may not exactly say *sober*) consciousness of worth and dignity diffused in every part, and what resignation, as it were, to the arduous labours of civic office!

Here now, for I cannot heedlessly presume that Mrs. ——'s reign is even yet over—here, if you wish to relieve the tedium of a solitary though "lusty brimmer" on a long moony evening, you may have the strangest stories told you of the old Dutch governors, and their deputies, and their wives, and their daughters, and how Commissioner Van This ordered one thing, and Commissioner Van That ordered the other, and how they quarrelled; and how the Burghers thereupon eat vast dinners here, smoaking away week after week and month after month, in remonstrance, as they said, though to no purpose;—and how three French sailors were once hanged for kissing some vrows in the twilight, and then stabbing their gallant sweethearts; and how one of the Councillors, who was a Baron, honest man! actually went the length of *threatening* to resign his seat because he could not convince the then governor that five thousand guilders for reparing a skylight in the Stadt-Huis was fifty times more than the whole Stadt-Huis was worth;—and then, and then, you learn how these happy times are all over, and every thing now going to wrack and ruin; and how the very bell that used to sound to church so pleasantly, has of late got such a timber tone that the spread of christianity has been sensibly affected by it. All these things, and more, can Mrs. —— rehearse to you "till the dead of night do creep upon your talk," past, present and future become dim and indistinct, your brain confused with vague imaginings, and you sink at last into a pleasing reverie wherein all the personages whose stories you have been hearing, seem to mingle and ravel together in the maze of an obscure, fleeting, and incomprehensible mystery!

## No. III.—SINGAPORE.

A truce with ceremony! Come, dear reader, thy hand,—and away with me to one of the many lovely eminences that overlook the town and harbour of Singapore. Can you look round now on these pleasant hills and vales and the smooth ocean far beyond, bursting from a summer shower into all the glad beauty of sunshine, nor feel your spirit refreshed by the scene? See how the cattle on that hill-side top their tails for pleasure; the birds that have been hushed for a little time by the rain, come forth from the thick cover of the woods and fill the air with their happiness; the brook that creeps along the dell to our right overflows its little banks, and as it winds away seems, in the beautiful language of the Bible, to "make glad the thirsty land"; every moist leaf that glitters in the sun has its silent expression of gratitude for precious moisture that hath descended

on it with the blessing of heaven. As we gaze, the shower travels away over the distant islands making their hills and valleys conspicuous by contrast with the sunshine which pursues it; and now a little white sail—another—are seen stealing forth on the waters, like sister spirits in a dream, now lost behind the trees. A gentle gust from the sea sweeps up the woody glen—what fragrance in its cooling breath! what life in its genial embrace! The little shrubs quiver before it in every stem, and even the gigantic palms condescend to shake their leafy tops to it with something of a solemn playfulness befitting their stature and venerable age!

Every thing in this interesting and important settlement bespeaks the recent encroachment of man on the realms of savage nature. Alas! he has brought vice and misery with him as well as the blessings of industry. The Chinese settlers who form a principal part of the population of the Island, are the most desperate gamblers on the face of the earth, and are passionately addicted, as is well known, to the use of opium. Their propensity to these vices has been availed of by the British Government as a source of revenue, and a portion of the town of Singapore, when I visited, it was occupied by licenced houses for their express indulgence!

through t... scene, and never shall I forget the impressio... made on me. The street was lighted up by tor... flaring from every shop,—the crowd of peo... was immense; stalls with fruit, vegetables, ... sweetmeats were scattered by the wayside, and the stench of population was intolerable. The scene reminded me of what I had witnessed in passing through some of the great streets in the city of London on a Saturday night—the busy idleness, the stare of the lounger, the bustle of the vender—the fœtid squalor, the lurid light, the loathsome merriment. I involuntarily secured my pockets, and pushed on through the crowd. Stepping into one of the gambling houses I found eight or ten Chinamen sitting in a circle cross-legged on a mat covered plat-form scored with black lines, where an old grey bearded man, whose hand appeared to shake the dice box by its own natural palsy, superintended the orgies with a stern countenance. The board was covered with small copper coins which were every instant swept away by some winner, and as soon succeeded by other stakes. All were intensely occupied with the game; I remarked one man in particular on every line of whose countenance anxiety was pained most bitterly; his last stake was thrown, and lost—he made a sudden spring to the door, but was instantly pulled back, and he resumed his seat with a singular air of unconcern. A woman and a little boy were partakers in the game! a gong suddenly sounding, this scene of the drama ended in the dispersion of all the characters; but I saw a new party instantly sit down, as I was leaving the house.

In the street I found a large crowd assembling a little way on, in front of some exhibition, which proved on my nearer approach to be a Chinese stage-play. The scene was conducted on a platfrom projecting from one of the houses and illuminated by a number of torches and oiled-paper lamps. The performance was wretched and indecent in the last degree, but excited great mirth in the degraded audience. The actors were habited in grotesque but miserable garments, and wore masks: and the dialogue was carried on in a sort of recitative to the low music of a piper who sat in his common dress at the side of the stage. The owners of the gambling-houses maintained this company of strollers as an attraction to their *hells*. I went afterwards into other gambling-houses where the stakes were higher, and the apartments fitted up with greater care. Women and children were in almost all these places, and the same terrible effects of this accursed passion everywhere more or less conspicuous in the haggard countenances of the players

From the gambling houses it is but a few steps to the Opium-taverns—*facilies descensus!* but you leave all the din, the glare, and the bustle that *there* bewilder into vice, behind you; and in *these* dark shades the miserable look for nothing but an oblivion of their wretchedness. It is impossible to convey an adequate idea of these horrid abodes, where all seemed cheerless, gloomy and uninviting, even to the most depraved votary of vice. In a long, low, damp floored, dimly lighted apartment, whose walls and roof were black and greasy with smoke, and the air close almost to suffocation with the tainted breath of its occupants, I found at least a score of people in all different stages of intoxication. I noticed one who had just come in to provide himself from the stand at the door with a portion of the drug, and throwing himself down on a bench, begin to melt it in to the bowl of his pipe by applying it to the flame of the lamp beside him, when he sucked in the noxious vapour at one huge draught. He reposed for a whole, and then renewed it. Another gaunt wretch I perceived more frequent in his inflammations, his reason evidently beginning to fail him, and his head to swim. Some were made loquacious, though not loud, and conversed together till their tongue

got clogged, and their eyes heavy. And in others, the helpless exhaustation of every limb, the fixed fiery eyeball, the swollen cheek, the slobbering betle-stained lips, told too plainly that every energy was prostrated, and that the demon on whose altar this incence had been so unsparingly offered, had abundantly answered the invocation of the miserable worshippers at his shrine. But let us step into fresher air!

How different is the aspect of a city in the East from what we are accustomed to in England! Here we have no causeways shaking to the rapid wheels of carriages or stage-coaches, or ringing with the heavy rumble of more ponderous drays and waggons. Here no cheerful shops lighten the pavement by night, and no "pillar of smoke" hangs over the city by day. No toll-bars indeed interrupt the hurried traveller, annoying his temper more than inconveniencing his purse, but neither is he invited to the commodious hotel where jolly landlord with a countenance all redolent of cheer and welcome, hastens to undo the door and let down the steps at his approach. The sunny solitude of these unpaved streets is enlivened by no cries indicative of "milk" or "mackerel" "cross-buns" or "Christmas-pies." No newsman's horn in the distance twangs ominous of dire events in their second edition. No lamplighter flies along at twilight with unaccountable speed, to make the busy scene illustrious. Your ears at morning are not here saluted by the din of opening shops, or at a later hour by the grinding of barrel-organs or the strumming of hurdy-gurdies. Here are no ancient buildings, no venerable Cathedrals, with old fashioned dial plates, no crumbling towers, no solemn Guildhalls, no antique monuments:—no firemen, no watermen, no jarvies, no charleys, no chimney-sweeps! It is the absence of these and of a hundred other characteristics, more than the existence of positive features which marks the distinction I speak of; and time is rapidly obliterating all that is not the unavoidable consequence of difference in climate.—*Bengal Herald.*

# THE NEW INDIAN INSOLVENT ACT.

ANNO QUARTO AND QUINTO.

GULIELMI IV. REGIS.

CHAP. LXXIX.

An Act to amend the Law relating to Insolvent Debtors in India. [14*th August*, 1834.]

Whereas an Act was passed in the ninth year of the reign of His late Majesty King *George* the Fourth, intituled *an Act to provide for the Relief of Insolvent Debtors in the* East Indies, *until the first day of* March, *One Thousand Eight Hundred and Thirty-three*; and by another Act passed in the second year of the reign of his present Majesty King *William* the Fourth, the said Act was continued in force until the first day of March, One Thousand Eight Hundred and Thirty-six; and whereas in and by the said Act to provide for the Relief of Insolvent Debtors to the *East Indies*, certain provisions were enacted as to a commission of bankruptcy issuing against any such insolvent debtor as therein mentioned, and as to the proceedings consequent thereon; and amongst other things it was enacted, that a certificate obtained under such commission as therein provided, should have the same force and effect in all places situate without the limits of the *East India* Company's Charter, as if the same had been duly signed in the usual way after such bankrupt had duly surrendered and passed his last examination; and it was also by the said Act amongst other things provided and enacted, that whenever it shall be made to appear to the satisfaction of any Court for Relief of Insolvent Debtors, upon the application of any insolvent, his assignee or assignees, or

any of his or her creditors, that the estate of such insolvent debtor which shall have come to the hands of the assignee or assignees shall have produced sufficient to pay and discharge three-fourths of the amount of the debts which shall have been established in such Court, or that creditors to the amount of more than one half in number and value of the debts which shall have been so established, shall signify their consent in writing thereto, it shall be lawful for such Court to inquire into the conduct of the said insolvent, and if it shall appear to such Court that the said insolvent has acted fairly and honestly towards his or her creditors, such Court shall be fully authorized and empowered thereupon to order that the said insolvent shall be for ever discharged from all liability whatsoever for, or in respect of such debts so established as aforesaid, and such Court shall, in the order to be drawn up, specify and set forth the names of such creditors; and after any such order shall have been so made no further proceedings shall be had in the matter of the petition before the Court, unless upon appeal made to the Supreme Court of Judicature of the presidency where such Court for the Relief of Insolvent Debtors shall be holden as thereby authorized; and it was by the said recited Act also provided, that no such order as last aforesaid shall prevent any creditor who shall not have been resident within the limits of the Charter of the said United Company at any time between the filing of such petition and the making of such order as last mentioned, and who shall not have taken part in any of the proceedings under the said petition, from bringing any suit or action in the *East Indies* for the purpose of obtaining execution against the goods, estate, or effects of such insolvent for any unsatisfied claim of such creditor, nor from bringing any suit or action for such claim in any Court of the United Kingdom of *Great Britain* and *Ireland*, or elsewhere without the limits of the said United Company's Charter, against such insolvent, in the same manner and with the like consequences and effects as if such order as last mentioned had not been made: and whereas it is expedient to extend and add to the provisions of the said acts, so as to give to insolvent debtors, being traders, who shall have acted fairly and honestly towards their creditors, an additional and more complete discharge, and also to render more effectual the means of obtaining such discharge, and at the same time to preserve to such insolvent debtors such relief as is already afforded by the said recited acts; and whereas under the provisions of the act passed in the first and second years of his present Majesty King *William* the Fourth, intituled *an Act to establish a Court in Bankruptcy*, a fiat is issued in bankruptcy in lieu of a commission of bankrupt in every case where the Lord Chancellor, by virtue of any former Act had heretofore power to issue a commission of bankrupt: Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present parliament assembled, and by the authority of the same, that any person who now is, or who shall hereafter become, an insolvent debtor within the intent and meaning of the said Act of the ninth year of the reign of His Majesty King *George* the Fourth, either upon petition filed, or by adjudication on an act of insolvency as therein provided, and who at the time of such petition being filed, adjudication made as aforesaid shall have been or shall be a person who, by an Act passed in the sixth year of the reign of His late Majesty, intituled *an Act to amend the Laws relating to Bankrupts*, or by any act hereafter to be passed, would be deemed a trader liable to become bankrupt, shall be at liberty, at any time not earlier than three months from the making of such assignment as in the said Act, intituled *an Act for the Relief of Insolvent Debtors in the East Indies*, directed, or from any such adjudication of insolvency as therein mentioned (as the case may be), to apply by petition for his discharge to any one of the said Courts in the *East Indies* for the relief of insolvent debtors, in the said last-mentioned Act mentioned as shall have already jurisdiction over the matter of his insolvency; and the principal officer of such Court shall cause a notice of such petition to be forthwith inserted in the Gazette of the presidency within which such Court shall be holden; and the chief secretary of the Government of such presidency

shall, without delay, transmit to the Court of Directors of the said United Company, by different ships, two at least of every such Gazette which shall contain such notice as aforesaid, who shall, without delay, cause such notice to be inserted in the *London Gazette*; and all creditors of the said insolvent, either alone or as a partner with any other person or persons, and either within the limits of the said Charter of the said United Company, or elsewhere, who shall not, within fourteen calendar months from the filing of such petition for a discharge as aforesaid, have given notice to the said Court of his dissent from such insolvent having his discharge, shall be taken to have assented thereto; and thereupon, and at the expiration of the said fourteen calendar months from filing of such petition for discharge as aforesaid, if it shall appear to such Court that the said insolvent has acted fairly and honestly towards his creditors, and unless creditors to the amount of one-sixth in number and value of the debts that shall have been established in such Court shall have given notice of their dissent as aforesaid, or unless a fiat in bankruptcy (not being a fiat issued under the provisions of the said recited Acts 'to provide for the Relief of Insolvent Debtors in the *East Indies*,') shall have been sued out in *England* against such insolvent within the time herein-after provided, such Court shall be authorized and empowered to order the discharge of the said insolvent from liability for debts, claims, and demands of, and against such, Insolvent; and such order shall operate (save as herein-after provided) as a release and discharge from all debts, claims, and demands for which such insolvent was liable at the time of his petition for relief being filed, or of any such act of insolvency committed as aforesaid (as the case may be), and whether within the limits of the Charter of the said United Company, or elsewhere, and whether such debts, claims, and demands shall or shall not have been established in such Court as aforesaid, provided, nevertheless, that such order shall not operate as a release or discharge of any person who was partner with such insolvent, or jointly bound or liable with him.

II. Provided, always, and be it further enacted, that in cases any fiat in bankruptcy shall be issued in *England* against any such insolvent trader as aforesaid, under the provisions of the said Act, intituled *an Act to provide for the Relief of Insolvent Debtors in the East Indies*, or under the provisions, of any other *act* passed, or to be hereafter passed, respecting insolvent debtors in the *East Indies*, then and in such case such order for discharge as aforesaid shall not operate as a discharge of the debt, claim, and demand of any creditor who shall not have been resident within the limits of the Charter of the said United Company at any time between the filing of such petition and the making of such order as last-mentioned, nor shall any such creditor be debarred from bringing any suit or action for such debt, claim, or demand in any Court of the United Kingdom of *Great Britain* and *Ireland*, or elsewhere, without the limits of the said United Company's Charter, against such insolvent, in the same manner and with the like consequences and effects as if such order as last mentioned had not been made.

III. Provided, nevertheless, and be it further enacted, that in such last mentioned case, upon any application made to the commissioner acting in such fiat as aforesaid, to sign the certificate of such insolvent, and after the same shall have been signed by the requisite number of creditors under the provisions of the said Act, intituled *an Act to provide for the Relief of Insolvent Debtors in the East Indies*, or any other act passed, or hereafter to be passed respecting insolvent debtors in the *East Indies*, then if it shall be made to appear to such commissioner that such order for a discharge has been made by the Court in the *East Indies* as aforesaid, and if such commissioner shall sign such certificate, he shall also certify in writing upon such certificate that such insolvent has obtained such order for discharge in the *East Indies* as aforesaid, and thereupon such certificate shall have the same force and effect, as well within as without the limits aforesaid, as a certificate duly obtained under the said Act of the sixth year of the reign of His Majesty King *George* the Fourth, intituled *an Act to amend the Laws relating to Bankrupts*, or in any other Act passed, or to be hereafter passed, respecting bankrupts.

IV. And be it enacted, that any such insolvent trader who shall not be made a bankrupt under the provisions of the said Act for the Relief of Insolvent Debtors in the *East Indies*, or of any other Act passed, or hereafter to be passed, respecting insolvent debtors in the *East Indies*, if he shall, after such order for his discharge shall have been made as aforesaid, be arrested or have any action brought against him for any debt, claim, o

demand for which he was so liable as aforesaid, either within the limits of the Charter of the said United Company or elsewhere, shall be discharged upon common bail, and may plead in general that the cause of action accrued before he became insolvent, and may give this act and the special matter in evidence; and such order as aforesaid, duly sealed with the seal of the said Court, shall be sufficient evidence in all Courts and places whatsoever of all the proceedings precedent to such order being made, and of the same being duly obtained; and if any such insolvent trader shall be taken in execution or detained in prison for such debt, claim, or demand, where judgment has been obtained before such order of the Court for his discharge as aforesaid, it shall be lawful for any Judge of the Court wherein such judgment has been obtained, on such insolvent producing such order as aforesaid, to order any officer who shall have such insolvent in custody by virtue of such execution, to discharge such insolvent without exacting any fee, and such officer shall be hereby indemnified for so doing; and any such insolvent trader who shall be a bankrupt under the provisions of the said last mentioned Act, and who shall be arrested within the limits of the Charter of the said Company, shall be so discharged, and may so plead, and shall have otherwise such relief within the said limits, as herein-before mentioned, and if he shall also obtain such certificate as herein-before provided, he may be at liberty to avail himself either of such certificate, or of such order of discharge as aforesaid, for the purposes of his discharge within the limits aforesaid.

V. And be it further enacted, that in cases any fiat in bankruptcy (other than a fiat under the provisions of the said Act, intituled *an Act to provide for the Relief of Insolvent Debtors in the East Indies*, or any other Act relating to the Insolvent Debtors in the *East Indies,)* be issued against any such insolvent trader within the period of eight calendar months from the time of such petition for relief being filed, or of such adjudication of insolvency being made, as the case may be, and such insolvent trader shall be duly adjudged a bankrupt under such fiat, then and in such case such Court as aforesaid shall not be authorized and empowered to make any such order for discharge as aforesaid.

VI. And be it further enacted, that after the expiration of such eight calendar months as aforesaid, no fiat shall issue against any such insolvent, upon any petitioning creditor's debt due before the filing of such petition for relief, or such adjudication of insolvency (as the case may be); and in case any fiat shall issue against such insolvent trader as aforesaid upon a petitioning creditor's debt incurred subsequently to such filing of petition for relief, or to such adjudication of insolvency as aforesaid, such fiat shall not in any manner affect, invalidate, or interfere with the proceedings under the insolvency previously existing in the *East Indies*, nor shall the assignees under such fiat acquire any right or title to take possession of, demand, sue for, or recover any property or interest, real or personal, wheresoever situated, which belonged to such insolvent at the time of such petition for relief being filed, or of such adjudication of insolvency as aforesaid, but the assignee or assignees appointed by such Court for the relief of insolvent debtors shall have the sole and exclusive right and title thereto; and all debts, claims, and demands due and payable to such insolvent at the time of such petition for relief being filed, or of such adjudication of insolvency as aforesaid, shall be established under such insolvency, and shall not be proveable under such last-mentioned fiat.

VII. And whereas by the said recited Act of the ninth year of the reign of his late Majesty King *George* the Fourth, it is enacted, that all such insolvent debtors as therein mentioned shall, within the time also therein mentioned, deliver into the Court a schedule containing a full and true account of their debts, estates, and effects as therein mentioned, and which schedule is hereby directed to be forthwith filed in the said Court; and whereas it is expedient that the creditors of such insolvent debtors residing out of the limits of the said Company's Charter should have the means of inspecting such schedule with equal facility with creditors of such insolvent debtors residing within the limits of the said Charter: Be it therefore further enacted, that the principal officer of the said respective Courts for the Relief of Insolvent Debtors shall, without delay, transmit to the Court of Directors of the said Company, by different ships, two or more copies of each such schedule, and the said Court shall retain the same, and permit any person or persons being a creditor or creditors of any such insolvent debtor to inspect and examine at all seasonable times such schedule, and shall, upon the request, and at the reasonable costs and charges of any such creditor or creditors (such costs and charges to be regulated by the said Court,) provide for him or them a copy or copies of any such schedule.

# MR. CURNIN'S MILITARY RETIRING FUND.

## TO THE OFFICERS OF THE INDIAN ARMY.

GENTLEMEN,—It having been made known, that I had submitted, when at home, a plan for a Military Retiring Fund to the consideration of the Honorable the Court of Directors, and as it was deemed probable, that the Honorable Court would adopt no immediate steps with the plan, because it had not emanated from you, and had not your sanction, I was advised by some of yourselves to reconsider the subject in your behalf after my arrival in India.

As I had the assurance of the Governor-General of the high interest which he took in the adjustment of this question, and of the immense importance of it, both to you and to the Empire, and in compliance with the urgent request of some of those who had a more direct interest in the question, I drew up a letter to your address giving a detail of the plan, of which it was pleasing to the Governor-General to direct, that I would submit an abstract to him.

In compliance with this injunction I drew up the paper or outline which was subsequently published in the Calcutta Papers, and in consequence of the favorable reception which that abstract had met with, it was pleasing to the Governor-General to appoint a Committee of Officers, of whose competence to form a correct opinion on this subject you can entertain no doubt to examine and to report upon the plan for his Lordship's private information. And as the Committee was pleased to recommend the plan to his Lordship's favorable consideration, it has been submitted to the Government, and I have been given to understand is to be referred to England with a recommendation in the strongest terms to the favorable consideration of His Majesty's Government and of the Honorable Court, provided the data and the results deduced from those data shall be found to be correct, and as a matter of course, provided the plan shall not involve too great an outlay of the resources of the state.

You will see from this outline, that the onus devolves on me to justify this measure both to His Majesty's Government and to the Honorable Court; and as I have no aid, and but little leisure to draw up the various statements on which this justification must be made to rest, I trust you will not consider that I treat you either with slight or with disrespect, if I abstain from entering into discussions which may appear on this subject in the public papers: but when you shall have formed committees and considered the subject in every way in which it can be viewed in relation to yourselves, I shall be happy and desirous to offer any explanation which your Committees may require from me, or to adopt and to recommend any improvements in the plan which may occur to you.

The Editor of the *Hurkaru* having obtained the permission of the Governor-General to publish the different papers which were sent in to Government on this subject, I take upon myself the responsibility that those papers shall appear in the *Hurkaru* in an authentic form.

I have the honor to be, Gentlemen, your most obedient and humble servant,

JOHN CURNIN,
*Assistant Assay Master Calcutta Mint.*

## THE OPINION OF THE COMMITTEE.

### TO CAPTAIN T. M. TAYLOR,
*Military Secretary to the Governor-General.*

SIR,—In obedience to the orders of the Right Honorable the Governor-General, contained in your letter of the 9th ultimo, requiring us to report for his Lordship's personal information on the feasibility of Mr. Curnin's proposition for a Military Retiring Fund. We have the honor to state that we have carefully examined his plan (and given due attention to the objections stated in Colonel Galloway's Minute) and that the result of our deliberations is that it deserves to be recommended to the Honorable the Court of Directors with the utmost weight of his Lordship's influence, and, that

when sanctioned by the home authorities, it is likely, notwithstanding the considerable sacrifices it requires from the army, to be eagerly and gratefully accepted by such a majority as would immediately bring it into efficient operation; and further, we think it expedient that subscription to the plan should be made obligatory on all cadets entering the service.

2.—The practicability of the proposed measure depends, first, upon the consent of the Honorable the Court of Directors, to admit an addition to their present liabilities for off-reckonings and pensions to the extent, at its maximum, of about £300 per corps, or £61,800 per annum, for the Indian Army, which is under the amount implied in the Court's offer to the army of the 6th March, 1832; secondly, on the correctness of Mr. Curnin's calculation founded on the law of mortality which he has ascertained to prevail among the Officers of the Army, interest being allowed at 6 per cent. These calculations have been so tested that we have entire confidence in their accuracy, but they would doubtless be subjected to examination by other skiful actuaries or competent persons. An able exposition of the plan has been prepared by our President, and is herewith submitted.

3.—The point which we consider not to be fully established by Mr. Curnin's calculations, is the degree in which promotion will be accelerated. We are not satisfied that it will attain the extraordinary rapidity assumed by Mr. Curnin; but this is a point which under any arrangements must remain uncertain. We are convinced that promotion will be greatly accelerated, and an over probable estimate of the precise rate appears of less consequence, provided the high pensions which the scheme assigns for specified periods of service be obtainable, and herein lies the superiority of Mr. Curnin's plan, over all which have preceded it, that whether promotion be quicker or slower, it provides competent pensions after moderate terms of service, and whether an individual retires on his pension sooner or later, or finds inducements to prefer remaining in India, the character of the service will be decidedly improved, and the evils of protracted absence from our native land greatly alleviated.

4.—These observations refer to the future prospects of the Army as influenced by the proposed rates of pensions; but for the immediate relief of those who have now served upwards of 25 years, we earnestly recommend to the generous consideration of the home authorities the supplementary part of Mr. Curnin's plan, even if its operation should be restricted to the ranks of Major and Lieutenant-Colonel.

5.—If Mr. Curnin's plan should appear complicated at first view, we submit that it is only on account of the difficulty of applying the ordinary doctrine of annuities to the circumstances of the case, and that when the home authorities have verified the calculations and defined the new condition on which increased pensions will be granted, the few points to which it will be necessary for officers to attend will be perfectly clear and simple. This objection is therefore in our opinion entirely groundless.

6.—We think it desirable that Government should assume the entire management of the Fund as it is now framed, or with such modifications as may be deemed expedient, and in the mean time we recommend that the abstract of the plan and the accompanying papers be circulated for the consideration of the Army.

We have the honor to be, Sir, your most obedient servants,

(Signed) G. SWINEY, Lieutenant Colonel.
" W. KENNEDY, Lieutenant-Colonel.
" G. YOUNG, Captain.
" H. B. HENDERSON, Captain.
" W. N. FORBES, Captain.
" ALFRED T. JOHNSON, Captain.
" I. THOMSON, Captain.
" ROBERT MACGREGOR, Lieutenant.

*Fort William, February* 2, 1835.

I regret that I am unable to concur in the opinions above expressed for the reasons assigned in my Minute of the 28th ultimo.

(Signed) A. GALLOWAY, Lieutenant-Colonel.

[BY THE COMMITTEE.]

Mr. Curnin's plan is this:—Upon an officer's joining the establishment he is supposed to subscribe

| | | | |
|---|---|---|---|
| For the first | 5 years | 5 | rupees per month. |
| second | ,, | 10 | ,, |
| third | ,, | 15 | ,, |
| fourth | ,, | 20 | ,, |
| fifth | ,, | 25 | ,, |

and for the rest of the time during his continuance in the service 30 rupees per mensem: and in addition to these payments the officer is expected to relinquish the increase of pay and allowances for one year, to which he will have become entitled upon the attainment of each step to that of Lieutenant-Colonel inclusive.

For these payments and donations, the officer, after 25 years' service, including three years for one furlough, becomes entitled to a retiring allowance of £525 per annum, in which is included the pension of his rank.

In the event of the officers continuing another year in the service after he becomes entitled to this retiring pension, the first payment of the pension is withheld; and the officer gets credit for the additional pension, which, at his standing in the service, the £525 would purchase. This sum is found to be £50, so that an officer having served 26 years becomes entitled to a retiring pension of £575. If the officer should continue another year in the service he also relinquishes the first payment of his *increased* pension, and for this relinquishment he gets credit for an additional pension of £62 10*s*.; so that after 27 years service the officer's pension would become £637 10*s*. In this manner the pension is increased each year, by the amount which the acquired pension of the previous year would purchase, till the officer has been 35 years in the service, when his pension is finally fixed at £1,500 per annum.

The pensions on retirement will be seen in the accompanying Table, under the number of years served:

| *25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 |
|---|---|---|---|---|---|---|---|---|---|---|
| †5250 | 5750 | 6375 | 7075 | 7850 | 8700 | 9700 | 10800 | 12000 | 13600 | 15000 |

To extend the advantages of this scheme to those officers who are on the establishment, and to place them exactly in the position which they would have occupied had the fund been instituted when they entered the service, they are called upon to pay down, on the institution of the fund, if they have served but

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 1 | year | 91 | Rupees. | 14 | years | 6,694 | Rupees. |
| 2 | ,, | 160 | ,, | 15 | ,, | 7,555 | ,, |
| 3 | ,, | 237 | ,, | 16 | ,, | 8,570 | ,, |
| 4 | ,, | 864 | ,, | 17 | ,, | 9,695 | ,, |
| 5 | ,, | 1,005 | ,, | 18 | ,, | 10,943 | ,, |
| 6 | ,, | 1,226 | ,, | 19 | ,, | 15,587 | ,, |
| 7 | ,, | 1,466 | ,, | 20 | ,, | 17,478 | ,, |
| 8 | ,, | 1,729 | ,, | 21 | ,, | 19,652 | ,, |
| 9 | ,, | 2,022 | ,, | 22 | ,, | 24,367 | ,, |
| 10 | ,, | 2,341 | ,, | 23 | ,, | 27,333 | ,, |
| 11 | ,, | 4,569 | ,, | 24 | ,, | 30,633 | ,, |
| 12 | ,, | 5,208 | ,, | 25 | ,, | 34,309 | ,, |
| 13 | ,, | 5,938 | ,, | | | | |

in addition to the regulated subscription of their standing and the increase of pay and allowances for one year to which they will become entitled on promotion.

* Time served in years.

† Pension in Rupees.

It has been satisfactorily shown by Mr. Curnin, that as the army is now constituted, an officer will have to serve as

| | |
|---|---|
| Ensign | 5 years |
| Lieutenant | 12¼ |
| Captain | 14¾ |
| Major | 6 |
| Lieut.-Colonel | 8 * |

As it might be inconvenient, if not impossible, for some officers to pay down the sum required from them to entitle them to the ultimate benefits of the Fund, it is proposed to withhold from them the increase of pay and allowances, to which they will have become entitled on promotion *for one year* towards the payment of the augmentation of the pension of the retired officer if such claims should not be otherwise provided for; and for the rest of the time by which their promotion will have been accelerated by the agency of the fund towards the payment of the immediate donation if any shall be due from them; or, until, without the agency of the fund, they might fairly have calculated upon being promoted.

Officers who may become subscribers to the fund, and who through ill-health will have the privilege of retiring upon the half pay of their rank, will be allowed such a pension, in addition, as shall be a liberal equivalent of their share of the assets of the institution—and as, with the agency of the fund, when in complete operation, all officers of ten years standing may fairly calculate on being Captains, the benefit which the institution of the fund is calculated to confer on the junior branches of the service cannot but be perfectly apparent.

These are the principles of the permanent fund; but to give immediate effect to it, and that celerity of promotion which is desirable in an Army subjected to the influence of an Indian climate, and at the same time to fix a limit to the claims of the Army upon the state, it is proposed to solicit, on the part of the Army, the Honorable Court to allow for every corps, in each Presidency, £1,503 per annum, including the off-reckoning money; and the present pension fund; and from this income, when the fund shall have been put in operation, it is proposed to allow to all officers who have served their regulated term and who may be disposed to retire, a pension;

| | | |
|---|---|---|
| if a Captain | of 400 | Guineas per annum. |
| if a Major | ,, 500 | ,, |
| if a Lieutenant-Colonel | ,, 600 | ,, |

including the retiring allowances of their rank, and to all other officers who shall have served the regulated terms, and who may become subscribers to the fund, but who may still be unwilling to retire in the first instance, it is proposed to give credit for their present value of the pension of their rank, and for their subscription of 30 rupees per mensem, and when they may feel disposed to retire, the pension which shall be the equivalent of both.

To those officers who may have completed their term of service before the whole amount of donation due from them shall have been paid, and who may continue in the service, credit will be given for the retiring pension of a Captain, unless it can be shown that, without the agency of the fund, the higher rank had been attained;—for the amount of their subscriptions and donations;—and for their subscription of 30 rupees per mensem: and when it may be their wish to retire, they shall have the pensions which are the equivalents of these contributions, provided these pensions shall not exceed those which the foregoing table assigns for the officers of the different standings.

To those officers who may not have served their term when this scheme shall have been put in operation, it is proprosed to allow 400 guineas per annum if they will retire when their term shall have been served; and, in addition, one guinea per annum for every 100 rupees which they may have paid in the shape of donation to the fund, provided these together shall not exceed 500 guineas.

There are various sources in the fund itself to enable it to meet its engagements on behalf of the Army, which engagements, it will be perceived, are but

* And it is estimated that, *with the agency of the fund* an officer will have to serve as:

| | |
|---|---|
| Ensign | but 3 years |
| Lieutenant | 7 |
| Captain | 8 |
| Major | 3 |
| Lieut.-Colonel | 5 |

*temporary*, and are calculated to remove from the service the senior officers, and to give that celerity of promotion which is so much required: but if these sources of annual supply and the annuity from the state together, should not be found sufficient, in the first instance, to meet the whole liabilities of the fund, which nothing but experience can precisely determine; it is calculated that the appropriation for the purposes of the fund, of the increase of pay and allowances for one year, of those who are promoted in consequence of the retirement of an officer, will speedily bring the claims upon the state within those limits which it may be the pleasure of the Honorable Court to assign, when of course, all further deductions, if necessary, would go towards the payment of "the donation" still due from the officer so promoted.

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## TO THE OFFICERS OF THE INDIAN ARMY, IN THE SERVICE OF THE HONORABLE EAST INDIA COMPANY, ON THE ESTABLISHMENTS OF BENGAL, MADRAS, AND BOMBAY.

GENTLEMEN,

While in the service of the Honorable Company at Bombay, I was brought into communication with some of your Brethren in Arms, who were desirous of instituting a MILITARY RETIRING FUND, which should have for its object the acceleration of promotion, and the pensioning off those on the Fund, who, without such an institution, must continue a dead weight, pressing alike on the prospects of the Army, and on the resources of the state, and injuring by that pressure the efficiency of both. Other reasons were assigned for the existence of that desire; such as the alteration which the value of money had undergone during the late continental war; and their consequent inability to live in that style at home, on the remuneration which the state allowed,—and on their own savings, which their rank and previous habits absolutely required, after a service of from twenty-five to thirty years in this country. They also assigned as a reason for their desire to establish a Retiring Fund, their conviction that the Directors of the East India Company and His Majesty's Government had done all that either the exigencies or the finances of the state warranted, in order to accelerate promotion; and that, therefore, as these had failed to create the desired and uniform celerity of succession, nothing remained for them but humble submission to circumstances or the institution of a Retiring Fund based on correct principles, and having for its sole object the facilitation of retirement, and consequently the acceleration of promotion.

Being desirous of contributing my humble efforts towards the accomplishment of so momentous, so important, and so desirable an object as the institution of a Military Retiring Fund, I endeavoured to possess myself of such Tables as might then have been in existence, and as were calculated to represent, accurately, the decrease of European life in India; but I soon found that no such Tables were in existence; and as I knew that to proceed with this question with any chance of being sure of the accuracy of deductions without such documents was hopeless, the desire was created on my part to compile such Tables as would, in my opinion, be found of immense value to the State itself, as well as in relation to your affairs.

To Colonel Leighton, the then Adjutant General of the Bombay Army, I am indebted for his permission to take a correct copy of the Bombay Army List; and to the friendship of Colonel R. H. Russell of the Madras Army, I am indebted for a copy of the Army List of Madras; but as that List was not correctly compiled, I returned it, for correction, through the late Sir John Malcolm to Colonel Conway, since which time it has never reached me.

Having been compelled to return to England before that document and a similar one ordered from Bengal could have reached me, I represented the want, and the value, as well as THE IMMEDIATE PURPOSE of the document which I wished to compile both to Captain Loch and to Colonel Astell who then occupied the chairs of the Court of Directors; and I can have no hesitation in assuring you, in the most public and positive manner that those Gentlemen not only afforded me every facility which I could require, but that they, as well as Major Carnac, have expressed themselves as being anxiously desirous that you should have a Retiring Fund, with a view to its accelerating

your promotion, and of affording you that remuneration in retirement to which your services and your respectability entitle you. I mention these names to you—and to them I may annex that of the present President of the Board of Controul,—not to impress you with any thing like the belief that they are the only Directors who are favorable to your claims, far from it, for they are all favorable; but I am induced to enter into this explanation that you may accept it as an assurance, that if the plan of the Retiring Fund now submitted to your consideration should meet that attention at your hands which I humbly conceive it merits, you will meet with little difficulty in getting His Majesty's Government and the Honorable the Court of Directors to sanction it, as a final measure, provided the change of system should not involve a larger appropriation of the resources of the state than may be consistent with the efficiency of Government and with a due regard to the public creditor.

It does not appear to me to be necessary that I should in this place revert to the mode in which the Tables were formed, of which the results deducible from them are about to be submitted to you; or that I should submit the tables themselves; as either of these courses would swell this communication to an unwieldy extent; for this, however, there is the less necessity, as the accuracy of the tables and my deductions from them will doubtless have been attested before they are submitted to you: but I deem it right to inform you that the following deductions have been obtained from the law of mortality which I have observed to prevail among 12039 officers who have been on the Indian Establishments, and of whom, those among you who were on either of them, prior to the 1st of January, 1832, form a part. You will perceive that as the older lives among you or who may have passed away, have spent a considerable portion of their latter days at home, as Colonels, and therefore in a climate more congenial to them than India would have proved had they continued in it; and that, on the other hand, as circumstances or choice have compelled others, after having been advanced to the higher ranks in the service to continue till their death in this country, that a table of mortality such as I have formed, from all, must represent, the duration of life in this country *greater* than it should be for those who continue here; and less than it ought to be for those who return to Great Britain after a residence of twenty-five years and upwards in this country. You will also perceive that the value of an annuity on a life in England, which had resided upwards of twenty-five years in this country, or in any other tropical climate, ought to be less than if that life had never quitted England. By looking into the East India Register for this year, page 198, you will observe that the value of an annuity on a life of 43 years of age, which it is presumed had spent 25 years in this country, has been fixed as being worth 10.356 years purchase, when the interest of money is assumed to be 6 per cent. per annum, which value is taken from the Northampton Tables as prepared and published by Dr. Price. Now I entertain the conviction, and in due time I will endeavour to prove that conviction to be well founded—that that value is greater than it should be; and acting on this impression, I have adopted 9.379 years' purchase as the true value of an annuity on a life of 43 years of age, of which twenty-five years have been spent in this country, when the interest of money is 6 per cent. per annum; which value, is that that my tables indicate, *increased by* 10 *per cent.*

What is meant by "he has an annuity settled upon him," is generally, although vaguely, understood; but what the value of an annuity or of a pension is, is not so accurately conceived. With the view of clearing in some degree the way before us, and of showing the difference in value between money to be immediately paid or received, and money, the payment or the receipt of which is deferred for a given interval of time. I assume that ten-thousand Cadets who are all certain of living over twenty-five years in India arrive together, and agree to subscribe such a sum each, as shall, when twenty-five years shall have been served, amount to such a sum as shall entitle them, upon retirement, to an *annuity of* £1 per annum; that is, to the payment of 1*l.* one year after their retirement, and to one pound after the lapse of every year till they shall have all dropped off. With this view they will each have to pay down such a sum of money, as being improved at compound interest, and at 6 per cent. per annum, shall amount to £9.379 or to £9 7*s.* 7*d.* in 25 years. But an annuity and a pension are essentially different:—for if an annuitant be not alive when the payment of the annuity becomes due, his heirs or executors have no claim; whereas in the case of a pension they have a claim "for the broken period"—for that part of the pension which was in course of accumulation, from the time that the last payment of the pension became due. This distinction between an annuity

and a pension leads to this principle—that a pension payable till the day of one's death is always worth one half year's purchase more than an annuity: Hence, a pension to an officer of 43 years of age, who has been twenty-five years in India, if of one pound, is worth £9.879 or £9 17*s*.7*d*. Or, if the pension was £339.14 its present value, to a life of 43 years of age, would be worth £3350 7*s*. sterling.

It will be found that if £780.63 were invested at 6 per cent. compound interest, it would in 25 years amount to £3350 7*s*. This, therefore, is the sum which each of the Cadets should invest, when entering the service in India, in order to secure his own retiring pension of £339.14 per annum. But if only 3935 Cadets should live over the twenty-five years out of the ten-thousand who had come out together, it is manifest that the sum which each should subscribe in this case, will be less than the above in the ratio of 10,000 to 3935: or, that in this case, the subscription of each Cadet should be £307 3*s*. 9½*d*. This, Gentlemen, is precisely your case; and I have thus endeavoured to introduce it, in the simplest form to your notice, with the view of dissipating scepticism; and of showing you the effect which time produces on the value of money.

It will be apparent to you, that it is the same in principle whether the £307 3*s*, 9½*d*. is paid upon the Cadets entering the service, or that he engages within 25 years to make good the sum to which that will amount, or that he engages after having been in the service some time to pay such contributions and donations as the regulations of the fund may require, and the sum to make up the claims against him on account of the fund as soon as he possibly can. The contributions which I require from a Cadet will accomplish this: and on a future page you will see what should be paid down by every officer in the service, so that that sum and his future contributions shall, when his 25 years shall have been served, amount to 33503,5 rupees, interest being allowed on each at the rate of 6 per cent. per annum.

The opinions of so many of you as to the necessity of a Retiring Fund, and your willingness to subscribe towards it have been so distinctly and unequivocally expressed, that at first sight it would appear to be a work of supererogation on my part to allude to it. But as I have undertaken to represent your present prospects to you, with the view of inducing you to come to the resolution to amend them, so I feel myself bound to bring this picture prominently before you, for your guarantee and confirmation of its fidelity, that those who are yet to succeed you may be enabled to compare their prospects and yours, and to form an accurate estimate of the measure of gratitude which they shall owe you, for having come to a safe and a final conclusion on a question in which their interests as well as yours, were so justly considered.

In the different measures which have emanated from the authorities at home it is hard to distinguish, (particularly for me who am not a military man,) what has been done in the way of augmentation through state necessity, from what has been done purely with the view of accelerating promotion: but after the most serious consideration which I have been able to bestow upon the subject, I am bound to consider the measure of the 1st of May, 1824, as one expressly adopted to accelerate promotion by the creation of so many additional Field Officers; and in the next place, as a consequence of that creation, by affording to some of those, thus promoted, an immediate stimulus to retire, who, without that creation, would have had to wait for years before the ordinary routine of the service had placed them in an equally favorable position. But whatever may have been the motive for augmentation, the Army has had the advantage of it; and at a glance, you will perceive that that was to a very considerable extent.

**Within the twenty years ending with 1823.**

| | | Bengal. | Madras. | Bombay. | |
|---|---|---|---|---|---|
| The Cavalry | has been increased on the establishment of | by ⅓ | by ⅛ | created | Of those parts of which it was composed in 1804. |
| Infantry | | ,, ⅔ | ,, 10/16 | by 7/10 | |
| Artillery | | ,, ½ | ,, 2 | ,, 3 | |
| Engineers | | considerably | ,, 1 | ,, 1 | |

and yet, there were in 1824 on the different Establishments, but particularly on those of Bengal and of Madras, many subalterns who had been promoted to Captaincies by Brevet. The exact numbers were, per corps, for Bengal $5\frac{1}{12}$; for Madras $4\frac{3}{4}$; and for Bombay $0\frac{6}{13}$.

I find myself perfectly incapable of forming any thing like an accurate idea of what the present condition of the Army would have been but for the augmentations of 1824, and of 1826; but those who knew the Army then, can find no difficulty in admitting that but for those augmentations, or some similar measure, the condition of the Indian Army at the present day would have been any thing but enviable, as the conclusion of the foregoing paragraph, and the following table must amply testify.

The following Table of the times served by the Field Officers of the Indian Army who were promoted within the eight years, ending with the 30th of April, 1832, and of the casualties from which such promotion has arisen is submitted for your consideration and inspection.

(See Table A.)

from which you will see the gradually increasing time which the junior Officers of the Cavalry and Infantry have had to serve before they had been promoted, and if I had been certain of the real state of the Indian Army on the 1st of May, 1834, so as to have been enabled to form the Table from the experience of ten years, rather than from that of eight years, I have no doubt but the subsequent promotions would have marked those differences in a much more distinct and particular manner. The promotion in the Artillery and Engineers seems to be an exception to my conclusion, but their case is owing to inordinate augmentation, and in some degree to the inefficient state into which those corps were allowed to lapse about the beginning of the present century. This however, is not likely to occur again: as there are several Captains, in each of those corps, who seem to have served the regulated time to entitle them to their pensions, and who are yet far removed from the line which separates them from their Field Officers.

From this Table you will be enabled to make several important deductions relative to your future prospects; but as I wish to avoid every alternative and appearance by which it might be inferred that I was begging the question which it is my immediate purpose to force you to affirm, I will not permit myself to make any deductions from it, nor to say more than to point your attention to one fact. That, as within the time of those Officers the extent of augmentation took place which was indicated in the small Table preceding it, and as you have no prospect of any similar extent of augmentation, you may from this form an idea of the time which it will be necessary for you to serve to attain to the different ranks in the service: and the more effectually to aid you, the following Tables are added:—

(See Tables B, C, D.)

The numbers in the second columns of the foregoing Tables are the years, and the decimal part of that year which had expired when those Officers had arrived in India, supposing four months to have been taken up with the voyage; the third columns contain the dates of their promotion to their present ranks similarly expressed; the fourth columns contain the times which they had served before they had been so promoted; and the fifth columns contain the times which they will have served in their present ranks on the 1st of January 1835.

In these Tables the Army rank rather than the Regimental rank was taken, from which it will be seen that the periods served as Subalterns are really greater, and as Captains, so much less than I have deduced.

Now, if notwithstanding all the augmentations and the consequent retirements which have taken place, the following should be the result:

| | | Bengal. | Madras. | Bombay. |
|---|---|---|---|---|
| That a Colonel | had to serve on the Establishment of | 30,842 years | 32,275 years | 31 022 years |
| „ a Lieut. Col. | | 27,049 „ | 27,367 „ | 26,089 „ |
| „ a Major | | 24.858 „ | 24.351 „ | 22.997 „ |

before those ranks upon large averages were obtained, and within whose time the army was nearly doubled; I ask you in the most respectful and emphatic manner what your own prospects are; when, as you must be well assured there is no hope of an augmentation to accelerate your promotion; and that, constituted as the army now is—it admits of its numerical strength being increased to nearly double its present extent of men, with-

out imposing on the State the necessity of granting an additional Commissioned Officer to its roster. I repeat it,—what can your future prospects be, when, notwithstanding the augmentations of 1824 and of 1826 you perceive that

| | | ON THE ESTABLISHMENT OF | | | | | |
|---|---|---|---|---|---|---|---|
| | | Bengal. | | Madras. | | Bombay. | |
| The Senior Captains | on the 1st of January 1835 will have served in their present grades | 12 590 | years | 10,722 | year | 10,735 | years |
| ,, Lieutenant. | | 11,870 | ,, | 10,232 | ,, | 12 987 | ,, |

and that in their former grades

| | | ON THE ESTABLISHMENT OF | | | | | |
|---|---|---|---|---|---|---|---|
| | | Bengal. | | Madras. | | Bombay. | |
| The Senior Captains | had served | 14 212 | years | 11,974 | years | 11,121 | years |
| ,, Lieutenants | | 1,803 | ,, | 1 550 | ,, | 0.895 | ,, |

Now as from the 1st of January, 1835, the Junior Majors on these Establishments will have to serve at least six years before they can be promoted to Lieutenant-Colonelcies, the present Senior Captains will, collectively, have to serve the average duration of three years before they can be promoted to majorities; and, at least, *nine years* before they can hope to be Lieutenant-Colonels.

| | | ON THE ESTABLISHMENT OF | | | | | |
|---|---|---|---|---|---|---|---|
| | | Bengal. | | Madras. | | Bombay. | |
| The present Senior Captains therefore, will have served at least before promotion to a | Majority, | 29,802 | years | 25,696 | years | 24,856 | years |
| | Lieut.-Col. | 35 802 | ,, | 31.6 [illegible] | | 30,856 | ,, |

But as the Senior Lieutenants have the chance of quicker promotion to Companies than the present senior Captains have to majorities, I suppose the present senior Lieutenants will have been promoted when they shall, on an average, have served $2\frac{1}{2}$ years each.

| | | ON THE ESTABLISHMENT OF | | | | | |
|---|---|---|---|---|---|---|---|
| | | Bengal. | | Madras. | | Bombay. | |
| They will therefore have served as subalterns before promotion to a | Captaincy | 16,173 | years | 14,282 | years | 16,382 | years |

As the present senior Captains were, upon the average, promoted prior to the promotion of 1824, and to the augmentation of 1826; and as the present senior Lieutenants have nothing in anticipation whereby their future progress in the service can be accelerated, it is evident they will have to serve much longer as Captains, than the present senior Captains have served: but as the amount of correction which *ought* to be added for the acceleration of promotion caused by those events, will vary with the temperament of individuals, I shall omit the application of any correction and assume that the present senior Lieutenants will have to serve only as long as the present senior Captains will have had to serve before they are promoted.

| | | ON THE ESTABLISHMENT OF | | | | | |
|---|---|---|---|---|---|---|---|
| | | Bengal. | | Madras. | | Bombay. | |
| The present Senior Lieutenants will have served before promotion to | Majorities | 31,763 | years | 28.004 | | 0,117 | |
| | Lieut.-Colonelcies. | 37 763 | ,, | 34.004 | | 36,117 | |

In this statement I have not permitted myself to make any other supposition than that from the time of obtaining his majority a Major will require, at the least, six years before he can hope to be promoted to a Lieutenant-Colonel—and this I am induced to believe no man can think in excess. I may also assume, and with equal certainty of being within the limits of truth, that from the time of promotion ten years must elapse before a Lieutenant-Colonel can reasonably expect to be a Colonel.

Agreeing with me in this, the following are the results, and you are most earnestly entreated to consider them not only in relation to yourselves, individually, but as regards the interests of the Army at large; and, further, that in coming to a decision on the Propositions which are about to be submitted to your consideration, and which those results most eminently and powerfully justify, you are not only, to a certain exteut,

fixing your own future prospects, but likewise those of your children and successors; nay, more, that taken in all its generality, this is perhaps the most momentous question which has ever, or ever will be submitted to you for your decision, whether as regards yourselves, or the State you serve; and that, on that account, it imperatively demands your most profound consideration.

TABLE OF RESULTS.

| The juniors of each rank will have to serve, *at the least*, the time under each denomination of rank before they can hope to be promoted to the rank next above it. That is, on the establishment of | BENGAL. A Junior. | | | | MADRAS | | | | BOMBAY. | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Lieut | Capt. | Major | Lt.-Cl | Lieut. | Capt. | Major | Lt.-Cl. | Lieut. | Capt. | Major | Lt. Cl. |
| | years | years | years | years | years | years | years | years | years | years | years | year |
| | | | | 10 | ,, | ,, | | 10 | | | | 10 |
| | | | 6 | 16 | ,, | ,, | 6 | 16 | | | 6 | 16 |
| | | 15 590 | 21,590 | 31,590 | ,, | 13,722 | 19 722 | 29.722 | | 13,735 | 19,735 | 29.735 |
| | 16,177 | 31,767 | 37,767 | 47,767 | 14,282 | 28,004 | 34,004 | 44,004 | 16,382 | 30,117 | 36,117 | 47,117 |

or, by taking the mean results, which may be called the Military Experience of India, it appears that the

| | | Captain. | Major. | Lt.-Colonel. | Colonel. |
|---|---|---|---|---|---|
| Junior Lieutenant..... | must serve in order to become a | 15 612 years | 29.964 years | 35 964 years | 45.964 years |
| ,, Captain..... | | | 14,352 | 20,352 | 30.352 |
| ,, Major..... | | | | 6,000 | 16.000 |
| ,, Lieut.-Colonel..... | | | | | 10 000 |

The times which the present senior Lieutenants have served as Ensigns are included in the first periods for each Presidency and in the upper line of the mean results; but as the mean time which they have served as Ensigns is 1,416 years the numbers in the upper line of this last Table must be diminished by that amount in order to find the exact expectations of the junior Lieutenants: and to find the expectations of an Ensign those numbers must be increased by the time which an Ensign may be expected to serve before he can be promoted to a Lieutenant.

If this period be fixed at five years, the Military Experience of India will stand as follows:

| | | Lieut. | Captain | Major. | Lt.-Col. | Colonel |
|---|---|---|---|---|---|---|
| The junior Ensign | must serve in order to become a | years | years | years | years | years. |
| ,, Lieutenant | | 5,000 | 19 196 | 33,548 | 39.548 | 49,548 |
| ,, Captain | | | 14,196 | 28.548 | 34,548 | 44,548 |
| ,, Major | | | | 14,352 | 20,352 | 30,352 |
| ,, Lt.-Colonel | | | | | 6,000 | 16,000 |
| | | | | | | 10,000 |

With the exception of the Colonels of the Bengal Engineers, no Colonels have yet had to serve so long as this Table indicates before they had been promoted: but that they have not had so long to serve is owing I conceive, to the vast augmentation which the Indian Army underwent while those Officers have been in it; and, perhaps, in some degree to the circumstance, that several Officers were formerly enabled to realize fortunes which permitted their early retirement from the service, and by whose withdrawal, promotion was further accelerated. Still, I must own, the above Table is based upon a fallacy of principle, which it is necessary you should perceive to be enabled to make those deductions from it that are most likely actually to square with future experience and with fact.

You will perceive that the present officers of some standing are imbued with nearly the same feelings, because they have all had the benefit of celerity of promotion owing to augmentation, and that, therefore, they cannot yet have felt [redacted] its full extent, thaat they are each in the way of the other; you will also perceive that the present senior Captains only served as Subalterns 12,436 years each, before they had been promoted; bus that the present senior Lieutenants will have served 15,612 years, and that the present Ensigns must serve 19,196 years before they can be placed in the same position: and tha, therefore, without some change the Subalterns of the army must become in succession older and older men, as well as the Captains and Field Officers; and that, as by the augmentation of 1824, young men were made Colonels, who have yet many days to

live, the goodness of their lives must necessarily render promotion to Colonelcies from year to year slower for several years yet to come. As then promotion on the one hand will become slower, and men on the other hand older, with less rank, many of these will strike a balance between their prospects of promotion and prospects of dying in this country, and give up the contest by retirement. On this principle, retirement and promotion will become more uniform; and on it, I conceive, I am justified in making a deduction from the last result and to conclude

that an Ensign must serve before promotion to a

| Lieutenant. | Captain. | Major. | Lieut.-Col. | Colonel. |
|---|---|---|---|---|
| 5 years. | 17¼ years. | 32 years. | 38 years. | 46 years. |

Having now placed before you a picture of your future prospects in a plain, and I fear, too faithful a shape to be either gainsaid or controverted, it must rest with you to determine whether you will, through apathy or indifference, permit this picture to be realized, or resolve at some sacrifice to attempt to correct it.

I have no doubt as to the issue of this communication to you: I know that where there is in those proposals no feeling to be discovered but honesty of purpose, and that too from an individual totally unconnected with you, but devoutly attached to your interest, you will second his efforts to befriend you, and trust to his future zeal in your cause to adjust any difference of claims which what he is going to call upon you to submit to, may occasion.

Let us suppose that when the Indian Army was instituted about 1760, it had been declared to the Cadets then beginning their career, that if they should agree among themselves to subscribe monthly 5 rupees for the first five years; 10 rupees for the next five years; 15 rupees for the next five years; 20 rupees for the next five years; and lastly, 25 rupees for the next five years; and to relinquish in addition as a donation, the difference of pay and allowances for one year, to which they would have become entitled on promotion, they should, after the expiration of 25 years, including three years for one furlough, have the privilege of retiring on the following scale of pensions.

| | | | |
|---|---|---|---|
| After a service of | 25 years on a pension of | 5,250 | Rupees |
| | 26 ..... | 5,750 | „ |
| | 27 ..... | 6,375 | „ |
| | 28 ..... | 7,075 | „ |
| | 29 ..... | 7,850 | „ |
| | 30 ..... | 8,700 | „ |
| | 31 ..... | 9,700 | „ |
| | 32 ..... | 10,800 | „ |
| | 33 ..... | 12,000 | „ |
| | 34 ..... | 13,500 | „ |
| | 35 ..... | 15,000 | „ |

and that through the effect of augmentation, the scale of promotion was throughout such, that before promotion

An Ensign
A Lieutenant
A Captain
A Major

had to serve but

3 years
7 years
8 years
3 years—

and that after the fund had begun to take effect, this scale of promotion was observed uniformly to prevail; and endeavour from this picture to infer what the present circumstances of the Indian Army would have been.

It cannot be otherwise than self-evident to you that hundreds who are now in the service, would have retired when they had become entitled to the pension of £525; and that none would have continued in it, after having served thirty-five years; at which period, the augmentation of the pension ceases; unless they had been in the receipt of much higher allowances from official situations: and further, by comparing the progress of promotion among them in consequence of the existence of *my supposed fund* with the progress of promotion among you, THAT THE MONEY WHICH THEY WERE CALLED UPON TO PAY, IN THE SHAPE OF DONATION, WAS MONEY, WHICH, WITHOUT THE AGENCY OF THE FUND, THEY NEVER WOULD HAVE RECEIVED. In short, that it was money left to them in trust for their own future benefit and for the acceleration of promotion in the Army by those who had previously retired.

You cannot look at this principle with any degree of attention without coming to the conclusion at which I have arrived, nor can you look at it in too steadfast a manner; as it is in my estimation, on your accurate perception of this principle, and on the adoption of it, that the certainty of your success in the institution of a Military Retiring Fund, depends.

I will suppose, the Army after the proofs which I have placed before them, can have no difficulty in coming to an unanimous conclusion, that the institution of a Military Retiring Fund, which should speedily change the aspect of their prospects by accelerating promotion, has become absolutely necessary: and that they have resolved, at any sacrifice, to subscribe towards it such a sum monthly, as may be deemed sufficient for this purpose: all that I require ON THE PART OF A CADET is the fulfilment of the conditions of the Fund which I have supposed to have been instituted in 1760. That is, I require a subscription of

| | | | |
|---|---|---|---|
| 5 | Rupees | per mensem for | 5 years. |
| 10 | „ | „ „ | 5 years. |
| 15 | „ | „ „ | 5 years. |
| 20 | „ | „ „ | 5 years. |
| and 25 | „ | „ „ | 5 years, |

and 30 Rs. per mensem for the rest of the time he may continue in the service, and that upon promotion, that he shall relinquish the difference of pay and allowances for one year, to which he will have become entitled, in consequence of such promotion.

Should YOU agree to this moderate rate of subscription, the following table contains the present value of your future contributions and donations, *on the supposition, that your promotion is as rapid as I have assumed it to be*, namely, that

| | | | | |
|---|---|---|---|---|
| An Ensign | shall be promoted to a | Lieutenant | After a service in the next junior grade of | 3 years |
| A Lieutenant | | Captain | | 7 years |
| A Captain | | Major | | 8 years |
| A Major | | Lieutenant-Colonel | | 3 years |

(See Table E.)

This table also contains, under the head of "present value," the present value of an annuity to commence when you shall have served twenty-five years in this country, including three years for one furlough: the difference between which, and the present value of your future subscriptions and donations, according to your standing in the service, is the sum which each of you should pay down as an immediate donation to the fund, in order to place you in the position which you would have occupied had this fund been in operation when you entered the service and to entitle you to the full and eventual benefits of it.

I will suppose that every officer of the Indian Army who has not served 22 years in India becomes a subscriber to the Fund, and that he has paid down the immediate donation due from him, what more is necessary to give full efficency to the Fund and to preserve its stability and integrity, than a small monthly subscription in addition to the above, to make good the deficiency which the slowness of promotion, for a time, will occasion.

If you were to fulfil the above conditions relative to the payment of "immediate donation", the comparative slowness of promotion between the results of experience and my assumed scale, would necessarily arise from the great number of officers in the service, who, having served their full time, are not embraced in the conditions of the Fund; but to bring them within the operation of it, to adopt the wiser course, and give at once the required celerity of promotion, I earnestly recommend you to allow, to every officer who shall retire, when this plan for Retiring Fund shall be put in operation,

| | | |
|---|---|---|
| If, a Captain, a pension of | 400 Guineas; | including the retiring allowances of their rank without any demand whatever upon them for the boon. |
| If, a Major ... .... .... | 500 Guineas; | |
| If, a Lieut.-Col. ..... | 600 Guineas; | |

These terms are so liberal—and they are not more liberal than just—that I am persuaded many who have served their regulated time would gladly avail themselves of the offer, and retire, and thus bring up the celerity of promotion to what I have assumed that, with the existence of this fund, it must ultimately attain.

It is apparent that after these officers shall have retired, hundreds of officers would become entitled to pay and allowances, to which, for years, without the Agency of the Fund, they would have had no claim. I beg to claim, in the name of the Indian Army, this increase of pay and allowances from them, *for one year*, towards the payment of the pensions of the retiring officers—and for the rest of the time by which their promotion shall have been anticipated by the Agency of the Fund, or till the full amount of their immediate donation shall have been paid up, as their payments in liquidation of the "immediate donation" which at the institution of the Fund will have been due from them.

I have requested you to allow all Captains, who may have served their time to retire on 400 Guineas per annum—and it must be apparent to you that according to the present rate of promotion, no higher rank in that interval of time will have been obtained. I now entreat you to extend that principle to yourselves, and, in accordance with it, to allow every officer when he shall have served 25 years, the same Retiring Pension, *increased by the pension which his donations paid on his own account may be the equivalent* of, and estimated at the rate of a Guinea increase to the pension per annum for every 100 Rupees paid as donation to the Fund, so long as these sums together shall not exceed 500 Guineas. And to an officer who may be obliged to retire through ill-health before his time shall have been completed, I should consider that you acted but barely just by allowing a Guinea per annum for every 100 Rupees which he may have paid on his own account to the fund both in the shape of monthly subscription, and of donation: and to an officer who may have served his time of 22 years without having had a furlough, and from whom nothing but his future subscriptions were due, I would allow the full retiring pension of 500 Guineas on his paying down the monthly subscriptions which he must have paid, had he continued for three years longer in the service. Here the Fund will incur a loss; but that loss will be of very trifling amount: and of no value compared with the advantage arising from his retirement.

As the scale of Retiring Pensions is liberal in the extreme, promotion among you will necessarily be rapid; and as the increase of your pay and allowances will be equally great, the deductions made from your income will soon have made good the amount of "immediate donation" due from you. When, therefore, you shall have served your time, you will, from your own payments and from the Court's pension for 25 years service in India (to which I suppose you become as absolutely entitled as if that portion of your pension came to you by inheritence or bequest,) have become entitled to the retiring pension of 500 Guineas. Now if your standing in the service should impress you with the propriety of continuing another year in it, you of course, relinquish the first payment of your 500 Guineas: but at the end of the 26th year when that payment shall have become due, I suppose it, money paid over to a life Assurance Office for an additional pension to the payer during the remainder of his life. The pension which is the equivalent of 500 Guineas to a life of 44 years of age, and which has been 26 years in India, being about 500 Rupees, if you should retire after 26 years, you will have become absolutely entitled to the retiring pension of 5750 Rupees. And if you should continue another year in the service, you, in the same manner, relinquish the first payment of your *increased* pension; and for this relinquishment you will have become entitled after a service of 27 years to the retiring pension of 6375 Rs.

*A Table of the pensions to which an Officer of the Indian Army will have become entitled for a service of 25 years and upwards in India, and for certain subscriptions and donations which he will have paid within that time.*

| | | | |
|---|---|---|---|
| Time served. | 25 years | Pension to be allowed in Rupees. | 5250 |
| | 26 „ | | 5750 |
| | 27 „ | | 6375 |
| | 28 „ | | 7075 |
| | 29 „ | | 7850 |
| | 30 „ | | 8700 |
| | 31 „ | | 9700 |
| | 32 „ | | 10800 |
| | 33 „ | | 12000 |
| | 34 „ | | 13500 |
| | 35 „ | | 15000 |

These pensions are so large and liberal, that I have no doubt but you will immediately adopt the scheme which is to confer them upon you; and for the purchase of which, if the pensioners whom you may now create, to accelerate your own promotion, had the enquivalent of their pensions provided for, would only involve the contribution of a comparatively small sum for 25 years, and the relinquishment of the difference of pay and allowances for one year to which you would become entitled on promotion; and your claims to the off-reckoning money when you shall have become Colonels, which money I propose to combine, for general use, with the money which may be assigned for the Retired Officers and for the payment of the Retired allowances for your Fund.

We now come to the most important part of the subject; and, that is, the power and the will of the Honorable Court to assist you to the extent which the previous portion of this letter would appear to imply. I know, from many considerations, that the Directors are most anxious to do all that is in their power to assist you; and you know from their public declarations their inability to assist you to the extent which this measure will absolutely require. As then, any request that is made and involving a condition which it is impossible to comply with, must necessarily be rejected; so, to avoid refusal, and, at the same time, to carry your point, the safer plan for you to adopt is not to ask for more than the Honorable Court can with safety and prudence allow you.

Now the Honorable Court knows the average annual amount of the Off-reckoning Fund;—it knows what it has to pay per annum to the Retired Officers;—it knows also the sum by which this is being increased from year to year; and which, if the present system prevails must go on increasing for many years yet to come. The Honorable Court can therefore, assign with tolerable accuracy the maximum limit towards which your claims upon them are likely to approach. All, then, which I should deem it proper for you to require, is, that the Honorable Court, in order to aid your laudable and highly expedient and politic endeavours, would have the goodness to anticipate the future, and assign to you at once, and per annum, that limiting sum, not as a right, but as a limit beyond which if your Retiring allowances should extend, you, or those who may hereafter enjoy the benefit of the promotion caused by the excess of retirement, should contribute among yourselves to make up the excess of expenditure which those retirements may have occasioned.

I am unable, but even if I were able, it would be unwise so far as your interest is concerned; and presumptuous, with reference to the feelings and the prerogatives of the Honorable Court, to give any opinion as to the amount of the limiting sum which the Honorable Court might feel disposed to fix, but as I require a sum in order to develop my entire views on this subject to you, I will assume, simply, as a basis for calculation, that the Honorable Court has resolved to allow, to each Presidency, such a sum per annum, payable in London, as shall be equivalent to a pension, to each Regiment or Battalion on the Establishment of £1,500, including the Off-reckoning money; and, as one of the conditions on which this grant is made, that you shall pay out of it the present Retired Pensions and their Off-reckoning claims to the present Colonels and to such other Officers as may not come into the present scheme. If this, or an analogous arrangement were made, you would have an immediate and available excess of capital to pay up the pensions of the Officers who may retire on your Fund; which excess, you must see, will, from year to year go on increasing, as you become Colonels, and as the present Retired Officers drop off, or are otherwise disposed of.

As then you would have an annually increasing income, available for the payment of the pensions created by, and chargable to, your Military Retiring Fund, and as you would be enabled soon to pay up the amount of immediate donation due from you to the Fund, there would be but few Officers, except those who should retire in the first instance, who would become in any degree chargeable to you. And if, unfortunately it should be the case, that in the first instance some officers, from inability, or any other cause should refuse to subscribe to your Retiring Fund, you must see that, as these drop off or see their advantage of joining it, and as you and they who may join it increase in rank the amount of annual donations in favor of the Fund, would, and must, as regularly increase. As then the claims of the present Retired Officers and of the Colonels and your *own* pensioners for many years yet to come, would regularly decrease, and as the claim of those upon you who should subsequently retire, would be of an inconsiderable amount, you must see that in a few years your annual donations would soon amount to the equiva-

lent of the excess of Retiring Pensions, allowed as an inducement to retire, when, of course, the payment of the annual donations for this purpose would cease.

Taking all this into consideration, I am bound to conclude that you can experience no difficulty in the adoption of an efficient Retiring Fund, unless that difficulty should be created by yourselves. You can meet with no difficulty from His Majesty's Government or from the Court of Directors; as they will doubtless gladly aid you in the adoption of a scheme which should fix so reasonable and proper, as well as expedient a limit as 53, as the average age of their senior Officers in India, and at the same time, a limit to your claims upon the State: and, as the Honorable Court must see that as this would be a final measure, and by which your promotion and happiness, as well as the efficiency of the Army would be most essentially increased, I have no doubt but they would be liberal in the extreme in supporting it.

As there are officers in the service, in the possession, and others in the expectation of appointments, the emoluments of which they may estimate at a higher value than your pensions, however liberal, and the enjoyment of liberty and the associations of home, these must necessarily enjoy the acceleration of promotion which will have been occasioned by the retirement of those above them. And as these being men of refined and honorable feelings would repudiate the idea of being dependant on their juniors for their advancement in rank, they might, in the first instance, be averse to the institution of a scheme which would be likely to embarrass them and place them in an unfavorable light to their associates: but as the celerity of promotion becomes slower as an officer advances in the lists of Majors or Lieutenant-Colonels, nearly, although not exactly, in a geometrical progression, I have tables by me, founded on this principle, whereby I can estimate the present value of an officer's claims from his standing in either of those lists, from whence the amount of the fine may be determined, which every Field Officer should pay to the Fund, who may be unwilling to retire and still more so, to be under an obligation to you for the advantage which he may have acquired by the retirement of any number of officers above him. These, therefore, can have no objection to the institution of the fund, and on that account I hope they will join you by subscribing their thirty rupees per mensem towards it.

A Captain or a Major, who might have retired on the proposed pensions of those ranks when this scheme shall have been put into operation may feel disposed to wait for a time longer in this country, and without any intention of benefiting by the Fund at your expense: to this, of course, you cannot object; but with the view of preventing any to hang on who may be disposed to retire, and who may wish to wait till the operations of the fund shall have conferred a superior rank upon them, you will, I conceive, act wisely by the adoption of one or the other of two principles—namely, to grant them the pension of their new rank upon the payment of 10,000 Rupees to the fund; or which perhaps would be found by far the more preferable plan to give them credit for the present value of the retiring pension of their rank, and for their subscription of 30 Rupees per mensem; and when they may feel disposed to retire, the pension which shall be the equivalent of both.

This is equally applicable to the class of officers considered in the foregoing paragraph. And it can evidently be rendered equally applicable to those gentlemen who may not have served their term when this plan shall be put in operation, by giving them credit in the fund for the equivalent of the retiring pension of a Captain; for the amount of their donations and subscriptions paid on their own account to the fund; and for their subscriptions of 30 Rupees per mensem: and when these respective classes of officers may feel disposed to retire, the pension which shall be the equivalent of their respective contributions, provided these pensions shall not exceed those which are assigned in a foregoing Table for the officers of different standings in the service.

There is another class of officers, who, having got as high as the nature of the Service admits of, can derive no possible advantage from the existence of the Fund but the heartfelt pleasure which a good man enjoys at the advancement and the happiness of his associates: I trust that as this is a measure calculated to place the Indian Army in the most enviable position that ever a body of men and the public servants of a State were placed in, they, although they can derive no immediate advantage from it, will so far favor and encourage the institution of the Fund as to subscribe a day's income monthly

towards it, in the hour of need—its infancy—and for the benefit of their Brethren in Arms.

Some officers who may be disposed to retire may urge upon you their desire to have a sum in hand rather than a pension, with which request of course, and at the institution of the Fund, you cannot comply; as the sum which you would have to pay to one would suffice to pay the annual pensions of about ten retiring officers. This, too, is the reason, why it would be objectionable in the first instance to pay from your immediately available capital the debts of the retiring officer: but if the claims against you were made good, and that your scheme had attained a steady course of operation, there is nothing which at present occurs to me either in the principle or the practice of it, that could hinder you from giving an officer or all officers the full and the immediate equivalent of his ulterior claims upon you! Those however who may hitherto have expressed this desire, may have done it from a variety of motives. They may have entertained the idea that if they were to retire on the engagements of the Fund, they had no security that their pensions would be regularly paid to them; as it was uncertain that those who succeeded them would continue to subscribe for this purpose; and have therefore inferred, that as a "bird in the hand was worth two in the bush," an immediate payment would be more agreeable than a pension: but if this feeling ever prevailed, it can no longer be maintained, or find a place in the heart of any reasonable man; as in this instance, every officer subscribes for himself alone and leaves to the directors of the fund but the negative virtue of being honest.

Others may have reasoned on a different principle and have concluded that as their pensions died with them, and perhaps as they had families to provide for, an immediate payment would be of much more value to them than a pension. Here you will see the advantage of your being called upon to subscribe for yourselves, as it enables you to avail yourselves of your corporate capacity, and to enter with good faith into the feelings and the views of your retiring associate.

In this instance you can become your own assurers, and can guarantee to the family of the retiring officer a much larger sum as the equivalent of any portion of his pension which he may be pleased to remit, than he can possibly obtain elsewhere: for if he applies to an Assurance Office, in England, that office will assign the equivalent amount of his remitted income, diminished by about 20 per cent., as the profit to the proprietors of the office on the transaction; and diminished too in consequence of the retired officer when he is in a condition to appear before the directors there, being in all cases, one year older. The application of this principle carries with it another advantage—it renders you less dependant on others for an immediate capital to pension off your seniors, and gives you the privilege of pensioning off a greater number of them.

I have now given expression to all that I consider it material to place before you at the present time, and must therefore come to a conclusion: but before I do this, allow me to exhort you to be unanimous in your determination to adopt the present scheme, which, so far as I can see, is based on principle and in equity, and thereby put an end for ever to the uncertainty and the dreariness of your future prospects. Do not, I implore you, regard with too keen a vision what may occur to you as difficulties in perspective, for if you adopt the scheme you will see those vanish before you and melting like the clouds of heaven before the rays of the rising sun. As I have already stated, you can meet with no difficulties from home; as you ask for nothing but what can be safely and fairly given; and if you should be impressed with this conviction, I think you would act wisely by subscribing at once; whereby you would have a large capital accumulated to give immediate effect to the fund when the sanction of the Honorable Court shall have reached you. If, on the other hand, that sanction should be withheld, why the amount of your subscriptions could revert to your respective estates. I may add, as my own conviction, that the Honorable Court will never sanction this,—or any other scheme for a Retiring Fund, which is not in accordance with the feelings and the wishes of the whole Army. And therefore to be successful, that must be adopted by the officers of the three presidencies.

I have the honor to be, Gentlemen,

Your faithful friend and well-wisher,

JOHN CURNIN.

Calcutta, Dec. 23rd, 1834.

[*Assistant Assay Master, Calcutta Mint.*]

# TABLE A.

*A Table of the time served by the Field Officers of the Indian Army, who were promoted within the eight years ending with the 30th of April, 1832, and of the casualties from which such promotion has arisen.*

NOTE.—The numbers on the left of every mean represent the number of individuals from whose promotion that mean result was obtained.

| | | Bengal Army. | | | | | | | | Madras Army. | | | | | | | | Bombay Army. | | | | | | | | Died | | | | Retired. | | | | Invalided | | | | Promoted. | | | | Remov'd. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Cavalry. | | Infantry. | | Artillery. | | Engineers. | | Cavalry. | | Infantry. | | Artillery. | | Engineers. | | Cavalry. | | Infantry. | | Artillery. | | Engineers. | | Cavalry. | Infantry. | Artillery. | Engineers. | Cavalry. | Infantry. | Artillery. | Engineers. | Cavalry. | Infantry. | Artillery. | Engineers. | Cavalry. | Infantry. | Artillery. | Engineers. | |
| | | years. | | years. | | years | | years | | years. | | years. | | years. | | years. | | years | | years. | | years | | years | | | | | | | | | | | | | | | | |
| 1st Third | Colonels. .... | 3 | 28,62 | 12 | 27,60 | 2 | 34,84 | 2 | 44,81 | 1 | 31,86 | 8 | 29,10 | 1 | 29,62 | 1 | 33.17 | 1 | 27,55 | 5 | 26,88 | 1 | 25 95 | 1 | 26,95 | 5 | 28 2 | 1 | — | — | — | 1 | 1 | — | 2 | — | — | 7 | 36 | 5 | 6 | |
| | Lieut.-Col.. .. | 5 | 26,26 | 39 | 24,65 | 2 | 19,99 | 3 | 43,03 | 2 | 27.30 | 24 | 21,14 | 3 | 24,67 | 2 | 31,21 | 1 | 24.74 | 2 | 24,51 | 2 | 23,23 | 1 | 23,36 | 5 | 27 1 | 0 | 1 | 36 | — | — | 1 | 11 | — | — | 15 | 116 | 8 | 7 | |
| | Majors.. .... | 6 | 24,18 | 55 | 22,68 | 4 | 19,71 | 3 | 25,42 | 6 | 23.75 | 37 | 22.59 | 5 | 20.71 | 3 | 24,58 | 1 | 20.86 | 17 | 22,00 | 3 | 21,88 | 2 | 25,12 | 0 | 19 1 | 0 | 1 | 22 | 2 | — | 1 | 6 | — | — | 18 | 163 | 13 | 7 | |
| 2d Third | Colonels ..... | 3 | 29.76 | 12 | 29,42 | 2 | 36,21 | 2 | 45,34 | 0 | — | 8 | 30,19 | 1 | 32,90 | 0 | — | | — | 5 | 27.84 | 1 | 23,56 | 1 | 28,87 | 1 | 19 2 | | — | — | 2 | — | 1 | — | — | — | 1 | 23 | 2 | 1 | |
| | Lieut.-Col. .... | 5 | 25,86 | 39 | 25 98 | 2 | 23,13 | 3 | 33.61 | 2 | 26,39 | 24 | 26,01 | 3 | 25,33 | 2 | 22,07 | | — | 12 | 25 77 | 2 | 22.15 | 1 | 27,11 | 4 | 25 1 | 3 | 1 | 16 | 3 | 1 | — | 4 | 1 | — | 6 | 70 | 7 | 5 | |
| | Majors.. .... | 6 | 22.18 | 55 | 22,68 | 4 | 22,49 | 3 | 20,97 | 6 | 22.88 | 37 | 23,35 | 5 | 21,46 | 3 | 16.67 | | — | 17 | 22,94 | 3 | 18.95 | 2 | 27,00 | 3 | 10 4 | — | 5 | 17 | 1 | 1 | 3 | 2 | 1 | — | 17 | 111 | 13 | 7 | |
| 3d Third | Colonels.. .... | 3 | 31,98 | 12 | 30,84 | 2 | 33,11 | 2 | 40,80 | 0 | — | 8 | 32 28 | 0 | — | 0 | — | | — | 5 | 31,02 | 1 | 25,38 | 0 | — | 1 | 10 2 | 1 | — | 1 | — | 1 | — | — | — | — | 1 | 13 | 3 | 2 | |
| | Lieut.-Col.... | 5 | 29,03 | 39 | 27,05 | 2 | 26,57 | 3 | 24,83 | 2 | 28 92 | 24 | 27.37 | 3 | 25,31 | 2 | 17.54 | | — | 12 | 26,49 | 2 | 25,37 | 1 | 28,69 | — | 9 1 | 1 | — | 9 | 1 | — | — | 1 | — | — | 1 | 34 | 6 | 3 | |
| | Majors.. .... | 6 | 23.98 | 55 | 24,86 | 4 | 25,41 | 3 | 20.78 | 6 | 24,05 | 37 | 24,35 | 5 | 21,60 | 3 | 17.84 | | — | 17 | 23,00 | 3 | 19.21 | 2 | 26,54 | — | 8 — | 1 | — | 3 | 1 | — | — | 4 | — | — | 1 | 51 | 8 | 5 | |

## TABLE B.

*A List of the Officers of the Bengal Infantry who it may be presumed will be the Seniors in their respective Corps on the 1st of January, 1835; with the dates of their arrival in India; the dates of their promotion to their present rank; the times which they have severally served in their former rank; and the time which they will have served on that day, in their present rank.*

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| David Ruddell | 08,040 | 22,677 | 14,637 | 12,323 | James Matthie | 22,081 | 24,003 | 1,922 | 10,997 |
| Jas. Marshall | 08,508 | 19,003 | 10,495 | 15,997 | W. Shortreed | 20,456 | 23,332 | 2,876 | 11,668 |
| Wm. H. Sleeman | 09,656 | 24,312 | 15,139 | 10,688 | F. Corner | 22 522 | 24,332 | 1,810 | 13,668 |
| Saml. Maltby | 06,506 | 21,852 | 15,346 | 13,148 | R. Woodward | 23,470 | 25,364 | 1,894 | 9,636 |
| G. F. Holland | 06,700 | 21,395 | 14,695 | 13,605 | J. Butler | 21,366 | 23,526 | 1,160 | 11,474 |
| H. F. Caley | 07,629 | 22,285 | 14,656 | 12 715 | C. J. Oldfield | 20,360 | 23,526 | 3,166 | 11,474 |
| Peter Johnstone | 07,489 | 22 099 | 14,610 | 12,901 | G. L. Vanzetti | 18 730 | 19,701 | 0,971 | 15,299 |
| J. G. Drummond | 08,774 | 23,425 | 14,651 | 11,575 | A. Agnew | 21,295 | 23,526 | 2,231 | 11,474 |
| Stephen Moodie | 06,700 | 21,395 | 14,695 | 13,605 | J. L. Revell | 18 930 | 20,058 | 1,128 | 14,942 |
| Geo. Hicks | 08,508 | 23,164 | 14,656 | 11,836 | G. Gordon | 19,895 | 22,795 | 2,900 | 12,205 |
| J. L. Earle | 07,065 | 21,658 | 14,593 | 13,342 | W. Beckett | 19,626 | 21,047 | 1,421 | 13,953 |
| Geo. Tomkyns | 07,506 | 22,162 | 14,656 | 12,838 | J. Welshman | 21,377 | 23,526 | 2,149 | 11,474 |
| David Hepburne | 08,621 | 23,271 | 15,150 | 11,729 | F. B. Todd | 20,593 | 23,526 | 2,933 | 11,474 |
| Lewis Bruce | 08,774 | 23,425 | 14,651 | 11,575 | J. S. Hodgson | 22,426 | 24,252 | 1,826 | 10,748 |
| Edward Gwatkin | 05,648 | 19,003 | 13,355 | 15,997 | J. E. Bruere | 18,651 | 18,584 | 0,000 | 16,416 |
| W. J. Gardner | 08,621 | 23,271 | 14 650 | 11,729 | E. J. Dickey | 23,684 | 24,627 | 0,943 | 10,373 |
| Alexander Carnegy | 11,695 | 26,069 | 14,374 | 9,931 | J. Evans | 20,506 | 23,526 | 3,020 | 11,474 |
| L. N. Hull | 15,722 | 26,111 | 10,459 | 8,819 | E. Barberie | 22,844 | 24 332 | 1,488 | 10,668 |
| John Oliver | 07,065 | 21,658 | 14,593 | 13,342 | T. Cooke | 20,360 | 22,526 | 3,166 | 11,474 |
| W. Cubitt | 06,506 | 21,236 | 14,730 | 13,764 | F. W. Anson | 22 788 | 24,332 | 1,544 | 10,668 |
| W. Pasmore | 06 506 | 21,236 | 14,730 | 13,761 | T. H. Newhouse | 20,802 | 23,526 | 2,724 | 11,474 |
| W. C. Denby | 06,577 | 21,241 | 14,661 | 13,759 | E. F. Ludlow | 20,336 | 23,526 | 3,190 | 11,473 |
| W. Simonds | 08,621 | 23,271 | 14 650 | 11,729 | J. Dyson | 22 522 | 24,786 | 2,264 | 10 214 |
| F. C. Robb | 19,533 | 26,636 | 16,103 | 8 361 | R. E. Battley | 20,851 | 23 526 | 2 675 | 11,474 |
| John Moule | 10,615 | 26,326 | 15,711 | 8 674 | C. Chester | 21,369 | 23 526 | 2,157 | 11,474 |
| L. S. Bird | 08,774 | 23,425 | 14,651 | 11,575 | G. E. Vankey Chusan | 22,708 | 24,578 | 1,870 | 0,422 |
| S. Corbett | 19,717 | 25,630 | 05,913 | 9,370 | J. A. Wood | 23,963 | 25,364 | 1,401 | 9,636 |
| G. H. Johnstone | 09,656 | 24 312 | 14,656 | 10,688 | R. B. Lynch | 24,358 | 24,863 | 0,505 | 10,137 |
| Alexander Gerard | 08,508 | 23,164 | 14,656 | 11,836 | J. W. Gibson | 24 481 | 25,364 | 0,883 | 9,636 |
| C. D. Wilkinson | 14,528 | 25,452 | 13,894 | 9,548 | J. A. Fairhead | 22,081 | 23,526 | 1,445 | 11,474 |
| D. D. Anderson | 05,999 | 19,003 | 13,004 | 15,997 | A. Hodgis | 20,506 | 22,526 | 2,020 | 12 474 |
| M. Nicholson | 14,478 | 25,742 | 11,264 | 9,258 | A. Jack | 24,725 | 25,742 | 1,017 | 9,258 |
| J. S. H. Weston | 10 615 | 25 665 | 15,050 | 9,235 | W. Sawrin | 23 528 | 24 707 | 1,179 | 10,293 |
| W. C. Oriel | 08,508 | 23,329 | 14,821 | 11,671 | C. Haldane | 19,472 | 20 652 | 1,220 | 14,343 |
| Geo. Barker | 08,508 | 25,019 | 16 511 | 9 981 | J. D. Nash | 24,777 | 25,019 | 0,642 | 9,981 |
| Robert Low | 09,484 | 24 312 | 14 828 | 10,688 | R. Angelo | 20,760 | 23,526 | 2,766 | 11,474 |
| C. W. Cowley | 12,601 | 27,888 | 15 128 | 7,112 | A. G. F. Younghusband | 24 377 | 24,304 | 0 000 | 0,696 |
| T. H. Sandys | 09,656 | 21,658 | 12,002 | 13,342 | W. C. Carleton | 20,728 | 23,526 | 2,798 | 11,474 |
| Charles Griffith | 11,741 | 26 953 | 15,209 | 8,046 | G. R. Westmacott | 23,596 | 25,364 | 1,768 | 9,636 |
| S. M. Horsburgh | 07 629 | 22 285 | 14 656 | 12 715 | G. Burney | 19,618 | 21,397 | 1779 | 13,603 |
| E. Pettengall | 05 999 | 19,003 | 13,004 | 15 997 | J. H. Low | 24,623 | 25,364 | 0 741 | 9 6 6 |
| M. A. Bunbury | 08 684 | 23,329 | 14,645 | 11,671 | S. F. Hannay | 20,588 | 23,526 | 2,9 8 | 11,474 |
| G. Watson | 06,506 | 21,2 6 | 14 730 | 13 764 | J. Martin | 18,670 | 19,003 | 0,33 | 5,997 |
| Henry Dwyer | 06,700 | 21 395 | 14 695 | 13,605 | J. Leeson | 19,692 | 22,060 | 2,368 | 2 940 |
| James Bourdien | 08,045 | 22,677 | 14 632 | 12,323 | A. Webster | 21,804 | 23 773 | 1,969 | 1,227 |
| Richard Newton | 05,999 | 19,003 | 13,004 | 15,997 | M. Hughes | 14 604 | 16,458 | 1,854 | 18,592 |
| T. R. Macqueen | 08,508 | 23,164 | 14,656 | 11,836 | R. W. Fraser | 23,700 | 24,375 | 1 675 | 0 625 |
| W. B. Gerdlestone | 09,484 | 24 312 | 14,828 | 10,688 | T. J. Nuthall | 24,352 | 24,962 | 0,610 | 0,038 |
| Benjamin Blake | 06,577 | 21 241 | 14,664 | 13,759 | H. T. Rahan | 18,536 | 18,674 | 0,138 | 16,326 |
| R. A. Thomas | 05,648 | 19,003 | 13,355 | 15,997 | F. Fisher | 18,530 | 18,584 | 0,054 | 16,416 |
| David Mason | 06,774 | 21,932 | 15,158 | 13,068 | R. F. Macvitee | 24,358 | 25,364 | 1,006 | 9 636 |
| James Parsons | 06,700 | 21,395 | 14,695 | 13 605 | J. Graham | 19 536 | 20 918 | 1,382 | 14,082 |
| H. C. Barnard | 06,506 | 21,236 | 14,730 | 13,764 | J. Finnis | 20,506 | 22,29 | 1,784 | 12,710 |
| F. G. Lester | 06,506 | 21,236 | 14,730 | 13,764 | F. Moore | 22 081 | 24,205 | 2,124 | 10,795 |
| John Hogan | 08,508 | 23,164 | 14,656 | 11,836 | J. D. Douglas | 20,360 | 21,956 | 1,596 | 13,044 |
| G. A. Vetch | 06,577 | 21,241 | 14,664 | 13,759 | H. R. Osborn | 19,741 | 21,003 | 1,262 | 13,997 |
| Thomas Dickinson | 06,700 | 21,395 | 14,695 | 13,605 | A. H. J. Micol | 19,774 | 21,003 | 1,229 | 13,997 |
| Hope Dick | 08,621 | 23 271 | 14 650 | 11,729 | D. Bamfield | 22,489 | 24,332 | 1,843 | 10,668 |
| E. Herring | 09,045 | 23,710 | 14,665 | 11,290 | G. M. Sherer | 22,306 | 24,644 | 2,338 | 10,356 |
| H. C. M. Cox | 06,774 | 21,395 | 14,621 | 13,605 | W. G. J. Robe | 20,873 | 23,526 | 2,653 | 11,474 |
| Thomas Webster | 09,484 | 24 312 | 14 828 | 10,688 | F. Winter | 22,385 | 24,901 | 2,516 | 10,099 |
| A. Dickson | 08,045 | 22,677 | 14,632 | 12,327 | C. H. Cobbe | 21,377 | 23,526 | 2,149 | 11,474 |
| Robert Stewart | 06,577 | 21,241 | 14,664 | 13,759 | P. P. Turner | 22,917 | 25,364 | 2,447 | 9,636 |
| Robert Beecher | 06,506 | 21,236 | 14,730 | 13,764 | J. H. Smith | 20,626 | 23,526 | 2,900 | 11,474 |
| George Jenkins | 06,506 | 21,236 | 14,730 | 13,764 | R. Haughton | 20,637 | 23,526 | 2,889 | 11,474 |
| Charles Andrews | 05,999 | 19,003 | 13,004 | 15,997 | R. F. Mackenzie | 20,851 | 23,526 | 2,675 | 11,474 |
| G. J. B. Johnston | 07,489 | 22,099 | 14,610 | 12,901 | C. Towle | 20,665 | 23,526 | 2,861 | 11,474 |
| Robert Delamain | 14,478 | 28,402 | 13,925 | 6,597 | G. Farmer | 25,032 | 26,342 | 1,310 | 8,658 |
| W. Grant | 05,999 | 19,003 | 13,004 | 15,997 | H. O. Frederick | 23,782 | 25,364 | 1,582 | 9,636 |
| George Young | 05,648 | 19,003 | 13,355 | 15,997 | S. J. Grove | 24,467 | 25,534 | 1,067 | 9,466 |
| Henry Norton | 05,648 | 19,003 | 13,355 | 15,997 | F. D. White | 18,878 | 20,052 | 1,174 | 14,948 |
| Gaven Young | 05,648 | 19,003 | 13,355 | 15,997 | A. Mercer | 18,569 | 18,584 | 0,015 | 16,416 |
| John Davis | 06,577 | 21,241 | 14,664 | 13,759 | C. Wintle | 20,040 | 22,315 | 2,275 | 16,685 |
| R. Foster | 06,577 | 21,241 | 14,664 | 13,759 | C. H. Boisregon | 22,541 | 24,605 | 2,064 | 10,395 |
| R. Armstrong | 05,999 | 19,003 | 13,004 | 15,997 | E. A. Cumberledge | 20,336 | 23,526 | 3,190 | 11,474 |
| Charles A. Munro | 05,999 | 19,003 | 13,004 | 15,997 | N. J. Cmberledge | 20,352 | 23,526 | 3,174 | 11,474 |

| | | | |
|---|---|---|---|
| Meantime served as | A Subaltern .... | 14,212 | |
| | A Captain .... | | 12,590 |

| | | | |
|---|---|---|---|
| Meantime served as | An Ensign .... | 1,803 | |
| | A Lieutenant.... | | 11,870 |

## TABLE C.

*A List of the Officers of the Madras Infantry who it may be presumed will be the Seniors in their respective Corps on the 1st of January, 1835; with the dates of their arrival in India; the dates of their promotion to their present rank; the times which they have severally served in their former rank, and the time which they will have served on that day, in their present rank.*

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Edward Franklyn | 19,533 | 26 03 | 6.500 | 8.967 | F. B. Doveton | 22,243 | 25 425 | 3.182 | 9 575 |
| W. Stuart | 11,096 | 25.699 | 14 603 | 9.901 | E. Simpson | 21,741 | 23,723 | 1.982 | 11,277 |
| P. P. Hodge | 18.654 | 28 252 | 9,598 | 6.748 | M. W. Perrian | 21,492 | 25,036 | 3,544 | 9,967 |
| W. Prescott | 17.533 | 25,493 | 7.960 | 9 507 | E. Apthorp | 21,591 | 24.537 | 2,946 | 10.463 |
| W. L. G. Williams | 20.018 | 27.219 | 7.201 | 7,781 | W. G. Yarde | 26,459 | 27,219 | 0,760 | 7.781 |
| J. D. Stokes | 18,744 | 27,630 | 8,886 | 7,370 | W. C. Chinnery | 24,445 | 26.688 | 2 243 | 8,312 |
| H. S. Burgess | 18,497 | 26,189 | 7 692 | 8 811 | M. Poole | 21,065 | 22 469 | 1,404 | 12.531 |
| J. Howison | 14 522 | 24,345 | 9.823 | 10,655 | F. A. Reid | 20,506 | 20.614 | 0,108 | 14.386 |
| H. White | 06,774 | 21,395 | 14,621 | 13.605 | R. H. Bingham | 21,475 | 24,241 | 2,766 | 10,759 |
| G. Lee | 09,656 | 24 312 | 14,656 | 10,682 | Arthur C. Wight | 26,182 | 27,162 | 0 980 | 7,838 |
| C. Maxtone | 09,656 | 24.279 | 14,623 | 10 721 | F. A. J. Longworth | 20,396 | 20,266 | 0,000 | 14,734 |
| W. Stokoe | 08,045 | 22,677 | 14,632 | 12,323 | H. E. Kenny | 21,065 | 22.416 | 1,351 | 12.584 |
| C. M. Robinson | 09,656 | 24.332 | 14.676 | 10,668 | D. Winter | 23.429 | 26.197 | 2.768 | 8.803 |
| A. E. Spicer | 08 045 | 22.677 | 14,632 | 12,323 | P. D. Glover | 20.336 | 20,266 | 0 000 | 14,734 |
| G. Dods | 11,804 | 24.455 | 12,651 | 10.445 | J. S. Sherman | 20,627 | 21.786 | 1,159 | 13.214 |
| C. Farran Junior | 18.966 | 30.071 | 11,105 | 4.929 | C. F. Le Hardy | 21,311 | 24,266 | 2 955 | 10,734 |
| W. H. Smith | 19 629 | 28,019 | 8.390 | 6.981 | H. L. Harris | 22 580 | 25.345 | 2.765 | 9.655 |
| J. R. Luard | 19 744 | 25,553 | 5.809 | 9,447 | S. A. Grant | 22,081 | 24,069 | 1,988 | 10,931 |
| T. Thullier | 08.508 | 23,164 | 14 656 | 11,836 | G. B. Marshall | 21,492 | 23 910 | 2 418 | 11,090 |
| W. Shaw | 07,344 | 21.932 | 14,588 | 13,068 | R. W. Sparrow | 21,738 | 23,827 | 2,089 | 11,173 |
| J. Drever | 18,744 | 26,956 | 8.202 | 8,044 | R. Prellyman | 22,306 | 24.885 | 2.579 | 10,115 |
| F. Plowden | 11 528 | 25,126 | 13,598 | 9 874 | J. W. Bayley | 20 634 | 22,896 | 2.262 | 12.104 |
| R. Butler | 08.045 | 22.677 | 14.632 | 12,323 | W. Cuppage | 20,506 | 20 532 | 0,026 | 14,468 |
| G. Hullon | 12 522 | 26.041 | 13.519 | 8.959 | W. D. W. Lys | 21.311 | 22 978 | 1,667 | 12 022 |
| C. MacDowall | 08 568 | 23.164 | 14 556 | 11.836 | W. Beaumont | 24 725 | 26.625 | 1,900 | 8,375 |
| G. Hutchinson | 06 533 | 21,225 | 14 692 | 13.775 | C. Dennett | 19 966 | 19.449 | 0.000 | 15.551 |
| H. Harkness | 06.774 | 21,395 | 14.621 | 13.605 | C. O. Backhouse | 22.54 | 25 986 | 3,445 | 9.014 |
| S. A. Rehe | 08.684 | 23.329 | 14.645 | 11,671 | Harry H. Walls | 20.497 | 20.386 | 0.000 | 16.614 |
| A. Mackintosh | 07.506 | 22,285 | 14 779 | 12,715 | H. Morland | 21,492 | 24,332 | 2,840 | 10 668 |
| H. Coyle | 05,648 | 19,003 | 13,355 | 15.997 | W. Craigie | 20,728 | 21,542 | 0.814 | 13.458 |
| E. J. Hibgame | 08 045 | 22,677 | 14.632 | 12,323 | I. Milnes | 20.717 | 22,181 | 1,464 | 12.819 |
| C. Snell | 08.045 | 22.208 | 13,163 | 12,792 | E. Horne | 20.506 | 20.518 | 0,012 | 14,482 |
| Adol Derville | 18 081 | 25,419 | 7,338 | 9,581 | G. R. Johnstone | 20,728 | 21,586 | 0,858 | 13,414 |
| J. F. Palmer | 11,528 | 24,332 | 12,804 | 10,668 | J. Harkness | 19.744 | 19 449 | 0,000 | 15.551 |
| J. Tod | 08,503 | 24.332 | 15.824 | 10 668 | I. Hutchins | 21,492 | 23 241 | 1,749 | 11,759 |
| J R. Haig | 19,744 | 26.425 | 6,681 | 8.575 | F. R. Crozier | 22.711 | 24.784 | 2,073 | 10,216 |
| W. McLeod | 08.045 | 22.677 | 14.632 | 12.323 | S. R. Hicks | 19,895 | 19,449 | 0.000 | 15.551 |
| H. W. Poole | 08.045 | 22.677 | 14.632 | 12,323 | I. Hayne | 23 107 | 26,581 | 3,481 | 8,419 |
| G. Story | 17,744 | 24 786 | 7,042 | 10,214 | R. Bedingfeld | 20.506 | 20,921 | 0.415 | 14 079 |
| W. J Butterworth | 18,399 | 24,460 | 6,061 | 10,540 | C. Pooley | 21,467 | 22 247 | 0,780 | 12,753 |
| W. Taylor | 08,045 | 22.677 | 14 632 | 12.323 | F. Eades | 20,627 | 21 912 | 1,285 | 13,088 |
| J. Wright | 08.684 | 23.329 | 14 645 | 11,671 | G. H. Harper | 22,081 | 24,488 | 2,407 | 10,512 |
| H. Serjeant | 08,215 | 22.667 | 14,452 | 12,333 | H. Hall | 21,366 | 24.356 | 2,990 | 10,643 |
| E. Macpherson | 08.045 | 22 667 | 4.622 | 12,333 | F. H. Zouch | 21 475 | 24,504 | 3.029 | 10 496 |
| R. C. Camobell | 18,673 | 26 756 | 8,083 | 8.244 | F. Sharp | 25,486 | 26,523 | 1,037 | 8.477 |
| C. D. Dun | 5 999 | 19,003 | 13.004 | 5,997 | R. T. Wallace | 17,537 | 17,214 | 0.000 | 17,786 |
| J. Macdonald | 10,771 | 26.041 | 5,270 | 8,959 | I. J. McMurdo | 20.599 | 21,121 | 0,522 | 13,879 |
| J. Wallace | 11,774 | 25.381 | 13.607 | 9,619 | W. Powell | 20,506 | 21,085 | 0,679 | 13,915 |
| J. Garnault | 11.528 | 24.335 | 12.806 | 10,666 | W. Bremner | 21,306 | 22,728 | 1,417 | 12,277 |
| R. Alexander | 19.692 | 26.778 | 7,086 | 8 222 | Dan Littlejohn | 21,492 | 24,332 | 2,840 | 10.668 |
| H. Moberly | 08,045 | 21.605 | 13.560 | 13,395 | G. Roberts | 20,506 | 20.597 | 0,091 | 14,408 |
| H. W. Lardner | 20.612 | 29,419 | 8 807 | 5 581 | E. T Morgan | 24.141 | 27,296 | 3,155 | 7.704 |
| B. R. Hitchins | 07,489 | 22.099 | 14,610 | 10,901 | J. Leacock | 20,396 | 20.266 | 0,000 | 14.734 |
| J. Cameron | 06,506 | 21,236 | 14,730 | 13,764 | H. T. Hitchins | 20,506 | 20,984 | 0,480 | 14.014 |
| Meantime served as A Subaltern .... | | | 11,974 | | Meantime served as An Ensign .... | | | 1,550 | |
| Meantime served as A Captain .... | | | | 10,722 | Meantime served as A Lieutenant .... | | | | 10,232 |

## TABLE D.

*A List of the Officers of the Bombay Infantry who it may be presumed will be the Seniors in their respective Corps on the 1st of January, 1835; with the dates of their arrival in India; the dates of their promotion to their present rank; the times which they have severally served in their former rank; and the time which they will have served on that day, in their present rank.*

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| S. Knowles | 09,848 | 22,838 | 12,988 | 10,167 | J. Hebburn | 20,495 | 20,455 | 0,000 | 14,546 |
| W. Henderson | 09,656 | 22,378 | 12,722 | 12 622 | R. S. John | 22,322 | 24,252 | 1,930 | 10,748 |
| I. Reynolds | 12,344 | 24,332 | 11,988 | 10,668 | E. Hunt | 21,267 | 21,389 | 0,122 | 13,611 |
| David Forbes | 18,003 | 24,332 | 06,329 | 10.668 | A. Hand | 21,371 | 21,827 | 0,456 | 13,172 |
| E. W. Jones | 18.881 | 27,047 | 8,166 | 7.953 | J. Hallett | 22,741 | 26.688 | 3,947 | 8,312 |
| W. Spratt | 09 656 | 24,304 | 14 648 | 10.696 | G. J. Jameson | 20,654 | 20,726 | 0,072 | 14,274 |
| W. Spiller | 05.465 | 18,003 | 12.538 | 16,997 | B. Justice | 20,311 | 20.340 | 0 029 | 14,660 |
| F. J. Farrell | 17,618 | 25,888 | 8,270 | 9,112 | D. Carstairs | 21,459 | 22,225 | 0,766 | 12.775 |
| C. C. Massay | 18,335 | 24,332 | 5,997 | 10,668 | J. W. Gordon | 20,497 | 20,616 | 0,119 | 14,384 |
| H. Sandwith | 19.558 | 27,318 | 7,760 | 7,682 | W. C. Manesly | 24.090 | 26,688 | 1.598 | 8.313 |
| I. Farquharson | 10.692 | 24,332 | 13,640 | 10.668 | J. Beck | 21,314 | 23,216 | 1,902 | 11,784 |
| C. Cathcart | 17,484 | 26,496 | 9.012 | 8,504 | R. T. Lancaster | 21,475 | 23,746 | 2,267 | 11.258 |
| J. T. Molesworth | 11,906 | 24,332 | 12,426 | 10,668 | J. E. Parsons | 19,840 | 19,986 | 0,142 | 15,014 |
| I. Clynes | 08.684 | 22,614 | 13,930 | 12.386 | R. M. Hughes | 20,311 | 20,340 | 0,000 | 14,660 |
| Henry G. Roberts | 19,607 | 24.556 | 4,949 | 10,444 | A. Bradford | 21,763 | 23,553 | 1.790 | 11,447 |
| W. H. Waterfield | 18,741 | 24,923 | 6,182 | 10,077 | R. Batt | 21,371 | 21,441 | 0.070 | 13,559 |
| I. Saunders | 12,703 | 26,332 | 13,629 | 8.668 | T. Mitchell | 21,475 | 24,033 | 2,558 | 10,967 |
| H. C. Holland | 12,344 | 24,332 | 11.988 | 10,668 | C. Hunter | 22,336 | 24,118 | 1.782 | 10,882 |
| I. Simpson | 09,484 | 24,044 | 14 560 | 10.956 | T. Probyn | 20.495 | 20.340 | 0,000 | 14,660 |
| I. Worthy | 10.692 | 24,332 | 13,640 | 10.668 | A. F. D. Frazer | 21,475 | 23,523 | 2,048 | 11,477 |
| H. Hancock | 19,797 | 26 663 | 6,866 | 8,337 | Herbert Jacob | 21,741 | 24,532 | 2.791 | 10,468 |
| D. W. Shaw | 11,462 | 23,677 | 12,215 | 11,323 | R. Bulkley | 19.749 | 19,419 | 0,000 | 15,581 |
| E. F. Hamilton | 10.391 | 22,271 | 11,880 | 12.729 | W. Wyllie | 19,662 | 19,332 | 0,000 | 15,668 |
| I. Clark | 10.470 | 24,332 | 13,862 | 10,661 | H. J. Parkinson | 20,662 | 20,885 | 0,223 | 14,115 |
| C. Newport | 09,656 | 24,044 | 14,388 | 10,956 | J. Watkins | 20,045 | 20,329 | 0.285 | 14,671 |
| T. M. Baillie | 14.336 | 26,688 | 12,352 | 00,312 | E. M. Earle | 21,980 | 21,548 | 0,000 | 13,452 |
| B. McMahon | 14,769 | 26,688 | 11 919 | 8,312 | H. Stephenson | 20,654 | 20,811 | 0,157 | 14,189 |
| W. Ogilvie | 05,465 | 18,003 | 12.538 | 16,997 | A. F. Bartlett | 19,344 | 19,014 | 0,000 | 14,986 |
| Meantime served as A Subaltern.... | | | 11,121 | | Meantime served as An Ensign.... | | | 0,895 | |
| Meantime served as A Captain..... | | | | 10,735 | Meantime served as A Lieutenant.. | | | | 12,987 |

## TABLE E.

*A Table showing the present value of monthly subscriptions of* 5 *Rupees for* 5 *years, of* 10 *Rupees for* 5 *years, of* 15 *Rupees for* 5 *years, of* 20 *Rupees for* 5 *years, and lastly of* 25 *Rupees for* 5 *years; and of a donation of* 542,52 *Rupees payable at the end of the fourth year, of* 1812,51 *Rupees payable at the end of the eleventh year, of* 3255,12 *Rupees payable at the end of the nineteenth year, and of* 2281,05 *Rupees payable at the end of the twenty-second year—interest being* 6 *per cent.*

| *Time served.* | *The present value of the annuity in* | *Present value of contributions of* | | | | | | *Present value of Donations on promotion to the rank of* | | | | *Amount of Donations.* | | Immediate Donations. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Rupees | 5 Rs. (0—5) | 10 Rs. (5—10) | 15 Rs. (10—15) | 20 Rs. (15—20) | 25 Rs. (20—25) | | Lieut. | Capt. | Major. | Lt.-Col. | | and of Contributions. | |
| Years | | Rs | Rs | Rs | Rs | Rs | Rs | Rs | Rs | Rs | Rs | Rs | Rs | Rs |
| 0 | 3145,8 | 238,08 | 302,51 | 284 01 | 233,24 | 175,82 | 1233.65 | 380,01 | 667,39 | 579,07 | 285,65 | 1912 12 | 3145,77 | 000 |
| 1 | 3433,8 | 198,23 | 330,20 | 310,01 | 254,60 | 191,91 | 1284,95 | 414,81 | 728,50 | 603,27 | 311,80 | 2058.38 | 3343,33 | 91 |
| 2 | 3751,0 | 154,89 | 360,71 | 338,66 | 278.12 | 209,64 | 1342,02 | 453,13 | 795.81 | 659,01 | 340,61 | 2248,56 | 3590,58 | 160 |
| 3 | 4103.4 | 107,79 | 394,59 | 370,63 | 304,24 | 229,33 | 1406.58 | 495,69 | 870,55 | 720,90 | 372,60 | 2459.74 | 3866,32 | 237 |
| 4 | 4491,0 | 56,32 | 431,87 | 405.46 | 332,99 | 251,00 | 1477,64 | | 952,80 | 789,01 | 407,80 | 2149 61 | 3627,25 | 864 |
| 5 | 4915,8 | | 474 72 | 443,82 | 364,48 | 274,74 | 1557,76 | | 1042,92 | 863,65 | 446,38 | 2352,95 | 3910,71 | 1005 |
| 6 | 5382,5 | | 394,29 | 485,95 | 399 08 | 300,82 | 1580,14 | | 1141,92 | 945,63 | 488,73 | 2576,28 | 4156,42 | 1226 |
| 7 | 5895,7 | | 308,59 | 532,28 | 437,13 | 329,58 | 1617,58 | | 1250,79 | 1035,79 | 535.35 | 2821 93 | 4429,51 | 1466 |
| 8 | 6460,9 | | 214,87 | 583,31 | 479,04 | 361.10 | 1638,32 | | 1370.72 | 1135,99 | 586,68 | 3093,39 | 4731,71 | 1729 |
| 9 | 7086,8 | | 112,33 | 639,67 | 525,33 | 395,99 | 1673.32 | | 1503,16 | 1244,93 | 643,36 | 3391,45 | 5064,77 | 2022 |
| 10 | 7776,9 | | | 702,12 | 576,62 | 434,65 | 1713.39 | | 1649,91 | 1366,30 | 706,17 | 3722,38 | 5435 77 | 2341 |
| 11 | 8543.3 | | | 586.36 | 633,44 | 477,48 | 1697.28 | | | 1500.95 | 775,77 | 2276,72 | 3974,00 | 4569 |
| 12 | 9391,7 | | | 459,64 | 696,34 | 521,90 | 1680,88 | | | 1649 99 | 852 80 | 2502,79 | 4183,67 | 5208 |
| 13 | 10354,8 | | | 329,66 | 765,99 | 577 39 | 1664,04 | | | 1815,02 | 938,10 | 2753,12 | 4417,16 | 5938 |
| 14 | 11370.4 | | | 167,97 | 843,05 | 635.48 | 1646,50 | | | 1997,62 | 1032,48 | 3030.19 | 4676,60 | 6694 |
| 15 | 12519,5 | | | | 928 26 | 699,71 | 1627,97 | | | 2199,51 | 1136 82 | 3336,33 | 4964,30 | 7555 |
| 16 | 13792,7 | | | | 776,06 | 770,87 | 1546 93 | | | 2423,20 | 1252.43 | 3675.63 | 5222,56 | 8570 |
| 17 | 15205,7 | | | | 608,96 | 849,84 | 1458,80 | | | 2671,44 | 1380,74 | 4052,18 | 5510,98 | 9695 |
| 18 | 16776,2 | | | | 425,26 | 937,61 | 1362,87 | | | 2947,35 | 1523,35 | 4470,70 | 5833,57 | 10943 |
| 19 | 18527,9 | | | | 223,06 | 1035 52 | 1258,58 | | | | 1682,42 | 1682,42 | 2941,00 | 15587 |
| 20 | 20483,1 | | | | | 1144 79 | 1144,79 | | | | 1859,95 | 1859,95 | 3004,74 | 17478 |
| 21 | 22669,0 | | | | | 958 71 | 958 71 | | | | 2058,44 | 2058,44 | 3017.15 | 19652 |
| 22 | 25120.6 | | | | | 754,14 | 754 14 | | | | | | 754,14 | 24367 |
| 23 | 27860,8 | | | | | 528,15 | 528,15 | | | | | | 528,15 | 27333 |
| 24 | 30910,7 | | | | | 277,72 | 277,72 | | | | | | 277,72 | 30633 |
| 25 | 34309,1 | | | | | | | | | | | | | 34309 |

## COLONEL GALLOWAY'S MINUTE.

I greatly regret that I am unable to give an unqualified assent to the opinions expressed by my colleagues as to the feasibility of Mr. Curnin's proposition. It appears to me that this plan is open to most of the fundamental objections which have been urged against other similar schemes, and that the improbability of its being adopted is augmented by the increased benefit it professes to confer.

2. Its introduction is made to depend upon the aid of the home authorities to a great extent. This renders its institution precarious; whilst as it professes to accelerate the promotion of 3d Captains (to the rank of Colonel, I presume,) by 12 years, this must add so much to the cost of the pension fund as to render the concurrence of the Honorable Court (if that cost shall be put upon the state,) at least very doubtful. If put upon the Army the difficulty is not removed but only its position changed, for the Army I conceive is unable to bear it. But it is said the sum now demanded from the Court is "less" than the amount which the Court recently offered: this has the appearance either of an oversight or of a fault. There can be no possible reason for this.

3. Calculations for such funds assume that the whole army, at least so many as will render the exceptions inconsiderable, are willing to adopt the project; in other words, that they are willing to forego a part of their present comforts for the prospect of a considerable benefit to accrue to them many years hence. But men generally speaking, are not willing to exercise such self-denial, and if they were, we know that a vast number of the officers of this army are so encumbered that they have no prospect, even with the proposed pension, of being able to quit the country in 25 years. They are in debt and their creditors would not suffer them to go, and they are, many of them, no less involved by the, at least equally strong obligation, to provide for their families. It is said, however, pensions are saleable, but this requires certificates of health which would not easily be procured by those (generally invalids) who would become candidates for pension, and in the case of debtors, pensions, if sold, would be consumed in liquidation of debts or on life insurance.

4. Captain Badenach's tables state that in 25 years only five officers in 100, have retired on pensions. This included a period when the emoluments of officers were larger than now. I am aware that this, if a fact, facilitates the establishment of a fund; but I advert to it here to show that where the chance of enjoyment is 20 to one against a man, there is little temptation to sacrifice present means. Yet by this scheme an Ensign or 2d-Lieutenant after five years service is required to pay per month, ..... 10 Rs.

After 10 years (a Lieutenant say) ditto..... 15
After 15 years (ditto) ditto..... 20
After 20 years (a Captain) ditto..... 25
After 25 years ditto ditto..... 30

and there are many Captains now upwards of 25 years in the service.

5. It has often been alleged that the officers of this Army, especially the juniors, have not the means of supporting themselves, I do not therefore see how we can exhibit them as candidates for the purchase of Life Estates of from £400 to £1,500 per annum even on this plan.

6. It is said when the operation of the fund comes into complete effect, the want of means will be greatly remedied—higher rank and pay will accompany length of service. But this scheme will have to be submitted to men who are now in the Army and who have actually served, so as to subject them to the high rates of contribution, and yet they hold inferior commissions and small allowances, so that those who are the most unfortunate are by this plan required to pay most.

7. I conceive the principle upon which this fund is made to rest is objectionable, viz. upon time and not upon rank, involving as that does supersession, which I hold to be an obstacle of the greatest magnitude to the reception of this plan by the Army. We cannot expect that men will become instrumental in their own (comparative) degradation, and therefore I think it is certain that those who stand well for promotion without this fund will not pay for standing worse. Every corps which had not an officer

ready to accept the pension when entitled, would be exposed to supersession. But it is replied that when the operation of this fund will have been completed, that is, many years hence, all who are eligible will have attained the rank of Lieutenant-Colonel and thus there will be no supersession. But the plan has to be submitted to those who are now in the Army. The consequence seems to me inevitable.

8. The senior officers of the Army will in all probability object to the off-reckonings being merged into this fund.

9. Other objections might be stated—some are recorded by one of our colleagues; but on the whole, as far as my judgment goes, I really cannot take it upon me to say that I entertain a hope that this fund, as proposed, will meet with either the concurrence of the home authorities or be acceded to by the Army. It is beyond the means of the latter, and from the former its requisitions are such that I do not expect they will be granted.

10. My own opinion is, but I state it with great deference to the sentiments of others, that there is no way of affording the desired relief to this Army so easy of accomplishment, or that would be so acceptable as by government granting to such of the senior officers whose resignation would not create supersession as might wish to retire, a compensation for the resignation of their Commissions, the amount (with whatever donation the Honorable Court may be pleased to grant,) being reimbursed by the army—not by payments from present allowances, but by giving up the allowances of the higher rank which the retirements shall have created until the amount of compensation paid to the retiring officers shall be liquidated.

11. For this there is the precedent of His Majesty's Government in regard to the disposal of unbought commissions in seniority service corps, and the Honorable Court have themselves introduced the principle of promotion without full emoluments in the case of Colonels of Regiments, who do not receive off-reckonings, notwithstanding promotion, until certain liabilities on the off-reckoning fund are liquidated.

12. With respect to the Army this scheme would call upon them for nothing which it did not first confer, whilst the advantage of rank would be immediate and their rise to all their present expectations would be accelerated.

13. I cannot conclude these remarks without expressing my admiration of the pains which have evidently been bestowed by Mr. Curnin in drawing up the papers which have been laid before us.

January 28, 1835. (Signed) A. GALLOWAY, *Lieutenant-Colonel.*

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## COLONEL GALLOWAY'S OBJECTIONS AND MR. CURNIN'S REPLIES.

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1.—*And the improbability of its being adopted is augmented by the increased benefit it professes to confer.*

1.—I beg here to premise that any objections made by Colonel Galloway have, as I conceive, reference only to the means by which the prospective scheme is to be brought into operation; for he admitted to me that the fundamental principles of the plan were perfect. The objections therefore, if of any force, can only be temporary.

The excellence of the plan consists in a great degree on the largeness of the retiring pensions; as these offer the greater incentives to retire; and, therefore, the greater stimulus to promotion.

2.—*Its introduction is made to depend upon the aid of the home authorities to a greater extent. This renders its institution precarious: whilst as it professes to accelerate the promotion of 3d Captains (to the rank of Colonel I presume) by 12 years. This must add so much to the cost of the pension fund as to render the concurrence of the Honoroble Court (if that cost shall be put upon the state,) at least very doubtful. if put upon the Army the difficulty is not removed but only its position changed; for the Army I conceive is unable to bear it. But it is said the sum now demanded from*

*the Court is "less" than the amount which the Court recently offered. This has the appearance of an oversight or a fault. There can be no possible reason for this.*

2.—The aid of the home authorities is solicited only to the extent which they have already sanctioned—the Honorable Court offered to entertain 24 Lieutenant-Colonels on the pension list per annum: this involved an annual expenditure of £148,920 per annum, or £723 per corps, without taking into the account the expenditure on account of the retiring allowances of Majors or Captains, or of officers retiring upon half pay.

This is a misconception of the whole plan; if the Honorable Court has its expenditure under this head fixed, that plan must be the most agreeable to them, which makes men most contented with their own condition: a Captain's becoming a Colonel does not increase his claims for retiring pension on the Company. The Court is conceived to allow only 6 per cent. interest on the subscriptions of the Army; and only that, in addition, which they are at present paying under various heads as off-reckoning pensions, &c. &c. In short an equivalent of all the claims upon the state is asked and neither more nor less.

3.—*Calculations for such funds assume that the whole Army, at least so many as will render the exceptions inconsiderable, are willing to adopt the project; in other words, that they are willing to forego a part of their present comforts for the prospect of a considerable benefit to accrue to them many years hence. But men generally speaking are not willing to exercise such self-denial, and if they were, we know that a vast number of the officers of this Army are so encumbered that they have no prospect, even with the proposed pension, of being able to quit this country in 25 years. They are in debt and their creditors would not suffer them to go, and they are many of them, no less involved by the, at least equally strong obligation to provide for their families. It is said, however, pensions are saleable, but this requires certificates of health which would not easily be procured by those (generally invalids) who would become candidates for pensions, and, in the case of debtors, pensions, if sold, would be consumed in liquidation of debts or on life insurance.*

3.—If men are, generally speaking, unwilling to forego a part of their present comforts and to exercise self-denials, how does it happen that Majors are annually bought out.

In my original letter I included certain paragraphs to point out how, as I conceived, those who are in debt might be relieved of their liabilities, and I have been given to understand that portion of my letter was objected to, because its publication might interfere with a more economical mode of liquidation now in progress. I cannot therefore well understand how the case of debtors can be urged as an objection: but all men are not in debt—and even the creditors of debtors would exercise a sound discretion in contributing for their debtors to enable them to attain superior rank, and therefore greater facilities of making good the demands against them. But with his present knowledge of the Indian Army will Colonel Galloway maintain, that it is wiser to allow men to struggle with their present difficulties, and with the certain prospect of having to serve longer and longer intervals in the inferior grades of the Army, and to mature its present dissatisfaction with its prospects and condition into permanent discontent; than to adopt a plan that must dissipate—so far as their ultimate prospects are concerned—all sources of dissatisfaction from the Army. In short, it is wiser to allow 4,000 men on whom the integrity of this Empire depends, to perpetually brood over the dreariness of their prospects, that a few who are in debt might not be incommoded; or to adopt this plan by which the well-being and the happiness of all would be secured, at the probable risk of inflicting a temporary inconvenience on a few? What has been said relative to debtors applies in an equal degree to all other obligations except that of an officer's family; and on whose account it becomes more imperative that he should subscribe; inasmuch as by subscribing he attains higher rank; and his family—a higher claim for allowances in case of his demise.

4.—*Captain Badenach's tables state, that in 25 years only five officers in 100 have retired on pensions. This included a period when the emoluments of officers were larger than now. I am aware that this, if a fact, facilitates the establishment of a Fund, but I advert to it here to show that where the chance of enjoyment is 20 to one*

*against a man, there is little temptation to sacrifice present means —yet by this scheme an Ensign or 2d Lieutenant after 5 years service is required to pay per month* 10 *Rs.*
*After* 10 *years' (a Lieutenant say) ditto*..... 15
*After* 15 *years' (ditto ditto)*..... 20
*After* 20 *years' (a Captain) ditto*..... ..... ..... 25
*After* 25 *years' (ditto ditto)*..... 30
*and there are many Captains now upwards of* 25 *years in the service.*

4.—The inference from Captain Badenach's tables is wrong:—if only 5 out of every 100 retired the reason must be sought for on other grounds:—and perhaps Colonel Galloway's own case will serve as an apt example;—the retiring allowances were not sufficient to induce more than the eighth part of those who had lived over 25 years in India to retire; and thus the other seven-eighths were compelled to stay as an incumbrance to the service till the vitality of the system became exhausted. This inference might with equal force have been urged against entering the service, and yet the Directors find no want of candidates for cadetships.

Here a comparison of things with each other is made, which, to my mind, admit of no comparison. Facts are reasoned on, derived from the present system in place of facts which must hold good in that which this scheme will bring into operation: but, even according to the present system, his reasoning is not conclusive; or how could the sacrifices be made that are being made to buy out Majors. Some are called upon to contribute thousands; and yet, at this instant, there are more who are ready to make these sacrifices than there are of Majors to retire.

*7.—I conceive the principle upon which this fund is made to rest is objectionable, viz.—upon time, and not upon rank, involving as that does supersession which I hold to be an obstacle of the greatest magnitude to the reception of this plan by the Army. We cannot expect that men will become instrumental in their own (comparative) degradation, and therefore I think it is certain that those who stand well for promotion without this fund will not pay for standing worse. Every corps which had not an officer ready to accept the pension when entitled would be exposed to supersession. But it is replied that when the operation of this fund will have been completed, that is, many years hence, all who are eligible will have attained the rank of Lieutenant-Colonel, and thus there will be no supersession. But this plan has to be submitted to those who are now in the Army. The consequence seems inevitable.*

7.—When a man enters the Army it is with the view of acquiring distinction, respectability, and competence in old age.—If in a gradation service, rank has not been attained the fault does not rest with the individual, but with circumstances, he therefore suffers enough in having to endure disappointment without having to endure the additional pang that that disappointment inflicts the additional penalty of incompetent reward for services which, with any other rank, he could not have more faithfully executed. But this scheme does not confer emolument according to rank—for it brings the attainment of the rank of Lieutenant-Colonel within the period when retirement can take place. Not being a military man I shall be excused, I hope, if I do not perceive the force of the remark relative to supersession nor the probability of any inconvenience that can arise from it; and, as will be seen, the Army has had already sufficient samples of supersession and they must endure it.

| Instance:— | years. |
|---|---|
| Cabl. R. Penny, a Colonel..... | 24,68 |
| Wm. Burgh, ditto..... | 24,71 |
| Wm. D. Playfair, a Lieutenant-Colonel..... | 19,72 |
| Henry L. Worrell, a Major in..... ..... .... | 14,71 |
| Alexander B. Dyce, ditto..... .... | 13,7 |
| George White, ditto..... ..... | 13,05 |
| Foster Stalker, ditto... ..... ..... ..... | 12,89 |
| Henry G. Roberts, a Captain in..... | 4,92 |
| Henry Hancock, ditto..... | 6,86 |
| Edward Franklin, ditto..... | 6,50 |
| John R. Luard, ditto..... | 5,8 |
| S. Corbett, ditto..... | 5,91 |

and several others who could be named.

8.—*The senior officers of the Army will in all probability object to the off-reckoning being merged into this fund.*

8.—An Ensign in the service has a claim on the off-reckoning fund, and before it can be alienated from its present channel, his consent as well as that of a Colonel must be obtained. It is not intended to withdraw the off-reckoning money from any man who insists on his share of it, but simply to sink that portion of it against which there is no claim into the Retiring Fund and to apply it in the payment of the retired pensions.

9.—*Other objections might be stated—some are recorded by one of our colleagues. But on the whole, as far as my judgment goes, I really cannot take it upon myself to say that I entertain a hope that this fund as proposed will meet with either the concurrence of the home authorities, or be acceded to by the Army. It is beyond the means of the latter; and from the former its requisitions are such that I do not expect they will be granted.*

9 —If the consent of the Army be not obtained the consent of the home authorities will not be required: but if the consent and the approval of the Army be obtained that will go far, under present circumstances, in influencing the consent of the home huthorities. At all events it is apparent that these two points can only be determined on by being submitted to the parties in question. The Army are the best judges of their own wants, on the one hand, and the Honorable Court, as to its power of compliance, on the other.

10.—*My own opinion is, but I state it with great deference to the sentiments of others, that there is no way of affording the desired relief to this Army so easy of accomplishment, or that would be so acceptable as by Government granting to such of the senior officers whose resignation would not create supersession as might wish to retire, a compensation for the resignation of their commissions, the amount (with whatever donation the Honorable Court may be pleased to grant,) being reimbursed by the Army, not by payments from present allowances, but by giving up the allowances of the higher ranks which the retirements shall have created until the amount of compensation paid to the retiring officers shall have been liquidated.*

10.—These remarks have no reference to the subject under consideration; and therefore I do not think I am called upon to reply to them. But lest a different opinion should be entertained, I may be permitted to ask what is meant in a foregoing remark relative to a "certificate of health?" If this plan were adopted, might not the Army refuse to pay for the retirement of an officer, who, had he staid but another year, must have given them the step without purchase? But this plan involves a principle that would be a perpetual source of annoyance to the Army. It can offer no guarantee to the Government that all officers on its roster would be young and efficient men. Its adoption would give the Government no assurance that it could calculate on the contentment of the Army; and, as no guarantee is offered on either of these heads, I think it, therefore, inexpedient.

It may fairly be asked if the Government would exercise a sound discretion in giving retiring Officers the equivalents of their Pensions and Commissions. I say it would not; and for this reason, that although most officers, after having had a lesson or two from the men of the world in Europe, might manage to take care of what was left them, it does not follow that all would exercise the same measure of prudence; and hence, the Government would be ever exposed to calls upon it, that a regard for the respectability of the service would force it to admit: and, therefore, that although this is an exception to a general rule, it is a case which should be guarded against.

It is worthy of remark that Colonel Galloway objects, to the Army being called upon, *for a time*, to subscribe towards the payment of adequate pensions to their senior; and yet wishes to render that system of payment, with reference to his own plan, perpetual; without being able to determine when circumstances would render the continuance of those payments possible; and his system would afford the Government no additional security for the zeal, or the contentment, or the efficiency of the Army: whereas, with reference to the plan against which these objections are directed, the

Government has every possible security; —an officer's contributions are in deposit for his own ultimate use, and thus, as his money and his ultimate prospects are secured to him, his allegiance and zeal in the cause of the state will ever be above suspicion.

It is singular that there is no objection made, except that with reference to time, that does not apply against any system of retirement; and therefore, with at least equal force, against the plan proposed by Colonel Galloway.

(Signed) JOHN CURNIN.

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## OBJECTIONS BY COLONEL SWINEY AND MR. CURNIN'S REPLIES.

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*"A principal feature of the scheme is the possession of the Off-reckoning Fund, with the view, I suppose, of making it profitable by distributing it in pensions to retiring officers."*

That is the precise motive: and I may remark that so long as it was discretional with officers to retire, the allowing the off-reckoning money to Colonels had this effect, it repressed the desire to retire, and thus impeded promotion; but when the state changes one part of the system, by giving the Army a perpetuity as the equivalent of all claims - the policy may well be questioned of continuing the application of that money in the same manner when there is another mode of application more conducive to the well-being of the state. To me that appears to be the preferable mode of application whereby a trifle is given to promote the ultimate happiness and the consequent immediate contentment of the many; rather than to the few, that they might act as a dead weight upon the energies of the Army.

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*"But Mr. C. has apparently overlooked the fact that although a majority of the Colonels in the enjoyment of off-reckoning are resident in Europe, yet all of them are not. The latter are still in active service; and the off-reckonings of their regiments form only a part of the emoluments of their situations."*

If an officer, seeing the consequences of the off-reckoning system, should resolve for the general good to relinquish his eventual claims to it, he cannot at any future time regret his having done so; as he will have quitted the service on an ample competency long before, and without the agency of the retiring fund he could have had any claims to off-reckoning.

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*"To another part of the scheme for providing the necessary funds, precisely the same objection applies. I mean that part which stipulates for our being entrusted with the management of the Honorable Company's present pension list, upon a grant, say of £60,000 per annum, being made to us for that purpose. The expense for pensions for length of service has, I presume, already reached its maximum, and a great proportion of the retirement to be effected by the proposed fund, perhaps not less than one-half, even upon the lowest scale, will be a clear addition to that amount. With or without a retiring fund, therefore, the £60,000 per annum will still continue to be paid, and the Army will gain nothing whatever by having the mere disbursement of that sum transferred to their hands."*

If the pension list had reached its maximum, I agree that there could be nothing gained financially, by receiving money with one hand and paying it away with the other. What the Honorable Court is asked for is shortly this—to give the Army credit for an annuity equal in amount to that to which the ultimate claims upon the Company will extend. But as it is conceived that the pension list has now reached its maximum, I must enter into some statements to show that it has not, and that before the maximum is attained, the cadets of 1828 must first be disposed of: that is, the pension list will have attained its maximum about 1856 or 1860. To give you something like a proof

of this, I have drawn up the following table; and if I had conceived that the absolute names of the parties would have been preferable, I would have added them.

| | | 1828 | 1829 | 1830 | 1831 | 1832 | 1833 |
|---|---|---|---|---|---|---|---|
| Retired | Lieutenant Colonels | 3 | 18 | 15 | 12 | 5 | 7 |
| | Majors | 5 | 16 | 7 | 7 | 16 | 10 |
| | Captains | 11 | 9 | 12 | 14 | 16 | 11 |
| Died | Lieutenant-Colonels | 0 | 0 | 10 | 4 | 5 | 4 |
| | Majors | 2 | 0 | 8 | 5 | 2 | 3 |
| | Captains | 5 | 6 | 2 | 5 | 5 | 5 |
| Increase to the list of Pensioners | Lieutenant Colonels | .. | 8 | 5 | 8 | .. | 3 |
| | Majors | 3 | 16 | .. | 2 | 14 | 7 |
| | Captains | 6 | 3 | 10 | 9 | 11 | 6 |
| Decrease from the list of Pensioners | Lieutenant-Colonel | 3 | .. | .. | .. | .. | .. |
| | Majors | .. | .. | 1 | .. | .. | .. |
| | Captains | .. | .. | .. | .. | .. | .. |
| Increase of cost in £ sterling in | | 933 | 8168 | 3453 | 5832 | 5200 | 4291 |

from whence it may be seen that in the six years, beginning with 1828, the pension list had been increased by £27,277 on the supposition that the new pensioners retire on the same amount of pensions as those who died had enjoyed, but as the new pensioners of Majors and Captains retire on higher pensions in place of the increase being as above, I take it to be in reality about £5,000 per annum.

And from this it may be inferred that as a final measure the Honorable Court could with perfect safety make a considerable addition to their expenditure under this head in 1833, without any risk of passing the bounds to which the amount of the pension list will attain.

(COLONEL SWINEY'S NOTE UPON THE ABOVE REMARKS.

"*There is some misapprehension on the subject of the maximum of pensions—when I said that the pension list must have already reached that point, it was on the supposition that no extraordinary inducements to resign had been connived at. The natural average under the Court's Order of* 1796, *I must still think has reached its maximum; but of late years those orders have been disregarded, and accordingly the average has been considerably increased by the addition of pensioners whose retirements have been purchased. If this system were to be continued it would be difficult to say when the maximum would be attained, it would depend entirely upon the caprice of individuals, and Mr. Curnin's calculations could affix no limit to it.*

"*My objection was one which Mr. Curnin ought to have replied to upon a different principle, by stating what I now understand to have been his intention from the first, that the fund is to relieve the Company from the present pension list, and all expense connected with the retirement of officers from the service, excepting only the charge of* 6 *per cent. interest of the fund capital.")*

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With regard to what has been said relative to supercession, I must repeat my conviction that if the retiring fund be instituted as I wish it, it will settle down to this—that a man will be a Lieutenant-Colonel before he has been 25 years in the service, and therefore that the contemplated supercession through the agency of this fund is perfectly visionary.

As a proof of this, allow me to remind you that there are at present on the establisment of field officers who have served 30 years and upwards, and of whom not one-sixth part would have been now on the establishment, if this fund had been in operation when they became qualified to retire: and that of those who have served their time, but who have not yet served 30 years, they are about an equal number: and that from among these many would have retired ere this time if the fund had been instituted when they had served their full term. The

| | |
|---|---|
| Bengal | 191 |
| Madras | 134 |
| Bombay | 76 |

inevitable *conclusion* is that the present Majors, to a man, would have been Colonels, if this fund had been earlier instituted.

(COLONEL SWINEY'S NOTE UPON THE ABOVE.

*" What is here adduced as a proof is only an assertion, unsupported as it is by calculation. The present Majors are of from 27 to 32 years service; and if Mr. Curnin's scheme be well founded, ought to have been Colonels from 1 to 6 years.")*

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*" And this leads me to another point of the proposed scheme which involves a further outlay on the part of the state. I mean the request which we are to make that the Court of Directors will allow every officer's pension for length of service to be considered as in deposit, &c.*

*" This objection too should have been answered on a different principle. If I now understand the scheme correctly, the state will have nothing further to do with the pension list after having made the grant of £1,500 per battalion to the fund."*

I have shown that according to the present system an officer cannot hope to attain higher rank than that of Captain in 25 years. What, then, can be understood of the regulation which declares if you continue in the service till you become a Major that you may retire on £292, or if till you become a Lieutenant-Colonel that you may retire on £365 per annum. Is not the Captain's pay here placed in deposit by the state? I merely want to make that regular and perfectly proportional to time, which is now irregular and dependent upon circumstances.

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*" There are I think two objections against adopting it (the time principle) first independently of its creating a large fund upon which Government will have to pay compound interest of 6 per cent., it amounts to an increase of from £20 to £40 for every year of our delaying to accept of them; thus, in fact, placing a direct bounty on not retiring instead of encouraging every body to retire as early as possible."*

By the present system a Captain may retire on £192 per annum; by that in contemplation an officer having served precisely the same time may retire on 500 guineas per annum, so that it cannot be well maintained that there is not a sufficient inducement to retirement held out. With regard to compound interest a state having fixed debt knows nothing about it. The fund will obtain interest on its capital half yearly, and if with this interest more capital is purchased, the state only observes in the transaction that it has become a longer debtor to the fund.

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*" Upon the whole, then, without going into the question of the rate of subscription at all, which however is to my mind not only heavy in itself, but based upon an erroneous principle. I am of opinion that the scheme is totally impracticable. It would eventually saddle the Company with an expense extra to their present disbursements of not less than £150,000 per annum, exclusive of the off-reckoning, of course."*

With the view of pointing out the eventual expense of this plan to the Government, we must suppose, that we see it in full operation; and that in consequence, the retirements have become so regular as to require an annual supply of one cadet for every corps. Now of the 206 cadets so required, supposing none of them to have been dismissed in the interval, 80 would survive after being 25 years in the service. The whole question is reduced to this. How will those 80 men dispose of themselves? Now, although it appears impossible to give any thing like a precise answer to so general and indefinite a question, it is possible to have recourse to probabilities which may be found to square actually with the results of experience. I conclude therefore that if those 80 men, and of the number who attain to every age to 48 inclusive, ten per cent. retire annually, and that afterwards they retire in a higher ratio in consequence of the increased pension, till they have all been disposed when the last had attained the age of 53.

If no officers retired, of the 80 men of 43 years of age, the following Table will shew the number who would attain to each succeeding age: and the numbers below these are the probable numbers who would retire annually:—

| | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | — | — | — | — | — | — | — | — | — | — | — |
| Survivors..... | 80 | 76 | 73 | 69 | 66 | 63 | 60 | 57 | 55 | 52 | 50 |
| Retired..... | 8 | 7 | 6 | 5 | 4 | 4 | 4 | 4 | 5 | 6 | 6 |

With this data we are now enabled to give a tolerably accurate estimate of the ultimate sum which this measure would require from the Company.

When a society is annually recruited by an equal number of individuals of the same age, the maximum number in that society at any one time will be the product of the annual supply, and of the expectation of life of the recruits admitted; and therefore if we multiply the numbers which are assumed above to retire annually by the expectation of life of each class upon retirement, we shall have the number of each age who will be constantly upon the pension list. The following table exhibits the results.

| Age. | Expectation of Life from Indian Table increased by one-tenth. | The number of each age who will annually retire. | The maximum of each age on the pension list. | Retiring pension of each age. | The total of the pension's to each class. |
|---|---|---|---|---|---|
| | Years. | | | Rupees. | |
| 43 | 17,702 | 8 | 142 | 5,250 | 7,45,500 |
| 44 | 17,419 | 7 | 122 | 5,750 | 7,01,500 |
| 45 | 17,127 | 6 | 103 | 6,375 | 6,56,600 |
| 46 | 16,829 | 5 | 84 | 7,075 | 5,94,300 |
| 47 | 16,526 | 4 | 66 | 7,850 | 5,18,100 |
| 48 | 16,215 | 4 | 65 | 8,700 | 5,65,500 |
| 49 | 15,886 | 4 | 64 | 9,700 | 6,20,800 |
| 50 | 15 525 | 4 | 62 | 10,800 | 6.69,600 |
| 51 | 15.136 | 5 | 76 | 12,000 | 9,12,000 |
| 52 | 14,717 | 6 | 86 | 13,500 | 11,61,000 |
| 53 | 14 284 | 6 | 86 | 15,000 | 12,90,000 |
| Total outlay for retired officers..... | | | | | 83,34,900 |

Now, as of the 5,250 rupees to which an officer becomes entitled for his own contributions and for his services, the part which the state is supposed to contribute is 1,777 rupees, the part of the gross amount which the Company will have to pay will be found from the following proportion:—

As 5250 : 1777 : : 8334900 : 28.21200.

Thus we find the maximum claims upon the Honourable Company, and if to this maximum 10 per cent. be added for contingencies, we shall have the sum of 31 lacs, beyond which it is not likely that the amount of the pension list will ever extend, and which singularly enough, amounts to an outlay of about £1,500 per corps per annum.

(Signed) JOHN CURNIN.

(NOTE OF COLONEL SWINEY'S UPON THE ABOVE LETTER.

*The above table would give* 48.2 *resignations annually from among the Field Officers of the whole Indian Army, and the proportion for Bengal would be* 23 *only —but nearly* 50 *would be required in order to effect the rate of promotion which Mr. Curnin says "he has satisfactorily shown," will be the consequence of his plan of a retiring fund being adopted.)*

(Signed) G. SWINEY.

## COLONEL SWINEY'S MINUTE.

Mr. Curnin's reply to the remarks which I ventured to offer on the natur and probable effects of his proposed scheme, has made me much better acquainted with th object he has in view than I could have hoped to be from the bare perusal of his lette and accompanying abstract, in both of which, however, he has now made considerabl alterations. Still I am far from believing that all my inquiries have been satisfactoril answered; but I concur with my colleagues in signing the report, because I think it onl pledges this Committee to the opinion that Mr. Curnin's plan appears to merit the mos favourable consideration, and that if after a more complete investigation into the princi ples upon which it is grounded, than any we have it in our power to undertake, it shal be found to hold out a fair prospect of realizing the benefits expected from it, it will b gratefully accepted by the Army at large.

2.—The general scope of the proposed scheme and the conditions upo which it is to be instituted, appear to me to be as follows. The Army on adopting it i to give up for the future all claim to the surplus off-reckoning fund, and to all pensio for length of service from government. Officers are also to consent to contribute at th rate of five rupees per mensem, during the first five years of service, and to increase tha rate by five rupees per mensem at the end of every five years, till on having complete twenty-five years' service, it will amount to 30 rupees per mensem (which, however, i my opinion, should continue to increase in the same ratio,) at which it is to remain sta tionary; and further, they are, on every promotion, to give up the difference of pay an allowances between their old and new rank for twelve months. There are also certai subsidiary objects of the Fund for which they are liable to be called upon for a day's pa and allowances once in every month, if there shall be a necessity for it.

3.—In return every Officer after twenty-five years' service, is to be enti tled to an annuity from the Fund for life, of £525 per annum; and each yearly paymen which may not be claimed, in consequence of any individual declining to retire immedi ately after completing the period above-mentioned, is to be appropriated to the purchas of another annuity, to be added to the former; so that, by this species of accumulation his income will have increased in ten years, or after thirty-five years service, to £1,50 per annum, beyond which no further accumulation is to be permitted. Every office compelled to quit the country on account of ill health, after ten years' service, but befor he is entitled to his pension, is to receive back the accumulated amount of his contribu tions, including lapses, together with an annuity from the Fund equal to the half pa at present allowed. These are the benefits accruing to officers who may retire—to thos who remain, Mr. Curnin states that it has been satisfactorily shewn, that whereas a officer will have to serve, on the present system, forty-six years before he can attain th regimental rank of Colonel, he will by the agency of the proposed scheme, obtain tha post in twenty-six years, and consequently gain twenty years promotion by means of th Fund.

4.—The full and accurate examination of a proposition which contemplate so great an alteration in the condition and prospects of the whole Indian Army, woul require a far more perfect acquaintance with the doctrine of annuities, and with calcula tions affecting the probabilities of life in India, than I can pretend to; I shall therefor leave that part of the question to be discussed by such practical men as the Honorabl Court may think proper to refer it to at home, contenting myself with merely suggesting the following queries:

1st. Whether it be right to calculate annuities for persons who are abou to reside entirely in Europe from tables giving the mortality of Europeans in India alone

2dly. Whether Mr. Curnin's tables be not objectionable, as calculated for the whole of India indiscriminately, as since the chance of life is admitted to diffe materially in the three Armies, the value of annuities ought to differ also?

3dly. Whether it be clearly ascertained what will be the financial effect as far as the state is concerned, by our funding the 'present value' of the required annui-

ties, as they are granted, and drawing 6 per cent. interest on the capital so funded—whether, in short, the Government can take the management of the entire Fund, as an Insurance Fund, upon itself, without considerable immediate expense, and the possibility of contingent loss to a much greater extent.

5.—To aid the Fund the Honorable Court is required to make it an allowance of £1,500 per annum for every effective battalion or regiment in the Indian Army, and the aggregate sum is calculated, I know not on what ground precisely, to yield a surplus of £61,800 or £300 per corps per annum, after paying the present incumbents on the off-reckoning, as well as the Pension Fund. When, however, my colleagues proceed to state that this sum of £61,800 per annum is " under the amount implied in the Court's offer to the Army of the 6th March 1832" they appear to me to underrate the advantage to the Company, by adopting such an undefined mode of expression. The sum tendered by the Court at the period adverted to, would, at its maximum, amount to £100,750 per annum, even supposing the average expectation of life in the case of retired officers to be as low as 13 years, and if that sum be taken as an annuity, and its present value 13 years deferred, added to the present value of the aggregate annuity which is assumed to be now paid in pensions, they will together, at 6 per cent. interest, amount to £3,180,206; whereas the yearly sum of £900 per regiment, which is all that is now asked for when the off-reckonings are deducted, is only equivalent to £30,77,640, so that the state would gain by the transaction £102,566. If this estimate be correct the objection implied in my third query (par. 4) will fall to the ground, and there may perhaps be reason to hope that the liberality of the Honorable Court will induce them to enlarge the grant which is now solicited on the part of the Army.

6.—In endeavouring to ascertain the probable effect on promotion in the event of the proposed scheme being immediately adopted, we are to consider the surplus of £300 per annum per each corps as available for purchasing the retirement of officers who have already served 25 years. To these officers Mr. Curnin proposes, in the subsidiary arrangement alluded to above (par. 2), to allow pensions in the following proportion:—Lieutenant-Colonel £630, Major £525, Captain £420 per annum. The surplus in question will, for Bengal alone,—to which presidency my remaining observations must be confined,—amount to £29,700 per annum; and as the annuity proposed for a Lieutenant-Colonel is about £265 per annum more than the retiring pension to which he would be entitled under the old rate, and equal if not superior to the value of his expectation in the service, provided his name be not more than half way up the list,—it is probable it would be accepted by a considerable number in the first instance, and further, as the Majors who were promoted by the retirement of their seniors would have the same inducement to accept the pension, they would successively make way for others, and thus complete the number which the fund could provide for, without there being any occasion for offering pensions to Majors or Captains, *as such*,—a step which in order to avoid the chance of giving disgust by causing supersession, should never be resorted to under the present organization of this Army. This arrangement would accordingly provide for 47 Lieutenant-Colonels and give a step in the first instance to somewhat more than every second regiment or battalion in the service;—and, of the aggregate sum,—£29,700,—a small balance of £90 would remain for the following year.

7.—I have spoken of all Lieutenant-Colonels accepting the proffered pension, " who were not more than half way up the list," under the idea that those who were higher up would be inclined to remain for the chance of succeeding to off-reckonings. The possession of staff-appointments and of commands, and indeed many other circumstances, might operate as a hindrance to retirement in the first instance, although considering the very precarious tenure of life in this climate, the immediate enjoyment of an annuity of £630 per annum is much better than the mere arithmetical value of a reversionary expectation which cannot be realized till after several years of suffering and exposure at an age when the constitution is least able to bear them: still however, as we can probably count upon only half the Lieutenant-Colonels, the rest must be considered as retarding the period when the off-reckonings will fall to the disposal of the Fund. Now, it is not probable that the upper moiety of the Lieutenant-Colonels would be absorbed by promotion in less than 7 or 8 years, and during that period, at least, no assistance to the Fund could be derived from the off-reckonings. But in order at once to fix a limit to the retardment here alluded to, it would be expedient to accompany the

promulgation of the system by a regulation that all officers promoted to Lieutenant-Colonel from that date should be understood to have resigned all eventual claim to any share in the off-reckonings of the Army. From that date, too, subscription to the Plan should be made obligatory upon all Cadets entering the service, and, indeed, whatever delays may occur in finally adjusting the plan of a Retiring Fund, contributions on the scale laid down in par. 2 should be made a condition of the service;—for it is allowed on all hands that an institution of the kind is the 'one thing needful' to the Indian Army, and that a principal difficulty in establishing it is to settle how subscription to it ought first to commence.

8.—But during the period just spoken of the operation of the Fund would by no means be suspended. The old (or rather present) pension list, judging from the amount at which it is stated—£54,400 per annum,—should include upwards of 250 individuals, and of these the yearly lapse at first should certainly not be less than 5, say 2 Lieutenant-Colonels, 2 Majors and 1 Captain. This would release the fund from the payment of about £1,850 which added to the balance of £90, noticed at the conclusion of par 6. would enable the Fund to provide for 3 retirements (leaving a balance of £50); and as by the Northumberland Tables 1 out of the 47 retired Lieutenant-Colonels of the first year may be expected to lapse in the course of twelve months, 4 would be the number of retirements effected by the Fund in the second year of its operation; but this would certainly be its minimum, and that number would go on encreasing from year to year until the old pension list and the Colonels' retaining off-reckonings had entirely disappeared, which, however, would not be the case under 25 years at the shortest.

9.—As, however, the whole sum (£148,500) which will fall to the disposal of the Fund, will pension 235 Lieutenant-Colonels, and as at the commencement of its operation 47 are supposed to go off, and afterwards a yearly number beginning with 4 and encreasing gradually till the entire amount be absorbed, we may estimate that the total number of promotions occasioned by the Fund will be little short of 380 or 15 per annum, which will accelerate the promotion to Colonel at least 10½ years.

10.—Hitherto it will be observed I have spoken only of pensions upon the principle of sharing out the proposed allowance from the Court of £148,500 per annum for this Army amongst retired Lieutenant-Colonels at £630 per annum as far as it will go. This part of the arrangement it is evident will require no capital on the part of the Fund, and will cost the State almost nothing in the way of interest. I am now, however, to advert to the subject of annuities. It is clear that a further accleration of promotion may be obtained by the subscriptions of such officers as are now in the service, of whom the senior might not think it worth their while to pay up the large amount required for their difference of donation, whilst the juniors would have it out of their power to do so. As however they will all have reaped a very great advantage in point of promotion, without any sacrifice whatever, if they think proper to retire as Lieutenant Colonel, (since the retiring pension of £680 is *more* than equal to a Lieutenant-Colonel's expectation from the service, *including* off-reckonings)—and as they cannot fail to observe that their subscriptions, on the scale laid down by Mr. Curnin, would make their promotion still more rapid, and amply repay them for their outlay, it is difficult to believe that any of them would withhold their aid and thereby expose themselves to the imputation of seeking to benefit at the expense of their brother officers. If all below the present Lieutenant-Colonels were to contribute, the sum annually collected could scarcely be less than £26,000, which would be sufficient to purchase nearly* 5 additional annuities. That amount, indeed, would pension off a great many more, in the first instance, if appropriated in the manner suggested by Mr. Curnin; but I beg to observe first—that as this part of the contribution would be collected from those only who are now in the service, the annual amount would decrease till the whole had retired or were extinct,—it is therefore necessary that a capital (being the '*present value*') should be funded for each annuity; and, secondly, the same plan should be followed with respect to all retirements purchased by the contributions of the Army,

* These however I have not included in my estimate of accelerated promotion, as it is uncertain whether the majority of the Army will consent to contribute to them.

because it affords a sure basis under the guarantee of the Company whilst it would not be affected by any future change of organization which might possibly diminish the annual amount of subscriptions. The same argument does not hold good with respect to the pensions on the Company's allowance of £148,500, for if any number of corps were to be diminished, and that allowance be curtailed in proportion, the Court would in justice be bound to continue the regulated payment to all incumbents till the lapses made up for the difference.

11.—The five additional annuities just mentioned, it need scarcely be observed, would decrease from the first year, though in what proportion I am not at present able to compute, till by the disappearance of all who contributed to them and the contributions of the Army would merge into the new Fund upon the regular system devised by Mr. Curnin.

12.—At the period now referred to, those who first came under the law of compulsory subscription (par. 7) will have been twenty-five years in the country; and, if Mr. Curnin's estimate of Indian mortality be taken for Bengal, 39 will remain out of every 100 who entered the service when the Fund commenced. These should form the real basis of the new system:—and as there is little doubt that the survivors would, in the period spoken of, be Lieutenant-Colonels of regiments,—their subscriptions in the mean time having amounted (including lapses) to 34,309 rupees, according to Mr. Curnin's estimate, (though, if I am not much mistaken, the aggregate sum, including the payment of one year's difference of pay and allowance, will be much greater)—their annuities might be allowed to commence and to accumulate as specified in par. 3. But in order to counteract the effect which this prospect of accumulation might have in retarding retirement, I would strongly recommend that the annuity of £630 be still offered to all Lieutenant-Colonels who are willing to retire immediately—whilst, for those who preferred to remain by commands, staff appointments, &c., an annuity of £525, on the accumulating principle, should be allowed; and their subscription should continue to encrease in the ratio specified in par. 2. The '*present value*' of an annuity of £630 to a life of 43 is (when subscriptions in the interval are taken into the account) so nearly equal to that of an annuity of £1,500 when deferred ten years or till the purchaser has become 53 years old, that little or no pecuniary loss would be incurred by adopting this principle.

13.—By these arrangements I think, there is little doubt that the resignations on the new Fund would amount to half the early promotions to Lieutenant-Colonels, or besides 9. 9 or, say, 10, senior Colonels whose annuities of £1,500 per annum would no doubt tempt them to resign—and in addition to the lapses in the Pension Fund (par. 10,) which might be estimated at 5 or something more per annum, raising the total number to 26 which would accelarate promotion, as compared with the present rate, 13½ years—making the colonelcy attainable in about 32½ years.

14.—Upon the whole, then, though I do not think the anticipated promotion of twenty years will be realized, I am of opinion that Mr. Curnin's plan, with such modifications as the foregoing considerations may appear to render expedient, would be both practicable in itself and extremely advantageous to the Army. One objection, indeed, arises out of the very advantages which it holds forth. Promotion will be so rapid that the officers of this Army will scarcely ever be of sufficient standing to obtain the command of any detachment however large, or of any post in which a Lieutenant-Colonel or Colonel of H. M. Forces happens to be present, and our Brigadier-Generals and Brigadiers will have to take refuge in distant and comparatively obscure stations, in order to avoid collisions, within the precints of their own command, with officers of the King's service who happen to be quartered there with their regiments. This inconvenience, however hurtful as it is in a public point of view, and extremely galling as it is to the feelings of those who are thus compelled to see themselves superseded as it were on their own parade, it is to be hoped that measures have ere thus been adopted to remove.

G. SWINEY.

N. B. It will be obvious that in the case of the annuities alluded to in pars. 10 and 12, the 'present value' may be given as a bonus to the retiring officer with less expence and risk to the Company than funding that amount would occasion.

G. S.

# NOTES ON INDIAN AFFAIRS.

## No. XLIV.

### A SLIGHT SKETCH OF THE ADMINISTRATION OF LORD WILLIAM BENTINCK.

Some observations on the administration of Lord William Bentinck were offered in No. 11 of these papers: the present may therefore appear somewhat superfluous, and will hardly escape the charge of repetition. As, however, his Lordship's Government is now drawing to a close, I cannot resist the attempt to sketch a summary of the proceedings which have been adopted under his authority; especially as during the continuance of it, some most important changes in the mode of conducting the affairs of British India have been introduced. These changes have been productive both of good and evil: not the least, that they have caused more disappointment to the native and more discontent to the English population, both in and out of the service, than perhaps have resulted from the measures of any preceding Governor.

It should, however, be recollected, that nearly three years have elapsed since the publication of that paper, affording considerable opportunity for a change of opinion on the subject of Lord William's public character and administration; and it is with considerable regret that I am compelled to acknowledge, that a more extensive acquaintance and a closer observation of his proceedings have convinced me, that the view which was given of these in my first essay, tends to place them in much more favourable light than succeeding experience has justified. Like most of his Lordship's admirers, which at the commencement of his Indian career were many, I was deceived by the great professions which were made, and too ready to believe that the glittering show which was exhibited was in reality the sterling metal which it purported to represent: mortifying indeed is the discovery that, like many other commodities of little value, the profusion with which the professions were poured forth was only the consequence of their intrinsic worthlessness; and that the tinsel was only a foil for the base metal which it covered.

The summary of Lord William's professions is as follows:—

1st.—A determination to do his best for the interests of the people over whom he was placed.

2d.—A conviction that many abuses existed both in the system of Government, and the mode of its administration in the detail.

3d.—A resolution to make merit the test of promotion, and to adopt a plan which should prevent the concealment of indolence and inefficiency, while it enabled the able and meritorious to obtain the reward of their industry and talent.

4th.—A resolution not to be a puppet in the hands of his councillors, secretaries, and other officials, but to see and judge for himself.

5th.—And in prosecution of this he invited communications and suggestions from all parties, in or out of the service of Government.

Let us now see the result of all this. The only striking features of Lord William's administration are:—

First.—The abolition of the practice of Suttee.

Second.—The judicial reforms.

Third.—The breaking through the illiberal policy of excluding the Natives and East Indians from office.

Fourth.—The toleration of unlimited freedom of the press.

And now let us examine these a little in detail.

First.—The abolition of the practice of Suttee. Every friend to humanity will rejoice at this; but very little merit is due to Lord William for the measure. There was not an individual Englishman in the country who did not wish to prevent such a barbarous rite, and who would not have given his best endeavours to effect its destruction. The question was "can it be done with safety," *i. e.* without occasioning disturbances and insurrections which should cause a greater amount of evil and misery than that which it was intended to abrogate. For a considerable time this was answered in the negative; and as long as it was conscientiously believed, that an attempt to abolish Suttees would produce more evil than the Suttee itself, the local rulers of

India were morally, and in every point of view, perfectly justified in resisting the exertions of philanthropists at home, who were ignorant of the customs and opinions of the people of India.

But opinion had greatly changed upon this subject for several years before Lord William's arrival in India; and as far as I had an opportunity of ascertaining the sentiments of my countrymen, I can only say, that of all whom I conversed with, whether of the civil, military, mercantile, or miscellaneous classes, full three out of four were not only convinced, that all over Hindoostan and Bengal the Suttee might be abolished with perfect safety, but were anxious to see the promulgation of a law to this effect—and this full five years before the law was actually enacted. It is obvious that when such were the sentiments of the majority of the English in India, *i. e.* of the rulers of the country, the abolition would have been effected a little sooner or later, whoever might have been appointed to the situation of Governor-General. It is equally clear, that had the Governor on his arrival at once enforced such a measure, without consulting those whose long residence in India might be supposed to enable them to know something of its affairs and of the people, he would have deserved the credit of much more zeal than judgment.

Second.—The Judicial Reforms. The same remarks apply to this head:—the utter insufficiency of the establishment for the administration of civil justice, and the intolerable evils which were entailed on the country and people by the virtual denial of justice, had been officially, privately, and in the public prints, so often brought to the notice of those in power and the public at large, that it was plainly perceived that the machine of Government would not go on much longer on its old footing: nay, those who looked beyond the present, were fully aware that the almost annihilation of credit, the falling off of mercantile transactions, and the impoverishment of the country, which were the consequences entailed in a considerable degree, by the state of the Courts, whereby every encouragement was held out to dishonesty, began seriously to affect the Government revenue. Then, indeed, it became an object to remedy the evils complained of: as long as it was imagined that the people were the only sufferers, little anxiety was manifested; but no sooner did the fundamental principle, for which the British Indian Government exists, the realization of a large revenue, appeared to be in danger, than it was found necessary to introduce some improvement. Numerous representations and suggestions had been made to Government on the subject; and, like the Suttee case, the judicial reforms would have been forced upon our rulers and extorted from them, whoever might have been entrusted with the Government of the country.

Thirdly.—The breaking through the illiberal policy of excluding the Natives and East Indians, as much as possible, from all share in the Government of their country. In this, again, Lord William is by no means entitled to the whole credit. It had for some time previous to his Lordship's arrival here, been pretty generally acknowledged, that the attempt to govern the country almost entirely by European agency had been a complete failure. Those, too, who were a little more far sighted than their neighbours, and were intelligent enough to observe and take warning by the signs of the times, were convinced that the old system of unjust exclusion could not be maintained much longer; and many representations of the expediency of adopting a more liberal policy, had at various times, by different functionaries, been made to Government. Nevertheless, it is but fair to allow, that Lord William deserves much more credit for his share in this measure, than in either of the two preceding measures. A considerable number of men, both high in office and in subordinate situations, were still imbued with the old prejudice of the vast superiority of the English; the inefficiency and corruption of the people, and the great danger which would ensue to our Government, by admitting them to any share of influence and authority. Dire prognostications were held forth of the evils which would be entailed by the enlightened measures which were proposed, or rather by the commencement of a more liberal system; for it must be carried much further before its beneficial results can be fully developed; and it is probable that with a ruler of an ordinary mind, some years would have elapsed before the advocates of the proceeding would have been allowed to triumph. In this measure, therefore, let the full meed of praise be awarded to the decision of character and liberality of the present Governor-General.

Fourth.—The toleration of unlimited freedom of the Press. This is indeed a measure dictated by a pure and enlarged policy, and for which, I believe I may say, we are indebted solely to Lord William. There were some, doubtless, among the Government functionaries who were anxious for the abolition of restrictions on the expression of

public opinion on official men and measures, but they were by far too few in number to have counteracted the prejudices of the many, had they not been powerfully supported by the head of the Government. I have certainly heard observations from several men, tending to detract from the wisdom and liberality of this measure. It is said, that after all, what can the expression of public opinion do? The circumstances of India and its population are such, that its rulers may, at present at least, with perfect safety treat it with contempt. A weak minded and self-sufficient man might have been nettled and annoyed at the attacks on Government which have been from time to time poured forth; but one of strong character and conscious of his own power could afford to take no notice of them. Besides, it is said that Lord William is one of those phlegmatic and humorous individuals who laughs at all the abuse he may have received, and can even enjoy the wit and cleverness of a philippic, (should it contain any) feeling the force of the old adage "let those laugh that win." Besides this, he has very wisely looked upon the freedom of the press, both as an index and a safety valve for the public mind:—to point out, how far he and his masters, the twenty-four Molochs of Leaden Hall might go; and to allow of the escape of a great portion of that discontent which if pent up might have caused an explosion producing much more dangerous consequences.

*All* this may be, and probably is, both true and lamentable. True, as regards Lord William individually; and lamentable that the free expression of public opinion should yet have so little influence upon the actions of our rulers, and so little power to remedy the evils under which the country is groaning;—still, "*gutta cavat lapidem.*" Let the press persist in doing its duty, in which it will be joined and assisted by the people; ultimately it must triumph, and our rulers will be forced to adopt a more enlightened and a wiser policy. No small share of mental strength, however, is requisite to enable a man to tolerate being told that he is wrong, or that his measures are oppressive, even though he may not profit by what he hears. Few men in authority, either in India, England, or any other country, would submit to it while they possessed the power to prevent it. Let the full and unrestricted share of praise be awarded to the man who has borne all that has been said and published against the present Governor-General.

Let him also receive full credit for his attempts to improve the resources of the country by introducing a general plan for the improvement of its communication by road-making—and for his attempts to increase commerce by the opening of the Indus. Lord William's resolution to make merit the test of promotion and to adopt a system, &c. sounded very well: in practice, however, there has been just as much nepotism and favoritism under the present administration as at any previous period. It is also very doubtful whether the public servants on the whole do more than they did before. The diligent and efficient have been disgusted by the unmerited suspicion which has been cast upon them, while occasional instances of notorious idleness and inefficiency exist now as heretofore. If these are able to remain undiscovered by the Government, it is a poor result of the grand system of public reports and private espionage which has been introduced; but in truth, some of them, to say the least, have been so well known for years to the public at large, that it is utterly impossible that the head of the Government could remain in ignorance of them.

The determination expressed by Lord William not to be a puppet in the hands of his councillors, &c. &c. has degenerated into his having too often become a tool in the hands of spies and informers, whose purposes he has been made to serve by forwarding their views, and gratifying their malice; and as to the laudable purpose for which his journies through the country were said to have been undertaken, to enable him to see and judge for himself of its condition and the state of its inhabitants; had this been done at his own expense, the credit of purely good intentions might have justly been conceded to him. The cost of his expensive journies has, however, been defrayed *as it is called, by Government*, that is to say, by the people of India, who are certainly at a loss to discover what benefits they have thereby derived, except the honor of being subject to the innumerable petty extortions, oppressions, and misconduct of his Lordship's suite and camp-followers, which in India always rise in amount in proportion to the rank of the master; and the only practical result of these journies that has hitherto been exhibited, is that of an agreeable party of pleasure amusing themselves with viewing the various sights and scenes of the country, and in the selection of salubrious and attractive residences for their abode according to the climate and the seasons.

Indeed, as a general principle, although in theory it sounds well; great difficulties are opposed to the production of any beneficial effects from local inquiries conducted

by a Governor-General in person. The office is of too great importance to ministerial interests at home to be bestowed on any Indian functionary; and those who come out fresh from England, are necessarily precluded by non-acquaintance with the language from having any personal communication with the people. Besides, if this bar did not exist, etiquette opposes another: a Governor-General cannot, as has been before observed, go about in disguise, like the celebrated Caliph of Bagdat (Haroon al Raschid) to inspect the proceedings of his subordinates, and the attempt too often ends like the mountain in labour:—sometimes, indeed, the production is by no means of so innocuous a nature; for a distorted abortion, like the present espionage system, is only an instrument in the hands of the evil-disposed to the injury of all able and honest men. A journey and inquiry by the Governor-General, if properly conducted, might be made productive of some benefit; but if we are to judge from the results which have hitherto followed the various peregrinations of respective Governors-General, the wisest course for the Court of Directors or the Ministry would be to procure a revision of the last East India Charter act, so as to enable them to prohibit any future Governor from leaving Calcutta, a most desirable measure for the inhabitants of that fair city of Palaces, who would thereby enjoy sundry additional good dinners and agreeable entertainments, while the money which would be spent in the journeys might be applied to a variety of much more useful purposes.

As to the invitation for communications and suggestions from all parties, in or out of the service; the public have yet to learn how far those which have been offered have ever been suffered to supersede Lord William's preconceived notions; and there are not a few anecdotes current on good authority of positive evils, nay, instances of bribery and extortion on the part of the officials of different functionaries, having been brought to his Lordship's notice, into which no inquiry whatever has been instituted.

The conviction that many abuses exist both in the system of Government and the mode of administration in detail, is still nearly as strong as ever in the minds of those who possess any acquaintance with India or its affairs. It is, we may conclude, equally present to the perception of the Governor-General, if we are to judge by his non-interference system; and the implied candour and plain dealing of this measure is entitled to the highest praise. His Lordship has strenuously supported the system of non-interference in the internal affairs of the native states, simply because he is convinced that bad as their administration may be, that of the British Government is not a whit better. But what has been the general result of Lord William's Government? what has become of his determination to do his best for the interests of the people over whom he has been placed; professions in abundance we have had; it has been a government of professions which has begun and ended in words. It may have been his intention to have fulfilled them; but he forgot to add the qualifying proviso that his good intentions were never to interfere with the main principle of the British Indian Government, profit to themselves and their masters at the expense of the people of India. Every arm of government, civil and military, has been crippled by the miserable system of petty economy which has been introduced. The abominable system of purveyance and forced labour is still in full force. The commerce and manufactures of the country are daily deteriorated by the vexatious system of internal duties which is still preserved; the people are still oppressed by having the business of the courts and offices conducted in a language foreign both to the governors and the governed; the police arrangements have deteriorated; men are daily appointed to situations of responsibility; who, for any thing that is known of their qualifications, may be unable even to speak to the people; the people are neither happier nor richer than they were before: indeed their impoverishment has been progressive; for, while the evils enumerated have continued in full force, the revenue screw has scarcely been relaxed half a thread of the many hundreds of which it is composed: and to crown all, the government servants of all classes have been filled with disgust and discontent at the imputations and aspersions with which they have been assailed; at the disappointment of hopes and expectations on the strength of which they left their home, their kindred, and their country, and which have cheered and supported them in the discharge of their laborious duties while exiles in a foreign land: while the natives, the East Indians and the English settlers are found equally murmuring at the little which has been practically done to improve their condition.

Of the existence of the feelings among the English population, both in and out of the service, Government is sufficiently aware; our rulers do and may, for some time to come, set it at defiance, although the evil consequences will be ultimately felt. [illegible] is

impossible they can know the extent to which they prevail among the people of the country: we have been so long accustomed to set at nought their opinions, and even to consider them as incapable of forming any, that it is almost like a new sense to entertain the notion of regulating our proceedings by the consideration of their effecting upon, and reception by, the people. The day is past, however, when they can safely be treated with such contempt: they are most accurate judges of character; and the circumstances in which they are placed, defenceless and open to attacks from all around them, have encreased this natural quality to a degree of keenness and activity of which the spider's eye, which is said to "*see all round,*" is scarcely susceptible. They are ever on the watch, for at present they feel their weakness, and know that they are in our power; and bitterly do they murmur among themselves at our extortions and oppressions. They see the daily retrenchments which are taking place in every department, which so far from benefiting them, are only an additional means of depriving them of the advantages which they enjoyed by the former expenditure; and native soldiers and employeés of all ranks are now wandering about the country, cursing the wretched parsimony which has deprived them of the means of subsistence, while they know that the taxes are levied as usual to the utmost, and that the money thus raised is hoarded to be transmitted to England.

All this they see and reason upon. The question is now more strongly agitated than ever "what right have we to rule the million for the benefit of the few?"—and further, the point is also discussed, what is the amount of our power to support this right? Many influential individuals among them are now familiar with our language, and many more are daily becoming acquainted with it; a native press exists both in Bengal and in the upper provinces, and one of the leading English Journals of Calcutta has lately become in part the property of a native of wealth and talent—communication between people in distant parts of the country is daily becoming more frequent and will become still more so. By a wise and enlightened system of legislation, all this might be turned to the consolidation of our power and the improvement of the condition and consequent happiness of the people of the whole Indian Peninsula; but if nothing be done to turn sentiments into a different channel from that in which they now run, the warning which predicts the downfall of the British Indian rule will not be long ere it be fulfilled.

It may be asked, why such an attack as this is levelled at Lord William Bentinck? What has he done worse than former Governors-General of India to deserve it? It must be remembered that he is a public man, and that as a public man alone his proceedings are here discussed; and that he has brought it upon himself by his abundant professions and non-performance. If his predecessors in the high and responsible office which they filled, did little for the people and the country; if they contented themselves with the enjoyment of their ease and dignity and all the splendour and luxury of their situation and solace themselves for their separation from their home and friends by the prospect of a pension after their return to England; they at least made no grand professions. But Lord William Bentinck has gratuitously placed himself in this position. He may have recommended more liberal measures to the Home Government, he may have endeavoured to rouse them to a sense of their true interests; but if so, the secrecy with which the affairs of Government are administered, has prevented the public from being made acquainted with it; and the general result of his measures has been to lay a foundation on which may rise consequences of greater moment both to the English rulers and the Indian population than have ever yet resulted from the acts of any preceding Governor—whether these shall be productive of good or evil time alone can show.

A FRIEND TO INDIA.

December, 1834.

# LORD NAPIER'S NEGOCIATIONS WITH THE CHINESE.

[*Concluded from page* 132.]

## CORRESPONDENCE.

*(From the Bombay Courier, December* 13.*)*

*To the Right Honorable Lord Napier, Chief Superintendent of the British Trade in China.*

My Lord,—We the undersigned Parsee Merchants beg leave respectfully to address your Lordship on the subject of the extreme difficulties in which we find ourselves involved by the present position of affairs between your Lordship and the Chinese Government.

In common with all British subjects we hailed your Lordship here with joy, and looked for the happiest result to the trade and well-being of foreigners in China. We did not expect that the change in trade could be brought about without some difficulty, and were prepared to postpone our individual interests to the general good. We received the first order of the stoppage of the British trade as one of the customary measures of the Chinese Government in such cases, and thought it would soon yield to your Lordship's measures.

We can, however, no longer conceal from ourselves that the affairs has assumed an appearance which does not hold forth promise of early adjustment; and we therefore respectfully lay before your Lordship this our memorial, and point out to your Lordship the dreadful consequences which must result to our constituents, whose interests we are not authorized to commit by any act of our own, and whose commercial existence may perhaps depend upon the consequences which must ensue to them if the present stoppage of the trade be not speedily removed.

The months of August and September are those in which the principal sales of cotton, &c. are made here, and the Chinese buyers though accustomed to the arrival of several ships at a time, may form most dangerous combinations against the importers, when the large quantity which will arrive during the present difficulties come to be brought into market at once.

Our constituents in India calculating also upon the usual promptitude of remittance for their goods, will contract engagements, depending on such remittances, and the consequence of their being detained here need not be described to your Lordship. The ship-owners must also be great sufferers, if their ships are detained—their expenses are heavy and many of the voyages depend on agreement which they will not be able to fulfil, unless the trade be speedily renewed. Indeed, whichever way we look, ruin appears certain if the present state of things lasts but a short time longer. We are convinced your Lordship is acting for the best, but we cannot set down quietly and see certain ruin coming both to ourselves and to others who have entrusted their property to our care; we therefore beseech your Lordship to devise some measures for relieving us from this most perilous situation, and avert the ruin, which we are sure it cannot be your Lordship's wish nor his Majesty's benevolent intention should be entailed on us.

We have, &c.

(Signed) DADABHOY RUSTUMJEE,
and other Parsee Merchants.

Canton, 10th September, 1834.

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Canton, 10th Sept., 1834.

*To Dadabhoy Rustumjee, and the other Parsee Merchants.*

Gentlemen,—I have to acknowledge the receipt of your memorial stating the "extreme difficulties in which you find yourselves involved by the present position of affairs between myself and the Chinese Government, &c. &c."

I can assure you I am very sensible of the cruelty and injustice with which the said Government has acted towards the British Merchants, and that I will relax no endeavour to restore matters to their former course. It would be highly inexpedient to enter into premature discussion on these points. I therefore can only repeat that they shall continue to have my best and most deliberate attention.

I have, &c.

(Signed) NAPIER,
*Chief Superintendent.*

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*To the Right Honorable Lord Napier, Chief Superintendent of the British Trade in China.*

My Lord,—We had the honor to receive your Lordship's acknowledgment of our

memorial of the 10th instant, and we felt grateful for the assurance that your Lordship would use every exertion to relieve us from the distress occasioned by the present unhappy position of affairs with the Chinese Government. We consider it our duty to inform your Lordship that we met the Hong Merchants this day at the Consoo-house by their invitation, and were there informed by Howqua, the senior Hong Merchant, that he had used every exertion in his power to bring about an amicable adjustment of the existing difficulties, but in vain. The Vice-roy has notified to him, that he is resolved to stop all the commercial intercourse till your Lordship has left Canton and the frigates ordered away. We beg respectfully to lay before your Lordship the Chinese Chop we have received on the subject. It is farthest from our wish to embarrass your Lordship by repeated memorials, but we dare not in justice to ourselves, and in duty to our constituents—whose interests are vitally threatened by the stoppage of the trade,—omit an opportunity of representing our case to your Lordship, which we do most respectfully, merely repeating what we stated in our former memorial, that the consequence of the continuance of the present state of things will be utter ruin to thousands of our countrymen depending on the China trade. The Hong Merchants represented the case as pregnant with damage to property, and even life, from causes over which they have no controul; and recoguizing us as peaceable merchants, have recommended our leaving Canton, offering us Chops. We therefore once more beseech your Lordship earnestly to consider our case, and adopt measures for relieving us from the distress under which we now suffer, and the ruin which nothing but speedy resumption of the trade can now avert.

We have, &c.

(Signed) DADABHOY RUSTUMJEE,
and other Parsee Merchants.

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Canton, 15th September, 1834.

*To Dadabhoy Rustumjee and other Parsee Merchants.*

Gentlemen,—I have to acknowledge the receipt of your letter of yesterday, and beg to acquaint you, whatever you were told at the Consoo-house by Howqua and the other Hong Merchants, that the whole is false. I may say that I believe that you are indebted to Howqua himself for the stoppage of the trade. When they presume to tell you even your lives are in danger, they are only endeavouring to operate on your fears. You are British subjects and entitled to the same protection as Englishmen themselves. If you take my advice you will remain where you are, and if a few days do not put an end to this unnatural state of affairs, let the blame rest on the head of the guilty.

Yours, &c.

(Signed) NAPIER,
*Chief Superintendent.*

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*(From the Canton Register, September 16.)*

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Canton, 14th September, 1834.

*To W. Sprott Boyd, Esq. Secretary to the Chamber of Commerce.*

Sir,—Having read the translation of the Special Edict of the date 11th September, 1834, forwarded to me yesterday, I find that any further endeavours on my part to reason his Excellency the Governor into a more becoming line of conduct would be quite superfluous, and whereas it has been stated by the Hoppo, in his reply of the 7th September, 1834, to a petition from Messrs. Whiteman and Co. to open the trade, that the same should take place as soon as I had taken my departure for Macao, I have now to request that you will be pleased to move the proper authorities to order up the British cutter, now at Whampoa, that I may take the earliest opportunity of giving effect to the same.

I beg to remain, your obedient servant,

(Signed) NAPIER,
*Chief Superintendent.*

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Canton, 15th September, 1834.

Gentlemen,—My letter to Mr. Boyd of yesterday would prepare you for the present, I now beg leave to acquaint you that I cannot any longer consider it expedient to persist in a course by which you yourselves are made to suffer. I therefore addressed Mr. Boyd, that the authorities might provide me the means of doing that which all parties must anxiously desire, namely, "to retire and admit the opening of the trade." When I consider that the subject in dispute is not one of a commercial nature, but altogether personal in reference to myself, I can retire with the satisfaction of knowing that your interests are not compromised thereby, indulging a hope that the day will yet arrive when I shall be placed in my proper position by an authority which nothing can withstand.

I consider it my duty to use every effort to carry His Majesty's instructions into execution, and having done so far without effect,

though nearly accomplished on two occasions, I cannot feel myself authorized any longer to call on your forbearance.

I hope, Gentlemen, soon to see the trade restored to its usual course of activity, and that it may long continue to prosper in your hands is the ardent wish of, Gentlemen, your very faithful and obedient servant,

(Signed) NAPIER,
*Chief Superintendent.*

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## PROCLAMATION.

(*From the Canton Register, September* 16.)

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### LORD NAPIER'S OBSERVATIONS ON GOVERNOR LOO'S EDICT, DATED THE 2D OF SEPTEMBER.

Canton, 8th September, 1834.

*To William Sprott Boyd, Esq. Secretary to the Merchants meeting.*

Sir,—Whereas Mr. Morrison has laid before me the translations of an Edict of the 2d of September, issued by Loo, Governor of Canton and Kwang-se, and Ke, Fooyuen of the province of Canton wherein, among other things, it is stated that, "on examination of the rules of the celestial empire they find that ministers have no outward intercourse with outside barbarians, and that it cannot be known whether Lord Napier is a merchant or an officer." I beg to acquaint you, for the information of the said Hong Merchants, and Loo and Ke, that during the last 200 years a constant personal intercourse has been maintained between the Viceroy of Canton and the British subjects resorting thither; for example: in the year 1637 on the part of Captain Waddell, after having destroyed the fort at the Bogue; in 1734 on the part of the Supracargoes of the E. I. Company; in 1742 on the part of Commodore Anson; in 1754 on the part of the Supracargoes; in 1759 on the part of Mr. Flint and the Supracargoes; in 1792 on the part of a committee from England; in 1795 on the part of the Supracargoes; in 1805 on the part of Mr. Roberts and Sir George Staunton; in 1806 on the part of Mr. Roberts, and again on the part of Mr. Drummond and Mr. Elphinstone; in 1811 on the part of Sir George Staunton; in 1816 on the part of Sir Theophilus Metcalfe and Captain Clavell, R. N.; and on many other occasions by the chiefs of the factory on their annual return from Macao to Canton. So far, therefore, the allegation of the said Loo and Ke is not founded on fact.

Again, that they know not whether Lord Napier is an officer or a merchant is equally false; for the Kwang-chow-foo, the Chaou-chow-foo, and Kwang-chow-hee waited on Lord Napier, when they saw him in the uniform of a Captain in the British navy; and when they might have assured themselves of that fact, as well as of all others connected with his mission to China, had they carried his letter to the Viceroy, or had his Excellency given him the same reception as had been usually accorded to others.

And, whereas, it is further stated in the said Edict that the trade was stopped by the request of the Hong Merchants on the 16th of last month, but that he, the Viceroy, replied to them, "commanding indulgence and delay;" which command was issued on the 18th ultimo, and was never obeyed by the Hong Merchants; and whereas, in the present Edict of the 2d instant, it is now declared by Loo and Ke, that from the 16th day of August all buying and selling on the part of the English nation is wholly put a stop to, with the exception of all goods, the sale or purchase of which was settled previously to the stoppage; and whereas, in full reliance on the honor of the Viceroy and the authority of the Edict, "commanding temporary indulgence and delay," the British Merchants have transacted considerable business with the merchants of China between the 18th of the last month and the 2d of the present; and in the face of that Edict, and in the forgetfulness of his "command to grant indulgence and delay," the Viceroy now joins with the Fooyuen in the very unjust measure of stopping the trade altogether from the 16th of last month, to the great prejudice, not only of the British Merchants, but of that of the subjects of his imperial majesty the Emperor of China; I do hereby, in the name of His Britannic Majesty, protest against this act of unprecedented tyranny and injustice, thus decreed by the said Viceroy and Fooyuen.

And, whereas, notice has been taken, in the same Edict of the 2d instant, of the expected arrivals of ships from England with cargoes to be given in exchange for teas and other merchandize; and whereas, all merchandize is allowed to be embarked up to the 16th ultimo, and ought in justice to be extended to the 2d instant; and as the permission to embark such merchandize implies the *delivery* of outward cargoes for such purpose, and still the trade is wholly put a stop to, which prevents the delivery of such cargoes and the embarkation of the merchandize already so permitted to be shipped, I do hereby again protest, in the name of His Britannic Majesty, against the absurd and tyrannical assumption of power on the part of the Governor and Lieutenant-governor.

And, whereas, by a letter of the Hong Merchants of September the 6th, giving notice, "that the Governor has ordered all the forts and guardhouses, that the English boats and ships are only allowed to go out of port, and are not allowed to enter;" and that such a prohibition is altogether at variance with the Edict permitting a certain part of the trade to be embarked, I have to request that you will hereby give notice to the Hong Merchants that it is a very serious offence to fire upon or otherwise to insult the British flag.

And, whereas, they are already aware that there are two frigates now in the river, bearing very heavy guns, for the express purpose of protecting the British trade, I would warn the Hong Merchants, again and again, that if any disagreeable consequences shall ensue from the said Edicts, that they themselves with the Governor and Lieutenant-governor are responsible for the whole. Recommend them then to take warning in time; they have opened the preliminaries of war; they destroy trade, and incur the loss of life on the part of the unoffending people, rather than grant to me the same courtesy which has been granted to others before me. They are all aware that the king, my master, sent me here in consequence of Howqua's advice to Governor Le, and, therefore, why do they vainly contend against their own actions to the destruction of trade and the misery of thousands. But let the Governor and the Lieutenant-governor know this, that I will lose no time in sending this true statement to his imperial majesty the Emperor of China, at Peking; and I will also report to his justice and indignation the false and treacherous conduct of Governor Loo, and that of the present Kwang-chow-foo, who has tortured the linguists and cruelly imprisoned a respectable individual, Sunshing, a security merchant, for not having acquiesced in a base lie, purporting that I arrived in Canton river in a merchant ship. Whereas, they are both aware that I made my passage and arrived in one of the ships of war now at anchor in the river. His imperial majesty will not permit such folly, wickedness, and cruelty to go unpunished: therefore, tremble Governor Loo, intensely tremble!

And, again, Governor Loo has the assurance to state in the Edict of the 2d instant, that "the king, my master, has hitherto been reverently obedient." I must now request you to declare to them that His Majesty, the king of England, is a great and powerful monarch, that he rules over an extent of territory in the four quarters of the world more comprehensive in space, and infinitely more so in power than the whole empire of China; that he commands armies of bold and fierce soldiers, who have conquered wherever they went; and that he is possessed of great ships of war, carrying even as many as 120 guns, which pass quietly along the seas, where no native of China has ever yet dared to show his face. Let the Governor then judge if such a monarch "will be reverently obedient to any one."

And, now, I beg you to inform the Hong Merchants, knowing their duplicity, I suspect they will not communicate the foregoing to the Governor and to the Lieutenant-governor. I would, therefore, give them warning that if I do not receive an answer from his Excellency touching the points narrated in this letter by Monday the 15th, I will publish it through the streets, and circulate copies among the people, one of which may peradventure find its way into his Excellency's presence.

I beg to remain, your very obedient servant,

(Signed) NAPIER.

## EDICT.

*(From the Canton Register, September 16.)*

GOVERNOR LOO'S REPLY TO LORD NAPIER'S OBSERVATIONS, DATED THE 8TH OF SEPTEMBER.

Loo, Governor of Canton &c. to the Hong Merchants, requiring their full acquaintance with the contents hereof.

In every thing relating to the trade of the English barbarians at Canton there have long been established rules. There has never been such a thing as the residence here of a barbarian officer or superintendent. The great ministers of the celestial empire, unless with regard to affairs of going to court and carrying tribute, or in consequence of imperial commands, are not permitted to have interviews with outside barbarians. The affairs of the former *Ming* (dynasty) need not be brought into discussion. How have any officers of the great *Tsing* dynasty had intercourse to and fro with barbarians? As to the intercourse between barbarian officers and those who have formerly held the office of Governor in the years of Keen-lung and Kea-king (1736 to 1821) referred to in the paper copied by the said merchants, perhaps, when the said nation has sent tribute there may have been interviews given to the tribute-bearers; otherwise, there certainly has not been this ceremony. This even the said nation's private merchants must all be

aware of. I, the governor, have been obedient, maintaining the national dignity. From the first I have not been commencing what is strange or sounding forth my loftiness.

In the 10th year of Taou-kwang, the said Hong Merchants having reported that the English Company would, after the 13th year of Taou-kwang, be dissolved and ended, that the merchants of the said nation would trade for themselves, and that they feared affairs would be under no general control, the then Governor, Le, commanded them to enjoin orders on the said nation's merchants to send a letter home, that if the Company was ended and dispersed, a chief (*taepan*) should still be appointed to come to Canton, to manage affairs. The books of records are still existing: there is no word of a superintendent. The said barbarian *eye*, Lord Napier, styles himself superintendent come to Canton. Whether a superintendent should be appointed over the said nation's barbarian merchants or not, it is in itself needless to inquire about minutely; but we Chinese will still manage through the medium of merchants: there can be no alteration made for officers to manage. Besides, the business is one newly commencing; it is incumbent to present a memorial, requesting the mandate of the great emperor to be obeyed and acted on. The said barbarian *eye*, Lord Napier, brought not any written communication from the said nation's king. Suddenly he came. I, the governor, knew not what man he was, knew not what business he was to transact. I sent the said merchants to inquire and investigate, and to require him to inform them of the causes of his coming, and what was the nature of the business he was to perform, to afford grounds for a full memorial. In what was this not accordant with reason? Even though the said barbarian *eye* were indeed an officer, why should he communicate to the merchants of the central flowery (nation) not a word! If unwilling to converse with the said merchants, still what should prevent him from commanding the said nation's private merchants to resolve the matter with them, and inform them fully? But on four successive occasions, when they inquired and investigated, he remained as though he heard not, determined in the wish to have official correspondence and letters to and fro with all the public officers of the inner land. The said nation and this inner land have heretofore had no interchange of official communications and letters; nor in the celestial empire is there this rule. How could I, the governor, in opposition to rule, permit it!

The said Hong Merchants had before solicited that a stop should be put to the said nation's buying and selling. I, the governor, because the said nation had had an open market here for upwards of a hundred years, and because the said nation's king had several times sent tribute, so that I could not but call him reverently obedient; but still more because the said nation's separate merchants had, many of them, crossed the seas and come from a distance, so that I would not, for the fault of one man, involve the mercantile multitude: I therefore replied commanding an indulgent delay. Again, apprehending that the said merchants, in enjoining the orders, had not attained perfect clearness, I also sent officers to proceed to the barbarian factories, and personally make inquiry. On the part of me, the governor, it was the utmost, the extreme of careful regard and perfect kindness. But the said barbarian *eye*, even in the presence of the deputed officers, did not speak plainly of the object of his mission. Still, apprehending that their words might not be truly delivered, I commanded them to take with them linguists and proceed thither. When the flowery (Chinese) and barbarians have oral intercourse, linguists interpret what is said; throughout the empire it is in all cases thus. Yet neither would the said barbarian *eye* employ the linguists to interpret for him, so that the deputed officers could not say every thing.

Since the said barbarian *eye* has come for the purpose of examining and directing trade, but did not tell clearly the object of his mission, whether after the Company was dispersed affairs should be conducted as before or not, or how they should be conducted, by what means could trade be carried on? I could not, but according to law, close the ship's holds: that I, the governor, did it not willingly, but with extreme pain of mind, has been already clearly explained in the proclamation. The said merchants having orally stated that they had fully taken account of the goods, the purchase of which was settled before the 12th of last moon (*i. e.* the 16th of August) and had wholly stopped, not having since had any commercial dealings. I therefore ordered the stoppage from the day of the said merchant's petition: it was in no way a former and a latter two modes of acting. I, the governor, six times successively issued official replies, all in conformity with the old established regulations. I in no way forced into difficulties; nor did I thurst forward my own notions: neither did I, by a single word, rudely reprehend the said barbarian *eye*. The replies have all

been printed, and publicly displayed; all *eyes* may see them. Even the said nation's king, if he see them, cannot say that I, the governor, have not spoken what is reasonable.

The said barbarian *eye* has not learned to arouse from his previous errors, but has further called to him many persons, bringing in boats, military weapons, which have been moved into the barbarian factory: a great opposition towards the laws and prohibitions! Into the important territory of the provincial city how can outside barbarians presume to bring military weapons, causing alarm to the inhabitants! I therefore commanded the fort, named Lee-tih, that should any sampan boats proceed towards the city they should be stopped and authoritatively informed that if the said barbarian vessels perversely opposed and disobeyed, the military would, of course, fire off the guns, which would be but what their offence brought on them. Yet several times, when barbarian merchants were stopped, they were at once sent back to the place whence they came, without being brought to investigation or punishment. Thus it may be seen that I the governor have not tyrannically treated the outside barbarians. Even with regard to the said barbarian *eye*, when instance upon instance, he has presumed on force and power, what difficulty would there be in my meeting him with military terrors! But I cannot bear forcibily to drive him out. The celestial empire cherishes those from afar virtuously. What it values is the subjection of men by reason: it esteems not awing them by force. The said barbarian *eye* has now again opposed the laws in commanding the ships of war to push forward into the inner river, and in allowing the barbarian forces to fire guns, attacking and wounding our soldiers, and alarming our resident people. This is still more out of the bounds of reason, and renders it still more unintelligible what it is he wishes to do.

The soldiers and horses of the celestial empire, its thundering forces, guns, and weapons assembled on the hills; if it were desired to make great display of conquering, of chastisement, how could the petty little warships afford any protection! Besides, all the merchants trading here, I, the governor, treat most liberally; what need is there of protection? By such ignorant and absurd conduct, entering far into the important territory, he is already within my grasp. Arrangements have been now made to assemble a large force, ranged out both by sea and land. What difficulty will there be in immediately destroying and eradicating; therefore, that I am slow, dilatory, and cannot bear to do so, is because I consider that such movements are not according to the wishes of the said nation's king, nor are they according to the wishes of the several merchants. I, the governor, looking up, embody the heaven-like benevolence of the great emperor. Only by reforming his errors can he avoid cutting himself off, and obtain reformation. If the said barbarian *eye* will speedily repent of his errors, withdraw the ships of war, and remain obedient to the old rules, I will yet give him some slight indulgence. If he still adhere to stupidity and do not arouse, maintain his wickedness and do not change, he will be sinning against the great emperor, and I, the governor, will certainly find it difficult again to display endurance and forbearance.* I apprehend that when the celestical troops once come, even precious stones will burn before them. On no account defer repentance till afterwards.

Uniting circumstances I issue this order. When the order reaches the said Hong Merchants, let them immediately act in obedience to it, and make it known to all the English Merchants, with even temper reasoning upon it. If hereafter things come to a rupture, do not say that I, the governor, caused it by my errors. Let them also enjoin the orders on the said barbarian *eye;* and let them write home to cause it to be known. A special order.

Taou-kwang, 14th year, 8th moon, 9th day.
September 11, 1834.

## CORRESPONDENCE.

(*From the Canton Register, September* 23.)

*Letter from the Hong Merchants to the British Merchants. September* 15, 1834.

A respectful notification.—You, Gentlemen, sent us yesterday a letter from your honorable officer to you. We immediately took the letter, and, having laid it before the Kwang-chow-foo, received his commands, saying, that he had minutely looked over the letter, in which is the expression "endeavours on my part to reason with the Viceroy, &c." As to this reasoning, it is undiscovered what is the subject reasoned about. If what is spoken of approach to reason, the Governor will assuredly report it to the great emperor, and perhaps it may be granted. If not reasonable, an order must also be awaited, commanding its refusal.

* We think this a broad hint on the part of governor Loo for a *bribe*. He means the converse of what he writes: that the *fighting brigade* of the Qwang tung division of the celestial army will burn—*i. e. melt away*—before a storm of precious stones—or *devil-faced* dollars—discharged at them by handfuls.

As to what the affairs are which your honorable nation has sent your honorable officer to Canton to transact, it is necessary and right to explain them fully, that a report thereof may be at the same time made for the information of the great emperor, and his mandate awaited, to be obeyed and put in operation.

As to the ships of war entering the port—it is a thing long prohibited by the laws All the nations know it. How is it that on this occasion the ships of war have presumed to break into the port, throwing down the forts! let it be examined what is the cause.

At the end of the letter it is said, "I therefore request you to move the proper authorities to order the British cutter up from Whampoa, that I may carry the same into effect." It is not understood what is the meaning of the words "carrying into effect."

We pray you to take the above, and having ascertained each point clearly, immediately to reply, that we may be enabled to report.

Again, in the present letter your honorable officer wishes the cutter to come up to Canton. When, then, will the war ships, which the other day broke in and came up to Whampoa, set sail! We pray you first inform us, that we may report for you to the Kwang-chow-foo, and await his orders as to what is to be done. We pray you to inform your honorable officer of every thing in this letter, and then reply.

This burden we impose, &c. &c.

(Subscribed by eleven merchants.)

To Messrs. Jardine, Dent, Boyd, Whiteman, Franjee, and other gentlemen.

8th moon, 13th day, September 15th, 1834.

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Canton, 15th September, 1834.

*To W. Sprott Boyd, Esq. Secretary to the Chamber of Commerce.*

Sir,—As the Kwang-chow-foo does not understand my letter, I have to request you will afford him the following explanation.

1st. With respect to reasoning with the Viceroy, I showed his Excellency, from many examples that Englishmen of rank have been admitted to private communication with his Excellency, and it would have been but courteous in him to have placed me on a similar footing.

2ndly. In reference to the entry of the ships, it would have been but wise and politic had the authorities provided me with a "copy" of such "prohibitions;" as according to the Governor's own showing "I was quite ignorant of the laws of the celestial empire."

3rdly. As to the departure of the ships. One of them will be despatched immediately to the Admiral in the East Indies, bearing the Governor's reply to this letter, and who will act accordingly; and the other will remain at Whampoa to convey myself and suit to Macao; and—

4thly. As to the nature of my business here, I have already told him that I can only communicate that subject by letter or by person to the Viceroy.

I hope this is plain enough for the comprehension of the Kwang-chow-foo.

Your very obedient servant,

NAPIER,

*Chief Superintendent.*

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*Letter from the Hong Merchants to the British Merchants, desiring further information respecting the frigates. September 16th,* 1834.

A respectful notification.—You, Gentlemen, have to day sent us a letter from your honorable officer to yourselves. Therein it is said, "as to the departure of the ships, one of them will be despatched immediately to the admiral in the East Indies, bearing the governor's reply to this letter, and who will act accordingly." Why not send the ships of war out to the outer sea immediately, at the same time giving information of the day and time of sailing, to enable us to report to the Governor, that he may issue orders to all the military posts t let them pass? "The other will remain at Whampoa, to convey myself and suite to Macao." Why not first send this ship of war to sea outside the Bogue, and then have the cutter up to take your honorable officer on board the ship to return to Macao?

At the end of the previous letter it was said, "I request you to move the proper authorities to order the British cutter up from Whampoa, that I may carry the same into effect." Do the words "carry into effect" refer to the mode of acting mentioned in the Hoppo's reply, on a former day, to Mr. Whiteman's petition, namely, that your honorable officer should first go to Macao?

In our letter of 13th (September 15th) it was required to examine for what cause the ships of war entered the port and broke down the forts. On this point we have not received an answer. We pray you to inform your honorable officer, and reply again today, to enable us to report.

For this we write, &c. &c. (Subscribed by the eleven merchants.)

To Messrs. Jardine, Dent, Boyd, Whiteman, Framjee, and other gentlemen.

8th moon, 14th day, (Sept. 16th, 1834.)

Canton, 16th September, 1834.

*To W. Sprott Boyd, Esq. Secretary to the Chamber of Commerce.*

Sir,—In further explanation I beg to acquaint you that the ship for India will remain at Whampoa on account of the nearer communication with this place, and will sail as soon as I receive the Viceroy's reply; therefore his Excellency had better give orders to allow her to go out as soon as possible. The other ship will remain at Whampoa to receive me from the cutter, and will not move from thence on any account previous to my arrival.

The words of "carrying into effect" alluded to the Hoppo's reply to the petition of Mr. Whiteman. The frigates came up the river for the purpose of affording greater security to the persons and property of British subjects, after the most barbarous and cruel Edict of the 2d of September, which yet remains in operation. The authorities have to blame themselves for having acted in that base manner towards the representative of his Britannic Majesty, and if the prohibitions did actually exist, they ought to have been communicated to the superintendents officially beforehand.

The frigates did not fire upon the forts until they were obliged to do so in self-defence.

Your very obedient servant,

NAPIER, *Chief Superintendent.*

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*Letter from the Hong Merchants to Mr. Boyd. September 17th, 1834.*

A respectful notification.—We yesterday received a letter, wherein it is said: "The ship for India will remain at Whampoa on account of the nearer communication with this place, and will sail as soon as I receive the Viceroy's reply.—The other ship will remain at Whampoa to receive me from the cutter." It may thus be seen that the two vessels are both willing to go out of port; but that they sail at different times. But for ships of war to sail into the inner territory has long been a subject of prohibition.

Now the letter says that both are willing to go out of the port. If these two ships immediately set sail and go to the outer sea at Lintin, then afterwards we can report to the great officers that they may order the cutter up to Canton, to take your honorable officer back to Macao. This method will be safe and right. As to the manner of the ships of war going out, spoken of in yesterday's letter, it is indeed difficult to request the great officers to grant it.

For this purpose we reply, praying you to communicate this to your honorable officer, and reply to us to day. For this we hope.

With compliments, &c. (Subscribed by the eleven merchants).

To Mr. Boyd, and other gentlemen.

8th moon, 14th day (Sept 17th, 1834.)

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Canton, 18th September, 1834.

*To W. Sprott Boyd, Esq. Secretary to the Chamber of Commerce.*

Sir,—Lord Napier's continued indisposition rendering it desirable that his Lordship should not be harassed by a continuance of the negotiation now going on with the Chinese authorities, and that his departure from Canton should not be delayed, I beg to inform you that I have undertaken, with his Lordship's concurrence, to make the requisite arrangements with the Hong Merchants, in reference to the communication which you yesterday received from them.

Your's obediently,

T. R. COLLEDGE,

Surgeon to H. M.'s Superintendents.

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*Reply of the British Chamber of Commerce of Canton to Lord Napier's Letter, dated the 15th of September.*

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*To the Right Honorable Lord Napier, Chief Superintendent, &c. &c. &c. Canton.*

My Lord,—We beg to acknowledge the honor of your Lordship's letters of the 15th instant, addressed to the British Merchants of Canton, informing us that, "you cannot any longer consider it expedient to persist in a course by which we are made to suffer; and that you have therefore addressed Mr. Boyd, that the authorities might provide your Lordship the means of doing that which all parties must anxiously desire, namely, to retire and admit the opening of the trade."

While very sensible of the sacrifice of feeling which your Lordship has thus made, it appears due to ourselves, and to the principle which has actuated us, to observe that considering the honor of our nation as suitably placed in the hands of his Majesty's Superintendent, and being convinced that the well-being of the trade is indissolubly bound up with that honor, we have studiously refrained from weakening the effect of your Lordship's measures by any ill-timed interference in giving way to expressions of fear or discontent, or offering advice, unasked, respecting a negociation of which the full bearings were not before us.

That unanimity, so desirable in such discussions, (more particularly in this country, where our only power is reason and moral influence) should not have existed on the present occasion is to us a source of deep regret.

We feel most grateful to your Lordship for your persevering efforts and zeal in asserting our country's cause under privations of a most unusual nature, terminating at length in the sacrifice of your Lordship's health.

We return our thanks for your Lordship's good wishes for the prosperity of the trade.

With sentiments of high respect and ardent wishes for your speedy recovery, we remain, my Lord, your Lordship's obedient and humble servants,

(Signed) JARDINE, MATHESON and Co.; R. TURNER and Co.; J. Mc A. GLADSTONE; JAMES INNES; ARTHUR SAUNDERS KEATING; NICHOLAS CROOKE, for DOUGLAS, MACKENZIE and Co.; WM. SPROTT BOYD; JOHN SLADE; JOHN TEMPLETON and Co, *Agents for Lloyds.*

British Chamber of Commerce, Canton, September 29, 1834.

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## STATEMENT OF FACTS.

TO THE EDITOR OF THE CANTON REGISTER.

Dear Sir,—If you consider the under *statement of facts* likely to throw any new light on Chinese *nerve*, you are at liberty to publish the petition to the Viceroy and the answer! I am *not* allowed to fill in the English name, but I give you, in a private note, the key by which to establish the veracity of the story told.

A CONSTANT READER.

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While our recent troubles were at their height here, a supply of the necessaries of life was, by an English merchant, handed in to Lord Napier, the low Chinese soldier ruffians, stationed outside, on this imprisoned, this merchant's household, consisting of five Chinese. This merchant directly in person applied to Howqua, Tinqua, and Mowqua, and distinctly told his intention "to go to the city-gate, if his servants were not replaced in his house by 6 P. M." it then being 4 P. M. and concluded his address to Howqua by saying, "Howqua, you know me, I keep my word." At 6 every servant was restored to this gentleman's family.

Two days after, persisting in supplying Lord Napier, *(as he told Howqua he would do)* he again found his head servant threatened, when availing himself of a rough draft in Chinese of his former *intended petition* he left it with Howqua who, without his authority and without *his signature*, sent it to the Viceroy, and the rough draft and answer by Loo are as under. I refrain from any other remarks than to say the Hong go-betweens make us British believe the high officers are much worse than they really are.

THE WRITER OF THE PETITION

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*To His Excellency Viceroy Loo, of Canton.*

The respectful petition of a British Merchant, resident in Canton.

That last night he, with his own hand, gave into the hand of a servant of Lord Napier six fowls; that this morning the soldiers in front of his factory, on the pretence of this act, have taken away his comprador, two coolies, a cook, and his personal servant. That inside a treasury, of which he has one key and his comprador has another, is an unsettled balance of dollars with his comprador of several thousand dollars; and that his personal servant has custody of all furniture and clothes.

He, therefore, entreats your Excellency to consider if he buys provisions with his own money he may bestow them on whom he pleases; and yet they punish for this his five innocent servants; and unjustly hurt his property for a deed he was justified in doing.

He ventures to assure your Excellency that he will, either at sea or on shore, get redress through his nation's chief for this offence; or he will himself take it from the first property of your nation he can seize on. † † † †.

Canton, 12th September, 1834.

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*From the Hong Merchants.*

A respectful notification.—The petition which you, Sir, gave to us to present to the governor, we immediately transmitted. Having now received a proclamation in reply, we copy and send it, praying you, Sir, to examine and act accordingly. This burden we impose, &c.

To † † † †.

(Subscribed by the eleven Merchants.)

8th moon, 14th day. (September 16th, 1834.)

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*From the Governor.*

Loo, secondary guardian of the heir-apparent, having the insignia of the highest rank, president of the tribunal of war, governor of the provinces Qwang-tung and Qwang-se, having the titular rank of *King chay-too-wei* of the first class, &c. &c. &c.

In reply to the English Merchant † † † †'s petition.

Let the Qwang-chow-foo examine clearly for what cause the said comprador and others were seized. If it were for what the said private merchant used, it was nothing illegal; let them be immediately released and sent back.

Taou-kwang, 14th year, 8th moon, 13th day. (September 15th, 1834.)

## RE-OPENING OF THE TRADE.

*(From the Canton Register, September 30.)*

*Letter from the Hong Merchants, addressed to Mr. Framjee and other gentlemen, communicating the opening of the trade.*

A respectful communication.—Some days since, you, Gentlemen, entrusted us to solicit the opening of the ship's holds. We have made a particular and explicit report and now have received this order from the Governor.

"As is petitioned, it is granted that the ships' holds be opened, and that trade be conducted as usual. Any (persons or vessels) entering or going out of the sea port must, according to law, request and receive the Hoppo's red permit, and undergo examination accordingly. Small sampans (boats), without coverings, from Whampoa, are also permitted to go and come as formerly.

"The said private merchants have passed over sea, several times ten thousand miles to come here. Their important object is trade. It is absolutely requisite that they should eternally, and with implicit obedience keep the laws. Then assuredly they may receive the bedewing favor of the great emperor, and excited thereby with gratitude may attain joy and get gain. Should any among them sow disturbance and work up trouble, then with conjoint strength unite in order and expel him. Do not cause that all should be involved. This is what I, the governor, sincerely hope for."

We also hope, Gentlemen, that you will act in obedience to the tenor of this order. This we most earnestly implore of you. For this special purpose we write. With compliments, &c.

(Subscribed by the eleven Merchants)

To Mr. Framjee and other gentlemen.

8th moon, 25th day (September 27th.)

## DEATH OF LORD NAPIER.

*(From the Canton Register Extra, October 13.)*

Died at Macao, at half past ten o'clock, on the night of Saturday, the 11th of October, the Right Honorable William John Lord Napier of Merchiston, a Baronet of Nova Scotia, Captain R. N. and His Britannic Majesty's Chief Superintendent in China. His Lordship expired of a lingering illness brought on by the arduous performance of his duties at Canton, aggravated by the treatment received from the Chinese Government when on his passage, in a sick state, to Macao.

His Lordship was born on the 13th of October, 1786, and would this day have completed his 48th year.

## SUBSTANCE OF AN EDICT.

*(From the Canton Register, October 14.)*

*Substance of an Edict from the Kwang-chow-foo to the Hong Merchants against the stay in China of H. M. ships Imogene and Andromache, dated 30th September, 1834, received 4th October.*

Pwan, acting Chief Magistrate of Kwang-chow-foo, &c.

To the Hong Merchants requiring their full acquaintance herewith.

On the 9th day of the 8th moon in the 14th year of Taou-kwang (11th September,) I received the following official document from the Poo-ching-sze Keith.

"On the 29th day of the 7th moon in the 14th year of Taoukwang (August 23d) the following official reply was received from Ke, the Foo-yuen of Canton Government.

"Kaou, the Tsan-tseang (an officer third in rank under an admiral) of the naval commander-in-chief's central division, has reported that the English barbarian war ship got under weigh and sailed off from Macao roads on the 7th day of the 7th moon (August 11th). To this, reply has been made as follows: 'On examination it appears, by another report from the said Tsan-tseang that two barbarian war ships of the said nation returned, on the 10th to the Sha-kok anchorage, (Chunpee) and cast anchor—directions having been already sent to the Poo-ching-sze's department, to transmit instructions for the precautionary guard, and to command the Hong Merchants to enjoin orders on the said nation's barbarian *eye*, that he commanded them to set sail. This is on record. Let the Poo-ching-sze, in conjunction with the Ancha-za examine, and in accordance with this reply to the further report of the said Tsan-tseang, transmit instructions for acting.—Let them also await the reply of the Governor and the naval commander-in-chief and their report the receipt thereof, copy and issue the same.'"

On the same day was also received this reply.

"Kaou the Tsan-tseang of the naval commander in chief's central division has reported that the English Chads' cruizer and Blackwoods' cruizer, both vessels came on the 10th (August 14th) and anchored off Chunpee. —To this the following reply is made. The report being authenticated that the Chads' cruizer and Blackwood's cruizer came, on the 10th, and anchored off Chunpee, I have examined and find that the barbarians' natural dispositions treacherous and deceitful; it is exceedingly requisite to take precautionary measures and guard them closely. Let the Poo-ching-sze, in conjunction with the An-

cha-ze *forward instructions to the local civil and military (or naval) officers, in obedience hereto, to take the lead of the officers and men in the care of the passes, and of the cruizing boats and vessels, and to maintain faithfully a diligent preventive guard. Also strictly to prohibit fishing and tanka boats from approaching to afford supplies. Let the said Poo-ching-sze order, likewise, the Hong Merchants, to enjoin orders on the said barbarian *eye*, to command the said cruizers to get under weigh immediately, and return to their country. They are not permitted to linger about, creating disturbance by which they will involve themselves in criminality. Wait also for the replies of the governor and commander in chief; then report thereof, and copy and issue the same."

On the same day were received replies to the naval and civil officers of the Heang-shan station and district, in almost precisely the same terms. And on the following day similar replies were given to another report of the Heang-shan civil magistrate, and to his assistant the acting Tsotang of Macao, all of which are here detailed in nearly the same words as above.

"Having received all the above, and also reports from the Heang-shan magistrate and the others, I, the Poo-ching-sze, have, on the receipt of them examined and find;—that in this case on the arrival and anchorage of the English Chads' cruizer and Blackwood's cruizer, I sent directions for a preventive guard, according to the replies made to the reports of the civil and naval officers. This is on record. Now, having received the above, I forthwith issue these commands. They are issued to the Kwang-chow-foo, requiring him immediately to examine and act according to the tenor of the replies and instructions, from the first till now. Let him speedily send directions to the local civil and military (or naval) officers, &c. [repeating the words of the Fooyuen.] Hasten! hasten!!

Having received this, I the Kwang-chow-foo forthwith issue this order. When the order reaches the said merchants, let them immediately enjoin orders on the barbarian *eye*, that he command the said cruizers immediately to get under weigh and return to their country. They are not permitted to linger about, to create disturbances, whereby they will involve themselves in criminality. Hasten! hasten! These are the orders.

Taou-kwang, 14th year, 8th moon, 28th day, (September 30, 1834.)

* These are the words repeated by the Kwang-chow-foo.

*Edict from the Hoppo respecting a boat entering the Bogue. October 6th, 1834.*

Pang, by imperial appointment, commissioner of customs at the port of Canton.

To the senior Merchants, requiring them to be fully acquainted herewith.

The domestic officers on duty at the Bogue pass have reported: "that on the second day of the present moon (October 4th) a barbarian's *sampan* entered the port. We went, followed by sailors, to the vessel. To our astonishment, the barbarian boatmen would not submit to examination and interrogation; but set sail and proceeded straight on. There was language used which we did not understand, which made it difficult to investigate. As is right we report clearly, for thorough investigation to be made."

This coming before me the Hoppo, I forthwith issue an order to examine what nation's barbarian were on board the said barbarian boat. Why she came to Canton without having obediently requested a permit? whether or not she has had on board contraband goods? When the order reaches the said senior Merchants, let them in obedience hereto immediately examine, and report in answer according to truth. Let there not be the least glossing over or a moment's delay, incurring thereby what will be very inexpedient. Hasten! hasten! A special order.

Taou-kwang, 14th year, 9th moon, 4th day. (October 6th.)

## THE LATE LORD NAPIER.

*(From the Canton Register, October 21.)*

EXTRACTS FROM DR. COLLEDGE'S PRIVATE NOTES RESPECTING LORD NAPIER'S VOYAGE FROM CANTON TO MACAO.

On Sunday the 21st instant, above 6 P. M., Howqua and Mowqua waited upon me for the purpose of delivering the "Chop" (or usual pass for foreigners) to proceed to Macao, and I in conformity with the arrangement which had been acceded to by myself on the part of the Right Honorable Lord Napier, was prepared with an order from his Lordship for H. M.'s ships *Imogene* and *Andromache* to leave Whampoa; which order I promised to deliver to Howqua and Mowqua on their procuring Lord Napier and suite a proper conveyance to Macao by the Heang-shang passage: stipulating that the conveyance should in every respect be suited to the rank and dignity of his Lordship's high office, as the representative of our most gracious monarch William IV.

This compact was made by myself on the part of Lord Napier, and by Howqua and

Mowqua on the part of his Excellency the Viceroy of Canton. at the Consoo-house, on the 19th instant, in the presence of my friend William Jardine, Esq., in nearly the following words:

"I, T. R. Colledge, engage on the part of the Chief Superintendent of British Commerce in China, the Right Honorable Lord Napier, that his Lordship does grant an order for H. M.'s ships now at Whampoa to sail for Lintin on my receiving a Chop from the Viceroy for his Lordship and suit to proceed to Macao. Lord Napier's ill state of health not permitting him to correspond with your authorities longer on this subject. One condition I deem it expedient to impose, which is, that H. M.'s ships do not submit to any ostentatious display on the part of your (the Chinese) Government." Howqua replied "Mr. Colledge, your proposition is of a most serious nature, and from my knowledge of your character I doubt not the honesty of it; shake hands with me and Mowqua, and let Mr. Jardine do so likewise." We all joined hands. Howqua and Mowqua then left us to go to the Viceroy, and in the evening returned with an answer that all was arranged according to my proposition, and that no mark of insult would be shewn to the ships in passing the Bogue Forts; the following morning Howqua and Mowqua sent to say that we could not leave Canton that day, as they (the Merchants) were engaged in a further discussion with the Viceroy relative to our departure, which lasted until 10½ P. M. when I again saw Mowqua who told me all was finally settled, and that we might go next day. The foregoing is the substance of the agreement, and both Mr. Jardine and myself expected that Lord Napier and suite would be permitted to go to Macao in the usual manner foreigners do, viz. stopping only at the Heang-shan chop house. However to my great mortification we had not left Canton two hours, before I discovered we were under a convoy of armed boats, and that we should not be allowed to pass beyond a few miles from Canton that night, —the boats having anchored at the Pagoda fort, in sight of a part of Canton.

Monday 22d.—We again got under weigh and proceeded *slowly* and *tediously* under a convoy of eight armed boats, two transports carrying military, and another boat with a civil mandarin, in charge of the whole squadron.

Although the wind was generally favorable, we did not reach Heang-shan till about midnight of the 23d; and it is now that I have to describe a scene of treachery practised upon his Lordship, which was not only annoying, but so greatly injurious, as to exasperate the symptoms of his complaint and cause a relapse of such as he had nearly recovered from previously to his leaving Canton. We were detained here from the time of anchoring the boats on the 23d until 1 P. M. of the 25th, amidst a noise and confusion, beating of gongs, &c. that his Lordship could barely support. This was by me repeatedly complained of. At day break of the 25th I sent a message to the civil mandarin through a linguist informing him that I could no longer hold myself responsible for the safety of his Lordship if such an unwarrantable course of oppression was persisted in, that I had no medicine with me applicable to the change that had taken place in his Lordship's complaint, &c. The linguist was received by the mandarin, but could elicit nothing satisfactory as to the probable time we should proceed to Macao. Provoked at length, beyond all endurance, by this cruel display of power, I requested the linguist to accompany me to the mandarin's boat, which he did without any kind of reluctance, and on his, the linguist's sending up my name, an interview was immediately afforded me. Through him I explained most fully Lord Napier's sufferings, and the danger of delay under such circumstances. The mandarin replied that he must consult with the Heang-shan authorities before he could promise to *release* us, but that he would lose no time in representing my statement. No further communication took place until 1 P. M. when this said mandarin, accompanied by two others of an inferior rank to himself, came to us, and handed to me the Heang-shan pass. I consider that Lord Napier's illness was much aggravated by this unjustifiable, and (as far as I can learn) unprecedented detention.

(Signed) THOMAS R. COLLEDGE,
*Surgeon to H. B. M. Superintendents.*
Macao, 28th September, 1834.

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## PARTICULARS OF LORD NAPIER'S LATTER DAYS.

Lord Napier's illness commenced about the 11th of September, at a period of extreme heat, when his public duties were of the most laborious nature; requiring his unremitting application, without excepting even those hours of the evening which it is generally desirable to devote to relaxation; during which, however, his Lordship was commonly to be seen at his desk in the office.

Before Sunday the 14th September, when he announced to the Chinese his desire to retire from Canton, he was confined to a sick bed. His Lordship's physician had urged, that for the sake of his health, he should give up the labours of business, but such was his ardour in the public service that no persuasions could prevail till encreased debility, on the 18th, induced his medical adviser peremp-

torily to advise discontinuance of business. It was hoped his removal from his own very close apartments (formerly occupied by the Chief of the Factory) to the airier residence of Mr. Innes would produce some benefit, and so far good was got, sleep, before not attainable, was arrived at, and a lessened pulse, but great debility continued, and as we before remarked, it was with difficulty, and not without support, that on Sunday the 21st he walked the short distance from the Factory to the boat in which he embarked for Macao. The last time he put pen to paper was in signing an order for the frigates to proceed to Lintin, which was now given to the Hong Merchants. During the passage to Macao on the 23rd he had an access of fever which excited the physician's alarm; the more so, as having no previous suspicion of the treacherous detention to which they were subjected, he was unprovided with medicines suited to the new symptoms that appeared. Not all the skill of the medical art, the soothing attentions of his family, nor the pure air of Macao sufficed to arrest the fatal progress of his Lordship's indisposition. His only relief from suffering was in devotional exercises, in which he was assisted by the Revd. Mr. Bridgman, whom he had learnt to esteem as a preacher when attending his public worship at Canton. On Wednesday the 8th instant, though very feeble and drawing near to his end, he was aroused by the Portuguese forts saluting a direct arrival from Lisbon; some question took place as to the vessel's flag in his Lordship's hearing, when he distinctly said, "If it is the Portuguese arms between White and Blue it is Donna Maria's new flag." During his Lordship's illness he had been disturbed by the frequency of the Macao church bells, which the religious communities at his request most considerately discontinued. Two days before his Lordship's death he instructed his private secretary to return his thanks for this mark of attention.

His Lordship died easily without the slightest struggle, and desired that his grave should be adjoining to the late Dr. Morrison's. His Lordship had expressed a wish to be attended to the grave by six Navy Captains, and to show how closely his slightest desire was attended to, we annex a sketch of his funeral procession, to attend which the following gentlemen proceeded from Canton, Messieurs Jardine, Dent, (arrived too late) Matheson, Innes, Leslie (arrived too late) P. F. Robertson, Keating, Crooke, Watson, Goddard, Brightman and Captains Crawford, Tonks and Griffiths. Minute guns were fired from H. M. S. *Andromache* and three volleys over the grave by the Portuguese troops. The constituted authorities of Macao, the troops, and a long line of British and Portuguese gentlemen made the funeral an imposing ceremony, and the whole population of Macao turned out to see the spectacle. Minute guns were also fired by the British shipping at Whampoa; and the counting houses of the principal British Merchants of Canton were closed on the day of the funeral as well as that preceding it.

Funeral service was most impressively read by H. M. Chaplain the Reverend G. Vachell.

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ORDER OF PROCESSION.

*For the funeral of the Right Honorable*

WILLIAM JOHN LORD NAPIER.

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The Guard of Honor composed of Portuguese Troops.
The Judges and Procurador of Macao.
The Clergyman and Physician to His Majesty's Superintendents.
The British Colours borne by two British Seamen.

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| Capt. Blackwood. H. B. M. R. N. | THE CORPSE. | His Excellency the Governor of Macao. |
| Capt. C. Elliott. H. B. M. R. N. | | Capt. Chads, C. B. H. B. M. R. N. |
| Capt. Jouge. H. B. M. R. N. | | Capt. Loureiro. H. F. M. R. N. |

Relations of the Deceased.
His Majesty's Superintendents.
The Revd. E. C. Bridgeman. William Jardine, Esq.
Secretary to His Majesty's Superintendents.
Officers of His Majesty's Navy.
Officers of Her Faithful Majesty's Navy.
Do. Do. Do. Do. Army.
Mr Innes. Mr. Matheson.
Followed by numerous British and Portuguese Gentlemen.
The Governor of Macao.
Sor Benardo Joze d' Souza Soares d' Andrea,
Captain, Portuguese Navy.

On the 16th instant most of the British Merchants who proceeded from Canton to Lord Napier's funeral, waited on the Governor of Macao, accompanied by Sir George B. Robinson, Baronet, and through Mr. Jardine, as spokesman, expressed to his Excellency their thanks and gratitude for his kind and liberal conduct to British subjects at Macao, commencing with his complimentary reception of the representative of the British nation on the 15th of July; but more especially exemplified in the effectual protection afforded to British ladies and families at Macao, when harassed by the Chinese authorities during the discussions at Canton; and finally for the honor shewn to Lord Napier's remains, in attending his funeral, accompanied by the civil and military honors suitable to his Lordship's rank.

Mr. Barretto acted as interpreter, and through him the Governor returned thanks for the handsome and delicate manner in which the British gentlemen had expressed their sentiments; observing, however, that,

considering the ancient relations of alliance and friendship between Great Britain and Portugal, he had done no more than his duty on the occasions alluded to. He most sincerely regretted the result of the proceedings attended by the death of the noble Lord; deeply sympathized with his amiable family, and wished that the good offices which it was in his power to offer had been on a less melancholy occasion.

Continuing the conversation the Governor remarked; that the days of "mystery" were over, and that the old system of always yielding to the Chinese was not the best calculated to succeed; that means were in progress for giving an impulse to the trade at Macao, which he hoped and thought would be successful; that it was his wish to see foreigners availing of the place for the purposes of trade and that he would at all times be ready to exert his power in behalf of the interests of all merchants resorting to the place.

His Excelleney alluded to the establishment of a dêpot system at Macao on liberal terms which will no doubt restore to Macao much of her former trade.

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### BRIEF NOTICE OF THE LIFE OF THE LATE RIGHT HONORABLE WM. JOHN LORD NAPIER.

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When the melancholy intelligence of Lord Napier's decease reached Canton, the last number of the *Register* was already in the printer's hands; and neither the time nor the feelings of the temporary Editor would allow of any other notice being given than a bare announcement of the afflicting event. If we omitted to recount the virtues of the character of the deceased, or dwell in detail on the deep sorrow of the British community, sympathized with, in no measured degree, by all foreigners in China, let it not be supposed that the lamented nobleman died unwept, or that we were wanting in appreciation of estimable qualities which both in a public and private view had so strongly won the general regard, and now aggravate a sense of the public and private loss. In truth the whole subject with its attendant circumstances is too deeply painful and tragical in its nature to be dilated on with that composure which should befit the occasion, and we shall therefore pass on to a narration of some of the events of his Lordship's active life (for which we are indebted to a friend) which however meagre, cannot fail to be perused with affecting interest.

Descended from a family celebrated for talent, and of a name at this day affording in our navy and army instances of courage, enterprise, and success, in various parts of the world, second to none; yet should these fail in gaining it celebrity, certain it is that the name of Napier and Logarithms must go down together to the latest posterity.

The late Lord Napier selected the Navy as his profession at the age of 16, and served as midshipman in the *Imperieuse* with Lord Cochrane; was in Basque Roads, and got some of the favors generally attending Lord Cochrane's officers, being severely wounded whilst cutting out ships from shore, Lord Napier shared in the battle of Trafalgar on board the *Defence*, Sir Geo. Hope, in the *Sparrowhawke*, Captain Rogers, and with Sir John Warren in the *Fourdroyant*, and was for a long period of years engaged in serving his country, some notion of the constancy and severity of which may be formed when the fact is known that in the twelve following years he was able to spare only six weeks to pass with his family in Scotland. On the peace in 1815, Lord Napier retired from active service, but before settling on his family estates, though then 29 years old, he spent his first winter in a course of study at Edinburgh University, and then began a series of agricultural pursuits with quite as much energy and success as he followed his profession. Joining the difficult objects of improvement of his estate with the comfort and happiness of the peasantry, he succeeded in making himself beloved by his father's tenants and esteemed and respected by the whole neighbourhood. His Lordship wrote a treatise on the system of agriculture adapted to the pastoral district where he resided in, which treatise is favorably noticed in the *Edinburgh Review*, and the benevolent success of his other plans is recorded in the *Spectator* newspapers. Literary rewards from such "honest chroniclers" being above what royalty can bestow, because they never attend except on merit.

His Lordship succeeded to his father in 1823, was re-called to his profession in 1824 when he commissioned the *Diamond* of 50 guns, and was with her on the South American station for two years and half.

On his return he was chosen one of the sixteen Scotch Peers and took his place in the House of Lords during three Parliaments. His votes on the Catholic question and the Reform bill, though with the present spirit of the age, being contrary to the conservative feeling of the Scotch nobility, he lost his election for last Parliament. Lord Napier was appointed one of the Lords of the Bed Chamber almost immediately after the succession of his present Majesty.

In religion Lord Napier followed the Presbyterian faith, which had been very early adopted by his ancestors, and his Lordship's father presided as his Majesty's commissioner for many years in the General Assembly of

the Church of Scotland; the late Lord though a strict follower of the faith of his fathers was most liberal to all; though liberal also in politics he was never violent, and abhorred all party spirit.

His pure and straightforward love of justice and patient attention in weighing the value of conflicting arguments, eminently qualified him for the judicial functions with which he was invested here.

Much of his Lordship's spare time was bestowed on Astronomy and the higher branches of Mathematics, stimulated thereto by the fame of his illustrious ancestor. Whatever he gave his mind to he did it ardently. Much energy and perseverance in all pursuits were the prevailing features of his character, with a placidity of temper and benevolence that were singularly engaging.

His Lordship married his present lady in March 1816, and leaves a family of two sons and six daughters; the present nobleman is now 15 years old.

His Lordship was of a vigorous constitution, a spare frame; and his turn for pursuits in the open air, simple tastes, and abstemious habits, gave his family a right to expect a good old age, and the end of a useful and honourable career in his native land.—His Lordship died on the 11th October, at the comparatively early age of 48, in this distant country, of an illness (so far as limitted mortal intellect can judge) brought on by his arduous duties in a burning climate; and his fate hastened by unusual delay, harsh and irritating treatment during his passage from Canton to Macao

## THE LATE LORD NAPIER.

*(From the Canton Register, October 28.)*

TO THE EDITOR OF THE CANTON REGISTER.

Sir,—Considering it due to the memory of the late Right Honorable Lord Napier, and to the feelings of an anxious and kind public, we are desirous to convey our opinion with regard to the cause of his illness through the medium of your paper, and to state that we conceive the origin of his complaint is to be wholly attributed to the severe labour and anxiety which devolved upon him while at Canton.

His Lordship's health began to fail about the beginning of September, and an attack of fever supervened on the 9th, a period replete with events of a most harassing description, and under circumstances the most disadvantageous to the nature of such an affection. Feeling compelled from a high sense of obligation to his country to persevere in the execution of his duties, he refused to leave Canton until the 18th, on which day Mr. Colledge prevailed on his Lordship to relinquish the toils of office, and proceed to Macao for the more complete recovery of his health. At this time the violent symptoms of the fever subsided, and a change alone was looked upon as necessary for its re-establishment. The 21st his Lordship embarked for Macao, accompanied by Mr. Colledge, and passed the following day comfortably, though much annoyed from occurrences already detailed. On the 23d, during the cruel, needless and vexatious detention experienced amongst the noise of songs, crackers, and firing of salutes which our mandarins kept up by the boats in attendance, in spite of repeated remonstrances, his Lordship suffered a relapse of fever and landed at Macao on the morning of the 26th, more exhausted, and altogether in a worse state than he had ever been from the commencement of his illness; and from this time, notwithstanding the comforts that surrounded him, and the unremitting attention of his affectionate family, he continued to decline until the day of his death.

We are, Sir, your obedient servants,

T. R. COLLEDGE,
ALEXR. ANDERSON,
*Surgeons to H. M.'s Superintendents.*

Macao, October 20, 1834.

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*To Howqua and Mowqua.*

Gentlemen,—I have this day perused the translation of a memorial from his Excellency the Viceroy of Canton to his August Majesty the Emperor of China, and regret to find from the statement of his Excellency therein contained, that my words used to you on the subject of the departure of the Right Honorable Lord Napier from Canton have been totally falsified; but the matter of that communication having been already submitted to the consideration of His Majesty, my most gracious sovereign, William IV. I have now only to draw your attention to the personal insult offered to myself in this same document. It would appear, gentlemen, that you have had the audacity to represent me to his Excellency as a "private merchant," and have withheld from him the reasons I gave, as his Lordship's medical attendent, for entering into a negociation with you; thus distorting and misrepresenting the whole of the intercourse between us as well as the real cause of my interference; and grossly deceiving your own authorities, and through them, your sovereign. Moreover you, gentlemen, having known me both personally and professionally for many years, and being perfectly aware that I am not in any manner engaged in trade, I do greatly marvel at your pre-

sumption in having dared to utter such a falsehood as the above-mentioned statement would imply. Your long continued intercourse with Europeans has taught you to distinguish between professional men and merchants, and none are more familiar with the fact of the existence of this distinction than yourselves. Knowing, as I do, that you have not erred through ignorance, I herewith demand of you an explanation.

I am, gentlemen, your obedient servant,

(Signed) T. R. COLLEDGE,
*Surgeon to H. M.'s Superintendents.*

Macao, October 21, 1834.

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### DOCUMENT REFERRED TO BY DOCTOR COLLEDGE.

***Memorial to the Emperor respecting the departure from Canton, and from Whampoa, of Lord Napier, and of H. M.'s ships Imogene and Andromache.—Without date.***

A reverent memorial forwarded by post conveyance, wherein your Majesty's servants Ha, general-commandant of Canton city garrison; Loo, governor of the two provinces Kwang-tung and Kwang-se: and Le, lieutenant-governor of Kwang-tung, kneel and report. That the English ships of war and the barbarian *eye* have all been driven out of the port, and that the naval and military forces have been returned to their stations, on which report they, looking upward, intreat that a second glance may be cast.

An English barbarian *eye*, Lord Napier, having presumed, without previously obtaining permits to enter the river of Canton: having also irregularly presented a letter; and having in disobedience to repeated orders plainly given, continued obstinate and perverse, I your Majesty's minister Loo, closed according to law, the holds of the said nation's merchant ships. The said barbarian *eye* having further ordered two ships of war to push in suddenly through the maritime entrance, up to Whampoa, in the inner river, I, your Majesty's minister, Loo, stationed guards of civil and military officers and soldiers, and wrote for the appointment of a number of naval vessels, from the Tartar force and from those under the admiral's command, as well as of river cruizers from Sin-hwuy and other districts, to spread themselves along the passage before the frigates, even to the *Leetih* fort (Howqua's), near the city, and the *Ta-hwang-haou* reach of the river; also in narrow and important passages, preventive forces were stationed on either shore, under the direction of the commander in chief of the land forces, your Majesty's minister Tsang-shing. These circumstances and the measures taken have been already reported for your Majesty's hearing, in a reverent memorial, wherein, also, the conduct of the naval *Tsan-tseang* of the admiral's own division, for his neglect of guarding the passage inward, was severely animadverted on, according to the facts, and on the conduct of myself, Loo, investigation and censure was requested. This is on record.

The commander-in-chief, your Majesty's minister Tsang, marched up his forces, spread them out, and placed them in their stations in perfect secrecy and good order. The people of the said barbarian ships of war saw, on the passage before them, spars ranged out across and all around, with guns and muskets as it were a forest, large and small naval vessels ranged along for several miles, and soldiers stationed and encamped in every place on shore, their force compactly joined, their military array imposing and alarming, and the ships of war being anchored at Whampoa, among the merchant vessels, plainly perceived boats full of firewood and straw, and fearing nothing less than an attack by fire, remained subdued among the vessels. *They did not dare to advance one step, nor did one person dare to ascend the shore.* Among them also were some persons who came from Macao, wishing to go to Canton to see the barbarian *eye*, and they too were turned back by our men. The barbarian *eye*, when he found that the passage by water was intercepted, became timid and fearful, and told the said nation's private merchants to say for him to the Hong Merchants, *Woo-tun-yuen* and the others,* "that the ships of war were to protect the trading barbarian ships"; in order thus to shew that he had no other purpose.

When our soldiers accumulated daily, the said barbarian *eye*, seeing the internal and external communication cut off, and no way open to come in or go out, became still more alarmed and fearful, and again wrote to the private merchants to speak for him to the Hong Merchants, to beg that a *sampan* boat might be given him to leave Canton. We, your Majesty's ministers, considered that the said barbarian *eye* had presumed to come up to Canton, without having obtained a permit, and that the ships of war also had sailed into the inner river, which acts, *although in no way heavy offences against the laws*, were yet committed in wilful opposition to the prohibitory regulations, shewing an extreme degree of daring contempt; and we thought, if he were immediately to leave Canton, thus coming and going at his own convenience, how could it be possible to display a warning example, or to shew forth his fear-striken sub-

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* In the Chinese copy it is,—'that the said nation's private merchants' ships of war,' &c, which seems to be an error of the copyist.

mission. We therefore again commanded the Hong Merchants to question him with authoritative sternness as to what he wished to do in presumptuously coming to Canton without having obtained a permit, and in suddenly bringing the ships of war into the inner river; and we required that he should make plain and distinct answers, in which case he should be permitted to leave Canton; but if otherwise, we threatened that exterminating power should assuredly be brought into operation, and that there decidedly should be no alleviation or indulgence.

Thereafter, on the 16th day of the 8th moon, (September 18th), the Hong Merchants *Woo-tun-yeun* and the others, reported that the said nation's *private merchants*, Colledge and others, had stated to them, that Lord Napier acknowledged that, because it was his first entrance into the inner land, he was ignorant of the prohibitions, and therefore he had come at once to Canton, without having obtained a permit; that the ships of war were really for the purpose of protecting goods, and had entered the Bocca Tigris by mistake; that now he was himself aware of his error, and begged to be graciously permitted to go down to Macao, and that the ships should immediately go out, and he therefore begged permission for them to leave the port. We, your Majesty's ministers again considered, that although the said barbarian *eye* repented of his fault, yet it had been repeatedly inquired on what account he came to Canton, and what was written in the letter originally presented, but from first to last he had not told plainly; that as to the statement 'that the sudden entrance of the ships of war into the port was an offence committed through mistake,' that was but a glossing pretence; and that when the soldiers opened from their guns a thundering fire upon them, they had the daring presumption to discharge their guns at them in return, causing rafters and tile within the forts to be thereby shaken and injured: * how came they to be thus bold and audacious! On these points we further commanded the Hong Merchants to inquire with stern severity.

This being done, the said *barbarian merchant* Colledge, on the 18th day (September 20th), again stated to Woo-tun-yuen and the others, 'that Lord Napier has really come to Canton for the purpose of directing commercial affairs,—and therefore considering himself an officer, is called superintendent; that what was written in the letter formerly presented was, that he, being an officer of the barbarians, was not the same as a *taepan* (Supracargo), and wished therefore to have official correspondence to and fro with the civil and military offices of the celestial empire, which is what courtesy entitles to,—nothing else whatever was said in the letter; that as to the ships of war entering the port, it was really because the merchant ships having their holds closed, apprehensions were entertained, that owing to the long continuance of the goods herein, evils of remissness might arise, and therefore they entered the port for the purpose of protecting; that the soldiers of the maritime pass having opened on them a thundering fire, the barbarian force also fired off its guns in self-defence, whereby the forts received injury; and that the error is deeply repented of, and the damage done shall be immediately repaired; but that he (Lord Napier) begs to be graciously permitted to have a passport to go down to Macao.

A prepared report, as above, having come before us, we, your Majesty's ministers, with *Sze* and *Taou* officers (the heads of the territorial and financial, judicial, gabel, and commissariat departments), have maturely consulted together. Lord Napier has repeatedly resisted, and adhered to his own opinion, that he being an official *eye* among the barbarians, there is no distinction of honorable and low rank between him and the officers of the inner land: and he has thought to contend respecting ceremonies. But the dignity of the nation sets up a wide barrier; and we, your Majesty's ministers, would not suffer the progress of encroachment. The ships of war, having entered the port, nominally for the purpose of protecting goods, immediately felt *themselves* to be closely restricted. At this time the naval and land forces were ranged out in order, arrayed as on a chess-board; the fire vessels also were ready made: were advantage taken of this occasion while they (the ships) *still found it impossible either to advance or recede*, and an attack made on them on all sides, there would be no difficulty in instantly having their lives within our power; *but our august sovereign cherishes those from far virtuously, and soothingly treats outside barbarians, exercising to the utmost limit both benevolence and justice. If any be contumacious, they are corrected; if submissive they are pardoned; but never are extreme measures adopted towards them. Although Lord Napier has entertained absurd visionary fancies he yet has shown no real disregard of the laws:* it would not be well precipitately to visit him with exterminating measures. *Besides the private merchants of the said nation, several thousands in number—all consider the barbarian eye's disobedience of the laws to be*

* This is a remarkable acknowledgment. When Sir Murray Maxwell battered the same forts, the fact was concealed and represented as a mere exchange of salutes.—EDITOR.

*wrong.** There is not one who unites and accords with him.† Still more, therefore, would it be improper to make no distinction between *common* and *precious* stones. Now, Lord Napier having acknowledged his error, and solicited favor, and *all* ‡ the separate merchants having reiterately made humble supplications, there certainly should some slight indulgence be shown; and he should be driven out of the port; to the end that, while the foreign barbarians are made to tremble with terror, they may also be rendered grateful by the favor of the celestial empire shown in its benevolence, kindness, and great indulgence.

We having all consulted together, the views of every one were accordant, whereupon permission was given that he should be let go. And it is authenticated, that the said Hong Merchants went to the Canton custom-house to request and receive a red passport; while I, your Majesty's minister Loo, deputed trusty civil and military officers, who on the 19th (September 21st) took Lord Napier, and under their escort (or guard) he was driven out of the port. At the same time orders were given to wait reverently until the imperial mandate has been received, that it may be obeyed and acted on. The said two barbarian ships of war got under weigh, also, on the same day, and dragging over shallows the whole way, were on the 22d driven out of the Bocca Tigris. All the government forces, naval and military, which had been appointed to guard places were ordered back again, and returned severally to their regiments or to their cruizing grounds.

With regard to Macao, Lantao, and other places, I, your Majesty's minister Loo, ordered the *Foot-seang* in command on the *Heangshan* station—Tsin-yu-chang and the *Tsan-tseang* of the *Typoong* station, Tan-seuen-ming—severally to cruize about, guarding those places. Afterward I also appointed, in addition, the *Too-sze* commanding at *Woochow*, Wang-kin-sew, to proceed with a body of 300 soldiers to Macao, to join the garrison in guard of the place: and I appointed also a naval force of vessels from *Yangkeang* to cruize about, with real activity, in the anchorages near to Macao. The said barbarian ships of war having now gone out of the port, it is still more requisite and necessary to keep up a strict and close preventive guard. While we again inculcate directions to cruize about with fixed purpose of maintaining guard; and also bring to trial the careless and negligent naval officers, that they may suffer the punishment of their stupidity; we will prepare likewise a distinct memorial respecting regulations of the forts. Besides which, we now respectfully take the circumstances of having driven out, under guard, the barbarian *eye* and the ships of war, and in conjunction with the garrison lieutenant generals, your Majesty's minister Lun of the imperial kindred, and your Majesty's minister Tso, as well as with the commander-in- chief of the land forces, your Majesty's minister Tsang, we unite in forming this reverent memorial, to be forwarded by the post conveyance, whereon, we prostrate, beg our august sovereign to cast a sacred glance and to grant instructions. Respectfully reported.

* Here we see the disunion of the British and Indo-British merchants of Canton brought to the Emperor's notice by the local authorities as one of the reasons for their treatment of the late Lord Napier, on the false ground of all British merchants having disapproved his Lordship's measures; whereas only some of them did so.—Ed.

† This is false; many accorded with his Lordship.—Ed.

‡ Again false, only a few (and very far from all) the separate merchants made supplications as here stated.—Ed.

## CORRESPONDENCE.

(*From the Canton Register, November 4.*)

The following correspondence, relative to the demise of the late Chief Superintendent, did not reach us in time for our last number. We now insert it, as showing in some degree the tone of the Chinese, studying, even on so melancholy an occasion, to avoid every mark of respect towards a nobleman and functionary of a barbarian country, between which and China they would set up a "wide boundary" wall of separation.

*To Howqua and Mowqua.*

Gentlemen,—It is my painful duty to announce to you the demise of His Majesty's Chief Superintendent of British Commerce, the Right Honorable Lord Napier, this day, at 10,20 P. M. and to request that you will cause this sad event to be made known to his Excellency the Viceroy of Canton.

I am, Gentlemen, your obedient servant,
(Signed) T. R. Colledge,
*Surgeon to His Majesty's Superintendents*

Macao, 11th October, 1834.

*Answer from the Senior Hong Merchants to Mr. Colledge's letter, announcing the demise of Lord Napier.*

A respectful reply.—We have received your honorable letter, stating that the officer of your honorable nation expired* in consequence of illness, on the 19th day of the 8th moon; and entrusting us to announce it to his Excellency the Governor. We have reported it on your behalf.

* The Chinese express the decease of individuals by different terms, appropriate to their respective ranks. The word appropriate for speaking of the demise of a nobleman, which was used in the translation of Mr. Colledge's letter, is here exchanged for a term that denotes the death of any one—of the lowest degree of rank, or of no rank at all

For this purpose we reply, and present our compliments.

(Signed) *Woo-Shaou-yuny* (*Howqua.*)
*Loo-Wan-kin* (*Mowqua.*)

To Mr. Colledge. 9th moon, 18th day, (20th October.)

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*Second Answer from the Senior Hong Merchants to Mr. Colledge.*

A respectful communication.—We the other day received your letter, informing us of your honorable officer Napier having expired. We have reported it on your behalf to the Governor, and have before sent an answer to you. We have now received an edict from the Governor in reply; which, as is right, we copy and send for your perusal, praying you to examine it accordingly. This is the task we impose, and for this purpose we write; and presenting compliments, &c.

(Signed) *Woo-shaou-yung.*
*Loo-wan-kin.*

To Mr. Colledge. 9th moon, 21st day, (23d October.)

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*Governor's Edict.*

Loo, Governor of the provinces Kwang-tung and Kwang-se, &c. &c. in reply.

The report being authenticated, its contents are fully known. Await also a proclamation in answer from the Hoppo.

(Taou-kwang, 14th year, 9th moon, 18th day (October 20th, 1834.)

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## ELECTION OF A CHIEF.

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(*From the Canton Register, November* 4.)

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*Letter from the Hong Merchants, with two documents from the Governor, 23d Oct.*, 1834.

A respectful communication.—We have received from the Governor an order, requiring us to make to you, gentlemen, the following communication.

Hitherto ships of your honorable nation that have come to Canton, when they have happened to have had any official business, have always had it transacted by means of orders sent to the Company's *taepan* (or chief supracargo) for him to deliberate and act. This method has been obediently adhered to for a long time past. Now the Company's trade to Canton has been dissolved, and the ships of your honorable nation which come to Canton to trade are separate and dispersed, without a head. Should, some day, any business arise, with whom shall mature consultation be entered into? It is requisite and necessary that your honorable nation should appoint a man acquainted with affairs to perform the special duties of a leader. Therefore an order has been sent, requiring us to transmit orders to you, gentlemen, that you should send a letter to your country, calling for the appointment of a trading *taepan*, acquainted with affairs, to come to Canton to have the general direction. It is unnecessary to appoint a barbarian *eye* to come to Canton,—thereby causing impediments and difficulty in acting. And previous to the arrival at Canton of a *taepan* acquainted with affairs, we pray you, gentlemen, publicly to bring forward some one, with whom we may consult together on all public affairs, and to give us information thereof, to enable us to report in answer to his Excellency the Governor.

We now take an order from the Governor, and an official reply made by the Governor to a report, and copying both, send them for your perusal, praying you to send both home to your country. This is what we earnestly solicit, and for the purpose we write,—presenting at the same time our compliments, &c.

(Subscribed by the eleven Merchants.)

To † † † † and other gentlemen of his honorable nation (*one copy was sent to each principal commercial house.*)

9th moon, 21st day (October 23d.)

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*Edict from the Governor above referred to, October 19th*, 1834.

Loo, Governor of the provinces of Kwang-tung and Kwang-se, &c. &c. &c. To the Hong Merchants, requiring their full acquaintance with the contents hereof.

In the trade of the English barbarians at Canton, the responsibility of transacting all public affairs has hitherto rested on the said nation's *taepan*. This year the Company has been terminated and dispersed, and without any other appointment having been made of *taepan*, a barbarian *eye*, Lord Napier, came to Canton, saying that he came for the purpose of examining into the affairs of trade. I, the governor, commanded the merchants to inquire and investigate. The said barbarian *eye* did not obey the old regulations, but was throughout perversely obstinate. Now, the assistant Foo, magistrate at Macoa, has reported that Lord Napier has, at Macao, expired in consequence of illness. For all affairs of trade it is requisite and necessary to choose a person as head and director, that there may be some one to sustain the responsibility. The merchants have already been before commanded to examine and deliberate, but have not yet made any report in answer. Uniting the circumstances this order is issued. When the order reaches the said Hong Merchants, let them immediately obey, and act accordingly; and instantly make known to all the separate merchants of the said nation, that they are in a general body to examine and deliberate what person ought to be made the head for directing the said

nation's trade, and forthwith to report in answer. Thereafter the responsibility of conducting public affairs shall rest on the barbarian merchant who becomes head and director.

At the same time cause the said barbarian merchants immediately to send a letter home to their country, calling for another *taepan* to come to Canton, to direct and manage. In the celestial empire, responsibility in the management of commercial affairs, &c. is laid upon the Hong Merchants. It is requisite that the said nation should also select a commercial man acquainted with affairs to come hither. It is unnecessary again to appoint a barbarian *eye* or superintendent, thereby causing hindrances and impediments.

Let the said merchants take also the circumstances of their enjoining these orders, and report in answer, for thorough investigation to be made. Oppose not. These are the orders.

Taou-kwang, 14th year, 9th moon, 17th day (October 19th.)

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*Reply from the Governor to a report made by the Hong Merchants, above referred to. October 20th,* 1834.

Loo, Governor of Kwangtung and Kwangse provinces, &c. &c. in reply.

On examination, it appears that, with regard to the trade of the English barbarians at Canton, in all public affairs, I, the governor, with the superintendent of customs at Canton, have always made the said senior merchants responsible for enjoining orders on the *taepan*, for him to act. Now the Company has terminated and is dissolved, and the said nation's barbarian merchants come hither to trade, each for himself. If some other *taepan* be not appointed, all affairs will become scattered, out of order, and without arrangement. Just as is the case with the barbarian ships now anchored in the offing of *Motaou* (*Tungkoo,*)* which neither come up to Whampoa to trade nor yet get under weigh. And the said nation's sampan vessels presume of themselves to sail in and out, not submitting examination, and, when ordered to inquire and investigate, the Hong Merchants make excuses of ignorance. What state of things is this!

With respect to the barbarian merchants, whether they have or they have not a direct head is in itself a point that needs no great inquiry into. But we of the central flowery (or civilized) nation, in all matters of the outside barbarians that relate to public affairs, always make the said senior merchants alone responsible. If the said merchants have any matter of a public nature, on what person, then, shall they enjoin orders to act? Or shall they go to the extent of quietly leaving the matter disregarded.

When I, the governor commanded to decide respecting a person to be a directing head, it was with consideration for the said senior merchants' transaction of public affairs; it was not at all in regard to the barbarians buying and selling. What the said merchants have reported is wholly with respect to the bartering of goods. There is no regard shown as to public affairs. This is indeed a great misunderstanding. Let them again consult and deliberate with their whole minds, and report in answer; and at the same time let them act in obedience to the other order, and make known to the said nation's separate merchants, that they are immediately with haste to send a letter home to their country, calling for the renewed appointment of a commercial man, acquainted with affairs, to come to Canton and sustain the duties of *taepan*, to direct buying and selling, and to restrain and control all the merchants. Especially do not again cause a barbarian *eye* to come hither to control affairs, thereby occasioning, as Lord Napier did, the creation of disturbances in vain. All nations trading at Canton do so in consequence of the good favor of the celestial empire towards men from afar. It is altogether necessary that they should obey and act according to the old rules, then may there be mutual tranquillity.

Taou-kwang, 14th year, 9th moon, 18th day.

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## CHINA TRADE.

*Office of Committee of Privy Council for Trade, Whitehall, December* 24, 1833.

Sir,—The Lords of the Committee of Privy Council for Trade having reason to believe from applications addressed to this Board, that doubts are entertained by some of the merchants in this country, as to the precise extent of the limits of the port of Canton, their Lordships have thought it right to obtain the necessary information on this subject, and their Lordships find that the Commissioners for the affairs of India consider that the Bocca Tigris marks the limits of the port of Canton, in which opinion the Lords of this Committee concur.

I am commanded to communicate to you the above statement, for the information of the merchants and others who may engage in the trade to China.

I am, &c.

THOMAS LACK.

To the Chairman of Lloyd's.

* The stay of the ships at Tungkoo was owing entirely to the wanton delay of the Chinese official underlings.

# ADDITIONAL DOCUMENTS CONNECTED WITH MR. CURNIN'S PLAN OF A MILITARY RETIRING FUND.

## LIEUTENANT MACGREGOR'S MINUTE.

The only part in the above report to which I object, is to the statement of a fixed sum to be demanded from the Honourable Court in increase of their present Retired Pension List. To fix any sum may, perhaps, seem presumptuous. To fix such a sum as neither asks from the Court too much, nor for us too little, is difficult. If we exceed the fair value of our claims, the demand will, most probably, be refused, if we underrate them we sacrifice our own interests.

The Honourable Court however has already made an offer which may in some degree guide the Army as to what its demand should be. In March, 1832, they sanctioned the Establishment of a Fund to purchase out Senior Officers, the leading conditions of which were that, in the three Presidencies, the number of annuities to be granted should not exceed 24, nor their aggregate amount £7750 per annum. Such retirements would, in all probability, have been from the rank of Lieutenant-Colonel, in which alone could they have accelerated the promotion of the Army generally. The juniors of that rank were the most likely to retire, as to them the Annuity or Bonus to be offered by the Army would have been more valuable, as the value of their claims was less, than if they had been nearer to their Colonelcies. The average age of the junior Lieutenant-Colonels is 49, their (Indian) expectation of life is 14.5 years: to which if only 2.5 years be added for the improvement of life, consequent on removal to a better climate, &c., the European expectation would be 17 years; in which time therefore the maximum of the increase which the Court has sanctioned, would have been obtained.

The marginal calculation shows the progressive increase until attainment of the future maximum at the end of the 17th year, the amount of that maximum, the total of payments in that period, and the average annual payment, the difference between which and the proposed annual payment of £61800, shows that we ask, for the first 17 years, a sum averaging £7950, less than has already been offered, while between the future maximum and the proposed payment, after the 18th year, the difference of loss will be no less than £69900 per annum.

| | *Years.* | £ |
|---|---|---|
| | 1 | 7750 |
| | 2 | 15500 |
| | 3 | 23250 |
| | 4 | 31000 |
| | 5 | 38750 |
| | 6 | 46500 |
| | 7 | 54250 |
| | 8 | 62000 |
| | 9 | 69750 |
| | 10 | 77500 |
| | 11 | 85250 |
| | 12 | 93000 |
| | 13 | 100750 |
| | 14 | 108500 |
| | 15 | 116250 |
| | 16 | 124000 |
| Maximum Payment | 17 | 131750 |
| Total Payments..... | | 1185750 |
| Average Payment... | | 69750 |
| Proposed Payment.... | | 61800 |
| Difference between the proposed payment and average payment until the maximum is attained. | | 7950 |
| Difference between the proposed payment and future maximum of sanctioned increase. | | 69950 |

I think, therefore, that it should be left to the Honorable Court to declare to what extent it will support this scheme for a Retiring Fund: and I have little doubt that, in doing so, they will have reference to the extent of increase to the Retired Pension already sanctioned by them. I refer particularly in this Minute to paragraph 5, of Colonel Swiney's remarks.

ROBERT MACGREGOR, *Lieutenant.*

## MR. CURNIN IN EXPLANATION.

Having learnt that a doubt has been entertained as to the statement that with the agency of the fund—

An Ensign would be promoted in..... 3 years
A Lieutenant..... 7 „
A Captain ..... 8 „
A Major..... 3 „ I beg to offer the following, as a justification of that opinion.

If 206 Cadets come upon the Establishment annually, there will be, according to my Law of Mortality, on the Establishment at the same time, the following Members of the different ages :

| Of the age of | | | Of the age of | | | Of the age of | | |
|---|---|---|---|---|---|---|---|---|
| | 18 | 206 | | 26 | 160 | | 34 | 119 |
| | 19 | 200 | | 27 | 154 | | 35 | 115 |
| | 20 | 194 | | 28 | 149 | | 36 | 110 |
| | 21 | 188 | | 29 | 144 | | 37 | 106 |
| | 22 | 182 | | 30 | 139 | | 38 | 101 |
| | 23 | 176 | | 31 | 134 | | 39 | 97 |
| | 24 | 171 | | 32 | 129 | | 40 | 93 |
| | 25 | 165 | | 33 | 124 | | 41 | 89 |
| | | | | | | | 42 | 85 |

and of those who have served 25 years there will be 81 upon the Establishment.

| Years standing | | | | | | |
|---|---|---|---|---|---|---|
| 25 | Of which | 81 | I suppose that | 8 | Retire, and | 3 | Die; leaving of |
| 26 | ..... | 70 | ..... | 7 | ..... | 3 | |
| 27 | ..... | 60 | ..... | 6 | ..... | 3 | ..... |
| 28 | ..... | 51 | ..... | 5 | ..... | 2 | ..... |
| 29 | ..... | 44 | ..... | 4 | ..... | 2 | ..... |
| 30 | ..... | 38 | ..... | 4 | ..... | 2 | ..... |
| 31 | ..... | 32 | ..... | 4 | ..... | 2 | ..... |
| 32 | ..... | 26 | ..... | 4 | ..... | 2 | ..... |
| 33 | ..... | 20 | ..... | 5 | ..... | 1 | ..... |
| 34 | ..... | 17 | ..... | 6 | ..... | 1 | ..... |
| 35 | ..... | 7 | ..... | 6 | ..... | 1 | ..... |

443 total on the Establishment of 25 years and upwards add 16—sixth part of those who have been more than 30 years upon the Establishment, and we have on the Establishment, of 25 years and upwards, 459 who must at one and the same time be all Field Officers.

The grades therefore in which those Officers will stand, at one and the same instant of time, will be as under ;—

| As | Colonels and Lieut.-Colonels. | Majors. | Captains. | Lieutenants. | Ensigns, &c. |
|---|---|---|---|---|---|
| Establishment..... | 412 | 206 | 1030 | 1648 | 693 |
| Standing of ..... | (25 yrs. & up)=412 | 25=47—2 | 23 15— 1 | 13 113— 4 | 3— 93— 3 |
| ditto | | 24=85—4 | (14—22) 994—40 | (4 - 12) 1440—48 | (2—0)600—18 |
| ditto | | 23=74—3 | 13 21— | 3 95— 3 | |
| Establishment & death | 412—20 | 206 9 | 1030—42 | 1648—55 | 693—21 |
| Retirement Annually . | 59 | 0 | 0 | 0 | 0 |
| Annual Promotion.... | | 79 | 88 | 130 | 185 |
| Time to serve in each grade..... | about | 2 years | 9¼ years | 9¼ years | 3½ years. |

without taking into the account the casualties from resignations, dismissals or premature death, &c. which I should think must go some way towards proving my assertion to be nearly if not absolutely correct.

JOHN CURNIN.

## COLONEL SWINEY'S NOTE ON THE ABOVE.

The 59 resignations, above specified, being for the three Presidencies, 28 would be about the proportion for Bengal, which is only 2 more than I have estimated it in the concluding paragraph of my Minute.

The process I have followed is this: if we assume any average casualty to occur annually in a Regiment, and wish thereby to ascertain the time required for the youngest Ensign to become Colonel, we are, in the first instance to consider that as he advances towards the head of the corps, the annual casualty, will be as likely to happen *below* his standing as *above* it. He can calculate, therefore, only upon half that casualty for a continuance. And this, if the number of Officers, less *one*, be divided by half the annual casualty, the quotient will show the number of years required to attain the Colonelcy: if, for example, the annual average casualty throughout the whole corps or battalion of 20 Officers be 2 then $\frac{19}{1} = 19$ years will be the time required.

From this it is plain that by following the reverse process we can find out the number of casualties required to produce any given promotion in a given time—that is, if we divide, the number of Officers less one, by the given time the quotient will be half the number of casualties annually required. Thus Mr. Curnin says the Colonelcy will be obtained, by his plan, in 26 years, that is $\frac{19}{26} = .73$ which being doubled gives 1.46 or nearly $1\frac{1}{2}$ casualties yearly for each battalion.

But the casualties of the 76 Regiments of Bengal Infantry in years of peace, ending in 1831 were, even reckoning some resignations of Field Officers, only 69.8 per annum or .92 for each corps. If we substract the last number, therefore, from 1.46 the remainder .54, or something more than half a step to each corps, will be the fraction required, and this for 99 Regiments or Battalions will make 53 the whole number of resignations required for the Bengal Army. Mr. Curnin's plan, however, gives, as we have seen, only 28, or allowing for the advantage derived from their being entirely from the two senior grades, 30 at most—instead therefore of making the promotion to Colonel 26, it will at furthest, make it $31\frac{1}{2}$ years. I have, however, adhered to $32\frac{1}{2}$ according to my own calculation.

G. SWINEY.

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# EGYPT IN 1834.

From the minuteness of my details hitherto, you will, no doubt expect a full description of the various wonders I have witnessed during my sojourn in the land of Egypt: in this I must in some measure disappoint you; the harvest of information has, in fact been already gathered, and the traveller, as he flits across the gigantic relics of the past, can only snatch here and there a straggling flower which has escaped the prying eyes of those who have gone before him. But if I do not send you a string of hieroglyphics, by which you may acquire a taste for antiquities, or the corpse of a king or warrior tanned for centuries in the chalk hills; if I cannot add my mite to the already acquired information, I shall, at least, endeavour to express the feelings of my bosom in witnessing scenes pourtrayed in such pleasing colours by all modern travellers.

These relics of temples and of palaces are, it is true, grand and beautiful; they are the monuments of a people far advanced in the scale of civilization, and such as we would expect of the Pharoahs of old: but, dare the truth be spoken, they fall infinitely short of the vivid conceptions of those who come from afar to admire them. Shades of Hamilton and Denou forgive a simple traveller for this assertion! My heart, indeed, throbbed with delight as I approached the object of my journey, and my fervid imagination presented to me scenes rivalling in grandeur and in beauty all that we read of in Babylon and the proudest cities of the past: but, after threading a labyrinth of ruins, after visiting the gaudy painted sepulchres, and bestowing my qualified meed of praise on its sculptured ornaments, I could not avoid inwardly exclaiming "Is this the place a gazing world admires: that is preferred to the classic beauties of Greece and Rome: to exalt which

all modern art and industry must be depreciated?"

It is not my intention to enter into a minute description of these antiquities: in them there is much to admire, much to condemn, *nothing* for the wise man to wonder at: they have in fact beauties peculiar to themselves: they are adapted to the climates; their close and massive columns crowned with roofs of great solidity, yield a delightful coolness to the desert wanderer, while the minuteness, the variety, and finish of their ornaments, deprive Time of his wings in gazing upon them, and yield as much delight to the lover of antiquity as they, no doubt, did to the heathen who formerly worshipped in these now desecreted temples: but in gazing upon these beauties travellers have blinded themselves to the many imperfections, and have been led by them to sacrifice truth at the shrine of admiration: we are always led to expect more than there really is, and that degree of perfection in sculpture not attained in the present day. The stones of which the temples and palaces are built are not surprisingly large so as to create any difficulty in raising them: the figures likewise are in general of a size *smaller* than life, and instead of the graceful attitudes as described, they are, with *few exceptions*, represented in a *distorted* and *unnatural posturé*. The smiling countenance peculiar to the Egyptians even at the present day, is accurately pourtrayed, as is likewise the outlines of costume of various nations, but the higher branches of the act, DRAPERY, FLOWERS, and more particularly the PASSIONS, they do not even attempt to delineate, confessing thereby the infancy of the art. In their large statues every attempt at the full figure is a complete failure: it is ever clumsy and out of proportion: the leg is invariably far too large, and the body is in the same degree too small, in fact, most of the statues may be said to be bodiless: this is to be observed more particularly in the one Belzoni calls the true Memnon, the head and shoulders of which would have fitted a body twice the size.

I am inclined to think the true Memnon to be the left hand statute on the plain with the numerous Greek inscriptions on its feet: its position is far more favorable than that of Belzoni's statue, which latter was in a measure built in, and was thereby incapacitated from receiving sound from any natural causes: besides, it is not probable that so many people who have engraved their names on the statue on the plain would have taken so much trouble to perpetuate a lie, attended with no advantage whatever: that a sound did issue from this statue I firmly believe, and I see no great difficulty in accounting for it. It is plainly to be observed that there are passages leading through the head, these, when the statue was perfect, communicated with the orifice in each ear,: through these the breeze found entrance, reverberating through the hard and metallic granite, and producing a soft and pleasing sound: the position of the figure strengthens this conjecture being favorable to the two prevailing winds of Egypt. The statue being defaced, these passages are laid open, and consequently the sound has ceased. Was the sound emitted from any other part of it, I see no reason for its discontinuance.

The granite obelisks deserve all the praise they have received, they are indeed faultless and exquisitely finished: the conveyance of one of these to France is a sufficient answer to the many wonderings as to how they were raised: manual strength supplied the place of mechanical powers in the early periods of the world. It does not appear that our Government have yet determined upon removing the one given to them; offers have been made to convey it to England for £10,000: in my opinion it might be done for much less, the principal cost being the building a flat-bottomed vessel to received it.

In the engravings in alto and basso relievo the Egyptians attained great proficiency, numerous figures here betray the hand of a master, are perfectly beautiful, and the care and attention bestowed upon the minutest parts deserves our unqualified admiration. Yet even in this they appear to have limited themselves to the display of so very few objects, that it would be hard indeed did they not excel. A man who passes his life in engraving Scarabœus, Ibis, Owls and Geese, cannot fail to excel, unless indeed he claims affinity with the latter.

Of the tombs the engravings of two or three at Gorneon pleased me most: although sadly dilapidated, they are still in point of sculpture superior to the better preserved tombs of Babel Melouck. The one discovered by Belzoni at the latter place, much to the regret of all who visit it, is falling rapidly to pieces: it appears in the first instance, to have been prepared in great haste, and to have been left at last unfinished—the walls, in many places, are painted over a coating of plaster resembling plaster of Paris. The beautiful winged globe at the entrance of this and other tombs, as likewise at the entrance of the temples, appears to be an appropriate symbol of eternity.

Among the many who have visited Babel Melouck, not one has thought it worth his

while to take notice of the composition and appearance of the valley itself, which abounds with every description of sea-shell in the various stages of putrefaction or crystalization: many of these shells, more particularly the oyster, retain their form beautifully. When will man turn from the work of his fellows to behold the mightier works of his Creator? when will Geologists bestir themselves, as we cannot, by looking upon a needle, describe the various process by which it is made? so neither can man describe the first and earliest growth of nature by looking upon her after she has attained perfection. He may give names to, and describe the various properties of stones, in the desert he may behold the growth of them.

The catacombs are interesting only from their numbers, they are in fact the work of successive generations; confined as the Egyptians were within very narrow limits, the land, when occupied by a numerous people, was much too valuable to waste over burial grounds: it is not therefore to be wondered at that they should look to the mountains for depositories of their dead; while from the calcareous nature of the rock, still softer at that early period, little trouble attended the excavating them. In these retired spots, far removed from the habitations of man, the sad relics of mortality might rest for ages undisturbed: they indeed did so, until modern cupidity, until Christians—Englishmen—violated their sanctuaries to plunder them of a few worthless baubles, and exhibit the fleshless remains of their fellow men for the gratification of the curious. I am happy to say these mummy scavengers have been disturbed in their revolting employment—Mohammed Ali, whose motives are equally avaricious, has been awakened to attention by tales of gems and wealth having been found: he has, therefore, ordered that all antiques which may be found by his people be brought to himself, and that no person shall excavate unless with his especial permission. Mummies are still to be procured, but without his permission it will be impossible to convey them out of the country. Thebes is at present deserted of permanent residents, receiving only the flying visits of travellers who are indeed pretty numerous. The Cave Temple bears no comparison to those in India.

In passing down the river I visited Dendara; as is said by many travellers its sculptured ornaments are inferior to those at Thebes, its pillars are much too crowded, and their heavy capitals detract from the height, and otherwise noble appearance, of the building. Roman coins and copt Inscriptions are still found at this place in great abundance: I purchased a few at the price of old copper.

From Dendara to Cairo almost every vestige of ancient building has been moved to furnish stone for building materials in this and other places: much has been taken from Dendara, which temple, in a very short time, will exist only in the page of history. Thebes will naturally follow as population and civilization increase. I confess I am barbarian enough as to wish this may soon take place, a flourishing country and a happy people being to me far more beautiful than piles of precious rubbish or gaudy paintings. It is an error to suppose that the ancient Egyptians made a very common use of stone; it is evident this material was used only for their palaces and temples: the dwellings of the people were of unburnt bricks: this may be proved by examining every mound where an ancient town or village existed, the latter strata of rubbish will be found to be ever of this material: burnt brick appears to be of a later date.

From its antiquities I now turn to the country itself. Egypt, in its climate and scenery, possesses no doubt many charms in the estimation of those who have never beheld an Eastern country: but to the Indian traveller, to those who have passed the finer parts of that enchanting country, it possesses few objects besides its antiquities to attract the eye and win the heart. In passing down the Nile you look in vain for the magnificent expanse of waters for which the Ganges is so celebrated: you look in vain for the spreading banian, natures proud temple to the Deity: the inviting mango tope, the refreshing shade of the tamarind, the delicately twisting bamboo, the scarlet blossom of the cotton tree, the ever blooming acacia, and a hundred other trees of beauteous foliage and growth: you look in vain for the boundless fields of flowering shrubs; for the birds of beauty and of song; for the fire-fly's mellow light, the variety of the insect tribe; you look in vain for the busy hum of men whose cleanly appearance and gentleness of demeanor go hand in hand and are proverbial. Egypt, narrow and confined by mountains of forbidding appearance, presents a monotonous scenery, in *no one part* of it can it be called classically beautiful. The land, it is true, is parcelled out with grain of different kinds and growth, the yellow flower of the dwarf cotton is relieved by the blue lupine, by the pale faced poppy, by various shades of ripening corn, and beds of the greenest herbage: but Nature, or the waste of man, has denied the country trees of the nobler growth: the date and the palmyra stand alone in solitary

groups, resembling drooping plumes waving over the relics of departed greatness; those and the acacia, which does not blossom so beautiful as in India, constitute, with few exceptions, the sum total of trees in Upper Egypt, varied in the lower provinces by the cypress, the mulberry, and dwarfs of different kinds, with here and there a tree of larger growth, standing as if in reproof of the idleness of the inhabitants of the land in not attending to the propagation of its species. Its birds are few, none of them beautiful, the song of the ground lark is to be heard; the Ibis is now but rarely seen, game is far from being abundant, and of little variety: even the insect tribe are confined to bees, scarabœi and vermin: the latter alas! for the comfort of the traveller affords a most abundant harvest. Serpents and scorpions are numerous and venomous. Lizards abound but are not of beautiful colours. Crocodiles are still seen in great numbers basking in the sun on the banks of the river between Thebes and Mamfalout, seldom appearing lower than the latter place: they are in no wise dangerous, slinking into the water at the least alarm; they do not, as is stated, "plunge with surprizing majesty into the waves."

The Cows in Egypt are much the same as our second rates at home: they have a sleek pretty appearance, their milk is rich but of an exceeding caustic quality, causing an unpleasant heat throughout the body when taken in any quantity: the draught bullocks are large and handsome, but the buffalo is inferior to that of India, and is not, as with you, used as a beast of burthen, the numerous camels supplying its place; the sheep are long-tailed like the Abyssinian, they yield a fine wool, but are indifferent eating; fowls are plentiful, cheap, and good, there are three places in Egypt where they hatch chickens by artificial heat and sell them by measure, Ghezen, Cairo and Foula. Turkeys, ducks, and geese, are rarely to be met with between Cairo and Sion, which latter is their native place. Geese between this latter place and Alexandria are in general sold at *three* piastres each, or the 6th part of a dollar. Large flocks of pigeons are seen throughout the country, they are sold in every town and village at a very cheap rate. It is the custom of the villagers to build places for them, which sometimes rise in the form of a cone consisting of unsaleable earthen pots: in these curious walls they insert sticks for the birds to perch upon and to attract strange ones to dwell there likewise: they seldom kill the old birds, but take the young as the price of protection: from this custom arises a sort of proprietorship, and this accounts for Mrs. Lushington's port holes and branches of trees inserted in the walls: her assertions of a particular value being attached to them, and of an Englishman having been maltreated by the villagers for shooting at them have no foundations in fact. The idea of pigeons being preserved for the manure they produce refutes itself by its absurdity. Good horses are dear, from 300 to 3000 dollars. A good camel may be purchased for 30 dollars. Every thing is cheaper 100 per cent in Upper Egypt than below Cairo.

The climate of Egypt is in general pleasant, and in winter extremely exhilirating, and if we except the occasional visits from the plague and the late attack of the cholera, it may be considered healthy, and the loss of life among Europeans are not more in proportion than in the finest parts of Europe. The attack of the cholera was dreadful, 30,000 people perished in Cairo alone, and 5,000 in Alexandria, the extent of mortality in the provinces was said to be 100,000 people. The climate was said to be inimical to the growth of European children, but was the truth fairly spoken this would be found to originate too often in the laziness and depravity of mothers themselves. Opthalmia is the terror and scourge of the country: whenever exposed to the air, the hot sands of the desert borne upon the blast, enter the eyes, and cause a most intolerable smarting, and by rubbing them ever so little, inflamatory opthalmia ensues: this no sooner takes place than myriads of flies torment the wretched sufferer to a most unsupportable degree: the eyes, and the eyes alone, are the objects of attack: in vain he endeavours to drive them away, one swarm destroyed, another succeeds, until his patience exhausted he suffers them to feed at leisure: the loss of one or both the eyes is too often the consequece: blindness is in fact prevalent throughout the land, and many a fair peasant girl has to mourn the eclipse of her beauties in the loss of an eye. Other diseases are not so prevalent among the Egyptians as they are with the Bedouins. There are several scorbutic diseases arising from filth and bad feeding and diseases arising from debaucheries. Leprosy is rarely seen: the stale jest of the Arab washing only once in his life when the duties of his religion required it is without foundation. I have seen all classes frequently in the water, the women and children especially, they swim far, but in a very clumsy manner.

The population of this country, including Syria, Arabia and the possessions on the Abysinian Coast, cannot be estimated at more than six millions of souls. Upper Egypt,

literally speaking, is without population, the wars of Mohammed Ali have so depopulated this rich and fertile country, a country capable of supporting 30 millions of human beings. Syria, my heart bleeds to hear the tale of its miseries. Oppression stalks through the land, with locust appetite carrying in its train famine, pestilence, and death.

Of the manufactures there are many of Sugar, Rum, Saltpetre, Indigo, Opium, &c. in the whole of which there has been a great falling off this year. At Boular there is a very fine Iron foundry in full operation and conducted by Englishmen, under the superintendence of Mr. Galloway. In the citadel is a foundry for cannon, and a manufactory for small arms: there is likewise a mint, but like the Pasha's coin it is a very base concern. Foreigners have availed themselves of the depreciation of the currency, having inundated the country with counterfeits, which are known only by being more valuable than his own: his gold is 5 per cent. alloy.

The whole of the public works are like one vast machine driven upon a small pivot, that is the bayonet. This, in Egypt is every thing; with this men plough and sow and reap, with this they manufacture their goods, with this they dispose of them when manufactured: this gentle instrument is a good to them by day, a stimulant to their industry, a security for their good behaviour, a companion to their sleeping hours: this instrument, more precious than the philosopher's stone, coins blood into gold, converts wastes into gardens of pleasure, huts into palaces: happy, indeed, will its owner be if it turn not and pierce his own bosom, if the recording angel demands his presence to answer the accusing spirit of perished thousands of victims to his tyranny. He has intrusted it into the hands of those who have little to thank him for, into the hands of men ignorant and brutal, and torn by violence from their families—he is held in hatred by all parties, spoken well of by none but cringing slaves and greedy foreigners who fatten on his spoils: he has, in fact, many enemies; poison may disarm a single adversary, but not a host.

What is Egypt now—its towns are drained of an industrious population, its lands are lying waste, while infants and grey beards are compelled to labour beyond their years. My heart has throbbed with anguish as I beheld the whip coil around the half naked form of the timid female, or the sickly child: when I beheld the burdens bow their bodies to the earth, the mortar tempered with their tears: when I heard the mournful compulsatory song of cruelties refinement to conceal their sufferings. The Fellah, they say is bad—what makes him so? Reason and Experience answers, Oppression—Want!! He is not learned that he may discriminate between the mere distinctions of good and evil: but he feels as a man possessed of the social passions, he loves his family and hates those who half starve and ill use them: Is he a thief, he pleads the force of example, and answers as the robber before Alexander. And is not Mohammed Ali a thief also? Does he not rob us of all we possess? Does he not compel us to sacrifice health, nay life, to satisfy his craving passion, of ambition and avarice? Are not his minions all thieves, who, when their master has robbed us of the harvest, themselves seize upon the gleanings? Look at my wife and my children; want makes them go naked in the world, want deadens them to every feeling of shame, corrupts their morals, and debases their understanding: want compels them to be slaves to every village despot, to become victims to his cruelty or lust. And is the Fellah bad? Are not his Oppressors more to be condemned?—To questions like these, put in the simplest and most artless way, the English traveller, who is considered as the soul of liberality, has nothing to reply; in fact, with the feelings of a man, he must bow to their truth. The Fellah is placed much in the situation of the muzzled Ox, he sows but cannot eat the fruits of his labour? Nature is bounteous, but not to him does she extend her blessings, the iron hand bows him to the earth, seizes the fruits of his industry, and leaves barely sufficient to propagate a race of slaves. From his troubles he finds no alleviation, he has no doctor, no public hospital to fly to in his hours of sickness, he has no place where he can find shelter and support in old age or infirmity. Is Egypt then a happy country? Alas, no! Its houses are tumbling to the dust, its streets are deserted and untrodden, and war, plague and pestilence, appear to have marched through the land in triumph.

It is said those evils are about to be remedied: that the suggestions of philanthropic individuals, strangers to the land, have had the desired effect. It was stated to Mahommed Ali that, previous to his oppressive regulations, almost every man, woman and child had two changes of raiment: that every child, as soon as it was able to run about was taught to spin the thread of which their coarse dresses were made, and every woman, where other business did not interfere, did the same, and that every village possessed its loom. At present few of the peasantry have one perfect dress, one half indeed may

be said to be naked, private looms are rarely to be met with, the women are seldom found spinning, the children never. The peasant too when unrestricted in the sale of corn took delight in its cultivation, but when he found by oppressive exactions a bare existence was all his labour afforded him, he became careless and inattentive, and let every thing run to waste. The Pasha listened to these suggestions and proposed to his Council certain measures of relief, which, after some debate, were agreed to.—After their decision was made known to the Pasha, he is said to have expressed himseif satisfied, and to have delivered himself thus: "That since the Almighty had granted so much success to his arms, and peace was established upon a firm basis, he should now have leisure to attend to the wants of his people, and to study their happiness." In this he may be sincere, but many doubt it, and say, that his measures are all artificial full of sound, but not of substance: his monopolies are indeed so extensive, that the very dung in the streets is collected and sold on his account, and the peasant, not having the seal of Mohammed Ali on his garment, is liable to be seized and punished.

The Pasha has some magnificent projects in contemplation, too extensive to be carried into effect speedily. The first of these a "Rail Road from Suez to Cairo is said to be determined on, not (as is ridiculously thought by our people) for the accommodation of Europeans to and from India, but from the hope that in doing so he will be able to monopolize the whole trade of the Red Sea, to keep the Bedouin Arabs in order, and carry into effect his long projected conquest of Abyssinia. Whether it is our policy to assist him in his views, let England and the Honorable Company determine. Abyssinia is a fine country, has many and rich productions, and prodigious capabilities of improvement.—Its vicinity to Bombay offers great facilities for trade, which the people themselves from hatred to the Turks, would be happy to have the alliance of England.—He intends to build and keep a Fleet on the Red Sea.—Another noble project is a Bridge across the Nile below Cairo. He likewise intends to employ 32,000 men to deepen the cannel of Alexandria from Atfe—may the results be less fatal than those of Mahomudia.* He likewise intends to have Syria surveyed and to rebuild Antioch; from a French gentleman just arrived from this country I hear their sufferings exceed those of Egypt: this I had thought impossible.

On of the most singular things for a despot to determine upon is the [illegible]tion of the *punishment of death*; yet such [illegible]aid to be the intention of Mahammed Ali commuting to *labor* in the *galleys*. In Egypt the punishment of death is indeed unnecessary, the mild disposition of the Egyptians seldom provoking them to the crime of murder; and for theft alone death is too severe. I have since heard that the above is mere report.

It is pleasing to observe the rapid change which had taken place in the bearing of the natives of this once impassable country towards foreigners, and more especially Englishmen. We walk the villages and plains, or traverse t[illegible]ountains alone* with as much safety a[illegible] our own country: respect and attenti[illegible]it upon our footsteps, and if the poor r[illegible]y are a little clamorous it is for *buxe*[illegible]ust recollect they are deplorably poor, [illegible]his their poverty arises not from idleness, but the bad policy of their rulers; while, from the profuse folly of many of our countrymen, they are led to entertain the most extavagant ideas of our boundless wealth. I was at first disposed to quarrel with them for this, and to set them down as a greedy, selfish people as the Bedouin Arabs generally are! but subsequent observation induces me to transfer my resentment from them to the fashionable tourist, who walks the earth delicately, and travels from country to country not to expand his ideas, not to gain more intimate knowledge of the manners and habits of other people, but simply to make parade of his own importance, to visit the great man, to receive his flatteries, to be fooled and cheated by his people, and to return pluming himself upon his superior discrimination of character, and giving the world a perfumed lie.—These people do an infinite deal of mischief to the traveller of more limitted means who cheerfully submits to toils and privations, that he may, if possible, benefit the world by his discoveries, or the fruits of his personal observations—to walk in the wake of the former is to pay double for every thing you require, to find every source of information sealed, opened only by a silver key, and to find impediments purposely thrown in your way in order to enhance the value of imaginary services: thus it is throughout the land of Egypt, the most extravagant prices are asked and obtained for every piece of worthless rubbish; and the

* 250,000 Men were employed in constructing the canal of Mahmoudiah. Of these 30,000 are said to have perished from exposure to the damps and from hunger. God of Mercy! and this is the man so bespattered with praise by English travellers

* This facility of travelling in Egypt was exemplified in the case of Lady Franklin, who visited the cataracts attended by a female servant only, without meeting the least interruption or annoyance.

cupidity of European knaves is excited to inundate the country with false gem and intaglio's, eagerly purchased as genuine by the simple-minded, who thus spend their wealth in collecting memorials of their own folly. Even the Arabs, blockheads as they are, have found a way to make mummies, and the corpse of a few weeks old dried in the hot sands passes current as a genuine Egyptian of three thousands years standing.*

To revert to Mohammed Ali, whatever may be his secret inclinations, it is certain that his interests demand a cordial co-operation with foreigners, and they are so intimately mixed with his present system, that to take them away, would be to derange the whole, and probably put his own safety in jeopardy: from this cause alone they are ever sure to meet with respect and protection. He is a man of great talent, and wonderfully versed in the intrigues of life, who can follow all the turnings and windings of the human heart; seize hold of its weakest part, and turn wisdom into folly by his duplicity: upon the principles of self interest, which actuate each secret motion of his own heart, he governs those round him, and by an affected display of liberty, blinds the eyes of those who visit him—the traveller thinking it a breach of hospitality to speak ill of one whose liberality and kindness to themselves has been beyond dispute. Thus it is the true character of "this" prince, who is so little known in England: his greatness of mind is ever overruled by avarice and ambition, and his policy is short-sighted, as he verifies the fable of killing the goose for the sake of her golden egg. Still it cannot be denied that he has done much good in the establishment of manufactories and of schools, although his wish to educate his people is counteracted by the gross stupidity of those who are employed as teachers. Under his fostering eye Cairo has wonderfully improved of late years, many new buildings have been erected,—heaps of rubbish, which formerly intercepted the fresh current of air to the city, have been removed, and gardens supply their place, while trees have been planted in every direction promising some future day a safe and pleasant shelter from the sun and dust. The lynx-eyed vigilance he uses to protect the revenue has its advantages in securing the peace of the city, which is as peaceable as any capital in Europe. Ibrahim Pasha likewise has contributed his quota in this respect to beautify the place and

* In illustration of this a person living at Alexandria went up the country, and purchased a mummy of an Arab for 15 dollars, bringing it down with him, and exulting in his bargain, he exposed it to the view of his friends, one of whom recognized it by its beard as an Italian who had died some short time before: the body was claimed by his relatives and the disappointed Antiquarian to add to his mortification was compelled to pay 5 dollars more to have the corpse intered anew.

h[illegible]s on the isle of Khoda, under the superintendence of Mr. Trail and another person, give a fair promise of future excellence.

The house of the late Achmet Bey Dufterdar is at present uninhabited, the general opinion of every body is, that he was poisoned by his father-in-law: be this as it may, his death was a benefit to the people, he being a cruel and remorseless villain: he had always a set of desperadoes in his employ who waylaid and murdered all who were suspected of being possessed of riches—like a fiend he delighted in human blood, and many tales are related of his shocking barbarity; one of which is the following:—

He was riding out one morning, and heard a woman scolding and making great lamentations, upon inquiring into it, he was told that one of his attendants had purchased some milk of the woman, but after drinking it up he had refused to pay for it. The Duftar Bey ordered the man before him who denied the charge; the woman persisting in it, he ordered the man's head to be cut off, and afterward, his body to be ripped open, and the milk to be taken out and given to the woman; this barbarous order was immediately put in execution, and the milk being found, the Bey turning towards the woman, told her it was well the milk was found, otherwise she should have suffered the same punishment, at the same time ordering her 5 paras, the price of the milk.

Riding one morning he found his horse was lamed, upon examining his feet it was discovered that the beast had been pricked in shoeing, sending for his groom he asked him how long he had been in his service, "15 years," replied the man. "And you have been 15 years in my service, and do not know how to shoe a horse, I must teach you;" so saying he sent for a smith and ordered him to shoe the groom, and this barbarous command was actually carried into execution.

This monster died of the cholic and although rumour says he was poisoned, it does not appear to have any foundation. At his death Mohammed Ali seized upon his riches, which were immense, so great indeed as to preclude the counting of them; the spoil loaded 44 camels, and the total value in gold, silver, jewellery, shawls, silk, &c. is said to have amounted to 8,000.000 dollars; since his death the citizens of Cairo have dwelt in comparative security.

Among those whom it was my fortune to have introduced to me was a Mohammedan teacher, who was the primary cause of the massacre of the Mamelukes. His account of the

affair was as follows. At the ti[illegible] tion he was a writer in one of the Go[illegible]ient departments; an accident had made him acquainted with circumstances which led him to believe that a conspiracy existed between the Mamelukes of Syria and of Egypt to destroy Mohammed Ali and to place another Bey in the seat of the Viceroy. In the warmth of his friendship he imparted all he knew to a person connected with a foreign consulate, who being then out of favor with the Pasha received the intelligence with joy, thinking thereby not only to effect a reconciliation but to be handsomely rewarded. Demanding a private audience of the Pasha, which was granted, he proceeded to lay before him all that the writer had told him: the Pasha listened in silence until he had finished, and then in a stern manner asked him how he dare repeat such foul and wicked charges; "you are my friend," said he, "and one who has had my confidence; had it not been so, your head should have answered for thus traducing my friends, the Mamelukes, who have ever been faithful to me, and would willingly lay down their lives to preserve mine: begone instantly, and bring the man who gave you the information: the diplomatic retired in astonishment at a reception so contrary to his expectations, and meeting his informant, told him, in a few words all that had transpired and carried him fearing and trembling into the presence of the Pasha.—Again all were ordered to retire, except the the Physician Giovanni Bozari who was in his confidence.—The Pasha then sternly demanded of the man what he knew, this he told as well as his fears would permit him, giving several circumstantial proofs, and the name of a camel driver who was the bearer of the correspondence between the parties: when he had finished the Pasha put on a face of great anger, called him a lying knave and ordered him to the galleys for endeavouring to injure his friends in his esteem, bidding the diplomatic look to his own safety, this he did by embarking on board a vessel immediately for Italy; from thence he departed to his own country, and there died shortly after. When these men were dismissed, the Pasha turning to his confidant and relaxing his countenance, said "these short-sighted fools are speaking the truth, it is time for us to be acting, find out the camel driver, and bring him to me—he was found without difficulty, and the Pasha thus addressed him. "I am aware that there is a conspiracy between the Mamelukes of Syria and Egypt, and that you are the bearer of letters between the parties. It is in my power to take away your life, and that too with the greatest tortures: but I will rather make you my friend and trust to your fidelity in bringing me every letter before it reaches the hands intended: to secure you my friend I make you a present of 1000 dollars for every letter you bring to me." The poor fellow filled with consternation at finding his secret discovered, and himself in the power of the Pasha, fell at his feet and vowed implicit obedience to his commands. He kept his word: and from the letters which the man faithfully brought, Mahomed Ali obtained a perfect knowledge of the conspirators, after which the letter was sealed as before and delivered to the owners. The plot matured so fast, that in the last letter the Pasha found he had only eight days to live, some of the Syrian troops having already commenced their journey towards Egypt—he then took his measures accordingly, dispatched a body of troops into Syria, and destroyed the Mamelukes at Cairo, the details of which have often been laid before the public. The camel driver received 18,000 dollars as the price of his treachery, but when the Pasha had destroyed his enemies, he ordered him to be strangled, and the money to be taken from him.

It is said by Europeans who are about the person of the Pasha, that he has a great aversion to proselytism, and to those who thinking to better themselves embrace the Mahommedan religion: in this he does not believe them sincere, and rightly supposes, that those who forsake their God and the religion of their forefathers for temporal advantages, will be as ready, on the first favorable opportunity, to betray their prince: he is said to have dismissed several of these people lately. Our own countrymen, I am happy to say, in this respect have kept themselves untainted, with the solitary exception of Osman Effendi, who, in truth, may be said to embrace no religion at all. In the Pasha's service are many of the St. Simonians, some of them men of great talent, they do well to reside among Turks, with them their loose ideas of life are congenial, and should they possess handsome wives they may employ them to advantage as instruments of converting the rest of their own countrymen, and the heaps of beggarly Italians, who swarm in every part of the Pasha's dominions.

The Pasha was very fond of his Physician Giovanni Bozarri who attended him through his early career and was his confident and companion. At the taking of Mecca, Giovanni was riding by the side of the Pasha to enter the gates, "Stop, said the Pasha, you cannot enter the Holy City, Giovanni;" but I must though; wherever your Highness goes, I go. "No; retire and wait outside, why should you endanger your life, not being a Mahom-

medan." Giovanni was determined upon entering; replied, then, if I cannot enter without being a Mohommedan, I will immediately become one, and he immediately began to bawl out the Mohommedan confession. "Stop! stop! cried the Pasha, as you are, I respect you and give you my friendship: but if you forsake the religion of your father and turn Mohommedan, I should despise you; come along with me." So saying he pushed into the gate with his friend.—A parallel may be drawn between Buonaparte and the Pasha in this respect, both careless of religion, or using it only in a political view.

In the above critical observations, I have no wish to depreciate in the estimation of the world, the soil and climate of Egypt, or the noble relics of antiquity with which it abounds, or to arrogate to myself superior penetration to those travellers who have hitherto written on the subject: but as an experienced traveller, unfettered by Romance, I wish to caution those less experienced, in order that they may avoid disappointment not to expect *too much*, nor to give way to the false and enthusiastic descriptions of those trading tourists who examine every thing with perfumed fingers, study to write poetically, and prefer *effect* to *truth* the brighter ornament of composition. Tourists, in fact, like painters love high coloring: but when they profess to cater for the public they should remember that too many sweets pall upon the appetite, while an occasional admixture of bitters yields an agreeable relief. For my own part I am well content to be condemned for want of taste, rather than run the risk of being thought an enthusiast.

Two thirds of those who have hitherto visited Thebes have gone with no intention than to praise, or with the ambition of little minds, to have it to say, for the remainder of their lives, that they have visited Thebes and climbed the Pyramids. While those who attempt to write upon the subject have recourse to the grossest hyperbole of language, and would convince the world of the truth of their delineations by depreciating the talent and industry of every other nation extinct or existing: thus Denon observes, "that no people, either ancient or modern, ever conceived the art of architecture on so sublime and grand a scale as the ancient Egyptians." Such an assertion has no ground but in his own poetical brains, and can be easily contradicted by every school-boy who chooses to read ancient history: the same may be said of the suppressed passage in Dr. Clarke's travels respecting the pyramids—"Ideas of duration almost boundless, of power inconceivable, of majesty supreme, of solitude most awful, of grandeur, of desolation, and of repose." This is beautiful writing, but with due respest to this learned and generally accurate traveller, it is not the truth, and was therefore wisely suppressed. Divested of Romance, to the thinking mind the Pyramids appear no other than monuments of folly, ambition, and despotism, and I cannot look at them but I behold in imagination the blood and tears of thousands by which the stones of these mighty edifices were cemented. Had they appeared in the midst of a city, the astonishment might have been as depicted; but seated in the midst of mountains, they appear as mole hills to palaces, and a satire upon human greatness and durability. To loosen the reins of imagination, many beautiful scenes may be depicted in the land of Egypt. It is pleasing, undoubtedly, to sail down the river when all is calm and clear and beautiful: when the wind is hushed, and the fiery tempest is laid low: when the rays of an Eastern sun cease to beat upon the head of the panting traveller, and the boundless waste of desert is hid by the verdure of the trees. It is pleasing to behold at a distance the high and walled town with its delicate minarets peeping from beneath the trees, the stream gliding gently before it, reflecting the glories of a setting sun: the dome with the solitary acacia bending over it; the ruinous pile; the mountain scenery behind: it is pleasing to wander through the cypress grove, to listen to its pleasing melancholy music, to pluck the orange from its verdant shade, to listen to the song of birds and gaze upon the sun burnt villager bearing the product of his rich and ripened harvest home. Scenes like these are beautiful: they are such as Titian would delight to paint, the soul of taste and of romance would love to gaze upon. At these times, and with these scenes Egypt is a place of beauty: but, too often like the deceitful foliage, approach, and the delusion vanishes. The village is changed into a mass of shapeless ruins; the scene around is desolation, and the brow of the simple peasant is marked with care and bitter anguish.

Few Europeans indeed would love to live in Egypt: it is a land of corn but not that of wine and oil: its fruits are few and inferior; it presents no verdant meads, no pleasant rides or walks, nor is such as by its variety and beauty to counterbalance its evils. As it requires time and study to acquire a taste for its antiquities, so it acquires habit and long residence to accustom the stranger to the soil.

Many reports are afloat in Alexandria of war between Russia and England, it appears that our Government are tired of negociating.

and intend to do what they ought long to have done before, compel the Autocrat either to relax his hold of his prey, or fight for it. Our ships from the Mediterranean are drawing towards Constantinople, and it is currently reported that two steam Frigates, with other sail of the line, are hastening to join them. Our brave seamen long to have a touch at the northern bear who are so puffed up with conceit of themselves. The papers accompanying this will afford further particulars.

Steam Navigation from India to Egypt is all the talk here; the idea is very favorably received, all parties promising themselves some advantage in its success: our countrymen seldom come empty handed but scatter their dollars with profuse liberality through the land: the man in office and out of office, the peasant and the shop-keeper, feel alike the benefit of this liberality. Gold occasions strange revolutions in this country, like the sceptre of a monarch its touch brings obedience: the insolent Turk is converted into a thing meanly submissive, and the peasant, sullen from want and ill usage, relaxes his sun burnt visage into smiles as he pockets the *buxees* of the passing traveller: we certainly have purchased security and respect from all parties.

With regard to Mohammed Ali, it is difficult to define his real feelings upon the subject of steam. He enters willingly into the scheme of a Rail Road, because he sees his interest in it; he conjectures that it will bring him an immense revenue, independent of any expectations from us; in his calculations he does not look to the transit of goods alone, but likewise to the immense number of pilgrims and passengers who pass by this route: he likewise sees the facility with which troops and stores can be conveyed to the Red Sea, as likewise timber for the ships of war, which he has in contemplation to build. Far from befriending us by this measure it will be undertaken solely with a view of benefiting himself by a monopoly of the produce of Arabia and the Red Sea, and for securing his conquests, extending them to every port of that sea, by means of which he can at any time close the ports against us, or compel us to purchase pearl and pearl shell, tortoishell, Mocha coffee, &c., at his own price. He has fears likewise that, in giving a passage through his dominions, great injury will accrue to his own trade, as many of our Indian commodities capable of being sent by this route are produced in his own dominions: we may therefore undersell and destroy his market: to prevent which he is desirous of placing a duty of 9 per cent. upon all goods sent by this route: this high duty cannot, of course, be acceded to, it amounting in many articles to a prohibition: nothing has yet been said about store houses at Suez, or boats in the river, or the right of Mohammed Ali's officers to search; all of which things must be placed on a proper footing before a merchant will venture his goods, more especially the latter, which would be a source of endless disputes from the bungling manner in which this department is conducted.

To what extent this trade can be carried on we have yet to learn; if by regular merchant vessels it will never pay; as should they escape the perils of navigation, they have still to encounter duties, expences of lading and re-lading, rail road charges, bad river boats (not at all times procurable) and re-shipments, and, after all, the Americans will undersell us in the Mediteranean markets. If confined to steam vessels; with passages and letters only it will never pay the expence. Mr. Greenlaw may calculate upon the number of letters passing through the Post Office, but he must not suppose that men of business will reserve their packets for three months at a time the interval of the steam boat's departure and return.

It is questioned by many whether the Pasha is really sincere in his rail road plan: many of those who know him will say it is only a trick of diplomacy on his part to quiet us: it is certain that the two plans of the Rail Road and a Bridge were both brought forward at a time when the English and French Consuls were too pressing upon certain points: it being understood the French were to have the building of the bridge: for this great quantities of timber are required which timber may be used for other purposes, so the Sultan thought when he refused to send him any. It is necessary to state, that French influence predominates at this court: this is owing to the superior activity of the Consuls of that nation; from our own we can expect nothing. The Consul General is a money making personage, whose only study is to save all and live quiet; with him the Pasha is a kind of demi-god and all that he does is sacred; he wants in fact the dignity and independence necessary for that station. The Vice Consul at Cairo to whom he delegates every thing is a Frenchman unacquainted with English manners and custom and absorbed in trade, little therefore can be expected of him, his interests being with his own countrymen and the Pasha, the latter having the monopoly of trade. Mr. Thurborn, the Consul of Alexandria, is a man of gentlemanly deportment and receives every

English traveller with kindness and hospitality, he alone preserves a name to the establishment. He, however, from pressure of business and other causes has long given up his duties of Consulate, and has unfortunately given us a bad substitute in the Vice Consul, who bears a very different character, and is somewhat stolid for the situation which he holds. A change throughout would be essential for the interests of India.

The trade of Egypt is monopolized by three or four houses, whose policy it is to keep the Pasha in arrears with them, and to receive payment in goods. A great falling off has been experienced of late years owing to the want of hands to cultivate the lands There is no room for speculation. Europe shopkeepers abound, but every thing is very dear, and few of the luxuries we get in the Presidencies of India are to be procured here. Cotton is still in demand, and the Pasha flatters himself that his Indigo will soon beat that of all nations in fineness and quality—Opium is not properly attended to—Saltpetre might be manufactured to any amount, the land throughout being impregnated with it to such a degree as to present the appearance of hoar frost in the mornings.—Sugar is decidedly inferior to the Bengal—Rum much of the same quality—these two articles are manufactured in barely sufficient quantities for their own consumption. In the hands of Europeans I would back Egypt against the world. The produce of grain in the Upper Provinces is truly wonderful.—*Bombay Gazette.*

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# HALLAM'S CONSTITUTIONAL HISTORY.

## No. V.

### TO THE EDITOR OF THE BENGAL HURKARU AND CHRONICLE.

Sir,—According to Mr. Hallam, the English subject in Elizabeth's reign prided himself on exemption from taxation without consent of Parliament. (1) No very good authority is given for this assertion. Surely the story from Strype, respecting the imposition by the Cheshire and Lancashire magistrates, and the letter from the Privy Council directing the charge to be taken off does not prove it. (2)But admitting the historian's assertion to be true, what good will it do to his theory, unless he can shew, 1st, that the Queen dared not to tax by the exercise of her prerogative alone; and 2dly, that her Majesty was constrained in using Parliament as an instrument for getting money, to employ it, as Burleigh recommended the use of the rack, "as charitably as such a thing must be?" That this instrument was not "charitably" used Mr. Hallam himself admits, for he says heavy taxation was one of the causes of the Queen's loss of popularity: (3) and that the royal prerogative stretched abundantly far, even in money matters, the same author gives ample evidence of. Forced loans, he tells us, were common, though better repaid than usual with royalty. (4) There is "a letter from the Lord Mayor to the Council, informing them that he had committed to prison some citizens for refusing to pay the money demanded of them." (5) The letter from Burleigh's papers quoted by Hume, appears to warrant, Mr. Hallam admits, that the Treasurer had revolved in his mind a project of raising money by loan without purpose of repayment. (6) The historian infers from the fact that this project was not carried into effect, that it was impracticable. It might have been inconvenient, perhaps, to execute such a project; but when a Minister *could* revolve such a plan in his breast, and when we know how far Elizabeth's power reached in matters not connected with taxation, a reflecting man ought to be slow to believe that the project was abandoned, either from a sense of its illegality, or from a fear of inability to carry it into effect, had the carrying of it into effect been the fixed bent of the royal mind. Lord Burleigh's letters, we are told, exhibit "collectively a curious view of the manner in which England was managed, as if it had been the household and estate of a nobleman under a strict and prying steward. (7) I would ask whether any stronger proof than is furnished by this admission, can be required to show the existence of fiscal despotism? Having dwelt even to tediousness, I am afraid, on this branch of my subject, I beg to enumerate facts of a different nature, but equally conclusive as to the almost boundless power of the English Government. Most of us have

(1) Hal. vol. 1st p. 261, 2, or 3.
(2) Hal. vol. 1st p 262.
(3) Hal. vol. 1st p. 818.
(4) Hal. vol. 1st p. 263.
(5) Hal. vol. 1st p. 263.
(6) Hal. vol. 1st p. 264.
(7) Hal. vol. 1st p. 265.

heard of the Act (11th H. 7th c. 3) by which justices of assize and of the peace could determine all offences except treason and felony without a jury, and against any statute in force, on information in the King's name. Could any Parliament, which was not the willing tool, or the cold and indifferent spectator, or the timid slave of tyranny, concede so much power to Henry the 7th? More phlegmatic and cautious, less bloody and cruel than his son, he was to the full as deeply impressed with exalted notions of the royal prerogative, was more cunning and treacherous, and, being equally unscrupulous (except in matters of blood) either as to the end to be gained, or the mode of gaining that end, he was a most unsafe depository of nearly boundless discretionary power. Passing to the reign of Henry the 8th, what are we to think of the impeachment of Wolsey, on frivolous grounds? That minister had done enough, God knows, to offend an independent Parliament, or rather had there been a single vestige of real freedom in the "Great Council" of the nation, such a man as Wolsey never could have ruled at all. But his manifold political sins and wickednesses, were not the crimes that were brought up against him: he had lost his popularity with Henry, and therefore he fell! In 1534, an Act was passed, imposing an oath to maintain the succession in the heirs of Henry's second marriage to the exclusion of Mary; and it was declared high treason to deny the ecclesiastical supremacy of the crown, a doctrine two years before altogether unknown. (8) Would the Parliament, had it exercised its own free will, have passed either of these Acts? Certainly not, but Henry decreed it, and what was to be done? Under the statute respecting the King's ecclesiastical supremacy, Fisher and Sir Thomas More, undeniably the most honest men of their age, lost their lives! (9) Henry made a second, raising the pretext for puting to death (and letting loose Military law on their followers,) several who had been engaged in a former insurrection, and who had laid down their arms on an unconditional promise of amnesty, and who had no concern with the second out-breaking. (10) The historian admits, that the Countess of Salisbury, the Abbots of Reading and Glastonbury, and others, were put to death from revenge or rapacity. (11) Cromwell's question to the Judges, whether an attainder in Parliament, the accused not being heard in his defence, could be reversed by the decision of a Court of Law, together with the Judge's answer, furnishes a fearful proof of the extent of the royal power. The Judges at first answered, that it was a dangerous question, and that Parliament should rather set an example to inferior Courts for proceeding according to justice: but, being pressed by the King, they said, "that an attainder in Parliament, whether the party had been heard or not in his defence, could never be reverted in a Court of Law. (12.) The question itself was brutal; yet such was the power of royalty, that the Judges dared not to adhere to an opinion, founded on the simplest principles of universal justice! We can scarcely regret that Cromwell became the victim of his own unscrupulous recommendation; but what stronger evidence of the existence of an awfully tyrannical power can we desire, than his attainder without defence, and Cranmer's voting for the death of his friend? The example in Cromwell's case was followed soon after, in that of Dr. Barnes, who was burnt for heresy. (13.) Surry, was put to death for quartering the royal arms in his escutcheon. (14.) Anne Boleyn was not only condemned, though innocent, but her marriage was annulled by an ecclesiastical sentence, before her death. (15.) (16.) An Act was passed, bastardizing Mary. (17.) An Act was passed, enabling the King on failure of issue by Jane Seymour, or other lawful wife, to bequeath the kingdom to any person at his pleasure, (28, H. 8th, c. 7.) By the 28th, H. 8th, c. 17, it was enacted, that a King, after he should attain the age of 24 years, might repeal any statutes made since his accession. (18.) What do the advocates for the existence of effectual restraints upon the royal power, say to facts like these, taken as they are, almost at random from the history of the times? Nor were the instances of an outrageous prerogative confined to the reign of Henry the 8th. Seymour, the brother of Somerset, was attained without being heard in his defence, (19.) Somerset in his turn was sacrificed by Northumberland. (20.) Edward no doubt had less power over

(8) Hal. vol. 1st p. 30.
(9) Hal. vol. 1st p. 30.
(10) Hal. vol. 1st p. 30, 31.
(11) Hal. vol. 1st p. 31.

(12.) Hal. vol. 1st, p. 31, 32.
(13.) Hal. vol. 1st, p. 32.
(14.) Hal. vol. 1st, p. 33.
(15.) Hal. vol. 1st, p. 34, 35.
(16.) Cobbett justly remarks on this abominable transaction, either that the Queen's confession of a pre-contract with Percy, was true or false. If true, then she was not Queen, and could not be guilty of treason, even if unfaithful to Henry. If false, Henry added insult to cruelty.—*His. Refor.**
(17.) Hal. vol. 1st, p. 36.
(18.) Hal. vol. 1st, p. 37.
(19.) Hal. vol. 1st, p. 42.
(20.) Hal. vol. 1st, p. 43.

* There is an excuse set up for Cranmer, in the zeal he showed to get Anne's marriage annulled, viz. that as the annulling of the marriage lessened the brutality of the punishment Cranmer's exertions proceeded from humanity. Would not his humanity have been better directed in getting the punishment altered without offering the insult to Anne?

Parliament than his father. In Edward's reign there were several instances of the rejection of bills by the Cammons—the substitution of a more moderate treason bill—the rejection of a bill attaining Tunstal, Bishop of Durham, for misprision of treason—and the long opposition to a subsidy. (21.) But when we consider that Edward the 6th was a minor, and that the country in his reign was convulsed by factions, we need not be surprised at such *seeming* independence, nor should we look upon it as a proof of a prerogative at all reasonably limited. Mary, too, seems not to have been wholly supreme over Parliament. She dissolved her two first Parliaments for their want of pliancy, (22.) The third rejected several of her favorite bills. (23) And we are told, on the authority of Noailles the French Ambassador, that Mary would have settled the crown on her husband, and probably sent her sister to the scaffold, could she have obtained the consent of Parliament. (24.) But we ought to recollect the weakness of Mary's judgment, the divisions and jealousies amongst her Counsellors, and the peculiarity of some of the measures opposed. (25.) These were the reasons why Mary was not wholly absolute. After all, however, how vast was her power! We have seen, that she could undo in an instant nearly all that had been done in the preceding reign on the subject of religion, and though she did not wait for the instrumentality of Parliament, it was ready to give implicit obedience to her commands. (26.) Loans were extorted, and a duty was imposed on foreign cloth, without consent of Parliament. (27.) The torture is more frequently mentioned in her reign, than in all preceding ones. (28 and 29,) and, (not to enumerate more examples than may be necessary) was not Mary's short reign remarkable for its list of religious martyrdoms? The frequent use of torture, and the inflicting of death for differences of religious opinions are unquestionable proofs of the mightiness of the royal power. With regard to torture, "the Common law of England," says Mr. Hallam, "neither admits of it to extort confession, nor of any penal infliction not warranted by a judicial sentence." (30.) Then torture was illegal. With regard to martyrdoms, the same author asserts, that Mary's system of faith was unpopular on account of its cruelty; (31,) and the proof of this truth he thinks is furnished by "the acquiescence of the great body of the people in the re-establishment of protestantism by Elizabeth, when compared with the seditions and discontent on that account under Edward." (32.) Then the people thought martyrdoms cruel. And surely, if torture could be used contrary to law, and capital penalties inflicted on religious martyrs against the feelings of the people, the soverign must have been absolute, and the subjects must have been moral slaves. The proofs of the omnipotence of royalty in the reign of Elizabeth are so numerous, and so various, that the only difficulty is how to select them, and where to stop in enumerating them. There is nothing which better shows unbounded power in a sovereign, than excessive severity exercised for light offences, and abject submissiveness exhibited by the victims of severity. Can any one read an account of Elizabeth's treatment of Lady Katherine Grey, and the abject humility of that lady in return, and doubt but that in those days high and low were slaves? Lady Katherine had committed the *crime* of marrying the Earl of Hertford without the Queen's consent. Both husband and wife were sent to the Tower. When under imprisonment, they contrived to meet from time to time, and the result was the birth of another child. Enraged beyond all bounds, the Queen, by means of the Star Chamber, fined Hertford £15,000: (33) viz., £5,000 for *deflowring* a virgin of the blood royal in the queen's house; £5,000 for breaking his prison and £5,000 for repeating his intercourse with the object of his attachment. When the plague broke out in 1563, they were removed from the Tower, but still kept prisoners, and carefully separated from each other. In vain were supplications made both by Lady Katherine and her relatives for forgiveness, and for leave to live with her husband. Elizabeth suffered her to die separated and in custody. (34) Yet mark how the Lady Katherine writes to Sir William Cecil —— "beseeching your farther friendshyp for the obtayning of the Queen's Majesties most gracious pardon and favor towards me, wych wyth upstretched hands and downebente knees, from the bottom of my hart most humbly I crave."

(21.) Hal. vol. 1st, p. 47.
(22.) Hal. vol. 1st, p. 47.
(23.) Hal. vol. 1st, p. 47.
(24.) Hal. vol. 1st, p. 48.
(25.) The settling of the crown for example on her husband meant nothing less in the minds of most men than the subjugation of England to Spain.
(26.) *Bengal Hurkaru*, 4th Dec. 1834.
(27.) Hal. vol. 1st, p. 45.
(28.) At first sight, an inference might be drawn from this of the existence of freedom in former times, "The inference would not be a safe one. Opposition to the national creed, either in doctrine or in rites and discipline was, till recently, comparatively unknown. With opposition to power, grow the anger and vengeance of power.
(29.) Hal. vol. 1st, p. 45.

(30.) Hal. vol. 1st, p. 150.
(31.) Hal. vol. 1st, p. 114.
(32.) Hal. vol. 1st, p. 115.
(33) The reader should always bear in mind the very high value of money in Elizabeth's time.
(34) *Westminister Review*, vol. 8th, pp. 154 155. From Ellis's Original Letters.

(35) Again Lord John Grey, Lady Catherine's uncle, writes to Cecil —— "If I saie unto her," 'Goode Madam, eate somewhat to comfort your selfe,' "she faules a wepinge and goethe upp to her chamber; if I aske her wath the cause is she usethe her self in that sorte, she answers me,' alas Unckell what a liffe is this, to me, thus to live in the Queen's displeasure; but for my lorde and my childrene, I wolde to God I were buried.'" (36) Is not this a case of Turkish callousness and malignity in the sovereign, and of Turkish abjectness in the subject? Great God! could such things be, and yet can writers be found to talk of checks on the royal power? Two sectarians, Barrow and Greenwood, were indicted on the 23d of the Queen, (a most arbitrary statute) respecting the spreading of seditious news, and were executed. They died full of expressions of loyalty. (37) If any thing more was wanting to show the boundless power which all men imputed to royalty in those days, it would be this instance of loyalty in men cruelly butchered by this savage woman! One, Stubbs, for writing a pamphlet called "Gaping Gulph in which England will be swallowed up by the French marriage" had his right hand lopped off. The pamphlet was full of unfeigned loyalty and affection towards the Queen. (38) When the hand was cut off, Stubbs, with the other took off his hat exclaiming 'long live Queen Elizabeth!!' (39) Is not this a proof of the royal omnipotence, not only in the punishment, but in the manner it was borne? Norfolks' "submission to the Queen," says Mr. Hallam, "is expressed in a style which would now be thought most pusillanimous in a man of much lower station, yet he died with great intrepidity. But such was the tone of those times; an exaggerated hypocrisy prevailed over every thing." (40 & 41) What evidence is there of hypocrisy in this case? And admitting the submissiveness to have sprung from hypocrisy, what better mark could be given of the prevalence of despotism? If the reader should require any more proofs of Elizabeth's absolute power, I would beg him to look to her treatment of the Puritan party. There can be no doubt, that the House of Commons in that reign was zealously attached to the Protestant interest, (42) and though at first this zeal may have been connected with the church lands, it gradually grew into a sincere love of that stricter form of Protestant Christianity, which went under the name of Puritanism. (43) Mr. Hallam, on the authority of Parsons the Jesuit, and from much other reading on the subject, says that the party attached to the Anglican Church, settting aside neutrals, were the least numerous. In the House of Commons the Puritans predominated. (44) Many leading men in Church and State were Puritans Amongst churchmen, Gindal and Sandys, Parkhurst and Pilkington; amongst statesmen, Bedford, Huntingdon, Warwick, the Earl of Leicester, Lord Keeper Bacon, Walsingham, Sadler, Knollys, and perhaps Cecil, were of this way of thinking. (45) Yet was Archbishop Parker able to treat them with the utmost severity, to suppress their books, to silence their ministers, to drag private citizens before the high commission, and to imprison them on their refusing to conform. (46 and 47) Not only so: but a Puritan Parliament passed the Act of 35 Eliz. c I. which gave the power of imprisonment against those who were absent from church for a month. If submission, and conformity to the conditions of the act were refused, the recusant was made to abjure the realm, and if he returned without the queen's licence, he was condemned to suffer death as a felon. (48) It is impossible the Puritans could have approved of so much intolerance of their favorite opinions touching the modes of worship. How came they then to be parties to laws which crushed themselves? The answer is at hand. Elizabeth was herself the great support of the high church party. (49) In other words she was omnipotent. The great importance of the subject will, I hope, justify me in still farther shewing how powerless was the Parliament, and how powerful was the queen. There was no point on which Parliament felt more anxiety than it did on that of the queen's marriage and the succession to the crown. Good sense told it, of the confusion and broils that so often spring out of a disputed right to sovereignty; and religious zeal roused its fears for the fate of Protestantism. Reason suggests, that had Parliament been any thing but a cipher, the

(35) *West. Rev.* vol. 8th, p. 155.
(36) *West. Rev.* vol. 8th. p. 155.
(37) Hal. vol. 1st, p. 230.
(38) Hal. vol. 1st, p. 250.
(39) Hal. val. 1st. p. 250.
(40) Hal. vol. 1st, p 148.
(41) By the way, witnesses were not called in this case, though the calling of witnesses was required by the 5 and 6 of Ed. 6th. c. 11. s. 12. Is not this a convincing proof that statutes were waste paper?
(42) Hal. vol. 1st, p. 131.
(43) The word Puritan is said to have been first used by Parsons the Jesuit. *West. Rev.* No. 27, p. 87. Art. Webster's American Dictionary.
(44) Hal. vol. 1st, p. 204.
(45) Hal. vol. 1st, p. 196.
Hal. vol. 1st. p. 208.
ker writes thus to Burleigh, June 1573. "He knew them (Puritans) to be cowards, and if they of the Privy Council gave over, they would hinder her Majesty's government more than they were aware, and much abate the estimation of their own authorities." Hal. vol. 1st, p. 208. A curious, but very characteristic specimen this, of a bivot's zeal and unscrupulousness in enforcing his own opinions!
(48) Hal. vol. 1st p. 229.
(49) Hal. vol. 1st p. 214.

questions of the queen's marriage and the succession to the crown were subjects on which their sacred duty called upon them not merely to give advice, but to *dictate* to Elizabeth. Yet how was it? The House of Commons no doubt, in 1563, implored the queen to settle the succession; (50) and in 1566 both Houses united with a boldness not known for a hundred years Mr. Hallam tells us. (51.) But though Parliament was roused by a great national question to speak out, and though Elizabeth on this occasion yielded more than she was wont to do, the two Houses could not then, and could not at any other time, before or after, prevail upon her majesty to comply with their most reasonable wishes and the queen's subsequent answer to the speaker's customary request for liberty of speech in the Commons, shews, how out of place was considered the interference to have been. "Her Majesty having experienced of late some disorder and certain offences, which though they were not punished, yet were they offences still, and so must be accounted, they would therefore do well to meddle with no matters of state, but such as should be propounded unto them." (52) Is it possible that royalty could have dared thus to speak to an *independent* branch of the legislature? Peter Wentworth, for petitioning the Lord Keeper, to get the Lords to join with the Commons, in imploring her Majesty to entail the succession of the crown, for which a bill was already prepared, was with another member, summoned before the Council, and they were committed to different prisons. (53) When the Commons sent up a bill attainting Mary Queen of Scots of treason, Elizabeth *affecting* more humanity, got rid of it by a prorogation. (54) Right or wrong, the Commons, had they been free, would not have suffered the queen so to treat them. It was upon the occasion that Cecil said that the queen was made her own enemy by being persuaded by some of those about her, not to commence these proceedings in Parliament. (55) Then it depended on Elizabeth whether the Parliament could do anything or nothing. A bill that was brought in to take away the power of granting licences and dispensations from the Archbishop of Canterbury, was stopped by the interference of the queen. (56) The 13th of Eliz. c. 12, sanctioned only those articles of the English Church, that related to the confession of faith, and the doctrine of the sacraments, about which no difference then existed. (57) This might seem to contradict the theory of the queen's omnipotence, but it does not. She did not probably care about this, and Mr. Hallam expressly admits, "it proved of little practical importance, the bishops having always exacted a subscription to the whole 39 articles" (58) In 1575, the queen sent a message to the Commons, forbidding them to meddle with religious concerns. (59) Morice, attorney of the Court of words, for bringing in a bill to take away the oath ex-officio, was sent to prison. (60) In the matter of Elizabeth's desired marriage with the Duke of Anjou in 1579, though several of the Council were against the match, yet in the end they agreed "conceiving her earnest disposition for this her marriage." (61) The House before proceeding with a bill for reformation of Common Prayer, petitioned the queen for leave to proceed in it. (62) Strickland for proposing the bill was sent for by the queen and detained by the Council; and though he was permitted to return to the House, we are told, she took the reformation of ecclesiastical abuses out of their hands, sending word that she would have some articles for that purpose executed by the bishops under her royal supremacy, and not dealt in by Parliament." (63.) The speaker told the Commons by message from the queen, "to spend little time in motions, and make no long speeches." Bell came into the house, "with such an amazed countenance that it daunted all the rest, who for many days durst not enter on any matter of importance." And at the close of the season, the Lord Keeper severely reprimanded those audacious, arrogant, and presumptuous members who had called her majesty's grants and prerogatives in question, meddling with matters neither pertaining to them, nor within the capacity of their understanding. (64) The queen signified her pleasure through the speaker, that no bills should be received, unless approved by the clergy, and required a sight of certain bills on rites and ceremonies. "The bills were accordingly ordered to be delivered to her, with a humble prayer that, if she should dislike them, she would not conceive an ill opinion of the house or of the parties by whom they were preferred. (65) Lord Keeper Pickering's answer to the speaker's request for liberty of speech is ano-

(50) H[illegible] vol. 1st p. 139.
(51) Hal[illegible]ol. 1st p. 269.
(52) Hal[illegible]. 1st pp. 271-272.
(53) H[illegible] 1st p. 280.
(54) H[illegible] vol[illegible]st p. 149.
(55) Hal. vol. 1st p. 149.
(56) Hal. vol. 1st p. 206.
(57) Hal. vol. 1st p. 206.
(58) Hal. vol. 1st p. 207.
(59) Hal. vol. 1st p. 225.
(60) Hal. vol. 1st p. 227.
(61) Hal. vol. 1st p. 249.
(62) Hal. vol. 1st p. 272.
(63) Hal. vol. 1st p. 273.
(64) Hal. vol. 1st p. 274.
(65) Hal. vol. 1st pp. 274-275.

ther proof of the total absence of freedom —it was granted, "but not to speak every one what he listeth, or what cometh into his brain to utter; their privilege was aye or no." (66) "Divers gentlemen," writes Antony Bacon to his mother, "who were of the Parliament, and thought to have returned into the country after the end thereof, were stayed by her Majesty's commandment, for being privy as it is thought, and consenting to Mr. Wentworth's motion." (67) I might fill a volume with *fresh* facts demonstrative of the unbounded power of the sovereign in the times of which I write. In particular I might shock the reader not familiar with English history, with an account of the intolerable abuses that existed with regard to the granting of monopolies, and the cruel restrictions that were put on the expression of opinion through the press. But I have already fatigued my readers, and shall only beg them to attend to the few following facts relating to the administration of justice. "The Sheriff returned a pannel either according to express directions, or to what he judged himself of the crown's intention and interest." (68) Lords Hudson and Walsingham write to the Sheriff of Sussex not to molest John Ashburnham through his creditors, "till such time as our determination touching the premises shall be known." (69.) From the complaint made by the Judges said to have been delivered in 1592, it is obvious, that men had been arbitrarily imprisoned by the command of noblemen and counsellors—many for suing actions at the common law—others had been committed and detained in prison contrary to law—others legally discharged after imprisonment, had been recommitted and sent to secret prisons—sergeants and other law officers had been imprisoned for lawfully discharging their professional duties—many sent for from a distance, and forcibly imprisoned in order to give up claims. (70) In the document containing these facts, the doctrine is laid down, that commitments by her Majesty's special commandment—by order from the council board—or for treason touching her Majesty's person, are a "good cause for courts to leave the person committed in custody." Must not that sovereign have been absolute whose judges could deliver such an opinion? Not to be tedious, in 1595, a commission to execute Martial Law in London and its neighbourhood was issued to Sir Thomas Wilford. Carte, on the authority of Stowe says no tumults of any political character or serious nature had taken place, only some riotous apprentices having committed a few disorders. (71) Could such a commission, under such circumstances, have been issued in a country where the monarch was not absolute? Mr. Hallam, from comparing the facilities of the modern executive Government to suppress tumults, with the want of such facilities in Elizabeth's time, is inclined to ascribe her inquisitorial watchfulness and harsh measures of prevention, to the weakness of her Government. To me it is manifest, that the length Elizabeth's Government could go, considering the exceedingly small physical force it had at its command, is an undeniable proof of its moral strength. Why did men submit to have their lives taken away at pleasure? Plainly not from the fear of being overwhelmed by the military, for military there was none strictly speaking. The simple truth is, that resistance in ordinary cases, never entered their thoughts! Several reflections arising out of the facts I have enumerated, I should wish to communicate to those who do me the honor to read what I write; but having already encroached too much on your space, Mr. Editor, I must reserve what I have to say for another letter.

I am, &c.

A BENGAL CIVILIAN.

(66) Hal. vol. 1st p. 279.

(67) Hal. vol. 1st p. 281. From Birch's memoirs of Elizabeth.

(68) Hal. vol. 1st p. 251.

(69) Hal. vol. 1st p. 251.

(70) Hal. vol. 1st pp. 252, 258. From Anderson's reports &c.

(71) Hal. vol. 1st pp. 260, 261.

# REMINISCENCES OF CAPTAIN DIDDLER WAYWARD,

*Of the Honorable Company's Pension Establishment.*

No, no, Mr Scratch, the wickedness which your sanctimonious friends turn up their eyes at, is not in me, but in their own hearts. "To describe immoral and libertine practices with levity, is to treat modest readers with disrespect." Indeed, my dear Stenographer, the gentleman who tells you so is mistaken. Whatever is in my descriptions true to nature or fact, can be disrespectful to nobody. I must lament, in my turn, that so many of your acquaintances should carry magazines of sin in their breasts ready to explode when the least spark touches them. I seriously recommend a story to their attention which was originally told to reform the reprobate Irish. An irreclaimable drinker of Whisky getting at last saturated with the imflammable spirit, on blowing out the candle one night took fire and blazed like a tar barrel. How very full of the spirit of libertinism and immorality must those readers be, who are inflamed by the rushlight of Wayward's Reminiscences!

But what is the title page of our next discourse?

LUCKNOW IN THE LATE KING'S REIGN.—I know Lucknow only as a bird of passage. I was attracted to the court by the numerous prizes which were awarded and awarding some 18 years ago to persons of merit. Of this commodity, so universally valued in all parts of India, I had acquired a good deal in single combat with a terrible Goorkha, though, between the public and me, (as I told you last year) he happened to be dead before I encountered him. The severe wound, received in my hand while unwarily seizing the sword of the vanquished as a trophy, had shone in the *Government Gazette*, and I was then a hero among peaceful folks. Commander of Escorts, Aides-de-camp, Masters of the horse, and of other animals, had been appointed by His Majesty of Oude. Fame announced that a grand Falconer was in requisition, and panting for the honor of the office, with 3,000 rupees a month, I grew very sick of Regimental duty, and presently took Lucknow on my way to try a sea voyage for my recovery. Wherever a Resident is found, he holds the first place in the estimation of courtiers. Your Editor, though fierce enough in his advocacy of interference and ridicule of non-interference, does not seem to know the sphere of either in practical politics. Non-interference, rarely, if ever deviated from, permits a Native Sovereign to exercise his undoubted prerogative in serving himself as heir to the property of his subjects, whether dead or living, and in executing laws which he makes, alters, and revokes, according to circumstances, of which His Highness is sole judge. But the Resident or Political Agent's prerogative, officially called duty, which he seldom allows to be infringed, consists in shewing the Prince how to expend this branch of revenue and other monies, in suitable rewards to deserving persons, on festivities, and useful or agreeable things in general. The representives of our Government in Foreign States, like their Honorable masters at home, are appointed to administer patronage, not to govern nations according to the pedantry of philosophers. Interference is therefore a dream of vain speculators. Indeed, it has hitherto been impossible in the sense understood by the worthy conductor of the *Delhi Gazette*. To interfere, as he would have them, gentlemen in the political line must have endowments and attainments for performing the functions of statesmen, which it is well known their acquaintances, three fourths of them have not possessed in the memory of man. The Governor General, in past and present times, has with few exceptions chosen men to represent him, who, not, having capacity to improve native rule, had no motive to meddle with it, while their proficiency in oriental languages made it evident to the people among whom they resided, that British officials were not intended by their own Government, any more than nature, for higher undertakings than the intrigues of a court.

Colonel Yeaandnay had at this time been Resident for a year or so at Lucknow. Though very anxious to learn something of his character, no one could tell me more about him than that he was a d——d clever fellow. The only evidence of his talents, again, appeared to be the Governor General's praise of him before a large company at Futtehghur, and the manner in which he was raised to political employ. His predecessor in the first Assistantship, a Medical Officer who had been a person of infinite merit while his brother reigned over Oude, was summarily dismissed afterwards by virtue of the standing order excluding *military* men from political and civil duties, and Yeaandnay a field officer, doubtless less *martial* than the Doctor, appointed in his stead. This marked preference, according to my informants, shewed the high

opinion which Government entertained of the Colonel.

I found him on my arrival embowered in a grove of silver sticks, receiving the bows of a crowd of Europeans and Natives who had come to breakfast. The Resident was playing the great man with all his might, which did not exclude much awkwardness. Having no conversation for his guests, he relieved his embarrassment by affecting to talk on business to the badged attendants who kept whispering in his ear, going and coming, with messages during the whole of the repast. He continued, when the meal was over, in close communication with his hookah alone, as long as I remained at my first visit. Perceiving that I could get nothing out of him beyond a scrape of the foot and a smile, I broke through rules before breakfast, and crossing the room where the whites were drawn up in exclusive array, and seating myself beside one who seemed chief of the blacks, made a most fortunate acquaintance. The Nawab was a man of rank, in rising favour with his Majesty, and just the person I wanted to talk with.

At his request the Resident allowed the King to give me the use of one of his furnished English houses: I was cordially received at my new friend's own residence, and subsequently took an excursion to teach him the art and mystery of shooting partridges flying. Falconry was not forgotten, but I soon discovered that the post of Grand Falconer, having been intended only for a certain *Seer Ool Yam*, at his own particular request, was ultimately refused for some reason and would not now be revived. The Nawab, I observed, had uniformly avoided with looks of alarm, to speak of the Resident when I mentioned him until we got fairly into the fields. Walls have ears, said he, and not a word is uttered to a European by any person about the Court which the Colonel does not hear. His spies are innumerable, and though his people have all been taken into our pay, I believe they betray us notwithstanding. We were now on such confidential terms that I could ask any thing. I inquired whether there was any real duty attached to the office of this high functionary. He does none, said my friend. At least he has just that connection with the business done here, that his hookah snake has with the tobacco smoke. When the King consults him about writing a friendly letter to another chief, farming a district, or even appointing a servant at his own court, this Resident has to *suck* the answer all the way from Calcutta, and then he *puffs* it out to His Majesty, after all his subjects have been laughing at the delay. This makes the King feel ridiculous and every person dissatisfied. Colonel Baillie was a tyrant, and very insolent to men of rank, but we could get his orders in half an hour, and issue them in the name of the King without letting the people know who was master. But the new Colonel taking measures to learn even the most trifling and domestic occurrences through his emissaries, deters us from doing a single act, and will authorize nothing until we have waited twenty days for the Lord Governor's commands. On contemplating this extraordinary position of a Sovereign Prince and a whole nation, it struck me that I might serve both, and myself too.

When I suggested the possibility of getting the Resident removed and a more agreeable person appointed, the Nawab was filled with delight. When I mentioned the probability of my having a private interview with the Governor General at an early date, he said I was the sole hope of Oude. When I frankly offered under such pressing circumstances to carry a royal message to His Lordship's private ear, the faithful courtier seemed commissioned to give me one half of the kingdom if I would obtain for his sovereign a decent share in the management of the remainder. To repay this gentleman for his magnificent reward to be, I was not parsimonious in my predictions of success to the secret mission. An audience and some confidential conversation with the King, before receiving my credentials, where what I next suggested as indispensable. To this demand the Nawab demurred with a dispairing shake of the head. How dare His Majesty speak to you, said he, without first telling the Resident what he will say? It is impossible!

Here I began to suspect my excellent friend of having a design on me in his own behalf, and of naturally desiring to keep the negociation in his own hands. But this was partly a mistake. On casting about to find some hole or crevice by which I might creep through the line of circumvallation, that the astute representative of the British Government had drawn round the poor King; I learnt that each had a spy over it. There is positively no admittance for you, the Nawab continued, but the Colonel still respects the zenana and if you have a wife she may get to the presence of the Shah Begum, and that Princess will communicate with His Majesty. Ha! replied I, you will insure free admission to a European lady? certainly, was the rejoinder. And suppose the King in the asylum of purity, this fair visitor might see him I presume. No doubt, quoth the Nawab smiling, if the lady do not object. Well, rejoined I, thou

light of the state, between ourselves, I having no wife, will personate one dressed in the most perfect costume, and His Majesty, if he enter into the plot, can easily clear a corner room of the female apartments where we may hold a conference without disturbing the regular inmates. On perceiving the drift of this proposal, he embraced my knees and then uttered fifty interjections of admiration: "such wisdom! such wisdom! Hindostanees are nought to this man!"

Arranging with the Nawab to prepare his master for this interview, I set off on a visit to a friend in the cantonment, who was a zealous performer of female characters on the Amateur stage, and bespoke the dress of Miss Lucretia McTab for the part which I was going to act. Next day all was ready for the rise of the curtain, and the commencement of my new Drama. Repairing to the Nawab's house in my regimentals, I put on Miss Lucretia's clothes and muffled myself up in a shawl. My worthy coadjutor had not only removed all human eyes from my toilet, but caused a set of bearers to put down a lady's palankeen in a solitary court with orders to depart, and when summoned again to carry it to the zenana of the King's palace. This being the way in which his own female relatives paid visits, it precluded all suspicion. Meanwhile the Nawab set off to prepare for my reception with proper respect at the destined place, and I stole forth to the vehicle. I started back on finding it occupied by an old, fat, yet wrinkled beldam, whose eyes retaining much of their youth turned upon me with strange looks of waggery, as she demanded tauntingly if I were afraid of a woman. "No, mistress, not particularly, but where is *my* conveyance?" "Conveyance! is not this it?" "Indeed, am I to be boxed up there, in such dangerous company?" "Wah! wah! come behind me, there is plenty of room for you, and without I sit before here, who is to answer the sentinels and eunuchs when they ask questions?" In I went in rear of the old woman, who closed the doors, called the bearers, and we were off in a second. The Hag's voice proved a very necessary pass-port; and shut up from seeing one intervening object, I soon found myself landed in a coridor where the Nawab was waiting.

I knew the King from having seen him do penance frequently at dinner in the Residency and his own house. He was now sitting on a carpet provided with cushions smoking a calleoon. It would be idle, and perhaps cruel, to pourtray the feelbleness and vacuity of mind which characterised that poor Prince. Corrupt associates and early misusage had obliterated the instinct of right and wrong in his nature, so, that brought up in the grossest ignorance, he really possessed no faculty to guide him. My grotesque and absurd dress exciting neither surprise nor interest, he desired us to sit down beside him, and motioned my companion to enter on business. The King assented to every thing proposed, and then began to drivel at great length on his wrongs.

He had imagined that in making him a Padshah the Governor General meant to give him all the absolute power associated with the title. Instead of that, said he, in a fretful rage, he degrades me in his address, he has made the other Princes mock me, and I am ashamed to look my own people in the face, and they jest at me because I am called King and cannot reward my friends and punish my enemies without asking leave of the Resident. Here the King of Oude began to cry and blubber, declaring that his only hopes of justice rested on Heaven and Diddler Wayward.

I tried in vain to persuade him that our nobles did not take bribes in hard cash which it was proposed to remit through the resident Vakeel, but he finally yielded to my scruples, and as the Governor General had presented him with a crown on his elevation, he might, I intimated now, that His Lordship had lately been raised a grade in nobility, beg his acceptance of a new coronet which I described. For the making of this emblem of the peerage, I was allowed 50,000 rupees. My salary as secret ambassador was fixed at 5,000 a month, with unlimited wealth in prospect if I succeeded. Hondies were, at my particular request, written on the spot, one for 3 months allowance in advance was payable in Calcutta at sight, but the Nawab, by treachery to me, made the one for the coronet payable 51 days after date.

My visit to the Palace in Lucretia McTab's attire was well timed. The Resident then surveyed the cantonment almost daily to enjoy, among other pleasures, the music of thirteen guns which were duly fired to proclaim his entrance and exit. All the chuprassies being summoned to attend him, those who were wont to wait at my door and to precede me wheresoever I went, in testimony of their master's vigilance over the welfare of his guest, had disappeared with the Colonel from the Residency, before I set out, and the second salute warned me to escape from the royal presence in order to get home ere the great man returned. When he entered, I was sitting like one who had been kicking his heels for an hour to have the

honour of an audience. I thanked him with all possible gravity for his " polite attention," and taking leave started by dâk for Calcutta. The best way of travelling in that part of the country is not to trouble Post-masters, but to jingle three rupees or less at each stage, and trust to providence for bearers.

About the latitude of Patna I met a traveller from the Presidency, who suggested that we should take some refreshment under a Burgot or Banian tree, near an excellent well. This was an elderly officer with strong claims on Government on account of services. After running the gauntlet, as he said, of all the offices, he had been dismissed without the appointment which he had expected. I know you to be a distinguished young officer, observed he, and you naturally hope for some reward, so I will just tell you what kind of persons you have to deal with, in soliciting the Governor General for justice or favour. Not one in the A. G.'s department has the least influence, though, they are ashamed to acknowledge their insignificance. Three or four intriguing secretaries disposed off every thing. Each of these, striving to be paramount, jealous of the rest, and unless you can conciliate all, which is next to impossible, the strongest claims will avail you nothing. That is discouraging, said I, applying myself to a *Goorgooree* or portable Hookah. Do you know the *Minister at War*? rejoined my intelligencer. We have drank wine together. Well, propitiate him, for he will certainly keep an eye on you. He looks on all military men as his subjects, and strains every nerve to bring condign punishment on the disloyal. He somehow reckons your two generals who beat the Goorkhas, among the disaffected to his authority, so beware of praising them. Of course he has nothing to do with the Political line, said I, how are affairs managed in that department? Dont trust to that, replied my friend, a subject cannot throw off his allegiance, and the war minister exercises dominion over the military wherever they go. Mr. Secretary Pigville and he are often at loggerheads on that point. Pigville? why he is a subordinate. No matter, he is the intriguing patron of his office, and being also chief of the Persian department, he considers all Native Courts under him, and consequently those residing at them. I see, observed I, that both have a right of property in military men in Political appointments, and boundary disputes naturally occur. Yes, and when you have adjusted them, Don Pomposo, the conscience keeper, who claims the whole patronage of the state, will be sure to upset the hopes of any poor devil who is guilty of approaching the nominal fountain-head through either of the other two.

Chewing the cud on this traveller's counsel, I digested it while jolting along to the Presidency. My first care, on arriving, was to report myself to the Adjutant General in writing, and to proceed in person to the War-office The Minister, who unites in his character the attributes of Wellington and Chesterfield, in pretty equal proportions, received me with remarkable courtesy. He hoped that my wound had not caused the journey I was taking in quest of health. This inquiry enabled me to enter on business sooner than could have been excepted. *Your* campaigns have made a great noise in the world you see, Mr. Wayward, added he, in a familiar tone. Yes, replied I, as if assenting out of complaisance, and I rejoice at any thing which raises the army in public estimation: but, I shall not affect, in the presence of one who is capable of scrutinizing their merits, to think that the *Generals* deserve the praise they have got. Indeed! cried he, repressing some exultation, I fear. Mr. Wayward, you differ in opinion with your commanders? That may be my misfortune, Sir, but though I did my best to obey orders, I was not convinced that the best were always given. We now commenced a critical analysis of the campaigns in which I had served, and I flatter myself, made the heroes of Malown and Camoan look very small. We summed up separately. To compare petty skirmishes among crags and bushes, I ejaculated, to such splendid actions as the battle of Dieg, (where the name of *Absorption* acquired its first lustre,) is a burlesque on war, and a real injustice to men who have had a part in achieving great services. Between ourselves, concluded the minister, I might agree with you out of office, though Government has found it necessary for the present to make MOUNTAINS OF MOLE HILLS. The peroration of his remarks was an invitation to dinner.

Seeing that judicious use of the traveller's advice had obtained a place for me in the minister's affections, I begged to be allowed the liberty of consulting him about the propriety of executing a delicate commission with which I had been entrusted by a Native Prince. The servants were bundled out of the rooms, and the door of the outer office was shut close in a twinkling.

I gave my attentive auditor a luminous view of the state of politics at Lucknow and the King's wishes. After leading him on to see things precisely as I did, I remarked that surely a persom who gave so little satisfaction as Yeaandnay, though he belonged to

the army, could not have been recommended by *your excellency* (I said by mistake) I mean its virtual head. You do me no more than justice, bare justice, replied the minister. I expressed my surprize that Government should ever select military men for political duties without the approbation of the only functionary who had a right to judge of their qualifications. To this he answered very kindly, that some men of higher station had not my good sense.

I then learnt from the minister how much his proud spirit scorned indirect measures and jealousy of others. but as certain officials were very unlike him, I must conciliate them if I expected to discharge the obligation imposed on me by the unhappy King, whose sole dependence was on Heaven and me. He accordingly counselled that I should in the first place, wait on Don Pomposo the conscience-keeper, and without mentioning my conference at the War-office, beg him to ascertain whether the Governor General would approve of my delivering a private message to His Lordship from the King of Oude. Carefully avoiding the unpoliteness of leading a man of Pomposo's influence to imagine that he was not my original and sole guide, after putting the business in train through him, I was to pay Mr Secretary Pigville a similar compliment, by humbly asking his commands whether to keep or break my word to an unfortunate and distressed Prince. In return for so much urbanity, my patron anticipated nothing less than ready compliance with the petition I had to prefer. But whatever might occur, I got a hint to come back with the answers of both Secretaries, in order to receive further counsel. The light of Chesterfield now began to shine upon me through the lessons of his disciple.

Here was I, fresh from the Mofussul Jungles, about to serve myself and effect a revolution in Oude, by permitting two rulers of the land, in the very city of Palaces, to indulge their own self-love: and I confided the more in my new preceptor's advice from having by instinct, before it was given, won him over by practising the same accomplishments on himself that he recommended for the mollification of his rivals.

Perceiving from this example, that simplicity of character is inseparable from true greatness, I did not despair of making each of the other functionaries an exclusive and directing patron too, unknown to the rest. Still the interests of the embassy entrusted to me, and other considerations required that I should have no confident among the great about my salary, already paid a quarter in advance, or the coronet, for which I forbore to draw the handsome allowance lest prying intriguers might discover the secrets of royalty and its representative incognito.

My nerves grew unsteady as I approached the presence of the great Pomposo. I had indeed been on escort duty in the Governor General's Camp, so that the conscience-keeper and I knew each other well enough. But the experienced are aware that the Mahratta Ditch derives its waters from the ancient Lethe, and even a Company's servant cannot pass that mysterious bourne without becoming oblivious of faces once familiar to him in the rest of the country. I did not therefore count on recognition from one of those royal birds of passage who come here like Irish Reapers, to cut down the harvest, and return like poor Paddy, with all they have gleaned on their backs. Besides, I had discovered no anchorage or moornings for me in the man's nature. In common with all gentlemen holding office in the City of Palaces, he was a person of transcendent abilities which, however, had not developed themselves except in the art of singing. He delighted to exhibit a fine person to the public, and had, at various concerts in the Town Hall, made his throat discourse sounds so exquisite, that they overpowered the poetry of the best songs, and put the ladies of Calcutta in raptures. Having a foolish prejudice against this accomplishment, I could never believe that one who made it the glory of his life, had understanding which would be visible to any body a 100 paces from the Black-hole. This error prevented me from learning the technical terms used by "vocalists" which might have proved talismans to Pomposo's favour. In this mood, despising him at a distance yet palpitating with doubt on coming near, I entered the anti-room of the dispenser of patronage.

There, I found several persons of rank and a miscellaneous crowd waiting in humble expectation of an audience of the conscience-keeper. The first who caught my eye was a military Baronet, whose brother long purveyed Royal bounty at Saint James's. He said nothing of his business. Three big looking senior merchants had come to unite in petitioning against "the cruelty and injustice" of removing a brother civilian from the Presidency to a better appointment in the Mofussul. A provincial Doctor was beating up for witnesses to prove to men in power that Kotghur and Camaon were not contiguous, like Fort William and Calcutta. He had got a conditional promise of the charge of some proposed sanatarium on Kotghur, but the Secretary to the Medical Board, as an

mical measure, had recommended that he should hold his appointment in commendum with the medical care of the Camoan Provincial battalion, and the Military Secretary having approved this union of duties, the astounded Doctor was about to make a desperate appeal to Don Pomposo against their deficiency in geographical knowledge. It may be thought that I could have assisted him. But I was too polite to contradict one of the parties accused of ignorance, and had moreover a lively recollection of being once refused a sick certificate by the appellant in in this case. So I shook my head, and enjoyed the vexation which he could not conceal at the cause of his diappointment.

After sitting from 11, the hour at which attendance had been commanded, till about one o'clock, I was admitted into the presence chamber.

Behind a small writing table, which elegantly bisected without concealing his person, appeared the handsome countenance and hyperion curls of Don Pomposo. His showy martial dress, thrown open in front, and adorned with masses of bullion streaming their golden rays over both shoulders, harmonied with the ruddy velvet of a writing desk before him. A yellowish looking *morah* of lighter colour than the floor cloth, supported one foot covered with a slipper of yet lighter hue, which blended the whole with the Kersemere inexpressibles and vest. As if to add an oriental attribute to the picture, a superb hookah snake, rearing its glittering coils in the back ground, undulated forward until the head of the python seemed held in the grasp of an Indian Apollo. His hair appeared to have just escaped from paper durance, but I was assured by wiser persons that it owed its ringlets and gloss entirely to Kalydor and Macassar. He had a sort of olive complexion, and the Spanish or oriental eye, which poets and novelists admire so highly.

To this paragon of comeliness and dress, I now presented myself, with lint white locks falling naturally over my ears, and a very good, though short nose, a little turned up at the point, to which the small pox had given a decided character. My grenadier coat, of silver and buff, having been made by Govind Doss of Moradabad, had elbows in the sleeves two inches by computation farther down than the joints of the wearer. The pantaloons which the same artist provided, bagged considerably at the knees where a superfluity of cloth had left some deficiency in longitude, so that, when I was buttoned to the throat, sworded and sashed for exhibition, my linen protruded at times above the waistband. The scene recalling my instructor in manners, a French *professor of the dance*, I made one of his bows by drawing up the left foot to the right, and then countermarched the right to the left when asked to take a chair. You are from the provinces, Sir, I perceive, said he, bending towards a heap of cards, and adding Major Scamper, I presume? Lieutenant Wayward, Sir, I wear two epaulets as belonging to a flank company. Have I the honour to see you on a visit, Mr. Wayward, or do you come on business? I am desirous only of paying my respects to you at present, Sir, but since you put the question, I may now state my anxiety to consult you at a convenient time on an affair of consequence, though perhaps I am not entitled to intrude it on you as business. 'Tis the same thing to me, he replied, this occasion may answer as well as any other. A Native Prince, Sir, (I began when thus encouraged.) the King of Oude, believing himself much aggrieved, has importuned me to make an appeal for justice in his name, direct to you. The prescribed channel through which His Majesty ought to complain to the Governor-General, is the Resident, I am aware, but it is unhappily with the conduct of that Officer that the King is most dissatisfied. Considering this a private interview, I would beg your commands whether to communicate the whole of the message, or to desist from what may appear to you an irregular proceeding on my part. Here Don Pomposo, changing his attitude from the graceful to the sublime, with excellent effect, observed, that, if the subordinates of the Government wronged or oppressed the princes of the country, it was his duty to hear their representations, and find them redress; so, under rather extraordinary circumstances, thinking I might be excused, he permitted me to state what I had been directed to say to him. The conscience-keeper listened patiently to the afflictions of royalty, and the poor Monarch's wish to be his own master, and to have a more agreeable Resident at his Court. But after pausing he commenced a rather solemn interrogation. Pray, Mr. Wayward, has the King of Oude entrusted you with any letter to me on the subject? Certainly not, Sir, he dare not in his present position commit himself by furnishing a written document. Then fixing his dark capacious eyes full on mine: surely, said Pomposo, he could not employ you to speak to me about his affairs, without sending some token. There was no emphasis on *token*, yet I probably gaped at the sound of the word, and remember well saying inwardly—can this confounded mansinger have got scent of the hoondies and coronet? No, answered I, shak-

ing off my embarrassment, His Majesty has sent none: though he eagerly desired to transmit some acknowledgment of his high consideration for you whom be identifies with the Governor-General. And pray, may I inquire, who prevented him? was the rejoinder. I beg pardon, Sir, for not making myself understood. The King wanted, according to oriental fashion to make certain presents to his Lordship, and doubtless to you, on soliciting a favour, but I, knowing that you would be seriously displeased if I presumed to receive them for you, without first getting orders. *Presents?* said Don Pomposo with deep gravity. Yes, Sir, he cannot throw off native prejudices. When I explained the prohibition against Company's servants taking any thing of value, His Majesty seemed to think that it did not apply to one placed above them in the service of his own Sovereign.

He now smoked for the space of 3 minutes without speaking. Then laying down the hookah and resting his clasped hands on the writing desk, Don Pomposo was pleased to observe that I had conducted myself with much judgment and prudence under very trying circumstances. It is a case of unwarrantable oppression, continued he. The Resident is positively forbidden to interfere with the King of Oude: but though he may observe the letter of his instructions, he violates the spirit of them by keeping His Majesty under *surveillance* and intimidation. In submitting his complaints to me, Mr. Wayward, you have done what you ought, to vindicate the character of your country. But you could not, perhaps, avoid offending the unfortunate Prince in one particular, and may unintentionally have led him to distrust my inclination to listen to his representations. It is considered an incivility, you are aware, to refuse presents from a Native of rank. And as the King seems to understand the scope of the order which prohibits Company's Officers from receiving valuables without permission, I regret that you did not comply with the whole of his wishes and leave it to me, in returning the *Souvenirs* or any trifles in token of friendship from him, to explain my own reasons for declining to accept them. However, I thank you for what you have done. You are further at liberty to communicate my sentiments to His Majesty, telling him that presents are not necessary to secure my good offices in his favour: I take the will for the deed as to what he offered to transmit through you, or, as we say in Hindoo, *Dilse Kabool ky*.

He then spoke *aside*, in the frank tone of a brother soldier, remarking that as I belonged in person to the War Minister, and my business to Mr. Secretary Pigville, I might shew proper attention to their official station by advertizing my intention to solicit a privateinterview of the Governor General, though there was no necessity, and as a person of my discretion must perceive, it might be imprudent, to let them know what I had to say.

While I was preparing an eloquent reply, Don Pomposo rising from his seat, extended his hand with the most affable shake, and wished me good morning. He had descended suddenly from the stilts, I would say, the sublimities of office, not to the ridiculous but to the captivating, in gentlemanly courtesy, without the least abruptness of transition I was really charmed, and I scarcely retained presence of mind to obtain his assurance that he would put the business in train, and recall me soon to learn the result. I went home with a heart singing for joy that my diplomatic talents, besides being so highly praised in the cause of distressed royalty, had got me a second patron greater and better than the first.

The two distinguished patrons whom I had already secured, it will have been observed, were not, as the simple public might suppose, servants whose limited duty it was to receive and obey orders. By no means. In their own opinion they had the initiative in all measures, like his Britannic Majesty's Secretaries of State, and consented merely for form's sake, to act in the name of a nominal superior. Expecting to find in Mr. Secretary Pigville another of the same, I now prepared to profess exclusive submission to his guidance as I had had done so successfully to each of the rest. After thus gaining over the three leading intriguers and dispensers of power, my object it will be remembered, was to neutralize the opposition of a couple of them, and then to make choice of the third as the fittest instrument to obtain "justice" for the King of Oude, and thereby to fill my coffers from the overflowing fountain of His Majesty's gratitude.

From the office which Mr. Pigville held, I had no doubt of his being an accomplished orientalist. In preparing myself for an interview with him, therefore, I got by heart three quotations from Hafiz, ditto from Ferdusi, and several scraps out of Sadi, and the Koran, ready to spout at the shortest notice. None of them proved of any use. When I entered the court before his house, the Secretary was standing at an upper window, or if I recollect in an upper veranda, with a bunch of plantains in his hand, which he threw one by one, making a short speech each time, to a gigantic

Ourang Outang that looked up to him in a very intelligent manner. This gentleman of Borneo was evidently one with whom it behoved suitors to be on friendly terms. So laying aside the Arabic and Persian, and catching the name given to the creature, Salam *Maharajah*, said I, advancing and shaking hands with it. I was politely received by the monkey, with a grin which extended itself in sympathetic cachinations to the faces of servants and master. How I lamented my want of foreknowledge! Instead of conning oriental nonsense, I might have come charged with choice observations from Linneus' system of nature, and all that Buffon has written on the Simious tribes. I did not omit, however, to examine the fore-paws, fingers, and thumbs, and to measure the facial angle of Maharajah, in the most approved manner. Taking leave of the Monkey, I sent my card upstairs, and was immediately admitted to Mr. Pigville without any parade. He began conversation by observing that I was fond of natural history, and on being duly answered in the affirmative with a comment or two on the rare and interesting specimen at the door, he gave me an account of the capture of his monkey. I trotted him out until I got its complete biography. I then expressed a hope that he would not lose the valuable opportunity enjoyed by him of settling certain doubtful points which philosophers had left undecided, relative to the monkey's place in the scale of being. At this his countenance brightened into a look of anxiety to know what I alluded to. Seeing that I had his Hobby by the bridle, I assumed as certain the regular gradation of living things from a vegetable filament to the highest of the brute creation, and shewed that the link connecting the series with man, still unknown, would be a discovery which must make the author of it immortal—the Newton in fact of animated nature. And do you think, said Mr. Pigville, very eagerly, that Maharajah is the link? He seems a monkey of the first talents, replied I, and there is reason to believe that if he do not possess the whole of the rational faculties, they may at least be developed in his offspring: for I need not mention to you that, both mental and physical qualities are now ascertained to be hereditary and progressive in all animals. Indeed: I was of course aware of these facts before, Mr. Wayward, but I confess you place them in a new light. Have you ever met with any extraordinary instance of sagacity in the inferior monkeys of this country, that you augur so much from this Ourang Outang and his progeny? I recorded various instances of the wisdom of the race, which indicated memory and imagination, crowning them with the story of the French Ape that cracked walnuts by applying the principle of gravitation. This philosophic quadruped seeing a tile fall from a house and break some bottles placed a walnut, too strong for its teeth, at the foot of a wall and tumbled down a stone on it from the top, so as to crack the shell and get at the kernel. Here all the faculties of the human mind, including judgment, the highest of them were put in requisition by one inferior in pedigree to Maharajah, who besides belonging to a more intelligent class of the tribe, had a facial angle that promised whatever his admirers could wish. In short nothing but such an education, as his owner could so well bestow, appeared wanting to elevate my friend at the door, or at all events his first-born, to equality with an average Bengalee in understanding. This delighted him amazingly. The Secretary entreated me to put my thoughts on monkey education on paper that he might give them the consideration they deserved. I hope, continued he, I shall have the pleasure of conversing with you further on this most interesting and really important subject. What stay do you make at the Presidency? So opportune an occasion to introduce my business was not lost. As in consulting his colleagues, I expressed regret at the mission being imposed on me by a suffering Prince, and simply begged advice whether to comply with the King's wishes or not. I did not like the surprise and scepticism with which Mr. Pigville listened to what took so well with the other great men. He could not conceive the possibility of His Majesty asking a favour, except through his office: and sent for several natives who, with their usual tact, confirmed all his imaginings. I apparently succeeded in reconciling him to my secret embassy by laying indirectly great stress on its being solely to himself, as the constituted adviser of Government, and from a Sovereign placed in circumstances which deterred him from trusting his sentiments to paper lest the Resident should discover it, and treat him more severely than ever. Unlike the other two, he was not above recognising the superiority of the Governor General, and consented to submit the business to his consideration. His Lordship, however, was busy then, and if I could delay my request for a private audience fifteen or twenty days, I might expect a more patient hearing. This was all I wanted, provided the Secretary did not in the mean time enter a caveat against me. The suggestion for delay struck me as being connected with his desire to benefit by my knowledge in educating Maharajah, a subject to which he reverted before I took leave.

I had subsequently conversations with Mr. Secretary Pigville on various other topics, on which he appeared equally at home. That is to say, beyond a vigilant guardianship of the patronage of his office and personal gratifications, he troubled himself about great affairs and things in general as little as any man in Calcutta. He was what is called a brain sucker. a sort of intellectual leech, too indolent to read or think, who drew what information he could from the natives and unconscious visitors, that he might at convenient seasons disgorge it on the council and the Scientific Journals. Thus he got credit for vast knowledge, and prodigious modesty which made him confide it to others for publication, instead of revealing it to the world under his own name. Not satisfied with giving him many new ideas of the interior, and of the many throned powers which he governed, I imprudently corrected his geography and reduced some states from a mighty space, which they held in his imagination, to their actual dimensions. For instance, on hearing of my sojourn at Saugor, he asked how much Salt might be manufactured annually from the waters of the lake. The context of our discourse left no room for a mistake of the word, so I abruptly said he must mean *Sambur* in Rajpootana where salt was deposited naturally from the water of a lake, that of Saugor being fresh. On another occasion the Secretary alluded, in rather a mysterious way, to the negligence of a certain local functionary who had allowed Europeans to enter the service of the Rajah of Alwur and to discipline a formidable army with which the British Forces in the Upper Provinces might be unable to cope in case of a rupture. I happened to know that the two boys, whose father was called the Macherry Rajah in Lord Lake's time, were then under the tutelage of Ahmed Buksh Khan, a Jageerdar of the Company, who had entertained a few discharged drummers and dressed about fifty of the Alwar Najeebs in sepoys' cast-off coats. I doubted if the principality could muster 5,000 tag, rag, and bobtail fit to stand a volley from one battalion of our Native Infantry. Excuse me, said Mr. Pigville confidently, and called in a rascal of a Hindoostanee who, contradicting me flatly, affirmed that the Alwar Rajah was not the Macherry Rajah, and that he had a lakh of drilled horse, foot, and artillery commanded by *Sahib-log*. I saw my error when too late, but as he did not exult over me I got off cheap at the time.

Let me here caution all young friends who visit the City of Palaces, to beware of the fatal ambition of appearing clever. It is there a word of similar omen to one's hopes of an appointment, as was *Philosophé* at the Tuileries in the reign of the restored Bourbons, and *Radical* in Downing Street while George the Fourth lived. The practice which I had adopted of sharpening my wits for a little exhibition on particular occasions, now gave colour to the calumny, and I afterwards suffered the penalty, though innocent of the crime of cleverness. But as it is an offence against both person and property within the Maharatta Ditch, it will be of service to ignorant Mofussulites to expound the principles of the law that makes it penal.

In those days the Honorable Company having a legal monopoly of trade, salt, opium, and raw silk, their Secretaries of State in Calcutta were with equal justice entitled to that of all the talents East of the Cape, which did not then compromise Dantzic. Hence any person but the monopolists, convicted of having the commodity in his possession, was deservedly *exchequered* and treated like Alderman Waithman, who suffered to the amount of £3000 for illicitly owning a Bandana handkerchief. The necessity for such restrictions is also evident to the unprejudiced. The Court of Directors have often declared their inability to govern India, and so might their Secretaries to hold office, without their respective monopolies. Gentlemen who grow up in one spot performing one round of duties from youth to middle age, with an official importance attached to their situations, being soon able to reduce their functions to formalities which they do not need any abilities to get through, can dispense with those personal acquirements and exertions of mind from which humbler people gain consequence among the vulgar. But for the same reason that a Captain, however worthy, cannot command a Major, a Secretary, if nature or accident have made him deficient, cannot conveniently rule the rest of his countrymen and the 100,000,000, unless superior talents be conferred on him by law. I do not find any clause in the new charter which deprives our functionaries of any of their rights and privileges. Let me, therefore, solemnly conclude by warning all "clever," "talented," and "able" persons not in office that they are indictable under the black hole act for possessing contraband property.

I now presented myself again at the War-Office, to report progress in the cause of distressed royalty. Having been piously brought up, the respect which I always pay to truth cannot have escaped the notice of my friends. Knowing from my lessons in mathematics, that the whole of any thing, whether a figure of matter or speech, includes all its parts, I could conscientiously take credit with the

minister for obeying his commands, or following his advice as he said in his gentleness, though it may be remembered that I did rather more business than he suggested with the other two guardians of the state. Every simple youth, when addressing a gentleman of exalted station, must feel the want of an English word to express his dignity in the third person. The repitition of *Sir* is awkward; and to say *you*, looks like the presumption of claiming equality. To supply at once a defect in the language and the wisdom of Government, I called my patron *His Excellency*, which, after a disclaimation or two, when I committed the mistake at our first interview, he kindly suffered me to use without reproof. I hope not to appear vain, in saying that my proceedings with Messrs Pomposo and Pigville, as detailed in the abridged narrative now submitted to him, obtained the marked approbation of the War minister, who, no doubt, experienced the satisfaction of an able General when he sees his orders well executed. It will be understood that I had not the rudeness to trouble him with an account of the matters irrelevant to his injunctions, which were discussed by his ambitious rivals and me. He thought it might be in his power to lessen the delay which Mr. Pigville deemed proper, but desired me not to be impatient, and if I wanted occupation in the meantime, my services might be useful in the War Office. "In your office!" cried I with delighted surprize, jumping thoughtlessly out of plain English, *sublimi feriam sidera vertice.*

No P sian under *me!* said the minister, smiling, ut in the tone of one used to comman

The ust duty assigned to me was the superintendence of a grammar in the G. O. G and I may safely appeal to all constant readers of the Gazette and orderly book, whether I did not perform it more deiligently than my successors have done. Neither did a single bull, solecism, or bit of "half caste English" bring on my patron the disrespectful notice of pedants, while I presided over this department. Indeed, I gave such satisfaction at the time that I was presently honoured with the additional employment of drafting secret dispatches to Colonel Trout of Leadenhall Street, and suggesting "wholesome retrenchments" to the ex-mutineer and delegate of the protesters against reduction. It is totally false, however, that we then recommended the Half Batta order. On the contrary, that foul measure, having been adopted without our leave, deserved the opposition which it met with in the War-office, when opposition was too late, because it did not originate there. I, like my betters, being an infantry officer, never wished to cut the allowances of my brethren: and who in my place would have drawn a pen to humiliate those with whom *Absorption* himself had served and shone as a comrade? I took care to have more current information of the sentiments of my patron in chief. The letter which I indited grammatically, and copied fair for singature before my sudden resignation, showed merely how a material saving might be effected without exciting a murmur in the "great body of the army,' by abolishing the contracts then held by Cavalry Officers for their troops, and by Surgeons for medicines. There was a hint or two also on the overpayment of the clergy. I proved, with good logic as well as grammar, that Doctors and Parsons, being always commanded by the military, were of inferior caste and ought consequently to have less instead of more pay. The grand measure of economy, however, recommended in this document, was one to do away with the appointment of Commander-in-Chief and annex the duties of it to the War Office. But though no increase of salary was proposed for this augmentation of labour, the Minister, through excessive modesty, expunged the suggestion on second thoughts lest envious persons might imagine him solicitous of more power.

Continuing to rise in favour, I got other employments. Among these the confidential situation of reporter on the conduct of Officers on leave at the Presidency, enabled me to oblige friends and bring disagreeable persons to a sense of their errors. The most conspicuous offender proved to be the non-certifying Dobtor whom I had seen in Don Pomp so's anti-room. I found on inquiry that so far from waiting frequently on my patron, as became him, this person had not paid his respects at all, and what greatly aggravated such contumacy, he kept company with certain obnoxious functionaries. He appeared further, after being disappointed of a witness to prove the existence of space between Camaon and Kotghur, to have trusted, as required by the written orders of Government, to an application for the recognition of some claims and another appointment, through the principal Private Secretary. My patron dreaded the influence and entertained no liking for the character of that official. It was my duty to bring these accumulating enormities to the notice of the minister, who received the information just in time to find out that the Doctor had carried his point in the Judicial Department, without his leave, at a Council held on Friday. It will give an idea of my

patron's eloquence when I add that, unprepared with a single argument which an ordinary man could make intelligible, he made the same Council on Tuesday reverse the decision which they had gravely passed and allowed to be communicated, four days before. The Doctor having by this time laid his dâk to go fully 1000 miles up the country, and paid, and thus lost a rupee (in those days) for every mile, I participated in this excellent joke at his expense, for it will be remembered, I owed him a grudge. The minister, however, went further than I contemplated. The poor disappointed fellow had held a situation, of Medical Store-keeper (I believe,) for two years, a good while previous to these occurrences. My patron, perceiving a flaw in this old appointment, got an order of government to deprive the disloyal Doctor of four thousand rupees, by a retrospective retrenchment of the remuneration for duties actually performed. I really stood aghast at this signal punishment of disaffection to power *de facto*. The sufferer whether taking fright or pet at the treatment he met with, demanded his passports, and went home to England.

The awkward part of this business occurred afterwards. The Minister had to pay back, which no great man any more than Falstaff likes to do. I do not mean to him whom we meant to mulct and mortify. No; that individual's friends appealed in vain and he never recovered a rupee. But after he had sailed, another medical officer, untainted with contumacy to the War-office and allegiance to civil authority, shewed clearly that the rebel, being otherwise employed, had transferred the charge of the stores and the whole of the salary to him, who would accordingly be the sole sufferer if the Minister continued relentless. But the great man had bowels for a dutiful claimant, and actually made the pliant council give the 4000 rupees to this private deputy unrecognized by any public act, after they had mercilessly taken the money from the only person authorised to draw it, and refused to reconsider his case.

I had now run a brilliant career of five weeks and some days in the City of Palaces. My oldest creditors had ceased to dun, and commenced their offers of new loans. Casting away the Moradabad uniform, I shone in one of the prime Cossitollah cut. Messrs. Tulloh and Co. supplied me with a superb curricle, and a pair of sprightly bay Arabs to sport on the course. Finding that all youths who coveted distinction, exhibited their persons on the stage, I joined the amateurs of "our Chowringhee Drury." As the degree of favour in which I stood with the Great had not fully transpired, my success was but moderate at first. I took care, however, to advertize my pretensions soon, by holding a long conversation with Don Pomposo in his box during the acting of a play that preceded the farce in which I was to have a part. My subsequent appearance, as Jeremy Diddler, drew forth much flattering commendation, before I had time to speak. It encreased apace, but I reserved my powers for the breakfast scene, knowing that as the climate of the fatal ditch denies an appetite to those it surrounds, the ability to eat well is reckoned a high accomplishment among them. Peal after peal of applause rose from boxes, while I sat buttering and masticating rolls. My hunger of creature-comforts and fame was fairly satisfied for the night. But the delighted beauty and fashion of Calcutta next set up a vociferous "*encore!*" "More breakfast for Diddler!" "Encore Jeremy! encore!" Urged on by this second call to glory, I prolonged the new repast amidst reiterated plaudits, until I felt my midriff crackling and my paunch large enough for Falstaff.

This marked approbation was certainly premature. I had yet no right to it, nor to the appellation of "clever fellow," which now got attached to my name: for, it will be recollected that, I was only officiating, acting, or as Natives say, had but one foot (*ek tung*) in office; and no body ought to have talents of any sort before he is gazetted or regularly installed in a good appointment, within Job Charnock's domain. Hence I, though innocent, suffered for bearing the contraband title. Mr. Pigville's early suspicions were confirmed. He postponed the education of his monkey, and shrunk from me into urbane stolidity. Pomposo resumed his stilts, and fixed his eyes on mine as when he asked fer "token" and got none. The Minister at War appeared unchanged, but gave me a piece of disagreeable duty to execute, which I considered out of my line. I was directed to make inquiry into the life and conversation of a Staff Officer, at a distant station, who had been reported, Heaven knows how, or by whom, to live above his income. As the necessary information could not be obtained publicly, my instructions were to write *private* and *confidential* letters, under my patron's frank, to persons likely to know most on the subject. I knew the man thus suspected of deserving to lose preferment. He had received it for services in the field: and though one "ready to hail the wine cup as the fight," too fond perhaps of hearing the chimes at mid-night; he was not a person to do any thing unbecoming a gentleman. After reflecting on these facts,

I held inward colloquy with myself on the motives of the Minister in confiding such an investigation to me. A gallant and distinquished Officer, high in office, quoth I, cannot seriously mean to make a head spy of his friend and brother Officer. No, no: he proposes it merely to try my virtue; just to ascertain that I am above such vile doings, and then to give me a place worthy of my merits. Accordingly I got into heroics, on mature calculation, of virtue being for once something more than its own reward, and declined, in the blandest terms imaginable, to undertake the inquisition. The Minister received my excuse with a bow, which had rather more of formality in it than of good omen. He wrote a letter on the subject, with his own hand, to the Commandant of the Staff Officer's station, and though I assuredly gave no notice to the parties of the coming event, I was afterwards held answerable for the irreverent reception of my patron's commands. My confidential office now became a sinecure, and he never honored me with another order.

Seeing, in all these occurrences, a hurricane ahead, I thought it time to tack. The *managing* Secretaries had hitherto kept me from approaching the head of the Government whom I no longer expected ever to see, through their influence. It was true, they would most probably frustrate whatever I might gain at a private interview without their consent: yet there appeared a chance, and that the only one left, of success in a direct appeal to His Lordship. I therefore took immediate steps to solicit an audience, and it was granted.

As the Aide-de-camp introduced me and shut the door, the tall lank figure of the Marquis of Condescension rose erect, and bent in acknowledgment of my bow. I advanced, and he smiling, with a semi-circular sweep of his hand, pointed to a chair, on which I bowed, and my Lord bowed again. Not to be outdone in good manners, I subjected my back to a third inflection, and His Lordship, after returning it sat down, and I followed his example.

The features of this celebrated Peer are familiar to the frequenters of almost every ale house in Britain; and in India there are few bungalows without his picture. I never knew a face which nature had favoured less or art multiplied more. In regard to his manners, though he went through all the evolutions which I have described in a very brief space, they were conducted with too much precision to jostle one another, or to detract from that lofty air of condescension by which he seemed desirous, in pity, of lessening the immeasurable distance which fate, he was aware, had thrown between him and Lieutenant Diddler Wayward. The conversation with which he honoured me, was too well bred, passionless, and vague in its applicability, to admit of being illustrated by examples.

He listened patiently to my often-told tale of an oppressed King, and an inert yet vexatious Resident, at Lucknow. The narrative, I could at once perceive, was opposed to the Marquis' prepossessions and information on the subject. After expressing some polite wonder at my statements, he proceeded to discredit them with some singular assumptions, which served to shew by what exclusive channels the mind of this ruler received intelligence. Do you not think it possible, Mr. Wayward, said he, that some designing courtier may have imposed himself on you as the King? Such a state of things, as you mention, it is certain, formerly existed in Oude: but as you have no doubt heard, all grievances complained of by His Majesty and the people have been redressed, and the recurrence of them prevented, by me. The character of Colonel Yeaandnay too, whose appointment is so satisfactory to the whole Army, and to the population of Oude, must appear to you a sufficient guarantee for the fulfilment of my wishes, and the execution of the orders of Government." When I alluded diffidently to the slavish habits of natives, and their dread of appealing from a subordinate to his principal, His Lordship silenced me by saying that the Princes of Lucknow corresponded regularly with Mr. Pigville, a gentleman of the first talents, and deepest knowledge of the oriental character, whose entire confidence the Resident possessed. It was, therefore, impossible for the King to be dissatisfied unknown to the Governor-General, and hence, I might infer, my story had no foundation.

Never did knight in the days of chivalry essay more eagerly to find entrance for his spear through some opening in the panoply of a mailed Baron of old, than I tried to discover a vulnerable point in "the cold shade of aristocracy," which enveloped this modern Lord. I began to think him made of impenetrable stuff, and had nearly retired in despair. By way of winding up, perhaps with a gentle reproof, the Marquis observed that, like most young soldiers, I had probably enjoyed few opportunities of intercourse with the higher classes of Natives, whose principles and habits, he said, were very different from those of our servants and workmen. Without exemplifying the difference by six and half a dozen, I guardedly disclaimed

the excuse of ignorance for any suspected error, by mentioning the intimacy with which I had been honoured by certain members of the Royal families of Delhi and Jeypoor.

My gentle readers of the Gazette, during the last and present year, know how correct I was in this part of my story. It proved a home-thrust to the Noble Lord. One who had kept such excellent company as that of Prince Jehangeer and Maharajah Juggut Singh, appeared now qualified to be a witness concerning the new made monarch of Oude. His Lordship seemed to have a vast veneration for the house of Timur, but some dislike to its present representative at Delhi. I was questioned about many Hindoo and Mussulman Princes, of these two lines, to whom His Lordship ascribed an importance in ludicrous contrast with their real insignificance. Passing from discourse on the descendants of the Sun and the Tartar, we came back to the work of the Marquis's own hands, the Royalty of Lucknow. Allowing that the first King of this race could not possess all the regal excellencies inherent in the blood of the illustrious persons of whom we had been talking, His Lordship considered him "a high-minded Prince of good natural parts," though his education was imperfect. On this opinion of the Sovereign, who has already been gauged by me, his secret ambassador, now trusted for a favourable re-hearing of the case. His Majesty, said I, has at least a noble sense of the debt of gratitude which he owes your Lordship. In proof of it, I may be permitted to mention that, in confinding the message to me, which I imprudently undertook to deliver, the King was desirous of entrusting me with a large sum of money to get a Coronet made to present to your Lordship, in token of his joy at the additional distinction lately conferred on his noble friend. But, independently of orders against receiving presents, I, of course could not presume to accept any thing valuable on account of your Lordship." The King's intentions, and my reasons for declining to aid in executing them, evidently gave the Marquis a very favourable impression of both parties. The receipt of any article of value, he said, was out of the question: even a trifling present would be objectionable, and I had put a very proper construction on the orders of Government. I am always pleased, he added graciously, to meet with a military man, particularly a young one, who can understand the spirit of a public measure. I may be pardoned for stating, said I, that your Lordship has just commended that quality in which the King of Oude thinks the Resident especially defective.

"How so, Mr. Wayward?" Why, my Lord, His Majesty imagines, though it may be a natural prejudice, that a plain gentleman, like Colonel Yeaandnay, cannot enter into your Lordship's elevated views, nor feel that sympathy with greatness which, he fancies, is peculiar to eminent rank and high lineage. Hence, instead of comprehending that the perfect independence of the King, and the friendly advice to be given him, were both acts of grace on the part of your Lordship, the Resident has virtually rendered the advice obligatory, and therefore humiliating on the most trifling domestic affairs: and further, in place of doing immediately what he ought to know your Lordship would do if on the spot, Colonel Yeaandnay is accused of bringing a Sovereign Prince into ridicule and contempt, by often keeping the household business of the Court of Lucknow at a stand for three weeks, until he can get special orders from Calcutta."

The Marquis now put several questions to inform himself fully of the import of my observations. Then with a condescending smile, he continued: you will excuse me, Mr. Wayward, for having had recourse to a little stratagem to discover your general capacity to appreciate the character of Native Princes generally, and of the King of Oude in particular, who I am happy to call my personal friend. Your answers to my inquiries have been extremely satisfactory. From the intimate knowledge you possess of his mind, I can now confide in your representation respecting his wants and wishes. You will not be displeased, therefore, to learn that it is my present intention to employ you in conveying a friendly message to His Majesty in reply. I shall prepare your instructions and communicate them to you in a few days." His Lordship rose and bowed me out, as I had been welcomed into the room.

I beg pardon, my dear Mr. Scratch, for not being at home when you called, for these three last weeks, to give you the sequel of my secret embassy from the Potentate of Oude to the Potentate of Fort William. The fact is, that the absorbing interest of the Delhi Races, the deep bets, and frequent private interviews, which I necessarily had with the Jockeys, left me no time for reminiscences.

But you cannot have yet forgot my reception, and the distinguished manner in which I was treated by the Marquis of Condescension. The conference of two hours, which I had the honor to hold with His Lordship, and the lofty bearing with which I returned for my hat to the Aide-de-camp's room, astonished the gallant satellites of the great planet of the East, and through them all Cal-

cutta. Instead of entering a room and sitting through a tiresome evening unnoticed even by my old acquaintance, every big wig whom I was known to only on the stage, pestered me with recognitions. Besides a suite of clothes from Cossitollah, however, I had now learned the manners of the Black Hole. On arriving in a brilliant party, on one occasion, a coxcomb, in a place, who had been my chum at Agra for five months, though he "really could not recollect where he had seen" me, when I came to the Presidency, laid his hand affably on an empty chair next to himself, and said, with a familiar smile, "come Wayward, my boy, sit down and tell me what you and the Lord were talking about the other day." Rejoicing at an opportunity to return his peculiar compliment, while twenty or more "fashionables" had their eyes on us, I coolly put on the Chowringhee look of unacquaintance, which consists in dropping the under jaw a little and staring as wide as possible: upon my word, Sir, said I, quoting himself, you have the advantage of me: cannot recollect where I have seen you, but I dare say we have met somewhere in the Mofussul." "Oh!" rejoined my old chum, and disguised his chagrin by turning round and talking nonsense to the lady of the house. A still mightier man, who had in former times drunk and nautched with me in Delhi street, received my visit at his house without rising from his chair, or once addressing a syllable to me, though he gossiped abundantly to visitors, then with him, whom he had seen daily for years. Hearing of my wonderful success at Government house, this gentleman immediately sent his card to my lodging, by a chuprassy, who delivered it without pretending that his master had come or was coming with it. I gave orders to cross question the messenger, who told my servant he believed it to be a "*mirbanee ka teekit*," which great folks there occasionally sent to little ones. I shortly afterwards, to my delight, found this bestower of *tickets of favor* at a family party of 150 persons, and in the tumult of taking seats, he got jammed between me and an Officer from Barrackpore. Having concerted measures, by whispering, in Calcutta fashion, behind his chair, we kept up a cross fire over his position, without once speaking to him for two hours. Imitating the "fashionable" habits of the Chowringhee grandees, we discussed the affairs of the Upper Provinces across my quondam reveller's plate, or relieved him occasionally by changing our line of communication to the back of his neck. Revenge of this sort is exceedingly sweet to the avenged, and by no means useless to the victim.

But the high pinnacle of honour, on which I now stood within the lethean ditch, exposed me to the fatal arrows of the managing Secretaries. They heard, suspected, and—oh horror of horrors! met to compare notes. I had an account of the meeting from an Eurasian clerk in the service of Don Pomposo. As no such awful conference has taken place since that on the raft at Tilsit, I must record it in the dramatic form.

*Pomposo.*—Pray, Absorption, may I ask if you desired Mr. Wayward to go direct to His Lordship on business?

*Absorption.*—I sent him to you.

*Pomposo.*—Why, I permitted him in the first instance to tell his story to you!

*Absorption.*—I am infinitely obliged to you, but you are aware that it was contrary to Lieutenant Wayward's duty to speak to you on business without my leave.

*Pomposo.*—He must have hood-winked you, my dear Sir. He did not consent to superintend the grammar of your office, until he got my permission.

*Pigville.*—Why, I authorized him to do that too.

*Absorption,*—(looking furious). Pray, Pomposo, may I ask whether you so kindly permitted Lieutenant Wayward to act in my office before or after you asked him for *tokens*?

*Pigville.*—Yes, I heard of the *tokens*, too.

*Pomposo.*—Tokens? oh, you mean his credentials from Lucknow; it was when I first saw him, and I knew the youth to be an imposter, because he could produce none.

*Absorption*—I regret that you did not inform me, his superior, of your discovery, instead of suffering him to address you, as what he calls, Viceroy over the Governor-General, and shaking hands, affectionately with him, amidst professions of esteem.

*Pomposo.*—Hum! he did not style me *Viceroy*, but I saw no objection to his calling you *Excellency*.

*Pigville.*—Nor I either, though he asked my opinion.

*Absorption.*—You! did he not inform you that he had my leave to be school-master to your monkey, though I scarcely thought the appointment becoming an officer and gentleman?

*Pomposo.*—I perceive he has betrayed my confidence.

*Pigville.*—And mine too.

*Absorption.*—I have reason to believe he has also betrayed the secrets of my office,

and prevented me from getting information on the misconduct of a staff officer.

*Pigville.*—Aye, Absorption, pray how has that affair ended?

*Absorption.*—Is it possible that you know of this likewise? Since it is so, I may tell you that the *Colonel* had the extreme insolence to send back my "private and confidential letter," saying, that it must be intended for some other person, as he, the Colonel, was neither spy nor informer.

*Pomposo.*—I dont remember your receiving any orders on that subject.

*Absorption.*—I know my duty, which is to inform and advise Government respecting the army, without your orders.

*Pigville.*—It is my duty to advise and inform Government too, about Native Courts: so I wrote confidentially to ask the King of Oude concerning Mr. Wayward and his mission. Here is His Majesty's answer, disowning both, and saying he knows no such person—as the young man who has been humbugging us all.

*Pomposo.*—I knew he was an imposter!

*Absorption.*—An officer of the Honourable Company's Army "an impostor!" I have the honour to request you will send in charges against Lieutenant Wayward.

*Pomposo.*—A trial might lead to some laughable disclosures. I have a respect for the War-office.

*Pigville.*—I am going now to represent Mr. Wayward's conduct to His Lordship.

*Absorption.*—He being a Military Officer, it is my duty to save you that trouble.

*Pigville.*—Excuse me; he comes here on pretended business in the Persian department.

*Pomposo.*—Gentlemen, the affair is already before me, and meddling with it would appear a work of supererogation in either of you, until you receive instructions.

*Absorption* (*rising*)—His Lordship shall decide in whose department Lieutenant Wayward is.

*Pigville.*—I will soon shew you that his pretended mission belongs to mine.

*Pomposo.*—I have already ascertained that the Marquis and I are of one opinion on the subject.

*Absorption* (*looking Chesterfield and Wellington* tonans)—I wish you good morning.

*Pigville.*—I wish you good morning too.

Here was a complete smash and explosion of all my anxious negociations. My informant, having been formerly a drummer in our regiment who had drank many tumblers of beer at my quarters, bolting from the nook in which he overheard the foregoing consultations, communicated them to me immediately.

No time was to be lost. I hastened in my own curricle to the banker on whom my hoondies were drawn, resolved to make His Majesty of Oude pay forfeit for disowning his faithful ambassador, and presented the document for 50,000 rupees. What can I do, said the shroff, with an ominous sigh, it is long since I was directed not to honour this bill, and I had scarcely paid you the 15,000 rupees before I got instructions to pay you nothing. I hope your honour will now give me back that money, otherwise your poor slave will eat misfortune. Thinking I had a bellyful of the same fare myself, I expatiated to the banker on the ingratitude of Princes and the unfitness of honest simplicity for so base a world, after which I drove to the domiciles of certain white baboos. These gentlemen had then no recent information of changes in the upper regions of Calcutta. Like the unscientific crowd who think they bask in the sun's rays long after he is set, the monied interest of the City of Palaces fancied me still in favour at Government House, and an official in the war office. I found no difficulty, therefore, in raising a loan for 10,000 rupees. Next obtaining an audience of leave, I succeeded in convincing the noble Marquis that, though artful courtiers might have imposed on my unsuspecting youth, the motives which had influenced me were excellent. His Lordship had personally ascertained my merits, and the intriguing Secretaries, I hope, never altered his opinion of me.

Giving notice to my old friends of the Sheriff's office, that if wanted I might possibly be found about Buj-Buj or Diamond Harbour, I got my fleet under weigh, and ascended the Ganges freighted with enough of the good things of this life to make me more welcome than a Field Marshal at the station which I returned to.—*Delhi Gazette.*

# TOWNS OF INDIA.

THANAH BHOWN.—My last gave a short description of the town of Saharunpore, and in further prosecution of the object I stated to have in view, of giving short notices of the principal towns in the Northern Dooab; I intend in this letter to submit an account of the towns of Thanah Bhown, Jalalabad, Loharee, the old fort of Ghonsgurh, the latter, one of the residences of Zaheta Khan and Golam Khadur.

The above places are near each other, and the pursuits and class of inhabitants nearly similar, they are situated in the centre of the Saharunpore district, and are unnoticed in Hamilton's Gazetteer. The town of Thanah Bhown has a population of 7,000, of which 4,000 are Hindoos, and the rest Mussulmans; the inhabitants are poor and peaceable people, principally employed in the manufacture of cloth. At one time in former days this was a famous place for the manufacture of small arms, in which a very few now find employment. The town has been very quiet ever since it came into the British rule—the last brush they had was from a Pathan of Loharee, who commanded some of Juswunt Rao's troops, and who took an opportunity while retreating from before the British Army to show off his prowess before his townsmen to revenge himself on the inhabitants of Thanah Bhown, for some insult. He lost 25 men on the occasion, the Thanah people fought manfully, expecting relief, and drove the Pathan off, but they had 15 men killed on the occasion. There are 25 Suttees at this place—the last occurred about 26 years ago. A person who will take the trouble to make inquiry on the subject of Suttees, must be immediately struck with the ridiculous fuss that was made about them, the British Government have much to answer for in not abolishing them long ago. It is a true saying of a statesman "that the orders the commission of a crime, who does not forbid it when in his power," and there are many other subjects equally important which are shamefully procrastinated on as ridiculous grounds. My Lord William has graced his brows with the laurel of triumph, but it is by no means certain he has a claim to all the honor, for I suspect some former Mahomedan Princes put a stop to the practice as far as their authority extended. I have said that there are 25 Suttees at this place, but it is by no means to be inferred that 25 Suttees have actually occurred; when a girl of a family in which there has been a Suttee marries, she carries away a brick or some small portion of the old building which marked the spot, to her new home, and erects the usual Suttee building over the relic—her daughters do the same, and hence the number increases without end, all over the country. There are three fairs held here during the year; little merchandise takes place, the occasions being for religious purposes at certain shrines; there is a market on Fridays attended by about 500 people. There are four Mussulman schools, attended by 56 boys, and two Hindoo ones by 29. Thanah Bhown gives the name to the purgunah, which consists of 80 villages, 125 square miles in extent, paying a yearly land revenue to Government of about 60,000 Rupees; about two-thirds of the land is under cultivation, and the population is 37,500.

JALALABAD.—The town of Jalalabad has a population of 5,500 inhabitants, of which 3,300 are Hindoos and the rest Mussulmans—this place being inhabited by many old Pathan families, is not so peaceable as Thanah Bhown, quarrels frequently occur, which are often decided by an appeal to the sword, and affrays are as common as in Donny Brook. "Jalalabad men tulwar chula" is a common saying in the neighbourhood; the town, containing many Mahajuns, has been often robbed by midnight attacks on these occasions: the Police are seldom found to do their duty any where; the bazar is larger, and the Pathans had formerly a right to levy a tax on all goods; this right was purchased by Government for the very liberal sum of 2,650 Rupees yearly, but from the complaints of the people it would appear that impositions were still exacted; the Pathans of this place were generally at variance with Zaheta Khan. There is a fair on the 5th of Ruber, and a market is held on Thursdays and Sundays, which are well attended. There are two Hindoo schools attended by sixty, and four Mussulman schools attended by fifty youths.

LOHAREE.—The town of Loharee contains about 3,000 souls, of which 1000 are Hindoos, and the rest are Mussulmans. There are three Suttee buildings—the last Suttee occurred 160 years ago. There are two schools, Hindoo and Mussulman, attended by about fifteen youths each. Both Jalalabad and Loharee, as well as Thanah Bhown contain many blacksmiths, bow and arrow makers; the price of a good matchlock is five Rupees, the barrels are forged on a mandril, the breech is solid and has a kotee or small cylinder on the principle of the patent breeching of the English gun-

smiths, the advantages of which has been known in Hindoostan ever since the use of fire arms was introduced; a bow costs about $1\frac{3}{4}$ Rupees, and quiver of arrows as much more. and a tulwar or sword can be had for two Rupees. A great number of knives in common use are manufactured in these places, the steel is excellent, and the temper superior: the usual trial allowed a customer is to cut a piece of iron with them without defacing the blade.

FORT OF GHOUSGURH.—The old fort of Ghousgurh contains an area of about 280 acres; the walls are constructed of mud, and are of considerable strength, but the want of a ditch made it easy of escalade, a mode of attack, by the bye, not much approved by the natives; the streets appear to have been regularly laid out, but the only buildings remaining are the ruins of some Musjids and houses, all more or less in decay; at one of the Musjids there are the remains of public hot baths, the marble has all been made away with, and the stones and bricks of buildings are disappearing fast; the natives of this country have no idea of preserving places of this kind, and both rich and poor heedlessly look on at the indiscriminate plunder. The little village of Ferozpoor is situated in one of the bastions; it contains 300 inhabitants; they tell curious stories of former times, and make out that Golam Khadur's conduct was a just retribution on Shah Alum for deep injuries in exposing the females of the family when in his power; the building from whence they were exposed is pointed out: they further add, that Golam Khadur had besides personal injuries to revenge; the King having caused him to be made a eunuch while a youth under his protection. There is a large well in the fort about 22 feet in diameter, a piece of water of this extent cannot be defiled according to the laws, and it was customary to make wells of this size in former times. The land within the fort is now mostly cultivated and produces good crops of wheat and jooars.

The Mussulman youths of these towns and neighbouring country are good soldiers, but they dislike the British discipline, and few of them are found in our ranks; many of them take service with Runjeet Sing, and a number of them were with Shah Shuja in his late attempt to regain his throne.

DEOBUND.—Before I proceed further south, I must stop for a moment to take a little notice of the town of Deobund, which is situated nearly half way on the great road from Mozufurnugger to Saharunpore, and where a comfortable traveller's bungalow has been erected by subscription. The town of Deobund is of great antiquity, but little notice can be found concerning it; it has a population of about 14,000, half of which are Mussulmans, and half are Hindoos; there is a considerable traffic carried on in the produce of the neighbouring country: cotton cloth of all kinds, blankets and shoes are manufactured for exportation. Three stallions, belonging to Government, used to be stationed here for the improvement of the breed of horses, which the people of this part of the country take the greatest interest in: almost every respectable farmer has a brood mare, the constant care of all the inmates of the family. The small purgunah of Kutuh is particularly famous for the success the Zumeendars have in their breed of cattle, and a pair of young carriage mares may be had for 300 Rupees, which by proper training and management would, in a twelve month, be valued at 1200 rupees, and no where could a good judge of a horse make a more profitable visit. The present Superintendent of the Stud has lately made the most judicious arrangements for keeping up and extending this beneficial spirit among the people, who are much satisfied, and put the greatest confidence in him. The Hurdwar fair takes place in the beginning of April next, where a great show of horses are always to be seen, but no place being appointed or cleared for the purpose, much inconvenience is felt, and it is to be hoped the hint thrown out last year will not be lost on the authorities of Saharunpore, and that the prisoners will be set to work in forming a clear way of 50 or 60 feet in breadth, for about 100 yards, along the high road a little south of the town near the place where the horse merchants usually put up for the purpose of showing off horses.

Deobund was at one time the most notorious place in the Dooab for thieves and robbers who used, when they borrowed or owed money, to say they would pay when they got the money from Deobund. Like the London Flash Notes of the Bank of Elegance, too, they used to give hoondies on nominal houses in Deobund. There are eight fairs or religious meetings during the year at certain sacred places, where considerable gifts are offered. There are three schools for Persian and Arabic, attended by 65 boys, who pay from 2 rupees to 2 annas per month, according to their means. There are four schools for Nagaree and Hindee, attended principally by Brahmun boys, who are taught gratis. There are no less than 130 Suttee buildings here of all classes of Hindoos, five of them

occurred within the last 15 years; no European was present at any of them. There are a great number of mangoe groves all around the town, which must serve to keep off a free circulation of air; the streets in which the shops are situated are so hot that it would be impossible for a European to exist there in the warm months; the place is however healthy, and the only epidemic which is troublesome, is the small pox, which occasionally commits dreadful havoc. The fruit of the mangoe in this district is small and stringy, with a strong turpentine flavor; they are not reckoned unwholesome, particularly if milk is drank after partaking of them. Deobund is the principal town of the purgunnah of that name, it is about 150 square miles in extent, with a population of about 50,000 inhabitants, and pays a revenue to Government of about one and a half lacks annually. The soil is mostly of a sandy nature, and a good deal of sugarcane is produced without irrigation; indeed, most of the cultivation is without wells, or other artificial supply of water, and the crops are consequently not heavy.

MOZUFURNUGGER.—The little town of Mozufurnugger, in the great road from Meerut to Saharunpore, is the sudder station of a small district under a Collector and Magistrate; it contains a population of 7,000 inhabitants, 4,000 of whom are Hindoos and the rest are Mussulmans: the town and neighbourhood is healthy, although, as at the unhealthy town of Saharunpore, a Nudee (the West-kālee Nudee) flows past the town, its banks are however clear of weeds and jungle, and the soil is sandy, which is sufficient to account for the difference. There are three Hindee schools attended by 60 youths, who pay from four to two annas per month each, also two Persian schools attended by 50 youths. There are 24 Suttee buildings; there is a religious fair on the 2d day of *Cheyt*, and another on the 2d day of *Bhadoo*, and Saturday is the market day which is well attended; there are a number of mangoe groves, but the appearance of the country is otherwise bleak and uninteresting; there used to be a Government stallion from the Hauper Stud, and there are about thirty good mares in the town. The purgunah of Mozufurnugger is about 72 square miles in extent, is well cultivated and pays a revenue of about thirty-six thousand rupees.

SHAMLEE.—In the district of Mozufurnugger the town of Shamlee is the principal place of trade, and the merchants are connected, and carry on traffic with the countries westward of the Jumna: the principal articles are ghee, sugar, salt, wood, bamboos, spices, &c. The carriage is on hackeries and is all done by contract. Sugar can be transported from Shamlee to Bhowanee, a distance of 96 miles, for four annas per maund of 84lbs. 15½oz. and other goods in proportion to bulk and weight: the town of Shamlee contains about 13,000 inhabitants, 11,000 of whom are Hindoos and the rest are Mussulmans. The Hindoos, particularly the merchants, of whom there are upwards of 700 families, are very jealous of their religious feelings, and no bullocks are allowed to be killed in or near the town: about seven years ago the Mussulmans were allowed to kill cattle outside, and to bring the flesh into the town. The Thanadar, who was a Mussulman, took immediate advantage of the order to insult the Hindoos. A bullock was slaughtered outside of the town, and the carcase reeking with blood was brought in with a triumphal procession, and it is said, blood was sprinkled in some of the Hindoo's houses, who immediately shut up their shops and retired to the interior of their residences, and not one was to be seen; complaint was immediately made of the outrage, which was instantly redressed, and the Hindoos returned to their usual avocations, and now pride themselves on possessing an order, as they say, from Government, that the Thanadar shall always be a Hindoo, and that cattle shall not be killed or beef brought within the town. Whether this is true or not, I have no means of ascertaining, but it clearly enough points at what the principal inhabitants of the country consider as immunities beneficial to their ideas and circumstances. I have known a bazar not 100 miles from Delhi erected by Bunyas at considerable expense on an understanding from the Civil officer, that their prejudices would not be interfered with, and particularly that cattle would not be allowed to be killed. Another Magistrate came, who was induced to upset the order of his predecessor, when a Mussulman of course instantly defiled the place, which was deserted, and I saw the buildings afterwards in ruins. I wish the worthy Magistrate had heard the deep curses of the community he had thus driven from their homes. There is a fair at Shamlee on the 15th of *Bhadoo*, called Jogee Doss' Mela, and another on the first Thursday of *Magh*—there is no particular day for market, but the bazar is always crowded. Although Shamlee is such an orthodox Hindoo place, no Suttee has occurred within the last century, and there are only 20 Suttee buildings. About forty years ago George Thomas attacked and plundered the Chou-

dree of the town. In Lord Lake's time the inhabitants refused supplies to a detachment under a Colonel Burne, and favored the troops of Jeswunt Rao, which proved an *untoward* piece of politics on the part of the Shamlee people; for, his Lordship to make an example, gave up the place to plunder for two days; it is said the Europeans made the best use of their time, and some people recognise extraordinary fair European looking Bunyas in the shops occasionally, at the present day, as the effects of his Lordship's largess on the occasion.

Shamlee is the head town of the Purgunnah of that name, containing about 40 square miles, and paying a revenue annually of about 40,000 Rupees. The purgunah is well cultivated by industrious people, and is famous for the superior crops of sugar cane; formerly Maxwell and Co. had a rum distillery here, which, it is said, was a profitable concern. The streets through the town of Shamlee are in bad order, particularly in hot weather; there are a number of mangoe groves and the fruit is superior—the best mangoes in the Dooab are procurable at the neighbouring town of Kyranuh, which is famous for its produce of this fruit, the only luxury of this nature in abundance at the command of natives. The Arabs say "dates in the name of the Prophet," the Mussulman of India says "ba resha am, Bismilla!"—*Delhi Gazette.*

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## THE CHIEF MAGISTRATE'S CIRCULAR.

### TO THE OWNERS AND OCCUPIERS OF PREMISES IN CALCUTTA.

GENTLEMEN,—Having thought it my duty to lay before Government two propositions, viz. one to levy a tax on the inhabitants of the principal thoroughfares for the purpose of defraying the charges of watering them, and another to enable you to elect Commissioners to examine into your municipal accounts, I was naturally desirous that you should not be ignorant of matters so nearly affecting yourselves, and I accordingly applied for, and obtained the sanction of the head of the Government for the publication of the annexed letters.

I am not aware of what may be the decision of Government on the subjects thus submitted, but conclude that it will depend a good deal upon the sentiments that you may see reason to adopt and express in regard to them.

I am, Gentlemen, your obedient servant,

D. MCFARLAN, Chief Magistrate.

*Calcutta, Police Office, March* 1, 1835.

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To W. H. MACNAGHTEN, ESQ.

*Secretary to the Government of Bengal.*

Sir,—It is with some concern that I have to report to Government, that the Conservancy Committees, proposed to be instituted for the better management of that department of the town business in my letter of the 1st December, 1833, have not yet been any where nominated, and that I do not at present see any immediate prospect of their being so.

2. In explanation of the steps taken by me on the subject, I have the honor to submit a few printed copies of letters addressed by me to the inhabitants, which I trust will satisfy Government, that no step that I could properly take has been neglected by me in order to stimulate the people into a little more concern for their own affairs.

3. The causes of this apparent apathy are, no doubt, the absence of any grievous evils connected with the Police, the removal of which could obviously be effected by means of Committees—the want of public of talent for business—the belief that Government is bound to effect improvement—the general belief that the funds of the town honestly managed—the apprehension that the Committee plan might lead to heavy taxation—the want of any known Code or Rules, pointing out the mode in which Meetings could be held, and Commissioners appointed, and their powers defined. And lastly, the want of a sufficient personal stimulus, arising from expected honor, rank, or political influence connected with the discharge of the duty.

4. Such being the case, it might be said that Government have now only to economize the old, and to impose additional taxes, and carry proposed improvements into effect through their paid servants. I think, however, that this is a course to which Government should not resort, till hope of attaining the end, through the instrumentality of the people themselves, is exhausted.

5. By the statement I have the honor to append, it, appears that Government do, in point of fact, expend the whole of the town

duties upon the Police of the town, exclusive of the pay of the Magistrates and Superintendent. I see no reason why the people should not be told distinctly that Government will not allow of a single rupee being expended upon the town, beyond the average annual proceeds of assessment and town duties, and that it is not their intention to continue the lotteries beyond the period when the debt is paid off. This would at once put an end to that vague dependence upon Government for the execution of every work of improvement, and the care of all public business whatever.

6. In a separate address of this date, on the subject of watering, a new tax is proposed to be imposed; if that be ordered, it will probably have the effect of drawing increased attention to the subject.

7. In order to remove every obstacle to the assembling of the citizens together, for the purpose of looking into and controlling their municipal affairs, I see no reason why portions at least of a law passed for Ireland in 1828 should not be enacted here, this would obviously be only doing more effectually what was proposed to be done in December before last, as stated in Mr. Macsween's letter of the 3d December, 1833. If the clauses remained inoperative, they could not do any harm, and would afford a commencement for more extended institutions.

8. It surely deserves consideration whether Government should not have the power of conferring local rank of some kind upon the [illegible] although, used by their fellow-citizens to [illegible]rupore, rust under this, or any future law. [illegible]flows, is not my part to advert to the po[illegible]clea[illegible]dvantages of such a course. The main [illegible]at which I aim are that the municipal [illegible]ablishments now existing should stand well with the public, that the improvements or changes of which they are susceptible, should be introduced with the knowledge and consent of the people, and that such a share of power should ultimately be entrusted to the inhabitants, as to enable them to execute, or cause the execution of, the improvements they might desire to see effected.

10. So languid would appear to be the public appetite for business of this sort, that it would be wrong to destroy any existing establishments in order to make way, for confiding to the public Committees, the arrangement of the details of the town business. They must at first be auditing, inquiring, and reporting Committees, with power to call for papers and accounts, to make suggestions on matters relating to expenditure of town funds. And, finally, to petiton Government in regard to any matter that might seem to call for that course.

11. Supposing the Government to adopt the above suggestions, a very important subject of inquiry with the Committees would be whether better means of raising the sum now realized from town duties could not be devised, provided that Government would consent to repeal the tax. This measure, it is plain, would be no sacrifice to Government, since they have for many years expended that amount on the town, and it being a purely local tax, they ought perhaps to continue to do so.

12. In conformity with the above sentiments, I have the honor to submit a draft of an Act, to enable the householders of Calcutta to elect Municipal Commissioners with certain powers.

I have the honour to be, Sir,
Your most obedient servant,
(Signed) D. McFARLAN, *Chief Magistrate.*
Calcutta, Police Office, Feb. 5, 1835.

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*Statement referred to in para.* 5.

| | | | | |
|---|---|---|---|---|
| Establishment of Police Thannadars, Burkundazes, &c. Superintendent of Roads and Executive Officer with their subordinates, Overseers, &c. | Rs. | | 145,652 | 2 7 |
| Contingent Charges—Repairing Roads and Drains, Cross Bridges &c ..... | ,, | | 39,118 | 3 8 |
| Ditto Cleansing the Town..... | ,, | | 72,954 | 15 4 |
| Ditto Sundry Charges, including Thanna Rent, Scavenger's Carts, Rollers, Repairs of Buildings, Office Charges..... | ,, | | 12,245 | 11 2 |
| Establishment of Clerks, Writers, Constables, Peons, Town Guard, House of Correction, Police Hospital, and Conservancy Establishment for the Esplanade Roads... . | ,, | | 84,764 | 1 8 |
| Contingent Charges—Conveyance Allowance, Dieting Prisoners, and Patients to Police Hospital, Law Charges, Office Charges..... .... | ,, | | 31,765 | 8 8 |
| Ditto Lighting, Watering, Paving and Draining the Town..... | ,, | | 41,775 | 6 10 |
| | | Rs. | 427,776 | 0 11 |
| Net Collections of Assessment..... | 125,799 | 10 9 | | |
| Average amount of Town Duties..... | 216,233 | 8 7 | | |
| | | | 412,033 | 3 4 |
| Excess paid by Government..... | | Rs. | 15,742 | 13 7 |

(Signed) D. McFARLAN, *Chief Magistrate.*

## DRAFT OF AN ACT.

Be it enacted that from the ——————next the Town of Calcutta shall be considered to be divided into the four following divisions for the purposes of this Act, viz.

1st or Upper North Division—bounded on the north by the Mahratta Ditch, on the south by Machoa Bazar Road and Cotton Street to Meerbhur Ghaut, on the east by Circular Road, on the west by the River Hoogly.

2d or Lower North Division—bounded on the north by Machoa Bazar Road and Cotton Street to Meerbhur Ghaut, on the south by Boitackhanna Road and Hare Street to Police Ghaut, on the east by the Circular Road, and on the west by the River Hoogly.

3d or Upper South Division—bounded on the north by Boitackhanna and Bow Bazar Street to Police Ghaut, on the south by Durrumtolla Street and Esplanade Row to Chaundpaul Ghaut, on the east by the Circular Road, on the west by the River Hoogly.

4 h or Lower South Division—bounded on the north by Durrumtolla Street and Esplanade Row to Chaundpaul Ghaut, on the south by the Lower Circular Road, on the east by the Circular Road, on the west by the eastern border of the Fort Plain.

II. And be it further enacted that, upon the application of 21 or more house-holders, residing in any one of the said divisions, and each occupying a dwelling house, or other premises, assessed under the Act of the 33 G. 3d. c 52 at a monthly rent of 50 Rs. and upwards, it shall be lawful for the Governor of Bengal to order the Chief Magistrate of the town of Calcutta or other public officer, to convene a Meeting of the Inhabitants of the division for the purpose of carrying into effect the provisions of this Act.

III. And be it further enacted, that at any meeting, convened as above directed, every person, who shall have occupied as owner or lessee, any premises of the assessed monthly value of 10 Rs. and upwards, for the period of 6 months antecedent to the time of such meeting, shall be entitled to vote at such meeting and no other person whatsoever, and no person occupying any house or other premises, on which the assessment is—— months in arrear, shall be entitled to vote, or take any part in the proceedings of the meeting.

IV. If any controversy shall arise in any such meeting, as to the qualification, or right of voting of any person claiming to vote, such controversy shall be determined by the Chief Magistrate or other officer appointed by the Governor to preside.

V. It shall be competent to a meeting, convened as aforesaid, provided it shall be attended by one third of the number of persons qualified to vote, to proceed to the election of no more than nine and not fewer than five of their number, owning or occupying premises of the monthly rent of 50 Rs and upwards, who may be willing to serve as Commissioners of Town Police for the Division. The Chief Magistrate and the Magistrates of the division shall be ex-officio members of each body of Commissioners.

VI. The Commissioners so elected shall remain in office for one year, and shall be capable of being re-elected.

VII. An ordinary meeting of the inhabitants qualified to vote shall be held in the month of January of each year, to be presided at by the Chief Magistrate, or other person appointed by the Governor of Bengal.

VIII. The Commissioners of any one division may at any time call a meeting of the Commissioners of any, or of all the other divisions, to consider any matter of interest affecting all the committees.

IX The sittings of the Commissioners shall be held monthly in public, and their duty shall, for the present, be confined to collecting information regarding the evils most felt by the community that are within the province of Police to remedy, regarding the expenditure of town funds, and the strength of the establishments maintained and the manner in which they are employed. The mode in which new funds might be raised, and the old economized, and generally to the suggestion of improvements and the means of executing them, and to this end they are empowered to correspond with Government through their Chairman, and to call for the production of all accounts and papers connected with the subject.

X. The Commissioners of each division shall be at liberty to entertain a clerk at a monthly salary not exceeding Rupees 100.

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[SECOND LETTER.]

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To W. H. Macnaghten, Esq.

*Secretary to the Government of Bengal.*

Sir,—In continuation of my letter of the 23d ultimo, reporting the accumulation of a sum sufficient to construct the additional pumps and reservoir, required at Chaundpaul Ghaut, for watering the roads of the town, I have the honor to submit the following remarks and suggestions on the subject, together with the draft of an enactment.

2. The plan of untary subscription suggested by me on th 24th August 1834, and sanctioned by Government on the 1st September, 1834, has been only partially successful. Subscription books were sent to every house early in November; many persons subscribed, but some of these have withdrawn, because their neighbours would not contribute, and many more were only willing to do so, if their neighbours would. Some few objected on the specific ground that, when the town duties were given up to the public, it would be time enough to talk of voluntary subscription; and some said they would submit to no new tax, till they had a control over the old.*

3. The obje ion founded on want of control over the e assessment fund is hardly chargeable on vernment, and the excuse that, the town s are not applied to Police purpos ot tenable, for by a statement appe this report, it appears that, over and e the assessment, and exclusive of Mag strates' salaries, more than

* It is believed that many streets were left unwatered, merely because nobody would commence the inscription of his name in the book sent round.

the amount of the town duties is already expended on Police purposes by the Government, and nothing is proposed in the present plan to be withdrawn from the town.

4. It might here be argued that, because the bulk of the persons affected by the annoyance of dusty roads have neither subscribed when asked, or petitioned to compel recusants, nor complained in a public manner, there must have been little inconvenience felt, and consequently no cause for the interference of Government, and probably that is a just conclusion;* for in the cold season when the days are short and the dews heavy, and the weather calm, people do not suffer much; still the annoyance has been considerable † and must greatly increase towards the end of February, and be intolerable in March, April, and May. Yet the feeling caused by this annoyance is almost sure to escape in other ways than in a quiet business-like meeting of neighbours, to devise a remedy, and I doubt whether, even the southerly winds, with their suffocating dust, would induce people to petition for a law to impose a tax, or to enable them to control, and so attempt to save enough out of the old taxes as to pay for this additional convenience. I am indeed justified in this conclusion from the fact that, the most populous and frequented parts of the town, such as the Bow Bazar, Clive Street, Cotton Street, Rada Bazar, China Bazar, and Hatte Khola, never have been watered at all, and no movement, that I know of, has ever taken place to cause them to be so. Such being the state of the case, the following questions occur.

1. Whether the old system of watering a few principal streets at the Government (or town) expence, leaving other parts uncared for, should be recurred to?

2. Whether the inhabitants should be left to petition for the renewal of the evil of dusty roads, Government remaining inactive till they do so?

5. The principle involved in the first question would seem to have been decided by the letter of the Honorable the Vice-President in Council of the 1st September, 1834, in favor of extending watering. Indeed, I think there can be little doubt on that head. Government are sure[illegible] ed to a charge of partiality if they [illegible] the European streets, and neglect [illegible]ive, thus distributing *common* funds in aid of the rich and influential, to the neglect and detriment of the poor.

6. The second question I look up as very important, not with reference to the amount proposed to be drawn from the people, (that is small) but with reference to the principle involved in it, viz. whether Government on the mere report of a public officer, and without the petition of parties interested, should proceed to exercise their power of taxation, which is assuredly the most invidious office of the Government. A strong feeling of the delicacy and difficulty of the question, in this point of view, has led me to trespass at so much length on the time of the Government.

7. Among a people better acquainted with, and more disposed to manage their own affairs, I think the above question should be answered in the negative, in Calcutta, at the present juncture, I think it should be answered in the affirmative.

8. Government is aware, from a separate address of this date, that the scheme of Conservancy Committees proposed by me on the 1st December, 1833, has not succeeded; among the causes of failure therein assigned is, the absence in Calcutta of retired men of business, or idle men of character and talents; the pursuits of every man, with talents fit for public business, are of an engrossing nature, and there is in Calcutta no reward of fame, rank, or considerable influence held out to counterbalance the sacrifice men must make, who devote much time to any other than their appropriate duties. It is not therefore very wonderful that the mere hope of a little better management of some of the most uninviting details of the town business, should not have had the effect of calling much energy or activity into exercise. I think, however, that the imposition even of the very slight tax now proposed, may have the effect of stimulating men to a thorough investigation of their municipal affairs, and some progress being made in forming the materials for a municipal constitution founded on proper principles.

9. Whatever may be the effect in this respect, it seems clear, that a fair case for imposing the tax on the great thoroughfares is made out, because, first, the evil to the public and the inhabitants is great; second, there are no funds fairly available for the purpose of removing it, and no prospect of a movement on the part of the people to create them.

* I see in former times the watering of the roads never commenced till March, and does not now in the Fort till that time.

† In parts of Chowringhee Road, Esplanade Row, Durrumtollah, Bow Bazar, Clive Street, Tank-Square.

10. There are two ways in which Government might frame their law, viz. to levy an adequate money contribution, adjusted according to value of premises, or to impose a penalty on every one who did not water the road in front of his door.*

11. The former of these is the more convenient course; it ensures certainty, and regularity, and responsibility is firmly attached to the public servants. The latter has the recommendation of possible economy to the parties, inasmuch as those who have a small frontage might manage to water in front of their houses by means of the servants already engaged by them. And further, the expense would be regulated by the extent of frontage, which many may consider a better criterion than the amount of rent.

12. This plan, however, could only be adopted when the whole, or a majority, regulating the whole, desired it, for the greatest inconvenience would be found to arise from the mixture of public and private servants tasked to water a given extent of road, while the imposition of a penalty for neglect, would not only be invidious, but, to be effectual. would require an establishment to watch the parties who agreeing to water might fail, or neglect to do so.

13. The next point is, the amount to be assessed, the statement forwarded with my letter of the 24th August last shows a considerable variety of rate, and it would be for the interest of streets of the low rate to maintain the list, but the principle will not bear being applied to its utmost extent, for that would lead to an assessment on each house, varying in amount according to the frontage of the premises, and the width of street, and the having or not having an opposite neighbour; a plan neither admitting of such easy and economical adjustment, nor in itself so equitable as the assessment according to rental.

14. A general average of the expense would give about one per cent. on the annual rental, as sufficient for so much of the expense of watering as the inhabitants are now asked to pay. If the tax is levied only for the 8 months the dry weather lasts, then about Rs. 1-4 per cent. for 8 months would be required, this would be the better course in regard to those cases in which tenants pay tax, and the payment would be commensurate in point of time with benefit enjoyed, but greatly the more inconvenient, as causing the introduction into the account of fractions of quarterly bills. Allowing for vacancy, and percentage on collection, more than one per cent. would be necessary, but one and a half per cent. would be the limit.

15. A clause in the new enactment to enable the majority of house-holders in other streets or divisions to apply for compulsory watering would be useful.

16. The poor are evidently not much interested in this matter, all houses under 10 Rs. rent per month should be exempted.

17. The method of collecting the tax would be the same as that of the assessment, viz, by demand, through the Collector and his establishment, and process of distress, in the event of non-payment. The 2½ per cent. allowed to the Collector on assesment should be allowed here.

18. It would be well to commence the arrangement by employing the Magistrates as the administrators of the fund, and to give to house-holders the right to meet and appoint their own administrator, should they see fit, as well as to increase or diminish the amount to be levied at pleasure, so long as it did not exceed one and a half per cent. on the rental of the house.

19. It may be said that the present proposition is one of piece-meal legislation, and that a scheme should be chalked out which would provide for the whole expense of the Steam Engine, and of watering the Plain roads. In the way of such a plan, however, there are difficulties not easily got over. If Government does not water the plain roads nobody will, for if left to a subscription, b those who use them, the same failure as have above described, would be incurred. The idea of a toll is not to be entertained. General assessment all over the town would be unjust, for the native inhabitants of the central part of the town do not frequent the Plain, and the great bulk are too poor to have any interest in the question beyond that of not wishing to pay any thing at all. Again, a tax on account of an engine, the benefits of which are confined to a few streets, could never be made general.

20. The present plan may also be called piece-meal, since it leaves the item of lighting to be paid for as heretofore out of the general funds, although the locality benefitted is very limited. If Committees, such as I propose, are instituted, this would be a subject for early consideration; it may for the present be left in its present state, the amount expended being so small, about Rs. 5,000 per annum.

* If it is for the public it may be said that the public should pay, not the inhabitants of particular streets, but many of the public never use the watered roads.

21. Upon the whole I feel justified in submitting the draft to Government. I do not urge its adoption because the people interested are the persons who ought to urge it, further, I should not even have submitted it without a movement on the part of the inhabitants, did I do not think that the imposition of the tax itself will be the best inducement of the people to take an interest in their own affairs, which interest, once excited, might lead to results importantly useful.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) D. McFarlan, *Chief Magistrate.*

Calcutta, Police Office, February 5, 1835.

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*Statement referred to in para.* 3.

| | | | | |
|---|---|---|---|---|
| Establishment of Police Thanadars, Butkundaze, &c. Superintendent of Roads, Executive Officer, with their Subordinates, Overseers, &c..... | Rs. | 145,652 | 2 | 7 |
| Contingent Charges—Repairing Roads, Drains, and Cross Bridges..... | „ | 39,118 | 3 | 8 |
| Ditto Cleansing the Town | „ | 72,954 | 15 | 4 |
| Ditto Sundry Charges, including Thanna Rent, New Scavenger's Carts, Rollers, Repairs of Buildings, Office Charges..... | „ | 12,243 | 11 | 2 |
| Establishment of Clerks, Writers, Constables, Summons' Peons, Town Guard, House of Correction, Police Hospital Establishment, and Conservancy Establishment for the Esplanade Road. | „ | 84,764 | 1 | 8 |
| Contingent Charges — Conveyance Allowance, Dieting Prisoners, and Patients in the Police Hospital, Law Charges, Office Charges..... | „ | 31,765 | 8 | 8 |
| Ditto Lighting, Watering, Paving and Draining the Town. | „ | 41,275 | 6 | 10 |
| | Rs. | 4,27,776 | 0 | 11 |
| Nett Collections of Assessment..... | 195,799 10 9 | | | |
| Average amount of Town Duties..... | 216,233 8 7 | | | |
| | | 412,033 | 3 | 4 |
| Excess paid by Government..... | Rs. | 15,742 | 13 | 7 |

(Signed) D. McFarlan, *Chief Magistrate.*

## DRAFT OF AN ACT.

Be it enacted, that the several Streets of Calcutta, enumerated in Schedule A appended to this Act, shall be watered during the ordinary dry months of each year, viz. from the 15th October to the 15th June, and that for the purpose of defraying the expense thereof, an assessment, not exceeding one and a half per cent. on the valued rent of the houses in those streets be imposed upon them, to be levied by the same persons, and in the same manner, and under the same rules, as are in force in regard to the assessment on houses at present levied in Calcutta.

2. No number assessed at a lower rental than Rs. 10 per month, shall be subject to the payment of this tax.

3. The Streets above ordered to be watered shall be divided into sections 1, 2, 3, 4, &c. as per schedule A, and it shall be competent, of any three inhabitants, of any one of the sections, to require the Chief Magistrate of the Town to call a meeting of the owners or occupiers of premises liable to assessment under this act, situated within the section, which meeting, if attended by one-fourth of the said owners or occupiers of premises, shall be competent to elect a committee composed of not less than three, and not more than five individuals of their number, who may be willing to accept the office, to which Committee shall belong the duty of auditing the accounts of the first year, and framing an estimate of the expense of the next and subsequent year.

The members of this Committee so elected, shall remain in office one year, and shall be capable of being re-elected.

4. It shall be competent to the Governor of Bengal to order the application of this act to any street or streets consisting of 50 or more premises in the Town of Calcutta, a majority of the inhabitants of which street or streets shall petition in writing through the Chief Magistrate for the time being, for the same being extended to them.

(Signed) D. McFarlan, *Chief Magistrate*

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SCHEDULE A.

*Section* 1.—Tank-Square; Old Court House-Street; Government Place; Wellesly Place; Council House-Street; Esplanade Row; Old Post Office Street; Clive Street; Cossitollah-Street; Mission Row; Waterloo Street; Bankshall Street; Coilah Ghat Street; Hastings-Street; Hare-Street; and Church Lane.

*Section* 2.—Chowringhee Road and Park-Street as far as Wood-Street.

*Section* 3.—Durrumtollah Road.

*Section* 4.—Bow-Bazar and Boitaconnah Street.

*Section* 5.—Strand Road from the Chaundpaul Ghaut to the New Mint; Clive-Street, Clive-Street Ghaut and Old Fort Ghaut.

(Signed) D. McFarlan, *Chief Magistrate.*

# THE HURDWAR FAIR.

On the 1st of April, 18— I quitted Kurnaul in company with ———; our intention being to visit Hurdwar, Mussoorie, and Nahun, returning viâ Umbullah to Kurnaul. Our tents were sent forward early in the morning towards Kurowlee (distance 15 miles) and we followed them after tiffin. On reaching the ghaut at the Jumna, to our great annoyance, we found our baggage deposited on the right bank, while the only ferry boat was quietly floating down the stream on the opposite side of the river. At sunset we were joined by another party similarly circumstanced, and our united exertions effected the passage of the river, and the establishment of a dinner table on the left bank, where, at midnight we sat down to a hastily prepared meal. Next morning we completed the stage to Kurowlee, where our party was greatly increased by the arrival of other travellers, and we formed a respectable camp.

3rd.—Proceeded to Kaira about 13 miles, on a made road, leading through a beautiful country, well wooded, and highly cultivated. Passed several good towns on our way, and, after a ride, which we all enjoyed, found our tents pitched in a large grove of mangoes. At noon, a smart shower of rain fell, and cooled the air so completely that we sallied forth immediately afterwards with our guns, and got excellent sport: the quail being very numerous.

4th.—Eleven miles to Saharunpore, over a country somewhat inferior to that of yesterday. Our tents were pitched close to the compound of Dr. Royle, the Superintendent of the Botanical Garden. In the evening we visited the garden, and were highly pleased with its appearance. Dr. Royle's compound forms part of the domain, which occupies a tract of slightly undulating ground, through which a small stream is led from the Dooab Canal. Every material afforded by art or by nature, Dr. Royle has made the best use of in beautifying the place. A small irregular hollow in the ground has been improved into a picturesque little lake with its island of willows, &c. &c. The garden is laid out with great taste, and contains a variety of trees and shrubs collected from all quarters of the world. Amongst others the Deodar from Nepaul, and the Australian fir are particularly worthy of attention.

5th.—Fifteen miles to Secunderpore.

6th.—Fourteen miles to Dowlutpore, where, the breeze being delightfully cool, and the country a promising spot, some of our party shouldered their guns immediately after breakfast and were rewarded with a very good day's shooting.

7th.—Kunbul; the encamping ground for visitors to the fair. After travelling about four miles we entered a perfect forest of mangoes which afforded us shade all the way to Kunbul. Our tent was pitched upon an open plain without shade, all the groves being pre-occupied by other visitors. The broad road about one and half mile long, between our camp and the fair, had every clear spot on each side occupied by tents or horses.

I was disappointed in every circumstance attending the fair. The ground about Hurdwar is broken into ravines, and covered with bamboo jungle. Most of the roads follow the course of the ravines, and are consequently 10 or 12 feet below the level of the country. This not only condenses the crowd in a manner both disagreeable and dangerous, but also make it impossible for a spectator to obtain from any point a view of the immense multitude collected. The best street in Hurdwar is very narrow at all times, and is rendered particularly so during the fair by the projection, from the walls of the houses, of sheds to cover the rubbish laid out for sale.

In so dirty a place, of course, no valuable goods are exposed to view, and a stranger can only see these by treating for their purchase at his own tent.

I rode through the town once or twice and was quite disgusted. The stalls, as I have mentioned, contain nothing but what is to be seen in the commonest bazar. The nose is offended with the effluvia of asafœtida (a principal article of traffic) and the more disgusting steams arising from huge cauldrons of boiling ghee in the sweetmeat shops. Elephants, camels, and horses pass through the scarcely penetrable crowd of human beings, who by the way are the very dirtiest I ever saw in India, I really think they take pains to carry their body in the filthiest state possible to the place of ablution at Hurdwar.

While riding through Hurdwar one morning, I took occasion to visit the sacred ghaut. This was formerly a very inconvenient place, and numbers used to be squeezed to death in

the grand rush made at the end of the season, at an hour when the waters of the Ganges are supposed to be usually efficacious. The ghaut is now formed like a large embrasure, the gorge being towards the street, and the cheeks opening out to a considerable breadth into the stream. It has a fine flight of steps, and the water being quite shallow between these and the island opposite, no accident can well happen. Up one pair of stairs, in a building forming one of the cheeks of this embrasure, is stationed a guard of Goorkha Sepoys for the preservation of order In the stream, platforms are erected where the most holy of the Brahmins take their station, other Priests ply upon the stairs and accompany to the water such Deotas as have any money to give. I stood for nearly two hours in the guard room and had a complete view of all that passed below, and the results of my inspection was, that none but old and ugly women come to Hurdwar to bathe, and the oldest and ugliest of these old and ugly creatures take the greatest pains to conceal their persons by fixing Kannauts around them in the stream. On the Island which I mentioned as being opposite the ghaut, numerous camps were pitched, of which the Begum Sumroo's and that of the Goorkha Corps were the principal. The police was so well regulated by Mr. Graham of Saharunpore, that I only heard of one case of attempted robbery, and on that occasion one of the thieves was cut to pieces.

On the 12th April, we proceeded on our tour, and the first part of our march being through the main street of the town, we started very early to avoid the crowd. The fair being at an end, the Goorkhas also started for Deyrah by the same route; and, to avoid their camp, we sent on our tents 17 miles to Dooawara. After passing the town of Hurdwar, you enter at once into the Dhoon, by a narrow pass, and travel about a quarter of a mile along a road built on the hill side. Above us, the hills rose every abruptly, and we observed, at a considerable height, the entrance of a cave said to be capable of containing a great number of people.

The road to Deyrah is stony, but otherwise, excellent, and passes through very fine scenery. The Dhoon is a narrow valley, lying between the lower range of the Himalayah and another very low range of hills which separates it from the plains, and are only to be passed at certain places. At Hurdwar the entrance is very narrow, and is almost entirely occupied by the bed of the Ganges. As you proceed towards Deyrah, the valley widens, until it attains a maximum breadth of about 12 or 13 miles. That part called the Deyrah Dhoon is about 56 miles in length, its eastern extremity being at Hurdwar and its western boundary being the Jumna, which crosses it directly at Rajh Ghaut. The valley beyond the Jumna is called the Kyarda Dhoon, and stretches N. W. until it reaches the Pinjore valley, beyond which the southern boundary of hills gradually vanishes.

Our first march in the Dhoon was too long to allow us to enjoy the scenery, which, notwithstanding the havoc committed amongst the timber, is very wild and pleasing.

On our right hand the high range of hills rose abruptly to a height of 7000 and 8000 feet, while to our left, the valley was bounded by a gradually sloping range of inconsiderable height, but covered with beautiful forests. The intermediate spaces was occupied on either side by a forest of saul and sissoo, mixed occasionally with other trees. The Goorkha Corps having marched only 9 or 10 miles, we saw them preparing their camp in a magnificent forest, with a clear trout stream rippling through it. We reached Dooawara at 9 A. M. and were much vexed at having made so long a march to so disagreeable a place. There was scarcely a tree to afford us shade, and the ruins of a hut erected there by Mr. Shore, added to the dreary appearance of the place.

In the evening I walked out for an hour with my gun, and saw a few black partridges, and several hog deer, of which I killed one with no. 6 shot; but my people were too much fatigued to enable me to give the ground a fair trial. I am told it is a famous place for black partridges.

On the 13th we gladly proceeded towards Deyrah. The road passed about 4 miles through a saul forest where the trees crossed their branches over our heads, forming a screen impervious to the rays of the sun. The road was as hard and smooth as a gravel walk in a garden. This avenue terminated on an open lawn, extending some distance to the right, and nearly to the foot of the hills on our left. Around it the jungle was luxuriant and its edges exhibited the most beautiful shades of foliage. The dark leaf of the saul, which predominates in these forests, was relieved by the bright young leaf of the sissoo and the dhak jungle in full flower gave a gay appearance to the whole landscape. At 4 or 5 miles from Deyrah we quitted the forest altogether, and passed over an open cultivated ground to the station, where our tents were pitched in a large tope of mangoes and bamboos, near a fine Seik tomb.

Deyrah is situated in the broadest part of the Dhoon, about 4 miles from the hill of Kalunga. The forest and jungle have been pretty well cleared for some miles around, and the station is perfectly healthy, indeed, it experiences few days of really hot weather throughout the year. Its altitude, and that of the Dhoon generally, I conceive to be greater than that of the table land of Malwa by 400 or 500 feet. The town of Deyrah is a wretched place, and with exception of Officer's houses and public buildings, the Seik tomb is the only respectable edifice at the station. In rear of this tomb there is a fine stone tomb about 70 yards square and many feet in depth; it is supplied by a small hill stream and is always brimful of clear water.

Mussoorie being only 14 miles distant, we paid it a flying visit, and proceeded afterwards towards Nahum. At 17 miles we found Saheinspore, a paltry village, with one well, which affords the inhabitants a precarious supply of water. The river Ason, running at a few hundred yards south, waters their fields and works their mills, while to the sportsman it affords shooting of all sorts and fishing on a small scale. The country between Deyrah and Rajh Ghaut has been almost entirely denuded of its timber, which floated down the Jumna, furnishes Kurnaul, Delhi, and the station below with building material. On the 9th we reached Rajh Ghaut, passing over 8 miles of the most wretched country you can imagine. At the Ghaut we found a large party of sportsmen, and anxious to enjoy a little sport, I joined their camp.

Rajh Ghaut is a mere ferry on the Jumna, just below its confluence with the Ghirri, a stream of nearly equal magnitude. The two rivers unite their waters in the narrow channel of the Jumna (here only about 40 yards in breadth) and rush down with such rapidity that the best swimmer can scarcely cross quickly enough to avoid a rapid, about 200 yards down, where he would be dashed to pieces. The rapid on the left bank is not so bad, and the rafts pass it easily, indeed I saw a strong boat nearly completed at the Ghaut.

To a person fond of shooting, a week's sport at Rajh Ghaut will at any time well repay the labor of the journey. Both above and below our camp were patches of cultivation abounding in black partridges. The steep wooded banks of the river were the haunts of innumerable jungle fowl, and deer started from every patch of grass. The Ghirri, too, is famous for fine Mahaseer that take the fly readily.

Though the stones which cover the banks of the stream were so hot as almost to blister the naked feet of the bather, yet the water was so cold as to enable us to cool our wine, &c., which we suspended by strings from the bank.

After remaining three or four days, three of our party started for Kurnaul, and the remainder accompanied them one very short stage to Pounta. At day light we set off on foot, forming with our beaters a line nearly three quarter of a mile in length, the right resting on the Jumna, and the left being upon the ascent up the low range of hills. I happened to be on the extreme left, and after travelling about a mile, found myself buried in a grass jungle more than 6 feet high, with various trees scattered through it. All sport was quite out of the question under such circumstances, and therefore exchanging my shot for ball, I carefully proceeded, rather expecting to see a tiger or an elephant than any other sort of game. Nothing, however, in the shape of game met my eye during the journey, and we all met at the ferry opposite Pounta with scarcely a charge of powder expended.

At Pounta, the Jumna is broad and smooth, and far less rapid, of course, than at the ghaut above. The village is, like all others in the Dhoon, a wretched collection of grass huts, but there is a tomb nearly finished, which rising above the trees give you an idea that you are approaching a decent village. The right bank of the river appeared very paltry from the opposite side. It rises abruptly from the stream to a height of 30 or 40 feet, and is covered with trees and bushes. From its summit, however, a bare plain extends to the foot of the hills. One or two boats were moored under the shady bank, and some of our party amused themselves by fishing with floats, the stream being too smooth for the fly.

In the evening, four of our party returned by the road they had travelled in the morning, but I preferred the opposite bank, and set off gun in hand, keeping close to the river. I reached camp just before sunset, having picked up five hares and one spotted deer on the way.

The near approach of muster now obliged us to think of returning to our station, a prospect nearly as grateful to us as that of black Monday is to a school boy.

We determined to march leisurely back to Deyrah, and then run into our cantonment as quickly as possible.

Our first retrograde march took us to Futtipore, about 4 miles up the Ason, where we found capital fishing and shooting. The next four miles we walked extending our line of beaters across the plain. Numerous florican rose before us at great distances, but we only succeeded in killing some small game and one or two hog deer. This march brought us again to Saheinspore, whence we rode into Deyrah and proceeded to cantonments by dawk.—*Delhi Gazette.*

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# THE NORTH EASTERN FRONTIER.

We now intend offering some observations on the subject of the countries on our north eastern frontier. Before entering into the details which we propose submitting, we may premise, that we consider Cabool and Cashmere as the key stones of our power, and that the possession of these, gives permanent security to our authority; but should either one or both fall into the hands of the Russians, they will ensure to that power the future conquest of Hindostan. It is true, the possession of these provinces could not immediately cause such a revolution; a few years must doubtless elapse, a few changes from peace to war, treaties ratified and pledges be broken, but the ultimate result would not be the less certain, for in her, Russia obtains this base for her future scheme of ambition, and the eastern star of England will then have passed the time of its meridian. Leaving Cabool, therefore, as the chief point which is to give security to the British, or power to our wary adversary, let us seriously review the occurrences which passed under the eye of our present Governor General.

We may premise that we are principally indebted for our present sketch to native evidences, but as these were eye witnesses of acts described, we consider that reliance may be reposed on their general veracity.

When Dost Mahomud was aware of the intended invasion of Sujah, his first object was to obtain accurate information as to whether his opponent was supported by the British Government, and the means he adopted for this purpose will be afterwards attended to. He, however, gave out that he was convinced of the good faith and honourable conduct of the British, because had he not done so he would have exposed his own weakness. At this period, his half brothers at Candahur had been induced by the other half brother at Peshawur to depose Dost Mahomud, while a large party is said to have existed within the walls who desired to see the British masters of Cabool, and would have supported another powerful party favorable to the cause of Sujah. Dost Mahomud felt himself surrounded by no common difficulties. As head of the Borakzes, he seemed to have only that tribe to depend upon. The Kas Khomul, or standing army, were in favor of Sujah, or rather prepared for a revolution, that being ever the period for advancing their own interest and for reaping for themselves a golden harvest. The Ludosye tribe which had for long given kings to Cabool, were evidently inimical to his cause, nor were their troops employed by Dost Mahomud. The other powerful tribes in the neighbourhood were indifferent, hoped for advantage in the struggle for power between the Borakzes and Ludosees. Dost Mahomud's resources were insufficient for the struggle; his private fortune obtained from the plunder of Heerat having been expended, nor did he possess the means of conducting a campaign. His half brothers at Candahar, or what Lord Brougham would call the Dil Family, consisting of 5 brothers, Sher Dil, Khan Dil, Meer Dil, Ram Dil and Poor Dil, had, as we have said, combined to depose him, and when Sujah was yet at Shikarpore, Mere Dil, a man of specious manners and a notorious intriguer, came to Cabool to urge his brother to proceed to Candahar, it having been arranged to depose him in his absence. Dost Mahomud took up the cause of Candahar most warmly and proceeded to increase his forces, making forced levies of money on the inhabitants of the city. Notwithstanding this alacrity, he found pretences for not marching until the winter set in, and the common roads were declared impassable, still he asserted his determination to proceed, and placing Ameer Mahomud Khan, his only brother, in command of Cabool, be actually set out. While this was passing, Sultan Mahomud at Peshawur evinced unequivocal symptoms of defection, while Zeman Khan at Jallalabad, son of the famous Falley Khan, and therefore nephew to Dost Mahomud by the father's side, was almost in open opposition to his half uncle;

he took the road to Peshawar and arrived at Jellalabad before Zeman Khan was prepared for him. The gates of the city were immediately closed and Dost Mahomud opened a battery against the town, which is but badly fortified. In eight days a breach was made and the town taken by assault. In the meantime Morad Alley Sirdar, who had been sent by Sultan Mahomud Khan to combine in his intrigue, fled along with Jumahamud Khan; they succeeded in making their escape from the army disguised in women's clothes, but Zeman Khan was taken prisoner. Returning to Cabool with his nephew, Dost Mahomud now prepared to proceed to Candahar, and went to Ghussni, apparently afraid in the distracted state of his dominions to proceed further. Finding, however, that the Candahar brothers could make no head against Sujah, but were cooped up in the city and in an entrenched camp outside, he set out, accompanied by only 8000 horsemen, chiefly Borakzes, making forced marches to their assistance. Fearful lest his troops would go over to the enemy, and knowing that almost all his Sirdars had written to Sujah, stating their desire for his success, he led his men next morning to the attack. Sujah's army lay encamped in a mangoe grove on the south of the city, with an old wall on the north or in their front. The new troops of Dost Mahomud were on the westward, while the entrenched camp of the Candaharees was on the westward. The Candaharees had succeeded in bringing over a Sirdar of Sujah, named Shubar Khan, and his defection seems to have decided the action. At 9 o'clock in the day, the action commenced by the opening of a battery from the entrenched camp, which did considerable execution. The troops of Dost Mahomud at the same time took possession of the old wall, from which they securely sniped at the camp. Shumbah Khan went over, and at the same time Sujah fled without a struggle, probably suspecting further treachery, and that it was not unlikely he might be surrendered to the enemy. The Belochees now formed without order to oppose the approaching troops of Candahar, but this was but for a moment, their camp was quickly in possession of the enemy, and themselves scattered in every direction. An Englishman, named Camel, in the service of Sujah, is said to have alone opposed a moment's resistance with a parcel of ragamuffins whom he had collected; he was himself severely wounded, and on the total discomfiture of Sujah's troops, he took service with Dost Mahomud.

Notwithstanding this success it was not considered prudent by Dost Mahomud to pursue Sujah; for a report arrived that Meer Mahomud Khan was at the point of death, and Dost Mahomud had therefore to provide against the chances of a revolution from the powerful parties, whom he knew, were in opposition to him.

He accordingly posted back to Cabool, but did not reach the city till Ameer Mahomud had expired from the effect of an inflammation of the bladder. These brothers appear to have been really attached to one another, and Ameer Mahomud at his death left the bulk of his fortune to Dost Mahomud, urging him to exert himself against the further progress of the Sikhs. His loss, however, detracted greatly from the great moral advantage obtained by Dost Mahomud from his recent success over Sujah.

We now turn to Peshawur, which Runjeet, watching his opportunity, had taken possession of, almost without a struggle; its former prince, Sultan Mahomud, has returned again fugitive to Cabool. To account for this, we may mention that Sultan Mahomud had married the daughter of Fysoolah, and that the latter had risen to power in consequence of his connection. Whether he had behaved with arrogance, or seemed inclined to take advantage of the weakness of the Government to render himself independent, is uncertain, but Sultan Mahomud after endeavouring by different stratagems to get rid of him, at length invited him to a feast, where he treacherously murdered him. Not satisfied with this, he immediately sent to seize his villages and private property, endeavouring to get hold of the brother Mamoollah Khan. The latter, however, effected his escape with his family to the hills on the Teera Range, and placing his family in the fort Jalookhar, he proceeded to Shurspittoo, where he bid defiance to Sultan Mahomud. Dreading his increasing power, Sultan Mahomud sent several embassies to him, but Mamoollah would not believe either his protestations or oaths; at length some holy Syuds succeeded in effecting an apparent reconciliation, where each party was prepared for the treachery of the other. Sultan Mahomed was afraid to engage the Sikhs, lest his brother-in-law should attack him and prevent his Sirdar Kakun Pattan, from pursuing some partial successes he had obtained. At length he abandoned the camp, while Mamoollah Khan went over to the enemy with 2000 troops. This was of great consequence to the Sikhs, who had hitherto held only military possession of the country. They obtained by Mamoollah's means command over the country around Noshera and Hust-Nug-

ger, their northern boundary, but at Cohaut; their southern extremity, no one can now leave the camp without being liable to be cut off.

We shall now proceed to the banks of the Sutlege and Indus, leaving the field of contest at Peshawur, for consideration, on reviewing the condition of the Sikh States under the present dominion of Runjeet Sing. We shall also leave Dost Mahomud for a brief space, now comparatively speaking, firmly fixed on the throne of Cabool, thanks to the abortive attempts of the British Government to depose him. We must first allude to the policy of opening the Indus as a subject of political interest, leaving our remarks with regard to the mercantile advantages of the measure for future consideration. Some 10 years ago, Captain Murray, Political Agent at Umbala, submitted a proposition for opening the Indus, we believe, to Sir C. Metcalfe, who styled it a splendid but impracticable measure. Lord William Bentinck took it into his head to carry this project into effect, and was for a short time warm as any school boy on its execution. He accordingly purchased the navigation of that river by an act most injurious to the British interests, namely, the recognition and declaring independent the powers of the Ameers of Sinde and the Sirdar of Bawulpore. Let us attentively observe the position of these States, and we believe all must join in the conclusion, that whether as regards the security of our dominions against a foreign enemy, or the peaceful establishment of our provinces within an unsettled barbarous country, uncontrolled on their skirts, the policy cannot be supported by a single solid argument; neither was the measure in the slightest degree called for. The opening of the Indus required not the recognition of these States, and it is alledged that Runjeet Sing, who well knew that a desire expressed by the British authorities, either to the Ameers of Sinde or the Bawulpoor chief, would have been sufficient to ensure their acquiesence, was so struck with the measure, that he gave Lord William credit for concealing some masterly stroke of policy, under an absurd exterior. The territory of Bawulpore skirts the Bikeaneer country, forming a long narrow stripe on the left bank of the Indus. Now, this State owes its present existence to the protecting influence of the British; the Sirdar being unable to defend himself against the power of Runjeet Sing, who having deprived him of the best half of his dominions on the right bank, is only deterred from seizing the remainder by his treaty with the British. With this dependant authority we must go through the farce of negociating, and for the declaration without any specific engagement being agreed on, the Governor General confirmed him in his present dominions.

The Sindians, formerly an appendage of our good friends in Cabool, were likewise confirmed in their independence. This is probably one of the most barbarous countries in Hindostan. It contains about three millions of inhabitants and yields about 60 lacs of revenue. At the period we allude to, it was governed by Meer Morad Ally, the head of the family and chief of Hydrabad, Meer Rustum Ally, Ameer of Kyrepore and Meer Ally Morad, chief of Meerpore. The first act, therefore, of opening the Indus, was to establish a line of feeble independent authorities, who were at liberty to league or form alliance with our enemies, we having for the *nominal* navigation of that river, surrendered the right as paramount authority to dictate the course they were to adopt, when the general peace or welfare of the continent, called for such an interference.

We now pass on to the next act of his Lordship's administration. We may premise that the British public were at length aware of the possibility of a collision with the Russians on our north western frontier, and we may almost gather from Peacock's examination before the House of Commons, as well as Mr. Grant's speech, that the attention of the authorities had been called to the subject, and that most probably, instructions of some kind had been forwarded to his Lordship on the subject. To guard against this event, the establishment of an influence in Cabool was obviously necessary, and we now proceed to detail the means which his Lordship adopted for effecting it.

Dost Mahomud then trembled on the throne of Cabool, while Shah Sujah was a stipendiary of the British at Loodianah. The crooked policy, therefore, of the Governor General, was to arm the Shah against Dost Mahomud, and then take advantage of his anticipated success. Dost Mahomud was, we repeat, ruler in Cabool; we were at peace with him, neither had we cause of dispute. As we shall afterwards find, the object aimed at might likewise have been honorably attained by the recognition of Dost Mahomud, without the necessity therefore of a wanton act of treacherry, on the part of the paramount authority in Hindostan. Sujah who had formerly been refused permission to make an attempt on Cabool while in the British territories, not only appears to have obtained leave, but had his annuity settled on his family during the period of his absence, and

under that sanction, he commenced raising troops within the British dominions, that is, the protected Sikh States, for the avowed object of recovering his lost throne, yet his Lordship dared not acknowledge him as his puppet. No! that would have been too bold a measure for our cautious ruler who wanted to remain behind the screen, to reap the advantage, without sharing either in the danger or disgrace. There can be little doubt, that had Sujah been recognized, and aided by the British, his success would have been certain, but without the open assistance of the British, we conceive that the recovery of his throne would not have brought us one point nearer the object aimed at, than before the Shah's expedition; we trust, too, we anticipate the remarks of the future historian of India, in styling the above an act that shuns the light, an act which permanently stamps the Governor General's reputation, affording a color to other measures, scarce perhaps warranted without this clue to his Lordship's line of policy.

Sujah, as we have stated, having received the demi-support of the British, commenced making preparations for the campaign, levying about 3,000 troops within the Kotelah district. Runjeet Sing could not be deceived as to his having obtained the cognizance of the British, and Bhauwal Khan and the Ameer of Sinde were likewise thoroughly convinced of it.—Under this impression in an evil hour, Morad Alley of Hydrabad, invited him to Sinde, or rather promised him a free passage through the Sinde dominions. On the 5th of Rumzan, 1833, the Shah quitted Loodianah for Muleher Kottah, with 5 guns, 600 Zinchalchees, and two battalions under two European officers, Camel and Dick. His brother-in-law Mahomud Shoriff Khan was his principal adviser at this period. After remaining a few days at Mulehur Kottah, he proceeded with his increased force towards Bawulpore. This threw the chief of that State into the utmost alarm, and it was with great difficulty he could be brought to meet the Shah at a friendly interview. We cannot help calling attention to this, as the passage of Sujah affords a criterion by which we may estimate the real strength of the parties with whom he had to contend. It is indeed almost the only mode, for the British authorities prefer remaining in dark, by either discouraging or prohibiting travellers from visiting countries not under their immediate controul.

The Vukeels of Runjeet Sing arrived at the same time in Shah's camp and settled a treaty, by which the former chief, as the price of his neutrality, was to retain possession of whatever territories belonging to the Shah's former dominions he might conquer, previous to the Shah's being in the acknowledged possession of the throne of Cabool.

The Shah having staid 12 days at Bawulpore, took 19 days more to march to Kyrepore. The Ameer of Kyrepore had some well-founded misgivings about receiving the Shah, and sent his sirdar Meer Junghee with some Sindians to prevent his advancement. Casim Shah, however, arrived about the same period, as ambassor from Morad Ally Khan of Hydrabad, and an arrangement was drawn up by which the Shah was only to remain 50 days in Sinde, that he was to be paid a lac of rupees by two instalments of 50,000, and to be conducted to Shikarpore,—arrived at Shikarpore, and the first instalment being paid, he commenced levying contributions on the buneas to the extent of 2½ lacs, and having collected in all about 20,000 followers, he took possession of Shikarpore under the plea that the remaining 50,000 rupees had not been paid. The Ameers got alarmed, and proceeded to oppose resistance against the attempts of their faithless guest. The brothers, being as usual, at enmity with one another, a proper combination of measures could not be expected. Meer Rustem Khan, a vain and weak man, sent a force of 50,000 Sindians across to Shukut at a short distance from Shikarpore, and an action took place before reinforcements could arrive from Hydrabad. At this period the Shah's force was chiefly composed of Punjahees and Hindostanees, the remainder being made up of Belochees, Rohillas and Sikhs, consisting of about 5,000 sewars, 12,000 foot soldiers, with 1,000 jmjalchies and 8 pieces of artillery. A skirmishing of out posts having occurred in which the Shah's troops were worsted, nearly the whole of his force were detached next day under Summunder Khan to attack the Sindians. The latter were defeated and 1,500 killed—many Sinde Sirdars also perished in the action, and Gossim Shah who had lately come to escort the Shah to Shikarpore, was drowned in attempting to make his escape across the river. Meer Morad Ally having died about this time, was succeeded by his son Noor Mahomud Khan, whose force had advanced to Curaker. About the time of the defeat of the Sindians, a letter of defence had been sent to the Shah by Noor Mahomud Khan, upon which the former made an advance of one march towards him. Noor Mahomud then sent a Vukeel to the Shah, who now, as the price of his forbearance, demanded 12 lacs of rupees, but was afterwards contented with 7 paid down, and a promise of the remainder on his obtaining possession of Candahar.

We now resume our view of the state of affairs in the countries on our North Eastern Frontier.

Shah Sujah returned immediately on the execution of the above treaty to Shikarpore, where he remained eight days, and then set out finally for Candahar, after a residence of 9 months in lieu of 50 days, as originally agreed on. Nothing worthy of observation occurred during the march, which was completed in one month. The invading army had increased, it was said, after the defeat of the Sindians to 450,000 men. The Candahar Chiefs offered no opposition to the advance of the Shah, but retired to the city, and to an intrenched camp, immediately on the appearance of his force. The different roads were immediately occupied by the Shah's troops, and measures were taken to prevent supplies reaching the city, while the main body encamped in Nader Shah's Candahar, an old deserted fort, lying about one coss from the principal portion of the main town. It is said to be on the south-side, at right angles to the Cabool and Heerat roads. Here (45 days) was frittered away in fruitless attempts, at battering the walls, where the *Dil Family* merely defended themselves. Just before Dost Mahomud's arrival, arrangements were made to take the place by assault, but the garrison received intimation of the intended attack; and the Shah's troops were accordingly beaten off. Perhaps we cannot give a better description of the rapid progress of events after the arrival of Dost Mahomud, than by quoting the account given by an intelligent native, who arrived in the Shah's camp just at this period.

We need scarcely apologise for giving his journal at length, as, after making the requisite allowance for surplus *bahadering*, the statement affords, we believe, as true a picture of the occurrences, at least as correct a one, as we have hitherto been able to obtain from other sources of intelligence.

"———— Commandant, late in the service of Shah Sujah.—I arrived at Kyrepore with 500 horsemen on my way to join the Shah who had then gone to Candahar. I was asked by Amud Khan on the part of Meer Rustum to take service with him, and offers were made to me of Rs. 10,000, but I declined them. An application was then sent to Hydrabad to allow me to cross the river, and measures were adopted in the interim, to prevent my doing so; but after remaining there eight days, I crossed in spite of them and proceeded on to Shikarpore. Here, likewise, I remained eight days, and then taking with me 40 camels, loaded with water, I set out for Candahar. There are no wells on the road to Kunda, which is 40 coss distant. The people of that place attempted to oppose my advance, having stationed 2000 sowars, and 3000 foot, on the road, some distance from Kunda, at a place named Putta. I came suddenly on them in the night time, and we had a battle. The whole ran away and I took possession of their water camels and a few matchlocks. On reaching Kunda, a faqueer told me to be on my guard, so I insisted on the thanadar's furnishing me with 500 men to shew me the way. From this place I reached Bagnee 8 coss, and thence to Shale 80 coss, where I remained six days. Here I understood, that the Murrees, Kakeus, and Boroees intended to defend the road to Dhera. I accordingly marched in the night, and at Dhera I attacked them. The Afghans had three men killed while I lost a horse and one man wounded. Notwithstanding this affray, I remained there six days; my next march brought me to a village of the Barackzes, about 5 coss distant. My sowars having seized a doomba sheep, the town's people attacked us, wounding one or two of my men. I was asleep at the time, and before I got to the place, 9 of the enemy were killed. In all they lost 16 men, and I went off, taking with me 6 of their camels. I arrived in the morning at the Shah's camp when the troops were just retreating from an unsuccessful attack on Koondils Candahar. It appeared that they had had no proper ladders, so that even had the garrison not opposed them, they could not have got inside; I went directly to the Shah, and told him not to mind a defeat, for *inshallah tallah*, I would make another attack next morning. I found him encamped in an old fort, called, I believe, Nader Shah's Candahar, situated opposite, and at a distance from Koondils Candahar, against which batteries had been erected. The Shah's position was strong and capable of opposing considerable resistance.

"News had arrived, however, that Dost Mahomud was within 10 coss of Candahar, and preparations were then made for retreating. There is a ruin called Candahar, on the Husar road, about 2 coss distance, and the Shah was recommended to go there among the guns, from the batteries erected against the city. I strongly urged him on no account to take such a step; but if a movement should be made, it ought to be towards Dost Mahomud, instead of retreating on the opposite direction. The Shah delivered over to me 15 guns, 4 large, the others zinjals, and placed 3,000 Dooranees under my orders. The same night they all run away,

and in the morning I found likewise three of my guns unserviceable. The Shah retreated as proposed during the night, taking the guns from the batteries, and here we found ourselves cooped up in a confined place, full of trees, with gardens in all directions, some of my horses being picketed within the ropes of the Shah's tent. I refused to remain in such a place, where the men could not fight, and accordingly took out my party with the guns about 2 coss distance, between the position which the Shah had abandoned and Koondils Candahar. Before this I had received from the Shah the rank of Nuwab and the general command of his troops. Dost Mahomud had now communicated with Koondils Candahar, and was encamped, on the Cabool road. Zummender Khan was encamped between me and the Shah. Dost Mahomud's troops made several attacks upon me which I resisted; passing me on my right they then attacked Sumundee Khan, who retreated, leaving his guns, and while the enemy were plundering his bazar, I sent and brought away his guns to my own position. At night 1200 Zinchalchees under Shubaz Khan and 6000 Rohillas went over to the enemy. On the previous night 500 of the Khas Khana had come over from Dost Mahomud, each of whom received a gold mohur and a shawl. They were made over to me; but I was afraid of them and considered them as spies. Next morning the enemy bore down between my position and the city, directly on that of the Shah. Camel's corps came out to receive them, the rest of the Shah's troops, concealing themselves the best way they could behind the trees. Camel was defeated, after some partial success, and surrounded; his troops were cut up and he himself wounded and made prisoner. The Shah had gone off long before this, no one knew whither, but it was afterwards understood he had taken the road to Furrah in the Heerat district. Somunder Khan fled to Sibee Dunder and is since dead. I was now left alone, and defended myself the best way I could for eight or nine hours. I surrendered on an engagement made by Dost Mahomud, but notwithstanding this, every thing I had was plundered. I lost three horses, and property to the amount of three lakhs of Rupees; my son also perished. I was offered service by Dost Mahomud, who kept me for two months at Cabool, but I declined it, and returned by way of Pashawur to my own home."

Our observations on the North Eastern Frontier of our Indian dominions, have already been spun out to a much greater extent than we had previously proposed. We shall now from the data, hitherto advanced, endeavour to form our conclusions regarding the policy which has been or ought to have been pursued. First, therefore, we conceive, that with regard to the foremost puppet in the drama, Shah Sujah, it has been clearly proved, that notwithstanding his long residence within the British territories, we sent him out a true Afghan, as completely devoid of honour and principle, as when he first received protection at Loodianah. This is apparent from his behaviour in Sinde, and consequently whatever professions he may have made to the British Government before the accomplishment of his enterprise; they would not have been fulfilled, unless there had been held out to him similar, if not greater inducements, than would have been required to make Dost Mahomud perform all that might have been required of him. We may here state on the authority of native evidence, on his own protestations, and on the reports of intelligent travellers, that Dost Mahomud was at that period prepared to agree to any proposal emanating from the British Government, even, it is said, had that been the insisting on his yielding the throne to Shah Sujah. The latter's imbecility is evident through his whole progress. He acceded to a useless and humiliating treaty with Runjeet Sing, without in return stipulating for a single solid advantage. Instead of conciliating the Sindians, after having thrown off the mask; instead of rendering Shikarpore the basis of his operations, he foolishly placed his fortunes on the hazard of a single campaign, which was lost by his own want of energy and glaring cowardice.

The miserable Government and weakness of the Ameers of Sinde, may be estimated by the effect of the defeat of 5000 men, when the whole country, containing a population of 3 millions, was placed at the mercy of a Pindarree rabble. The dastardly conduct of their Sirdars is, however, admirably contrasted with their *bahadering* towards our Political Agent; by their having deluded him into a contemptible treaty of commerce, and their unblushing effrontery in making him believe, that they would not assent to a British Agent being placed at the mouth of the Indus. This is the most favorable light in which this article can be viewed, for we should otherwise have to assume, that jealousy or some less worthy motive induced the Political functionary to accede to their desire, that a British Agent should not be placed at the mouth of the Indus.

Poor Bawulkhan was thrown on the mercy of Shah Sujah and obliged to shut himself

up in his fort, from the dread of the former's 3000 myrmidons. With this Sirdar, however, whose territory scarcely yields a revenue equal to that of the protected Sikh States of Patialah, we likewise went through the farce of negotiating a treaty, which prevented future Governor Generals from remedying the rude measure of Lord W. Bentinck. We may here record the different policy pursued by Lord Minto, Sir David Ochterlony, and the then resident at Delhi. The protected Sikh States yielding a revenue of 55 lacs of Rupees were received under our protection, not by treaty but by "*itela namah*," and it would appear from this document, that the chiefs only exercise their respective authorities during the good will and pleasure of the British Government.

We say Bawulkhan was declared independent, for permitting the navigation of the Indus. For this boon he is to receive a duty on all boats, and to be permitted to fix any prohibitory duties on merchandize he may please, within his own territories. Runjeet Sing and the Sindians have secured similar favors along the whole course, and on both sides of the Indus; and this, forsooth, is called by the partizans of Lord W. Bentink—opening the navigation of that river.

With regard to his Lordship, had he openly spoused the cause of Shah Sujah, coward as he is, there is scarce a doubt that the moral effects of such a recognition would have placed the Shah on the throne of Cabool. Such a measure would at any rate have been superior, when contrasted with the weak furtive policy which his Lordship selected. In this case the terms of recognition should have been defined, and nothing been left to the generosity of the invader. The case required, however, no crooked, Sicilian policy; it was obvious as the day, either we ought to have made the existing authority the means through which we might have obtained our object; or we ought to have stepped in ourselves, where a great proportion of the inhabitants were anxious for an interference. Had we preferred the former, Dost Mahomud was prepared, as we have already stated, to make any sacrifices to the British, and the recognition by us would have given him at least that ascendancy, which he has now obtained, through his Lordship's efforts to depose him.

But has this been the only consequence of his Lordship's measures? have we placed Dost Mahomud on the throne, and only forfeited for a time that character for bold, open and generally upright conduct, for which we have generally been respected? No! we have hitherto omitted to mention that Russia has been awake to his Lordship's plot—we dare not call it enterprize—and has on this account advanced her frontier towards Khewa, sending an embassy towards Kokund with an evident design of obtaining an influence in that district. She is said to have been induced to this, by another of L. Lordship's measures, namely, the sending a British emissary to Bockhara, for no defined cause, save, indeed, to arouse apparently the jealousy of the ambitious autocrat.

Before concluding, we have but one more remark to make; we stated our opinion in another part, that, making allowance for change of time, Lord W. Bentinck and Sir George Barlow will rest side by side in the pages of history. Both were endued with indomitable obstinacy, which in one instance caused a mutiny of the army, and in the other brought it just to the brink of one, which might have separated India permanently from Great Britain. Weakness of purpose, contracted views, and conservative principles, have been however the distinguishing features in the characters of both, and when we compare Sir George Barlow's conduct to Jeypore, with that of his Lordship, in the instance we have quoted, we are led to the conclusion, the British reputation has suffered materially under the administration of these distinguished statesmen.—*Mofussil Ukhbar*.

# HALLAM'S CONSTITUTIONAL HISTORY.

## No. VI.

### TO THE EDITOR OF THE BENGAL HURKARU AND CHRONICLE.

Sir,—"The reason," says Mr. Hallam, "why a system so incompatible have been held respecting our constitution is, that some have confined their attention to the letter of our statutes and other authorities, whilst others have looked only to the instances of arbitrary government they have found on record." What does the author mean to convey by this passage! Does he mean to say, that "instances of arbitrary government," if sufficiently numerous, are not the *only facts worth considering*, in estimating the character of the English Constitution? The class of men who maintain that the government of England under the Tudors was very despotic, do no rest the truth of their opinions by asserting the occurrence of one or two oppressive acts. They declare such acts to have been very numerous; and admitting their opinion to be borne out by facts, would Mr. Hallam deny that their case was proved? From the above passage, and indeed from the whole tone of his work, I should say he would make this denial. The author of the Constitutional History neither conceals, nor glosses truths; he is neither the cold narrator, nor the apologetic defender of cruelties; there is no superstitious loyalty for weak or wicked Kings, no bigoted admiration of oppressive and corrupt nobles, about him: still he seems to think, that very many instances of oppression, by subjects against subjects, and by governors against governed, can co-exist with a good constitution. Mr. Hallam seems continually to separate the theory from the practical working of a constitution. "The writ of *Habeas Corpus*," he says, "has always been a matter of right. But as may naturally be imagined, no right of the subject, in his relation to the crown, was preserved with greater difficulty."* On the supposition that a limitted prerogative existed, according to any rational interpretation of such a term, it may *not* "naturally be imagined," that this right difficulty. In truth, to talk of this as a right continually encroached on, and yet to lay claim to tolerably free government, is a palpable contradiction. It must be recollected, that it is not a suspension of the writ of *Habeas Corpus* in cases of actual or apprehended rebellion, of which the author speaks. Every one knows that within the last hundred years, the enjoyment of the writ above mentioned, as a right, has several times been suspended; and no one contends, that such temporary deprivations of personal security (whether justifiable deprivations or not, is not now the question) amount to a destitution of the enjoyment *in general* of personal security, through the possession of a right to the writ of *Habeas Corpus*. But this is not what is meant by the author of the Constitutional History. What he obviously intends to assert is, that the people of England possessed the right of the writ of *Habeas Corpus*, simply because such a right existed on the Statute Book, though the right was continually violated with impunity by the sovereigns or rulers for the time being; though in fact the law was of no more actual value than a bit of waste paper! In making such an interpretation of the term *right*, I cannot help thinking that Mr. Hallam has fallen into the fatal error of confounding form with substance, of mistaking words for things. I have already adduced some examples to show, that this writer's anger is more apt to be called forth by the violation of certain legal forms, than by the contemplation of the injustice implied in the acts of oppression themselves; and that agreeably to the same bias of his mind, he seems, in recording instances of the abuse of power, to derive consolation from the thought, that such abuses were committed according to law. These defects arise entirely, in my opinion, from his not fixing his gaze exclusively on the conduct of private individuals towards one another, and on the practical working of the Executive Government, as the sole test by which to judge of the efficiency of the constitutional check upon injustice. This want of clear-sightedness leads him to cite as authorities in favor of the existence of a limited monarchy, men whose writings cannot be said to establish such a fact. Thus, Hooker is represented as an advocate of limited monarchy,* though he lived in the reign of Elizabeth, is chargeable, likewise, with some-

* Hal. Vol. 1st pp. 251, 252.

* Hal. Vol. 1st p. 239.

what of an excessive deference to authority, and though not a word throughout his 'Ecclesiastical Polity' is to be found, of indignation on account of the acts committed in those times, or even a hint that those acts were beyond the sphere of a sovereign's power, whose authority could rationally be said to be limited. Thus, too, Mr. Hallam lays much stress on the principles asserted in Aylmer's answer to Knox's "Blast of the Trumpet against the monstrous Regiment of Women," merely because it contains the speculative assertion of the existence of a limited government.* Elizabeth was not very likely to take offence at the asserted existence of a limited monarchy, so long as she wielded practically so much real power, and even if she disapproved of such an assertion, she was likely to wink at it, inasmuch as Aylmer was contending for the right of a woman's reigning, and arguing against the hateful reformer Knox. But Elizabeth's whole reign shews, that she would have abhorred the asserted existence of a limited monarchy, according to any reasonable interpretation of these words, and that she would have considered the practical exercise of such a principle, as downright treason. But perhaps, the most striking misapplication of a writer's words in order to support an author's own theory, is to be found in the use Mr. Hallam makes of a certain passage from Raleigh.† Hume had used the same passage to shew that the government of England in the days of Queen Elizabeth was no better than that of Turkey. Writing of Philip II., Raleigh had said, that he "attempted to make himself not only an absolute monarch over the Netherlands, like unto the Kings of England and France; but Turk-like, to tread under his feet all their national and fundamental laws, privileges and ancient rights." It seems to me, that Raleigh's words of themselves, obviously refute the meaning put upon them by Hume. There is a distinction made by the writer, between the term *absolute* as applied to England, and the sort of government that existed in Turkey. But Raleigh meant to say, that the Government of England, *acting according to certain forms*, had a degree of power so great, as to be correctly characterized by the word absolute. Really this appears to me to be the only fair and rational meaning that can be put on the above passage. Mr. Hallam's remarks are, 1st, that Raleigh was not a fair witness. 2d. If there were rights and privileges in the Netherlands, were there not also rights and privileges in England, and did not this prove the Government not to be absolute? And would it not be as Turk-like to infringe on Magna Charta, and all those unrescinded statutes, and those traditional unwritten liberties, which were the ancient inheritance of the subjects of England, as to do the like in the Netherlands? 3d. It could not with truth be said, that as absolute sovereigns those of England could rank with those of France. The reason why Mr. Hallam considers Raleigh as an exceptionable witness is this. "Unscrupulous ambition," he says, "taught men in that age who sought to win or regain the crown's favour, to falsify all law and in fact in behalf of prerogative." To such a remark, I would simply reply as follows. Does the enumeration of the facts I have given, (and I have only given specimens) seem to shew that Raleigh was exaggerating, in describing prerogative to have been so powerful? They must have strange notions of a limited prerogative, who admit its capability with the extraordinary power that was exercised by the Tudors. I would observe in the second place, that Mr. Hallam's objection to Raleigh as a witness, goes farther than he seems to be aware of. Kings must be powerful to make it worth man's while to flatter them respecting the amount of their power. If the Parliament had exercised a real and substantial check upon the royal authority, the Parliament and not the Monarch, would have been the idol of sycophants. They who deny this, do not look deep into human nature. At a subsequent period, when the Parliament began to shew independence, such a doctrine as that of absolute power in the sovereign would have been fiercely taken up by the Members, as it was in several instances in the reign of Charles I., whether wisely or not, is not now the question. We know how Montague, Sibthorp, and Manwaring were treated for advocating ultra loyalty; can any man conscientiously think, that the House of Commons could have decreed sentence against such men had they lived in the reign of Elizabeth? Mr. Hallam's second remark resolves itself into his constantly repeated assertion, that because there were certain forms observed in governing England, therefore the Government was not absolute;—a doctrine quite true according to the strict letter, but which when admitted, does not in the slighest degree shew that the monarchs did not exercise a degree of authority, altogether inconsistent with the notion of a reasonably limited prerogative. With respect to the author's third remark, if it can be shewn that the Tudors did continually commit the most disgustingly cruel acts with impunity, it appears to me to be trifling with our understandings, to measure whether France's des-

* Hal. Vol. 1st p. 203.
† Hal. Vol. 1st pp. 298, 299.

potism did not exceed that of England, when the amount of despotism in England was so prodigiously great. The author of the Constitutional History not only cites in favor of his theory, authorities which when properly examined, do not support the soundness of his opinions, but he upsets at once with a mere flourish of his pen, any statement, which seems to make against what he considers to be the truth. Thus Bodin de la Republique says, the English Ambassador M. Dail (Dr. Dale) had assured him, not only that the King may assent to, or refuse a bill as he pleases, but that "il ne laisse pas d'en ordonner à son plaisir, et contre la volonté des estats, comme on a vû Henry 8 avoir toujours usé de sa puissance souveraine."* Did not the English Ambassador speak the truth? Does not Mr. Hallam's book irrefragably demonstrate the accuracy of Dr. Dale's statement? Yet the historian throws the fact overboard at once, by simply asserting, that the exalted notions of prerogative, which the ministers of Elizabeth entertained, were imbibed from the examples of despotism that were before their eyes on the continent.† Now there is not only not the slightest evidence adduced, to shew that Elizabeth's ministers derived their notions from a continental source, but what is more important, their conduct undeniably proves, that whencesover derived, their theoretical notions were constantly carried into practice, and that accordingly, though in form there might be checks upon the sovereign, in reality the extent of his power was fearfully great. Nothing can prevail on Mr. Hallam to quit his hold of the position, that the power of the sovereign in the times of which I write was legally limited by constitutional checks: yet he is much too honest and much too sensible a man, to attempt to deny, that a vast quantity of oppression was committed by rulers. Accordingly he seems to think it necessary, to make such an admission square with his theory, by ascribing the forced submission of our fore-fathers, to the vigorous exercise of the arbitrary jurisdiction of the Privy Council, which inflicted any punishment short of death, and the dispossession of freehold;‡ and to the compliant spirit of the nobility, not to any defect in courage, or disregard of freedom in the people.§ With respect to the first of these reasons, it is no doubt quite true, that if men submit tamely to the cruel tyranny of the privy counsel, such a court is an effectual instrument of despotism. But why did the people submit? Why did they remain the quiet and indifferent spectators of a notorious and monstrous abuse of power? To me it seems, that their submission is a proof of their moral slavery. The second reason appears to be an assumption altogether unsupported by proof, and indeed, one, that involves a contradiction. What sort of a courage, what kind of a love of freedom could that have been in a people, who permitted their sovereign to imprison the persons, to take the lives, to spoliate the property of nobles, at pleasure? What regard for independence could that nation have felt, who permitted their kings to nominate the representative of the people in Parliament, and who tolerated on the part of royalty such a decree of interference with the freedom of debate as made Parliaments a jest and a mockery? Courage in a people, to deserve the name of courage, as far as politics are concerned; love of freedom, to mean any thing beyond an empty phrase, imply qualities which would not only not have permitted injustice to be perpetrated with impunity by kings, but which would have *forced* Parliaments to be bold in spite of themselves Admitting, however, that a dastardly spirit was confined to the Members of Parliament, it seems self-evident, that Parliaments composed of such materials, could not operate as an effectual check upon royalty, either as regard the imposition of taxes, or the making of new laws; yet that such a two-fold check did exist, it is one of the chief objects of Mr. Hallam's work to establish. If I have not entirely misunderstood the author of the Constitutional History, he has erred in fancying, that because there were, from time to time, assemblies, named Parliaments, called together, the sovereign's power was therefore limited. A theory altogether different is held by Mr. Macaulay. That gentleman holds, "that the government of the Tudors was, with a few occasional deviations, a popular Government, under the forms of despotism."* This opinion is not contained in the review of Mr. Hallam's History, but in a subsequent article on 'Nares' Memoirs of Lord Burghley. It is well worth while to inquire how far this view is just; but the inquiry must form the subject of another letter.

I am, &c.

A BENGAL CIVILIAN.

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* Hal. Vol. 1st p. 305. Note.
† Hal. Vol. 1st pp. 304, 305.
‡ Hal. Vol. 1st p. 51.
§ Hal. Vol. 1st pp. 49-51.

* Edinburgh Review, Vol. 55. p. 281.

## No. VII.

TO THE EDITOR OF THE BENGAL HURKARU AND CHRONICLE.

Sir,—At the conclusion of my last letter, I proposed to inquire into the truth of Mr. Macaulay's opinion, "that the government of the Tudors was, with a few occasional deviations, a popular government, under the forms of despotism."

That constitution of Government would be the best, which should elevate to the highest attainable pitch, the intellectual, moral, and physical condition of the great body of a nation. If we examine the nature of the ends supposed to be accomplished by the constitution I have described as a perfect one, it must at once be allowed, that the materials of such a constitution, do not as yet any where exist. The highest attainable intellectual perfection in the great body of a people, implies the utmost practicable diffusion amongst them, of the most useful knowledge; and before this great end can be brought about, there must be a previous agreement amongst the leading minds, "the choice and master spirits," not only as to what is *truth*, in the countless questions about which men's thoughts have been interested, but also as to the relative importance of different truths, and the best means of communicating a knowledge of truths to others. He cannot have taken a comprehensive survey of the state of human opinions, who fancies the world has got beyond its intellectual infancy. A selection or one of two, from amongst the innumerable points of controversy that remain unsettled, will be enough to shew how slowly truth is reached, and how small is the progress that has been made in reaching it, even so late as the 19th century.* On the question what is good morality, might we not expect the minds of most men to have been long ago made up? On a subject which professes to ascertain, what is the duty of man, might we not rationally suppose, that an inquiry must have been so earnestly undertaken, so zealously and indefatigably conducted, and so success-fully completed, as should in some degree correspond with its unspeakable importance? No one surely will have the hardihood to deny, that it would be a knowledge far above any price in value, could we but reach *certainty*, as to what constitutes a perfect system of morality. We should then know, what feelings, and what motives, followed by what acts, are good, bad, or neither good nor bad, but simply indifferent. Would not the attainment of such knowledge be a great gain? It would not necessarily, and of itself, make us follow a course of undeviating rectitude: it would not inevitably free us from "envy, hatred, and malice, and all uncharitableness:" it would not deliver us from that fruitful cause of so many bad and angry passions, the honest misapprehension, namely, or the wilful misrepresentation of the motives of others; but leaving no doubt as to what was virtue, and what was vice, it would engage the deep, and earnest, and undivided, attention of the wise and good, to promote the cause of virtue, undistracted by the fatal and deep rooted differences of opinion that now prevail. Let no one say, that, such differences of opinion do not exist, or existing, that they are of no practical importance: they *do* exist, and they *are* of the utmost practical importance. One class of men hold, that true morality consists in *wise benevolence, discoverable by reason and conscience, and exclusively directed to the interests of our fellow creatures in this world.* The bare announcement of this as a fundamental principle of morals, excites horror in another class. This living without God in the world, is to their minds, the instantaneous conversion of the beauty of earth into the ugliness of hell; it is the presentation before their senses, as the actual and frightful realities of this world, of all those circumstances of horror, which the sublime imagination of Milton conceived as belonging to the shades below:—

> "A dismal situation waste and wild;
> A dungeon horrible on all sides round,
> As one great furnace flames; yet from those flames
> No light; but rather darkness visible
> Serves only to discover sights of woe,
> Regions of sorrow, doleful shades where peace
> And rest can never dwell; hope never comes
> That comes to all; but torture without end
> Still urges"

With the more rigid Christians, for I need not say it is rigid Christians I allude to, goodness as separate or separable from Christian doctrines, is a thing absolutely impossible. Such a separation is not authorized in the Scriptures, and the admission of such a separation, would amount in effect, to a renunciation by a Christian of that religion, which to him is all in all. What is the practical inference from this unfortunate difference? It is, that until the truth shall finally prevail amongst the leading minds of

* I hope it will not be inferred from this opinion of the author, that he does not readily admit, that the amount of truth now in existence, when compared to what was known in a savage state of society, is not beyond all calculation in favor of present times. It is the difference between day and night.

both parties, the highest success, as an object to government, cannot be given to the realization of genuine morality, in the minds and hearts of all classes of men.† Let me take one other example to shew, how slowly the march of intellect, (if I may use what is now become a cant phrase,) has advanced. One of the great ends of government is, obviously, the utmost practicable diffusion of physical comfort amongst the people. Physical comfort in a comprehensive sense, includes the consideration of the mental condition of man. Good health is an indispensable element of physical comfort, and it will scarcely be denied, that the pleasurable satisfaction arising from the consciousness of a mind full of useful knowledge, and overflowing with the milk of human kindness, must have a strong effect on bodily health. See, then, how widely spreads the inquiry, how is the utmost amount of physical comfort amongst the people to be attained? Even if we take the term physical comfort, in the more limited sense, of a certain degree of ease, as resulting from a sufficiency of food, clothing, and lodging; how numerous, and how difficult, are the questions, that would spring, from an attempt to ascertain, the best means of producing the utmost amount of physical comfort amongst a people. One of these questions would be, whether on the supposition, that reason and benevolence should progress, the notions that now prevail, respecting the usefulness of the institution of private property, would retain their present strong hold on the minds of men? Another, admitting the usefulness of private property, whether the rights of men as regards their property and persons are wise in their nature, and clearly defined; that is, whether, (if well executed,) they are the best that could be imagined, to promote the security of person and property, and to realize the happiest distribution of national wealth; and whether the means exist, of enjoying the above rights easily and safely, that is, whether a good administration of the laws, obtains? In other words, whether any existing system of jurisprudence is the best that could be devised? Could an answer in the affirmative be given to such a question? Taking England, (a country that has surely advanced as far in knowledge and virtue, as any other in the world) as an example, should I expose myself to the charge of ignorance, were I to assert, that very few Englishmen, are thoroughly imbued with enlighted notions upon jurisprudence, and that fewer still, are prepared by a disinterested desire to do good, and by freedom from prejudices, to receive the knowledge upon this subject, that is ready to be imparted to them by the enlightened few? Yet surely, correct opinions respecting jurisprudence, must be familiar to the minds of at least a considerable number, before the subject can be either taken up *comprehensively* by the government, or before a more perfect system can be carried by the government, into practical effect. I have dwelt thus long in describing the ends that are supposed to be attained by a perfect government, and the difficulties that stand *even now*, in the way of the attainment of those ends, that we may have some criteria by which to judge, what the condition of our ancestors, with respect to government, was, some 300 years ago. Is it a matter of doubt, whether we are better informed men than our fore-fathers? To many this may seem a superfluous question; but inasmuch, as the nature of a government at any given time, depends upon the knowledge of the people at that time, I hope to be allowed to make a few remarks on this subject. If there is any truth more simple and obvious than another; any truth without the universal recognition of which, in any country, the people of that country, can scarcely be said to be above the brutes that perish, it is, that the happiness of the community is, in the eye of reason, the only conceivable end for which government exists. In England this principle is now universally admitted. We are far enough from the practical realization of this doctrine, but the doctrine itself no one denies. If certain institutions, certain customs or certain principles of legislation, are condemned or upheld, they are condemned or upheld by a reference to their alleged injuriousness, or usefulness, to the public. Some complain of a Royal Court, because of its expense, and because it is generally a sink of intrigue and corruption; many condemn a system of hereditary legislation, because the knowledge and the virtue necessary for statesman, are not accidents of birth; some are opposed to sinecures and pensions, because they are expensive, and because they are too often bounties upon indolence, and upon political profligacy; many set their faces against the principle of ineligibility to office, on the score of peculiarity of religious opinions, because such a principle involves the twofold evil of raising up enemies to the common wealth, and depriving it of the services of useful citizens; and some condemn a national church, as favorable to political corruption, and adverse

† The reader must carfully distinguish, the proposition, as to the propriety of a direct interference, *now*, by a government, in institutions connected with morality, from the proposition, as to the propriety of such an interference at a future time. There are many reasons that make sensible men jealous about a direct interference in such matters by a government, *now* which *may* not exist at a future time, if wisdom and benevolence increase and multiply.

to the best interests of religion. The friends of all these institutions, customs and principles, uphold them by the very same sort of reasoning, that their enemies employ to condemn them. Without Courts they tell us, Kings could not exist, and without Kings, chaos would came again; hereditary peers, from their fortunes, and from the stimulus to honorable actions, that is afforded by the pride of ancient descent, may be trusted as to honesty; and as to talents, look to their speeches,—see how far they surpass those of the greasy commons, and how fearful would be the dangers, from monarchy on the one hand, and democracy on the other, did not privileged nobles stand between these antagonists; without sinecures and pensions, where would be a *merit fostering* fund; as to disqualifying laws, has not the removal of them, placed all Protestants, within the clutches of the scarlet lady that sitteth upon the seven hills, and that drinketh of the cup of abomination; and as to a national church, by what other course shall we steer clear of the whirpool of fanaticism on the one hand, or the rock of infidelity on the other? However weak, or however powerful, may be the reasoning of either party, on these, and innumerable other questions, both appeal to one common principle, the common good: they both call for that, as for a ring, in which to strip, and fight out the battle, fairly and manfully. Is not this a mighty point gained? Prejudices are fearful weapons to contend against, ignorance is an armour of proof, and selfishness is the strong hold of Satan; but reason, in the fair field of righteousness, shall prevail against them all! How did matters stand in the times of the Tudors? Did the people; did their clerical guides, whether Roman, Anglican or Puritan; did Members of Parliament, whether Commoners or Lords; did Ministers of State; or did Sovereign Rulers, whether Kings or Queens, maintain, or acknowledge, that the sole end of any form of Government, is the promotion of the common happiness of all?

That not a single individual had a glimpse of this great and now comparatively simple truth, I will not take upon me to say; but that it was generally understood, and acted on, in those times, it is quite impossible to admit. The people were generally ignorant and submissive, except when driven to open lawlessness, by absolute starvation: of the clergy, (those of them at least, who emerged at all from a state of profound ignorance and listless torpor) some were desirous to uphold the Roman Church before it was upset, and to restore it, when the reformed creed gained a footing; some bent all their energies to support the new hierarchy, and the royal prerogative; some were fierce protestants; but all were hurried on by bigotry, and a spirit of savage and bloody intolerance, as disgraceful to pure religion, as it was inconsistent with the very elements of enlightened notions on the end of civil government: what Parliaments were, both in their materials and acts, I have shewn by some striking facts; what they were in base and abominable selfishness, when circumstances permitted them to legislate for their own interests, it would be difficult for language to convey an adequate idea of: as to ministers of state, it is notorious, that the whole brood of them, looked to their personal aggrandisement, and the amassing of wealth, as the sole end of their being, and sought the attainment of that end, by the most abject and unconditional submissiveness, to those who held the governing power; and as to sovereigns, who shall gainsay the unquestionable truth, that the gratification of their own single and individual wills, formed the sole motive of their actions; and that the resolves which sprang from this uncontroulable self-willedness, led them, now into foolish and unjust wars,—now prompted them to the passing of the most absurd and tyrannical laws,—now impelled them to wreak their vengeance on discarded favorites, or innocent men who by some fatal chance had incurred their capricious displeasure;—a self-willedness, in fine, which never urged them to follow out the general good, for its own sake, and at the expence of their individual power? There are no means, by which we can better judge, in a rough way, of the condition of a people as to its Government, than by a knowledge of the state of justice amongst them. In any country, if there existed very little litigation, and if this absence of litigation proceeded, not from defects in the laws themselves, or the mode of their administration, but from a high sense of justice amongst the inhabitants themselves, it would speak well for the government of that country. This strong and general tone of moral feeling, would indicate a healthy state of education, on the highest of all subjects,—morals; and morality cannot well advance far, unless it is fostered, indirectly, at least, by the government of a country: so far, then, credit would deservedly be due to the Government of any country, where such a state of things existed; and as the character of the governing power is always more or less influenced by the state of knowledge existing amongst the people, a high toned morality in the people would unquestionably be seen in the acts of its Government. On the other hand, if the people of any

country, owing to whatever circumstances, were above the laws; or if justice was frequently violated, by the undue influence of individuals, or by the direct authority of the executive power, it would be a miserable sign of the state of the Government of that country. In the first case supposed, it would shew, that anarchy or a total absence of Government prevailed: in the second, it would indicate such a degree of ignorance and timidity in the people, and such disgraceful indifference in those with whom legislation rested to what ought to be their first and chiefest care, that to talk of good Government as compatible with such a state of things, would be a curious sort of contradiction. What was the state of justice during the times of the Tudors? The question is sufficiently important, to deserve an answer in a separate letter.

I am, &c.

A BENGAL CIVILIAN.

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# REMARKS ON THE CLIMATE, SOIL, AND CULTIVATION OF PENANG AND PROVINCE WELLESLEY.

[*Continued from Vol.* VI., *Second Series, p.* 509.]

SUGAR.—The sugar cane is partially cultivated on Penang, but extensively in Province Wellesley, especially in the central and southern portions of it. To these last the Chinese were allured by the richness of the soil, the facility of water communications, and cheapness of fire wood. The plantations there occupy about nine hundred acres of land, and very small portions only of these are permitted to lie fallow.

When prices are remunerating, clayed Sugar is the principal product, otherwise a coarse black Sugar is made. Under very favorable prices the average quantity of clayed Sugar manufactured in the season, of from 14 to 16 months, may be estimated at eleven thousand piculs on an average, or about 654 tons, and from four to five thousand piculs of coarse black Sugar. About 16,750 piculs of clayed Sugar might, if exclusively manufactured, be got from the quantity of Sugar land cleared and that now lying fallow. When compared with a West India Island's produce, this quantity is indeed insignificant; yet it is encouraging here, for it is the result of the labor in a new country, of freemen whose tastes are even luxurious, on a track of land which but a few years ago was a wild forest. There are about 2000 Chinese collected as cultivators or otherwise on these plantations. At present they may be considered as the sole Sugar makers at this settlement, for the cane, which to a considerable additional extent, is raised by Malayan settlers, is partly converted into jaggery, and also into a coarse black Sugar and syrup, which all find a speedy sale amongst the population. There is no doubt much land still available for Sugar plantations, and the capitalist will perhaps be enabled, by a perusal of the details which follow, to form his own judgment regarding the probable results of Sugar planting.

It is not known, nor is it a matter of consequence that it should be so, at what period, or from whence the Sugar cane was introduced amongst the Malays of Keddah; it has, however, been cultivated by them from times beyond the reach of tradition.

They class the cane into several varieties.

1. The large cane or *tubboo*, (the generic term) *bittong iyang tiyada heraboo*, which as this designation implies, is comparatively free from the ashy powder found on several other kinds. The Malays consider it to be less sweet than the *tubboo etam*.

2. Tubboo bittong beraboo: the powdery bark cane.

3. Tubboo merah: a red cane, the juice of which is considered more acidulous than the two foregoing. This appears to be analogous to the species found at Tavoy on the Tenasserim Coast, when it was captured by the British.

4. Tubboo rottan: the rattan cane—thin and hard.

5. Tubboo kooku karbau: buffaloe hoof cane—a hard cane with a chocolate colored rind.

6. Tubboo etam: a black cane—esteemed by the Malays—will attain to the height of 12 feet.

The Chinese have selected the first mentioned variety, because, they think, it yields the most juice and is freest from colouring

matter. The average height of the cane under good cultivation is here about 7 feet, reckoning from the stole to the upper joint; 10 is however not uncommon, or even 12 feet in virgin soil.

Superior as the Chinese must be allowed to be to the various classes of Straits' native cultivators in the application of hereditary tact and unceasing industry to whatever they undertake, they yet fall far short of the point, to which did not habit and prejudice interfere, European science and skill might conduct them.

Their mode of manufacturing raw Sugar, superior as it is to the native method employed in Hindoostan, is yet very imperfect, and would, by a West India planter, be thought rude, slovenly, and inefficient. The ground having been first well cleaned and trenched, the cane plants are set out in rows, which are six feet apart; the plants are at intervals of two and a half feet or two feet seven inches; the trenches or hollows betwixt the rows are from one to two feet deep. The most approved months for planting are April and May; but canes of all ages may be seen in the plantations, for the Chinese cannot afford to be regular; and were all the canes ripe at once, they would not have a sufficiency of mills to clear them off.

On the quality of the soil and the care bestowed on its culture, depends the period of maturity of the cane. It is generally, however, ripe at the end of the fourteenth month, in favorable sites. In other situations its maturity is delayed to the 16th or even the 18th month. There are on an average about 3400 bunches in one orlong, each bunch having from five to eight or ten canes. The ground is cleaned four several times betwixt planting and cutting, and the leaves are stripped off to the proper extent five times. To each bunch a cattie of putrid fish is allowed as manure. The cost of cultivating until the produce is ready to be carried to the mill, may be stated as under:

*Expence of cultivating* 100 *orlongs for* 14 *months*

| | Sp. Drs. |
|---|---|
| Cost of land already cleared (or of clearing forest land) | 2000 |
| Chinese overseer at 10 drs. per month | 140 |
| 50 Chinese labourers at 5 per ditto | 3500 |
| Agricultural Implements | 100 |
| Houses for people, | 50 |
| Quit rent (at a medium rate) | 75 |
| Manure—35 piculs of fish or 1 cattie to each bunch, and carriage | 10 |
| Total cost of first year, | Sp. drs. 5875 |
| Total of 2d year or season of 14 months, | Sp. drs. 3825 |

The mill consists of two vertical rollers, which are either of granite, or sections of the largest and hardest tree which the frontier forest yields. These are put in motion by a pair of buffaloes working on a long crooked beam, which is attached to the central axis. —These rollers are generally about two feet in diameter, and they rest on a platform of wood, which is raised only about two feet above the buffaloes' circular path; betwixt the latter and the mill on a level with the buffaloes' path, a barrel is sunk in the ground to receive the cane juice; to each mill six buffaloes are attached, and they work in pairs, and are relieved every two hours, each pair working four hours; in all six reliefs only are thus effected in every twenty four hours, and there are occasional stops and delays.

The boiling apparatus is under the same wide open shed with the mill; and on the opposite side to it of the buffaloe path, it is raised only three or four feet above the latter. The fire place is well constructed with brick and mortar and vaulted. There are three iron boilers in all; a large barrel for the cane juice, which, instead of being conveyed in a pipe or gutter directly from the mill, is brought in pails to this barrel from the first barrel; also a reservoir which stands at the side of one of the boilers, having a syphon at the bottom; and lastly, a cooler into which the boiled and clarified juice is put.

The canes are brought on men's shoulders to the mill, where they are cut into convenient lengths. One man feeds the mill and another relieves it of the pressed cane. The cane is passed thrice through it, and is then cane trash, which is used along with the firewood when that is dear. Thus much time is lost, for, with a powerful mill, it would not be required to pass the cane more than once, or at most twice through.

It was found by experiment that one hundred canes were pressed the first time in nine minutes, the second time in twelve minutes, and the third in eight minutes. The length of this middle period indicates some defect in the mill, or an over feeding of it by the workmen. On an average the quantity expended every day during twelve hours' work should be, were no stops to take place or reliefs, nearly 2,500 canes. Allowing, however, one orlong to yield about 20,400 canes, the mill will be occupied during nearly eight days (twelve hours each) in clearing them off.—With West India machinery, and its ceaseless operation, this number of canes would be pressed in about *twenty hours.*

One hundred (unselected) canes yielded 32 gallons and 116 ounces by measure, of juice; and the produce in clayed Sugar of first and second sort, from twelve hours milling, ave-

raged three piculs; thus giving about twenty-four piculs for one orlong of canes. Twenty-five ought, however, to be obtained from the best land.

The cane juice flows from the mill through a gutter to the barrel, which, as before stated, is sunk nearly to the rim in the earthen floor; from this it is carried in pails to the other barrel at the boilers. The head Sugar-maker stands here and keeps supplying the juice to the quallies or shallow iron boilers. It may be observed that these are imbedded in brick work, extending a foot or more above their rim, and smoothly plastered inside so as to prevent loss by the juice boiling over. No particular attention is paid to the temperature of the liquor at any stage of the operation—the whole being *guessed* by the force of practice. When the juice boils too violently, some cocoanut oil is thrown in to check the ebullition. When the juice has been sufficiently heated in the first boiler, it is poured into the clarifier or flat bottomed wooden reservoir, from which it is, after feculiurings have subsided, let off by the *syfarn* into the second, and so on to the third boiler. In this last it receives an addition of about a sixth or even more of a *chupah* (a chupah is about one quarter and a sixteenth of a gallon) of fine shell lime as an adjuvant. The juice is here examined in small quantities on a shallow saucer, and when ready, it is put into the cooler; after remaining there a few minutes, it is poured into conical baked earthenware jars, each calculated to hold 50 catties of Sugar. Twelve of these jars are usually filled at each milling of 12 hours, and each jar, after the claying process, ought to yield from 24 to 25 catties (the cattie is $1\frac{1}{3}$ lb.) of Sugar, about 20 catties of which are of a fair description, the remaining being dark coloured. These jars or pots are filled gradually from the cooler, by about one quarter of a jar at a time to allow of crystallization taking place. They are then arranged under a shed of slight materials, on a platform of split *nibong* or palm wood, raised about two feet above the ground; below are ducts formed of the large bamboo, which is split longitudinally into equal parts for the purpose to collect the molasses. About twelve days after these jars have been filled, when the molasses have well drained off, cakes of finely kneaded and moistened clay are laid over their contents.

The clay is removed two or three times, and a portion of Sugar is scraped off the top at each renewal. The Sugar thus clayed is dried in the sun in wooden trays, and then packed up in wicker baskets lined with palm leaves. From the above-mentioned number of twelve pots, molasses are obtained in the proportion of one half of the weight of the Sugar procured, or perhaps a little more, owing to the water used with the clay. The molasses are not in much request, so that the Chinese pay little attention to the way in which they are collected. They are generally filled with dead ants, flies, wasps, and other insects which swarm in the claying house.

No attempt has been yet made to distil rum. The Chinese make a sort of arrack by distilling a fermented mixture of rice and molasses.

The process in making coarse dark Sugar is the same as that described for the fine raw Sugar, only that instead of the concentrated syrup being put into clayey jars, it is poured into shallow troughs and stirred about with a wooden pole until it becomes sufficiently crystallized to be packed up. It is too much saturated with molasses to be easily exported.

For the sake of perspicuity, the calculations which follow have been made for a larger scale than any individual planter has yet adventured on here. They are, however, founded on Chinese practice, and on the average rate of productiveness on the very first description of soils. The shortest period within which these last can be made productive has also been assumed.

Four months have been allowed as the time for gathering in the crop and manufacturing the Sugar. For this period eight mills have been allotted for one hundred orlongs; but *three* mills would suffice, were they to be kept constantly going as they would be under European management.

*Cost of manufacturing clayed Sugar from canes, the produce of* 100 *orlongs of land or* 133-3 *acres.*

FIRST COST.

| | | |
|---|---|---|
| 8 Mills at 200 drs. ..... ..... | 1600 | |
| 50 Buffaloes at 10 drs each ..... .. | 500 | |
| Houses ..... ..... .. ..... | 460 | |
| Incidental charges..... ..... .... | 100 | |
| Sp. drs. | | 2600 |
| Cost of manufacturing the canes on 100 orlongs into Sugar at the above rate —these being cleared off in 4 months | 3200 | |
| Add for tear and wear & loss by accident | 400 | |
| Packing and conveying to market .. | 200 | 3800 |
| Interest on capital—say..... .... | | 300 |
| | | 6760 |
| Add cost of cultivation as before ..... | | 5875 |
| Total cost at the expiration of the first season of 14 months,..... ..... | | 12,575 |

PRODUCE.

| | | |
|---|---|---|
| 2,000 piculs of fair clayed Sugar, at 6 drs. per picul, and 400 do. dark at 3½ per do. ..... ..... ..... | 13,400 | |
| 26,300 guntangs of Molasses, at 15 pice per guntang..... | 2,945 | |
| | | 16,345 |
| Balance of profit Sp drs. | | 3,770 |

N. B. The poorer Chinese hire a Mill at one Sp. dr. per day without Buffaloes, or attendants.

*Daily expenses of working each Mill.*

| | Dr. cents |
|---|---|
| 1 Tindol or manufacturer | 50 |
| 1 Fire-feeder | 20 |
| 1 Mill-feeder | 25 |
| 1 Withdrawer of cane trash, who also carries the cane juice to the boiling place | 30 |
| 1 Buffaloe driver | 20 |
| Hire of cane cutters and carriers of ditto to the Mill | 1 |
| 50 Billets of fire-wood | 90 |
| Lime and oil, &c. | 5 |
| 12 Claying pots at ⅓ of their prime cost, as they last on an average for 3 seasons | 60 |
| Total Sp. drs. | 400 |

Eight days expences being for one orlong's produce, Sp. drs. 82

Prices remaining as above, the profit of each subsequent season ought to increase beyond the above sum to an extent equivalent to the amount of capital expended originally in the purchase of land, mills, cattle, &c., and in erecting buildings, the same having been recovered the first season.

The Chinese are not very willing to admit that they gain at all by the cultivation: but they are monopolists whenever they can possibly become so; and it is well known, that numbers have returned from the Sugar plantations to China with well-filled purses.

Perhaps, however, it might be safest in originating a Sugar plantation to reckon only an average produce of 22 piculs of Sugar, and the usual proportion of molasses, instead of what has been given above, since it might be difficult to get a large track of land of uniform quality.

The Chinese have occasionally received from 8 to 9 drs. per picul for their Sugar; there is hardly any imported to Penang from other countries, since the growers here can keep down the price by glutting the market when there is a competition, and rendering the speculation a losing one. Finally, the speculator is warned against relieving all that the Chinese may tell him regarding Sugar-making. It is against their interest to speak truth.

TARUM—INDIGO.—There are three species of the Indigo plant known to the Malays of this Coast,—the *Tarum rinne*, or true sort Indigo—fera tinctona or anil—the *Tarum besar*, or *Kukor*, the creeping broad leaved kind—and the *Tarum akar*, also a creeping Indigo, which is a strong pereunial plant, found in great abundance growing wild in the Islands lying near Junkseylon and on those in the vicinity of Trang. Its leaf is larger than that of the *Tarum besar*. This last species was in 1793 conveyed from Sumatra to India by Colonel Kyd.

The two first mentioned kinds are chiefly cultivated in Penang and Province Wellesley, and merely to an extent sufficient to supply the cultivators and the local market.

The manufacture of Indigo is yet in its infancy, and the product is too crude to be fit for the European markets. It is either in the state of thickish liquid, or of a coarse concrete semi-crystallized mass, with an inordinate proportion of lime, for its base, and of a light blue color. I have been credibly informed by a Dutch gentleman, that the dried Indigo plant was in former times often carried from the Dutch colonies to Holland and there manufactured into the dye.

In 1822, the then Superintendent of Province Wellesley made an experiment, with the aid of a native from Bengal, to ascertain the probability of manufacturing Indigo there: the result was a product, which by competent judges in Calcutta, was pronounced to be a fair merchantable Indigo of the second quality. There cannot be any doubt that the first quality might be produced, for the plant thrives luxuriantly, and is not subjected to the accidents of floods and droughts as in India. There is abundance of land here fit for growing Indigo, and the only drawback to its extensive cultivation by Europeans might be the high price of wages compared with Indian rates.

The Chinese are the only regular cultivators of the Tarum. The plant is generally renewed every year in weak soils; but with proper management it will continue very productive for two years. The seed is first raised in a nursery, and then carefully transplanted. Shell lime is employed to kill the insects on the leaves, a decoction of the *tuba akar*, a strong creeping plant, is applied to the root to kill insects. The Chinese have a bed of this shurb in all their gardens. It is a powerful narcotic; and the juice infused in water is said to stupify fish. It is an efficacious remedy in that irritating disorder, the ring worm, when applied *externally*; it must be remembered, internally it would be poison. The first cutting commences at the end of the secod or third month after the seed has been put in the ground; about seven cuttings may be taken as the average of two years. The plants are cleared once a month, and after each cutting a cattie of fish is given as manure to each plant.

The cost of cultivating for two years may be estimated as follows:—

| | |
|---|---|
| 10 Orlongs of cleared land | 200 |
| 10 Labourers at 5 drs. | 1200 |
| Seed and Implements | 30 |
| House | 20 |
| Quit rent—averaged | 15 |
| Total Sp. drs. | 1465 |

Produce of 2 years, 700 piculs of wet Indigo, being 70 per orlong, at 6 drs. per picul.....4200

Sp. drs. 2735

Deduct for losses by accident, repairs of houses, vats, &c.....200

Balance, profit Sp. drs. 2535

The above is the favorable side of the subject. Should the cultivation increase a little beyond its present extent, prices will fall so greatly in this article, ill adapted as it is to profitable exportation, that little or no gain can accrue. The case might be reversed were the Chinese and Malays wise enough to adopt the most approved method of manufacturing the article.

The Chinese allow one picul of *dry* Indigo as the average quantity obtained from twenty piculs of wet. But how much of the former consists of lime and other impurities must depend on the will of the maker. The Malays mix it in the proportion of nearly one half the weight of the liquid Indigo. The weed is steeped in mud wells lined with chunam, and a large tub is perhaps attached to the garden. The fermentation is guessed at; at the end of the second or third day the process is complete. The whole apparatus does not cost above eight or ten dollars on the above number of orlongs, provided the crops can be cut in different months.

The liquid Indigo has occasionally been imported from Siam to Penang in earthenware jars.

NILAM.—This plant does not appear to have attracted the attention of Botanists. From its name it might possibly be confounded with *nila* or Indigo. It is, however, quite distinct from the latter and is useless as a dye. The plant resembles a small rough leaved geranium, and seldom rises above two feet high. It is propagated by cuttings, as it bears no seed. The cuttings are planted in good forest land two or three feet apart in dry and sheltered situations, but thrives well enough exposed to the sun. The plants are stripped of their leaves three times in a year, and the shrub will sometimes last to the end of the third year. The leaves are merely dried in the sun and loosely packed for sale; an orlong will yield from seven to ten piculs within the year; they have an agreeable aromatic smell. Arab traders take occasionally considerable quantities of Nilam, and lately it has found its way to Calcutta in smaller quantities. The leaves are considered by the Arabs as a luxury on account of their supposed warmth when used as stuffing for mattrasses and pillows, and their agreeable fragrance. The demand is either on the decline, or the supply has increased beyond it, for the cultivator now gets about 3 Sp. drs. the picul instead of from 9 to 13 drs. as formerly.

The native country of this plant has not been, I believe, ascertained. The Malays suppose that it was introduced from Sumatra. The value of an orlong's produce now being from 25 to 30 drs. the profit after deducting labor is not remunerating.

A Bankok Siamese describes this plant as being cultivated at Siam. He states that the people there prepare an article used in perfumery, internally as a medicine, and as a cure for the tooth-ache from a mixture of Nilam and the leaves of a plant called by the Malays *daun chapa*, or wild sage; these are infused in water and the whole is distilled by means of an apparatus consisting of three pots placed one above the other. The product is collected from the surface of the upper one, on which it is condensed in shape of a white concrete substance. It sells high. Wild sage abounds in Penang.

GAMBIER—Is described in Marsden's Dictionary as a shrubby plant, from the leaves of which an extract called *gatah gambir* is procured by decoction, and formed into little balls or cakes, in order to its being eaten with betel. Its culture is described in the Batavia Transactions, which do not happen to be at hand, so we have had recourse to the Chinese for information. This shurb was at one period cultivated with success at Penang and other places to the Eastward; but as Java was the principal market for the produce, and the Dutch had levied a duty of 12 Java rupees per picul on it, the cultivation at the former Island did not repay its cost, and it was accordingly abandoned. Prices have been lately advancing, and the Chinese are talking of trying it again. The plant is partial to hilly land or slopes at the skirts of hills. Two hundred plants are usually placed on one orlong of land, being six feet as under. They are raised from seed, and are topped to eight or ten feet when the Gambier is to be prepared. The Chinese dry the seed slightly, and sow in rainy weather. They superstitiously believe that the plants will not thrive should a woman approach them, or the workmen drink arrack while employed in planting them. The seed vegetates in 40 days, and are planted out in the second or third month afterwards.

At the expiration of 14 months, the first cutting of the branches with the leaves on is made. These are put into a boiler, and when the juice has been extracted, the branches and refuse are thrown away, and the boiling is continued until the liquor has obtained the proper consistence: when it is put into

shallow troughs, dried and cut into slices for sale. The second cutting takes place eight months subsequently to the first. The plant now grows strong and admits of frequent cropping; and it will endure for 20 years. No manure is used, but the plantation is kept clean.

The Chinese consider the refuse of the boiling as a very excellent manure for pepper vines, and that the two kinds of cultivation might be advantageously combined.

*Estimated cost of cultivating 10 orlongs.*

| | |
|---|---|
| Value of cleared land 10 orlongs | 200 |
| Six labourers per annum | 360 |
| Quit rent | 7 |
| Boilers, fire-wood and implements | 20 |
| Houses | 50 |
| Incidental | 30 |
| Total 1st year | 667 |
| 2d year | 397 |
| | 1064 |

The six labourers on the plantation will, after the above period, be constantly employed in cutting and preparing the Gambier; the average produce monthly being considered nearly 15 piculs of dry produce, which, at 3 drs. per picul, will be 45 drs. monthly, or 540 drs. per annum.

As before stated, this is the account obtained by collating different Chinese statements.

Tobacco—Is raised in small quantities by the Malays for their own consumption. The quality is inferior, but Persian and American tobacco seeds have been distributed in Province Wellesley, and may prove advantageous to the Ryots. There is nothing apparently to prevent the culture of this plant from being greatly extended. The Malays are much less addicted to the use by smoking of this succedaneum for what their Prophet has denied them—wine or spirits, than the Chinese and Burmans. A Chinee has always his bamboo pipe at his elbow, while the Burman places his sileet or cigar, clerk-like, behind his ear. The Malay, however, rivals Jack in the elegant compound of Tobacco, Gambier, &c. with which he ornaments the space betwixt his upper lip and teeth, a custom even more disgusting than the mode in which it is retained for use by the former.

Coffee.—This plant thrives luxuriantly on the plains in the shade and on the hills without shade.

Several years ago large tracts of mountain land were cleared and planted with it, and good crops were obtained, notwithstanding the depredation of monkies and musangs; but the price of Coffee fluctuated so much, that its cultivation, for exportation, was abandoned. A few thousand plants yet remain on the hill plantations, which have been converted to spice ones.

The quality of that now obtained to the amount of, perhaps, 100 piculs yearly, is considered equal to the average of that taken to the European market from other regions excepting Mocha.

Cotton.—Cotton has never been extensively cultivated at this settlement. It has, however, been long introduced, and the staple of one of the varieties now cultivated (but whence obtained cannot be easily ascertained) is of a very superior quality. It thrives luxuriantly on the light as well as the stiff soils, and equally well on the hills as in the valley. The chief obstacles to the cultivation are the price of labor, and the sudden vicissitudes of climate from dry to wet: the latter being apt to injure the pod.

Bushes of the above-mentioned variety, which has a yellow blossom, have been observed for the last six years in almost constant bearing. They begin to bear in six or eight months after planting.

The following calculation was given to me several years ago by an intelligent Chinee, who intended cultivating Cotton, but abandoned the project for a more lucrative one.

One hundred orlongs will contain 435,600 bushes; and each bush will yield annually 50 buds of Cotton, or one tail, which is the lowest average rate, being 272 piculs and 25 catties for one year's produce.

The expence of cultivation and cleaning the Cotton, about 1100 drs. after the first cost, will be nearly 2000 drs. yearly.

Sirih, or the Betel Vine.—The Malays are great consumers of Betel. Custom frequently changes beauty to deformity and calls it lovely—so it is with the Malays. The best looking person of this class—for there are numerous handsome individuals of both sexes in it, notwithstanding the generally received sceptical opinion to the contrary—very speedily mars his good looks, in an European's eye, by an immoderate use of the betel mixture. It is, however, a very harmless indulgence, and perhaps serves to check the intemperate use of more demoralizing luxuries. The use of the leaf by itself would not excite disgusting impressions, and would be salutary as an aromatic; but the heterogenous compound of the leaf, areca, shell lime, tobacco, and gambier!!—Well, let it pass—no moral injury is sustained from its use by any individual or the community. The old men carry about with them a sort of metal tube, having a ramrod-looking pestel

with which they busy themselves in pounding the mixture. The young make daily nut crackers of their jaws; and although the mixture perhaps rather tends to preserve the teeth, still the exercise on the nut must be a little too violent for them, and the Malays say it injures the sight. The Chinese are not much addicted to the use of Betel.

Betel leaf is a commodity which will not bear exportation to a considerable distance. It cannot be preserved in a sound state beyond eight days, but by being prepared over a fire and rolled into balls, in which state it is called *chenai*, it will keep a year, only the quality is much deteriorated. The Betel now raised on Penang and in Province Wellesley exceeds the consumption, and admits of a considerable quantity being sent to Keddah, which last country formerly supplied Penang with a large portion of its annual demand. About 6000 cuttings are planted by Malays in one orlong, but 3000 would be a sufficient number to insure permanency to the plantation. To each plant a post of bango or some other durable wood, from 7 to 10 feet high, is fixed; when the Vine has reached the height of about 6 feet, it is bent down and laid in the earth, which process is by some planters twice performed, and one of the strongest shoots arising from it, is trained up the post; it is twice detached at top from the post bent down about a foot or two, then twisted and again raised.

The plucking begins about the 6th or 8th month; care is taken not to pluck oftener than once in every 20 days in dry weather. The number of pluckings in a year is about twenty-five, and the average of each is 50 leaves for each Vine.

The produce during the succeeding twelve months will be 63,000 bundles.

The rental yearly of the above number of Vines is now about 213 Sp. drs. and the amount which may be realized by a leisurely sale of the same, may be considered nearly 5 Sp. drs. per 100, land included. In this instance, as with mostly every other Penang product, the real value of a plantation cannot be ascertained from knowing the rent it bears and vice versâ. The rows are cleaned once in two months; and manure is applied twice a year where the soil requires it; the Vines are topped in a line with the heads of the poles, which being portions of a split tree, are rough and afford sinnuosities for the Vine to cling; the leaves of the principal lateral branches, and of the smaller shoots only, are pulled. In Penang the betel leaf is within certain limits farmed out for revenue. Within these limits the price of 100 bundles is about 6 drs.; beyond them the average of about 1¼ both on the Island and in Province Wellesley for picked leaves. In the latter district 50 cents are given for 100 bundles. The cost of cultivation, average as follows:—

*One orlong—first cost.*

| | |
|---|---|
| Value of land | 10 |
| Digging, holing and planting | 35 |
| 6000 posts at 1½ drs. per 100 | 90 |
| Implements | 2 |
| Withes | 1 |
| 2 Coolies, for eight months, at 4 drs. | 64 |
| Cost when the vines begin to yield | 202 |

*Annual produce—second cost.*

| | |
|---|---|
| Of 6000 Vines or 63,000 bundles, at 50 cents per 100 bundles | 315 |
| Expense of cultivation and incidental | 100 |
| Lowest rate of profit at the end of 20 months drs. | 215 |

Two hundred drs. are frequently given as rent for 600 plants, which were the risk of low prices left out of the question, might be considered as an enormous profit, but in fact the risk is great. An orlong covered with 6000 flourishing Betel Vines will hardly sell for more than 360 Sp. drs.!! But the disproportion greater or less according to circumstances than the above betwixt actual outlay and rent, and betwixt the rent and the market value, obtains with reference to mostly every other kind of produce.

Any very *considerable* increase to the present amount of cultivation of Betel, without an increase in the demand accompanying it, which, until the population has greatly advanced cannot be expected, must be attended with a fall of profit sufficient to deter the speculator. The profit now is assuredly very remunerating.

The consumption of Betel by the inhabitants of Penang and Province Wellesley may fairly be stated at 6,211,440 bundles of 100 leaves each, equal in value to 81,057 Sp. drs. which would be the produce of about 98 orlongs of land, planted regularly. But allowing for the various distances, different cultivators give betwixt the plants, according to their individual fancy, about 100 orlongs may be assumed.

## PENANG.

The Areca or Betel Nut.—This ( ) has given its name to the Island of Penang not from its growing there in larger number or being more luxuriant than elsewhere, but because it was the tree chiefly cultivated by the Malays who first occupied the Island. It now better deserves the title from its having been the emporium for all the Betel Nut (not intercepted in its way) raised in the East Coast of Sumatra. The cultivation of it on Penang as an exportable article is very in-

significant, yet it is capable of advantageous extension. The tree is too stiff and uniform to be beautiful, yet a grove of it has a picturesqueness of its own, derived from the slender and wavy appearance of the stem and the tuft of leaves high over head, leaving all below open to the breeze. The flower, too, casts a delicious perfume around, and a creeping plant attaches itself to the stem, bearing a number of white flowers equally odoriferous.

The cultivation of this tree has hitherto been almost exclusively confined to natives, although large plantations of it were contemplated by Government on the first settlement of the Island.

It was, however, in this instance as in others, found best conducive to the prosperity of the place to leave it to individual enterprize.

The tree is raised from seed. Four hundred should be planted (after reaching a foot in height in the nursery) on one orlong of land, at 12 feet asunder, and kept clear of jungle and lallang, which may be done twice a year. Some trees bear at the fourth year; but five may be allowed. The expence of cultivating 100 orlongs, until the tree bears well, may be estimated as follows:—

| | |
|---|---|
| 100 Orlongs of land | 1100 |
| 40,000 Plants | 50 |
| Clearing and planting | 400 |
| Cultivating for 5 years | 1000 |
| Incidental and losses | 200 |
| Quit rent (average) | 250 |
| Total Sp. drs. | 3,00 |

Each tree in good bearing yields on an average six bunches of from 100 to 150 nuts each yearly. The highest price is 3 cents per 100 Nuts, the lowest 2 cents. Therefore assuming the lowest of these rates, the yearly produce value would be 4,800 Spanish dollars, or 2 Sp. drs. the *koti* or *lakhsa* [10,000] which is the usual native mode of computing.

NIPAH AND OTHER PALMITES.—The Nipah is a low species of palm (nypa fruticans) which grows in marshy situations near the sea shore, and principally on the banks of rivers and creeks. In the latter situations its stem and half of the shoots and leaves are covered with water at every flow of the tide. It is found abundantly and interspersed with tall trees and low shrubs in the *ootan bakau* or Mangrove belt, which lines a great portion of the coasts both of Penang and Province Wellesley. It is a valuable palm; from it the Malays extract a saccharine juice, or nera, which when quite fresh, is pleasant to the taste but a little too cloying, and becomes like the juice of the cocoanut and other cultivated palms inebriating in a few hours, owing to the rapid fermentation it undergoes; when boiled in the manner *that* the juice of the sugar cane is, a thick syrup is obtained called *manisan*. It is rarely boiled to the point which would produce Sugar. The fruit grows in large bunches, and although rather tasteless, is preserved as a sweetmeat.

The Island of Penang contains but a small number of trees, compared with the opposite coast, where it is very abundant. Although it grows wild, yet those who make it their business to collect and boil the juice, take much pains to cultivate it.

The plants are thinned so that they shall be about 12 feet asunder. If the juice is not to be extracted, the palms are thinned of their long leaves twice in a year, leaving 4 leaves on each. These are freed from the central pith and then doubled and fastened by split rattans over laths of the *nibong* palm. In this form they are under the name of artap, used for roofing houses. If the leaves be large, and this thatch were not exposed to violent winds, it will last for four years, although three years is the average period. An orlong will yield annually about 8000 leaves, the value of which, before they have been converted into artap, may be about 4 Sp. dollars. This is with much more difficulty ignited than the cocoanut leaf, which is used as thatch in Malabar and Canara, or than the grasses which are used for the same purpose in other parts of India, yet employment of it in a town where much property is at stake, would be highly dangerous.

When *nira* is to be extracted, and syrup made, the fruit bearing shoot or sheath called *mayong* is lopped to within about one third part of its length of the stem—an earthen pot is suspended to this at night, and the juice is collected in bamboos before sun-rise the next morning. A shoot, or *mayang*, lasts about three months, and yields daily on an average one half of a *chupah* of juice. Only one shoot is tapped at a time: this lasts for about 3 months when another shoot is ready, which lasts for three months longer. The tree is then left for one year to recover itself. The Nipah is said to sustain this treatment for a long series of years without suffering much in vigour. In 800 *pirdoos* or bushes only about 400 are in bearing at a time. The fruit appears about the third year after planting, and it continue to flower yearly afterwards. Until that period *nira* cannot be drawn from the palm. When the syrup is converted into Sugar, the latter is made up into cakes about three inches in diameter and half an inch thick, the rim being cased with a leaf; but owing to some saline particles, perhaps from the plant growing in brackish

water, the Sugar from the cocoanut palm is preferred by the natives.

| | | |
|---|---|---|
| The cultivation of one orlong—800 palms—produces yearly of juice 9000 guntongs or 4,500 guntongs of syrup, which at 3 pice per guntong is..... | | 135 |
| 3 Men, at 4 dollars per month, for 6 months.. | 72 | |
| Stock—viz. boiler—vat—knife—axe—crooked knife, gollok billiong—barrel or vase, &c.... | 5 | |
| | | 77 |
| | | 58 |
| Deduct for quit rent, accidents, &c..... | | 10 |
| Profit yearly Sp. drs. | | 48 |

The above is calculated for the lowest rate of profit.

The juice is occasionally converted into vinegar. The above calculation is for a plantation in full bearing, which it cannot be expected to be until the fifth year.

The taste or desire for sugar, salt and intoxicating, or to use a softer word, still exhilirating substances, appears to be inherent in the constitution of man; and few portions of the globe inhabited by him can be pointed out where Nature has not furnished him with the means of gratifying it.

The Mangrove here forms a *marine* forest of various breadths. In some places it is upwards of a mile broad. To convert the deep mud on which this grows into dry land would be a Herculean labor, even for the amphibeous Hollander. At a distance from this—the outskirts of Neptune's domains—has a lively appearance, exhibiting every tint of green with a bright foliaged tree glancing out here and there. But on reaching it, all is found to be dismal and nearly impenetrable—an agitated mass of waves and branches at high tide, and a noisome low tract of splashy mud, interspersed with deep pools, at low water. Unsightly, and at first view apparently useless, as this sea-wood may appear, it is only one of the many instances where we shall find that nature proposes utility as the end where beauty and grandeur are denied; besides the constant supply this tract affords of artaps, it yields almost the whole of the fire-wood used in Penang and by the shipping; and this fuel is considered far superior to the wood of trees growing on the dry land. Another of its products is the bark of the tree properly called *bakkau*, which is of a reddish colour, and is employed in the tanning of leather and fishing nets.

Iboos.—This is a low palm, with fan-like leaves, broad and durable. The Javanese cut the leaf into thread and then weave it into sail cloth. It is then brought here and sold in the bazars under the name of *kadoot* layer. The shrimp catchers use it for their nets or siring; the shrub grows here; the leaves are rarely manufactured. This cloth is not here in much request. It costs 6 copongs for 14 cubits. The finer sort might be died and used for light blinds, and would even be a good substitute for mosquito gauze. It makes excellent grain bags.

Kichum—Is a low forest palm, found on elevated ground. Its leaves strike off at the level of the soil. They are used like those of the Nipah for thatch, and are more durable, although they do not appear so neat or sit so close as the artaps. The Nipah being unknown in land, this leaf is chiefly used. It has been known to last for 20 years on the Lancavy Islands, where it especially abounds. The leaves are plaited and tied together in broad rolls, ten of which will cover a house 20 feet by 10 feet in dimensions. The price $1\frac{1}{4}$ dollars.

Bertram—Is a low dark leaved palm.—The pithy part of the leaf is the flattened, and is then used for partition walls of houses—even the outer walls. It has a light and clean appearance.

Dangsa—Is a sort of spungy palm, the stem of which is used for temporary fences, as it requires no peeling or dressing.

Nibong Caryoto urens Lin.—This palm is valuable. The houses of the natives are chiefly built with it. It forms ready made *nibong bulut*, or pillars, and when split, is used for the open sort of flooring and high walls of the houses of the bulk of the ryots. It forms excellent and durable light rafters, even under a tiled roof. The pirates have large bundles of *sligi* or lances, formed of this wood, which they throw before coming to close quarters, as the fibre is apt to detach itself in sharp spikes, a common wound from such a weapon is dangerous. The sheath of its fruit, which is a litte smaller than that of the areca, is extensively manufactured into those light water buckets, named *timba*, which are in universal use. The deeply planted fishing stakes are chiefly formed of Nibong.

Moongwang—Is a low prickly palmite, cultivated by the ryots as a fence for their lands. The branches spread along the ground, or at about a foot above it. Its prickly or serrated leaf is about six feet long. It is dried, cut up, and formed into mats and grain bags.

One hundred bushes rent for a dollar yearly; but they harbour rats, so that it is doubtful if more is not lost by the destruction they occasion to the paddie than is gained in rent.

Pudak Pandanus Odoratissimus—Is the fragrant Pandanus. Its fruit much re-

sembles a pine apple, but is larger. It is a straggling palmite, seldom rising above fifteen feet in height. The flowers are sold at one pice each, but the fragrance is too overpowering for Europeans. The women cut it into shreds and fold them in their hair.

THE PANDANUS.—A low palmite-looking shrub.

MOONGWANG LAYER OR HUTAN.—This palmite-like shrub grows in the jungles. Its leaf is often fifteen feet long and slightly serrated. It is commonly used by the Malay for making sails. A sail of about 18 by 16 feet costs about 3 Spanish dollars.

KOOMBAR—Is a palmite which grows in marshy places. There is hardly any stem. The leaves are often 30 feet long and their pithy central part is of the thickness of the wrist of a man. This pith is extensively used for the gunwales of boats being laid lengthways and kept tight down by transverse wooden pins. This material, from its lightness, acts like a cork plank and will prevent a boat, even if full of water and light merchandize, from sinking.

It forms excellent fishing rods, with which the whole population, of all ages, upwards of 3 years, are well supplied, and of which they make constant use of.

TAI OR TAL—Is a high fan palm. It yields abundantly a sweet juice which is boiled up into syrup. It is very scarce tree here, but is abundant in Keddah.

NOW OR ANAU—Is a high palm tree (Borassus gomutas of Luin.)

It is not very plentiful. It yields excellent toddy and some sago. The *ijoo*, or horse-hair-looking envelope of its stem near the top, is of value for making cordage; and when thick enough, forms the writing pens of the Malays.

The *iju* or *gummuto*, as is also called down the Straits, is better adapted than rattans for fastenings of roofs or palings where exposed to the weather.

KALOOBI.—This is a palmite which grows in deep swamps. Its branches are slender and covered with very sharp thorns or spikes. The fruit grows in large bunches; is about the size of a nutmeg, of a crimson brown colour, and contains a very acid medular substance. It is sold in all the bazars under the terms of *assam kaloobi*, and is used in curries.

CORN.—Rice is the grain chiefly cultivated in the Straits of Malacca. On the Island of Penang the field is confined owing to the generally hilly nature of the surface, but Province Wellesley, which is an alluvial district, offers a wider range, and to it, therefore, the following observations will principally apply. The area of this Province has not yet been fully ascertained, owing to the incorrectness of the maps of it; these having been constructed when it was in a jungly state, and to the irregular line of its boundary. But judging from a series of triangles which have been taken preparatory to a more correct plan, the area cannot well be less than one hundred and twenty square miles. How much of this superficies is well fitted for Rice cultivation, will be known, perhaps, in a very few years hence, when all the *sawah* land shall have been cleared of forest, until when it can only be generally asserted that several detached patches remain to be located, some of which consist of upwards of 500 orlongs. The Malays of this Peninsula are strongly attached to agriculture. The unmaritime Malay could not exist without his *bindang*, or rice field, and to the preparation of it every other passion for a while gives way. His enthusiasm in the work is such that a positive and greater gain could hardly bribe him from it. With such a predisposition, the Malay is a useful subject where the cultivation of grain, and the obtaining of those supplies which naturally arise out of, or follow that cultivation, are desirable objects. Beyond this, Malayan agriculture is deficient in method, too often slovenly, and always falls far short of the fullest productive point. But the Malay is not stubborn, although he is indolent and capricious. Example and prospects of gain may in time, as they now partially do, stimulate his dormant faculties to useful efforts.

Malayan husbandry differs considerably from that practised by the ryots of India; the former is not subject to the village system so prevalent in the latter region. The British Malayan ryot or landholder, after having paid his rent or quit rent, is quite independent, and his treshing floor is never beset by those needy dependants who take *custom* from that of the more enduring Hindoo, such as barbers, village watchmen, astrologers, brahmans, fakeers and washermen. He is a Mussulman, but can rarely, if ever, be charged with bigotry, fanaticism or intolerance. That part of his creed which is based on natural religion, takes but little out of his purse, and that little he can, although the Hindoo may not, withhold should his avarice master his devotion, while the superstitious portion of it from its being mixed up with rites and games tending to amuse rather than to instruct, he enjoys too well to have any inducement to evade a voluntary contribution for its support. It would be well for the Orang Malayoo of this coast were he to

imitate the thriftiness, perseverance and foresight of the Hindoo. If he finds it difficult to get money, he finds it much more so to keep it when obtained. His habits are all of a lavish or a thoughtless cast, and may fairly be traced to the insecurity caused by native despotism before the Malayan power of Keddah became extinct, and to the creed which locks up his money by forbidding him to take interest. Trade and buying of landed property are the only means left to him of partially evading this law. It has been supposed that the Malays branched off from a Tartar stock: this position, probable as it may seem, might perhaps be controverted by the consideration that the Tartaric and Malayan languages are apparently *radically* distinct. If the assumption on the other hand be well founded, it might serve to account for the erratic propensities of the Malays, or at least of the maritime portion of them. But the population of Keddah and Patani, from which ours has chiefly been drained off, has a decided agricultural character, and is not more disposed to locomotion betwixt harvest and harvest than any other people so situated would be.

Province Wellesley was long the seat of the Government of Keddah before Buddhism was supplanted there by Islamism; a fact which is proved by written records and architectural monuments. It bears traces of having been fully cultivated; but it must have lain under forest for several centuries, and until the British Ensign became the signal for the tide of population to roll back from the northward.

The Malays are not however the only rice cultivators either in Penang or Province Wellesley, although they are in the proportion of about 41 to 4 of the other classes.

There are in the latter some native Christians, for the most part Roman Catholics, a good many people from Bengal and the Coromandel Coast, a number of Samsams, a class who speak the Siamese language and worship Buddha, and a few Bugese, Chinese, Burmese and true Siamese. The Chinese, with the exception of a few of those from Macao, look with contempt on paddie planters. Yet what but lack of a paddy field forced them from their country.

*Paddy* means rice in the husk—*Rice* the grain, when unhusked, a distinction to be kept in mind when adverting to the calculations which follow.

Data are wanting from which a very *precise* estimate might be formed of the quantity of Rice grown on Penang. It is pretty certain that the quantity of sawah or proper *Paddie land* actually under cultivation, does not exceed 700 orlongs. No prospective estimate can ever be formed of the quantity of dry or *oomah* land likely to be used for light paddie crops, since the Malay, never if he can avoid it, cultivates such land for two seasons successively. The quantity of jungle cleared for such cultivation for the ensuing season may be rated at 200 orlongs.

Neither can the actual extent of Rice land cultivated in Province Wellesley be yet ascertained, owing to the quantity of new land constantly coming under tillage, and as such is not surveyed until well cleared; but there are sufficient data for enabling us to rate it at not less than 15,000 orlongs, or twenty thousand acres, which is rather more than thrice the quantity which was under culture in 1825. At the latter period Government were induced to advance cash to the cultivators and to give them Rice lands at a rate of quit rent almost nominal. This liberality was but ill repaid. Few of the Malays who received advances cultivated the land allotted, or returned the loan, while the worst consequence was that they began to think that their services could not be dispensed with, and thus a great incentive to exertion was removed. From the period that the ryots were thrown on their own resources (1826) the competition for land, and as a sure consequence, its value has rapidly increased. It is estimated that about thirty thousand acres of land of every description are in cultivation within the Province.

The population of Penang and Province Wellesley combined, excluding troops and their followers, but including convicts, amounts to 84,500 souls, or very nearly so. The annual consumption of rice by this number is now to be estimated.

The average number of persons composing a family is assumed to be five, which, from actual observation, is pretty near the truth. The daily average consumption by each family is rated at $3\frac{1}{4}$ chupahs of rice. If there be any error here, it will, it is believed, be found to be of *excess*, since the population does not subsist on a mere grain diet, but is abundantly supplied with fish, plantains, Indian corn, pulses, and sweet potatoes, poultry and butcher's meat.

The common Malays are not over nice in their choice of flesh and fish. They prefer the flesh of the buffalo to that of the ox, and that of the young ground shark is in request at all times.

Religion and prejudice deny to every Malay the use of pork, which is here excellent, being fed with great care in sties by the Chi-

nese on rice and the kaladie plant, the latter being brought to Penang from Province Wellesley by Malays and sold at 4 pice the burden. A thorough stickler for the creed of the Prophet would loathe the idea of carrying pigs' provender to market. The Malays admit that their own Prophet Mahomed was an epicure in pork, which was his favorite dish. Once on a time, say they, Mahomed gave a feast to the men in authority, and the pork which formed one of the chief dishes was very soon discussed. Not feeling satisfied, he addressed his daughter *Fatima*, and inquired if any remained uncooked; she, supposing that all had been dressed, replied in the negative. After dinner Mahomed went to the kitchen, and there found a large joint of the meat lying uncooked; feeling angry at the disappointment he and his guests had met with, he pronounced the flesh of the hog to be *haram* (forbidden) thenceforward.

The Samsams in Province Wellesley are partial to pork. They hunt the wild hog by dogs, either spearing him or drawing him into a rattan trap, which last, being attached to a branch of a tree bent down for the purpose, is like a mole trap, suddenly flung up into the air with the astonished occupant. Their Prophet, too, or Teacher Buddha, was fond of pork.

The flesh of the turtle is also haram to the Malay, although he is permitted to eat its eggs. These are sought for in the sand with great avidity, as are the eggs of the *tuntong* or river turtle, which are oblong and less oily than those of the sea turtle. The Malays assign two reasons for the interdiction: one, that as it keeps its head withdrawn within the shell, its sacrifice or *simbileh* cannot be made, nor the *bismillah* or ordinary invocation repeated according to orthodox custom; the other that it is amphibious, or as they express it, *hayoon fit darainee*, possessed of two distinct lives, one adapted to the land the other to the water. The fine rock crab is likewise eschewed by strict followers of Islam, because, as they say, it exhibits on its shell an impression of the foot of the hog, and in fact all amphibious creatures are *haram*.

The Burmese and Siamese are the grossest feeders and the greatest consumers of rice. The Ava Government during the late war with the British, gave the following rations to each soldier.

| | | |
|---|---|---|
| Rice, being nearly 34 chupahs by measure.... | 64 | lb |
| Balachong..... | 3⅜ | ,, |
| Chillies..... | 4 | ,, |
| Salt.. ..... | 3⅝ | ,, |
| Salt fish occasionally only..... | 10⅞ | ,, |

The Siamese require about a similar supply.

A *common* labouring Malay requires monthly:

| | |
|---|---|
| Rice—30 chupahs or 56 lbs. (value in cents) | 90 |
| Salt 1½ chupah..... ..... | 2¼ |
| Fish..... | 30 |
| Chilly and other condiments..... | 15 |
| Tobacco—sireh—areca—lime and gambier.... | 60 |
| Total pice or cents..... | 197¼ |

N. B. The value of pice is fluctuating.

For a family of five persons an addition of ninety cents monthly will be required to the above items, and rice in proportion.

The expense of the year will therefore be—2367 pice or cents, which at an average of 105 cents or pice per Sp. dollar will be Sp. dollars ..... 22 57

Clothing and Housing a man, 2 Sarongs—

| | | |
|---|---|---|
| cents..... | 60 | |
| 1 Bajoo or Jacket..... | 30 | |
| 1 Pair Pantaloons..... | 30 | |
| 1 Head-dress or Kerchief..... | 20 | |
| A Woman, 4 Sarongs..... | 120 | |
| 2 Bajoos..... | 70 | |
| | 190 | |
| Housing..... | | 1 |
| Extra luxuries, such as dorians, &c. &c. &c. | | 2 |
| Total yearly expences, drs. | | 26 92 |

A substantial ryot lives much better, and will wear out yearly 2 sarongs, two long sashes, called kain panjang, two bajoos or jackets, 2 pair of pantaloons, two kerchiefs, two handkerchiefs, besides keeping by him a complete festival suit of these clothes. It has been estimated by writers on India that the poorer ryot of Hindostan expends in living only fourteen rupees a year. The Chinese and the Malays consume nearly an equal quantity of rice, but the former use much more animal food than the latter, and dress much better, in the lower classes.

*Estimated yearly consumption of Rice.*

PENANG.

| | | |
|---|---|---|
| By the fixed and fluctuating population exclusive of troops..... coyans .... | 3,500 | |
| By 200 houses—and by cattle, &c. &c. | 280 | 3780 |

PROVINCE WELLESLEY.

| | |
|---|---|
| By fixed and fluctuating population.... | 3378 |
| Seed grain on Penang 3½ coyans paddie | 1¾ |
| Ditto ditto in Province Wellesley or 75 coyans of paddie being in rice ..... | 37½ |
| Loss ..... | 5 |
| Total estimated consumption | 7202¼ |

Rice land in Penang yields a return which may not be averaged higher than 75 fold, or nearly 300 guntangs of paddie for each orlong; but it has been considered advisable to rate it here at 60 fold only. The rice land or *bindang* of Province Wellesley gives an average return of 117½ fold, the maximum degree of productiveness being six hundred guntangs of paddie on an orlong (or 1¾ acre) of well flooded alluvial land, or 150

fold, which number of guntangs are equal to 300 guntangs of *rice*, weighing nearly 4520 English pounds. The present average produce has been very *moderately* estimated in this account at 470 guntangs the orlong of paddie. The quantity of seed invariably allotted for an orlong of land is 4 guntangs. In the estimate of *future* produce as available for the support of the local population, 480 guntangs an orlong have been assumed as the *net* average produce, this increase being admissible on the score of the improving productiveness of the land. The average produce now derivable as above specified from one square mile of *bindang* land will be 248$\frac{1}{3}$ coyans of paddie, or 142$\frac{1}{6}$ coyans of rice, affording food sufficient for the support of 1915 souls; so that were every orlong to have its complement, the population of this Province might be more than doubled without outrunning the means of subsistence. Prospectively viewed, the number which a square mile will be sufficient to support may be rated at 1936 souls. In Siam 40 fold is esteemed a good average produce. At Tavoy on the Tenasserim Coast the maximum rate of productiveness of the rice land was in 1825, and is still believed to be, nearly the same as the average of Siam, while the average was only 20 fold, at which last rate the produce of a square mile would support about 1000 souls. There the return for seed sown is not only thus small compared with the return for the quantity sown here, but to obtain the above average of 20 fold or 260 guntangs of paddie from one orlong of land, it would be requisite to sow thirteen guntangs of seed. The difference in favor of this local Malayan husbandry is therefore 219 guntangs of paddie for each orlong cultivated, besides the profit arising to the latter by the saving of labor. To obtain on the Tavoy Coast the clear return of 470 guntangs of paddie, being the average above stated for Province Wellesley, including land newly cleared, and not yet become fully productive, it would be required to cultivate 1$\frac{6}{4}$ orlong and to sow 23$\frac{1}{2}$ guntangs of seed.

The total present population of the latter Province could be supported on the average quantity of rice raised on 24 square miles of superficies, while on the Coast alluded to an area of about 43 square miles would be required to supply food to such a population.

The very superior fertility of the Province Wellesley soil depends on its alluvial composition, and on its being level and easily accessible to water, and in some localities on its being comparatively new; but this last circumstance does not seem to operate as might be supposed, for some land which has been longest under cultivation, or upwards of 20 years, yields the largest crops.

The soil of Mautama or Martaban Province, of which Moulmein formed a part, seemed to me while travelling over its plains in 1825 to approach nearest to the standard of this coast. Pegue, however, being for the most part an extensive delta, composed of alluvion, its soil perhaps takes the lead of ours. The productiveness of the soil of Malacca or of Singapore will scarcely, it is supposed, reach our standard; but on this point data are not at hand to enable me to form an opinion. Out of 42,667 orlongs, the quantity supposed to be available at Malacca for rice cultivation, only 3,297 orlongs were under tillage three years ago. According to the Malayan annals, and they are rendered credible by European contemporary accounts, the population of the city of Malacca when first attacked by the Portuguese, amounted, independent of the country or interior population, to 190,000 souls. If this number, or say 200,000 for the whole, were supported by the grain produce of that country, it must have required an extent of 102$\frac{1}{2}$ square miles or 49,602 orlongs to have been under rice cultivation, supposing the fertility to have equalled that of the Keddah Coast as above given. Being a commercial state, however, it is probable that it received grain from other countries. It is only in those Malayan States where agriculture seems to have never been entirely subordinate to trade that we now find a fixed agricultural population of any considerable magnitude. Java was one of these, Keddah, Perak, Patani and Trangaud, with Ligor and Sangora, were probably also in the list. Keddah from its position and general features must always have been a grain country. Its commerce never extensive, was in the hands of its Raja and his favorites, and when that was all but annihilated by the drain caused by the new channels into which trade flowed consequent on the proximity of European settlements, the population sustained little comparative diminution, and continued to raise supplies of grain for its neighbours as well as itself, until falling under foreign dominion, its energies were paralysed and its population dispersed.

The Imports and Exports of Rice for this settlement are as follow:

IMPORTS.

| | Coyans. | Bags. | Coyans. | Gntgs. |
|---|---|---|---|---|
| For the year ending 30th September, 1834..... | 3197$\frac{3}{4}$ | 6052 | | |
| For the half year ending 30th September, 1834.. | 721 | 11482 | | |
| Total | | | 4357 | 80 |

EXPORTS.

| | Coyans. | Bags. | Coyans. | Gntgs. |
|---|---|---|---|---|
| For the above eighteen months ..... | 1478 | 25 | | |
| Total | | | 1478 | 500 |
| | | | 2878 | 380 |

*Excess of Imports over Exports.*

| | | |
|---|---|---|
| Total estimated consumption by the fixed population—itinerants—cattle, &c. &c. &c. in Penang and Province Wellesley for 18 months—seed grain for the half year excluded, consumption of Troops also excluded..... | 10740 | 600 |
| Total excess of consumption over importation for 18 months as above..... | 7862 | 220 |

The Produce to meet this is estimated as under:

PENANG.

| | | |
|---|---|---|
| Fixed cultivation for 18 months..... ..... | 197 | |
| Fugitive crops..... | 50 | |
| | | 127 |

Being equal to nearly one month's consumption.

PROVINCE WELLESLEY.

| | | |
|---|---|---|
| Fixed cultivation for above period,..... ..... | 6604½ | |
| Irregular and fugitive do.. | 300 | |
| | 6904½ | |
| | | 7151 400 |
| Total deficiency unaccounted for, being excess of consumption over the balance remaining of Exports and Imports and amount of produce added *thereto*.... | | 710 620 |

There is no reason to doubt the accuracy of the statement of exports and imports, yet it is highly probable that a good deal of Rice has been imported in small quantities through numerous channels both into Penang and the opposite coast without being observed. The crops for the last two years in Province Wellesley were very abundant, as the present promises to be, and perhaps the produce for these has exceeded the average assumed here. The produce of partially cleared lands too, may have been somewhat underrated. The grain dealers may also have had a supply in hand at the beginning of 1833. Some of these causes must have been in operation. Besides the registered exports too, it is well known that considerable quantities of Rice have been exported occasionally from Province Wellesley to the borders of Keddah and Perak.

The grain season commences about the middle or end of July on Penang, and about the middle of August in Province Wellesley. In the latter the ryots continue planting until the middle of October, being regulated by the degrees in which their fields are flooded. The grain is ripe within from 5 to 8 months after planting.

The Rice produced here is of the same descriptions as that raised in Keddah, and it ranks next to Bengal Rice in the market.

The varieties of Rice are very considerable, and they are nicely discriminated by the Malays. At first one might feel disposed to think these people fanciful, but on a narrow inspection, the different kinds of Rice are observed to possess distinct features.

The following are those sorts best known, and they have been arranged as nearly as may be according to their generally received value. The first five may be cut by the sickle and are termed *giyau*.

FOR SAWAH OR WETLAND CULTIVATION.

Sri kaja, sri bumi, riyong, sri bangsa, sri menjadi, ripen in 7 months, and are denoted as of the first class by the word *sri* (excellent) prefixed.

Mayang srai, white and short; mayang tilor, yellowish grain; mayang booeh, white grain; mayang pinang, reddish grain; mayang kudong, white grain; mayang tilooi, dark grain; bujong besar, white grain; sissat, white and long grain; bumban unak libbah, reddish grain; chak pauh, dark grain: these ripen within 7 months.

Mayang sapangko, white; sultan bersindain; bodool: ripen in 8 months.

Mayang kooning, mayang gading, boonga machang, boonga sena, sunting mamplai, boonga pandan, riyong kichel, unak ikan, borat, chanda berinei: ripen in 6 months.

Ekor, srip mas, jaroom puak, rumboot, sawa, taring plandoh, piring, bawang: ripen in 6 months.

*Panget-so*, lately introduced from China: ripen in 100 days.

The following are different kinds of the oryza glutinosa or pooloot rice:

Pooloot etam, pooloot galah: ripen in 5 months.

Pooloot gharoo, pooloot kilah, pooloot santan, pooloot salambar nibong, pooloot kooching likat, pooloot gading, pooloot gudtongalo, pooloot naga bilei, pooloot kajang, pooloot sippat, pooloot indan, pooloot sekuppal: ripen in 7 months.

*Paddie Jagong.*—This species is said to be cultivated in Keddah, and to give two crops in one rainy season.

The following are varieties of the upland rice, or paddy *oomah*, which will not thrive on flooded land.

Mayang jagong, biji trong, saboon, jarum perak: ripen in 4 months.

Tuma, soonkal, bruang, the bear; kala, scorpion; anak morei, langsat: ripen in 5 months.

Jintan, jibbat: ripen in 6 months.

The Malays here have not yet attempted double cropping as on the continent of India. There are no tanks, and it is only at a very few spots that they could be made; most of the Malayan wet land rice requires so long a period to reach maturity, that there would be a deficiency of water for a second crop were an attempt to be made to grow one; but the Malays are obstinate in asserting that were water abundant, still the rice sown here will not fructify after the rainy season has passed; but the jagong rice before noticed seems an exception.

The Chinese last year introduced from China a species of rice termed by them *panget-so*, which is short grained, of a reddish color, and goes to ear in 3 months and 10 days after planting, and as it is a species which requires to be flooded, it promises to be an acquisition, although a very light grain.

There are considerable tracks of land bordering the *bakhau* or Mangrove flats, which at present lie waste. It is understood that there is a kind of rice cultivated in Chittagong, which is not injured by brackish or salt water occasionally reaching it; were this also introduced much benefit might accrue.

The Malays never manure their rice fields, nor is there any occasion as yet for doing so, especially while the system continues of allowing the field to lie from 6 to 8 months fallow every year. The people of Bengal render rice capable of being preserved for a long time by dipping it in boiling water so as to destroy the germ. The Malays have not adopted this plan, and therefore beat or grind out the rice from the husk just before it is to be used. The Burmese, the Siamese, and it is believed all the Indo-Chinese Governments maintain large granaries. The object is political with reference to their exposure to frequent warfare, yet it is of vast utility in times were the crops fail.

### SEED TIME.

Four guntangs of paddie are sown upon a well watered and cleared spot of land, of the extent of about a sixteenth part of an orlong. In about forty days the plants attain sufficient vigor to admit of their being moved to the *bindang* or paddie field.

The task of transplanting is commonly performed by the women. Before the seed is sown in the nursery, it is twice measured in order to ascertain that none has *escaped* preternaturally.

The *samai* or rice plants are pulled up by their roots in bunches of sufficient size to be easily grasped with one hand. The roots are rapidly cleaned with the other and the tops are cut off. A few of the whitest stalks are then selected and carried separately to the field. *Ayer badak*, a fragrant cosmetic dissolved in water, is now sprinkled over the ground in order to propitiate the spirit of the paddie; the Malayan *Ceres*, for whom however the Malays have no distinct appellative, but express their meaning by the words *samangut paddie*, the *chaba yendai* of the Burmese, which implies that the Spirit of the Paddie vanishes through terror when not conciliated.

The spot on the field where the propitiatory evocation is made they term *humi putra*, which are Sanscrit words, denoting the "*Princes Ground.*" This might be supposed to imply that the spirit evoked is deemed masculine; but the nature of the invocations which follow, rather leave this in doubt. The selected stalks are placed on a rest along with offerings of dressed eggs, pooloot rice, or orvaza glutinosa, sugar cane, cocoanut, and sweet-meats. These offerings are afterwards commonly left on the spot; but some ryots take them home and eat them.

### INVOCATION.

Sri Dangomala, Sri Dangomani!
Hundah kerim anak sambilan bulan
Segala luang segala Pengassoh
Jangan bri sakit jangan bri dummum
Jangan bri killoo dan pinning
Kichel menjadi besar
Tuah jadi mudah
Yang to kijup de per kijap
Yang ta sama de per sama
Yang ta bijau de per bijau
Yang ta tingi de per tingi
Hijau siperti ayer laut
Tingi siperti Bukit Kaf.

Which may be thus rendered, after premising, that the first line alludes to some *Prince and Princess of old.*

O illustrious Dangomala and Dangomani—
Let there be fruit (offspring) nine months hence.
O Royal Nurses all—preserve *it* from sickness, fever and vertigo and head-ache.
May it reach the full stature.
May the old become young again.
Where backward may it be forwarded.
Where unequal may it be made equal
Where colourless may it become green,
Where short let it become long.
Green as the waters of the ocean.
High as the mountains of Caucasus.

There is another invocation, which is very enigmatical, and cannot be rendered intelligible by a literal translation.

Bintang mara choacha limpah
Kadua limpah de langit
Katiga limpah de bumi
Ka-ampat ayer Sambayang
Ka lima pinto labap, (by some madahap)
Ka anam pinto rizukki
Ka tujuh pankat (or pinto maleegel)
Kaid bulapan pankat surga
Ka sambilan anak de kandong ibu
Ka se-puluh Mahomed jadi
Jadi siklian jadi
Ooma tanaman jadi
Bayan noollah de dalam ronga battu
Lagi ada rizukki
Deri hooloo deri hilir
Sarep mengarep
Deri seenang kitta seenang
Menghuntur rizukki
Ber lambah ber tamboon.

The gloriously resplendant stars lighting the firmament are the first;
The full refulgence of the sky *is* the second;
The fulness spreading over the Earth is the third—causing abundance;
The fourth the blessed waters harbingers of fertility;
The fifth the four gates of the World pouring out plenty;
The sixth the door to abundance of Food;
The seventh the portal of the upper story of the Palace;
*The eighth the floor of Sugar or Heaven;*
*The ninth—the pregnant mother;*
The tenth—[may the grain harvest be lucky as] the birth day of Mahomed;
May all prove prosperous.
May dry grain prosper—
May the hand of the Almighty appear in the filling of the husk as a hole in a rock is shut up by degrees.
From above from below let plenty always flow.
From east and west may abundance ever increasing pour in.

Adam and Hawah, our first parents, say our first Malays, had two sons and two daughters: the daughters to whom they give the precedence were Normani and Aski; the sons were Soorbani and Aknini. The earth did not then yield enough food for the subsistence of mankind; Adam, therefore, conveyed by divine command one son and one daughter into the plains, and having sacrificed them and chopped them into small fragments, he scattered these over the ground. On his returning home Hawah inquired what had become of her children? Adam replied that they were abroad in the field. Six months afterwards she again asked where they were, Adam said come, and I will shew you them. They then both went forth to the plain and called on the children by name bidding them return.

The other two children who had followed them out answered 'we are coming.' Adam and Hawah now beheld with wonder the wide plain waving with a golden harvest. On a sudden the whole grain became *samangut*, or instinct with life, and then rising in the air like dense swarms of bees, poured onwards with a loud buzzing noise, until it entered the habitation of the first man and woman from whom it had its birth. Hence it is incumbent on cultivators to treat paddie with respect.

One of the singular customs which may be observed at this settlement, amongst a population composed of many races, and where about twelve distinct Asiatic languages are spoken by considerable numbers, is the search for ceres or proserpine by the Chinese.

They being ignorant of the real origin of the rite, call it a search for charmed roots and medical substances. Four men carry on their shoulders a small painted wooden or bamboo box, with a canopy, and open in front. In this an image of Choo Sookong, one of their deified mortals is placed. A *Juzzuzen* or Physician, places himself in front, and the whole move off over the country at a double quick pace.

Choo Sookong is believed to give himself a shake occasionally so as to impede the movements of his bearers. The *Juzzuzen* then opens his books, and that one to which the box inclines, he consults, noticing the medicines whose names first meet his eye. The attendants then begin to dig up the earth to find the substance indicated.

*It is the Chin-choo Chinese, who chiefly,* perhaps solely, practice this rite.

The Siamese and Samsam cultivators, who are Buddhists, call their Ceres, *Me Pho Sop Chau*, "the exalted mother of grain." In their legends it is recorded that of old, when mankind were yet in a state of innocence, grain grew spontaneously on the earth. At length the women began to steal, and men compassionating their weakness, pardonned their error four successive times. It then became necessary to have a king who should control the evil now first appearing in the world. The men, however, soon followed in the steps of the women, and they even ventured to show every degree of disrespect to *Me Pho Sop* in the rough manner in which they cultivated the corn. At length disgusted with the insults heaped on her, and at the crimes of the human race, she fled and took refuge in a deep cave on a high mountain. Famine now ravaged the earth. To avert this calamity holy men were sent in search of the lost goddess. Following the course of a river, they perceived some husks of grain floating on its surface and were thus directed to the cave. Here they observed the seeds of grain attached to the roof, and after much supplication induced *Me Pho Sop* to return and diffuse plenty around to a race now first aware of her value.

The Buddhist ryots when about to plant the rice, propitiate this goddess by offerings of the kaboos fish or harooan (which abounds in the paddie fields during the rains) eggs, fruits, sugar, the oriza glutinosa, and betel leaf. The goddess is represented by a bunch of the rice plants which are tied together by white thread. Waxen tapers are lighted and incense burned, and scented water is sprinkled over the typical bunch, which is then covered with a white cloth raised into the shape of a canopy.

This ceremony generally takes place early in the morning. All the ryots present then evoke *Me Pho Sop* to favor the paddie crop; when the grain approaches to fullness, similar rites are performed and *acid* fruits are added to the oblation, because, say the Siamese, the predilection belongs to it as well as to the sex in general under similar circumstances.

The paddy planter is provided with a short stick, with a fork at the end. Having inserted from five to nine stalks or plants into this fork, he pushed it down into the mud, to the depth of from 3 to 6 inches, according to the

nature of the soil. Superstition enjoins that decorum should be observed during that operation, and that no one should speak during the planting of every seven bunches. These bunches are set at distances varying from half a foot to one and a half foot. In the richest soils even two feet might be allowed, as the bushes expand sufficiently to cover the intervals. The owner afterwards inspects his field occasionally, sees that it has the requisite quantity of water and destroys weeds and vermin. As the ear begins to fill, he stretches ropes over the field and attaches scarecrows to it, and he erects a high covered perch in which one of his family constantly watches, at the imminent risk at night of being picked off by a tiger. Birds and rats which occasionally appear in great numbers, contrive notwithstanding to take heavy *custom* out of the crops.

Newly occupied land near forest is most subject to their inroads; several insects also infest the rice fields. It is almost incredible the swarms of rats which overran the plains and paddie fields of Province Wellesley last year. They did much partial damage to the young grain, but the crop was nevertheless most abundant. It is probable that such an uncommon invasion was from the interior. These swarms disappeared nearly as suddenly as they came, yet they are sufficiently numerous at all times to form one of the legitimate subjects for grumbling to the farmer; they are most destructive in rainy nights, such, say the ryots, protecting them from their enemies—the owl, snakes, &c. The Malays are obstinate in believing that they swarm across from Penang, because a great many had been observed floundering in the mud after the retreat of the tide; but the most current opinion with them is, that these rats were produced in oyster or other shells!

As the ear of the rice appears, the water is generally allowed to gradually drain off to hasten its filling, but it will fully ripen without this precaution. The ryots assist each other both in sowing and reaping.

The grain is cut with the sickle when it has been laid down by its own weight, or by wind, or is otherwise in jeopardy. But as the straw is here of little or no value, grass being abundant throughout the year, and as the gram is often, from perhaps an intermixture of different sorts, not all ripe at once, and as the ryots do not readily walk out of the path which his forefathers followed, recourse is generally had to the more dilatory and expensive method of cutting by *pingeeau*, by which only enough of the stalk is left to admit of its being grasped by the hand and tied up in bunches.

Viewed with the eye of an economist, it is a beautiful object, a ripe waving paddie field of ten miles or more in extent. The whole air is perfumed by the mellow aroma; the Malay then is in his glory, and all the old women and elderly matrons are seen with comical straw hats plucking the ears of corn, the young married women and spinsters under a certain age are left at the distaff and loom and other household duties.

The Malays hold sacred the first three days of harvest, and the presiding spirit of the grain is again evoked and propitiated. These days are *pantang*, or under an interdict, or tabooed as the African would express himself, and until they are past, the cultivator is careful not to permit any thing to be removed from his house. On the first day waxen tapers are lighted and incense burned. Parts of the *Foorkhan* or Koran are recited, the rite being termed *kunduri*—all the assembly calling out *ameen* at the close of each sentence.

An iron nail is carried on the first day to the field in order to avert some planetary influence, for the plants, it is well known, had in ancient mythology their types in the several metals; it is stuck into the earth, where it is left until all the grain has been cut. This charm may remind one, too, of the sailor's horse shoe. It is afterwards placed in the granary as a charm to prevent the paddie becoming *samangat*, namely, taking fright and vanishing, as it did of old! A rude altar is then raised on the field, on which are laid offerings of rice, plantains, flour, eggs, oil, water and perfumes, a white cloth is thrown gently over all and the peasant evokes the spirit in the following strain—

Marilah Che Marila Tann,
Hunda pulang Maligei mas Maligei perak,
Lama sudah main angin dan ombak,
Tumput iyang sinnang iyang selesa.

Come O young Lord and Master,
Return to the golden and silver Palace,
Long hast thou disported in the wind and rippling waters,
Return now to a place of repose and enjoyment.

On the same day one male and one female stalk (the distinction is perhaps fanciful) are selected, on each a gold or silver ring is put, both are then tied together with a white thread, wrapped up in white cloth, and conveyed along with one basket full of the ripe ears to the granary. Some ryots cut seven instead of two stalks in commemoration of seven mothers who became *samangat*, perhaps the seven Rishiis or stars of Hindoo mythology.

On the second day, two, and on the third, three baskets full are cut and consecrated in like manner. When these first fruits have been thus with due rites housed in the granary, a jar of water is placed beside them, and the harvest is begun in earnest. Many ryots either from having been weaned from

these besetting superstitions, or out of carelessness, or perversity, neglect these ceremonies in whole or in part.

The true Siamese when they first saw the seed in the nursery, set up a white triangular flag on the spot. It has a square compartment near the upper part, within which another square is inscribed, the angles of which rest on the centre of the faces of the outer square; four triangular compartments are thus formed. The cardinal points, with four intermediate ones, on the outer square, are denoted by the *prha khawany* (light in all) or guardian spirits described in their Bali Legends. Betwixt each figure is a unit (1) within the two upper triangles are written Bali syllables *Na Mo* symbolical of two Buddhas. In the centre foot and in the lower angles *Tha* and *Ya*, or *Phoothaya*, the name of Boodha in the Siamese Bali language.

The flag being hoisted, the ryots invoke in a sitting posture by name *Phra Een* or *India* the protector of mankind, and *Nang Phra Thoranee*, the Goddess of Earth, and *Chaau Deen*, the Spirits Lords of the soil, who it may be here observed, are much dreaded and are propitiated by beastical sacrifices when a tin or other mine is to be opened; also *Britheeo*, a spirit which guards the surface of the ground; *Phra Phrom*, or six superior Gods; *Phra Yom* or *Yama*, God of the Infernal Regions; *Phra Kan*, the Angel of Death and guide of the liberated souls of those mortals who have been doomed to expiate their crimes in hell; besides many other deities and sprites belonging to the copious pantheon of the Hindoos and Boodhas. When the grain is ripe they tie nine bunches before pulling them up or cutting them together with white thread, and then invoke Buddha. The Bali and the hierarchy, exclaiming also *aa khachahee mo nee me ma;* come, come, come here, mother come! They then rise and again invoke the same triad. No fire must be taken out of a house for the ensuing three days. The nine bunches on the fourth day are cut and placed in the granary as consecrated first fruits.

The Samsams after their pooja, or as they call it poocha, or its accompanying offerings to *Me Pho Sop*, select one hundred and eight paddie stalks, this being the number told by Booddhist priests on their rosary in memory, or honor of the holy foot of their deified Saint before noticed. These stalks are then fashioned into the figure of a female, much in the same manner as the Harvest Maiden is formed in some northern countries of Britain. This figure is clothed and being then considered the representative of *Me Pho Sop*, offerings are made to it of rice and fruits, and it is duly consecrated by five Buddhist priests. It is afterwards placed above the new grain in the granary, and five stones are laid on it to prevent its escape. When any gram is to be beaten out, this image is also brought forth and told what quantity is required.

The harvest home in this Province is celebrated by games, theatrical and other festivities, several of which seem of Hindoo origin. Much money after a favorable crop is thus spent, and the Madras jugglers continue to get a share of it.

Buffaloe fights once formed here the grand harvest home amusement, and they were conducted with much decorum: the presence of the Police being scarcely wanted.

A ring of about one hundred and fifty yards in diameter was surrounded by high stands or scaffoldings, with considerable intervals betwixt them. On these were assembled the most respectable proprietors and farmers with their families of all ages and both sexes, dressed in clean holiday suits, while several thousands of people filled up these intervals: the Spaniard and John Bull would have considered the whole affair exceedingly tame. Here no barbarities were practised, there was no quarrelling and no drunkenness or other brutalities exhibited. The buffaloes were successively led out in pairs by their owners, one pair at a time into the arena, when sufficiently close, were allowed to come of their own accord to the scratch. The owners did not mount their buffaloes after the Tavoy or Burman fashion, but got quickly out of the way of the animals. Many buffaloes declined the contest, and very few fought beyond five minutes, when one generally scampered off across the country followed by the victor: blood was very rarely drawn, and no deaths occurred. The only *science* displayed on the last occasion was by a buffaloe, the property of an old Malay woman, and named by her *Bintangberali*, "the *shifting star.*" This animal generally contrived by a dexterous manœuvre to get one of its horns under the lower jaw of its adversary, and by twisting his neck to bring on his side to the ground. The defeated buffalo rarely ran a second course, but made off as fast as it could without any further attempt of the victor to injure it.

Bull baiting is of course disallowed by English law, and has been therefore discouraged within the Province. Still as the animal spirits of any population, much more of one just emerging from the middle grade of civilization, will have an outlet in some way or other, it is doubtful whether the indulgence in this sport under so mild a form, compared with that which it takes in Europe, was not productive of good in the main. The same apology cannot be made for systematic cock

fighting. The Malays, it is well known, are passionately attached to this barbarity, called by them *sabong ayam*. Can enlightened England condemn them when she looks into her own bosom? The Malays are perhaps equally *scientific* as the most *civilized* European in the selecting, training and *arming* of their game cocks. This demoralizing and ruinous sport has been long happily suppressed in Penang and the opposite coast. Of course the suppression cannot extend to the birds themselves, so neighbours occasionally enjoy the sight of their making use of nature's weapons in their private quarrels, about the right and title to some favorite belle of the roost. In proportion as these channels to over excitement have been closed, have gaming with dice, or *po*, and its attendants, poverty, robbery, and theft increased, and these mischiefs have, it may safely be said, been aggravated since gambling was removed from fiscal controul and left free of tithe to the cognizance of the law. To eradicate the passion is perhaps impossible, for it is linked with several natural and beneficial ***** and aspirations as well as ***** of the human mind, to keep it down to such a level that it shall not break occasionally through gaps in the barriers of social life, is a thing of difficult achievement, and not to be achieved by any Police modelled by the principles of a free State. The vice presents itself to us in these Indo-Chinese regions as an irrepressible mental aberration, to which palliatives may possibly be applied with some small advantage. The mere operation of English law can hardly extend deeper into the evil than to reduce it to the dimensions of a permitted, or of a connived at, nuisance.

The Chinese are more determined gamblers than the Malays, scarcely an individual of either sex of the first class can refrain from indulging in it. To evade the law, the Chinese have urged that gambling forms one of their religious rites, hoping by this *finese* to shelter themselves under the Charter of Justice; but the fallacy is too palpable to be overlooked. Marco Polo who was himself Governor of a Chinese Province, and wrote about 544 years ago, gives the following graphic account of this vice.

"The present Khan has prohibited every species of gambling and other modes of cheating, to which the people of this country (China) are addicted more than any other upon earth." Amidst an untutored and heterogenous native population like ours, the noble fiat or dictum of refined legislature, that the poorest subject's house is his castle, is apt to become the shield of the gamester and robber as well as of the peaceful citizen.

As regards Province Wellesley, the prohibitions and penalties of the law serve but as premiums to our neighbours, the Siamese and the Perak Malays, who have established cordons of gambling houses, cock-pits and opium shops along our frontiers, thereby monopolizing the revenue which our law rejects, and increasing the evils which are naturally inseparable from the unrestricted indulgence of irregular passion and propensity. After a favorable harvest the ryots avow to institute games and festivals.

The *Main Manora* and *Wayang kulit*, are the chief scenical amusements. The first of these is the Siamese Drama, embodying the heroic deeds of Sri Rama and his Army of Apes. In this the actors have appropriate, often expensive, dresses and masques, and a full band of music fills up the interludes. Instruments for a complete band, cost about £100 sterling. The second a *Wayang kulit*, a sort of dramatic phantasmagoria, is derived from Java, and is essentially of Hindoo origin. The dramatis personæ are represented by flexible leathern figures, which are worked behind a screen of thin white cloth by an *Orang dallang*, who is the sole reciter or prompter, and who is obliged to modulate his voice to suit the numerous characters introduced. The Burmese are much attached to this kind of exhibition, the *Myoomoons* annually having a private theatre of their own for its exhibition.

The *Manora* lasts here five or six days and *Wayang kulit* for seven or eight. The expence for the first every 24 hours is 4 dollars and for the last $1\frac{1}{2}$ dollars. The Theatre is a shed in the open air. The person who hires the company consisting of from 12 to 16 old formers, including musicians, pays all expences, the crowd is free to enjoy the performance gratis. *Wayang Joget* partakes more of a nautch than a play, since dancing and singing are its chief attractions. The dancers are women generally, but often boys in women's clothes. For a company of *Orang Joget*, consisting 12 *panya* or musicians, 3 *beduan* or singers and 2 *joget* or dancers, the hire of one night is 12 or 13 Spanish dollars.

A Chinese company consists of thirty actors of all classes. The hire for one night is 20 Sp. dollars at the lowest rate; but their music is execrable, being pitched at a very high key. The wardrobe of a Chinese company costs here at *second-hand* about 1200 dollars, and a new set of dresses will cost 3000 dollars.—*Prince of Wales' Island Gazette.*

(To be continued.)

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# THE INDIAN LAW-COMMISSION.

## No. I.

TO THE EDITOR OF THE CEYLON GOVERNMENT GAZETTE.

Sir,—It appearing from the authority that the Indian Law-Commission has at length assumed an embodied form, and that it will, upon the arrival of its adjunct Commissioner from England, commence its operations: it becomes, not merely an object of distant speculation, but of immediate interest, to consider what probably may be its bent and course of action. All India (and as far as the effect of example may have weight, Ceylon as a part of India) is concerned in the future labours of the commission: I trust, therefore, I shall not be deemed as writing out of season, when I commit to the pages of your journal, for the purpose of exciting public attention, the plain and unartificial observations which I am about to do.

If there be certain periods in the history of every country, (as has well been noticed by political and philosophical writers) at which from circumstances it may be conjectured, that a positive increase, either of good or evil, will be the consequence of certain adopted measures, such a crisis is that which is now arrived in respect of the Continent of India. The incorporation of all Italy with Rome in the time of Marius and Sylla, is one event which has been marked out as of the nature of those which are thus spoken of; as the fate and progress of our English House of Commons, between the accession of Henry VII. to the year 1588, and again from 1588 to 1640, has been another.

The power of legislation to be exercised openly in the face of the world, within the boundaries of India itself, is an occurrence which cannot but be productive of consequences not unimportant: of consequences, which undoubtedly give birth to hopes, but which at the same time, may, not unreasonably, excite also some fears.

The measures which have preceded the introduction meditated of extended legislative power, have certainly not been of a kind very satisfactory to the lover of independency of legal institutions. It is another and late proof (not much, I own, required), of the inadequate interest which is taken in the affairs of India (vast though India be) by the public at home, the finding, that the power about to be vested in the Cabinet of India, has at its very commencement been marked by the abandonment to partial, if not entire, neglect, of the King's Supreme Courts. I would add also as another untoward incident, the elevation (though temporary) to the first authority in all India, of that individual, who, as a Member of Council, in the most unguarded and unmeasured tone, attacked, through the channel of a secret Minute, the very Court of Justice of the Presidency in which he held a high office. Let Sir C. T. Metcalfe's public hospitality have its due praise—let his excellent private qualities have their just reward of esteem,—but, that after his violent papers of April 15, and May 2, 1829. He, of all others, should be the selected individual, first to fill the governmental chair, under its new regime, is to me, I confess, a matter of some regret and of partial alarm. Neither can I quite put away the recollection, that the late Governor General himself, excellent and well-deserving as he is, has so far shewn himself imbued with oriental prejudices, as to protest against any limitation to be assigned to the local legislative power; and to declare against the use and continuation of a prohibition "so vague" (thus he has spoken) as is implied by the direction to enact no laws repugnant to the law of England.

There is yet another circumstance, which, as a sincere well-wisher to mankind, and consequently feeling a strong interest in the happiness of a population forming so large a portion of it as India must be deemed to do, also affects me with unfeigned solicitude. I mean, Sir, the feeling (to say the least) of indifference, as to the Supreme Courts, exhibited by the Eastern Press at large—an indifference which, as I believe trial by jury exists only within the precincts of those Supreme Courts, may be fairly supposed to extend to that institution itself. I am not, Sir, unaware that catching opinions have of late become somewhat prevalent even in Great Britain, the tendency of which has been to eradicate from the minds of Englishmen that just pride in which formerly they were wont to indulge, as the possessors of popular judicial institutions, and of tribunals, rendered sacred by ancient custom, before which, in any contest of a serious nature, neither personal power, however high, nor opulence, however great, could avail in favor of a wrong-doer.

I am aware also that these opinions have created a desire not merely to have justice cheap (a legitimate and praise-worthy object) but also to have it small—and that it is the fashion of the day to call for what is termed a natural procedure in the way of justice, preferably to what is denominated a technical one. Now, that this natural procedure may be carried further than it has yet been done at home, with good effect, may readily be admitted; nevertheless, the notion still may well be deprecated, which would establish as a just conclusion, that the Courts in Westminster Hall should be, as soon as possible, destroyed, and that the whole judicature of England should be effected by the instrumentality of Judges appointed in local districts. The spirit of Englishmen is still likely to revolt against such a measure: but that the bias given by Pamphlets and Reviews has for years past been with a leaning towards an equalization of tribunals is, I think, incontestible: and that such a bias has already produced evil effects I also believe, and am ready to maintain. When, however, it is acknowledged by me, that the natural procedure (namely, a procedure without forms) may be carried, with good effect, further than it has yet been, I must be understood as always bearing in recollection that Courts of this natural sort still exist in England and always have existed; our Courts of Requests, and Courts of Conscience, or similar Courts, exist and have existed for centuries; to enlarge the sphere of action of these may be expedient to have none other but such would be to despoil the country of its most precious privileges—a change in the character of the people would be the unavoidable consequence of such a measure: its independency and its high-mindedness would be gone for ever.

I rightly, however, may here be corrected and told that India is very differently placed from England, and that not only the Governments of the two necessarily differ, but also the governed in an equally strong degree. I admit the position: but, having admitted it, it leads me to a conclusion, I am afraid, the reverse of that which is for the moment popular and current in this part of the world, for what is the avowed object of the present change?—the increased happiness, it is declared, of the subjects in India, and that increased happiness to be attained, not merely by giving them personal protection, but by affording them the means of amendment in their moral character, and by raising their feelings and opinions to a higher standard than they at present stand on. Surely, surely, it may be doubted, whether this can be brought about by a multitude of laws and ordinances: more especially, too, if such laws and ordinances are to be interpreted and carried into effect by Minor Courts, dependent upon, and owing their existence to, the Government, which makes and promulgates such laws. Surely, there is some ground for fear and trepidation, when it is known that the new system is to be framed and set in motion under a Governor, who, as an adviser formerly of Government, expressed in the Secret Minute of April 15, 1829, a sentiment pretty nearly coming up to the position, that in every case the Government should have a restrictive right of interposition, delaying, if not stopping, the process of law according to its will and pleasure; and coercing the Courts, the King's Supreme Courts inclusive, according to its own view of the necessity arising.

More general expressions of an ungenial bearing, and hostile to all independency of thought and action appear in that state-paper of April 15, than in so short a memorandum could be expected! It would be wrong, however, not to make allowance for the heat of argument (even if that argument be reduced to writing) into which the stickler for an especial measure may be led, under circumstances strongly exciting him: and fain, therefore, would I persuade myself, that the Right Honorable individual in question said in that Minute more perhaps than he really meant—but said it has been, and successfully said. Nor is it merely of the bias and tendency of Sir C. T. Metcalfe's mind that fear may not unnaturally be entertained: that fear is not a little enhanced, by the tone and feeling, adopted and taken up, as it should seem generally, and as has already been noticed, by the public press of India. If it has not fully and openly declared in favour of the unimaginative reveries of Bentham and the cold platitudes of Mill, it has at least shewn a leaning towards the palsying system of those laborious (though acute) writers; and in this leaning there is, *as I think*, peril of the highest kind.

Let me not be understood as declaring myself adverse to the establishment of what has been named the natural procedure in law, though, I believe, I am well able to shew that the technical procedure, even of English law, is not as adverse to the eliciting of truth as has been asserted. What I contend for is, that added to the Local Courts, which it would be the desire of the Bentham school to create and introduce, must or ought to have existence a Court of a higher grade—a Court of dignity sufficient to decide, according to law, questions in which the Government itself may have an interest: in short, an effective Supreme King's Court.

I shall also think it expedient to point out that the natural procedure has, in fact, been attempted and enforced throughout India, and has been found not to answer. To talk, as some youthful writers have done, of the discrediting by Bentham of all technical systems as his first and grand achievement, is, as it seems to me, to indulge in the rank of school boys. His own system, simple as he desires it to be, could not exist without the usuage and adoption of technicalities. The well-meaning of Bentham it is just and reasonable to confess, though it is highly probable, that want of success in his profession as a lawyer in some degree influenced and shaped his after-considerations, to applaud his "sarcasm and exquisite humour" seems to me extravagant in the highest degree. He is often dull, and not without an occasional tinge of impertinent self-conceit. This, however, is a matter of taste.

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## No. II.

Had I at all been justified before, in entertaining a doubt whether or not the Press of India was adverse to the acknowledgment, that it was in reality governed by the King of England and Parliament, and, permissively only, by its own hereafter-to-be-established Legislative Council, I should certainly feel myself now assured of the fact. I was not, Sir, when I addressed to you my last letter, in any manner acquainted with the observations made by the *Bengal Hurkaru* newspaper in reference to our late Kandyan treason trial: which observations, however, I have since read and not without pain. I should have imagined that under the late Act, 3 and 4, William IV., c. 85, gratitude (did no other feeling arise) for the prolonged term assigned to the administration of affairs in the India Company would have led to the assumption of a tone and manner, very different from that which is called into practice; that having got rid of the old impression, once said to have prevailed amongst the natives of India, that the Company was an old lady (a sort of Vizier's mistress) shut up in a box, care would be now taken to instil into the Indian subjects of the King of England the true idea of the connexion which subsists between the higher power in Europe and the Government of the continent here.

I should have been rash enough to presume that the nature of that connexion would have been explained and inculcated with something almost of enthusiasm: for surely, Great Britain, amongst European nations, is not one, in reference to whose predominance or protection any shame or sense of degradation need be felt. I fear, however, (and I speak it with grief,) that the long indulgence exhibited towards the late East-India Company, in permitting her to publish and enforce her own local rules and ordinances, over an extended mass of human beings, such rules being unknown to, and nearly unheard-of, by the authorities and public at home, has had a natural tendency to render her a spoiled and self-willed child. The bias of the mother still influences the feelings of the daughter; and the India Company too apparently retains in her veins the same blood that circulated in those of the *East* India Company.

The Editor of the *Hurkaru* treats with ridicule and contempt our introduction here, upon the late trials in Kandy for treason, of the noble statute of Edward III. and the Law extended by other statutes founded upon it. This ridicule may be an Indian, but certainly it is not a British feeling. Is that gentleman (the Editor) aware, (he has, I understand some character) that so long ago as 1800, Sir Wm. Scott, (no mean or ordinary authority) considered that the Indian territories were British territories, and that the Law of treason would apply in full force, to *Europeans* at *least*, living and residing there, that by the House of Lords, August 12, 1801, a judgment was affirmed, upon the express ground taken, that Madras was a part of the British dominions, and that all foreigners resident there incurred the obligations of British subjects?

Has he considered whether or not, within the 43d section of the 3 and 4, William IV. ch. 85, it is not incumbent and imperative upon the Governor-General and his Council to take all care that, in respect of treason at least, the crime should per force be defined and named, as a crime meditated or committed *against the King?* Treason against a Government, (quoad English Sovereignty) would in truth be no treason at all: nor, unless the design be to repudiate all acknowledgment of British superiority, would it be decorous, I may say even allowable, to give the crime a subordinate definition. If the criticism and ill-directed sarcasm of the

sagacious Editor be simply aimed against the term of Law, 'imagining *against the life* of the king,' it is not worth referring to: but if, as his words imply, the name of the king is to be omitted and passed over, I have little scruple in saying that here, in this Island, we could not do so, and have no desire to do so. We feel proud of the fact, that we are the subjects of the King of England—the free king of a free people—and the freedom, which as Britons, we inherit, we are willing and ready to make others partakers of.

Had the late Kandyan prisoners been found guilty, it is probable, in consideration of their barbarian habits and barbarian prejudices, they would have received on the part of Government a conditional pardon: it is not, in my opinion, a matter of importance their being, as they have been, acquitted: but it *is* a matter of high importance that they should have been tried by a system of Law, congenial to the high and best feelings of the mother country whence we come, and whose institutions we have introduced and are vain of. This is a just source of exultation, with which it is to be regretted that the *Hurkaru* has no sympathy; but, indeed, indeed Sir, upon the score of liberty the Indian Press generally, has much to learn. So much has the comparative handfull of Europeans been accustomed to rule, that no evil is found in authority, because in authority itself shares: no virtue in obedience on its own part, because it is unwilling to admit that obedience is a virtue in those it rules over. Such sentiments, it may be owned, naturally may be expected in those, who have administered, however mildly, a despotism nearly unlimited. But how, by an avowed boasting of such maxims, a people can grow wiser or better, may justly be doubted.

I have to apologise to you for thus trespassing upon you; the more so, as I shall be obliged now to ask room of you in your pages for another and third letter. I have been led, unexpectedly, into the remarks which I have now made, by my casually having perused the paragraph cited by you from the Bengal paper.

I shall conclude my observations upon the affected opposition displayed against, what is termed, the technical system of Law, in my next.

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## No. III.

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When the current of opinion and usage has for any length of time run in one direction, and then has been met by some opposing contradiction, it often happens that such contradiction is reared up into an obstacle of magnitude, far beyond what can be beneficially sought for, or reasonably maintained. This appears to me to be the case in reference to what is called the Bentham school of jurisprudence. I should be sorry not to do justice to the motives of an individual, admitted on all hands to have been a well-wisher to human being and studious of its interests. I should be sorry, too, did I feel that I was so deficient in philosophy as not to understand the drift and tenor of his argumentative distinctions, subtle as they often are. I should be sorry, were I obliged to own myself so cold of heart, as not merely not to wish for, but even not to hope for, and expect a better organization of civil society, than any which has yet been known to exist. Still making all these admissions, and asking for myself a belief only on the part of others, that I believe in my own assertions, I cannot but think, that Bentham, in his anxious desire of abolishing the technical mode of procedure, has gone as much beyond the line of truth in his maintenance of that which he denominates 'the natural procedure,' as if upon the ground of the common equality of mankind, he had sought to desire palaces and built up only mud huts.

Trial by Jury, the noblest institution of a legal kind that any country ever boasted of possessing, has been undoubtedly the cause, with regard to English judicature, of much of that technicality which, in late times, it has become a sort of fashion to contemn. The wish to introduce trial by jury, in civil concerns, where it was not probably at first existent, as well as criminal, has been the occasion certainly of much of that artificial texture in the forms of litigation, which has grown up. Let the excess of such be pruned away. Always, however, should it be borne in mind, that Courts of natural proceeding have always been intermixed with the general system, and have for ordinary purposes been always places of resort. But if it really should be so arranged, that there should be none but these, farewell to all that has peculiarly characterized Englishmen—farewell to all spirit of independency—to all individual public sense of private right! Where would have been Hampden, had it been given to

him to have his cause tried before a District Judge only, and his deputy?

It is confessed that the failure already noticeable in the present English state of feelings, is derivable from—nay that it owes its partial obscuration to—the too preponderating respect and reference to the possesion exclusively of property; were this new course of law and judgment *alone* to prevail and to be established, property would be all in all. Nor (I am well persuaded) would the extended constituency and reformed Commons House itself prove of weight sufficient to counteract the all-corrupting influence. This sentiment, however, (if the word can be thus applied) is in fact the basis of the opinions of the new school. Mr. Mill openly contends, that the simple protection of property is the single object and purpose of Government; and Bentham, ignorant metaphysically to an extreme, assumes as the undisguised principle of all his speculations, the selfishness of human nature—a doctrine injurious and false; a deception of the first magnitude*

'The natural procedure—the natural procedure!' cry the learned of the East,—the self-confident-greatest-happiness principlemongers. 'The natural procedure,' echoes the press not (in this instance, I fear) of human-kind, but of the new India Company. It might with no want of candour be inquired, but why, as far as you, the Company, were concerned, has another than the natural procedure heretofore been resorted to? You, the Company, have been permitted to exercise your clandestine rule over millions, for years past—the King's Courts you have opposed, narrowed, cribbed, confined, and condemned—why have you not pursued this easy, gentle procedure? If in your own Courts the course has been tramelled and crowded with pleadings and technicalities, this must have been the error of your own Government—a Government, which, had the wisdom of Burke been effective, would have long ago been vested where it ought to be.

But, is it *true*, that the natural procedure has not been in existence? As far as I know, (I here speak with diffidence) it has been proved and found wanting—for what *is* this boasted, natural system, *this cure* of all legal evils? As far as I am informed, it is a system of district Local Courts, subject in their judgment to a higher appeal Court. And what has been the system under your Company? why, Local Courts, subject to appeal—what have been your Courts of Native Commissioners, your Zillah Courts, Provincial Courts, and Supreme Courts of Appeal? All these you have had: Courts, I should say, of natural procedure—or, if not of natural procedure, that they were not so as your own Government's omission. These natural Courts, however, if reports say true, have utterly failed—failed in all your Presidencies—the transactions in the Zillah Court of Canara in 1813, as detailed in the judicial and revenue selections, where the fruit and produce of the natural procedure. Did the insurrection at Bareilly, the capital of the district of Rohilcund, in 1816, owe its origin to the procedure, technical, or what?—I seek for information. In a country where, as stated by Lord Teignmouth, even short *in*justice is preferable to protracted justice, causes in the Sudder Dewannee and other Courts were in arrear to an amount almost incredible. In 1812, Bengal alone shewed cases undecided, 163,000!

Let it not be asserted, Mr. Editor, that I derive pleasure from the knowledge of these notorious evils having taken place, and partly perhaps still continuing. My purpose and the bent of my mind turn in a far different direction; but, in correcting one series of legal inconveniences, let some care be taken not to fall into an opposite extreme. There is much of self-confidence displayed by the gentlemen still in the Civil service of the Company—much of a too great reliance upon their own power of discrimination.

That many evils will be corrected by the labours of the new Law Commissioners, I trust and hope; these proceedings will naturally be observed by us here in Ceylon with anxiety—my own fear, I confess, is, that they will set out in too low a key. They will have to act under the surveillance of a Government, which, however liberally it may occasionally express itself, is yet jealous of its authority, and prone also to think that jealousy justifiable—a Government, which having in no measured manner, triumphed over the right and privileges of the King's Courts, shews its triumph, somewhat too consciously—a Government, which it may be said puts the powers of these Courts in abeyance—and does so, with the approbation of a partial press, actuated by a bias and tendency far too openly displayed to be denied. Till some check be erected and put in force in respect of the operations of the Supreme Administration in India, as far at least as judicial matters are looked to: till some high, effective, King's Court be established, to control all other Courts, there can be little really beneficial to the interests of human nature effected in India.

* A late young writer has classed Hazlitt amongst the faulors of this selfish system: no mistake can be greater.

## No. IV.

Of the seven centuries and a half during which was in growth, up to the fullness of power, the Roman state, far more than the half of that time elapsed, before a Code of Laws was sought for, founded upon those prevalent in Greece, with an intermixed portion of ordinances and rules gathered from the ancient customs of Rome herself. It was as late as in the 452d year before Christ, that the Decemviri were chosen, who afterwards framed and established the laws of the twelve tables, fragments of which are still found in the history of that comparatively early period. It would be wrong to charge with neglect the late East India Company, because in their territorial sway, of not yet a century's existence, they have done little to amalgamate under an equal system of administration the wide-spread and differing parts of their new enormous domination: it may, however, a little excite surprise, the consideration of their early jealousy of, and bitter opposition to, the King's British Supreme Courts. Warren Hastings did, indeed, *make use*, if not of the King's Courts, at least of the King's Judges, and the effect of his seductions not a little contributed to the disgrace into which they were afterwards permitted to fall. Instead, therefore, of the King's Supreme Court finding itself invested with powers of superintendency and control over Courts (native and others) subordinate, as was originally designed by the Legislature of Great Britain to its jurisdiction, it found itself on every side cramped and counteracted, and incurred the hatred and opposition of the whole service of the Company: a hatred and dislike even yet unextinguished, decayed and gone nevertheless as the power of the Supreme Court long in a degree has been.

Yet to a plain, unsophisticated understanding, it might have seemed that a more direct means of drawing together into union the Home-Legislation and that exerted locally in India itself by the Government there, could not have been found, than that of placing confidence in, and giving jurisdiction to, the King's Courts. Such a sentiment, however, in no manner was cultivated by the Company: on the contrary, every succeeding Governor and his Council exerted themselves to put down and impede the authority of the King's Courts. Is it going too far, or is it ungracious to conceive, that the Company never has got rid of its desire to be considered, itself, as its own exclusive Governor?—it hankers, it may be feared, still after this unworthy phantom, for what is there to feel ashamed of in the bearing [illegible]iance to a country, so eminent amongst states, as is our mother country, Great Britain?

Why, too, should the followers of Bentham and Mill, more especially endeavour to conceal the truth? it is difficult to understand this:—in the meanwhile, such fact being barely known to the people of England, the Company has been in the habit of lording it over millions, giving laws to tracts of country extensive as the cultivated regions of Europe herself. Did the Company so do successfully? the answer given by themselves is in the negative. Their system of legal administration has been in all the Presidencies a failure. Except, however, that their Courts of Appeal were, it is said, unnecessarily numerous, the system was Benthamitish and natural. Parties, plaintiffs and defendants, were, I believe, heard in person; Local Courts have been numerous; witnesses have been called and examined at pleasure; no rules of exclusion established; yet, on all hands, it is admitted, that truth in many cases, it has been difficult, and nearly impossible, to attain. Let, then, these considerations at least have some weight in counteracting the pernicious notions, at present given ear to, that all good is to be effected by natural procedure—its advantages, though great, may yet be over-rated; and, as to raising the character of the people governed, the natural procedure has a direct contrary tendency. How is the character of a people to be raised by having placed over them local Judges, little in dignity of character, more elevated than themselves?

What is to invigorate the character of those local Judges themselves, liable as they are and must be to removal, at the will of an arbitrary Government! Unless some control or other of a dignified nature be set over the Government of India itself, hope of amelioration amongst its subject-people it is vain to encouragement; and where can a controlling power of dignity enough be found, save in a Court of the King's?

I am far, Sir, from underrating the great men of India: I believe its second race of great men is nearly on a level with its first. We know more, through respectable literary publications (some their own), of Elphinstone, Malcolm and Munro, than we do of the Marquisses Hastings or Wellesley, nor can they justly be deemed in intellect inferior to these latter. India now would have a better chance of being well-governed, (wars being no longer

desired) under these former Indian statists than under the latter. But in all of these there is shewn an indifference to the high feelings, and the independency of others: all are jealous of restrictions thrown upon their own administrations; all evidently make *themselves* the *sole centre of* wide judgment. There is perhaps a tendency to this over-strained self-esteem resulting from the very nature of Indian society: the men of literature have it; their press, such as it is, has it.

The high opinion in which they are wont to indulge of their own intellectual prowess, has its origin in the circumstance of their early finding themselves possessed of intelligence above the individuals with whom they have had to converse: it has been their boast therefore (occasionally too loudly) that their deserts, in the service of the Company, have been beyond calculation, great: they have assumed their services to the Company to be services to mankind; still, taking them as a body, they have possessed undoubted merit, yet it has been alleged publicly (by Mr. T. P. Courtenay, for one, a secretary of, and connected with the Company, at home, 16 years) that the lights of India, when returned to England, have not shone with the brilliancy expected from them: that many of their ablest chiefs have displayed, when tried, inadequate ability in the mother realm; they have in fact been awed by unexpected opposition.

Many of them, it must be confessed, have not met their just fame at home, though celebrated in India. This, to say truth, has been lately declared by Lord William Bentinck himself. It is highly desirable that it should hereafter be found otherwise: such a consummation never however can be attained, unless a more open and avowed dependency upon Great Britain, her King, and Parliament be admitted, than there is yet an inclination in the late Company's Servants to concede. Yet, why should a British public care for those who shrink from any acknowledgment of brotherhood? whose institutions they (the East Indians) pass by unnoticed! whose free laws they condemn as antiquated! whose glories they take no pride in! It is, amongst other mistakes, a great one of the Benthamite school, to contend with the pertinacity it does, that Courts of Justice ought not to make rules for their own proceeding: and that it has been a sort of usurpation in them so to do. This is an error of a high description. Had such a jealousy existed of old, the liberties of England never would have secured their present height and steadiness. There is danger at this moment incurring at home, lest the Commons-House should take too much into its own grasp, lest in its eagerness to do good, it should too much interfere with private property; and lest, in its anxiety to compensate supposed or real individual wrongs, it should rashly trample upon general established law. The sense of the people at large—their good common sense will, doubtless, however, stop short of this; in the meanwhile India will have her Commissioners to prepare for her laws and a system of procedures. Let the press and her literature guard notwithstanding against an enslaved human mind.

I am, &c.
B.

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## THE TOOARS AND MEENAS OF BUTEESEE.

The Rajpoots of the small tract called *Buteesee*, are of the Tooar tribe and of Pandoo origin. Their present head, Rao Luchman Sing of Patun, considers himself the lineal descendant of Anung Paul, the last Tooar King of Delhi. How his ancestors came to Patun is not perhaps so very well known, but one of many accounts of the matter is as follows. Rajah Anung Paul, with his two sons, having proceeded on a pilgrimage, left Delhi in charge of his relative Prithee Raj Chouchan. The Rajah died during the journey, and on the return of his sons, they found the gates of the city shut against them. Prithee Raj having formed a strong party, had usurped the government, and they were obliged to seek their safety in flight. It happened that Anung Paul during his life time, had given thirty two villages in *khyrat*, to his Purshut Acharuj: these villages lay in a secluded spot, in the hilly tract near Narnoul, and to those hills the two brothers fled. The Purshut received them with great kindness, and pitying their misfortunes, gave up to them the villages, which have since been known by the name *Buteesee*.* When the town of Patun was built, a new name, with reference to the

* According to other accounts this name was given to the tract in question not from the circumstance of its comprising thirty-two villages, but from its having been parcelled out into thirty-two divisions amongst the thirty-two sons of Rana Buhadurjee, one of the former Chiefs of Patun.

tribe who founded it, was given, and hence the appellation of Patun Tooarawatee.

Some time after the establishment of the new city, the two brothers proceeded to the hermitage of a celebrated devotee, named *Swamee* Govind Doss, who had taken up his abode in one of the adjacent hills. They represented to him the fallen state of their family and tribe, who had been unjustly deprived of all their possesions, and entreated him to preserve to them by his prayers, this last solitary, secluded spot in the hills, which was then their only asylum. The *Swamee* consented, and presenting them with a bead from his rosary, desired them to conceal it under some of the hills, assuring them at the same time, that so long as this bead remained in *Butecsee*, so long would the district continue in their possession.

On the strength of this prophecy, they firmly believe in the durability of the chieftainship of Patun Tooarawatee.

The title of Rao was given, they say, to the head of the family, by the first Mohomedan King of Delhi, who fixed at the same time the tribute, viz: 12,000 Rs. for the Patum villages, which amounted then to 54; and 76,000 for the remainder of the Buteesee lands, making in all 90,000 rupees per annum, for the whole district. When the country came into the possession of Rajah Jye Sing of Jeypore, the same amount of tribute was demanded, and the same is paid at the present day.

The Rao of Patun affects on public occasions all the pomp and parade of the King of Delhi. He has the *Nonbut*, the *Jureeputee*, the *Tukht Ruwan*, &c., and keeps his *Dewan aum* and *Dewan kaas* on a small scale. On the great festival of the Dushera, he moves out with all his state insignia, and with as great a display of Tooar nobility and attendants as he can possibly collect. The town of Patun is crowded with people on such occasions, and all are fed at the Rao's expence.

The present Rao Luchmun Singh, is the eldest son of the late Rao Jowahur Singh of Patun. The Rao showed, on several occasions, a preference for his youngest son Bishen Singh, and attempts were made by his mother, who was a *Nerookee*, and nearly related to the late Rao Rajah Bukhtawur Singh of Alwur, to have the eldest son, (whose mother as a *Khatornee*) set aside, and her own son Bishur nominated to the succession. Luchmun Sing on ascertaining this fact, counselled with some of his profligate companions, and they advised him to put his father to death, without delay, as the surest mode of securing his own rights. He adopted the counsel, and having called in secretly two Rajpoot associates, entered into his father's room at midnight, while he was asleep, and murdered him in his bed. He then threw his brother with his wife and mother into prison, where they remained for three years until Rawal Byree Saul, who was then Chief Minister at Jyepore, sent a large military force to Patun under Kishen Singh, to demand their release.

Since that time he has shewn, at intervals, decided symptoms of mental derangement, and frequently fancies he sees his bleeding father before his eyes. A mandate, supposed to have been received in one of those apparitions, has lately led him to abandon the old family Palace, in which the murder was committed; and so confidently is this dwelling believed to be haunted, that in one of the apartments a bed is always laid out in state for the ghost to sleep upon,—while the Raja never passes it without *salaaming* to the *purdahs* that hangs before the unhallowed chamber.

Such is the immediate head of the Tooars of Butteesee. The *Meenas* of this tract are very numerous and turbulent. They have practised robbery as a profession from time immemorial, and in skill, dexterity, and address in their predatory calling, are considered inferior to no gangs of the kind in Upper Hindoostan. Their disguises, superstitions, practices and daring exploits, as detailed to me at length by many natives, would form an interesting paper. A few may be here noticed.

They worship Devee alone, and never commence any undertaking without supplicating the favor of the goddess. When a night robbery is intended, the gang proceed to one of her temples in the hills, and there sacrifice to her, and pray for an auspicious omen. The ceremony consists in placing a lamp before the door of the temple, where they kindle at the same time a fire, and prepare in a flat iron vessel *(kurahie)* a quantity of sweetmeats, clarified butter and sugar. This offering they place before the goddess and perform *dundwut*. After the performance of this ceremony they rise, and make five small balls or mouthfuls *(gras)* out of the sweetmeat, which having dipped in clarified butter, they place the fire before the lamp. If the sweetmeat-balls burn brightly, the omen is good, and the gang divide the sacred offering among themselves, and set out on their midnight expedition.

They are guided in every undertaking by good and bad omens, and cannot proceed to certain quarters of the compass on certain days of the week:—this they call *disasool*. If an ass bray, or a partridge* calls out, on the right hand, it is a good omen, but if they see a wolf, or a hyena, on either side, or in

* Hence the common proverb, "teetur kee moonh luchmee"—i. e. good fortune proceeds from the mouth of the patridge.

front, it is a bad omen and they must return. If an owl screaches from the right side, it is a good omen, so is the appearance of a deer on the same quarter. If they discover the bird called *malharee* or *bhowanee*, sitting in a bush without thorns, to the right, the omen is good, if on the left it is bad. If when they are moving out, a jackall cries on the right hand, it is a good omen, but bad, if on the left, and they must return: a snake on the right hand, is a good omen, and so is the appearance of a fox or bull in the same quarter. Omens of this kind taken from birds and beasts, are numerous, but need not be here particularized. The Meenas in these superstitious observances seem to resemble the *Phanseegurs* in the South of India.

The Meenas frequently make excursions to distant parts of the country, and remain absent for four, six, and sometimes twelve months. On these occasions they break into small divisions and sections, change their dress and appearance, and assume in the villages and towns they pass through, a great variety of shapes and characters. They are horse-merchants, cloth-merchants, pedlars, songsters, fortune-tellers, mussalman fukeers, byragees, sanyasses, and other classes of religious mendicants. They carry Bramins with them from Butteese as accomplices, who act the part of *mohunts*, and the Meenas are their *chelas* or disciples. In this garb their success is wonderful. They take up their station in some garden near a town or village, or on the margin of a tank, or on the roadside. The *mohunt* sits with his disciples around him in holy abstraction, with matted hair, his head inclining towards the earth, his eyes red and inflamed, his body covered with ashes, and the *samurna* or small *toolsee* rosary in his right hand. He reads the Bagout Geeta, the Sree Bagout, the Punch Ruton, or the Ram Chiritr; relates miracles, tells wonderful stories, foretells future events and repeats mystical incantations. The astonished inhabitants of the village flock to the holy ascetic, and reverence him as a being of superior order. Believing him capable of obtaining for them all their worldly wants, they open their hearts to him and implore his spiritual assistance. If the women have no offspring, they entreat him to grant them children, and during the conversation that take place on these occasions, the fictitious devotee and his disciples continue to pick up all the secrets of the town or village, with the names of the rich inhabitants, and where wealth and property are placed and how defended. When satisfied on these points, the gang make their secret arrangement and the robbery follows at a convenient hour of the night.

One well known instance of the Meenas' ability to deceive even an experienced Mohumedan devotee may be here given. In the year 1811, the Raja of Alwar was supposed to be in a state of mental derangement, and during this period he committed numerous act of barbarous atrocity against his Mussulman subjects. At one time he ordered the whole of the Mohummedan devotees to be mutilated, and their ears and noses to be sent to Nawab Ahmed Buksh Khan of Feerozpore. Having accidentally heard of a *fukeer* of great celebrity for his extraordinary devotion and piety, who resided in the Jeypore territory, he declared he would never rest satisfied, until he had his nose and ears brought to him. As no one at Alwar would undertake the task, he called in a Meena from Butteesee, and offered him as a sum of money and 500 beegas of land for the ears and nose of the celebrated ascetic. The Meena consented, and immediately assuming the dress, habits and peculiar manner of a devotee of that order, proceeded to the abode of the *fukeer*. The hermit, on beholding him approach the door, was struck with reverential awe, and rose to receive him with all the religious respect, due to a saint of a superior order. After much humble and anxious solicitation, the holy stranger was reluctantly prevailed on to pass one night in the hut, and to partake of the hermit's cheer. During the repast, however, he continued to mix up on the food so large a quantity of opium and *post*, that the *fukeer* in a short time fell senseless on the ground. The Meena then rose and gagged him, and having cut off his ears and nose, and robbed him of his accumulated wealth, which amounted to two hundred gold mohurs, proceeded to Alwar, and laid the whole before the Rao Raja. The insane chieftain was overjoyed at the Meena's success, and the promised reward was immediately granted to him.

The Meenas frequently form secret connections with some of the Bunyas of the towns, through which they pass, who not only supply them with all the information they require, but receive and keep in security, the money, jewels or property stolen, until a favorable opportunity offers for dividing and conveying it away. On these occasions the Bunyas are rewarded with one-fourth of the booty. They employ Brahmins in a similar manner, and send them through the country, to ascertain where money and property may be found, under the pretence of visiting holy places of pilgrimage, and as these Brahmins have easy access to every house, they soon obtain the required information and return to Buteesee to report the same.—*Delhi Gazette.*

# NOCTES HUMANIORES.

## No. III.

A.—A truce once more to politics say I. Let others speculate upon the consequences of a foolish act, important only because the surpassing folly of mankind still chooses to hedge a king, with that absurd regard, that leads them to respect the actions of one who wears a crown, though if the same actions were perpetrated by a common man they would be ridiculed—reprobated—scorned. If Squire Brown dismisses his steward who has got in the rents, and yet has satisfied the tenants; if Mrs. Jones discharges her milliner who has been moderate in her prices and yet has complied with the fashion; or if Mr. Robinson has cashiered his traveller, because his traveller has spoken too well of him at the different Commercial Hotels of the different towns he has visited—why Brown. Jones and Robinson are looked upon,—and justly looked upon—as foolish, capricious and ungrateful individuals; and of course having a bad character as masters and mistresses. they *must ex necessitate rei* supply the place of those whom they have discharged, *by worse*. It is exactly the same though it is not acknowledged to be the same, in the case of the King of England. If *he* without reasonable cause dismiss those stewards under whom the national tenants were content to pay the taxes—without any cause or reasonable ground of objection—he necessarily loses character in respect of firmness, consistency and principle, and must supply the place of those who thought they served an honest, upright, and straight-forward man, by those who are willing to serve a man either destitute of principle or destitute of that firmness without which principle is naught. So a truce to politics for I am disgusted with the subject and let us turn to literature or science, which can never disgust.

B.—Agreed—we need not go to Europe for subjects of discussion or vague speculation, while we have topics of local interest, sufficient to exercise all our discernment, and upon which our fullest discussions may be far more profitably bestowed, than in calculating the probabilities of Tory rise, or Whig downfal, or casting a political horoscope on the monstrous birth which the folly of King William the Reformer has produced in the military dictatorship under which our last accounts leave England. What think you of the assurance question and the letters of C.?

A.—The letters of C. are the efforts of an honest man justly alarmed and arguing his own cause as well as that of others, with all the truth, zeal and earnestness of a clear head, and a consciousness of right. To say the least of the conduct of the Committee, in this matter, it has been clandestine, unnecessarily reserved, ambiguous, and therefore suspicious. The principle of the thing is clear and plain enough. If a man has for ten or fifteen years been paying annually a premium upon a Policy of Life Insurance, his policy is fifteen years more valuable and his life so much less valuable, than at the time of effecting the insurance. It may be too, that not only in years but in health his constitution may be impaired, and the value of his life, in the market, considerably diminished—or perhaps rendered unmarketable. Now if the Government step into the market, and offer to take lives at a fair and reasonable valuation, and in consequence of the greater security they offer—their lower premiums or other cause, the good and young lives desert the existing Societies and leave the old and *quoad* insurance, worthless lives. It is clear that the Government work this double injustice, they deprive the old assurers of that provision which they had paid so many premiums to secure; they destroy in effect an assurance entered into, at a fair and reasonable valuation, when the lives in question were insurable, whilst they protect themselves from the burden of lives which *now* at a "fair and reasonable valuation" are worth nothing—to speak with Hibernian accuracy.

B.—But is not a Government establishment of the kind—a good? and in the present state of Calcutta and Indian society—is it not necessary?

A.—That it is a good I am not disposed to dispute, inasmuch, as if properly and honestly conducted, it affords additional security, in a matter of which security is the very essence. An institution for securing against casualty, must be itself secure against casualty, or its vital principle is extinct, its object annihilated—on this ground I would approve a well organized Government As-

surance; but this is not to be effected at the price of injustice in the smallest degree to any one single individual. "The good of the public," is a very specious phrase, but be assured of this, that an act of Government, which perpetrates an injustice against one, can never be beneficial at all.—"Patriotism," says Doctor Johnson, speaking in reference to demagogues and mob-deluders, "patriotism is the last refuge of a scoundrel;" in like manner, "the public good," has often been the plea and pretext for many a piece of private individual injustice. You may rely upon this as an incontrovertible truth, that a government which for the good of all, will do injustice to one, has advanced one step towards the Tyranny which does injustice to all for the good of one. One step did I say? I should have said, to *within* one step.

B.—Well, well, I will not dispute your maxim; but surely we may rely upon the just and honorable conduct of honorable men of established character, such as the Committee in question is composed of.

A.—Pho, pho—I rely upon their just and honorable conduct in their private capacity, but give any set of men power, and take control and responsibility, and I cease to rely upon them—cease to trust them. Besides had they really meant honestly, would they have kept any one, in unnecessary anxiety and suspense? Would they have given grounds—just and reasonable grounds for the complaints of the *Englishman's* correspondent C.? "The good of the public" indeed! How can these men or any set of men contemplate the good of the public whom they have not seen, when they contemplate injustice to their brother whom they have seen? Rely upon it, no man really cares so much for the public as he does for individuals; it is not in nature; and any men, or set of men, who can wilfully injure an individual, will have still less scruple in the case of the public—the good of the public indeed!

B.—Have you seen the Rules, and more especially, the Bye-Law just promulgated?

A.—Yes; and the said Bye Law in its reference to the notification of Government, published in the extraordinary *Gazette*; touching this matter reminds one of those evasive Dictionaries, wherein on looking for the meaning of some obscure or learned word, for instance, say "spherical" you find "*see orbicular*," and turning over to orbicular, you find "*see spherical*"—a species of mutual shuffling from the shoulders of one to those of another the responsibility of explanation. A plague o' such evasions say I, they are only worthy of Sir R. Peel and the Wellington ministry.

B.—Well, well, you grow warm, let us change our subject; and *apropos de bottes*, did you remark a strange and apparently ludicrous account of a scheme of Lord Dundonald to propel vessels by power, gained by the effect of the rolling occasioned by the motion of the waves at sea.

A.—I did remark it; but so far from considering it strange or ridiculous, it recalled to my recollection an instance in which the principle of Lord Dundonald's plan *is*, and has been acted upon many years.

B.—Aye, indeed? I wish you would explain it, for the account we have got out here, is neither very intelligible, nor does the subject appear to have been understood by those who describe it.

A.—It is most unsatisfactory certainly, and I dare say, has brought no little ridicule upon his lordship among the small wits. In the first place the account states the power is to be gained by the *motion* of the quicksilver, whereas the very contrary is the case, as the power is to be acquired by the *vis inertiæ*, the specific gravity of that metal. I will attempt a description of the invention I have alluded to, which I saw some dozen years since at Portsmouth, on going to visit that magnificent *chef d'œuvre* of mechanism, and of Mr. Brunel—the block-making machine,—and which may be found for ought I know in other large factories. It was a bellows, or rather an instrument for condensing and thereby propelling air which was effected thus. A large hollow cylinder was suspended upon an axis, and made to move or "roll," so that a line drawn perpendicular to the horizon through its diameter would alternately vibrate on either side to an angle, the degree of which I did not measure, but say of 45°. This alternate motion which was effected by steam, and a few wheels, had the same effect in the instrument I am describing as Lord D. contemplates in the rolling of a ship. Now this cylinder was divided *longitudinally* by a plate of metal reaching to within a foot or so of the bottom or lower side of the cylinder, leaving a free and open communication between the two partitions. In the top of each division of the cylinder are two apertures with valves, the one opening inwards the other outwards, the latter communicating with a tube or blower. The cylinder thus constructed and suspended is filled with water (in Lord D.'s plan it will be quicksilver) about one half and far above the lower part of the dividing plate. Now it is clear that if the cylinder, so placed be moved one quarter round *or made to roll as a ship*, the water at the bottom *remaining stationary*, the space in one of the two

internal divisions will be *lessened*, in the other *enlarged*, upon which the air will rush in at the valve of the one, and be propelled out of the valve of the other—or if not propelled will be compressed in proportion to the weight of the water or quicksilver at the bottom of the cylinder, and thus by each alternate roll or vibration, a power will be gained equivalent to the weight of the fluid multiplied by the length of the roll. Have I made myself intelligible?

B.—You have given something like intelligibility to what I confess I regarded as wild speculation; but do you think that so varying and uncertain a source of motion as the fluctuation of the waves can be effectively applied to the propelling of ships of heavy tonnage?

A.—Why, precisely in proportion to the tonnage will be the power obtained, and as to the uncertainty of the motion that only affects the *degree* of power gained, not the principle *by which* it is to be gained. Sails have been found a very good method of propelling vessels, though sometimes calms or contrary winds, preclude their use. No wise man will reject the prize of half a lack, because he cannot get the whole; nor refuse his dinner to-day, because he lost it yesterday, or may to-morrow.

B.—I am no mechanical genius, and enter little into the spirit of these matters. I would rather seek amusement from the recent travels of a Jacquemont, than the recent inventions of Dundonald or Babbage. Have you seen the work I have just mentioned?

A.—I have, and I read with disgust so barefaced an abuse of hospitality and kindness, as this publication by his friends, of posthumous slanders and sarcasms upon his entertainers. This is one of those works of the Trollope and Hamilton class, which do infinite mischief. Such productions as these tend more than any thing else to destroy good feeling between nation and nation; they stop the fountain of kindness, or at least infuse into it the poison of suspicion and distrust. These are evil examples held out to future travellers "in like case offending" as the phraseology of the perfection of reason has it; and the punishment of such treason to hospitality is necessarily visited upon all of his nation and country; when such fellows as *Pillet*, or such women as Mrs. Trollope are found to visit a fine country, and mix with a liberal minded people with the same purpose, object, and intent, that a paltry critic, the race detested of Fielding, takes up a fine poem or a tale, the offended party must, for the future, take the only means they have to prevent the occurrence of such treachery. They must close the doors of hospitality and change the smile of open confidence into the cold, forbidding aspect of distrust. Such books, of such travellers, ought to be burned by the hands of the hangman, not by the nation they slander but by their own, to whom the real mischief is done. I think not so ill of Jacquemont as to suppose that he would himself have either published or sanctioned the publication of slander, sarcasm, or ridicule, directed towards parties to whom he was bound by the sacred bond of hospitality. "I have eaten his salt and therefore cannot slay him," has been found an argument sufficient to restrain the undistinguishing and relentless hand of the pirate and assassin; and shall a son of science, a member of "the politest people in the world," a travelled liberal, of the 19th century, be received into the bosom of kind and generous families, and be overwhelmed with every attention, that he may season his familiar epistles with ridicule, sarcasm and slander at their expense. The egotism and vanity of Jacquemont were in themselves sufficient to disgust; his ungrateful breach of the confidence of hospitality is abhorrent. The English are a reserved people, it is said. They had need be so, when such fellows as these obtrude upon their domestic hearth. Jacquemont's book is a sufficient justification for the most frozen reception for the future, of every foreigner who has learned to write. The French have a sarcastic proverb which they apply when a person exhibits a more than ordinary degree of seriousness and gravity, and it is to this purport "*serieuse comme un Anglois quis amuse.*" I do not say whether an Englishman ought to be particularly serious when *amusing himself*, but this I know, that it behoves him to be very particularly serious when *he amuses them.*

B.—I think his friends and family are more to blame than he; one may write many things to one's father or family, that would not incur the charge of treachery or breach of hospitality, which we could not publish to the world in general without justly deserving that censure.

A.—That is very true; but in my mind Jacquemont and his family in this instance, are both equally censurable.

B.—But you are dealing in general assertion—what is it he does say—let me judge.

A.—Excuse me; what I say will very likely appear in the *Herald*, and I do not mean to cause that paper to imitate the example of some others who have made the pretence of sensuring a slander, the means of propagating it.—Mrs. Candour may abuse a slander, whilst she makes it known, in which case she enjoyes a double pleasure, the pleasure of spreading scandal, and

abusing others.—Such is not the practise of the *Herald*—nor is it mine; so, pray, excuse the absence of "extracts" to justify my censures.

B.—If I recollect right, this slander-fostering pretence of censure, was employed by an up-country Journal lately, for the very purpose you denounce.

A.—It was so—and of course the Journal you speak of is ten times worse than Jacquemont—father or son, kith or kindred. The conduct of this Journal resembles that of a man who should abuse a murderer for causing death by poisoning, and in order to shew how wicked was the act, should administer a dose of arsenic to an innocent party, to establish the justice of his censures.

B.—What think you of the Shoe question?

A.—Ah, no more of the Shoe question; "Hal an' you love me." One thing however your question reminds me of—a foolish correspondent of the *Hurkaru*, who writes himself down W. and might an ass, adverting to some remarks of the *Herald* on the subject, calls it in very bad taste to make allusion to the name of William Tell—and seems to understand by such allusion that the *Herald* meant to compare the character of William Tell with the character of the natives of India. Now this dolt cannot distinguish between an example referred to as an illustration of a general principle, and a comparison of individual with national character. The *Herald*, enumerating the ills of ceremony, cited the instance of Tell, who considered the ceremony of taking off the hat, so degrading as to warrant the death of the tyrant that imposed it. Now the ceremony of taking off the hat is itself nowise degrading as an act of courtesy; but being *exacted* it became a badge of slavery. So enough of the Shoes. But as to W. he talks as though he were an European. Had he been born a native he would have been—not a native still—*they* are stationary—*he* retrogressive. The retreat of the ten thousand I have read of—the retreat of Moreau, I have heard of, and admired as I heard or read—*their* retreat was from an armed enemy—but W.'s retreat I cannot admire—it is from his best friends—reason—education—liberality.—***Bengal Herald.***

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## ON THE POSSIBLE MEANS OF NATIVE IMPROVEMENT IN THE WESTERN PROVINCES.

TO THE EDITOR OF THE CENTRAL FREE PRESS.

Sir,—"The power of thought, the magic of the mind,"* are but inert power and slumbering magic, except when they are aroused and put in motion by the far mightier potency of feeling. Knowledge in man is *not* power, but merely the instrument of power: the energy which employs it must spring from another source; must be supplied by some moral motive, or some natural instinct. This is no recondite truth; but a truism. Whence is it that knowledge in our own days has wrought out so wonderful results? Necessity the mother of invention, self-interest, self aggrandizement, the love of a fame, and (alas! that it should be so!) in a far lower degree the nobler motive of benevolence, have been the mainsprings of its triumphs. The homely but pre-eminently useful, nay indispensable, maxim which wisdom has learnt from nature and which political economy has adopted that men should be left to discover for themselves, and being so left will discover what is most conducive to their own interest if it will not of itself explain the present state of civilization in which we find ourselves (which must in part be referred to other principles on which nothing need here be said) must, at all events, have been an important element in effecting it. And this circumstance accounts for the partial diffusion of knowledge. Motives must exist to put it in action and guide its movements; and though those who are possessed of information find in their wants and desires a sufficient stimulus to wield for their own benefit the gigantic weapon which lies at their command, yet when men are neither prompted by self-interest nor by ambition, nor by benevolence, the mighty engine which they do or may possess will not be pointed in any of the directions which these principles when operative would respectively indicate. And this is one reason why our knowledge has been of so little avail for the benefit of the people of India; sufficient benevolence has not been at work to call forth and apply it. Self-interest has gone some way, but a very little way in urging us to strive for the enlightenment of

* Byron's Corsair.

those around us. We have taught them so far as to convert them into tolerable artizans, to build us good houses, to cook us good dinners and so forth. And here, too, *their* self-interest comes into play; the advantage is mutual: if *we* are comfortably lodged and fed, *they* are employed and well paid. To this point then we could not fail to advance, but how little further have we gone! The common intercourse of society has done, as it inevitably must have done,—a little. Ambition, Benevolence, and Piety have also been at work; but how grievously limited has been their action; they have incited a handful, a small Spartan band, out of all the hosts whom varying motives have impelled to journey fifteen thousand miles;—from the other extremity of our world, to a land of some real, and more, fancied wealth, of imperfect civilization and contented ignorance, of moral degradation and impure religion, to labour in behalf of her people abundantly it may be, as concerns few labourers, but feebly as regards the innumerable objects of their solicitude. How minute a fraction of all those who during a whole generation have been scattered over the face of the country at stations and in posts which afforded them the amplest facilities for serving their generation according to God's will by promoting education; and the spread of information has even *desired*, and how many fewer have even *attempted* to further these ends in the smallest measure!

Such are the fruits of the possession of knowledge without a desire to communicate it; nor can my position as to the barrenness of knowledge in such cases, for any other than selfish purposes, be impugned by the assertion that the majority of tolerably educated persons have not the talents or skill, or, that acquaintance with various departments of science which would constitute them proper agents in, or superintendants of, the instruction of others: for on the very lowest supposition they are sufficiently informed to be aware of the advantages of the slenderest portion of real knowledge of its tendency to diffusion, and its infinite superiority over the dreamy love of a corrupting and bewildering superstition. It might, therefore, be expected that every person would do all in his power to aid in such extending the benefits of instruction in his own neighbourhood, or at least whenever there were any persons with whom we might co-operate.

If all were to reason thus in regard to their duty to do good, and in regard to the means and opportunities which they possess for this purpose, how great, how general, how rapid would be the improvement of the people of India! It is an interesting subject of speculation to advert to the various schemes which might be adopted and acted upon for stimulating our native fellow-subjects to the acquisition of an acquaintance with the varying departments of knowledge: and it would be a powerful encouragement to every one who has means at his disposal to employ them, if he would reflect how much might be effected in all parts of the country, even at the smallest stations, at a trifling expence of money and of exertion, by some measure of opinion and co-operation.

The various tastes of individuals might find every where scope in endeavours for the advancement of their native neighbours in the several departments of improvement. Those who have a natural turn for mechanics might themselves endeavour, assisted by others, to stimulate native engenuity by applauses and by rewards, bestowed on the most skilful handicraftsmen—such as are addicted to agriculture and horticulture, might in the same manner call forth the powers of the people in those arts. Those whose chief subject of interest is education might aid in establishing seminaries on any scale which circumstances might admit and in superintending their progress: and persons who in addition to this interest had the inclination and the leisure and capacity, might be engaged in compiling in the native languages Treatises, however brief, on whatever department of science, art, or literature, might suit them best, to form the component parts of a Library of useful knowledge for India. The time when all this will be realized more or less perfectly is fast approaching; but who that is all concerned for the welfare of his fellowmen, will not yearn to hasten on the happy day? It is impossible to doubt that by individual exertion would be general, if men were more frequently in a spirit of prophetic philanthrophy to bestow their support on operations of which they cannot expect to see the *instantaneous and tangible results*, "to cast their bread upon the waters, in the hope of finding it after many days;"—and if they were content, in cases where nothing can be effected in their own immediate vicinity, to lend their aid to institutions of a central character within the circle of the locality to which they are attached, and with which they must feel themselves to be more intimately connected.

The advantages of concentration require no illustration. Europeans are yet by far too thinly scattered, and congregated in too diminutive bodies in any part of the Western Provinces to be able by their union to form any powerful association for the improvement of the people. The largest stations are,

also, not those where the means of individuals for advancing such ends, are the most abundant. In this point of view, it seems matter for regret that either Cawnpore or Meerut, where the military society is so extensive, was not chosen as the seat of the Government of Agra. Had either of these cantonments been selected, it is obvious that the combination of the influence arising from rank and of the means afforded by affluence, with the wide co-operation to be expected from the numerical strength and varied talents of the European community, could not have failed to be productive of the happiest effects on native civilization and improvement.

PHILO-HINDEE.

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## TRAVELLING TO ENGLAND.

The facilities for going overland home are now so constantly on the increase, that we imagine some of our friends will be gratified to learn in what manner the journey was performed by an officer who left Ceylon last year. It will be remarked, however, that expense and loss of time were object of minor consideration with the writer of the following letter, still it will enable the reader to judge in what manner he can best arrange the undertaking, with due regard to his probably more limited purse and leisure. Our own experience of travelling on the other side of Alexandria, and our information respecting what may be done on this side, enable us to say with a degree of certainty that the overland journey need scarcely occupy the time, and may well be accomplished within £20 of the expense of a sea-voyage.

There are perhaps errors in the names of places in India, for which the bad writing of our friend and our own want of knowledge must plead excuse.

*Dec. 6th.*—Left Colombo—20th, arrived off Goa. There is unnecessary annoyance at the custom house. There are no hotels, but a man of the name of Rogo Kommul, a Brahmin, will get you a house and furnish it, as also get ready your bearers for Belgaum. Government do not assist you in any way, nor are they particularly civil. Rogo Kommul may be depended on, I believe. Visit old Goa, and the convent of Sta. Annoncia; the old Prioress is a nice old lady, and the young ones fond of fun—a boat can be hired for a small sum to take you there and back again. Hire a large boat and visit a village called Zuradie, situated at the bottom of the Bay of Marmador: the landing place to the village is about 4 hours' tolerable wind, sailing and rowing; the village is 2 miles inland. The inhabitants consist of a community of ladies who are devoted to the god of love. It is the nest of dancing girls for that part of India, and you will see of all ages, from 12 upwards—a small assemblage of 30 or 40 at your request will be got up at the house of Signor Fetitey (a demi-Portuguese who is married and settled there) for the dance. You must give amongst them 20 or 30 rupees, if you wish really to see in perfection one of the most extraordinary societies I ever heard of; it was quite by chance we went there, indeed, it is very little known. Order your bearers to be placed at Osuade before you leave Goa, with a double object, one to prevent the chance of any fair Zuradeite detaining you. Many stories are told of men going for a few hours but remaining weeks. They will not quit their abode or society, at least those who are truly *religious* will not. For a month or so they will—but they are vowed to love as the nuns are to chastity—the same object, that of happiness hereafter, but by different means.

At Belgaum desire to be taken to the public rooms. If you intend visiting Dawtatabad, write to the Resident at Hyderabad to send you a permission to meet you at Aurungabad. You cannot travel dawk by Bigassoa to Poonah. It is well worth seeing, but you require time, being obliged to travel with the same set of bearers. The collector of Doowar will pass your dawk through the Mahratta Provinces to Sattara, Meiritish and Seuliai, where the Wallers or Rajahs reside. At Meiritish the Rajah will be civil to you, but he is a coarse vulgar brute; at Seulier you will see Chinna Man Rao, a fine old fellow, and worth seeing. You must pass by the falls of Gohawk, which are finer than those of the Rhine at Schaffhausen. It is a most disagreeable country to travel in, and there is no accommodation excepting at the capitals of the provinces, for travellers; but the Ducum Sola, a small place full of dust. Between Goa and Belgaum there is a bungalow at the bottom of the Ram Ghaut, and one at the top, from which sun-rise is worth getting up to see. At Sattara there is a traveller's bungalow; Mr. B———is Bazaar-master; mention my name to him and he will be very civil to you. He will post

bearers for you to Poonah—going over Mahableishwar, a trifle out of the way. It is the Nuwera Ellia of the Bombay Presidency, as superior to ours in beauty of scenery as inferior to the excellence of the air. It has been partly abandoned as an invalid station, as they found that excepting for a few complaints, invalids were not benefited—it is however a delightful residence for people in health. Go to the buildings called the hospital, walk in and make yourself at home. Descend to Poonah; go to the travellers' bungalow, where the keeper will give you a good dinner if no one asks you out.

We were twelve days from Goa to Poonah, travelling dawk, and stopping one day at Belgaum—one at Meiritish—one at Satara—and one at Mahableishwer,—generally during the heat of the day to avoid dust; the whole cost about £30. If you travel with one set of bearers, you will probably be three times as long at about half the expense. The Deccan is a detestable country to travel in, and if you have the money travel dawk. From Sattara we had written to post bearers for Aurungabad, passing through Serroor and Amednugger. At Aurungabad which is in the Nizam's territory, arriving at night, we went to the messroom of the subsidiaries and met with the greatest civility and attention. From thence go to the caves of Ellore, either visiting Dawtatabad going or returning —a two days job. The bearers in the Nizam's territories are double the price of those in the Company's, but this you must put up with; there is no appeal. Return by Amednugger and Serroor where there are excellent bungalows. There are none in the Nizam's territory. We were travelling day and night 12 days, from Poonah and returning, staying 3 days in Aurungabad, one in Nugger, and one in Serroor, at an expence of about £30. If you have time and are hard up for money, the same applies as to travelling with the same bearers—three times or probably less, say two and a half, comfortably, the time we were, and half the expence. By pushing your bearers and occasionally posting one or two sets out of each station where bearers are, you may travel in about one and half the time we were, at little trifling extra expense. In posting the extra bearers, be careful never to post unless certain of the day and hour you intend travelling, as the demurrage is very expensive. At the travellers' bungalow you are expected to give half a rupee for a rest, one rupee for a night, if the people are civil. The Mocadduins will try and cheat you. Bring from Ceylon a comfortable palankeen, but little advantage in having it very light and they are not so strong. I suffered inconvenience from this.

The price of the steamer is ruinous; I paid 1,200 rupees, and had only a locker to sleep on. I forgot you had not arrived at Bombay. There is a mail in a bag but disgraced in a cab-like vehicle,* by which you can get to Pamwell in 12 hours—horses excellent, far better than our own in Ceylon—the fare moderate. At Pamwell is a passage boat (price fixed) for Bombay. At Bombay apply for quarters at the Staff office in the Fort. If you go to Cossier you will find no difficulty in getting every assistance to go direct to Thebes. Send off an express to order a cangia from Kenne up to Thebes. The cangias carry three very comfortably.

We divided the Desert as follows and you cannot improve on it.

Left Cossier at 3 P. M., and arrived at Byr Aughis at $6\frac{1}{2}$ to sleep. The following day, getting off as early as possible, to Abowsiman 8 hours, passed the wells of Seid Solyman where you may bait as the water is tolerable—next day to Hammamat, 10 hours—next day Legayta 9 hours, where the road branches off to Kenné—the water is tolerable—next day to Angam 7 hours—the following to Luxor, passing Carnac to breakfast. At Angam you leave the Desert.

Take the following stock from Bombay, in two 3 dozen cases, no cases of larger size—the stronger the better—one and half dozen of water in bottles, $4\frac{1}{2}$ dozen at least of good liquor, beer, port, claret, brandy, &c. &c. If possible take a *good* cook who can act as interpreter—you are not at all certain of getting one at Cossier; a party of three would do well to bring one servant from Bombay and trust to chance: a few tongues or hams, potted soups and salmon—horn lanthorns, a pair of shades (luxury) well arranged for travelling, a small table, portable chairs, paté á la diable, gingerbread and other biscuits, a good mattrass to lay on, the sand quite good bed enough, warm clothing, tea, coffee and sugar, kettles, saucepans and plates, a pair of spectacles, green or brown glasses, a pocket pistol for brandy and water, lots of small bags, cord, hammer, chisel, and nails, quantities of strong cord; arms are not necessary.

At Cossier see that you have a driver to each *riding* camel. If the agent is very civil make him a present of some English pickles or some brandy (calling it physic), a looking glass, small telescope, a knife and things of that sort; this will please him and ensure attention from his father who is agent at Kenné. I say nothing of the ruins worthy to be seen, except that with all the great ideas I had formed of what to expect, they surpassed all I had imagined. At Cairo you must hire a house; Osman Effendi, a rene-

gade Scotchman (Thompson) is paid for being civil to travellers. I will subjoin the items of expense in Egypt, which is a very cheap though a disgusting country to travel in; however its antiquities fully repay all annoyance.

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| From Cossier to Luxor 5 Camels at 15 piasters | 75 | piasters |
| Hire of a Caugia for Cairo amongst three | 350 | —— |
| Living and all expenses, from the 1st March to the 27th, the day we arrived at Cairo | 300 | —— |
| Living and expenses in Cairo for 10 days | 400 | —— |
| Servants, &c. | 300 | —— |
| Caugia from Cairo to Alexandria and some other expenses | 90 | —— |

At Alexandria a Mrs. Hume keeps a very comfortable boarding-house We left Alexandria on the 15th April and it cost me about £20 for the six weeks living; at Alexandria we had the offer of a passage to England in a merchant ship for £30. You can get to Malta for about £12. For the above expenses you must have at least three—six with two boats would be cheaper.

L——,myself, and another paid 1,000 piasters (20 to the dollar) to get to Scala Nuova, rode through Ephesus to Smyrna—It cost us each to get to Smyrna about £10, where a Madame Maracini keeps a boarding house, paid for five days 15 dollars. Got horses for Constantinople, had 7 horses, passing through Brusa, a very beautiful place, to Moudania, where we embarked for Pera, where a Madame Guiseppini has board and lodging. We left Alexandria on the 15th April and arrived at Constantinople (Pera) on the 13th May.

Expenses from each person from Smyrna to Constantinople £9; we remained at Constantinople nearly a month—were at some expense in re-rigging ourselves and baggage for a ride to Belgrade. I spent there £36; I bought new saddle bags and got nothing for them at Vienna paying £3; second-hand are equally good. It cost us to get to Belgrade, six days and half travelling, above 600 miles, £21 each. We agreed with the Tartar to feed us and pay all expenses but he could not save our leather—it is a great undertaking; we went to Rodosto in a boat. At Adrianople is an English consul, a Mr. Blount, mention my name to him. At Belgrade cross the water to Semlin, where you get 10 days vile quarantine; from Semlin you get up to Vienna in steamers as far as Presburg, very cheap and very comfortable: £3 or 4 at most steaming, and £1 from Presburg to Vienna. Before the end of the year there will be steam from Constantinople up the Danube, when I have no doubt £10 will cover all expenses. Pesth is a nice place and the Hotel (King of Hungary) excellent; at Presburg all Hotels are alike, it cost us about £12 each from Semlin to Vienna. Here avoid the Hotel de Londres, very dear and bad. Bargain for your rooms in Vienna before entering them. From Vienna you may get to England for £20, but you may agreeably spend £100. We went by Prague, Toplitz, Dresden, Berlin, Hamburgh. Austria is the most delightful country to travel in, very slow, being the only evil, but to cross the boundaries is very annoying. The Austrians are the happiest people in the world, all life and dancing. Throughout Hungary and Austria the greatest liberty of the subject prevails rather different to what we suppose.—*Ceylon Government Gazette.*

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## TOWNS OF INDIA.—SIRDHANA: HER HIGHNESS BEGUM SOMBRE.

In prosecution of the object of my communications, I now lay before you a short notice of the city of Sirdhanah, well known as the chief residence of Her Highness the Begum Sombre. I am sorry these rough sketches prevent my fully entering into the subject, which would naturally lead to an account of this extraordinary and talented woman—at a future period, however, I hope to have an opportunity of detailing the particulars of her history—at present I shall trouble you with a few short remarks only.

The province of Sirdhana cuts no figure in ancient story, and all I can learn on this head is, that previous to the Moosulman invasion it was governed by Raja Sirkut. The principality was granted by Najif Khan to Sombre or Sumroo, and on his death in 1776 was made over to his widow Zebonissa Begum Sombre, on conditon of keeping up a force of three Battalions of Infantry. Whether we consider the celebrity of Her Highness as a successful leader of an Army in the day of battle, against men of the most determined courage; or remember the highly respectable position she maintains in society for integrity, for her munificent patronage of objects of public weal, or her benevolence to the unfortunate and indigent, we cannot help yielding to her the palm of excellence over all those of her sex who hold a place in the annals of India. In her younger days, during periods of civil commotion and anarchy, it is possible her career may not

have been unmarked by deeds of an objectionable nature. But where is there a single instance on record of a person who has taken a prominent part in eventful times, being free from a charge of a similar nature?

Compared with the depraved, treacherous, and unprincipled Native Chiefs of whom you have so many lamentable instances near Delhi, she occupies a respectable station in society, forming, as she does, an almost solitary instance where the eye dwells with satisfaction, in finding "one seeking to do good," while her extensive charity commands universal approbation and gains for her the prayers and good wishes of a vast number dependent on her bounty.

A few months ago, Her Highness publicly proclaimed Mr. David Dyce Sombre, her adopted son and heir, and invested him with the government of the principality. Her Highness, however, daily hears the most important papers read over to her by Mr. Sombre, and often passes orders. The remarks which she causes to be recorded on some of these occasions, considering her advanced age of 83 years, manifest an uncommonly acute understanding and sound judgment. She is exceedingly jealous of her prerogatives, and in consequence Mr. Sombre has a delicate part to perform. In the first place he has to satisfy and assure Her Highness of not a little of her authority being usurped,* while at the same time he is responsible for the execution of the laws, and when this is taken into consideration much credit is due for the quiet, unostentatious, and comparatively speaking, orderly government at present established in the principality.

For some time past Her Highness has led a retired life, owing to increasing infirmities consequent on old age. She has, however, excellent health, and all the appearance of having been, when young, a beautiful woman. She retains excellent good spirits, and often enlivens conversation with witty remarks and interesting anecdotes; she is very punctual in attending to business every day at noon. Her Highness has absolute power and is independent in her own territories. She uses her authority with great discrimination and justice, and generally commutes capital punishment into imprisonment for life.

The city of Sirdhanah contains a population of 40,000 inhabitants, including about 600 Native Christians, mostly the descendants of Europeans, they are still provided for as long as they conduct themselves properly. Her Highness is of the Roman Catholic persuasion, and has erected a very handsome Church at Sirdhannah, which contains a beautiful Altar-piece, inlaid in the Mosaic style with precious stones, and a splendid organ for the performance of sacred music. This Church is endowed with a lac of rupees. The Roman Catholic Priest, Julius Cæsar, was lately invested by the Pope, with the dignity of a Bishop, at the suggestion of the Begum—and a better man could scarcely have been selected for forwarding the views of this Church. He is a gentleman of mild and winning manners, has considerable talents, and being very well read, is an agreeable companion. There are several mud forts or cantonments near the city, but only one of them is of any consequence, having been planned by a very eminent French Engineer, who did not however live to complete it. A school has lately been established, and a fund set about for its support. At present, it is superintended by the Bishop, who does a great deal of good in an unostentatious way, and is often seen plodding through the narrow streets to attend on members of his flock requiring the consolations of religion: indefatigable as usual in the cause. A neat and handsome Roman Catholic Chapel has been erected at Meerut, at the Begums charge, where a Priest from Sirdhana officiates principally to the Roman Catholic soldiers in the British Army.

A new and spacious Palace has lately been completed at Kherwah. It is on a very grand scale. Her Highness keeps up a regular establishment in the English fashion, and her table is daily attended by the principal Officers. Her hospitality is profuse, and a charitable institution daily distributes food and raiment to the poor.

The Begum's Regular forces are:

1 Regiment of Artillery (8 Companies);
6 Regiments of Infantry (8 Companies each;)
1 ditto of mounted Body Guards (4 Troops)
1 ditto of Foot ditto (4 Companies.)

The strength of which is as follows;

*Each Regiment.*

1 Captain Commandant; 1 1st-Lieutenant; 1 2d-Lieutenant; 1 Subadar Major.

*Each Company or Troop.*

1 Subadar, 1 Jemadar, 1 Adjutant, 4 Havildars, 4 Amuldars, 1 Neshan Burdar, 48 Sepoys, Goolundaz or Troopers, 1 Drummer, 1 Fifer (none in the Mounted Corps), 1 Bugler or Trumpeter, 1 Bhistie, 1 Bildar, 1 Drum or Trumpet Major, 1 Hukeem or Native Doctor, 1 Jurrah or Native Surgeon, 2 Vakeels or Accountants.

The Park of Artillery consists of 48 Guns and Mortars of all calibres, some of them captured by Her Highness's Troops in the

* This is the rock on which his predecessors in office split.

Deccan, being French and Dutch guns:—the rest were cast in Her Highness' own foundery under the superintendence of a skilful French Engineer: 24 Guns are kept in use, the others are kept in store in Magazines.

Out of the 8 Companies of the Regiment of Artillery, 3 Companies with 6 Guns and 3 Battalions of Infantry are constantly employed in the British Territory; and they are at present cantoned in the Hurriana District: there is one Company of Artillery composed entirely of Native Christians, and another of Goorkhas. A large establishment of Carpenters, Misteries, Sicklygurs, Bullock drivers, &c. belonging to the establishment is always kept up. The rest of the Troops are employed in attendance on Her Highness, and on duty in her districts and there is a band of music attached to the Foot Body Guards, which attends at the Palace. The last return of the effective Military establishment amounted to 4,558 men, exclusive of Sebundies or Provincials, of which there are about 900 men in all the Provinces.

The establishment for Invalids is worthy of notice. It consists of no less than 420 men, or about one-tenth of the whole amount of the effective strength a sufficient proof of the interest taken in her Army, and her old and faithful servants; but I have besides to add a list of 305 widows of Soldiers who enjoy pensions.

The Civil establishment consists of four Dulters or Departments: the Revenue; the Military (which is also the General Pay Office) the General and Miscellaneous; and the Personal. All these are managed by Mr. Dyce Sombre. There is also a Court of Justice or Adawlut for criminal cases and appeals from the district Officers: an appeal lies from this Court to Her Highness direct.

There are ten different districts which have a separate Revenue and Customs establishment and the whole income amounts to about 10 lacs annually. The district of Sirdhanah is very fertile and well peopled. The staple products, sugar-cane, cotton, wheat and maize. The purgunnah of Shikarpore, of the Company's possessions, is the only district to be compared to it in the Meerut Division.

The above hurred notice will bear me out in the encomiums I passed on Her Highness's character and government at the commencement of this letter. Certain of your readers may be led to suppose it the the effusion of some interested writer. Being unknown to Her Highness, as well as every one of her Officers, I cannot charge myself with influence of this nature, however much I may have been dazzled by the pleasing and striking contrast here presented, to the disgraceful misrule without a redeeming quality so common in Native States. I have made many inquiries into the statements I have made and satisfied myself of their truth, neither have I formed my sentiments on the fleeting observations of passing travellers. Those who are capable of judging rightly, form a knowledge of Her Highness's principles and acts, will allow that I have done her no more than justice.—*Delhi Gazette.*

## REMARKS ON ASSAM.

The following interesting memorandums were furnished by M. Hugan, in Assam, to Captain Jenkins, the Governor-General's Agent there, by whom they were forwarded to the meeting of the Agricultural Society, on the 13th instant:

"I have the pleasure of sending a few remarks on Assam, which I hope will give your friend a general idea of the province. Should he, or any one else, be thinking seriously of giving the province a trial, I shall be most happy to answer any more minute inquiries he may wish to make previously to visiting it himself. The last is of course the best way of ascertaining what could be done. When I was in my last trip opposite the Singoree hill, I could have shown him a *chur* containing some 50 square miles, out of which he could pick and choose 15,000 bigas of as fine indigo land as I have ever seen in Bengal, and opposite the *chur*, on this side, and across a sootee of the Burhampooter, navigable almost all the year, as many bigas of land fit for sugar and indigo also.

"I have only mentioned what I am confident would have an immediate success. I have said nothing about safflower, which grows very well, but the cultivation of which has been nearly abandoned, and which the ryots would resume on getting a market for the produce; and of the hides and horns of buffaloes and deer, which they would not throw away if they knew that they could get something by them. Indigo seed, which sells at 8 Rs. and 10 Rs. in the Lower Province, would be very profitable to the Assam ryot, could he dispose of it at 2 Rs. In short, I think, a man who would settle in Assam, as a manufacturer and trader, would find that country to be a mine, which the

deeper worked would yield the more ore, and in greater abundance. The Assamese have another kind of indigo, which is different from the common cultivated sort, with leaves 2 inches broad, which is not grown from seed, but from cuttings, and which no doubt is common also about Gowahutty (a species of ruellia).

"The sugar cane is cultivated in almost every village of Assam, each ryot having a small field of it. They seldom cultivate more than is necessary for their own use, and only manufacture it into *goor*. The process of making sugar or spirits is unknown in the province, but these articles are imported from Bengal. Although the cultivation of the cane is less carefully attended to than in Bengal, it grows much superior. I have seen a few fields where more trouble had been taken than is generally the case, which appeared equal to what I recollected of the Mauritius kind.

"The Assamese begin to prepare their lands in October, and go on ploughing occasionally, till the time of laying it out for planting, which is generally in April. Some of them sow opium on the land. The canes are cut in February and March, the rattoons a month earlier. The ground is laid out in furrows six inches deep and one foot apart; cuttings from the top of the cane 18 inches long, are laid down in them at a foot distance from each, and two inches of soil are lightly drawn over them. Each ryot having only a small field to attend to, they generally wait until after the first showers to plant it: in June the field is levelled, after having been well weeded. In August when the cane is two or three feet high, the earth between each row is raised at the foot of it; after this the field is very little attended to, beyond driving off wild animals; the leaves as they decay are left to fall off themselves.

"They use a different method from the Bengalees in extracting the juice; they crush the cane between hard, coarsely-made vertical cylinders worked by half a dosen men or a buffaloe. The cylinders are about a foot in diameter and three feet in length. Several ryots join in making the necessary aparatus, and working their fields; and the whole is transported successively to each man's field. The rent of sugar land is eight annas per *poora*, (more than one English acre.) Cuttings for a *poora* of land cost four or five rupees. Few ryots cultivating the sugar cane for sale; the *goor* made in Assam sells dearer than the Bengal; being from two to five rupees per maund. Sugar imported for 12 and 13 rupees the maund; rum at two or three rupees the gallon. The consumption of the two last articles I think considerable and on the increase, especially that of rum; the hill people who surround Assam preferring it to spirits of their own manufacture; besides whom there is a large class of people in Assam who use it (including all the Bengalees). The manufacture of spirits is not farmed in Assam as in Bengal.

"Indigo is cultivated in small quantities by the Assamese. The following description of its culture and manufacture will show that the accompanying sample is no criterion to judge by, of the quality which the land might produce. It is sown near the ryot's houses, on high lands in very small patches, in the month of April; they cut in August and tie it up in small bundles, leaving it to soak or ferment for five or six days, exposed to the sun, in large earthen pots. They then take out the bundles and mix a large proportion of lime with the water to make it deposit the fecula, which they dry on pieces of cloth. The way they dye with it is by mixing it up with a solution of potash made from the plantain tree, and with the residue of fermented rice. It would be a great thing for Assam if indigo seed were exported as an article of trade. One *poora* of it can yield eight or ten maunds in a very ordinary crop, if some one could be found to take it. A proclamation to the ryots would induce them (next year, it is too late now) to sow more of it for the seed—this year even they would collect more of it. The seed looks to me of the kind produced in the upper provinces, the one most in demand in Bengal. The plants are yet too small for me to judge of their difference, if there is any.

"Although the natives do not make use of the large *churs* of the Burhampooter to sow indigo, owing to the little of it they require, I am confident these would be as valuable in that respect as those of Bengal. I have seen *chur* lands over which no inundation had gone for several years. Lands high enough to be worked in June and July could be procured in any quantity. Upon the whole I should consider Assam similarly situated as Rungpore and Mymensing.

"Any European attempting to form an establishment in Assam should not confine himself to any single line; a small indigo factory with a small sugar plantation, would reduce the expense of both considerably, as he would thus be enabled to have always on service a certain number of workmen. People employed as "servants" (that is continually) cost in Assam $\frac{1}{3}$ less than those who are only employed as they are required; these can be had at 1 r. 8 as., the former one rupee. Besides these two

ways of procuring workmen, there is a custom in the country which would prove highly advantageous to a European manufacturer; the people giving themselves out in bondage for a certain time on receiving a small sum, there is only their food to furnish and this with a little management would only cost 10 or 12 annas at the utmost. Salong and Cachary families (tribes, resembling much the Boomeahs of Burdwan in strength and habits) may be engaged for 10 and 15 rupees for 4 and 5 years,—their women and children work in the fields.

"Besides sugar and indigo, the maufacture of coarse paper would, I am certain, prove very profitable. The consumption of it in the province is daily increasing, and there is not a single sheet manufactured in it; the little they used under the former rule they got from Bhootan; it is much inferior to that of Bengal, which is the only one now in use. The price is 50 per cent. above the retail price of the latter province.

"For a European possessed of a moderate capital, and who would be on the spot to look after his business, an establishment in Assam of manufacture and trade, offers, I think, but few chances of failure. In the manufacture of sugar, indigo and paper he would have in Assam the following advantages over Bengal: no competition to fear for many years, cheaper labour and materials for building, with single exception of lime,* that is where stone lime is absolutely required, for otherwise shell lime, he can make himself. The highest tax on lands, is on those cultivated for rice; still it is only Rs. 1 8 per *poora*, (about 3½ Bengal beeghahs) that on *chur* lands and the very highest (where cotton and sugar-cane are grown) is only 8 as. per *poora*.

"The articles of foreign export in which he would have no fear of native competition, or at least could compete with them in, are lac, mooga silk, long pepper, gold, ivory, his being able to export direct to Calcutta would I think make up for the greater aptitude which in general natives have over Europeans in trading in the mofussil. These products find their way to Calcutta after having passed through the hands of several people. The import articles that he could deal in are trifling, with the exception of salt; this last has been so adulterated in passing through the hands of several people that he would find it advantageous to import it direct from the Company's golahs; he could pay most of his out lay with it at a profit. Although my account of Assam may appear favorable, I am certain that any person coming to make inquiries on the spot, would find that I am rather within than above the mark. I shall, however, close my remarks by saying, that from the remoteness of the province, the peculiarities of the people, I am of opinion that to a person employing an agent, however industrious, instead of being on the spot himself, success would be very doubtful."—*Bengal Hurkaru.*

* Note by Capt. F. Jenkins. As we have now discovered lime in two or three situations, I hope we shall soon have lime as cheap here as at Sylhet, or from 13 to 20 rupees per factory maund.

## TRISTAN D'ACUNHA.

The following memoranda, of the interesting Island of Tristan D'Acunha, were collected by Captain Henniker, of the barque *Funchal*, who touched at that place in December last, on his route to Port Jackson. Captain Henniker's recommendation of this island as a place of refreshment for water is worthy the attention of ship masters.

"The island, Tristan D'Acunha is now (1834) inhabited by 41 souls, viz. 7 men, their wives, and 27 children. The oldest inhabitant, Mr. William Glass, is, by common consent of the others, styled and obeyed as Governor of this little colony; he was a corporal of artillery, and was one of a party sent by the Governor of the Cape of Good Hope, in 1816, to garrison the island. The troops received orders to evacuate the place 12 months after, when Mr. Glass, with his wife, and 2 soldiers, obtained permission to remain on the island. One, however, soon tired of the solitude took an early opportunity of leaving the place; the other, (probably) from want of his accustomed stimulants, society, and spirituous liquors) became deranged in intellect, wandered into the woods, and was there found a corpse, Mr. Glass was joined occasionally by seamen, deserting from the whaling and other ships, that called for water, and others came from the Cape of Good Hope with their wives, on representation, by the crews of vessels calling of Mr. G.'s state of happiness and independence. Several of the unmarried ones, tired of the solitude and hard labour, soon left the island again, so that there were seldom more than 6 and 7 adult males resident at one time; two of the last arrivals are now married to the eldest daughter of Governor Glass, and a daughter of one of the senior inhabitants. They all term themselves Englishmen—5 are actually so—2 are Ame-

ricans. Six of the seven are joint proprietors of boats, and at all times visit vessels that arrive, and assist them in watering, &c. &c., the other man has no share in what the six thus obtain from the shipping,—he appears excluded in consequence of his having settled there rather against the wish of Governor Glass and the senior inhabitants: although excluded from participation in the boat, he has a good house, clears and cultivates his land, stock, &c., and associates amicably with the others, still he feels his isolated situation and would fain leave it. Mr. Glass assured me that there were now as many on the island as could maintain themselves comfortably, and they had no wish to have their numbers added to, except by the increase of their respective families.

They appear to be principally employed in breaking up and cultivating the land at the base of the mountain, and can supply shipping with about 50 to 60 ton of potatoes, annually; they formerly attempted to cultivate wheat and other grain, and it grew well, but they were so repeatedly annoyed by the failure of crops from effects of heavy gales of wind, and after heavy rains, occasional shoots of earth and rock-stone from the mountain, that they abandoned the attempt, and now confine themselves principally to potatoes and all kinds of vegetables, and rearing pigs, poultry, sheep, and black cattle, but they occasionally suffer great losses from the stock straying amongst the mountains, and falling over the precipices, &c. &c. Pigs and poultry also suffer much from cold, during heavy gales of wind and rain, as also their fruit trees, and, indeed, all articles of agricultural and horticultural produce. They have good gardens attached to their dwellings, and grow apples and peaches, and some gooseberries; their pear trees grow well,—blossom and fruit forms,—but almost immediately blights and falls off.

It has lately been much recommended as the most convenient place of call for vessels bound to India and New South Wales that might be in want of water and stock—those so recommend it, stating, that plentiful supply *may at all times be depended on*, and at the following prices, viz. milch cow and calf £8, sucking pigs 2*s* 6*d*. each, grown pigs 10*s* *a* 12*s* each, potatoes 8*s*. per cwt., beef 3*d* per *lb*., sheep 15*s*. *a* 20*s*. each, fowls 18*s*. per dozen, and geese 5*s*. each; this Mr. Glass informed me was correct as an average rate in times of plenty. but now (December 1st, 1834,) he did not care to sell a single head of stock of any kind, or at any price,—and vegetables, onions or potatoes they had not one for their own consumption,—their growing crops not being fit to dig; and he assured me, it was often the case, that during the spring they had more to spare, and, they were even so improvident in autumn, that they had disposed of the whole of their crop to shipping, thus leaving nothing for their own winter consumption. It must also be remembered that they do not often kill bullocks for their own consumption, therefore, a vessel requiring fresh beef would have to take a whole bullock, or nearly so. Their potatoes, I understand, are excellent, and keep well, but I had not an opportunity of proving them. I supplied them with a few superior Kentish potatoes for seed, and also, some very superior onions of a kind that will keep well at sea. Their reason for not wishing to sell me stock of any kind, was the great losses they had suffered by an unusally severe winter, which had destroyed their poultry, pigs, and sheep, and no less than 26 head of cattle had been lost by straying and falls from precipices and rocks. Water is at all times good and plentiful, and should a vessel require only water, Tristan D'Acunha is decidedly to be preferred to Rio Janeiro, or the Cape of Good Hope,—that is, in point of time saved on the passage.

The dwellings, and out-houses for stock, &c. are all concentrated and form a kind of village, (near the beach,) about the centre part of the north side of the island; they may be easily seen from a ship's deck, on approaching within five or six miles, with the peak bearing south, or south by west, per compass, but are not very conspicuous—being built of the stone of the island, and thatched with what *they* term tussic, (a description of reed or grass.) When first seen from the westward, they much resemble bee hives.

The climate appears good, as no natural death has occurred on the island since the first establishment of Mr. Glass. The inhabitants are all professors of the Protestant religion, the Governor officiating as clergyman. The following is a copy of a letter lately published in one of the Cape papers. I showed it to the parties whose signatures are attached, they confirm its authenticity, but its publication has, as yet, produced no applicants.

[COPY]

"We the undersigned, being three of the senior principal inhabitants of the island of Tristan D'Acunha, do hereby agree to furnish any respectable middle-aged couple (as man and wife) who are willing and capable to undertake the office of Schoolmaster and Mistress, with house and all necessaries for their subsistence, as well as to present them every year (at Christmas) with a tenth part of the amount sale of our produce so long as the Schoolmaster and Mistress shall conduct themselves with propriety, and choose to remain with us. And we

do further agree, that any persons sent to us with a certificate of good conduct, and necessary qualifications signed by the Governor of the Cape of Good Hope, or by Admiral Warren, (the naval Commander in Chief) shall be considered by us as eligible to the situation; and their passages to this Island paid to the Master of any Merchant Vessel bringing them, immediately on their arrival, the sum of passage money having been agreed upon by either the Governor or Admiral before mentioned."

W. M. GLASS, Governor.
RICHARD RILEY his ✕ mark.
JOHN TAYLOR his ✕ mark.

Signed by us at Tristan D'Acunha, this 17th day of January, 1834, on board His Majesty's Brig of War *Forester*, in the presence of Commander Booth, R. N.

The geographical position of this Island, has, apparently, been pretty accurately ascertained, by late observations taken on shore near the village; the cascade, or watering place, I believe to be in about lat. 37° 6' 30" south, and long. 12° 3' west of Greenwich.

With the wind from N. N. E. round by north to W. N. W., there is a heavy surf generally rolling in on the north side the Island, precluding the possibility of a ship's boats landing to procure water; it has, therefore, been recommended by Captain Herd, of the barque *Rosannah*, that a ship should work off and on to windward of Inaccessible Island, until the wind changes to W. S. W., or any where southerly, which it seldom fails to do within 48 hours, as south westerly winds are the most prevalent of any near the Island, but with a moderate breeze and fine weather, to any direction, a ship may stand down for the village, which, with a moderate commanding breeze, may with safety be approached to within three quarters of a mile, Mr. Glass would then come off with a whale boat, and, at least, could give a stranger much information respecting the facilities for watering. The surf, having a much worse appearance from the vessel, and presenting to the eye of a stranger, much greater difficulty and danger in landing, than actually exists. Should your casks be becketed ready for rafting, Mr. Glass and crew, if the weather is moderate, will undertake, with the assistauce of the ship's quarter boat only, to tow them on shore, fill them, and tow them off again, the ship working off and on, keeping to windward of the watering place. Horsburgh, in his Directory, gives directions for anchoring, but it is the opinion of all the inhabitants, (and decidedly my own) that no ship should anchor unless compelled so to do, as the water is deep, and bottom foul, and by no means good holding ground, and frequently during a calm, or previous to a shift of wind, a heavy swell precedes the northerly or north-west breeze, and would prevent a ship getting her anchor in time to obtain an offing —a most deplorable example of this occurred in October 1817, when His Majesty's brig of war *Julia*, of 16 guns, was at anchor near the cascade, it fell calm, a heavy swell preceded the northerly gale, and she was driven on the beach and almost immediately parted in two, near fifty of her unfortunate crew were buried on the spot by the few survivors; and Mr. Glass erected a wooden cross over them,—parts of the wreck are now to be seen, and were pointed out to us.

Should the wind be the southward of west, I should prefer sending the casks in the long boat, as by rafting them, should a strong breeze set in, or the wind shift suddenly, there is great risk of losing the casks.

I adopted the following plan, viz., when about 2 or 2½ miles to windward, or westerly of the village, I hove the ship too, hoisted out the long-boat, and stowed her with butts, and two or three good gang casks well becketed, and a good anchor, warp, and buoy and buoy-rope, the latter a very necessary precaution, as you may probably lose your boat's anchor, by neglecting it, then stood in with the long boat, towing astern till nearly abreast the village, when Mr. Glass and wale-boat's crew (who had previously boarded us) took her in tow. The long-boat was anchored without the surf, the gang-casks landed by the whale-boat, kept filled by her crew, and hauled to and from the long-boat by small raft lines parbuckled in and started till all was complete; the ship standing off and on till, as per signal from the shore, the boats were ready to start, when we stood in and picked them up, thus we got our water with little trouble, as not one of the long-boat's crew had occasion to land; the inhabitants not only towed our boat to and from the ship, filled our casks, &c., but remained and assisted us in hoisting on board both water-casks and long-boat, for all which attention and labour they made no charge, but left it entirely to ourselves to pay them with what we could best spare. Tea, coffee, sugar, and slop-clothing, they most prize. Tobacco, flour and biscuit, they obtained more readily (and could purchase cheaply) from the American whaling ships that frequently call. In return for what few articles I gave them for their trouble and attentions, they presented me with many dozen fresh eggs, much new milk, several pounds fresh butter, and a sucking-pig or roaster.—Fish are very good and plentiful here, and form a principal portion of the diet of the inhabitants."—*Sydney Herald.*

# REMARKS ON THE CLIMATE, SOIL, AND CULTIVATION OF PENANG AND PROVINCE WELLESLEY.

[*Continued from page* 275.]

CORN.—These rites and games being over, the cultivator in easy circumstances either sits down in listless contentment, or, and it is the most frequent case, he betakes himself to one of the many active occupations always open to his enterprize.

He may hunt the elephant for its ivory, and the rhinoceros for its horn and hide, or catch wild fowl, of which there is a regular gradation from the quail and partridge up to the argus pheasant and peacock. The preserving of king fishers' skins with the feathers attached, forms, when they are plentiful, a distinct employment. These are exported to China, where they are used for embroidering dresses. The value of good skins here is about forty dollars the hundred. The Tennasserim ones are said to be best preserved.

The birder having caught a *burong rajah pakaka*, or king-fisher, he places it in a cage, having a trap-door, on the bank of a stream, or simply ties it by a leg to a peg and suspends a thin net over it. The noise it makes soon attracts others of its kind from their fishing perches above the water, and one of these soon becomes a victim to its pugnaceous curiosity by the falling of the trap door or by being entangled in the net. The Malay man kills the first bird and substitutes the newly caught one, which by its cackling speedily seals its own fate and that of another dupe, and this trick is carried on so long as birds remain.

The ryot in the interval alluded to, as also in that betwixt harvest and seed time, turns wood cutter frequently, and floats down the Praya or Pry, and the Muda rivers, from the forests of the interior, large rafts of bamboo, timber for house building, and spars for ships.

These spars are often seventy-two feet long by eighteen in girth, and when of this size, are sold for about sixty Spanish dollars each. A *kayoo krangi* wood rudder for a junk of five or six hundred tons burden, costs in its rough state about 100 Sp. dollars. The varieties of timber, the produce of our woods, will be enumerated in a subsequent part of this paper.

The cutting and making of artaps gives a livelihood to numbers. Dammer-rezin, dammer-oil, rattans, and dragon's-blood, are sought for with considerable personal risks from wild beasts. The eggs of the *pinnyoo*, or sea turtle, and the *tuntong*, or river turtle, are eagerly searched for and sold at the rate of half a dollar the hundred. Those of the latter species are preferred being the least fishy of the two. Many parties, consisting of twenty or thirty men each, proceed up the coast to the islands where the *sarang burong*, or edible swallow's nests are obtained, and become sub-renters during the season—(from December to the middle or end of March) of some of these; but as they too often neglect to enter into written contracts with the Chinese who farm the Island from the Honorable Company through the Commissioner in Tennasserim, they become frequently involved on their return in disputes and litigation. The birds' nest swallow, which is very small when robbed of her *first* nest, builds twice again at intervals of about a month, the quality of the nest deteriorating each time, which is an additional proof to that derived from its anatomical structure, that this bird is supplied with the materials of its nest from a secretion in its own stomach.

While the able-bodied men are thus absent, the women manage affairs at home, assisted by the old men and children.

The Malays go frequently in boats on petty trading expeditions to Phoonga near Junkceylon, and the intermediate ports to the northward, and to the Perak country to the southward, and push also a petty but lucrative bartering trade up the Muda river to the vicinity of the Pulei and Kroh tin mines, lying in the mountain chain of the peninsula, and which are worked by large parties of Chinese, chiefly Penang people.

Many amuse themselves by building boats, to which task they allot perhaps a couple of hours a day only. Some of these boats are beautiful models, but having no keel, and rather sharp bows, they do not sail well on a wind. The bottom is formed either out of the trunk of the *giyam* or *chinggie*, which are both very durable woods. The tree is split and bent by means of fire, a few planks surmount this, and the gunwale and upper part is framed of the pith of the *hoombar* palm tree. A good boat of this sort costs about 30 dollars when of one coyan's burden.

The most settled ryots cultivate tobacco and indigo chiefly in December, January, and the succeeding dry months. The owners of cocoanut gardens find enough employment in collecting and selling the produce. A few find work as day labourers, at from 8 to 10 cents a day. During the rains the paddie fields and ditches, which last contain generally running streams, swarm with fish. The women and children, as well as the men, catch these with the long light rods before described. The bait is a frog which is made to play on the surface of the water; children may be seen handing a *haroaan* or *kahoose* of several pounds in weight. This occupation is a very idle one for the men: a man can hardly catch more than five or six cents worth a day; they are so cheap.

The Malays strike the porpoise or *loma*, and *ray*, a skate, with the harpoon, having a

a long coil of rope attached to it. The porpoise is chased during the day, but the skate at night, when it is attracted by the glare of torches to the surface and easily struck, as it attains to a large size, especially to the northward amongst the islands; here they are rarely above five feet in diameter.

There is a small species of whale occasionally seen near these shores called by the Malays *poch*, but they do not venture to attack it.

It is chiefly to the use of many coarse kinds of fish that may be attributed the modified leuce and other cutaneous disorders with which many Malays are afflicted, and which no doubt become hereditary afterwards. Some of the most unwholesome will be here enumerated.

UNWHOLESOME AND POISONOUS FISHES.

1 *Paree Kubbas*—Electrical skate.

2 *Paree Kalawar*—Faciated ray.

3 *Paree Kubbas tinshin*—Torpedo ray.

4 *Yoo tokay*—Zebra shark.

5 *Ikan Koaching*—A fish which seems to possess the character of the European angler.

6 *Ikan Krappoo*—It will kill a man; seems to be the marbled angler.

7 *Buntal Kumbong*—Pyramidal horned trunk fish.

8 *Buntal Panjang*—The snouted horned trunk fish.

9 *Guddimi*—The remora. This fish is deemed by the Malays to be a powerful manure for fruit trees.

10 *Kachang Kachang*—A sort of mackerel.

11 *Tallang Raya*—The Madagascar mackerel.

12 *Tudong Prigoo*—The southern trachichthys.

13 *Giritang*—Merra holocentius, or rufous scorpæna; very poisonous.

14 *Ketang*—The chætodon; very poisonous; there are three species.

Fishing stakes afford nearly exclusive employment to numbers of Chinese and Malays. They are run out from the beach, or placed on sand banks and shoals. A large one costs about from 80 to 100 dollars. Penang is cheaply and plentifully supplied with fish. Having warned the stranger against the unwholesome kinds, it will be but fair to acquaint him with the names of the approved sorts. The Malays, it may be observed, always prefix the generic term *ikan* or fish to the specific name.

1 *Ikan Ledah*—The sole—jeeb ka muchee (Bengalee.)

2 *Siblah*—A sort of plaice or flounder—pleuronectes solea.

3 *Trobo*—Indian sable fish, or clupea.

4 *Sinnangin*—The Bengal ressiah muchee—the robal—polynemus Indicus.

5 *Oobi*—Whiting—scienna.

6 *Kiddera*—A smaller fish than the herring, but possessing somewhat of its flavor.

7 *Billana*—Small fish.

8 *Joompool*—The common mullet—mugil cephalus.

9 *Kappas*—About 5 inches long, white and esteemed.

10 *Groot groot*—Small fish.

11 *Tambreh*—A sort of carp.

12 *Siyakup*—The *bekti* of Bengal, apparently a species of the labrus. There are two sorts; one being yellowish.

13 *Pakookoo*—A rock fish.

14 *Jinnahar*—A fine large fish.

15 *Sinnahoong*—A species of cyprinus or carp; a large fish.

16 *Bawal Chirmin*—The white pomfret.

17 *Bawal Tambak*—The black pomfret—hulwa mahi—the stormateus argenteus.

18 *Nior nior*—A small fish.

19 *Loolee*—Bombay ducks.

20 *Korow*—Appears to be a species of cyprinus bynni; not much prized; grows to about 3 feet in length.

21 *Jarang gigi*—Wide toothed.

22 *Puting dammer*—A sort of whiting.

23 *Badukang*—The silure; not much prized.

24 *Iboo or Iboo ikan*—A sort of broad guiniad, about 15 inches long, chiefly found in rivers.

25 *Chinchoda*—A species of fistulari; hard flesh.

26 *Tambun bulook*—Five inches in length.

27 *Mingoolong*—A sort of pike.

28 *Blalang*—The flying fish.

29 *Paree down*—Seems to be the eagle ray.

30 *Paree lang*—The kite paree; seems to be the guttated ray.

31 *Aloo aloo*—A species of sturgeon.

32 *Killewas*—Eared trunk fish apparently.

33 *Poochook*—Silver trichure.

34 *Toda*—Sword fish; hard flesh.

35 *Layer*—The Brazilian dory.

36 *Tudong tumpayan*—Seems to be the bilobate sparus.

37 *Sa-sumpit*—Jaculator labrus: this fish is eaten by the Malays.

38 *Billang*—A species of labrus.

39 *Tangiri*—The seer fish—scomber.

40 *Loban*—A species of mullet.

41 *Kerong*—Seems to be the dragon weaver—trachinus draco.

42 *Gillima*—Not much prized.

43 *Similang karang*—Eel shaped platystaceus: the flesh is rather too soft. It inflicts a bad wound with its fin spikes.

44 *Boolan*—A sort of razor carp.

45 *Lampam*—A sort of bream.

46 *Poonun*—A sort of silure: it is scarce.

47 *Ikan oolar*—The eel.

48 *Harooan*—The kaboose, Bengalee sowlee muchee; a fresh water fish—soft.

49 *Ikan timah*—A thin silvery fish, called *wallee meen* on the Coromandel coast.

1 *Kuttam battoo*—Common large crab.

2 *Kuttam renjong*—A crab having small pincers, and large flappers.

3 *Tirtip*—Small kind of oysters; the common sort.

*Tiram*—A very large sort; is a very large oyster.

4 *Kuppah*—Mactra.

5 *Rames*—Variegated razor—solen variegatus.

6 *Oodang mangkara*—Large lobstor shrimp.

7 *Oodang*—Shrimps; common.

8 *Oodang gala*—Long legged shrimp.

9 *Blankas*—Scorpion crab.

10 *Blitong, or Sipoot pootar*—Trochus scalarus.

11 *Mintarang*—Pholas orientalis; is found in mud.

12 *Sipoot gayam*—Transparent razor.

13 *Pinnyoo*—Hog billed turtle: may be had from the Bunting Islands on a few days notice.

14 *Sipoothapoor*—Pod razor—solen segumer.

15 *Gayam*—Transparent razor—solen pelucidus, is found in mud.

16 *Krang*—Banded cockle: cockles in general sand.

17 *Kapis*—Gaper—mya arenaria.

18 *Kechau*—Whelk.

Although it is in one sense a fortunate thing for the people that they have so many resources against idleness, there are also disadvantages attending it. The prolonged absence of heads of families exposes the females to temptations, which their faulty education and the custom of the parties marrying at an early age, and often without previously having seen each other, does not always fit them to resist. Fidelity is, however, a more common virtue than might, under such a condition of society, have been looked for; and one of the reasons undoubtedly is that, although perhaps equally jealous as an Indian husband can be, the Malay does not immure his wife or deny her the privilege of going abroad, or conversing with his sex.

But if tolerant, he feels too in a degree proportionate to the abuse of his indulgence, and frequently resents that abuse by killing the offending parties. Such acts should be viewed with reference to the education of the Malays, and especially of those who were born beyond the British territory. The respectable Malay is highly sensitive to slights and premeditated insult, and he fancies, perhaps rightly, that no law can compensate the injury sustained. His feelings are therefore but too apt to lead him not merely to a criminal, but absurdly criminal excess. Thus it has sometimes happened that a Malayan couple having been formally separated by mutual consent and by order of the *Tuan Khalie*, or native Judge of matters of caste, and the woman having married another man, the first husband has murdered both him and her. In such a case it is probable that he had had his suspicions of her former infidelity confirmed. Under Malayan rule, murder, unless coupled with treason, has generally its expiatory price, and can without much danger be perpetrated by a rich man. A native of India will on the contrary sometimes kill himself to avenge a similar wrong. He imprecates his blood to lie on the head of the offenders. If they be of a similar creed with himself, he is avenged in the terror the imprecation inspires.

Notwithstanding the vices, piracies and faults which have been attributed to Malays, but in far too sweeping a manner, and when true to any considerable extent, only so of isolated classes existing under circumstances favorable to the unchecked expansion of evil passions, there is in their character a something as the late Sir S. Raffle has expressed it "congenial to British mind," and which certainly, with that due tolerance of their habits and prejudices, which it is not difficult to extend towards them, leaves a more favorable impression than that received by an intercourse with the better cultivated but more crafty fawning natives of India.

It has been observed that Malays are not a pastoral race. Few of them keep any sort of cattle except buffaloes. The settlers from India are the chief graziers. They rear cattle for the dairy: the cattle for slaughter being imported chiefly from Keddah and Patany.

The Grazing Farms in the Province contain about 2,000 heads of cattle, chiefly buffaloes. Penang is the only settlement in the Straits where cattle can be readily and cheaply obtained; an advantage of which the Commanders of H. B. M. ships-of-war are well aware. The Malays eat Buffalo flesh in preference to that of the cow, the predilection arising perhaps from a remnant of that ancient superstition which prohibted the use of cow's flesh. During the Rangoon war the only fresh animal food procurable at all for the troops for a long while was the flesh of the buffalo. The officers received the same rations of it as the men, and considered themselves happy in getting it. The heart and tongue are by no means a despicable ration for any one. About 400 buffaloes are annually slaugtered. The consumption of cattle (bovine) on Penang and by the shipping is about 300 head. Perhaps about 400 buffaloes are slaughtered yearly.

A good grass fed ox costs from eight to ten dollars. A heifer four, a calf three and half. But the butchers' retail rates are; for an ox weighing 300 lbs. at eight cents. per lb. and one dollar for skin and horns, twenty-five dollars; for a heifer 9 drs.; for a calf from 6 to 7 drs.

The value of a good draft buffaloe varies from 9 drs. to 13 drs. and of a good draft ox from 8 to 12 drs.

Cattle (bovine) are bought up in droves beyond the frontier at an average of *six* dollars the head.

The black buffalo is the most prized both for draft and for slaughter. The Malays do not eat the white buffalo on account of its colour

Its colour is a white, tinged with reddish brown.

Milch cows cost from 6 to 15 or even 20 drs. according to the quantity of milk they yield. The very best cow will not here—unless partly of the English breed, give more than two chupahs daily, and then for two or three months only. The chupah is about one quarter and 1-16th of a gallon.

The calf must be placed beside the cow, or it will not yield its milk, and when a calf dies the dairy man (for there are no dairy maids) stuffs the skin and sets it up, so that the mother is fairly deceived and continues to give the usual supply.

The flesh of the buffalo is salted in large pieces by the Malays by being soaked for a night in strong brine, and when dried forms an article for provisioning native prahus. Salted ducks eggs forms another in great demand, especially by junks. The Malays salt these as they do the meat, but the Chinese mix a red unctuous earth with the brine, which no doubt stops the pores of the shell and preserves them better. They are put into this mixture at night and taken out during the day to be dried in the sun, which is in fact a half roasting process in a tropical climate. The Malays make the average value of a prime slaughtered buffalo when the meat is sold fresh to be thus:

| | Pice. |
|---|---|
| 300 Catties (400 lbs.) of flesh at 4 pice per c. ..... ..... .... | 1,200 |
| 200 Catties of clarified fat at 5½ drs. per picul ..... .... .... | 1,100 |
| Head and Horns ..... .... | 30 |
| Offal and Bones ..... ..... | 40 |
| *Hides* .... ..... .... | 60 |
| | 2,430 |
| Deduct original price of the Buffalo .. | 1,200 |
| Profit .... | 1,230 |
| or Drs. .... | 1,175 |

If the carcase be salted and dried, the meat sells for 8 pice the cattie, and of which there will be about 180 catties equal in value to 13 drs. 75 pice, so that the profit on the whole in this instance exceeds that in the former by 2 drs. 30 pice.

The Chinese who, as the Beach Street lounger would express it, cleverly *bones* every thing profitable from a pound of ivory or tortoiseshell to a morsel of the vilest garbage or dirt, buys up all the buffalo bones at about 1 dr. per picul and exports them to China, where they sell, it is said, for from 3 to 5 drs. the picul. They are pounded by the indefatigable agriculturists of that country and applied as manure.

As it has been once or twice proposed that ghee should be made here to supply troops, the following calculation may not prove useless.

One hundred female buffaloes will give yearly one with another 9,125 guntangs of milk in all; which on the spot would sell for 16 pice the guntang, or for the whole the price will be 1,460 Spanish dollars. But the milk is commonly adulterated with one fourth part by measure of pure water, a fraud which owing to the very rich nature of the milk of this animal is not easily detected. The profit by the fraudulent sale is therefore 1,825 Spanish dollars on the spot. When carried to market, which it always is in this adulterated state—its value at 6 pice the chupah, or 24 pice the guntang, will be 2190 Spanish dollars. The profit after deducting wages and expences, or the market sale of the *pure* milk would be 1230 Spanish dollars, that on the fraudulent sale 1595 dollars. As matters now rest, the milkmen are rogues to little purpose, for the demand being greater than the supply, and enjoying as they do a sort of monopoly, they could make as much profit by selling pure milk only and raising its price.

If ghee be made, then the produce will be one chupah of it for eight chupahs of pure milk, or one picul by weight of ghee for every 60 chupahs or 15 guntangs by measurement of milk.

One hundred female buffaloes will yield 76 piculs of ghee in a year, which at the bazaar rate for the superior sort here, will be equal in value to Spanish dollars 1,140. The buttermilk is of little value, and is most frequently given to the buffaloes to drink, that which is sold generally covers the cost of minor expenses. All expenses being deducted, the profit on the above quantity of ghee will be as nearly as possible Spanish dollars 900.

The ghee obtained from 100 buffaloes would suffice for the rations (adopting the present rate at which such are issued) of 337 Sepoys. Each native soldier is supposed to consume 30 chittacks of ghee monthly, and there are 1,600 in a picul. It is obvious from the above statement, which it is believed will be found pretty correct, that until a much stronger competition shall take place than now exists, the prices of butter and milk will continue too high to admit of ghee being largely manufactured, the profit on the sale of milk alone, exceeding that of ghee on the scale here adopted, by Spanish dollars 330.

Buffaloe butter finds comparatively a limitted sale, that made from cow's milk being preferred, although that sold to the shipping under the latter denomination is a mixture of the two, or merely *dyed* buffaloe butter.

The quality of the ghee here and to the Eastward in general, is owing to the richness of the pasturage perhaps, so superior to that brought from India, that sepoys frequently exchange their rations of the latter for a lesser quantity of it.

A guntang of rich cow's milk here yields about 20 Sicca Rupees weight or ¼ seer of butter, which is sold for 40 cents. Cattle are subject on this peninsula to violent murrains, which sweep away great numbers. These are luckily not of frequent occurrence.

Since Keddah became a dependency of Siam, no reliance has been placed on it for supplies of any sort, nor has any inconvenience been felt on that account from the period when Province Wellesley received an accession to its inhabitants of one half at the least of the population of Keddah.

The closing of the port of the latter country in former times used to put the good folks of Penang on short allowance of rice, beef, and poultry, so that the securing of these supplies became one of the stipulations in a treaty with Siam.

The above Province supplies Penang yearly with upwards of 1,20,000 poultry. Common poultry are sold at from 8 to 10 Spanish dollars the hundred; geese at from 40 to 50 pice or cents each; ducks at six for a dollar; a few turkeys and guinea-fowls have been introduced. The sale of poultry alone by sending back about 10,000 Sp. drs. yearly amongst a frugal population is in itself no small stimulus to industry to increase production of foreign articles.

Goats are not greatly encouraged owing to their destructive propensities where there is cultivation.

Sheep have not been fairly tried. The climate is perhaps too wet for them, yet they might possibly thrive on those dry plains where the soil is sandy or light.

Game abounds in the woods, but is rarely brought to the market, because there appears to be no great demand for it.

There is no scarcity of wild hog or the elk. There are two species of the wild ox or bison. The birds are snipe, (which sportsmen of course have for themselves and friends) whistling teal, grey plover, and curlews, which are seen on the mud flats in very large numbers, the red partridge, blue pheasant partridge, with red legs and red plume on its head, the common jungle fowl from which the tame variety has been obtained, the pagar,—a splendid bird, having a brownish crimson plumage and rather larger than a moor fowl,—the large kwang or argus pheasant, and the small sort having its back spangled with eyes,—the *murragh*, or the peacock, having a magnificent plumage suffused all over with a light golden hue,—the *ayam-ayam*, a large water hen, not web footed, the red and black quail, stock doves called *pergam*, equal in size to a bantam fowl, green and yellow and white wood pigeons, which with the *pergam*, feed on berries, especially those of the various kinds of Indian fig tree, besides many other tropical birds. The *plandok* or cheurotin of Buffon, or hornless deer, about the size of a hare, is plentiful; like all the animals and birds above enumerated it is only found in the deep forests.

Grain or Corn—Expense of Cultivation.—No uniform system of culture has yet been adopted owing to the varying quality and condition of the land.

The most approved system is of course that which includes the free use of the plough. But some years must elapse before all the land shall have been sufficiently cleared of stumps and roots of trees and other impediments to admit of its being generally employed, even now many lands fit for the plough are cultivated in the less efficient manner employed by the Malays on new lands

*Cultivation by the Plough 20 Orlongs of Forest Land, First Year.*

| | | |
|---|---|---|
| Clearing at 20 drs. per orlong .. ..... | 400 | |
| 5 Buffaloes 9 .... .... ..... .... | 45 | |
| 3 Ploughs 5 .... .... .... | 15 | |
| 2 Harrows ½ .... .... .... .... | 1 | |
| 1 Roller ¾ ..... .... .. | | 75 |
| 2 Ploughmen and one assistant for 80 days' work; should the land be very stiff and not well flooded, the cost of this labour will be enhanced by ¼-th. The land is ploughed four times, and harrowed thrice ..... | 24 | |
| Preparing ½ orlong as a nursery for rice plants ..... ..... .... | 1 | 20 |
| 1 Cart *(light construction)* .... .... | 15 | |
| 80 guntangs seed paddie ..... .. | 3 | |
| Planting at 60 cents per orlong .. .. | 12 | |
| 1 Watchman, who also cleans, weeds, and looks to the supply of water, &c. &c. | 15 | |
| Reaping by the sickle or pingiau. If by riggum it would be 10 per cent .... .. | 8 | |
| 15 days treading out the grain by buffaloes, and winnowing it, (the former operation is made at night,) and 4 labourers .. | 6 | |
| Carrying home and housing .. .. .. | 5 | |
| Granary .... ..... .... | 25 | |
| *N. B.* A Granary costs for this quantity of grain about 25 drs. and will last 5 years only; being of light materials. | | |
| Mats, baskets, bags (these cost about 2 drs. and last 3 years) .... .... | 2 | |
| Loss by accidents .... .... .. | 2 | |
| Total of 1st year, drs. .. .... | 579 | 95 |

*Second Year.*

| | | |
|---|---|---|
| Expenses as before, only deducting for first clearing of land, for buffaloes, carts, Ploughs, &c. &c. granary and bags .. | 76 | |
| Total expences for two years, Drs. | 655 | 95 |

Produce.—When the land is of good quality, and well suited to the plough, then the *net* annual average produce of one orlong with another will hardly be less than 480 guntangs of paddie, or 250 of rice, in favorable seasons.

| | | |
|---|---|---|
| The crop from 20 orlongs will therefore be 12 coyans of paddie, at 35 drs. per coyan Drs. .... ..... ..... | 420 | |

For the two years therefore the case will stand thus:

| | | |
|---|---|---|
| Two years produce 24 coyans of paddie at 35 drs. per coyan ..... .... | 840 | |
| Total expenses of cultivation for that period or 2 crops .... ..... | 655 | 90 |
| Drs. | 184 | 10 |
| Deduct interest 84 drs. averaged at 15 per annum, and quit rent 30 drs. .. .... | 114 | |
| Net profit drs. ..... .. | 70 | 10 |

Were the paddie to be converted into rice, the profit would probably be sometimes diminished by about 15 Sp. drs., as the cost of unhusking and winnowing the paddie would amount to 75 Sp. drs., being 1¼ dollar the cooncha, and especially as paddie and rice do not always bear the same relative value in the market. The price of 35 drs. has been assumed as that which has for very many years back been deemed a fair average one. Whether it will continue to fall or rise, will depend on events which it is not easy to foresee. But the probability is rather in favor of enhanced prices in the coyan. At the end of the second year the clear profit by the above estimate is 70 Sp. drs. after the capital has

been returned, and interest on all charges have been deducted. For every subsequent year therefore we have

| | |
|---|---|
| 12 coyans of paddie at 35 drs. per coyan drs. .... ..... ..... | 420 |
| Expense of cultivation .... .. | 76 |
| | 344 |
| Quit rent and interest ..... ..... | 15 |
| Total profit, drs. .... .. | 329 |

This will be a profit of 16 dollars an orlong after deducting interest on the the outlay.

It will be borne in mind that the highest present rate of productiveness has been stated at 600 guntangs of paddie an orlong, which would admit of a net profit on one orlong of 20½ Sp. drs. It is probable that a failure of the crop may be looked for once in ten or twelve years—for in these regions there is evidently a cycle of season although the cause is not apparent;—and those of the intermediate years will fluctuate in quantity as is the case in most countries.

Having now shewn the return which,—on an average of soil with the most approved present practice, and with every natural obstacle to cultivation surmountable by industry removed, it is possible to obtain in favorable seasons, it remains to describe the modes of cultivation which from want of capital, from local impediments encreased by that want, and too frequently from indolence in the cultivator, are adopted by the majority of the ryots. The original cost of *clearing* it will be held in mind is always *presupposed.*

*By the Tajam or Perang.—20 Orlongs.*

| | |
|---|---|
| *Seed time.*—Hire of coolies with tajah to cut bushes and destroy weeds drs. .... | 40 |
| Samai or plants ..... ..... | 10 |
| Planting at 60 cents an orlong .... | 12 |
| Total Sp. drs. .... .... | 62 |
| *Harvest.*—4 men watching from seed time to harvest. ..... .... | 8 |
| Reaping with the ringgam at 10 per cent. paid in kind on the spot ... ... | 42 |
| Carrying home and housing at 6 per cent ..... ..... ..... | 20 |
| Cost of granary estimated at 5 drs. annually | 5 |
| | 75 |
| Total Sp. Drs. ..... .... | 137 |
| Quit rent averaged as before ..... | 15 |
| Interest on outlay ..... ..... | 8 |
| | 160 |
| Produce averaged as before—value.... | 420 |
| Yearly net profit after recovery of capital—Drs. ..... .... .... | 260 |

Pindiyan or Ijah Karbau.—In this method of cultivation, the ryot hires a herd of buffaloes and turns them into the flooded land. They are there driven about until all the weeds and grass are fairly trodden deeply under the mud. The hire of a herd of 50 buffaloes amounts to about 1½ Sp. drs. a day, and they will prepare 2 orlongs daily. The expense is Sp. drs. 30 for the 20 orlongs.

The other expenses must be calculated as before. The saving in labor, compared with the tajah method, will not perhaps exceed 10 drs. but the gain by a larger crop will perhaps be considerable. The expense of tending a herd of 50 buffaloes if kept for the above purpose would be 75 Sp. drs. a year. But when carts come into more general use as roads are extended, the combining of other employment for buffaloes with agriculture will no doubt be introduced more universally.

Ooman.—In this dry cultivation the jungle is cut down and burned, and holes being immediately made in the virgin soil with a sharp stake, four or five seeds of paddie are dropped into each, but are not covered with earth. This cultivation is often mixed with that of Indian corn, sesame, cucumber, melons and gourds, and pulses. The cost of clearing and cultivating one orlong will be about 12 Sp. drs. the first year, and for the third year (the second being unproductive) about 10 drs. The average produce for the first year is reckoned about the same as that of samai land. It falls off afterwards, as neither the plough or manure are applied.

The Malays cut with the ringgum on lands where the sickle might be used. In addition to the reason before assigned for this expensive process, namely that the grain does not, from being mixed perhaps, ripen all together, they object to the sickle because a good deal of grain is lost by falling out while being cut. There may be some truth in the first objection, and its cause might in time be removed. In regard to the second, the loss by shaking is a mere trifle compared with the enhanced expense incurred by rejecting the sickle.

It appears therefore that by judicious management capital expended is returned within the second year, the seasons being propitious, leaving a balance of profit in the cultivation of 20 orlongs of about 70 Spanish dollars. But it is obvious that were the bare capital to be recovered, and no more within such a short time, the speculation would be a very favorable one where capital had no other more advantageous outlay.

Rent.—Ample as the above described profit may be considered, yet the money rent of land is not always proportioned to it. We have been viewing the proprietor and ryot as one person. Disjoin the two and the state of the case is disproportionately altered.

The highest rate of money rent as yet does not exceed four Spanish Dollars an orlong (1⅓ acre) the average being about 2½ drs. But when the rent is paid in *kind*, its amount is frequently nearly doubled. Money rent is almost invariably paid in *advance*, while rent in kind is paid after the harvest. In the latter instance a poor tenant can give no other security than that of the expected crop, unless indeed he mortgages his land. To this subject I will revert hereafter. But a proprietor will best consult his own advantage by taking a far less usurious one.

A ryot's labor for six months were he only to employ himself in his rice cultivation would be about 13 Spanish dollars' value. But he is not confined entirely to it, for his

family can watch it while he is employed in other labor. In fact he hardly feels this part of the cultivation to be any expense. Should the proprietor of good land get one third of the gross produce value as rent, then he would receive under the ploughing system 140 Spanish dollars for 20 orlongs of land, and his tenant would have 201 dollars after deducting the wages of labor. Under the taja method his rent would be the same while his tenant would get 143 dollars, assuming that the rate of productiveness is the same in both cases, the difference in profits arising from a saving of labor and not from increase of produce. In both cases the landlord would receive a disproportionate share of the produce of his land while the tenant would have high profits.

Under such a rate of profits, arising too from a small outlay of capital, on the part of the farmer, the landlords it might be said have a far larger share in shape of rent. But although it is highly probable that his rents will rise, it is also pretty certain that the risks attending cultivation will cause that rise to be slow. Perhaps, if prices of produce do not fall much, or labor become dear, he may hereafter be able to obtain a third of the gross produce as rent.

The foregoing remarks rest on ascertained data, but from the nature of the country and the population they may not always be invariably applicable.

If four dollars be taken as the average money rent per orlong of good grain land, the corresponding number of years purchase would be on an average about six years. An average of prices will not determine this point, for they will depend on the capital which confined profits in other channel may compel the holders to invest in land. If this were to be the rule then instances could be adduced of sales at ten years purchase. The competition for fresh rice land is now so great, that the disposable quantity will most probably within a very few years have been given away. The Malays take the best land first if conveniently situated, but otherwise they take that which is most easily accessible if it will yield a return for the labor to be bestowed on it. It will not perhaps be until all the remaining lands yet lying under jungle shall have been occupied and cultivated that the true value of grain cultivation to the several classes concerned, the landlord, tenant, and labourer will be fully ascertained.

But as advantages might arise to the public, to individuals, and to the revenue could any thing certain be known regarding these two important points of rent and price, it will now be my endeavour to explain how far some of the broad principles of Political Economy seem to bear upon them, and to what extent inferences for the future may reasonably be drawn. To those who view the science of Political Economy as only strictly applicable to large and populous nations, an attempt of this kind may appear superfluous. But in reality the principles of that science, if just, ought to adapt themselves more or less to all the gradations in the scale of nations; and the very circumstance of a territory being limited in extent, being situated within the range of active trade, yet having a population of a decidedly agricultural bent, would seem to point it out as a fair test of some at least of these principles.

By tracing their effects on a small scale, we shall always obtain speedier results. England and China are perhaps the two nations which have pushed cultivation the farthest with reference to the powers of the soil; yet both contain large tracts of waste land. In a small territory, with a strong tendency in the people to increase, the cultivation may in a comparatively short space of time be urged on until it shall be checked by a deficiency of cultivable land alone.

However incomplete this attempt may be found to be, still it is presumed that even a European Political Economist might be glad to view the degree in which his principles are likely to apply in the diversified regions of India *beyond* the Ganges, and especially to any one of these the population of which enjoys the benefits of British law and protection, adhering at the same time to its own peculiar customs, religions, and rights of inheritance.

Amidst the mass of conflicting opinions and systems which have been advanced with the view of unravelling the intricate web of human affairs in the advanced stages of society, we have yet some plain and original principles on which the mind by reverting can repose as if on the massive base of a splendid superstructure. Had the science of Political Economy dated its birth from the period when mankind first relinquished the crook and the bow for the plough or the spade, we should not perhaps at this day have often been wandering in the mazes of speculation, or been condemned frequently to doubt or reject reasonings which, however apparently impressed with the stamp of truth, have not been tested by experience.

But instead of this, it began like the science of geology by broad assumptions, which could not be easily refuted or proved to the letter, because they were not the fruits of induction from undoubted data, furnished by experience; and it has only been by the most painful investigation of comparatively recent effects that the present age has been able to elicit some sparks of truth.

When we revert to the first stage of society, we find mankind existing chiefly as hunters, or shepherds. Neither of these conditions was favorable to the arts, and the latter one only touched occasionally on the regions of science, without being much enlightened thereby. The soil was a gift to both, but of different value to each. The hunter required a wider range, and the precariousness of his means of subsistence tended to keep population at a low standard. Having satisfied his pressing wants, and other tribes being then in as low or nearly as low a condition as his own, his artificial wants were extremely limited and

could be supplied by himself. The shepherd roamed over a more limited space, and the soil became of more value to him than a larger tract to the hunter, because not only could he secure food at all times, but generally in such plenty as to allow of a surplus, which last generally went to increase the number of his retainers under the patriarchal rule.

But the tribe of hunters and the tribe of shepherds from the nature of their avocations could never settle long enough in one spot to admit of any accumulation of exchangeable capital, for then wealth being all nearly of a like nature, and at any rate not very exportable, there could be no inducement to any interchange of it. In process of time, however, some artificial wants would be created by the natural restlessness of the human mind, and as the shepherd or more rarely the hunter could not consume his surplus game, or cattle or milk, skins or wool, he would be glad to save himself the trouble of manufacturing those articles, which besides food he began to find conducive to his comfort. After a while these wants would increase, and as a new class of men would now have been created by this appropriation of surplus food, and as a constant state of locomotion joined to increasing population and to circumscribed limits arising from the growth of neighbouring tribes, would be inimical to a full enjoyment of these new conveniences, he would begin to settle down and to cultivate the soil. Here, then, mankind would have reached the second stage of improvement in wealth, and he would now for the first time have been separated into two distinct classes, the supplies of food or necessaries, and the supplies of luxury or convenience. But still these two classes would not be able to live far apart, for although the first might dispense with luxuries, the second could not dispense with food, and in the more rapid progress which society would afterwards make, it could only be in a very few detached spots favorable as emporiums for commerce that a population could exist wholly by an exchange of luxuries for food of foreign growth, nor in any stage of the advancing society might it be safe for a such a population to depend on such a supply, for, as before observed, the consumers of these luxuries might dispense with them in a time of scarcity, and thus deny food to the suppliers of them. Nature which has so bountifully given to man the ground to till, has ordained that every country shall not produce the same species of food. Hence it would happen that, except in cases where countries were near to each other, and peopled by similar races, the various kinds of food yielded by the different regions on the globe would not beyond their respective boundaries possess much, if any, exchangeable value, not even should the intrinsic value of any one species of food, whether corn or otherwise, be decidedly superior to any other species, because nature has likewise so ordained that the population of any given country, with extremely few, if any, exceptions, prefer the grain or food which it yields to that of any other country, and cannot be easily induced to substitute the latter for the former, even allowing that it were of a better and more nutritious kind, and that it could be cultivated instead of the food to be displaced, and it is plain that if the latter could not be done the attempt at substitution would fail.

But as each nation would from its soil, or geographical position, or otherwise, possess distinct natural productions independent of the principal one of food, hence these would become one of the mediums for commerce, and whenever the cultivators by the addition to the supplies of luxuries and articles of convenience produced by this increased supply to them of food, should have created a greater quantity of such artificial objects than the population of the given country absolutely required, then the surplus would become exchangeable for foreign luxuries and objects of convenience.

After men had reached this third stage, capital would for the future oscillate betwixt the producers of food and the suppliers of artificial wants and luxuries. When food became so cheap as to lower profits, capital would go to manufactures, and when by competition here an over supply was created and prices fell, capital would be withdrawn. There would be a constant tendency to an equilibrium; the balance alternately inclining more or less on one side.

Those who have seen society in the most favored spots on the globe reach a high state of refinement, and have also visited nations and tribes in all the stages of civilization, betwixt that and the lowest condition of the human race, may not feel disposed to dispute the position that the cultivation of the soil is the basis on which rests all the real wealth, and much of the moral wealth and happiness of the human race.

The pillars of the fabric may be lost to view amidst the lofty spires and buttresses which they support. But should these pillars be removed by the agency of man, he will, if he perishes not in the ruins, be compelled to reconstruct the whole.

Political Economy in short seems to resolve itself into an endeavour to trace the causes which tend to create the oscillations of capital just adverted to, and to apply a force which shall restore the equilibrium of profits, or the rate of profits, which by the natural laws affect the soil or supply of food, ought to be obtained.

But Political Economy is one of the most difficult of sciences, because it is not purely an exact one, and because it imposes the task of exploring the whole range of human knowledge and intellect, the political and moral, as well as the material world. Its grand principles even could they be demonstrated to be truths, and many of them are valuable ones, can in a great majority of cases, be only deemed abstract truths, which either become known too late to be of use or cannot be used, or when applied to the actual affairs of men, are apt by a thousand causes to be deflected from their proper application. If one were required to cast a large stone down a chasm,

he might or might not have the power in the first instance to lift it. If he had and did throw it in, then it would be a physical truth that the stone if left to itself would reach the bottom. But in its descent it might be impeded by jutting rocks, might rebound from side to side, and be perhaps arrested in some cavity, or if it did reach the bottom, a volcanic power might at once eject it to its original site.

In the like manner the true principles which if unchecked would regulate the amount of national wealth are turned from, or retarded, or stopped in their natural operation by the conflicting currents of human affairs, by various political, moral, and intellectual influences, and by the imperative agency of physical causes on all these.

In the succeeding observations it is of course assumed as a truth, that the State becomes in the East, both lord and proprietor of all waste land from the period when the territory is ceded to it, or comes permanently into its possession by right of conquest.

After much discussion regarding the best site for a settlement in the Straits of Malacca, the Government at length fixed on Penang.

It was taken possession of, and the British flag was hoisted on the 7th July, 1786, consequent on its cession to the H. E. I. Company by the Raja of Keddah. The Island was then but very thinly inhabited.

The insecurity of the harbour, owing to the pirates and banditti who lurked on the main land opposite to it, induced the Government to obtain a cession of a part of it from the same Raja. This took place on the 1st July, 1800. It was then termed Point Wellesley, which not being a very correct designation for a line of coast, was subsequently changed to Province Wellesley. At this period it may have contained 1,500 inhabitants, including a very few Chinese.

In the month of November, 1821, the Raja of Ligor invaded Keddah with an army of seven thousand men, and took possession of it for his liege lord and master the King of Siam.

It would be foreign to the present subject to enter here into any detail of the causes which led to that occupation. Its effects were to place the British relations in this quarter on a new footing, and to pour into Penang, but chiefly into Province Wellesley, a large body of Malays who naturally preferred British to Siamese protection.

Immediately after the above event, the then Governor, the Hon'ble Mr. Phillips, took prompt measures for securing to Penang all the advantages which were expected from a settlement of the coast or province alluded to, and placed as he now is in an honorable retirement, it will no doubt be gratifying to him to find that his endeavours have not been thrown away.

When the invasion of Keddah took place, the population of Province Wellesley did not exceed 5,000 souls.

It is now (January 1835) as under.

| | |
|---|---|
| Malays | 42,488 |
| Chinese | 2,255 |
| Chuliahs | 549 |
| Bengalese | 579 |
| Siamese | 490 |
| Total | 46,361 |

The agricultural portion of this population is 42,000, including sugar growers.

| | |
|---|---|
| The remainder consists of Traders | 309 |
| Artificers | 216 |
| Weavers (Women) | 500 |
| Day labourers and poultry collectors and venders | 600 |
| Boatmen | 960 |
| Fishermen | 500 |
| Wood-cutters, &c. | 754 |
| Dealers in cloth, &c. and hawkers | 531 |
| | 4361 |

But it should be kept in mind that a great many of the agricultural class, as before observed, are shop-keepers, trade, and otherwise employ themselves betwixt harvest and seed time, and also occasionally work as day labourers.

The males exceed females in the whole population by 2,111, which is mainly owing to the few females amongst the Chinese, where the males are nearly as 5½ to 1 of females; and to the excess also of males over females amongst the Chuliahs and Bengalees. The sexes are nearly on a par amongst the Malays, the males only exceeding by 112. If the reports of deaths are correct, they have been 404 for the past year, including accidental ones, which have been unusually numerous. This would give nearly one in the hundred.

There are three large villages, consisting on an average of 300 houses each, and also numerous smaller ones, averaging from 20 to 50 houses each.

But the ridges of light dry soil, which stretch along the country, present in some places for three or four miles in length continuous villages, composed of houses, with a garden surrounding each.

The average number of persons to a house is very nearly 5½.

There are 21 bazaars, 28 mosques of a slight construction as yet, 19 natives schools, in which from 500 to 600 boys are taught to read the Arabic character and get the Koran by rote.

It is probable that this foolish system of instruction, although it is useful as mere discipline, will in time give way to a better.

There are in the Province 321 large and 850 small boats.

The births have not been given, as there is some doubt whether all have been fairly reported. In fact, it will perhaps be some time before correct inferences as to increase of population can be drawn from native returns, most especially as to the average duration of human life, which is a main element in such computations.

The remaining population of Keddah may be 20,000, although probably it is considerably

less. But agriculture and population are fast retrograding there under the rule of a people for whom the Malays entertain feelings of contempt and hatred.

And here it may be asked, how has it come to pass that this peninsula has not been fully peopled, for if the British possessions be excluded, it is believed that the remaining portion, including the Siamese provinces of Keddah, Ligor, Sangora, Daloong and Patani and the Malayan States of Caantan, Tringanoo, Perak, Salangore and Johore does not contain above 150,000 souls, as an indigenous population. There may be perhaps from fifteen to twenty thousand Chinese, who are seldom permanent settlers. Tradition, history, and actual observation for the present would sufficiently prove that there are but few obstacles opposed in this region to the increase of the human race.

Keddah and Patani were both populous countries before they fell under the Siamese dominion, and were population to advance from this date over the whole of the tract in question at the same rate that as far as returns go it appears now doing in Province Wellesley, it might be fully peopled in an assignable period. The cause of the depopulation it has suffered can easily be traced to the despotic and barbarous rule of disjointed as well as concentrated native Governments, which inevitably tends to shorten the mean duration of human life by debasing the moral, and weakening the physical energies and capabilities, to foreign invasions, including those of the Portuguese, to constant internal predatory warfare, to the diversion of trade into new channels, and into more expert hands, to changes in religion, and lastly to a circumstance, without which, some of these causes might not have so widely operated, the facility for emigration afforded by the numerous rivers and creeks which intersect the country.

It may safely be predicted of this region, that its regeneration will never be effected by a native Government. However just the principle of population defined by Malthus as an abstract one may be, and he himself only states it as a conditional one, the checks to its operation here would be sufficiently consolatory to the mind of any person disposed to hold that principle in an absolute sense. As no condition could be supposed more desperate and hopeless for man than increase in his numbers, until he had overpeopled the whole habitable globe, so has nature wisely rendered such an event impossible, and it behoves man to strive to spread himself over the earth so that his numbers may not be diminished.

The case as regards the Malacca peninsula might not indeed be deemed quite hopeless, were it likely, which at present it is not, that European protection will ever be extended to its inhabitants in the mass. European colonization, in the strict sense of the term, would, it is imagined, be hardly contemplated under any circumstances, when it is considered that the climate, although salubrious, would not admit of Europeans labouring in the fields; but in a confined and local sense, it exists already. Capitalists, whether agricultural or mercantile, are the proper Straits colonists. Europeans, in any number, without capital, would be an evil. Slavery when it did exist in the Straits, was of little or no advantage to capitalists, although free labour was high, the latter being generally preferred, and it would have certainly been no boon now had it not even been abolished, since labor has fallen to about two-thirds of its former price.

It may here be as well to remark, that with reference to the above respective dates of cession of Penang and Province Wellesley, and to the Provisions of the new Charter of the Honorable the East India Company, Europeans it appears may settle on the former without a licence; but that a licence is required to settle in the latter. Many Europeans nevertheless are proprietors of land in that province.

Rent, Profits and Labor.—It is clear that the State or Government had the power at the period alluded to, of taking, had it so chosen, the whole of that produce which was surplus to the cost of production, meaning thereby the capital expended, with profit thereon and the wages of labor, as its share in the capacity of landlord alone. Even admitting that fertile waste land could have been had for a very trifling price or for nothing, still it is certain that the fertile land then in cultivation, or which might be cultivated, would yield a rent; and in fact the former did yield one equal to 1-8th part of the produce on the richest soil. It required capital, and was a work of some time to clear the natural forest, and the cost and trouble of clearing good and poor land was alike for each. But even if the ryot received in perpetuity land which could not and did not pay any but a nominal rent, then he was a manifest gainer, even allowing that the cost of clearing only repaid him for his mere labor and trifling outlay, for the land became of exchangeable value from the moment it was vested in the occupier, and it might in time be so improved, or external circumstances might so affect it as to cause it to yield a rent which would increase that exchangeable value; and if the ryot could get good land, paying rent at the above rate of 1-8th, which would secure to him one half of the actual produce, he might not feel disposed to go to a distance in quest of waste land. Rent on the best land at the period was just one half of what it is now.

The Government might then have taken what was thus detached in shape of rent on the richest soils, and a decreasing proportion of what might have been separated on all lands of an inferior description, down to the land which merely returned the costs of cultivating it; and could not, therefore, until highly improved, afford to pay any rent. Such a moderate rate of rent would, if not counteracted by external circumstances, have stimulated rather than impeded industry and population.

As it happened, the mass of the emigrant population were pressed for the means of subsistence, and the question of rent was hardly attended to by them. They would have gladly, at least for a while, have cultivated the land on such conditions alone as would have allowed them nothing but a bare subsistence.

But although the power existed, it might not have been deemed prudent by too early an attachment of rent to run the risk of discouraging a people who were new to our customs and laws, or of checking those first and ardent agricultural endeavours which could alone generate a capital on the soil and keep up the stimulus for the future. The backwardness of cultivation previous to the period in question, was not so much owing to a want of capital as of inclination to detach it from the more lucrative paths of commerce. The new cultivators were located on certain conditions, the chief of which were, that they should clear and cultivate within a given period, generally two years, and after this receive a grant in perpetuity at a quit rent to be fixed by the Government.

Thus the humane intentions of the State were seconded by the confiding disposition of the people.

Many of the lands so located were subsequently for a while granted to the occupiers at the nominal rent or quit rent to 20 cents of a dollar, which could not repay the cost of collection, and which for the average of rice lands is equivalent to only 1-75th part in the hundred of the gross produce value.

If rent was given by tenants as above stated when the richest land only was cultivated, and when plenty of fertile land was lying waste, and could have been had for a nominal rent, it is a clear proof that here at least it was not required for the separation of the due proportion of rent from wages and profits, to wait until all the fertile land had been occupied and cultivated.

We are here to prevent confusion throughout this branch of the inquiry, treating of grain land only.

Thus, too, although land equal in fertility to that which has been already cultivated is still lying waste, rents have nevertheless increased. As far as consumers are concerned, it matters little who are the producers, or whether the owners of the soil are the landlords or the labourers, nor to the classes of convenience and luxury whether they are paid from the rents of the landlord, or the profits of the labourer, tenant and landlord combined in one individual.

By a reference to the first part of this paper, it will be seen that the ryot under the old Keddah Government paid a quit rent equal on an average of present price to about the 1-8th part of the gross produce value, besides indefinite exactions.

A tenth of the crop is the nominal rent exacted by the Indo-Chinese Boodhist Governments in conformity to their religious code, which came originally from India. But all the people of these countries are subjected more or less to forced service, which sometimes reduce them to a state little short of absolute slavery.

This rate of ten per cent would scarcely ever have here exceeded four rupees an orlong, on the very best description of soil, which is just one half of the actual money rent, and one third of the actual rent in kind now paid by tenants or farmers to independent proprietors of land.

When from the advances of money which had been made by Government to the poorer ryots, and the extension of cultivation, the population had a clear course before it. It became necessary to make arrangements for securing to the State a fair proportion of what might separate itself in shape of rent. Those who came under the final settlement of lands already cleared and cultivated, could have no reasonable cause for dissatisfaction, because others had been so fortunate as to receive land nearly rent free, although they might perhaps have a claim to a proportionate release from any other possible assessments.

As it turned out, the greatest portion of the loans of rice and money which had been humanely made to the emigrants by the Government, was applied to other purposes than cultivation, and was lost. That a capital has been generated on the soil by little else than the mere labor of the ryot, is a fact which every day's experience now proves, in the increasing intensity of the demand for waste land without much reference to its quality, where that is not very poor. When population was deficient, land excepting the richest, or that very favorably situated, could be had for a mere nominal rent, or really for nothing: but the case has materially altered, when instead of having 5,000 persons of all ages to feed, there were 15,000 persons.

To have given land then for nothing would have only taught a population to set little or no value on what had become really valuable, and would have called forth no more exertion than was simply required to supply a pressing demand for food; thus depriving the community of that surplus produce which would naturally be otherwise created, and the State of that fair portion of general rents required for the public expenses. The benefits on both hands were reciprocal, and could not be disunited without one of them suffering. One great advantage was derived to the future prosperity of the Province in the facilities afforded for making a pretty equal distribution of the lands. The allotments have varied on the average from 2 orlongs, which a man with a wife and household of perhaps five or six persons can cultivate, up to 40 orlongs; a quantity which some of the respectable ryots, who had many debtor servants and larger households can manage.

There could not be much to apprehend from such a low division as the first, for although its tendency would apparently be to a still more minute sub-division, owing to the increase of

the population and to the Mahometan law of inheritance; yet the first cause would be countervailed by the checks opposed by the application of new capital, by improvements in cultivation, and by individual extravagance; while the second would, as it every day is, be obviated and its effects evaded by the custom of not parcelling out small landed properties amongst the heirs-at-law, but of selling them in whole and dividing the proceeds.

The ryot who should content himself with raising no more produce than he and his family could consume, would be rather an unprofitable member of society. But this could not happen amongst a large number, for as capital flows in from other places, or is created successively on the soil, so will the inducement be to sell the grant or a lease, be increased, and more substantial proprietors and farmers be substituted. The ryot who can realize 20 dollars for an acre of land removes to a waste spot, clears the jungle himself, and pays the increased rate of rent without difficulty.

It is, indeed, to be apprehended from the late rapid investment of small capitals, some exceeding two thousand rupees, on land that by the time when no more waste land will remain available, the causes already mentioned of increasing capital on the one hand, and of extravagance, improvidence, and indolence on the other, may induce a more unequal distribution than might be wished; and that the small class of proprietors who combine in themselves the functions of land-lords, farmers, and labourers, will insensibly melt down and merge in the mass of tenants and labourers; and when no more capital can be advantageously employed on the land, the probability is, that wages and profits will be low and rents high, and as the cost of cultivation compared with produce, owing to the general fertility of the soil, here is now, and is likely to be, in future small, so rents will bear a pretty equal proportion to the increase of produce derived from the improvement the land naturally receives from regular cultivation alone.

It is necessary to attend in an investigation of this kind to the distinction which exists betwixt dry and wet land; one which is peculiar to those Eastern countries where rice constitutes the principal vegetable food of the people. There, although as before noticed, some kinds of that grain will grow on ground not exposed to be flooded, still in a country with a limited territory, and an increasing population, such cultivation cannot be depended on for a constant supply of grain, while it generally involves the serious objection to its utility, that under it land is allowed one, two, or three years to recover itself. Whether hereafter the profits of cultivation will admit of the plough being applied to dry land with the view to a rice crop, seems extremely doubtful.

With few exceptions the Malays decline to cultivate dry land permanently, unless it be conjoined with flooded rice land; that is, land which is or can be flooded during the rains. In the latter case the dry land is formed into a *campong* or garden, with the owner's house in the centre, and in it he plants cocoanuts, plantains and other fruit trees, sugar cane, indigo, tobacco and pulses, and sweet potatoes. The proportions in which these two descriptions of land have been occupied may be about one of dry to ten of wet. It is the want of flooded rice land which is now drawing away to Province Wellesley many of our Penang Malays; and probably the remaining quantity may serve to meet the demand for a moderate period. When all the wet land shall have been located, there will yet remain several tracts of dry land, unless more capital shall have been employed on it than hitherto, for the raising of produce adapted to foreign consumption.

The condition of the Chinese sugar planters in the Province clearly evinces, that neither they or any other class of native cultivators have the means of speculating extensively in the cultivation of such land, without the support of mercantile or other capitalists.

It is not improbable that by the time when the present population considered as mainly an agricultural one, shall have increased to one hundred thousand souls, or a little more than double what it now is, a period which will be shorter or longer, more perhaps, according to the rate of increase by emigration than of that by births, the whole will have begun to press on the means of subsistence; unless, and it is a very probable supposition, an increased demand for luxuries and conveniences and accumulated capital may have begun to detach a larger proportion than at present of the people from agricultural pursuits. This process is in fact begun, and as there is already a quantity of grain produced surplus to that required to support this actual cultivating population, and it is believed more than sufficient for the support of the non-agricultural portion also, every increase in the quantity of produce will afford of a separation of this latter class from the former in a greater ratio than that at which population is increasing, which would seem to be a sign that the people are becoming more easy in their circumstances, and will probably become more so as the mass becomes still more advantageously distributed. In the event of an unrelieved pressure taking place, the surplus population will be obliged to cross into the adjoining territories of Siam or of Perak.

That men who have never been broken to the yoke of servitude under the Malayan rule, will emigrate willingly cannot be supposed; but if necessity compels a choice, Perak will be preferred. At this very period a large party which had been allured by the fertility of the land on the south bank of the Krean river, just beyond the Honorable Company's boundary, are preparing to return and to abandon the lands they have cleared for the greater safety enjoyed here.

Such, however, is the power of habit over the human mind, that should Keddah ever revert to Malayan rule; an event which as things now rest is highly, and perhaps, happily im-

probable, the old despotism of its chiefs would be forgotten amidst the early associations which would be re-called, and part of the *tail*, or older portion of the emigrants might return. It is now thirteen years since they fled with their families, and the rising generation can have little attachment to a country which a large portion of it never saw, and the others left at too early an age to feel much interest in its fate. They would soon feel the difference in the protection to life and property afforded by the new rule compared with the security derived under the British flag.

So long as numbers of cultivators here go, so much as they do, on a borrowed capital, it will be impossible for them to give that rent for land which the latter ought reasonably to yield by the employment of unfettered exertions, nor can they be expected under such circumstances to become improvers in the mode of cultivating. The extravagant or improvident habits of many of these men, as well Hindostanee as Malayan, have reduced them to this necessity, one from which numbers of the farming proprietors are not even exempt.

It is to be regretted that they do not find persons willing to lend at a fair rate of interest, especially as they can always give the security of the land. But pressed for money, they are glad to take the first that is offered, heedless of having to pay 5 per cent per mensem interest for it. The lender either receives his capital and interest back in cash or in produce.

If the borrower were to pay back both at the end of the harvest, he might still go on prosperously. But the lender, if a cunning Hindoo or Jawi Pukan, allows him too often some delay, until he brings him completely in his power, and then pounces on his estate. There is an excellent Regulation of Government, that all mortgages shall be registered to give them validity; yet strange to say, it is every day evaded by both mortgagee and mortgagers, partly from those careless habits of business unfortunately pervading our indigenous classes, and partly from a great dislike to attend at the Court of Judicature for the purpose of registry.

In nine cases, perhaps, out of ten, there is no deed of mortgage made out; the lender merely taking the grant of the borrower as a sort of nominal pledge, and calculating on the simplicity or ignorance of the latter for his not requiring its restoration until he has paid his debt. In this way titles are lost, or made away with, and much mischief done. In such transactions the lender frequently receives one half of the produce raised by the farmer.

But a cultivating proprietor could afford to give at the rate of 60 per cent per annum for capital for a period of five or six months only, provided the land was good.

It may be suspected, however, that this high interest could not be paid for many successive seasons without detriment; and profits and rents being in a fair proportion, no tenant could afford to pay it at all, and if he did pay it, he would probably very speedily yield up his estate to his creditor. It is a rate which no respectable mercantile speculator can pay, and under every view its payment may be considered as the mere expiring endeavour of the spend-thrift or the insolvent.

The native leaders on interest are chiefly Jawi Pukans, Chinese and Hindoos.

It is forbidden to the Mahometan to take interest for money, and this fact no doubt prevents him deriving advantage from the Saving Bank lately established at this settlement. Although it may be doubted, whether, if no prohibition existed, he would avail himself of this philanthropic institution so long as he could obtain 20 per cent per annum without risk, and 60 or 70 without any very great risk. His religious scruples are purely jesuitical, and never prevents him when avaricious from becoming a hard and griping usurer, the term payment, or a certain quantity of produce, being synonimous with that of interest.

When all the best and middling land shall have been cultivated, then the competition for profits will keep the latter down, and combined with improvements in cultivation will most probably raise rents.

It will appear from the statement of cost of cultivation before given, that much rent is lost by faulty agriculture; and it may be added, without involving a contradiction, by improved methods of cultivating, for in this latter case the landlord has not been taught by competition to see his advantage in a rise of rent through its operation. The increased proceeds in money, if not in both produce and money, by such improvements are so much added to profits and stock; but the stock as yet forms only a small part of the whole appliances to the cultivation of the soil. These profits, too, must increase if the price of produce rises, without a corresponding rise in wages or price of stock.

It may require more capital to keep pace with improvements, but rents will most likely rise eventually, because profits will probably be higher. If rents and profits combined are now about two-thirds of the gross produce on the richest soils, without the farmer having sunk any capital worth mentioning on the land, then nothing but a want of competition can prevent a land-owner from taking two-thirds at least of such combined rents and profits in shape of a money-rent, or even the whole of these, provided that in these cases he chooses to run the risk along with the cultivator, of bad seasons, floods, droughts, &c. &c., and to permit him to repay himself his third-share out of the standing crop under all circumstances, or as far at least as the crop will allow of, and at a valuation corresponding to, the average yearly price of grain.

But such a system would be doubtless injurious in the end, by cutting off those surplus profits which are the spurs to increasing cultivation and improvements in it, and which give the only chance for improvements being generally adopted, until the whole disposable

land having been cultivated, a pressure for food will force on improvements as a thing of course. It would be hazardous to attempt to fix the limit of agricultural improvement here, since the term is hardly known beyond the partial application of it in the manner described before, as that in which the plough is used. In this latter case the produce was very moderately estimated at 600 guntangs on the best land; but as a sort of general rule for present purposes, the quantity of 640 guntangs has been assumed as the highest rate which *ryots* allow under ordinary circumstances may be obtained from one orlong of land; but no correct information can be got from either land-lord or cultivator. Actual experiment has therefore been resorted to, or rather minute investigation of the ripe crops, and the results have been so far satisfactory as to prove that double the above quantity at least, or about 5,424½lbs. could be raised on one orlong, provided the whole field could be made *equally productive with the portion submitted to test*, and this would, if only double, be equal to 187½ bushels, or 139¼ bushels by measure to the acre. It may be observed that the grain was not selected out of a field for examination, but was taken in the straw at random. But cultivation is subjected to so many accidents, that although granting the possibility of such a rate of produce, we yet require facts to shew that it can be extensively realized, or even a near approximation to it attained by judicious management. It has been before observed that a bunch of rice is raised from six or seven seed plants: bunches may be seen at this moment in Province Wellesley containing forty or even fifty stalks, with an ear to each, and from six to seven feet high, and the average number of rice grains to an ear has been found to be about 250, and 360 have been counted in a single ear; yet great fertility is often a negative advantage, when not accompanied by a disposition in a people to employ the leisure confered on a large portion of its numbers in procuring the luxuries and conveniences of life; and when want of demand for these prevents it becoming a source of increasing wealth, which last will be of course the greatest where a high degree of fertility exists, along with such a distribution of the people as shall create the most effective demand for produce.

These particulars have been here stated more as subjects of natural history than with any desire that they be considered by the agriculturist of other than detached facts from which no general inferences ought as yet to be fairly drawn, but which are perhaps useful as shewing that he has not in all probability called forth all the whole latent capabilities of the soil, or devised expedients to prevent the fertility even already developed from being checked by extraneous circumstances.

There are strong reasons for supposing that no improvements will ever be followed by a much higher degree of productiveness than that which is exhibited by the most fertile land when first thoroughly rescued from primeval forest. Unless the increase of produce were to be considerable, it would not, it is plain, be worth the while to go to the expense of improving. Hence some of the best land which has been upwards of fifteen years under annual cultivation, continues to yield such heavy crops that the owners or farmers do not find it requisite to give it any other than the usual dressing by plough and harrow.

It is only to inferior soils that improved modes will apply with a certainty of corresponding profits.

Had the soil here been poor, it would still have been cultivated through necessity, if not choice; but there would have been few or no rents, nor any surplus produce or surplus capital, still the population would have advanced so long as land remained to give away—but it would have been little better than a pauper one. If the best land should be found incapable of being profitably improved, the rents will of course not rise unless the price of labor and stock fall, or the price of produce rise, or these three contingencies happen at once here. Rice land, even of the best quality, depends for its fertility here on a sufficient fall of rain on drainage, distance from jungle, embankments and other appliances.

The number of ears of grain, however, are not exact indexes of the produce. Thus 113 ears of the rice called *mayang srati* gave one English quart and 13 ounces by measure of paddie, while 193 ears of the sort called *biyong* only gave 1 quart 4 ounces; again 176 ears of *pattest* rice gave 1 quart 6 ounces, while 196 ears of the kind named *mayang pinang* yielded 1 quart 4 ounces only.

But if improvements do not increase the produce on the best lands, they will assuredly do so on all others in cultivation, until a regular and known gradation of soils, rents, and profits is established; and if the former cannot be improved, which is by no means here asserted, they can at least be prevented from deteriorating.

Fortunately the poor soils compose but a small part of the whole, and the very worst description, excepting what is absolutely sterile, may, by judicious management, yield a return, at least for labor, if not a profit.

In fact, the present profits of ordinary husbandry here are owing to the bounty of nature chiefly resolvable into the price of labor engaged on the land; and at the rate at which a ryot can live, he can obtain even from poor land a return ample when compared with the labor bestowed on it. But as before remarked, this arises from his not being entirely dependent on rice cultivation.

Were profits and rents to be estimated at the rate of wages absolutely required to maintain the population stationary, there can be little doubt on referring to the foregoing estimates, that these profits and rents would be much higher than has been here allowed. But fortunately from the demand for labor being considerable, and resources being at hand to counteract any relaxation in the intensity of that demand, the rate of wages is such as to

admit of a surplus for conveniences; and if the labourer would not relax his efforts, but save when he might, then labor would rise because competition would be diminished.

It would not be advantageous to the State, to the actual proprietor holding under it, or to the cultivator, were the latter to take poor land for a long period, or even for a moderate one, at an invariable or fixed rate. In either case he would not improve the land, and would probably leave it in such a condition that it would yield no rent.

It is in favor of the supposition that poor land will rise in the scale of productiveness, and in value, that the price of the instruments of agriculture or stock, and the quantity of additional labor required for improvements on it, do not perceptibly exceed what are wanted for the cultivation of land of medium fertility. The chief increase of expense will arise from manuring; so that if wages should fall at the same time, a rent will necessarily be separated. Thus it should seem that with a very trifling additional expense, poor land will be cultivated without materially, if at all, affecting the rents or profits on good land; but while produce continues to increase on good land susceptible of improvement, the rents may not be actually proportioned thereto, although the landlord will, without doubt, if prudent, be able to obtain a larger share of the produce than he before had.

Descending from the highest to the lowest description of the rice land, and assuming that the average rate of money rent for the best land is 4 Sp. dollars an orlong, or about one-sixth of the gross produce value; and that in kind two conchas, or actually one-half of the gross produce, we shall have the following scale.

*Lands of the best description—Money Rent, &c.*

| | | |
|---|---|---|
| 1 | Owner's or landlord's share according to present custom in money, per orlong, including quit rent .. .. Sp. drs. | 4 |
| 2 | Tenant or cultivator .. ..... | 12 |
| 3 | Labor and stock ..... .... | 8 |
| | Sp. drs. | 24 |

*Rent in Kind, &c.*

| | | |
|---|---|---|
| 1 | Owner's or landlord's share at *puwah*, i. e. one half the produce, that being the standing crop on the ground, which he has to cut and carry away .... Guntangs of paddy | 320 |
| 2 | Tenant's share .... .... .... | 107 |
| 3 | Labor and stock .... .... | 213 |
| | Guntangs | 640 |

*Land of medium quality—Money Rent, &c.*

| | | Sp. Drs. |
|---|---|---|
| 1 | Owner's or landlord's share, and as above.. | 3 |
| 2 | Tenant's share .... .... .... | 7 |
| 3 | Labor and stock .... .... | 8 |
| | Sp. drs. | 18 |

*Rent in Kind, &c.*

| | | Guntangs paddie |
|---|---|---|
| 1 | Owner's or landlord's share, and as above.. | 240 |
| 2 | Tenant's share .... .... .... | 27 |
| 3 | Labor and stock .... .... .... | 213 |
| | Guntangs | 480 |

*Third rate Land—Money Rent, &c.*

| | | Sp. Drs. |
|---|---|---|
| | Owner's or landlord's share, or as above .. | 2 |
| | Tenant's share .. .. .. .. | 2 |
| | Labor and stock .. .. .. .. | 8 |
| | Sp. drs. | 12 |

*Rent in Kind, &c.*

| | | |
|---|---|---|
| | Owner or landlord's share .. Guntangs | 160 |
| | Tenant's share none .. .. .. | |
| | Labor and stock .. .. .. | 160 |
| | Guntangs | 320 |

*Poor Land.*

| | | |
|---|---|---|
| | Labor at 10 pice per day and stock, &c. Drs. | 8 |
| | Return in produce .... .... Guntangs | 200 |

Scarcely repaying the outlay; but as before observed, poverty or other reasons will induce ryots to value their own labor at a much lower rate when employed on their own account than when sold to another, so that it might be difficult to fix the exact limit where cultivation would cease.

By the Malayan method, on which the above scale is grounded, we have a rate of rent in kind and profits combined, which it is believed no land can yield in England.

In some cases the landlord gives a *nali* or the tenth part of a cooncha, about half a dollar's value, to the cultivator, who then clears and plants. The young crop is then marked out into two equal portions. Each party takes one, and each watches his own; cuts the crop and houses it.

By this method the landlord may perhaps obtain a little more than one-third of the gross produce value.

In other times the landlord gives an advance of four or five guntangs for seed to the cultivator, on whom devolves all the charges of cultivation; when the crop becomes ripe, it is equally divided while standing on the field, and each party cuts and carries away his own half.

The risks of cultivation are the chief causes of such differences in the money rents and rents in kind. It is probable that these risks being diminished by improved management, the landlord will be able to get more, and that his share will bear an increasing proportion to the whole produce.

It is possible that land which yields only 100 guntangs will be cultivated. But this does not prove that the necessary price ought not to be higher than the amount of labor bestowed to obtain this quantity, any more than that the price of potatoes over Great Britain should be regulated by the rate at which an Irish peasant can afford to cultivate them.

The cost of raising two hundred guntangs of paddie on one orlong of poor land, together with that of transporting it to market, will be found pretty nearly to coincide with its average bazaar price, although the latter is not the effect of the former, but accidental, and is constantly liable to variation.

It has been before observed that the present average interest on capital sunk on good rice land is about 20 per cent received as rent in money; but it is clear from the rates above given of rents in kind, that many a cultivating landlord may now actually receive on the best lands, in favorable seasons, as much as 80 per cent clear profit, while on the third rate land, he may realize 30 per cent., and that his rent in kind, should he not cultivate, will in the firs

instance give him 60, and in the latter case, only the same 30 per cent.

These rates are not, except in the above item of 80 per cent., higher than have been known in Great Britain, where even 60 per cent. has been realized under very favorable circumstances; although it cannot fail to be remembered that in the latter case the capital embarked is much larger than that employed on rice cultivation, which is as yet a mere trifle, and entails no loss to a tenant at the end of a lease: but here a medium of 40 per cent. might be assumed so long as landlords could get one-half of the crop and seasons proved favorable.

A landlord here should not say that he ought to have any fixed proportion of the produce as his rent, for that last will only be the part or share which he can obtain under existing circumstances, so that taking due care, his tenant does not injure the land; he cannot further help himself against any slackness in competition unless he farms the land himself, with all its attendant vexations.

To realize the rents in kind above stated, a landlord must consent to run all risks with a tenant, including those of his death or failure to cultivate, and be prepared to guard against fraud, which unless he resides on the spot, may swallow up a large part of the rent.

The terms on which leases or grants for 20 years are now given by Government for waste rice land are so moderate, that very considerable scope is allowed for realizing profits, and the Chinese have even embarked on the cultivation, for as before observed, the ultimatum proposed as yet, after a sufficient number of years allowed for recovery of capital expended, will not exceed one half of the rent actually now received by independent landholders for the best soil. The Chinese, and perhaps the other classes too, will, in various ways bring the surplus to contribute to the public prosperity and revenue.

The Chinese are so systematic that next to European skill, their labors may be expected to bear the stamp of judicious innovations in cultivating.

In such a new country landlords will consult their own interest best by leasing their newly cleared lands for a few years at first, at progressive rates of rent; the last year's rent being calculated at a rate somewhat less than they might in a sanguine mood expect.

The present custom with land owners is to grant annual leases (with a few exceptions) which not only checks improvement and lowers profits and rents; but if the land be not very rich, tends decidedly to deteriorate it; for the tenant cannot afford to embark any capital or stock in the cultivation, and therefore makes the most he can with the least possible outlay of capital and labour.

The landlord must in the end be fully reimbursed for his relinquishment of high profits for several years after first occupation to his tenant, provided the land is capable of being improved so as to yield them, for these high profits will entice capital, which when once fairly sunk on the land cannot be removed, leaving the landlord a greater gainer.

In some parts of China the owner gets 60 per cent. of the produce, the rate of wages being about 8 cents of a dollar. Two crops are taken, and each individual bunch of rice is manured during its growth. The labourer occasionally gets 50 *chee* or brass coins (1,050 nearly to one Spanish dollar) and his food as daily wages. The Chinese assert that in this way an orlong would yield one coyan and 160 guntangs of paddie.

Rents in England are averaged at one-fifth of the gross produce. The average money rent here at present for all land, agreeably to the statements which have been before given, is nearly one-fifth. But it is believed that the rate of profits in the latter instance is much higher than in the former; but the tenant and his family are also the labourers, so that he with some items of expense deducted, actually receives all but the rent.

But Adam Smith has laid down that a larger proportion of produce should go to the landlord in rice than in corn, that is, meaning wheat countries, owing to the difference in the cost of cultivating each.

In this paper, rice has been considered as corn, for what are we to understand by that term, but the indigenous grain food of any particular country.

It is not desirable that very large capitals should be here invested in grain land by a few individuals, as from the limitted extent of territory this might become a sort of monopoly; and because, if carried beyond a certain point, consumption would be checked and population retarded, nor can it be desirable that too minute a sub-division should take effect so as to place land in the hands of those who cannot afford to improve it; but in other kinds of land, the more capital which can be embarked, the greater will be the stimulus to industry and to population, and the greater the benefit to the State and to society.

As matters now rest, the lessee for a period of five years of cultivated land, might easily recover his capital as well as profits, provided the rent was moderate; yet the landlord would reap in the end the benefit of this capital in as full a manner as if it had not been withdrawn. In fact, it would remain with the land.

It is plain that in a lease for a much longer period than five years, say for 20 years, the tenant might, without any considerable outlay of capital, and by an increase of prices, without an increase of wages, derive an enormous profit, and the landlord none.

But short leases of two or three years, although they give all that the land under the actual condition of produce, prices and competition can yield as rent, is in effect only killing the "the golden goose" and shutting one's eyes to what it would lay if carefully tended.—*Prince of Wales' Island Gazette.*

(To be continued.)

# THE INLAND CUSTOMS.

If the Spaniard showered a thousand blessings on the head of him who first invented sleep, the somnolent *employés* of the Company should render all due praise to their special benefactors, Mr. Trevelyan and his works, for the powerful and yet harmless nature of the narcotic qualities they yield to the lover of horizontal refreshment, and to the jaded mind of men in public life. Like Blackwood, we are never prone to brag of our own labours in the cause of our readers; but we may be allowed on occasions of extraordinary exertion, to confess an honest pride in the extent of our zeal; as for instance, in having gone through a work like Mr. Trevelyan's Inland Customs, the intricacy and dullness of which would baffle almost Mr. Curnin's perseverance. Bruce hailed not with more glowing pride of spirit, and weariness of body, the sight of the rising of the Nile, than we did the appearance of the colophon of the Deputy Secretary's labours, and the resting place of our weary literary pilgrimage. The pains of child-birth, however, did doubtless endear even Calaban to Sycorax, and our own labour has, in the same way, invested this uncouth literary bantling with a merit in our eyes others may fail to find for it in theirs.

Still, of the contents of this work, it is not too much to say, that "what's new is not true, and what's true is not new;" and the *Meerut Observer* describes the style, with its usual felicity, in a remark, that the author had the happy art of saying in twenty words what other people do in two. It is rumoured, however, that having read the maxim of some sensible man, "how to write a book on a subject, is the best way to make yourself acquainted with it." Mr. Trevelyan naturally accommodated the nature of his researches, rather to the extent of his own acquirements, than to the demand for information of an elementary class, by the public, for there is not the simplest axiom in the theory of taxation, and the Vade Mecum of Writers' Buildings, which is not enlisted in the cause of the Custom's Code, with as little conscience as Falstaff pressed Bullcalf and Feeble into the state service.

Indeed, we cannot but feel that this work on the Inland Customs has, on the whole, done as much harm as good. When the reformation of the system was first taken up by Mr. Holt Mackenzie, he designed the abolition of the Inland duties, with the exception of salt, and perhaps one or two other articles, and proposed as a compensation for the loss of their net revenue, to lay the amount on the maritime commerce of Calcutta. The Court of Directors entirely concurred with him, and recommended the drawing up of a regulation, based upon the views of the talented Holt. Financial pressure, however, prevented the plan being carried into effect, and the country has, in consequence, continued to be subjected to an evil, which bears the same relation to other public annoyances, as love does to the minor miseries of life, and this, every one knows what the poet tells us, is whipping, hanging, and drowning all in one.

Mr. Trevelyan, however, more anxious to get credit for devising a new scheme, than to exert the official influence he once possessed in stimulating the sluggish energies of Lord William Bentinck's mind, to an active advocacy of the plan, cut and dried by Mr. Holt Mackenzie, has devoted the chief part of his labour to disfigure this masterly scheme, in order to make it pass for his own. Instead of laying the whole burthen of the net proceeds of the Inland Customs on the sea-borne commerce of Bengal, he proposes to lay the present net amount of Inland duties, on all goods crossing the western frontier,* from the Hills to Mirzapore, and on all exports from Calcutta by sea, minus the amount of drawback allowed in the existing schedule of duties. His future ways and means are estimated as follows.

*Collections on the Frontier Line.*

| | IMPORTS. St. Rs | EXPORTS. Rs |
|---|---|---|
| Seharunpore .... | 43,290..... | 53,716 |
| N. D. } ..... | 1,23,266..... | 1,24,721 |
| C. D. } Delhi.... | 2,26,821..... | 81,507 |
| I. D. } ..... | 1,28,361..... | 20,926 |
| Agra Division.... | 11,00,495..... | 2,02,980 |
| Bundelcund ..... | 2,00,000..... | 1,00,000 |
| Allahabad..... | 52,472..... | 32,944 |
| Mirzapore..... | 99,648..... | 68,494 |
| Calcutta..... | ,, ,, ..... | 6,75,224 |
| | 19,74,353 | 13,60,517 |

Now, as in the year 1831-32, which Mr. Trevelyan takes as the basis of this estimate, the salt duty at Agra amounted to near eight lacks of rupees, and as that at Delhi is probably two more, we may deduct from the above statement those two sums, and the Calcutta export item, which at once reduces the total gross collections, realizable from the frontier line, to about sixteen lacks in round numbers; and which sum, after paying for all European and native establishments on the costly scale lately adopted, with miscellaneous expenses, will probably be reduced to about thirteen.† And is it for this petty

* The following extract from our author's work, shows the exact position of his proposed frontier line of chokies:

"That a frontier line of Custom House posts be established as follows. Commencing at Rajgurh in the Deyrah Doon, along the line of Ali Merdan Khan's Canal, the Nujjuffghur Lake, the Sonah Hills, and the Ferozpoor, Bhurtpoor, and Dholepoor frontiers, to the Chumbull and along that River to its junction with the Jumna. Thence the line should be carried down the right bank of the Jumna, to a point a few miles west of Allahabad, where it should be connected with the Touse, and following the course of that River and of the Belun after the junction of the two, it should terminate in the jungly tract south west of Mirzapoor."

† This is of course a mere guess. In modifying, however, the old uncovenanted establishment with a view to infuse more efficiency into the system, the Western Suddur Board have alone incurred an annual expense of about one lack and a half in the formation of the frontier line, over 260 miles from the Hills to Muttra. We may safely, therefore, assume that the cost of the whole line down to Mirzapore, will not be less than three lacks. To this too, we must add the cost of the Covenanted branch—say

sum that the whole trade of the central and western frontier, from Badshall Mehall in the Hills, to Mirzapore, is to be consigned over to the blighting influence of our present system of Inland Customs, though acknowledged on all sides, as in an incalculable degree, more burdensome to the subject than productive to the state? The chief part of the trade of the great intrepôts of commerce in Upper India, Delhi, Cosee, Muttra, Agra, Kuchowra, and Mirzapore will be brought within the proposed cordon. These places are the centre of the river and inland trade in our up-country staples; and thus commerce will continue to be clogged almost to their very gates, throughout, indeed, the most wealthy and enterprising part of the Agra Presidency. If such a scheme as this is to secure for its author from the Calcutta press the name of an indignant advocate of the claims of the people of India, well may they say, as soon as they have been taught Shakespeare, call you this backing your friends. The extent of the proposed line cannot be less than five hundred miles, with a breadth of at least eight miles, and over that whole space will the pestilence of this *Upas* tree of India range. No management or talent will enable you to relax the rigour of the present system without diminishing the revenue. The power of search, the exactions and corruption, the grievous delay, necessary and wilful, the insolent exercise of low and ill-paid authority, the interruption of communication by the shutting up of ferries and routes, the distress and ruin resulting from seizures and confiscation, the diversion of trade to channels less impeded, the enhancement of the price of goods in consequence of these checks and annoyances, and worst of all, the demoralization of the habits of all parties connected with an ill-defined and oppressive measure, are certain evils, which no one can attempt to remove or mitigate, in carrying the new plan into effect. They are all curses inherent in a vicious system. We must either submit the happiness and prospects of a large and wealthy tract of country to their unrestrained influence, or we must annihilate the whole of the Inland Customs, transit, import, and export, on all goods, except salt.

But not only is Mr. Trevelyan's plan twin brother to the present disgraceful system, but some of the sources of its productiveness are considerably overrated; it will actually raise some of its revenues from the purely transit trade, it will throw a double burthen on all those articles imported from Native states which may subsequently be exported from the Calcutta Custom House; and while it opens a wide door to smuggling, it must increase also the difficulty of efficient superintendence and control over the working of the Custom system.

The estimate given above is chiefly framed from the register kept by the Custom officers in the different districts, of all dutiable articles which crossed the Jumna and Ganges, during 1831-32, within the limits of each jurisdiction. All these goods are assumed to be exports and imports. Now from the manner in which the register is drawn out at Agra, and we may presume that a different system does not exist elsewhere, the four following classes of goods are embraced in it.

1st.—Passed from the right bank of the Jumna into the Doab, goods which had paid a duty of 2,15,966 Rs.

2nd.—Ditto from the Doab into the jurisdiction of the Agra Custom House, ditto 1,17,060.

3rd.—Passed on boats from the right bank of the Jumna to the eastward of Allahabad, ditto 8,84,529.

4th.—Imported to the right bank of the Jumna from the eastward of Allahabad, ditto 85,920.

Now in these four divisions, only those goods which may be the growth of foreign Native states, or which may be exported from the Doab beyond the frontier, will be brought actually under the assessment of the new line. Four-fifths of the cotton which pays duty at the Agra Customs House, is the produce of Delhi, Agra, and the Doab. The silk and cotton piece goods from Moorshedabad and the Doab, the fine and coarse sugar from Ghazeepoor, the Tat-puttee tobacco and groceries from Mirzapore, the timbers from Rohilcund, are not available for Mr. Trevelyan's estimate in respect to that large part of these goods, which is consumed in the Agra and Muttra districts, and the Doab. In the same way, the quantity of cotton piece goods produced in Juswantnuggur, Jullaysur, and other parts of the Doab, the cotton yarn spun in the villages around Agra, the Agra gold and silver thread, the refuse indigo, for native consumption, oil and oil seeds, and all which appears in the Agra Jumna Register for 1831-2, is all taken credit for in the figured statement of Mr. Trevelyan, though in fact the largest part of these goods were produced and consumed within the Company's provinces. We have gone into a laboured calculation on the subject, and we are fully convinced that after deducting 7,84,735 for revenue on salt which crossed the Jumna, and about 3 lacks for the pure transit trade, which will not cross the frontier, the net proceeds of the Agra collections on the new line cannot, at best, be rated on the basis assumed by our

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one lack more. It will be said, however, we presume, that this establishment is kept up in great part to prevent smuggling in salt, and that, as that duty must be levied at all events, it is unfair to debit the frontier line with the cost of an establishment, which must of necessity be kept up to protect our Bengal Monopoly. We ourselves, however, think that were the whole Inland Customs to be abolished, the expense of assessing the foreign salt might be reduced to a very small sum. No establishment would be required below the Chumbull, if the Tahseeldars were invested with the powers of a preventive service in Bundelcund. Above this point, two deputy Collectors at Delhi and Agra, with a moderate establishment placed under the Superintendence of the Tahseeldars, would be sufficient to put down smuggling as effectually as the locality of the places of production and consumption admit of. The Salt *sair* should be either abolished or farmed, or what would be better still, Noh, Boraree, Mandour, and one or two other large mehalls might be let in a united lease, *maul* and *sair* free passes being granted for all salt *bonâ fide* exported from each mehall, and the rest should be put down in toto. We look on the proposition for levying the duty on salt manufactured in the Doab and Agra villages by excise, as a proposition, to the merits of which Lord William Bentinck forgot to do justice, when as Commander-in-Chief, he told a Medical Officer, who had been President of a Committee on himself, that he had seldom, if ever, seen a public document bearing upon the face of it greater absurdity.

author, at more than two lacks and a quarter. If, too, Mr. Trevelyan's estimate is framed in the same way, in regard to Delhi, it is obvious that the cotton, oil seeds, sugar, and other articles of the produce and manufacture of British India, which are exported thence eastward, or absorbed in the local consumption of the large and populous tract of country about Delhi, will pay no duty at the new frontier line. As below Agra the Jumna itself becomes pretty nearly the frontier line; the objection now urged does not apply to the estimate of the collections of the remaining Custom Houses.

In support of our second objection, we have to remark, that as the proposed frontier line is to be 8 miles in breadth, and may be assumed to be 500 in length, the transit trade of 4,000 square miles of the country will be consigned over to all the annoyances; the existing system of Customs has been everywhere condemned, for inflicting on the country. The part of the line, too, above Allahabad, is thickly studded with small and flourishing marts, the prosperity of which must soon be expected to decline, from the withering influence of the Customs system, and trade will resort to places more fortunate in their position, on the outside of the cordon. Moreover, the three large and important divisions of the country—Bundelcund, Rewaree, and Hurriana, are treated as foreign states, the whole of their transit trade with British India will be brought under taxation. The quantity of cotton produced in these districts is very considerable, and will be burthened with a tax of 8 annas per maund, while the Agra and Doab produce will be free. The system proposed makes no compensation for the exaction of that impost from Cotton, in exempting these districts from paying duty on their imports from foreign States, because they are called on to pay for every article of British Indian produce they may import from the country beyond the new line.

At present, it may thirdly be observed, the trade of the country is brought under taxation, by Customs Houses and chokies being stationed at the greater part of the large towns and mercantile routes. The iron merchants of Agra will not smuggle iron from Gwalior or Dholpoor, because he cannot hope to be successful in running it without seizure through the gauntlet of the Meerut and Ganges chokies. The Shahjehanpoor sugar merchant is restrained from attempting to evade the Ganges chokies, by the knowledge that he can scarce hope to escape seizure at Agra or Delhi; but this check upon check will be removed when the frontier line is established. A narrow tongue of land, eight miles only in breadth, will be all the country within which seizure can be effected, and how easy it will be to run goods either way across this, over a line five hundred miles in length, is too obvious to point the attention of the reader to. Once across the line, and the duty is saved for ever. Besides this, the difficulty of working efficiently and mildly the new system will be great indeed. At present, Agra, Muttra, Delhi, Furrah, Kuchoura, and other towns on the Jumna, are the chief marts of the frontier trade, and the Custom House stations. Goods, therefore, are weighed on being stored in the owner or agents' ware-houses, and if on subsequent dispatch any difficulty arises as to weight or rowanahs, it is adjusted at the door of the merchants. But under the system of our author, the preparation of rowanahs, payment of duty, and weighing, will all be removed from the places of residence of the mercantile community, and on every west-ward dispatch of goods from the chief mercantile towns on the Jumna, the owners will have to leave their homes to journey to the residence of the Customs or patrol officer on the frontier, there to wait till his goods are weighed and passed, while his counting house or shop remains closed at Agra, Mutra, or Delhi. This is a most serious evil in its ramifications of annoyance, waste of time, and labour, increase of expense and transfer of business of the most important character from personal superintendence to the management of gomashtahs and agents.

Lastly, Mr. Trevelyan, in his estimate of Calcutta dutiable exports, has taken credit for duty on several articles, the produce of countries westward of his frontier line, and which will thus be subject to both duty on import and export. Cotton from Tonk, Dhoulpoor, Jaipore, and the adjoining countries, is imported to some extent into Agra; and hides, safflower, shawls, and saltpetre also will form part of the imports across the new frontier line. Now, whatever part of the cotton, hides, shawls, safflower, and saltpetre, or other goods, the produce of Native states above Allahabad or Bundelcund, Rewarec, and Hurriana, may be purchased by the European or native merchant for consignment to Calcutta, with a view to the export, will be burthened with two duties in the place of one.

We feel quite sure, that on a fair consideration of all these circumstances, our readers will pronouce a system of frontier customs as expensive, clumsy and unequal—that in short, it offends against every principle of the science of taxation. As the Agra Presidency has not been represented in the newly-formed Committee, we do trust that the Calcutta Press will stand up for the rights of the Western Provinces, and save our best interests, and the happiness of our people, from being made the victims of Mr. Trevelyan's crude and absurd scheme. Were the subject not of such paramount importance, we should enjoy a rich laugh at the manner in which this writer has attempted to run down Mr. Holt Mackenzie's plan. "The only serious attempt, however," observes Mr. Trevelyan in his report, "which has been ever made to get rid of the transit duties, was in 1825, when Mr. Holt Mackenzie took up the question in communication with the merchants of Calcutta. The resource which was then principally calculated on, for making up the deficit, was the foreign trade of Calcutta; and to this limited way of considering the subject, the failure of the attempt is mainly to be attributed. Sufficient pains do not appear to have been taken at that period, to treat the subject as a whole,

and to separate what is properly of the nature of internal duty from that which is yielded by the entire foreign trade, whether it be the maritime trade which uses the port of Calcutta, or the trade with the Native states which crosses the western frontier. The foreign trade of the western provinces, with the Native states in the interior, was left entirely out of the account with the exception of the single article of salt."

The plan for raising the whole of the net revenue of the Inland Customs, (except the duty on salt, which must be kept up to protect our Bengal monopoly,) from increased duties on the export and import trade of the Presidency, is simple in the extreme. Judgment of course would be required in framing the schedule of duties, so as to render the check to production and consumption as little as possible. Much, however, has already been written on the subject, in the Calcutta prints. Some members of the Committee just appointed, (and super-eminently Mr. H. M. Parker,) are men of high qualifications for the task, and with the aid of a man like Mr. George Prinsep, the whole anomalous system of the four presidencies might be reduced into one simple Tariff, for all British India, over a champaign tiffin party.

The *Calcutta Courier*, whose Editor unlike him of the *Hurkaru*, takes up questions connected with economical science, in the inverse ratio of his ability, has at length given us a few remarks on the modification necessary in the revisal of the system. This suggestion seems to us perfectly sound; to levy an export duty only on those articles of which we possess a monopoly, and to lay the chief burdens on our imports.

But whatever may be finally determined on in that respect, we do trust that the Inland trade, frontier and transit, will be both emancipated from the fetters with which it is now confined. We raise our voice against the continuance of any parts of the old system, though worked under the superintendence of a Board, able and effective as the western one is,* and we solicit the aid of our contemporaries, provincial and metropolitan, in denouncing the cruelty and injustice of any attempt on any ground to rescue so miserable a source of revenue from merited destruction.

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* To show the extent of misery the system must inflict even under its present improved management and superintendence, we shall merely quote a letter of the Board of Revenue to an Officer employed on the new frontier.

*Allahabad, October* 3, 1834.

Sir,—The Sudder Board of Revenue in the Western Provinces have had before them your report of seizures for the month of August last, and they observe that several of the entries which it is unnecessary to enumerate, indicate inattention to the spirit of S. 14 R. 9. 1810, which runs as follows. "It is moreover hereby declared that the articles enumerated in the foregoing section are to be subjected to the duties specified therein, as *merchandize* only. Second hand articles, or articles which may be in the possession of individuals evidently in private use or consumption are not to be subjected to any tax." The Board observe that numerous articles such as one chittack of raw silk, 2 pair of shoes, 1 cotton piece, 8½ seers of wool, &c. are subsequently released, while others as insignificant, viz. 1 matchlock, 1 choorpee, 1 pair of shoes, &c. are to remain in attachment. The whole of these seizures being in direct violation of the spirit of the Custom Laws, and having a necessary tendency to irritate and exasperate the community who are subject to them.

The above remarks in review of Mr. Trevelyan's work on the Inland Customs, were directed, the intelligent reader will not fail to have observed, more immediately against the system proposed by our author and the state of things referred to therein, as that existing previous to the late modifications of the Doab and Rohilcund Custom Houses. But this system now in the course of completion by the Western Board of Revenue, was reserved for a separate notice, for though based on Mr. Trevelyan's principle of levying duties only on the western land export and import trades, its line is essentially different, and other parts of the plan filled up in a more effective and productive manner.

The northern part of the line of frontier Customs Houses, under the charge of Mr. Money, stationed at Scharanpore, extends from the Hills to the parallel of Panecout, one line of posts being on the Jumna, the other on the Doab Canal, the extreme post on that line being Tindhun Bridge. The Board have, too, lately proposed and secured the re-establishment of the Rohtuk line of posts crossing Hurrianna, abolished in April, 1833, and intend, that the second line shall be removed from the Doab Canal to that of Alli Merdan Khan west of the Jumna, and the Deputy Collector now at Scharanpore shall be posted at Kurnaul.

The line of country immediately under the superintendence of Mr. Smith, the Collector of Customs at Delhi, extends from Kurnaul to Dunkeewur on the Jumna, some distance below Delhi, and may probably be increased in that quarter. For the second line, the Delhi Canal has been taken.

The Deputy Collector stationed at Horral, has charge of the frontier line from the parallel of the Nujufghur Jheel to Koilah Ghaut, including the town of Muttra, which jurisdiction is about 80 miles in length.

From Horal and Cosee the frontier itself becomes pretty nearly the first cordon of posts, and the Jumna continues the second line. This arrangement holds along the Bhurtpore, Keroulee, Dhoulpore, and Gwalior countries, down to the junction of the Chumbull with the Jumna at the *Puchnuddee*. This narrow tongue of land varies in its breadth from about twenty miles above Muttra, and about thirty miles in the direction of the Bansee Paharpur Hills, to about ten miles below the Utungun, where the Chumbull gradually gains upon the Jumna, till the meeting of their waters take place, off the Etawah district, and the jurisdiction of the Cawnpore Customs House.

Below the Chumbull, we learn that the frontier line will run by Calpee and Banda to the Hills west and south of Mirzapore, so as to cross the Saugor road and meet the Ganges at Chunar. A line it seems to be thought, will then be established by Jaunpore, Azimghur and Gorukpore, to prevent salt evading the special duty and being smuggled into the country beyond Ghazeepore. The formation of this line will enable the authorities to abolish the transit Customs chokies, with which the Saugor and Nerbbudda territories are studded, and will bring under contribution

the khinkhaubs and other imports into Lucknow from Benares.

The arrangements regarding the preventive service are complete from the Hills to the Chumbull. It is superintended by European patrol officers on a salary of 300 rupees a month. Of these two are in the Seharunpore; four in the Central Delhi; three in the Horal; and five in the Agra Division; each officer's beat being about 30 miles in length.

Of the Ghats on the Jumna and the corresponding bridges and fords of the Canals, three classes of posts have been formed, two of which are called open and unclosed. The first class of chokies is open for the transit of salt and every other article. The second class of chokies is open for the transit of all dutiable articles, except salt, shawls, and indigo, which are limited to the chokies of the first class. At each path way, ferry ghat and ford on the two lines, where there is any probability of illicit traffic being carried on, a small post is stationed, and no dutiable goods whatever are allowed to pass those posts, which are strictly preventive.

The Noh Salt Mehall is under a separate European superintendent, the Boraree Mehall is managed by the patrol, in whose beat it is situated, and the Doab salt villages are placed under an European officer.

The expense of the above establishment, exclusive of the allowances of the covenanted officers and sudder native officers, exceeds two lacks of rupees.

Under the orders of the Board of Revenue, the duties intended to be levied under system of Reg. 9. 1810, will only be taken on articles passing to and from the two cross chokies of the cities of Delhi and Agra, while the interferrence of the preventive service beyond those jurisdictions, is directed to be solely confined to salt of every kind, shawls, cotton piece goods when more than 5 pieces or 10 Rs. in value, sugar when more than 5 seers, tobacco ditto 20 seers, iron ditto 1 maund, alum, gullmasfur or safflower, dry ginger, salamoniac, assafœtida, indigo, gota kinaree, copper pice, when more than 100; and spices, hur buhera, amlas, coriander, sonf, ajwoyen, yera, white and black pepper, peepul, cinnamon, nutmegs, tejpat, saffron, peeplamoond, mushk, kalee jeree, camphor.

Such are the chief features of the plan which has been introduced on the north western frontier, under the superintendence of Messrs. Blunt and Smith. Hitherto, however, Government has not been favourable to the abolition of the Bareilly, Futteyghur, Allahabad, Benares, and Ghazeepore Customs Houses. Till this has been effected, the merits of the Board's plan of a north western frontier system of import and export duties cannot be properly tested.

On the whole we must say, that we consider the proposed plan as a great improvement on the system introduced by Reg. 9. 1810; and which, with a native, like that of the *Ficus Indica*, soon spreads its roots in the direction of every mart of commerce or mercantile route. The shackles of commerce on the left bank of the Jumna will at any rate be removed; and this a positive gain to the country at large; while as far as Delhi, Agra, Bundelcund, Mirzapore, and the trade embraced in the belt of land, which it seems intended to select for the line, in the Central Provinces, they will suffer no other additional evil beyond what they did ere the new system commenced, except inequality of taxation, with respect to produce produced within the two frontier lines, and exported westward. In closing these hasty remarks, we feel that we should not be doing our duty, were we not to add the mite of our praise to the commendation, so deservedly lavished by the Board of Revenue, and we presume by Government, on Messrs. Blunt and Smith for the unwearied zeal and great ability displayed by them, in drawing out the details of the new plan, in organizing the preventive service, and in superintending the working of the new system. We can vouch for smuggling being put down most effectually, and the annual accounts will, we are sure, exhibit a most imporant increase in the Agra and Delhi Customs Houses.

Having said this much, we must, in praise of a system as good as a measure can be, which is replete with every curse that can possibly be inflicted on the trade, the comfort and the feelings of the inhabitants of the most important section of the inland trade, we must repeat our fervent wish, that the whole of the new and old system, except as regards the duty on salt, may be made one neck of, and put an end to, at once. We trust that every well-wisher to the prosperity of Upper India, will join us in a "*bellum ad internectionem*" against this vicious system of taxation, and force the absolute necessity for its destruction on the convictions of those, who from hasty consideration, or other cause, may have been inclined to laud and uphold it.—*Mofussil Ukbar.*

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# ON CAPITAL AND ITS DIFFUSION IN INDIA.

## LETTER I.

TO THE EDITOR OF THE BOMBAY GAZETTE.

"The great misfortune of a country is an indigent tenantry. Whatever be the native advantages of the soil, or even the skill and industry of the occupier, the want of a sufficient capital confines every plan, as well as cripples and weakens every operation of husbandry."—*Hume's Essays.*

Sir,—Whether we look to the more remote, or to the later periods of Indian History, we shall find two circumstances which always equally strike us; namely, the extreme riches of Indian Courts, and the extreme proverty of Indian ryuts. But, if the sum total of the capital so amassed be taken into consideration, we shall find that it will appear comparatively small, when we bear in mind that it often embraced nearly the whole circulating medium in the country. A few millions formed an enormous treasure, in an extent of

territory far exceeding most European kingdoms. Strange as it may appear, excess of wealth in one class is not only not incompatible with excess of poverty in another, but in fact generally accompanies it. Those who witnessed Parisian magnificence, in the reign of Louis XVI., could, with difficulty, be brought to believe that the French provinces were even then bowed down with a load of misery. Despotism is indeed favorable to the accumulation of wealth in towns, and proportionably, unfavourable to its exhibition in the country. Personal property is much more secure from the hands of a conquerer than landed; and should domestic tyranny render one's residence unsafe, it is much more easily transferred to the dominion of a more friendly or less faithless prince. Moreover, in towns, the wealthy league together, and this forms a powerful aristocracy; a single member of their body may not be injured with impunity, and should the sovereign be heedless of their pretensions on other accounts, yet, there are so many occasions in which their pecuniary assistance may be either useful to him, or dangerous if afforded to a rival, that he would not readily wish to deprive himself of a support at once so weighty and so certain. I say so certain, because it is generally found that they who, if not ill-treated, are most interested in maintaining the order of things established, are men who, from the magnitude of their riches, have most to dread from the licentiousness of revolution. They must, in fact, either be held in consideration, or completely ruined: there is no medium. The nature of their property is such, that it is difficult to seize upon the whole of it, and if a part only be secured, they will merely be converts from peaceful subjects into bitter and irreconcilable enemies. In the provinces the matter is different, there they may be crushed singly, and separately, without finding much sympathy from any but their immediate dependents. Accordingly, we find in most despotic capitals abundance of hoarded precious stones and metals, and we find a proportionate deficiency of circulation throughout the surrounding lands. The very excess of such unproductive accumulations is in itself a proof of the absence of freedom; for if more productive property enjoyed equal security, it would undoubtedly be preferred. But, in arbitrary government, the whole fountain of justice is so utterly poisoned by corruption, that the proprietor of capital is afraid to embark it in any speculation which may, by possibility, end in a law suit. Thus, commerce, whether in landed or in other commodities, is almost totally debarred him; and if any trade be carried on, it is usually in the hands of a few monopolists, quite at the mercy of the minister, and who consequently are obliged to re-imburse themselves for the risks which they incur, by extracting enormous profits from the pockets of the inhabitants. Those who from the moderate size of their capital, are unable, or from other causes are unwilling to embark in these schemes, have no other alternative than to hoard specie. But this is not a sort of trade that will enrich a kingdom. A small stock with immoderate profits may possibly be for the interest of a few individual sharers; but the largest possible stock engaged in commerce, even if producing the smallest possible profits, will prove most beneficial to a state. Government securities which, in well regulated states, are at once so safe and so profitable a means of investment, are there unknown; or even, if notes of a something similar nature have been issued, they are either totally neglected by the judicious, or taken only on such terms as at once prove their instability. To entrap the public creditor, or, in other words, to swindle him out of his coin, is in some parts of the world considered a first rate manœuvre: though princes soon find that little is to be gained by it, as the real sum, which they obtain in future for their bonds, is always decreased exactly in proportion to their faithlessness, or perhaps rather more, as a man may generally get credit for more vice than he possesses. The consequences of this must be ruinous. Where money is obtained at an easy rate, and expended on proper objects, a consequent improvement in the nation will often take place, sufficient to enable it to repay the loan in more auspicious times without inconvenience; but, as with private estates, money so raised and so expended may be of the greatest service, so, as with them, cash raised at usury, and squandered on luxury, cannot fail to bring destruction, unless the country be rescued from its fate by some wiser and more provident person. Another source of public poverty, in despotic states, is the exposure to sale of lucrative offices. If the salary of such offices, with the perquisites, be not more than sufficient to compensate an honest man for the labour and responsibility of the situation, it must be quite evident that the sum paid to obtain them, must either be a gross extortion in the sovereign, or it must be given for some unrighteous purpose. And is there then no unjust imposition levied by the purchaser of place, &c.; and do not arbitrary monarchs connive at such enormities either that they may themselves more profitably bleed the leech when he shall have sucked his till, or for fear that the competitors might value at but a secondary premium the scanty emoluments, which barely rewarded them for their pains? Have millions never been assigned as the fortunes of those whose salaries could never have amounted to thousands? and if so, from whom were they wrung? not probably from the powerful, but from the humble tradesman and peasant, or from the humble mendicant, for, even the profits of mendicity have not proved too mean a prey for these harpies: harpies, they are most truly, and perhaps the poverty which they gratuitously occasion, is not less injurious than their interested spoliation. But not only these direct impediments to the honest employment of productive capital exist in despotic states, but other more indirect evil consequences ensue from the absence of sufficient liberty. Works of magnificence, use, or profit can seldom be undertaken in such states by any but the ruler, or his favorites. The insecurity of other subjects would prevent

their laying out large sums in such manner. If the work proposed were calculated to improve an estate, an extortion in the shape of a tax would probably absorb all the profits; if it were one of mere comfort or splendour, it is probable that fear of jealousy, envies, or some such petty passion on the part of the despot would at once prevent it; besides, the betrayal of superfluous wealth which it must occasion,—a betrayal most especially to be avoided by all who value their lives or the little that remains of their liberties, in those countries where the law is too weak to protect them, or the sovereign is too powerful, and too infatuated to respect them. If, then, all these means of honestly raising a fortune, or of serviceably investing one, which exists among wiser nations, be taken away, how is it to be supposed that the constant and regular circulation of capital, (as necessary to the health of a state, as that of the blood is to the welfare of the body,) can be kept up? The employments of agriculture, building, and trade are in Europe, the most general of obtaining and expending wealth; but in Asia, the profits of the first of these are too often reduced to a bare subsistence, the second, though occasionally patronized by a monarch, cannot meet with that steady and universal support which is necessary to ensure its progression, if not to arrest its decline; and trade, except the paltry huckstering of powerless individuals, is carried on at too great a disadvantage, to enable its followers to preserve that rigid integrity and regard for their country's happiness, which must ever form the richest capital, and the firmest support of the commercial man. In fine, whatever fortunes are made by farming, are made by extortions from cultivators, rather than by fair industry; and whatever is secured by trade, is accumulated either directly or indirectly by the loss of the public, indirectly by a nefarious purchase of a monopoly, or directly by loans at usurious interest, guaranteed by the power of practising peculation *ad libitum* on the poor and powerless inhabitants of the district. To rise, therefore, in the world by fair means, was long in India impossible; can we wonder that a perpetual course of iniquitous rule should have nearly banished the sparks of virtue from the native breast? Ambition is a passion so firmly implanted in the human soul, that nothing can totally eradicate it. The virtuous man is ambitious to shine by his virtues, the vicious by his vices; the end of both is the same, but the roads by which they seek it are different. It depends a great deal on those in power to give a proper direction to this feeling; they may make it prove of the purest and most exalted nature, or they may turn it to rankness and corruption. God made the feeling, man must conduct it; but, whichever direction is given to it, it will always continue to exist; and when the only road to power and distinction leads for any considerable period, through iniquity, vice will lose its hideousness to the eyes of the candidates, and virtue will cease to be regarded. This responsibility of the sovereign has, unfortunately, weighed lightly, or been altogether unheeded by too many of those who formerly held sway in these regions, and long, to all appearance, are their late subjects destined to feel the evils arising from the wickedness they implanted. But the longer we are masters here, the more thoroughly this will be eradicated; and if the generation we found on our arrival were too deeply imbued with a faith in tortuous conduct, we may at least hope, that the succeeding race, when they shall have discovered that "honesty is the best policy," will not prove deficient in truth or disinterestedness than our own countrymen. The ambition which now leads them to error, will then conduct them in the path of honour; and they will find that, independently of the gains of honesty, it is not without a more secret but pleasing influence; and what is more to the purpose of my subject, they will no longer emulate each other in peculation and avarice, when they find that the legitimate paths of profit are open to them, and that the prayers of their inferiors, the honour of their equals, and the esteem of their sovereign, are the noble rewards of a LIBERAL AND BENEVOLENT EXPENDITURE.

## LETTER II.

When I last wrote to you, my letter was on nity must be deeply affected by the state of this subject, and it is my intention to address you on the same till the whole shall appear to have been exhausted. The form which I use, and the limited space which you can probably afford me, must necessarily make my remarks seem somewhat desultory; but my only remedy for this, must be to state my opinions on each point as fully as need be, so that every thing worthy of attention will eventually have been offered to your notice. The subject, in fact, is of the greatest importance to all in India; for though the agricultural tenantry is the only species mentioned in the quotation, yet I shall include the whole population, whether devoted to agriculture or commerce, under that denomination. The interests of the trading portion of the community must be deeply affected by the state of the actual labourers of the soil. These constitute the most numerous portion of the public, and till Asiatic manufactures shall have so much improved as to compete with those of Europe, among these only must a vent for the commodities of the Indies be looked for.

One of the greatest foes to the increase of the capital of the landholder is payment of rent in kind. At first view, nothing can seem fairer than this arrangement: a certain portion of the crop is abstracted, and if the government gain a disproportionate advantage in times of plenty, it at least shares with the peasant the losses of scarcity. But, however fine this principle may appear when confined to theory, nothing can prove more baneful when it is put in practice. Where

a bare subsistence is the only reward of the cultivator, such a measure may perhaps be necessary; but if there be any who imagine that it is the interest of a ruler to deprive his subjects of all but the necessaries of life, I hope that at least I shall convince them, before I have concluded this series of letters, that both a pecuniary and every other motive demand that he should not remain a king of beggars and savages, longer than he is obliged to do so, and that the sum of his wealth should not consist in a few thousands buried in his treasury, but in millions and billions fructifying in the hand of his subjects.

Excessive taxation, or such as trenches upon capital can never be the parent of wealth to either a sovereign or a people. The former may indeed squeeze the last shilling from the tradesman, but, by so doing, he will reduce him to the state of a mendicant, and so forfeit every profit which he might have shared with him, had he permitted him judiciously to employ his little capital; and moreover, he is at the expense of guarding against, or punishing the crimes of one, who might, by the adoption of wiser measures, have proved a support to, instead of a drain upon, the nation. The law is a most expensive agent, and whatever be thought of its terrors, the most violent terror will ever be that of a man who has property to lose, and who, not reduced to a mere animal supply of food, has tasted too deeply of the luxuries and pleasures of life willingly to encounter the hardships of want, or the dangers of rebellion.

If, then, I say, it be not a professed object to ruin the tenantry, (which God forbid should ever enter the brain of an Englishman,) payment in kind I shall shew to be a most injudicious method of taxation.

First, we will suppose that the year has been a fruitful one, that the crop is heavy, and that it has been successfully gathered in; we will imagine, (though I believe it is generally more), that the government share is one third of the produce. Here, we have a labourer who works the whole ground, and is at every expense of tilling, reaping, &c., giving one third of his crop annually as rent. I will not say anything about the increase of toil and expense which must take place upon getting in a heavy harvest, over that which gives a light one; the proportionate increase in the two thirds which still remain may be a sufficient recompense for that. But after the corn has been gathered, what is the consequence? The agent of Government demands its share and it is paid. This share must be immediately converted into money, in order to be remitted to the treasury where it is required.

There are few who are ignorant of the nature of the national sales, where the article in question is often disposed of at far less than its true value, where the monied dealer may make thousands by a bargain, and the poor one may see property knocked down at such a price, as will enable the purchaser to re-sell it at a sum, which must put down all honest competition, and in consequence, be the ruin of those who are unable, from circumstances, to keep their goods till the others so cheaply obtained shall have been disposed of. Every man who knows anything of trade will at once confess, that where the ruling power turns merchant, all private capitals must withdraw; how much worse then must it be for those who possess no capital, but are obliged to live daily on their daily profits? When the sovereign becomes a cornseller, and a cornseller without reserve, the price of all corn in the country will be at once reduced to about the sum which he is able to get for his; a sum which may do very well for him, who has been at no cost of cultivation, but which may not even replace the expenditure of the unfortunate tenant. In other trades the dealer may buy in season, and sell in season; the corn dealing capitalist may purchase cheaply in a period of plenty, to retail to enormous advantage in time of scarcity; but the farmer must labour at all seasons, with nearly equal expense, to raise produce, which, by the necessities of his prince, may be rendered valueless. This is no fanciful picture. It is a picture which is daily realized, and which must of necessity be realized where the farmer has neither capital nor credit to enable him to make his sales at the most opportune moments. An evil, slightly approaching to this, is felt even in England, where men have merely the wealth of their compeers to contend against; but, from the greater facility there existing of procuring loans at reasonable rates on good security, it is much mitigated, and those, who in their first outset are indebted for their success to the pecuniary assistance of others, are thus, in time, able to amass sufficient property to be able to dispense with extraneous succour. But even there, the instances are not few in which small farmers, (who nevertheless are unmeasurably superior to any in this country), are ruined by the fluctuations of the seasons alone, when left to their own resources. It is this which gives such an immense advantage to the tenant of a large tract of ground. While his poorer brethern are selling their crops for what they can get for them; he is able, by his credit, to keep his till the cheaper produce of the neighbourhood shall have been consumed, and to make his own bargain.

But if the principle which I am decrying be ruinous in a fruitful year, is it not, if possible, more destructive in a barren one? In the former, the largeness of the crop may in some measure compensate for its cheapness, but in the latter the only dependance of the husbandman is on the greatness of the sum which he may be able to obtain for what has proved so deficient in quantity. But here he will infallibly be disappointed. When the Government share once comes into the market, adieu to all his hopes of wealth.

An average year's produce may be taken as the average quantity required for a year's consumption. Were it less, more land would be occupied; were it more, some now tilled would be suffered to lie waste. The Government share then may be supposed sufficient to supply the public four months. This will be sold for far less than the cultivators would expect for his portion. What, then is he to

do? Either to make the most of his wreck, or to wait four months, in expectation of better times. I need not say what the *coombie*, without a pice in his pocket, and perhaps with a large bill at his bunya's, will do; indeed, what he must do; for, as the bunya is interested in causing ruin to others if it bring riches to himself, he will not fail to take such steps with his debtor as must throw the harvest into his hands, at any price he chooses to allow for it.

And is this the way in which capital is to be acquired by the tenantry? Is this the way in which that want, which, Hume says, "cripples and confines every operation of husbandry," is to be obviated? Is this the way in which a people can advance to prosperity? Is this a way in which a Government will find its road to wealth? No, it is not. But, the true road will be found, by a proper application of that maxim, that THE SUREST FOUNDATION FOR THE POWER, RICHES, AND GLORY OF THE SOVEREIGN, ARE THE WEALTH, PROSPERITY, AND HAPPINESS OF THE SUBJECT.

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## LETTER III.

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In my last, I endeavoured to shew the mischief attending the payment of rent in kind, increasing or decreasing each year according to the largeness or the scantiness of the crop: in the present letter I shall consider a payment something similar, in its nature and effects, but differing from it in this, that instead of a portion of the crops being received by the Government, a sum of money is taken in its stead equivalent, at the time of assessment, to the market value of the produce itself.

But before I enter upon the subject, I think it would be as well to state the immense difference which should exist between the conduct of an ordinary landlord in letting his land, and that of a landlord who is at once the owner of the soil and the sovereign of the state. To the former the actual condition of his tenantry, (provided his rents be kept up to a high standard), may matter little. He may, if he find the clamours of the poor, or the outrages of the discontented, unbearable, reside in another quarter, and so save himself the annoyance which would otherwise considerably lessen his enjoyment. In saying this, I take the plainest view of the matter; I take an instance where selfishness is the only rule of conduct.

In remarking on what the proceedings of people are, and what they should be, I do not care to strain to better mankind; I would not endeavour to make them more generous, but merely shew them what their true interest really is. If every man, both in power, and out of power, will fairly consult that common, though often perverted and generally abused rule, and will follow it implicitly, he will find, if he be not an idiot, that it will lead him to every thing excellent, and if his career should unfortunately come to a different termination, he will discover, upon reflection, it is not because he has steadily trodden in the prescribed path, but because the gratification of some momentary, perhaps illegitimate desire has, in fact, led him astray from it.

The self-interest, I said, of the owner of a small estate may, if negligently considered, appear to warrant rack-rent and all its concomitant evils. By adopting these he may squeeze more from his peasantry than were otherwise possible. If his present renters be ruined, he is in the heart of a kingdom, and others probably will be ready to succeed them. His land may, under this system, bring a succession of misery to a succession of families, but he knows that, if the worst should happen, he will only have to recur to that more benevolent plan which he should have pursued in the first instance. If commotions take place among his people, the state will be at the expense of quelling them. He will derive every advantage from the protection of power, while his payment towards the support of it will be very inadequate to the benefits he receives from it: in short, while he keeps within the bounds of the law, the law will uphold him in his proceedings, however iniquitous they may appear in the abstract. With a sovereign landlord the case is reversed. If his tenantry be destroyed he can find no successors to them; for foreigners will not court ruin in a strange land, of the laws of which they are ignorant,—the climate of which, if not noxious to their constitutions, will be probably far from agreeable to them,—of the agriculture of which they are entirely ignorant, and of the manners and customs of which they have every thing to learn. As to his looking to persons occupied in civil employments within his kingdom, citizens would know nothing of farming, and the man who gave satisfaction and earned a comfortable subsistence in a town, would get little but broken heads if he took service in the country.

If, then, a sovereign landed proprietor of a kingdom cannot change his tenants, he must do his best to content himself with them; the first step towards which will be to make them contented. The small owner of ground may easily, if disliked, retire to a neighbouring country, which, if not so pleasing to him as his hereditary domain, will still be inhabited by his own countrymen, and blessed with a similar climate; but the monarch has no such resource. Where all the cultivators are his tenants, he cannot avoid their presence without abdicating his throne; and if he attempt to force them into submission, the expense of the force, with the utter cessation of payment

of rents in the disturbed districts, will bring him at last to know that a small pecuniary sacrifice in the first instance would have been better than the cost of an army, the desertion of thousands, the loss of the lives of many, and the disgust and ill will of all. It is in *vain for* a ruler to set his subjects' interests at nought; "a house divided against itself cannot stand:" if he wishes to be beloved and supported at home, and respected abroad, he must act in conformity to, not against the suffrages of his people. In saying this, I do not mean that he must obey the dictates of every mob, of whom one half are frequently knaves, and the other tools: but, by acting in conformity to the wishes of his people,—I mean attending to the suggestions of that part of them which embraces the wealth, integrity, and talent of the nation; those in fact, whose reputation and property are a security that their advice shall not be deficient in wisdom, or in honesty,—if wisdom and honesty exist in the country.

Thus, the conduct of the two proprietors may be essentially different; for the interest of the former may exist separate from that of his dependants, while the interest of the latter is bound up in that of those under him, and ruin or prosperity to them must be ruin or prosperity to him likewise. But regarding what should be the conduct of the petty proprietor I have nothing to do; it is only that of the princely landlord which concerns me.

As this latter must participate in the profits arising from the judicious employment of every atom of capital in his dominions, to increase that capital should be his first care; to foster its growth, not to destroy it, should be his object. By so doing, he may appear to suffer a slight loss at first; but even the temporary inconvenience will be more apparent than real, and he is by it strengthening each day the foundation of wealth incalculable hereafter. Capital is like the goose which laid golden eggs; properly supported, it will annually produce abundance of treasure, but once destroyed, its fruit will depart for ever. We may assume it as a truth, that whatever measure tends to assist the increase of the capital of the subject should at any rate be embraced, and that whatever tends to diminish it be at any cost abandoned. The profits indeed of capital are proper objects of taxation, but capital itself should, like the plough of the labourer, or the working tools of the artisan, be ever sacred from the grasp of power.

I have said so much by way of preface, that I have little room to devote to the matter itself, upon which, in the commencement of this letter, I expressed my intention to speak; however, I do not think that is very material, for, as in many books, I think here too the preface is the most important part.

But to return to the mark. A great evil, in paying as rent a sum assessed according to the market price of the crop, is, that in order to raise it as speedily as required, the cultivator must either hurry his produce into the market, however unseasonable the moment may be, or he must borrow the money from some banker, to be returned with interest, &c. when a more fitting time arrives. If he dispose off his corn at once, so large a quantity being suddenly exposed for sale will of course reduce the price, and in order to procure the Government valuation, he must necessarily, under this disadvatage, sell more than the Government share. In good seasons, this may not destroy all hope of eventual success; but in bad, what will become of him? If he prefer keeping his crop for a time, he must borrow money to pay his rent; the charges of which, to cultivators in India, are too well known for a person to suppose that any good luck, short of miraculous, could enable them to gain much by this measure. Indeed, the terms are purposely made ruinous by the village money lenders, because they being generally the village corn dealers, know that a refusal to lend will give the power of purchasing at their own price, and granting the favour will soon throw the affairs of the ignorat peasant into such confusion, as will eventually effect the same purpose. The roads are too bad, in most parts, to allow of men's seeking better markets: where the harvest is raised, there, too often, must it be sold; and what profits are made by this trade go into the pockets of the monied bunya, not into those of the poor husbandman. Want of capital is, in the first place, the cause of the mischief, but the plan followed in consequence of that want is such as must perpetuate its existence; and thus, while some Marwaries and other foreigners may, under our sway, acquire an overgrown personal property, beggary and misery are the attendants of THE MOST HONEST, THE MOST LABORIOUS, AND MOST LOYAL portion of the people,—THE LANDED TENANTRY.

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## LETTER IV.

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I have already spoken of two methods of collecting rents, which have been at most periods much in vogue in this country: I would now beg to draw your attention to another grievance of the land-holder, which if of less magnitude than those I have mentioned before, is not in proportion less injurious. I do not know whether the peasantry deem it real hardship or not; for their ignorance of all but what comes under their actual observation, and the excessive attachment they bear, (in common with all nations not far advanced in civilization) to ancient forms and customs, would perhaps render them more fearful of injurious

consequences from innovation than sanguine of beneficial. But this should weigh little in the scale of reason. Where a nation is dicidedly averse to any change, however advantageous it may be deemed by the ruler and his councillors, it should, if concerning only private conduct, be left to itself to adopt it, trusting only to the general good sense, assisted by the example of Government; but, when the alteration is of consequence in a public view, it is the duty of the public authorities at once to exert all their power in its behalf, at the same time taking care that the remedy be not worse than the disease. The antiquity of any existing institution is, no doubt, a *primâ facie* evidence in its favour; but had it been allowed to be conclusive, the Reformation in England would never have existed, indeed, the Pagan must still have remained the established religion of the land. The changes in both instances were carried into effect by the more influential portion of the people; and though, at first, perhaps even a numerical majority, composed of ignorant persons, were against them, these were unable to withstand the current, and learnt at last to glory in the creed which they once despised. As it is with religious, so is it with civil matters. The multitude are not always capable of judging of measures in their infancy, even if they had time and opportunity to do so; it is only after the fruits have become visible, that they learn to appreciate the conduct of statesmen, whom they then discover to have been labouring for their benefit.

The evil which I mentioned at the commencement of this letter is, that of allowing certain village officers and artisans to be paid by a contribution in kind from the neighbouring cultivators, of a something similar nature to that of tithe in England, though, from the multitude of claimants, far more vexatious.

The system of tithing lands in Europe stands on a religious basis, and assuredly, would never have stood so long, had it not been viewed by many very intelligent persons as an ordinance rather of the Almighty than of man, and, therefore, a subject in which it would be profaneness in human legislators to interfere. The security also of the Church Establishment has been supposed to be so intimately connected with the continuance of their institution, that the numerous supporters of the former, consisting of the larger portion of the wealth and talent of our native land, have always most strenuously opposed the abolition of the latter. This, then, resting on such a foundation, can form no precedent for ordinary proceedings. But even this, though it be so founded, proves, if carried to extremes, and the tithe be taken in kind, a source of great annoyance to those who are unable or unwilling to percieve that what they now lose in the profits or their land, they originally saved in its price; and that if tithe be done away with, they will have obtained a much more valuable estate than they really bargained for.

But the clergy themselves, (than whom perhaps there is not a more respectable body in existence,) have never objected to fair commutations for the dues of their respective benefices; by which means they avoid exposing themselves to the ill will of those disaffected to them, and so secure a more pleasant, if not an equal income. Here, however, the case is different; instead of one demand for a portion of the produce there are several. The tenant is moreover usually too poor to enter into any pecuniary arrangement regarding their abolition, did custom sanction such an usage, and the claimants in wealth, wisdom, and respectability, stand most wofully behind the beneficed clergy of Britain.

The vexatiousness, nevertheless, of the system to the landlord is nothing to its ultimate effects upon his property. A considerate part of the village population, (for the families of these fee-receivers must be included,) are for some time at any rate, provided with food sufficient, and thus, the necessity of purchasing is superseded. If this be the case, as it certainly is, in most villages in India, to whom is the farmer to look for the sale of his crop? Were a shoemaker to set up a shop in a small hamlet, and were he obliged to present a pair of shoes gratis to many of the inhabitants annualy, he certainly might expect little benefit for his trade: so it is with the corn-grower; many of his neighbours are provided by him with present sustenance, and this, joined to the circumstance of his being totally without capital to enable him to keep his produce, or means to convey it to a better market, takes from him the only opportunity he might have of effecting a profitable sale. He has not a fair chance in his business. To give him this, the whole produce of the land ought to remain absolutely in the hands of the body of cultivators; they might then sell their own property, on their own terms; the necessity of food would oblige the purchaser to pay any price insisted on, while the want of money and competition among the growers themselves, would reduce that price to a proper level. The price in fact would be determined by what the producers could afford to take, and not depend on the parsimony or extravagance of others. The cultivator would stand on the same ground as other dealers: the commodity required would have to be bought from one of his class, or people must starve; the class, therefore, would certainly thrive. A bad season would not ruin them, as where all the corn is wanted, competition would have less effect on the prices, and a good one would not injure their future prospects, by too largely increasing the hoarded stock, as the cheapness of the article would have its usual effect of increasing the consumption. In short, the landholder would, then, instead of being as he is now the working slave of the bunya, take his proper station in the social system, and no longer the meanest and most wretched of the people, would become respectable, and rich; the envy of his equals, and the pride and support of the Government.

If you wish to know how these fees are to be abolished, I would say, that I am the last to advocate injustice to any. The present enjoyers

of them have, no doubt, a right to them, and any resumption, without presenting an equivalent, would be the heighth of tyranny. But allowing this, I think that it would still be very possible to do away with them. Valuations might be made, and the total amount of compensation paid in the first instance by Government, and charged eventually to the renters of the land so redeemed. The manner, however, of redemption is a matter of secondary importance; the principle is the grand point to contend for, that once sanctioned, the settlement of the details would not be difficult.

If it be asked when this measure is to be adopted, I will answer that there is nothing I should reprobate more than sudden and important changes in the condition of any set of men; but, at the same time that I allow that the change itself should be gradual, and almost unperceived by the objects of it, till the entire revolution shall have been effected; yet, I imagine that the principle of the change should either be admitted by the ruler, or rejected, long before it be either possible, or expedient to carry it into practice. There can be nothing more despicable and more dangerous than a blind and vacillating policy, in which not only the people, but their governors also, are ingorant what proceedings the morrow may bring for them which, these functionaries think that it is "sufficient for the day" to avert "the evil thereof," and instead of acting on a well studied and approved system, make their measures such a piece of unintelligible patchwork, that even themselves cannot understand its meaning. Such conduct is inexcusable every where, but especially in a country like this; for, here are no stormy popular commotions to encounter; here the will of the ruler is the law, and no attempts are likely to meet with opposition, while the religion and condition of the people are respected. I know not a finer field for a philanthropic and intelligent Government than India. Here is sufficient employment in the path of melioration for a life; benevolent designs will not be counteracted by an ignorant or designing populace, and, if his actions are not at first understood, their effects will in time be evident to all, and the memory of them will assuredly be most deeply imprinted in the hearts of these, hitherto unfortunate, but always honest and grateful, nations.

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## LETTER V.

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I have, I believe, in my former observations, shewn that under the present system of letting land capital can seldom, if ever, be acquired by the agricultural speculator. I do not say that such acquisition is quite impossible; for a combination of fortunate circumstances may bring wealth to an individual, even in a line in which poverty pursues most of his fellow adventurers. I need not, perhaps, instance the life of a gambler; which, though generally productive of ruin, has in some notorious instances seemed to have lost its nature, and raised, even without any appearance of foul practices, votaries from the lowest grades to an equality in point of riches with some of the most respectable persons. But exceptions are no evidence against a rule; and though among the agricultural classes,—that is among those who live solely by agriculture,—I should not be surprised to hear of one or two who had been able to amass money, I certainly have never met with such myself, and I believe that few others can affirm that their acquaintance with the natives has led to a different result. We daily find instances here of men who having saved a little from the gains of their profession, embark it in active trade, or become what we call sleeping partners in some mercantile house; but we seldom see them laying out their fortunes in land. The class in fact of country gentlemen, which is elsewhere supposed to be of so great weight in the political scale, has here no existence; for the Jagheerdars and other landlords are so cut off from all fellow feeling and fellow interest with their inferiors, and their estates are so locked up in their own families, that they are ill calculated to supply the place of those to whom they, in the opinion of some, bear some faint resemblance.

This is not the place in which to enter into a discussion as to which of the various institutions which the world exhibits, may abstractedly considered, be the best. The question whether a despotic, or a free constitution, that of Russia, or that of England be the best, forms no part of my present plan. No doubt, as an Englishman, I hold my own country to be the first in existence; but, whether this be a national prejudice, or an impartial conclusion, is a matter of very little import, as far as India is concerned. "Where the tree falls there it must lie." This country has become by conquest subject to Great Britain, and, until it shall have changed hands, by men of that country will it be ruled. To ask, therefore, whether any foreign code of laws would not be a better model than our own to keep in view, in introducing any changes, would be just as idle as to speculate upon the properties of the man in the moon, for, in the first place, Englishmen must, at best, be but imperfectly acquainted with foreign laws and customs; and in the second place, it would neither be very pleasing to the influential men at home, nor very just to the inhabitants of this country, to guide them in a direction, which would only widen the space which at present divides the conquered from the conquerors, and so, make it impossible that they should ever, consistently with the safety of the latter, be admitted to that share in the

administration of their native land which is their natural right, and to fit them for which seems to be the wish of their present protectors. How far that wish may be politic, it is not my purpose to examine; but whatever be thought of it by ourselves, it certainly merits the deepest gratitude of those, who find a prospect opened to them, under our rule, so different to that which was exposed to them by their former devastators.

India is now in its political infancy; or rather, according to the sentiments of Hindoo orthodoxy, it may be said to have completed in powerless and despicable old age under its own sovereigns, and to have received a second incarnation under European sway. The Mussulman invasions carried it a step in advance; the completion of the work seems to have been reserved for us. But, while the learning, elegance, and good sense of the Mussulmans were of great advantage, and their civil polity most respectable, for the times in which it flourished, their bigotry (which was indeed more the vice of the period than of themselves,) seemed to damn up every fount of improvement as soon as it was opened, and made a people shrink with disgust from all intimate connection with them, who might, had the topic of religion been avoided, have taken a pleasure in forming an acquaintance with their literature, and thus gradually imbibed the sentiments of the many eminent men by whom the courts of the invaders were adorned. We have happily followed a different plan, and while among us, little respect is to be acquired by an interested conversion to Christianity, every opportunity is afforded to natives to become acquainted with our publications, and the esteem, which is withheld from the ignorant and mercenary proselyte, is freely given to him who possesses with the faith of Bhrama, of Mahomet, or of Zoroastet, a desire to investigate the science of Europe and an ability to comprehend it.

You will perhaps pardon this digression, more especially as I believe it to be of some consequence to the illustration of my subject. I intended, by the first part of it, to shew that English rulers must, in those measures, which they may introduce for the benefit of this country, not be led away by brilliant theories, but let their conduct be guided by that of their countrymen at home, and make English institutions the model of those they may form for India, modified at the same time by a proper regard for Hindoo laws and Hindoo prejudices: that is, that the constitution of England and the constitution of these territories are the sole matters to be considered, and that he will confer most benefit on his fellow subjects of this part of the world, who shall shew how these principles may be best amalgamated to fit them for the purpose of Eastern legislation.

In England, then, we find, that, whatever respect be paid to the occupation of the merchant, the mere pleasure of a mercantile life is not the only reward proposed to themselves by most of those who embrace it. The wealth which shall enable them to cut the city and the country, is the object coveted, and when this is acquired, in what manner is it generally used? I think that the whole, or at least a great part, is most frequently applied to the purchase of land. The quondam Mayor, or the worthy Alderman, finds a pleasure in deserting the smoky precincts which, if they remind him of the gold he earned there, may also perhaps recall to recollection the labours he endured, and the lowly occupation he once filled: glad with aristocratic distinction of landed proprietorship, he tastes the pleasures which accompany a new purchase and social elevation. His fortune is safely harboured from the perils of the ocean and the fluctuations of trade; and he feels all the self satisfaction of one, who has raised his family from obscurity, and laid the foundation of its future greatness. Magisterial dignity, and parliamentary influence fill up the measure of his happiness; and, if he himself may not rise beyond a seat in St. Stephens and knighthood, it is by no means impossible that his issue may enjoy the honours of the Peerage.

But how does the matter stand here. The landed proprietor, (if such a person exist in reality) is devoid of influence and condemned for his poverty; he labours severely, content if he be happy enough to procure food and clothing sufficient for his family; and should his son, through any good fortune, become possessed of money, he will probably desert the meagre and despised calling of his parent, and deem that he has at least risen one step in the scale of professions if he able to establish himself even as the poorest among traders. Instead of the proprietorship being the first in dignity, it is practically the last; cultivation will never be resorted to until all other means of gaining a subsistence have failed. Instead of the retired merchants using his countless coin in the purchase of that which elsewhere confers political and social importance, together with a fair pecuniary profit, he, seeing the deplorable state to which that class is in his own country replaced, prefers burying the treasure which should be fructifying in the hands of mankind, is a positive nuisance by withdrawing so much specie from circulation, and, instead of proving the founder of a family, or the benefactor of his children, his gold is either hidden from their search, or, if after his death it be discovered, it becomes a fund to be wasted in all sorts of dissipation, and so fills eventually the pockets of the panders of vice, where it is very likely to corrupt the morals, but will assuredly never increase the wealth of the community.

In every well regulated state, to obtain land will be the ultimate object of industry. Were the ground sufficient for all there would be no need of extensive manufacturing labour; were no land saleable, manufacturing labour would be without the best part of its reward. In such states there is a perpetual circulation of land and pecuniary capital; he, whose land is sufficient, betakes himself to trade; he whose trading profits are ample, betakes himself to the occupation of land. Thus, the landed

proprietor has a safe investment, which he can at any time convert into money; and the retired merchant finds a sure and profitable mode of disposing of his wealth; a mode which, while it yields him a fair interest, places his funds as much at the service of the public to be employed as beneficially as if he in person superintended its increase.

This, though at first to superficial observers it may seem the effect of chance, is not so; but is the accumulated fruit of much wise legislation: such as if often obtained by the remonstrances of the people, had not perhaps its consequences concealed from the government, which must have forseen, if it were capable of foresight at all, that, by making real property immeasurably superior to personal, the sovereign's security for the undisturbed possession of his own rights became as immeasurably superior to what it otherwise would have been, as all the fixed land in the kingdom is a better deposit than the great but frequently intangible personalities which individuals may possess.

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## LETTER VI.

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I think that, from what I have said, it will be seen that the agricultural class in this country labour under peculiar difficulties; the principal source of which is a want of capital among them; and, that such measures are pursued, in consequence of this want, as must prevent the evil from ever being remedied by their personal exertions; in short, that they are reduced to so feeble a state, as to be unable to help themselves, and are of course fit objects for the benevolent interference of Government.

Nothing, I believe, can be more injudicious than the intermeddling of power in every little difficulty in which any branch of trade may be involved. Such difficulties are often temporary, and will probably right themselves much sooner, and much better than the Government could right them: but, when a really important division of productive labourers have fallen into such a predicament, that their own efforts have become impotent, and that nothing less than a sovereign hand can rescue them, it certainly is as much both the duty and the interest of those in office to aid them in their necessity, as it would be to defend them from the attacks of an enemy. The state machine may be aptly compared to a clock; the wheels will generally work best when left alone, but still a careful inspector is requisite, as, otherwise, the slightest casual derangement would, instead of giving but momentary inconvenience, prove permanently destructive.

I have before hinted at the impropriety of allowing the monied interest to elevate itself at the expense of the landed: however, perhaps it would be as well to say in this letter a few more words on the subject. I will consider the question under two points of view; namely, under that of financial, and under that of political expediency.

In the first place, of financial expediency. Of whatever consequence the merchant may be, he is only secondary to the cultivator in real importance. The cultivator is the agent of the country in his sales, the merchant is frequently the agent of a foreign purchaser. Moreover, if the latter export, the material he exports must, in most cases, have been originally produced by the cultivator; if he imports, to him must he principally look for the disposal of the goods he may introduce. I will not deny that commercial men may be of essential benefit to the finances of a kingdom; but I will contend that no very lasting good can accrue from their presence, if they do not invest their gains in real property within our territories, and if, by the manner in which the balance is held between them and the agriculturists, they are enabled to raise by the labours, and carry off from the possession of the latter, fortunes, of which a large share should fall to these, to be expended in improving or in extending their farms.

The corn-dealers and money-lenders are generally Marwarries. Here then we have a set of men, who are by brith almost totally disconnected with our dominions. They are like Jews. All Asia is their country. Where money is to be made, these are their hearths; and should a residence in the capital of some neighbouring potentate offer the inducement of profit, they would thither transport their fortunes, and leave our cities without regret, as they entered them without pleasure.

The landholders, on the contrary, are every where the main prop of the revenue of a state. They have given a security for their good conduct, and for the payment of all legitimate demands upon them. In a country like this, their property is available for the necessities of Government in an almost unlimited degree. Increase in the value of landed produce must doubly increase the wealth of the ruler; because he, not only has the right of taxation as monarch, but is even held, in many parts, to have a proprietary right in the soil. By raising the landed class, he is therefore raising the value of his own estates; while by raising the monied, he obtains but transient advantages. Moreover, the present pays for the greatest share of the taxes; surely then, it is but fair that he should in return receive the largest portion of our attention. The most valuable body must not be treated as the most worthless, even though the members of it be too frequently individually poor.

If we view the matter as one of political expediency, how far shall we find the cause of the farmer more momentous than that of the mere possessor of riches. The latter has no influence beyond that of his coin; and even that he is not likely to be so patriotic as to exert in favor of his sovereign, without receiving a valuable compensation for his pains.

The monied class, as I have said, are mostly of a separate tribe, whose religion and country are very dissimilar to those of their neighbours. The merchants who inhabit the large towns are doubtless respectable enough: but large towns contain neither the most noble portion of the population, nor that which ought to have most influence. I know that many public functionaries have been flattered by the attentions of these persons, and that they have frequently been held, most unfortunately for India, of far more political importance than they really are. They have no stake in the country beyond their personal money, which may to-morrow be lost, as it yesterday was gained by speculation; and, if not precluded from having any weight with their fellow subjects in consequence of professing a hostile creed, are despised by every man of high birth or caste, from the lowness of their origin. I will not argue whether this be just or not, but only assert that it is true. We must always reason upon things as they are, not upon things as they ought to be.

It has been said by many men very well acquainted with this country, and who have filled the highest situations in it, that if ever these regions be lost to us, it will not be owing to distractions without, but to commotions within. I will go farther, and affirm that if ever such commotions effect our overthrow, they will not be the work of the monied class, but that of the landed. A few battalions would reduce the most turbulent city in India; but, how differently would it fare with us, if the whole village population arose in arms against us. From the minuteness of their bodies they would elude our grasp; with a few paltry opponents in front, we should feel the tremendous effects of thousands in our rear; our supplies would be cut off; and, contending against an almost invisible enemy, we should probably, in the end, fall victims to poison, starvation, or the dagger. And to what party would the few, who wore our badge belong? They would be the relatives of those against whom we were fighting. Their wives and families in their native villages would either seduce them from our ranks, or make them treacherous members of them. Whatever were their inclinations, they would be obliged to do this; for, rebellion never fails to secure, as hostages, the nearest and dearest connections of the loyal soldier.

Here, then, is a body of men, whose influence over our army, whenever they choose to exert it, must be excessive. This army alone holds in subjection the great mass of conquered subjects; and it would not perhaps for a moment hesitate to turn its power to the destruction of its employers, if these employers ceased to respect that class from among which it has been enlisted. Those know little of Sepoys, who suppose that their interest in the welfare of the peasantry is trival. Many, very many of them look forward to their discharge and their pension as the means of enabling them to pursue, in their old age, those rural employments which occupied their youthful hours. By depressing the followers of these employments, you prevent the Sepoy from engaging in them; by elevating them, you encourage veterans in those persuits, the result of which will be, that thousands of respectable attached soldiers will overspread our realms, who will instil a love of the profession, and a veneration for the British rule into the breast of the rising generation; and will be ready and willing, at any moment of emergency, to train whole armies of volunteers, preparatory to their being regularly disciplined, and organized for the national defence.

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## LETTER VII.

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If, after all that I have urged in behalf of the landholders, it still be supposed by any that interference in favour of that body by Government is quite unnecessary, I would only beg leave to tell such persons that I have no more time to waste in convincing them, and, that, if they have hitherto taken the trouble to read my letters, they may as well in future make a point of skipping over them. Were I to write a volume, I might perhaps be able to address more to them; but, as my efforts only extend to a few shorts epistles in a newspaper, I must pay some regard to the circumstances of time and space.

But to those who have been good enough to listen to me thus far, and who have gathered both from what I have said, and from their own knowledge, that some beneficial change in the situation of those who "live by the sweat of their brow" is absolutely requisite, but who nevertheless are afraid of innovation lest destruction should follow in its train, I now turn.

Little attention, indeed, must these have bestowed upon me, if they imagine me to be one of that party who, devoted to the cause of novelty, forget that age is venerable. If there be any fault in my opinion, it is that they lean too much to the opposite direction. I am no advocate of anarchy, and the rights of man as dispayed by gentlemen of the *Paine school*. I seek the establishment of property, not its overthrow; I seek to remedy the effects of that anarchy which has for ages desolated

India, not to upraise its dominion anew: I seek, in fine, by endeavours to better the condition of the most important and most numerous portion of our native subjects to inspire the love of order which plenty invariably produces; and, by raising them from their low level to an equality with men of similar occupations in Europe, to enable them to appreciate the constitutional rights which these enjoy, and, at the same time, to prepare them for a rejection of their own superstitions, and the acceptance of Christianity, which must certainly be the consequence of their social elevation, and the increase of intelligence which will accompany it.

I have said before, that I would be the last to advocate sudden changes. Where a change is to be brought about, I confess that it ought to be introduced very gradually; but then, at the same time that I allow this, I contend that the *principle* of even the most extensive alteration must be at once adopted, or rejected, when proposed to a sensible minister. It is my opinion that not only ought the immediate consequence of a measure to be weighed, but even the most distant to which human foresight can extend; when it has been tried, its merits or its demerits must decide its fate. A wise ruler, (if I may dare to say so without profaneness) seems to imitate the conduct of the Almighty; conscious beforehand of every effect of an innovation, even the remotest, he ponders on its advantages and its disadvantages. If the former sink the balance, he at once embraces it. The crowd are ignorant of the intention which produced it, and, blind, perhaps, to the real state of the matter, they, unconsciously, work out the ends which the originator had in view.

In the case of the class whose cause I plead, it will be allowed by those who had accompanied me thus far, that innovation of some sort is necessary. I will therefore proceed to offer a few opinions on the subject, promising, again and again, that nothing need be feared from such novelties as I would recommend, even by the most timorous stickler for things as they are. I will first speak of innovation in general, and secondly, of innovation in this country. Details of the particular species of change which I desire to see introduced here, I shall treat of in future letters.

First, then of innovation in general. I cannot picture to myself any thing more contemptible than a person who would spurn the idea of all change, merely because it is a change. There are indeed reasons why a minister, in England, might be afraid of the discussion of novel propositions in Parliament; because when a theory has once found its way there, it is not easily driven out again, however absurd the majority may conceive it; but the man who would refuse to talk over any new matter in private, would either be a fool, and therefore most unfit for the ministry, or a tyrant, and therefore, if possible, more unqualified. In the former case, he would resemble the quack, who, afraid to meddle with the drugs of the apothecary, because ignorant of their nature, deals out to his suffering patients, with an air of wisdom, some paltry composition; with which he hopes not to cure them, satisfied if he prove at least innocent of their deaths: in the latter, I can compare him to none better than to Procrustes; for, like him, he has a state bed on which he would measure men of each succeeding generation, and, like him, he would chop off the heads of those to whom providence has given an experience too enlarged, to allow them to bear with comfort a situation, which appeared not uneasy to their ancestors some centuries ago.

If every change were unnecessary and noxious, where would be the necessity for legislators, ministry, and kings. It is not to stifle all change that these are requisite, but to guide it; as a wise architect is appointed to superintend the repairs of a building, which, if either unrepaired altogether, or touched by unskilful hands, would alike fall to the ground.

Every state, in every part of the world, has, in all time, been in a state of change; and, the man who is well read in ancient history would hardly recognize in the condition of a modern nation, the country, of which he had studied the manners under kings of former days.

It is not therefore novelty itself that is bad, but an immoderate rage for it, or injudiciousness in managing it. An immoderate rage for what is new is a great, and often a fatal, error in a statesman; because, change will always press itself upon us fast enough without our anticipating it: and, injudiciousness in the management of it is, at most equally injurious, because, instead of making the necessity a means of remedying some old abuse, it sacrifices to its voracity the most valuable and the most sacred institutions.

So much for innovation in general, and now for innovation in this country in particular. To the attentive observer of mankind, to the historical student, there is perhaps no empire in the universe which will present so extraordinary a spectacle as that in which it is our lot to dwell. Some of the wisest and most useful laws adorn the pages of both the Hindoo and the Mussulman codes; while some of the most barbarous and disgusting transactions are found to blot their annals. Whether the Hindoo and Mussulman laws do really possess that antiquity which their admirers claim for them, or not, is of little importance. Whether they be old or new, it is quite certain, not only that every vestige of what can be discovered of an Indian constitution is therein to be found, but also that not even those constitutional vestiges were respected, in the ages of misrule which preceded our sway over these regions. The Mussulman Bashaw cared little for the cries of the wretched Hindoo, who pleaded laws in their favour, which it would have been irreligious in him to respect; and the Hindoo Rajah felt less for

the ruin of some hateful fanatics, whom he knew to be so powerless at court, that a bag of rupees would easily close against them the ears of Majesty.

Innovations were, in fact, under native princes as common as viceroys. Each successor to office brought with him his favourite notions; and, while some tolerated the religion of their subjects, all proved how much beneath them they held any attention to their civil institutions. We have ourselves been far more scrupulous in this respect than those who went before us; but even with us, the man who peruses Menu and the Koran will find that we cannot claim for ourselves freedom either from sanctioning the alterations of others, or introducing new ones ourselves. I know that our changes have been dictated by humanity, and a desire for the public welfare, and it is for that very reason that I entertain hopes that, whenever humanity and the public welfare shall dictate the necessity of more alterations, they will always unhesitatingly be adopted.

One thing, and one thing only, I think should never be meddled with, except at the request of the people themselves. That one thing is,—religion. It is a melancholy fact, that, the less a nation understand a creed, the more bigotted and pertinacious they are in its defence. Until, therefore, vast improvement shall have been made in the civil and the mental state of the coloured population, no good can be hoped for in sacred concerns, and nothing should be attempted.

When commerce began to introduce riches into Europe, letters revived. Those books which had been consigned to the dust of ages by the barbarous ministers of religion, were once more opened by the aspiring laity. Improvement in their condition of life caused a desire of knowledge; and, from knowledge—that tree, so vivifying or so deadly according to the use that is made of it, came the glorious fruit of the Reformation.

Such has been the progress of true religion in all ages. It is above the comprehension of the savage; it is despised, because not understood, by the illiterate. The poor man has no time for study, and, until he shall have gained some acquaintance with other sciences, he will not be able to dip very deeply into theology. But, if we introduce gradual improvements into our civil system, such as will benefit, yet offend not the community, they will soon awake from the sleep of darkness in which they now seem spell bound. Many of them will acquire the fortunes, and so contract the habits and feelings of gentlemen; and, when once matters shall have come to this pitch, the perfect toleration which we grant to all religions, joined with the example of their rulers, soon lead them to persue the studies, and examine into the faith which have made us so powerful. Of the result of such examination no one can entertain a doubt; and thus, that bugbear of the foolish change, if seasonably embraced, and wisely managed, will, instead of bringing with it destruction, consolidate our power on the firmest basis, and cause both the hapiness of milions in this world, and their salvation in the next.

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## LETTER VIII.

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One of the first things, (after those concerning payment of rent, &c. which I have spoken of in former letters,) that requires alteration, is the degree of estimation in which the farmer is held: and, as the sentiments of the people will in a great measure be swayed by those of Government, nothing more is necessary on the part of the latter, than to exhibit openly in its conduct a degree of consideration for the landholder, which was foreign both to the Hindoo and to Mussulman rulers.

I have forgotten the exact words of a passage in Menu, which describes the light in which tillage should be viewed; but, the sense of it is as follows: that though many sages have held cultivation to be an estimable employment, yet, the more correct do not; for this reason, that, in ploughing, living things must be constantly destroyed. The Mussulman code, if not quite so severe upon husbandmen, authorizes a tax which must be equally, if not more effectual, in depressing the agricultural classes. I mean the *khuraug*, which it is declared, may embrace the whole produce of the ground, after leaving the cultivator sufficient for food and raiment until the next harvest.

Among the Hindoos, then, we see a religious prejudice confining cultivation to low caste men, the force of which those who are acquainted with the Hindoo character will be able to estimate. Among the Mussulmans we find a regulation in existence, which must reduce the peasantry to the condition of slaves and prevent their ever rising to a high grade.

If any one will advocate such a prejudice, and such a regulation, he is welcome to do so. I thank Heaven that his pleas will not be much regarded by Englishmen at least. Whether our notions be correctly grounded or not, is of no consequence to the question. It is, at any rate, very certain that we shall never be content to view that occupation with contempt, which forms the pride of the most wealthy and most noble of our countrymen.

Here, we have a wide opening for a reformation, imbued most deeply with a respect for hereditary estates, viewing the time when our fathers first relinquished their landed property

at the commencement of our obscurity, and looking forward to the moment, when our successful exertions in our profession shall enable us to repurchase it as the accomplishment of our desires; taught to look upon the possession of the soil as the qualification for power, and the token of independence, we come to rule over a nation, where we discover the whole scene to be reversed; where religion is arrayed against the sacred occupation of the patriarchs, and where those are looked upon as bondsmen of the crown, who, in our own country, proved our shield against the unwarrantable exertion of the prerogative, and were the founders, alike, of our religious and of our civil liberty.

Whatever be the colour of a people, whatever be their habits and dispositions, the fundamental principles of Government will be as applicable to them, as to those who most widely differ from them. Sentiments are not innate; habits are not born with us. Perjury and peculation are the characteristics of some countries; truth and honesty are the property of others. The subjects of some sovereigns are brave men; the slaves of others are cowards. In some cities, in fine, religion is carried almost to the pitch of moroseness; while, in others, the most disgusting crimes are openly committed, and as publicly gloried in. To what is the difference to be attributed, if not to the laws of the state and the conduct of the magistrate? Was Spartan,—was Roman virtue formerly but a name?—or, if it was more, how is it that the present generation in those cities are among the most abandoned upon earth? How is it that the Italian name, once conspicuous for truth, is now, alas! indicative only of falsehood? How is it that Spartan bravery has degenerated into Greek cowardice, and that Italy and Persia, once respectively famed as the strong holds of the religions of Christ and Mahomet, have become notorious as the seats of the most profligate immorality? The physical features of the people in these countries remain the same; while the moral features, instead of being the standard, have become the contempt of mankind.

Whatever be the state of a people, good government and good example will mould them into any form, the alteration may be gradual, but it will certainly be sure. Who, even within our own times, could have supposed that the Hindoo Sepoy, who under Native princes, fled with terror from the sight of our arms, would, in so short a time, have proved, under the happy influence of our discipline, as brave and as laborious a soldier as exists in the world?

Public opinion is a lever of the greatest importance, and the Government is the legitimate pivot upon which that lever should be placed, in order to move mankind to good or evil. Where virtue is esteemed, and honesty rewarded, virtue and honesty will be the aim of every influential man in the state. When Cromwell bore the sceptre of England, Puritanism was the order of the day. When Charles the Second was restored to the throne, the road to favor lay through the avenues of debauchery.

If, then, our Government wishes to reinstate the landholder in that position which is his natural right, and to maintain him in which is the object of the wisest politicians, it must shew, both in public and in private, peculiar estimation for his possession. Access to officers of a civil description should be matter of right, not, as it is now, a purchased favour from the sattelites of office. Whatever be our respect for the character of the merchant, we should show that the occupation of husbandry is not second to it in our estimation. Those landed proprietors, who enter into our service, should see that such proprietorship makes them, at once, more entitled to trust, and more qualified for promotion; and the larger owners should be gratified, as much as possible, by the usages of ceremony towards them, and the grant of such favours as may not injure the public, but will confer importance on them in the sight of their neighbours.

The eye of the native is peculiarly quick at discovering the inclinations of those in office, and his mind is particularly avaricious of their notice. If, then, he finds that the possession of land proves a claim to respect, rather than a subject for extortion, he will not be slow to enter that profession himself, which he sees so much honoured in persons probably much inferior to him in pecuniary means. Those leeches who, in spite of all our precautions, introduce misgovernment and corruption into every branch of the revenue department, will be afraid to pursue their evil courses, when they find that those on whom they would practise them, are not likely to remain unheard; and it is not probable that fear of the underlings of office, which now deters many of the provincials from engaging in tillage, will be very great, when they shall find that those underlings will be counted much inferior to themselves in the state scale. By adopting these measures our power will no longer be based on mercenary soldiers, and mere mercenary peculators; but our administration will be engraved in the hearts of our subjects, and, whenever the evil day may come upon us, we shall be assisted by the prayers, by the purses, and by the arms of those to whom we have proved benefactors.

I am, Sir, your most obedient servant,

FOUNDLING.

# MUNNIPORE.

TO THE EDITOR OF THE BENGAL HURKARU AND CHRONICLE.

My dear Sir,—An account of my late trip, and of the tribes inhabiting the hills through which it led, may perhaps afford you a moment's amusement. I must, however, be concise, as various other matters press on my time and attention at present, hereafter when more at leisure I may probably give you a more detailed one.

On the 6th February, I marched from Munnipore on an expedition against the hill tribes situated S. and S. E. of the Munnipore valley, and returned on the 10th instant. A great part of my route led through a tract of country hitherto unexplored either by Burmese or Munniporis. The results of the expedition are, the capture of seven villages which offered resistance, and the voluntary submission of twenty-one others to the Munnipore state. My reasons for proceeding in immediate command of the detachment of the levy employed on this occasion were, to prevent collision between it and the forces of Kulé Raja, to whose immediate frontier our operations extended, and to check by my presence all unnecessary harshness towards the wild tribes in question, and thereby increase the chances of their submitting to become quiet and orderly subjects of Munnipore. In both objects I completely succeeded.

The tribes inhabiting the country visited, particularly those who have hitherto escaped the yoke either of Munnipore or Ava, are a wild, warlike, intelligent, and athletic race—short in stature, strong limbed, with remarkbly high round foreheads, and eyes expressive of firmness and daring. Their offensive weapons are bows with poisoned arrows, spears, and formidable looking daoos or swords. They also carry shields of an oblong shape, about four feet in length, and two in breadth at the upper end, tapering very slightly towards the lower one. They wear waistcoats or jerkins of leather which lace at the sides, and afford an effectual protection against arrows to the breast and back, being made, as well as the shields, of the *tanned* hide of the metna, a manufacture in which they have attained considerable proficiency. The Chiefs also wear a cap or helmet made of bamboo frame work, of a conical shape, and covered with bear or metna skin prepared with the hair on—a plume of parrot's feathers is added, but they reverse our custom by placing it in the rear instead of the front of the cap—the rest of the costume is a piece of cloth of about a foot square which they fasten round the waist with a string allowing it to hang down loose in front, and a "chudder," blackened with smoke and dirt, thrown loosely over the shoulders. The weight of one of their caps would cause even a broad shouldered European to bend his neck,—they are a protection against arrows and would offer effectual resistance to a sabre cut unless laid on by a scientific and weighty arm. Besides the iruses in war the cap is put to the following:—when two villages quarrel a champion is selected from each to settle the dispute, the mode as follows:—each has his head protected by one of the caps, being free of apparel in all other respects—the first blow is decided by lot, when they proceed to cudgel each other on the head alternately with a tremendous two-handed bludgeon, until one is levelled with "mother earth." The village to which the defeated champion belongs feasts the other with a metna; men, women and children of both continue in a glorious state of drunkenness for three days and nights. If in the original quarrel however a life should have unfortunately been lost, the above mode of settling it will not suffice, nothing but a life in return will then satisfy their resentment, and they lay in wait sometimes for years until an opportunity offers of gratifying their revenge either on a man, woman or child, after which the villages again generally become good friends.

The cultivation *(joom)* is more extensive than what I have observed it amongst the other hill tribes surrounding the Munnipore valley. Amongst the tribes near Munnipore and those inhabiting the central range, a species of grain called "*moom*," yams, *kutchoos*, sweet-potatoes and *sersoo* is cultivated. Those bordering on the Kubo valley, in addition to the foregoing, cultivate rice of various descriptions and pronounced by the Munniporis to be of a quality nearly, if not fully equal, to their own: I also observed tobacco growing in most of the latter villages. Regarding their domestic habits and economy I was able to obtain but slight information: the women are perfect drudges, to whom is allotted the weaving of cloth for herself, husband and family, all in-door labour, besides a participation in that of cultivation; the men pass all their time not appropriated to the latter occupation, in war and drunkenness. From what I could learn it appears, that like the generality of the hill tribes in this quarter,

the husband purchases his wife from her parents—should he die before her she becomes the wife of his elder brother, should there be one, if not she remains with his family as a drudge, until her own return the price originally paid for her—her children remain in the village of the father. A wife is seldom or never sought for in the village of which the husband is an inhabitant, but from neighbouring ones. The spots selected for burial ground are the brows of the hills overlooking an open and extensive prospect—each grave is marked by a rudely carved image of wood—on a man's is deposited his war cap, bow and arrows, &c. &c., and on a woman's her implements of domestic housewifery. Feasting and drunkenness for two or three days are invariable attendants on both marriages and burials. One horrible custom prevails amongst them—infanticide under the following circumstances, namely, the death of the mother in parturition or within a day or two after, in such case the living child is interred with its dead mother. Slavery is unknown, or rather unpractised amongst the hill tribes, which, however strange and uncivilized such a declaration may appear, is more to be regretted than otherwise as it would likely be the means of saving the lives of the captives taken in their almost continued feuds: at present, without consideration or compassion either for age or sex, they immediately decapitate all that fall into their hands. An idea of the extent to which this horrible system is carried may be formed from the following circumstance which occurred only 10 days before I started on my late trip. A village of Koong-jaees, a tribe more numerous and savage than any other inhabiting the extensive tract of mountains between Cachar and Kubo, named Moompee, attacked and completely succeeded in surprising one of Anals named Huee-ka, not far from Munnipore, and carried off the heads of sixty-seven individuals, men, women and children.

The stentorian voices of those mountaineers astonished me; on one occasion they occupied the hills surrounding our encampment, and during the night kept shouting to each other from opposite sides, and at a distance to which it appeared incredible that the human voice could reach, still every articulation was heard as distinctly in camp as if at only a few paces distant though hundreds must have intervened. On the same occasion they favoured us by showering arrows on us all night, from which, however, the greatest inconvenience we suffered was being obliged to extinguish our fires, and the night was bitterly cold!

The inhabitants of one of the villages attacked showed considerable tact and judgment in the selection of situations for breast-works on the road leading up to it; and defended them with equal obstinacy and bravery. They only gave up the contest when their positions were turned, though they had previously lost a number of men, amongst whom were their two bravest warriors or leaders. One piece of Generalship of theirs might have involved the whole detachment in serious consequences, had not a sudden change in the wind favoured us, as it was, it caused considerable embarrassment and confusion. On the day previous to our attack of the village our route lay for some miles through a bamboo jungle which had been cut down some months before preparatory to the ground being cultivated,—to this they set fire when we were about half way through and the flames extended towards us with astonishing and alarming velocity; a sudden change of wind, however, checked its progress and enabled us, by clearing a space all round, to avoid, if not the fate intended for us, at least some casualties. This village was famed throughout the neighbouring ones from the circumstance of its having formerly repulsed, on two different occasions, detachments sent against it by the Burmese with the loss of the greater part of the men composing them—its conquest, coupled with the kind treatment of one or two others which had previously come into me, led to the voluntary submission of all that remained.

One important result of my trip, and in which I feel assured you will feel highly interested, is the discovery of the tea plant growing abundantly in numerous places throughout the whole extent of my route. It was pointed out to me by some Shouns who have visited tea gardens on the Chinese frontier, and whom I took with me in consequence of information I had previously obtained of the plant being indigenous in the country about to be visited.

In the two first days' journey from Soogonnoo, the most southern village of Munnipore, I passed through extensive pine and oak forests, the trees of large size, also occasional clumps of a tree called by the Munnipooris "*ooningthuoo*," of which they build their boats, as it is found to last longer and suffer less than any other from water—the present state boat of the Raja is cut out of a single tree of this description, the dimensions of which are—length 84 feet, breadth 3, and depth 1 foot 9 inches.

Yours truly,

F. J. GRANT.

*Munnipore, 22d March*, 1835.

# REMARKS ON THE CLIMATE, SOIL, AND CULTIVATION OF PENANG AND PROVINCE WELLESLEY.

[*Continued from page* 314.]

CORN.—It has been stated in the account of the value of grain land that the price had risen and in some instances had been doubled; but the actual number of years purchase of land ought not here to be estimated by its price, for, as generally elsewhere, it depends on the supply of capital. But the actual price has also been most materially enhanced by the constructing of the new roads, without which from the difficulty of conveying the surplus produce to market, profit and rent must fall and cultivation be checked. But such has been the rapid spread of cultivation, that several fully peopled tracts are still in a manner inaccessible to pedestrians, and only to be crossed on elephants for six months in the year; prices therefore are here low and produce costs so much to bring to market, and is so insecure, that rents are precarious: these wants new roads will in time, it is hoped, fully meet. The sudden rise here has not been owing therefore to increased productiveness in the soil, to higher prices of produce, or to a fall in the wages of labor, but merely to the fact that individuals having small capitals which the state of trade deterred them from risking in it, found it safest to invest the same in land. If the landlord were to take one third of the gross produce, then the average number of years purchase, if so estimated, of good grain or rice land would be about six years, and for the best land five years, reference being had to recent sales.

The agriculturist here will probably lay out part of his accumulations under all circumstances in buying land, but if more than 30 per cent. can be safely and quickly had in trade, it is obvious that mercantile capital will not be largely embarked in it.

The estimated value of the whole grain produce will be more particularly noticed in the sequel. Three of the chief elements of the prosperity of a community have been already developed in our small *agricultural* one, an increase of population. Those yet wanted are a more favorable modification of the moral development of the intellectual faculties, by which last wealth is chiefly created by the stimulus knowledge has given to industry, also high market rates of produce and a more liberal system of cultivation. It is more to this last than to any increase of population or fall of prices of labor that we are to look for rise of rents beyond what they should now be with reference to profits now derived by farmers. Surplus produce will probably for a while outstrip population and raise wages. The labourers of one season will become the buyers of labor in the next, by occupying land themselves; at any rate they will be so many less in the labor market, and this gradual drain on the labouring class will go on until all the grain land has been cultivated, and unless serious failures of crops takes place will increase the price of wages. Competition then will probably depress the profits of capital employed on the soil, and wages will fall from the pressure of population on the means of subsistence, while rents will absorb more of the surplus of produce over the bare costs of production than formerly, these being of course graduated according to the degree of fertility of the soil.

By the time that rents have thus assumed a definite and tangible shape, divested of the risks and inconveniences now attending their realization, the *farming land-owners* will have risen to the condition of landlords living on rents alone. But if from the peculiar situation of this coast—the capital generated on the soil—or that derived from trade or from the influx of substantial settlers, a larger number of cultivators than there is at present in proportion to the whole population should be separated from the agricultural mass, then the above suppositions may not be verified. In such a population as ours is,—hemmed within a narrow space,—it is greatly to be wished that a fair proportion of consumers, or rather of persons employed in trade or in other pursuits should accompany our increase of agriculturists.

Land in its natural state of tall primeval forest as it exists here cannot be said to yield any rent. But the poorest land reclaimed from this jungle, although it may be incapable of being advantageously cultivated, will yield a small rent as pasture for cattle. There is hardly any natural pasture, so rent is included in the price of all cattle more or less. After harvest the cattle are generally allowed to range the stubble-fields, then dry, free of rent. Yet owners of poor land are often glad to allow any one to occupy it on the mere condition of keeping it clear of jungle, looking forward to the chance of its increasing in value when land shall have become scarce.

The rent therefore which land might be supposed to yield in its natural state, but now yielding only 200 guntangs, cannot be taken into the account. It cannot be expected that land less productive than this will be cultivated at money rent unless through necessity and the fall of wages, two alternatives becoming every day more distant. But land down to that which will only now give 100 guntangs, may, and probably will, be cultivated during such term as it may be given rent free, or perhaps after, at a small rent; because estimating his labor as it suits his caprice, the ryut will repay himself for it in produce, will have the collateral advantages of a land-owner or settled farmer, before noticed, and have the chance of its rising in market value by the application of new modes of cultivation to it.

That large importations of grain into this settlement, where labor other than agricultural can find but scanty employment, would, if that grain were to be sold at a price considerably below the average market price of grain grown here, and to be of a quality equal with, if not superior, to this last, tend to throw out of cultivation to a certain extent such land as could not yield more than 200 guntangs of rice in the husk may be true. Yet if we look to the trifling effects which large importations have already had in reducing prices, and to the inferior market worth of the greatest portion of these imports, compared with that of grain grown here, no reasonable cause of alarm would seem to exist. As no country is exempted from the evil of a failure in its crops, so it is an advantage to have a resource at hand even at the expense of diminished profits. In 1808 there was a great scarcity in Keddah of rice, owing to the murrain amongst the cattle; and in 1822 there was another scarcity. In 1824 and 1830 there were severe droughts. In a limited territory like this, rice cannot be permanently in excess to consumption, since its cultivation did not *halt* so as merely to keep the population stationary, that surplus would in time go to increase population and consumption. When cultivation has proceeded so far as to leave a surplus over the consumption of the settlement, a thing which may happen, provided a sufficiency of rice land still remains unlocated, but which cannot be ascertained until such land (which is yet under forest) shall have been cleared, and roads opened across it; then, unless the population shall also have been in an equal state of progression, importations will cease, for the competition of sellers will tend to reduce prices. There is always a fall of price immediately after a full crop here, partly because the poorer cultivators are more or less pressed to pay advances made before havest by speculators, and partly because *new* rice is never in great request by immediate consumers, or it is considered unwholesome. What the respective cost of production is of Java, Tennasserim, and Acheen rice at this moment I have no ready means of ascertaining. Placed here in this order of their supposed market value, the extent to which they can compete in the Malayan market with this coast produce, or what is usually called Keddah rice, will no doubt depend on that coast in each case. Keddah used formerly to export 2,000 coyans of rice; but the average importations from thence in 1820 were about 100 coyans only of paddie, and 50 coyans rice; that country is now fast sinking into agricultural insignificance, although for a while it will probably be a market for our grain to counterbalance the fall of prices here from importations from other countries. In the same year the average annual supply of poultry was 80,000.

It is a theorem with some Political Economists that if the last land taken into cultivation be rich, capital will be scarce and profits high; but this supposes an unlimited extent and choice of land. Here the last lands which have been taken under culture are of various degrees of fertility, yet capital sufficient for carrying cultivation rapidly on is by no means scarce and profits may be considered high. It is probable that the territory being limited, the last orlong which will be brought into cultivation will be as fertile as the first land cultivated, and that then capital will be abundant and profits on capital and stock small; but this will be the effect of the population having then no more land to choose from.

In a previous part of this paper it has been shewn that the population, although chiefly agricultural, is yet supplied with numerous other sources of gain than that derived from the soil. So long as these keep open, and increasing cultivation draws more largely on the labouring class to supply the new ranks of farmers, the price of labor will not fall below, but probably rise considerably for a while above its present average rate.

Were these sources cut off, which is a very improbable supposition, the chances being in favor of an increase to them, the labor market would be so glutted as to reduce the price of labor to the lowest possible scale. For those who now live comfortably, and for natives even luxuriously on the means derived from those sources in addition to the produce of their land, would be thrown for subsistence entirely on that produce.

It is during seed time and harvest that labor is in greatest demand; but improvements in cultivation would diminish the demand considerably. Farmers all over the world have at one period or other been obstinate, prejudiced, or supine, and have but slowly and suspiciously followed in the tract of improvement. If the prudence of a few ryuts who have allowed themselves to be convinced of the superiority of the sickle over the ringgam will be generally imitated, this one improvement or saving alone will materially reduce the price of labor and add to profits, for there are no manufactures here sufficient to absorb the surplus labourers. The unproductive consumers here are those classes variously engaged beyond the sphere of agriculture; but many of these pick up but very moderate subsistence, and if labor were to rise they would become day labourers.

It is impossible that either the demand for, or the supply of labor, can be equable where the chief grain produce is rice, and especially where artificial wants are not numerous. If crops be abundant they will induce a less supply than before of labor, if they fail the supply will far exceed the demand. The will to employ and the will to be employed will not always meet on equal terms. As a taste for luxuries gains amongst the people, time will become of more value to them, capital will be more freely embarked on the soil, labor will fall and profits arise. The natural price of Malayan labor here will probably be in a great measure regulated by the actual demand for it, in *rice* cultivation, without reference to the market price of labor on the Island, (to

which place the Province labourers are averse to go because they have to leave their families behind) which last is dependent on the supply of Chinese and Chuliah labourers. The owners of land of every class generally prefer Malayan labourers in their rice fields.

But if the cultivation of sugar, indigo, coffee and other valuable *exportable* produce were to increase greatly, or even moderately, beyond the present extent, a constant demand for labor would arise, and this labor would bear higher natural price unless affected by external circumstances, until grain cultivation had reached its extreme limit, and population become in excess, when, should the market price of grain not rise, it would necessarily fall, carrying along with it a portion of profits but leaving the rent untouched.

As facilities for distribution and sub-division of the land have from the first existed, and still exist, the number of small proprietors who can do no more than support a family on the surplus produce after paying quit rent, will bear rather a large proportion to the more substantial landowners.

It is natural to suppose that the capital accumulated by the latter, joined to the necessities of the former, will gradually swallow up these smaller *yeomen* and reduce them to the class of tenants or labourers, and since capital will probably be then superabundant without the means of employing it further on new soil, the price of labor will necessarily retrogade.

But it is possible that before this can happen increased civilization will have opened new channels for employing the savings of the landlord and farmer. If however this should not be the case, the population will be forced to either remain stationary or to resort to emigration to get rid of its superfluous members.

Women are the principal reapers, or rather pluckers, of the grain fields, but when the more expeditious way of reaping by the sickle is subsisted, men will be most useful. At present a very expert reaper can cut 50 gomeh a day – a gomeh is as many of the upper parts of the rice stalk, with ears attached as may be grasped by one hand. Of this *quantity* the reaper never receives less than 10 per cent, and often more. But at this rate he will get about 7½ chupahs of paddie, or 3¼ of rice, the value of which will vary from 8 to 12 cent. A family of five persons at an average of only 30 gomeh each daily, can, by unremitting labor during the two harvest months at the above per centage, obtain *rice* enough for six months' consumption, or ample food by exchanging a part of this of the usual descriptions for three months, including rice. In this case labor might be considered dear, and so it would be, had the poorer labourer the option of constant work.

A Malay is frugal in his diet. Fish is his chief animal food, and he seldom indulges in buffalo flesh, except on anniversaries, marriages, and other occasions of rejoicing. But he is nevertheless of an extravagant turn and fond of dress. He will subsist easily on a fare which a Chinese, whose habits are grosser, would consider meagre and unsubstantial. But frugal as he is, he never stints himself in quantity, and could easily be undersold in the labor market by a Chuliah, provided the latter chose to make his stomach the regulator of his demand for wages, for no class of men can here subsist on less than a Chuliah can; and it is this circumstance which makes him, excepting as a labourer, a useless subject, since his savings are rarely spent on the spot but sent to his family in India, while Chinese and Malays spend theirs liberally enough, in whole or in part.

If the Malay would only tax his physical capacity to the utmost extent, he might drive the Chinese quite out of the labor market, and that without his actually performing the same quantity of labour as the Chinese, for the latter could not here long endure any further considerable diminution of his means of obtaining luxuries as well as food.

The price of Chinese labor has already fallen by one fourth part below what it formerly was, owing partly to the diminished capital in circulation, but chiefly to the competition of Chuliah and Malayan labor. The difference in the physical strength of a Chinese and in that of a Malay is less than the moral distinction existing betwixt the two. At present the latter cannot be easily kept to steady *monthly* labor, and generally prefer low wages paid daily to better wages paid monthly. His surplus wages if not squandered in extravagance, chiefly go to raise up a family, while those of the Chinese are remitted in whole or in part to China to support parents or near relatives, in doing which they rather comply with imperative custom and are actuated by the dread of supernatural punishment denounced against those who neglect the practice than by any strong feeling of affection.

Although the Malay is on the whole frugal in his diet, yet the grain or farinaceous portion of it is of the best description indigenous to the country he inhabits. Were he to be as easily satisfied as the African or native of South America, he might subsist on mazie and plantains, here both abundant, and discard luxuries. Whatever might be the abundance of other grain roots, and fruits, a scarcity of rice would be considered in the light of a famine.

In the scarcity which happened several years ago, a great portion of the population subsisted on a mixture of vegetable substances, namely maize 4 chupahs, rice 1, arrow root or sago 2, which afforded food for one day to 7 persons and being 3 cents of a dollar for each. A higher rate of wages would not greatly alter the food of the people, and a larger surplus for obtaining articles of convenience and commerce would remain. An European journeyman labourer might here be subsisted as follows:—

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| Bread 1 1-3 lb. | Cents 10 | or Rice | 3 |
| Beef 1 do. | 8 | fish | 5 |
| Fish 1½ | 2 | Flour | 2 |
| Milk | 3 | Milk | 3 |
| Tea, Sugar, Salt, &c. &c. | 8 | Tea, Sugar, Salt | 6 |
| | 28 | | 19 |

So that were he to receive 40 cents a day, the highest wages given to journeymen Chinese carpenters, and which borders pretty closely on the rate of day labor in England, he would have a yearly surplus for clothing, lodging, &c. of about £6 sterling. A day labourer in England is supposed to earn about a peck of wheat in good times daily. An American help can earn two pecks. A common Chinese labourer here can easily enough earn one peck of rice. The peck of wheat is about the average value here of 22 cents, and the peck of rice about 17¾ or 18 cents. A Malay can earn nearly half a peck of rice daily. In China it is understood the agricultural labourer cannot earn above 12½ pecks of rice in a month by daily and *uninterrupted* labour.

There can be no doubt that wheaten bread is a more substantial food than rice, and yet the latter is well adapted to the climate and people, and Europeans in the East often insensibly become greater consumers of rice than of wheat.

But wheat requires to be ground and made into bread before it becomes fitted for general consumption, while rice is used immediately after being cleared from the husk.

A reference to Europe prices will shew that a peck of wheat there will probably always purchase one third more of other commodities than a peck of rice will here.

Wheat being thus a much more substantial food than rice, it will exchange for much larger quantities of other commodities than rice will; but the difference betwist the price of a peck of wheat and a peck of rice is about 4 cents only and sometimes less; the dearness of wheat compared with rice lies in the cost of preparing it for food, while rice after the separation from the husk requires no grinding and baking to make it ready for use. A catty or one-third lb. of fine flour costs 15 cents, of coarse flour 7 to 8 cents. The same weight of rice costs two cents or nearly so, and a catty weight of rice flour 6 cents.

It is of consequence to notice of another species of labor distinct from day labor, and perhaps in some respects peculiar to this country. In 1820 the Honorable Mr. Phillips, then Governor of Penang, by humane and just regulations paved the way for the speedy extinction of slavery; this was chiefly effected by taking as a stepping stone to the final object, the system then co-existing with slavery, of selling service or the debtor servant system as it is here called. When at length slavery was abolished by act of Parliament, the system alluded to remained under the wise restrictions which had been established, and it still continues to operate, but with diminished strength. Wherever a debt is incurred by which the debtor is bound to a certain service, the period of that service is fixed by the Magistrate of the locality, agreeably to equity, and the debt at the expiration of the period is totally cancelled. Formerly a man would often bind himself and his whole family to repay his debt. Now *he* has not the power to include the latter. No debtor servant's agreement not signed and acknowledged before a Magistrate should be valid, and if the debtor servant be a female and her master should place her in his harem, she is immediately released from her debt.

Persons must have attained to the age of discretion before they can incur a debt of this kind, and neither parents or guardians can contract such in their names. Debtor servants especially the men, as might be expected, are indolent and improvident, and the worst of labourers, still the settlers from long custom do not seem yet quite sensible of their inefficiency.

In a few cases the women as household servants may be useful. The debt of a man and his wife some times exceeds £10, for repayment of which they can give no security but their labour, so that the risk of employing such persons is great. These people are also inclined to theft, and their idle habits too often lead them into the companionship of desperate men, which ends in robbery.

As a system of labour, therefore, it is expensive, dangerous, and demoralizing; it fosters idleness, and represses honest ambition.

The value of such labor can scarcely be put on a par with that of convicts, and the sooner unshackled labor is solely resorted to, the more speedy will be the moral improvement of the lowest and poorest class which alone is affected; the system seems already dying a natural death.

If the labor of a gang of 100 convicts, with the usual compliment of overseers was to be computed, and including only current charges, it could be easily shewn that the quantity of labor which could be obtained from the free labourer at the same cost, would, on the average, be somewhat more than double that derived from them.

The difference arises partly from the difficulty in getting the convict to exert himself, and a good deal from the number of days deducted on which work is not performed, such as Sundays, native festivals, also deductions for sick in hospital, which are large when roads are in progress through swamps and jungles.

It is only when free servants cannot be procured for certain menial employments of the lowest description, as is the case here, that convicts will be employed by private individuals, and even then the expense will generally equal, if not exceed, that of similar servants in India, while the work will be less satisfactorily performed.

The employment of convicts in Provice Wellesley has been a great boon to the people, and has contributed most materially to the advance of cultivation and to the increase of prices and rents, in the districts where they have been stationed. But 100 men, all that can be yet spared from the Island, with all the drawbacks above stated, effect but little in a year in an area of upwards of 100 square miles, a whole dry season being sometimes spent in driving a causeway over a mile or

two of deep morass, and a couple of months in erecting a single bridge over a deep muddy ravine accessible to the tide. The population have frequently in their idlest months turned out with spirit to assist in felling the jungle in the line of a new road, and in filling up deep hollows, and are quite alive to the advantages of good roads.

In treating of wages, it may be proper not to omit the consideration of the comparative value of the precious metals.

These are here exchangeable for a much larger portion of labor than in Europe, because they will purchase five or six times the quantity of the ordinary food of the people in the first instance than they will do in the latter.

The difference in the value of gold betwixt the Straits and England may be on an average 7 per cent. in favor of the former, rating the bunca1 of gold here at 29 dollars value; but it occasionally rises to 32 which would balance Straits and home prices or nearly so. There are no silver mines known on either shores of the Straits which may serve to keep that metal at a higher value comparatively than gold. The market value of pure silver may be stated at about 12¾ dollars per lb. Gold is found pretty abundantly throughout the greatest part of the volcanic belt of the eastern archipelago, including the island of Sumatra, and mines of it have for a long period of years been worked on the Malacca Peninsula. The following places in Sumatra yield gold: Langkats, Bulu China, Delhi, Kerdang, Kakan, Jambi, Achin. In this latter portion of Sumatra gold formerly abounded more than it now seems to do, or perhaps the anarchy under which that country has for many years been labouring, has prevented the mines being worked. A good many years ago, as the Achsecin relate, a lump of native gold, weighing upwards of one cattie, rolled down from a hill, and a mass of rich ore weighing nearly a picul, was found at a place called Analaboo.

The exportations of gold from Penang seldom exceed 20,000 drs. annually; that from Sincapoor is greater.

Mr. De La Loubere observed in his History of Siam, that no vein of gold or silver had been found in that country which had repaid the costs of mining.

A mine was opened many years ago at a place called Khoan Thang Sook, lying on the western shore of the gulf of Siam. But the supply is precarious and would appear to be expensively obtained. In 1805, the Emperor of Siam sent 2,000 men during the dry season to get a supply of gold from this mine for the purpose of gilding pagodas. By washing the sand of a river and the soil on its banks, they, as it is stated by the Siamese themselves, procured 40 catties weight of gold. The matrix appears to be a red earth; but we cannot judge of the cost of its production when forced labor was employed to obtain it. Mr. Crawfurd states in his History of Siam that the gold found on that coast is 19 carats fine.

Gold mines exist in the country of Patani, lying within thirty miles of our frontier here. They have been abandoned since the Siamese got firm hold of that country. In Penang, further down the Peninsula, there are about 600 Chinese who mine for gold, which is said to be Sambilan Mootoo, or the ninth touch. It is sold on the spot at about 24 drs. the buncal. In favourable spots it is alleged that a man can obtain a dollar's worth of gold here in one day. There are 400 Chinese at the Tringanoo gold mines, where the gold is reported of the 7th touch, and 800 in the petty state of Calentan, where the gold is of equal fineness. There is also a gold mine near Mount Ophir, east of Malacca, which is worked by Chinese, and there is no doubt that gold exists in the mountain of Gunong Cherrie, which terminates our landscape to the northward with such a magnificent effect. In fact, it can scarcely be doubted that this metal is very largely and widely diffused over this Peninsula and the eastern Islands. It is also disseminated through the tin ore which pervades more or less the whole primary formations of the same track. Even with the Chinese the following up of a vein is a thing never perhaps attempted; their operations depend chiefly on muscular force, and shafts are abandoned when their water wheel ceases to drain off the water. Lateral shafts are hardly known.

The Malays collect gold dust by washing the sand of rivers. Thus it would appear that if the price of gold was to be regulated by the labor or cost of mining it, we should arrive at no satisfactory conclusion, since the return which might encourage a Malay would discourage a Chinese, and as the Chinee by greater skill and industry can afford to keep up the price, while the Malay will be glad of a smaller profit.

Besides, the cost of gold as a mere article of commerce, which it is in the Straits where there is no gold currency, would not under any circumstances be entirely regulated by such costs of production. The mines lie in the midst of mountains and in tracts, the inhabitants of which have little intercourse with the coast; so that the gold will be, as it has always been, monopolized by native chiefs and Traders the moment it is out of the mine. The Mount Ophir gold, from a specimen of ore sent here several years since, appears to run in veins through quarters, and as this quartz itself exists principally in the state of broad veins in the primary rocks, we may have some idea of the perhaps inexhaustible quantity of that metal in the regions adverted to. Demand after all must fix the price of gold, and as this has fluctuated greatly, the number of miners have diminished considerably within the past few years, if the information of the Chinese may be depended on.

Dry Land.—Dry land or land not periodically flooded, being here as yet but little available for grain produce, its value and that of what can be raised on it, cannot be submitted to any known rules. The varying quickness of returns owing to the nature of the produce,

raised, and the frequently still more fluctuating nature of the demand for that produce render the cultivation of dry land more or less inappreciable by any standard of cost and prices founded on the mere price of labor. Although the price of labor for raising many exportable sorts of produce will to a certain extent affect profits, yet the latter must essentially depend on the intensity of demand for them. Labor will enter into the price of some of these, but in many it will hardly appear while the demand is great. High or low wages in such instances are not the causes of high or low prices: but high prices will admit of high wages being given, while low prices will probably prevent wages being given at all. In some commodities—the valuable spices for instance,—prices would perhaps be the same even if rent were not to be paid, because they are in a great measure *natural* monopolies.

While the rent of rice land depends greatly on the produce, that of dry *land* will be regulated principally by the situation of the latter. Coffee, spices, or sugar are not absolutely necessary to support life. They might be dispensed with altogether without endangering man's existence. The demand for them will always therefore be the cause of their prices, and so it will be of rent.

It has been shewn before that as yet the rent here of valuable produce, such as of spices, cocoanuts, &c., bears an unequal proportion to the original outlay of capital, so as often to induce the proprietors to manage their own estates. This arises from want of competion and capital, from ignorance of the mode of managing the different kinds of cultivation, and in some degree from the fluctuating nature of *prices* and risks in general.

It is quite clear that until the capital originally expended on valuable dry cultivation, with the customary profits thereon has been recovered, there can properly be neither rents or profits, the apparent profits being only interest on the capital, and that if the demand will not suffice to return this capital, and a fair addition beyond that the pursuit must cease. The risks sometimes are great even when the person running them is the actual landlord and would be increased were he only to be a tenant.

Supposing for instance that a cocoanut or spice planter were to take dry land on a 20-years lease, one third of that period will have passed before returns to any amount come in, and how many years beyond this will suffice to repay the original and current outlay and interest, deducting the produce we may obtain, must quite depend on demand and the thousand circumstances which affect it, while every year reduces the exchangeable value of the tenure until it loses nearly all value *in exchange* from the uncertainty of the future after the expiration of the lease. The cultivation of sugar and indigo, with some other produce which like these yield quicker returns, are not so much within the scope of these remarks.

In Europe it is dry land, excepting where rice is partially cultivated, which yields the chief food for the people. Here the distinction betwixt the dry and the flooded is so marked that, unless we were to suppose it possible that an insuperable bar could be opposed to emigration, causing a resort to inferior kinds of food to be only obtainable by a double portion of labor on dry land, and thus doubling population without an increase of surplus, if indeed any such surplus produce could then exist, we should be constrained to admit that in so far as regards dry land here the population can never on it press against the means of subsistence. The value of dry land is therefore greatly inferior to wet land in respect to the respective powers of each to yield the mere necessary food of the people, and as it is such food or produce alone which can be expected to maintain a pretty equable exchangeable value in the market, whatever may have been the cost of raising it, so the elements, by which that produce, its value, the profits on it, and rents are estimated, are totally distinct from those which, with a few exceptions only, regulate the prices, rents and profits of dry land produce, *that* last not being produce absolutely necessary to the *existence* of man. Under the above view it would appear that there is little probability of much of the remaining waste *dry land* on Penang, and the territory opposite, being speedily and permanently cultivated without the aid of European, or at least of Chinese, capital and skill.

This reasoning as regards the Island is strengthened by the fact already noted in the description of valuable produce in the first part of this paper, that cultivation of dry land on it was more advanced thirty years ago than it is at this day, although it now bids fair to retrace its steps with accelerated velocity.

JAGONG OR INDIAN CORN.—This grain is cultivated both on the Island and opposite coast, but the greatest quantities on the latter. Newly cleared lands are preferred for it in order to save trouble and expense of manuring, and as it is a rapid exhauster of the soil, the Malays generally intermingle it with the dry rice and pulse cultivation. They are not partial to it as a food, and consider it far inferior to rice. When they do eat it in grain, it is merely as an accidental addition to their common fare, or as a cheap substitute for it when they happen to be out of pocket; yet how many millions in Africa, and even in the Americas, are subsisted on this food.

Jagong is sown in the months of April, May, and June, and sometimes at other times. One sort of the jagong ringan ripens in three months, and jagong batta in four months. The latter is the most productive, and therefore preferred.

If one orlong were to be sown with Indian corn alone, it would contain 1,600 plants.

About three seeds are sown in each hole. The holes are made with a stick, and are about 2 inches deep. The seed produces a bush or bunch of four or five stalks to each

hole, and each bunch yields about eight head of the grain, and will sell on the spot for about 10 or 12 cents the hundred when plentiful, being about from 13 to 15 Sp. drs. for one orlong's produce. One hundred heads yield nearly one and two thirds guntangs of grain. The profit, deducting about eight dollars for clearing new land for seed, and planting, will therefore be from about 5 drs. to 7 drs. an orlong. If land was to be cropped the second year, and the lalang had grown up in the interim, it is doubtful if any profit could be made. Indian corn is considered good food for horses in South America, but it is not here put to any very specific use by Europeans.

Buah Buahan—Fruit and Forest Trees.—*The Mangosteen—Mangis.*—The seductive apple of the East, the fruit of this tree, is too well known already to require a lengthened description. The tree is a low, dark evergreen, of a graceful and rather tapering form. The plants are raised from seed, and an orlong ought to contain sixty trees. They bear about the 7th year, and one orlong's produce at one dollar a tree will be therefore 60 Sp. drs. But there are no plantations of this extent, nor is it likely that there will be, since any material increase in the present supply of the fruit would so reduce prices as to absorb profits. Some trees will yield 1,000 fruit. The wild mangosteen grows in the woods and neighbouring Islands. A mangosteen also grows on the Malabar coast, the fruit of which is very acid. But as the climate of that coast assimilates a good deal to ours, the cultivated sort might perhaps be introduced there.

*The Dorian, Malayan Durian—Durio Zibethinos.*—Curiosity, not taste, first prompts the new settler to attempt this fruit; but although tasting it, as he generally does with a prejudice against it, he not unfrequently ends in acquiring a strong relish for it. With the Malays the desire for this fruit is a passion to satisfy which they will perform toilsome journeys and brave dangers. He who can eat and digest a dorian and not find his liver stirred up by a host of blue imps, may well despise the anti-despeptic precepts of a Kichener, a Sinclair, or a Johnstone. The dorian scarcely extends further up the Peninsula than Tavoy Province. His golden footed Majesty of Ava was wont before the absorption of that portion of his dominions to have the fruit transmitted to his capital at Amerapoora by relays of horsemen and by boats pulled by 40 or 50 men. The fruit can hardly be preserved exposed to the air beyond five or six days; the Burmans used therefore to wrap them up in cloth and then coat all over with clay. As the tree is high and wide spreading, no more than 20 can well be planted on one orlong of land, and one half of these will probably be males. Two crops in three years only can be expected, which remark is applicable to almost all of the indigenous fruit trees of the Straits. The fruit is allowed to fall to the ground when ripe. The tree bears about the end of the 7th year, following the rule which also applies to other fruit trees here. It is supposed to live 80 or 100 years. The average produce for three years will hardly exceed 150 dorians for each tree. The cultivation is limited and could not be much increased with adequate profit, especially as supplies of it are imported from the bordering countries. It may here be once for all observed that the Penang fruit season embraces June, July, and August, and that there is an occasional small irregular crop at some intervening period, and also that the cost of raising the indigenous fruits is nearly alike for each, as are the period when they respectively come into bearing. The prices for all these fluctuates so much that it were useless to make computations. Twenty dorian trees, male and female included, may now yield about 30 dollars produce annually on an average of years. A dorian used, in former times, to cost a rupee, a large one now sells for from 5 to 12 cents.

*Nungka—the Jack—Artocarpus Integrifolia.*—This fruit, although it has been long known, is evidently an exotic. It cannot be said here to come to the perfection in which it is found in Malabar and Canara, and other parts of India, where during the season it forms a considerable part of the food of the people. Here the fruit is collected twice in a year. From 30 trees planted on one orlong, including a portion of male trees, produce on an average of years to the value of perhaps 30 dollars may be obtained, giving a profit of about 10 Spanish dollars, after deducting costs of watching, collecting, &c.

*Champadah.*—Is a species of the Jack, but the smell of its fruit is very disagreeable, and it is by no means so sweet and nutritious as the latter. Its value is nearly the same in cultivation as the jack. Large quantities are imported. It is extensively cultivated also by our ryuts.

*Rambei and Rambutan.*—These trees are little cultivated. They are found in the forrest bordering on Province Wellesley. The few that are cultivated yield sometimes produce equal in value to a dollar a tree. The rambei fruit is white and hangs in clusters like grapes. The rambutan is red and grows in bunches.

*Mamplam Siam—the Siam Mango.*—This is a fair enough species of mangoe, and weighs about 1 lb. at most. It is not very extensively cultivated as yet, as after the 10th year it is very liable to be destroyed by a worm. The risk being great therefore the returns should be large. Perhaps one hundred dollars may be a pretty fair average rate for one orlong of full grown and bearing trees.

*Mamplam Tilor,—The Egg Mangoe.*—Is a small yellow mangoe, with too much of the turpentine flavor, and too acidulous to be much prized.

*Machang.*—Is a high spreading tree, bearing a coarse mangoe, the odour of which is quite overpowering to Europeans. It is rather sweet, and is much sought by the Malays, who use it also in its unripe state in curries. Two hundred cost about one dollar, and the profit on an orlong planted with 20 trees may be about

20 dollars. It is subject to be destroyed by a worm called clara.

*Pisang.—The Plantain and Banana.*—No fruit is so extensively cultivated as are the varieties of the plantain. There is hardly a cottage that is not partly shaded by them, and it is successfully cultivated under other fruit trees, although it is independent of shelter. Its succulent roots and dew attracting leaves render it useful in keeping the ground moist during the greatest heats.

The following are the most approved varieties.

*Pisang Raja*—Royal plantain, bears in 8 months.

*Pisang Soosoo*—Milk plantain; it is luscious, but delicate; persons are not allowed by the Malays to use it in its raw state.

*Pisang Amas*—Golden plantain or banana; sweet tasted, but also objected to, and with reason; it is indigestible.

*Pisan Aboo*—Downy plantain.

*Pisang Killat*—Bears in a year.

*Pisang Pait*—Has a bitter rind, but sweet pulp.

*Pisang Oodang*—A rich red plantain.

*Pisang Gindy*—Is a species lately imported from Madras, where it is in great request. It has this advantage over the other kinds, that it can be stewed down like an apple, while they remain tough.

About 144 shoots of the plantain are planted on an orlong, each of which spreads into a group of six or eight stems of about from six inches to one foot in diameter, which yield each a bunch of fruit, and are then cut down, when fresh shoots succeed. In very rich soils, the tree, or rather plant, will continue to bear for 20 years, but otherwise it is dug up after the 7th or 8th year. The cost of cultivating 100 orlongs of land exclusively with plantains will be nearly 2,000 Sp. dollars until produce be obtained: about 43,200 bunches may be had afterwards yearly, which might give a return of 2,160 drs. or deducting cost of cultivation and original expenses and profit per annum of about 1,450 drs. Independent of the quantity consumed on the spot that brought to the markets in Penang and in Province Wellesley, the growth of the latter district amounts to about thirty thousand loads for a man annually, which may be worth about 9,000 Spanish dollars.

The Malays allege that they can produce a new species of plantain by planting three shoots of different sorts together, and by cutting the shoots down to the ground three successive times when they have reached the height of nine or ten inches. The plantain may be deemed the most valuable of fruits here, since it will in some measure supply the place of corn in a scarcity.

*Jamboo Kling and Jamboo Ayer Mowah*, are handsome evergreens, which bear dark red fruits, having a pleasant subacid taste, slightly approaching that of an apple: they are not in much demand, and the cultivation is confined; a tree will yield two or three thousand fruits.

*Num Num—the Cynometra Cauliflora.*—This shrub yields a thin oblong fruit with a flat kernel. In taste it approaches nearer to the apple than perhaps any other truly Eastern fruit does. The shrub is scraggy and resembles the custard apple shrub in some degree. The fruit, however, is attached to the branch or stem. It does not bear until the 7th or 8th year. Its cultivation is confined to one or two gardens, but it deserves more attention than it has yet received. It was introduced from Malacca.

*The Lime.*—The cultivation of this tree is quite irregular: every campong or native garden contains some trees. An orlong if regularly planted out would yield produce of the value of 140 Sp. dollars: but like other fruit trees its cultivation, if much extended, would destroy profits. The chief market perhaps for this and other fruits is that of the shipping, and the lime might yet be cultivated to a considerable extent with advantage. The wild lime, which is both sour and astringent, grows along the dry sandy beach of Province Wellesley.

*Buah Nona—Custard Aple.*—It is too well known to need a description.

*The Mulberry.*—This tree or shrub thrives easily and grows to the height of 20 feet at least. No attempt to rear the silk worm has been made yet. As the food for it could be raised to any extent without interfering with other cultivation, there seems no reason why it should not succeed as at Acheen, where the natives understand its management.

The fruits brought from the woods of Moratajam, Province Wellesley, are the *Dookoo*, but inferior perhaps to that of Malaca, the *Sittool* which grows on a high, wide-spreading tree. Its colour is a light yellow, and its internal seed-vessels resemble those of the mangosteen very closely. The taste is pleasant. It contains more acid than the mangosteen, and makes excellent jelly. The *Langsat* is a fruit of the same class. *Tumpool*, a fruit of the mangosteen class, prison-shaped, and dividing into 3 or 4 lobes. *Sala*, the fruit of the palmite of that name, pleasantly sub-acid.

*Bitte—The Papaya*—Which is used as vegetable before ripening. The acid juice of the rind of the fruit will dissolve a buffalo hide. *Tumpoonet* is a yellow coloured fruit with spikes, and about the size of the bitte. The pulp is delicate and slightly sub-acid, the tree is high, with clover-shaped large leaves. *Reidan* is a small almond shaped dark red and acid fruit, of a high tree, of the same name.

*Arang Para;* a species of rambutan. *Sapam*; a sort of wild mangoe. *Rambia*, the fruit of a species of the sago palm. *Sirbayaman*, a fruit of a middle sized tree; it is about as large as a small mangoe, and the rind is saturated with a vicid juice, like that of the mangosteen and *sittool*. *Topah* resembles the *Sapam*; very acid. *Powah*, a high tree, the fruit is very acid.

*Sittar*, an acid fruit. *Kaloobi*, the very acid fruit of a small palm, used in seasoning dishes. *Assam kumbang*, *Rawa*, *Roomiah*, *Pringei Lanjiet*, *Blingei*, are acid fruits of jungle trees, and used by the natives, who have a great taste for sour as well as sweet things.

*The Ananas or Pine Apple.*—This fruit is extensively cultivated, and if more pains were bestowed on it, the quality might be greatly improved. As it is, the plants are allowed to spread until they become an almost impassable thicket.

They are brought in cart loads to the bazaars and thrown down like so many turnips. A good pine weighing from 3 to 5 lbs. may be bought for from 1 to 2 cents of a dollar. Pulo Kra, which is a small rocky island in the harbour, produces the best flavored pines, and some care is there taken in raising them.

The variegated or green and white striped leaved pine is highly ornamental to the table, but not otherwise approved of. Indeed few settled Europeans indulge in the pine, as it is justly deemed unwholesome, perhaps from the great tendency its juice has to ferment.

In Manilla a very exquisite lace-like fabric or scarf is manufactured from the fibre of the pine apple leaf.

*The Grape.*—The climate is too moist for the grape, yet a pale sort has been by great pains brought to considerable perfection by one of our oldest settlers in Penang, Mr. Rodyk.

*Oranges.*—Several varieties are cultivated, but many of the old gardens have died off, and the profit does not seem high enough to induce the Chinese, in whose hands the cultivation has hitherto chiefly rested, to keep it up. The descriptions of the fruit now occasionally procurable are—The *Chimbool*, with a knob at one end, sweet. The *Limau manis*, the sweet or China orange. *Limau Japoon*, the Japan orange. *Limau Karbau*, the Citron. *Limau Gadang*, the Shaddock. *Limau Kapas panjang*.

The Chinese seldom raise from the seed. A branch is surrounded for about two inches in length, with a compost of earth and manure, and when roots appear, it is cut off and planted. The Chinese affirm that the new tree never survives the parent stock provided the latter dies through natural decay.

An orange plantation requires incessant attention to keep it flourishing, and the trees will not yield long without manure.

Oranges are generally high priced. Those of the best kinds are seldom sold under one cent each, and often at 5 and 6 cents.

Although the products of the jungle cannot be classed under the head of cultivation, yet they may not well be overlooked, and indeed some of the most valuable of the products of tropical climes are derived from the forest.

*Chirrie Morie*—the Indian rubber vine, grows along the borders of Province Wellesley. The juice is collected by suspending a bottle below an incision in the bark. It is at first of the consistency and colour of milk, and in this state may be applied to saturate cloth, which is thus rendered perfectly waterproof. The expense of collecting it is considerable, and it is believed prevents its exportation. But might not the vine be cultivated?

*Dammer.* The rosin of the dammer tree, well known as a useful substance for paying vessels.

*Miniah Dammer*, or wood oil, is the sap of another tree, and is of a brown colour. It is used in careening ships and may be used as a cheap and useful substitute for linseed oil in painting the inside of a house, although the paint will not bear exposure to the weather.

*Lada Panjang*, *Chabei Talee*, or Long Pepper, grows easily and yields well, but is little sought for to be cultivated.

*Buah Ekor.* From this fruit a lamp oil is extracted.

*Buah Prah.* The fruit of the prah tree resembles a nutmeg in shape, an oil is extracted from the kernel, which is in some places used for culinary purposes.

*Pumpong*, is a shrub which has an oval fruit, from which a lamp oil is extracted.

*Chinghawang.* An oil is also extracted from the fruit of this tree, or the kernel, and is used for the kitchen by Malays.

*Kapayang*, is a creeping plant used in dying, and from the fruit of which a lamp oil is extracted.

*Kalompang*, is a tree, the kernel of whose fruit also yields a lamp oil, as does the fruit of the high tree called *Penagu*.

*Buah Kras*, or *Embelic Juglans Camiriu*, is the *hard* fruit as its Malayan name implies of a high tree.

*Gittah or Bird Lime.* This is made from a mixture of the vicid juices of the following trees: the *Jaduteng*, the *Arak*, a species of ficus Indicus, and the *Jack* and the *Cherrie Morei*, or Indian rubber in small quantity, also of the Pulei and other trees. To render the mixture manageable cocoanut oil is added. The Malays by their own accounts can do wonders with this lime, of which the following *hoax*, asserted to have been passed off on a tiger, is a specimen. A tiger having killed a man at Siac, the body was left on the spot, and a large quantity of bird lime was disposed on and around it. All around at a few paces distance chaff of paddie was thickly strewed and more lime laid. The animal returned to finish his repast, and his mouth and claws were soon clogged by the bird lime, while quantities stuck to his body. To get rid of this annoyance he rolled himself in his rage on the chaff, which soon swelled his body to a most portentous bulk, and after having exhausted himself in fruitless exertions he was easily killed. This would seem an improvement on American tarring and feathering.

The barks of the *Bakkaw*, the *Sama*, the *Pagar* Apak and *Sri Kayu* are employed for tanning leather and fishing lines.

The *Poko Sinto* is a pretty tall tree, the small branches of which are in universal use amongst the people as a substitute for soap. The fruit of the tree is named *Buah Piloorooh*, or *ball* fruit. The Malays use it in a prepared state in pulmonary affections.

The *Beah* is the leaf of a moderately high tree so named, which opium smokers substitute for that drug, when it is not procurable. The leaf is serrated, and is sold occasionally at ¼ rupee a cattie.

The castor plant grows almost wild; but the small seeded species available in medicine has not been introduced.—*Prince of Wales' Island Gazettee.*

(To be continued.)

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# THE HILLS.

TO THE EDITOR OF THE MOFUSSIL AKHBAR.

Sir,—The excellent letter of "Oceanus" which lately appeared in one of the Calcutta Journals has not, as I had hoped, been followed by another from the same able and amusing pen: in it, as doubtless most of your readers remember, were enumerated the many *agremens* of a winter residence here, coupled with a few scientific and popular notices, to the latter only of which, can I aspire to add; more in the hope of furnishing to future visitors some information which may not be unacceptable, than in that of adducing any thing new. Let me then suppose the traveller, most probably a helpless invalid, who has long panted beneath a hot and copper sky, to have arrived at Barh, (the last stage in the plains) delighted with the earnest of opening beauties which his morning's march has afforded, and already fancying health in every gale; behold him then seated in a comfortable bungalow, and anxious to make an early start on the morrow:—the "bearer" is summoned, and directed to arrange for the conveyance of his traps—an order more easily given than executed. Perhaps, however, the coolies may be in a complaisant mood, and if so, they will strap their loads on, and go their way without further ado; but if, as is the case nine times out of ten, they should be disposed to take their ease, woe and discomfort to the wretched valetudinarian who sends for the man in charge of the bungalow, naturally expecting and requesting his assistance. He replies, "I am your slave, but can do nothing; a fixed rate is not allowed, you must make your own bargain; these are the orders, you must give whatever the coolies ask or let your baggage remain. At last the head of a gang of porters advances, and proffers the services of himself and troop, (he is called mate from rendering no assistance on the *lucus a non lucendo* principle;) which are gladly accepted at any price, and on any terms, one of which usually is, that the whole hire must be paid in advance, conformably to the *bura-shahib's hookm*, which must, by the bye, be a taking of his name in vain, as I am informed he is prohibited from any interference. Then commences a wordy war about the weight of the burdens, one varlet insisting that a petarrah containing a few dishes, &c., will break his back, and another great he-fellow groaning over a bundle of clothes not so heavy as a knapsack, vociferates, "do you think I'm a buffock that can carry 2 maunds? why this is a load for three men at the least." The *shahib* utterly disgusted, and fearful of being compelled to remain another day, in the end yields, and away the victors budge up the hill, chuckling triumphantly. This state of affairs is emphatically called, by the natives of the plains "*coolie-ka-raj*," and a most expressive and appropriate title it is. I have often heard people say, that they prefered going to Mussorie rather than to Simla, the latter being so much more difficult of access: this difficulty I supposed lay in the badness of the roads, the steepness of the ascents, the passage of mountain torrents, and dangerous proximity to yawning precipices and toppling crags; these I find were all the creatures of my imagination, for no where in India is there a better road than that leading from Barh to Simla, or even as far as Rampoor on the Sutlej, projected by Major (then Captain) Ross, and the credit for the construction of which is due to Captain Welchman; it has also been widened and improved materially by Captain Kennedy. Now I comprehend that the difficulty of access, consists in that created by the conduct of the coolies. By the time Simla bursts upon the view, it will be fully admitted, that "tricks upon travellers" are thoroughly understood, and most adeptly played in these parts, and some persons there are who affirm, that "doubtless the pleasure is as great of being cheated as to cheat." I however, am not one of these, and hope ere long to see the "*coolie-ka-raj*" overturned by a dynasty* in the shape of a regulation or enactment to fix the hire, &c. of these men, a change of rule, or rather an annihilation of misrule anxiously desired by most; and justly so too, seeing that the Hill porters may be looked upon much in the same light, as palkee bearers in the plains, or chairmen in Great Britain, and consequently in some sort, as public servants. The following extract from an official report on the Hills states, between the rivers Touse and Sutlej, furnished by the present Political Agent to Government

* In the Derrah Dhoon a fixed rate (2½ or 3 annas a day) has been sanctioned by Government, and *there* no trouble is experienced in the transport of baggage; but the Government has an interest at stake owing to the supplies required for the Depôt of sick Troops at Landour.

in 1824, will raise a smile in many a reader. "It is most gratifying to observe, that quadrupeds begin to supply the place of suffering man in the carriage of merchandize, &c. The benevolent orders of Government, forbidding the impressment of these people are strictly attended to, and in consequence, man begins to assume his dignity and station." This philosophy cometh in a questionable shape, me thinks, and you may be rather surprized to learn, that notwithstanding our worthy Political Agent's sensitive humanity for these "suffering men" in 1824, he does occasionally in 1835, employ them for the carriage of his portly person, with good fat capon lined, ensconced in a well padded tonjon, ergo, this must derogate not a little from their "dignity and station as men," a circumstance much to be deplored by all philanthropists. That the porters are neither underpaid nor overburdened, a further extract from the same source will fully prove. "The attendance of porters was subsequently commuted to the payment of 3 rupees each porter per month." *Now*, on regular service, they receive 4 and 5 each, monthly, and if they go a journey from 3 to 5 annas daily, or from 5 rupees 10 annas to 9 rupees 6 annas monthly. "The load of a man in Bussohir is from 40 to 50 seers or nearly one cwt." *For us* they will hardly ever consent to carry more than 20 seers, and very seldom that, although for *themselves* they carry frequently 50 seers, and this too, over mountain paths, mere sheep tracks. I had almost forgotten to mention that from Barh to Simla, the hire commonly asked is 1 rupee per porter, should the traveller think with me that this is too much, and have health and patience to wait a while, they will lower quarter of their demand. The approach to Simla is beautiful, winding through the "green wood," openings through which occasionally reveal a glimpse of the pure, cold, glistening snows of the towering Himalyah. To the beauties of the place itself, I cannot pretend to do justice, they are varied by a number of extremely tasteful roads, offering different points of view, some made by Captain Kennedy, some suggested by Lords Combermere and William Bentinck, others constructed by private individuals; among the last I may mention one to the waterfall. The lovers of the picturesque cannot fail of being gratified, but the want of a lake or stream is sadly felt, and the Hills themselves lack boldness of outline; they have *rather* too much of an "analogous physiognomy." When I arrived, the Rhododendron, and its countless crimson clusters of brilliant blossoms, were exquisitely contrasted with the sombre hue of the pines, and the bright clear green of the budding oaks; but "all that's bright must fade" and they are now no more. The houses are commodious, mostly flat-roofed, coated with earth, as those in the city of Cashmere were described to be by Forster, (but no parterres on the terrace) some few are covered in with shingles, and two or three with an excellent sort of mica slate, pitched in the Chinese style; the latter is by far the best plan, but like most good things, expensive. The patting of the flat-roofs requisite to prevent leaks is by no means an agreeable accompaniment to the piano forte, nor is it particularly pleasant to those who suffer from head-aches. The Swiss Cottage might be introduced with pretty effect. Good vegetables are not easily procurable, gardens being scarce and not well stocked, and although the apple, pear, peach, apricot, nectarine, cherry, currant, raspberry, and in fact nearly all our garden fruit trees are indigenous, their produce is but indifferent; towards its improvement, cultivation alone would do much, but the planting of European varieties, together with grafting upon the wild stock, would do more, especially with the apricot and cherry; but I am not aware that a single effort towards so desirable an object has been directed, either by Government or its functionaries, (who have the best opportunity) or any private resident. That success might not attend the first attempts is probable, but we have an example in the gardens of Scotland of the triumph of art over nature; here a helping and skilful hand is all that is needed. Of the general climate I cannot speak; at present the thermometer must stand some 23 or 25 degrees lower than at Agra; and I am led to expect much heavier rains here than in the plains. The meteorology of these Hills, says an indefatigable and accurate observer, and the annual and monthly mean temperature of Simla is as well ascertained as that of London. Water is good and nearer than at Mussorie. The bazaar is well-built, chiefly of wood, the lower rooms of stone; it is clean and well supplied; but although no *nirikh* very properly exists, a price current should be furnished, some bunyas giving 22 seers of gram and others 10 seers more, for the rupee, and on the detection of this difference, the former readily agree to supply the same quantity. The same remark may be applied to all the necessaries of life. The papers informed me last year that a meeting of some of the residents was convened, for the purpose of endeavoring to destroy a supposed combination among the *moodees;* its result I did not learn through the same channel, but understand that the steps taken by the committee elected by the meeting, for lowering the prices on grain, ghee, &c., perfectly succeeded, and perhaps the wily bunyas have the recollection of this interrorem, or alterations may have been made in some quarters, for they now sell at fair rates. The fact of this meeting was reported to Government by Captain Kennedy, and rumour adds, it annoyed him most exceedingly. Lord William expressed his opinion that the civil authority should have been applied to for permission to hold the meeting, but that there was nothing objectionable in its proceedings; that they were necessary I am induced to think, from being positively told by a friend who was here, that those bunyas who were deserted, offered to furnish grain, &c., to their former customers at a very considerably cheaper rate than the committee could, a fact, the inferences from which are too

obvious, to need recording. Monro and Cox keep a good shop, and two billiard tables. Notwithstanding the abundance and variety of wood, all furniture comes from the plains, and though a very large quantity of wax might be procured, not a single candle, (tallow excepted,) is manufactured; iron is cheap and plentiful, yet not a seer of tolerable nails have I been able to get, except some brought up from Kurnal. In fact, a clever speculator would find ample exercise for his genius and purse, and there is a capital opening for a *professional* builder and house agent. Mr. Barrett undertakes this business, but he has his shop to attend to, besides many other pursuits. The Political Agent in his capacity of Justice of the Peace decides cases wherein Europeans are concerned, and *lex non scripta* occasionally obtains. I dislike the system of unpaid Magistrates; I am thoroughly convinced the public do so too. A knowledge of law is not intuitive: a Political Agent, however, skilled in diplomacy, may cut a very ridiculous figure on the bench; will probably be much more deeply versed in Vattel and Puffendorff, than in Blackstone or Burn, and be much better acquainted with the Courts of Princes, than with those of justice: and it is even possible that a smart Commandant of a regiment may be perfectly master of his charge and ignorant of the forms, and misunderstand the spirit of the British Law. Should the visitor not intend to travel much in the interior, a poney or horse will answer as well as a *jhoont;* but if he should wish to tramp about across country, the latter will be found serviceable. Let the animal by all means have a long tail, for in many places and ascents, where riding is impracticable or unpleasant, a good purchase on this will cheat one into the belief of walking on level ground.

The Girree, 2 marches distant, holds *mahseer* and *shala-bons* of fair size, the former take the fly well, and afford many a day's sport to those who are not afraid of the heat: the banks of the river are also good beats for jungel-fowl, pheasants, black partridge, and deer. If the visitor be not a votary of old Isaac's, let him take a rifle and a good double-barrelled piece, of 14 or thereabouts calibre, and start for Kotgurh (commonly called the "Cockney Trip.") About 5 miles after leaving Simla, he will enter a noble forest of pines, oaks, and other trees, of which I know not the name,—here and there shewing the wildest glens in "deep and funeral shade," and occasionally opening out into the green glades of park scenery, through which echo a thousand plaintive wood-notes wild. Though this ground is haunted by most of the native *shikarees*, who supply Simla, a considerable quantity of game may still be found, and should the sportsman be a quick shot, a good fag, and not mind a roll, will well reward his pursuit; there being in the forest no fewer than four varieties of pheasants,—the *khalij*, most numerous, then the *plass*, a handsome bird, the *cheer* a most superb creature, in shape like the English bird, and last the *moonal* or peacock pheasant, the splendour of whose plumage this epithet indicates. Of partridges there are the *chukore*, and another very gay feathered, rather scarce and peculiar to these Hills. Towards the snowy range the *jhajje* or argus pheasant is found, (described, a friend tells me in Buffon, under the title of horned pheasant). Of deer there are three, the *corll*, or Himalaya chamois, the *kakur* or barking deer, and perhaps that curious and valuable animal the musk deer may be startled; there *may* be others, these are all I have seen. Bears, hyænas and leopards will probably be roused in the deepest and darkest jungles. The road winds through the forest for about 7 miles, and then emerges at Fagoo, where there is a bungalow. The next march is to Mutteana, on a tolerably level line, except in one or two places; some likely looking spots are passed and the traveller cannot but help admiring the industry which has embellished whole faces of rugged steeps with one sheet of cultivation, in little terraces one above another, reaching often to nearly the very crest of the Hill. The zumeendars seem fully sensible of the value of manure; for which purpose they make a compost of fermented fir leaves, fern and cowdung. They have an ingenious mode of stacking their hay on very steep slopes, which preserves it uninjured both by snow and rain, and in some villages they keep it in tall cones by staking it on poles, fixed into the ground. They take great pride in their herds of cattle, and constantly sing, while tending them, their excellencies of shape and produce, and recite even something like pastorals. The peasantry are well formed and robust, are fairer than the same class in the plains, and when young very good looking, but whether it is owing to early marriages or to frequent exposure to sun, wind and rain, or perhaps both, certain it is that their good-looks leave them at a very early age, and in appearance at least, they become prematurely old. The villagers I saw were warmly clad in a dirty drab colored woollen frock, trowsers of the same material, loose about the leg and tightened over the instep: for head dress, the men wear a black cap of frieze rolled up into something like a turban, and often decked with a bunch of roses or a green sprig; some of them had a girdle of hair-rope with knife and steel suspended (a bit of quartz serves for a flint and they find a natural tinder or amaden in a small downy plant, the leaves of which they dry) and when the weather is inclement, they throw over all a blanket, much in the manner of the Highland plaid. The women, who bear a most active part in the labors of the field, wear the same sort of frock, frequently without any undergarments, with a strip of cotton cloth wound round the head; some, however, have *paejamus* or a sort of trousers: both sexes are filthy in their persons, and like most uncivilized mountaineers, grossly superstitious. They profess Hindooism, ignorance of the rites of their religion renders them perhaps less tenacious of caste than their brethren of the plains, and most of them eat meat,—but

they will not touch a morsel of mutton except that of the Hills, observing that the sheep below have long tails "*butchroo ke moo-âjiq.*" Coming up to Simla, I saw a man about sunset, holding in front of his face a slip of wood with something like the human face divine carved on it, and apparently endeavoring to cover some object at a distance. On inquiring what he was about, he said "his *dauçe* was having a *moolakat* with one at Subathoo," about ten miles horizontal distance. Wizards and witches play all sorts of devilish tricks with their cattle, and every lofty peak has its appropriate *deota*, whom they endeavor to propitiate by a variety of offerings. The houses are substantially built of stone, slate and wood, some have 3 stories, the lower appartments being allotted to the kine, the middle one to the family, and the garret for a granary or kitchen. All who saw these Hills after the Nepal war, agree in stating, that the condition of the few inhabitants was most pitiable, now they appear to be better off than any peasantry I have seen in India. Goorkhas were indeed the most merciless, brutal, grasping conquerors that ever disgraced the name of man in any age, and all the execrable atrocities committed in the southern portion of the new world, sink into insignificance compared with the villainies perpetrated by these treacherous tyrants. By the bye, I may here remark, that the men of the Regiment of that nation stationed at Subathoo, are by no means respectful in their demeanour to any Europeans but their officers; having, I suppose, adopted some strange notions of "station and dignity of man." We proceeded next to Nagkunder, which is very much colder than Simlah, and where there is an excellent bungalow—good shooting is to be had in the neighbourhood; and independently of the beauties of this spot, which are many, and of the climate which is very bracing, the discovery this month of a chalybeat spring by Dr. Murray, H. A. in a shooting excursion, promises to add not a little to its attractions; its waters are already in request, and no doubt, an analysis of them will shortly be presented to the public. The next day, I recommend the traveller to devote to a ramble up to the Hill of Huttoo, about three and half miles off, and the road to which lies through a superb and mingled forest of firs, holm-oaks, horse chesnuts, sycamores, hazle, rowan and the sable yew, from between the spreading arms of which, stand out in lovely desolation the "blasted pines, wrecks of a single winter, barkless and branchless." Let the summit of the hill be gained early, and from it, should the sky be unclouded, as it probably will in the morning, is commanded a view awful indeed, but neither sad nor gloomy. To the north rise proudly up the mighty peaks of the vast Himalyah, sheathed in perennial snows, where spirits "nightly tread and leave no trace behind," and among the most conspicuous of those giant heads, shoot up the glittering pinnacles of Bundeh Pooch; turning to the south, we behold the *Choor* still with his night cap on, and a little to the west of south Jacko and Simla are distinctly visible, and on either hand a scene which might well employ poet and painter. The slopes of the Hill were studded with those ever wild flowers, so endeared to us by association, the violet, polyanthus, buttercup, thyme, &c. &c. In the afternoon I returned to Najkunda delighted with all that I had seen, and next day went on to Kotgurh, the road to which is pretty, distant 7 or 8 miles. Two companies of the Nusseree Battalion were once stationed here, and there are two good houses belonging to private individuals. The Sutlej rolls or rather rushes below, and looks like a mere sluice, though I believe it is 250 feet wide. Two marches hence is Rampoor, (the capital of Bussahir); the fair held there in November I hope to visit, and should you think this worthy of insertion, I will at a future period, descant on the folly of prohibiting Europeans from crossing the Sutlej, or from proceeding to Kunawur without official permission. Here for the present concludes the journey of your admirer and obedient servant,

*Simla, May*, 1835. TRAMP

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# LAND TENURES OF INDIA.

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## DOUBTS SUBMITTED RESPECTING THE ALLEGED EFFICACY OF A KNOWLEDGE OF THE VARIOUS LAND TENURES OF INDIA, AS A MEANS OF PROTECTING THE RIGHTS AND INTERESTS OF THE RYUTS.

The advocates of Ryutwar settlements charge the Permanent Zemindaree settlement of Lord Cornwallis, and all others formed upon a like principle, with more serious evils, as I humbly submit, than can fairly be imputed to them, whilst they ascribe, on the other hand, more efficacy than they deserve to those securities against the commission of similar errors, which form the basis of their favorite system of revenue management.

The following observations, which with all submission go to question both of these positions, and which right or wrong are the result of much reflection, after having attentively read, marked, and as I would fain hope, well digested the valuable information, contained in the Printed Revenue Selections, in the large mass of oral and written evidence recently submitted to the Board of Control and the Select Committee of Parliament for the affairs of India, and in late dispatches from the Supreme Government, also laid before them, and the whole of which are also in print—may be less called for as regards India, where something

like a reaction in the minds of the ruling powers would seem to have taken place as to the merits of Ryutwar settlements, grounded upon previous minute local inquiries, such as are embraced in Regulation VII. 1822, of the Bengal Code,* that is to say, "their practical application," for "there can be but one opinion as to their soundness in theory."† Not so however with the authorities in England, in whose minds a conviction of their superiority to every other Revenue term, both practically, and theoretically would seem to be as steadfast and rooted as ever, or rather, it may by said to have gained strength since the weight of testimony in the inquiries I have alluded to, which preceded the renewal of the Charter, being all in favour of that mode of Revenue administration, must have added to the strong previous leaning towards it. In proof of which, I need only mention the names of Sir Charles Metcalfe and Mr. Holt Mackenzie, who, although neither of them, I believe, practical disciples of that school, are nevertheless strenuous and warm supporters of its principles, and of Messrs Campbell and Sullivan, of the Madras service, whose evidence display an apostolical zeal in propagating the doctrines of their distinguished masters.

To enlarge on the vast importance of eliciting the whole truth, and nothing but the truth, with respect to a question, which has occupied so large a share of the attention of every Indian Government, from the days of Warren Hastings to the present time, would be to utter State truisms, I feel satisfied, therefore, that any person who can, or fancies he can, throw a single ray of additional light upon it, need offer no apology for proceeding to make the attempt. I am not, however, going to inflict a merciless dissertation upon the merits of either of the celebrated Revenue settlements I have adverted to, or of any other. On the contrary, considering how much has been already said and written upon these and all the other systems of Revenue management which have at any time found favor in India, so much indeed that one would almost think there could be no room for further discussion, and bearing in mind the necessity of dealing considerately with the limited space which your columns, and the probably still more limited patience of your readers, can afford, I shall not only touch as briefly as possible on all such facts or reasoning already on record, as I may have occasion to refer to, but shall compress my own suggestions into the narrowest compass consistent with perspicuity.

It appears to me then, that it was not, as is alleged, our concluding the Zemindaree settlement of Bengal, in ignorance of the land tenures of the country, which led to the extensive destruction, said, and no doubt truly, to have overtaken the rights and interests of the ryuts and other agricultural classes. It was not from "employing the term proprietor (in regard to the Zemindars) without defining the nature of the property and from overlooking the fact, that several distinct proprietors may very well attach to a single subject matter"* nor from "confounding the Zemindars' hereditary property in the *land revenue* with the separate property in the *land itelf*,"† which produced the "mischief" in question. I would submit, whether the same evils would not have equally ensued, had the relative rights of every class, connected with the land, within the sphere of its operation, from the Zemindar or superior landholder himself, down to the lowest cultivator, been ascertained, defined, and recorded in the amplest and clearest possible manner, precedent to the formation of that settlement.

What in fact at that period, if not now, were the rights of the generality of the ryuts at the very best? That so long as they duly paid certain pergunnah rates of assessment, said to have been limited by ancient law and usage; that is to say, a rate of assessment, which, though locally vague and ill-defined, is stated to have been equal, on an average, to half the gross produce of their lands at the very least,‡ they were not liable to be dispossessed. But is that a proportion, which they were capable of paying, I will not say continuously, but even for any considerable length of time! I believe it has never been contended that it is, for that it was any thing more indeed than a maximum limit of legal demand, never to be exceeded—and at all events, it is quite certain that so long as there are "bad crops and poor ryuts," it is not a rate, which could have been paid by all ryuts, in all seasons, and under all circumstances without remission or abatement, notorious, as it is, how small a calamity disables most ryuts from liquidating their assessment; and if so, whatever might have been the nature of the property intended to have been conferred on those, who were empowered to exact it, did not this single fact suffice in itself, if not at once, at least before very long, to invest every one of the Zemindars, with whom the Government settlement was made, to all intents and purposes, with a complete proprietary right in all the lands comprized within the limits of his Zemindaree, and virtually render the reduction of the whole of the inferior cultivators to the condition of tenants-at-will a mere question of time? These Zemindars must always, it is obvious, have been the sole judges of when, and to what extent abatements from such standard assessment, if any, were to be granted, on a partial or general failure of crops. They had only therefore to refuse, on any such occasions, to listen to claims for remission, on that or any other plea, and what became of the boasted rights of individuals so circumstanced? Would they not in that case

* Letter from the Governor General, 7th of April, 1831.

† I wish to be understood as referring to those detailed settlements, under which the payments of each individual ryut, or rather the assessments of every separate field are adjusted and fixed by the European collector and his Cutcherry servants.

* Letter from the Right Hon'ble H. Mackenzie, vol. 3rd, Part 2nd, Revenue Papers laid before the Select Committee, on the affairs of the East India Company.

† Mr Campbell's Paper on the Land Revenue of India, ditto, ditto.

‡ Fifth Report ditto. Letter from Mr. Mackenzie, already notified.

have been as entirely at their mercy, however carefully they might have been sought out, ascertained and registered, as if no such record as at present had ever existed? The assignment, in short, to the Zemindars of a *carte blanche* power to take from their ryuts whatever they pleased, within these specific limits, could not fail, I would submit, to enable them sooner or later to work their will upon them, and to oust indeed nine-tenths of the whole, if so disposed, in the course of a very few years, without the smallest violation of law or infraction of individual rights. By making that "a real measure of demand," which "in the hands of Government had been in a great manner nominal,"* and strictly enforcing its realization—any record of the nature indicated must, in a very short time, in short, so far as protection to the ryuts, have been little better than a nullity.

The general rate of assessment, for example, in the Bengal Provinces, as sanctioned by long usage or prescription, was probably not below that of the Ceded Districts of Madras, fixed by Sir Thomas Munro's celebrated survey, but according to that eminent revenue authority, even so large a reduction as he advised in that rate, namely, to the extent of 25, and in some instances 33 per cent, would still have involved, for a number of years at least, the necessity of remissions "from bad crops or other accidents," to the annual amount of no less than 10 per cent of the annual jumma," in an aggregate of six or eight collectorates, though it might be more in a single one."† Hence, armed as the Zemindars necessarily were with a discretionary power to reject or admit as they thought fit, all pleas for abatement of such standard rent, one ryut in ten every year, or every ryut on an average, in the course of so short a period as ten years must have been at their mercy, even if the rates demandable from them had been 25 per cent less, than they really were, and whether these rates, as well as all their other rights had been defined or recorded or not. How much more so then with reference to the actual rates, for which they were legally answerable.

Another proof, if further evidence be wanting of the ryut's inability to pay any thing like a fixed or uniform rate of assessment for any length of time is deducible from the fact of the Zemindars themselves being every day defaulters, and their estates forfeited in consequence; no fewer than two hundred and seventy-six having been actually sold so recently as the year 1824.‡ Now as the Zemindars of the present day do not appear to be charged, like their predecessors in the early period of the permanent settlement, with any peculiar improvidence or incapacity in the management of their lands, if they, with their superior resources, and the advantage arising from the possession of a great deal of waste land, &c. &c., are so frequently unable to make good their engagements with Government, what was to be expected from the majority of ryuts in the liquidation of their obligations to them.

A rigorous enforcement of punctuality in the payment of their kists, as they fall due, could of itself perhaps have gone far to ruin many of them; since they, of all people in the world, with their poverty, must have special need of that patient indulgence in money matters, which few persons do not occasionally require.

If there be any justice then in the foregoing observations, I submit that there must also be some truth in the proposition, with which I set out, viz., that no preliminary knowledge, however accurate and complete, of the various land tenures and other individual rights, connected with the land, could have had the effect contended for of effectually bridling the Zemindars, or have proved other than a very temporary shield from the ills, which are said to have befallen the ryuts from the want of it.

I should almost be inclined to go further and to submit, whether in merely urging, as I have hitherto done, that such knowledge would be of very limited utility in protecting the inferior from the oppressive practices of the superior landholders, I have not passed a more favorable judgment upon it than it really deserves. Whether, in short, instead of possessing the negative merit of being harmless, it would not on the whole be positively mischievous in its operation upon these last, or upon those for whose especial benefit it is intended, and for this simple reason, that it is calculated to "put asunder" those ties and sympathies between the higher and lower classes, which, circumstanced as the great body of the ryuts are, must ever be their best security for the undisturbed enjoyment of their rights, and for which this supposed palladium would, as I greatly fear, prove but a very inadequate substitute.

Did the ryuts stand less frequently in need of indulgence in the payment of their dues, could they in short be at once raised into independence in their circumstances, such a registry might indeed be a valuable boon—but wedded as they are to pinching poverty, and with such constantly recurring occasion for abatements in the assessment, which the Zemindars are entitled to demand from them, fixed though it be on the lowest scale, which has ever been contemplated—what other effect can our teaching them to look solely to the Courts for redress, on every occasion of real or fancied infringement of their rights, than to alienate from them the good-will of those upon whom they are so wholly dependant, and who by a stern exaction of their just dues, and a refusal of what can be claimed as a matter of favor only, and not of right, would have innumerable opportunities of placing them in a much worse position, than they at present occupy, since, as matters now are, the Zemindars may have the power; but there seems good reason to believe that they have seldom the inclination to practice any general oppres-

* Mr. McKenzie's evidence, 2671. Vol. III. Part 1st.

† Report of the Principal Collector of the Ceded Districts dated 15th of August, 1807. Para: 10th. Vol. I. Revenue Selections.

‡ Mr. McKenzie's evidence, No. 2602. Part 1st, Vol. 3rd, Minutes of Evidence.

sion upon their ryuts, whereas they would then have both the one and the other. The inclination could not fail, were they to be frequently sued in the Courts by the ryuts to become much more hostile towards them, and the power, as has been shewn, would as certainly not be long wanting. Can a slave, it may be asked, venture to complain of his master with impunity?

To be beneficial, therefore, the whole peasantry or the country, that is to say, a proportion of not less perhaps than two-thirds of the community at large must be elevated, and that instanter, to the rank of independent landed proprietors or substantial farmers, and this is what, I believe, is really aimed at. A most benevolent design truly, but which but for the high respect I entertain for many of its advocates, I should be inclined to designate as so very utopian, as to have much more the air of being an emanation from the brain of Mr. Owen of Lanark, than the sober calculation of practical statesmen.

In every part of the world, the time I fear is very far from having yet arrived for the great mass of mankind to be other than hewers of wood, and drawers of water—and in India, with their institutions and load of taxation, the people seem to be more especially doomed to that lot. To expect, under such circumstances, by any law of ours we can make them otherwise, is to believe the laws of men to be more powerful than those of God and nature. The Hindoo laws of inheritance would of themselves render it abortive beyond the period of a single generation.

But the Zemindars, it is said, practised great oppression on the ryuts possessing "a fixed right of occupancy,—which is the most general tenure," by every where disregarding and exceeding the customary local rates of assessment, and ejecting them in case of recurrence from their holdings,* in order to make room for others, the pyacadoree, or migratory ryuts, a body who "are ever on the watch, by the offer of higher terms, to tempt the Government, or its representative, to oust the hereditary cultivator from his fields."† To which it may be answered, that the only legal limit to the rates in question, to which the latter class would appear to have been liable, from time immemorial, being ther "supposed ability"‡ to pay them, as "ordinarily the whole of the produce of the land, beyond what is required for the reward of labour and the replacement of stock, might be deemed a public property,"§ their condition could for the most part scarcely have admitted of being made worse, than it always had been in this respect, and at all events, their rents could not have been raised. I would submit, with any view to their ejectment for the purpose adverted to, as such a doctrine is at variance with the notorious fact every where recorded,* that neerasdars and all ryots possessing a hereditary or fixed right of occupancy, are almost uniformly in the habit of paying, a higher rate of assessment, than the migratory class, or those who bear a resemblance to tenants-at-will, and who "having no permanent interest in the lands they cultivate, have little or more of the local attachment which facilitates exaction" from the others. If such be the case then, their ejectment, the fact of which I do not presume to question, must, generally speaking, have arisen from some other cause than the one assigned, since it must have been attended with positive loss, instead of gain, to the Zemindars.

It may be affirmed, in short, that the Zemindars could not, if they would, have raised the rents, which they were legally entitled to receive from the ryots, and that they would not, if they could, to such an extent at least, as to dispossess them. The one would seem to have been physically, and the other morally, impossible, as being clearly opposed to their own interests.

The under-farming, or thrice repeated sub-renting system, prevalent in the Zemindaree of the Burdwan Rajah has been adduced,† however apparently, in support of the above opinions, that the Zemindars were both able and willing to levy more than had been customary or was legally due from their cultivators, as each of these three grades of sub-renters collected of course a larger sum than that which he himself had engaged to pay. But might not this have been possible enough, without its being "wrung" from the cultivators, as is asserted; that is to say, without any one of them paying, in porportion to the land which he occupied, one rupee more, than at any previous period? Might it not, in short, have been entirely owing to extended cultivation, upon which each of those farmers speculated, since it has been shewn "in respect to a number of estates, taken indiscriminately from those under the Court of Wards,"‡ and some of those belonging to the Rajah of Burdwan among the number, that "the rent obtained from farmers on account of the proprietors, contrasted with the Government revenue, was more than double the latter," and all owing, as is expressly stated, to this very cause, I would with deference submit whether the chief, if not the whole injury the ryuts have sustained under the Zemindaree settlement in question, rather to be attributed to the enactment and rigorous enforcement of that clause of our fiscal Regulations, which makes the Zemindaree tenures saleable in satisfaction of arrears of revenue. Not as is held, because their rights are thus made to merge in those of the auction purchasers of those tenures when brought to the hammer, or in other words, to its having been practically ruled that in all such cases these last became

* Lord Moira's Revenue Minute, 21st September, 1815. Revenue Selections Vol. 1st.

† Mr. Campbell's Paper.

‡ Fifth Report

§ Mr. McKenzie's Letter at Supra.

* Report of the Hon'ble Mr. Elphinstone on the Deccan, Vol. 4th. Judicical Selections, page 160. McKenzie's evidence at Supra. No. 572, Sir T. Munro's Report of August 1807. Fifth Report; Revenue Letter from Bombay, Page 653, Vol. 3rd. Part 2nd. Minutes of Evidence.

† Campbell's Paper. McKenzie's Letter at Supra.

‡ McKenzie's Evidences at Supra, Nos. 2613, 2929, 2937.

proprietors of the whole land itself, and not merely a share of the public revenue derived from it;* for the ryut's tenures being, as has been so repeatedly stated, nearly, if not wholly, worthless, so far as concerns pecuniary value on account of the "ordinary legal limits of the government demand" being such as to absorb every thing in the shape of rent, it follows that neither the act of Government virtually, or expressly, conferring on the Zemindars all property in the land itself, nor its subsequent transfer to others, when escheated to the state by their default, could have been any infraction of their proprietary rights,† since "to give up what the law and usage authorize us to take, is to create a new property, which no individual can claim on the score of right,"‡ but because it in a manner forced the Zemindars to exercise an equal degree of rigor and severity upon their tenantry, as they themselves were subjected to by the Government. The attachment of all natives to their lands, and to the consequence which is derivative therefrom, is proverbial, the loss of life itself being almost preferable to dispossession. The intense desire, therefore, which the Zemindars must naturally have felt to avert so heavy a calamity from themselves, and which they knew to be the inevitable consequence of any failure on their part in the fulfilment of their revenue engagements with the state, was surely in itself enough not only to drive them, however much against their natural inclination, to practice every species of oppression and extortion, with the view, if possible, of making good the jumma due from them, but almost to justify it.

If the ryut's rights in the land had had any saleable value, the consequences contended for, of the rule under the Bengal system, which in the event of the sale of a Zemindaree or village, constituted the purchasers the sole proprietor of all the land comprised within its bounds, and conveyed to him the proprietory rights without reserve, would certainly have been indisputable, because they would then have had both the power, and a strong inducement to use it, to annihilate them by means of extra exaction. But as it has been most distinctly admitted by its most strenuous advocates, that their hereditary tenures were not generally saleable "in the Provinces under the Bengal or Bombay Governments, and that the existence of private rights, limiting the right of Government, so as to leave the owners of fields a portion of the rent, that is, a share of the surplus, which remains after paying wages and replacing stock, seems rarely to have been established."§ I cannot but think there is strong reason for being sceptical as to the mere system of sales *ipso facto*, having so extensively a prejudicial effect upon their rights and interests.

With respect to the Tuppa of Muncer, a Zemindaree held by a community of Rajpoots, forfeited and sold in consequence of one or two of the body refusing to pay a portion of the jumma, to which it was assessed, by which the entire rights and fields of the whole of them, "even where they had discharged their respective shares of the public revenue in full," are said to have been "involved in one common destruction,"* and conveyed to the new purchaser, and which had been cited as a pregnant instance of the mischief and injustice, attending such a practice, and of the endless litigation, as well as general disaffection it gave rise to. I would observe, in the first place, that this being an estate held in common, it has always, if I am not mistaken, been the usage of the country, an usage merely adopted and continued in our Regulations, and not their offspring, to hold the whole of such a corporation conjointly answerable for the aggregate demand of Government, and their lands escheatable, if any portion, however small, were not duly discharged; and in the second place, if I am in error in this view, the excitement which the sale of this Zimindaree would appear to have caused among the people, seems to have arisen, less from the sale than from the low caste of the purchaser, which shocked the prejudices and wounded the pride of an association belonging to so high spirited a race as one of the Co-parceners is stated to have observed on the occasion—"If Government are determined to sell our lands, why dishonour the caste, by a sale to a gootun? Our chief is the Rajah of Bulcah, and he is a rich man," &c.

It must be acknowledged, however, that the Regulation in force for several years, after the first introduction of the permanent settlement, which gave the Zemindars no other means of recovering arrears due to them from the ryuts, than by the slow process of a suit in the Courts, whilst the Government could proceed against them in the most summary possible manner, by encouraging the ryuts as it did, to enter "into combinations, which enabled them to embarrass the landholders in a very injurious manner, by withholding their just dues"† was eminently calculated to stir up hostile feelings on their part, and to sever on both sides (as before observed) those ties, which in their relative situations would naturally have bound them to each other, had no such conflicting interests intervened, and hence the Zemindars were sometimes more disposed perhaps, than they otherwise would have been, to turn into an engine of oppression the powers with which they were afterwards armed, for the more prompt enforcement of ther claims against the ryuts.

The above considerations have the more weight, because where Zemindars and other great landholders have not been acted on by such malignant influences, they would seem to be "not at all prone to eject their ryuts."‡ They manifest in truth the very reverse of a

* Campbell's Paper *et supra*.

† I am far from denying that there are many exceptions, but such as every one admits seem to be the general rule.

‡ Mr. McKenzie's Letter *et supra*.

§ Campbell's Papers, Mr. McKenzie's Letter *et supra*.

* Campbell's Paper *et supra*.

† Fifth Report.

‡ Minute of the Senior Judge of Sudder Dewanee Adawlut, Bengal, of 8th March, 1827.

disposition to practice grinding exaction, or any other species of oppression on their cultivators. In every part of India, from the southern extremity of the peninsula to the most northern parts of Hindostan, we find testimony borne to this fact. In the jaghires of the southern Mahratta country, on this side of India, not only are the lands represented as being in a more flourishing condition than the British territories in their neighbourhood, but there is said to be "a greater appearance of subsistence and comfort in the people."* The same is said of all the considerable landholders in Travancore; of the renters in Malwa, where a system of very long leases, sometimes handed down from father to son, to the third or fourth generation, formerly obtained. Of the hill Zemindars in the Northern Circars where the ryuts seem to have a peculiarly strong attachment to their chiefs, and of many of the petty independent states in Upper India, such as Rampoor in Rohilcund, the Rajah Diaram Bugwant Sing, and of Bhurtpore, &c. which being small, were managed more like private estates than principalities.

If the end had in view then, namely, a trust-worthy record of the rights and obligations of every one of the agricultural classes be, as I have submitted, of problematical advantage so far as providing an effectual security for their undisturbed enjoyment of those rights, I would now further, though with equal deference, submit, whether the means by which alone we seek to attain it, be not equally problematical?—that is to say, by minute local scrutinies, including a survey and valuation of every begah of land, with the double object of "ascertaining the relation of the people to each other, and to the Government," and of determining "the extent of productiveness of the land, included in the term, all circumstances, natural or artificial, that affect its power of yielding rent," for the purpose of fixing "an easy and equal assessment, which should give to every person, who permanently cultivates lands, and whom it would be unjust to oust, a tenure in the fields occupied by him, or tilled at his expense and risk, possessing a certain money value, and secure against arbitrary or illegal disturbance," &c.†

In support of this proposition, I am less dependent, than in regard to the foregoing, upon argument merely. In proof of the extreme difficulty of developing the information embraced in both of these "great branches of enquiry," and as a striking practical illustration of the great likelihood of all such undertakings ending in disappointment, I can boldly refer to the little progress which has hitherto been made in carrying into effect the provisions of Regulation VII. of 1822, for the settlement upon these principles of the western provinces of Bengal, and to the result of the recent survey, and assessment in the Deccan, which was under the superintendence of a gentleman, who has the character of being every way qualified to do justice to it. The Deccan survey, like many others which have been attempted elsewhere,* appears to have failed in consequence of the "chicanery and corruption" of the numerous native servants, —most of them of course on low pay,—to whom the details were necessarily confided; but had every one of them been of spotless integrity, with the utmost fitness in every other respect, it may well, I think, be doubted whether it would have been much more satisfactory.

"The whole object of that measure† was, as is stated, to ascertain the amount of the gross produce of each acre, and the share which the ryut could afford to pay, after deducting the expense of cultivating it and maintaining himself and his family," with a view to the revision in the existing rates of assessment, and to reducing them to a greater degree of equality. "Large quantities of land being held at reduced rates in some cases, whilst other lands were greatly overrated."—

But to attempt such an equalization with any prospect of success, it is obviously requisite that we should be able to discriminate between natural and artificial fertility of soil, otherwise we must run the greatest risk of aggravating, instead of lessening, existing inequalities of assessment. Two begahs of land for example, are found to yield the same gross produce, and on both the crops are abundant; but in the one case it is the effect of very little labour, while in the other, the expenses of cultivation, that is, of manure and other out-goings, are twice as great. Unless, therefore, we can clearly distinguish the one from the other, and form some estimate of the difference of expense in question, an equitable adjustment of assessment upon each is manifestly chimerical: fixed in ignorance of this essential fact, it might very possibly leave the owner of one of them in possession of a considerable surplus, "after paying wages and replacing stock," while it pressed so heavily on the owner of the other, as not only to leave him no such surplus, but to trench materially on the expenses of cultivating it, and maintaining himself and family.

But is this a matter within the competence of any geologists, or other individuals however expert, to determine by examination or inspection?—I do not of course mean with any precision, but with the smallest approximation even to accuracy, aided though they be by the advice and opinion of other ryuts, by their spirit of party and opposing interests',‡ or by any other imaginable expedient? I apprehend not; I certainly at least have never heard it so contended. Herein then in itself lies an insuperable difficulty. I am within bounds when I affirm, that there are as great varieties in the skill, capital and judgment applied to

* Colonel Syke's Evidence, No. 1978, vol. III. part 1st, Minutes of Evidence. Colonel J. Munro, No. 1458, at Supra. Sir John Malcolm's Central India. Mr. Elphinstone has made the same observations in his evidence before the Lord's Committee for Indian Affairs.

† Mackenzie's Letter *et supra*.

* Revenue Selections, vol. 4, page 175.

† Mr. Elphinstone's Minute. Revenue Selections, vol. III. page 853.

‡ Lord Moyra's Minute, 21st September, 815, *et supra*, para. 51.

the cultivarion of land, as there are degrees in its natural fertility. In truth, striking as are the differences in the inherent qualitities of different soils, there is perhaps still more diversity in the relative quantity as well as quality of produce, drawn from them by reason of the labour and skill, bestowed on their cultivation, as is abundantly testified by reference to rude and civilized periods of society in every country. Compare the former with the latter, and we find the land producing little more than enough to maintain the cultivators; while in the latter, one-third of the community perhaps, engaged in agriculture, produce a surplus over and above their own subsistence, capable of supplying the whole of the wants of the other two-thirds. Compare different countries, at any given period, and we perceive the same result. In France two-thirds of the population are said to be agricultural. In England less than one-third, while Ireland the proportion must be considerably more than in France. What therefore is this to be ascribed to? Not certainly to England being the more fertile country of the three, as France has confessedly the far richer soil, but to a more abundant capital and better system of husbandry, and to the land being less subdivided among those classes, who are engaged in agriculture. But what is true of different countries in this respect, is no less true of individuals, and the latter equally with the former, and for the same reasons will make their lands productive in very different degrees.

"There are two or three descriptions of land as was observed by an intelligent Collector in the Bombay service,* but there is not much difference in the quality of land of the same description beyond what has been caused by the labour bestowed on it. Land of the third class in two or three years may be made equal to land of the first class, and this again from neglect may be reduced to the third class. It must be very difficult to obtain a knowledge of the gross produce of every field, as a few cart loads of manure more or less would add to or decrease it one half, I conceive it quite impracticable to cultivate, the labour and expense of cultivation, &c." I repeat then that unless we possess something like a criterion, by which to descriminate between what is the work of nature and what the work of man, we must unavoidably be groping in the dark in all our attempts at a classification of soils, and it must be an equal chance that we create more inequality than what we seek to remove; and if in our ignorance we assess alike land of the first and "land of the third class, made equal to the first," by reason of additional labour, we enact the Agrarian law of ancient Rome over again, in principle at least, by reducing all to one dead level, and keeping them there.

I cannot but think indeed that much of the supposed inequality in the rates of assessment, which we were so desirous of correcting by that survey, is more apparent than real, and originates in fact, in the cause above stated. The low rates paid by what are called under-assessed lands would, not unfrequently in short, be found, if we had the means of tracing them to their true source, to be nothing more than a fair remuneration for the additional expense the owners had been at in their cultivation. It has been well observed, too, that even if a "new assessment* were fair and accurate, it might still be unadvisable, merely because it was new, as every man's rate of payment, and consequently his circumstances, would be altered, and the inconvenience suffered by him whose income is reduced, is out of all proportion to the advantage gained by him whose profit has been augmented."

I have instanced the foregoing, not as being the only, but the greatest obstacle, as it appears to me, next to the want of honesty in the subordinate agency to the success of surveys. A glance at the instructions† for the guidance of the Surveyors and Assessors, will unequivocally show that if this Charybdis were safely passed, how many Scyllas there are, which it was still liable to be wrecked on.

If, then, our best native agency has proved so unworthy of the trust reposed in it, with respect to that great object of a survey, which relates to the determination of an equal and moderate assessment, can we reasonably hope that they will more ably or faithfully execute the other primary end, which has been adverted to, or an accurate ascertainment and definition of various rights and tenures in the land.

Referring, then, to these several considerations, to the probable failure of our utmost endeavours to elicit the required data, and to its questionable or rather limited utility as a means of protecting rights, even if they succeeded to the full, to the heavy expense of such enquiries, which in a single collectorship in the Deccan, and the only one where the surveys were completed, amounted to very little short of four lacks of rupees, to say nothing of the great sacrifice of revenue, which was also contemplated to the extent of from 25 to 33 per cent. of the aggregate annual jumma, and to the indefinitely protracted period any thing like a general measure of that nature would be certain to occupy, the single collectorship I have noticed, having employed an enormous establishment, no less I believe, than from three to four years, and it will perhaps be admitted that there is reason to pause, before we pronounce the preponderance of advantage so decidedly in their favor, as is contended.

I would not have it thought, however, that I am either friendly to the principles of the Zemindaree Settlement of the Lower Provinces of Bengal, or attach no importance to a record of the rights and payments (the latter being fixed on a scale of moderation) of every grade among the agricultural body.

With respect to the first point, I have long thought that the grant of long leases, which seem lately to have come into favor with the public functionaries in this country, or a settlement upon the principle of a man

* Page 831, Vol. III., Revenue Selections.

* Mr. Elphinstone's Minute, 6th of April, 1821. Para. 56, Vol. III. Revenue Selections.

† Vol. 34, Revenue Selections. Pages 833 to 850.

between the Ryutwar Settlement of Sir Thomas Munro and the Zemindaree Settlement of Lord Cornwallis, where it is not of course opposed by the custom of the country, the rights of individuals, or the wishes of the people," that is to say, the renters being the heads of villages, or as many of the villagers as might be willing to become parties to such engagements with Government, would combine the advantages of both these modes of revenue management, and be free from the chief defects of either. "I would give a preference"* says Mr. Elphinstone, "to a settlement with the heads of villages, as tending to keep up the upper classes, which it is generally the effect of our institutions to break down." Similar testimony has been still more recently borne to the value of such intermediate agency by an equally high authority,† as well for being a natural link of connexion between the lowest classes and the Government, for superiority to the revenue Ameen, who must otherwise occupy that place as the best manager of the complicated interests of each village community, and the best promoter of improvement." It has been said also‡ that as long as the engager was himself one of the class (that is, a village proprietor) there was no reason to believe that he assumed the powers of sole proprietor, or that the general *puttudaree* property was at all infringed upon. And in regard to the second point, or a clear definition of the rights and payments of the people, although, for the reasons assigned, I attach less importance to such a definition than many others, I am far from meaning to deny, that it would be a great desideratum, since it would at least narrow the ground of dispute between the cultivators and Zemindars, or other Government managers, and certainly be of the greatest utility in preventing disputes between private individuals, or settling them satisfactorily when they arose. But are these objects of such value, as to be worth the expense, uncertainty and delay, which there is so much reason for believing the means proposed for their attainment would inevitably be attended with? I have had the less hesitation in answering this question in the negative, because I would humbly submit that there is another expedient, and free from any of those serious objections, by which the same ends may be accomplished, sufficiently well for all practical purposes.

I would submit whether, wherever, as in the Bombay territories, the system of village accounts has been re-established on an efficient footing, and has been for a considerable time in operation, the past collections for a series of years, which are therein recorded would not be an adequate, and at all events a better guide, than any data derived from abstract calculations and estimates, which are the chief reliance of survey field assessments, both for regulating the aggregate jumma, payable to Government by the renters, and the sum of each ryut's payments to them; since what these last had paid in times past, and the effect of which the experience and observation of successive collectors, during a lengthened period, could scarcely have failed in enabling them to equalize in a great degree, or to specify "the amount of increase in the existing jumma which might reasonably be demanded in any case, or the abatement that ought in fairness to be granted," we might be pretty certain of their being able to pay in future.

I would submit farther, whether it might not be made the clear and self-evident interest of the whole body of cultivators and of the renters, as well as the special duty of the European collectors, who, when relieved from the laborious details of annual Ryutwar Settlements, would have ample leisure to give a large portion of their attention to this essential object, at all times one of the most important of their duties, and the most important of all to see that the whole of those particulars relating to the produce and revenue, which are required to be registered in the village accounts,* were duly and regularly entered in all time to come—suppose, for example, the Tullatees or Koolkurnees to be every where made officers of Government, or quite independent, as they ought to be, of the renters or revenue engagers whatever they might be, "the Collectors retainining a full controul over their accounts, and being entitled to enquire and interfere wherever the rights of the ryuts appeared to be encroached on." Suppose, farther, a legislative enactment to be passed, to which of course every possible publicity should be given, declaring those accounts to be the sole criterion, to which the Courts would invariably have recourse to decide all contested demands or other differences connected with land or land revenue, which came before them. Would not a strong incitement thus be given to the parties immediately interested, to the renters on the one hand, and the cultivators on the other, to keep a vigilant watch over these offices of check, to ensure the accounts being always regularly, punctually, and accurately kept, or an authentic record, to which reference might at any time be had, to ascertain both the amount of each man's annual assessment, and the sum of his several payments in liquidation as they were discharged; since according as either party was careless in this respect would be his risk of suffering loss in the event of any dispute, the cultivator in being made to pay more, or the renter to receive less, than was due!

Such a system, coupled with a diligent superintendence and inspection on the part of Collectors and their covenanted assistants, would, as it strikes me, effect all that is practicable in the shape of protection to the ryuts from oppression of the renters, or others placed over them, "by rendering their conduct liable to scrutiny," and afford much valuable, and, indeed, every requisite information to the Government; besides, "as to the real condition, actual revenue, personal rights,

* Evidence before the Lord's Committee, for India Affairs.

† Governor-General's Letter, 7th of April, 1831. Vol. III. Part II Revenue.

‡ Lord Moira's Minute, 21st September, 1815.

* Regulation XVI. of 1827. Bombay Code.

and various interests in the country."* "Purgunnah surveys, too, exhibiting the area and general view of the cultivation, and which might be prepared with comparative facility"† would also perhaps be a useful check both at the commencement and end of long leases, as making the extent of cultivation at both periods respectively.

Settlements of the land revenue Ryutwar have not, I believe, been found to answer much better in the Bombay than in the Bengal territories, in which last they have long been pronounced by high authority "as absolutely impracticable;"‡ and it may well perhaps be questioned whether they have been so eminently successful upon the whole, as is generally maintained, under the Madras Presidency. Judging of the tree by its fruits, indeed, the revenue management of Bengal, which has been so much decried for many years past, may with all its faults well challenge comparison perhaps with the Madras system, which has been so much eulogized and held up to the other as a model and an example, since unlike the former, which has upon the whole been stationary, there has been a very large increase of revenue§ in that part of the Bengal territories, where temporary settlements obtain, while it has been shewn by reference to the estates managed by the Court of Wards, that in the Lower Provinces had not our hands been tied by the Permanent Settlement, we might at this moment have been in possesion of a revenue from the land "double what it now is." Nor is it any where stated that the general condition of the people is worse than in the other. On the contrary, looking to the above mentioned facts, to the great extension of cultivation throughout the Bengal Provinces, what, as has been affirmed, "is chiefly to be ascribed to the labour of the cultivators, and without any assistance from the Zemindars,"‖ and to the low comparative rate of taxation, to which the people would seem to be subject, which viewed as a capitation tax,¶ is only 3s. 1d. a head, while the latter is now less than 7s. 7d. or 150 per cent more, and that too, under every advantage in regard to soil and situation, markets and facility of communication; it may reasonably be inferred, not only that the reverse is the fact, but that the Madras territories have been drained of their resources and arrested in their power of advancing in wealth and prosperity.

But the friends of Ryutwar Settlements refer to Coimbatoor for the proof of the superiority of that description of revenue system over every other, which has been tried both as regards the Government and the people. It is, however, a question for consideration, whether the prosperity of that province is not rather to be attributed to the great reduction in the assessment, amounting, it is said, to no less than from 37 to 75 per cent of the aggregate jumma* added to its having enjoyed the rare and inestimable advantage of being under the management of the same and a very able collector, for the long period of fifteen years. A great reduction is stated to have been made of late also in the assessment of all the other districts of Madras under Ryutwar management.†

Impartially considered, indeed, the failures of so many of the Zemindaree Settlements, of the analagous one concluded in the Malabar Province with the Rajahs and Nairs, soon after it came into our possession, and of the Madras Triennial village settlements, all of which have been so often contrasted with the success attending Ryutwar Settlements‡ under that Presidency, as demonstrating their inferiority, prove nothing, as I humbly submit, as to the real merits or demerits of any one of them as systems. The whole of the one having been concluded upon terms confessedly higher than the country could bear, while "moderate rent" appears to have been the principle uniformly kept in the formation of the other, and that to which the improvement of the country, where it obtained, has in fact been mainly ascribed; (Fifth Report) hence the general failure of the former, and hence also, and to the rule so rigorously enforced, which required the Government engagers to produce a stipulated sum, within a "stipulated period" on pain of losing their lands, or of being deprived of their offices, may perhaps be deduced, as I have already urged, and without seeking for any other cause, most of the oppression which has been charged upon those systems as inseparable from their very nature. I cannot but think indeed, that much of the prepossession at home in favor of Ryotwar Settlements arises out of a doctrine sedulously incalculated in the writings of many of its advocates, that each ryut is "thus annually brought into contact with the European officer, who redresses all complaints," and personally fixes every man's assessment. Hence, as the character of the European for integrity stands so much higher than that of a native ministerial agency, to which the conduct of all detail is entirely entrusted under every other mode of Revenue management, this circumstance alone is very naturally held to be decisive of its superiority in many person's minds. A complete exposition, however, of the utter impracticability of any collector being able to descend to such minutiæ, will be found in Sir Thomas Munro's Report of the 30th of Sept., 1802, (vol. 1. Rev. Sel.) wherein he describes his own mode of procedure in making the annual revenue settlements of the Ceded districts, periodical settlements of the land revenue Ryutwar, as prevalent throughout the Madras districts, that is to say, on the detailed principle of individual assessments, regulated by the collectors and their cutcherry-

* Fifth Report.

† Lord Moira's Minute, 21st September, 1815.

‡ Lord Moira's Minute, 21st September, 1815.

§ "An increase of 74 lacs of rupees in the Land Revenue and Abkaree receipts of the Ceded and Conquered Provinces beyond the amount realized in the first year of their falling under our dominion." Lord Moira's Minute, 21st September, 1815.

‖ McKenzie's Evidence, No. 2933, *et supra*.

¶ Tabular statement of the Revenues and Population of the three Presidencies—Appendix No I, Vol III. Minutes of Evidence —Revenue.

* Campbell's Paper *et supra*.

† Campbell's Paper *et supra*.

‡ Fifth Report.

servants, under the all-pervading influence of such a master mind as the late Sir Thomas Munro, may very possibly enlarge a collector's power of doing good, but experience would seem to be decidedly against their having any such effect in the hands of the ordinary agency at our command.*

I shall conclude by briefly recapitulating the substance of the principle of the foregoing observations, and which, as I would humbly submit, are put forth not in a spirit of anything like dogmatism, for I seek not dogmatically to maintain or demolish any set of opinions, but as mere hints for the consideration of those more competent than myself to determine, if they have any value, although even in that shape, I fear I shall hardly escape the charge of presumption.

*First.* That the most thorough knowledge of the rights and privileges of the ryuts, added to as precise a definition and limitation of their rents to the Zemindars, as of the payments of these last to the state, would in the long run have proved but a feeble security to the great majority of them, notorious as is their incapacity to pay any given rate of assessment, even the most moderate, for any length of time, without remission. Hence, as it was, and must necessarily be always, left to the discretion of the Zemindars to grant such abatements, or not as they thought proper, and the ryuts were liable to be ousted from their holdings, the instant they failed in paying what was legally due from them. Such a power must in itself have bade defiance to every other measure, that could have been resorted to for their protection, and hence the inference also, that if such a definition of rights and land tenures would have failed in proving for their preservation in regard to that part of the British dominions, which are permanently settled, it would equally fail under every other system of intermediate agency, which may hereafter be introduced into that still larger portion, which is now under fluctuating settlements.

*Second.* That the true solution of the oppression, said to have been suffered by the inferior tenantry, wherever a settlement on the Zemindaree principle has obtained, is the harsh and unbending terms, imposed upon the Zemindars and other Government managers, by our system of peremptory sale of their tenures whenever they fell into arrears, which, and not any spirit of avarice and rapacity drove them to practice "arbitrary and unmerciful" exaction, in the hope of thereby saving themselves and families from such impending ruin.

*Third.* That it was in direct opposition to their own interests to have acted towards the large body of the cultivators, so as to have driven them from their lands, because they would have lost, instead of gaining any thing, by getting other cultivators in their room.

*Fourth.* That the example of numberless great landholders elsewhere, likewise warrants the conclusion that, had our Zemindars, &c. not been under any such overruling necessity, their tenantry would not have had to complain of arbitrary and oppressive usage.

*Fifth.* That the success of the means proposed to be employed for compiling an accurate registry of the nature desired, is no less problematical, than the efficacy of such a document, supposing it to have been obtained, because of the numerous and fundamental errors, to which the minute and complex investigation therein involved, must be liable in the course of it, to say nothing of its enormous expense and the protracted period required to complete it.

*Sixth.* That, admitting such a record to have all the value, which has been claimed for it, and in many respects it would unquestionably be a very desirable document to possess, a system might be devised free from the same objections, and which for all practical purposes would answer equally well, and could be brought into immediate play, by means of certain modifications in the existing system of village accounts, which would render it the clear interest of the ryuts and proposed renters themselves to be the guardians of their own rights, in co-operation with the collectors, whose chief duty it should then be to exercise a close and unremitting superintendence over those accounts, "with a view of ensuring their accuracy and authenticity."

VERAX.

NOTE.—The manuscript of this article was made over to us by the Editor of the *Bengal Hurkaru and Chronicle*. —ED. M. J.

* In Malabar and Canara, where the people are scattered over the country, or where there are no village communities, it may be different.

# NOTES ON INDIAN AFFAIRS.

## No. XLV.

### SUGGESTIONS OF THE NEW GOVERNMENT—QUALIFICATIONS OF A GOVERNOR-GENERAL.

My last number contained a slight sketch of the administration of Lord William Bentinck, in which was shown the little claim possessed by his Lordship to the character of a benefactor to the people of India. He certainly contrived to deceive the public as to his qualifications better perhaps than any Governor who has preceded him: for a long time, his splendid talents, unwearied application to business, and anxious desire to benefit the country under his dominion, were so universal a theme for admiration and applause, that all these valuable qualities seem to have been admitted without enquiry or reflection, while some of

his admirers not content with awarding to him that portion of flattery which his situation might in some degree justify, "exalted him to the rank of a Hastings or a Wellesley." "*Kahan Sona! Kahan Chandee?*" to use a Hindostanee proverb, the two latter were as superior to Lord William as gold is to silver.

That Lord William to a certain extent meant well, and that he had a fair share of talent is not to be doubted. But his mind exhibits a strange mixture of what is symptomatic of greatness and of inferiority. Had his theatre of action been more limited, he might probably have filled it with propriety and effect, but as the planet that illumines its own sphere with sufficient radiance throws but a feeble ray upon the earth, so a man who could have ruled a small Island in the West Indies with credit and ability, might be found wholly inadequate to the Government of an empire like that of British India. For the execution of this great and responsible charge proportional powers are requisite; a mind of large and comprehensive force, capable of taking wide and general views of the range within its eye, with a facility of seizing upon points of importance and concentrating the force of its attention immediately upon them: great penetration and insight into character for the selection of appropriate instruments, together with a confidence in those employed, and a freedom from all jealousy of the power intrusted to their hands, satisfied to allow them a due share of authority, patronage and responsibility, from the conviction that such conduct could alone secure their attachment and cordial co-operation in the general good. To these qualifications must be added the ability to devise rules based upon broad foundations and sound principles, both for our political relations with foreign states, and for the administration of our internal Government —capable of drawing a clear and well defined outline, and leaving the detail to subordinate hands; while in personal intercourse and communication with those under authority, the greatest urbanity of manner and the most courteous demeanor should be exercised, so as to avoid all needless occasions of giving offence, and all indications of dislike or suspicion.

Such are some of the indispensable qualifications required for a Governor-General of India. They were possessed in an eminent degree by Lords Wellesley and Hastings; whereas, in many points, the very opposite are the characteristics of Lord William Bentinck. He wanted the enlargement of mind,—for we may look in vain through his administration for any acts directly and entirely emanating from himself which are indicative of a comprehensive intellect or enlightened views. An insight into character was peculiar both to Hastings and Wellesley: of the numbers of public officers who were selected for situations of responsibility by those noblemen, there is scarcely one who disappointed the expectations that were formed. Undoubtedly many inefficient officers were gradually raised to high appointments in the time of those two Governors, but these were cases with which personally they had nothing to do; it was the mere routine of an exclusive service. The very reverse has too often occurred under Lord William's administration. His suspicious temper and inordinate love of power induced him to reject the usual and obvious modes of ascertaining the character of the servants of Government; his overweening estimate of his own abilities for judging of the characters of others, led him to disregard all other opinions; and when he discovered that he had neither the means for ascertaining who were really worthy or unworthy of his own personal investigation, he was driven to adopt the espoinage system. The result of all this, added to his pertinacity in adhering to an opinion or resolution once formed, whether right or wrong, has been that a greater proportion of inefficient men have been promoted, and men of ability neglected than in the times of Wellesley, Hastings, or even Amherst: a natural consequence of the effect of secret reports and the influence of spies, who of course did not lose the opportunity to serve their friends and injure those whom they disliked. These great defects in Lord William's character clogged and retarded the proceedings of Government in a great degree. Councillors, Secretaries, Boards, Commissioners, and other functionaries were gradually stripped of their authority; none of them were deemed fit to be trusted:—they had all some improper object in view. Every thing must be referred to himself,* he alone being free from taint and capable of forming a judgment, and issuing the necessary orders. The result was that much was left undone. Lord William's harsh measures were also rendered still more grating by the ungracious manner in which they were carried into effect; while the unfeeling remarks† by which they were sometimes accompanied are still too fresh in the minds of my readers; and however highly Lord William may stand in the estimation of his few admirers, I believe the general opinion of mankind will be found correct, that he has himself a low and mean opinion of human nature, is with few exceptions, devoid of elevation or generosity of mind,—and that where individuals are found to entertain such opinions, a real knowledge of mankind would deter from the expression of them from the danger, (seldom imaginery) that thereby men might be rendered dishonest who neither were nor otherwise would have been so. Again, instead

* In several instances when small sums were applied for to repair bridges or works of a public nature, Lord William's reply was to wait till he arrived in his tour when he would inquire into the matter.

† On one occasion one of the Secretaries recommended to Lord William that some token of approbation should be bestowed on a Native who at his own expense had made a road of several miles: fearing Lord William had forgotten it, the Secretary mentioned it a second time; on which Lord William turned on him with a peculiar sneer and said, "you seem particularly interested in the matter."

On another a public officer was recommending the appointment of a person to superintend the making of the road: Lord William said "some friend of yours being just ready for the place." I do not vouch for the exact words; but the anecdotes are known to hundreds.

of guiding his conduct by general rules and principles of enlarged bearing, Lord William's time was occupied by all sorts of petty details. In fact these were alone within the scope of his genius. With regard to economy for instance, his whole *forte* consisted in making deductions from salaries; discharging a few poor clerks, or uniting two offices in one, making one person do the work of both (at least issuing orders to that effect) without any regard to the dissimilarity of the employments, or the amount of duty which devolved on the officer, though it might be beyond the physical powers of two or three. To adopt a more enlightened system of taxation; to create a property in land, (which in the western provinces has no real existence) and devise some measure for checking that curse of the country—equal division of landed property between sons or co-heirs—by which every landed family is in the course of two or three generations reduced to pauperism. In short to adopt any measure except such as promised immediate apparent benefit, was quite beyond Lord William Bentinck's reach. We cannot have a stronger instance than the retention of the Inland Customs and transit duties. The facts and documents published by Mr. Trevelyan nearly two years ago, demonstrated to the satisfaction of all unprejudiced minds, that by abolishing the numerous Inland Custom Houses, and levying toll only at a few grand outlets, the ultimate net revenue in that branch would be greater than it now is; while the deterioration, which is, under such a withering system, progressively encreasing of internal commerce, trade, and manufactures, would at once be checked, and that these sources of national and individual prosperity would be revived.

All this might be very true, but there was one evil annexed to the plan, viz., that although the ultimate benefit both to the people and to Government was certain, yet the probability is that for the first two, or perhaps three years after the introduction of the plan, there may be a falling off the revenue. This was enough. To adopt a measure of which the benefit should not appear till the time of his successor, and to face the Court of Directors with a deficit in his balance sheet, directly caused by an act of his own, was more than Lord William's moral courage was equal to.

It is, however, useless any longer to dilate on the many opportunities overlooked by Lord William to earn for himself the character of a really enlightened statesman. Many have already been pointed out in former numbers of these papers, and others will appear in the suggestions about to be advanced; we have waited till the close of his administration in the hope that some measures for the good of the country and the improvement of the Government should be promulgated, and our hopes are disappointed. From the experience we have had of Lord William's conduct in this country, it can hardly, I think, be considered an unfair conclusion, that though he might have been fully competent to the government of a petty insular territory, of which he could make the tour in a week, visit every office, examine every accompt book and discover some small overcharge in the articles of daily use in the office, he certainly does not possess the talents or qualifications requisite for the government of an Empire like that of British India. We have now had the experiment made of the busy, meddling governor of detail. It is to be hoped for the sake of the people that our next may be of a different stamp more from the mould of a Hastings or a Wellesley, or that if these hopes are too exalted, that at least we may be favored with a quiet, passive individual like Lord Amherst, who will sit in council and leave the conduct of affairs to those whose experience is better able to conduct them.* Our present *locum tenens*, Sir Charles Metcalfe, not being at all secure in his present situation, and uncertain how long he may hold it, will not perhaps be inclined to commence operations which it is doubtful how far the new Governor may approve. Nevertheless, there is a considerable field for him to leave a good name behind him.

Let us now proceed to offer a few suggestions for the Governor and Councils, both ordinary and legislative: and first I would make a remark on the question that has been so frequently asked of late, viz., "when will the Government learn to rule the country for the benefit of the people?" It is a question much more easily asked than answered. To do this would indeed produce a new era in the history of British India, for it would be diametrically opposite to the fundamental principle which has hitherto been the guide of our rule, viz., to realize the largest possible revenue and to provide for as many as possible of the relations of the Court of Directors. I do not deny, indeed I have repeatedly allowed that our rulers had no objection to the well being and good government of the people, nay even that they were well and kindly disposed towards them, provided it did not interfere with the primary object. Perhaps it may be urged that it is a sound and recognized axiom that the interests of the people of any country and of their rulers are one, or in plain English, that no nation can thrive under a bad government, the ultimate result being the impoverishment of the people and diminution of the government revenue. This is all very true, and is well known to many of our successive Governors, and were it the custom to keep the same Governor-General for twenty years, and the same Collector an equal length of time in the same district, sounder principles would ere this probably have been reduced to practice.

But the misfortune is that no one connected with the government has any permanent interest in benefiting the country or the people. India has hitherto been like a rack-rented estate, in which the farms are let at high rents for short leases. It is to no purpose that you

* "What do you do all day in Council?" said Lady Amherst to Lord A. on his leaving the Council Chamber one day later than usual? "What I am told." Such was an anecdote current. There is more sound sense in the reply than appears at first sight.

urge on the farmer who is over cropping his land—"If you allow it to lie fallow for a couple of years and spend so much in manuring it the third, this farm which now yields barely a return of five fold, would, for several years after, produce nine fold; whereas under your present system it will shortly cease to be worth cultivating." The farmer replies: "This is very true, but my lease is only for three years; the chance of renewal is doubtful, so I must make what I can." This is precisely the case in India. Say to a Collector, "this assessment is too high, if you make a small reduction in the revenue of this settlement, for the first five years, the land will ultimately pay more than you receive under your present plan." "I am fully aware of this," replies the Collector, "but if I adopted your suggestion, I should be deemed inefficient, and lose all chance of promotion, whereas I hope to have received some other appointment before the mischief will be apparent." Propose the same to Commissioners, Boards of Revenue, &c. the reply will be much the same. Suggest to the Courts and Judges any measures for the improvement of justice. Some have not time to deliberate on them; others do not like to recommend them should they involve any extra expense; and all and each comfort themselves with the idea "it will last my time," and few care what happens afterwards. Go to the head of the Government and the same feeling prevails, of which Lord William Bentinck and the internal Customs and Transit Duties already alluded to, is a memorable example.

The time however is now arrived when this short-sighted and ruinous policy must be abandoned and wiser measures adopted. Direct taxation has been pushed to the utmost; if we continue to shake the tree without allowing the fruit to ripen, instead of obtaining that we seek we shall only break the branches and injure the trunk, and render it less productive the ensuing season. We must be content to leave a little to the influence of the sun and moisture and incur a slight expense in fencing round the garden and manuring the trees; and thus to drop metaphor, instead of grasping at once at every thing which lies within our reach—land, goods, and cattle to swell the amount of present revenue,—we must establish security of property, especially of landed property, which, as has been before asserted, does not at present virtually exist in the Western Provinces: we should allow the people a sufficient profit and interest in the land, so that they may anticipate the prospect of reaping some benefit themselves from the introduction of a better system of husbandry: we should rescue trade and manufactures from the low ebb to which they have been reduced by our grasping and injudicious Transit Duties; and we should place the Civil and Criminal administration on a footing which will not only dispense justice between man and man, but between Government and individuals. This done, affairs may then be left to private skill and enterprize; for the natives, notwithstanding all that is said of their bigotted adherence to old customs, will not be slow to follow the example of improvement which may be set them by European settlers, and there will then be a field for these which at present does not exist: and here, I cannot help remarking on the great difference both of the cause and the result of increase of revenue in England and in India. In the former country, it is a legitimate source of satisfaction to a minister: if it have occurred without any alteration of the taxes, it demonstrates that the people are better off than they were before: if it be in consequence of any alteration in the taxes, or of the diminution of the tax upon any particular articles, it is a proof of the minister's sagacity in making arrangements which raised the revenue at the same time that the burden on the people has been lessened, while smuggling has perhaps been diminished. In short, setting aside an artificial state of things arising from high taxes and high prices during a war, the increase of revenue in England can only, generally speaking, arise from the encreased prosperity of the people. In India it is unhappily the very reverse. Upon the system which has hitherto prevailed, an encrease of revenue has only been produced by taking so much more from the people and leaving them so much the poorer. The main revenue is raised by a direct tax upon the land, and the only limit as yet has been the ability of the people to pay; or in other words, we have gone on progressively raising our demands until the people refuse to retain or to cultivate their lands; and not till it has come to this pitch has the Government even thought of fixing any limit on that direct tax. Other direct taxes are raised to an immense extent by a monopoly on salt, one of the necessaries of life, and by a tax on law proceeding. Both of these have been pushed to an extent which falls with very great hardship on the poorer classes. I allow, however, and am rejoiced to perceive it, that better principles are beginning to be acted upon. In the settlement that is now making for a period of twenty years, the Board are desirous to leave a fair share of profit to the cultivators, and several individuals high in office are anxious to introduce a better system of internal government. I only hope that the Supreme Government will move forward voluntarily, and not wait until the people are roused to remedy their own wrongs.

And now let me be allowed to proceed with suggestions, which although from an anonymous pen, are offered by one who has lived much among the people and observed closely; so that at least they have experience and personal investigation in their favor. It is probable that some of them may be only a repetition of what has been already advanced in former papers, but as these have been by no means generally read, to repeat them may not be superfluous to present readers, nor indeed may it be wholly amiss to refresh the memory of those in power who may have given attention to my former remarks. The suggestions are numbered simply for convenience of reference; some of them I shall discuss in this paper—others will be treated separately.

*First.*—To provide for the due administration of the existing laws. This, as I have elsewhere remarked, is the more necessary, because among all the complaints, which have been both numerous and just, a sufficient distinction has never yet been drawn between what is chargeable on the defects of the laws, and what should be imputed to their non-execution from the insufficiency of the judicial establishments. Until the latter be remedied, we are quite unable to form a judgment whether our laws be good or bad, or in what points they require revision and consolidation. Till then, codification or any other labours of the Law Commission will be thrown away.

Hitherto revenue having been the chief object, the revenue line was the only one in which, with few exceptions, a public officer had any chance of rising to distinction. The Civil-Judicial department had until the last three years been completely neglected; the Police and Criminal received at first considerable attention, but this has woefully deteriorated, while the Civil Courts have advanced in improvement. The cause is that so often complained of, the inefficiency of the establishments for administering the affairs of the country. In our Indian legislation we usually run from one extreme to the other: we do not make proper provision for executing the laws, and when the evil has arisen to such a height that some remedy is indispensable, one department has generally been relieved at the expense of another. Formerly, in each district one man was Civil Judge and Magistrate, and another styled Collector, was to superintend the assessment and collection of the land rent. When it became absolutely necessary to provide for the administration of civil justice (for in reality there was none under the old system) a very excellent plan both in its theory and practice was devised, which has been described in No. 23, and others of these papers. But instead of creating an efficient Police establishment, the Magistracy was annexed to the Collectorship, and it was said that every Collector should have a Deputy between whom and himself some proper distribution of the duties should be made. This promised to be better than the old system, but as regards the Revenue and Police, the practical application has been a complete failure. The absurd plan of making the Collector-Magistrate responsible in both departments, and the vanity and love of power which induced the Collectors in many instances to centre all authority in themselves, reduced the Deputies to mere assistants who were expected to work hard, and in reality perform a large share of the duty, while the Collectors were to reap all the credit. The natural result of such a state of affairs ensued: the Deputies have taken little or no interest in their duties, and though fine sounding paragraphs have been penned about "sense of duty," "consulting the interests of government" and others of a similar description, I believe few, if any, instances could be produced of a Collector-Magistrate and his Deputy working together with real cordiality for the benefit of the people. The Collector's chief object has been the revenue duties, and the Police has been left to shift for itself, while a considerable portion of the time of the Collector's was occupied in making out forms, and drawing up Police reports, which prevented his giving undivided attention to revenue concerns.

The result has been that these have been too much neglected, while the Police is rapidly falling into a state of complete disorganization. Crimes are on the increase, particularly the gang robberies in Bengal Proper, which unless checked will ere long rival in numbers and atrocity those which were perpetrated between the years 1804 and 1809. Some of my readers will be startled at this assertion, and refer in refutation to the periodical statements of crimes forwarded by the Magistrates, which show a considerable diminution during the last year or two. Were these to be depended on, they would be conclusive; if we could believe the statements and forms, the Police would appear to be in a higher state of efficiency than at any previous period, whereas all those behind the scenes who are really acquainted with the state of things, are perfectly aware that the contrary is the case. The simple fact is that these statements are utterly incorrect, or in plain English *false, i. e.* they do not show nearly the number of crimes really committed. It is one of the mistakes of the latter years of Lord William's government to substitute forms, returns and statements for an efficient system. Among the people his government has been known by the name of "*nuksha-roj*" or "Government of forms." The reliance that has been placed upon these returns, and the use that has been made of them is highly absurd, in some places the strength of the Police has been reduced; in others the business has been vested in the Tuhseeldars (subordinate native revenue officers) while in no district has the Collector-Magistrate sufficient leisure to pay proper attention to this part of his duty. A bad season will generally produce an increase of crime;—other local or temporary causes may have the same effect;—no matter what the reason might be, that was rarely investigated; but should one half yearly report exhibit a greater number of crimes than the preceding, the Collector-Magistrate, as a matter of course, received a reprimand, which he sub-divided among his Police officers; while should the amount of crime be less, a letter of approbation was dispatched to the District officers. The native Police officers have been knowing enough to profit by the hint, and for the last year, or year and half, the periodical returns from most districts exhibit a progressive decrease of crime, only a small proportion of those committed being registered.

Nevertheless, with all these concomitant disadvantages, the new system was a decided improvement on the old; and the country has suffered less injury from the deterioration of the Police arrangements than from the non-existence of any civil administration. The annihilation of credit and consequent injury

to commerce and agriculture resulting from the latter was an evil which the people had no means of remedying: the absence of a good Police can, in a considerable degree, be provided for by the establishment of watches among themselves, and it is probable that when the Police shall have proceeded a few steps farther in its progressive disorganization, the people will altogether take the matter into their own hands.

In the mean time, wherever the Civil Judges were efficient men and attentive to their duty, the Courts began to resuscitate, and something like justice was attainable; and in the course of two or three years more, provided some requisite alterations were made in the laws, the civil administration promised to be on a footing which would leave little reasonable ground of complaint. But all this is likely to be marred by Lord William's notion of economising, and the anomalous remedies which are in such high esteem with the British Indian Government. The number of Commissioners (who were placed each over two, three, or four districts, according to their size, to supervise the revenue and police establishments) was reduced; consequently they could not perform the duties required. This is to be remedied by transferring any or all of their Police duties to the Civil Judges. The Collector and his assistants are too much occupied with revenue matters to attend to the Magistracy department, and the Sudder Ameens are employed in investigating and deciding the most petty criminal complaints, to the great neglect of their civil duties, which are of infinitely more importance; so that if this plan be persevered in, the Civil Courts will ere long be in as bad a state as they were three years ago.

It is high time, that these patch-work expedients should be thrown aside, and that the administration of the country should be once for all put upon a different system. To do this, the Civil, Criminal, and Police departments should be made almost entirely distinct. The frame work of the Civil administration, as far as regards courts and offices, is very good, and I would not propose any alteration in it at present. Some little improvement is required in the laws and rules of practice, and if this be done, and the courts once cleared of all arrears, there will be but little ground for complaint on this head, and at least we shall be able to see where the defects pointed out lie. It would greatly tend to the improvement of the Civil administration if the Judges were not only allowed but obliged to make the tour of their respective districts once a year, and inspect the conduct of the subordinate judicial officers, who reside at a distance from the head station.

The Police and Magisterial department must be entirely separate from the collection of the revenue. In every district there should be a Magistrate with one head Assistant. By this means the Magistrate could be continually making the tour of his district, leaving the head Assistant to conduct the current duties of the office. Sometimes the management might be reversed, the latter being deputed to make some local enquiry or investigation, while the Magistrate would remain at head-quarters. The junior Assistant should attend sometimes on one, sometimes on the other of those two officers, and should also be entrusted to decide petty cases, or make enquiries in matters of more serious import. The chief utility of such an employment is as a school wherein young men should learn their duties; were such a system as this established, the native Police officers (kotwals and thanadars) might be entrusted with higher powers than they now possess, and might be allowed to decide some petty cases, such as disputes regarding tresspasses of cattle and others on the spot, instead of obliging the people to proceed perhaps fifty miles to the Magistrate. The respectable landholders might be also entrusted with certain Police powers, and by a little tact on the part of the Magistrates would be easily induced to give their assistance,—this would enable Government to reduce the number of constables and other inferior police functionaries, and from the saving effected here, the pay of the higher class (kotwals and thanadars) might be increased, by which those offices would be filled by a more respectable description of people, while the constant visits of the Magistrate would deter them from abusing their authority. But this head will of itself furnish materials for a paper.

With regard to the higher crimes, could we ensure the appointment of Magistrates of sufficient abilities and experience, so as to render them fit to be intrusted with such powers, it would be a great convenience to all connected with a criminal prosecution, if sentences in all cases were at once pronounced by the Magistrates: but it will not probably be deemed expedient to allow them to decide finally in higher crimes than are at present under their cognizance, all heinous offences must therefore be committed for trial, and when the Civil Judge has time for this duty, he is perhaps the best person to hold the Sessions; for being on the spot it is done without delay; and so much improved is this branch of the administration, that on the average the period of detention in jail between commital and trial does not exceed a fortnight. This, therefore, may remain as it is.

Another point to be provided for is some tribunal of appeal from the orders and decisions of Magistrates. Formerly this existed in the Courts of Appeal; latterly in the Commissioners; but the distance which the parties are often obliged to travel, (a hundred or even two hundred miles) is a great hardship; and it is now proposed to constitute the Civil and Sessions Judges Courts of Appeal from the decisions of Magistrates. This will give great facilities to the appellants, and form a very good check on the conduct of the Magistrates; nor do I think that it would entail much increase of business on the Judge, not more than could be provided for by vesting the Prin-

cipal Sudder Ameens, and Sudder Ameens with more authority than they now possess, so as to relieve the Judge of a corresponding portion of civil duty.

But to vest the whole of the Police duties now exercised by the Commissioners in the Civil Judges will be absurd for two reasons; in the first place, it will overload those officers with work more than they can perform; and in the second, we shall have as many different system of Police as there are Judges. This has been the rock on which Holt Makenzie's plan of Commissioners of Revenue, Circuit and Police has fallen to pieces: to controul and supervise the Police arrangements, the best plan would probably be to revive the abolished appointments of superintendents of Police, who would correspond with, and receive their instructions direct from Government: there should not be less than three, for the Lower, the Central, and Western Provinces; and the most efficient men among the Magistrates should be selected to hold the situations.

There remains for consideration the Revenue branch, and this may be much simplified: at present there are three grades: the Boards, Commissioners, and Collectors of districts. The Boards are useful in the same point of view that superintendents of Police are required in that department: the grade of Commissioners is a perfectly useless and anomalous one. If they are invested with much authority they leave the Boards nothing to do; and if not, they are mere clogs on the business. At first, they did possess authority, almost equal to the Boards, consequently these higher powers found their functions usurped, and the mischief was that every Commissioner had a system of his own; and at every change (which were but too frequent,) every Collector was obliged to learn a new mode of doing business: the Boards have consequently gradually deprived the Commissioners of all real authority. The latter functionaries are become mere channels of communication between the Boards and the Collectors, and business is consequently greatly delayed. Yet they have much to do, being obliged monthly to fill reams of paper with forms, statements, reports and letters, all which are of no practical utility whatever; and while they are not allowed any real power they are made the scape goats of the Boards and of Judicial Secretaries to wear the blame of whatever goes wrong, either in the Revenue or Police affairs. Their Sessions duties, in which alone they were of any real use, have been transferred to the Civil Judges; they are to lose their Police jurisdiction; and, in Revenue they are worse than useless: so that the sooner the office of Commissioner is abolished the better. There are at present eighteen Commissioners. The expense of these would far more than provide for a third Board of Revenue for the Upper Provinces. The superintendents of Police, and the small encrease that would be necessary for the Magistracy; and I am convinced that the business of those departments would be infinitely better conducted than it is at present. The supernumeraries meantime may be appointed to the Sudder and District Courts, as additional Judges (provided they be qualified) to assist in clearing off the existing arrears.

For each district, one Collector and one covenanted assistant will be sufficient, with the addition of a native Deputy Collector, that is, under the present system; hereafter the number of officers may be curtailed when there shall exist any private property in land, and some limit to British Indiaa extortion.

With regard to the routine of the service, *i. e.* by what steps a man shall ascend to the respective situations, this is a matter of some difficulty, and may hereafter be discussed.

I shall only now observe that Government should beware of allowing the Police administration to sink into annihilation and of degrading the Civil branch, as they have latterly shewn too much inclination to do. Here we have another of the British Indian anomalies. We have at length devised a very good ground plan for raising the superstructure of the Civil administration: but it contains some new principles, particularly that of bringing forward the natives. It might have been supposed that some pains would have been taken to select men for Judges who were well qualified, so as to give the system a fair trial. No such thing. Individuals of every variety of qualifications have been made Civil Judges, and as the revenue is still the main object, most of the men of talent are placed in that line, and whenever a Collector or Commissioner is found inefficient, he is appointed to be Civil and Sessions Judge; so that it is beginning to be considered a mark of disgrace to be placed in that situation which ought to be an object of ambition; and when the people complain that they cannot obtain justice, the cry is "this is the consequence of employing the natives." Shame on such disgraceful proceedings!—by a Government, too, who are pleased to boast of the blessings they confer upon the people! God help the latter if they are never to receive any greater blessings than they have yet obtained at the hands of the English!

Some alteration, too, should be made in the law which authorises the Magistrate to employ the Sudder Ameens in Criminal business. Their Civil duties are of great importance, and the authority entrusted to them considerable; yet this is to be neglected, and their time occupied in hearing the most petty Magisterial business. But this paper has been extended to a sufficient length, and the succeeding remarks must be deferred to a future number.

A FRIEND TO INDIA.

*May* 10, 1835.

# LIEUTENANT TREVELYAN'S MISSION.

The objects of the mission are, we understand, 1st, the adjustment of some border disputes between the Buhawulpore and Jeysulmere authorities; 2nd, the reconciliation of a long standing feud between Jeysulmere and Bikaneer; for which purpose it is proposed that a meeting should take place between the two chiefs, some where on their common frontier; 3rd, the distribution amongst the inhabitants of certain villages in the Jeysulmere territory of the compensation money awarded to them for the injuries they, some time ago, sustained by an incursion from Joudpore; 4th, the determination of the conflicting claims advanced by Joudpore and Jeysulmere to the tract called *Mewa*, (including Balmere, the new Bombay station,) from the chiefs of which both states demand tribute, allegiance and service; 5th and last, the conveying some wholesome counsel to Maun Sing of Joudpore, connected with the fulfilment of his engagements with our Government.

Lieutenant Boileau, an intelligent officer of Engineers, accompanies Lieutenant Trevelyan, for the purpose of adding to our stock of geographical knowledge; but both of course will have the means of acquiring much useful information besides, in regard to the statistics of the country, the manners and habits of the various tribes with whom they will be brought in contact, and the military resources of the several Governments, &c. &c.—So that very important results may be expected from the mission. We hope to be able, through the kindness of our friends, to keep the public informed of the progress of these travellers:—

"We quitted Patun on the 26th January, and in three days reached Oodipoor, a considerable town, the position of which is particularly important in a military point of view, for though totally unfortified, it commands a narrow and rocky defile called the Baghora Ghat, which is the only pass into Shekhawattee from the eastward by way of Khandela, or Gohala. The Jodpoora-Sonaree pass, or Kakreo Ghat is 15 miles to the north-east, and the Jhalra or Bajor pass is about the same distance to the south-west of Oodipoor, nor is there any praticable road for artillery between these two places, (Kakres and Jhalra,) except the said Baghora Ghat, by which the Jeypoor armies used generally to find their way into Shekhawattee. We halted a couple of days at Oodipoor and reached Nuwulghur in two short marches, the whole of our route from Patun being through a well watered and tolerably fertile country, where the wells are not so deep as to prevent the cultivators of the soil from raising an abundant *rubee* harvest. At Nuwulgure "a change came over the spirit" of the land, and told us in most intelligible language that we had exchanged the fertile vallies of Tourawattee for the Juagulee, sandy, thirsty soil of the Bagur, which rejoices in desperately steep sand hills, and unpleasantly deep wells; where the very name of wheat or gram is a rarity, and sharp thorns or *burs* are abundant enough. We made no halt at Nuwulgurh, though it is a flourishing city, neatly fortified, and boasting of four jolly looking Thakoors who rival Sir John Faltsaff both in fat and good humour.

From Nuwulgurh we made two marches to Futtehpoor, an old mussulman capital on the western frontier of Shekhawatee, where we halted two days and examined the fort and city. The latter is surrounded by a low and weak wall of stone, but the citadel is very respectable, defended by lofty ramparts, a fause braye and pucka ditch. About a hundred years have passed away since the Shekhawuts dispossessed the Kaim Kkanees, by whose Nawab these towers were raised, and the descendant of that prince is still in exile, dependent for his subsistence upon the Goojur Rajas of Rewaree. The amil of Futtehpoor was in confinement during the time of our stay there, preparatory to being *squeezed*, and probably would not be sorry to exchange his present master, the Rao Raja of Seekur, for the old Kaimkanee Nawab.

The mission quitted Futtehpoor on the 6th February, and remained two or three days at Ramgurh, a frontier town of very flourishing appearance, neatly fortified and filled with the mansions of wealthy bankers, whose fleeces have as yet suffered little from the generally unsparing shears of the Shekhawuts. The Seekur authorities seem to have found out that levying heavy fines upon the merchants of Ramgurh would cause them speedily to vacate the country, and thus kill the goose which laid the only golden eggs in their country. Ramgurh is seven *kos* north of Futtehpoor, and about the same distance south of Chooroo, once a flourishing city in the Beekaner territory, but its trade has been lost for years, and its merchants have made themselves scarce.

We now quitted the Shekhawatee frontier and entered the Beekaner territory, encamping at Rutungurh on the 9th of February, and halting there on the following day. The city is surrounded by a low stone wall, with a diminutive citadel perched upon a sandhill in its S. E. angle; the bazaars are neatly laid out and have a respectable appearance, though the city is small, and can barely number more than seven hundred houses. Being the property of Government, or a *khalsa* town, it was deemed fitting by the Rutungurh authorities to stuff all our followers with sweetmeats, and rations of various kinds were accordingly served out during the two days of our stay at this place.

We left Rutungurh on the 11th February, and marched in eight days to Beekaner by easy stages of 5, 6, and 7 *kos* (from 8 to 13

miles) the whole distance being only 45 *kos* from Rutungurh, with no intermediate place of sufficient interest to detain us, so we marched to the capital by way of Reeree and Badinoo without making a halt at any of our resting places.

The roads were far better than we anticipated, and the face of the country was greatly improved in appearance after we reached Reeree: the sand hills were less numerous, the jungul was thinner, and the ground was covered for miles with the dried stems of *bajra*, indicating an abundant autumn crop. Notwithstanding the comparatively flourishing appearance of the country there was, however, "an outward and visible sign" of our proximity to the great desert, which there was no mistaking, namely, the exceeding depth of the wells, which increased rapidly from little more than 100 feet (at Futtehpoor) to 240 and 270, and even 290 feet as we moved westward. Occasionally, where the water was brackish, we were supplied with drinking water from *koonds* or pits in which the rain is caught and preserved, but in such small quantities as only to be used on emergency. Forage and provisions were also procured in abundance by our very intelligent attendant, the Beekaner vakeel, who allowed us to want nothing that could be procured to make us comfortable.

We arrived at Beekaner on the 18th February, and a large deputation of respectable men, headed by the Minister, came out two *kos* from the capital to meet the Mission, and escorted the representative of British authority with all due honor as far as his camp, which was pitched at a little grove of *ber* trees by a well of excellent water (called Umritsir) about quarter of a *kos* south-east of the citadel and three quarters of a mile east of the city. Our arrival was immediately reported to the Maharaja, and then came an inundation of sweetmeats to show his hospitality to the new comers. The groceries of Beekaner are celebrated, and not without reason; for the confections of sugar prepared in various ways for us on this occasion, were the finest I ever saw, though I have visited many Native Courts, and have a tolerable sweet tooth. The sepoys, servants, and camp followers were all feasted *after their degree* (like the clansmen at Glennaquich where the claret never circulated "below the salt") and so liberal were the distributors of the good things, that I began to anticipate a surfeit among the people which might have brought sickness into the camp; for Mr. Elphinstone lost nearly 40 men before he quitted Beekaner. We are more fortunate, however, and have not a single sick man.

On the 19th February, the day after our arrival, we went to pay a visit of ceremony to the Maharaja, and were well satisfied with the first view of the Durbar, which has been confirmed by subsequent visits. The ceremonial of meeting was arranged in a very satisfactory manner, being conducted almost on the same scale as if the Governor-General's Agent were himself present. His Assistant was received beyond the outworks of the citadel by Raja Luchmun Singh, brother of the Maharaja Rutun Singh, with a large concourse of mace bearers and men at arms; after a courteous greeting he turned back to lead us into the fort, and the *entrée* was announced by a thundering salute of 13 guns, which was repeated on our quitting that place. Our own followers made a very respectable figure in the procession, there being a couple of Shootur suwars with half a dozen chuprasees, and 30 or 40 sepoys in advance, while a dozen and a half of Blair's horse brought up the rear. Onward we swept amid the thundering of cannon and rattling of drums, all the cavaliers dismounting according to etiquette at the outer gate, except the Raja Luchmun Singh and the two European gentlemen, who rode to the foot of the palace steps. After dismounting we were met at the beginning of the inner court by the heir of Beekaner, Kuwur Sirdar Singh, and finally the Maharaja Rutun Singh himself, though suffering much from bodily ailment, *hirpled* to the door of his hall of audience by the aid of a crutch-headed stick, and gave the *sahib log* a most courteous reception. The meeting passed off very pleasantly, and after sitting about half an hour in the *presence*, we were dismissed without any of the cumbrous display of shawls and other finery formerly paraded in *kishtees*, or trays to be looked at but not accepted, (a piece of pseudo-hospitality now happily exploded) instead of which we were sent on our way rejoicing in a simple "suffumigation" as Dousterswivel calls it, of *attur* and *paun*.

On the 21st February the visit was returned, in Mr. Trevelyan's tent, by the two Princes, Sirdar Singh and Luchmun Singh, the state of the Maharaja's health being a very sufficient excuse for his non-appearance. The ceremonies were conducted pretty much in the same way as on the former occasion, except that the four chief persons were seated on chairs instead of on the ground, and a silver throne, with a brigade of guns were sent from the fort for the special accommodation of the heir-apparent, seeing that such articles were scarce commodities in the *feringhee* camps. I went out half way to the palace with all the suwars by way of *istikbal*.—(N. B. The mace bearers *bael* but the *sticks* do not!) and accompanied them to within a few paces of the tent where the guard of honor was drawn up to form a street before the door, and here they dismounted from their *palkees* and were ushered into the tent by the political functionary in person.

This visit passed off very pleasantly, like the preceding one, and gave us some insigh into the manners and characters of these simple Rahtores, whose court seems to be the very model of peace and quietness, in spite of the noise made by their guns and drums. Numerous subsequent visits to the palace have confirmed this first impression, and the case has been the same during our frequent strolls through the city. The crowds wh used to surround the tents to look at the *fe*

*ringhee* were remarkably quiet in their demeanor and gazed in silent wonder at the necromancer-like operations of taking meridian altitudes of the sun, &c. In a similar manner they crowded round us in the city "opening the eyes of curiosity, and the mouth of astonishment:" but still they were silent and respectful in their demeanour, though clustering like bees near the theodolite that was occasionally set up upon their ramparts.

The city of Beekaner is of considerable extent, and tolerably flourishing in appearance, containing about ten thousand houses, the better sort of which are entirely faced with richly carved red stone, quarried at Khareed, 20 *kos* N. N. E. of this place, and the poorer kind of houses are carefully painted with a sort of red ochre, which is found on the spot in abundance, and gives the town an appearance of great neatness and uniformity, the walls being all red and the doors and windows white. There are eighteen wells, 240 feet deep, within the *shahur punah*, which is 3½ miles in circuit, with five gates and three sallyports; the whole is of stone, with a ditch on three sides only, the south-side of the city being intersected by deep ravines, which have broken up the whole esplanade in that quarter. The soil in the immediate neighbourhood is an exceedingly hard *kunkur*, strewed with flinty pebbles rounded by the action of water, so that there is little or no cultivation under the walls. The citadel which contains the palace is quite detached from the city, lying half a mile to the north east of it, and is well fortified. It has lofty stone ramparts with a pukka *veree* or fausse braye, and ditch, about three quarter mile in circuit, with two gates, one of which leads to the stable court and the eastern one to the palace yard. Out-side the citadel on its N. E. angle is a tank (now dry) faced with masonry, 200 yards long and 140 broad, called "*Soorut Sagur*," and on the north side is a deep earthern tank, containing a little water, which has obtained, and fully deserves, the emphatic name "*Gundanee*" or stinking.

The private apartments in the palace are so exquisitely ornamented, that they really deserve a minute description, particularly the *Seesh Muhul* of the Raja Gai Singh, the throne room of the late Raja Soorut Singh, and the sleeping apartments of the present Raja Ruttun. The *Guj Muhul* contains two large chambers with some small closets, forming a compact suit of rooms; the outer chamber being sheeted with mirrors tastefully separated into different compartments by gilt frames of Arabesque devices in bas relief, which look very rich without being at all tawdry. The lower pannels are in imitation of precious mosaic, with a specimen of real work, which was probably discontinued from the immense expense, like the unfinished window in the palace of Aladdin upon which all the jewels of the royal treasury were in vain exhausted. The device for representing mosaic is very ingenious, the whole surface of the wall being encrusted with stucco made of marble lime, worked into beautifully variegated forms in the interstices of which small mirrors and coloured foils are so disposed as to give the exact effect of precious stones inlaid in white marble. The inner chamber is almost entirely covered with this kind of work, which appears very fresh, though executed 60 or 70 years ago. Rich glass lustres, and other handsome embellishments give these apartments a truly regal appearance.

The throne room of Maharaja Soorut Singh was only completed about the time of that prince's death, and consequently has been little used. Its walls are richly ornamented with flowery bas reliefs of gold, traced upon a red ground, the general effect of which is very pleasing, though not so splendid as the apartments already described. In the sleeping chamber of the Maharaja I was particularly struck with the bold figures in alto-relievo, representing the various Avatars, Bhudree Nath, &c., richly painted and gilt: a long panoramic hunting piece surrounded the upper part of another room, representing the *shikaree suwaree* of elephants, very richly painted; and in another place the white beadings that ran round a small alcove were entirely composed of doves wrought in bas relief, which had a very neat effect: some of the pannels were laboriously painted in imitation of the tomb of Shah Jehan at Agra, and the result was very successful, for the colours stand well as they are not at all exposed to the weather. The Raja's painter, now at Beekaner, is a clever artist, who executes miniatures in the style of those exhibited at Delhi, where the very jewels that adorn the person and embroidered figures that give variety to the brocade have their fac similes taken off by the patient fingers and acute eye of the limner.

Among the memorabilia of Beekaner ought to be mentioned the place called *Devee Koond*, 2½ *kos* east of the city where the deceased Rajas of Beekaner are burned, and their monuments built as the Rajas of Bhurtpoor were wont to do at Govurdhun. Some of the *chutrees* are built entirely of the white marble of Mukrana in Marwar, and the rest are of red sandstone, elegantly chiselled though partaking a little of the ponderous style generally observed in the quadrangular jam temples called Chourasee. Many of the monuments have a slab of white marble standing upright beneath the central dome, with the effigies of the deceased prince, wives and such female slaves as performed *sutee* with him. Some of these tables are crowded with figures, but it is worthy of notice that the numbers of those devoted women who braved the fire for their departed master's names' sake are becoming fewer and fewer at every succeeding generation. One of the worthies whose ashes repose at the *Devee Koond* was accompanied to the pile by 84 *sutees*: another had 18: others less and less, until at last the late Maharaja Soorut Singh was gathered to his fathers without a single *sutee* sharing his funeral pile. The last that occurred was nine years ago when the late Raja's second son, Xuwur Motee Singh, an exceedingly fine young man, was burned with his widow, a princess of Oode-

poore, who was in the prime of eastern womanhood, being but 16 or 17 (!) years old at the time of this cruel sacrifice.

The gradual and spontaneous abandonment of this rite, formerly so strictly enforced, speaks well for the increased civilization of this branch at least of the Rahtores; and Mr. Trevelyan's appeal to the present head of the family regarding the suppression of infanticide was promptly and most satisfactorily answered by an assurance that Maharaja Soorut Singh had already decreed the abolition of this unnatural system, so that the Raja Rutun Singh would himself discountenance the same.

Being on the eve of quiting this place, for we march to-morrow towards Jeysulmer, and having much to do in the interim, including a leave taking audience to His Highness the Maharaja, I must conclude this hasty sketch of the Beekaneer capital. I have omitted to mention the temples in the city, some of which are well worthy of notice: many are of the Jain religion. And among these is a most conspicuous pagoda, called *Bhandasir jee ka mundar*, on the south side of the town, the lofty conical spire of which is visible for many miles. Close to it are the temples of Nemnath and Luchmee Narain, to the latter of which the Maharaja repairs twice in the month for the performance of his devotions. The *munders* of Muddun Mohun, Chintamun, Rikub Deb, &c., are worthy of mention, but I have not time to particularize."

*Camp, Jeisulmere, 26th March*, 1835.—"My last Bulletin gave an account of 'the interesting travellers' nearly up to the time of their departure from Beekaner; so I must run back to that capital and take up my tale from the point at which my last letter dropped it.

We paid our parting visit to the Maharaja on the 1st March, and at the same time he received Purohit Sirdar Mul, Vakeel at Ajmere on the part of Maharawul Guj Singh of Jeysulmere; this public reception of the representative of his neighbour being intended by the Beekaner Raja as a first step towards a reconciliation with the Maharawul with whom he has lately been on bad terms: the second step will be a meeting between these two potentates on their respective frontiers, of which more will be said hereafter. We took a very friendly leave of the Raja Ruttun Singh, his son, and brother, by all of whom we had been very civilly treated during our stay at their capital; and after quitting the palace we visited the stables and menagerie, where numerous animals are kept in very neat order.

Besides the elephants and horses kept in these courts, we saw two tigers, two black monkeys, an elk, some hog, deer, common monkeys, &c. and a few *neel gae*, two of which had been broken in to draw a carriage: they were males, tolerably matched in size and colour, and appeared to be a very quiet, and I assure you that I felt more than half inclined to turn Jehu, for whatever you may think, a brace of *blue cows* in a curricle is a turn out not to be sneezed at.

On the 2d March we turned our backs on the hospitable walls of Beekaner, and after fourteen marches without a single halt, there being little or nothing worthy of notice on the road, we arrived in safety at Jeysulmere. The general appearance of the country between these two cities is barren, though free from sandhills; the soil being a poor and hungry gravel intermixed with pebbles, and occasionally diversified with sandy plains covered with a fine nourishing kind of grass upon which cattle thrive well. We saw very little *bajra* or, indeed, cultivation of any kind during the whole journey of 180 miles and upwards; but I ought not to forget that in this space we actually found four green fields of corn, none of which, however, was irrigated. At Dihatra, our last place of encampment before we crossed the frontier, the wells were 309 feet deep.

It fortunately happens, where the water lies so very far below the surface of the earth, that the inconvenience, which this would otherwise occasion, is partly obviated by the exceeding hardness and tenacity of the soil, which enables the natives to dig kucha tanks of great size that retain water during many months so that they are independent of well water for a great part of the year; were this not the case, the country would be scarcely habitable. As it is, they are often greatly distressed during the summer, and many thousand head of cattle are occasionally lost in the severe droughts. Both the horned cattle and sheep appear to be of an excellent kind, and the wool of the latter is manufactured at Jeysulmere into very fine clothes of various kinds.

There is not much jungul on the way from Beekaner, though in some places which are situated on comparatively low ground, such as Gujner and Sirrud, there is a great deal of wood, chiefly *jant* or *kejra*, (a kind of mimosa,) and *kureel* which here grows to a large size and is called *kair*. Little game is to be found in so barren a country, but there are a few ducks on the tanks, with the small deer called *chukara*, wolfe, jackals, hares, grey patridges, quail, and rock pigeon, as well as sundry black curlieus to be seen now and then by the road side; and there are a few pea-fowls in the villages, I think.

Our third halting place, after leaving Beekaner, was Kailath, where there is a very fine tank, the scene of a *mela* or fair that takes place twice a year: we arrived there on the 4th March, and on alighting at our tents were agreeably surprised with the information that Shah Shooja, the ex-king of Cabool, was within two miles of our camp at a village called Mudh. This unlucky-potentate had met with a severe check at Kundahar in attempting to reconquer his kingdom, and his army being utterly routed by Dost Mahumud Khan, who came down in person with some 17,000 men to raise the seige of Kundahar, the fallen monarch was obliged to fly, abandoning all his guns and baggage, for "*sauve qui peut*" was the order of the day.

After wandering about as a fugitive for some months, Sooja-ool-Moolk took refuge with the Umeers of Scind and remained 14 days at Hyderabad, where he was very kindly treated; and on quitting that place was dismissed with presents suited rather to his former, than to his present condition. From Hyderabad the ex-king made his way with about 200 followers to Jeysulmere, where he was also civilly treated, and he was on his way from this place via Beekaner to Loodianah when we fell in with him.

On hearing that we were in the neighbourhood, his *hazee*, a most respectable man who had lived for some days in Mr. Trevelyan's compound at Simla, while deputed from Shah Shooja to make some communication to the Governor-General who was then in the hills, came over to our camp at Kaliath and intimated that the Shah would be much gratified if the British gentlemen would pay him a visit, and that he would be particularly happy to receive Lieutenant Trevelyan for his brother's sake, as well as his own. Little pressing was required to bring about this meeting, and matters were accordingly arranged so as not to hurt the feelings of the quondan monarch, to whom the officers of Mr. Elphinstone's Mission were introduced under such very different circumstances at Peshawur, though even in those days the King of Cabool and his antagonist Mahmood Shah were like "the lion and the unicorn fighting for the crown."

We arrived about dusk at Shah Shooja's bivouac, for I can hardly call it encampment, as there was not a single tent to be seen, unless a small bit of dirty cloth streched upon sticks deserved the name: with much good taste the king's people had rigged out a hall of audience *al fresco* by the edge of a tank, the high bank of which effectually cut off the gaze of curious and intrusive eyes, and enabled the Shah to receive us more at his ease than if no such place of concealment had been at hand. A charpoy, covered with shawls and pillows, served as a throne: a green tree did duty as a canopy; two carpets were spread in front of the charpoy to mark the limited space assigned exclusively to royalty: and in front, on either hand, stood a few of the personal attendants in large blue turbans, while three or four eunuchs posted themselves in rear of their master. After making these arrangements, with the bank at his back, the tank in front, and "the lofty vault of heaven" above his head, the Shah sat with all due decorum waiting the arrival of his visitors.

On our appearance, we were ushered to within a few feet of the charpoy, alias throne, where Shah Shooja remained sitting while we stood in front of him booted and with the head covered; he expressed himself highly gratified with the trouble we had taken to come and visit him in his misfortunes, and so far from concealing the extent of his reverse, he detailed to us with great fluency, and in easy familiar Persian, a sketch of his adventures during the last two or three years, up to the present time. He told us of his difficulty in raising money from Runjeet Singh by the sale of such jewels and valuables as remained in his possession before he quitted Loodiana; and which after all only realized 90,000 rupees. His departure from the British frontier with a small army and four guns; his unexpected success at Shikarpoor: his beleaguering the city of Kundahar with a considerable force and sixteen pieces of ordnance; his first successful resistance against Dost Mahumud Khan, and his subsequent overthrow by that powerful chief, were all touched upon in succession, as well as the privations which he had suffered and the fatigue he had endured while flying from place to place before the face of his enemy. After all this undisguised narrative of his condition, he concluded by saying that kings were bound to seek advice in all quarters, and he therefore, wished to know what line of action we would recommend under his present circumstances: a question easier asked than answered unless he could be persuaded that it was Quixotic undertaking to subdue a distant kingdom with four guns, a mere handful of men, and an almost empty treasury.

After enough of Persian had been spoken to satisfy the court etiquette, Shah Shooja ordered his attendants to fall back and reopened the conversation in Hindoostanee, which he speaks with fluency from having resided so long at Loodiana. He reiterated the expressions of pleasure derived from our visit and dismissed us courteously, receiving with many thanks, from his visitors a few trays of dried fruits sent to his camp after our return home, a piece of civility which was the more acceptable as it was quite unexpected, and his hungry followers looked as if they would be glad to see a few apricots and pistachio-nuts again.

The Shah's dress was very simple, a huge *labada* that had once been embroidered with gold concealing the whole of his nether garment: a large blue shawl covered his head as a turban, and he had gloves upon his hands so that there was no occasion for wearing rings, the existence of which was rather apocriphal. His countenance was bronzed by long exposure to the weather, and he was somewhat pulled down by fatigue and sickness, but his features still retained a dignified appearance to which a noble black and flowing beard contributed not a little.

The meeting with his ex-majesty of Cabool has occupied so much space that I must defer the account of our sojourn at Jeysulmere for some future opportunity; at present I must merely say that we arrived here just at the conclusion of the *Holee* festival, on the 14th or 15th instant, and are likely to remain here some days longer.

*Camp Girrajsir, in Jeisulmere, 14th May*, 1835. —"My last letter finished with an account of the interview with Shah Shooja th ex-king of Cabool, which took place just before the Jeysulmere Mission had quitted the Beekaneer frontier. We entered the Bhatee country on

the 6th March at Nokra, and marched by easy stages to Sirrud, Bap, Shekasir, Sheekur and Chahin, skirting the Joudpoor frontier, both for the convenience of getting good water, and for avoiding the sands as much as possible. At Bap there is an excellent tank of sweet water that remains all the year round, and near this place I first noticed the custom of measuring instead of weighing grain by means of a wooden vessel hooped with iron, something like an English quarter peck measure, and which is called by the natives *pailee* or *palee*. We reached Chahia on the 11th March, and in the evening of the same day Lieutenant Trevelyan, with a few followers, including the vakeels of both states, set off upon a long night trip in order to meet Lieutenant Mackison, who had left the court of Buhawul Khan in Sind to assist the officer deputed from Ajmeer in settling the disputes between the Daodpotra chief, and the Rawul of Jeisulmere.

The two British officers met at Mohurghurh, 18 *kos* N. N. E. of Jeysulmere on the morning of the 12th March, and on the following day they visited the village of Bulana, 4 *kos* east of Mohurgurh, to determine by personal inspection the quantity of damage that had been done by a late onslaught of the Sind troops. Having satisfied themselves by obtaining all local information that was required, they made another long night march of 20 *kos* from Bulana to Jeysulmere, and arrived there on the morning of the 13th March, the last day of the great Hindoo festival called *Holee*, when of course the whole court and city were in an uproar. The main body of the camp came in next-day, when clouds of red powder were still flying about, and it may be imagined that amid such a hubbub the arrival of the Mission partook in a very small degree of the dignified character of its *entrée* into the Beekaneer capital as already described. Something of etiquette was, however, kept up, guns were fired and complimentary measures exchanged; and numerous visits were paid to the palace where the frost of ce emony soon melted before the radiant smiles and downright good humour of the Maha Rawul.

As we remained nearly three weeks at Jeysulmere before the breaking up of our little party, there was ample time for a leisurely examination of the town, citadel, and environs, but the latter are too sterile to tempt any one to wander far from the city, and may as well be dismissed in a few words previously to entering into a description of the capital. The country all round Jeysulmere for many miles is a desolate, stony desert; it cannot be called a plain because it is rather a succession of vallies or inclined planes several miles long and three or four miles broad, formed by low ridges of yellow limestone, the strata of which are not quite horizontal but dip gently to the westward and cross out on the eastern side, with a tolerably bold profile of 90 or 100 feet in height. The city is built on the south end of one of these ranges, which is so nearly horizontal that its upper surface is quarried in every direction, and supplies abundant building material for the inhabitants: on the south side of the city, but within its walls, is an insulated hill about threequarters of a mile in circuit, and with rather precipitous sides, which has been carefully fortified with more than 80 bastions, and forms a very imposing citadel when seen from the southward; but the unfortunate contiguity of the range of hills already mentioned which are within 600 yards of the north face of the fort, and very nearly of the same altitude, diminishes very much its capability of defence; especially as this hill called *Soolee Doongree*, is 700 yards wide at the top and allows of guns being brought up to the veryfoot of the town wall.

The ramparts are 2½ miles in circuit, with 38 bastions, generally much higher than the interventing curtains, but many of them are in ruins. Four gates and three sally ports give access to the city, but there are many other parts where horsemen may ride over the walls by ascending the hillocks of drift sand, which have nearly obliterated the whole of the southern as well as a great part of the western face. The town wall was never very strong, being in its most perfect state, barely four and a half feet thick and 14 feet high (including a parapet 6 feet high and 2 feet thick) without either ditch or *fausse brave*. There is one small gun on the highest bastion in the N. E. angle of the city, which appeared to be the only piece of ordnance on the town walls.

The citadel is an irregular triangle nearly 1,300 yards or ¾ mile in circuit, as already mentioned, and may be nearly 130 feet high to the summit of the ramparts, which vary from 5 to 30 feet, and have a narrow *renee* 6 feet broad running all round.

There is a single entrance on the north side, defended by four gateways with sloping roads between them so as to give easy access to the palace and other buildings within its area which is quite choked with *munders* and houses. Four guns are at present mounted on the walls, and two heavy guns, a large howitzer, and three field pieces are drawn up near the lower gate. The foot of the hill, on which the citadel stands, is scarped all round with masonry to the height of 15 or 20 feet, whence the face of the hill recedes at an elevation of about 408 to the foot of the *renee*, so that these works may be said to have rather a stiff section, which it would be difficult to assault though easy enough to breach.

The crests of the parapets are crowned with huge logs and balls of stone neatly arranged in readiness to be thrown down on the heads of an assailing column; the garrison, too, are well provided with water, having eight wells within the citadel which are 304 feet deep, and contain rather brackish, but not undrinkable water, which would of course be used during the siege, though at present the inhabitants use the water of a large tank called *Gurreesir*, 300 yards S. E. of the city, close to which are several small pits or filtration wells called *Beree* only a few cubits deep, which collect a little sweet water without going down to the landsprings. There are only two wells for the

city just outside the west gate, and both covered by a stone parapet with loop-holes, they are 151 cubits or 241 feet deep, and the water is slightly brackish. A baolee is now being dug close to the fort gate, and has already attained a depth of 80½ cubits, but has not yet reached the main spring. There are numerous *bereers* of sweet water at Kishun Ghat, one *kos* north of the city, but still there is rather a scarcity of this most necessary element.

The city of Jeisulmere contains nearly eight thousand houses, including two or three thousand in the citadel, and has some good streets, but scarcely any thing like a bazar. The citadel, town wall, and all the principal houses being built of the dull yellow limestone, of which the hill itself is composed, have at a distance a sombre appearance from the want of a variety of colour to relieve the eye, and indeed it is hard to say at first which is the native rock, and which are the artificial buildings, for the former is flat topped, and the latter are flat roofed; but on closer examination it will be seen that an immense deal of labour has been expended on the architectural decorations of a large proportion of the better class of houses, the fronts of which are ornamented with balconies and lattices of the same yellow marble richly carved, which gives them a finished, though rather cumbrous appearance.

The limestone of Jeysulmere has been applied to the purposes of lithography, approved of, being considered superior even to the Bavarian stone for all transfer work, as it will give off a very considerable number of copies without "running rotton," but its yellow colour is rather too deep to allow of its being used for chalk-work, as the artist cannot well distinguish the different shades of his pencil upon the stone. It has been employed largely in the royal buildings of the Emperors at Agra, by the name of *sun kuthoo*, and there is another variety of it produced at Haboor, 20 *kos* N. N. W. of Jeisulmere, much valued on account of the particles of limestone being distributed in small vermicular and contorted figures in a matrix of indurated red ochre, which when cut and polished has a fanciful resemblance to Persian writing upon red paper. Numerous coarse specimens of the latter stone may be seen in the upper pavement of Ukbur's tomb at Sikundra.

Among the few things worth seeing at Jeisulmere are the Maha Rawal's palace, surmounted by a huge umbrella (the only other Rajpoot chief entitled to this emblem of dignity being the Maharana of Oodepore:) and the *mundurs*, or pagodas in the citadel of which there are six; half Hindoo and half Jain; the latter being of great antiquity and richly ornamented with carved stone. The *huvellee* or dwelling house of Salim Singh Mehta, late Minister to the Rawul, is quite a curiosity in its way, towering proudly over the neighbouring houses like King's College Chapel (the Freshman's guide) at Cambridge, though the true cantab would be horrified at such an unworthy comparison.

The revenue of the Bhatee country appears to be very much circumscribed, and I do not remember to have heard the Rawul's income estimated at more than four lacs (most probably it is not half that amount,) of which nearly one half may be raised by transit duties on the articles which pass through his country on their way from the Company's territories or Rajwarra to Sind. The principal of these is Opium, of which large quantities arrived during our stay at Jeisulmere, and the impost levied there appeared to be very moderate, not exceeding 19 rupees per camel load. The income from *khalsa* lands must be very trifling notwithstanding the great extent of the Rawul's territory, but it is "barren all, barren all," or nearly so, as we scarcely saw a single cornfield in traversing nearly 200 miles of his country, and moreover

> The border men are stern of mood,
> The *Bhatee Thakoor* wild and rude,

who used to snap their fingers at their liege-lord—and set him at defiance, until he borrowed a little energy from his connexion with the British Government. Colonel Lockett's visit to Jeisulmere, the establishment of a cantonment at Balmere, and the arrival of the present Mission have given to the Rawal an influence and degree of control over his ragamuffin nobles which he never before possessed. He is a merry, good-humoured Prince, this same Guj Singh, and it is to be hoped, that by the Honorable Company's help, that is to say, by the terror of their name, he may in future be able to keep his kingdom in good order.

The Maha Rawul is tall and bulky in stature, and from the under prominence of his "cupboard" seems to be no enemy of good cheer. When less unwieldy in bulk he was an expert horseman, a good shot, and handled his spear with dexterity in a hog hunt: he reads and writes his own language fluently, seems to have a good share of common sense, asks very pertinent questions and has scraped acquaintance with one at least of the muses, if I may judge from having stumbled upon his own ivory-bodied guitar, while visiting one of his country palaces at the "*Umur Sagur*," where there is a large tank, now dry, with some good *baolees* and an excellent garden. There is another garden, with a small country seat, and tank called "*Mool Sagur*," half a *kos* or one mile west of the *Umur Sagur* and two *kos* W. N. W. of the city,—these with the large nursery called baree (near the burial or burning place of the Rawul's family) and the flower garden of the great merchant Bahadur Mul, are nearly every thing that we heard of or saw in the shape of a *bagh*. The onions of Jeysulmere are celebrated by the way, as well as the fine woollen *pugrees* and *loees* or flannels.

During our long stay at Jeysulmere numerous meetings took place between the subordinate members of the Mission (the respectable men sent with Lieutenant Mackison on the part of the Khan Bhawul Khan, and the confidential servants of the Maha Rawul) and matters being at length brought to an amica-

ble adjustment through the arbitration of the officers deputed for this purpose from the agencies of Delhi and Ajmere, we broke up our camp on the 2d April, and made two marches northward from the capital, remaining 2 or 3 days at a large tank called *Kohareesir* close to the frontier, while arrangements were made for the final leave taking of the said Mission.

As it was likely that the presence of Lieutenant Trevelyan would be required at or near Jeysulmere for at least another month, he returned towards that capital from *Kohareesir* on the 7th of April, and arrived there on the following day, about the same time that his two late companions reached Khanpoor, where Buhawul Khan happened to be holding his court. Leaving them, however, to pursue their way "at the back o' beyont," *i. e.*, on the other side of the great Desert, we must return to Jeysulmere and watch the movements of the main body of the Mission.

"The Maha Rawul, finding the coast clear, as the supernumerary *Saheb log* had made themselves scarce with a considerable number of followers, now entered with great glee into such business as remained unadjusted. His first care was to return the visit of his guest, to whose tents he came with all his court, sending a *gudee* or royal cushion for the especial dignity and comfort of his own goodly person, with a brigade of guns to tickle the ears of the lieges with thundering salute. Half of the thunder, however, hung-fire, for one of the guns refused to uplift it's most sweet voice, so the whole brunt of the bellowing fell upon the other "*bouche-a-feu.*" The meeting passed off admirably, and after presenting 's *Thakoors* to the British Envoy with a little general conversation, the Maha Rawul cleared the court and had some private confab; the result of which was, "*mirabile dictu,*" that he promised even at this inclement season of the year to go out 140 miles to his own frontier to have an interview with the Maharajah Rutun Singh of Beekaneer: and still more wonderful the promise has actually been fulfilled.

This interview, which was to renew a friendship between the lately unfriendly chiefs of Beekaneer and Jeysulmere, was the principal object of the Mission from Ajmere; and well it was for the accomplishment of that object that Lieutenant Trevelyan, during his personal intercourse with the Rawul, had so won his heart and acquired such an influence over that durbar that he succeeded in carrying this very desirable point in spite of the avowed remonstrances of the Ranawut (the Maha Rawal's favorite Princess) and the less apparent, though perhaps equally sincere, opposition of one of the principal Ministers, and some of the discontented Bhatee Thakoors.

But the arrangements for a weighty ceremony of this kind were not to be completed in a hurry, and many a weary day was passed before the forty horse power of persuasion set the cumbrous mass of a Rajpoot court in motion. By way of doing something useful in the interim, Lieutenant Trevelyan proceeded to the villages of Budora Gam, Rasla, and Devee Rot, to make a personal distribution of the money exacted by the British Government from the Maharaja Maun Singh of Joudpoor in compensation of the outrages committed by his subjects, upon the S. E. frontier of Jeysulmere. After delivering to each of the sufferers the sums apportioned acording to their various losses, and for the receipt of which they seemed to be very grateful, Mr. T. returned to the capital, about the 30th April, and was enabled almost immediately afterwards to prevail on the Rawul to commence his march towards the Bekaneer frontier, as will be mentioned hereafter.

Part of the time preceding the above visit of retribution to the plundered villages, had been spent at the Umur Sagur, a pleasant country retreat already mentioned, and the Maha Rawul Cuj Singh came out to spend a couple of days with his English friend, at this place. Great was the glee of the good natured chiefs as they competed with each other in ball practice at the target; which was fairly struck by both; and much did he admire, the evolutions of the handful of sipahees which formed our escort, observing that though few in number they did great things, and he begged so hard to see them fire "just a single volley," that there was no refusing his request; and so a score or two of our honourable master's leaden pills were sent flying on a deputation from which they will hardly return until the Greek Kalends. Our little party of Blair's Horse were also trotted out in presence of the durbar, and went through a few manœuvres to the Rawul's great delight, who bestowed a solid compliment upon all the parties that had been paraded for his particular gratification.

On another occasion the Rawul insisted on the English gentleman's going to the palace and "making a regular day of it." An excellent breakfast was spread for the *Saheb*, and in his pretty little *sheesh mehul*, whence he could see without being seen. Another breakfast was laid out (table cloth and all) for the Prince himself. When the boards were cleared the dancing damsels were introduced according to the custom of Eastern courts, and "the day drove on with songs and clatter" to the great delight of the Rawul, however wearisome it might have been to his guest.

The patient endurance of these frivolities, and an apparent cheerful participation in them, did more to bring the Bhuttee chief into training for his weary trip to the frontier than many an hour's serious advice would have done: and truly this conciliatory line of conduct met with its reward, for on the night of the 5th May, all preparations being at length accomplished, Lieutenant Trevelyan was enabled to quit Jeisulmere, and the Rawul left his capital at the same time, so that all difficulties seemed to be at an end. But there is many a slip between the cup and the lip, and so it nearly proved on the present occasion, for before half of the first march was completed an ill-omened howling of jackals, or screaming of partridges at the wrong

side, *i. e.*, the right side of the way, caused the superstitious Raja to plump himself down in the *middle* of the road at Basunpoor, 5 *kos* from Jeisulmere, where he would have remained until the occurrence of a more fortunate omen, had not a strong and well-timed remonstrance from Mr. T. compelled him to get under weigh again and complete the remaining 7 *kos* of the march to Chundhun.

The second halting place was Nona Thala, 11 *kos* from Chundhun, and the next day they marched 7 kos farther to Chahin, after which was accomplished a severe stage of 20 *kos* or 40 miles to Nok, and the camp followers were much distressed by the want of water between these places, though a partial supply had been sent out for them on camels. The last stage was one of nearly 20 miles from Nork to Girrajsir where the Jeisulmere durbar arrived on the morning of the 10th May, and the Bekaneer court reached Guniala (2 *kos* N. E. of Girrajsir) on the same day; so both the "interesting travellers" were once more happily united, as Lieutenant Boileau had returned from his tour in Scind a few hours previously to the arrival of Lieutenant Trevelyan with the two great luminaries, and this narrative must double-back a little to give some account of the visit which was paid to the "Father of Rivers."—*Delhi Gazette.*

(To be continued.)

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# SKETCH OF THE AFFAIRS OF PERSIA.

We have been favoured with the perusal of a letter from one of the individuals of the detachment under Colonel Passmore, dated Tehran the 29th March last, from which we have been permitted to make the following extract:—

"We arrived at Tehran in the latter end of July, 1834, but in consequence of the fever and ague making its appearance amongst us, remained inactive, for a period of two months, when orders were received for the detachment to take the field against the Kurds,—a race of people who inhabit the mountains between Tabreez and Turkey: we were two months in the field, and every thing was settled without a shot being fired from either side. We returned with the army to Tabreez, just in time to accompany Mahomed Mirza, (the present King) to the capital. His uncle Ali Mirza having assembled a large force, declared himself King. He sent out his army to oppose the march of the Prince Royal—but terror seized their general—a brother of the usurper, and all fled back towards the capital. He was situated, as it were, between two fires; if he went back to his brother, without fighting for his brother's pretended claim, his head would have been the forfeit for his cowardice; on the other hand, if he allowed himself to be taken prisoner by the enemy, decapitation would immediately ensue; but he acted a wise part to save his head. He gave himself up to Sir John Campbell, who guaranteed that no harm should befal him. The whole of his army laid down their arms, seeing that their chief had surrendered, and were all taken prisoners, but shortly afterwards released, and directed to return to their duty.

Our force then marched into the capital, where Mahomed Mirza was crowned King. Every thing is now quiet in this quarter. The news arrived here a few days ago of the defeat of Houssan Ali, Mirza's brother, who was at the head of the Prince Royal's army. He was slightly wounded, and fled with about two hundred horsemen. All the rest were taken prisoners. Lieutenant-Colonel Sir Henry Lindsay commanded the Royal army, with the assistance of two other officers, and six serjeants of the detachment. Colonel Passmore and the remaining non-commissioned officers are at present in the capital. I was prevented from writing from sickness, and no packet for India, I had been informed, had, or was about to leave this for India, since October last.

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The affairs of Persia are interesting to us in many points of view—they are interesting so far as regards the individual exertions of our countrymen in supporting the cause of the legitimate dynasty, and they are of extreme interest so far as regard the footing on which we stand with that power. From the detailed account which we subjoin, and with which we have been favored by a gentleman, who, from personal knowledge, has been able to give an accurate account, it will be seen that it was chiefly owing to the prudent and able management of our Envoy at the Court of Persia, and those under his command, that the rights of the lawful sovereign have been established.

It would serve little purpose for us to enter, at this moment, into the history of our diplomatic relations with Persia, or the policy which has dictated that line of passive conduct in its affairs which has hitherto characterised our relationship with that country; but it may be permitted us to ask why it is that, notwithstanding our acknowledged influence at that Court, so little positive advantage results to us, in a national point of view, from the connection? The chief object of a Mission to that Court is, as we all know, the securing the Persian interest with a view to the protection of our Indian possessions against the aggressions of Russia: yet true it is, and of verity, that Russian influence is so strong at that Court that England is cajoled, deceived, and bamboozled, while Russia, day after day, extends her influence, fortifies her power, and stretches her domains to the utmost limit which her grasping ambition may choose to

covet and demand. Such is the result of a most mischievous policy on the part of England, marked alike for its want of spirit in the design, and want of energy in the execution. England will fight the battles of Persia,—her best and bravest sons will risk their lives in her cause, yet while she reaps the empty shadow of glory, Russia secures the more substantial portion of the feast.

At the present time there is scarcely a demand we could make on Persia which would not be yielded. We would not advocate the policy of taxing her generosity at a moment when she must feel herself under a weighty debt of gratitude, yet a regard to the peace and safety of India, as well as the wish to prevent Persia becoming the theatre of war,—and which must sooner or later be the case if the interests of England and Russia remain opposed as they do, ought to induce the British Government to turn the present moment to the best account, and place themselves on such a footing in Persia as to leave the grasping Autocrat little hope of an asylum within the Persian territories should his ambition ever lead him to try the conquest of India. Napoleon ridiculed the mock scruples of England in her diplomatic intercourse with the other nations of Europe. In the field, Englishmen were formidable, he said, but in the Cabinet, they were children. It is too true. The questions which have agitated Europe for the last five years might have been set at rest with a single protocol had England acted on a determined policy. But the undecided character in which she appeared on the stage, left the other powers at a loss what to think, or what to do. It was her indecision that pointed the way to Mehemet Ali in his triumphant progress to the walls of Constantinople,—the same cause brought the Russians within those walls, and led to that treaty between the Russians and Turks which neither would have dared been a party to, had they not calculated on the usual passive policy of England. Holland also bears evidence to England's forbearance, and Belgium has no ground to be grateful. Poland has, with its last voice, denounced England as false to the cause of liberty, and all Europe gives echo to the charge.

With regard to Persia, such policy is dangerous in the highest degree, as it not only does not improve our hopes in that quarter, but is apt to create an idea that we are not so powerful a nation as we would wish to be thought. The experience of the past has taught us the course which ought to be pursued with regard to Persia, and the present time seems the most fitting for our purpose that could have presented itself.

The following is the communication with which we have been favored:—

"Having just arrived, charged with dispatches from our Envoy at the Court of Persia, announcing the accession of Mahomed Shah to the crown of that empire, and fancying that a abridged sketch of our campaigning in that country, subsequent to the demise of the late King Futte-Ale-Shah, may not be unacceptable to your numerous readers, I have been induced to look over the pages of my journal, and glean from them a few observations for your valuable paper.

Having performed a journey of unprecedented quickness from Constantinople to Tabreez in fourteen days and nights and twelve hours,—a distance of nearly 1,500 miles, I arrived at the latter city on the 1st November, 1834, and was greeted with a hearty welcome by Sir John Campbell, Envoy at the Court of Persia, who appeared much astonished at the short time in which I had performed my arduous task. It had never been performed by a European in such a short time, and only by one Tartar. My ride was through Asia Minor, whose mountains, valleys, and rivers clear, would charm the eye of the most fastidious cragonneur. However I must say that Tabreez, with its amphitheatre of red hills, was the most agreeable scene I had witnessed since leaving the shores of the Bosphorus.

A few days after my arrival at Tabreez, there were rumours in the bazaar of the King's death, and which were in a few days after corroborated by the Prince Royal himself, who knowingly told Sir John that he had known it several days.

Sir John Campbell being certain of the King's death, lost no time in preparing for a crisis, the probable consequences of which had attracted the attention of the Courts at Europe. He represented to the Prince the necessity of immediate and active measures—had orders sent off for the troops encamped at Khoe to march on Tabreez with all possible dispatch,—gave directions to Sir Henry Bethune, K. L. S., better known in Persia by the name of Lindsay, to get in readiness a park of artillery for immediate service. On the 9th of November, Mahomed Mirza was publicly proclaimed King, and a grand salute fired on the occasion. On the 10th, the artillery were all in readiness to march, but a want of money for their pay, which had not been issued to them for 3 years, was now sadly felt, and it was not without Sir John's assistance, and the great influence Sir Henry Bethune possessed over them, that they were prevailed upon to move, receiving an enaum of two tumanns, and a promise of their arrears at Tehran. Having got them off a great point was gained, as the regiments coming in from Khoe, all in arrears, would be the more easily settled with.

The reports from the south at this period were varied and uncertain, but all agreed with respect to the unsettled state of the country. A large caravan from the capital was completely plundered a few marches from Tabreez, and other acts of a similar nature were every day committed by the wandering tribes, who invariably take advantage of the unsettled state of the country to commit all kinds of depredations on their more peaceable neighbours.

The astrologers having found a propitious hour on the 11th for the King to commence

his march on the capital, he accordingly mounted, and proceeded to a garden about 1 mile from the town. On the 15th the troops arrived from Khoe commanded by the Amier Nizzam, and not in the most orderly state. They immediately made known their determination not to take the field until all their arrears were paid. They encamped in front of the Royal Garden, and were on the following day inspected by his Majesty in person, who was received on the parade with a royal salute from the artillery, and three volleys from the line. The officers being ordered to the front, he addressed them in a very kind and eloquent speech, promising them pay and honours on their reaching Tehran, but that at present it was not in his power to pay their arrears. He afterwards rode down the line, addressing each regiment as he passed, and recognizing several old veterans who had served with him in his campaign with his father Abaz Meerza, in Korasan. There were several hints given by the men, who are not at any time very particular about speaking in the ranks, regarding their pay, but all past off well, and the men returned to their camp.

The King, imagining that he had quieted the complaints of his regular army, took his final departure from the neighbourhood of Tabreez, leaving all his affairs in a most deplorable state, and what is still more extraordinary, and will scarcely be credited, his minister, the Kiam Makam, the next day followed his young master, or spreading a report to that effect, hid himself in the town, thus leaving all the affairs of a troubled country—a diadem at stake in jeopardy.

This conduct on the part of the Persian authorities necessarily increased the difficulties and responsibility which Sir John Campbell had to contend with, and which he surmounted in a firm and masterly manner. After a troublesome search of two days, and in which most valuable time was lost, he failed in procuring an audience of the Kiam Makam, and seeing no probability of assistance from that quarter, and from which much might reasonably have been expected, he commenced, single handed, to turn the tide of affairs which owing to the innocence of the young King, and the mistaken policy of his minister, had nigh left the bark on shore at the mercy of pirates; he assembled the chief officers of the army with whom he had always been on most friendly terms, and satisfied those gentlemen by means which are usually successful in Persia, and succeeded in getting the last regiment out of Tabreez on the 23rd for the general rendezvous, Meana, where the King wanted to assemble his troops.

Sir Henry Bethune fearing the evil consequences that might accrue from our delay at Tabreez, made a bold movement across the Koftin Khoe, a difficult pass over a range of mountains which separates the Provinces of Azabijon and Irake, and proceeding on towards the capital, took possession of Zungoora, a town of some importance, and placed himself in a strong position outside the walls. He just arrived there in time to save the place, and relieve the Governor, Bahman Meerza, the King's brother, of excessive fear, which had induced him to take refuge among the ladies of his harem.

Sir John having arranged matters for the protection of the Tower, moved out to join the King on the 26th. His Majesty was very uneasy about our delay, and which he himself had occasioned, the importance of which he now began to comprehend. Letters had reached him from Tehran written by some of his well wishers in that place, urging him to make all speed with his army, and informing him that his uncle the Zilla Sultan had crowned himself, was acknowledged King in the capital, and calling himself Adul Sha, was preparing an army for the field. We arrived at Meana on the 29th, and were disappointed in not meeting the King who had crossed the Koftin Khoe the day before our arrival. We proceeded on the next morning and joined His Majesty at Arken, and moving on in company, without halt, joined the advance force under Sir Henry Bethune on the 3rd December. Few circumstances of consequence took place during our march, except the arrival of the Ruk-nia-Dowleh (uncle to the King) who had left the capital with orders from his brother to raise an army in the district of Khumsa, but who, on perceiving our near approach, got alarmed and came in with about 200 horsemen. He stated that when he left his brother's court they had not allowed themselves to think for a moment that there was any possibility of the Azahigar troops moving across the Koftin Khan till after the winter,—that they heard in the capital that the King had a very severe attack of gout, and to remove which he had allowed his chief physician, assisted by Dr. Riach, to amputate both his legs. After a most unnecessary delay of 3 days, and during which time nothing of consequence took place, the King consented to sending in advance a force under Sir Henry Bethune, who was directed to keep our march in front of the main body. That officer accordingly commenced his march with 10 pieces of artillery, and two regiments, also a large body of horse, and a letter having been dispatched to the usurper guaranteeing him his *eyes*, *life*, and property, should he come to terms, sealed by both Sir John and Count Siminich, we commenced our march with the whole army on the 7th for the capital. A few days after our departure from Zungoon the Maotimet-e-Dowleh and the Opiffe-Dowleh joined the King. They were both the ministers of late His Majesty, and well known characters in Persia. On the 10th we received positive intelligence of a force commanded by Emam Nadér Meerza having left Tehran, and a day or two after the advance horse of both armies had some slight skirmishing near a village called Scea-Dien, when those of the usurper was obliged to retire, and our troops moving on next day took possession of a large town called Casben. This place, owing to the firmness displayed by its Governor, was not taken possession of

by the enemy's troops who were refused provisions, and obliged to encamp some distance from the walls. Here Sir John left the King, and proceeded in advance with Sir Henry Bethune, and by exerting the influence he possessed over the chiefs of the Prince's army, as well as by some clever negotiations with that personage himself, succeeded in inducing a great many of the former to come over, and the Prince finding his ranks daily decreasing came in himself to make terms on the 17th, and all his artillery followed the example of their chief in the evening. Thus concluded our affairs with Emam Nadér Mirza, who, having made capital terms for his brother, was returning with a firman to Tehran, in which it was made known that, should he abstain from plundering the royal treasury, and doing any injury to the town, he would be continued in his Government of the Province, and all his past conduct forgotten. The Prince had not proceeded far from our camp, when he met a party of men from the capital. These fellows were on their way to the King to give him the happy intelligence of the apprehension of the Zilla Sultan by the son of the Assiffe Dowlet, who made him prisoner, and placed him in charge of the Ladies of the harem. They, by some means or other, learnt that the unfortunate Prince had the firman above alluded to, and the Prince, while taking tea with the chief, was made a prisoner by his followers and brought back to the King. We all arrived at Tehran and took possession of the treasury, and royal jewels on the 21st December. The last mile of our march the road was strewed with the heads of camels, bullocks, sheep, &c. sacrificed to the young King.

The morning of our *entré to* Tehran was one of those fine winter morns peculiar to a Persian climate. The mountains had just been capped with the whitest snow, and the Dume-wand (Mount Blanc of the El-bourge-range) with the rays of the morning sun reflected on it, seemed to smile through its hoary mist on the deeds we had done. Our young hero appeared pensive, and no doubt allowed himself to feel the important epoch that day would introduce in his life. The steed he rode was pure Turkeman, and its well turned limbs seemed to labour under the weight of the costly trappings that ornamented them; he led the way followed by both Ambassadors with their *attachés*, and a cloud of followers from almost every part of Asia, among them the Koords, with their glittering helmets, and well balanced spears, cut a most conspicuous figure. Having neared the town, we passed through the ranks of troops drawn up in line, and entered the Negar-e-Stan Palace. The nightingales (that warble all the year round in Persia) had scarcely finished their matins when our unexpected intrusion obliged the warblers to greet their young King and fly to a more peaceful orchestra. His Majesty left us to robe, and shortly after summoned us to his presence. We found him seated in the State Chair with a crown, on the right side of which was placed the *gikha*, a very handsome jewelled ornament. The Ambassadors now took their seats, Count Summen on the right of the throne, and Sir John Campbell on the left. The artillery having fired a salute of 101 guns, he received the congratulations of both these personages, returning a most elegant speech in which he thanked them for the trouble they had taken in his interests; he addressed Sir John Campbell in a most flattering manner, calling him his friend, adding that he was indebted to him alone for his crown; and after some forms not worth attention had been gone through, we took our leave and proceeded to partake of a good breakfast, in the splendid Residency of Tehran.

Up to the 28th January, the day on which the King was formally crowned, nothing of consequence took place,—the troops shewed some feelings of discontent, owing to their promissed arrears not having been paid them. The coronation was attended by all the most respectable inhabitants of the capital, and was one of those unique scenes, which are so very difficult to describe. The assembly was in a large Court in the Mirror Palace, the Court dresses worn by some of the Princes—there were no less than a hundred of them present, almost all sons of the late King—were costly and beautiful. On the King ascending the throne a grand salute was fired of one hundred and one guns, and three volleys from a brigade of Zumberooks. The King, a handsome young man, looked extremly well, with his splendid crown on, and armlets of the most valuable jewels in the world. The marble throne, supported by fabulous animals, is very ancient, and considered a superior piece of sculpture. His Majesty having smoked his magnificent calione twice, and the coronation prayer being finished, he was addressed by the Assiff-e-Dowlet, who having described the extent and the antiquity of the empire he was called upon to rule, congratulated him on becoming sovereign of a country, the customs and laws of which had never changed; the King answered this address in Turkish, and in which he expressed his determination to maintain the laws and customs unaltered, both in church and state. He then rose amidst the acclamations of all present. We shortly after had a private audience of His Majesty, when he repeated his entire approbation of the conduct of the English, and said they were the finest fellows in the world.

Uncertain reports daily arrived from the south, giving varied accounts of the Firman Furma's forces, and the Keam Makim with his usual vile policy, refused to draw from the treasury the money to pay the troops, waiting to receive back that which had been taken from its coffers by the unfortunate Zilla Sultan. The still unsettled state of affairs, and the dangerous consequences that might naturally be expected from delay in sending a force southward, where the Firman Furma was taking advantage of our absence to organize and discipline an army, was directly represented to the King, by the European representatives. His Majesty who shewed a little energy on this occasion, gave immediate orders

for a force to be got in readiness, to be commanded by Sir Henry Bethune, K. L. S., who received a most flattering firman on being invested with his *khelat*. It was such as had never been issued to any European before, making him General of Artillery, and every power of life and death over the army, and all tribes he might meet with on his march to Esas. We moved from the capital on the 3d February and concentrated at Kanshan, from which place the whole army, consisting of from four to five thousand fighting men, marched on the 29th February. On the 11th, we arrived at Nuttans, a delightfully situated town, and remarkable for the beauty of its fair daughters; here a letter from the Prince of Ispahan reached us; it was expressive of extreme fear, and stated that the forces of the Firman Furma were within a few marches of the town. He expected us to make all possible speed and save the town from the destruction that appeared to threaten it; the assembly was therefore, immediately ordered, and within one hour every man was on the march for Ispahan, a distance of 84 miles: this fatiguing task was performed by the army without water or provisions, and strange to say, without a grumble, in four and twenty hours, having on the evening of the 12th, pitched our camp close to the walls of Ispahan. We found on our arrival, much to our disgust, that the rapid march was not so necessary as we were led to suppose it was by the Prince's letter, that gentleman had more to fear from the mob of the town than foreign enemies. This rabble had elected two of their party to govern the town, calling them Kings; they succeeded in defeating and killing a great many of the Prince's soldiers, and obliged the weak Prince himself to take refuge in his harem. The day after our arrival, these two plebeian Kings were blown away from the guns, and having arranged the affairs of the city, we resumed our march to meet the forces of Hussen-Ali-Murr, of whose hostile intentions we had positive intelligence. We arrived at Gum Sha on the 23d February, when we apprehended one of the enemy's scouts. On the 24th, his advance guard was seen by our picquets. Early on the 25th, our advance horse kept up a smart fire on about 250 of the enemy's cavalry; they stood very steady till evening, when they retired, carrying away some killed and wounded. Sir Henry now decided on fighting a general action, and thus decide the affairs of Persia. The enemy had encamped his whole force in a ruin about 8 miles from our camp, and appeared to have the advantage of us in horse. Sir Henry having formed his plans, gave orders for the army to march at day-break, to be drawn up in contiguous columns of battalions, at quarter distance, in rear of the guns. The night was passed in death-like silence, with every now and again the hagarbash of a watchful sentinel satisfying us that all was well, and at dawn, the enemy fired a gun, some said with a view to make our hearts cold; and the regiments, having taken their place in the columns, we marched, leaving our followers behind. We had not gone far, when we observed the columns of the enemy diverging from their encampment and marching parallel to our line of march, at a distance of about five miles, we immediately altered the head of the columns, and crossing a river close on our right, traversed a splendid plain—we had some difficulty in getting the heavy guns over the river. Both armies were now closing fast and marching on a small village, situated in the plain called Kiser Chum. We endeavoured to get possession of this point before the enemy, but owing to the delay occasioned in getting the heavy guns over the rivulet, we were thrown out of it, and the enemy placed his guns in the battery in some ruins close to the village. We now formed line on the artillery, and kept up a very destructive fire on the clouds of horse in the village, it was answered from their artillery, and some well directed balls fell quite close in front and rear of our line. A shot from one of our eighteens dislodged one of the enemy's guns, killing three men, and several horses; some of his Artillery men came over at this period of the affair, and the battery was in consequence silenced. Our guns kept up a hot fire on their columns in which numbers appeared to fall, and they were now seen to give way, leaving the village which was rendered too hot for them by our guns. They retired behind it, and now some smart skirmishing took place, in which we lost some men: a major and one or two officers receiving some dangerous wounds. A shell having fallen in the Prince's tent, which wounded him slightly, and astonished his followers, they began to retreat, which example shortly afterwards became generally imitated.—*Bombay Gazette.*

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# ARAB PIRATES.

SOME ACCOUNT OF THE EXPLOITS OF THE JOASSAMEE PIRATES, IN THE GULF OF PERSIA, FROM THEIR RISE IN THE YEAR 1770, TO THEIR SUPPRESSION IN 1821, BY CAPTAIN MIGNAN, BOMBAY EUROPEAN REGIMENT, LATE IN COMMAND OF THE ESCORT ATTACHED TO THE POLITICAL RESIDENT IN TURKISH ARABIA, M. R A., S. E. S., &c. &c.

All British commerce in the Gulf of Persia was, it may be said, until a recent period, at the mercy of the Joassamee Pirates, who swept every thing before them. Their atrocities fully equalled those of the Algerine corsairs. They are a race of Arabs descended from the inhabitants of Nujjud, a vast province of Arabia, and named Beni-Nesar, as being on the left hand side of the Caaba, and also Beni-Gafrek. They have possessed the principality of Seer, in the Oman country, and been an independant tribe from the earliest ages. Their territory on the line of coast of that province, extends from Mussuldom to Zebai-

ria, or the island of Sharjas to the north. That part of the Oman contains many tribes. The Zohairy, Khoasmy, Beni-kutib and Beni-Nain. The latter was the head tribe for many years, but the confusion and anarchy which followed the death of Nadir-Shah, having compelled Moolah-Ali, the Governor of Ormus, Gambaroom and Minah, to solicit the assistance of some Arabs for the purpose of resisting the unjust demands of tribute, which every competitor for the Persian throne preferred, without any consideration to its having been collected by his predecessor, he fixed on Rashid-ben Cassim, with whom he formed alliances by marriage and was enabled by the vessels under his command, to avail himself of their services, whenever required.

The Cassimees, or as we shall hereafter call them, the Joassamees, retained the vessels occasionally sent for them, and being well paid for their assistance, and having also opportunities of procuring arms, they soon acquired an ascendancy among their own tribes, and were enabled to take possession of the towns of Kishom, Luft, Linga, and Shinas, on the Persian coast, and were extending their conquests throughout Moolah Ally's possessions when their career was checked by Shaikh Abdallah, who re-took Ormas, and Gambaroom from Mollah Hussam, and Kishom and Luft, from the Joassamees. During Abdallah's lifetime, they remained passive, but at his death his sons disagreed, and their Government becoming imbecile, the Joassamees re-appeared, and plundered the weaker tribe.

In the year 1772, Shaikh Rashid of Russul-Khymah, who had succeeded his father Shaikh-Mullah, co-operated with Shaikh Khalfon, of Muscat, and destroyed two Persian vessels off Bunderabbas, and a magazine which the Persian troops had formed at Linga.

In 1775, Shaikh Rashed who had become very powerful, and was at variance with the Imaum of Muscat, captured some small craft belonging to Bushire, under the plea that their cargoes were the property of the Imaum. Shortly after this, Rashid retired from public life, and resigned the Sheikhdom to his son, Sugger, who espoused one of Abdullah's daughters, and settled all their existing differences.

The Joassamees now appeared as traders, and by their activity, carried on a most lucrative commerce; but their treacherous disposition constantly shewed itself and led to quarrels, both among themselves and their neighbours. The Persian ascendancy also being on the decline, the Rus-ul-Khymah fleet roused every petty chief to fit out armed boats, manned by a lawless crew, who depended solely on plunder for their maintenance, which they indiscriminately practised. This state of affairs arose entirely out of the differences between Rasul-Khymah and Muscat.

Saikh Sugger next endeavoured to negociate a peace between the Persians and Uttobees, who had plundered and taken Bahrein; but failing in his efforts, he joined Nazir, of Bushire, in an expedition for the recovery of that island; the Joassamee Shaikh having taken part against the Uttobees, in consequence of their capturing one of his boats, and murdering eighteen of her crew. Their attempt for reducing Bahrein was repeatedly made and not abandoned until 1785.

The Joassamees took no part in the disputes which occurred between the Montifik Arabs and the Turkish Government, and they remained tranquil until 1796. In the following year, they captured a vessel under British colors, and charged with public despatches. She was, however, released after a few days. This occurred in May and in October the Company's cruizer *Viper* was attacked by them whilst at anchor in the roadstead of Bushire. The Joassamee's dows had arrived a week before the *Viper*, under the command of Shaikh Sallah. Their object was to intercept the Sooree Arabs, who were at Bussorah. On the very day the *Viper* arrived, Shaikh Sallah obtained an interview with the Resident, when, after the strongest professions of friendship, he stated his views, and begged the Resident not to protect the Sooree dows, nor to ship any Company's property on board of them. He added, however, that if any was shipped, it should of course be held sacred. On taking leave, the Shaikh *modestly* requested a small supply of ammunition from the *Viper*, which was no sooner furnished him, than he treacherously attacked her. The Resident remonstrated against both of these acts. He was met on the part of Shaikh Sugger by the *strongest professions* of regard for the English—that in respect to the attack on the cruizer, *she* had fired *first*. He stated that Sallah had separated himself from the tribe—had proceeded to the Persian Court, and had established himself among the Beni-Chalid Arabs, marrying a characterless woman of that tribe. He added that Sallah had acted independant of Bas-ul-Khymah, and committed depredations without the concurrence of the Joassamees, who considered the English their best friends.

These disputes arose also out of the unsettled state of the Muscat Government, on the death of Syed Ahmed, and the usurpation of Syed Sultan. He had involved himself in disputes with the Arabs in the Gulf, which led to a war with many of them, who had united against them; and the Bombay Government considered that those acts of aggression experienced by British vessels had proceeded from Arabs united in the interests of the deposed prince of Oman.

At the close of the year 1798, the Imaum theatened to blockade Bussorah, on account of some ancient claims he possessed against the Pasha of Bagdad. In order that he might the more affectually execute his hostile intention, Syed Sultan negociated a peace with his formidable enemies the Joassamees, who

desisted evincing any hostile intentions through the interposition of the Resident at Bussorah.

The Joassamees must have been kept in check by the Wahabees, who had by the middle of 1802 reduced to nominal submission, the whole coast from Bussorah to Deba, which included their own territory. In 1803, Shaikh Sugger died, and was succeeded by his son Shaikh Sultan. Towards the close of 1804, they appear to have been in alliance with the Uttobees, and it was in an engagement with these two tribes that the Imaum lost his life.

We may now date the period when the Joassamees may be said to have engaged in piratical depredations. Up to the present time, they committed no act of piracy with the exception of the capture of the vessel under British colours, and the attack on the Company's cruizer *Viper*, and they manifested every respect towards our flag. The influence of the Wahabees having been introduced over the principality of Seer, and the Muscat Government after the death of Syed Sultan, having also fallen under the control of that power, the character of the different tribes in the Gulf underwent a material change, and the attention of the Bombay Government was directed to crush the sprit of piracy which at this period began to display itself.

The contention for the Imaumship between the members of the Muscat family, threw the Gulf into a state of great confusion, the Joassamees attacked and captured two vessels belonging to Mr. Manesty, then the Resident at Bussorah, which were charged with public despatches, and the commanders of them were treated with great cruelty. Their fleet also surrounded, and fired into the Honorable Company's cruizer *Mornington*, but after a few broadsides they were compelled to sheer off. In their successful co-operations with Moolah Hŏssin, of Kishom, against Gambaroom, or Bunderabbas, they hoped to check the advance of Beder, who had succeeded to the Imaumship, and was projecting a plan with the Uttobees, notwithstanding the support he received from the Wahabees, to annihilate the Joassamees, who were at this time in subjection to Abdab Azees.

Syed Beper, on the adjustment of the disputes with Syed Gheiss, of Sohar, proceeded with a land and sea force for the recovery of Bunderabbas, Minab, and Ormus, which he completely effected. Operations were at this time actively prosecuted by the Bombay Government, in conjunction with that of Muscat, against the Joassamees. The combined forces sailed for Kishom, where they blockaded a Joassamee fleet, who were reduced to such distress as to solicit a peace. A truce was granted them until the pleasure of our Government was known, as it would have been impossible to prosecute hostilities without offending the Persians or the Wahabees. The Bombay Government declared that in becoming a party to the peace, it should not be of a limited nature, but extended throughout the Gulf. It also required full indemnification for the losses we had sustained. These orders, however, could not be enforced without having recourse to coercive measures which would have plunged us in a general warfare with the whole of the Gulf, consequently it was deemed advisable to enter into certain agreements with the Joassamees, who desired to return to their former mercantile pursuits. They continued true to their engagement, as far as we were concerned, though they co-operated with the Imaum in an attack upon Syed Gheiss who had refused to become a party to the peace, which he could not in honor do, until he had revenged the blood of Syed Sultan.

Precluded by the treaty of 1806 from piracies in the Gulf, and urged on by the Wahabees, the Joassamees extended them to India. In the beginning of the year 1808, they made their first appearance as corsairs in the Indian seas along the coast to the northward of Bombay. The Wahabee Shaikh had long contemplated the extension of piratical cruizes to India. The Joassamees had, by a late order of the Wahabees, been rendered independant of their lawful Shaikh, who at this period had nothing left him but Rasul-Khymah, Sharga, and Raumps, consequently they put to sea without his permission. Gadeff, an Arab chieftain of the Joassamee tribe, on the Persian coast, was much averse to piracy, but his subjects who were unable to trade on account of the general disputes of their tribes, sought a livelihood in the vessels of others. In one cruize this year they captured twenty large bughalahs, which so elated them, that they determined on sending a fleet of fifty sail to the coast of Kutch. Towards the end of the year, they committed a breach of the treaty of 1806, by attacking and capturing the cruizer *Sylph*, in the Gulf of Persia The little *Sylph*, however, was retaken by His Majesty's ship *Neriade*, which hove in sight at the moment the Joassamees were boarding her.

In the following year, the Wahabees directed the Joassamees and the Uttobees to proceed against Coorte. The former prepared to obey, provided they were supported by ships, but the latter excused themselves.

The Persians from Lar, attacked the Joassamees at Linga, and compelled them to retire to Bassadore on the island of Kishom. They were, however, successful against a squadron fitted out by Mahommud Nebbi-Khaun, against Khore Hassan, and captured six large vessels. At this period, the Wahabee chief, appointed Hussein-ben Alli, a Joassamee, his vicegerent, in the principality of Seer, vested him with authority over Rasul-Khymah, and nominated Wahabee officers throughout the Joassamee country. Shaikh Sultaun, the Joassamee chief, was taken to Deryah, at which capital he was imprisoned by the Wahabee chief. After a detention of some months he contrived to escape from prison, and finding his way to Yemen, embarked at Mocha for Muscat, whence he sought the Imaum's protection, disclaiming all concurrence in the attack on

the *Sylph*, and professing a desire to conform to the treaty of 1806. The Imaum took him to Shyrgah, and placed him over the Joassamee tribes at that place. In September, 1809, the British Government determined to relieve the Imaum of Muscat from the power of the Wahabees, and to suppress their piracies, sent an expedition to the Gulf of Persia, under Sir Lionel Smith and Commodore Rowley. Their first operations were directed against Rasul-Khymah. The attack commenced on the 12th of November by a bombardment. The following day the Joassamees were vigorously attacked by sea and land, and after a bloody but ineffectual resistance, were driven into the interior of the country. The town, with the vessels in port, amounting to upwards of fifty sail, with the prize ship *Minerva*, were burnt.

From Rasul-Khyma, the armament proceeded to Linga, where twenty dows were destroyed, the inhabitants deserting the town on our approach. Luft was taken possession of by our troops, but the strength of the fort, and the desperate manner in which it was defended, frustrated every attempt to carry it by storm. All the essential objects of the attack were, however, fully attained; their boats and dows were completely destroyed, and the place eventually surrendered, together with property amounting to two lakhs of rupees belonging to the Imaum, which with the fort, were given in trust to Sheikh Dervish, the head of the Beni-main tribe of Arabs who have always been firmly attached to His Highness.

On the reduction of Luft, the expedition proceeded with His Highness of Muscat to Shiraz, where they arrived on the 31st December. The situation of the fort was found too distant to be reduced by bombardment, therefore, the force was immediately landed. This was defended with the most determined bravery, but capitulated after an obstinate and sanguinary resistance, and was made over to the Imaum's troops. Messages were now sent to various chieftains to refrain from giving any encouragement or protection to future pirates, though it was not deemed necessary to insist on the destruction of small craft, which would have ruined the poorer inhabitants and created an odium against us which has never existed.

It now became the prevalent opinion that the Joassamees had been deprived of the power of committing any further depredations by sea. The able Resident at Bussorah confirmed this opinion, but added, that such was the revengeful and vindictive spirit of the Wahabee tribe, and of the inhabitants on the Arabian shore of the Gulf, that they would attempt to wreak their vengeance on any defenceless British vessels which they might meet, and Mr. Manesty suggested that the exportation of timber from the Malabar coast to the Arabian and Parsian Gulf, should be prohibited, including even the port of Muscat, from which place the pirates might contrive to procure it. He also remarked, that as their countries did not produce any kind of timber for the purposes of boat building, and being deprived of their ordinary supply of teak wood, they could not long possess a naval force of any importance.

These corsairs, however, re-appeared in February, 1812, and during the course of the year, destroyed several large bughalahs and dows belonging to Bussorah and Kongoon. Boats navigating under British colours did not even escape their depredations; whilst others, were detained and prevented from prosecuting their mercantile pursuits.

About this period, an Arab chief, named Rahmahbin Jaubir, who was the most successful, and the most generally tolerated pirate perhaps that ever infested any sea, fell in with a large fleet of boats belonging to Bahrein, Bushirss, Kongoon, and Muscat. He captured the whole, including a ship and innumerable small craft, and with few exceptions, put the crews to death. This butcher-chief was governor of Khore Hussier, and escaped the vengeance of our expedition, since, notwithstanding the ferocity of his character, and the apprehension that he would prosecute piracy, he had ever respected the British flag. An additional motive for not breaking with him, was a knowledge that he had entered into an intimacy with the Wahabee power, which it was the policy of our Government not to offend. The chief pirated for himself, and chiefly against the Persians, in revenge for some injuries sustained at Bushire. The followers of this outlaw, to the number of several thousands, maintained themselves by the plunder of prizes, and as they were most of them his own bought slaves, and the remainder equally subject to his power, he was often as prodigal of their lives as those of his enemies whom he not only killed in battle, but basely murdered in cold blood after submission. I have been assured that he once shut up a number of his own crew in a wooden tank in which they kept their water, and threw them all overboard. I was present at the last interview he ever had with the English. It was at the British Resident's, in the presence of that accomplished man Colonel Stannus, and a more ferocious barbarian I never beheld. His dress was disgustingly simple. It consisted of a shirt which did not appear to have been taken off from the time it was first put on; no trowsers covered his lank legs, a large abba encircled his meagre trunk, and a ragged keffiah was thrown loosely over his head. His body was pierced with innumerable bullet wounds, and his face fearfully distorted by several scars, and by the loss of an eye. His left arm had been severely wounded by grape shot, and the bone between the elbow and the shoulder being completely shivered to pieces, the fragments worked themselves out, exhibiting the singular appearance of the arm and elbow adhering to the shoulder, by flesh and tendons alone. Notwithstanding this, he prided himself in being able to use

the *yambeah* with great effect, and it was one of his favourite remarks that he desired nothing better than the cutting of as many throats, as he could effectually open with his boneless arm.

This brutal corsair put to sea on a cruizing expedition, accompanied by a fleet of Joassamee boats which escaped the notice of the late expedition. A desperate action was fought between Rahnah's fleet and the Uttobees of Bahrein, in which the former were victorious. Among his captures were two bughalahs from Bussorah, with horses belonging to the Company, these he transshipped, and had conveyed to Bombay, where they safely arrived. Subsequently, he cruized off Bahrein for the purpose of intercepting the Joassamee boats which frequented that island for dates and rice. In his action with them he sunk four after taking out their cargoes, four others he blew up, not having crews to man them, and the same number he brought into Bushire roads. He then sailed to the southward and continued to cruize between the piratical ports and the pearl bank off Bahrein, pursuing his course of lawless rapine. No corner of the Gulf was safe from his presence, he swept from shore to shore, and passed from isle to isle, with the gloom of a spirit, and the speed of lightning. But here his career was destined to close: he encountered a large bughalah, and on rashly attempting to board her, was overpowered by a superior force. Hastily demanding of his crew whether they would not rather perish by the destruction of their enemies, he went below, attached a match to a powder barrel, and returning on deck ascended the poop with his only son in his arms, when the match communicated. The vessels still grappling together burst into a thousand atoms, and were hurled into the air in the midst of a volcano of flames, and blazing timbers, and when the terrific explosion had subsided, the bodies of the combatants were washed by the agitated waves on the shores of Bahrein.

Thus terminated the career of a man who had infested the Gulf for five and twenty years, and who had excited no less attention from the Bombay Government than the Persian, whose efforts were unable to destroy his squadron. His character and conduct were stained with the common vices of his order. By exhibiting the ferocity of a robber, and the baseness of a traitor, he obtained all his power; and his insatiable thirst for plunder effected his annihilation.

To return to the exploits of the Joassamees, we find that in consequnece of some depredations committed on the trade, remonstrances were sent to the chiefs of the Wahabees and the Joassamees, on the impropriety of their proceedings. A reply was returned from Hussein-Ben-Rahmah, the chief of Rasul-Khymah, stating that he was not aware of any vessels under British colours having been captured by the Joassamees, but that should it be the case, such would be restored. He added, that in future he would issue instructions to his tribe, not to molest or even approach any vessel bearing the British flag, as he did not wish to interrupt the trade in any way. He admitted, however, that his cruizers had paid no very friendly visits to the northern ports of India.

A vakeel also arrived at Bushire, with letters from the Wahabee chief, wherein the conduct of Hussein-bin-Rahmah was severely censured. The vakeel stated that the Joassamees were most anxious to be on good terms with the British, whose good-will they would study hereafter to merit, and would respect both our flag and subjects; but they hoped we would not insist on their relinquishing their claims against those states who were at enmity with them, for according to the Arab law, *blood* could only be repaid by *blood*, and if they could not follow this mode of warfare, they would not only lose their rank amongst the Arab states, but their enemies would enter their very doors to attack them. They were moreover compelled by the Wahabee chief to war against those Mahommedan states that had not embraced the religion of the Wahabee. He concluded by observing, that if we would answer for the Arab states not molesting them, and would also shield them from the vengeance of the Wahabee chief for not obeying his command, they would utterly abandon the course of life they were pursuing; but otherwise their situation in the Gulf was such, that they were compelled to be at enmity with the greater part of it.

The Resident admitted the truth of this statement as regarded their very peculiar situation, and the system among the Arabs, as also in respect to the tenets of their religion, so different from other Mahommedan sects, which rendered them the enemies of all other followers of Islam, that he deemed it advisable to overlook the past on certain conditions, which he then conceived sufficient to make their promises binding.

Notwithstandings this, however, some vessel having on board the British pass, were taken off Porebunder, and a boat was dispatched to Rasul-Khymah with letters to Husscin-bin-Rahmah, and his vakeel, who had entered into an engagement of a friendly tenor. The commander of the Resident's boat soon returned in a most deplorable state. The chief of Sharga, to which place the boat first proceeded, took eighty frazils of dates out of her, and seemed disposed to keep the boat also; and on anchoring off the town of Rasul-Khymah a vessel came alongside, and enquired what she wanted. On being informed, they greeted each other, and it was recommended that the Resident's boat should get under weigh and stand into the bay for her security; they offered to pilot her, and on weighing anchor they took her in tow; shortly afterwards about twenty armed men started up from the bottom of the Joassamee boat, and drew their sabres, theatening to murder all the crew of

the Resident's vessel, who instantly cut the tow rope, and pulling off to sea, escaped with the greatest difficulty.

The attack on this boat which had been dispatched on the faith of engagements so very recently made, and which had actually arrived at the very threshold of their dwellings, proved what little reliance could be placed on any treaty with such a lawless banditti. The act was at variance, also, with the conduct which so strongly characterizes the Arabs, who fulfil the obligations of hospitality even towards an enemy seeking their protection, and reposing in their confidence. This flagrant breach of faith sufficiently proved a determination on the part of the Joassamees of attacking all vessels they might fall in with.

This attack was followed by their capturing a bughalah belonging to the Imaum of Muscat, whilst at anchor in Mogoo bay. The people of Mogoo were privy to this depredation, and had in fact given information of the bughalah being there. She was laden with horses for the remount of this Majesty's 17th Dragoons, and also with sulphur on account of Government. Six vessels were, moreover, captured off the coast Curachee and Sind.

The brilliant successes that attended the subsequent cruizes, undertaken by the Joassamees, added so much to their strength, that it induced most of the other ports on the coast from Cape Nabon to the southward to follow the same system. The Sheikh of Charrack in particular, was encouraged to form a connection with Rasul-Khymah, and Abdallah-bin-Ahmed, of Bahrein, openly avowed his determination of prosecuting piracy, as the surest and speediest mode of acquiring wealth.

A ship belonging to the port of Bombay, sailing under British colors, was so late as the year 1816 captured by them off Muscat, the greater part of the crew were put to death, and a ransom exacted for the release of the survivors. They also engaged and beat off the Imaum's fleet, and had very nearly taken the *Caroline*, a fine 32 gun frigate. The audacity of these pirates increased to such a degree that they attacked the Honorable Company's cruizer *Aurora*, gave chase to, and fired into the American ship *Persian*, and so great was the dread entertained of the Joassamees, that the resident in the Gulf could not even obtain a vessel to dispatch to Rasul-Khymah for the conveyance of letters of remonstrance to the chiefs in regard to these depradations.

Three vessels belonging to Surat were taken in the Arabian Gulf sailing under British colors, and many of their crews were murdered. The loss of property by these captures was estimated at a crore of rupees.

Many other captures were made of vessels sailing under our protection, attended by similar acts of atrocity, and when a deputation was sent to Rasul-Khymah to obtain redress for the capture of the vessels in the Arabian Gulf, it totally failed. The Joassamees explicitly and boldly replied that they would respect the sect of chieftains, and their property, but none other. They added that they did not consider any part of westward India belonging to the British, except Bombay and Mangalore, and that if we interfered in favour of the Hindoos, and other unbelievers of India, we might just as well grasp at all Arabia, when nothing would be left for them to plunder.

The crews from a squadron of Joassamee boats, landed in the month of October, of the same year, on the island of Bushead, and burnt all the villages at its eastern point, carrying off cattle and killing hundreds of the inhabitants.

At the close of the year we find them in the harbour of Assaloo, taking five freighted bughalahs, valued at three lakhs of rupees, and murdering all on board. The inhabitants of Bushire were greatly alarmed, from the Joassamees contemplating an attack on the city of Busorah. The Governor of Bushire could scarcely restrain the inhabitants from flying into the interior of the country.

The Joassamee fleet remained twelve days at Assooloo, and then proceeded to Kongoon, but finding that they were likely to meet with a warm reception, they weighed, and standing to the northward, anchored off Zaire, where a landing was effected, and all the date groves destroyed. They were repulsed, however, in an action with the inhabitants, and obliged to take to their boats.

Apprehending an attack by the Turkish troops, the Joassamee chief sent a number of people from Rasul-Khymah to build a fort at Bassadore on the west end of the island of Kishom, which they intended to garrison. About this period, the Bombay Government landed a force on the island, and took such effectual measures for suppressing piracy, that the Joassamees ceased from cruizing over the Gulf, and have ever since confined themselves to petty piracies amongst their own tribes, which chiefly inhabit the Arabian coast. Our own vessels of war are constantly making the tour of the Gulf, and have no difficulty in checking all open ruptures, so that we may confidently assert that as long as the newly built 18 gun sloops are kept afloat in the Gulf of Persia, we shall hear of few piracies, and still fewer captures.—*Bambay Courier.*

*Poona, July* 24, 1835.]

# NOTES ON INDIAN AFFAIRS.

## No. XLVI.

### SUGGESTIONS FOR THE NEW GOVERNMENT.

The second point which claims attention in considering the future operations of the new Government, is the existing necessity for the creation of private property in land, and of imposing some restriction on taxation. Those who have read these papers, and have looked over some of our regulations, and have there found rules without end for ascertaining the rights of the different classes of people, for decisions regarding land, and other points of this nature, will be startled at this. But the truth is, that in the Western Provinces, private property in land has yet no existence. It did exist under the native governments, but among other blessings which the English have bestowed on the Indians is that of decreasing their cares by annihilating the right to the land. I am not aware that any enactment was ever passed to that effect: we have gone a shorter and more simple way to work: we have merely arrogated to ourselves the right to assess the land at our own valuation and to sell it by auction when the rent was not paid; and we have rigidly enforced this assumed prerogative: as long as such a system is in force, it is idle to talk of any private property in land. But again and again let it be urged on our rulers, that direct taxation has attained its extreme limits as far as regards the net revenue to be raised thereby; that a moderate permanent demand on the land will be the foundation of the prosperity of the country; and that the ultimate result of a liberal policy on this head will be encreased revenue to Government, while the condition of the people will be infinitely improved. When the natives of India see any prospect of advantage or profit from the adoption of a better system of agriculture, they will not be slow to follow the example which may be set them. Their superior condition will then produce an increase in the excise and customs, while the expense of collecting the revenue will be considerably lessened.

It is indeed encouraging to perceive that already better principles and feelings are in progress of adoption. The settlement which is about to be formed for twenty years is based on a moderate assessment of rent, so as to leave profit to the cultivators, and several functionaries in high office are anxious that as soon as completed it should be declared permanent. It is most fervently to be hoped that our rulers will have their eyes sufficiently opened to their true interests to induce them to agree to the proposition.

Third.—As connected with this subject I may be allowed to express the hope that Government will be bold enough to make a serious innovation in the Mahomedan-Hindoo law of inheritance and succession to real property. Under the existing law and practise, it is almost impossible that there can ever be a respectable middle class of landed proprietors to form the link so much wanted between the rulers and the common people: and I am convinced that a modified law of primogeniture might be introduced into India, in such a manner as not only to leave no cause of complaint to the people on the score of interference in their peculiar customs, but so as to make them ere long feel and acknowledge that it was beneficial to their interests. This subject will hereafter be alluded to more in detail.

Fourth.—To establish the liberty of the press by law has, to his shame be it spoken, been left by Lord William to his successor. Sir Charles Metcalfe has been bold enough to carry into effect that which Lord William dared not do. But Lord William's moral courage was not of that order which would prompt him to enact any measure which he feared might incur the displeasure of his immediate masters, the Court of Directors. Many of the old school anticipate great danger to our Indian dominions from this proceeding, and in confirmation of their fears, they point to what they consider the alteration which has taken place during the last few years in the feelings of the people towards the English, and the tone in which they express themselves. "This," they exclaim, "is the work of the Press! and it will end in the expulsion of the English from India." They are greatly mistaken. The Press has had no share in the creation of these sentiments on the part of the people. Hatred and dislike to the English have long been deeply engraven on their hearts, and though a lamentable consideration, it is but too true, that from the treatment they have hitherto received at our hands, it would be wonderful were it otherwise. The Press has during the last five years undoubtedly been the means of giving us some insight into the feelings of the natives, and has pointed out our own misconduct. Instead of congratulating ourselves on the innumerable blessings for which they are indebted to us, and in utter ignorance of their real sentiments enjoying ourselves in fancied security and descanting on the respect and esteem in which we suppose ourselves to be held by them, we now see not only the hollowness of the ground on which we stand, but the best mode of consolidating it and preventing it sinking under our feet. For this we are indebted to the free expression of opinion which has informed us of our danger, but which has

had no hand in its existence. Notwithstanding the assertions of those who, unable to shut their eyes to the real state of affairs, are willing nevertheless to account for it in any way which should save their own credit, I again and again repeat, that there is nothing in the circumstances of our being conquerors, foreigners, or of a different faith and colour from our Indian fellow subjects, that would of themselves excite in them hostility or aversion. The real cause is our own short-sighted policy and cupidity; and the consequent extortion and misgovernment which we have practised. The people of India, as I have before observed, have so long been accustomed to the dominion of strangers and conquerors of various nations and tribes that they are almost indifferent about the matter. The individual character of their Superior Authority is all they regard; and if we act so as to merit their esteem and confidence so assuredly will it be conceded to us, of which abundant proof may be adduced.

But the freedom of the Press is not yet legally established, and we may still be disappointed. Sir Charles Metcalfe is but officiating, and may be relieved before he has completed the measure, while the new Governor may be of different politics. But after all, no local act can permanently establish the desired object: it will still be at the mercy of any Governor under that accommodating plea "political expediency." Nothing short of an act of Parliament can place it on a secure foundation; and until this be obtained the subject must be unceasingly agitated.

Fifth.—THE CHOICE OF A PROPER LANGUAGE AND CHARACTER FOR THE PROCEEDINGS OF GOVERNMENT AND OFFICIAL BUSINESS.—Here again Lord William has allowed to escape him a noble opportunity of breaking through old prejudices, and doing an act of justice to the people. It is idle to suppose that the mass of any numerically great nation will voluntarily change their own language or written character; and a monstrous piece of injustice to attempt to compel them so to do; with the alternative of throwing great hindrance in the way of distributing justice. So much has been said in the late discussions on this head, that little room is left for any fresh observations. With the exception of a few bigots of the old school, whose sole reply (by them intended for argument) is the *ultima ratio* of those who have not a single reason to advance—"If it were better why was it not introduced before;" it is universally allowed that the Persian jargon (for it is nothing more) used in the Courts, must be exploded. Some who appear to have lost sight of the dictates of common sense advocate the adoption of English, while a few whose understandings have not been quite blinded by the real state of things, are fully aware that the vernacular must ultimately become the language of business.

This advance ground has been gained, but then comes the battle whether the Persian, English, or Nagree written character shall be adopted. The first of these is foreign to the people which one would imagine a sufficient reason for its rejection. The very advantage which it possesses in expressing the Persian language is lost: the Persian language in its own character is certainly written faster than either Nagree or English. If this however, be an argument for its adoption here, it would apply with equal force to its introduction into the Courts in England, for it is not at all more a foreign language there than here: but the Hindoostanee language in the Persian character, is neither written nor decyphered quicker than when its own letters, the Nagree, are used. In fact the adoption of the Persian character to write the Hindoostanee language is as to select the English would be. As to the Romanizing nonsense which has turned the heads of so many men from whom one expected more sense, it is supported by vanity, indolence, and ignorance of human nature. The grand object of its advocates is to transmit their names to posterity as the founders, or at least propagators of a new alphabet, and these are joined by others who do not like the trouble of learning the oriental letters, while both parties are so ignorant of the world, and so misled by the visions of future fame as to overlook the impracticability of the scheme. It is truly lamentable to see men wasting in such absurdities those talents and that benevolence of feeling which might be so much better employed. That a certain portion of the people will learn to write their own language in the Roman character no one doubts. Those who aspire to official employment will qualify themselves in any way that may be pointed out, whether it be to acquire Greek or the Chinese language: but to imagine that the mass of the people will for the sake of handing down to posterity the names of a few visionary enthusiasts, give up their own character which has been in use for centuries, is about as rational an anticipation as that the English may be induced to write their language in the Nagree. If it were merely a speculation to amuse a few individuals and gratify their vanity at their own expense, it would signify little, and certainly would not deserve the attention which it has received from the public: but the mischief of it is, that influence and official authority have lent their sanction to the scheme* and time

* In addition to which some of those in office who have been bitten by the mania, are in the habit of franking the Romanizing papers to the different stations in the interior, to the great benefit of the bookseller who supplied them: whose sale is thereby doubtless, considerably encreased. With all their mania the Romanizers have not had the sense to select the best system for expressing Hindoostanee in the Roman character. Sir William Jones's may be more classical, but there are some sounds in the Hindoostanee which he has given no symbol to represent. The fact was he did not understand Hindoostanee sufficiently to know what sounds and symbols were required. Gilchrist, who was well acquainted with the language, has invented a much better system of expressing its sounds in the Roman character. The Romanizers of the present day were not even satisfied with Sir William Jones's plan, but must add a number of modifications of their own invention and stupid enough they are. The distinguishing of letters by dots and dashes is one of the worst that could be devised: simply because in quick writing these dots and dashes would be omitted or placed wrong: and the result would be of writing Oordo in the

and money are thrown away which might be so much better employed, while all real advancement in knowledge and all real improvement are retarded. There is one comfort however, that the mania will not last. It will rise and fall with its originators. When some of these shall have returned to England and others have departed this life, "its memorial will perish with them," save that perhaps a melancholy voice will now and then be heard lamenting the time lost in its acquirement and the uselessness of the labour undergone. Had those who have wasted so much talent, time, and money, devoted these valuable and responsible means of usefulness to the instruction of the people, or to the translation of works of information and improvement into the vernacular language and character, they would so far have conferred a solid benefit, the advantages of which would have been felt for ages to come. When a horticulturist introduces exotic trees into a climate uncongenial to their growth, he may by extraordinary culture contrive to keep them alive, and perhaps enable them to produce some tasteless and degenerate fruit; but no sooner has he quitted the scene of his experiments, than the trees, deprived of their artificial stimulus, languish and die way, and it is perceived that the soil might have been occupied to much greater purpose by trees of indigenous growth, which required only the sun and air to nourish them, and under the shade of which many might have rejoiced.

I do not deny that the publication of oriental books, particularly such as Dictionaries, Grammars and Vocabularies, in the Roman character, may be useful to Englishmen: with such facilities many would acquire some colloquial knowledge of the language of those with whom they were destined to transact business, who otherwise would have remained ignorant, owing to their dislike to take the trouble of learning a new character. But the general education of a whole nation can only be attempted with any hope of success in the vernacular tongue and letters: and they have a right to demand in common justice that these shall be the medium of communication in the Courts and Government offices. As to the desideratum of an universal character to express all languages, there is as much chance of such a thing being invented and brought into general use as there is that all nations will learn the same language. Have the visionaries who urge this ever really considered the matter with attention, and the immense number of characters or cyphers that they will have to invent? we have twenty-six letters in the English alphabet, some of which have each two sounds, and such in the universal character ought each to have a corresponding letter. The Hindoostanee or Ordoo contains some fourteen or fifteen letters which have sounds unknown to us: the Persian has eight or ten which have no corresponding signs or symbols in either English or Ordoo: there is probably not a language in the world which does not possess some sounds peculiar to itself unknown in any others. To comprise the whole the universal character must contain some five hundred or more letters, and supposing it possible to form such a character, *cui bono?* who has leisure or ability to learn one twentieth or thirtieth part of the number of the known languages, so as to turn his acquirements to any useful purpose? for a language is only the key, not knowledge in itself. But supposing it to be in the power of any individual to master all the languages in the world, why should he invent new symbols and reject those already in use.

But to the point. The character already in use among the people ought to be that of the Courts and Government offices, *i. e.* the Bengali for Bengal proper, and the Nagree for Hindoostan. The latter is certainly a stiff character, and not written quite so quickly as either Persian or English, but this is a trifling disadvantage compared with the advantages of having but one character in use all over the country.

At present it is not uncommon to see filed in one suit on trial, papers in Persian, in the Ordoo language and Persian character, in Nagree, and in the Mahajunnee. The old objection, that the Nagree is with difficulty decyphered, has been over and over again answered. Those who are well taught will read it with fluency. The varieties in the letters are not greater than exist in our own English alphabet; and not only would these gradually die away, but the letters would, in all probability, be simplified, and a much quicker mode of writing introduced by practise. Let any one examine English manuscripts of only two or even one century old, and observe the flourishes and turns attached to half the alphabet, to be convinced of the truth of this observation. The grand advantage, however, would be an improvement in the administration of justice, and the stimulus which it would give to the education and improvement of the people. The mass of the people would then be able to read and comprehend legal proceedings, and in minor suits and trials could manage their own business instead of being at the mercy of a set of low attorneys whom they are now obliged to employ. As to education, ask a shop-keeper, a farmer, a village accomptant *(putwarree)* a servant, or indeed any of the lower or middling classes "why do you not teach your son English or Persian, which would qualify him for Government employment?" His answer will be "my son's labour is too valuable to me to allow him to spend many years in studying a foreign language, nor could I afford the expense requisite to pay the tutor"—urge him to teach his children to write their own language in the Persian or Roman character—he replies "this might enable him to keep his own

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Roman character, that all distinction between the soft and harsh *d*, *t*, and other letters would be lost; and then the pronunciation would become confused. Our *d* may answer to the Hindee soft *d*, but instead of *d* in italics, or *d* with a dot, to represent the harsh Hindee *d*, it would have been far better to have invented a new character.

accompts but would be useless in the transaction of business with his own countrymen." But when the question was merely to learn a slight variety of the alphabet already in general use there can be no doubt, but that the Nagree prescribed for the Government offices would immediately be generally adopted all over the country. To the English functionaries the advantage would be immense in having but one language and character to acquire instead of two or three; and they would of course be much sooner and much better qualified than they now are to administer justice and transact the business of the country.

The grand objection, after all, which influences the majority of the existing race of Government functionaries to oppose this most desirable change, however reluctant they may be to confess it, even to themselves—is the dislike to the trouble of having to acquire a new character after having been accustomed to an old one. But surely such a feeling as this ought not to be allowed to stand in competition with the welfare of a whole people which would be promoted by an improved system of the administration of justice and the spread of education. Nothing short of a positive order from Government will effect the change. But let it be once issued, and the object will be attained without further difficulty. It is like a project for introducing a new and improved system of drill for the army. If the Commander-in-Chief were to consult every officer, and listen to the variety of opinions which would be offered, he would never arrive at any satisfactory conclusion, nor would the change be adopted, the main objection being in reality the dislike which the officers had to go to school again. The military chief would pursue a different plan. He would consult a few officers of intelligence and ability, and being himself satisfied with the superiority of the plan about to be substituted would order it to be introduced into the army. This would speedily be effected, and in a few years the old system would be forgotten, or only remembered as an obsolete practice which was happily exploded.

Let this example be followed in regard to the abolition of Persian and the introduction of Bengallee and Hindoostanee for transacting the business of Government, the beneficial effects would ere long be apparent. Justice would be better administered. Translations would be made into the books composed in them, and in a very few years we should look back upon the exploded system, wondering at the absurdity of our predecessors who had maintained it so long. At the same time to promote still further the improvement of the people, let us as much as possible diffuse instruction in the English language, and in the course of twenty or thirty years, when the present race of native officials shall have passed away, it is probable that from Calcutta to the Sutledge, there will not be found five hundred natives acquainted with the Persian language or character. All that is necessary to prevent a check to business is to prescribe a certain period, within which, all now officially appointed, must either qualify themselves in the new mode or quit their situations: and with the exception here and there of a bigotted individual or some who were tired of work and had accumulated a sufficiency to live in independence, it would not, when the time arrived for the change, be necessary to discharge a single officer, English or Native.

Sixth—Test of Language.—A law, fixed as those of the Medes and Persians, should be enacted, that no one in the employ of Government, civil or military, should be vested with any authority or controul over the people, until he had acquired a tolerable knowledge of the vernacular language and writings. One of the arguments for introducing English into the Courts is, that Judges at least could understand the proceedings, whereas at present neither party do. This is true enough and lamentable also, particularly as it is caused by our own absurdity in making use of a language foreign to both parties. But it is one of the disgraceful instances of the little attention paid by the British Indian Government to the real interests of its native subjects. Almost daily are Englishmen placed in command of troops,—in staff employ,—in situations where they have to superintend mercantile transactions of considerable importance, or large bodies of native workmen;—nay even to preside in court, as Judges and Magistrates (for though they are designated by the titles of assistant to a Political Agent or others, this is in reality their duty) who for any thing that Government know or care, may be quite unable to hold the slightest communication with the people. While such a state of things as this exists, surely such a law as is proposed is absolutely necessary.

Seventh.—Purveyance and forced-labour system.—I must be allowed to request the Members of Government would once more turn to No. 25. of these papers, treating of this head, and describing the infamous extortion and oppressions which are practised. If they think them exaggerated, let them appoint a committee of impartial men to investigate the matter, and then some remedy might be speedily hoped for.

Eighth.—Code of Laws. The Law Commission is, I believe, already employed in consolidating and revising this; and though the work proceeds but slowly the boon will be great when we receive it. One only point I shall here notice. Many very useful modifications, or new enactments, are from time to time proposed by various Judges and other functionaries to the superior Courts and Boards, and even to Government, most of which are deposited in the office, and remain in oblivion. I do not blame the higher authorities for this, as I am well aware their time is fully occupied in the current duties of their respective offices;

but now, under the new Law Commission, we hope a different course will be pursued. It should be the duty of the Secretary to the Commission carefully to note down every suggestion made relative to the modification of the existing laws; to bring the same before the members, who decide upon the rejection or adoption of what was proposed; and in the latter case, whether the amendment should be immediately brought into force, or placed on record to be again brought forward at a general revision.

One point requires speedy attention, *i. e.*, to check the arbitrary, unjust, and illegal measures of the Supreme Court in extending its process all over the country; and to annihilate "constructive residence," and all the rest of the technical jargon and illegality contrived to fleece honest men for the support of the dignity of the court and for the benefit of the lawyers.

**Ninth.**—CUSTOMS AND TRANSIT DUTIES.—This withering system so destructive of all commerce and manufactures, has been so often alluded to, that little is left to say, and indeed there is but one opinion on the subject. No man doubts that ultimately, if these vexatious restrictions were abolished, the revenue would increase while the people would be relieved from incalculable oppression and inconvenience. All are agreed on this point; all that we want is a Governor with sufficient moral courage to face the storm which the Court of Directors would probably thunder in his ear, on perceiving the immediate deficit. Let us also hope that our rulers both here and in England may unite their strength in endeavouring to procure from Parliament the abolition of the unjust taxation of India in the form of high duties on her staple commodities. On this head, indeed, the prospects for India are cheering. Owing to the popularity-hunting measures of the Whigs, the West Indies will very soon follow the fate of St. Domingo, the field will be open for India, and the superior cheapness with which we can raise colonial produce here will ensure us the monopoly which the West Indies have hitherto enjoyed by means of unjust laws and corrupt influence.

**Tenth.**—TEST OF ASCERTAINING THE CHARACTER OF PUBLIC OFFICERS.—Let us hope that this subject will meet with speedy attention. So far from complaining of the establishment of a test of this nature, all in the Government employ who possess any good feeling, and a real wish to do their duty so as to promote the welfare of the people, would rejoice in the establishment of some system by which the able and zealous might receive the reward of their exertions, while the indolent and inefficient officers would be kept in subordinate situations. But this neither has nor will be accomplished by a system of secret espionage. Let us hope that our next Governor may, unlike Lord William Bentinck, be one who knows how to raise a man in his own estimation by confidence and encouragement; and that needless distrust, suspicion, and detraction must ultimately destroy all high principle and probity together wih zeal and ardour for the public good.

Official reports are a legitimate source for ascertaining the character of public functionaries. There can be no objection that the head of an office should report on the qualifications of those who are placed under him; only let the reports be public and let them be shown to those whom they concern. But although in theory it sounds well, little practical utility will be derived from these reports, unless some defined principle be laid down on which they are to be made. At present, all is vague, depending entirely on the character of the reporting officer, and as almost every man prefers his own opiuions to those of another, he will be guided by his own practice and conduct in estimating the behaviour of his subordinates: the nearer this approaches to his own standard the more efficient will he consider them. I will put aside cases where personal friendship or personal dislike operate to produce a favorable or unfavorable report of those under the authority reporter—of which, however, India will afford but too many instances—and will view the subject in another light, viz., that owing to our exclusive service of routine, many of the higher functionaries are, as public officers, greatly inferior to their juniors. For instance, Mr. A. the Commissioner is desired to report on the qualifications of the Collectors under him; but Mr. A., as all who suffer from being subject to his authority well know, is a fool, utterly ignorant of business and the customs of the people,—and in reality quite unfit to hold even the situation of a Deputy-Collector or Head Assistant. On the other hand, one or two of the Collectors under him are able and active men who are promoting the public good; but the measures they wish to introduce are very different from those prescribed by the Commissioner; and as fools have generally the highest opinion of themselves, he finds fault with them in his reports to Government: unfortunately he is not obliged to enter into particulars and state the reasons which induce him to disapprove of their conduct: he only reports in general terms that he has cause to be dissatisfied with the proceedings of Mr. C. or Mr. B. so if Government should be ignorant of his real character, the reports of a fool have the power of injuring the prospects of really efficient men. This is no imaginary case; it has taken place and is going on at this very moment. Some Commissioners and Judges stand high in the opinion of the Board who are notorious among the people for their inefficiency, and in one or two cases for corruption.

The real standard of the character of a public officer ought to be, the opinion of the people: but it will be a long time before the free expression of this will readily find access to Government. In the mean time a test may at least be established on certain fixed principles. If public functionaries before being appointed to any new situation, were obliged

to pass an examination regarding a knowledge of the laws and customs of the people, the Regulations of Government, the best practical mode of doing business and of regulating an office, on a system defined by Government, and not left to the caprice of each examining officer, it would at least insure that they possessed the ground—work of knowledge, without which no man can be fit for public employment—but this has been already treated of more in detail in No 31, to which I beg to refer those of my readers who are interested in the subject. Let also reports be made; but instead of being confined to general terms, let every reporting officer be obliged to state his reasons for the censure or approbation he bestows; and to send a copy of his report to those whose conduct is animadverted on.

Eleventh.—The Anomaly and indecision which has hitherto characterized the British Indian Government should be abandoned for a system founded on fixed principles. For numerous instances of the absurdities induced by the present mode of conducting affairs by temporary rules arising from particular occasions, but made generally applicable. See No. 27.

Twelfth.—The Impediment to improvement caused by the present mode of conducting the service of Government, that is, the inveterate prejudice in favor of the abilities and capacities of our own countrymen for all and every appointment to the injury and exclusion of the natives: so that, to give a few instances, a man who hardly knows a horse from a cow is placed in charge of a large stud; another, equally ignorant of the duties it involves, is appointed civil engineer and architect;—a third who knows neither how to draw or to take an observation, or the use of a single surveying instrument, is employed in making a map of a district;—and so on—numerous instances of which will be found in detail in No. 29.

Thirteenth.—INTERCOURSE BETWEEN THE ENGLISH AND NATIVES.—To this subject I have already devoted several papers, and shall shortly offer some additional observations in detail which would exceed the limits of the present number.

It will be sufficient at present to suggest the propriety, not to say necessity, of some rules on the subject being laid down by Government for the regulation of all that relates to official intercourse, and that it should no longer be left to individual caprice or inclination.

Some points on which I have not entered sufficiently into detail in this number must be left for future discussion, and others on which I have not touched, will be hereafter brought forward.

A FRIEND TO INDIA.

*May* 15, 1835.

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# THE LAW COMMISSION.

## No. I.

In this country where there are few and insufficient means of conveying to Government what may be called, even here, public opinion—where the press still labors under the subdued spirit of a long period of thraldom, from which it is now only slowly emerging—where there is no assembly for the public discussion of measures of Government—where information regarding the defects of the existing administration, the wants and feelings, of the great mass of people inhabiting the vast countries under the British crown, is only obtained by private (private as relating to the public,) official reports drawn from individual *employés*, without that check of public scrutiny and comment, which is requisite either to secure faithfulness or completeness—where even those reports, such as they are, are communicated only to the Government of one portion of these dominions, I presume, the communication of the reflections of individuals on such subjects as may have engaged their attention, will not to be unacceptable to a body assembled for deliberation on one of the most responsible and important duties that can be intrusted to them. Some suggestions may point out subjects worthy of consideration: some information may be given deserving farther inquiry: something may be brought forward that might otherwise be overlooked. With these sentiments and with a hope of being in some degree useful, even if it were only to provoke discussion, it is my intention to address you from time to time, relating to the high and interesting duty you are now entering on.

I shall only give a hasty glance at the different judiciary systems existing in this country:—

1st.—His Majesty's Supreme Courts at the three presidencies, with jurisdiction over all British Europeans, servants of Government, and the native and other population within a limited space of the Courts. The laws, civil and criminal, within such jurisdiction being,

with certain exceptions, the English code administered according to English practice, by English lawyers.

2d.—The Courts of the Honourable Company, having jurisdiction over all others within the British territories under Fort William, guided by laws enacted from time to time by the Governor-General in Council, the civil code being that of the Hindoos, in cases where Hindoos are parties; the criminal being that of Mahommed, whether the accused be Hindoo or Musselmaun, with certain modifications. The rules of procedure being provided for by express enactments equally applicable to all. The whole administered by judges selected from the covenanted civil servants: in small causes by native judges; and in criminal causes by Mahommedan Law officers sitting as judges of the law and of the fact, along with the covenanted judge. The language of record is Persian.

3d.—In the presidency of Madras the Mahommedan code is also the law in criminal cases as in Bengal. The rules of procedure are different in many respects from those of the sister presidency.

4th.—The Bombay code differs essentially from the other two. The criminal judicature is administered under express laws made by the Government, and not under the law of the koran. Civil justice is dispensed according to the law of the defendant and the common law of the place. The procedure in all cases is determined by the enactments of Goverment, and equally applicable to all. The language of record, is the language of the province where the judge sits. The laws are administered by covenanted servants and by native judges; the *latter alone* having original jurisdiction in civil causes, the European judge being only appellate, excepting where an European is a party.

All of these codes are defective in many respects. Much that is good is to be found in them, and although the recognition of the Mahommedan law seems to those who are at all acquainted with its absurdities, an anomaly, it is to be remembered that it has been much qualified in practice, and in these enlightened times when people begin to think for themselves, and are emancipating themselves from the despotism so long exercised by English lawyers, I will venture to say that the Mahommedan or any other code contains not more fallacies, absurdities, unsound maxims and rules than the English code does. I think I may even venture to appeal to the members of the English bar in your Committee for their assent: they are, I hope and believe, too enlightened, liberal and philosophical to be influenced by the prejudices of education and professional partiality; no, I trust that your whole Committee are guided but by one feeling to make use of that high talent, experience and knowledge you are possessed of, for the single-minded object of conferring on the many millions who are subject to our Government, such a code of laws as shall insure to the utmost of your ability, an efficient, simple and impartial administration of justice.

With this great and philanthropic end in view, the first important question that arises is, whether there should be one law for Europeans, and another law for natives, or one code to embrace all classes?

I shall first consider the criminal administration. The same obstacles that present themselves in civil judicature, do not seem to apply to this question. The greater crimes are sufficiently marked in the minds of the least enlightened even of our native subjects, to make them aware that their commission will subject them to punishment. There are, no doubt, some offences which by English feeling are more or less heinous than the native laws consider them, but some of these emanate from priestcraft and religion, such as protection given to Brahmins, sutties, slavery, bigamy, cows and other sacred animals, &c.; but the distinction in favour of classes and peculiarities, have been in numerous instances removed without offence; and so long as an action not already known to be criminal, but which may in our view be a moral offence, is not made punishable, it is not to be expected that any enactments for offences against the person or property would either be not understood or acknowledged. By attaching a punishment to what is in our opinion an offence against morality, might no doubt operate in deterring from its commission, but when the public is not concerned, I would rather that conviction of its criminality were obtained through education, than attention to a precept enforced by the sword of justice.

But in framing a code, offences against the property and person are the great objects of legislation, and if one law for such can be made applicable to all, offences against morality will not form an insurmountable obstacle. I have already alluded to the great innovations that have been wisely introduced in the Bengal and Madras codes on the Mahommedan criminal one, without any evil effect, nor do we learn from history that its introduction by the Musselman conquerors in supercession of the Hindoo system created political or other dangers.

We have lately seen the successful prohibition of suttees by a final enactment. In various parts of Hindostan we have seen the slaughter of cows, &c., without commotion, or other clamour than what may have been made by interested Brahmins. We have the instance of the good Schwartz, when protected by the ruling authority, preaching against Hindooism, without endangering the peace of the country. We now see Missionaries preaching and instructing without offence to the people in places where under native Governments they would have run the risk of

their lives: the great body of the people, the ryuts—are passive. They may be ruled with a rod of iron or with the gentlest sway. They will be happier under the one than the other, but they seldom become agitated. The *priests* are more loud and chieftains may complain or threaten, and with money they may buy the services of the idle or the starving, but where are there any such now remaining capable of seriously disturbing our Government! It is not, therefore, I conceive, any political consideration that need influence you.

The consideration of these subjects, combined with the experience I have of the operation of our laws, and of the native character, lead me to think it very practicable and most desirable, that there should be only one Penal code for the four presidencies.

From this code should not be excepted the native inhabitants of the capitals where H. M.'s Courts are situated. If English law is to be continued, let it be confined to those for whom it was made. I would have said also, for those who understand it: this I believe, however, no one pretends to do. It is cumbrous, vexatious, causing litigation, incomprehensible, expensive both to the state and the litigants, mischievous and inefficient. If any one really think otherwise I would beg to refer him to the records of public opinion in England, to our experience here, to the proceedings in Parliament, and if he has been so unfortunate, to his own experience. The English criminal code is undergoing a change, but when it will be completed is beyond our reach to divine, and if ever finished, the different state of society there from what it is here, and various other circumstances, must always render it a much more complex system than seems to be requisite in this country.

If insurmountable difficulties be not apprehended to framing a code that shall be applicable to such a variety of people, habits, religion and language as exists in British India, I cannot think but that the same laws might govern the comparative handful of Europeans. You are not trammeled with what some still call the *beautiful system* of the British code. Laws founded on reason, on just principles, and defining how crimes shall be punished, would be partial if exceptions were made. If for Europeans as a class, why not one for rich and another for poor Europeans? introduce the benefit of clergy and punish an uneducated man more severely for a theft than an educated one. It is education that makes a great distinction between the generality of Europeans and natives, and if that be the ground of an argument for having different criminal codes, the same would require a graduated code for the different degrees of civilization among Englishmen. Still there would be no necessity for distinguishing Europeans, they would come into their places on the scale with natives who were their equals. A Ram Mohun Roy, for instance, and Shihajee Dagajee, Esqrs., or some of the other justices of Bombay, could perhaps be put on their trial with some of their educated but fair brethren.

The codes now in force in India embrace all classes of the native inhabitants, however varied their religion, their language, their degrees of civilization; and however different may have been the laws supplanted, Englishmen are already in many cases subject to the same laws. Our Military Courts are widely different in practice from the Court of King's Bench, but we do not hear that they are defective in essentials, and they have no lawyers attached to them. They have jurisdiction over both natives and Europeans, therefore having these examples of the well-working of a system to a limited extent widely differing from Courts of Law in England, where is the cause of doubt that laws may be made to embrace all within its jurisdiction, whether black or white, Hindoo or Christian, Mahommedan or Jew?

Alluding to this subject in connection with colonization, the Governor-General, in discussing a judicial system to meet the supposed influx of Europeans, observes in one of his minutes, that he does not anticipate from their presence any occasion of dispute which a tolerable judiciary establishment would not be competent to settle; that he would rather expect increased facilities; and in this opinion the Chief Judge of the Supreme Court concurred. In the course of this discussion, plans as various as the number of proposers, were suggested. Lord William Bentinck alone, and wisely, suspended his opinion of what the laws should be, but decidely thought there should be only one jurisdiction. Mr. Holt McKenzie recommended one code of laws *for all classes*. Sir C. Grey would separate each presidency into several divisions, each being governed by "a different but a single and uniform system of Regulations." Sir J. Franks boldly proposed the introduction of English law, English language and of course *English lawyers*. But there is another suggestion—an after-thought apparently. It is to form a snug jurisdiction of 50 miles diameter round Calcutta (it says not whether the radius of the Bombay and Madras Courts are to be extended) containing a population nearly equal to half that of England, for which one code should be framed *for all* within it. The variety of people scattered over Hindoostan: the intricacies of land tenures: the peculiar usages to be found among the people, their own incapacity in short, are the reasons for not extending the jurisdiction of the Supreme Court *farther*. Beyond this circle no alteration is thought necessary on this new plan: the Judges say that Europeans who may from choice pass the barrier, *may very properly be subject to whatever Regulations Government* may pass; and *they have no doubt that Government would find no difficulty in preventing evils*. From these diversified, and with all

deference I would say, lamentably ill-digested propositions, I apprehend you will gain only two consistent results, viz., that *one code* may be framed for all classes, native and European, and that the *Judges of the Supreme Court should be placed at the head of it.* The idea of experimentalizing on the "intricate land tenures—peculiar usages and customs"—at the expense of 5 or 6 millions of people, appears to me as wicked as it is unsound in conception; for if a *good and complete* code can be made for such a population, it would surely be the duty of Government to extend its protection to the whole country. If such cannot be found, how unjust to subject so many to it. No allusion seems to have been made to the distinction between a penal and civil code, it is to be concluded then that it never presented itself, or that no impediments were noticed to the one more than to the other!

The possibility of adopting one set of laws for civil judicature is the next important question I would refer to. To sweep away the religious or written and the common laws of the Hindoos and Mahommedans, I conceive to be neither practicable nor adviseable. Their rights and usages are so interwoven with their religion, an attempt to efface the one would be an attack on the other; but a great deal might be done to obtain uniformity and distinctness by determining what are their written laws, and it is remarkable how nearly they will be found to correspond throughout the greater part of India. The law of inheritance for instance, and bailment, excepting possibly in the southern parts of the peninsula, hardly vary at all, and so it will be found in many other points. Let them be collected with the assistance of learned men and promulgated as sanctioned by religion and the practice of the day. This might also be done in regard to British Europeans and others not included in either of the great classes of Hindoos and Mahommedans, as half-castes, converted native Christians, Parsees, Armenians, &c. This is a subject leading to many difficulties, much discussion and great research, which I may revert to on another occasion.

I now would refer to the law of procedure in civil cases, and in regard to it, I do not suppose there will be any difference of opinion, that it may and ought to be the same in all cases. No reason occurs to me why the farms should be different in one case than another: why the same gradation of appeal should not be had: why advantages and disadvantages experienced by one should not be felt by another. The common law of one may differ from that of another class as the written law may also do, whilst the procedure is the same; at least, I am not aware that any valid objection exists.

You have now an opportunity of giving us a penal code and laws of procedure that shall be simple and comprehensive, equally applicable to all classes of persons, by which all clashing of jurisdictions shall be avoided, by which all invidious exceptions and distinctions shall be abolished, and by which the native subjects by being esteemed worthy of being put under the same laws as ourselves, may learn to esteem themselves, and to deserve being raised in the scale of civilization.

I am, your obedient servant,

*Anypore, April,* 1835. Q.

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## No. II.

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Having in my last letter suggested the practicability of adopting one set of laws for all classes, I would now consider what general features should characterize such laws, viz., whether in the penal code, crimes should be severally defined as in English law with the penalty of each specified and determined, or whether they should be classed, the maximum of punishment only being specified for each class or crime, and a discretionary power placed in the hands of the judge to apportion the penalties according to the circumstances attending the offence.

There are numerous and great objections to the first proposition, and until there shall be a language invented capable of clearly expressing what the legislator would express, and intellect found capable of using such language so as to embrace all matters requiring definition in such a system, it may be wise not to make the attempt. How endless are the inaccuracies, the defects of omission and commission of the English code, which is based on the principle of making no man answerable for his actions, however criminal, unless the act shall have been previously imagined and defined in the precise manner in which it may be committed! This is in practice that every person may know the unvarying penalty of an action committed according to law, that he may weigh well the risk, and consider whether he cannot do it in some slight manner different from the definition, and so be beyond the law. To what absurdities has the attempt not led to! How eminently contrived is the British code to screen the culprit! Let us give an instance or two. Suppose a man steals a young cow that has not had a calf, common sense would convict him if it were proved that he stole the animal; but English law says no, it is in the indictment that he stole *a cow*, and the animal being a *young* cow or heifer, he is not guilty. John

Elliot is charged with murder. It is proved against him, but the law used to say, or still says, he is not guilty, because his name in the indictment is spelt with *one* t, whereas it ought to have had *two* t's. A robber knocks at a door which is opened by the servant when the robber walks in. He is charged with burglary which is defined to be *breaking*, entering, &c. He pleads no breaking, but the law says yes, *walking in is breaking!* The law might just as well say 12 o'clock at night is noon-day. It will be recollected that in this country an officer was found guilty of arson and transported for setting fire to a bearer's hut worth about 5 rupees and within his own premises. A robbery the most atrocious in intention, but accidentally amounting in value a penny below a fixed sum, is punished as a trifling crime, had the penny exceeded the sum it would have been death. But enough of examples, they might be given without number. It doubtless is most desirable that as far as possible it should be declared what are crimes and the extent of punishment attached to them, but the attempt at too much nicety and refinement, has, I believe, been practically found in Great Britain to be fraught with evil to the good, and a protection to the wicked. This is inverting the intent of all legislation, and as I am one of those who never could concur in the mistaken feeling of aiding a culprit, which John Bull only pitying the individual before him, thinks is magnanimous generosity, I hope this rock will be avoided. He does not reflect on the injury he does to the public—the impulse of the moment is enough for him. Let the prisoner have the benefit of a flaw—free him if possible: and it is wonderful how few attempts have been made to inculcate a sounder or more beneficial reasoning. The operation of the Poor Laws is another example of mistaken legislation and first-cousin to the other, to which the eyes of the public are now opened, through the understanding I hope rather than by the effect on the purse.

The inhabitants of India are a simple people and little educated. They do not appear yet ready for any complicated scheme. Short and easy as the existing laws *comparatively* are, how little do they appreciate the principles on which they are founded. With reference, therefore, to the state of society, and the experience of the inadequacy of the English code, I would submit, that it should not be adopted as your model and guide.

The *classification* of crimes presents itself as the simplest mode, whether it be to classify crimes with reference to certain punishments, or to classify offences of one description, as against the public, against the person, against the Government, against morality, &c., each offence having the extent of punishment attached to it. This last is the system of the Bombay code, issued during Mr. Elphinstone's Government, which I may here remark is the only attempt at systematic codification, that has yet been made in the country, and emanating from a man of extraordinary talent, it evinces more enlightened views and simplicity in its arrangement, than can be found in the laws of the other presidencies. It will well repay its study, and cannot but afford many useful and important suggestions in the great work you are engaged in. It has received from subsequent governments, I perceive, many additions, and undergone considerable alteration, but the new or supplementary laws do not appear to have been framed with the proper carefulness, and it is by no means evident that they are improvements.

With reference to an objection to a latitude being left with the judge which may be urged, I do not think it tenable; it is founded on an impossibility, for if *no* latitude be placed in his hands, every possible shade of crime, including time, place, circumstances of the individual intention, extenuation and a thousand other particulars must be defined and a punishment attached to each imaginable degree of offence. This I conceive to be impossible, and therefore that some latitude *must* be exercised by the judge. The question then is the degree, and it is no easy matter to argue in favor of control within the limit laid down as the extreme penalty, without running into the snare we wish to avoid. The question might be affected by the existence or non-existence of jurors to find the fact, but having fixed a boundary which the judge shall not pass, I would be glad to hear the arguments, why the apportioning the punishment should not rest with the judge, whose sentences might be open to review by a higher tribunal. Carefulness in the selection of judges, and the *free comment of public opinion* on their conduct, appear to be the best safeguards against the abuse of power. We know what evasions daily take place in the courts of English law, because no discretionary power is allowed to the judges, and the evils arising therefrom must be known to all. When the fact is determined by a jury, the power of the judge must be less then when he gives both the verdict and applies the law; but as I may take another occasion to speak of juries,

I now remain, your obedient servant,

*Anypore, May*, 1835. Q.

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## No. III.

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In the preceding letters I have taken a general view of the feasibility of making penal and civil codes of laws that may suit all classes of British subjects in this country. I shall now take leave to discuss the system of adjudication that may be most desirable for the administration of these codes, involving the gradation of Courts of original jurisdiction and appeal, whether they should be fixed or ambulatory, whether there should be one or more Judges in each.

It has been argued by a very philosophical

writer on jurisprudence, that if the very best person be selected to try a cause in appeal, no number of appeals, or number of judges, can improve the decision, and hence the corollary that if the *very best* source be applied to in the first instance no appeal would be requisite; but *practically* speaking, it is not probable that the person selected is either perfect or the *very best*. He may or may not be the best *procurable*, but there may be others better or equal, and we all know that the most upright and able men are not invariably capable of exerting the qualities required to come to a correct conclusion in a like degree. Errors of judgment will occur; there may be deficiency of information, and oversight may take place. Supposing the judge to be as good as the last, it is probable that the error, oversight or deficiency of information, will be detected, because he has fewer points to consider, and the result will be the best attainable. It seems therefore most desirable that there should be an appeal even if the *best* instruments were procurable, but there I am inclined to think it should end, excepting for special reasons to be alluded to. Beyond that, in common circumstances, it is not probable that the decision will be better, if the two first Courts be filled by well selected persons. In this country however, the best persons are not always available, and if available, yet in very many cases they would not approach what is desirable; it becomes therefore a question how to remedy, as far as our limited means admitted, defects of the instruments.

If the Judge in appeal come to the same view of a case as the Judge who first tried it, it is to be presumed that the decision is a good one: a third Judge might differ, so might a fourth and so on: a limit must be put somewhere, and I am disposed to think that the evil attending farther litigation in such cases would out-balance any attainable good. Nevertheless when the Judge in appeal differs from the first authority, there is doubt which is right—to remove which doubt an appeal might then be admitted to a third tribunal, where all litigation in *ordinary* cases should certainly terminate. The extraordinary circumstances which would justify a departure from the above system, are manifest error of judgment, opposition to a known law or custom, the discovery of important evidence not known at the time of trial, or such other special reasons *as evidently* require re-investigation; and the remedial course that presents itself is by special appeal to a tribunal that should be final in all cases whatever. Thus, then, we have a Court of original jurisdiction —a Court of appeal therefrom—a third Court for the trial only of causes in which the two inferior Courts differ in opinion, and a Supreme Court of control to which appeals on special grounds alone would be admissible.

Having now outlined a system, I shall endeavour to go somewhat more into detail. The whole country being divided into zillas so much of the arrangement is prepared. In each zilla I would institute two descriptions of Courts, one presided in by one native judge, the other by one European civilian. I would propose for the native judge original jurisdiction only, and to a limited amount. My reasons for so doing are, shortly, the general comparative deficiency of education and knowledge on the part of natives, and a want of moral courage which may be taken in two senses, viz., both in withstanding temptation, and the influence of rank or other superiority or interest. It may be urged that if these objections exist, they ought to have no authority at all; but although they may not be the fittest persons for a great or difficult trust, the same prejudicial causes may not affect a small or simple one. From the decision of the Native an appeal should lie to the European judge. To the latter I would give original jurisdiction in all cases not cognizable by the subordinate Court. Farther it would possibly be also very advisable to erect one Court for small causes to be held by an European civilian, having a co-equal jurisdiction with the native judge, it being optional with the plaintiff to carry his suit to either Court, and perhaps this latitude might be advantageously extended so as to allow, in all cases where both parties wished it, the suit, whatever the amount might be, to be referred to *any* Court. The proposition of a concurrent European and native Court is suggested by a very general impression I believe to exist, of the superior probity and independence of character of the European. He is thought to act with the best intention, he is free from the bias of the native religious prejudices and he is removed from all party feeling or the influence of party interests. The preference given to either description of authority, would likewise afford a practical proof of the feeling and estimation of the people in regard to our judicial administration. There is beyond this another important consideration in favor of this jurisdiction: it would be a school for young civilians from among whom the Bench is to be filled; and I need not do more than allude to the lamentable inefficiency and contempt that must be the consequence of the appointment of a man to so high an office, who without any experience or practical knowledge, is called upon perhaps the first day he takes his seat, to decide on the approbatian of property to the amount of lakhs of rupees, in a case of life or death of a fellow creature, or to sit on appeals from experienced native Judges to whom he must feel himself inferior in the practical application of our laws, at the same time possibly little accustomed to study the principles of jurisprudence or the value of evidence. A familiarity with these is the acquisition of study combined with experience only, and it seems scarcely necessary to urge on your attention the necessity of creating this or some preferable mode of legal education of our jurists, in order to qualify our Judges to correct and control effectually the subordinate Courts, and to prevent our judiciary administration from falling into contempt.

To proceed with the detail of Civil Courts,

I would establish a Suddur Court at each Presidency to exercise jurisdiction over all the other Courts, to consist of at least three Judges, for the hearing of appeals from the decisions of Zilla Judges, to regulate and control the practice, receive and digest all returns and reports, to consider proposed laws, and to bring before higher authority all matters of importance. The sittings of this Court would be well arranged on the plan existing at Bombay, somewhat improved. By it one Judge sists on an appeal, and if he concur in the last decision he passes a decree—if he do not concur, he submits it with his minutes, which contain his opinion and reasons for it, to a Court consisting of not less than three Judges. This system seems to be much preferable to that of the Suddur Dewany Adalut in Calcutta, where one Judge sits at a time, and a case may pass from one to another through four or five Judges, thereby multiplying the appeals most unnecessarily without responsibility being fixed on any one, thus losing both the benefit attached to individual responsibility, and the advantage of consultation and interchange of opinion, which on difficult points of law, evidence or practice (and that must exist where so many opinions arise) is o the greatest advantage. The Bombay plan is not altogether free from the objection of the absence of individual responsibility, but this might be obviated in a great measure by it being required of the single Judge to deliver his opinion publicly to the parties, on submitting it to a full Court. But it is not apparent why in this Court, which would be composed of the very best Judges procurable, the sitting Judge, if he concur with either of the decisions of the lower Courts, (when the case has been before more than one) should not pass a decree accordingly, it being always in his power to refer for the determination of a full Bench any point of law or of great difficulty? To the composition of this Court, I shall refer hereafter. I would now consider the administration of the criminal branch, and in this it seems advantageous to give a limited Magisterial power to the Revenue functionaries. The establishment of the Collector being most available, and being best informed respecting the character of the inhabitants, promises to be the most efficient in the apprehension of criminals: the officers on it are scattered over the zilla: they move from place to place, and with such advantages the revenue officers, native and European, being invested with power to punish crimes of inferior degree, would effect promptness which is important, and save the vexation and loss of time to prosecutors and witnesses very much felt although not much known. Such a jurisdiction would also be useful in inducing a study of the laws and judicial proceedings, and assist in the preparation for higher judicial authority.

In Madras the native Judges have considerable criminal power, and I do not see why it should not be conferred on them generally. The higher jurisdiction would probably be better in the hands of the Zilla Judge, and if he be properly selected, he might be intrusted with life and death, but for greater security very heavy sentences might be referred to the Sudder Court for confirmation. The advantage of so great power being deposited in the hands of the Zilla Judge, would consist in the avoidance of delay; he being always on the spot, the trial ought to take place as soon as the committing authority sends up the case. But for this—it is however a strong objection—a Court of Circuit would be preferable. The Sudder Adawlut should have similar power of general control in this as in the Civil branch, with authority to mitigate and annul sentences, to inquire into systems of prison discipline, to receive complaints against the executive officers, rectify abuses, &c. &c.—There is still something wanting in the shape of a more active and accessible superintendence than this system provides for; and with reference to the magnitude of jurisdictions, to the great powers to be intrusted to individuals, to the character of one class of them and of the community, and to the want of proper *publicity*, some visiting authority seems to be essential, armed with sufficient power.

Revenue and Judicial Commissioners are employed in the Calcutta and Agra Presidencies with that view. This appears to be a combination of duties, one of which will be indifferently performed. To be efficient there should be a Commissioner for each department, in which case the judicial officer ought to be unceasing in moving from zilla to zilla, to prevent delays and accumulation of business, and being necessarily a servant of considerable standing, due consideration to climate, health and circumstances would not be afforded, were such an officer compelled to perform such continued and harassing duty. His establishment would also necessarily be an expensive one, and unless the experiment is thought to have eminently succeeded, some other plan must be devised; and since the Presidency of Bengal has been divided, may it not be practicable for one of the Puisne Judges of the Sudder Adawlut Court, in rotation, to visit the Courts subordinate to it once a year, not for the trial of civil or criminal cases, unless when deputed, but for the general purposes of inquiry and supervision? Such seems to be done in the Bombay Presidency as provided in Regulation passed in 18—, and if it have been found to be of benefit there, it might be introduced in all the other Presidencies, and it would possibly be upon the whole the best and the most economical mode within the reach of Government. This is the only ambulatory Court that seems to be either requisite or advantageous.

I now come to the last and Supreme Tribunal. It should be situated in Calcutta on account of its wealth, extent of its population both native and European, and its being the usual seat of the Government of India and Law Commission. Appeals from all the Sudder Courts of the Presidencies should be made to it: interpretation of the laws should be vested in it: it should have authority over the Sudder Courts, corresponding with theirs over those of the districts, but it does not appear advisable that it should exercise any jurisdiction in criminal trials. Of whom this Court should be composed is a *questio vexata*—a bone of contention, and I beg leave to postpone it, and also that relating to the Suddur Court to a future opportunity.

I am, your obedient servant,

*Anypore, May*, 1835. Q.

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## No. IV.

The composition of the Supreme Court of India, and of the Sudder Udalut at each presidency, is a proposition of vast importance and of great difficulty. Many interests are involved in it, the welfare of millions will be affected by it, and there are the prejudices and arguments of a powerful body to meet. Were His Majesty's Courts, as now constituted, proposed to be abolished, the whole Bar of India and England would rise *en masse*: Coke upon Littleton, the Paudects, Blackstone, indeed the whole of the "*beautiful system*" would be levelled at the unheard of wickedness: but this is to be expected.

I shall take the liberty in the first place to quote from a learned author, the following sentence regarding the qualifications a Judge ought to possess, the justness of which I presume no one will dispute: "In tracing the truth through the mazes of Indian evidence there is required in the Judge, not only much acuteness and sagacity, but great acquaintance with the habits and manners of the people; that he may be able to interpret the innumerable indications, which are given by peculiar modes of expression and deportment. The extraordinary disadvantages under which Englishmen, totally unacquainted with the manners of the Indians, labor, when they begin to seek their way through the labyrinth of Indian testimony, can easily be conceived:" and now let us consider who are the people, and what is the language that people are conversant with, over whom the Judge is to preside? The people consist of two great classes, viz. Hindoos and Mahommedans, together amounting to 60 or 80 millions, and of Europeans amounting to about 40 or 50,000, military included. The vernacular languages of the people are various, but there is one language (Hindoostannee) spoken or understood in nearly every part of these dominions, English is understood only by Englishmen, and a few natives at the presidencies very imperfectly.

Let us now consider the nature of the laws of these people. The Hindoos are governed in civil matters by their own written and common-law, the former of which is in general distinct, comprehensive and similar throughout; and in many respects excellent in principle. The Mahommedans are governed by their written law of the Koran: it differs essentially from the Hindoo law, as both do from the English system. The criminal codes of the three nations are as varying as the civil: the Hindoo and Mahommedan—absurd, cruel and partial: the English criminal code, is scarcely entitled to a different character: the criminal code now to be promulgated will correspond with none of these, it will stand by itself.

Let us now think how these different codes are to be administered. The Hindoo code is expounded by Hindoo lawyers—it is applied by natives and Europeans, the latter having spent the best part of their lives among the people, and in studying their language, their laws and usages. The Mahommedan one is administered in the same manner. The language used in *viva voce* pleadings, if Hindostannee were universally introduced, would be understood by the judge, the parties and the public generally. The English code is expounded and applied by English bred lawyers: the language used in both the written and *viva voce* pleadings, would be understood by the judge, the parties of English and any Englishmen who might be present, but not by

the public. Extend this law to the natives, and the pleadings, written or oral, would be understood by *none* but the judge and the counsel: the Provincial Courts *then* might as well sit with closed doors. Now suppose Sir J. Franks's proposition of introducing this English law and language were adopted, will any person be found to say that, a law, incomprehensible to the people, directly opposed to their religion and usages, subversive of both —the language of its process and of the judge unintelligible, is fit or justifiable? If there is, I for one would not stop to argue with him.

If it be admitted then that the English code cannot be the one for India, and the definition of the necessary qualities of a Judge, being also conceded, it requires not much wisdom to decide that an English Barrister full of the prejudices, technicalities of English practice, fresh from Westminster, is the most disqualified of all for sitting in judgment in a suit between two Hindoos or Mahommedans, speaking to him in unknown tongues. We must I think look elsewhere. The mere transfer to India of an English Barrister, although it may make him much richer and much *grander*, does not instil the necessary knowledge, nor make him better acquainted with the language and character of the people, their laws and usages, than if he had never left Lincoln's Inn. An English lawyer, I am free to allow, is a most valuable adviser: his education we are assured, has been liberal: he has been accustomed to reflect on general principles, on the effect of their application in practice: he has been accustomed to search into the motives and influencing causes of the actions of men; and if we combine the learning of an English barrister (not the mere practical man) with the requisite knowledge of the native character and languages, I have no hesitation in saying that he would be very far superior and better qualified to sit on the Bench of India than our self-taught Judges; and although Government may still feel it advisable and necessary to look to their Civil Service for the fittest instruments for the Sudder Udaluts, the talents and acquirements of a few such men as I have spoken of, may I think be obtained, and be put in requisition with eminent advantage to the public,—and I am now to endeavour to shew how.

In the first place, assuming that English law is *not* to be the law of the land, but a *new code* of penal law to be created for all classes, and a modified form of the civil code of each class determined, his Majesty's Courts being no longer applicable, may be abolished. In their stead I would propose that there be a Judge at the presidencies as in the zillahs, and that his Court should have all original jurisdiction. The Judge might be selected with particular reference to the nature of the population, being partly European, and this Court might be open both to the bar and the Civil Service; and that the one of the Judges of the Sudder Udalut should be an English-bred barrister. It would then be a subject for deliberation, whether in all cases in which Europeans are the parties, the Barrister-Judge *alone* should not sit in the first instance; and whether in cases brought from the zillahs in appeal (which it would be impossible to translate,) he should only be called in on points of law or practice, referred by any of the other Judges. In cases originating at the presidencies wherein one or both of the parties might be a native, I would submit whether any of the Judges should not be competent to sit. If such a system did not supply *all* desiderata, it would have the merit of saving a large expenditure of money to the state, by the consequent abolition of His Majesty's Supreme Courts, and all their worse than useless and extravagant appendages.

In regard to the Supreme Court of India, the same arguments that have led me to hint at the formation of the Sudder Udaluts for the presidencies, where the great resort of Europeans may be expected to be, and where some idea of English practice and pleading has been acquired, lead to the opinion that the Supreme Tribunal should be composed of materials drawn from the same sources. If the Sudder Udawluts can be filled up from the Provincial Bench and the English bar, the Supreme Court might consist of the most careful selections from the Suddur Courts of each Presidency. In it as in the others, one English lawyer of eminence would hold a place, he might be also the Member of the Council of India, whose functions being limited by the charter to legislation, his duties in the Supreme Court would make him better qualified to advise the Government in its legislative capacity, and the cognizance of the Supreme Court being confined to subjects of the most prominent importance, the business of both offices would not, in all probability, be overwhelming.

*Hurkaru.*] I am, &c. Q.

# LIEUTENANT TREVELYAN'S MISSION.

[*Continued from page* 371.]

The following is a continuation of the Mission of Lieutenant Trevelyan to the westward:—

The progress of Lieut. Trevelyan's Mission to the westward has already been traced up to the time when "all the high contracting parties" were assembled on the Beekaner frontier preparatory to an interview between the Rajpoot chiefs; but before an account is given of this meeting, it will be as well to give you a memorandum of my own movements in Scind from the beginning of April to the first week in May.

It has already been stated that after remaining some days at Jeisulmere our party was broken up on the 2d April, when we all moved northward and remained for three days upon the Rawul's frontier, at a place called Kohareesir, whence Lieut. Trevelyan returned to Jeisulmere, while Lieut. Mackeson and myself started for Nohur or Islamgurh on the evening of the 5th April, and commenced our journey across the desert by making a march of 23 kos, there being no intermediate village between Kohareesir and Islamgurh. The baggage camels accomplished this distance in 16 hours, but our *sandnees* did it in less than 8 hours.

Nohur or Islamgurh was an ancient possession of the Jeisulmere family, who seem to have been deprived of it by the Doodpotra chieftains in rather a summary manner: it has an old fort enclosing an area about 80 yards square, with very lofty ramparts from 30 to 50 feet high, and a high gate way in the N. E. angle covered by a low outwork; there are numerous bastions on the north and east faces, but scarcely any on the other two sides. It has neither *rence* nor ditch, and is disadvantageously situated in a deep basin, half a mile or three quarters of a mile in diameter, surrounded by sandhills from 50 to 80 feet high, so that the few guns on its walls would soon be silenced. There are a few buildings in the fort, and two wells outside, with some straggling houses and a bunya.

We quitted Islamgurh on the evening of the 6th April, with the pleasant prospect of 40 koss of desert before us; but a tent was directed to be pitched half way across the wilderness, and a large supply of water was carried forward on camels, which enabled us to divide this long journey into two stages, each averaging 20 kos. The baggage camels accomplished the longer half of the journey (about 23 *kueha* kos) in 12½ or 13 hours, our own progress being just twice as quick, for we were only 6¼ hours on the road, though there were very heavy sandhills during the first half of the journey.

During the following night we fairly left the desert behind us, and on the morning of the 8th April arrived at Khanpoor, after a march of 17 kos, which occupied us 6½ hours, for we lost our way within a short distance of that city and became practically acquainted with the fertile soil of Scind, by wading for a good hour among swampy rice fields. The baggage cattle kept to the proper road, and accomplished their march in 12½ hours, completing the 63 kos from Kohareesir in 3 days. The distance is nearly 100 miles, of which 60 miles are sandy, and there is a good hard road for the first and last 20 miles on each sides of the desert. Water is found at Danwur, 3 kos north of Kohareesir, and at Moreed-ka-Kot, 12 or 14 kos (23 miles) from Khanpoor, but neither place is inhabited.

As the Khan, or Nuwab, Buhawul Khan happened to be at Khanpoor when we arrived, we paid our respects to him on the evening of the 8th April, but on the following day I had a much better opportunity of seeing this chief in full *Durbar*, it being the great Mosulman festival called *Eed*. The Khan and his principal sirdars went out at 2 A. M. to pray on the plain, where a tent was pitched to serve as an *Eedgah*; and a square was formed round it by perhaps 500 foot soldiers, part of whom were clothed in an uniform of red trowsers and caps with blue jackets. The chief was richly dressed with strings of fine pearls, and very large emeralds on his head and round his neck, an immense emerald, set in gold, acted as a *bazoobund* or armlet, and a rosary of pearls was in his hand, with emerald beads strung on it at intervals, as in those of the Roman Catholic church, though the latter are seldom of such costly materials. When the out of doors ceremonials were over, the whole cavalcade returned to the Khan's residence, when some *doomba* or fat-tailed sheep and some goats were slaughtered in commemoration of Abraham's sacrifice, and a salute was fired while this took place. The sirdars paid their respects and offered their congratulations to the Khan upon this great feast, and after sitting with him in court a few minutes I returned to camp, Lieut. Mackeson being too unwell to be present.

Another ceremony took place on the 11th April, but of a very different nature, for a "courpleniere" was assembled to witness the delivery of a *khureeta* from the Governor-General, announcing his departure from India, and forwarding a supplementary treaty about the navigation of the Indus. A salute was fired on this occasion, and the two battalions of sepoys, who formed an avenue to the durbar, presented arms to Lieut. Mackeson as the bearer of the letter and treaty with the Supreme Government. More than half of the sepoys were dressed in white uniforms with black accoutrements, and were armed with firelocks, having a band of drums and fifes,

to the music of which they marched in very good time; the remainder, amounting to about 200 men, wore the coloured uniform already described, were armed with matchlocks, and had native music and colours. A Mr. Macpherson, who has been for some years at this court, is, I believe, employed to superintend the discipline of the regulars.

On the 12th April, the day following this ceremony, again visited the Khan for the purpose of taking our leave, as he had been remarkably civil to us during the four days we remained at Khanpoor. There is very little to be seen at this place, which is rather a mean looking town of 4,000 houses on the south bank of a navigable canal called Ikhtiarwah, with a ruinous old mud fort 200 yards long and 120 yards broad, at its north-west side. There are few pukka houses but a tolerable bazaar, running N. and S., divides the town into two parts, and has a second pretty good street running across its northern extremity. The Khan's residence is a mere *shikargah*, a temporary place of residence, surrounded by a thin mud wall, where he occasionally spends a few days; but his principal abode is at Dilawur in the desert, or at a place called Dera near Ahmudpoor.

We quitted Khanpoor early in the morning of the 13th April, and made a march of 18 kos, viâ Jujwa and Ghonspoor to Mithun-kot, in Runjeet Singh's territory, on the right bank of the Indus. We crossed that noble river, 3 miles from Mithun-kot, almost immediately below the junction of the Punjnud, where its stream is 2,087 yards or more than a mile and a quarter in breadth. The banks are very low, and the water very muddy, nor is the stream of very great depth except the main channel; but with all these drawbacks it is a magnificent sheet of water, a very prince of rivers, and well worth the trouble that our Government are taking in opening its navigation to all the world. Mithun-kot is a small town and not likely to be of much importance for many years, its situation being rather unfavorable, as it is quite surrounded by water when the river rises, and the only high ground near it is already covered with houses, so that there is little or no room for farther improvement. The Sikh chieftain's *kardars* or local officers were very attentive to us during our three days stay at this place, and offered me the usual present of 500 rupees as a compliment upon entering Runjeet Singh's country, which was, of course, refused.

We quitted Mithun-kot on the 16th April, and sailed up the river Punjnud, past Dhaka and Seetpore to Mukhun Bela Ghat near Ooch, a little below the infall of the river Gharra, where we arrived on the 18th April. We saw little or no appearance of traffic on the water during our voyage up the whole length of the Punjnud, almost the only boats visible being those at the ferries: we saw, however, one or two ragamuffins swimming about on inflated skins, like the common water bag, by means of which it is said that they frequently cross the river and commit depredations on the opposite bank. After remaining three days in the vicinity of Ooch, (a very old city of about two thousand houses, where there is a covered bazaar and tombs of some celebrated Mosulman saints) I quitted the boats, and marched 13 kos inland from Mukhun Bela Ghat to Ahmudpoor, where the Nuwab Buhwul Khan had also arrived during our absence on the river.

Ahmudpoor is a considerable city, inferior only to Buhawulpoor, and lies on rather low ground on the west bank of a large canal called Koetubawah, which irrigates the country all round it; but there is much *kulua zumeen* or unproductive salt ground, and much jungle of *jahoo* or tamarisk. The city contains perhaps 6,000 houses, and has a good bazaar running north and south with a large mosque on its west side, which is the most conspicuous building in the town. On the north side are some good gardens, and on the west side is an old mud fort about 150 yards long and 120 yards wide, the walls of which appear to be very thin and are from 20 to 24 feet high. The exceeding lowness of the houses which look still lower from being flat roofed, and the small shops with little point houses, projecting barely two feet and sometimes smeared with clay, give the city rather a mean appearance. There seem to be no manufactures of any notoriety, and the water and air do not agree with foreigners who are said to complain of loss of appetite and indigestion, which is not surprising when even the towns-people look sickly. The Khan Buhawul Khan occasionally resides at Dera, about 3 miles south-east of Ahmudpoor, just within the limits of the sandy desert which comes within a kos of the city, and may almost be said to be divided from it by the Koetubwah canal. Lieutenant Mackeson, agent for the navigation of the Indus, has also a house at Ahmudpoor, about a mile and a half west of the town, where I remained for ten days previous to re-crossing the Great Desert between Buhawulpoor and the Beekaner frontier.

I quitted Ahmudpoor a little after midnight on the 30th April, and marched 20 kos northeastward to Buhawulpoor, arriving there on the morning of the 1st May, and remaining there three days to fix the geographical position of this city, and to examine whatever might be worth seeing in its neighbourhood. Its curiosities, however, are but few, the gardens and the manufacture of silk stuffs being almost the only things worthy of notice. Though Buhawulpoor is a city of 8,000 houses, with two large bazaars, it has the same shabby appearance that characterizes Khanpoor and Ahmudpoor: there is no fort, and scarcely any town wall, though there is something that may once have been a mud rampart, with four gateways, looking toward Mooltan, Khairpoor, Beekaner, and Ahmudpoor. The gardens are 17 in number, lying chiefly on the north side of the city, and produce mangoes, grapes, peaches, almonds, apples, quinces, figs, pomegranates, &c. There are a few weeping willows, and another kind of willow called *bed*

*moosk*, from which is extracted a cooling liquor much used in Scind, and generally imported from Cashmere.

The Gharra river runs about 2 miles N. W. of the city with a full muddy stream half a mile wide, running perhaps one and a half mile per hour. The desert comes up to within 3 miles of the S. E. side of the city, so that Buhawulpoor lies in a kind of gorge between the river and the desert. In coming along the road from Ahmudpoor, we skirted the desert so closely that at one place there was scarcely room for two carts to pass each other in the narrow tract between the sand hills on our right and the canal on our left, which thus became a positive boundary between the *Rhoea* or wilderness and the *Scind* or Netherlands, by which terms is understood all the grounds near the banks of a river, were water is found close to the surface, and which is generally known in Hindoostan by the name of *khadir*.

The water at Buhawulpoor is remarkably sweet, and Persian wheels are seen in every direction raising it either out of shallow wells or out of small cuts and branches drawn from the larger canals. On arriving in Buhawul Khan's country after traversing the sterile regions of Beekaner and Jeisulmere, it was a pleasing relief to see the country sheeted for miles with crops of green corn, with good water at 13 or 15 cubits from the surface, instead of a brackish commodity at 250 or 300 feet. The appearance of the people, too, was as noble as that of the country, the slovenly looking *Rangurs* and *Juts* being exchanged for *Beloches* in loose, flowing and graceful robes, who seemed to be the fighting portion of the community, while the labouring part of the population were readily distinguished by their dark blue *dhotees* or waistclothes. A number of the people, both male and female, (particularly the elderly women) have a singular fancy for dying their hair red; and another curious custom is that of large parties of females, who call themselves *saiudzadees* or descendants of the Prophet, going about begging under the cover of large white veils which cover them from head to foot, and from which they derive their names of *mastoor* or veiled. They are very pertinacious in their demand for alms, and a number of little eyelet holes worked in the veil, enables them to see without being seen. The snuff-taking propensity of the lower orders is another thing likely to attract the notice of a traveller, who has seldom seen native carpenters or bricklayers sitting at work with a little snuff box beside them, and taking a pinch every now and then with the zest, if not the grace of a Brummel.

The piles of apples in the market places, the windlasses at the wells, and other such trifles as these, strongly remind one of home; and I could hardly help laughing when an enthusiastic *shikaree* described with most appropriate gestures the way in which one of their dogs would skake a pig by the ear, in the exact fashion that a Suffolk farmer might narrate the "sowling" of a hog, which is the technical name for this feat. A very superior breed of dogs of great size and strength is brought from the lower parts of Scind towards Hyderabad, and the Khan Buhawul keeps several of them, being himself a very keen sportsman. Deer, hogs, and neelgaie are his principal game, and in the winter season he flies his hawks at the cranes which then emigrate in large numbers.

During the whole of our tour through this chief's territories every kind of hospitality was exercised on the part of the Khan: respectable men were sent to accompany us from place to place, and to furnish all kinds of supplies that might be required by the camp: orders were given to accommodate us in the Khan's own houses, where there happened to be any at the place where we alighted, and nothing was left undone that was necessary to mark his good will toward his guests, and through them toward the British Government. The present Khan, Buhawul Khan, (grandson to Mr. Elphinstone's acquaintance of the same name) is a good-looking, sensible man; courteous in his manners, rational in his conversation, and an accomplished scholar in his own Persian language; he is also a neat mechanic, and does not scorn to work occasionally with his own hands.

I quitted Buhawulpoor on the morning of the 4th May, and plunged again into the Great Desert, halting at Powarwala, a small village with half a dozen wells of tolerable water, 8 kos E. S. E. of the capital. Our next stage was 16 kos south-east to Moj Gurh, a considerable fort, the *killadar* of which came out at midnight with a considerable *suwaree* to escort me in due form into his fort. There was no village on the road between Powarwala and Moj Gurh, but there are a couple of wells at a place called Kala Pubar, nearly half way between these two places, and two kos left of the road by which we came.

The fort of Moj Gurh lies on firm ground, with low sandy eminences round it, but at a considerable distance: it is built of brick, with very lofty walls, apparently 50 feet high, including the parapet which may be 7 by 2½ feet, with a narrow terreplein of about four feet, and numerous bastions. On the west side is a mosque, with high dome, and in the south-east angle is a good *mahal* or dwelling house for the Khan. The body of the place may be 110 yards square, with an outwork on the east side to cover the gate and a kucha tank opposite the entrance. The access winds through three separate gate-ways, in each of which is a right angled turning, so that there may be said to be six gates, though the inner arches are not furnished with doors. Three or four pieces of cannon are mounted on the angles, and there are wells within the fort containing plenty of good water at a depth of 8 cubits from the surface.

On the night of the 5th May, I left Moj Gurh, and instead of following the route by Pogout as traversed by Mr. Elphinstone, struck down toward the Jeisulmere frontier and marched

12 kos south by west over a tolerably hard path, encamping in the desert at a place called Troohawalee, where there are a few herdsman's huts, and some pools of water that had fortunately been filled by the late rain: so that the people have an abundant supply of sweet water. The baggage was eight hours on the road, but the *suwaree* camels arrived in 3 hours, 40 minutes. On the following night we completed the remaining 14 kos to Rookhunpoor or Ghous Gurh, which lies 45 miles south by west from Moj Gurh, and is only 6 kos from the Jeisulmere frontier. The road from Troohawalee is rather heavy, there being much sand with intervals of hard ground, but we accomplished the distance in 5 hours, and the baggage camels did it in ten hours and a half. The *killadar* came out with his followers to meet me at midnight and lodged us all within the fort, as at Moj Gurh.

Rookhunpoor is a poor village of 260 or 270 houses, and the small fort called Ghous Gurh on its N. W. side, was built 70 years ago by Moobaruk Khan of Buhawulpoor. There are three wells, 42 cubits or 12 *poors* deep, with very salt water, and there are also numerous *koonds* or reservoirs for rain water close to the northward of the village, with a tank three quarters of a kos N. N. E. from it. The fort is about 80 yards square inside, and most empty; it has eight tolerably strong bastions but of the calcareous stone called *dhandla*, with 5 or 6 very small guns. The bastions are about 35 or 40 feet high and the wall 25 or 30 feet, including a parapet 12 feet high, and 7½ thick, to the terreplein is 4 or 5 feet broad, and a long *renee* or outer wall thus round the fort at an interval of 18 or 25 feet on three sides, and triple that breadth on the one side where the gateways are. This renee, as well as the body of the place, is built of the same *dhanla bhata*, which is fashioned into blocks like large mud bricks, and appears to be very durable. Both the village and fort are built on solid ground, and there are low sand hills within long cannon shot of the latter on the south side.

On the night of the 7th May, we marched 12 kos S. E. over a rather heavy road from Rookhunpoor (Buhawul Khan's) to Birsilpoor, a large village, with a fort belonging to a Bhatee Rao, named Saheb, who is nominally subject to the Rawul of Jeisulmere, but who is pretty independent, owing to his inaccessible situation in the desert. This chief accompanied me to the top of a high sand hill, quarter of a mile S. W. of the fort, which is quite commanded by it, the top of the highest house being depressed 2½. On this sand hill the Emperor Humaioon is said to have remained some days about 375 years ago, for the fort is of great antiquity (the natives say 1,700 years,) though built after those of Poogul and Bikumpoor. It stands on a small rising ground, perhaps 20 feet high, in the midle of a hollow, and the walls are barely 30 feet high, and perhaps 90 yards square, with 4 or 5 bastions in each face. The gate is on the north side, covered with a curtain, and the interior of the fort is full of houses. The town of Birsilpoor contains 400 houses, and has many bunya's shops, with eleven wells, one of which is in the fort, the water being very salt and 41 cubits from the suface, but there are many *koonds* of fresh water on the N. W. side of the town. The fort has neither ditch nor fausse braye, and is built of blocks of the calcareous stone already mentioned.

Our next march was a heavy stage of 16 kos S. E. by E. from Birsilpoor to Bangursir, where we arrived on the morning of the 9th May, being 5 hours 40 minutes on the road, the chief part of which ran over numerous *thuls* or sand hills, with intermediate hard flats called *duhur*. Bangursir is a Bhatee village of 60 or 80 houses (with two bunyas) lying close to the Beckaner frontier: it has a small *gurhee* that does not deserve the name of a fort, having only a gateway with two bastions and a small house, all connected by a *dhool kot*, or wall of earth and bushes, situated on a slight eminence surrounded by huts. There are two wells to westward of the village, with exceedingly salt water at 121 cubits depth, with a few *koonds* or reservoirs, and a tank almost dry. The following memorandum will show that Bangursir is not quite as cool as Landour, or Simla, or any of those pleasant places for "eating cold air"!

*Thermometer on the table in my tent.*

At 9 A. M. 101°, at noon 120°, at 1 P. M. 123°, at 2 P. M. 119°, , at 3 P. M. 116° at 4 P. M. 113°, at 5 P. M. 111°, at 6 P. M. 105°.

so that the average heat for nine successive hours was nearly 113°, the minimum 101, the maximum 123°. Truly this was becoming practically acquainted with the pleasures of a Sirocca; a kind of shaking of hands with Phœbus.

As the 9th May was the day appointed for the arrival of the Rajas of Beekaner and Jeisulmere at their respective frontier villages of Guriala and Girrajsir, no time was to be lost on the road, so I quitted Bangursir on the evening of the 9th May, and made the best of my way to Guriala, 7 kos south of that place, but found that the Beekaneer Raja would not arrive until the next day, so I trotted on a couple of kos farther to the south-west, and reached Girrajsir at 10½ P. M., thus completing a march of 218 kos from Jeisulmere to Buhawulpoor, &c., in 15 stages, with a single camel, allowing him, however, numerous intermediate halts, so that the gallant "ship of the desert" ambled into camp as fresh as a daisy, though each of his marches with me had averaged 14½ kos.

On the 10th May all the great folks came tumbling in together, and had sundry meetings during our week's halt at this place.

Having already brought down the movements of all parties concerned in Lieut. Trevelyan's Mission to the period when the rulers of Beekaneer and Jeisulmere, encamped upon their respective frontiers at Guriala and Girrajsir, in readiness for a personal conference, as had been recommended to them by the British Government; I must now summon up spirits from the vasty deep (or borrow a hint

from Colonel O'Shaughnessy, which may do just as well) in order to give an adequate account of all that occurred at this grand interview.

All parties had assembled on the 10th May, the day originally named for the meeting, but the Jeisulmere people were so exhausted by the rapidity of their journey that it would have been unfair to have called "time" to a single second; so the 11th of May was allowed to pass quietly away in slumbers, that the weary lords might find rest, and be fresh for the fatigues of the ensuing day.

Early on the morning of the 12th, preparations were made for pitching a *doulat khana* or durbar tent, exactly on the boundary line between the two kingdoms; and in this instance the *line* was real and not metaphorical, for when the precise point had been ascertained by measurement with a perambulator, where the boundary crosses the road between Guriala and Girrajsir, pegs were driven into the ground, and a very long rope stretched between them, in such manner as to point out the line of demarcation in a way that was quite satisfactory to all parties.

A suit of tents was pitched on this line, enclosing an area 100 feet long and 21 feet broad, half of the space being on either side of the frontier, and the southern portion of this hall of audience was formed by Lieut. Trevelyan's own tent, in which a large *guddy* or throne was so arranged that one half of it might lie exactly in each country. All the exterior arrangements were made as nearly as possible on exactly the same principle, namely, that of observing strict impartiality towards both parties, for had the "reciprocity been all on one side," as our Irish friend has it, or had there been the least appearance of *turuf-daree* or undue leaning toward either side, it might have marred the harmony of the meeting.

As the two chiefs were to approach the tents from opposite quarters, the guard of infantry accompanying the Mission, was divided into two parts, so as to form an avenue at each door; the party of Blair's horse was drawn up in a single line across the boundary and facing the durbar, while the brigade of guns intended to salute the two crowned heads, was drawn up in rear of the cavalry so as to have one gun on each side of the line as near as might be.

Though Alladin and his lamp are long ago gathered to the dust, yet are there kind fairies still wandering on earth who enabled the "interesting travellers" to make all these preparations during the 12th May; and on the evening of that day the tents and guards, horse and foot, guns, throne, carpets, *uttur*, *pawn*, opium, sugar, and all the proper paraphernalia of royalty were in readiness to celebrate the meeting of reconciliation between their Highnesses the Maharajah Rutun Singh Beekaner, and the Maharawul Guj Singh of Jeisulmere.

A signal gun was fired a little before sunset, and the Maharaja immediately put his cortegé in motion from Guriala, which was a mile and a half distant from the place of meeting: as the Maharawul had two miles to travel, he reached the ground a little later than his neighbour, which gave time for separate salutes of seventeen guns to be fired for each of them before they alighted from their *khasa* or covered litters. There were altogether about three thousand men in the field, the numbers being pretty equal on both sides, and the imposing nature of the show was somewhat augmented by the richly caparisoned elephants and led horses, drums, colours, and such other foreign aids of ornaments as seemed essential to give proper eclât to this "field of the cloth of gold."

No *peshwaee or istikbal* was sent out to meet either Prince, but each was received with presented arms by the guard as he approached the entance of the tent: a host of *thakoors* or Rajpoot nobles, and some wealthy merchants accompanied them as they came in at opposite doors, and for the first time in their lives stood beneath the same roof. Lieut. Trevelyan had stationed himself in the middle of the tent, and as they approached the centre, extended a hand to each, and brought them gently together: each saluted the other courteously, and as they were performing the *bughul geeree* or ceremony of mutual embrace, the durbar resounded with congratulatory cries of "*moobaruk, moobaruk.*"

After this fraternal accoilade they seated themselves together on the richly brocaded *guddee* that had been prepared for them, while their followers crowded into the tent *en masse* and soon shut out what little daylight remained. Many attempts were made to reduce this mass of courtiers into something like an organized shape, but it seemed as if nothing short of the *argumentum baculinum* would answer the purpose, so they were made to sit down even where they had thrust themselves forward in their eager zeal to see the novel spectacle of "two kings of Brentford on one throne."

Though some of the spectators were adorned with rich jewels yet both of the principal personages had the good taste to attire themselves simply in the full white robe called *jama*, with the coloured turband peculiar to their respective courts; a dagger in the *kumurbund* was their only weapon, and a few pearls and emeralds almost their only ornaments. Lieut. Trevelyan was seated on the right of the Maharaja; Lieut. Boileau on the left of the Maharawul, and their ministers and other sirdars formed a circle round them, the privileged chiefs squatting themselves down on the carpet, while the inferiors stood without, to the no small stoppage of the free air of heaven.

By way of making darkness visible and letting in some little light upon the scene, four table shades were introduced, and when the candles appeared, both the Rajas rose from their seats and saluted each other, while the sirdars made the usual complimentary ejaculations and cried out the name of Luchmee Narain, or their favorite saint, a ceremony

seldom or never omitted at the time of lamp lighting.

This meeting between the chiefs of Beekaneer and Jeisulmere was not a mere scene of dumb show, for they sat a long time together introducing the principal people on either side, talking with considerable familiarity, and praising the British authorities by whose friendly interposition this happy meeting had been brought about. A fortunate omen, too, occurred in the presence of a little field mouse which came running about in front of the *guddee*, and was received with a *salam* by the Rawul, who said that it was his *deota* or "good spirit." In short the interview passed off admirably, and some good things were said about this auspicious conjunction of the sun and moon, for it so happens that the Rahto Raja is a *sooraj buns* or descendant of Apollo, while the Bhatee Rawul is a *chundur bunsee* deriving his lineage from Diana.

After a sufficient time had elapsed, *utur*, *pawn*, &c. were introduced as a signal for parting, and here again great care was taken to dismiss both parties with equal honors: to effect this Lieut. Trevelyan quitted his post on the flank, and placing himself in front of the throne simultaneously applied the *atter* to both parties, one with each hand, to the greath delight of the Rawul, who was half afraid that his most powerful neighbour, who chanced to occupy the seat of honor on the right hand of the *guddee*, might perchance also come in for the first share in the ceremony of being anointed. Each prince returned the compliment of unction to both officers as to each other; and after the ceremonies of dismissal were performed, they both rose together from their seats, both stepped at once off the *guddee*, exchanged a mutual salute, and left the tent by opposite doors, as they had entered. No salute was fired at their departure, but each received a compliment from his own guns as they arrived at their respective camps.

Thus ended the first act of an interview that had been looked forward to with considerable anxiety, and the bringing about of which had cost an infinite deal of trouble, particularly to the officer employed in bringing the hitherto rival chiefs to meet each other at such a sultry season, and at such a distance from their capitals. When the first meeting had taken place, however, the succeeding visits were easily arranged, and it was agreed that the Rajas should call upon each other at their different camps, unattended by the British officers, whose presence might have been an incumbrance both in preventing the strictly private conversation which they wished to hold together; and also in checking the freedom of badinage usually resorted to when two such personages meet on a friendly visit, and eat together out of the same dish.

The conclusion of these ceremonies did not take place until the 16th May, when the Maharawul left his camp at Girajsir, crossed the boundary, and visited the Maharaja's camp, at Guriala, where he was received very kindly; and after a long friendly interview was dismissed with suitable presents, (an elephant, two horses, a few jewels, and clothes) and returned to his own tents about noon. The Maharaja returned his visit at night, coming over from Guriala to Girrajsir, were he experienced a reception similar to that which he had given his new friend, and was dismissed with similar presents.

At both of these meetings the Rajas fed together out of the same dish in the most familiar manner, putting portions of the food into each other's mouths: sly jokes were interchanged, dances were exhibited, and after the different chiefs had been more particularly introduced, the two Princes retired into an inner tent and held some private conversation together, so that it is to be hoped the purposes of bringing about this meeting have been fully answered by thus affording the two principal personages an opportunity of unreserved communication with each other. Lieut. Trevelyan also brought about a meeting between three confidential persons of each party, who entered into a written agreement among themselves, stipulating among other things that each state should not only refrain from committing aggressions on the other, but should deliver up any notorious refugees who might attempt to shelter themselves within the other's frontier; and in the event of sustaining damage from any desperado, who might be too strong for either party to cope with him single handed, the other State should co-operate in reducing him "*par la voie de faite.*"

Though the pricipal events which took place during the week of our halt at Girrajsir occurred on the 12th and 16th May as above stated, yet there were several other incidents of minor importance which deserve to be mentioned, as they will serve to give a more connected detail of our proceedings. On the 10th of May both courts reached the frontier as already mentioned, Lieutenant Trevelyan's camp being at Girrajisir, as well as that of the Jeisulmere chief: on the 11th May we went to pay complimentary visits to both the Princes, first on the Rawul Guj Singh who seemed to be in excellent health considering his great corpulence and the immense fatigue he had just undergone, and after sitting a while with him we rode nearly four miles in the sun of Guriala, and had a very pleasant meeting with our old acquaintance the Raja Rutun Singh. He received us in full durbar under a crimson canopy, embroidered with gold, in an enormous double poled tent, and we were quite pleased to see the improvement in his health since the time of our parting at Beekaner.

When we first met he was leaning on a crutch-headed stick, and could with difficulty walk to the door of his hall of audience, but he now met us with alacrity at the entrance of the outer enclosure of this *dowlut khana*, and after sitting in durbar some time, walked with us to his private tent, where we again sat with him for some time, talking cheerily, as he was in excellent spirits. His heir and his bother, the Princes Sirdar Singh and

Luchmun Singh had come with him half way from Beekaner, as far as the celebrated place of pilgrimage at Koilath, but instead of coming on with him to Guriala, they returned to the capital with several hundred followers, either because they could not stand so much exposure to the sun, or because the Raja wished to diminish the number of his followers, who would have difficulties in finding supplies and water at Guriala : or more likely because the presence of these supernumerary scions of royalty would have been "*detrop*" during the enterview of the chieftains.

On the 12th May, after the meeting was over, and the Rajas had returned to their several camps, we remained in the tents on the boundary, to be in readiness for the return visit, which was paid on the following morning to Lieutenant Trevelyan by the Maharaja Rutun Sing ; as he had been prevented by illness from paying him that compliment during our stay at Beekaner. He came after breakfast from his camp at Guriala, attended by a very large sowaree, and I rode out a considerable distance to meet him, taking all our troopers who made a very respectable "tail," and on reaching the tents, he was received with presented arms and a salute of artillery, Lieut. Trevelyan going out to the end of the avenue to welcome him. After remaining for nearly an hour he returned to Guriala, and we made the best of our way to camp Girrajsir about noon, at which time the sun was a little too hot to be pleasent for folks on horse back, being 125° out of doors, and 105° in the shade.

On the evening of the same day ( the 13th) we paid a private visit to the Maharawul in his tents at Girajsir, and after a little private conversation, a brace of damsels were introduced, whose singing soon put an end to serious business. The 14th May passed away without any particular occurrence, but on the 15th we went in the evening to pay our farewell visit to the Maharaja, who was shortly to return to Beekaner, so that we should see his face no more, as we were not to be present at the interviews that were to take place on the following day.

The Raja Rutun Singh received us with the same kindness, and even with more intimacy than at our last meeting on the 13th, showing us the arrangement of his *khas dera*, in which there was separate tents for praying, sleeping, bathing, &c.: nor did he scruple to prostrate himself towards the *thakoor dwara*, and perform his devotions in our presence. As this was our last visit, he insisted upon our sitting with him until late at night, and after chatting familiarly for a long time, he introduced a goodly company of figurantes, whom he particularly brought to our notice, as being hereditary servants of the throne of Beekaner.

His zeal in pointing out the particular ladies who had danced in the presence of himself and his ancestors, afforded much fun, the introduction being worded something in this way. "They have danced before my family for many generations! Tara! where's Tara?" The star came when she was called, and put herself a little in front of the group. "There! Tara's aunt danced before my father ; and Chunda! where's Chunda? her *nanee* danced before my grandfather." Shade of Vestris! only conceive the *Moon's grandmother* capering before Guj Singh, and the *Star's aunt* enlivening old Soorut Singh with a neat *glissade en arriere!*" The fiddles struck up, emulating the music of the spheres ; the celestial bodies above named joined in the mazy dance with sundry inferior luminaries and satellites, each in its proper orbit ; and our visit terminated in a very merry manner. It was our blithest and our last!

The occurrences of the 16th May have been already noticed, being the day when mutual visits took place between the two Rajas, at which we were not present, so no more need be said about them ; they halted the next day at Guriala and Girrajisir, and on the 18th May we turned our backs upon the frontier, well pleased at the admirable manner in which every thing had gone off, and thankful too that at such a season not a single man, among the thousands brought together on that barren frontier, had died from fatigue, exposure to the sun, or badness of the water though many had suffered much on the journey.

The Maharaja's camp returned from Guriala towards Beekaner, and the Maharawul was to have accompanied Lieutenant Trevelyan to Bikumpoor, but suddenly changing his mind, started at midnight for Nok, and left us to make the best of our way from Girajsir to Bikumpoor, a cruel march of 26 miles among steep sandhills without a drop of water for many a mile. Two of my servants fell down exhausted on the road, and one of them was reported dead, but a supply of water was fortunately procured, which revived them both. We halted at Bikumpoor on the 19th May, being joined in the morning by the Rawul, who came over with a few followers, leaving his camp standing at Nok, distant 8 kos.

Bikumpoor or Bheekoonpoor is an exceedingly old fort, about a hundred yards square, with rubble walls, 25 feet high, occupying the whole of a little knoll, which gives it rather a stiff exterior section, though it has scarcely any interior profile, nearly the whole area of the fort being on a level with the terreplein of the rampart. There is a high cavalier in the north-east angle, and four guns are mounted in various parts of the fort, which has a garrison of 50 to 100 men, with a hakim or governor from Jeisulmere. There are high sandhills within range of the place which, though somewhat formidable-looking at a distance, has little real strength. A neat little town of 300 or 225 houses lies at the south-east side of the fort: one third of the inhabitants are Brahmins, who drive a traffic between Scind and Beekaner or Jeisulmere, having 250 camels employed in transporting goods, for which they pay no duty. There are two wells of salt water in the village, one

of them close to the fort-gate, and 150 *koonds* or small *pukka* reservoirs for catching rain water.

Some idea may be formed of the very uninviting nature of the *rohee* or desert between Bikumpoor and Poogul, by the following little native story. A wild doe had lost her fawn, and fearing that some beast of prey had carried off the missing *butcha*, taxed a hyæna with having devoured it. The hyæna denied the charge with indignation, and offered to confirm his denial by the most solemn oath that could be administered: he accordingly swore, "if I have eaten your fawn, may I be condemned to dwell in the desert between Bikumpoor and Poogul!" On hearing which tremendous adjuration the doe fully acquitted him.

That this country was not always so desolate may, however, be inferred from the tradition that Bikumpoor once stood on the bank of a river, which was drank dry by a divinity taking up the water in the hollow of his hand: this exploit could not easily have been performed since the days of the royal hero, who gave his name to the fort, the Raja Beer Bikrumjeet, about whose era it is said to have been founded, and there really are within its precincts a couple of *mundurs* or pagodas that appear almost old enough to have been coeval with the great Bikrum. The fort at Birsilpoor being only seventeen hundred years old, modestly claims a less antiquity than the above, and is said to have been built as a half way house or resting place in the dreary track between Bikumpoor and Poogul.

We quitted Bikumpoor on the 20th May, accompanying the Maharawul to Nok, where there is fine arable ground, and abundance of sweet water near the surface: on the following day we all marched to Bap, our last resting place in the Jeisulmere country, but the account of our parting with the Rawul Guj Singh, and our entry on the Jodhpoor state, alias Marwar, must be reserved for some future opportunity.

*Camp, Balotra in Jodhpoor, 5th July*, 1835.—The proceedings of Lieut. Trevelyan's Mission to the westward have already been brought up to the time when the Rawul of Jeisulmere arrived at the village or small town of Bap, on the Jodhpoor frontier, after his interview with the Raja of Beekaner: we all reached Bap on the 21st May, and on the 22d our party was increased by the Rao of Birsilpoor's arrival with seventy or eighty followers, who came to pay their respects to the Maharawul. The Rao Saheb Singh of Birsilpoor is the most powerful of all the Jeisulmere feudatories, and required much persuasion before he would venture from his stronghold in the desert to lay his sword at the feet of his Bhatee sovereign; nor were his misgivings altogether without foundation, for, many years have not passed since the fort of his neighbour and relation, the young Rao of Bikumpoor was surreptitiously taken possession of by the Jeisulmere Government, and is to this day held as a royal castle to the exclusion of its more legitimate owner.

Rather than be deprived of his own possession in a similar manner, the Roa of Birsilpoor had determined to secure the parole of the European gentlemen, who accompanied the Rawul from Girajsir, that a safe return home might be guaranteed to him; otherwise he determined to decline the invitation (or in other words to disobey the order) to appear forthwith at the Rawul's camp, in which refusal he would have been backed by another neighbour and relation the Rao of Poogul, who is nominally subject to the Beekaner State, though of Bhatee family, and who promised to stand by Sabeb Singh for good and evil with all the forces he could muster, and to assist him, if necessary, in the defence of his desert fastness. Fortunately there was no occasion for any such display of force by these turbulent borderers; the Rao of Birsilpoor came quietly to Bap upon the pledge of a safe-conduct home, and was very honorably received by the Maharawul, who embraced him in open durbar, and received his nuzur and dismissed him on the 24th May, with a suitable present, at the same time that he broke up his own camp and marched toward Jeisulmere.

Previous to the Maharawul's departure, that is to say, on the evening of the 23d May, we paid a parting visit to our merry friend Gaj Singh, who received us with his usual good humour, and made repeated attempts to evince his satisfaction at the result of Lieutenant Trevelyan's Mission, by loading us with certain presents, but these attacks were very properly parried by that officer, so after much laughing and a little singing and dancing, we took our leave and shook hands for the last time with the Maharawul of Jeisulmere.

On the 25th May, we entered the Jodhpoor territory, making a march of more than 20 miles by a circuitous road from camp Bap to the city of Phulodee, with a marvellously hot sun over our heads, which was leisurely drying our brains while the rival candidates, for a disputed bit of frontier land, tried to persuade the *sahib log* that the boundary line ran *so* instead of *so*. That universal panacea for disputed frontiers, a perambulator, was had recourse to in the present instance, but its effects were rather *so so*, it being difficult to please both parties in a case of this kind, witness Dandy Dinmont and Jack o'Dawston.

The town of Phulodee is said to contain 3,000 houses, and is built on a rising ground, with a stone fort about seventy yards broad and 100 yards long, built on a rocky base, with walls about forty feet high, but having neither ditch nor *rence*. A few small guns are mounted on the walls, which appear to have a very weak section. On the south side of the fort are some good substantial houses, inhabited by merchants of the Jain persuasion, who have enormous wealth and with the exception of the Foujdars of Ramgurh in Shekawattee,

are the largest capitalists in this part of the country. They are called *dhuda*, and are continually lending out monies in various quarters to respectable merchants at the moderate interest of eight annas per cent per mensem, or 6 per cent per annum. Some of the highest houses nearly overlook the little citadel above mentioned, which is not very strong, and the town may itself be considered open, though a ruinous bit of stone wall acts as a *shuharpunah* on its southern face. There are three small Jain pagodas, and also some *mundurs* of the ordinary Hindoo faith: there are four tanks (now dry) on the west and south sides of the town, and, there is abundance of well water within 15 or 20 cubits of the surface, which, however, is rather brackish, and is drawn up by the self discharging skin bag used in the Dukhun instead of the *mot* or *chursa*, commonly employed in Hindoostan.

We made no halt at Phulodee, but made the best of our way by two marches of 17 and 16 miles over tolerable roads to Pohkurn, a small walled city of considerable importance, the Thakoor being one of the most powerful of all the chiefs of Marwar, though the present incumbent is by no means so powerful as his grandfather the celebrated Siwæ Singh Chumpawut, who was treacherously murdered by Umeer Khan of Tonk, after the most solemn pledges of friendship had been exchanged between them.

On our approaching to within a kos or two miles of Pohkurn, the Thakoor came out to meet Lieutenant Trevelyan with about thirty followers, well mounted on fine Marwaree horses, which were much superior to the cattle that had ordinarily come under our notice. Buboot Singh is only the adopted son of the late Thakoor of Pohkurn, and being without issue, though provided with two wives, may in time be obliged to adopt his own successor too. He is a civil and comely looking young man, with a slight cast in his eye, and his reception of us was very satisfactory, for he not only accompanied us to our tents after the march, but came in the evening to pay a second visit of ceremony, though our camp was half a mile from the town, close to a large tank on the north-west side of the citadel.

After the Thakoor had sat with us for some time, we accompanied him back to his own *muhal*, which is a very neat little palace in the centre of the fort, and immediately to the south side of it, within the ramparts, is a stable yard, with excellent accommodation for about 150 or 200 horses, only half of which number, however, were picketted there at present, the remainder being out on duty of the district; the horses are separated from the mares, and the whole are sorted into squads according to their colours. After paying the chief a short visit in his own hall we rode through the town of Pohkurn, which is well-built, containing 3,000 houses, and is surrounded by a good wall, built of uncemented stone, about 15 feet high (including a thin parapet of 6 feet by 2½ feet) with a terreplein four feet broad; the whole being masked by a *renee* and small ditch formed out of the hard red soil.

The citadel is on the west side of the town, and forms part of its *enceinte;* it is admirably built of wrought stone, the walls being about 35 feet high outside, but only eighteen feet inside up to the terreplein. Its figure is an irregular oblong about 120 yards long and 80 yards broad, with a fausse braye and a deep but narrow ditch faced with masonry, the revetments of which have in some place been forced out by the roots of trees, but the body of the place is in excellent repair, having the *muhil* already mentioned in its centre, and a few guns on the walls, with good store of fuel inside, and a well of sweet water (about twenty feet deep!) in the court yard of the palace. The *muhal* has a gate of its own, so that it would serve as a retreat in case of the citadel being carried by storm.

Close to westward of the citadel is a large tank or sagur, partly faced with masonry, but containing less water than the other tank called Ramdesir, which was close to our tents. About a kos north of the city is a very conspicuous pagoda on the crest of some high rocky table land, marking the site of the old city, now quite deserted, near which are the *chutrees* or monuments of the deceased chiefs of Pohkurn. Three kos northward of the city is a celebrated *sirna*, or sanctuary, called Ramdeo-jee-ka-Dera, where malefactors find an asylum, and where people sometimes resort to offer up the first-shorn hair of their young childern.

The Pohkurn district was formerly said to yield a revenue of three lacs of rupees, but the income of the present Thakoor can hardly exceed a third of that sum, much of his patrimony having been alienated before he came into possession. Being on the high road from Jodhpoor and Pleerta to Jeisulmere, (that is to say from Jeypoor, Kotah, Boondee, Ajmere, &c., to Scind) a good deal of money is realized by the transit duty on opium, large quantities of which find their way by this route to the banks of the Indus.

After remaining three days at Pohkurn, we continued our march southward by way of Bhunceana, Bheekoraee; Oodoo, and Bheemar to Seew or Sheo, a small town, which is the capital of a considerably large but unproductive tract of country, parcelled out into petty districts, the Boomias of which pay but little deference to the Raja of Jodhpoor's *hakim* or governor, who is stationed at Sheo with four guns and a few soldiers. We were very civilly treated by this functionary, and halted one day beside the fine tank, having marched 78 miles from Pohkurn in five days notwithstanding the great heat of the weather. A dwarf of the *malee* cast came to our tents to ask advice for the extirpation of a tumour on his neck; he was about thirty years old and exactly thirty-six inches high.—*Delhi Gazette.*

(To be continued.)

# THE ARCH-DEACONRY.

The selection and appointment of the Rev. Mr. Dealtry to the Arch-deaconry by Bishop Wilson, has been a subject of warm discussion for several days past in the daily journals of this presidency. Those, who have ranged themselves on the side of his Lordship, contend that he has a right—that it is his prerogative—to appoint to that office whom he will, without respect to age, length of service, or seniority. That is, that his Lordship may choose from among the Chaplains on the establishment any one, and, as in the case of Mr. Dealtry, exalt him over some ten or a dozen of his seniors in the service. Others contend that whatever may have been the prerogative of Bishops heretofore, and although in some instances referred to, such as the appointments of the Rev. Mr. Hawtayne to the Arch-deaconry of Bombay, and that of the Rev. Mr. Robinson to Madras, an arbitrary choice was made, yet precedents are no rule for the present time, as under the new arrangements the duties of Arch-deacon are to be performed by a Chaplain with an additional salary of two hundred and fifty rupees per mensem, and that these duties with the increased allowance ought in justice to devolve on him who holds the place of seniority in the establishment. The latter appears to us to be the only position which can be maintained with even the semblance of propriety, and to belong to the "things which are of honest and good report." The appointment to the Arch-deaconry is a case in which there is no room for the exercise of partiality and personal attachment, and one which does not appear to admit of a question as to qualifications; for, supposing that a junior chaplain possesses superior talents and education, the claims of seniority, if united with those of fair moral reputation, must outweigh those of the other, when the question of rank in the service is to be decided. The plea that Mr. Dealtry is a man of superior abilities and education, and that these justify the Bishop in placing him over his seniors, is too absurd to be listened to for a moment; for, indeed, it requires no deep acquaintance with the classics or profound study of the sciences to discharge, with general approbation, the duties of an Arch-deaconry. For the office is one of a spiritual, not of a literary character, and surely any chaplain of experience in this country, and especially one of twenty-two years standing with character unblemished, may be supposed to be fully competent, in every respect to its duties, at least, equally so with others younger in the service.

But if the question of literary merit or that of a collegiate degree, is of any importance in endeavouring to establish priority of claims, we have reason to believe that the senior Chaplain will not suffer in a comparison with Mr. Dealtry. Then, as to what may be said of the right of the Bishop to make an arbitrary choice on the ground that the Arch-deacon is to be regarded as his Lordship's deputy, as a *locum tenens, &c.* it might have some weight, and the appearance of consistency, if the appointment were to begin and end with his Lordship's authority in the country. But this is not the case. His Lordship may be under the necessity of relinquishing his honours to-morrow, but yet, Mr. Dealtry must be the Arch-deacon. What right has his lordship to bequeath *his* Arch-deacon to his successor? Would not his successor consider himself as possessing the same privilege to appoint *his own* Arch-deacon? Undoubtedly the privilege or right would be the same, if, as it is contended, his Lordship may gratify his own personal views and seek to please himself only in making a selection. Let the retirement of Mr. Dealtry be contemporaneous with that of the present Bishop, and then the argument of the *locum tenens* and personal gratification, in conferring the appointment will at least have the show of consistency. The fact of the Arch-deacon's continuance in office, being unaffected by any contingency which may happen to the Bishop, utterly precludes the right of consulting personal views and feelings in making the appointment. It is not like an appointment to a personal staff, which may be given to this or that individual, and taken away at pleasure. Were it so, no one could presume to question the propriety of his Lordship's selection, but not being so, every one questions the propriety of his Lordship's inflicting on his successor the consequences of his partiality and predilection. But Mr. Dealtry, it is said, is evangelical—zealous—pious, and, therefore, better qualified than any one else for the Arch-deaconry. Do those who, in these qualifications find an apology for his elevation, intend to insinuate that they are not to be found in the senior chaplain? We are not quite sure that we fully understand the purport and application of the term "*evangelical*" in the present case. Is it meant, that the doctrine which Mr. Dealtry inculcates is more according to the Gospel than that which is heard from the pulpit of the Cathedral? If so, then the question lies between two parties, the evangelical and non-evangelical, and Mr. Dealtry may thank the stars that the Lord Bishop happens to belong to the same party with himself. But we have never heard that the senior chaplain does not preach the doctrines of the church. He may be more modest and tolerant in his announcements than the senior at the old church: a fault (if it be one) which most people can very easily overlook.

But it was not our intention to discuss the merits of Mr. Dealtry, or those over whose heads Bishop Wilson has been pleased to drag him. Our impression is that the episcopal authority has stretched itself, in this instance, beyond its true measure—that his Lordship has no right to cast the claims of *seni-*

*ority in the service* into the shade. We suppose it is too late for him to revoke the deed, and that the passive Mr. Dealtry has too much modesty to resign. We hope, however, if there are means of redress, they will be found out; but if not, that the senior chaplains will submit to the indignity with a becoming spirit of meek endurance.—*Oriental Observer.*

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SIR,—Among the solid and primary advantages of the press may be justly reckoned the light which is here and there scattered by conflicting parties on subjects under discussion, and the exposures which sophistical scribblers are apt to make in their over-zealous attempts to bolster up a weak or an unjust cause. To war they *will* go, though it be but to expose their naked fronts to the severities or mercy of the enemy. Of this we have a most striking and apposite instance in the efforts now at work to establish the Bishop's wisdom and discrimination in his choice of an Arch-deacon, and in the denouement which the satellites of his Lordship make of the reasons and motives which have led to this selection.

Another material benefit of the press is the door of access which it throws open into the bureaus of powers and authorities, and the medium it affords of offering such suggestions as dignified ears would not brook to listen to from the lips of a subordinate, without, at least, regarding him as a presumptuous intruder, and dispiser of authorities. And, therefore, when we hear the enemies of the press stigmatize it as an unqualified source, not to say sentina, of evil, and decry it as an unworthy channel, through which to seek for the redress of wrong, we pause, and feel disposed to ask, what legitimate instrument can be employed to "teach our senators wisdom?" Respectful remonstrance? Appeals? Memorials? As well go preach to the sea and bid her restless waves lie still. To wield the weapons of reason and argument in combating the unwise measures of our rulers, or even whisper in the ear of power any hint of its own injudiciousness, or any restraint in its exercise, is to invoke upon a man's own head a thunder-storm of wrath, which shall shiver him to atoms. We hail, therefore, this dawn of better times—this blessing of a wisely conducted press; and rejoice, that a harbinger is gone forth to annunciate the lesson, that not even rulers can overstep the bounds of right and justice and propriety, without awakening, as with a fairy touch, public remonstrance, public displeasure and the dissatisfaction, if not the reprobation, of mankind.

After this exordium we proceed to canvas the late appointment to the Arch-deaconry. The advocates of his Lordship's choice say, and reiterate their loud amen, and applaud the discrimination and justice of the selection; and had they stifled their burning anxiety to compel the rest of the giddy world to think as they do, by their numerous lucubrations for establishing the paramount claims of the individual selected, we should probably never have been tempted to gainsay their opinions. But like vain babblers, they must indite about the matter; and out comes the unsoundness, the hollowness of their cause.

The question, happily for our limits, is *duly* circumscribed by confining all pretensions to such a dignity, to the two seniors and the Arch-deacon elect; the intermediate portion of the chaplains' list being regarded (poor fellows!) as so much waste paper—mere clerical *hoi polloi, (procul este profani!)* not admissible on the arena, and unworthy of notice. And we deny not the argument *fortiori*, as far as the point of seniority goes, that if the two seniors have no just reason to complain of the infringement of that rule, the contemned residue may bow their acquiescence. But are they all disqualified by an "unaccountable spirit of insubordination?" Are all their dispositions so deplorably *mild* as to be unmeet for "the stern duties" of such a dignitary? Moreover, it may be asked, by what enactment has the rule of seniority been cancelled, and from what date has it ceased to be in operation? In the civil, in the military and the medical services, seniority, when not disqualified by imbecility or other incompetency, puts in forcible and just appeal, and, (let the community of Calcutta testify) is but very rarely, and that too in cases of overwhelming interest or real disqualifications, wantonly set aside and trampled on. Under whose auspices, in what *anno mirabili* was it ever seen, that a writer was foisted into a Sudder Board, a subaltern made Adjutant-General, or an Assistant-Surgeon a member of the Medical Board? And what in the other branches of the service is so ridiculous as to excite laughter, is that to be upheld and applauded in the service ecclesiastical? We trow not. Either reform, then, or remodel all the services alike, or else let them severally and equally share in an equitable administration of their present regulations.

But perhaps the reformation is herewith (this schedule A) to be begun, and its commencement dated from the new clerical era of *sternness;* and this supposition is corroborated, by what we read in the same announcement of a "new system of Ecclesiastical Government, established in this diocese by Bishop Wilson, to the *stern* duties of which the new Arch-deacon is to give effect." With the particulars of this system, we of the laity, we believe, have not yet been favoured; the initiated alone enjoy so precious a privilege. We only hope, that it is not an imaginary creation, put forth for the purpose of showing "of what great consequence it is to his Lordship that he should be able to place the most implicit reliance upon those he may entrust with the direction of affairs during his absence."

Many persons, we understand, question the Bishop's prerogative to appoint whom he will. For ourselves we forego this objection. We only contend that that the Episcopal prerogative, not less than the royal, is fenced and circumscribed; and that his Lordship both can do wrong (which the king cannot) and can-

not, without public censure, repudiate the just claims of suitable candidates, and violate the regulations of the service.

It is urged, likewise, that his Lordship is bound by Act of Parliament to nominate the senior to the appointment. We rather apprehend not, though we think, either way, the discussion of the legality of the measure cannot terminate until the law itself be known. And we have reason to conclude, that his Lordship's new letters patent since he became by the late charter, a metropolitan Bishop, have not yet arrived. Therefore, whatever measures his Lordship may be pleased to adopt by anticipation, may hereafter, for aught yet known to the contrary, have to be undone. Acts of Parliament in such matters give but the rough outline; the letters patent specify the details; and it would be an untoward task indeed, for his Lordship to have to learn the limits of his authority after having materially exceeded them. However, our presumtion is guarded on this point. Be the issue what it may, we think, that virtually and in spirit, the appointment is appropriated to the senior; for we cannot forget, that in Mr. Grant's correspondence with the Archbishop of Canterbury and the Court of Directors, he distinctly specifies, as a matter of judicious arrangement, that the office of Archdeacon should devolve on the senior chaplain. Notwithstanding, therefore, the omission of this specific enactment in the Act of Parliament (where we do not look for it) or even in his Lordship's letters patent (if it prove to be so omitted) it may with good reason be urged as the spirit of that arrangement, which was contemplated by the home authorities, and ought not, without solid and sufficient cause, to be needlessly set aside.

Needlessly did we say? Aye, there comes the pith and brunt of the contention; for the advocates of the new system of *sternness* urge, that there was an unavoidable necessity for his Lordship to fall back upon the rear of his clerical forces, by asserting, that the senior chaplain is disqualified by his unaccountable spirit of insubordination, the junior by his mildness of disposition, and the rest, of course, by one or other, or both.

It were well if so serious, not to say libellous a charge as that of "unaccountable insubordination," had been accompanied and substantiated by proofs. In the total absence of these, we are left to instance one or two occasions, on which this insubordinate spirit has been manifested; and though we neither excuse nor extenuate insubordination in any shape, and are ready to concede that the senior chaplain is not of the most bending temperament, yet a charge of insubordination is another thing; and we must be convinced, before we condemn, that his unwillingness to meet his Lordship's wishes, was not called forth by an illegitimate exercise of authority. His Lordship, to mention one instance, required the Cathedral chaplains to abdicate and throw open their pulpit and services to his own chaplain and son-in-law whenever he might wish it. Against this the senior remonstrated; and we hesitate not to affirm, that in so doing, if done respectfully, (as we are assured it was) he was but properly reminding his Lordship of overstepping his Episcopal authority. Not even His Grace of Canterbury himself, primate though he be, would thus interfere with the humblest curate in the British dominions.

On another occasion, a most respectful remonstrance was made by the two seniors, against the measure which his Lordship lately introduced and carried, for parcelling out and dividing the emoluments, which have been reserved ("*meritorum præmia*") to the two senior presidency chaplains, ever since the establishment of the English Church in India. Now this too may probably, by a rhetorical twist, be interpreted as insubordination. Then is to obey to be a slave. Do away with all the higher grades of emolument, of the civil, military, and medical services, and try whether the very avenues of Government would not be choked with addresses, and every public servant in the country join with one heart and one voice in pouring out their complaints. But would this be insubordination? We presume not. We would have wished his Lordship had reflected, that if, for the sake of removing (imaginary) inconveniences, it seemed expedient to effect the arrangement in question, it was just and right likewise, previously to provide some compensation for the diminution of established emoluments; provide, we say, if impossible from any other source, than out of his Lordship's own allowances, rather than pare away the only two remnants of any value annexed to the Ecclesiastical Department. There is not a chaplain, we are assured, throughout the country, save and except those at the Mission Church, who does not think himself injured by this uncalled for measure; and considers the only prospect the service held out to him of temporal benefit, cut off and blasted. The Mission Church chaplains, of course, participate not in this grievance; they only share the spoil; and now, a chaplain of the Old Church though he arrived but to-morrow, (as the present ones did but yesterday) will immediately, on the departure of the present incumbents at the Cathedral, be in the receipt of probably larger emoluments than the senior in the service. Do we hear the rest of the chaplains admonished, as ministers of the sanctuary, "not to seek their own?" We retort in their behalf, the self-same admonition, and add thereto, "but every man another's wealth;" and we think it would have become the characters of those, who supported and urged this measure, to have exerted their utmost influence in dissuading, instead of moving his Lordship to effect it. We know, however, in this particular matter, we are stemming a strong current. The measure is popular. It is, moreover, a weakening, however slight, of the Church's secular sinews, and therefore, right and justice must succumb. We only deplore, that the avowed father of his clergy should have been so misguided as

to bring it to pass, because by no interpretation can it be construed as an instance of paternal solicitude for their welfare.

Another instance of the senior's insubordination, connected with the late order for the reconstruction of the Select Vestry, we can only barely allude to; but we apprehend, that as laymen are mixed up with this measure, his Lordship will have to undergo the pain of experiencing what actual insubordination is.

These, and it may be one or two others of the like sort, are the instances of alleged insubordination which disqualify the senior chaplain for the Arch-deaconry. Before quitting this topic, we cannot forbear to counsel his Lordship to be as cautious, as reluctant, as determined, not to construe every apparent symptom of discontent among his clergy into the crime of insubordination, as his advocates are zealous to establish, to fasten, if not to aggravate such construction. There was a time at Rome, and that a *stern* time too, when one of her best historians placed on record "*amisimus rerum vocabula*," and if the public voice join in denominating respectful remonstrance insubordination, may a similar verdict be recorded on the present Indian generation.

But of the Junior Presidency Chaplain, the very head and front of his offending is *mildness* and meekness of disposition. Forgive us for re-quoting from the *Hurkaru*.

> "Away to Heaven, respective lenity,
> And fire-ey'd fury be my conduct now!"

The church is, indeed, become militant, when in the eyes of a christian Bishop, sternness is represented as being the highest recommendation for an Arch-deaconry. We forbear diluting this powerful argument put forth by the (clerical!) inditers of the paragraph in the *Englishman*, and only mourn that his Lordship does not divest himself of such advocates and denounce such an intolerable attempt (*more sophistrio*) to make the worse appear the better cause. As for the jesuitical quibble of the second version and the amended edition of the said illustrious paragraph, we despise it too much to do more than notice it. There is a "power most chiefly declared," not in shewing *sternness*, but "mercy and pity"—a power, too, not mortal but omnipotent. In earnestness we propose it for imitation, and entreat all who have heard, or read thereof with their lips to make it the pattern of their lives.

We have thus discussed the more prominent points of this objectionable proceeding, as they are exhibited to our notice by the advocates of his Lordship's choice. The entire and several bearings of the subject, and all the merits of the appointment exceed the limits of a newspaper. We can only implore his Lordship, if he be determined to abide by his choice, not to suffer any one unjustly to depreciate the characters of all those who have been superseded; but boldly to maintain his own view of his own prerogative, his "*sic volo*," and "*sic jubeo*" ("*le roi le veut*") though it be at the expense of all right and justice in violation of the established rules of the service, and in defiance of all impartiality and judgment.

Alas! there will be halos round the brightest luminaries. And when, after hearing as we have so often done, the splendid outpourings, which the highly gifted Bishop deals, like an Apostle, from his stores of biblical knowledge ("*O! si sic omnia!*") we follow him into the business of life, we are so perplexed and bewildered as to feel disposed to discredit our senses in identifying the individual. What eye, indued with prophetic vision, could have foreseen in the evangelical Daniel Wilson, the future "Lord over God's heritage," not bearing the crosier, but swaying a stern sceptre over the very pastors he was sent to oversee? Harsh language this, and we grieve to use it. But if the arbitrary exercise of power to the disregard and prejudice and injury of those who bend beneath it; if the rejection of all remonstrance, however respectful, however humble, and the regarding such remonstrance as unaccountable insubordination; if the sacrifice of justice and equity and acknowledged qualifications on the altar of favouritism and partiality, bespeak not and constitute not arbitrary rule, we can only regret, that we can not give understanding as well as arguments to those who can think otherwise. We are indeed desirous of imputing this unhappy appointment to mistaken views, because our sincere inclination is both to admire and venerate his Lordship; though we greatly fear the mitre's load has cramped or crushed his kindlier judgment out. And when we read about the "*store of knowledge*," which is ascribed to the new Arch-deacon, comprehending in its unfathomable recesses the "*omne scibile*" (as the schoolmen have it, and the Arch-deacon perchance, will construe) of human science, we fear his Lordship has been taken in—has, by some unlucky perversion been led to admire the "*ex fulgore fumem*" instead of the "*ex fumo dare lucem*," and so been cheated of his better judgment. But whatever be the moving cause, we adjure his Lordship to weigh the consequences of this injudicious appointment. The goodly Heber once forgot himself, when he superseded Mr. Corrie, and placed a favourite junior over his hoary head; but the same Heber, like a child of light, retrieved the manifest error as soon as he discerned it, cancelled the appointment, and at once sacrificed his private feelings and partiality to the palpable dictates of rectitude. "Go, and do thou likewise," do we earnestly, though with all deference, exclaim to Bishop Wilson, and entreat him, if he seeks to earn the *holy* praise of Christendom, to wipe out this blot and annihilate it for ever. We beg his Lordship to catholicise his feelings, to stretch his fostering eye beyond the pale and precincts of the Mission Church, and to expand his regards largely and commensurately with that vast inheritance which is prophetically assigned to our common Lord and Master. And if his Lordship will thus seek to secure to himself the esteem, the veneration, the affections, and the love of his inferior clergy, instead of the

bare compliance of slavish fear, he may hope to see the infant Church of India spread, like her rivers, and spiritually fertilize the land. Whereas if a conviction, (nay, living, lasting monuments) of his Lordship's injustice and favouritism spread its withering influence among the working clergy, and so far as these things are permitted to be matters of human operation, paralyze their efforts, will have hereafter to mourn having laid a stumbling stone in Zion, and made the onward wheels of our Redeemer's charriot *tarry*. And we are sure, that if a many years' acquaintance with India; if a knowledge of its spiritual wants; if extensive local intelligence; if a long intercourse with the European soldiery; if skilfulness in Church discipline; if unambitious, unassuming, undictatorial, and conciliatory manners be positive virtues and qualifications, highly essential and of permanent importance in an Arch-deacon, as their opposites are negative and objectionable, we entreat his Lordship to think on these things—to remove the veil which obscures his unbiassed judgment, and so exercise his Episcopal prerogative, as to let all men see, that the great champion of christianity is more desirous of doing right than ashamed of acknowledging that he has done wrong.—*Hurkaru.* H.

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" Sine me hœc hoc mollia, fatu,
Sublatis aperire dolis."

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SIR,—The Bishop's conscience sleeps: and were he not a master in Israel, and thousands looking up to him for light and guidance, we would have hesitated to disturb its untimely slumber. But Christianity is made to weep, when such a standard bearer fainteth. Lethargy at such a crisis is little short of death: it confounds the distinctions of right and wrong, and opens the sluices of clamour and discontent to work away the very foundation of our Protestant temple. We see the untoward non-conforming spirits covertly smiling at this tale of an Arch-deaconry, and congratulating their conforming brethren on the conspicuous blessings of their church government. We dare not, therefore, as far as our small influence goes, consign this matter over to the enemies of Church Establishments, but rather choose to handle it ourselves, still clinging to the hope, that his Lordship's conscience will shake off its drowsiness, resume its tender functions, and restore its proprietor to a judicious and faithful discharge of his duty.

His Lordship's views on the nature and duties of a stewardship are so clear and vivid, and he has sketched them out so graphically —so much to the life, that we do but present to his view the lessons of his own lips, when we remind him of the importance of rightly using the blessings of rank, dignity, character and influence. Assuredly, to move in a superior orbit is not bestowed on any man for naught; and in times like these especially, he should give much light, and impart a benign and useful influence to whatever system he may belong. To this the very letters regarding his Lordship's own appointment bear us testimony; for they congratulated him on the enlarged sphere of usefulness in which he would be placed, and spoke of the high responsibilities annexed to the situation. His Lordship keenly understands, that, as the place and dignity of his own most sacred order in the Church of God is eminently higher, his charge greater, his inspection more extensive, so will his accountability be accordingly; and, therefore, when the moral horizon is darkened by the dimness of one of its chief luminaries, when the unerring line of right is distorted from its rectitude, and righteousness and justice wounded through the sides, and bleeding through the weaknesses of their professed champions, surely it is time to interfere—high time respectfully to point out and calculate the amount of aberration, try at least, to touch the spring of his Lordship's conscience, and ultimately awaken him from this unhappy lethargy to his own unclouded sense of right.

But before proceeding further we must have a word or two with the *Englishman*, whom now we must heartily congratulate on a share of some impartiality. We hope to see him open his eyes a little wider; and we regret that he will not condescend to scan the pages of his contemporaries; because by neglecting this, he occasionally remains in the dark, while the rest of the community enjoy the sunshine; otherwise he would not have discovered for the first time, from the letter of PRUDENS, so much novel information. Had he noticed our former letter on this subject, he would have found there every spark of information which has not, until now, "thrown so much light on the subject,"—and not only so, but he would have detected also the mistake of PRUDENS, in speaking of the former act of Parliament, when but *one Arch-deacon* was sanctioned for the whole of the three "Indian Presidencies;" for every body knows that each Presidency has hitherto had its separate Arch-deacon. On another head, too, the *Englishman* is not well informed. He says he has "always regarded the office of Arch-deacon as one entirely of selection, without the slightest reference to the age or standing of the several candidates, *because* the first Arch-deacon were sent from England, in supercession of all the Indian clergy, and bearing in mind the fact, that Mr. Corrie was passed over by Mr. Hawtayne, the Madras clergy superseded by Mr. Robinson, and the Bombay clergy by Mr. Hawtayne."

As to the first Arch-deacons, the course adopted was not only the usual, but the only one available. At that time the clergy at each presidency were very few in number, (in Bengal about a dozen instead of, as now allowed, thirty seven,) and they had never been under the tutelage of either Bishop or Arch-deacon; and therefore were, no doubt, considered inapt instruments for laying the foundation of an ecclesiastical polity: much the same as if we wanted to make the New Zealanders good soldiers, we should, in the first instance, send out some efficient officers, and a drill sergeant to make

a start, rather than run the risk of finding suitable materials ready at hand on the island. The case of Mr. Corrie makes directly *against* the *Englishman's* arguments. Mr. Hawtayne was actually appointed Arch-deacon, and the seniors all superseded; but as soon as Bishop Heber found out his mistake (for the seniors at once tendered their resignation of the service) he cancelled Mr. Hawtayne's appointment, and restored Mr. Corrie. Next, as to Mr. Hawtayne's appointment to Bombay, that, too, admits of satisfactory explanation. Bishop Heber having once actually appointed him Arch-deacon of Calcutta, and then been obliged to displace him, was, to say the least of it, very awkwardly situated; he, therefore, in fulfilment of a pledge, and out of the kindness of the kindest heart perhaps that ever beat, nominated Mr. Hawtayne to Bombay. But then what can be said of Mr. Robinson? Why, that if the present appointment could be justified on the same grounds as his was, we, at least, should have very little, perhaps nothing, to say about it. Arch-deacon Robinson is a gentleman who in addition to his qualifications as a pious and eminent minister, is gifted with more than ordinary talents. He took a high honorary mathematical degree, and was a Chancellor's medallist at the University—distinctions of the first order that an undergraduate can attain to. And when we bear in mind, that he subsequently became Bishop Heber's chaplain, and thus let his light shine within the palace walls, no wonder that such rare attainments, adorned with both piety and zeal, were charms in the eyes of the Bishop, and claims to which even the Madras clergy might bow with cheerfulness. Of Mr. Dealtry, we believe we are speaking correctly in saying, that he took no honorary degree at the University at all; but went out among the *oi polloi*, and went also by what some persons think, rather a by-path—that is, he took his degree in Civil Law, and therefore wears the badge of B. C. L. or as some have it L. L. B. We wish, therefore, the *Englishman* would accept this information at our hands, and reflect likewise, that with regard to the Arch-deaconries of Madras and Bombay, the Bishop, not being on the spot, and therefore not having the means of rightly estimating the qualifications of his clergy, may act with somewhat more latitude than is admissible at Calcutta; and in proof of this we may mention, that had the senior of Bombay been appointed instead of Mr. Hawtayne, it would have given greater umbrage in consequence of his real ineligibility, we believe, to the office.

We have already presumed to offer a few observations on this most melancholy topic. We call it melancholy *miseranda vee hosti*, because we are not enlistened in the rank of his Lordship's enemies—we, the rather would rush forward and be as eager in his defence, had he had righteousness on his side, as we are now zealous to convince him of error. When, therefore, he lays himself open to the merited disapprobation of his friends, we cannot choose but deplore. Indeed, this unfortunate, this ill-advised bestowal of the Arch-deaconry, turn it over on every side, stands so bluntly and rebelliously in the face of all that ought to guide his Lordship in the exercise of his patronage, that the voice of every parishioner in the neighbourhood, batting perhaps a few immoveable partisans of one particular parish, is pitched to our uniform strain of condemnation and regret; and from house to house this note of lamentation speeds!

> " Pudet hæ oprobria—
> Et dici potuisse, et non potuisse refelli. "

In our former observations we alluded to some weighty arguments which might make the stoutest champion of arbitrary power and patronage halt, if not retreat; but as we have failed of touching the tender string which makes his Lordship's conscience vibrate, we again proceed, "*rudi Minerva*," briefly and generally to resume the subject; at the same time assuring his Lordship, that if he thinks by taking no notice of this dark cloud it will soon be passed over, he will find himself grievously mistaken; for it will both overshadow and obscure his path, and at length, probably, burst upon his head. We dare not sooth his Lordship by predicting smooth things, that in a few weeks Lethe will have drowned this matter in her oblivious waters; because we believe it is a task more than Herculean now to hoodwink the world, and bring it by wholesale to renounce its sense and reason. On the side of right one may dare do all that does become a man; we may even shut our ears against public opinion, and withstand public feeling; but when the cause we maintain can only be propped up by power and prerogative; when it levels to the ground all hitherto acknowledged claims and established regulations; when it exalts one to the depression and detraction of another, and gratifies the wishes of a select party while it grieves the party-catholic, we roll a Sisyphean stone, which will roll back and crush us to atoms. If we estimate aright the conformation and calibre of his Lorship's understanding, we believe that he has failed on this occasion, to let his own clear powers of reasoning, his master mind ("*architectone phronesis*") exercise an unbiassed influence in determining this choice. We feel persuaded that he cannot vindicate this measure on his right to do as he pleases, for where is the man more sensible than his Lordship, that there is no mortal power so lawless as to be exempted from the dominion of right, reason and plain justice? and, therefore, what can we suppose, but that he has let an overweening partiality put his judgment in abeyance, and so magnify the qualifications of the new Arch-deacon, as to pass a verdict of unworthiness on all above him. It is here we are brought under the somewhat painful necessity of adverting to these said paramount qualifications—painful, because we cannot, like his Lordship, view his virtues through such a magnifying medium, and yet cast his imperfections into the shade, especially when these qualifications are urged in justification of his being exalted, *per saltum*, by a prodigious leap

above all his seniors. At the same time we disavow the most distant desire to underrate or depreciate the new Arch-deacon's merits. Let them all be acknowledged. Throw them all into an equitable balance, and give them bouncing weight; but let them not be exaggerated and multiplied, as if the very luminary in the religious firmament were dim and small beside him—("*velut inter ignes luna minores.*") Granted the new Arch-deacon is both a zealous and a laborious clergyman—he has fair natural parts and some fluency of expression. We deny not even an unction, and a fervour in his manner and a considerable degree of readiness at extempore effusions; but beyond this we go not—"*sunt certi denique fines;*" and we think if his best friends had been as prudent, as they are over eager to ascribe to their favourite such leviathan talents and energies, they would have at once shown their own impartiality, and not have injured the cause they wish to serve. "His energy of character." Why, what of that? Energy, abstractedly considered, is a very questionable virtue. It may be misdirected, and misdirecting it may be exorbitant in demands, and lavish in expenditure; and we fancy, that if these very admirers of energy were getting well buffeted about by the Euroclydan, or the wind which breaks the ships of Torshish, they would wish they had less of it. They would think, perhaps, that a softer breeze might "blow upon the garden and yet elicit the spices thereof"—"a breath" merely, "that can breathe upon the slain that they may live." We remember, in days gone by, when a lady who now no longer presides over the gentler sex of British India, was wont to contrast the new Arch-deacon with another popular, but now departed rival—the one as leading, the other as driving his master's flock to heaven, and though we quarrel not with the *quo modo*, so long as the effect be accomplished, yet it is very problematical whether the same driving, compulsory method and manners, will be effectual in correcting the wills and subduing the untowardness of his brother pastors; for though we believe them fully prepared and disposed to submit to a mild and equitable superintendance, yet we very much doubt their submission to a harsh and overbearing authority. "*Imperaturus est hominibus, qui nec totam servitutem, pati possunt, nec totam libertatem.*" And then again the gigantic knowledge,—laying its broad hand upon the entire encyclopædia (in the modern and more noble acceptation of the term, that is, the whole circle) of arts and sciences, how wise—how much better to have let their favorite enjoy the fair fame of a useful and competent minister, apt and fit to teach, and sufficiently mighty in the Scriptures to discharge faithfully the pastoral office. Verily the indiscretion of friends is oftentimes more prejudicial than the rancour of enemies; and we would recommend the new Arch-deacon to be rid "*tali auxiles et defensoribus istis.*" As for one of them, sweet PHILOMEL, we cannot handle roughly so plaintive and melodious a songstress. Go gentle bird! our pen and ink we cannot squander upon thee! We are investigating not the merits of a nightingale, but the qualifications for an Arch-deaconry; and the more we read and hear, and meditate on the motives which can have led to this appointment, the more convinced we are, that it is unjust, injudicious and hurtful. We pronounce it unjust, because in a service of seniority, seniors, who are equally competent for the office, are superseded. It is injudicious, because an incorrect estimate has been made in favour of one to the prejudice of many; and it is hurtful because a slur is cast, and a damp and discouragement thrown on the whole Ecclesiastical service. Of its injustice we have already spoken, but we are not contented with the little we have urged; we think much more may be advanced, although his Lordship, probably owing to his short experience, may hesitate to allow such considerations to have due weight. We hold, that in a service like this, the wear and tear of life, the continuous exhaustion occasioned by long and faithful labors, and the sacrifices which all must make during a long series of years, are of themselves commendatory to a wise government, and not, without sufficient cause, to be arbitrarily rejected and despised. Let any one look around among the present tenants of power and authority, the members of boards and heads of departments, and even their deputies and assistants, and what will he find but a rule, almost without an exception; nay, in many instances, especially in the military and medical services, to which the Ecclesiastical is more closely assimilated, not only is seniority or length of service a recommendation, but tirocinium is a positive disqualification. So sacredly is this regulation observed, that it would be difficult to produce a case where it has been pointedly violated. And what is the Archdeacon, but, in most cases, the Bishop's assistant, or deputy, and oftentimes, especially during his Lordship's absence, a sort of Ecclesiastical Vice-President? Had the appointment been merely that of his Lordship's private chaplain, we would have allowed taste and prejudice to run amuck at pleasure; but in appointing one, not by seniority but choice, out of their own number, to controul and drill a corps composed of his brother chaplains, some little regard should be had to their taste and feelings, and some peculiar fitness should have been secured in so select an individual. Besides, we are of opinion, that in the ordinary discharge of Church Government, a degree of mildness and forbearance is not incompatible with the most efficient discipline; and that it is of far more importance to reign over the hearts than the persons of the clergy. His Lordship, therefore, will do well to consider how far his new Vicegerent is *likely* to attain so desirable an end. For our own part, we are of opinion, that if his Lordship had cast lots, it could not have fallen out more inappositely, not, we mean, on the score of ministerial qualifications, but fitness for Church Government.

How many persons are there endued with a competent measure of the spirit of scriptural knowledge, who are yet wanting in the spirit of Government, a spirit most indispensable in the administration of Church polity; where a want of skilfulness in the machinery, or of cautious controul over its operations, may throw every wheel into disorder. The injustice also is not temporary but lasting; and what is worse, rather aggravated than diminished by the lapse of time. Just now, while the thing is taking place, and we have sufficient data to canvas the appointment, we can duly appreciate the merits and demerits both of the rejected seniors and successful junior. We can make allowances for the friction which has accelerated the other; for the fancy, favouritism, and all the other ingredients, that have co-operated to the fall of many and the rise of one. But in after-days, when the heat of inquiry shall have cooled and the circumstances of the new Arch-deacon's elevation shall have faded from the memory of the everchanging society of India, then will the damnatory consequences still survive, and the ready inference be promptly, because unavoidably drawn, that the present Arch-deacon's seniors were unworthy or unfit for the office. Surely his Lordship must have failed to make these obvious calculations; and therefore it is that we have cast them up for him; and if he wish to verify the accuracy of our figures, we would recommend him for the nonce, by a bold metamorphosis to picture himself to himself as one of these humble seniors of the Bengal chaplains; and then he will be enabled, with some degree of fellow-feeling, to muse and mediate on that unmerited degradation which he himself has inflicted on the department over which he presides.

The injudiciousness—the want of judgment displayed is most manifest. The very qualifications, which we should have put down as indispensable, are repudiated. The very energies which we should have thought at best, but questionably beneficial, are made to silence all other pretensions. Long experience in church government and local experience of India; a knowledge of its real wants and of the best mode of relieving them; a mild and unassuming way of enforcing duties, and a tolerance of allowing others to think, at least as well as yourself, go for nothing; whereas energy and mere bodily and vocal vigour, and a peremptory and almost overpowering manner of putting down the humble suggestions of others, go for every thing. The clergy only, we are assured, are permitted to appreciate fully these qualifications for a dictatorship; and even the revered Arch-deacon Corrie used softly to complain, (not, we presume, to expostulate) of being deturbed from his own proper sphere and station, and bid to listen to an oracle.

But this is not all—the evil stops not here. His Lordship is concerned to consider not merely the temporary outcry which may be raised against this or that particular measure; but what will be the permanent effect of this proceeding on the working body, of which he is the head. "*Natura infirmitatis humanæ tardiora sunt remedia quam mala; et ut corpora lente augeseunt, cito extinguuntur, sic ingenia studique oppresseris facilius, quam revocaveris.*" Yes, one blighting hour will destroy more than a year's sunshine will build up; and the energies of all may be paralized by the immature exaltation of one. The subjects, it is true, of his Lordship's Government are under the separate dominion of conscience, and are amenable to a still higher power. But it does not become his Lordship the less on that account to take heed, that the Church sustain no hurt nor hindrance through his faults or miscarriages. We believe the clergy will be preserved by higher motives in the faithful discharge of their several abilities; yet the cheerfulness, the alacrity of obedience to his Lordship's particular instructions—the concurrence, the approbation, the affection we should see, even in matters indifferent, surrendered as to a wise, just, and impartial ruler we cannot but apprehend will become chilled by such a nipping frost. A scotched wheel may be dragged along; but the less friction, the more nimble the movement. His Lordship can command obedience; but the obedience of love is what he wants. "*Metus et terror infirma vincula caritatis.*" We can further tell his Lordship, not on our own authority, but one to whom wise governors have paid deference, that "*nunquam satis fida potentia, ubi nimia,*" and that "*nihil rerum mortalium tam instabile ac fluxum quam fama potentiæ non sua vi nixæ.*" We believe likewise, that we could safely appeal to an authority to which his Lordship himself thinks it a privilege to bow; but we are writing in a newspaper—and writing there, because we have no other mode of gaining access, and have not the presumption to storm his Lordship's palace with the freedom of our opinions. We write, too, because the clergy themselves, notwithstanding their insubordinate spirits, are overawed. They know their own obligation to obedience to their own spiritual Governors, and they feel the utter impracticability and uselessness of remonstrance against the measures by which his Lordship's government has of late been distinguished. They remember likewise

"Milo's end,
Wedg'd in that timber which he strove to rend."

We have already grown too large for a newspaper; and therefore pursue this subject as far as it would go, we cannot. But a hint or two we may throw out, which may concern those who are most interested in the business. We should like to ask the Arch-deacon, if it has never occurred to him to reflect, whether he would not have reaped greater honour in declining this dignity than he has done by accepting it. Some persons were silly enough (silly, because ignorant of human nature) to fancy that he had no taste for gew-gaws. They thought that he was regardless of rank and station, and sought only to be a faithful shepherd of his Master's flock. They persuaded

themselves that nothing would induce him to burden himself with so invidious an exaltation. For ourselves we never thought so. We have lived too long and witnessed too much of human frailty, not to be cautious in ascribing to any one the rare quality of real indifference to the pride and pageantry of life. Alas! human nature is not to be trusted—"*Naturam expellas furcâ, tamen usque recurrit.*" And how often does it happen that station rather obstructs than aids our usefulness? Connexion with party, and the habit of viewing a subjects in reference to personal aggrandizement, too often obscure the noblest intellects, and convert into patrons of narrow views and temporary interests those, who, in other conditions, would have been the lights of their age and the propagators of everlasting truth. Shall we despair then of seeing the giver and the gifted declare their magnanimity by undoing this unhappy deed! If we must despair of this, we must despair likewise of ever seeing the day when they shall live in the hearts and affections of the Indian clergy. When we saw the dangers to which his Lordship was exposed, when we saw the contemplated purpose of bestowing the Arch-deaconry on his relative, we afterwards congratulated ourselves on the hair-breadth escape from so unseemly a proceeding. But after clearing such a Scylla, we never dreamt of this Charybdis; nor could we bring ourselves to believe the fact, till it was impossible to disbelieve it. Oh! that his Lordship would hear us for a moment, while we entreat him to remember, that the distribution of patronage is not a matter of common gratuity, but the discharge of a sacred function, in which it is necessary to look around with much circumspection and ascertain with much carefulness, the real and undisguised qualifications of all those who may be candidates; to remember the claims of long and faithful services, and not needlessly set them aside; and to shut the ear against all solicitations of friendship or interest, to dissolve for a time every private tie, forgetting party opinion and withstanding party feeling, and asking only what is right.

"A sharp judgment shall be to them that are in high places," and therefore we presume to admonish. We know the difficulty of the ask and the feeble pen we have in our hand. But the cause we sustain is on a rock. If any one shall say that we are enlarging the wounds and aggravating the weakness of the Christian cause, we disavow the allegation, and confidently affirm, that the Church has nothing to fear from the exposure of truth, so long as the truth itself shed a lustre and honor on his proceedings. Truth in every department of human knowledge and human proceedings, and in spite of all artificial objects and hindrances will ultimately prevail. Like tried silver she only comes out of the furnace brighter and brighter. When truth lays open real grievances or abuses, whether intentional or otherwise, then is the time, especially for spiritual governors, to take warning, how by one rash act, they may more easily undermine and demolish their citadel, than by a long course of wise and useful Government they can re-establish her in the affections of mankind.—*Ibid.* H.

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"Ego si risi——————
Lividus et mordax videar?

"Hear his speech, but say thou naught."
*Macbeth.*

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SIR,—I must crave the favour of a corner to detail the great doings at the Archi-deaconal dinner on Wednesday last. Your reporter, I believe, was not there, or I should have been spared the pains of being the chronicler of this event; and the public would have been favoured with a more correct account of it. Pray why was he absent? There was the greatest possible probability of much speechifying: and as the dinner was of a public nature, given by a public functionary, on his elevation to a public office, to all the clergy of the establishment, it was a fit occasion for the pen of a ready writer. However, in the want of a better, I will endeavour to be a faithful narrator; but as the account has to pass through a lengthened course before it comes to me, it may not be quite so clear as when it first rose from the spring; but may have mixed itself a little with the soil of the channel.

The whole ecclesiastical district, I am told, sent in its contributions on this memorable occasion; and forces were levied from Dum-Dum, Chinsurah, Berhampore, Howrah, Barrackpore, and Bishop's College, and every other out-post within a hundred miles of the metropolis; all in short were there, save only one or two solitary "insubordinate" exceptions. The Bishop graced the meeting with his attendance (*αυτον και θερα παντα*) because the sanction of his presence was indispensable, but like poor Acteon "*vellet abesse quidem, sed adest.*"

After a short confabulation, the party descended to the glorious enterprize, and were no sooner seated, it seems, than a mighty marvel began to pervade the guests at the mighty change which had taken place within the old Church parsonage,—the paraphernalia was altogether excellent; and up and down the gentle whisper ran "*quantum mutatus ab illo.*" Who cares about the patronage, (quoth one of the uncovenanted "*nè pour la digestion*") so long as we get good fare like this? Who, indeed, rejoined another, if he will treat us well, and let us alone!

But despite of every endeavour to make the best of a sorry business, still there was an immoveable cloud abiding on almost every brow, and *il penseroso* was the obvious musing of almost every heart present. Even the Bishop, I am assured, could not shake off dull care: "*frons læta parum, et dejecto lumina vultu;*" and the sadness without bespoke the conflict and turmoil within. Some how or other a general persuasion had previously pervaded the party, that his Lordship would disburden his surcharged mind; some expected a strain of honeyed globules, of language

("*mellitos verborum globulos*"); others predicted an explosion; but all seem to have thought when the time came, "*parturiant montes;*" and many apprehended the fatal issue of that ominous verse. But while the travail of mind was going on, the evening was wearing away, till at length, to the unspeakable joy of all present, a gentle move ended in a general rise, and the dinner table was abandoned without a single speech. Not even Therapon muttered a word.

The party now divided, all the seniors present felicitating themselves on their escape and betaking themselves off, and the rest proceeding to the drawing room.

There was still, I presume, a lurking apprehension, that either his Lordship or the Choragus would put a coronis on the gloomy festivity of the evening by exhibiting, at least, a few "meandrings of verbal obliquity"; and the sequel proved the correctness of this anticipation. After the lapse of a short but uneasy silence, the Archdeacon opened upon an harangue, to which the residue of the surrounding brethren listened, "*quasi vocem aduti dignam templo.*"

A mere outline is the utmost in my power to give. He was to all appearance, I learn, labouring most intensely within, so that a first-rate reporter could scarcely have converted the effusion into a connected speech. It was in some such a strain as this. "He had not the least intention of addressing his dear brethren, until the spur of the moment, and, therefore, he had not premeditated what he was going to say. He could not, however, help remarking how much he regretted that his appointment to the Arch-deaconry had created so much unjustifiable dissatisfaction. He was more especially concerned, that any measure of our most excellent Diocesan should be impugned at a season like the present, when the English Church itself was in jeopardy, and required the unanimity and co-operation of all her members to save her from this hour of peril. And more particularly in the infant Church of India was any breach among the brethren to be deplored. It was impossible for him not to have felt, it would be hypocrisy to say he had not, what had appeared in the newspapers on the subject. But he, nevertheless, disregarded all newspaper discussions, and let them pass as the idle wind. He was chiefly grieved on account of our most excellent Diocesan, who must have been affected by what had lately transpired. As to the *arguments* which had been urged either against himself or his Lordship, they were too absurd to deserve either notice or confutation. He himself should certainly not condescend to take any notice of them. The injustice complained of was without the slightest foundation; the prerogative which had been questioned, was a most undoubted and inviolable right. Whether our most excellent Diocesan had, or had not received his *new* letters patent, was a matter of not the slightest moment. Our most excellent Diocesan had only acted as any Civil Governor would have done under similar circumstances, and abided by the old letters patent until the new ones come out. He was persuaded that the clergy had not been the authors of any of the articles which had appeared on the subject: he would not lay such a sin to their charge but he feared they might, incautiously have abetted the public voice in feeding the flame.

He then proceeded to speak of "his own unworthiness ("*cineta cædit sua*") and how much he had been humbled by the late occurrences. ("*Oro, miserere animi non digna ferentis.*") "Two months ago he had not the most distant notion of what was to befal him, and he had never moved a finger towards obtaining the appointment. Our most excellent Diocesan had made the selection from the best motives, and entirely on his own judgment; and no person had a right to question its propriety. And after being chosen for the office, unworthy as he was, he did not venture to shrink back; but felt himself bound neither to be wanting, nor unwilling, to render his aid and co-operation to our most excellent Diocesan."

"The comparisons which had been drawn in the newspapers were both unjust and invidious. Comparisons had nothing to do with the matter, and he deprecated them altogether. Our most excellent Diocesan ought to enjoy the privilege of being guided by his own discretion in such matters. He was fully humbled under a sense of his own unworthiness, and deplored the impetuosity of his temper; but at the same time he assured his dear brethren, that they should not experience any thing to complain of on that score; but that he should ever be ready to listen to their wishes and applications, and he hoped they would all readily co-operate with him and our most excellent Diocesan in every measure that would tend to promote the common cause of rightcousness.

"*Dixerat Anchises:*" such, or nearly such was the burden of the song. The exact words I cannot vouch for as I am only a heresay reporter; the spirit may be relied on as here recorded; "*figuram animi magis quam corporis.*" It oozed out, I am told, like viscous varnish out of a narrow necked bottle, sticky and loath to come. There was nothing throughout, of the "*animo vidit, ingenio complexus est, eloquentiâ illuminavit:*" nothing of the clear head, and clean heart ("*mens conscia recti,*") which puts life even into a lisping tongue, and animates the lips of the most indifferent orator. And therefore, not a tear was shed—not a touch of sympathy responded to so heartless an appeal. It seemed to die away in the air, I am told, as fast as it was uttered, and was felt to be "*magno conatu nugas nugas.*"

The Bishoph eard,—Therapon heard,—all that were left of the party heard; but not a whisper in reply. Whether or not any heart was revolving over "*semper ego auditor tantum? nunquamne reponam, vexatus toties,*" I cannot aver: but the Arch-deacon, be it re-

membered was in his own castle, and under the wing of his patron, and mercover all the most vigorous, as well as the most mild of the dear brethren were away: and so the rest, I presume, thought within themselves "*suâ se jactet in aulâ æolus.*"

Of the Archi-deaconal transaction itself I have now neither time nor patience to speak or write. I cannot away with it. And if I could write, I fear it would be after such like a fashion.

"Hæc ego non credam venusina digna lucerna,
Hæc ego non agitem?"

Yes "*agitem*," though I am not even a fiftieth cousin of the great arch-agitator. It is a subject, that requires more than a mere cursory discussion. The evil lies deep, and wants eradicating root and branch. "*Longa est injuria, longæ ambages.*" I confess I am utterly at a loss to comprehend what the Bishop is about; and I find others equally share with me in my want of comprehension. I am daily looking forward to the time, when "*remota erroris nebula*," he will identify himself with Daniel Wilson. If "*Episcopatus non est artificium transigendo vita*," much less is it "*faciendæ injuriæ*"—and therefore I would entreat his Lordship to beware lest it hereafter be recorded of himself and his bishoprick.

"Auream invenit, chartaceam reliquit."

*September* 5. IMAGO.

[*Ibid.*

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# AFFAIRS OF JEYPORE.

We heard on the forenoon of the 15th June, that an express received from Jeypore had announced some insurrection, in which Lieutenant-Colonel Alves had been dangerously wounded, and Mr. Blake, his Assistant, killed.

Private letters from Jeypore communicate further details of the tragic events. On the morning of the 4th June, Major Alves paid a visit to the zenana, accompanied by Cornet McNaghten on the same elephant with him, and by Mr. Blake and Captain Ludlow on another. They set out for the palace at day-break. On their way nothing extraordinary occurred. At the conference the five Moosahibs were present, the Ranees said their say, and "all went merry as a marriage bell." The party took their leave, and on arriving at the place where the elephants were standing, Major Alves was rather ahead, Captain Ludlow a short distance behind him, and Mr. Blake and Cornet McNaghten in conversation with one of the Khankoors, were bringing up the rear. They were all at this time within the walls of the palace, with a crowd of natives around them, and Major Alves was preparing to mount his elephant, when a man suddenly advanced out of the crowd and attacked him, and ere the fellow could be secured he had inflicted three severe wounds on the Major's head, which immediately brought him to the ground. Captain Ludlow, who was nearest to him, fell immediately upon the assassin who was secured, offering no resistance. The wounded officer was then put into a palkee and sent home. They Jeyporeans around, did not afford any aid to secure the villain, nor did they assist him: they looked on at the murderous attack as unconcerned spectators, with calm indifference and seemed to view the affair as a matter of course. Captain Ludlow and Cornet McNaghten set out by the side of the wounded officer's palanquin, the former alone on the elephant—the latter on horseback. Cornet McNaghten after proceeding a short distance, turned back to look at the villain who had wounded Major Alves, and founded Mr. Blake with the wretch's sword in his hand almost bent double, with four sepahees and two chuprassees engaged in binding the man. The Cornet was probably about five minutes looking on at this scene, when he urged Mr. Blake to come on and leave the man to the Rawul's guard as he was now well secured. Mr. Blake declined proceeding until he should see the fellow delivered to the guard, and wished the Cornet to stay, but the latter desirous of going on with the wounded Major, set off at a hard gallop to rejoin his palkee. He was at this time within the walls of the palace, and had not the remotest suspicion that any commotion had occurred outside, but he had scarcely got without the palace yard when he was assailed with the grossest abuse:—astonished, he looked round to see what was the matter, when suddenly about 20 men rushed forward to seize him—innumerable brickbats were hurled at him and he rode the gauntlet down the principal street of Jeypore through a perfect shower of these missiles. His escape was miraculous; had he stayed another minute or had the speed of his horse been checked nothing could have saved him. It was afterwards discovered that the animal had been struck in several places by the missiles aimed at him. The corpse of Mr. Blake, who has been savagely murdered, was recovered after the riot was quelled and brought into camp on the evening of the 4th, and on the morning of the 5th the remains of this gentleman were consigned to the grave.

It appears that this lamented gentleman left the palace on his elephant very soon after Cornet McNaghten quitted him, but when he got outside, he found an infuriated mob collected, who brutally assailed him—a precaution which European officers seem constantly to neglect, as if they really thought the security of their lives of no importance—or as if there could be any thing implying too great a regard for lives of such value to their country as Mr. Blake's was, in conforming in that respect to the custom of this country. A single chuprassee was sitting behind him, and he ran the

gauntlet for some time on the elephant, until some suwars galloped up from behind and hamstrung the poor beast, while others were poking at him with spears. He managed to get the elephant near a temple, when he jumped off and sought an asylum from the fury of the mob in the sacred edifice. Vain hope! he was dragged out and murdered in the most barbarous manner in the middle of the street.

The Rances are stated to be all fighting within—the Thakoors and Mootsuddies all intriguing without. It is not believed, however, that either the Rawul or the inmates of the zenana were at all privy to this tragical affair. Expresses had been sent off to Nusseerabad for troops; these expresses would reach that station by the 5th, and the cavalry would probably reach Jeypore by the evening of the 6th or the morning of the 7th. The Minister's authority was respected within the walls, and while that lasted, Major Alves was safe in his camp from further assault.

Such are the particulars of the shocking occurrence at Jeypore which are contained in private communications. The official letters may, possibly, supply further details. The precise cause of the tragedy is, however, in so far as we know, still involved in mystery: but, this much is certain, that its origin was entirely local and confined in its influence to Jeypore—any inference from the shocking affair that it furnishes reason to dread similar occurrences elsewhere, is quite unwarranted.

The service and his friends sustain a heavy loss in Mr. Blake's murder. A friend who knew him well and who has had the best opportunities of forming a judgment of his character and services, observes:—

"He was a noble fellow, universally considered likely to make a distinguished figure in public life. Although he has fallen a sacrifice to some local exasperation at Jeypore, he was deservedly popular among the natives. his warm hearted disposition, frank and cordial manners conciliated their regard; while his high independent spirit commanded their respect. As to his public services, he has been employed in the settlement of several affairs connected with the Native States, requiring the exercise of great judgment, tact, and decision, in every one of which his efforts were attended with the most complete success, and since his deputation to Shekawattee he has received the thanks of Government for the valuable assistance given by him to Major Alves."

It is indeed lamentable that such a life should be lost to the country and society in such a manner: Major Alves, we sincerely hope, will recover from his wounds. The last accounts were favourable. That any of the party escaped—that the palanquin with the wounded officer attended only by Captain Ludlow should have been permitted by the excited and savage crowd to pass unmolested, is indeed most extraordinary.

After the above was in type, we received from a highly intelligent and esteemed correspondent the following further particulars which confirms in every important point the statement we have furnished. We hope a signal example will be made of all concerned in the murderous attack, but we are not quite prepared to advocate "tremendous retribution," nor even the appropriation of the territory, when there is no reason to apprehend that the Jeypore Minister was at all concerned in the crime.

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*(From a Correspondent.)*

Lieutenant-Colonel Alves, the British Agent, had been on a visit to the Ranee, where every thing had gone off most favorably. On returning from the audience and arriving in the outer court of the palace, the party separated to mount their respective elephants, when a dirty-looking fellow sprang forward, and cut down Colonel Alves, inflicting three severe wounds on his head. The Colonel fell, but was rescued by Captain Ludlow and the chuprasees, while the Jeyporeans looked on in stupid silence. Colonel Alves was then put into a dooley, and with Captain L. on one side and Cornet McNaghten on the other, taken out to camp, while Mr. Blake remained behind to see the murderer secured. After proceeding some distance, Cornet McNaghten returned to the palace to see that the murderer was safely secured, and found Mr. Blake in the act of tying him. Seeing him thus safe, he proposed to Blake to come and look after Alves; but, Blake said, he would not stir until he had seen the man safely delivered over to the Rawul's people. McNaghten then mounted his horse and galloped off. The party inside the palace, which is a very extensive building, appeared quite unconscious of there being any tumult in the town. On quitting the outer court, Mr. McNaghten was assailed with hooting and yells, and several men attempted to seize him. He put spurs to his horse and dashed through them, and rode down amid showers of stones, brickbats, and earth hurled at him from all quarters, through the long street, and finally escaped to camp. Some time after Mr. Blake having delivered the man over to the Rawul's authority, proceeded to quit the Court-yard on an elephant with a chuprassee in the howdah and a suwar riding behind. The crowd had now greatly increased. They assailed him with every sort of abuse—some horsemen came up and poked at him with their spears, but he still steadily pushed on. At length they hamstrung his elephant. He then got from the howdah into an adjoining house, but the ruffians forced open the doors, and seizing him, some of the party held him down, whilst the others,—inhuman monsters,—deliberately cut his throat. In the evening when the riot was quelled, his body was recovered and sent to camp. Colonel Alves by the last accounts was doing well, the minister's authority was respected within the walls, and so long as that lasted, he would be safe from further assault. Expressess had gone to Nusseerabad, 80 miles distant, for troops. These would reach that station on the morning of the 5th, and the

cavalry would probably reach Jeypore on the night of the 6th or morning of the 7th.

A more atrocious affair has never been recorded—no cause can be assigned for such a proceeding. It was but a few months since that the detested Minister Jotiram was removed from that city by our interference, and Colonel Alves, by whom that act was effected, hailed as the deliverer of the country—Englishmen were in high favour, and all was greeting and smiles—and yet now, without a single assigned or divinable cause, the people have risen on us in execration, and in cold-blooded treachery massacred one of our high functionaries and attempted the murder of the chief Agent of the State. The blood of the murdered cries high to heaven, and it will not be permitted to cry in vain. A tremendous example must be made—and it is gratifying to find that our Ruler, for once letting indignation get the better of his naturally kind disposition, and roused to a proper sense of what is due to justice, has placed the forces of the empire at the disposal of Colonel Alves for employment as he conceives the emergency of the case may demand.

Several hundred persons were engaged in this atrocious proceeding. Fortunately none of the Court are implicated, and it is therefore probable that most of the wretches have been marked and will be eventually secured. A dreadful example must be made. It is but three short months since, that the Commissioner of Delhi was murdered. Mr. Louis, the Magistrate of————has been recently wounded—and now to crown all—to add as it were the climax to such atrocities, a British functionary, on his visit to a native Prince, is cut down in the very court-yard of the palace! Our rule of conduct on such an occasion should be suited to the emergency of the case, the slow machinery of our courts is ill-calculated for such contingencies as these. It should be not as usual deliberation—deliberation! It should be action, action, action—or the hour will yet come, when we shall sorely rue our want of energy and decision. We must confess that we should like to see such an example made in this instance, as should strike terror throughout India, and prove that the majesty of our rule shall not be permitted to be insulted without tremendous retribution. We should like to see the affair treated *a la Napoleon*—and some such mandate as the following issued.

"The persons of Ambassadors to a foreign state have been by universal accord of nations considered sacred. It is with mingled pain and indignation that the Governor-General in Council has learned that the British Agent to the Court of Jyepore has been severely wounded, within the very precincts of the palace at Jeypore, while his assistant, Mr. Blake, has been killed. In order, therefore, to mark the sense entertained of this atrocious act of treachery, and as an example that shall not be forgotten by other nations in amity with the British power, the Governor-General in Council is pleased to declare—that the Jeypore state has ceased to exist as an independent principality—that the Rawul has ceased to reign—that Jeypore shall be forthwith occupied by a British force—and its administration be in future conducted by a British Commissioner."

A measure such as this would be hailed with satisfaction from one end of India to another. It would tend more to prevent a repetition of such atrocity than a hundred executions.

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*(From a Correspondent.)*

Nothing, I believe, has yet transpired to prove the connexion between the attempt upon the Resident's life and the murder of our lamented friend, and it is *possible* that all the persons concerned in the last atrocious deed were victims of the misapprehension which evidently led away some of the rioters. I only learned the particulars of our friend's tragical end on arriving here at the beginning of this month, or you may be sure I would have sooner written them to you.

I believe you have seen Jeypoor. The palace apartments are entered from a square which communicates with the Chandnee Chouk, or main street of the city, by a line of three courts, separated by as many gates, and called therefore the *tripolea*. Visitors leave their equipages and arms outside the third gate from the street, and walk across the third court into the palace square. Major Alves went on the 4th of June with Blake, McNaghten and Ludlow to hold a state conference with the Thakoors, the Queen-mother and other Ranees, and every thing passed off well at the Durbar. The Residency party were about to mount their several conveyances outside the third gate, to return home, when a man sprang out from the armed crowd assembled near them, and inflicted three sword wounds upon the Resident as he was going to step upon his elephant ladder; Ludlow, who was a little behind, with much promptitude threw himself upon the assassin, and bore him to the ground, by this act, probably, causing the third blow to fall with little effect on the Major's back. Major Alves received the first, and severest wound on the back of his head, but it did not bring him down, and he says he felt as though he had received an electric shock on the left shoulder. It was not until he got the second cut, which was on the front side of his head, and comparatively slight, that an idea of what was occurring flashed upon his mind: he immediately turned, and saw Ludlow on the prostrate assassin, keeping him down with all his strength, when he himself knelt and held the villain's extended arm and sword to the ground until satisfied that he was secured by the Residency chuprassees. His head was presently bound up in a handkerchief, and getting into a palanquin, he passed unmolested out of the *tripolea* and the city, escorted by eight suwars and attended by Ludlow, who fearing that he might faint from loss of blood, ran some distance alongside of the palanquin, and then mounted an elephant, from which, however, he, after a little while, descended in

the street, to run again by the palanquin to near the Ajmere gate, where after providing some water for the bearers to give their master in case of faintness, he got on a horse, and galloped to the Residency to prepare Doctor Mottley for his patient.

Blake remained behind, talking to me of the Rawul's sons who hurried out on the first intimation of a disturbance, and McNaghten, who rode to the end of the *tripolea* with the Resident's palanquin, on returning to the scene of the outrage, found him standing there, seeing the prisoner more tightly bound, and giving directions for his being brought off to the Residency on a charpoy. McNaghten, who thought that the assassin should be given up to those who were answerable for his deed, advised Blake to make him over to the Minister's people and to mount his elephant and return home; but our friend who apparently deemed it of consequence to have the first examination of the man, said he would see him conveyed to the Residency, so McNaghten, who little knew what a storm was brewing without the palace gates, rode with a single horseman through them into the Chandee Chouk. Hardly had he walked his horse a few lengths down this street, when the crowd which always assembles on the occasion of the Resident's visiting the court began to be abusive; some exclaimed that the Feringees had shed blood in the palace, while others threw dirt and stones at him, so that to avoid being hemmed in and ill treated, he was fain to spur his horse, and dash through the people: he found the tumult subside as he got away from the main street, and slackening his pace as he neared the Chandpaul city gate, he passed quickly out, and cantered on to the Residency, which is built in the "*Majee kee Bagh*," about a mile and a half from the town. It is impossible to say whether the report of the English having shed blood in the palace was set about by designing persons, or, whether it arose from a confused rumur of the Resident's having passed out after having been wounded in some encounter at the Durbar. The impression on the minds of all four gentlemen after the deed, was that some party's attempt to murder the British Representative had failed, and that there was an end of it: had any thing like a popular tumult been expected, of course the whole Residency party would have gone off together, or have put themselves under the protection of the Rawul.

The mob were evidently not inflamed when Major Alves and Ludlow passed out, and there is little reason to doubt that had our friend been on horseback, he would have ridden through them as easily as McNaghten did. Most unfortunately, when Blake came out, either he or the chuprassee Luchmun, who was in the *khuwas* of his howdah, exposed the bloody sword with which the Major had been wounded: the mob on seeing this repeated the former exclamation, "the Feringees have shed blood in the palace," and with cries of *mar! mar!* began to throw dirt and stones. If Blake had apprehended more than insult from this misguided crowd, he doubtless would have here turned back into the palace, but he ordered his mahout to push on homeward, and his elephant was accordingly urged along the Chandnee Chouk for 300 yards at a pace which left the mob behind, and would soon have carried him out of the city, but as he turned into the broad street which leads to the Ajmere or Kishenpaul gate, a guard of the city police attracted by the general cry, ran up and began to wound the elephant to stop its progress. Blake now ordered a suwar who attended him to gallop on to the Residency and report what was occurring: the mahout still pressed on, and had got half way down the street, a distance of 300 yards, when another party of police, "Meenahs," joined in the affray, and hacked at the elephat's hind legs. The *cooly* attached to this animal here displayed great courage and devotion; not being armed, he seized the ladder which hung under one side of the howdah and with it endeavoured to beat off the assailants, but he was soon cut down, and the mob coming up rained stones at the howdah from all sides, exclaiming, "kill the murderer! he has shed blood in the palace." Blake defended himself from the stones as well as he could by holding up the cushions of his howdah, but probably thinking that the city gate was shut, or doubting whether his disabled beast could reach it under such circumstances, he ordered the mahout to drive the animal up to the wall of a *caunder* (or temple) facing the street belonging to Nath Jee Perohit, a respectable native with whom he was acquainted. The door of this building was closed, but Blake, the chuprassee and the mahout, got in at a window, and were conducted by two *poojarries* (priests) to a small room on the ground floor and the extreme end of it, and there locked in; but the mob soon followed them, and discovering their retreat, not only battered down the door of the room, but broke a large hole through the middle of the opposite wall, from an adjoining court, and another on one side just under the roof, from an outside staircase, so as to be able to attack them from three points. Our friend got a sword from one of the *poojarries* just before he was locked in, and with this he defended himself gallantly for sometime, keeping the door, and warding off sword and spear thrusts, but when the dastardly assassins began to fire matchlocks at him through the breaches they had made in the wall and roof, he felt that resistance was vain, and forgetting *himself*, desired the men who stood by him to try the only chance of saving their lives by going out to the assailants. There was a possibility of their being thus spared, for some of the crowd had loudly sworn by the Gunga and Jumna that if they would leave the feringee and come out, they should not be hurt. The chuprassee was the first to go out, he was immediately killed. The mahout was saved by a man who seized his arm and drew him aside. Our friend had one or twice called out to his attackers not to shed innocent blood, as he

was guiltless: now seeing that he had done all man could hope to do against the overwhelming force of his mad enemies, he threw down his sword at the door of the room and went out calmly to face the mob, that filled a small court in front of it, when ere he had advanced two steps beyond the treshhold he was deprived of life by twenty sword wounds. When the intelligence of Blake's death was brought to the Residency, it was with difficulty believed; so little was any thing serious expected from the effervescence of the people, but a few hours afterwards the sad truth of the statement was proved by the arrival of his body which was brought with all possible respect by the servants of the Rawul. He was buried early the next morning close to the Residency, and a monument is being built over the spot, to perpetuate the memory of one who was as much esteemed by Government as he was beloved by his friends.

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*(From a Correspondent.)*

In cases of peculiar atrocity—in all instances of great state emergency, the *salus populi suprema lex* must be recognized as the leading principle of action—and every thing must bend before the law of state necessity! The offence commonly designated by the phrase of *popular* assassination is one which should always experience the most tremendous retribution. It is one which unless instantly checked is very liable to spread, while its mischiefs are of the most appalling nature. In our time we only remember in India three instances in any way comparable to the recent affair of Jeypore. The one the treacherous out-break at Poonah under the Peishwah in 1817. The second the events preceding the battle of Seetabuldee, and in later times the affair at Kittoor, where Mr. St. John Thackeray, the British Agent and all his escort, including four European officers, were cut to pieces. In the two first of these instances retribution was necessarily much delayed, but in none was it sufficiently severe! It is true Appah Sahib the Nagpore Prince was deposed and confined for some years, but was subsequently released by orders from home—and he was very recently believed to be at Joudpore. The Peishwah is a pensioner at Benares, on a magnificent income of £100,000 sterling per annum, and the traitor minister of Kittoor was spared from death and only subjected, together with his accomplices, to imprisonment because he had rescued Messrs. Elliott and Stephenson, who were his prisoners, from the hands of the mob, and spared their lives which would otherwise have been sacrificed. Mr. St. John Thackeray lost his life from his fool-hardiness—he went to dictate to a well armed fortress with a mere escort with which he actually attacked the place, and thus fell in warm blood. There was not so much treachery in this case, as a presumptuous resistance of the supreme authority not at the time backed by sufficient physical force. It is true we subsequently besieged and captured Kittoor and dispossessed the Ranee. But months had expired, no severe example was made, and the opportunity of vengeance for the insult let slip; for under some pretext of humanity or imaginary state policy, we did not hang, as we ought to have done, the murderers. The butchery of the Russian Envoy at Tabreez in Persia, too, was owing to popular tumult excited by his own most indiscreet and indeed outrageous measures, which though they could not justify, at least somewhat palliated after events; but the recent lamentable affair stands perhaps unrivalled in modern times. Looking at it as an event unconnected with state affairs, it is one of no ordinary atrocity. But when the high rank of the party attacked, as an accredited Envoy to a foreign court, added to the entire absence of any assigned cause for such proceeding, is considered—it must be admitted to be a case almost without a paralled in modern history. It merits—it must receive the most signal retribution, or it will be but the precursor of similar, perhaps even worse atrocities. The advantage of decision in such cases we shall take the liberty of illustrating by a couple of anecdotes perhaps not very generally known—but which deserve consideration at the present moment. We venture to request Sir Charles Metcalfe's attention to the same. The first is of Indian history. At the first outbreak of the Maharattahs, two British officers of the name of Vaughan travelling in the Deccan were seized and inhumanly hanged. A few days subsequently, Cornets Morison (now Resident at Bushire) and Hunter (now commandant of the Mysore Horse), with their escort, were also captured after a most energetic defence in which a great many on both sides were killed, the officers surrendering only when the choultry, where they had taken refuge was unroofed—and the enemy could fire on them from above. These two officers would have shared a similar fate to the Vaughans, but for Mr. Elphinstone, the Resident, who sent word to Bajee Row that, as these officers had been taken prisoner, of course the Peishwah had a right to confine them, but that if he injured a hair of their heads, he, Mr. Elphinstone, would hold Bajee Row personally responsible, and would surely hang him wherever he might happen to take him. That most judicious and spirited threat saved the officers from an ignominious death. They were imprisoned in the hill fortress of Woosota, and were released at the close of the war, unharmed.

The second instance is of European history. When the British troops were in Sicily in 1812, many of the soldiers were assassinated. Hardly a day passed but what one or more were stabbed in the streets; great precautions were adopted, but still the ill continued. It however, fortunately happened, that the British commander was one of singular energy, whom no peril could daunt, and whom no man dared to disobey. He issued a proclamation, that "in every instance of assassination in future, the man found nearest the body should be seized, and summarily executed!" This proclamation put all Syracuse in a ferment.

The atrocity of such a mandate called forth furious denunciation, and all the nobles, &c. of the country waited on Sir John Sherbrooke, to remonstrate against such a proceeding. Sir John received the deputation surrounded by all his staff and the officers commanding regiments. The chief noble opened forth a brilliant speech, setting forth the horrible injustice of this order, but was met by Sir John's assertion, that he saw no equally judicious course of saving the lives of his men! "But, Sir John," continued the chief of the deputation, "only think of the atrocity of the order—why I, Sir John, I may be the person accidentally found nearest a murdered soldier!" "I should be sorry for that, Count," coolly replied the commander; "but, Sir, if such should be the case, by the living God, I will hang you over the chief gateway of the city—you understand me!" The deputation withdrew: now, reader, mark the corollary, not another British soldier was assassinated!!

You may say the mandate was illegal, this we will not dispute; but it produced the effect anticipated—it stopped the offence.

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The following is another brief account of the Jeypore affair, which was handed to us by a friend:—

"It will be some satisfaction to hear that the last act of Blake's life was as noble as the conduct which has ever distinguished him through life. Major Alves, McNaghten, Ludlow and poor Blake, went at sunrise this morning, to the *mahal* to have an interview with the Mahjees, and widows of the late Rajah, that every thing passed off well, and on leaving the Durbar a mean looking scoundrel cut Alves on the back of the head and brought him to the ground, and he received two more wounds one on the head and the other across the shoulder. Blake and Ludlow seized the assassin, and, for a time, disarmed and secured him, they then put Alves into a palanquin and McNaghten and Ludlow* mounted their horses and rode to the Mhajie-ke-Bagh in safety, but poor Blake remained behind till he not only saw Alves safe away but orders were given to carry the assassin safe also to the Mhajie-ke-Bagh; the consequence was he was surrounded and the moment he mounted his elephant spears were thrown at him and other missiles, and he got wounded. When he reached the gate he found it was shut, and as there was no possible exist from the city and his remaining on the elephant certain death, he hit upon the expedient of dismounting with his chuprassie and taking refuge in a *mundar*, thinking the sacredness of the place would have saved him: but no, they there murdered him and his chuprassie by name Lutchman Sing formerly in your service. The chuprassie behaved with great fidelity, calling out "murder me but spare my master;" but mercy was a stranger to these villains' breasts. Blake received twenty-six wounds about the face, head, and throat."

* Captain Ludlow returned, not on his horse, but on his elephant, as stated by us in a preceding page.

This is a trait of native character, a noble instance of fidelity and a redeeming feature in the tragedy of Jeypore which deserves to be recorded. A friend in whose employment this murdered, brave, and faithful chuprassie once was, assures us that he is convinced from his knowledge of the man's character that the statement is accurate. The ill-fated Mr. Blake leaped into the temple first, the chuprassie in following had his arm cut off and died repeating the vain appeal for mercy to his master. Honored be his memory!

Another particular in the above account not known before, is that the gates were shut upon Mr. Blake, at least the guard who could have opened it did not.

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*(From a Correspondent.)*

Two months have now elapsed since the occurrence of the Jeypore tragedy, and though the country was prepared to expect prompt and energetic measures against this state, procrastination is still the order of the day in the British Council. Enquiry and investigation continue to engross the attention of our authorities at Jeypore; but notwithstanding the lapse of time, little progress has been made, nor have any important facts relative to the planners and maturers of this treachery been elicited. Our information stands pretty nearly as it did on the 5th June. Enquiry may be prolonged for the next ten months and the result will be equally unsuccessful, so long as the Thakoors guide the state helm. The public papers have fully detailed matters as far as they have transpired. It is the one and general opinion of intelligent natives in this vicinity that the massacre of the European party was originated in, and executed under directions of, the inmates of the palace. Our chief object of solicitude at present appears to be to trace the crime to its source, with a view to the punishment of all concerned; yet the plain and palpable truth has not struck our authorities, that the only sure mode of attaining this result, is the removal of the present Ministry and the substitution of our own authority. This is the first step and ought to have been ordered immediately on the intelligence reaching Calcutta. Had treachery occurred in Europe, the obvious course of procedure would have been the immediate retirement of our Embassy from the Court—war would have been declared and instant reparation of the insult demanded. Instead of this high commanding tone, which would have saved the culprits only at the sacrifice of the state, our temporising, non-interfering policy has converted this national insult into a police investigation. It is an old but true saying, that below the lamp is darkness, and this has been exemplified at Jeypore. No sooner was the act committed than the Minister was down on his marrow bones. If he had succeeded in, or at the very least had connived at the murder of one officer, and the wounding, as was then supposed, to death of the Resident—then came fears for the consequences. This atrocious act had been committed during his Ministry, and

as no sword was drawn no hand was raised in defence of the unfortunate-unarmed foreigners, his Ministry was, to all thinking people, at an end. To obviate this unpleasant, this inconvenient result, the cold, calculating, natured act of the Court is interpreted as a popular ebullition. The Rawul and Mahjee are constant in their enquiries as to the Resident's health and the compliment may, perhaps, be reciprocated; but as Lord Wellington said of a county meeting, this is a complete farce. We are not in a humour to bandy compliments—we are engaged on matters affecting existence—the existence of ourselves as Governors; the saving the country from anarchy and the sword. Would to Heaven our *Adalut moguddamahs* were as free from doubts and difficulties as the Jeypore case—we have only one course to pursue; to take the country, and this effected, to make known to the Mahjee as the head of the temporarily-extinct Raj, as we would to an ordinary prisoner, that only on an ample, full and unreserved disclosure of facts and particulars, will the state be permitted to exist as an independent principality. During the period of our rule in Rajpootana, detachments have constantly trotted out to Jeypore double quick; but on no occasion has a shot been fired: the valour of the Jeyporeans has always subsided into obedience on the arrival of our troops. The revenue of this state is rated at a crore of rupees: one-third *kalsah*, the same portion *istimrar* or jagheer lands, and the last *khyrat*, or for charitable purposes. The country is fertile and water in abundance near the surface; and though the present produce is far short of half this amount, still by proper management and conciliation, and the restoration of confidence and tranquility under a settled and equitable rule, commerce and agriculture would prosper and the revenue progressively increase. It is the deliberate opinion of well informed natives, that it would be an act of magnanimity, of mercy, to take the Government of this state under British guidance. It is now so completely torn by various factions that no confidence can be placed on the administration of the nobles. The substitution of our authority would immediately quash these factions, or like an unfed lamp, they would quickly become extinguished from the absence of proper sustenance. When the Thakoors have been removed from power, it is not improbable the secrets of the massacre will be disclosed. But allowing the crime emanated from the Durbar, and that fear or pride prevented divulgement, still we can impose a heavy pecuniary fine on the state, seeing, at that juncture, the principality and its resources would be under our command. The governing the state for the benefit of the Raj would mark our disinterestedness and shew the world territorial aggrandizement formed no part of our policy. On taking possession of the country, the presence of an efficient force would be necessary; for though some demonstration of resistance might be made, an ample preparation for defence is the next thing to preventing attack. The *fouj* of the Raj, now a hungry, rebellious rabble, should be armed, disciplined, clothed and regularly paid. In a word, it should be made an efficient soldiery and useful to the state. As it would be necessary to divide the principality into several Purgunnahs by officers under the immediate orders of the Resident or Chief Commissioner, a portion of the troops should be attached to each district: thus rendering, after a short term, the presence of regulars, except in limited numbers, unnecessary. The Thakoors and jagheerdars should be taught to look to the soil as the legitimate source of their incomes, plough-shares should be encouraged as substitutes for tulwars: and in case of disinclination to follow this advice, they should be disarmed, as was done in bringing the Mhairs into subjection and civilization in 1822. The education of the young Rajah must receive undivided attention; since it would be our object to make him a Prince among Princes, a pattern of a ruler suited to the enlightened times. This subject I would strongly recommend to the consideration of friend INDOPHILUS. And last, though by no means least in importance, is the decrease of the *muhal*, by distributing the Princesses and their legions of attendants, throughout the state. This is urgently necessary to the proper working of the machine of Government: for the palace unless remodelled will continue the nursery of every species of intrigue and cabal. Indeed, all the evils Jeypore has suffered for some years past have been engendered within the *muhal*. With regard to the ways and means, this state must of course pay the price of its regeneration. By the existing treaty, we receive four annas of the revenue in the rupee; it therefore is manifest the greater the improvement and prosperity of that country the more to our advantage. But setting aside pecuniary considerations, the peace and tranquillity of Rajpootana, indeed of upper Hindostan, hinge on the good government of this state: for anarchy, like a contagious disease, requires prompt and severe treatment to prevent its spread into neighbouring territories.

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TO THE HONORABLE SIR C. T. METCALFE,

*Governor-General of India.*

SIR,—I take advantage of that freedom of the press which you have constantly advocated and have now secured, to express to you the sentiments which I hold in common with almost the whole community upon the late occurrences at Jeypore. The general opinion has indeed been already made known, as opposed to the view of the case which you have received officially from Major Alves, but I have not observed any public print in which the reasons for this general opinion are so detailed, as to confer upon it the importance which it deserves.

It is fortunate that all the accounts which have been given from different quarters of this transaction, coincide, as regards the main facts, with each other, as well as with Major

Alves's official statement. These main facts may therefore be considered as established, and they are universally thought to prove that Major Alves has been led to false conclusions, and that the honor and safety of the British name are likely to suffer in his hands.

In the first place, during the durbar which preceded the events in question, was a word of warning given to the English party that a tumult in the city was expected or feared? It is true that Major Alves has expressed an opinion, (changed and re-changed in the same official letter,) that the disturbance in which Blake fell was unpremeditated, and took its rise from the attack which has been made upon himself. But is this supposition credible, considering that the attack upon Major Alves was a momentary event; that it took place within the walls of the palace and not in the midst of the populace; and that the subsequent tumult was so immediate that even Captain Ludlow and Cornet McNaghten, who followed closely upon Major Alves's palanquin, escaped with difficulty. Is it not rather forced upon the conviction of every one by the circumstances of the affair, that the massacre *was* premeditated, and that the blow at Major Alves was only the lighting of the train, the commencement of the explosion? and, if so, is it to be credited that the numerous members of the Durbar were ignorant of what was in agitation? It is seldom that secresy such as this is observed in the council of a native mob.

In the second place, did Rawal Byree Sal, to whom the troops of the Jeypore state are known to be obedient; did any one of the influential Thakoors, appear in person, or take any steps to save the British authority from further outrage, either when the chief representative of that authority was cut down at their very door, or during the long interval by all accounts more than one hour, that poor Blake was making his hopeless stand in the temple which proved to him no sanctuary? This is the damning evidence, of which let the Jeypore Court and Thakoors clear themselves if they can. I trust that there is but one individual in the empire who would receive without derision the Rawul's story of his staying to quiet ladies tongues in the zenanah, while British blood was flowing without in consequence of his timely absence. Had he appeared at the head of a few regular troops; had he even taken his stand singly between the mob and poor Blake, the latter would have escaped the fate to which he was coldly and mercilessly consigned.

But is it customary for a native populace to rise against our authority with so deep a feeling of animosity and blood-thirstiness, unless they are aware that similar feelings are entertained by their own rulers? It is true that an European functionary has sometimes fallen, as occurred lately in another presidency, in a moment of religious excitement: but, putting aside such instances, where has the population of a city risen against us, from political motives, in the same spirit as at Jeypore, unless when instigated to it by their own native chiefs? More than all, would that city guard have dared to turn against Blake in his extremity; would they have ventured to put themselves foremost among the attacking mob, unless they had been aware that this conduct would meet the views of the rulers by whom they were entertained and paid, and with whom their persons *were known*, and their names registered?

These are the grounds, Sir, upon which it is universally considered that the view taken of this affair by Major Alves is wholly fallacious, and that the adoption of his sentiments by the Supreme Government must lead to steps which will be unsatisfactory in every way, and quite inadequate to wipe off the insult which our power has sustained. The insult in question has been inflicted by the *united and unanimous* act of the city of Jeypore. No faction or party can be made the scape goat, for all joined in the pursuit of Blake, and all whoever could reach his body inflicted a wound upon it. It is almost equally certain that those possessing power in the state were the instigators and abettors of the deed. What would Acbar or Aulumgeer have done had their representative been similarly treated? They would have levelled the offending city with the ground. To have given it up to three days pillage would have been a suitable retribution, as the punishment would have been as universal as the crime. Lord Clive or Lord Wellesley would have declared the Jeypore rule to have ended from the moment that the intelligence was received. What shall we do in these less energetic days? Is the execution or perhaps murder of a few low caste and friendless individuals, selected at the choice of the native rulers to satisfy our wounded dignity? The Rawul will feed the British vengeance for years on this condition, and there will be no fear of the daily victims not being forthcoming.

It is generally understood that, independently of his exculpation of Jeypore the ruler, Major Alves affects to consider the whole melancholy occurrence as a "trival affair."

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Whatever may be the cause, I trust, and the country trusts, that he will not be able to infuse the same tone into the councils of the state. If so, we shall be sowing the dragon's teeth, and assuredly we shall reap the armed men—already are symptoms of the dangerous crop to be distinguished. But I would ask, what power had Major Alves to enter into communication with the Jeypore authorities; to receive condolences from the Ranee and Rawal, and ridiculous apologies from the infant Raja; nay, to pledge himself that the interests of the latter should not suffer, before he knew how his own changeable and singular views would be received by the Supreme Government of the country.

It is perhaps hopeless to expect, that under the system which has been now adopted for regulating our conduct to the Native States,

any thing short of the strongest legal proof of the guilt of the Jeypore authorities will lead to the annexation of their territory to our own. It is true that such a measure would be recognized as just and laudable by the whole native community; that it would relieve in some degree our present financial difficulties and give us a vantage ground, which we greatly need, for curbing the disaffected and restless spirits of the rest of Rajasthan. It is true that the people of the Jeypore country would be benefited by such a step, while the Rajah, whose interests alone would suffer, is of immature age, and I believe of doubtful legitimacy. But should this course not be pursued, let a heavy fine be imposed on the guilty city for the erection of barracks, stables, &c., for three or four of our regular regiments; let this force be permanently settled at a short distance from the city itself; let its entire expense be defrayed from the Jeypore revenues, and let the useless troops at present maintained by that state be disbanded to the extent required. Finally, let an able Resident, such for instance as holds at present the appointment at Gwalior, be invested with the entire management of the country during the minority of the Raja, and let him have full power to controul the turbulent and factious aristocracy, and to reduce them to the condition of subjects. Let the education of the young Raja be committed to his sole superintendence with the assistance of such European instructors as may appear to be necessary, and let him be withdrawn as much as possibe from those who would instil into him native feelings and prejudices. There will then be hopes that one at least of the larger Rajpoot states will become in future days a firm friend instead of a secret enemy; a bulwark upon our frontier instead of a weak and vulnerable point. We have conferred great benefits on these states in releasing them from the Maharatta dominion, but their rulers are nevertheless generally hostile to us; we shall deserve to lean for ever upon broken reeds, if we allow the present opportunity to pass by without at the same time vindicating our honor and improving our position.

I remain, Sir, your most obedient servant,

SUUM CUIQUE.

*Upper Provinces, July* 20, 1835.

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SIR,—Your correspondent SUUM CUIQUE, whose letters appear in your paper of the 6th August, shews himself well qualified to deliver an opinion on the most important question of the day—"what is our wisest policy in regard to Jeypore at the present moment?" With the majority of the correspondents of the public press, he concurs in calling for the infliction of a summary vengeance, and for the sequestration of the country. The views of other writers bear evident marks of being hastily and superficially formed; your correspondent has had better means of information at command; but though he gives some sufficient arguments for some of his conclusions, he has neither done justice to Major Alves in other essential matters, nor displayed much depth of foresight or reflection in his final determination.

2. I am disposed fully to agree with him in thinking that Major Alves acted unwisely in giving the assurances he did, to the Ranee and to the assembled Thakoors in reply to their letters of condolence; he had even then ample grounds for suspecting that guilt would attach to several of those chiefs who signed the letter, and he had not a single proof of the innocence of any one of them beyond their own (of course) most solemn asseverations.

3. Major Alves moreover, has been slow in admitting the connection almost self-evident to every other individual between the attempt on his own life and the murder of Mr. Blake. He is said too to have given admission into his mind to the fancy that Mr. Blake provoked his own fate by an imprudent parade as he drove through the town, of the blood-stained sword, wrested from the hand of the assassin. This certainly appears a strange and forced assumption when Lieutenant McNaghten was at hand to remind him of the abusive and injurious treatment which he also experienced from the mob and others, though he left the palace long before Mr. Blake and carried about with him no such provocative of insult.

4. The armed men at the palace gates joined in the fray; indeed they appear to have been the first instigators of it; the sepoys of the city police-chowkees ran with eagerness to the scene of confusion, and took the lead in pursuing their ill-fated victim and ceased not, till they had cruelly butchered him and his attendants. Are not these facts alone sufficient to prove that the conspiracy was directed by men of influence and present power? Is it possible that these men acted without authority and merely from impulse?

5. Thus far, therefore, I readily concur with your correspondent; but I deny with confidence that there was up to the end of July, any ground or evidenee calculated to throw even a suspicion of guilt on Beree Sal. To the British Government this man lies under the deepest obligations; to it he owed his elevation to the office of Minister; by its intervention he has been repeatedly saved from the ruin with which he has been constantly threatened by Jotharam since his accession to power. He seems to have had no time to appoint men in his confidence to the heads of departments, which consequently still remained in the possession of his rivals, the friends and nominees of Roopa Boorarun and the deposed minister. All the most recent enquiries confirm the suspicions of guilt attaching from the first to these persons.

The reluctance betrayed by the Majee Sahibn to follow up to the full extent of our requirements, that course pointed out by the Supreme Government as the only one which could satisfy its wounded majesty and ensure the integrity of the Jeypore state, is a fact that carries our suspicions to the very head of the state, and if these are well-founded, an embarrassing question may arise.

6. Your correspondent seems to me to have been guilty of a misrepresentation most unjustifiable, considering his better means of information, in asserting that Major Alves affects to consider the affair as "trivial"; on the contrary Major Alves has ever spoken of it in its true light, as a most serious and momentous and most melancholy affair. Your correspondent moreover acts with great unfairness in using that officer's own more recent conclusions founded on subsequent enquiries in order to attach blame to his first impressions or rather bare suspicions professedly crude and formed, as is repeatedly expressed, whilst he still remained in the dark from the want of any satisfactory evidence. I readily appeal to SUUM CUIQUE himself and ask him "Does not Major Alves manifest throughout not only a magnanimous calmness, but an openness to receive such impressions as the evidence and the evidence only may warrant?

7. Major Alves seems to me to have shewn a want of that instinctive intuition, and of that appreciation of internal evidence which is the invariable characteristic of great genius, but may he not have felt himself precluded from using or laying stress on any but legal evidence. He must doubtlessly have also felt the preculiar difficulty of his position. He is the judge of a cause which is not only his Government's, but that of himself personally, and he may have been influenced by this fact in guarding against the possible imputation of seeking vengeance for his own wrong rather than simple justice. I write without authority and at a distance from the scene; but though full of anxiety to see the most ample reparation made to the British Government, I conceive it may be effected without the commission of any injustice either to Major Alves or to the Jeypore Government. Major Alves's position seems to me to justify my surmise that such an apprehension as I have mentioned has probably existed in his mind.

8. The apprehensions which I felt when I first read Major Alves's very superfluous letters of assurance to the Ranee and to the Thakoors, were readily dismissed when I observed that just consideration was given to the subsequent evidence as it transpired; and I still say let us not unnecessarily expose our weakness by refusing to await the issue of the present enquiries. The more patient and deliberate the investigation, the greater weight will be attached to our final award. The more the guilt is exposed, the more readily shall we carry with us the concurrence and approbation of all good men in all parts of India. It is only by observing this course that we can escape the odium of an indiscriminate sacrifice of the innocent with the guilty. As for the condign punishment of every individual concerned in the treachery, who can gainsay its policy. Our very existence in India prevents our listening even to reasonable appeals for mercy in such cases as the present.

9. And still strong reasons for mercy, even in this case do exist, and, though we will not listen to them, history will not fail to record them. We may indeed acquit Mr. Blake of having provoked his own fate by the triumphant display of the assassin's bloody sword, but can we with equal truth acquit the British Government with all its boast of non-interference, of having provoked this cruel infliction upon itself by sending Major Alves with the sword into Jeypore? I have sought, but I have sought in vain to learn, what legitimate grounds we had to dismember Jeypore of Shaikawatee; and granting the justifiableness of that proceeding, I ask what right, or shadow of a right, had we to seize upon the Jeypore's share of Sambur and to eject Jotharam from the management of affairs? My philanthropic friends ask me in return if I am utterly lost to the common feelings of humanity; if I have no commiseration to spare for a whole people groaning under a dreadful oppressor, a monster of iniquity, a miscreant who crowned a countless list of the blackest crimes by the treacherous and cruel murder of his own prince? Were we, I reply, responsible or security in any way for the personal safety of that prince? If Jotharam was the monster of iniquity he has been represented as being; if he was held in universal execration, what prevented the chiefs and the people from rising "*en masse*" to take vengeance for themselves and for the blood of their murdered prince? Were they apprehensive of the course which the British Government would take? Colonel Lockett or Major Alves might easily have been instructed to assure the people that we would not oppose the sacred cause they were all ready to promote. The bare assurance ought, if Jotharam has been truly represented, to have been instantly followed by his downfall.

But the arguments of my very philanthropic friends in favor of interference were not so readily exhausted; they maintained that the unfeeling monster was no fool; that foreseeing the inevitable result of his own superfluous iniquities he had amassed private hoards of gold to secure him against this otherwise inevitable destruction, and that by this spoil he commanded the services of a small band of unprincipled and desperate men, whom the same diabolical passion for the plunder of the people, and a common sense of the consequent danger, bound in the strictest league. They assured me, however, that Jotharam's faction was small and most inconsiderable.

10. Did the British Government, acknowledging the force of these arguments, and on the express understanding that the faction headed by Jotharam was small and inconsiderable and held in utter abhorrence by the body of the outraged people, determine on undertaking itself the ejectment of the regicide minister and his unprincipled gang—that it might monopolize to itself all the golden opinions, and all the overflowing gratitude of a whole nation made happy? Moralists may forget to rail at the ensnaring dangers of supreme power, when they see it so worthily, so benignantly employed!!

Let my readers now, if I command any, bear in mind that it was on the express understanding that Jotharam's faction was universally execrated and perfectly insignificant, that the British Government undertook to eject it, and mark well the sequel. Major Alves at the head of a large force calls for the surrender of Jotharam; the Majee Sahibn and others manifest much reluctance in compliance; no alacrity, strange to say, in backing our demand was shewn by the people or by any party; the corps that were clamorous to get into cantonments were again and again held back to give effect to the order of the Resident. The nature and strength of the so called petty, odious faction began to be better understood. To eject Roopa Burarun and others was found impossible with all our force, and threats, remonstrances and expostulations were equally vain. The minister finally gives himself up and Bercc Sal is thrust into his place. Some Thakoors quit the scene of their country's fancied degradation. All remain quiet and sullen. There are no joyful addresses to betoken the expected outbursts of gratitude. Even Bercc Sal lived in fear and trembling for his life.

Now every man will readily confess that our conduct to the Majee and to this faction, whatever be its strength, was sufficient to excite their bitterest resentments and their keenest malice. Most assuredly it was, for they were disappointed and insulted men and women, with the same passions as men and women in more civilized countries, but without any of the principle that compels men in civilized countries to put upon themselves some restraints in the mode of indulging those passions. They were represented as being devils incarnate; it ought to have been moreover borne in mind that they were also uncivilized and unscrupulous barbarians, and that they had been insulted by us in the very point in which Rajpoot pride could most ill brook insult, and galling degradations.

11. What then were the consequences? They were exactly such as were to be certainly expected and ought to have been better guarded against by men that knew any thing of human nature. This faction now put forth a decided demonstration of its irritated malice, and incurable hostility. It did more; it exposed to our astonished eyes a strength and a front that were never before allowed or dreamed of. SUUM CUIQUE proclaims to the world that it was the "united and unanimous act" of the whole city of Jeypore; and can we gainsay his conclusion when not a single hand nor a single voice was raised to save the unfortunate Mr. Blake and his devoted attendant from a long threatening death-pursuit and their very corpses from the cold-blooded infliction of every indignity that even a quiet reflection could suggest? SUUM CUIQUE would therefore condemn the whole people and sequestrate the country!

Have we then lost all sense of shame, all sense of consistency, and all sense of justice?

Indulging in a speculative benevolence, and an uncontroulable disposition to meddle in other men's affairs, and blinded by an overweening vanity that will not see things in their real and true light, we insist on denominating the friends of Jotharam a paltry, inconsiderable and ruthless faction which was abhorred and detested by the whole people; on that ground we justify our determination to remove him. We now find that we have been grossly deceived. But with what consistency or justice can we now give this same faction any other designation? Can we not be consistent in our policy for even six short months? To sanction an unlawful interference, you represent the existing administration as a mere faction; to justify the selfish and equally unlawful assumption of the country, you now proclaim the very same persons as the representatives of the whole people! You goad a wild horse to madness; you then thrust an incapable rider on his back; as was to be expected the horse kicks you, and throws his rider at starting. Though your own folly alone is to be blamed, you must crown your utter unreasonableness and your selfishness by demanding the horse as a deodand for this proof of its incurable vice.

I recollect when I was at school there was a big boy, whom we used to call Bill the Bully. It was his delight to beat a little boy till he cried; and when the little boy cried for the beating, the Bully would then again beat him for crying. Boys at school have less law perhaps in their heads than learned chancellors, but they are ever true to nature and to natural justice. We then held Bill the Bully in universal execration. And is this the example that SUUM CUIQUE without looking back and without consulting better judgment, and his host of supporters without consulting their judgment at all, call upon the British Government to follow? He opens to us the page of history that he may incite us to a more close emulation of the cold-blooded and damnable hypocrisy of the relentless persecutions, and foul usurpations of the arch-impostor Alumgeer, who wrought his way to the musnud by the murder of his best friends, of his brothers, of his father, and of his king.

12. Our rule indeed is already much too like to that of Alumgeer; in its impoverishing effects it is much more pernicious. But it is as vain as it is ungracious to labour to open the eyes of our countrymen to the real nature and effects of our Government, and to the character we actually bear in the estimation of the people for whom alone we should rule. Mill has held the glass up to our eyes; but we straightway forget the complexion of our face. The talented FRIEND TO INDIA places the portrait weekly within our view. We look and admire his bold strokes; but our own self-seeking imaginations can devise much more pleasant and much more flattering likenesses. Can I adduce a stronger instance of the inveteracy of this disposition to self-delusion than that occurring in your paper with Mr. Hutchinson's letter in it. If there is one truth which the FRIEND TO INDIA has laboured to prove with more earnestness and force than another, it is

that we grossly deceive ourselves in fancying that the Oude or any other of the Native Governments give less happiness to their subjects than the British Government to its subjects. He deprecates our giving admission into our minds to an assumption so false: he beseechingly prays that we will not act on such a mistaken notion. Mr. Hutchinson cannot contain his self-gratulation on witnessing the striking resemblance, the all but exact coincidence (he certainly acquits the FRIEND TO INDIA of plagiary!) existing between his own and the FRIEND'S opinions. And what are Mr. Hutchinson's opinions? that the people of Oude are groaning under an intolerable load of oppression; which he believes to be so great that in his benevolence he anticipates with joy and with certainty the immediate assumption of the reins of Government by Lord William Bentinck. Is not this a melancholy obliquity of vision—crooked perversion of judgment, that can see a striking coincidence in things diametrically opposed! We are all blinded by the same gross partiality. And how, moreover, were Mr. Hutchinson's opinions formed? professedly from the daily prints, which, entirely monopolized by our fellow servants and our countrymen ever looking for money and place, represent only one side of the picture.

13. Your contemporary the *Courier*, in commenting upon the letter of SUUM CUIQUE, derides the bare idea of consulting the wishes of "the people." Of the people, indeed! he asks with a sneer? In my simplicity I had thought that the wishes and happiness of the people should be the first consideration with every Government. We are all ever animated by the same self-seeking spirit. Our ears are ever listening with the fondest and most absurd credulity to the delusory but pleasing tales of British justice, British moderation, and British anxiety to promote the good of our people, till in spite of all that the FRIEND TO INDIA and others have written, we really believe them. But I still maintain, that the British Government has scarcely a single element of popularity in it, when administered even by the best of its servants; that a bad native government has in spite of its defects many elements of popularity, and that a good one makes its subjects as happy as their state of civilization enables them to be.

Is not the path of honorable ambition almost entirely closed to native talent by our rule? To what power can any native aspire? To what degree of wealth can he ever arrive by the longest services to the British Government? We say that they are a corrupt, unprincipled set of men, incapable of speaking a word of truth; that we must pay them according to their deserts, that is, their want of all principle; we therefore give them a mere subsistence. After thus making every allowance in their low rates of pay for their fully anticipated want of principle, we still are inconsistent enough to exact a degree of virtue and integrity to be ensured even from men of principle only by a high rate of remuneration. Such is the just retort which a talented native friend of mine lately gave me. But how is it in native governments? They all afford the freest field for the indulgence of the passion, for power and for the acquisition of wealth, and the frequent changes we witness in them shew that all, who would climb the slippery heights of ambition, have their day and their turn in the possession of the highest places that subjects can fill. The fact we cannot deny; but here we again shew our partiality and gross want of candour and justice by inveighing against individuals: all their struggles for power are designated by the depreciating names of intrigue and corruption, and a longing for the powers of the oppressor. A regulated routine succession, which as our rulers are begining to observe, has banished from the service all energy and exertion, and the necessity for exertion, happens to have also removed us from all temptations to use the arts of rising in office; and we pride ourselves upon our freedom from those vicious arts!! The female who was shut up in a cell to which human creature could not by any possibility find access might, with as much justice, boast of her immaculate chastity!

14. In the next place, all the native governments give not only a real and true toleration (Wuzeerooddowla of Tonk by-the-bye, is deviating from this course, but he will repent or fail,) to all classes of their subjects of all sects, but they add also a substantial encouragement and liberal support to all their many churches, and to their several pions and learned, or reputedly learned, principals. If this be questioned for a moment all doubts will vanish when we reflect that neither Chundoo Lal at Hyderabad nor Dataram at Tonk, nor Khooshwukt Raee at Bhopal, nor Durshun Sing and other Hindoos at Lucknow, who fill or have filled the highest offices under Mussulman princes, were likely to allow intolerance to, or to neglect the interests of, their sects. In the same manner we have lately seen Salahooddeen, a Prime Minister of the Nagpore Rajah, ready to secure, should it have been dangered, the interests of his brotherhood.

15. Is our government equally liberal or even equally tolerant? On the contrary, is not every Mooluvee and Brahmin kept in a state of anxious suspense by the constantly recurring enquiries as to the validity of sunuds of the oldest standing? In the last few months I have received many applications, pressed with an earnestness that showed their anxious fears, for letters to different collectors in Rohilcund to intercede in regard to their enam lands. This remark applies to grants of land, &c., of old standing. Our limitation of the duration of grants to the lives of the professors is most unpopular. The term "*heen hyat*" poisons the relish of the lives of many men, I know, who happen to have children. If we ever made any new grants, the lapses or resumption of old ones would not be much dreaded; but a state of utter hopelessness fills the minds of all parties when they reflect that neither Mooluvees nor Brahmins can by

any possibility, by any amount of acquirements, by any reputation for sanctity or for learning in their own departments, obtain through any influence whatsoever the grant of a single beega of land or of a single rupee, much less a competency to free them from temporal and personal cares, and thus to enable them to devote their time to the spiritual and eternal interests of their several communities. In Europe we see the spirit of toleration making daily advances; and christian governments now not only removing all disabilities from their Jews and other once despised sects, but also granting support to their several churches. Our India Government on the other hand is actually receding in regard to toleration. The Home Government after long withstanding the persecuting recommendations of Mr. Poynder and his enthusiastic friends has finally issued its orders for the withdrawal of the long established public superintendence and distribution of the revenues of the Jugunath and Gyah, and other Hindoo temples, in the hope, I believe, actually avowed, that the confusion and the scramble which will hence arise amongst the interested priests and their unrestrained exactions may bring these places of pilgrimage into disrepute. However innocent the act may be considered separately from its motive, it betrays, when considered in connection with the motive, a most dangerous and lamentable spirit of persecution. The abolition of the Suttee rite, barbarous though it be, was a breach of the letter of the law, and of our proclamations repeated whenever we entered a new territory, for this right is enjoined on widows in many reputed Hindoo revelations.

Farthermore, are not our Missionaries and other enthusiasts, constantly galling, without consideration and without judgment, the tenderest feelings of human nature, by exposing the absurdities and falsehoods of all the most revered books of all sects?

And have not some of the most zealous and most talented leaders in the cause of education, thrown themselves into the hands of the professional propagators of Christianity, and thus given to the cause of conversion all the weight of their great influence? And has not this band sent their proclamations thoughout the land, proscribing every native classical work, whether Hindoo or Mahumudan, as too full of obscenity or folly, or superstition, to admit of their being patronized by them or used in their schools? The intolerant zeal of this party has indeed so far blinded their better judgments, that with a Russian barbarity they are not only labouring to uproot the national literature of the people as worse than useless, but they are also striving to abolish the very characters in which it is written. It is a project that must assuredly fall to the ground; it is visionary and impracticable, but the attempt to introduce it must disgust all who are not sycophants at heart, and is therefore so far dangerous. And to crown our intolerance, the Governor-General in Council has not hesitated to adopt the views of this band of unreflecting enthusiasts so far as to pass an order, that the whole amount of the funds destined for the education of the people, shall be expended in the promotion of only English literature, to the utter exclusion of all that the people of this country holds most dear and most sacred. The goodness of the motives prompting to these acts can stand as no excuse to men with good reason and sound judgment.

16. My too zealous friends, if any chance to see these observations, will not fail to warm in defence of their conduct. From them I despair of receiving a cool and candid consideration. From the public, prejudiced though we all are, I expect a more candid hearing; and of it I confidently ask—does not our conduct in the particulars above referred to, fall far short of the full measure of a perfect toleration? Can the people—one portion of which has ever been distinguished for its bigotry and the other for its pertinacious adherence to the religion of their ancestors—regard with any sentiment approaching to affection that Government whose acts in their eyes admit of no other construction than that they originate in an anxiety to subvert their literature and their religion by the establishment of those of the west.

17. I should be digressing from my subject and take up too much of your space, were I here to enlarge to point out what appeared to me the safe and proper medium between the danger of actually encouraging superstition, and that of proceeding too hastily in the course of national improvement. Suffice it to say, that we cannot legislate even for the quietest race on earth either with effect or safety—without securing the heartfelt concurrence, if not of a numerical majority of the people, at any rate of a majority of the most enlightened of them. Men moreover may always be led faster than they will be driven.

It is not the Government which is conducted on principles that have been demonstrated to be most wise in the abstract and most sound that gives most happiness to the people—but it is one, the feelings and principles and conduct of which are most national, that is which most nearly harmonize, and accord with the state of ignorance prevailing amongst the majority of the people. In this view how dangerous was the benevolent anxiety of our late Governor-General so frequently professed to establish true principles. He might have taken a lesson from Solon, who boasted that he had given not the wisest possible laws to his countrymen but the wisest which they were prepared to receive. We have however no lack of more instructive and more recent precedents in England and elsewhere where ministries have fallen as frequently for being in advance as they have for being in arrear of the intelligence of the age. Our danger in this country consists in the fact that the people has no mouthpiece to tell us of their wishes—no constitutional organ. Its present ministry is half blind and half deaf and it will resign its place only with its life.

18. The FRIEND TO INDIA and a few other writers have so ably explained and made bare the ill success of our Judicial, Revenue and Excise systems, that I may safely pass over these subjects with the single observation that all are alike unpopular, ruinous and vexatious: disgusting or ruining all suitors in our Courts, reducing the agricultural classes to one uniform level of degraded poverty, and harassing to the mercantile community.

"You are never guilty," said a shrewd Thakoor, a subject of Sindia, to me the other day, "of the superfluous violence of confiscating a man's whole estate for an act of fornication like our Raja; but you never fail in the course of a very few years to bring all his treasures by the silent operation of your system, as appointed by law, into the Company's coffers; a few of my kinsmen and bunyeas are getting rich and insolent; tell me how you effect this silent transfer?"

Notorious thieves, who could never remain at large or escape with secure limbs in any native government, are allowed to prey without molestation on our native subjects. We say we have no legal evidence. If Magistrates did their duty, they would shew some portion of that indefatigable zeal and deep interest for our native subjects which have been displayed when the necessities of the British Government were considered to demand their exertion. A general greater exertion in these minor cases would anticipate the call for them in cases of more vital importance.

Whence, too, I ask, arises the almost universal impression that any man, be he a native or European officer, may with impunity run away with the daughter, or the sister of any native, bringing disgrace on the family or depriving it of the woman's services—if he can only induce the woman to say she is "razee." The Regulations have not so far left the cause of justice and morality without defence, nor fathers and husbands without remedy or satisfaction. Although cases of adultery and fornication are used by the native governments as a favorite means of oppression, their course of proceeding still gives much more general satisfaction than ours to the community, who regard our total indifference and neglect as ruinous to all morality.

19. The above observations apply to our established system of Government; let us now briefly consider the general conduct and circumstances of the European officers of Government as individuals, and let me ask "how do we as such stand in native estimation?" Are we distinguished by a never failing urbanity towards all classes of our native subjects, or even with those having business with us? Alas! how few are so! Do we not rather receive them without shewing either care or interest in their affairs? Do we not look down upon them with contempt, and are we not ever eager to attribute the worst motives to their most innocent sayings and doings—congratulating ourselves on our shrewdness in fathoming their cunning designs?

Do we enter into any of the sports, or amusements of those about us? No; the task would be intolerable. Do we assist them with our money in the celebration of their Mohurrums and of their Holees? "What!" you ask me in return with surprize; "would you have us promote such idolatrous displays or encourage them by our presence?" Elisha told Naaman the Leper that he might go, and go in peace, with his idolatrous master into the very Temples of his God Rimmon. But our high priests have now no such commission of absolution. I hope that we are not screening a spirit of avarice under this pretext? The charge you indignantly reject. "Will you then," cry distressed widows, Hindoo and Mussulman; "will you help us in our calamities, will you assist us in the celebration of the marriages of our fatherless daughters?" "We would with pleasure," we reply, "but in reflecting on the causes of the moral degradation of the people of India, we clearly perceive, that it is your expensive marriages, which most largely contribute to produce this lamentable result by perverting the sums of money that should be spent in the moral improvement of your children to the indulgence of a ruinous taste for display."

"You can then have no objection," cries the bunya, made bankrupt by a sudden fall of prices, or the kirsan ruined by the failure of his crops or the severity of our assessments, "to alleviate our overwhelming distresses attributable to no fault of our own?"

Our hypocritical sophistry is not yet exhausted; we have not attended the lectures of our late revered instructor Mr. Malthus, so utterly without effect as not to have learned the impolicy—nay, the great danger of injuring the spirit of independent exertion by an imprudent liberality to any man yet blessed with the "*mens sana in corpæsana.*" The broken-hearted sufferer quits our presence, cursing our hypocrisy and the wisdom that has taught a man so to profane the name of charity.

Thus it is my friends, that with the words justice and judgment, liberality and charity ever on our lips, our acute powers of perception and our enlightened foresight will not allow us to reduce our benevolent speculations into practice in any single case.

Our constant removals, moreover, from place to place, prevent the growth of those intimacies and of that natural affection which might still, in spite of all our wisdom, betray us into occasional gratifying acts of a sympathising charity to some of our subjects.

Nay it would be well, if we even left our subjects free from acts of personal oppression. If our marching officers, and Commissioners and Collectors, and Agents, &c. on their circuits always paid or caused to be paid the price of the wood, and the grass, and the milk, and the sheep, &c. by the sale of which alone now so many that once had ploughs and bullocks, have, by our system, been reduced to live miserably. The poor man curses his

fate. It were more prudent if our speculative philanthropists left him his Fate to curse!

20. But grant that a man has determined to work his way to the affections of all around him; that he is ready to make large private sacrifices of labour, time and money to promote the real comfort and happiness, as far as in him lies, of all entrusted to his care and ceases to waste the hours (that should be given to the people) in writing protests against merit-fostering minutes, and in publishing the faults of his Government and the delusions under which all his neighbouring fellow servants are labouring, modestly fearful lest his own be no less:—suppose, I say, he starts on this noble course, rejoicing to run his race: mark the impediments insperable from our condition as foreigners. They occur to the strongest—to the best man. His more fortunate friend who has retired to England, again and again writes telling him in every letter "that in India he drags out a miserable existence; that England is the only place where he can really enjoy life. Be wise then and come home and not throw away a single rupee on those lying, graceless natives."

If he betrays an honest ambition and a laudable desire for power that he may use it only the better to fulfil his anxious yearning to make our subjects more happy—he is asked "and what honor or credit is there in gaining the good will and affections of these misjudging, ignorant natives! No; take a higher flight; seek a wider field for your ambition; a more dignified audience, where success would be some honor. In England, however, nothing can be effected without money; look well after that in India—that you may render sure the success your experience and talents promise."

If he is made of softer mould, and if his swelling heart is at all alive to the kindlier impulses of our nature, he has no power to resist the fond entreaties of a loving and much loved sister to hasten home, to enjoy in all their purity and with all their refinements the thousand nameless endearments of a domestic life in polished society and a civilized country: he cannot disregard the affectionate injunctions of an aged parent that he will observe such a strict and sober economy as will ensure his speedy return to receive her dying blessing.

The claims of a wife and family again are paramount, they necessarily engross all his affections and all his personal cares to the exclusion of all foreign demands upon his time and purse—what husband can look upon a fond wife—what father can gaze on the budding beauties of his infant children and not resolve to do his utmost to ensure to her possibly widowed feebleness, and to their orphaned infancy every protection that money at least can give. Mr. Elphinstone exclaimed when he heard of the marriage of his assistant, Captain ——, "alas! the country has lost the services of one of its ablest officers."

How frequently too do sudden reverses of fortune impose upon us as a sacred duty, an economy that might with justice be carried to the bounds of penury.

21. I hope I am not misunderstood; that I am not exposing myself by an ambiguity to the charge of attacking the obligations of any of the moral duties. God forbid that I should be guilty of using the little judgment he has given me for such an unhallowed purpose—or for weakening the very least of them. My dear friends and fellow servants—my object is very, very different. It is to recal to your minds (for the strict truth of my sketches will not I think be denied,) the real and the almost insuperable difficulties of our position, to shew you that our circumstances as foreigners prevent even the most generous and noble spirits from gaining the affections of our subjects and from fulfilling the full measure of our duty to them: I am anxious to shew how the happy consciousness of well discharging our duty to ourselves, and to our friends and to our families, superinduces a self satisfaction that enables us the better to set at nought the requirements of an equally serious duty towards our native subjects—our ignorant fellow beings; that, in short, as we have given them the full benefit of our *better heads*—we will give them also the advantage (yet to be shewn) of our better hearts.

22. But to return—although we will not contribute to promote any of the objects, most important in a native's eyes—do we shew a proper pride by refusing to receive or by refraining from soliciting the aid of their money to promote what we consider important, or gives us amusement? No, we have nothing to give to their Hoolee ceremonies, still we beg them to become subscribers to our Racing Funds; we would shame them or even force them to keep our roads not only in repair but well watered; we cajole them into subscribing to our schools and our colleges and then give them nothing but English; we flatter the wealthy amongst them that they may provide for Fever Hospitals and Leper Hospitals and thus give another situation to another European. We tell them that we hope they will not refuse their quotas to our monuments and to our steam funds, and especially to the latter. Why, my friends, I blush when I think of our gross selfish inconsistency. Why, because they too will experience a due share of the benefits in increased facilities for performing their pious pilgrimages to the sacred tomb of their prophet, upon whom be peace, at Mecca!! When it serves our purpose of hastening conversion we inveigh against the sin for a Christian Government to promote by any means direct or indirect superstitious pilgrimages to Juganath; when it suits our purposes, we speciously set forth the increased facilities for which we are providing for the performance of pilgrimages to Mecca and avail ourselves of that plea to solicit their money.

23. It is unnecessary to explain how different are the circumstances and conduct of individual members of native governments

when we see the prince and every local officer giving their presence and their money and zealous co-operation to make every ceremony and festival as splendid and as joyous as possible. All who have claims on any prince or any chief invariably receive the assistance expected from them. Wells and umraees and unnachutrius are built and maintained throughout the country, and extensive charities dispense their daily rations to the poor and destitute of all denominations.

24. I must again repeat that I am not vindicating the abstract wisdom of the native institutions and usages; nor do I assail the wisdom of our course of proceeding: I am simply recording facts. The native institutions and the native course of proceeding fulfil the expectations and wishes of the people, and so far make them happy and at ease; our course of proceeding and conduct regulated though they be by all the wisdom to be gathered from all the many volumes of reports and evidence of Poor Law Commissioners and other law enlightened legislators, are throughout calculated to excite only disgust at our fancied avarice, dissatisfaction at our (fancied) selfish hypocrisy, and hostility at our intolerance.

Our Government therefore being necessarily so unpopular and so uncongenial to the people, why, why I ask, are we so besottedly mad as to seek to extend it even a single beega? if we have so egregiously failed in our management of those parts of India where circumstances were most favorable, how can we for an instant flatter ourselves so far as even to hope that we can ever render that people happy, whose aristocratic institutions, whose gross barbarism and ignorance, and above all, their pride, will place in a constant and diametrical opposition to all the institutions we or our next generation would insist on introducing. Does not the very act which we are now lamenting itself, tell us in a voice of thunder, of this constitutional and inveterate state of social opposition? It must however be repaired. Let the guilty receive exemplary punishment. If the whole town of Jeypore be guilty, let it be blotted out of the map of India; let its ashes and mouldering ruins remain a signal monument of the offended majesty of the British power: but let not a beega be appropriated. Let us make over the country in parcels to the already independent chiefs, or in the lump to Beree Sal or any other individual well affected to our power, who can keep the turbulent aristocracy in check.

25. The British Legislature weighing well the past history of mankind, and more especially the past history of the British in India, foresaw that weak man with the sword of power in his hand would give way to the temptations and provocations of a wounded vanity: it therefore passed a solemn ordinance strictly forbidding the local Government in India from offensive interference and aggressions upon, and the assumptions of, the territories of our weak native allies on any pretext. It foresaw, moreover, that the absolute restriction was imperiously demanded by a due regard to self-preservation. A candid and honest consideration compels us still to applaud the justice and the wisdom of this restriction. If we have no regard to the laws of our country, let us pause at least before we are guilty of hastening in any degree that consummation (the spread of the British rule over the whole of India) which uniting the hitherto divided but numerous and daily increasing enemies of the British Gevernment in one universal league, must be speedily followed by our utter annihilation.

A MAN OF THE PEOPLE.

*Central India, August* 26, 1835.

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TO THE HONORABLE SIR C T. METCALFE.

*Governor-General of India.*

SIR,—Some time has now elapsed since I did myself the honor of addressing you on the subject of the occurrences of the 4th of June at Jeypore. I am now desirous of offering a few more remarks upon the same melancholy but important topic.

You are aware that very little additional light has been thrown upon the matter, up to the present day, either by the inquiries which Major Alves has himself conducted, or by those which he states to be in progress on the part of the Jeypore Government. Nothing is as yet certain, except the total uncertainty in which the affair is involved. But, from the complexion which the whole case has now assumed, it may be regarded as the most probable solution of the enigma, that the attack upon the British functionaries was the result of a conspiracy among the adherents of the late minister, formed with the connivance of the Majee, or mother of the infant Rajah, and of certain Thakoors connected with her party. In thus supposing the improbability of the Rawul having been actively engaged in the conspiracy, I would not be understood as exonerating him from blame. His conduct on the fatal day must still remain inexplicable, inexcusable, and not to be reconciled with any warm affection for the British name and power.

It is understood that the Government have come to a determination of no doubtful or undecided nature. Major Alves has, it is believed, been informed, that if full and unrestricted atonement is not made by the punishment or proscription of all who are implicated in the guilt, war shall be declared against the Jeypore state, and, as a necessary consequence, its independent existence shall be annihilated. I need not say that the value of these instructions depends mainly upon the judgment which shall be exercised with regard to the sufficiency of the atonement made. And what may we expect in this matter? For myself, I cannot anticipate that the full satisfaction so justly required will be afforded. I do not dwell at present on the question of time, though every hour that passes over in the present posture of affairs deepens the dye of

the original offence. But are all who participated in the murder itself to be punished? Then every indivdual of the numerous mob, that with the aid of the Meena guard hunted Blake to his death, is as fully, as heinously guilty, as those who were near enough to strike the fatal blow. There was no divided spirit there; all who were present joined, with heart and voice, if not with hand, in the cowardly atrocity. The execution of three or four out of such a multitude is a farce, a mockery of justice; so much so as almost to confound right and wrong, and to wear the semblance of hardship towards the few so selected. Again, are the instigators, of whatever rank, to be traced and given up for perpetual imprisonment in a British prison? What hope is there of this if, as doubtless is the case, they possess wealth and influence? If for instance, the Majee be implicated, as I have above stated to be commonly thought probable, will the Jeypore investigation end in her conviction? The evidence of the men who have been reserved from execution in the hope of future disclosures, will show how little is to be discovered from them. The emissaries and instruments who are made use of for such purposes by powerful natives are usually well chosen, and, like the assassin of Fraser, will emulate the muteness of the fox even at the place of execution.

But I am spared the necessity of saying more on this point, for even Major Alves himself anticipates that the atonement finally tendered by the Jeypore Government may prove inadequate to the occasion. And, supposing this to be the final result, I am glad to find that he has so far departed from his former exculpatory opinions, as to agree with me in the necessity of adopting one of the two courses suggested in the last paragraph of my former letter. That is to say, either war must be declared, with the attendant consequences, as mentioned in the Government instructions, or we must assume the entire and undivided management of the country during the young Rajah's minority. Of these alternatives he prefers the last, and his objections to the other more decided and energetic procedure are grounded partly on his doubt of its justice, and partly upon that of its expediency. On both of these points I would offer a few observations.

In discussing the *justice* of setting aside the present ruling family of Jeypore, and of substituting our own direct authority in its place, I am glad to find that Major Alves does not attack the measure in question on the grounds of the Rajah being a minor, although he alludes to this argument as one that might possibly be brought forward. Throughout the world it is an acknowledged principle, that any situation of power or privilege may be forfeited by the individual actually in possession, whether he hold it in his own right, or as guardian for another; and that in neither case does the next heir, or the legitimate owner derive any claim to the remission of the forfeiture on the fact that they were not parties in person to the offence which incurred it. Did we consider the sons of Tippoo entitled to succeed to their father, because they were too young to share in his inveterate hostility? Did the French nation respect the succession of the Duke of Bourdeaux, because he was too young to be concerned in the fatal ordinances? To take a case more in point: supposing the mother or guardian of a Scottish nobleman, at the time a minor, had armed his vassals, and sent them forth to take a prominent part in the rebellion of 1745. Would the immature age of the real heir have been considered a bar to the attainder of the family and the confiscation of the estate? Compassion or policy may in some of these cases recommend a mitigated penalty; but the strict justice of the severer course is never brought into question. Nor could it be questioned without almost annihilating the punishment due to the offence.

But Major Alves is of opinion, that the present anarchy and confusion, which exist in the Jeypore Government to which he attributes the recent occurrences, has been mainly brought about by the conduct of the paramount power itself during the last eleven years. Upon this ground he rests his plea for the remission of all penal consequences to the ruling family of the inferior state. This is a serious and a heavy accusation, and one upon which he should have fully enlarged, instead of merely stating it in a vague and general way, if he is really able to substantiate it. He should have distinctly shown, by reference to the existing treaties, what sins of omission and commission may be laid to the door of the British Government. Until this is done, the argument is null and void, and cannot influence your consultations, for it is clearly one, which, if fully proved to be founded on fact, must excuse not only what has already occurred, but every imaginable insult, and every degree of atrocity. We cannot find fault with any action, however degrading to our authority, which Major Alves may *prove* to owe its origin, however remotely, to ourselves.

Leaving, then, this question, I arrive at the *consequences* which are apprehended from the annexation of the Jeypore territory to our own. And here I pass by, as unworthy of serious notice, the remote fear which Major Alves entertains of a general alliance and out-break of all the Rajpoot states, combined with a descent of Runjeet Sing or of the Nepaulese. This phrase, as regards the assisting power, is ambiguous; let him have the benefit of the doubt; but let us face boldly the dangerous dilemma with which he next threatens your councils. He fears that, if we leave the Thakoors and other chiefs in possession of their jageers, the Jeypore revenues will be insufficient to meet the expenses of the Government in our hands, and that, on the other hand, if we resume those jageers, partially or entirely, we shall reduce their former possessors to the condition of discontented subjects in the first case, and of highway robbers in the second. The horns of this dilemma do not meet; there is room enough to escape between them. No one would pro-

pose that, in assuming the administration of one of the Rajpoot states, we should violently abolish these feudal institutions to which prince and peasant are equally attached. Whatever may be said against these peculiar systems, they have certainly tended to support the Rajpoot character at a higher standard than that of the other natives of India, by giving them objects of interest and motives of action unconnected with their own private advatage and welfare. It would be an act of mingled folly and injustice to reduce serf and noble to the same dead level, both being equally adverse to the change. If then we allow the Thakoors and others to retain their influence over these tribes or families who owe them hereditary allegiance, we cannot fail to leave them at the same time in possession of considerable pecuniary resources. On the other hand, is it to be apprehended that our Government would fail in obtaining sufficient funds to meet its expenditure; nay, that a considerable surplus would not remain, when we consider that we should be able to realize regularly, from the most powerful, as well as from the weakest of our new subjects, that tribute or revenue, which is now sometimes withheld, sometimes collected with delay and difficulty? And, moreover, that all classes of the community, and more especially the larger feudatories, would be relieved from the necessity of keeping up an irregular force to repel oppression and violence, and that they would then be able to devote to their new rulers, in return for the protection of regular troops, the means which have hitherto been expended in the above useless and dangerous manner. A country constituted like the one in question could not require large civil establishments or a great number of European officers to superintend its internal administration, for we ought to work by means of the feudal machinery which already exists there, and to which the people are not only obedient, but attached. And, lastly, if we can conduct the affairs of Jeypore with profit to ourselves and the country during a long minority, (as Major Alves himself seems to acknowledge) we should be able, *a fortiori*, to attain the same favorable results, when we had assumed a more commanding position as the actual sovereign authority, and when, whatever maintenance might be assigned for the members of the late Royal family, that part of the expenditure would doubtless have been materially diminished.

I have not alluded to Major Alves's remark about the innocent being punished together with the guilty by a declaration of war, because I do not doubt that the interests of those alone would suffer, who should attempt to resist our occupation of the country, or who might be afterwards proved to have participated in the original crime. The war should be against the Government, not against the people, and if a proclamation were issued to the above effect, it would go far to preclude the likelihood of any resistance at all.

I have now, Sir, concluded what I had to offer upon Major Alves's objections to the most politic and adviseable course which our Government could pursue. I am ignorant of the detailed system which that officer has suggested, in case of your adopting his other alternative and undertaking the management during the young Raja's minority, I know not even if his plan comprises the vital point of disbanding for ever the present Jeypore troops; of commuting the military service due from the chiefs for an equivalent in money, and of replacing the force thus abolished by a sufficient number of our own regular regiments. We must have no more forced marches from Nusseerabad to Jeypore; no more baiting of British officers in the latter city on account of the absence, inactivity, or connivance of the troops and the commander, who ought to have prevented it. These questions cannot be viewed merely in a pecuniary light. When we consider the existing state of European politics, we should surely be forewarned and fore-armed. The death of Runjeet Sing, which is probably near at hand, must soon oblige us to decide whether we shall carry our absolute and uncontrouled authority to the Indus, or remain in a doubtful and insecure position. We cannot stop till we reach that point, for in the situation of the boatman

> "Qui adverso vix flumine lembum
> Remigiis subigit, si brachia forte remisit,
> Atque illum in præceps prono rapit alveus amni."

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

SUUM CUIQUE.

*Upper Provinces, September* 10, 1835.—*Hurk.*

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# NOTES ON INDIAN AFFAIRS.

## No. XLIX.

### ON THE USURY LAWS.

It is not my intention to occupy the attention of my readers with a long discussion on the abstract question how far a man is or is not justified in making the greatest profit he can by his capital as well as his merchandize: the point has already been argued most conclusively to all unprejudiced minds by Bentham; and to his works I refer those who wish for information on the subject. I shall confine myself to demonstrate practically the utter impossiblity of enforcing such absurd laws, and to show the demoralizing effect

upon the people and the immense mass of fraud and perjury which is caused among the population of India by the attempt to carry them into effect.

It is well known that the rate of interest was by 37 Henry VIII. c. 9. fixed at ten per cent. James I. reduced it to eight; Charles II. to six; and by Queen Anne in 1714 it was limited to five per cent., at which rate it still remains. But all these laws are dead letters, capitalists will not lend their money unless they receive a return adequate to the risk: they will either devise means of evading the law, or will employ their capital in trading on their own account; or will even lock it up in their strong box rather than lend it on an insufficient remuneration. We cannot have stronger instances than are to be found in the history of the English national debt, not only of how the laws may be evaded, but of the evils of being obliged to resort to such practices; the consequences of which we are feeling at the present day. None of the loans to Government in King William's reign were effected at less than eight per cent. In 1781 and 82, and for several years afterwards, Government were obliged to pay more than six per cent. for the loans they received; and the mischievous way in which money was borrowed has entailed upon us the obligation of paying nearly twice as much principal as there would otherwise have been any necessity to do. In order to keep up the appearance of borrowing at a low rate of interest, Government nominally raised the loan at three per cent.; but for every hundred pound lent, they registered the name of the lender as proprietor of £175 three per cent., £20 four per cent., and an annuity of 6 shillings for 62 years. This gives an annual interest for every £100 advanced to Government of £6 1s. exclusive of the annuity. Now had Government fairly borrowed the money at six or even seven per cent. we should not have paid more interest than we have done: indeed as capital became more plentiful, or the credit of Government greater, they could have borrowed at a lower rate and thus have been enabled to pay off the principal which bore the high interest. There would only have been £100 stock to be discharged instead of very nearly 200 which is now registered in the names either of the heirs of the original lenders, or those to whom they have sold their stock. Repeatedly have the English Government raised money in this disgraceful manner; and it is this which has in a great measure tended to swell our national debt to the enormous amount which it has now reached.

So much for the shifts to which even Government are driven to evade an absurd law. In England, the merchants and bankers are equally quick at discovering methods of receiving what they consider a proper interest for their money. I speak not of Jews and professed money-lenders who live by administering to the necessities and extravagances of heirs under age; but of the respectable merchants and bankers; and I will describe one of the many modes in which they contrive to evade the law. A. and B., two clever men of business but possessed of no capital, wish, each, to enter into a mercantile speculation: they go to a banker, C., and fairly state their views: the banker observes, "the speculation promises well; but I cannot risk my money under seven per cent." This is managed in the following way, A. and B. each draw a bill on the other for twenty thousand pounds, each accepts the other's bill, on which the banker agrees to cash them both, with an understanding that neither shall draw more than fourteen thousand leaving the other six thousand, as a floating balance in the banker's hands. The whole twenty thousand are placed in the banker's books to the respective accounts of each of the two borrowers at the legal interest of five per cent., while he retains nearly one third of the sum, or six thousand from each to employ in any way he can: so that upon the whole, he contrives to realize his seven per cent. Of course much depends on the good faith of the parties in keeping to the underhand argument; consequently it is only among men of known honesty that such transactions occur.

But, pass we to India. Here, the legal rate of interest is twelve per cent. But does it remain at that, or has it not risen above or fallen below it according to the market rate? Let us first view the proceedings of the old houses of agency—and begin with observing

their transactions with the indigo-planters in the interior. They lent them money at twelve per cent.; then came a charge of one per cent. on receipts and disbursements; then the money which was monthly advanced to the planter under the name of subsistence money, on which some petty charges were made; and the planter had not the option of disposing of his produce to the best advantage, but was obliged to send it to his money-lending agent, and to pay him commission for receiving and disposing of it. I have heard many indigo-planters say that they are convinced that they paid altogether eighteen or even twenty per cent. for the money originally borrowed. In the loans of the agents to the civil and military officers, the proceedings were something of the same stamp. Twelve per cent. interest was charged—one per cent. for all receipts and disbursements: then they required the borrower to ensure his life, charging him annually in their accounts a sum, as a premium, but which frequently they never paid to any Insurance office, preferring to take the risk upon themselves: so that it was merely a trick to raise the interest a little higher.

The agents are not to be blamed for these proceedings; the interest they contrived to obtain was no more than a fair compensation for the risk they ran. The indigo planters were men without capital; the civil and military officers had only their monthly pay; none possessed any property except to a small amount; and although if all three classes lived, they would probably repay their debt sooner or later, yet if any of them died, the whole of the sum due to the agent was irrecoverably lost. I only allude to these, to show the practices to which respectable English merchants are obliged to have recourse to evade an absurd and unjust law. How much better it would often have been for both parties could the agent have at once lent the indigo planter the money at twenty per cent., and left him unshackled in the management of his concerns. No sooner did the market rate of interest fall, either from the excess of capital or the want of employment for it, than these very agents were ready to lend money at nine, eight, and at one time seven per cent.

But with regard to the natives, they ridicule the idea of enforcing such laws, and have many modes of evading them, one of which is simple enough. The lender actually advances sixty, seventy, or eighty rupees, according as he considers the security of the borrower, good, bad, or indifferent: a bond is drawn out for a hundred, at twelve per cent. interest; a couple of witnesses are then called in to witness the bond, before whom the borrower acknowledges to have received a hundred rupees, and the matter is settled. Should a suit be filed for the debt the witnesses swear to the above effect, and a decree is given as a matter of course.

There are but three reasons why the rate of interest should be higher. First, a scarcity of capital. Secondly, bad security on the part of the borrowers. Thirdly, a bad government, in which justice is ill administered; thus holding out every inducement to debtors to be dishonest and not pay their debts. Many people I know entertain a notion that the natives are such usurers that they would rather keep their money unemployed than not obtain an exorbitant interest: a most complete mistake: the native bankers and merchants charge a rate proportionate to the security or good faith of the borrowers. Should a merchant of established reputation be suddenly pressed for a sum of money, even to the amount sometimes of two or three lacks of rupees, he will find no difficulty in procuring it from his brother merchants at six per cent.—a transaction which is constantly occurring in every large mercantile town. From others, they will demand twelve, eighteen, twenty-four to even thirty per cent., just according to the risk, and they have ways and means of evading the law. One I have mentioned; another is by frequently making up accompts at high interest; and either getting the debtor to give a new bond, or to sign an acknowledgment that the account is right, upon which fresh interest is charged. In dealing with an Englishman, who wished to establish some concern, the practice is often as follows. Twelve per cent. is charged on the money lent. It is agreed that the lender shall be employed to procure the articles required for the concern, on which five per

cent. commission is allowed on the money disbursed, besides the common profit in which he makes in procuring so much goods, as he of course charges a higher price than he pays. Eighteen or twenty per cent. may often be made in this way; and in addition, the lender very often stipulates that two or three of his relations shall be taken into service by the borrower to superintend the work. On the other hand, I have known money pressed on an English merchant of established credit and good faith, at twelve, or even less, per cent.

During the last few years, before the introduction of the new judicial system, the difficulty of borrowing money had greatly encreased; until towards the end of 1832, it was almost impossible for any farmer or other person connected with the land to procure money at all, even though he offered thirty or forty per cent. The reason was the utter stagnation of all justice, and the confusion which had been caused in the landed tenures, so that it was almost impossible to pronounce who was the owner of any plot of ground in the Upper Provinces (a subject I shall touch upon separately). Still, no sooner had the new system been in operation for a few months, than the farmers could borrow money at twenty-four or even eighteen per cent.; because the bankers found that justice was now attainable: and I have not the least doubt this cause greatly facilitated the collection of the Revenue during the year 1833.

The demoralizing effect upon the people is the next point. Hundreds of debtors are induced by the low attornies who infest our Courts to resist just demands in the hope of throwing them out altogether, by proving that more than the legal rate of interest has been charged; and to support this, perjured witnesses are brought forward, who swear what is in fact true, that more than the legal rate of interest has been charged (every one knows as a matter of course that it has) but who are not the less perjured, seeing that not one of them were ever present at any transaction between the parties. On the other hand, the plaintiff produces his bond, declares the full sum was lent at the legal interest and brings forward his witnesses, who swear that the defendant acknowledged before them to have received the full amount. They usually go a little farther and declare that they saw the money actually paid. It is probable that not a single suit for money is ever preferred in a British Indian Court in which either downright perjury is not committed, or the plaintiff is morally speaking guilty of subornation of perjury; and after all this swearing that no more than the legal interest has been taken, should the judge happen to be acquainted with the plaintiff, and on leaving the Court call him quietly and where there were no witnesses, ask him as a mere matter of curiosity what rate of interest he had made by his money, the man would without hesitation reply, eighteen, or twenty-four, &c. as might be.

Is it not disgusting to know that such proceedings are daily going on, and that the natives are training to perjury (for after being accustomed to swear falsely about the interest of money, a man's conscience will soon permit him to give false evidence in other matters) solely from the attempted introduction of an absurd and an unjust law which never can be enforced? These considerations alone should induce Government to act with common sense and expunge from our statute-book, this remnant of barbarism, ignorance and injustice, and allow a man the liberty of employing his capital and his merchandize to the best advantage in whatever mode he finds conducive to his first interests. The only provision required, would be a fixed rate of interest, which should be charged on the amount of a decree, if not paid as soon as decided; and other points which occasionally occur, in which no rate of interest has been stipulated. In all other points let men be free to make their own bargains in interest of money as well as in every thing else. It is lamentable to think how much we have done to deteriorate the character of the natives by the introduction of laws and customs not only at variance with their habits, but opposed to the dictates of justice and right reason, of which these usury laws are a memorable example.

A FRIEND TO INDIA.

*June* 26, 1835. [*Hurkaru.*

# LIEUTENANT TREVELYAN'S MISSION.

[*Concluded from page* 403.]

On the 5th June we resumed our march towards the south, passing Kotra, once a considerable place with a small hill fort, and Bishala, which is still a large village, and on the 6th June we arrived at the Bombay outpost of Balmer, 38 miles from Sheo,—a deputation consisting of Pirbhoo Lal, son of Simboojee Joshee of Jodhpoor, and other respectable persons, with a very handsome escort, coming out about four miles from cantonments to do honor to the Ajmere Mission.

On our arrival at Balmer, we found a small force stationed here as a temporary measure, it having been found expedient to employ British troops to suppress the plundering tribes, who formerly infested this frontier; the detachment consists of a squadron of native cavalry, two companies of native infantry, and two hundred Mahratta horse furnished by the Gaikwar of Baroda, the regular troops being relieved half yearly from the large camp at Deesa, 130 miles S. S. E. of Balmer, and 50 miles S. W. of Mount Aboo. The whole detachment is under the command of Captain Richards of the 8th Bombay native infantry, who is also vested with political authority under Colonel Pottinger, the Resident in Kutch. We were received by this officer with the greatest hospitality, as well as by the other officers of the detachment, there being two with the cavalry and two with the infantry, besides a medical man.

As one of the principal objects of Lieut. Trevelyan's Mission was to undertake a joint investigation with Captain Richards as to certain matters concerning the western frontier of Marwar, we found it necessary to remain more than three weeks at Balmer, from the 6th to to the 29th June, during which time great light was thrown upon the subject under investigation, of which the chief points appear to be the following.

There is a sterile tract of country about 200 miles long lying in 71° east longitude, between the head of the Gulf of Kutch and the Jeisulmere territory, the upper part of which line is a sandy desert dividing Scind from Marwar, and the lower part is a large salt-marsh commonly called the Run or Rin. Immediately between these is a small district called Nugur Parkur, much infested with free-booters, who carried their incursions both into Scind and Marwar until routed out by the British detachment under Colonel Litchfield which scoured their country in 1831, and also cleared out the Mussulman plunderers called *Koba*, who had established themselves to the northward of Parkur, about Chotun, Joona and Balmer, which were generally considered to be under the Raja of Jodhpoor until the late Agent of the Governor-General at Ajmer (Lieutenant-Colonel Lockett) started some doubts upon the subject.

After the clearance of this frontier by Colonel Litchfield's force, detachments of the Bombay troops were left at Kasba in Parkur, which is an undisputed dependency of Scind, at Wow in Thurraudree, which is a part of Goozurat, and at Balmer in Mulanee, which until lately was always held to be a part of Marwar proper or Jodhpoor. Hence the complaints of the Maharaja Maun Singh that the British Government had not only stationed an outpost within his frontier, but had prevented the petty chiefs in the Balmer quarter from paying their usaul tribute to him. These chiefs are all *Rathor* Rajpoots of the same tribe as the sons of Jodha, but of a different family, for the former are descended from Beerumjee, a younger but more powerful brother of Mulleenath and Jait Mul, who peopled all the country immediately to eastward of the great desert of Umurkot.

The principal towns occupied by the descendants of Mulleenath (from whom the Mullanee district takes its name) are Chotun, Joona, Balmer, Kotra, Shoe, Girap, &c. to the westward of the river Lonee and eastward of the Great Desert; the two large towns of Sindree and Jusol on the left bank of the Lonee though also peopled by descendants of Mulleenath, are usually considered the capitals of a separate tract called Mewa; while the towns of Nugur and Gurra much lower down, and on the right bank of the Lonee, are the head quarters of the little district called Radhra, inhabited by the family of Jait Mul. It appears from the investigation made during our stay at Balmer, (where the principal men of nearly all these places were called in to give their evidence on the subject) that tribute had been paid, and military service performed, when called for on the part of Jodhpoor since the days of the Raja Ujeet Singh; that is to say, that for some generations all the petty Rawuls, Thakoors, and Boomias of Mulanee, Mewa, and Radhra were nominally subjects of Marwar.

The whole extent of country included under these names is in extreme length nearly 150 miles north and south from near Pohkurn to the mouths of the Lonee, and 100 miles east and west from Jusol to the borders of Scind, but the average length and breadth are perhaps only 100 by 70 miles, giving an area of 7,000 square miles, and producing a tribute of just about as many rupees, the country being very poor and comprising within its limits a great part of the Little Desert. The inhabitants are a rude tribe, who seem little inclined to yield obedience to any thing but absolute force, and they are continually at feud with one another, so that it would be difficult for any native power to keep them quiet and united: the presence of a British outpost, however, seems to do the former pretty effectually, if not the latter also.

Balmer seems to be as eligible a place for a cantonment as could well be selected, both from its centrical situation and from other circumstances. It is a town of about six hundred houses, with a small stone fort in a ruinous state, occupying the summit of a conical hill 300 feet high, which is however commanded by a similar hill at the other side of the town, and the latter is again overlooked by a very conspicuous peak called Soojer, which is 720 feet above the plain and ¼ mile from the camp. The town has suffered much from being plundered by our troops, and half the shop-keepers have abandoned their houses, but under a quiet *regimé* the place might become prosperous again, and there are even now numerous camels and large herds of black cattle. Four wells give an inexhaustible supply of water (some of which is very pure) at a depth of 40 to 50 cubits, but much difficulty is experienced in drawing it owing to the narrowness of some of the well's mouths, and the number of horses and people to be supplied.

During our stay at Balmer the rainy season set in and a striking change took place in the face of the country which was altered from a withered and arid look, to one of a lively green; even during the hot winds, however, abundance of forage (dry looking enough however in all conscience,) was procurable for the horses, and the thorny juagul which comes close up to cantonments furnished pickings for as many camels as could be turned into it. The common articles of native food were sufficiently cheap and plentiful, the wheat being supplied from about Gurra, the *ghee* from about Balotra or Patoudee; and bajra, moth, &c. from the immediate nighbourhood of Balmer: salt, too, is procured in abundance from Puchbhudra near Balotra, as will be mentioned hereafter.

Having completed the business which occasioned our long halt at Balmer, we left that place on the 29th June and pursued our way eastward across the northern part of the Little Desert viâ Joraee, Baitoo, Chaudeora and Baghondee to Balotra, the first three places being surrounded by very high but tolerably well-wooded sandhills, and a great part of the road from the latter place (Baghondee) to Balotra, being under water. The direct distance from Balmer is only 55 miles, but it is 72 by the road we came.

On the 3d July, while the baggage was marching up the right bank of the Lonee from Baghondee, the two European gentlemen accompanied by the Beekaner Vakeel and Thakoor Oom Singh of Jusol took a circuitous route to Balotra for the purpose of visiting Tilwara and Jusol, both of which places are on the left bank of the river. Immediately opposite to Tilwara is Mulee-nathka Than, the shrine of our above-mentioned patriarch, who has been deified by his descendants, and the temple erected to his memory has all the privileges of a sanctuary. A large cattle fair is held here annually, commencing twelve days after the *holee*, and lasting for half a month, during which time 80,000 people are said to be collected with large quantities of camels, horses and bullocks, upon the sale of which fees of five ~~Rs~~, three ~~Rs~~, and eight annas per head, respectively, are paid to the Hakim of Sewanna, who attends the fair on the part of the Jodhpoor Government: the descendants of Muleenath are however exempted from this tax. The prices of the best horses and mares are said to be from four to six hundred rupees; riding camels bring 120 rupees, and baggage camels 60.

After visiting the shrine and the fair, or rather looking at the place where it was held, which is now under water, we crossed the Lonee river, which was rushing down with a fierce and turbid stream a quarter of a mile wide, but not very deep. Our frail raft was made of a common *charpae*, or bedstead, under which five earthen pots were lashed, giving a sufficient buoyancy to float two of us at a time, though in our transit across the river our nether limbs were soused a little in the water, as the four or five stout swimmers who pushed us over assisted the troubled stream in rocking our watery cradle. These men had dried calibashes *(toomba)* strapped round their middles forming a float called *jalee*, which was a great help to them.

As the river was high "in spate" (or *burra kawura panee* as they would call it in Scind, meaning "very angry water") we would not trust our horses in the fierce current which almost swept me off my feet though wading barely more than knee deep, so we sent them up the right bank of the river, and borrowed half a dozen horses at Tilwara to take us four kos up the left bank to Jusol, where we were again to cross the river. Jusol was once a considerable town of 3,000 houses, of which barely more than a tenth part appear to be now inhabited; it lies on the north side of a samll rocky hill about 200 feet high. There was formerly a *pukka bazaar* of 300 shops, and something like a wall of stone round the town, the ruinous state of which is owing to a feud of more than 40 years standing.

Jusol is but a kos or two miles from Balotra, yet the Lonee nudee was running so strongly between them (with a stream seven hundred yards wide opposite the latter place,) that we were about four hours getting into camp, part of the delay being occasioned by the dilatory way in which our new raft was made and the great distance it had to be carried up the stream in order to prevent our being swept away below the proper landing place. We halted two days at Balotra, a very thriving town of 1,300 houses belonging to Jodhpoor, and the high road to Dwacka, which brings a great number of pilgrims and religious persons to this place. Very neat turners' work, in ivory and wood, and large quantities of embroidered velvet shoes are for sale in the bazar. Balotra is 63 miles from Jodhpoor and seven from Puchbhudra, a brief account of which will be found in my next letter.

*Camp, Jodhpore, 18th July,* 1835.—My last communication left Lieut. Trevelyan's Mission at Balotra, (on the banks of the Lonee nuddee, 30 kos south-west from Jodhpoor)

where we halted on the 4th and 5th July, riding out on the morning of the latter day to visit the town of Puchbudra; which lies three kos or six full miles N. N. E. of Balotra. The road was tolerably good, notwithstanding the late heavy rains, and the surrounding country, though indifferently cultivated, had the appearance of considerable fertility.

Puchbudra is a considerable town of about a thousand houses or more, having a manufacture of coarse cloths, which are sent to the neighbouring town of Balotra to be dyed; but its chief article of produce is fine alimentary salt of which large quantities are procured at the saltworks from three to five miles northward of Puchbudra. The process of forming this salt is said to be very simple, nothing being required but to throw thorny twigs into the brine of the marsh, by which the chrystalization is so much assisted that large masses of pure salt are deposited and dug away for exportation without having recourse to the usaul method of evaporating the brine in large shallow pans called *kiharee*. There is a Kamdar or Officer of Government at Puchbudra, as both the town and the saltworks belong to the *Khalsa*, i. e., the Royal estate of Jodhpoor.

On the 6th July, we left Balotra and in four days reached the capital of Marwar, a distance of 63 miles by the rather circuitous route we pursued to Putaoo, Doleh, and Nahrnudee. The face of the country had greatly improved since we quitted the confines of the Little Desert which lies between Balmer and the river Lonee, where little else was to be seen besides steep sandhills running in long ridges, feathered with scraggy bushes and small trees, with here and there a cluster of dark-looking huts, the inhabitants of which are too poor to sink wells, and are obliged to trust during the hot weather to the precarious supply of water afforded by the shallow pits called *bowree*. The whole country between Balotra and Jodhpoor on the contrary appeared to be a fine plain, highly susceptible of cultivation, and in general furnishing abundance of sweet water, (owing to all the tanks being filled by the late rains,) excepting about Kulianpoor and other villages surrounding Doleh, ten or twelve of which are obliged to resort to the wells of the latter place, all the others being too salt for drinking. Numerous rocky hills appear to the south-eastward of the Lonee, in direction of Sewana and Jalor, but the weather was too thick to allow us a very distant view. There are also a few small conical hills studding the right bank of the river, and rising at intervals as far as the edge of the little desert about Kornra, Thob, and Patodee. A small part of these were under cultivation, and the remainder bore abundance of small acacia trees with the usual jungul shrubs, such as *kureel*, &c.

Our first fair sight of the citadel of Jodhpoor was from the camp at Nahrnudee, distant only six kos from the capital, but it ought to have been visible, had the weather been clearer, from a much greater distance. On approaching to within a mile and a half of our tents at Jodhpoor, the Mission was met by a deputation of respectable persons headed by Futteh Raj Sunghee, and Thakoor Kesuree Singh Dandhul, with the chieftain of Ladnoo, &c. followed by about two hundred fighting men, of whom nearly half were on foot and the remainder mounted on indifferent horses, far inferior to those which formed the cavalcade of the Pohkurn chief. Several maces and banners, however, marked the dignified rank of the members of deputation, while the tri-coloured standard of Marwar, mounted upon an elephant, appeared to wave cheerfully as if inviting the strangers to enter the city in confidence. Some of the Vakeels of our own party remarked that the partridge's call was heard to our left betokening good fortune to the travellers, so no outward appearance of a hearty welcome was wanting, and we alighted at our camp opposite the Sojut gate, well pleased with the manner of our reception.

We reached Jodhpoor on the morning of the 9th July, and on the 11th were received in state by the Maharaja Maun Singh, who had appointed the afternoon of that day for our introduction. We quitted camp at 5½ P. M., accompanied, as ususal, by our little escort of irregular horse and infantry, which made a handsome show when compared with the still more irregular looking warriors of the Court of Marwar. We commenced the ascent to the palace at 6 P. M. and were met at the second gate, called *Imrut Pol* (that is the third gate from the bottom,) by the Maharaja himself, who came down thus far from the palace in a litter with a very large concourse of attendants, and after halting there for a few minutes, during which time we were introduced without dismounting, we followed the Royal *khasa* up the remainder of the paved slope, and under the great gate, to the entrance of the palace. From this point we proceeded on foot through two courtyards to the steps of the hall of audience where etiquette required the shoes to be put off, and with our stockinged soles we slipped noiselessly across the pillared hall, and brought ourselves to an anchor in the native fashion beside the throne of the [illegible]g of Maroo." A crowd of nobles and courtiers seated themselves in the body of the Durbar, but there was not a single chieftain present of sufficient rank to be seated immediately opposite to us on the right side of the *Gudee*, we being on its left, and we were in consequence the sole occupants of the carpet spread under the throne which ought not to have been the case had Pohkurn, Nagor, *Kuchawan*, or any other noble of equal rank been present.

Colonel Tod's enthusiastic description of the Court of Marwar, with its "thousand-columned hall" and lines of silver and gold mace-bearers, led us to expect something particularly superb, but in this we were a litle disappointed. The Maharaja wore some very rich jewels and the ample white vest with large plaited skirts usually worn in Rajpoot Courts, but the appearance of those who thronged his hall was not particularly striking, nor nearly

so imposing as it might have been were the Raja on good terms with his principal Thakoors who now sit sullen and aloof in there own fastnesses, while the Rathor Court thus shorn of some of its most distinguished ornaments, looks like the shadow of its former self. Maun Singh appears to be little broken by time or suffering, though he has endured much during the many years that have passed over his head; though without a tooth he speaks intelligibly, and his language is remarkably correct Hindoostance, without the patois of his neighbours of Beekanner and Jeisulmere. His person is large and bulky, and his face shews so little of the ravages of time, we must conclude him to have recourse to cosmetics, an art much practised by the natives.

We remained about half an hour in the hall of audience, during which time the behaviour of the Maharaja was courtly and dignified, and his conversation polished. Though his apparent hauteur was much greater than that of the princes abovementioned, yet in receiving the Ajmere Mission he both paid and exacted a greater attention to etiquette than the others had done. He came down in person to receive the deputation at one of the lower gates, and again made his appearance below the steps of the hall of audience on foot, leading Lieut. Trevelyan by the hand; yet he neither fired a salute nor allowed the retention of boots as had been permitted at both of the other capitals. On our rising to take leave he applied the *utur* and gave the *pan* with his own hands to the political functionary (a compliment not paid to Mr. Wilder, nor to Colonel Tod either I suspect,) while the subordinate gentry were oiled and pawned by some of the chief functionaries about the throne. He then led Lieut. Trevelyan a few paces toward the door, and we retired sufficiently well pleased with our reception by the King of Marwar, who had a very narrow escape last winter of being no king at all!

On the morning of the 12th July, we rode through the city and passing out at the west gate, called Chand Pol, crossed a ridge of rocky hills and visited the gardens and very fine tank called *Ukee Rajka Talao* lying about two miles beyond the walls. Lieut. Trevelyan had another interview with the Raja in the evening, for the discussion of *private business*, and on the following morning we went to to visit Munder, the ancient capital of Marwar, which is five miles northward of the present city of Jodha. The old town occupies a bight among the rocks on the east side of the range of hills that runs down to Jodhpoor, and still claims the semblance of a little city: some of the inhabitants of the capital also come here weekly on Monday (the morning of our visit) to pray at the different shrines, which may give it the appearance of a larger population than it really possesses.

The first objects introduced to our notice at Mundor were the eighteen gigantic figures representing in high relief the tutelar divinities of the Rathor Rajpoots. These figures form one long line facing the north, and are backed by a low rock of red sand stone, the three figures at the west end representing the Elephant-headed God of Wisdom between two effigies of *Bhairon*, being placed in an open temple, while others are carefully protected by a screen wall. The latter indeed require some such shelter, being finished with coloured cements, while the three figures already mentioned seem to be only daubed with red paint and bedizened with gold leaf. In the first of the inner compartments are the nine figures delineated in Colonel Tod's work as rock sculptures, and representing the eight-armed *Davée Matta*, who presides over small pox, and the cross-legged *Nath-jee*, to whom many temples are erected in this country: the remaining six figures of this series are rather Heroes or Demi-gods than real Hindoo divinities, and are all on horseback, the whole of the accoutrements, arms and dress being faithfully wrought out in the fine white line to which different pigments are added, and the whole are in good preservation. Their names are *Muleenath*, in whose honor is held the great fair at Tilwara formerly noticed, and whose widow Roopa-deo having burned herself on the funeral pile, became beatified and has a shrine at Tilwara on the side of the Lonee river, opposite to Muleenath ka Than: she is represented at Mundor standing in front of the horse of her deceased lord. *Paboojee* on his celebrated black mare, *Ramdeo* whose shrine lying six miles north of Pohkurn is a celebrated sanctuary and place of pilgrimage; and *Hurba Goa Mewo*, complete the list of Deotas, whose figures are engraved in the work above mentioned.

In the second enclosed compartment and eastward of the above range, are six gigantic figures similarly constructed, but without paint, perhaps on account of their being divinities of a far superior order. The first is the four-headed *Brahma*, the second Apollo or *Sooria*, who instead of having a car with four steeds as in the Grecian mythology, is contented with a single horse with seven heads. The third image represents *Hunooman* or *Muhaveer*, the monkey-hero, who assisted in subduing Ceylon or Lunka when Ram destroyed the arch-fiend Rawuna, who had carried off his wife Seeta. These two divinities, *Rama* and his bride, are represented in the fourth group; and in the fifth stands *Krishna* or Kunhaia, playing the flute, while four of the fair milk maids of Brij surround him, "looking delightfully with all their might," while the holy Girraj or King of mountains (the small hill at Govurdhun near Muttra) sends four various wild animals to listen to those Orpheus-like strains. The sixth and last figure, at the east end of the line, is Mubadeo, the great deity from whose hair descends a copious stream representing the infant Ganges, an idea that Colonel Hodgson suggests to have originated from the perpetual trickling of water from the icicles in a snowy cave at Gungootrie. As the whole of the above groups are executed with great care, and are in excellent preservation, it is a pity

that they were not copied as well as their neighbours.

So much has been said about these sculptures that I have little leisure to enumerate the other curiosities of Mundor; the palace of Ujeer Singh (or rather Ubhe Singh?) is a neat building of cut stone, and appears to have been almost entirely devoted to the zuna-na; but though in perfect order, its corridors are now empty, and its chambers filled with the suffocating stench of bats. A little rill comes trickling out of the hill side near this palace, and runs through the gardens which bear the appearance of extreme age from the large size of the trees, and the flagged paths are partly choked by the luxuriance of the smaller shrubs. A quaint looking building like a huge pepper box, called the "Ek-Thumbr Muhil," (the palace of a single pillar,) overlooks the garden, but its name seems to be a misnomer, for it is not like the place so called at Futtehpoor Seekree, which really has a single colossal pillar of carved red stone in its centre.

In going to Mundor we had crossed a fine plain about two miles wide between the open pass leading from Jodhpoor to the site of the ancient capital; but in returning to the city we skirted the hills and visited a beautiful little rocky lake called Bal Sumodnour, a mile and half from Mundor. This little sheet of water is nearly half a mile long, though only 150 or 200 yards broad, and at its outlet are some noble gardens that are seen to great advantage from the top of the paved ghat leading to the top of the low rocky hills in which the Sumoondur is embosomed. We followed this road southward along the ridge leading toward Joudhpoor, and at the distance of a mile from the city turned aside to visit the large tank called Soor Sagur which is now dry. Here is a beautiful palace of white marble called *Mottee Muhil*, with a large bath or cistern of the same material, hewn out of a single block and transported at great expense from the quarries at Mukrana. A large garden lies below the Motee Muhil, and a smaller one separates it from the Soor Sagur.

The tanks within the city are numerous and some of them very large, but they all failed during the late severe seasons, except the Ranee Sagur, a rocky reservoir close under the N. W. side of the citadel. Though much rain has fallen already the large new tank called Baeeka Talao contains scarcely any water; yet conduits of masonry have been built at considerable expense to bring down the out-pourings of distant nullahs into its bed. The Goolab Sagur, however, which is of great extent and built entirely of stone, presents a fine sheet of water as do several of the other reservoirs. Large sums have been expended by the Jodhpoor Government in remedying the deficiency of water under which the inhabitants have so often suffered. Upwards of thirty *baolees* have already been built within a few years in and around the city, and even in the vicinity of our own camp, near the Sojut Gate, there are four baolees and two wells, all of stone: even the largest baolees are supplied with Persian wheels for raising water, though it is 42 feet from the surface, and the large *jhatra* or square well with steps near the Oode Mundur outside the Merta Gate is supplied with the like apparatus.

In riding through the principal streets of Jodhpoor, which are very few in proportion to its size, (for the capital is said to contain at least twenty thousand houses,) numerous respectable looking people are seen, but few handsome buildings, except the temples, some of which are very striking, though rather a mean impression of the city may thus be conveyed to those who have been accustomed to traverse the broad and straight streets of Delhi or Jeipoor, yet a bird's eye view of the city from the summit of the upper fort is really magnificent. Perched upon a parapet of the bastion encircling the pointed pagoda at the southern extremity of the citadel, we gazed with delight upon the fair scene at our feet. The whole city lies close to the rock on which the palace stands, surrounding its east, south, and west sides, the northern side being occupied by a hilly neck connecting the citadel with the Mundor range, and which is too much broken to afford building ground: the lively green of the trees, and the quantities of fine white plaister applied to the red stone houses afforded a pleasing variety of colours, and gave the city a gay look; the numerous tanks now filled with water, the white ramparts running along the higher parts of the city, the piles of buildings crowded upon each other and rising tier above tier to the Chand Pol Gate, and the confused mass of outworks on the west side of the citadel, formed a scene that will not soon be forgotten.

The east side of the fort is too steep to need any other cover than its own bold rocks, which are very steep, from twenty to sixty feet below the foot of the ramparts, and then fall away down to the town in a tolerably easy slope. The whole citadel is just five hundred yards long, and about half that breadth, or even less, the Royal Palaces and buildings occupying two-fifths of its area at the north end, while the south end is quite empty with the exception of the *Mundur* already mentioned, and a few huts: this empty space may perhaps take up one-fifth of the whole area, and the remaining two-fifths in the centre appear to be devoted to magazines, granaries and other useful buildings. The palace overtops all the other houses, and its highest part is 454 feet above the plain: the southern rampart, whence we looked down on the town, is 373 feet, and the N. E. angle 382 feet above the plain; the scarp wall which covers the gate at the latter place showing a sheer face of hewn stone 109 feet high. The walls which overlook the main enterance appear to be still higher, and are built in a very substantial manner of freestone quarried from the rock on which these gigantic works are based.

The main gate of the citadel faces the north, and a paved road leads down from it to the westward passing through a second gateway

(above mentioned as the Imrut Pol or "Gate of Nectar,") whence the road forks, the eastern branch turning sharp round through two other gates to the zig-zag which leads down towards the Goolab Sagur, while the western branch leads pretty directly downward through four different gates, after which it again forks, the right hand path leading to the Ranee Sagur, while the left hand one turns to the south and is lost in the town without passing through any other barrier. Both of these roads are paved and practicable on horseback, both ascending and descending, though the eastern declivity is steep and winding: the western road is less steep, wider and more direct, but this entrance is covered by six gateways and the other by only four.

There are said to be five reservoirs in the citadel, of which we only saw two, but the Ranee Sagur in which there is abundance of water, is connected with the citadel by low outworks, and the town's people are prevented from using it, except on occasions of great emergency. The high rocky ridges on the west side of the fort, though enclosed within the *shuhur Punah*, as far as the walls could conveniently be carried, are nevertheless a sad blot on the impregnability of the castle of Jhoda, which would not easily laugh heavy guns to scorn (as it did the artillery of Jugu Singh,) if perched uponany of these eminences. The town walls too, are in a very bad state in several places, where a few yards of the parapet, and even a part of the rampart, has fallen down; on the south side the sand has drifted in one place to within four inches of the crest of the parapet, and in one or two other places breaches in the wall serve as means of ingress and egress to the inhabitants. Two large and steeply scarped masses of rock of considerable size, break the continuity of the wall on the east side of the city, and have an imposing appearance from being 80 to 100 feet above the plain, and from being encircled with ramparts on their outer face, but with five miles of wall from which to make his choice, of a point for assaulting the town, an enemy would hardly select such rocks as these against which to knock his head! The city might easily be carried at several points, nor would the upper fort long hold out against the iron shower of heavy shells and shot, which an European army would pour into it.—*Delhi Gazette.*

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# THE VESTRY QUESTION.

Sir,—From the tenor of your remarks respecting the Select Vestry of St. John's, I am at a loss to understand whether you have overlooked the radical reform of that corporation, which was by a *coup d'etat* effected on the 19th of August, and published in the *Calcutta Gazette* of the 29th of the same month—or whether there has been a supplementary *ordonnance*, curtailing still further the authority of that venerable body. Probably, the first supposition is the correct one, for in the new charter which was *octroyèe* to the Select Vestry on the said 19th of August, the Bishop's authority is made somewhat "like Aaron's rod which swallowed up the rest;" and it contains some happy instances of indistinct legislation, that were pretty certain to lead to different interpretations on the part of Reverend and Right Reverend Expositors: for example, the *ex-officio* Members of the Select Vestry are declared to be the Bishop, the Archdeacon, and the Chaplains of the Cathedral; four lay Members are also to be chosen annually on Easter Monday. Again, the Vestry are to assist the Bishop and Clergy in all temporal matters connected with the Cathedral; but the appointment and dismissal of all servants and officers connected with the Cathedral is to be subject to the Bishop's approval; and also the Bishop (by rule 1st,) is to have the sole and exclusive direction in regard to the performance of divine service, ceremonials, or arrangements for general convenience within the Cathedral; so that what with the assistance he is to receive, and his approval being requisite, and his sole and exclusive direction, the Bishop will by hook or by crook, get the whole managed as he pleases.

The sixth rule is one similar to what the inhabitants of Calcutta struggled and petitioned for fifteen years ago; and if the Clerical Members of the old Vestry had been wise they would have sought for long since, and have given their close corporation a solid foundation in popular election. But they kept aloof from this, and when the floods rose and the wind came, their authority has been blown down, because it had no support and was founded upon sand. It appears that in future the Vestry is to have four Members chosen annually by ballot, by those who have had seats in the Cathedral for the six preceding months. Here is the march of intellect; annual elections, vote by ballot, and universal suffrage! instead of the former mode by which the Select Vestry filled up themselves all vacancies among the four laymen in their body. Perhaps the publication of this new law has been considered as virtually placing the present lay Members of this venerable body in schedule A. Certain it is that last Sunday those seats which were heretofore filled by the select men of St. John's were left empty and desolate, while the *cidevant* Vestrymen might be discovered scattered here and there, with a grave and somewhat mournful aspect; still they had a look of official dignity—"Nor appeared less than *Church Wardens* ruined."

But if the old Parliament has been dissolved and dispersed, it is to be hoped that directions will be given for a new House of

Commons being chosen immediatley. Surely the Bishop and clergy are not to be left without the promised "assistance in temporal matters"—(which all clergymen greatly need) until the month of April next? Besides there are large sums of money, the disposal of which is left by various *trusts* to the Select Vestry—and if these monies are disposed of by the *rum-vestry* which is now sitting, it may become a serious question how far they are legally competent to do so.

A PARISHIONER OF ST. JOHN'S.

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In order that the subject may be better understood we reprint the ordonnance of the 19th August to which A PARISHIONER OF ST. JOHN'S refers. He is right in his inference that the dismissal of the lay members of the Vestry and the transfer of the whole controul over the affairs and funds of the vestry to the Bishop and the Archdeacon who are of one mind in all things it seems, was accomplished by a supplementary *coup d'etat* not precisely of a reforming character, in the shape of a most voluminous epistle which we hope to have the pleasure of submitting to our readers. This epistolary ordonance dispenses entirely, if we rightly comprehend the matter, (we have not yet read it) with the sixth clause of that of the 19th August, for there will be no more elections. The Vestry will be henceforth entirely ecclesiastical, and as the clergy are enjoined passive obedience to the Bishop and the Archdeacon, of course the former will have no votes, and if they act judiciously will wave the idle mockery of giving an opinion. Our correspondent very justly remarks that if the clergy had been wise they would not have opposed in 1819 the principle of popular election which would seem to have been provided for by the sixth rule of the ordonnance of the 19th August, although preceding clauses do not very well square with that principle. The Clergy at the time referred to (1819-20) however, dreaded nothing but innovation from the popular side—they have now a pretty practical illustration of the fact, that there may be innovation from the other side still more dangerous to their legitimate influence. In the present day, therefore, although they dare not take the popular side, they will not at least take the other, and in the struggle therefore which may be expected to take place, we shall at least not have them opposed to popular rights. We entertain very grave doubts of the legal power of the "rump vestry now sitting," to dispose of funds left by certain trusts to be applied by the Select Vestry: but we shall have more to say to the subject in our next. The questions at issue are of deep importance not merely to the inhabitants of Calcutta but to the whole community of India involving as they do questions of moral right—and of legal power in the Government.—*Hurk.*

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## THE VESTRY CORRESPONDENCE.

SIR,—The late sudden revolution in the affairs of St. John's Church, commonly called the Cathedral, having attracted public remark, there is no other way to preclude all misconstruction, except the publication of the whole correspondence, which, indeed, is the sole return I can make for the tenderness evinced by Government for my personal credit in the matter. I therefore send you my copy, begging you to understand, that the act of so doing, and the responsibility of it, are entirely my own. The reason of this avowal will appear from the close of the correspondence.

It is right also to add, that I believe the charge of obstructing the Bishop in his right to be altogether unfounded.

The only obstruction that I have ever heard of, in which the trustees had any concern, was upon the occasion of a desire expressed by his Lordship, that a curtain should be drawn before Mrs. Atkinson, while performing her part in the choir; which desire neither the Chaplains nor the lay trustees had the resolution to carry into effect.

I am, Sir, yours truly,

C. R. PRINSEP.

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*Copy.*

No. 19.

To THE SELECT VESTRY.

*Gen. Dept. Eccles.*

REVD. SIRS AND GENTLEMEN,—The Hon'ble the Governor is informed that the recommendations addressed to the Select Vestry by the orders of the most noble the Governor-General in Council dated the 8th of January 1819, respecting the authority of the Lord Bishop of Calcutta in St. John's Cathedral, have not been carried into full effect, and with a view to prevent the inconveniences which are understood to have been experienced from the incomplete recognition on the part of the Select Vestry, of the Bishop's Right to control all matters relating to the performance of divine service and of the duties in that Church pertaining to the Bishop as ordinary, it is deemed advisable to provide the following rules, which have been devised by the Government in communication with the Lord Bishop for the removal, so far as the Select Vestry is concerned, of all impediment to the due exercise of His Lordship's functions of superintendence and direction in the Cathedral.

*First.*—The Bishop, as ordinary, to have the sole and exclusive direction as to all that regards performance of divine service, ceremonials or arrangements for general convenience within the Church.

*Second.*—The appointment and dismissal of all servants and officers connected with the Cathedral and divine worship therein to be subjected to the Bishop's approval, as ordinary.

*Third.*—The proper rights of the Select Vestry, to be henceforth understood to be confined to those trusts which have been, or may be committed to them by the Supreme Court or other competent parties.

*Fourth.*—The Vestry to assist and aid the Bishop and Clergy in all temporal matters connected with the Cathedral; especially in whatever regards monies collected at the Sacrament or elsewhere.

*Fifth.*—Besides the Bishop, the Archdeacon, the Chaplains of the Cathedral, and the Bishop's Commissary, if there be one distinct from the Archdeacon, to be ex-officio Members of the Vestry.

*Sixth.*—An election of four Members to take place annually on Easter Monday by ballot, by the inhabitants of the district who have had seats in the Cathedral for the six preceding months.

*If* the Select Vestry see any good reasons for objecting to any of these rules, the Governor desires that they may be communicated to him for consideration.

I have the honor to be, Reverend Sirs and Gentlemen, your most obedient servant,

(Signed) G. A. BUSHBY,
*Secretary to Government.*

*Fort William, the 24th June*, 1835.

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To GEORGE A. BUSHBY, ESQ.
*Secretary to Government in the General Department.*

SIR,—We have the honor to acknowledge a communication from the Hon'ble the Governor through your department dated the 24th June last, and as its contents were unexpected as well as of such importance to the interests we represent, as to require a full and deliberate answe[illegible] have found it impossible to collect the sentiment of the Vestry at large so as to give an earlier reply. We have now to request you will lay before his Honor the Governor the following considerations.

We are at a loss to understand upon what information the Hon'ble the Governor has derived the alleged fact which seems to have given rise to this communication to ourselves, *i. e.* that "the recommendations addressed to the Vestry by the orders of the Most Noble the Governor-General in Council dated the 8th January, 1819, respecting the authority of the Lord Bishop of Calcutta in St. John's Cathedral, have not been carried into full effect." We have referred to the letter containing the recommendations in question (par. 6) and so far as the Select Vestry is concerned, believe that every thing has been done to comply with those recommendations. We beg leave to assure His Honor that if any thing has been done in disregard of them, of which however we disclaim all knowledge, it must have arisen from the anomalous circumstances attaching upon the Church itself, with which we believe the Supreme Government has on former occasions been made acquainted. The Church of St. John is at present in the predicament of partaking at once of the character of a private Chapel, of a parish Church and of a Cathedral. Strictly speaking it can hardly claim any one of these denominations. It stands on ground, partly granted by a rich native for the express purposes of a Church, and partly derived from the Company's Government. The charge of its erection was defrayed chiefly by private subscription: the deficit was supplied by the Supreme Government, which has since executed all repairs, provided the ministers, and defrayed the charge of other officers of the Church. The property was vested originally in nine trustees or managers, and has continued virtually in successors appointed by the survivors from time to time, the officiating ministers being always of the number; but irregularities have occurred in keeping up the full number required by the deed of conveyance from Warren Hastings, Governor-General, and, for want of formal conveyance under seal to the successive trustees and managers, the legal estate is now vested in the heir of the survivor of the original nine. The trusts, however, have been all along performed, and the duties executed, by the successive trustees for the time being; and now are so by the nine persons, whose names are undersigned. Legally speaking they are mere trustees of a Chapel of private foundation, but have all along executed the duties of a Select Vestry (vide extracts of proceedings annexed No. 1, 2, 3) and in that character, and in some instances by that name, have been charged with the administration of several charitable bequests and funds. Under the name of a Select Vestry they have long been recognized by the Government, and were so expressly in the time of the Marquess of Hastings, in the very communication of 8th January, 1819, above referred to.

The Church of St. John, however, though a Chapel of private erection, has always been regarded by the Government as the head or parish Church of Calcutta; the other Churches as Chapels only. On this principle, its officiating ministers have always been the Senior Chaplains of the Establishment, and surplice duties and fees have been attached exclusively to this as the Chief or parish Church. Until the erection of the Bishopric in 1813, the Chaplains were treated as the incumbents of the Church, and their relation to the Trustees or Vestry has always practically been, and continues to be that of a Rector or Vicar. When this Church was selected as the Church of the See, none of the provisons usually made in such cases was attended to. Neither Dean nor Chapter was created. The Church stood in the anomalous position of being at once a parish Church and a Cathedral; and was used in both capacities. Some embarrassment necessarily arose from this double character, which it was the object of the recommendation of 8th January, 1819, to remove. If any still remains, it is certainly very desirable it should be now removed, and that the whole of the rights and duties now attached to the Church should be either vested in the Bishop alone, without Dean or Chapter of any kind, or apportioned with precision amongst the Bishop (or in his absence the Archdeacon,) the Chaplains (or incumbents,) and the Trustees (or Select Vestry.)

As the existing Vestry, we beg distinctly to say, that such is our sense of the merits of the Government towards this Church, and of its utter dependance upon the Government for its continuance as a place of worship, that, if it be the wish of the Government we are fully prepared so far as we legally may, to resign the whole of our charge into the hands of the Supreme Government, and to leave the Church and the property in it to be dealt with at its pleasure. But as there are temporal trusts and duties that must be performed by some body, as we understood the Government to desire they should continue to be performed by a Select Vestry, and as we are fully persuaded, that they never can be performed either well or to the satisfaction of the public, unless that Select Vestry is such as can act with some degree of independence, we avail ourselves of His Honor the Governor's invitation to express our own views and sentiments on the contents of your communication of the 24th June last item by item.

1*st. Item.*—The Trustees or Vestry can have no objection to the exercise by the Lord Bishop over the Church itself of all the authority possessed by the Bishop of an English diocese over the Cathedral Church of his see. His Honor the Governor is of course well aware, that in England that authority, as to all temporalities of the Church, is controlled by the Dean and Chapter; and that his power in respect to "divine service" and ceremonies of the Church "is limited to the enforcement of their due performance, according to the constitutions of the Church of England." With regard to "arrangements for general convenience" the term is somewhat vague, and we are not quite clear as to the sense in which it is used in this instance. In England the Bishop has in all Churches of his diocese a jurisdiction to prevent infringement upon the rights of the public; and he can alone authorize such alterations as may from time to time be applied for. But he has no power to interfere with existing rights or arrangements. And with regard to the care and keeping of the Church Wardens or Vestry, the duty is always performed by one or other of them. In the Church of St. John, the seats are rented as in a private chapel, for the benefit of the Church funds: and this matter, which is purely temporal, has necessarily been conducted by the trustees acting as Select Vestry—we presume it cannot be the intention of His Honor the Governor to saddle the Lord Bishop with such a business.

2*d Item.*—The appointment of the servants and menials of the church is never, that we are aware of, vested in the Bishop. In a Cathedral, it rests with the Dean and Chapter: in a Parish Church, the minister appoints

the clerk, the church wardens or Vestry the rest of the servants, if any be required. The only regular servants of St. John's Church are the clerk and organist, the singing-master and one singer, clock-regulator, organ-tuner, and nine menials (hitherto appointed by the Vestry and confirmed by Government by whom they are also paid). The remaining choristers and casual attendants, being paid out of the church funds have been hitherto appointed and discharged by the trustees or Select Vestry. These appointments are in no Church in England subject to the approval of the Bishop or ordinary; indeed, they are much beneath the dignity of his office. It is hardly possible, however, to conceive that any reasonable objection stated by the Bishop to any individual employed in office of the church should be disregarded either by the chaplains or by the Select Vestry; yet we humbly submit, that an express provision on the subject would be unusual, and derogatory to the high functions of the Bishop, and might interfere with the efficiency of the trustess or Select Vestry to enforce that order and decorum, which it is their particular duty to preserve.

*3d Item.*—This item appears to have been drawn without full information of the duties now discharged by the trustees or Select Vestry. It is they who make and take charge of charitable collections in the Church and of their distribution to the poor—dispense other funds besides such as are receivable through the Supreme Court, audit the accounts and control the expenses of the Church establishment of lighting, watching, &c. &c., execute petty repairs, and report to Government when more extensive repairs are necessary. Superintend the letting of seats, collect and take charge of the rents, and a variety of other matters too numerous to be detailed. All these are not only beneath the dignity of the Bishop but are no where confided to the clergy, except where there is a Dean and Chapter to take charge of the temporalities of a Cathedral Church. We cannot conceive that these duties can be discharged by any body so effectually, or thriftily as by the trustees or Vestry; but, speaking as individuals, we should be most happy to find ourselves relieved of them.

*4th Item.*—We are not sure that we rightly comprehend this item. The Bishop has in England nothing to do with temporalities: those of a Cathedral, which in England is rarely a parish church also, are under the Dean and Chapter: those of a parish church invariably vest in the church wardens or Vestry. To take temporal matters from the Vestry and consign them to the Bishop is to do away with the duties of a Vestry altogether. With regard to "Bishop and Clergy" it is a term that requires some explanation. Unless the Chaplain be regarded as Rector or Incumbent, the term "Bishop and Clergy" means the Bishop himself. If indeed the Archdeacon and Chaplains were constituted a sort of Dean and Chapter, there would be something resembling a Cathedral church in England. If the temporal duties of St. John's church are to be transferred exclusively to its clerical officers, we would humbly suggest that it would be requiste to define with precision the particular officers meant, and the duties of each.

*5th Item.*—The proviso as it now stands would make the Select Vestry in effect a clerical body. Of nine members five are to be clerical and one of those five the Lord Bishop himself. We can conceive nothing more derogatory to the dignity of the See, than to charge the Lord Bishop with the petty duties of a Vertry-man. It would not only be altogether unprecedented, but it would deprive the Vestry of even a semblance of independence. It cannot be expected that four laymen to be annually chosen should control the votes of the five clerical members: nor can it be imagined, that the latter would be otherwise than subservient to the Lord Bishop; especially where the entire control of the church affairs, spiritual and temporal, shall be vested in him alone, as it must virtually be by the preceding clauses. We humbly submit, that if a Vestry be thought requiste for any purposes, the universal rule of the English church be adopted; *i. e.*, to admit no clerical members except the ministers of the parish, that is to say, the Chaplains attached to the church. In England the minister is always the chairman of the Select Vestry. The Bishop's commissary mentioned in this item is a new officer, of whose duties we confess ourselves wholly ignorant.

*6th Item.*—The existing Trustees or Select Vestry can have no wish to continue their own functions, and would feel themselves greatly relieved by the annual election of persons to supply their place. But they humbly conceive, that it will generally be impossible to procure the attendance of a sufficient number of persons to ensure anything like a public nomination, especially if the voters are exclusively to be inhabitants of the particular district now attached to the Cathedral, who shall have rented seats for the preceding six months. Great part of the district is occupied by public buildings and mere offices of business; many of the renters of seats are residents of the other districts. There has always been great difficulty in assembling a meeting for such purpose, and still greater in procuring the consent of the persons elected to accept the office, to say nothing of the frequent renewals of choice, which health or official changes must occasion. It was on a full view of all these inconveniences that the Government in 1819 (Vide Extract annexed from that letter No. 2) when the matter was fully considered, by the very letter of 8th January, 1819, above referred to (par. 10) gave its express sanction to the continuance of the existing mode of election by the remaining Trustees or Vestry-men themselves. Should it appear to His Honor the Governor, that circumstances are sufficiently altered to ensure a better nomination by any mode of public election, we shall most cordially concur in giving effect to its desire in this respect.

On the whole we humbly represent that the arrangement now proposed appears to us to be very little calculated to ensure the object which the Hon'ble the Governor appears to have in view, viz., the definition of the various duties and offices connected with the Church of St. John, so that they may at all times be effectively and harmoniously executed. The natural result of the present propositions seems to be, to vest all temporal as well as clerical functions in the Lord Bishop alone, and to extinguish all that independent and effectual control of its temporal concerns which it is the object of the Vestry to exercise.

In conclusion, we beg to repeat our willingness so far as we legally may, to resign our trusts, entirely into the hands of the Supreme Government, to be re-modelled as may be thought expedient or cheerfully to concur in any proposal for securing the due privileges of the Lord Bishop in respect to the Church of the see and permanently defining the duties and privileges of the several officers connected with it in all matters that may require adjustment.

We have the honor to be, with the greatest respect, Sir, your most obedient servants,

T. Robertson, S. P. C. — Charles B. Greenlaw.
Henry Fisher, J. P. C. — Frederick Corbyn.
C. R. Prinsep. — J. Steel.
Charles Mackenzie. — J. W. J. Ouseley.
C. R. Martin.

*Vestry Room, St. John's Cathedral, 29th July, 1835.*

*Copy.*

**No. 1.**

*Extract form the Proceedings of the Vestry Meeting held on the 28th June, 1787.*

At a Select Vestry.
The Right Hon'ble the Governor-General.
The Revd. William Johnson, and

THE REVD. THOMAS BLANSHARD, *Chaplains.*
EDWARD HAY, and
RICHARD JOHNSON, ESQUIRES, *Church Wardens,*
CUDBERT THORNHILL, and
CHARLES SEALY, ESQUIRES, *Sidesmen.*

3 par.—It is premised however that the gentlemen acting as Church Wardens or under that name, do act as such from a necessity that the duties of this office should be executed, and in conformity to the long established custom of this settlement, for as Calcutta is not of itself a parish though in a parish, and there are no legal powers to levy Church rates in it, or to compel the performance of some of the functions properly belonging to the office of Church Wardens in Calcutta, they cannot be considered by the law as properly described under that specification, but they must be considered to act with the consent of the inhabitants for whose advantage and good they perform the duty.

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No 2.

*Extract from Government letter in the General Department, dated 8th January,* 1819.

8.—From the information and precedents which have been laid before Government, His Lordship in Council collects that the managements of the concerns of St. John's Church, such as are generally transacted by Vestries in England, descended from the original proprietors of the church to the body which is now denominated Select Vestry, and that the appointments of Church Officers, excepting in those instances where the nomination has by courtesy been left to the Chaplains, has generally been made under the immediate authority of that body.

10.—The trusts of the Vestry require that the body should be kept up to a suitable number of persons, but as vacancies cannot be supplied by a Meeting of Parishioners where there is no Parish, the Governor-General in Council cannot under present circumstances suggest a more regular arrangement than that the privilege of election continue as heretofore in the remaining Members of the body itself.

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No 3.

*Copy of a letter from Government in the General Department to Commodore J. Hayes, dated 26th Nov.* 1819.

To COMMODORE J. HAYES, *and other inhabitants of Calcutta, claiming to have a right to vote in General Vestry, at the election of Church Officers for St. John's, under the first Article of the Regulation commonly called Lord Cornwallis's.*

*General Department.*

GENTLEMEN,—In conformity to the commands of the Government, I have the honor to convey to you the following communication in reply to the address presented by you on the 13th instant, to the Most Noble the Governor-General, which his Lordship has recorded in Council.

2.—The questions which arose during the past year relative to the election of a Select Vestry, and the regulation of the concerns of St. John's Church, received the mature consideration of Government. It appeared, that the existence of a proprietory interest in the building was legally presumable, though the precise extent of such interest was not defined, and the individuals in whom it vested, were not immediately forthcoming; Government consequently could not exert a power of determination on the subject without the risk of trespassing on private right. The function of arbitrator might, indeed, have been well exercised by it, had such an intervention been sought by consent between the opposed parties, but no agreement for that mutual appeal having taken place, Government deliberated on what might be the most desirable procedure relatively to such differences. The result was, as you are aware, notified to the Vestry in my letter of the 8th of January last, and measures were taken for preparing the draft of a bill for submission to the authorities at home; that the bill had for its object the adjustment of all unsettled points, and the reconciliation of all the various interests involved in the discussion.

3.—The sentiments, intentions and expectations of the Government, of which that letter contained an exposition, have undergone no change since the above period. The draft of the bill has for some time engaged the attention of Government, and the whole subject will as speedily as practicable be referred to the Honorable the Court of Directors, with an earnest request that it may be included in their early deliberations.

4.—Under the course which it had been determined to pursue, it is obvious that further discussion here cannot facilitate the adjustment of the points in dispute or answer any useful purpose, I have only therefore to signify the desire of the Governor-General in Council, that no alteration may be made in the mode of electing Vestry-men, which has prevailed of late years, until the decision of the authorities in England shall apply a remedy to the defects of the existing system.

I have, &c.

(Signed) C. LUSHINGTON, *Secy. to the Gov.*

*Council Chamber, the 26th of November,* 1819.

A TRUE COPY.

(Signed) C. LUSHINGTON, *Secy. to the Gov.*

TRUE EXTRACTS.

(Signed) J. LLEWELYN.

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No. 43.

TO THE SELECT VESTRY.

*Gent. Dept. Eccll.*

REVEREND GENTLEMEN AND SIRS,—I am directed to acknowledge the receipt of your letter, dated the 29th ultimo, and in reply to state that the propositions of the Lord Bishop of Calcutta regarding the direction of St. John's Cathedral and the constitution of the Select Vestry, have, together with your letter, been submitted to the Governor-General of India in Council and have generally received the sanction of that authority.

I have the honor to be Reverend Gentlemen and Sirs, your most obedient Servant,

(Signed) G. A. BUSHBY, *Secy. to Govt.*

*Fort William, the 19th August,* 1835.

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To G. A. BUSHBY, ESQ.

SIR,—We have the honor to acknowledge the receipt of yours of the 19th ultimo.

From the tenor of it, and from the subsequent notification from your department in the *Government Gazette* of Saturday last, we cannot but infer, though without any precise intimation on the subject, that his Honor the Governor-General has been pleased to accept the offer contained in our letter of the 29th July, we therefore beg to be timely informed when and to whom we shall deliver over the charge of those properties and trusts which we have hitherto held and executed, as we cannot legally make the transfer so as to vest either the property or the trusts in the Vestry now to be newly constituted or to be ourselves discharged from liability—without an act of the Legislative Council, we presume that such an act will be prepared forthwith, and we have to present our humble request to his Honor the Governor-General in Council that for our own satisfaction we

may be favoured with the communication of the draft before it shall be passed into a law.

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

T. Robertson, S. P. C. — F. Corbyn.
Henry Fisher, J. P. C. — C. R. Martin,
Chas. Mackenzie. — C. R. Prinsep.
C. B. Greenlaw. — J. W. J. Ouseley.

*Vestry Room, St. John's Cathedral, 2d September*, 1835.

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No. 49.

To the Revd. T. Robertson and Members of the Select Vestry.

*Genl. Dept. Ecclesiastical.*

Reverend Sirs and Gentlemen,—Your letter dated the 2d instant, having been laid before the Honorable the Governor, I am directed in reply to acquaint you, that it was not the intention of the Government to accept from you the resignation of your trust.

2.—There has been no difficulty heretofore in the execution of the duties of the Vestry, and the Governor is not aware that there will be any difficulty under the new constitution of the Vestry, which requires you to act in conjunction with the Bishop and the Archdeacon.

3.—The Governor is not acquainted with the legal objections to which you refer, but if there should be any, you are requested to point them out.

I have the honor to be, Reverend Sirs and Gentlemen, your most obedient Servant,

(Signed) G. A. Bushby, *Sec. to Govt.*

*Fort William, the 16th Sept.* 1835.

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To G. A. Bushby, Esq., *Secretary to Government, &c.*

Sir,—In reply to yours of date the 16th September instant (No 49) we beg to observe, that the tender of resignation of our property and trusts made by our letter of the 2d instant was accompanied by the expression of our conscientious conviction, that the proposed changes in the constitution of the body acting as the Select Vestry of St. John's Church were such as altogether to destroy every vestige of independence in future and consequently to neutralize its utility, and render it a passive intrument in the hands of the Bishop for the time being; at the same time that it would remain charged with all the legal and equitable liabilities attaching to trustees of pecuniary interests. We thought it superfluous to add in express terms our common determination no longer to act as members of such a nominal Vestry, and more respectful to have our intentions to be inferred from our protest and tender of resignation.

Since, however, it appears necessary to be more explicit, we beg with all deference and respect, through you to submit to his Honor the Governor of Bengal, within whose cognizance we infer from your correspondence that this matter lies, that it was by no means our intention to admit the right in the Government to deal with the existing trusts and trustees at its pleasure, to re-model their constitution, to add to their number, or to impose upon them and co-trustees what it might think proper. The deed of trust from Governor-General Warren Hastings, under which the trusts have been all along carried on, is express as to the mode of supplying the trust; and, although it may not have been fully or formally complied with, we know of no other authority under which we should be legally justified in acting, either as to the admission of new trustees, or as to the property in the church itself, so as to the trusts that have from time to time been cast upon them by donors or testators, or by orders of decrees of the Supreme Court.

It was with a view to do away at once with all such legal embarrassments, and at the same time to testify our entire confidence in the Supreme Government, and our deep sense of its merits towards that property of which we are the legitimate guardians, that, in making the offer of a full resignation, we suggested the legal difficulties of our position, and pointed to the Legislative power of the Supreme Council of India, as the only effectual recourse. We beg thus more explicitly to repeat our impression, that no other authority can relieve us wholly from responsibility, in the event of our dealing with the property or the trusts any otherwise than as directed by the instrument of our appointment.

We beg you to draw the earliest attention of His Honor to this matter as we feel it an imperative duty to continue the exercise of our duties as heretofore and without change or variation until legally and effectually absolved.

We have the honor to be, with all respects and submission, your very humble Servants,

T. Robertson, S. P, C. — C. R. Prinsep.
Henry Fisher, J. P, C. — J. W. J. Ouseley.
Chas. Mackenzie. — C. R. Martin.
Frederick Corbyn. — C. B. Greenlaw.

*Vestry Room, St. John's Cathedral, 28th September*, 1835.

P. S. Annexed is an Extract from the deed of trust for the information of His Honor in Council:—

"And it is hereby declared, ordered and agreed, by and between the said parties to these presents, that from time to time when any one or more of them, the said John Macpherson, John Stables, William Johnson, Thomas Blanshard, Henry Vansittart, Claud Alexander, T. T. Metcalfe, Cudbert Thornhill and Edward Hay, or the Managers or Trustees for the time being, shall happen to die or quit India, the survivors of him or them, with the remaining Trustee or Trustees resident in India, shall and may elect in the room of every such deceasing member or manager or of such person or persons quitting India, such person or persons as they in their judgment and conscience shall think fit and approve of, who shall be a member or manager of the said trust estate together and equally with them, the surviving and remaining trustees, and to have the same authority, benefit and power respecting the trusts hereby declared; and in case of the death or departure from India of any such elected member to elect in like manner, and that the election of every such manager for the time being shall be entered and registered in some or one of the books to be provided and kept for that purpose, and that after such time as four at the most of the said trustees shall have departed this life or have quitted India, the survivors of them shall and may add to themselves as co-trustees with them all and every the manager or managers so elected as aforesaid to make up the number of trustees completely nine in the whole, and the said surviving and remaining trustees shall thereupon by advice of Counsel learned in the law convey the said trust, estate, and assign and convey all their estate and interest in the said piece or parcel of ground and the said church so to be erected and built thereupon as aforesaid with every the appurtenances to one or more person or persons to be named by them, to the intent that he or they shall immediately thereupon re-assign all the same estate and interest to the same surviving and remaining members of the said committee or managers and to all the said new-elected managers for the time being thereby to complete the said number of nine. In witness whereof the said parties to these presents have interchangeably set their hands and seals the day and year first herein above written."

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No 53.

To the Rev. T. Robertson, the Rev. H. Fisher and Members of the Select Vestry.

*Genl. Dept. Eccl.*

Rev. Sirs and Gentlemen,—I am directed to acknowledge your letter of the 28th instant, which the Go-

vernor has received with deep regret, as indicating a determined spirit of opposition to the orders and wishes of the Government, for which he is unable to discover a sufficient reason.

2.—He is utterly at a loss to imagine how the introduction of the Right Reverend the Bishop and the Venerable the Archdeacon into the Vestry can justify the gentlemen calling themselves the Vestry in refusing to co-operate with those eminent personages.

3.—On the part of the Reverend the Chaplains of the Cathedral, Messieurs Robertson and Fisher, this conduct appears to be most reprehensible, and quite unsuited to the character of their sacred office, in as much as they, without a shadow of reason, wantonly resist and set at defiance both the Government which they are bound to obey, and their ecclesiastical and spiritual superiors.

4.—The other Members of this party, who are servants of the Company, namely Messrs. Charles Mackenzie, Frederick Corbyn, C. R. Martin and C. B. Greenlaw and Captain Ouseley, appear to the Governor to have placed themselves in a very unbecoming position, by their needless and unmeaning resistance to the well-meant and unobjectionable resolutions of the Government.

5.—The remaining Member, Mr. C. R. Prinsep, who is understood to have been recently added to the number, for the purpose of giving his aid in carrying on this contest with the Government, not being a servant of the Company, the Governor refrains from making any remark on his conduct, but leaves it to his own good sense to determine, whether there is any credit in gratuitously taking part in these proceedings, for no purpose whatever of benefit of any description to any one.

6.—The Governor has endeavoured in vain to discover what public principle, what public or even private interest, what duty, what reason exists, to warrant so uncalled for a resistance to the authority of the Government.

7.—He does not recognize in the gentlemen called the Vestry any legal existence independent of the power of the Government over the affairs of the Cathedral. The Reverend Chaplains are Members of that body ex-officio in consequence of their nomination by the Government as Chaplains of the Cathedral. The other gentlemen have been added, the Governor knows not how, but apparently without any legal authority.

8.—Considering the free and easy manner in which the trusts alluded to in your letter have been taken up and put down, and handed from one to another at pleasure without any legal transfer or authority. The Governor would consider the difficulties now held forth with respect to the relinquishment of these trusts, as extremely ludicrous, were he not grieved at the spirit, in which such unfounded pretensions are assumed.

9.—But in supposing that these trusts are the matters principally concerned, you have misunderstood the object of the Government. The primary intention of the Government was to secure to the Bishop his due authority in the Cathedral, from which His Lordship has been excluded by the Reverend Chaplains and the Gentlemen calling themselves the Vestry, and the question of trusts was expressly reserved in the resolutions issued by the Government.

10.—The unexampled tone of your letter considering that, with only one exception, it is addressed by servants of the Company to the Government, precludes the hope of any voluntary co-operation on your part in the furtherance of the views of the Government, and compels the Governor to issue such orders as he believes himself to be competent to issue in this unexpected and unprecedented state of affairs; and to these orders he requires the obedience of all who are in any degree subject to the authority of the Government.

11.—The Reverend the Chaplains of the Cathedral are directed to co-operate with the Right Reverend the Bishop and the Venerable the Archdeacon, in the management of the affairs of the Cathedral, and to obey any orders which they may receive from the Bishop according to the tenor of the resolutions already issued by the Government.

12.—The other gentlemen who have signed your letter having declared their determination not to act any longer as Members of the nominal Vestry, are relieved entirely from the nominal office which they have assumed, and are prohibited from interfering in the management of the affairs of the Cathedral.

13.—With respect to the trusts, the Governor has no intention of disturbing any legal rights which may exist, and any gentlemen who are really vested with such trusts individually will continue to exercise them; but the Governor is satisfied that no such legal rights exist, and that the gentlemen who have taken on themselves these trusts with so much facility and so little authority, may relinquish them with equal ease. He is therefore willing to relieve them from any embarrassments or responsibility on this account, and to arrange on the part of the Government for the due fulfilment of these trusts, assigning them in the first instance to the charge of the Bishop, the Archdeacon, and the Chaplains of the Cathedral, until a Vestry shall be formed in the manner prescribed by the Resolutions issued by the Government.

I have the honor to be, Reverend Sirs and Gentlemen, your most obedient Servant,

(Signed) G. A. Bushby, *Sec. to the Govt.*

*Fort William, the 30th September*, 1835.

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*At a Special Meeting held by the Vestry on the 2nd Oct.* 1835.

*Resolved* by the lay members now present that the tone and tenor of the above communication renders it impossible that the Reverend the Chaplains should take any part in this Meeting.

*Resolved*, that the same motives preclude any expression on our own part.

*Resolved*, that all acts or proceedings be henceforth discontinued, and the Church abandoned to the Clerical Establishment.

*Resolved*, that all deeds, vouchers, books, accounts and papers in our charge be left in the Vestry Room under seal in custody of Mr. J. Llewelyn, Vestry Clerk, to the delivered over to the persons authorized by Government to receive the same—proper acknowledgment being entered thereof.

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|---|---|
| Chas. Mackenzie, | Frederick Corbyn, |
| C. B. Greenlaw, | J. W. J. Ouseley, |
| C. R. Martin, | C. R. Prinsep. |

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## VESTED VESTRY RIGHTS VIOLATED.

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**Sir,—Truly the public are greatly indebted to Mr. C. R. Prinsep and to you for the publication of the Vestry correspondence. It serves as an excellent moral lesson to the good people of Calcutta who are rather prone to excessive gratulation in testifying to indications of liberality on the part of their rulers. It is therefore salutary that they should occasionally behold their Idols divested of the captivating attire in which they appear to receive homage on jubilees, and dressed in the plain fustian or linsey woolsey fashion, in which the ordinary official work is per-**

formed. That no man is a hero to his *valet de chambre* has passed into a proverb, and it may with equal truth be affirmed that no Governor-General is a liberal to his secretary. The Sir Charles Metcalfe who replied to the address of the Inhabitants of Calcutta on his proposed liberation of the Press, is not *precisly* the same Sir Charles Metcalfe who dictated the letter in the Ecclesiastical Department dated the 30th September, 1835, addressed to the representative of a portion of those same Inhabitants. However, the circumstances were certainly different—any thing like clap-trap or urbanity or reasoning would have been entirely misplaced if vouchsafed to the *valets* of the Vestry! What! persons eating the Company's salt presume to entertain conscientious or legal scruples as to their power of divesting themselves of a trust undertaken by them, when the Governor-General entertains none! Monstrous! "But," quoth some simpleton, "the Governor-General very lately told us that rulers are not infallible, that they are all the better of being told when they are wrong, and that temperate remonstrances and suggestions, from whatever quarter they may come, must be salutary. How then was it possible to imagine that a calm statement of objections, *which were invited*, could give offence?" As if the smooth *ad captandum* flourishes put forth in a *public* reply to a *public* address from a *public* meeting intended for *publication*, were to be taken as sober earnest to be acted upon by every one who might think himself qualified to advise the Government! No, no, the liberty of discussion in the newspapers is all very well, for the Government does not appear there as a party—it may profit by newspaper hints when it thinks proper, or it may be conveniently blind to the progress of a discussion when it does not choose to attend—in any case it is spared the mortification of being shown up as worsted in argument. But depend upon it that when once a Government has committed itself to an opinion, to differ from that opinion will even by your Liberator be deemed a grave offence, and to show that it is wrong will be held to be unpardonable. I have not subscribed to the "Metcalfe Library" because I have always thought that Sir Charles's merit in regard to the Press has been greatly overrated. Strip his reply to the address of its common place and claptrap (which by the way are ill in accordance with his minute in which the Press was mentioned contemptuously, as an engine so insignificant and harmless as to be undeserving of notice) and it merely amounts to this. "I find the Press at Madras free whilst that of Bengal is restrained. We must have one law for the whole country, and I must either liberate you or coerce the people of Madras. It is a choice of evils and I choose that which appears to me the least. Go, you are Free." This is precisely the extent of Sir Charles Metcalfe's liberality, and I do not think it is such as calls for Idolatry, though on the principle of not looking a gift horse in the mouth, I am willing to join in any moderate expression of gratitude. I will therefore subscribe to the "Metcalfe Library" provided the Committee charged with the erection of the building will consent to have it constructed with four principal entrances—the Arch of Janus Quadrifrous at Rome would furnish a capital model—the famous reply to the inhabitants being inscribed over one—over that opposite Sir Charles's flattering minute regarding the Press—the spaces over the other two entrances to be occupied one with Mr. Secretary Bushby's letter of the 30th September, 1835, to the Vestry, forming an appropriate commentary on the glowing terms in which the Governor-General's love of free discussion is conveyed,—and the other with the Resolutions passed at the Meeting of the Vestry on the 2d of October, 1835, in which they resolve themselves to be tongue-tied by the Liberator of the Press. Other events will no doubt occur which will give occasion to intermediate tablets with suitable inscriptions bearing on the same subject; for, of course, this extraordinary usurpation and the clerical intrigue by which it has been brought about, will not be allowed to pass without some public demonstration. The plan I have suggested appears to me a vast improvement upon H. M. P.'s original, as it would render the Metcalfe Library a faithful record of the memorabilia relating to the Freedom of the Press.

The published correspondence offers some useful hints to the Company's servants, by which they will do well to profit. They are told plainly that they must never in any particular (even regarding the fulfilment of a trust) differ with the Government. Thus if Government should hereafter entertain any plan for altering the management or constitution of the Bank of Bengal, let such of the shareholders as are servants of the Government beware how they act or vote! "Oppose not!"—thus runneth the "special edict" of Loo, and the mandate of Mr. Secretary Bushby in not a whit less imperious. In fact the public (such of them at least as are in the public employ) will find it very dangerous to enter into any partnership with Government whether in Banks, Steem Navigation, Education or Municipal Improvements,—for the Vestry correspondence shows that Governments are not only of a very encroaching and greedy disposition, loving to reap entire crops when they have only supplied a portion of the seed, but they are also apt to get quarrelsome and overbearing with their partners, and being strong withal they find little difficulty in accomplishing their wicked will. A partnership between the wolf and the lamb is never likely to bring good to the latter, and strange as it may appear, the Vestry correspondence shows that the admission of the shepherd into the concern renders the situation of the lamb even worse than before, a fact which would almost induce one to admit that "Shepherds feed *upon* your flocks" is the true reading of the passage, as suggested by the Examiner.

A PARISHIONER.

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In stating in our last the ordonnance dismissing the Select Vestry was a voluminous epistle, we fell into the error of mistaking the manuscript which we received from Mr. Prin-

sep for one communication, instead of which it embraced, we find the whole correspondence which we now submit to our readers and to which we earnestly invite their attention.

The *Englishman*, misled by some very erroneous information we presume, or yielding to the assumptions of authority which appear to us wholly unfounded and unjustifiable, is very facetious upon what he terms agitation—though he is unprepared to say whether that agitation has been singular or dual. We take upon ourselves to say that in so far as the correspondence enables us to judge, there has been no agitation, singular, dual or plural, nor is there a title of evidence to support the charge of obstructing the Bishop in any exercise of his legitimate authority; but the truth is, we trace in these proceedings a desire to grasp at power which we are sorry to witness in our Diocesan. The Trustees or Select Vestry of St. John's Cathedral have sketched the history of that church, and it is only necessary to refer to that sketch in order to comprehend the very equivocal nature of that right which the Governor assumes, to appoint and remove the Trustees of the property by his mere *sic volo*. The Trustees, we believe, understate their case when they admit that the Government gave part of the ground on which the Cathedral is built, unless they mean to refer to the old burying-ground, and we are not sure, that even that belonged to the Government; for in an account now before us it is stated, that "Maharajah Nobo Kishen presented, in addition to the old burying-ground, six biggahs and ten cottahs of the adjoining land, as the Dhurkhaust specifies, in Mowzah Dhee Calcutta,"—from which we infer that even the said burying ground belonged to the Maharajah, while of the whole cost of erection, 1,84,826-14-11, the local authorities only granted about 15,000, and the Hon'ble Court £1,200—the united sum being less than the value of the ground given by the Maharaja, then estimated at 30,000 Rs.! It is true that the Government have kept the Cathedral in repair out of the revenues of the State, and upon the faith of that we presume they claim a right to force into the Trusteeship whom they please! The Trustees have shewn that the Bishop is claiming powers not vested in the Bishop of a diocese at home, as in items first and second; and by item third, they are to be deprived of controul over charitable collections and other funds which have been hitherto invariably subjected to their disposal! According to item fourth again, it will be seen that the Bishop claims a right to interfere in all temporalities upon which the Trustees of St. John's very justly observe, that "to take temporal matters from the vestry and consign them to the Bishop, is to do away with the duties of a vestry altogether."

To the remarks on the fifth item, on which the whole case hinges in fact, we invite special attention. To the uninformed and unreflecting reader, it might have seemed a very innocent proposition, but for the suspicious nature of some of the provisos that precede it: but to those who look deeper into the matter it will be seen that this item effects by a mere *coup d'etat* a total change in the character of the original Trusteeship and vests the *sole power* of the trust in effect in the Bishop!! For it provides that of the nine members, five shall be clerical—one of these five the Bishop, to whom the clergy are enjoined to pay passive, slavish obedience. Of course they *dare* not in any point, however trivial, vote against the Bishop, especially Bishop Wilson of the fearful *soubriquet!!*

Oh! but, some of our readers may say, the sixth item provides for election. Does it indeed?—election of four to be outvoted by the *five!* but as the dismissed trustees justly remark, there can be no such thing as a popular election limited to the residents of the district of St. John's, occupied to a great extent by public buildings; while it is known that many renters of pews who will have no voice, reside out of the district. The proposition for an election is a *farce and a mockery;* and what is more, we strongly suspect it is intended to be so—a mere tub to the whale, which can deceive no one who is not gullible to an extent far exceeding any average of gullibility in any given number of the gullible. Elect what! four lay members to do the bidding of five clerical members, three out of which five again, must do the bidding of the other two?! and thus forsooth is to be called an election and to mock us with the form of a popular controul, where in reality there is not a spark of popular principle, but on the contrary an unmitigated clerical despotism over *temporal* trusts!! In fact it would seem that the Bishop has but to ask and have, and we only wonder that his Lordship was not offered a seat at the Council board, for we have heard that a certain diocesan once kindly volunteered his assistance to the Council in governing the country!

The tone of the Governor's last letter to the gentlemen lately composing the Select Vestry is altogether unexampled and indefensible. It is neither dignified in its style nor correct in its reasoning, nor just in the sentiments expressed, and forms a very remarkable contrast in all respects to that of the Noble Marquess of Hastings which is embodied in a former part of the correspondence. The Governor shuts his eyes to the fact that the objection of the Members was not to co-operate with the Bishop in any useful measure; but to place the whole power over the vestry trusts in his hands, making the rest of the Members the mere passive instruments of his will. Such is the real nature of the change which the Governor's new rules will produce—and for venturing to impugn the propriety of which, his honour hesitates not to reprimand the clergy and the members of the service belonging to the vestry, with a severity which could be only justly due to some very serious delinquency His Honour tells us, indeed, in paragraph 6, that he is at loss to conceive any public principle on which these gentlemen could have offered this uncalled for resistance to the authority of Government; but we believe that every unbiassd reader of the correspondence,

will at once discover that public principle which to his Honor is so impalpable. The Select Vestry, constituted nearly as the late vestry was, has existed from the very foundation of the Church—the Governor of Bengal annuls it in effect by a *sic volo* without any sufficient ground, conferring the whole power on the Bishop, and then wonders what public principle can induce a body of gentlemen whose legitimate authority in the vestry is thus annihilated, who are called on to lend themselves to a mockery, a form without a substance, to remonstrate against a proceeding at once so arbitrary and so extraordinary!!

Paragraph 7, is a mere naked assertion of power—and a profession of ignorance of the constitution of the vestry altogether extraordinary in the face of the Noble Marquess of Hasting's letter, which referred to usage long previously prevalent—a usage which that letter confirmed pending a reference home.

As for the "free and easy" manner of taking up these trusts, it was, as we have seen, that which was expressly sanctioned by the high authority referred to.

The 9th paragraph is still more extraordinary, for the power of the select vestry is by the 6th resolution of the ordonnance of the 19th August, expressly confined to the trusts which may be committed to them by the Supreme Court.

The 10th paragraph again reminds the servants of the Company of their servile condition—talks of the unexampled tone of their letter considering their situations!! So that because they are the servants of the Company, they are to surrender, without remonstrance or complaint, a sacred trust to a power from which they did not derive it!!! Of course *they* must obey, but in doing so, they yield not to *right* but to power.

The 11th paragraph provides for the passive obedience of the clergy and, as we have said, places the sole power in the hands of the Bishop.

The 12th paragraph, which dismisses the vestry, is of little importance after those which precede it.

In the last paragraph we have a reference to the formation of a vestry. For what purpose? To be, as we have said, passive instruments in the hands of others—having the semblance without the shadow of power or controul of any kind! Will any man of spirit undertake such an office? We trow not.

Such is the actual state of the case, which suggests other remarks for which we have not at present time or space. We will only add, that we see no evidence of the slightest intention in the vestry to obstruct our Diocesan in the exercise of any right whatever. As for the weighty affair of placing a screen before Mrs. Atkinson, surely the Bishop might have taken upon himself the office of making that very *flattering* proposition to the lady.

The case is now before the inhabitants, it rests with them to decide whether they are willing to submit to an assumption of power which we hold to be unwarranted and unjustifiable, if not illegal.—*Hurkaru.*

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The vestry question is now pretty nearly before the public, and notwithstanding the length of the correspondence connected with it, (which we borrow from the *Hurkaru)* we think the whole business lies within a very small compass. We have said that the question is pretty nearly before the public—by which we mean that we have one or two of the causes, and the general effect consequent upon them—we mean *the dismissal* of the ex-Vestrymen—before us; but we *have not* the the origo mali—the original dispute or discussion of the vestry with the Lord Bishop. It must have been protracted to considerable extent previously to the communication of Mr. Bushby to the vestry bearing date the 24th of June, 1835, in which were the rules devised by Government in communication with the Lord Bishop, *for the removal, so far as the Select Vestry was concerned*, of all impediment to the due exercise of His Lordship's functions of superintendence *and direction of the Cathedral.* We learn from Mr. Prinsep's letter, that the only obstruction *he* knows of, in which the Trustees had any concern, was the affair of the curtain and Mrs. Atkinson. We presume, therefore, that he is not acquainted with what took place between the vestry and the Lord Bishop, previously to his becoming a Vestryman. The six rules for the regulation of the vestry make it pretty clear, that his Lordship must have met with frequent, nay perpetual obstruction to his views from the vestry. We believe that his Lordship and the senior presidency chaplain were not always exactly of the same opinion on matters connected with the internal regulation of the Church, and, perhaps to this feeling we may trace the promulgation of the learning contained in the vestry's answer to the second rule. It is called second and third items,—by which the Government is informed that in a Cathedral the appointment of servants, menials, &c., rests with the Dean and Chapter,—in a Parish Church with the ministers and the vestry. The framing of the rules by the Government in communication with the Lord Bishop and the spirit evinced in the answer to, and comments upon, the rules of the Select Vestry, *convince* us that a great deal of discussion had previously taken place between these parties; —the subject matters of that discussion are not before us. Mr. Prinsep, it would appear, was dragged into the business about or previously to the affair of the curtain and Mrs. Atkinson; and whether agitation took place or not before, it certainly does appear to have been rife, so soon as this gentleman makes his appearance in the dispute. The letter bearing date the 29th July, is, in our apprehension, vastly symptomatic of previous agitation among the Vestrymen: it is in the style of an answer to a bill in equity and very nearly as long;

and from its legal complexion, we hope we may without offence, attribute the framing of *the greater portion* of it to the last of the exes and newest of Vestrymen. The *Harkaru* expresses his dislike to the tone and matter of the answer of Government to this letter of the 29th July,—he should, we think, ask to himself the question, whether both may not have been elicited by the tone and matter of the vestry manifesto. Mr. Prinsep we learn from the Government letter, was added to the number for the purpose of giving his aid in carrying on this contest with the Government;—the vestry were anxious for the benefit of legal advice without paying for it we suppose:—they have got it with a vengeance! If Mr. Prinsep acted as their legal adviser on this occasion, he has certainly floored his clients, an operation with which, we are given to understand, he is by no means familiar, and the newness of the sensation must, we should suppose, render it rather painful to him. We cannot ourselves conceive the utility of mooting any one of the questions discussed in the vestry manifesto. The Government evidently assume by the communication of the 24th June, 1831, that it had the right to prescribe the mode in which the select vestry should exercise its functions.

The vestry, in a tone and manner absolutely offensive, full of mock respect, and satirical inuendo, dispute that right;—for what earthly purpose, we venture to ask? Why dispute what they cannot resist? And why instead of a respectful remonstrance, do they put forth such a thing as their long-winded manifesto? Why?—because the spirit of agitation was rife among them. Who stirred up that spirit? The framers or framer of that manifesto, we may surely without offence to reason or to persons infer. The Government evidently considers its right to interfere beyond question. If the Vestry intended to dispute the right, they should have put the matter in issue before a competent tribunal—but *no*: they prefer shewing their ingenuity and then by way of frightening their opponent, we suppose, hint at a resignation of trusts *which did not legally rest in them!*—and the relinquishing of functions which, according to their own shewing (if we understand the matter,) they had no right to perform! as they appointed their menials *by the sanction of Government* who pays them. Now, if Government sanctions, and pays, we should think, they may very fairly resume their delegated power to appoint. But, after all, this Select Vestry, like all its fellows is an usurpation,—only that the Calcutta usurpation has not even prescription whereon to base its pretensions. And what shall we ask is the result of this terribly arbitrary act on the part of Government? Why the notice in the *Courier*, and the papers of yesterday for a meeting in the vestry room of the inhabitants of the district for the purpose of elections by ballot for lay members of the vestry,—the very course pursued at home in all cases of the election of common vestry men. As our readers know Select Vestrymen *elect themselves*, it is, therefore, a close borough affair. All that Government has done in the business, in addition to turning out the ex-es is to *open a close borough*. It is true the clerical vestrymen are still four; but inasmuch as some of the clerical members of the late vestry did not exhibit any unbecoming and unvestryman-like deference to the wishes of the Lord Bishop, we may, we presume, expect to see the same spirit of independence evinced in the new vestry by its clerical members; and, in that case, the autocracy of the Bishop need not be a subject of alarm to our contemporaries.

It will be seen that we incline towards Government in this matter to-day. In our former notice of this subject, we disputed the right of Government: there is no longer any use in mooting that question. But our opinion is unchanged, although, we confess, the manifesto of the ex-vestry has tended vastly to modify the excess of sympathy we were inclined to extend to their unhappy case. With respect to the angry tenor of the Government letter, we can only say, we would it were otherwise. Why Government should feel or display irritation we cannot pretend to understand. As to the paragraph relating to the Company's servants, we lament that it should have seen the light. The independence of Government servants, in matters not immediately official, has long been tacitly recognised. We sincerely hope that this official wig, to the ex-es is not to be considered as a revocation of that tacit, but, we trusted, fully established recognition.

We must now conclude. We have written this notice in great hurry. We hope it is not calculated to give offence; certain we are, that none is intended by us.—*Englishman.*

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An article on the Vestry question from the *Englishman* of Friday last, will be found in another page, which presents a strange contrast between its commencement and conclusion: the former might really seem to have been written by the Bishop himself or some one deep in his confidence—the latter appears intended to reconcile an inconsistency which is nevertheless too palpable to escape the most superficial observer.

We cannot pretend to have access to any such sources of information as those which are on this occasion too evidently open to our contemporary; but we have the less reason to regret that since it is equally clear that they have served to mislead him into assumptions wholly unfounded and unjustifiable. We will, however, venture to affirm, that let our contemporary have derived his information from whom he may, he has been misled, for it is not true that resistance was made to the Bishop. His Lordship did what he pleased in the Church; nor, in so far as we can learn, has any complaint been made to the Vestry of any attempt to obstruct him in any manner. We believe the first intimation the Vestry received of any change being meditated, or rather the first thing that made them

suspect that any change was contemplated, was an application by letter requesting that his Lordship might be allowed to peruse the title deeds.

As we do not profess to be in the secrets of the Vestry we are not sure whether this application was made to the Vestry collectively or to the senior Chaplain; but we have heard that it was addressed to the latter and that he replied very properly, that he had individually no power to comply with this request, but that he would submit the letter to the Vestry. This was done we hear, and copies of the deed and of the correspondence in 1819 were furnished to the Bishop. We should like to know what there was in this proceeding to justify the imputation to the Senior Chaplain in particular or the Vestry in general of obstructing the Bishop? In consequence, however, of some representation made to Government on the subject, by the Bishop we presume, that the instructions of Lord Hastings in 1822 had not been acted on, the letter of Mr. Bushby was addressed to the Vestry; but if that were so, the system was one which had continued from the time of Bishop Middleton. The Vestry were not informed, we believe, that the Bishop coveted a voice in the appointments of the choir, the punkah-pullers, the pew-openers and the mehters. Without stopping to enquire how far it may be consistent with the dignity of the Mitre to grasp at control on such matters, we may at least be permitted to remark that before opposition was complained of, the claim to regulate such important *Church* affairs should have been duly submitted to those who could never have anticipated that the Diocesan of our Church could really, in his love of power, descend quite so low. Before the *Englishman* so readily charges the senior Chaplain with opposing the great autocrat of the English Church in the east, he should be prepared with his proofs, and not deal in inuendoes which have no foundation in truth.

We are reminded that before we condemned the tone and style of the Governor's letter, we should have asked whether they were not elicited by that to which that communication was a reply. We answer that we cannot discover in the latter any of that offensiveness or that tone of mock respect which it suits the purpose of the writer in the *Englishman* to discover in it. On the contrary we see in it only that information and those suggestions and remarks which were called for by the previous letter of Mr. Secretary Bushby. There is nothing whatever in the reply of the Vestry to justify the very offensive, undignified tone and style of the Governor's rejoinder—a communication at which we are equally surprized and grieved. The *Englishman* may endeavour to excuse the sentiments, the reasoning and the style of that letter, but we happen to know that these are condemned by parties who are the least likely to be biassed against the high authority whence this very unjustifiable and indecorous communication proceeds.

Our readers may recollect that they were assured in defence of the Archdeaconry business, that the Bishop required some one to be his Archdeacon who would work with him; and thus it was that he first intended the office for his nephew and son-in-law and when, owing to the affair with the missionaries and the awe of public opinion, his Lordship was deterred from fulfilling that pious intention, or was shamed out of such nepotism by the press, he put in a kindred evangelical soul from the junior clergy! We now see what sort of "work" it was that the now Archdeacon Dealtry was ready to perform at the price which his seniors would not pay. Of a truth the Bishop "has not brought peace but a sword." He quarrels with the Christians in the south, next with the Vestry and inhabitants about temporal power, and then sets out on a visitation tour to escape the storm he has brewed!

The *Englishman*, indeed, tells us that all that the Government has done is to open a close borough! a pretty opening, indeed, when the clergy of the Select Vestry are enjoined slavish obedience, accused of obstructing the Bishop's views, and then they and the Company's servants are distinctly reminded of their dependant condition and severely reprimanded for stating, when *asked*, their conscientious opinions! How after this can any Company's servant ever be allowed to sit on a jury, or consent to do so if allowed, while he is subject to be thus treated if his opinions do not coincide with those of power?

He jests at scars who never felt a wound.

We know something of the effects of this claim to servile obedience in the Company's servants. We have not yet forgotten the case of the Sheriff reprimanded for calling a public Meeting because *he* happened to be a Company's servant—nor the stamp tax proceedings—or to go further back, Sir George Barlow's persecutions of jurors at Madras. We confess that we cannot think without pain and humiliation of Sir Charles Metcalfe's claiming from the servants of the Company, a blind and slavish obedience and a disgraceful surrender of their duties as the trustees of public property: yet in the face of such a reprimand as the servants of the State, ecclesiastical and lay, have received for daring respectfully to state their views as Vestry-men when called on, the *Englishman* cooly talks of expecting "to see the same spirit of independence evinced in the new Vestry by its clerical members," and in that case we are told that we need not fear the autocracy of the Bishop!!! No indeed; but unless the clerical members should become idiots, it would be a degree of folly bordering on infatuation to expect that they would re-assert an independence, the claim to which has brought upon them the severest reprimand. "*The independence of Government servants in matters not official, which has long been tacitly recognized,*" is now plainly and practically revoked in that *very* letter which the *Englishman* in the first portion of his remarks endeavours to justify; but which in the last, as if another mind had guided his peroration, he does not venture to defend.—*Hurkaru.*

Our readers will be amused with a long article we copy from the *Englishman*, about the Vestry question, especially with the two short concluding paragraphs contrasted with the two lengthy paragraphs which precede them. Our brother of the *Englishman* was already known to have a happy versatility of talent, which was never distressed by a charge of inconsistency. To find every thing right and every thing wrong by turns was an easy task, and we were sure to be one day agreeing and another day disagreeing with our contemporary upon the same subject. It was therefore quite in the order of things to find him saying, "We incline towards Government in this matter *to-day*," whatever might be his inclinations *yesterday:* but it has not been so usual to meet with opinions as wide as the poles asunder in the very same article—shall we say, from the same pen? The article is in other respects more open to commentary than any we have read for many a day in the columns of a newspaper; but we do not think it worth while to expose the errors of fact and inference which abound in it. The writer has evidently studied to mix up with the conduct of the Vestry matters they had nothing to do with; and because their letter was eminently respectful throughout, he charitably supposes it "full of *mock* respect and *satirical inuendo*" !!—*Calcutta Courier.*

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Our notice of the vestry question has brought down upon us both our morning and evening contemporaries. The *Courier*, whose consistency has always been a theme of public admiration and astonishment, taxes us with inconsistency in this particular matter and with inconsistency in general. As to the general charge, we can only consider it as "too amusing" on the part of the *Courier*,—and so we leave it. As to the inconsistency in this particular matter, we shall rebut the charge in answering the observations of the *Hurkaru*. The *Hurkaru* begins with congratulating himself in not having the sources of information open to him which are evidently open to us, and which have led us into assumptions and insinuations wholly unfounded and unjustifiable! Our assumptions "so *wholly* unfounded and unjustifiable" are simply these, that "the senior Presidency Chaplain and his Diocesan were not always exactly of the same opinion on matters connected with the internal regulations of the church;" and we go on to say, that the necessity for framing the six rules contained in Mr. Bushby's letter to the vestry, and the spirit evinced by the vestry in their answer, convince us that considerable discussion had previously taken place in the vestry. This is all that we said, and this is what the *Hurkaru* calls by the lofty title of "assumptions and insinuations wholly unfounded and unjustifiable." Our contemporary then proceeds to inform us in what the senior presidency chaplain and his diocesan *did differ*. The first thing which made the vestry suspect that any change was contemplated was an application by letter requesting that his Lordship might be *allowed* to peruse the title deeds; then comes a little piece of affectation about not being in the secrets of the vestry—*quæque ipse misserrima vidi*, and one of the quorum to boot, we suspect, notwithstanding the disclaimer.) After which our contemporary tells us *he has heard the* application was made to the senior chaplain,—that he replied very properly he had no power to comply with the request, and the matter was submitted to the vestry; and this, according to the *Hurkaru*, is all that took place previously to Mr. Bushby's letter and promulgation of the six rules. Now we, the *Englishman*, have *heard* that repeated discussions had taken place between his Lordship and the S. P. Chaplain *before* this, say for the five or six months preceding, and that the vestry had had cognizance of these discussions; and when we saw the six rules promulgated, we naturally felt satisfied of the truth of our information and concluded that much opposition had been encountered and that the rules were *in consequence* framed.

The *Hurkaru* then proceeds to say, (although not in the secret) that the vestry were not informed that the bishop coveted a voice in the appointment of the choir, the punkah pullers, the pew-openers, and mehters, and goes on to comment on his Lordship in a strain which though highly disrespectful is not by any means surprising in a journal which has systematically opposed itself to the established Church—her interests, *ministers*, and undoubted rights. The *Hurkaru* talks about *our* insinuations and assumptions;—we can only say that, looking at the insinuations and assumptions and inuendoes contained in this paragraph of his, we should be extremely sorry to make an exchange with him. We will ask, is it likely that the Bishop would complain of opposition to him in matters of internal regulation of the church, if he had not experienced such opposition? and if such opposition did not take place on the part of the vestry, from *whom did it proceed?* And now we ask, whether or not we have dealt in insinuation and assumption unfounded and unjustifiable? The *Hurkaru* cannot find in the reply of the vestry, any of that offensiveness *or tone of mock respect* which it suits our purpose to discover in it. Whether or no our contemporary have or have not a bias on this question which may obscure that clearness of perception which generally distinguishes his views, we shall not take upon ourselves to say: we have his assertion, and that of the *Courier* opposed to ours; we have the opinion of Government in communication with the Bishop in corroboration of our view of the matter,—*three to two in our favour.*

It may be said that the Government and the Lord Bishop are *collectively* one of the parties involved in the discussion. The *Courier*, as far as the little he does say, and the *Hurkaru* in all that he says, are, if not vestrymen, at least, quasi vestrymen; so we still say that, quoad the opinion entertained of the vestry letter, opinion is three to two on our side. The *Englishman* has not endeavoured to excuse the sentiments, reasonings, &c. of the

Government letter: all that the *Englishman* says about it is:—"with respect to the angry tenor of the Government letter, we can only say, *we would it were otherwise.* As to the paragraph relating to the Company's servants, we lament that it should have seen the light." That is *what* we do say; why the *Harkaru* should mis-represent us we don't know. The next paragraph does not relate to us. It is a beautiful specimen of the *feeling* of the *writer* towards heads of the Church,—it is a precious piece of personality and the more reprehensible inasmuch as the writer well knows, that the parties attacked *will* not answer him through the medium he has had recourse to, to communicate his sentiments. The Government letter after all, is nothing more nor less than "a wig;" *of course* nothing of the sort was ever issued before by Government to its servants, and nothing of the kind ever *can* happen again. "How after this," asks the the *Harkaru*, "can any Company's servant be allowed to sit upon a jury, or consent to do so if allowed, if his opinions do not coincide with those of power?" Here is an assumption on the part of our cotemporary with a vengeance. We deferentially submit that no assumption or insinuation of ours, unjustifiable, ever went this length. The Government writes as follows to five gentlemen who are in its employ, "the other members of this party who are servants of the Company (naming them) apper to the *Governor* to have placed themselves in a very unbecoming position, by their needless and unmeaning resistance to the well meant and unobjectionable regulations of the Government." This is absolutely *all* that is said. We should very much like to know from the Secretary's office, whether such observations on the part of Government to its servants *have ever* been made before? and whether or not in consequence the independence of the parties so addressed has been so entirely prostrated as to render them *fearful* of *acting on juries*, etcetera, etcetera, &c. &c; leaving it to our readers to supply as many shocking cases as their experience or imagination suggests of the evil consequences resulting from this measure! *We* remember, says our lecturer, the case of the sheriff reprimanded, &c., the stamp tax proceedings, Sir G. Barlow's persecutions at Madras! And *we*, (the *Englishman*) remember Mr. E. Gordon's speech at the press meeting, and the various subsequent speeches and public conduct of many highly talented and staunch supporters of liberality, in cases when the Government claim to servile obedience might, for aught they knew, have been exacted; and yet, notwithstanding the examples within the *Harkaru's* recollection, they did not desert their post. We repeat it, we do not justify the Government letter, but think under the circumstances the conduct pursued by Government was the best it could adopt; and we maintain, it is perfectly consistent to uphold their anger without approving of the *form* in which it displayed itself;—but this we fearlessly say in the teeth of the *Harkaru*, that it will take a different sort of letter to that which he holds in such apprehension, to stay the mouths and stifle liberal feelings in the bosoms of Englishmen whether in the service of the Company or out of it; and its inference of the assumption of despotic authority by Government over its servants in matters unconnected with the service, *because* of the appearance of the paragraph above quoted, is making a mountain out of a mole-hill. That the press should watch carefully every undue assumption of authority we readily admit; we hope we have not been in the background on these occasions; and notwithstanding *what* has taken place, we really think the Government has opened *a close borough*. In fact, the *Harkaru* agrees with us in so many words; for he says, that our only chance of escaping the autocracy of the Bishop is in the good sense and public spirit of the inhabitants of St. John's parish, to whom the right of voting is most arbitrarily limited, if they elected four independent members, of course out of the service;—in or out, we say, it does not signify a pin's head, so long as they can think for themselves, and are not to be seduced into signing manifestoes:—the autocracy may then be defeated, but not otherwise. We have no doubt but that the inhabitants of St. John's will do their duty, and we have as little doubt that in so doing they will best fulfil the wishes of Government who have given them the opportunity of doing it, which they would not have had, by-the-bye, under the select vestry system. We are not a little amused at the *Harkaru* supporting *select vestries*:—Talk of inconsistency indeed! We deny any such thing on our parts, and, for a day, we suppose, we take leave of our two contemporaries on this matter.—*Englishman.*

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The *Englishman* of Monday has a long article on the Vestry affair to which we refer our readers. Our contemporary denies having dealt in assumptions and insinuations—has he not assumed that there has been a systematic course of opposition to the Bishop—and insinuated that the Senior Chaplain was at the head of it? has he not asserted that Mr. Charles Prinsep was *dragged* forward to carry on the *contest?*—the whole of which assumptions, insinuations and assertions were distinctly denied on Monday at the Meeting by the Senior Chaplain. He says we have pointed out in what the Senior Chaplain did differ from the Bishop—we have done no such thing; we have explained that the Senior Chaplain did not choose to act on his individual authority when called on for Papers—that he stated truly that he had no power to act and would refer his Lordship's letter to the Vestry, which he did without hesitation, and they supplied *all* the information required! Was that obstruction we ask? As for Mr. Charles Prinsep's being dragged forward to carry on a contest, we refer to the Senior Chaplain's explanation on that point, and shall merely add that he is about the last person in Calcutta who can be justly suspected of being likely to lend himself to any thing of that kind. Mr. Prinsep is in general careful—too careful, w[illegible]

regret to say, of mingling in our local politics, —rarely attends public meetings, and is as little of an agitator as any man we know.

We come now to answer an insinuation which more directly concerns ourselves. The *Englishman* assumes that "one of the *quorum*" wrote the remarks to which he refers. He is greatly mistaken—they are *entirely* our own. We admit that it is comparatively of little consequence as a general rule who writes, if the editor adopts what is written; but our practice in this respect is somewhat rigid. Very rarely indeed—one case out of a hundred editorial articles in this paper—we may have the assistance of friends: but we never *yet suffered* and *never will suffer*, the parties in a controversy to make use of our editorial columns or put forth their sentiments and language as *our own*. And assuredly, in this instance, we have neither suffered *clerical* friends to dictate to us nor *legal* friends to write a special-pleading article for us, adding a tail piece by way of softening off the effects of their mistaken zeal. In cases of this kind we hold that an editor should not quite so readily adopt what is written for him upon the *exparte* information furnished to him by one of the high contending powers. Our information is derived from several sources. We are asked whether it is likely that the Bishop would complain of opposition to him if he had not experienced such opposition? Reasoning *à priori* we should have said no: but arguing from actual evidence of what is past, we must say yes! that however unlikely it may have been deemed, IT IS A FACT that the Bishop has misconstrued into opposition that which was not opposition—we are bound to deny that he had just cause of complaint.

We are told that the opinion of the Government in communication with the Bishop, is opposed to us, as to the alleged offensive tone of the Vestry letter, and that these authorities make three to two in our contemporary's favour. We answer, that we can bring, if necessary, twenty authorities, in integrity and intelligence equal to any member of the Government, to support our view on that point; and as to the character of the Governor's letters—twenty did we say? aye, a hundred. If indeed we are to be met with the *rank* of the parties, we have nothing more to say.

We are again accused of misrepresenting—we deny the charge: we have put the case fairly.

We are accused next of a *beautiful* specimen of *feeling* towards the heads of the Church. What our feeling may be, we shall not now pronounce; but there have been heads of the Church for whom we cherished a high respect: they certainly did not adopt any proceedings like those we now condemn. As for "a precious piece of personality," we might perhaps retort in the words of Juvenal—

Quis tulerit Gracchos de seditione querentes—

but we deny that we have dealt in personality. We have discussed the conduct of the Bishop in his *public capacity*, and in that alone. The *Englishman* may choose to call that personality if he pleases; but he has a very different definition of personality when it suits his purpose: but our alleged *personality* in discussing the public conduct of the Bishop is the more heinous it seems, because we know that the parties attacked (who are they?) will not reply through the same channel. We do not know any *such* thing. Unless we are greatly mistaken they have done so ere now in a certain way—but perhaps they don't recognize the maxim *qui facit per alium, facit per se*.

The concluding remarks of our contemporary, in which he denies that the Government letter at all interferes with the independence of the Company's servants, have received a practical reply from the result of Monday's election and the sentiments there expressed. No Company's servant offered himself as a candidate and it was admitted without any dissent that none could act.

We are told that we support Select Vestries. We support no such thing; but we do contend that justice, decorum, and consistency should mark the acts of a Governor. What we do advocate in respect to Vestries is open election of an independent constituency. Have the Government manifested any desire in their recent proceeding for such a Vestry? we need not pause for a reply.—*Hurkaru*.

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In another column we insert the rejoinder of the *Hurkaru* to our article of Monday. Here the Vestry discussion, as far as we are concerned, must stop; and we only regret that further insinuation on the part of our contemporary precludes its cessation without additional remark.

The *Hurkaru* hints that we have been dictated to by *clerical* friends, and that we have lent our editorial columns to others for controversial purposes. If to listen *once* to information unexpectedly *volunteered* by a minister, in the presense of others, be to suffer dictation, then we are guilty; but if this mode of obtaining *renseignemens* on an interesting question has in it nothing of that character, then has our contemporary assuredly wronged us.

We now declare most solemnly, once for all, that since this journal has passed by its present denomination, or has been in its present hands, not one single editorial article has ever appeared in it which was either written *by* a clergyman, or *for* a clergyman, or *in consert* with a clergyman, or with the most remote view of serving the views and interests of any minister of the established or any other church! When a question has been mooted in which the interests or government of the church have been involved, it has been our practice to seek information from friends competent to furnish it, and to frame our editorials with reference to the intelligence obtained; but we have never *once* resorted to a clergyman,—we have never *once* received the smallest assistance or information, direct

or indirect, from any clergyman, save in the solitary instance to which we have referred above. We hope this disclaimer will satisfy our contemporary for the future, and that it will not again be cast in our teeth that this paper lends itself to any party or to any cause, but the cause of TRUTH—the party of our supporters.

But we allow "*legal* friends forsooth to write special pleading articles for us!"—a grievous charge—while in the *Hurkaru* not one editorial in a hundred is written by any one but the sole and responsible Editor himself!

There was no occasion for this *naive* confession on the part of our contemporary. It has been too plain for the past eighteen months that, excepting when the late editor of the *India Gazette* adorned the pages of the *Hurkaru* with *his* powerful articles, and a certain quondam *Redacteur en chef* occasionally lent *his* aid in the supply of military and political effusions, nearly the whole editorial matter has been drawn from one o'erlaboured brain. So much industry is indeed praise worthy, but it may be permitted us to doubt whether the force and consequence of a journal are thus most effectually preserved. We confess we employ talent, lay or legal, wherever it is to be found—or wherever it can be enlisted in the service of our readers—but certainly not after the fashion suggested by our contemporary. A particular subject is often pointed out to a friend—the line and course of argument occasionally traced for him,—and we are but too happy to avail ourselves of the form in which our views are embodied and maintained by abler hands than our own. This employment of other individuals may, indeed, produce occasionally a little inconsistency on minor points in the editorial columns, but it is more than counterbalanced by the additional knowledge and talent brought to bear upon any popular subject. We only wish that the newspaper resources in this country permitted of the extension of the system.—*Englishman.*

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The *Englishman* has taken leave of the Vestry discussion in an article in the conclusion of which there is what is intended we presume for a deadly hit at us in the shape of an invidious comparison or contrast. The writer is mistaken however, if he imagines that we are quite so sensitive or so selfish as to feel hurt at a just tribute to friends whose talents we have ever readily acknowledged, merely because it seems to be offered with a view to disparage our humble labours by comparison. *We* can appeal to the pages of this journal for proofs of the fact that we, even when opposed to one of the gentlemen to whom the *Englishman* adverts, as freely admitted his superiority as we have done before and since. We know him too well not to be aware that he will not think the better of any acknowledgment of his abilities, that it is made rather with a view to depreciate us than to do justice to him. Our contemporary in his sketch of the Calcutta press might have found an opportunity for that warm praise in which he *now* indulges, in which his expression of it would have been less liable to any suspicion of a sinister motive.

With regard to the question of receiving assistance in the editorial department, when we can obtain any like that to which the *Englishman* adverts we are always most glad to avail ourselves of it, but contribution from *such* writers come, alas!

Like angels visits, few and far between.

What we were anxious to protest against was the charge of permitting the parties to a controversy to make use of our editorial columns—that we never do, because we hold the practice to be unfair.

As for the Vestry question *we* have not done with it, although we rest on our oars a while to see the course which things will take.—*Hurkaru.*

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## EDICT TO THE METCALFE LIBRARY COMMITTEE.

SIR,—Although you are a member of the Metcalfe Library Committee, you do not seem to be aware that an admonitory letter has been addressed to that body by very high authority. I send you a copy of it which has accidentally fallen into my hands and it may be worth your while to publish it as a stimulus to the subscription which I regret to hear is in rather a languid state— from *gout* your contemporary the *Courier* says, but I am greatly apprehensive that the symptoms are those of rapid decline. Your readers will see that the style and temper of this letter bear considerable resemblance to those of a communication which appeared some days ago in your paper, and which related I believe to some parochial matters in which the Vestry were concerned. The rebuke conveyed to the Company's servants for joining in commending the acts of a Government "*which they are bound to obey,*" is severe, but it is dignified and particularly well timed. We have often had rulers who have laid down the dictum that no dependent of the Government must presume to question, far less to blame, any proceeding of that authority, but now for the first time we have the truly magnanimous principle promulgated that those who may not blame must not applaud.

Your obedient servant,

PETER JENKINS, *Junior.*

10*th October*, 1835.

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*To H. M. P. and Gentlemen calling themselves the Committee for the Metcalfe Library.*

Gen. Dept. Conservative.

GENTLEMEN,—I am directed to call your attention to the Resolutions passed at a public meeting at the Town Hall on the 20th of August last, which the Governor has perused with deep regret as indicating an assumed

right of applauding a measure of the Government, for which he is unable to discover a sufficient reason.

2. He is utterly at a loss to imagine how the introduction of a law, which merely gives the same freedom to Bengal which Madras has long enjoyed, can justify the gentlemen calling themselves the Committee in asking the public to co-operate with them in eulogizing the eminent personage who passed the law.

3. On the part of the originator of the Library scheme this conduct appears to be most reprehensible and quite unsuited to the character of his office, in as much as he, with very insufficient reason, gratuitously applauds the act of a Government which he is bound to obey.

4. The other Members of this party, who are servants of the Company, viz. Messrs. —, —, —, —, —, —, —, appear to the Governor to have placed themselves in a very unbecoming position by their needless and unmeaning approbation of the well meant and unobjectionable measure of the Government.

5. The remaining Members Messrs. —, —, —, who are understood to have been added to the number for the purpose of giving an appearance of independence to the Resolutions laudatory of the Government, not being servants of the Company, the Governor refrains from making any remark on their conduct, but leaves it to their own good sense to determine whether there is any credit in gratuitously taking part in these proceedings, for no purpose whatever of benefit of any description to any one.

6. The Governor has endeavoured in vain to discover what public principle, what public or even private interest, what duty, what reason exists, to warrant the uncalled for compliments which have been lavished on him personally on account of the press law.

7. He does not recognize in the gentlemen called the Committee any legal existence as approvers or censurers of the acts of the Government. The originators of the meeting are Members of that body ex-officio in consequence of their having moved and seconded the laudatory Resolutions. The other gentlemen have been added, the Governor knows not how, but apparently without any legal authority.

8. Considering the free and easy manner in which the office of Committee-man has been assumed and subscriptions have been solicited the Governor would consider the laudatory proceedings of the Committee as extremely ludicrous, were he not grieved at the want of judgment they exhibit.

9. But in supposing that a love of Free discussion gave rise to the new Press Law, you have misunderstood the object of Government. The primary intention of the Government was to secure uniformity in the Press Law all over India, and the contingent benefit which might result from Free discussion was quite a secondary consideration.

10. The unexampled tone of your Resolutions, considering that with a few exceptions, they are addressed by servants of the Company to the Government, precludes the hope of your voluntary retirement from the false position you have thought fit to occupy, and compels the Governor to issue such orders as he believes himself competent to issue in this unexpected and unprecedented state of affairs; and to these orders he requires the obedience of all who are in any degree subject to the authority of the Government.

11. The proposers of the two Resolutions for raising a subscription to defray the cost of a building and of a statue or bust to be placed therein, in honor of the Governor, are directed to co-operate with the Right Reverend the Bishop and the Venerable the Archdeacon in the formation of Infant Schools, the foundation of Tract Societies, and the promotion of other Institutions having for their object the advancement of the tenets of the Episcopalean Church, and to obey any orders they may receive from the Bishop.

12. The other gentlemen who have taken part in your proceedings as members of the nominal Committee are relieved entirely from the nominal office which they have assumed, and such of them as are servants of the Company are prohibited from interfering in the affairs of Government by the gratuitous tender of their approbation of measures with which they have nothing to do.

13. With respect to the subscription raised, the Governor has no intention of disturbing any legal rights which may exist, and any gentlemen who are really vested with the trust of such funds individually will continue to act on behalf of those who have empowered them; but the Governor is satisfied that no right of passing laudatory Resolutions and addressing thanks and eulogies to the Government on behalf of the public exists, and that the gentlemen who have taken upon themselves these offices with so much facility and so little authority, may relinquish them with equal ease. He is therefore willing to relieve them from any embarrassments or responsibility on this account, and to arrange on the part of the Government for the annulment of all the proceedings had up to this period, desiring the self-styled Committee and especially those who are servants of the Company to take back the approbation which they have so gratuitously and unbecomingly offered to the Government which they are bound to obey, until an independent expression of opinion shall be authorized by resolutions issued by the Government.

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

(Signed) G. A. WIGBY, *Secy. to the Govt.*

*Fort William, the 30th September*, 1835.—*Hurk.*

# ON CAPITAL AND ITS DIFFUSION IN INDIA.

## LETTER IX.

TO THE EDITOR OF THE BOMBAY GAZETTE.

"The greatest misfortune of a country is an indigent tenantry. Whatever be the native advantages of the soil, or even the skill and industry of the occupier, the want of a sufficient capital confines every plan, as well as cripples and weakens every operation of husbandry."—*Hume's Essays.*

Sir,—I have in a letter which nominally forms no part of the series I am now writing, expressed my opinion on the subject of selling the landed property of Government. I have there given my reasons for desiring to see such a sale made, also a plan for making it; and, with the hope that such a sale will be effected, I proceed with my sub- -ht as well preach political doctrine to ditary slave as plead the elevation of a ... in minor matters, to whom that great, and indeed only foundation for prosperity—independence—is denied.

I will suppose, therefore, that there is no insuperable objection to the adoption of this measure on the part of the rulers of this country; and I will not hesitate to believe that, as soon as the other advantages which I am endeavouring to procure for the landed proprietor shall be conceded to him, there will be no deficiency of purchasers of this description of property. Land will in fact be as much desired as other commodities, when it is made equally profitable, and equally secure; the only object for which I write, is to obtain for it such profit; and such security, accompanied perhaps with a few other benefits, which may serve to turn the scale at once in its favour.

One of these benefits, and that which shall be the subject of my present communication, is, titular honour.

No man who has seen with what avidity the title of Esquire has lately been sought in Bombay, and with what pride it has been cherished, can, for a moment, suppose that the native is that apathetic personage some would wish to prove him. The fact is, that, if we were to search the world over, we should probably find few so covetous of mere formal distinctions.

The civil advantage of forming one of the commission of the Peace is not, even in England, very important, how little therefore but the name can exist of it in this country, where the exercise of the official power is so trammelled? Were even the fullest jurisdiction enjoyed by the native justices, their ignorance of the laws, and even of the customs which they must preserve obedience to, is so great, that they could not probably make any good use of it. The nominal distinction then, is in reality the only prize sought after, and the only boon conferred. But unfortunately in every case this distinction has been confined to the Presidency. Merchants and capitalists, men who have no more interest and no more influence in this country than I have, are the persons who have invariably been chosen as those most especially to be marked by the favour of our Government.

I cannot say that I ever held in much estimation the policy which would transform native merchants into the administrators of English laws; which, in a word, would confer on them the particular title of *Justice of the peace;* because, I think that it would be hard to show, that a most able and important guardian of our constitutional laws and liberties can, in a moment, be made out of a person most absolutely ignorant of both. The power of those who established the anomaly is undoubtedly very great, but no one will come forward and assert that it extends so far as this.

Such being my sentiments, it is not likely that I should wish to see this grade of honour, so respectable in the well-informed English Squire, so ridiculous in the Parsee or Hindoo trader, introduced into the provinces. It will be time enough to make men administrators of laws when they have become able to understand them: until then, it would perhaps be better to confine so extraordinary a class to the Presidency, where, if they do no good, they perhaps do little harm. But, if I would not recommend the confering this particular honour on the Mofussil landed proprietor, surely, in this age of invention, some other might be discovered, which, while it might give equal distinction to the receiver, would be more suitable to the nature of his position. The grant of any title to the larger landholders would be a boon of the greatest magnitude. It would give to him, which is the thing most wanted, a right to the respect of his neighbours; and it would make him a man of so much importance in his country, that he would be able to secure not only himself, but also his tenantry and friends from any undue influence on the part of the native officers of Government. I might enumerate a thousand good effects which would attend the establishment of such a grade, but they will be obvious to all without my doing so. Indeed that great Indian Politician, Sir John Malcolm, considered the establishment of a somewhat similar class, namely the Sirdar of the Decan, as one of the wisest measures of Indian administration.

If this class be once established, I think that a privilege of the utmost importance may be granted to it. I mean, freedom from arrest

for all debts which do not exceed the value of their landed property. In these cases, their property should be considered sufficient security for the payment of the sum, if, upon examination, it should be found to be due. The obligation to register the transfer of estates, in the principal cutchery in the district, would preserve the creditor from any loss; and, to this perhaps it would be as well to add, the necessity of registering mortgages to render them valid, a custom, which I am informed, prevails in Scotland.

It is very far from my desire to make this description of honour a means of eventually ennobling a set of penniless idlers, who may please to live upon their father's reputation, instead of upon the fruits of their own labours. Neither is it my wish to see these distinctions, by conferring influence on persons inimical to our government, turned into weapons to wound, instead of shields to defend us. To prevent, therefore, such consequences, I would not have these honours made hereditary, nor would I wish the privilege of freedom from arrest to be continued to a person, after he had disposed of the estate on account of which it was originally conferred.

The title, the establishment of which I propose, should in fact be of this nature.

1. Landed property within our territories, of a certain value, should be a necessary qualification for the receipt of the distinction.

2. Of such as possess this qualification the Governor-General might, at the recommendation of the local Governor, select such, as from their character and attachment to our interests, appeared deserving, and confer on them the titles.

3. The title should remain with him who has received it, till death.

4. The successor to the estate, whether son or purchaser, should not necessarily succeed to the title, but only be qualified to procure a re-grant of it.

5. In case any titled landholder should either mortgage or become dispossessed of so much of his estate, as to render the remaining portion of less value than that required for the qualification, he should lose the privilege of freedom from arrest for debt.

6. No titled person should in any other case be liable to arrest for a debt of less amount than the value of his qualification.

In this I think are contained all the principles requisite for the establishment of such an order. The person must be qualified in the first instance, both in point of real property, and loyalty; which will make him desirous of distinguishing himself by such property and by loyalty. He will be privileged from arrest as long as he keeps his estate, which will prevent his selling it, unless from necessity: should adversity overtake him, he will, though subject as much as others to the laws, still be respected for what he has been. The co[illegible]he honour for life will prevent his [illegible] to the caprices of those in [illegible]its cessation upon his death will [illegible]ke him be careful to avoid conduct which may prevent its descent to his children. In fine, what I hold to be the most important consideration of all, a certain qualification of landed property being required, the value of land will rise; for many a rich man will be anxious to procure ground, from which he may reap such splendid fruits, but without which he can never possibly obtain them.

In order to prevent that langour in ambitious pursuits, which, while they are improperly directed, is one of the greatest banes, several grades of this species of noblity should be established, the qualifications for which should vary in amount. The largest estates would thus be in request: as in other countries, the wealthy merchant might then aspire to become the privileged noble. Money would be turned in some degree from the channels of trade to those of agriculture, certainly even the farmer would be benefitted by the change, as commerce would be more eagerly engaged in, when it became evident that an early life of activity and enterprise was the surest mode of eventually securing an old age of honour.

## LETTER X.

I have constantly said, that my wish is to see more capital expended in agricultural pursuits than either is so employed at present, or ever can be so employed, as long as the present system is upheld with all its defects unaltered. We may talk to our subjects, as much as we please, about the most advantageous way of laying out their money; but, unfortunately for rulers, mankind are apt to prefer their own opinions upon these points; and I doubt whether the eloquence of Demosthenes, joined to the power of an Asiatic despot, could procure a liberal subscription for a scheme which militated against the plain common sense of the monied part of the community.

Considerations, therefore, upon the particular advantages of this, or that particular mode of investing cash are not of any use, as far as influencing private individuals is concerned; these are certainly the best judges of their own pecuniary affairs; and interference on the part of the state in such matters would, at once, overthrow public confidence, in whose wake would speedily follow both public and private credit. Legitimate freedom is essential in most things, but especially so in commerce. The golden stream will neither listen to our invitations, nor to our threats; and any attempt to force it would dry up its current for ever.

The true politician therefore will attempt

neither of these methods. He will know that the property of money is to seek those channels where it may find profitable employment, and where the most perfect, the most sacred security is given to it during its ingress, its egress, and its stay. His only efforts, therefore, will be directed to forming such channels, and he will rest assured that, when they are completed, they will not long remain unfilled. Many men who call themselves sagacious statesmen are most deeply imbued with a mania for interfering with mercantile concerns. They take it into their heads, that some pet branch of commerce is undeservedly neglected, and spend their lives in endeavouring to persuade people to engage in a trade which, had it been found a gainful one, would assuredly have needed no man in power to recommend it. The fact is, that men have so peculiar a love for their money, that none can be found patriotic enough to wast it in speculations purely intended for their country's good; and I really cannot see how a nation could be benefitted by the folly of such persons, even did they exist.

But, if it be impossible to woo money to our shores, by either threats or entreaties, there are happily other most infallible methods for accomplishing this important end. These methods are in the power of every government which chooses to employ them: they are a most careful and thorough investigation into every branch of neglected commerce, and the introduction of such alterations and improvements, as may make that a profitable investment for capital, which was formerly not so. If the circulating medium be deficient, let it be artificially increased; if any part of trade stagnates from the excess of capital employed in it, make openings for the superfluity to drain off into some other channels; if it suffers from a deficiency, add such advantages as shall draw to it the quantity necessary to sustain its animation.

There are two grand causes which prevent the rise of commerce to perfection. One of these is some natural obstacle, such as a deficiency of roads and navigable streams, the ignorance of the inhabitants, or their inaptitude for the particular species of trade, an adverse climate, the want of harbours, and many others which will occur to every thinking man. (Perhaps, upon second thoughts, ignorance and inaptitude should not be classed among natural obstacles.) These may, by patience and perseverance, be in a great measure remedied, and there are instances on record of countries seemingly debarred by nature from all chances of commercial success, which have nevertheless raised themselves to great eminence in it.

The other of these grand causes of prevention, and which is certainly by far the most general, is some gross error of the Government, under whose protection the trade is carried on, in the measures adopted relating to it. So generally is this the cause of decay in commerce that were any country in the world pointed out, where there was every natural facility for trade, yet where none was carried on, you might at once, without farther inquiry, set down the mischief to the incapacity of the ruler. Perhaps indolence is as much the promoter of the evil as ignorance; but that is quite foreign to the question, if a man is incapable, it matters little from what cause that incapacity has arisen.

It is a most fortunate feature of the constitution of Britain, that monied men of all classes are to be found in Parliament. The landlord, the fundholder, the merchant and the banker, will there find each a representative of his profession; and therefore, in Britain, few branches of trade have suffered from indolence. Did such an assembly exist in this part of our sovereign's dominions, any remarks upon commerce might be superfluous, as every point of the question would then be publicly mooted. But, to raise such an assembly here, would at present be impracticable and absurd; it consequently becomes the duty of those in power to consider of their own accord questions to which there is no constitutional mode of attracting their attention.

I asserted above that no writing of this description would possibly have any effect upon the conduct of private individuals. Each will pursue what he deems his own interest, without caring much what others may say; and in truth he will do well; for, of each man's concerns, he himself, who is the person most interested in them, is the best judge. I hope, therefore, it will be understood, that in recommending a species of investment for capital, I do not wish to advise individuals to embark their properties. If I had any such notion in my head I should indeed be worthy of ridicule. What I wish to do, is, to point out the manner in which capital may be employed most advantageously for the community in general, hoping that, if its merits be allowed, yet for any reason it be neglected, government will not hesitate to inquire into the cause of that neglect, and make such alterations, as by adding to its attractions, shall ensure due attention being paid to it in future.

In order to shew what species of investment of capital is most beneficial to the state, I shall consecutively consider the several sorts under their proper heads. These I take to be five. First, burying money or hoarding it; second, purchasing into the public funds; third, embarking it in commerce; fourth, engaging in manufactures; fifth, devoting it to agriculture and the purchase of land. I shall not consider shipping under a separate head, because a shipowner is a kind of commercial man: neither shall I place subscriptions to public companies among the methods of investing money, because all companies must be commercial, manufacturing, or agricultural, and so they will be included in what I shall say of these descriptions of investment.

I think these five heads will include all other kinds; but, at any rate, if there be a few which do not come under them, I believe they

will be discovered to be such, as are, in a general point of view, hardly worth a thought. It has been said, that if we take care of the pence the pounds will take care of themselves. This may be partly true, and it might certainly not inaptly be applied to political considerations in England. There, commerce is so well represented, there rich and influential individuals receive so much attention, that I have little doubt, they are indeed well able to take care of themselves; while the state of the peasantry, and of the lower orders, agricultural and manufacturing distress, occupy a large share of the attention of the minister. But here, we must recollect, the scene is very different; here the upper classes as well as the lower require our fostering assistance. Kings and princes, the most ancient nobles, and the most wealthy merchants, the owners of thousands of acres, the generals of armies, and the proprietors of fleets are alike at our mercy. If their voices be heard, it is a matter of favour, if their petitions be attended to the measure of our benignity is held to be complete. A single stroke of the pen may consign hundreds of unsuspecting natives to ruin; but can a stroke of the pen again raise to affluence the thousands whom we have destroyed?

A mighty revolution has taken place in this country. Such a century of woe and devastation, of the overturning of thrones, and the annihilation of nobility, as the last proved to India, has seldom, perhaps never, been witnessed in the world. I will not deny that the ruin we occasioned was necessary and that it was at least accomplished with as much humanity as could be allowed to commingle in the task; but still the ruin was not the less complete, and how many bewailed the event!

Now, however, peace has long accompanied our sway; unawed by fears from without, unoccupied by distraction within, we have the leisure and I trust also the desire to re-construct. Materials are in plenty, ready fashioned to our hand, to us it alone remains to put them together. Society must not ever remain disorganized. We must not always keep our patient hovering between life and death. If our efforts to regenerate India have been violent, let us shew at least that regeneration was our object. Let us shew that, if Englishmen have the power to hurl down an unsightly pile, they have also the talent to build another in its stead, which may remain a monument of their wisdom, justice, and integrity to after ages. Let us shew that, in all our proceedings, we had not our own interest, but that of a suffering people, in view: and let it be said by the posterity of that people, that we found their fathers in chains, and gave them freedom;—that we found them in ignorance, and conferred on them knowledge;—that we found them benighted in paganism, and brought them the light of true religion;—that we found them, in short, depraved, poor, cowardly, and contemptible, and that we made them virtuous, wealthy, brave, and illustrious.

## LETTER XI.

I told you in my last, that I should consecutively offer to your consideration the five different methods of employing capital, in order that it may be plainly seen which is most useful to the public. All, with the exception of the first, I know must be profitable to the individuals who embrace them: and, with that exception, all are profitable to the state, some in greater degree, some in a less.

I have elsewhere stated, and indeed it is a truism in politics, that whatever is advantageous to the community in general must be advantageous to the sovereign of that community, because their interests are inseparable; but it must not in consequence be supposed, that whatever is beneficial to a few persons in a state is to be equally beneficial to the monarch. Smuggling and treason sometimes bring immense wealth to individuals, while they are diametrically opposed to the welfare of the nation in general, and of the prince in particular.

Having premised so much, I will proceed to investigate the consequences to a people of the first mode of disposing of capital: I mean burying it in the ground, or elsewhere, and subsisting on the principal.

Of all the ways of ruining a state this would be the most effectual, if it could only be carried into execution on a sufficiently large scale. Many kingdoms, aware of the injury which the abstraction of the circulating medium must inflict, have enacted laws to prevent its exportation. I cannot however think this a wise measure, because, in the first place, it may easily be evaded, and consequently a great expense is incurred to no purpose; and in the second, though it might, if perfectly executed, detain in the country the gold at present there, it would certainly greatly lessen the amount of new importations of the precious metal. There is nothing which will so soon rid a country of gold as any violent effort to enforce its stay. All attempts therefore, which have for their object to restrain the metallic tide from ebbing, must be confined to improvements in the state of commerce; for, if you can only raise a commodity which shall find favour in the eyes of other nations, they will soon send their coin in exchange for it.

Burying gold, or hoarding it, has perhaps more effect on internal than on external commerce. External commerce is generally carried on in a great measure by barter, or the exchange of the produce of different parts of the world; but, in internal commerce, barter has, in all civilized nations, been wisely abandoned. Were any method discovered of supplying a circulating medium, which should be universally current, and which should be sufficient for the purpose, both descriptions of trade might possibly be carried on on the same principles; though, the necessity of obtaining a cargo for the return voyage, if pos-

sible, would even then be a great obstacle to such an arrangement.

The effect however of burying gold even on external commerce is by no means slight; because, by withdrawing so much capital from the market, what remains necessarily becomes scarce and dear. The merchant is, therefore, from the paucity of cash, unable to purchase from the interior any thing like so large a quantity of produce for exportation as he otherwise would have done, and, owing to its dearness, his purchases must, even if other circumstances were favourable, be much more confined. His profits are nearly absorbed by the interest he pays; and his speculation is attended with extraordinary risk, as even a slight fall in the value of his goods may, all things considered, be ruinous.

This reduction in the export trade will diminish the import in a far greater degree; because, when once foreigners have lost, by bringing to our harbours more goods than we are able to buy, they will not probably, the next time, bring even a sufficient quantity to exchange for all we wish to give them. Thus matters will go on from worse to worse; and it will not be easy to stop them in their downward career. Merchants cannot afford to be always speculating in uncertain markets, and if ours once become such, they will look out for some others where sales are more steady.

But the great blow which hoarding capital gives, is to the internal trade of a kingdom, as also to manufactures and to agriculture. There is not one of these ways of securing a livelihood that does not require capital. Internal commerce cannot advance a step without it. A scarcity of money will begin by lessening its gains, and end by destroying it altogether. As with external trade, with this too, abstraction of coin from circulation will make interest excessive,; and when interest becomes excessive, capital can no longer be employed; for who will engage in business with borrowed cash, when the price he has to pay for it is greater than the profits it procures? Thus, then, we see that hoarding money will destroy that useful and industrious class, who furnish to the indolent capitalist a fair rent for his pecuniary assistance, at the same time that they earn an honest and respectable income for themselves. Persons who trade with their own purses are comparatively few, but these are the only men who can continue to exist under such a state of things.

Manufactures must likewise fall before this method of disposing of gold. The very soul of manufacturing industry is capital, and this, to be productive in this way, must be obtained on easy terms. The outlay, at first, is in this branch of trade so great, and so long a time must necessarily elapse before the returns can be secured, competition likewise is so busy, that whenever the market rate of interest becomes even moderately high, manufactures receive a blow of the severest nature.

If this be the case in countries where manufactures have attained to a great degree of perfection, (as it assuredly is), how much more severe must be the struggle, which, in a country like this, they must maintain against a scarcity of cash. Experience has shewn us what must be the issue of this struggle. Of the wars which long desolated India not the least consequence has been the entire destruction of what few manufactures it possessed. The event could not well have been different. Insecurity naturally caused the precious metals to be hidden, and, when they had disappeared, the main-stay of manufactures had disappeared with them.

If we look at agrioulture, we shall find the case similar, with this slight variation, that, by agriculture, a bare subsistence, at least, may yearly always be obtained. With regard to the payment of rents, sale of produce, &c., I have in former letters shewn what effect the absence of a sufficient capital must have. The working classes also, of every description, must be ruined by such absence, for who can build houses without money, who can make wells, watercourses, or other improvements without money; who can hire a sufficient number of labourers to work his farm properly, unless he has money to pay them?

And now, having stated what the effects of burying gold must be in every country, let us see whether India forms any exception. Is not external commerce struggling on the brink of ruin? Is internal trade in a better state? Do manufactures continue even to form an item in calculations of the wealth of these kingdoms? Is not agriculture reduced so low, that a bare subsistence is all that can be gained by it? Are not the working classes depressed to the lowest point? Are any buildings of consequence raised by private individuals? Are watercourses made? Are wells dug? Are expensive improvements common? Do hired agricultural labourers exist in numbers sufficient to be worthy of much consideration? Or does not rather each seek a separate maintenance on a separate piece of land? You, Sir, and all India know what answer must be given; and is this the country once proverbial for riches? Is this the country which seems peculiarly blest by the prodigal hand of nature?

If you wish to know the reason of all this wretchedness, it is, because men in this part of the world have begun at the wrong end of things; they have left off where they ought to have commenced; in short, they have made money an *end* whereas it is only a *means*. Instead of using coin to purchase landed estates, or manufactories, or commercial establishments, they have laboured in all these vocations to procure coin, which they afterwards hoarded, and so, made their wealth a means of injuring those occupations, for the benefit of which wealth is principally advantageous.

What has been the consequence? Every fortune so disposed of has lessened the resources of the country. Every fortune so disposed of gave a blow, instead of assistance to the state. Instead of rejoicing at success so used, the nation should rather have wept at

it. Such prosperity was more destructive than the most extreme adversity: the latter's influence might have been withering for the moment, but the former consumed the very vitals of the realm. It is needless to mention the millions which have probably never been recovered from their secret positions; it is needless talking of the millions those millions would by this time have begotten, had they been employed in a proper manner. The fact of the difficiency of circulating coin is evident to every one; and even if it were not, the miserable state into which trade and manufactures and agriculture are plunged must soon lead men to discover the true, and indeed only adequate cause.

Nevertheless, almost every disease has its remedy, and I am sure this particular one may, with a little trouble, be dispelled. This, however, is not the place in which to treat of the method of cure, as it would occupy too much room. I shall find a better opportunity hereafter. I trust, in saying what I do, I am not to be considered presumptuous. No man can be more worthy of pity than he who pretends to infallibility. For myself I claim no such attribute,—I do not profess to be more knowing than the generality of my fellows; but still, I have perhaps weighed this matter more than many, and in consequence, I believe I have observed some things which may have escaped their attention. Entertaining these opinions I commit my remarks to paper; for, if it be a correct one, they may not be wholly useless. This consideration alone is sufficient for me: I may want the power to serve the cause which is dearest to my heart, but at least, I have the proud satisfaction of possessing the will to do so.

## LETTER XII.

Having discussed the first head, namely, burying capital, I will proceed to the second, or that of the *Public Funds*. This is so ample a subject that to treat it fully would require a work of itself, but, I believe I shall be able to put every thing regarding it, that is necessary to be mentioned here, into a very small space.

In order to comprehend the subject clearly, or rather as clearly as so short a sketch will admit of our doing, it ought to be viewed in three distinct ways In the first, we should consider the nature of the Public Funds in the abstract, in the second we should examine into the effects of the burthens which the necessity of paying interest on loans must impose upon the people; in the third, we must see in what manner those loans must be expended in order to be profitable or prejudicial to the state which contracts them. I will proceed to speak in as few words as possible my sentiments on all these points.

And first, of the nature of the Funds considered in the abstract. As increasing to a great extent the circulating medium, and bringing into active employment the gold which might possibly have been hoarded, had not this method of investment offered itself, these Funds are above all praise. Another great advantage of them is, that both the cash which is paid into the Treasury, and the Government acknowledgment for that cash, equally possess the properties of money. Thus, where a loan is opened to the amount of a million, that sum is virtually added to the pecuniary capital of the really expert financier; to understand this matter thoroughly, and perhaps, the opportune increase and diminution of fictitious money, is one of the nicest operations of banking. If the coin which is received by the appointed officer were thrown into cellars as soon as obtained, the currency would still not be diminished, because, in times of security, the paper note is as valuable as the golden token; but, as it is in fact expended nearly as soon as acquired, the token still remains in circulation with the addition of the note.

It is well known that nothing is more common than for agricultural, manufacturing, and commercial men to procure, at pleasure, money in exchange for Government acknowledgements, or as a loan on a deposit of them. Such acknowledgments, are, therefore, in reality equivalent to sums of actual coin, and are generally preferred to a heap of pieces of their nominal amount, because more portable, and less liable to be lost by robbery or fraud. They are the best species of wealth, for, the possession of them does not at all diminish the circulation of the precious metals, and yet, they have themselves all the good qualities of those metals; they are, in short, not gold, but may in a moment be converted into it; they are the best kind of paper credit, and without paper credit of some description, commerce cannot possibly be carried on on a large scale.

The great use of paper credit is to represent property, which the man who issues the bills is known or believed to possess, but which cannot, without great loss or inconvenience, be turned into cash at the particular moment and at the particular place at which cash is wanted. If no such credit existed, the merchant would be obliged to lodge in every town where he has an establishment, large supplies of gold, the abstraction of which from circulation would be a serious injury to the world, and the keeping of which unemployed would occasion great loss to himself. Paper credit does away with such necessity; and national stock Paper being the safest, the most universally current, and the most convertible of all paper into money, besides bringing in a considerable amount of interest to the holder, is of course invaluable to trading kingdoms. One thing, however, must perpetually be borne in mind: the Funds must always be

the handmaid of commerce, not the mistress; if once her charms prove so attractive as to seduce the followers of more productive methods of employing capital, the state will be ruined. To an excessive mania for paper wealth, in perference to the advantages to be gained by honest and honorable industry, may be ascribed the beggary which overtook the French after the bursting of Law's Bubble, and that which pressed upon the English at the time of the South sea scheme in the early part of the last century, and also later in 1825. The evils at those periods were not, that much paper proved to be valueless, but that every branch of productive industry had been either partially or totally deserted to procure this paper. But while the helm is held by wise statesmen, we may confidently hope that the vessel will be steered clear alike of the Scylla which would crush all paper property, and of the Charybdis which would engulph all other possessions in this.

The second point to be examined is the burthen which must be imposed upon the people, in order to pay the interest of loans contracted. There is only one remark to be made upon this part of the subject; whatever else relates to it will be included in what I shall say about the expenditure of the public money. This remark is, that exorbitant interest, or that demanded in consequence of the apparent necessities of the state above the ordinary market rate, must be very injurious. It however unfortunately happens that Governments seldom require large loans except in time of war, and then, the obligation to obtain them is so absolute, that they must be had upon any terms. It would be requisite in order to enquire into the possiblity of discovering any remedy for this, to enter into the consideration of many more details than I have any intention of speaking of. The most obvious plan is to borrow as early as possible, as that of course will prove a cheaper plan than to wait till the last moment.

The third point,—and indeed that by which the whole fabric must stand or fall, is what has generally been attended to the least: namely, the manner in which the Public Treasure is expended. To raise money seems to have been too often considered the main accomplishment required in him who is placed over the finances of a nation, but to spend it properly is by far the most important art in every way. If money fairly raised be properly used, the resources of the country will be increased instead of diminished, but if it be wantonly squandered, they will most certainly in time be destroyed. The great error of the economists of the present day appears to be this; they object to raising any money at all, and wish to reduce taxation and expenditure to the lowest point: but this is a very mistaken mode of enriching a state. It is not of much consequence how much money is raised, but it is of the utmost consequence how that money is expended. The first question which a financier should ask himself, before he proposes a new loan, is similar to that which a banker would ask himself before accepting a new deposit; it is this, can the money intended to be so obtained be employed in such a manner, that the advantages derived from the use of it will more than counterbalance the interest to be paid for it, in other words, can it be beneficially employed? If he can lay his hand upon his heart and answer in the affirmative, he needs not be at all afraid to use his utmost exertions in favour of the measure; should he imagine that a negative must be given, he ought at once to drop all thought of proceeding with it.

I shall now state a rule by which it may at any time be easily seen whether the public money be expended in a beneficial or injurious manner. I hold the public estate to resemble very nearly a private one in the matter of loans. Nothing can be of more service to a private estate than borrowing money upon mortgage of a portion of its revenues, if the interest be moderate, and the cash be laid out wisely, and *bonâ fide* upon the state itself,—neither can any thing be more advantageous to the public than acting in the same manner. Let us see what are wise methods of using money, borrowed on the security of private property, and we shall find similar modes to be legitimate with regard to public treasure.

There are five reasons for which money may be prudently raised on mortgage, and I believe only five. First, to make such buildings and improvements as may be so profitable, as to repay within a moderate time the capital laid out on them; improvements barely ornamental can never justify a man's encumbering his grounds: second, to make such additions to the property by new purchases, as may cause the whole to be more secure and more valuable, at the same time that the additions are such, as will in time redeem the purchase money: third, to prevent the owner's being necessitated to sell land or produce at a loss, when a temporary pecuniary accommodation will enable him to keep it till he shall obtain better terms: fourth, to make such advances to his tenants in times of extreme distress as may support their credit, and enable them to keep the land in a state of cultivation: the fifth and last is, to preserve ones-self from utter ruin, which an uncontested law suit commenced by a vexatious adversary might entail; or indeed, in any other case of great necessity, where, through hesitation to sacrifice a part, a person may risk the loss of the whole. There are many other reasons which appear to some sufficiently valid, but an estate will soon go to the hammer if they be allowed. I speak of *mortgage*, not *sales*; a man may have fifty good reasons for selling an estate, and indeed that is the best mode of raising money by it, unless in the five cases above specified. In short, unless absolute necessity, which obeys no law, requires it no money ought to be raised but such as can be profitably expended, and by increased rents, will more than be replaced eventually.

The Public Property is of a similar nature, and I shall make the application of these rules regarding private estates in my next letter.

## LETTER XIII.

The first legitimate reason for raising money on mortgage of private estates is to make such buildings and improvements, as may be so profitable as to repay, within a moderate time, the capital laid out on them; but, the desire of effecting improvement barely ornamental, can never justify a man's encumbering his grounds. Nothing can be more just than the application of this first rule to the public revenues.

I think it may confidently be asserted, that, until within these few years, this method of applying the treasure of the state has been wholly neglected in India; and even now, the roads and bridges which have been made, are mostly in such positions, as to prove that the convenience of Governors has been consulted more than the welfare of the people in their construction. But, if such mode of expenditure has not hitherto been adopted, there is reason to hope that a more enlightened policy will in future be pursued, a policy, which, if it cause a trifling increase in the demands on the state in the first instance, will eventually place ample means at its disposal for the repayment of them.

To any person who reflects upon the subject it must appear most astonishing, that while the rulers of this country have tenaciously clung to their rights as landed proprietors, and have ever held the increase of the land-tax to be of the first importance, and its occasional decrease to be sufficient to call forth their most anxious fears,—who have considered that branch of their Revenue as their most splendid acquisition in times of prosperity, and as their destined anchor whenever adversity shall overtake them,—it is most astonishing I say, that men, who have esteemed this tax to be of so vital importance, should yet have neglected the most ordinary, and most obvious ways, to make it more productive and more secure.

There are three stages to be passed before wealth can be acquired from land. The first is a mere possession of the soil, which will no more bring a man income than will the parchment on which the title-deeds are written; the second is the mere cultivation, which is only good to preserve the actual existence of the persons engaged in it: the third is the sale of the superfluous produce, and this indeed is a mine, which if properly managed, will prove richer than one of the purest gold. It is very evident that whatever money is gained by agriculture can only be gained by the sale of the excess of produce which each man raises over that required for his own consumption. The grand business then of the landed proprietor is to procure a good market for his crop, and also every facility for approaching that market. In these advantages lies the whole difference in the relative value of estates which are equal in point of richness and extent. Thus, if the grounds of A be ten miles nearer the market town than those of B, A's estate will be worth more than B's; but if there be a rail-road or canal connecting B's with the market town, his will then be the more valuable property, as the facility of communication, and cheapness of carriage will more than compensate for the loss sustained by distance. This, then, is the most important truth to be attended to by proprietors, *take such measures, as shall make the superfluous produce sell for the largest possible sum;* what these measures are I have pointed out. It is all very well for superficial observers to talk of the prosperity of a country, because they see large crops overspreading the fields; but believe me, Sir, the best way to learn the true state of things is to ask what price those crops have obtained: the owner of one quarter of wheat, in a besieged city, will probably be a richer man than the possessor of ten, in the open country.

If we wish to make our dominions valuable, we must certainly expend some capital in improving the means of communication. I do not mean to say that we are to throw away money on roads which are so situated as never to be able to repay us; I do not mean that, for the sake of lessening the time taken by the post in travelling from one end of India to the other, millions are to be squandered. When these kingdoms shall have become so wealthy as to furnish any excess of Revenue, such propositions may be entertained; until then, we may as well remain content to wait for the news a day or two longer than might be desirable. The roads which should be made are principally what in England are termed cross roads, in other words roads from one part of a province to another; these to the agricultural classes are invaluable, whatever may be thought of them by the luxurious inhabitants of cities. Perhaps the most judicious plan for the superintendence of this branch of expenditure, would be to form a committee at the Presidency, to whom reports on the state of the roads, bridges, &c., in each collectorate might be forwarded by the civil officer in charge, assisted if necessary, by an engineer officer from the nearest station.

The general introduction of tolls into India has been much deprecated by some, and no doubt, the measure should be well weighed before it be adopted. But, if the finances will not bear the devotion of sufficiently large sums to the purposes I have mentioned, it must be evident to every one that they should be imposed, rather than that the country should be left altogether without amelioration. The Kandallah Ghaut is an instance, where a toll is not objected to by the public and where the road which occasioned it has proved of the utmost benefit both to the people and to the Government. I am well aware that our native subjects, are ill able to bear additional pecuniary burthens, and therefore, the levying any tax, which has a tendency still more to impoverish them, should be most scrupulously avoided; but, where the payment of a trifling impost would save them in

each journey they performed, fifty times its amount in cart-hire, it must be a very false economy that would forbid its introduction.

But it is not so much of tolls that it is my present province to speak, as of the expenditure of the ordinary public money. If ever we wish to see this country rescued from its present miserable condition, a large portion of such money must be devoted to public improvements. If they be only judicious ones it would be better to borrow money to carry them into execution, than to relinquish all idea of so doing. There cannot possibly be a more legitimate object for which to raise a loan, for the revenues which might be mortgaged for the payment of it would soon be almost doubled.

Roads and bridges also, though the more obvious requisites to produce prosperity, are not the only ones. In a region where so much irrigation is necessary, to extract from the earth all that it is capable of yielding, and where capital laid out in establishing the means of such irrigation, always returns usurious interest, wells and water courses deserve much attention. Neither should inclosures be neglected, but these details belong more to the subject of farming, than to that on which I am at present writing. What the particular improvements may be, on which it would be most advantageous to expend a limited sum, the professed agriculturist must determine; but, that capital to a considerable extent should be appropriated to improvements in general, I have no hesitation in declaring.

Improvements purely ornamental, I believe, can never justify the mortgage of Revenue. The only advantage derived from such expenditure is the assistance it gives to the labouring classes; but this must be counterbalanced by the interest which must be paid, even by those very labourers, for the money borrowed. It is however a matter of notoriety that many public works have been carried on professedly with a view only of assisting these classes.

There are many persons who think that all expenditure of capital ought to be made by individuals; they urge that, if any undertaking appeared of paramount importance to the people, they would themselves voluntarily engage in it. But however plausible this argument may appear, little value ought to be attached to it. Even in England, how necessary are corporations to carry into effect any important scheme? But of what use would be a corporation of paupers, in this country? and where are the men of large landed estates, whose names would furnish security to subscribers of a better class, that their money would be honestly applied to the purpose proposed?

The fact is, we must not view India and England in the same light, because they are in almost every respect essentially different. In England, the great mass of landed property is in the hands of subjects; they are therefore able to do what they please with the soil which is their own. The whole rents go into their pockets, and therefore, as to them, the profits of all capital expended on their ground must accrue; to their option it is wisely left to lay out capital in that manner or not. But here, whatever may be alleged to the contrary, the Government, if not rightfully the *nominal* owner of the land, certainly possess all the *substantial* advantages of ownership. It is therefore if possible more to its own interest than to that of the tenantry, to devote a portion of its wealth for increasing the rents derived from cultivation. In short, the interests of the Government and of the ryuts here are respectively similar to those of the landed proprietor and his tenant in England.

I would, before concluding this letter, beg that this matter may be well considered by those in power. Every description of reason has been assigned as the cause of the impossibility of consulting in this part of the world at once the good of the finances, and the happiness of the cultivator. The names of many who have written on the subject, are names which carry the greatest weight with them, but I humbly trust, for the sake of humanity, that I am correct in supposing them to have been mistaken. Their error seems to have been a desire to grasp all, and to expend nothing; but there never was, there never will be. a spot of earth, from the largest empire to the smallest paddock, which could possibly thrive under such a method of treatment. A diamond mine will yield nothing, unless capital be first employed upon it, and how can land be expected to do otherwise? Even a great part of the revenue at present derived from the soil, is merely the return produced by the capital which has been devoted to it in former days. We reap the fruits of old wells, watercourses, and roads, but we too much neglect to make new ones; unless however some portion of the public cash be applied to these most legitimate purposes we shall learn eventually, to our cost, what I suspect we have began to dicover already, that a country without capital is like land without manure, which, instead of annually becoming more productive, will daily decrease in worth, and must even continue to do so until it shall return to its original condition of a barren waste, too much exhausted to yield to ordinary, and too sterile to repay the cost of expensive cultivation.

## LETTER XIV.

The second justifiable ground for mortgaging either private or public revenue is to make such additions to property or territory as may give the whole more security, at the same time, that the additions are so valuable as eventually to redeem the purchase money.

The mode of acquiring private estates is simple enough, but the usual method of obtaining territorial acquisitions is by war: negotiation can scarcely be considered an exception, as all diplomatic proceedings must be based upon the position previously secured by force

of arms. All military charges ought therefore to be considered as the purchase money of conquests, or as deductions from their profits. The expenditure then of public treasure occasioned by aggressive war is the point to which I shall principally attend in this communication.

But first, it would be perhaps proper to observe that I by no means pretend to advocate the systematic sacrifice of human life, whenever profit may be obtained by it. The justice of so awful an appeal must be judged by moral principles; but, with these, when considering war merely as a financial measure, we can have nothing to do. Our present business is less with consciences than with purses. Narrow, however, as this method of viewing the subject may appear, it is not without its uses. Financial knowledge is not less necessary than ethical. It is perhaps to a statesman, if possible, more advantageous; as a proper attention to increase the wealth of a country is more requisite than are efforts to better its morals. National wealth, in fact, whatever may be said to the contrary, is itself the best evidence of national morality; for, however individuals may profit by vice, general wealth can only be acquired and retained by a general observance of good faith and honesty. Riches are considered by many as the seed of the evil; but that seed could never grow up in rank luxuriance, unless a ground of poverty existed on which to sow it. Those who pander to the vicious appetites of the wealthy are ever to be found among those whom want, rather than their will, induces to degrade themselves to base occupations. How many millions are there in the world whom the loss of a thousand pounds would drive into the paths of crime, how many millions are there whom the gift of that sum would enable once more to tread the ways of virtue!

But both the species of science which I have mentioned are of the utmost consequence; because, the certainty of gain will never justify the breach of morality, neither will the purest moral justification be held a sufficient reason, by a prudent man, for engaging in an undertaking, if the destruction of his property must be the inevitable consequence of his so doing.

Aggressive war is a war considered advisable not absolutely necessary; for such absolute necessity would at once stamp it as defensive, whichever party struck the first blow. It is a war, in fact, solely undertaken for the sake of conquest, though a more plausible reason is seldom wanting, with which to amuse the world. A war of this nature should never be engaged in unless it be pretty certain that it will prove profitable in a pecuniary point of view; and to be so possessions must be conquered more than sufficient themselves to repay the expenses, or so valuable as to form an ample guarantee for their payment by the unsuccessful party. It has been alleged by many eminent men that war can never possibly have so fortunate a termination as this; and certainly, with regard to civilized Europe, the opinion is pretty correct. There, the conqueror will have reason to plume himself upon his good fortune if he even secure a bare indemnification; for there, the system universally upheld forbids, in general, any large territorial aggrandizement. In this country, however, the case is different, and there are few instances on record of wars undertaken by the East India Company, in which they did not add considerably more to their pecuniary resources than sufficient to answer all demands occasioned by the cost of conquest. Their conquests then generally have been in accordance with sound financial policy; and I think any one who peruses the history of their proceedings will confess that it is rather to these succesive additions to their lands, than to any other measure, that their continued prosperity must be attributed. It now however appears that all ideas of future conquest are to be abandoned. Such self-restraint is doubtless most honourable to the more powerful party; but the effect of it will be, that much greater attention must be paid to internal improvement than has hitherto appeared requisite. The company will learn that the sequestration of the revenues of foreign princes is a shorter, if less noble road to riches, than the improvement of its own resources. I would not be thought to speak slightingly of their resolution. Whatever other good cause they might have had for engaging in former wars, pecuniary advantages attended most of them, and if they choose to give up the prospect of similar advantages in future, they have doubtless such reasons for their conduct as far outweigh all paltry considerations of pelf, and will establish their reputation as the most humane, as they have long enjoyed that of being one of the most able public bodies in the world.

There have been always three drawbacks in the financial benefits to the state of even the most successful aggressive war in India. The first is, that there is rather a scarcity of population: human life must consequently be much more valuable here than where it is more abundant. The second is, that a great part of the money paid on account of each campaign must be sent to Europe, instead of being laid out among our native subjects; a method of disbursement which would give a great temporary activity to trade, and afford them an opportunity of making those large fortunes, which are not often acquired except in war time. Stores of nearly every description, clothing, and even a portion of the food for the European Regiments, were brought from Europe. The outlay on these accounts must have been immense, and England, not India, profited by it. Whenever the remittances were made in native produce, the loss was perhaps not great, but whenever bullion or specie were shipped, the public here must have suffered severely. This is a matter which requires the deepest attention; but it is most difficult to reconcile the present interests of the two countries on this point: then eventual interests are indeed identical, as any increase of wealth in India must bring a proportionate increase of its demands for British manufactures. But nations will seldom forego small present advantages to

secure even the most ample future ones. To do so is like planting an oak, by which our successors only are likely to be enriched; but unless we sacrifice some little for the sake of posterity, our own children as well as those of other men will suffer. We ought to moderate our desires, and, content with what we possess, encourage as much as possible the Indian manufacture of every thing connected with our army. The natives pay its expenses, and it is but fair that their contributions should return into their own pockets. If we really were in earnest in our endeavours to effect this, I cannot believe that we should find the obstacles insuperable. A slight inferiority in the articles at first would be fully compensated for by the good which the sale of them would produce, even a little additional cost ought not to deter us from so benevolent a course. The efflux of the precious metals is daily lamented, but the adoption of such measures as this would greatly check it.

The third drawback is the enormous evil, which must be occasioned by the taking away from more productive occupations, so large a number of men, carts, and cattle as usually follow in the train of an Asiatic army. Even the consumption of produce at an exorbitant price, benefits but slightly the landed interest as the crops have probably been disposed of long previously to the bunya, who is the only gainer. The followers are often well paid, certainly, but as many of them have with their cattle neglected their accustomed cultivation, none of the money they receive will go into the treasury of the state.

Where the land is not, as it is in India, the principal source of existence to the people, and of revenue to the sovereign, the temporary withdrawal from the occupation of it by considerable portion of the tenantry, will not be of much permanent consequence, but where the system is such as prevails here, it will be a serious injury to the community, and one that will be long felt. The demoralization also, and licentious habits engendered by war, can be considered as no trifling impediments to the future realization of the taxes.

In fine, though there will generally be a preponderance of good reasons against war, yet, should they even be ever so much in favour of it, in any particular instance, one state should never voluntarily attack another, if it be evident that it will suffer a pecuniary loss by so doing; and it would be much better that there were no public funds at all, than that they should be wasted in such imprudent aggression. Such ill advised expenditure, instead of enriching a country, will impoverish it, and when the time for repayment arrives, it will find itself more unable to liquidate the loan than it was even at the time when it contracted it. The end it is not difficult to foresee, that end can only be national bankruptcy, and private ruin.

I am, Sir, your most obedient servant,

FOUNDLING.

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# NOTES ON INDIAN AFFAIRS.

## No. XLVII.

### PRESENT STATE AND FUTURE PROSPECTS OF OUDE.

The state of this kingdom has during the last two years excited considerable interest, and produced no small portion of discussion in the public prints. Like most others, it has had its day, and given way to succeeding topics of temporary interest, and possibly might have been altogether forgotten for the time being, had not the attention of the public been again drawn to the subject by the recent instructions of the Court of Directors, empowering the local government boldly to throw off the mask, dethrone the King of Oude, and annex his dominions to those of the East India Company. The motives of the Court in issuing such orders are obvious enough—again, situated as Oude is, locally, the taking possession of it would not require us to augment our military force, whereas it is anticipated, that after defraying the expenses of its civil administration, a considerable surplus would remain for the benefit of the Company: besides which, its acquisition would render our territories more compact. Sometime ago an exchange was effected between the Saugor territories and Scindia of several small tracts of land,* to the great benefit, considering the locality, of both government and the people. The Court of Directors strongly disapproved of this: yet they sanction the seizure of Oude in the face of existing treaties—why? They gained nothing by the former—they hope to gain considerably by the latter.

The above instructions were received in India just before Lord Bentinck resigned the reins of government. Instead, however, of carrying them into effect, his Lordship sent home a remonstrance. It is not so easy to divine, precisely Lord William's motives, for so doing; in all probability, however, they were of a mixed nature. In the first place he had sufficient experience and discernment to perceive, that the misgovernment so generally attributed to the native states had been considerably exaggerated, while on the other hand, that the advantages derived by the people under the dominion of the British government were not quite so great as national vanity and prejudice had led us to imagine. His frequent travels into the interior of the country had, probably, led him to this conclusion, and prevented him from being led away by the popular clamour. Among the deficiencies of Lord William's character, want of observation or intelligence, are by no means includ-

* Deosee, Gourjhamur, and Nahirmon, were exchanged with Scindia for Bairseea and Shujawulpoor. There were some other petty exchanges the names of which I have forgotten.

ed; all that is to be lamented is, that with natural abilities for acquiring information and such ample opportunities for receiving it, so little benefit has resulted either to the country or the people. For any improvement in the state of either which has hitherto appeared, Lord William might just as well have remained in Calcutta for his only really beneficial measure, that of facilitating the administration of justice, and throwing open situations of honour and trust to the natives and East Indians, was resolved upon very shortly after he assumed the government. Indeed, the measure had so long been recommended, and advocated by so many well-informed and influential men, that it would probably have been adopted when it was, whoever might have been the existing Governor: at any rate it could not have been long delayed. A second reason probably may have been, that Lord William's immediate departure was at hand, and that another would have had the glory of displaying the balance sheet, showing the increase of revenue, which the seizure of Oude is expected to produce. Had the order been received a few years before, it is probable the result would have been very different.

Whatever may have been the motives which prompted the above line of conduct, the appropriation of the territories of Oude have been postponed for at least a year; and I propose in the mean time to take a view of the state of that kingdom. We have heard so much of the anarchy and misrule prevalent in Oude, that it appears a sort of heresy to hint the contrary. We are something like the Turk who had all his life so firmly believed that the sun moved round the earth, that to adopt a different idea was like the attempt to acquire a new sense which his mind had not room to entertain. Nevertheless I do not fear contradiction to the statement I am about to make from any unprejudiced and impartial observer who will visit the country and take the trouble to see and judge for himself.

First. The uncultivated state of the country is one of the common assertions. Now in the first place, the rent demanded from the people is much less than in our own provinces: they are consequently not only much better off in the number of their flocks and herds, quality of their food, clothes, and other necessaries of life, but are not, as is the case in our provinces, compelled to cultivate every spot of ground which can possibly be made to yield a return, where, while the people are obliged to work much harder than the Oude peasants, they must be content with a bare subsistence. It may here be remarked that the mere extent of cultivation in a country, unconnected with other circumstances, is by no means a criterion of the prosperity of the agricultural class: it was not unfrequent in the West Indies, that those estates were the best cultivated and yielded the greatest return whose slaves were in the most miserable state. The simple fact is that in Oude the peasants retain so large a share of the profits of their labour, that they are not necessitated to cultivate other than the good soils, while the waste yields them brushwood for fuel and grazing for their cattle. With regard to the following parts of the country, I can speak positively, for I am myself acquainted with some and within the last few months friends upon whose testimony I can rely, have visited them. From Lucknow to Seetapoor is well cultivated; from Lucknow viâ Sandee, and from thence branching off either to Shahjehanpoor or Furrukabad, was a perfect sheet of wheat and barley the whole way, while groves or rather forests of mangoes and other fruit trees are so numerous that in many parts of the road they actually bound the horizon in every direction. The same observation will apply to the roads between Lucknow and Futtehpoor; and Lucknow and Benares. Between Lucknow and Cawnpoor there are large parts of waste land, and certainly to the eye of an unobservant traveller there is little but a barren waste: the truth is the land is not worth cultivating; yet even here industry is busy wherever a return may be expected. In the march from Onnao to Rehmutgunj, on the north of the road, and at no great distance from it, are a number of large shallow tanks of which advantage is taken for irrigation, as far as the water will flow, as the traveller finds to his annoyance, from the great number of large artificial water-courses (upwards of twenty in one stage) which cross the road. Numerous groves of mangoes also were observed: in a distance of about a hundred and thirty miles, not less than sixteen of considerable extent were counted close to the road, which had been planted either this year or the last; besides others from three years growth upwards: most of them were surrounded by a bank or ditch; and one or two had wells lined with masonry. This does not look like insecurity of property or proverty; for the mangoe in that part of the country does not yield any tolerable return until fifteen years. Plantations of betel vine are also to be seen; and one was just completed near Sooltangunj on an artificial mound of earth the raising of which must have cost two or three hundred rupees.

The Police is at least as efficient as our own, and it receives considerable assistance from the landholders. Crimes such as gang robbery and affrays are certainly not more numerous than in our own territories. Burglaries and small thefts are less so. The tranquility of Lucknow itself is remarkable; few people carry arms; and affrays, thefts, and quarrels are far less frequent in proportion to its size than in the average of large towns in the British provinces. In the interior, at least along the high roads, there are Police stations and guard houses at a distance of a few miles from each other who keep up a good patrol. The Police in Oude are allowed to interfere in many petty matters to the great benefit of those concerned. If a traveller refuse to pay a shopkeeper a few pence for the food for his horse; if a cow strays into a field and eats a few pennyworth's of corn, the sufferers are not denied redress unless they submit to the loss and inconvenience of

travelling perhaps from ten to a hundred miles, and wasting three or four weeks in attendance on a Court of Justice, to say nothing of legal expenses and exactions. In Oude, these and other trifling matters are settled at once by the local authority; whereas under our system, the Police are prevented from interfering; so that in practice, all these minor abuses are virtually sanctioned or at least tolerated; and as a natural consequence, they are far more numerous in the British provinces than in Oude. Indeed if the fashion which has lately obtained among our Magistrates of taking it for granted that the Police always abuse their authority, and if the restrictions which are now imposed upon them be much further extended, it would be much better to abolish the Police altogether, and leave the people to make their own arrangements, and enact their own rules on this head.

Civil justice is intrusted to the Chuklidars or Aumils (Governors of Provinces) who also are vested with the criminal jurisdiction; and the assessment and collection of Revenue; as in our non-regulation provinces, the same individual is Judge, Magistrate, and Collector. Doubtless instances of partiality in favor of individuals is sometimes shewn, but it is very doubtful whether this is more frequently the case than in the British provinces. The difference is that, there the Aumil, being a native of the country, has greater temptations to oblige his relatives and friends than the English functionary, who is a foreigner: individually, the amount of partiality practised by the latter is infinitely less than by the Oude Aumil; but when we consider the roguery, chicanery, and intrigue which is carried on by the native officers of our offices, it being a part of our system to give such inadequate salaries to the majority of the situations that no honest man would accept them, the difficulty the foreign Judge labours under in acquiring sufficient knowledge to enable him to counteract this, and the pressure of business which devolved on him, I have no hesitation in saying that previous to the reformation of the civil administration corrupt influence had greater effect in our Courts than in those of Oude; that this observation will still hold good regarding many of our Civil Courts; and that if the present system of making Judges of all the inefficient Revenue officers, be carried much further, the state of things will be as bad as ever.

In Lucknow, and some others of the large towns, regular civil judges are appointed on respectable salaries. In some cases as much as a thousand rupees a month: of which one fourth is the perquisite of the prime minister, and the remainder *bonâ fide* paid to the indidual. With respect to corrupt influence and partiality, the foregoing remarks are pretty applicable here. Probably these evil principles have greater effect in the city of Lucknow itself, as being the residence of a host of profligate courtiers, than in the interior. Delay in the decision of suits, either by the Aumils or the Judges, is less than in our own Courts (taking the average of able and inefficient Judges) even on the improved system.

But in Oude, the people have one great resource of which they have been deprived in a great degree in our territories. Not having been cursed with "first-rate collectors," who would ruin a district to procure a good name and promotion for themselves; or with ryut-war systems by which almost all the midling and upper ranks of society have been reduced to poverty to encrease the Government rent roll, there is still in Oude a pretty numerous middle class of landholders, to whom the people look up with hereditary respect, and who are of the greatest use in settling claims and disputes: so that but a small portion are ever referred to the Aumils. In the towns also, the merchants are very much in the habit of resorting to arbitration.

The observations on the subject of corrupt influence and partiality are equally applicable to the administration of criminal justice. In theory, the British Government and English Magistrates do not tolerate any thing of the kind; but owing to our system in the appointment of the subordinate native officials, who too often enjoy all the subordinate authority, while the Magistrate is a mere cypher, the evil exists fully as much in our provinces as in Oude.

Still, it will be urged that the constant insurrections proclaim an oppressed people; and that the Government officers in Oude cannot collect the revenue without an armed force. They certainly have occasionally a rough mode of managing matters in Oude; nor do they carry on their business in the systematic manner in which ours is conducted. Moreover, every thing there is magnified and commented on as if nothing of the sort ever occurred in the British dominions. It may, however, well be doubted whether disturbances which merit the name of positive insurrections are much more frequent in the king of Oude's dominions than in our own; the difference chiefly lies in the different terms we employ to designate them—what we call "insurrections" there, would on our own side the river be denominated "petty disturbances." Within the last ten years we have seen a very serious insurrection in the Saharunpoor district; more than one of some consequence in the Dehli division; a minor one respectively in Meerut and Moradabad, another of greater importance within twenty miles of Calcutta, all of which were only prevented from becoming very serious by strong bodies of well disciplined troops being close at hand; to say nothing of that of the Coles on the south western frontier, which owing to the scarcity of troops in that direction raged for more than two years, and which was not suppressed until about five thousand square miles of territory were laid waste. With the exception of one, that near Calcutta, the whole of these were the result of misgovernment, and the consequent tyranny and extortion on the part of the officers of the Courts and the Police. Can such a list be compiled from the hist[illegible]

of Oude during the same period? It is amusing to see the different causes which we assign for an insurrection in Oude, and in the British provinces. The former is, as a matter of course, attributed to oppression and misgovernment; the papers teem with phillipics, and loud calls are made on our Government to bestow the blessings of their rule on the poor suffering people of Oude. In the latter—villany of some class of natives; instigations of the evil-disposed, and others of a similar nature are given in explanation.

With regard to the necessity of an armed force to collect the revenue; if men were not blinded by vanity and prejudice, they would perceive that this does not prove that people are taxed to the utmost; but that in reality they are much more lightly taxed than our own subjects: for the simple reason that the Oude Government has not at its command the overwhelming military force to support extortion which we possess. The people find their account in resistance, as it enables them to pay less and keep more for themselves. When we first acquired possession of the western provinces, resistance to the payment of the revenue was frequently offered. The people, however, found by experience that a military force was always at hand which it was impossible to resist; that it was immediately called into action, and the severe punishment of forfeiture of the estate of the insubordinate was almost immediately enforced. In Oude, the very reverse is the fact. The very weakness of the King's Government, as regards military force, is one reason why exaction cannot be pushed to the same extent that it is in our own provinces. Besides the real truth is, that in many cases, the resistance is merely nominal "for the honor of the thing" as described in No. 16. of these papers: while so much more lenient is the Lucknow administration than our own, that the punishment inflicted rarely exceeds a moderate fine. Those too, who have heard so much of the story hordes of rebellious zemindars (landholders) will be surprised to hear how few forts really exist in Oude. In Kyrabad, and some of the wild jungly districts, they may perhaps be pretty numerous, but in other parts of the country it is quite the reverse. On the whole length of the fine roads above mentioned, which traverse well peopled districts, there are not ten forts visible to a traveller from the roads. In one line of more than a hundred and thirty miles, only one is to be seen.

Another proof constantly adduced of the misgovernment of Oude is that men of low birth are raised to offices of rank and importance. That such an objection should proceed from Englishmen is extraordinary, when we consider that in our own country this very circumstance is one in which we pride ourselves. It is quite the boast of an Englishman that he is free from that prejudice which imposes such severe trammels on other nations; that real talent, however lowly its origin, is sure to make its way to eminence; and that a butcher's son may be Lord Chancellor. The objection, too, comes with a peculiarly bad grace from the English who are employed in India, nor would it gain much, were it to be placed on the higher grounds that men without talent or qualifications were raised to high situations.

For a considerable time after India came into the possession of the East India Company, the members of its service were composed of men of low birth and little education, to say nothing of broken down gentlemen and men who from some misconduct or other had found it convenient to absent themselves from England. Not many years since, any one could command a writership by paying a certain sum of money, while many a tradesman's bill has been paid by the appointment of his son or nephew to a cadetship. In the present days undoubtedly the service is, generally speaking, composed of men who are by birth and education in the rank of gentlemen; but has merit or talent any thing to do with the selection of those who are annually sent to be "provided for" in India, either by the cholera or good appointments? And even after their arrival here the nature of an exclusive and routine service has, together with interest, so much sway, that merit has with few exceptions nothing to do with their subsequent and progressive promotion. I could mention a quondam member of Council whose talents and qualifications were about on a par with those of an inferior Clerk in a merchants counting house; notwithstanding Lord William's merit-fostering scheme and all his espionage to boot, there are several men now holding the situations of Commissioner, Judge and Collector, whose places would, as far as the administration of the affairs of the country and the interests of the people are concerned, be far better supplied by the respective Surishtedars, (head Native Officer—a sort of Clerk of the Court.)

"But," I shall be answered, "if the English are blockheads, they are at least honest, which the native officers are not." Softly.—The English functionaries in responsible situations, not counting the highest—the members of council receive each from £2,500 to £4,000 and even £6,000 sterling a year. The pay of the native officers is from £100 to £150. Try the same experiment with the natives that has been tried with ourselves—(for as I have already observed, it is notorious that until they were well paid English honesty would not stand scrutiny), and then, and not till then, may we pronounce a judgment as to the difference that exists between us. With respect to Oude, there are unfortunately many profligate and low people about the Court; but it is a calumny that all the Governors of districts are men of that stamp; or that the districts are universally farmed out to the highest bidders. The Court of Lucknow are well aware, that the landholders and peasantry are, in the absence of a superior military force, far too high spirited to be ruled by men of the above description. A great many, perhaps the majority of the Oude Aumils, are not only men of family and respectability, but generally possess considerable hereditary

landed property. It is in our own provinces that we must look for the degradation of the old native gentry, and the elevation of upstarts of neither birth nor education: there it is we may behold men who were formerly menial servants in the employ of Englishmen and who have neither the talents or acquirements to entitle them to hold a higher situation, lording it over native Princes and landholders who are possessed of considerable wealth, power and influence.

Still it will be observed, how could the idea of the misgovernment of Oude become so general. Because opinions which flatter our vanity are usually received with eagerness and because ignorance and indolence are glad to acquiesce in them instead of taking the trouble to make enquiries for themselves. A summary of the principal causes, however, which have concurred to establish the above opinions, may not be amiss in this place.

First and foremost stands the fixed creed of the English, that every thing of English origin, or appertaining to ourselves, must be superior to every thing connected with the Natives. Oude is a Native Government—*ergo* it is very inferior to the British rule. This logical deduction is quite sufficient with a great many; they never advance a step beyond it; and with the greater number, it more or less prepares the mind to receive favorably all accounts to the disparagement of any Native Government. It also forms the foundation, often indeed the whole superstructure of the lucubrations of Calcutta Cockneys whose qualifications for forming an opinion of any thing connected with India, beyond the precincts of Bow Bazaar, and the characters of a few of their own servants, are precisely on a par with those possessed by General Pillet* to describe the manners and customs of *England*.

Those who travel in Upper India particularly if they visit Oude, must be able to form some opinion. Granted; and it is to the unprejudiced and observing of these that I would appeal; but not to the mass, who are as ignorant as the Calcutta Cockneys. Of the civilians, few ever visit Oude: those employed in the border districts have been too glad to look upon that country as the scapegoat to bear the blame of the inefficiency either of themselves or their Police—"the banditti and the thieves come from Oude" is the burden of their song, and this has by some been so often repeated that at length they believe it; while others from the first knew no better, and were misled by their Police to adopt the notion. I do not know what the Magistrates on its borders would do for an excuse if we take possession of Oude. The poor King and his Governors are obliged to bear the imputation in silence, but were the country under British functionaries, these would contradict the assertion, and retort it on the accusers.

As to the military, the grounds on which the majority form their opinion are as follows:—A great many have seen no more of Oude than the road between Khanpoor and Lucknow, along which are considerable tracts of unculturable and consequently waste land. They seldom or never look around them or ask a question, but as a matter of course, attribute the waste land to the oppression exercised upon the inhabitants. The servants of others are sometimes beaten for attempting to enforce the purveyance and forced labour system which they are accustomed to do with impunity in our own provinces, and when the masters abuse the people they sometimes meet with the retort courteous—because the peasantry there, not having had, like our subjects, their spirits completely broken by a grinding system of extortions, are more independent, and less inclined to submit to these exactions and abuse. This of course produces furious complaints of the misgovernment of the country and the insolence of the people.

A third and very numerous class have never been in Oude; but form their ideas from the flattery of some of their sipahees, whose object is to make the officers, and through them the Resident, tools to enable them to obtain possession of land to which they have not the slightest claim, or to perpetrate some other piece of injustice. I allude generally to this in No. 162 I will here describe the transaction in detail. A sipahee who wishes to advance some unjust claim, procures a letter from his commanding officer to the resident at Lucknow, painting a miserable picture of the injury the poor man has received from some tyrannical Aumil. The Resident hands the case to the Ministers, requesting it may be inquired into; and orders to this effect are dispatched by the Minister to the local governor (Aumil). With the order to support him, away goes the sipahee to the Aumil, and treats him in the most insolent manner in open court. The Aumil having investigated the claim, and finding it without the least foundation, (for full nineteen cases out of twenty are such that, were they preferred in our Courts the complainants would not be let off with a simple dismissal, but would be fined,) dismissed it. The insolence with which he has been treated, he is obliged to digest as he can. Away goes the sipahee again to the Resident with a tremendous complaint of injustice, oppression, &c., &c. The Resident again writes to the minister, expressing his "astonishment that although your Highness sent express orders to the Aumil, the poor sipahee has not yet been able to obtain justice," or, something to this effect. Another order is not unfrequently issued, and the sipahee again presents himself to the Aumil, behaving with increased insolence of tone and manner, and there have occurred instances in which by such means as these, a sipahee has obtained possession

* Many of my readers may not recollect to what this alludes. A few months before the peace of 1814, a French General Pillet was taken prisoner, and confined on board the hulks at Chatham. At the peace he was released and immediately returned to France, where he wrote a book describing England and English manners. Among other things, it was stated, that the English ladies daily got drunk upon French brandy: the rest of it was much in the same style, and was so extremely absurd, as to be quite amusing. It was, however, about as correct, as the notions entertained by the majority of those who have never left Calcutta, relative to the interior of India.

a piece of land, to which he had no more right than the author of this paper had to appropriate the Government House at Calcutta. Is this sort of proceeding likely to raise a native chief, his ministers or local authorities in the eyes of the people? I am aware that much of these proceedings are contrary to the orders of Government, I only describe what occurs in practice. In the paper alluded to, I also mentioned, that the most unfounded suits were often preferred even in our own Courts by sipahees, under shadow of a letter from their commanding officers. A number of specimens were lately forwarded by one of our Judges to the Sudder Dewanee, which, if I can procure a copy, will amply bear out the truth of this statement.

The summary of the whole is, that the people of Oude are not worse governed than our own subjects. It is true that things are not yet carried on with the regularity which is practised in the British provinces: a rougher and more precipitous mode of proceeding is occasionally adopted, with the loss sometimes of a few lives in consequence; and the revenue officer, if he find an estate very productive, will sometimes demand a higher rent than was originally agreed to. Such are, I believe, all the real grievances they have to complain of, and an individual hardship is thereby now and then caused. But the mass of the people —I speak not of those in power, but of the land holders and peasantry—are far more lightly taxed than those of the British dominions. The civil and criminal administration is certainly not worse than our's; *i. e.*, judging by the only true criterion, the difficulty or facility of enforcing a claim; the people are governed by their hereditary rulers, and benefit by the expenditure in the country of the revenue that is raised, instead of being subject to a few foreigners, by whom as much wealth as possible is carried out of the country. In every part are to be found respectable land-holders and heads of villages of various degrees of rank and wealth, forming the chain between the higher and lower classes, instead of as in provinces, the whole being reduced to the equality of a nation of paupers. They are not cursed with confiscation laws, or special commissions; nor with salt, opium, or other monopolies; they have not one system for realizing the demands of Government and another for individuals; nor is the punishment of revenue defaulters to be compared in severity to that of our proceedings: the people are not excluded from every office which a man of integrity could accept and men who in our provinces are slaving on a bare subsistence which they have little prospect of encreasing, cast a wistful eye towards Oude where they see that the door even of the highest offices is not closed against them, merely because they are dark coloured natives instead of white Christians; and without exception there is not a single class which does not possess more wealth and prosperity than the corresponding class in our own provinces. Such, and I fear not any enquiry properly conducted, is a true picture of the state of Oude at this moment; and yet we are told that the people are sighing for the blessings of the British Indian rule! When the voice of *the people* shall be really heard—not that of courtiers and men in power, but of the landholders and peasantry—they will be found to unite in one cry of, "of all miseries keep us from that." So far from their entertaining any such feeling I can inform my readers, that in one part of the Doab, not many months ago, the people, farmers and peasantry, held quite a rejoicing on hearing a report that that part of the country was to be transferred to the King of Lucknow: there are English merchants residing on the spot who can corroborate the truth of this statement. My readers will here be inclined to start at the mention of the wealth of the people of Oude, in proof of which I beg to make the following observations. In the first instance, look at the bazaars, not only in Lucknow but in any town in the country. They are filled with far more numerous and expensive articles than those of corresponding size in our own territories. This is an excellent criterion, because no merchants or tradesmen will keep a stock of commodities unless sure of a sale; and men cannot buy expensive articles who have not tolerable incomes. Secondly, the large sums which are invested by the merchants of Oude in the Government securities; and thirdly, on the receipt of the orders of the Court of Directors, the members of our Government talked openly with great satisfaction of the Judge which was about to fall to them, stating their conviction, that whereas the gross revenue of Oude is not now above sixty or seventy lacks (six or seven millions of rupees) the country might easily, under our revenue-screw, be made to yield a net revenue of one crore (ten millions) while the crack Collectors, both in *esse* and *posse*, were all on the *qui vive* in the hopes of being able to raise their fame by employment in Oude. It is to be supposed that both Government and the first rate Collectors, who like vultures snuffed their prey from afar, must have laid some grounds for their anticipations; and in this point of view, it must be obvious that a country which can be made to yield about double its present amount of taxes can neither be very poor nor very much misgoverned.

But so prone are we to minister to our own vanity, that continual assertions are made that the natives of Oude place their money in British securities to prevent its being arbitralily seized by their own King. There is not a shadow of ground for the statement. The reason is simply this. First, the whole revenue of Oude is spent within itself. Secondly, immense sums of hoarded treasure, amounting to many millions of rupees, have within the last few years been spent by the King in excess of the regular revenue. From these two causes, there is much specie in Oude which the merchants do not know how to employ; for the internal trade of the country is very small, most parts of it producing the same commodities; and the ruinous system of transit duties enforced in our territories which

bound those of Oude on three sides, the fourth abutting on the Himalyah, over which little trade can be carried, prevent the extension of their foreign commerce. There is no channel for the employment of so much capital within the country, and sooner than allow it to lie altogether unproductive, they are content to vest it in Government Securities. Strange as it may appear to my readers, I am strongly inclined to think that our commerce-whithering transit duties are one great cause of the high premium of the Government securites; and that one of the first effects of altering this system, which is killing the goose that lays the golden eggs, will be that the funds will fall, from the large sums which will be sold out to be employed in trade. The twenty year settlement now forming will probably have some effect of the same nature.

But notwithstanding this favorable picture of the present state of Oude, there is, I apprehend, little doubt, that the downfall of its independence is at hand, and that it will, ere long, be merged into the British dominions. The King himself is a profligate and a sot, devoid of sense, who thinks of nothing but his own licentious pleasures, and of the indulgence of every whim. When any thing annoys or vexes him, he has recourse to liquor to drown thought: he squanders his money like a child spending thousands in building a Palace one year and pulling it down the next. He is surrounded by a host of sycophants of all shades, English, Native, East Indians, who prompt him to every species of extravagance, which they may hope to gain any thing for themselves. The minister Roshun ool Dowlah, is said to be a well disposed man who is fully aware of the dangers of the path now followed and who would gladly change its course, and introduce a reform; but he wants nerve to face the storm which would be raised by those who profit by the present extravagance, so he is content to let things go on in their present train. It is lamentable to see money so wasted which might do so much good. Steam boats, windmills, and other works are begun and partly completed, and then the fancy dies away. The canal of which we have heard so much and which has cost so many lacks of rupees, is left completely at a stand: and the Engineer Officer who was lately transferred to the service of the King for the express purpose of finishing the canal, is losing his time because the King will neither give directions nor supply funds. It is a great pity that the canal was ever begun: it will be of little use, since a very small proportion of bulky trade comes in that direction. Had the money it has cost been spent in making roads, infinitely greater benefit would have accrued; and it is probable that even now, the advantages would be greater if the canal were left as it is, and the money necessary to complete it, expended in roads. The King spends nearly double his annual income which amounts to about sixty or seventy lacks, (6 or 7 millions of rupees) but hitherto, this has caused rather good than evil. He is not obliged to borrow money or to encrease his demands on the people, having still some of Sadut Ali's treasure remaining; supposed to be about 3 crores of rupees (thirty millions.)

The English Government are mainly to blame for this state of things. How is it possible that native Princes who are kept in a state of pupilage, and almost treated like shool-boys, should have any self respect or proper independence of feeling! This has been the case with Oude for the last forty years. Had (as I once before observed) the British Government turned their supremacy to good account, by insisting on the education of the native Chiefs, so as to qualify them for the art of Government, this would have been a measure entitled to the highest praise; but so far from it, the interference of the Residents has been almost always exerted for evil; indeed so extremely difficult is it to discover the slightest benefit arising to any class of people from the establishment of Residents at the native Courts, that there is strong ground for the supposition that the measure has been adopted and maintained for the express purpose of promoting misgovernment and confusion in the different principalities, so as to afford plausible excuses and opportunity for our taking possession of them. A species of interference such as that suggested in No. 39, would be a real benefit. Lucknow has not, at most, above three or four years longer to remain as an independent kingdom. By that time, the King, if he live so long, will have spent the remnant of his treasure; and as he will not have the sense to reform his conduct, borrowing and exactions will become the order of the day; disturbances will ensue: and the British will settle the matter by taking possession of the country.

Had Mehendee Ali Khan (commonly called the Hakeem Mehendi) remained at the head of affairs, matters would in all probability have taken a very different turn. He really set about reform, not only in good earnest, but with good sense. He reduced the expenses, especially the salaries and pensions of favorites who had done nothing to deserve them;—he was gradually introducing all over the country, the best parts of our system; *(i. e.)* written agreements regarding the revenue to be paid; regular Courts for Civil Justice; and an established Police. His shrewdness of observation on the native vanity of the English also is worthy of note, and the mode in which he, like Rammohun Roy, and some others, deceived them by practising on their credulity is amusing. He used to drop hints that he wished to see Oude in the possession of the English. Why the man's whole energies were at work to prevent such a consummation, for which end he persued the best plan he could have devised, by endeavouring to place the administration of affairs there on such a footing as would give us no reason to interfere; and there can be no doubt that had he remained he would have introduced a much better Government there than ever existed in our own territories.

Blinded, however, by prosperity, and imagining himself to be much more firmly seated on the pinnacle of greatness to which his talents had raised him than was really the case, his pride and arrogance rose accordingly. Adopting some of the worst features of the English conduct, he affected a haughty reserve, and disdain towards his countrymen; he disdained to return almost any man's salute, or to treat those with whom he had to transact business with the courtesy and civility which was their due; and when remonstrated with on the extent of his retrenchments, he would make a harsh, unfeeling retort in imitation of a certain Governor-General. This was the real cause of his downfall. But for this, he might have been in office at this very day; and it is a fact worth noting in support of assertions I have so frequently made, of the effects of similar conduct among ourselves in disgusting and alienating the people.

As to his wishing to see the country absorbed into the British dominions; what could he expect to gain by it? at the most some insignificant pension—what would he have lost thereby? The Minister's salary is three lakhs, and he is allowed a perquisite of a deduction of one fourth from all regular salaries and payments. It is supposed, that his income amounts to about twenty-two lacks (more than two million pounds sterling) of rupees per annum: he enjoys power, authority and patronage to a great extent: all this, it is to be supposed, he would willingly sacrifice, and retire an obscure individual upon a small pension for the disinterested pleasure of seeing his country under the enlightened rule of the English!! It is impossible that any one acquainted with the real state of things, could have given credit for a moment to such professions; but the general ignorance which prevails on the subject, aided by the gratifications which our vanity received induced them to be very generally believed.

Mehendee Ali Khan however, has not, I believe, the slightest chance of being restored to his premiership, unless by the positive orders of the British government; and, indeed, although had he remained, he might have been able well enough to carry on a system which was in regular train, he is now an old man, and though by no means superannuated, is too infirm to plunge again into the sea of politics. There appears little hope that his place will be supplied by a man of equal ability, so that, at furthest in about three or four years, we may expect to see the dominions of Oudè usurped by the English. In my next, I shall offer a few suggestions on the best mode of administering the government of those territories, and of avoiding the course, which has rendered the English name so odious to the people of the North Western provinces.

A FRIEND TO INDIA.

*May* 25, 1835.

## APPENDIX.

*Complaints by Sipahees, when they can prefer them under cover of a letter from their Commanding Officers.*

I have been fortunate enough to procure a few of these presented to one of our Civil Courts, which I subjoin as a specimen.

The summary of one petition is this. "My father died nine years ago; certain of his relations dispossessed my brother of the lands; I beg an immediate order may be issued to put me in possession of the lands." Here both the sipahee and his brother (who lived not far from the Court) had by their own account quietly submitted to be ousted for nine years, and then a petition of the above nature is forwarded. If the sipahee could not have procured leave, his brother might have complained.

Another coolly requests, that a village shall be given over to him, and that he should be put in possession of a grove of trees: no grounds whatever for the demand being stated.

A third states in general terms. "I have been kept out of my lands and houses for many years by my relations, I beg an order may be issued to put me in possession," *i. e.*, of whatever he chose to call his, since no particulars were given.

A fourth states as follows. "I sent an order for 50 Rs to a man named Lallmun some years ago, to give the money to my family. Two or three years ago I went to question Lallmun about it, he beat me, and turned me out of the village. I beg an order may be issued to make Lallmun instantly pay the money to my family." By the man's own account he submitted to the loss of his money and the beating besides, without complaining, although his village was actually within two miles of the Court. He rejoins his corps, and three years after forwards the above petition.

On all these and numerous others, the order was to sue in the regular way, for which by the Regulations every facility is afforded to the native soldiers; they have advantages over all other suitors: the consequence was that nothing further was ever heard of the suits; of which probably not one had the slightest shadow of foundation.

It is extremely common for sipahees on leave of absence, if they live near a Court of Justice, when their leave is nearly expired, to trump up some complaint and prefer it to the Court so as by good management to enable them to over-stay their leave a month or so; and then they get a certificate from the Judge or Magistrate, that they were in attendance at the Court from such a date to such a date. Notwithstanding all the fine things that are said about the honor of the native soldiery, there is probably no class in India, where you will find more fraud and chicane,—a hundred times more so than among the unsophisticated peasantry from among whom they are taken. Whether this arises from their communication with the English I do not give a decided opinion.—*Hurkaru.*

# NELLORE COPPER MINES.

## ANALYSIS OF THE ORES FOUND WITHIN THE LANDS IN GRANT TO THE COMPANY.

Through the kindness of Mr. C. A. Kerr, I have had a further opportunity of examining the produce of the Nellore copper mines, of which cabinet specimens were presented to the Asiatic Society two years ago, before the formation of the "*Indian Copper Mining Company*" at Madras, for the purpose of turning to profit the mineral stores of this promising district.

From a pamphlet published at Madras, we learn that the copper mines in the Nellore and Cuddapah districts were discovered about 40 years ago, by Mr. Benjamin Hayne, whose report to Government, inserted in his *Tracts on India*, gives the fullest and most satisfactory account of them. From this pamphlet, we glean the followigg particulars of the locality, and of the quality of the ore.

"The districts on the coast in which copper ores have been discovered are those of the Calastry and Vancatagherry Zemindaries and the Udyherry Jaghire, in the zillahs of Nellore and Duppaud and other places in the ceded districts.

"The principal mining places are at the distance of about 30 miles N. W. from Nellore, 30 miles from the sea, about the latitude of Rámpatam, and about 40 miles N. E. from Cuddapa.

"Several rivers run right through it on their way to the sea from the western hills, of which the Pillapeyroo, Vuppovagoo and Manyroo form a junction not far from Guramanypenta, the principal mining place, and form a pretty large river, which is said to have a great deal of water throughout the year. Its beds are very stony, which seems in the eyes of the natives the greatest objection against its being made navigable for boats: it deserves therefore an accurate survey.

"The general aspect of the country is barren, and uncomfortable in the extreme: large trees are only found in and near the villages; and on the wide extended plains, on both sides of the river, nothing encounters the eye, but here and there a small thorny shrub. The grass, which, in the rainy season, every where else carpets the country with a refreshing green, is here both scanty and of the poorest kind, a species of "aristida," which, as the name implies, is a compound of long beards or bristles. This is the case in most mining countries; the surface of the soil contains in many places so much salt, that the inhabitants could make enough, if allowed to do so, for their own consumption.

"To the eastward, the country is open; only here and there a few low hills are to be seen: but to the westward, there are ranges of hills, the nearest at the distance of about 10 miles. Due west is one called Mala-coudah, from being the highest hill in the range. It is said to abound with wood. The Udygherry mountains are to the south-west, about 16 miles, and the highest in this part of the country: the highest point I take to be about 3,000 feet above the level of the low country: I have seen myself, that plenty and large wood grows there, particularly between the valleys.

"About 20 miles on the way to the sea, in the direction of Rámapatam, are extensive jungles, consisting of—1. Kora, *Panicum italicum, L.* 2. Aruga, *Paspalum tomentacium, L.* 3. Woolava, *Glycene tomentosa, L.*

"This country is, geologically speaking, of a primitive description; the general rock formation is a mica-slate, of different colors and consistence. It shews itself first in the low country, at the distance of about 15 miles east from the hills; it forms sloping mountains, which are often capped with hornstone slate, which passes into sand-stone, and on the other hand, into jasper. The tabular summits and mural precipices of the Udygherry hills consist of the latter stone kind: the layers or strata of the mica-slate occur in different positions, and inclination to the horizon; often in the low country forming a right angle with it; on and about the Udgherry hills, the strata appears in the utmost confusion, as if thurst by force out of their proper position. Traces of copper ore are often found in this rock, and it is generally known to contain various metallic veins, as gold, silver, and copper.

"Subordinate to the former is green-stone slate, in mighty layers, often as to appearance constituting the principal rock of a district for many miles. This is the case about Guramanypenta and the other mining places. The layers or strafication of the latter rock I have as yet always found in a horizontal position.

"The green-stone slate is often approaching to green-stone; it occurs then only obscurely slaty, has a jet black color, strong glossy lustre, foliated fracture, hard in a small degree; in this state it seems here barren of metals of any kind. The real green-stone slate is of a bluish black color, with small white spots of decomposed felspar, half harp; and when exposed to the air, it crumbles soon to pieces, and takes green color. The rock is reckoned one of the richest '*mothers of ores*' of any in the world. In it are found silver and copper in rich beds or layers, as in the case here; but never in veins, as in other formations.*

* One of my specimens from Nellore is abundantly curious and interesting. It consists of distinct layers of the carbonate, alternating with black micaceous schist, or rather green-stone, affording exactly the appearance of gradual deposition from a liquid at this earliest period of geological formations. The angle formed by the strata of this striated rock with the horizon is stated by Mr. Kerr to be about 45.—J. P.

"The layers of copper are of different thickness, and distance from each other: the general run of the pieces of ore, constituting the layers, is two inches in thickness; but they have been found also of several feet. The pieces are in general flat, as if compressed, and coated with ochre. The vertical distance between the layers is 4 to 8 feet, and the horizontal is even more uncertain.

"A corroded honey-combed quartz is found in great abundance in the green-stone slate, particularly along with the copper ore. It appears often on the surface, in such places where the water has washed the earth away. It looks then like indurated marl, which in other parts of the country is very common.

"The rock* is covered with a red coarse gravel, which is the superficial soil of this part of the country. In my opinion, this is formed from the decomposition of the green-stone slate, and its quartzoze and ferruginous contents; for copper ore is often found in considerable quantity, and in the same situation, as in the slate rock.

"At Yerrapillay, in a new mine, which I opened, I found two layers of ore in it, at distances of four feet asunder.

"The thickness of this stratum of gravel differs according to its situation, whether it is on a high or low ground. I have found it from 4 to 6 feet, and more.

"The copper ore which Dr. Thomson calls Anhydrous, the most common kind, is in flat pieces, externally of a brown ochry color; internally of a black iron color, which often passes into green; when moistened with water, it becomes almost immediately throughout green; in some places, it is bluish grey throughout. Lustre, in some places, where it is black, semi-metallic; and in the bluish grey, metallic†. The copper, indeed, is in an almost metallic state in it. Fracture approaching to even fine grained streak; of the black, brighter metallic; powder, "*greenish*;" not very hard, except the iron black and bluish grey part; which is with difficulty scratched by quartz; brittle; not particularly heavy. Specific gravity, 3.09. Some pieces are found of a nut brown color, and some with conchoidal fracture. The foreign admixtures are various, as white and green quartz, mica, iron ore; mountain blue and malachite are in some places found with it. In other places, I suspect the admixture of silver. For the analysis, I must refer to that of Dr. Thomson, in a paper laid before the Royal Society of London, which I was permitted to publish as an appendix to my "*Tracts on India.*" I will only mention here, that on an average, he procured 50 per cent. of pure copper. In the dry way, or by simply smelting the ore, we have received the metal in *greater proportion*, which may be easily accounted for by the quantity of iron, which the ore contains, that cannot be separated, as when the analysis is carried on by acids and other re-agents."

Mr. Hayne seems to have been wrong in imagining, that the natives had only discovered these mines 50 or 60 years before (about 1750.) Mr. Kerr, who has since visited the whole of the mining district, and examined all the formations, and the old works, with great care, states, that the former excavations are of prodigious magnitude, many of them occupy several hundred feet square, and having a depth of 50 or 60 feet. The matrix rock and rubbish are now accumulated in these immense tanks; but on clearing them away, the mouths of the galleries extending into the rocks were discovered; blocks of the ore, (perhaps some that had been gathered previous to the discontinuance of working the mines from some political convulsion or oppression,) have been used to mend the village tank at *Guramanypenta*, and Mr. Kerr imagines, that any quantity of the richest ore* may be obtained at a trifling expense, and within 100 feet of the surface. Extensive hills, formed of lumps of ferruginous slag, now covered with vegetation, point out the situation of the ancient smelting houses. A piece of this slag (which was at first mistaken for a volcanic product) was analysed by myself. It yielded but faint traces of copper, shewing that the native processes of extraction, however rude, were effectual in completely separating the metal. But I must now proceed to observe upon the actual specimens of the ore submitted to my examination, purposely avoiding all allusion to the mercantile value of the mines, the estimates of the expense of working them, and the invitations to join in an association for this purpose:—objects which are highly interesting to the community, connected with so laudable a measure for developing the natural riches of the country; but which cannot with propriety be entered upon in a work devoted exclusively to literature and science.

The ores now presented to me are from three different localities. They differ considerably in quality one from the other, and all from the former ore, which Dr. Thomson pronounced to be an anydrous carbonate, new to mineralogy.

No. 1. A parcel, weighing 90lbs. of roughly-picked and cleaned ore, has a quartzose matrix, in some parts colored green, or appearing so from the malachite beneath the transparent crystal. It contains much iron, which, on solution in an acid, appears in the form of a yellow ochre. Ten per cent. of quartz was separated from this specimen on pounding it roughly before setting it apart from analysis.

No. 2. A parcel of the same weight is labelled "*Bungerul Mettah,*" and is the species

* See Dr. Benza's observations on veins of quartz pervading decomposed pegmatite, J. A. S. iv. 421.—Ed.

† This description accords so completely with that of No. 3, in the subjoined analysis, that I have no doubt Dr. Hayne has mistaken the sulphuret for Dr. Thomson's ore.—J. P.

* The "steel-grained, crystallized silvery ore, invariably found in green-stone slate, and partly imbedded in quartz, the richest ore met with," is doubtless No. 3, the sulphuret.—J. P.

stated to be found in clustered nodules in the alluvium, of rounded exterior, as though they had been detached from their original site, and reburied here. The ferruginous matrix of this ore, on solation, assumes the appearance of a dark-red oxide. It is the same probably as that of Dr. Thomson's specimen. The carbonate of copper runs through it in veins, but the mixture of sulphuret of iron, and perhaps of copper with the oxide, gives the whole a dark arenaceous texture.

No. 3. The richest ore of the three is at the same time the most abundant, and promises to yield the safest return, as it runs in unbroken veins. This ore is a combination of carbonate and sulphuret, the former intermixed with the later, but readily distinguishable from it, as the sulphuret is crystallized, and has the grey metallic lustre of galena. The specific gravity of this ore is 3.77, being intermediate between that of the carbonate 3.2, and the sulphuret, 3.5.

The analysis was conducted for the sake of expedition on separate parcels of 100 grains each, in lieu of attempting the separation of the ingredients from a single parcel. Some variation may thus be induced from the irregularity of the ore; but, on the whole, the results ought to be more trust worthy. Thus; the carbonic acid was estimated by the loss of weight and digesting 100 grains, finely pounded, in dilute nitric acid. The water, (for none of these ores was found to be anhydrous,) by heating in a glass tube, removing the aqueous vapor by bibulous paper, and ascertaining the loss. As the ore generally lost its green colour by this operation, it is possible that a portion of carbonic acid was also driven off. Calcination in an open dish, in the muffle of an assay furnace, gave a loss, which was compounded of that of the carbonic acid and the water. Calcination drives off the sulphur also, but the equivalent of oxygen, which replaces it, being of precisely equal weight, this operation affords no test of the quantity of sulphur present. In fact, not expecting from Dr. Thomson's analysis, to find sulphur in the Nellore copper ore, I at first neglected the precautions necessary for its separation. This was accordingly effected on other samples, by boiling in strong nitric acid, which, from its heat, caused part of the sulphur in a pure state to rise in fused globules to the surface: while a portion, being oxygenated, was afterwards separated by precipation with barytes.

The quantity of copper was most conveniently estimated from the black oxide taken up from the calx by dilute nitric acid. It was also obtained directly from other samples by reduction of the oxide with charcoal and borax. The iron and pyrites were deduced from the difference between the residue in the cold solution, and that from the hot dissolution in strong acid of another parcel, before calcination.

Collecting together the results of the above operations, we have the following data, whence to deduce the composition of the three specimens.

| | | *No.* 1. | *No.* 2. | *No.* 3. |
|---|---|---|---|---|
| *a.* | Loss of carbonic acid by digestion in dilute nitric acid.... | 12.0 | 14.6 | 7.0 |
| *b.* | Loss of water (and some carb. acid!) by heating without air in a glass tube,..... | 5.0 | 7.0 | 3.0 |
| *c.* | Total loss on calcination with access of air,..... | 17.5 | 17.8 | 21.0 |
| *c* 2. | Ditto average of two other trials (more carbonate,)..... | 20.0 | 20.3 | 23.5 |
| *d.* | Oxide of copper taken up from calx *c* by dilute acid,.... | 37.7 | 49.2 | 73.7 |
| *e.* | Residue of insoluble earths and ox. iron, after *d*,..... | 44.8 | 33.0 | 5.3* |
| *f.* | Residue from digestion of crude ore in boiling nitric acid, ... | 20.0 | 13.9 | 19.0 |
| *g.* | The same, after burning off the sulpher and redigesting in do. | 20.0? | 8.5 | 0.0 |
| *h.* | Sulphur, separated on boiling in strong acid,..... | 0.6 | 2.1 | 9.0 |
| *i.* | Sulphate of barytes precipitated afterwards,..... | 1.4 | 17.8 | 28.5 |
| *k.* | Weight of metallic copper actually recovered from *c* 2,... | 28.5 | 52.2 | 59.0 |

In regard to *d.* No. 3, it was observed on digestion in cold nitric acid, that a very considerable portion of the calx of copper was of a red color, or in the state of protoxide, or perhaps in a metallic state, and was not taken up without disengagement of nitrous gas;—the weight 73.7 must therefore be increased, to give the true weight in terms of the peroxide. This is also proved by the amount of loss in *c*, 21.0, which is considerably in excess; and it was remarked on removing the calx from the fire that it was agglutinated, so as perhaps to have prevented the access of air to oxidate the interior. The sulphur enables us to approximate the correction of this item; for 12.8 requires 51.5 copper,=64.3 black or peroxide; and this, added to 22.8, the peroxide of the carbonate, would give 87.7; which is 14.0 greater than the actual return from the fire. Again, deducting the deficiency after calcination (*c.*) 21.0, from the sum of the three volatile ingredients—sulphur, 12.8; carbonic acid, 7.0; and water 3.0=22.8, there remains but 1.8 for the weight of oxygen absorbed in place of the sulphur; whereas 12.8 are required. —Adding the difference 11.0 to *d.* we shall have 84.7. This number will be found to be a little in defect from the subsequent results; while 87.7 is a little too great; a mean may therefore be adopted.

From the above data, we may now proceed to extract the simple elements of each specimen of ore:

| | | *No.* 1. | *No.* 2. | *No.* 3. |
|---|---|---|---|---|
| *l.* | Metallic copper, calculated from the oxide *d*,..... | 83.2 | 39.5 | 69.0 |
| *m.* | Pure sulphur, from *h* and *i* | 0.8 | 4.5 | 12.8 |
| *n.* | Carbonic acid, less $\frac{1}{15}$th for hygrometric moisture ..... | 10.8 | 13.1 | 6.3 |

The carbonic acid being supposed to be wholly combined with copper, while the sulphur may be partly united with iron, we may calculate the proportions of the carbonates sulphurets by means of the scale of chemical equivalents, thus:

* In the second Analysis of No. 2, however, the copper actually recovered, *k*, so much exceeds this quantity, that it is evident this ore frequently contains sulphuret, or is of very variable quality.

| | No. 1. | No. 2. | No. 3. |
|---|---|---|---|
| *a.* The carbonic acid will require copper,..... | 31.4 | 38.6 | 18.3 |

Now in the first two of these, the copper required so nearly agrees with the calculated weight of metal, *l*, that the latter may be looked upon as existing here wholly in the form of carbonate, and the sulphur as united entirely with iron*. In No. 3, however, we find that the majority of the copper remains; and knowing the nearly total absence of iron in this specimen, we may conclude it to be a mixture of nearly two parts sulphuret, with one of carbonate.

The miner would rest content with the determination of the pure metal in the ore, and would have good reason to be satisfied with the 60 per cent. "actual yield" of No. 3, or even with the 30 per cent. of the poorest of the three ores; but the mineralogist will prefer an exhibition of the component salts of the ores, according to the usual synthetical formula. I may here remark, that the water separated *(b)* is more than is required to convert the carbonate into a hydrate or ordinary malachite: thus,

| | No. 1. | No. 2. | No. 3. |
|---|---|---|---|
| *p.* The copper combined with carbonic acid being,..... | 30.2 | 39.5 | 18.3 |
| *q.* will require water to hydrate it,..... | 4.2 | 5.5 | 2.6 |

The excess in *b* may have been carbonic acid, partially driven off.

The chemical composition of the three minerals may therefore be thus expressed:

| | No. 1. | No. 2. | No. 3. |
|---|---|---|---|
| Hydrated carbonate of copper, | 52.4 | 68.5 | 31.7 |
| Sulphuret of copper,..... | *t.* | 0? | 63.0 |
| Sulphuret of iron,..... | 2.1 | 12.4 | 0.0 |
| Oxside of iron, silex, &c..... | 43.5 | 25.1 | 5.3 |
| Loss or excess,..... | 2.0 | —6.0 | 0.0 |
| | 100.0 | 100.0 | 100.0 |

The excess in No. 2, is doubtless owing to the irregularity of the rocky admixture in different specimens, whereof one yielded 44, and another only 13.9 of insoluble matter, on digestion in acid.

The richness of the last of the three minerals will more than compensate for the increase of trouble and expense in the reduction of the ore by successive roastings; and practical miners assert, that the glance or grey sulphuret is a much steadier and more plentiful ore than the carbonate.

I should add, before concluding the above imperfect analysis of the Nellore copper ores, that I tested them in vain for silver and other metals. Neither did arsenic appear to be present.

I may here mention, that among the specimens of minerals presented to me by Mr. Kerr, as occurring within the copper mining district, associated with the micaceous schist, are the following; corundum and adamantine spar, garnets, dark green actinolite, red chalk, manganese; besides carbonate of magnesia, and other minerals of which specimens have not yet reached me. An ore of mercury is also suspected to exist in the same range of rocks. The surface of the gneiss or micaceous schist, were exposed to the air, is frequently seen tinged of a green colour, from the trickling of water holding carbonate of copper in solution, through crevices of the rock.

J. PRINSEP.

* This residue may have consisted partly of sulphuret of copper that had escaped decomposition in the fire; for another specimen was wholly soluble, and little iron was present in the solution.

## TIN MINES.

The mines are generally excavated on the swampy flats at the base of hills of primitive formation. They average from six to twenty feet in depth, following the streams of ore *(Hùlûr bìjì)*, which will sometimes run in a horrizontal direction to the distance of three miles, according to the nature of the ground. These excavations are termed *Lombongan.* The streams vary in diameter from six inches to eighteen and twenty, and consist of a quantity of small heavy granulated portions of a dark hue, and shining with a metalic lustre, intermixed with a glittering white sand. The excavations made by the Malays, are more superficial than those dug by the Chinese, as they are too lazy to work the streams, which lie deep.

The strata under which the ore is found are commonly, 1st, a black vegetable mould; 2nd, red clay; 3rd, white clay, with white pebbles, apparently decomposed quartz, and 4th, a bed of shining white sand, called *Passìr bìjì.* Under the ore lies a stratum of steatite, called, *Nàpal*, or a hard bed of decomposed rock. The native term for the tin ore is *Bìjì tìma*, literally seeds of tin; when melted, it has the name of *Timah masak.* Crystals of quartz and fragments of micaceous schist are sometimes found among the alluvial earth thrown out.

The soil carried out by the miners in baskets, suspended at the extremities of a stout elastic bambu or *penàga*, which passes across the shoulders. The men are divided into two parties, which work in regular succession, one entering the shaft with emptied baskets, while the other makes its egress, with the filled ones. At Ulu Pondoi, in Naning, and at Jerram Kambing, I am informed, the mines are natural caverns in the rock. The Malays and *Jacoons* collect the ore by the light of dammer torches.

The ore is taken to a stream, conducted by artificial channels, lined with the bark of trees, to the vicinity of the mines and stirred about with an iron rake, or a *choncole.* The water carries off the sand, small pebbles, and earth, leaving the ore and large stones at the bottom, which are afterwards separated by a riddle and the hand. The ore, thus cleared of extraneous substances, is deposited in the *koppos*, to await the process of smelting.

*Smelting or Melanchùr.*—The smeltings are

carried on at stated periods, twice or thrice a year, according to the quantity of ore collected, and always at night, to avoid the great heat.

The ore and charcoal, (of the *Kompas*, *Kamoui*, or other hard woods,) are gradually heaped up, in alternate layers, in a rude furnace of clay, called a *Bullowe*, with an aperture below, to allow the escape of the fused metal. The fire is urged, and the whole mass brought in a glow by a sort of leathern bellows called *Hambùsan*, and sometimes by rudder ones, constructed like an air-pump, and made from the hollowed trunk of a strait tree, with a piston, headed by thick folds of paper. These are called *Kalùbongs*.

The Malays for the most part content themselves with the *tropong*, which is merely a hollow bambu converted into a sort of blow-pipe, and worked by the mouth.

As the heat increases, the melted metal is received into a hole dug in the ground, called the *Telàga*, or reservoir; and thence, with the assistance of iron ladles, poured into the moulds.

The tin now assumes the shape of the ingots of commerce, of which there are two kinds common in Sungie Ujong, viz. the *Tàmpang* and *Kepping* or *Banka*. The former weighs from half a catty to two catties, and the latter, from fifty to sixty catties; one catty is equal to one pound and three-quarters.

The *Tàmpang* is generally used by the Malays.

In the furnaces used by the Chinese, 800*lbs.* of metal may be produced during the course of a night. Those of the Malays seldom produce more than one-sixth of this quantity.

From 100 parts of the ore, it is calculated, from 65 to 77 of pure metal are produced. The ore of Banca yields 58. That of Junk Ceylon, according to an assay made by Mr. Blake 64½.

The water is drained from the mines, if shallow, by means of a channel, leading into a neighbouring stream; but if deep, the *Putàrum Ayer* is had recourse to. This hydrolic machine is, I believe, of Chinese invention. The Rev. Mr. Tomlin, a zealous missionary, gives the following description of it.

"The apparatus is simple, consisting of a common water wheel, a circular wooden chain about 40 feet in circumference, and a long square box, or trough, through which it runs in ascending. The wheel and chain, I think, revolve on a common axis, so that the motion of the former necessarily puts the latter into action. The chain consists of square wooden floats, a foot distant from each other, and strung as it were upon a continuous flexible axis, having a moveable joint between each pair.

"As the float-boards of the chain successively enter the lower part of the box or trough, (immersed in water,) a portion of water is constantly forced up by each, and discharged at the top. At one of the mines we were much struck with the simple but efficient mode of its application. There were three distinct planes or terraces rising above each other. On the middle one was the wheel; the lower was the pit of the mine: from the higher a stream of water fell and turned the wheel, which, putting the whole machine into motion, brought up another stream from the pit; these two streams, from above and below uniting on the middle plane, run off in a sluice, by which the ore was washed."

Regarding the smelting of tin, in a recent number of Dr. Lardner's Cabinet Cyclopædia, (No. 45, pp. 21 and 22,) are the following remarks on the advantages of pit coal over charcoal: "Authorities are not agreed as to the time when pit coal first began to be substituted in the reverberatory smelting houses (of Cornwall) for wood or charcoal, though this is generally supposed to have been about 1680.

"In the smelting of this (tin,) as of other metals, the application of this fuel has been productive of immense advantages; and such is the perfection to which our metallurgic operations have been carried since the economical introduction of this cheap and plentiful fuel, that the regulations of our custom-house alone prevented the carrying a scheme set on foot some years ago, for the importing of the tin ore from the eastern mines, for the purpose of being smelted in this country, and afterwards re-exported."

It would appear to have escaped the observation of the author of this article, that the enormous forests which thickly cover the whole of the Malayan peninsula, and the Island of Banca, under the very shade of which the miners may be said to work, furnish, on the spot, a cheaper and more economical fuel than the coal pits af Newcastle or Whitehaven do to the miners of Cornwall, at the sole expense of the labor of felling them; setting aside the loss of time, the expense of importation and exportation, and disinclination of the natives to such a scheme. Moreover, according to Mr. Crawfurd, the cost of producing a cwt. of Banca tin is but 22*s.* 8*d.*, whereas that of Cornwall amounts to 64*s.* 7*d.* The cost of producing a cwt. of the metal in Súngie Ujong is estimated by an intelligent native at 23*s.* The immense natural obstacles in Cornwall, only to be surmounted by the most powerful steam engines, and the unremitting application of all the means human ingenuity can devise, together with the high price of labor, are, however, the principal causes in the enhancement of the cost of production in England.

The time perhaps is not far distant when like ingenuity and similar means will be applied to the unlocking of the hitherto partially developed resources of the East.

According to the best native information, the annual produce of the peninsula, before

the late disturbances in the tin countries, was as follows.

| *Places.* | *Peculs.* |
|---|---|
| Sungie Ujong, | 7,000 |
| Perak, | 7,500 |
| Quedah, | 600 |
| Junk Ceylon, | 1,500 |
| Pungah, | 1,500 |
| Salangore, Calang, and Langkat, | 2,000 |
| Lúkût, | 1,600 |
| States in the interior of Malacca, | 900 |
| Pahang, | 1,000 |
| Kemaman and Tringano, | 7,000 |
| Calantan, | 3,000 |
| Patani, | 1,000 |
| | 34,600 |

The discovery of tin in the peninsula cannot be traced, but it is assuredly of ancient date. Part of Perak is said to be the *Temalá*, or land of tin, of PTOLEMY, and *Cálang*, (a name signifying tin in Malay,) to be the *Malaiou Colan* of the same author, and the *Malaya-Culam* of the Hindus.

The tin mines of Banca are of modern origin, being accidentally discovered, Mr. Marsden tells us, in 1710, by the burning of a house; the trade of the peninsula suffered considerably in consequence.

According to Mr. Crawfurd, (as before stated,) the tin of Banca, produce of 1817, amounted to 35,000 peculs, or 2083⅓ tons, equal to half the produce of England. But under the management of the Dutch, I am informed, it now scarcely produces half that quantity.

The price of Banca tin is from 16 to 16½ dollars per pecul=133⅓ lbs., and of Straits tin, (chiefly from the peninsula,) from 14½ to 15. British block tin, in 1832, was selling at £3 12*s.* 6*d.* per cwt.—*Journal of the Asiatic Society for October.*

# TOPOGRAPHY OF MIDNAPORE.

The civil station of Midnapore, the principal town of the zillah of that name, is distant from Calcutta about 70 miles in a south-westerly direction and about 45 from the nearest part of the Bay of Bengal. It is placed upon a considerable elevation of table land upwards of a hundred feet above the level of the river and in some spots nearly a hundred and fifty.

This elevation consists of a mass of limestone rock, mixed with a large proportion of iron called by the native conka, and is apparently an off shoot from the large tract of irony lime stone formation which extends for some hundreds of miles in a westerly direction through the hilly tract of Chota Nagpore, Palamow, &c. This rock in the more elevated spots is quite bare, though in other situations it is covered with a rich productive soil. The latter is very shallow however, insomuch, that the large trees with difficulty find root in it and are compelled to seek support by spreading their foundations literally; in many cases the fibres of the largest Pepul cannot penetrate more than a foot into the ground in a perpendicular direction.

On the East this rock rises gradually and imperceptibly from the flat country, but on the south it terminates more abruptly, having a narrow slip of cultivated land varying from a quarter of a mile to a mile in breadth between it and the Cossye river, which chiefly bounds it on that side. On the west and north it is lost in undulating ground, covered with dwarf trees, the commencement of the large tract of jungle which stretches into Nagpore in one direction and almost to the foot of the Rajmahl Hills in another.

The most elevated parts of the station are the Parade Ground, which is a large plain on the north of the sepoy lines about a mile and a half long and a mile wide, and another plain of nearly the same dimensions, situated on the western extremity of the station. The surface of the latter is more barren and more irregular than that of the former, but it commands an uninterrupted view to the southward whereas the other is more confined. There is a small tank of good water about 300 yards to the southward of this plain, which dries in the hot weather, but which might easily be deepened, and doubtless water could be procured in the neighbourhood by boring, as wells are plentiful in every direction throughout the station. These plains are about two miles distant from each other.

The rest of the station consists of undulating ground of nearly the same character with that of the plains, but in the centre of the place there is a jheel, which drains through a narrow tract of rice fields, into a dirty channel, and which after running through the native town terminates in the river. Some years since a plan was prepared by Mr. Dick, the Magistrate, to dry up this spot, and it was approved by the Government, but no further steps have been taken to carry it into execution. It would be a most feasible and not a very expensive operation to drain this marsh and would contribute greatly to improve the purity of the air around it.

The water found in the tanks and wells is generally much impregnated with iron.

The station is a large one, and though at present there is only one native Regiment, there are bells of arms for two corps. Houses are plentiful and all the materials for building and labor very cheap. Grain is rather dear, but other provisions are very reasonable.

The gardens produce every species of vegetable in great profusion, but since the destruction caused by the late storms fruit is scarcely to be obtained.

The communication with Calcutta is of course easy, the distance being so small; but the river is open only in the rains and then not to be relied on, as it is dependent upon the mountain streams for supply, and consequently varies greatly in the quantity of water. Boats are thus frequently delayed for a week together and sometimes take a month to accomplish the journey from Calcutta, which, if no stoppage occurs, is easily performed in eight days.

There are three *land* routes to the Presidency, one by Keerpoy into the Benares road, making a distance of about 100 miles; a second by Ooloobareah, which is 51 miles from Midnapore on the banks of the Hoogly, and distant by water 25 miles from Fort William, the land journey from the opposite bank by Budge Budge being 13 miles; and a third by Tumlook, which is 36 miles from Midnapore and 50 by water from Fort William. There is no land route from this latter place to Calcutta.

These routes are practicable throughout the year; but the late inundation has destroyed a considerable portion of the Ooloobareah road and has much injured the Tumlook road at one or two points*.

With regard to the comparative advantages of these routes, the Keerpoy road is long, and the halting places bad, but there are no rivers to cross, whereas on the Ooloobareah road there are five, viz.—the Cossye twice, the Roopnarain, the Damoodah, and the Ganges, the three latter being very broad. By the Tumlook road the Cossye is twice crossed, but at the second crossing at Panchkoorah Ghaut the river is not more than a hundred yards wide though very deep, and a bridge might easily be thrown over it. For dâk journeying the Ooloobareah road is the best, but for the passage of troops and supplies the Tumlook route is most desirable: the land journey is short, the halting places good, and a steamer could run between the last stage and Calcutta in six hours. If the latter road were made *pucka* it would of course much improve it and the cunkur of Midnapore makes the finest roads in the world.

The climate of Midnapore is remarkably salubrious, resembling more that of the upper provinces than Bengal, indeed the whole external appearance of the station reminds one of the up-country cantonements rather than of a place within 50 miles of the mouth of the Hooghly. The peculiar dryness of the air, at all times of the year, is very striking; but its purity and elasticity are most observable in the rainy season when compared with the close moist atmosphere of the surrounding country, and especially of Calcutta and its neighbourhood. The quantity of rain which actually falls, and the period of its continuance, do not differ from the usual proportion in the rest of Bengal; but the nature of the soil which receives the water materially influences its effect upon the air. On the hard rocky ground of Midnapore the rain never lays: and after the most violent and continued storms the plains become perfectly dry in a few hours, so that the roads will not wet the soles of the traveller's shoes.

During the rains the thermometer varies from 80 to 90; sometimes it is as low as 75 degrees. The cold season is not remarkable either for its continuance or severity; it does not last above three months, and the thermometer is seldom, even at day break, below 50, though occasionally it has been known to fall as low as 40; during the day it ranges between 60 and 70. On the high ground the cold weather fogs are almost unknown and even in the lower parts of the station they are rare, and the air, unlike the damp raw cold of Calcutta, is always fresh and bracing.

During the hot season the temperature, as indicated by the thermometer, is not greater than that of the surrounding country, ranging usually from 95° to 100° in the shade, rarely attaining to 100°, but the hot winds blow strongly, and out of doors the rocky ground reflects the sun with great force. The greatest heat does not last above six weeks at the outside, and rarely more than a month if the rains fall early; but during the whole of the S. W. monsoon a strong sea breeze renders the nights delightfully cool and refreshing.

In common with the neighbouring country Midnapore has been lately visited with frequent hurricanes, and from its exposed situation great destruction has been caused by them; but in the ordinary course, storms are not more frequent here than elsewhere; it must be observed, however, that many accidents from lighting have occurred in certain parts of the station, the electric fluid being of course readily attracted by the great quantity of iron in the soil.

We may naturally expect this climate to be more than usually healthy, and as far as Europeans are concerned it is strikingly so. But little malaria can be generated on such a soil, and consequently remittent and intermittent fevers are almost unknown, though of course many cases of the latter are found, which have been brought by the patients from some other district, and several of these have derived great benefit from the dry air of the station. In comparison with most other places in the low country dysentery is a very rare disease at Midnapore.

The diseases to which a European constitution is most liable are, as in all other rocky tropical soils, inflammation of the viscera and plethora; but in referring to the mortality of the last ten years, I find that in a population averaging forty Europeans, only one fatal case of the patitis has occurred; six adults and three infants being the total number of deaths which have happened amongst the

* This was written last year; but I believe the damage has since been repaired.

European inhabitants during the whole of that period, with the exception of the officers of the 38th Regt. Native Infantry who were brought from the Bomaughattea jungles in a dying state, and whose deaths, of course, have nothing to do with the Midnapore climate.

The station does not appear equally salubrious for the natives, as the proportion of sickness and death is almost as great amongst them as in any other part of Bengal, though they themselves think highly of the climate. Indeed, the mortality in the Jail Hospital has at times even exceeded that of most other neighbouring stations: the peculiarity of their mode of living, their general habits, and the fact that the native population inhabit all the confined low damp spots which can be found in the place, appear to me sufficient to account for this difference. The native regiment, which is at present stationed here, has had a large proportion of sick, but it suffered severely during two campaigns in the Cole country, and the sick are chiefly the old invalids who were affected in these campaigns. The most prevalent diseases amongst the natives are, as usual, fever, dysentery, and diarrhœa; and for some years a species of Hospital Gangrene in the shape of severe sloughing ulcers has at times visited the Jail and latterly the Military Hospital.

Midnapore cannot, of course, be looked on as a sanatarium; but the superiority of its climate over that of the surrounding country would make it perhaps a desirable place for invalids to resort to, who require merely a temporary change of air to a better climate than Calcutta and its neighbourhood can afford them, and its vicinity to the Presidency makes it easily available for such a purpose.

Considered as a residence for Europeans it is certainly far preferable to any Bengal climate, with which I am acquainted within a moderate distance from Calcutta. Intemperate habits would doubtless suffer more here than in the rice fields, from liver and determination of blood to the head, but they would be comparatively free from many other equelly fatal disorders and the dry invigorating air would be very beneficial to the constitutions of those who have been exhausted by frequent fevers and dysenteries.

These remarks have been drawn from observations upon Europeans of the better classes, whose habits are careful and temperate, but I have since learnt that about 18 years ago a squadron of European cavalry were quartered at Midnapore for some time, and that cerebral affections, which prove extremely fatal, where prevalent amongst them to a great extent. This may be attributed, perhaps, to their intemperate habits accompanied by exposure to sudden changes of temperate in the careless fashion which European soldiers indulge in; but it is an important fact with reference to Midnapore being ever made a station for English troops, and would require more than ordinary precautions to be adopted in regulating their mode of living, &c.

W. H. GOODEVE.

*Calcutta, Sept.* 20, 1835.

*India Journal of Medical Science for Dec.*]

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# ON THE DYN MUHR OF THE MOOHUMMUDAN LAW.

To Major Benson,

*Military Secretary to the Right Hon'ble Lord William Bentinck, Governor-General of India.*

Sir,—In the present communication I proceed to offer a few observations on the subject of the Dyn Muhr or dower of the Moohummudans.

It is a point of purely Civil Law, and I confess I am doubtful of the propriety of addressing the Right Hon'ble the Governor-General on the subject; the remedy, however, which I have to propose, does not amount to an actual alteration of the Law, and I am emboldened accordingly to proceed.

In treating of the subject, I shall endeavour to unfold the original object of the law-giver of Islam in instituting the Dyn Muhr, the modifications which have taken place in the structure of society affecting the fitness of the institution; and lastly I shall detail, how I propose to restore and confine the law to the original object contemplated by its founder.

No Moohummudan woman is perhaps ever married without a Dyn Muhr, and although the Prophet has fixed the minimum for dower at ten dirhems, (between 3 and 4 rupees), no sum has been stated as a maximum, and strange to say a menial servant, who has probably not ten rupees in the world, would think it disgraceful to him to give his wife a smaller dower than 20,000 Rs., and others in proportion, according to their actual wealth, or the former importance of their families; or to view the subject probably in a more correct, and certainly in a more pleasing light, perhaps no father will be found willing to bestow his daughter on less unequal terms.

But it will seem still more strange, that these women, in ninety-nine cases out of a hundred, never receive one farthing of their dower; on the contrary, the Moohummudans with true parental affection, almost always give a portion of their wealth in the shape of clothes, jewels and cash to their daughters on

their marriage. What then, it may be asked, is the object of this institution? The above facts sufficiently point it out. It is intended solely to prevent the husband from turning off his wife at his pleasure, which he cannot do without previously paying her dower. It likewise secures her against want, should she have no family, and her husband by other wives have heirs, who might otherwise neglect her; and happy is it for the Moohummudan women of this country, that such an institution exists, for by long intercourse with the Hińdoos, they have adopted the custom, though repugnant to the doctrines of the Koran, of entering into no second marriage.

Their marriage rites are simple in the extreme. An attorney on the part of the female attending, an offer is made of the bride, for a certain dower, of which offer the future husband accepts. This passes before two Moohummudan witnesses, a few pages of the Koran are read by the Cazee or his Clerk, and probably some refreshments are offered.

In law, one half of the dower is due immediately after this ceremony, and the whole on the consummation of the marriage.

We read in the Koran and elsewhere, how exceedingly jealous the Arabs were of the honor of their daughters; in so much, that they were in the habit of destroying their female offspring from their anxieties and distrust on this subject.

It must be acknowledged that an institution like the present was admirably calculated to protect them from the miseries, perhaps the infamy of divorce, and to restrain the males within some bounds, in the almost unlimited number of wives they might otherwise have espoused, under the prophet's toleration of polygamy, and his equally licentious facilities of divorce.

Nor does it appear, that the institution could have been attended with many disadvantages in a rude state of society, where property consisted almost wholly of lands, flocks and cattle, where the extended operations of commerce were utterly unknown, interest on money strictly prohibited, and borrowing consequently, except between friends and relations, little known: and where the romantic, savage, and warlike spirit of the inhabitants led them to obtain by the sword, instead of by craft and artifice, whatever money was required either for the gratification of their virtues or their vices.

In such a state of society the injurious effect of this institution could have been little felt; we have now however to examine its operation, in a state of society widely different from the former, and were we inclined to look into futurity, where we must suppose the difference to be daily and progressively increasing.

In Hindoostan so long as the country remained under a native Government, the law was probably found to be equally apt. The penalties of divorce to the female were infinitely more severe, and consequently more to be guarded against.

It is true, the riches of the country were more abundant, and the pastoral habits of the people very different from those of Arabia, yet the insecurity of property was equal or perhaps greater. The inhabitants were constantly engaged in foreign or civil wars, and a ready outlet was thus afforded for the vicious, the daring, and the profligate.

In such a state of government, neither the genius nor the vices of a people lead them to acquire by fraud, and there could be little advantage in proceeding by forgery and artifice, where there was scarcely a probability of finding a legal tribunal, on which to impose.

The present state of Oude may probably present to the mind a more lively picture of the state of society I mean to describe, than any words I can employ.

During these periods, it is probable that the helpless females were the sufferers and bore in silence where there was no hope of redress; and indeed there is reason to believe that they not unfrequently do so at the present time when our courts of law are comparatively so easy of access.

But the spirit of the times is now altered, the sword has been suddenly converted into the ploughshare; for though our armies are still on foot, the soldier comparatively frequently sinks into the grave, in the common course of nature, instead of being swept away, in the vast waste of human life, which must have been fearfully progressive in the days of the Mogul Empire. The reckless, the daring, and unquiet spirits are thus left to court fortune through humbler channels.

The country has been conquered, and is now in the hands of the conquerors, and its inhabitants like other enslaved nations have adopted and are daily more and more substituting for force, the feebler weapons of artifice and fraud. In the tranquillity which has succeeded, Courts of law, with comparative facilities of obtaining justice, have sprung up, the forms of civilized life have been established, and the interests of commerce have become more complicated and extended.

Let us now look what effect these changes have had on the aptitude of this civil institute of Islamism.

The Moosulman marries his one, two, three or four wives as he pleases: protection to these females against the miseries of divorce is equally requisite as before, but the claims of the merchant have become doubly urgent.

The husband has property, he has estates: the first disappears the last are deeply involved, and ruin stares him in the face. In this state of affairs a byemuka-sat or deed making over the whole of his property to his wives in satisfaction of their dower, or a portion of it, is made out, and collusively antedated, or perhaps, in the prospect of such a consummation, has been long since privately executed.

The effect is ruinous, the claims of his creditors are worthless, and they have no prospect of obtaining a settlement of their claims, save by working on the affections of the wives by holding out the terrors of incarceration to their husbands.

Nor is this the only evil of the present system: the amount of the Dyn Muhr is almost only known to the parties: in one case it is called for, in twenty it is not. The husband dies: the outstanding debts are brought against his estate: it is already absorbed twenty-fold by the dower of his widows, and the lawful creditors can only share with them, in a paltry proportional dividend.

Farther, a Moosulman of property may have a family by one wife, and none by another; the latter may prosecute for her enormous dower, and obtain a great part of the property, which will not devolve at her death to the heirs of her late husband, but to her own: or should the husband be the survivor, the heirs of the deceased wife may legally prosecute him, and obtain the full amount of her dower. This is hardly consonant to our ideas of justice.

Nor are these the only evils: the family of the deceased probably remain together as before: on the one hand debts are contracted by the widows; but when the just claims are brought against them, they have nothing, they have remitted the whole amount of their dower to the other heirs: on the other hand the son runs into every extravagance, and at length his bills and bonds are produced against him in fearful array: he has nothing: the whole of his father's estate went in satisfaction of his widows' dowers. In short the real heirs of a Moosulman are never known, until the point has been actually settled in a Court of law.

This is a state of affairs, which ought not to be allowed to subsist; and in my opinion, it is not insusceptible of a remedy.

I have already shown, that the great if not the sole object of the Dyn Muhr is to prevent the husband from divorcing the wife at his pleasure, which he otherwise could do; such an arrangement in my opinion is essentially necessary to protect the female against the unfettered facilities of divorce. I would therefore propose no alteration of the law, as it now stands, in so far as it affects these parties conjointly. To them the terms of the contract are mutually well known; but let us consider, how it affects the lawful creditors and heirs of the deceased husband.

On the death of his debtor, or on the transfer of his property, the creditor is quite taken by surprise. He had no means of knowing the amount of the widow's dower, and he trusted she would not claim it, for, in nineteen cases out of twenty, it is not called for; but why repeat, I have already mentioned the various modes in which he may be defrauded.

The other heirs are scarcely in a more pleasant situation, constantly at the mercy and caprice of the widows, who are probably in their turn influenced by less disinterested advisers.

Perhaps it may be argued, that the law, as it now stands, is frequently useful in correcting that unequal and apparently unjust provision of the Moohummudan Code, by which the family of a son who has died during the life of his father, is excluded from inheriting.

Such an object of this institute would not appear to have been contemplated by its founder, and I am afraid that the plan is more specious than real; for the widow, instead of using the power thus acquired, in correcting this defect of the law, more frequently abuses it, by making over the whole of her husband's property to some favorite son or grand-son, to the exclusion of a whole host of other heirs.

To obtain all the advantages, and at the same time obviate or mitigate the inconveniences of this institution I would propose, that the law should remain in full force, in so far as it affects the husband and wife conjointly; but that no woman should be entitled to sue for dower, save on divorce, and that neither she nor her heirs should have claim to such on the death of her husband.

As an heir of the deceased husband, she is entitled, without any special provision, to one-fourth of his property if childless, and to one-eighth if there be children; these of course are likewise heirs, and this would appear to be amply sufficient.

Should a husband however, from motives of affection, or from a wish to give his wives a more complete control over his children, desire to devolve his property or a portion of it on them, in satisfaction of dower, there can be no objection to his doing so, provided the community are fairly and timeously apprized of his intentions.

This can only be effected by having the deeds publicly executed in the office of the Cazee of the purgunnah, and afterwards registered in the Zillah Court; provided likewise that no undue partiality be shown to any one wife or her children, and that such estate be still held answerable for all debts contracted *bonâ fide*, previously to the execution of the deed.

Should such an alteration be deemed too sweeping, great advantage might be derived from simply enacting that no Dyn Muhr or deed in satisfaction of dower be considered valid or binding, (save on the husband during his life,) unless duly executed on a suitable stamp in the office of the Cazee of the Purgunnah, and afterwards registered in the Zillah Court, and that all such deeds be considered in full force, until the property has been legally alienated or transferred in a similar manner.

Were such a provision enacted, there is little doubt that every Dyn Muhr of any consequence would be thus executed, and a considerable revenue might be made to accrue to the state, were such a mode of raising revenue

considered desirable, while its mercantile interests would be protected; and if some should foolishly persist in advancing money, they would do so with a full view of the consequences before them.

Such a system of registry would facilitate the transaction of Dakhil Kharij suits, and might likewise afford considerable assistance to the Collectors of Revenue, in enabling them to determine on the sufficiency of securities offered by the renters of Government lands.

It may be objected to the proposal, that it would be an encroachment on the rights of our Moohummudan subjects; the second plan would not be so; but our alteration of their laws regarding debtors, mortgages, limitation of time in suing, &c. &c. shows, that we have not hesitated to alter and modify, where it appeared to be for the benefit of the country to do so: and I am confident, that we shall meet with no opposition from the natives, so long as they are satisfied that such is ou object.

In conclusion, may I beg, you will do me the favor to lay the foregoing remarks before the Right Hon'ble the Governor-General, who perhaps will do me the honor of perusing them.

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

JAS. HUTCHINSON.

*Gyah, June* 30, 1830. [*Hurkaru*

# NOTES ON INDIAN AFFAIRS.

## No. XLVIII.

### ON THE MODE OF ADMINISTERING THE GOVERNMENT OF OUDE WHEN IT SHALL FALL INTO THE POSSESSION OF THE ENGLISH.

In my last I attempted a sketch of the present state of Oude, and endeavored to show that the satisfaction of the people with their own Government was much greater than that which exists in the neighbouring provinces under the authority of the English; yet that in the course of a few years, perhaps indeed within the next three or four (setting aside the anxiety of the Court of Directors to take it immediately into their possession) affairs were taking that turn which would almost of necessity place the country under the British dominion.

The anxiety of the Court of Directors to realize the tempting revenues which may be expected from Oude, will probably prevent their waiting for the natural course of things; and by the end of the year, the reiterated order to take possession of the country will probably be received in India with [illegible]. This however is immaterial to the subject of the present paper, in which I propose to discuss the best mode of governing Oude, when it shall come into our hands.

In the first place, I hope we shall avoid the mistake we have hitherto made for many years, on our acquisition of different portions of territory. No sooner have we taken possession, than at one blow we have annihilated every existing establishment, whether for the administration of the revenue, or of civil or criminal justice,—we have pronounced the natives in the mass to be corrupt and incapable; and dismissed them all from their situations however respectable, and however well qualified they might be to discharge the duties of them with fidelity and efficiency. In the attempt to supply their places by English agency, we have usually appointed about one-third of the number of officers required. Our next step has been to raise the taxes to a much greater height than was ever done by their own governments, the large landholders who possessed establishments of servants, elephants and horses, being especially marked for plunder;* and this course has been persevered in until we have succeeded in reducing almost all the landed proprietors (those only escaping who had the means to bribe, or who were connected with the native officers of our establishment) to a happy equality of pauperism. They may now rest contentedly. "*Qui procumbit humi, non habet unde cad[illegible]* the high[illegible]

Such is the pl[illegible] authority [illegible] acted and yet [illegible] on which we have hitherto confer upon [illegible] and we boast of the blessings we with them the people, and flatter ourselves [illegible] idea that our Government is much more popular with them than their own. It is absurd to see the effects of self-delusion and vanity in blinding the eyes of men to the real state of things even before their eyes. In any other case in which prejudice and interest have no concern we should be quick enough in perceiving the truth; and indeed would we give ourselves the trouble to reflect a little even here, we could scarcely remain long in error. Is it possible that any nation

* The sight of a native in good circumstances, with a retinue of three or four elephants, a score of horses, and a long train of armed and unarmed attendants, seems almost always to have been peculiarly annoying to the young Civilians. After a visit to the young Collector the latter constantly remarked in a spiteful tone, "could not the *fellow* come without all this show." The remark of a "First rate" Collector was, (I use the past tense because there are now scarcely any such people left in our provinces.) "That *fellow* can afford to pay a much higher rent to Government," which was speedily acted on. I am inclined to think that jealousy that the native possessed a much finer establishment than himself, was one great cause of the dislike in which this class of people was held by each of the young Collectors; for there were few exceptions whose estimate of their own dignity and importance was inconceivably great.

would endure an oppressive and galling yoke, and while bending beneath its weight caress the hand which presses it upon them? Would the people of England consider the dominion of a handful of African conquerors so exercised a blessing to them? and are not the passions and feelings of human nature much the same in all countries on points where they are much exercised or wounded? but the day is gone by when this system can be continued with impunity, and rejoiced indeed am I to perceive by the manifesto lately issued by the head of the Government that this is at length perceived and acknowledged. It is indeed a proud day for India when the Governor-General stands forth and boldly asserts the principles expressed in his letter on the press and when the chief authority of the state comes forward to support their cause, we may indeed hope for better things. Let it not be forgotten, let the words be written as "with a pen of iron," and engraved upon our hearts and memories, that "whatever be the will of Almighty Providence respecting the future Government of India, it is clearly our duty, so long as the charge be confided to our hands, to execute the trust to the best of our abilities for the GOOD OF THE PEOPLE," (see Sir Charles Metcalfe's letter on the proposed press law) and again—"It cannot be that we are permitted by divine authority to be here merely to collect the revenue of the country, pay the establishments necessary to keep possession, and get into debt to supply the deficiency—we are doubtless here for higher purposes," &c. *(Ibid.)* Yes, if we wish to retain *India* we must indeed learn to govern it for the benefit of the people, and not on the principle that has lately actuated us—the sole benefit of its foreign rulers. All that is required is to act up to these sentiments.

But with respect to Oude. That country has been governed by natives from the earliest record we possess relating to it. It is still standing [illegible] by natives; and notwith again and again assert, [illegible] wauched court, I do contradicted with proof, by't fear of being unprejudiced men, that the p[illegible]partial and are much better satisfied with their[illegible] large ment than the population of our north-western provinces are with ours. We shall, too, find it a much more difficult matter to introduce the system above described into Oude than we did in the neighbouring districts. In these, the leveling system and extra taxation at every settlement has come more gradually upon the people; but those of Oude have witnessed not only the progressive operation, but the result also; and they plainly perceive that our subjects are much poorer than themselves. It would require a considerable military force to introduce the English revenue-screw into Oude, most especially if it be accompanied with the discharge of every respectable native from employment, and the introduction of the lower classes who have almost exclusively been substituted under our rule. Instead of attempting to introduce such a system it would be a noble opportunity to attempt to govern the country in all the details by the natives, with only a few Englishmen at the head to lay down general rules, and see that they were attended to. We cannot say, as we do of our own provinces, that there are no natives of rank or respectability to be found. In the different provinces of Oude are men holding situations of equal or greater power than our Judges, Magistrates and Collectors; and the people are better satisfied than our own subjects. But I will proceed to the detail.

Oude is large enough to be divided into six or perhaps seven districts. To superintend these, five English functionaries will be sufficient, provided they be men of ability, well acquainted with the country and the people. Of these, two should form a Board of Revenue, two a Court of Sudder Dewannee and Nizamut; and the 3d be a Superintendent of Police. Their respective establishments must be on a very moderate scale.

First for the Revenue. The Board should make the tour of the country, and appoint in each district, an Aumil as Collector. It should examine the old records, as to the collections of the district, and from these, and the inspection of various parts of it, a rough estimate might be formed of the sum which the district could afford to pay—this should be explained to the Aumil; and he should be left to make a twenty year settlement in detail, with each village, or with the rich talookdars or landholders. The Board should also explain as clearly as possible to the people, the orders that had been given to the Aumil. Proper agreements would of course be drawn out in duplicate, and deposited, one with the Aumil, and one with the Board. Instead of turning all the large talookdars or landholders out of their estates, our object should be to uphold them, as much as possible. We would ultimately gain more by the assistance which might be derived from these than by the small increase of revenue which their plunder would produce. They might be made to furnish a quota of men according to their means for the assistance of the Police.

If the members of the Board divided the country and made their periodical tours separately [illegible] be able, during the cold season, most closely to [illegible] conduct of the Aumils; and after the settlements were completed—provided each member, instead of general observations, would content himself with a few local ones, and note down what he had observed—annual tours, during its existence, would enable them to form a very fair estimate of what the next settlement ought to yield. It would be very expedient not to have the long settlement made for the whole country in one year; but to introduce it gradually into two or three—for the first year; two the second; and two the third. Making temporary settlements with the latter in the mean time.

This would enable the Board most fully to superintend the proceedings of the Aumils, both at the first and at any subsequent settlement.

The next point is the Police. In each district I would have a Magistrate under the name of Foujdar, and an assistant with a small Police establishment of burkandazes, constables; the chief use of which would be to be stationed on the high roads. The duty of reporting crimes, apprehending criminals, and assisting, when called upon, should, as it is now, be chiefly imposed on the landholders; for the Ryutwar system, having happily been unknown in Oude, there this class of people still retain considerable power and authority over the rest of the villagers, which, with a little tact on our part, might be rendered of such use as to enable us to keep but a very small paid establishment. Some of these landholders might be intrusted with authority to adjust disputes regarding trespasses of cattle and other minor matters; always reporting the same to the Magistrates. It would be a considerable benefit to the people; and the existence of an authority on the spot would very often prevent a slight quarrel from ripening into a serious dispute, in which perhaps swords would be drawn and blood shed. The power of the Magistrate should be equal to that of our Magistrates; and all more serious cases should be committed for trial as in our provinces. Appeals from the decisions of Magistrates should be either to the Superintendent of Police or the Court of Sudder Nizamut, as might be most convenient to those who preferred the appeals. The Superintendent would of course be making frequent tours to watch the conduct of the Magistrates; and introduce one uniform system.

The third point is the civil administration. In each district there should be an officer for whom the native name of Hakim would probably be most appropriate; whose situation should be nearly equivalent to that of our Civil and Session Judges In civil suits I would have his powers quite the same, and under him, for the decision of different classes of civil suits should be a proportion of Principal Sudder Ameens, Sudder Ameens and Monsiffs, whose numbers would be fixed according to the quantum of business which might be expected to be brought before each of them. In criminal trials the Hakim with the assistance of the Principal Sudder Ameen or Sudder Ameen as an assessor, should sentence as far as seven or perhaps ten years imprisonment. All cases requiring a more severe punishment, to be referred to the Sudder Nizamut.

This Court would, in the first instance, make a tour to appoint the judicial officers; and while one remained at head-quarters to conduct current business, (which would maturally be at Lucknow) the other should annually make a tour of the different districts to inspect the conduct of the judicial officers.

The City of Lucknow itself would probably be sufficient to make an eighth district, as far as regards the civil and Police jurisdiction. The former may be precisely on the footing of one of the districts. For the Police, considering the number of men of rank residing in the City who have hitherto enjoyed, practically, almost an immunity from subjection to the ordinary authorities, the great variety of population to be found there, consisting of men of almost every nation of Asia and Europe, it would probably be found expedient to have an English covenanted Magistrate, with an assistant. The whole of the other situations should ordinarily be given to natives, although I should not object to a sprinkling of East Indians; and some years hence, to the introduction of Europeans not regularly in the service of Government.

Nor would I confine the selection of natives entirely to those of Oude. The greater number would however undoubtedly be from that Province, for there alone, in all upper India have natives of rank and respectability been employed in situations of dignity and emolument, so as to have acquired habits of authority; for I again repeat that so far from the Aumils or even the Tehseeldars being people of low origin who have acquired their situations by bribery among the courtiers, the majority of those officers are men of good family and some wealth, and residents of the provinces of Oude. It may be thought that I have fixed the establishments at too low a scale; but we should recollect that in Oude the feelings of the people have not been outraged, nor their customs overturned, as has been the case in our own provinces by a succession of ignorant young Englishmen.* That they have had no Ryutwar systems to split the land *ad infinitum* and thereby occasion hundreds of complaints and suits regarding possession: that they have not been harrassed by judicial divisions one year, reversed by Special Commissions the next: that their estates have not been sold by auction either for a trifling balance, or for no balance at all, by the contrivance of revenue officers: that they have not been annoyed by [illegible] keels and mob[illegible] authority a host of vakeels (inferior attorneys) who are ready to promote every species of family quarrels and other disputes, in order to enrich themselves: consequently, that in a given population, there will be much fewer suits and complaints than in our own territories.

With regard to the succession of officers, I would have it understood that an able assistant might, on the occurrence of a vacancy, be appointed Aumil or Foujdar; and that in the judical line, a Moonsiff, Sudder Ameen, or Principal Sudder Ameen, might each be promoted to the next superior grade, not even excluding that of Hakim itself. At the same time, it would be injudicious to lay down any invariable rule of this nature, by which men of rank and respectability and good qualifications who would not probably accept the lower situations, would be excluded from the higher appointments.

It would be necessary that for each class of officers, a set of rules should be drawn up. The spirit of course to be taken from our regulations, without their technicalities and

* See Holt Mackenzie's Minute of the 1st October, 1830.

wordiness; and certain forms and reports should be prescribed. The English superintendents must be men of a superior stamp, well versed both in the letter and spirit of the Regulations, but not of that prejudiced class with whom all law is gospel. They should be well acquainted with the language and customs of the people; prepared to view things with a liberal and lenient eye, and instead of supposing that all is going wrong because a few inequalities are discovered; where they are unintentional, they should quietly point out the mistake, and be content to allow a little time for affairs to be brought into that regular train in which they ought to be. They must not be too strict on the subject of what is called bribery—of course any thing like a bribe for a specific purpose of which proof could be obtained would be brought forward and punished; but it must not be supposed that every present is a bribe. The custom of making presents to those in authority on certain festivals is so strong among the people, particularly in the native Governments, that it would be almost impossible to eradicate it all at once.

Let us now calculate the expense of ruling Oude on the plan I have suggested.

| | Per Month. | Per Annum. |
|---|---|---|
| 5 English Functionaries at | Rs 3,500 | Rs 2,10,000 |
| Establishment for all these at | ,, 1,500 | ,, 18,000 |
| *In each District.* | | |
| 1 Judge or Hakim, | ,, 1,000 | |
| Establishment, | ,, 200 | |
| 1 Principal Sudder Ameen including Establishment, | ,, 500 | |
| 1 Sudder Ameen ditto, | ,, 300 | |
| 3 Moonsiffs at 150 ditto, | ,, 450 | |
| 1 Aumil or Collecter, | ,, 1,000 | |
| Establishment for ditto, | ,, 200 | |
| Tahseeldars and others for the Collection of the Revenue, | ,, 800 | |
| 1 Assistant to the Aumil, | ,, 200 | |
| 1 English Magistrate, including his Establishment, | ,, 1,000 | |
| 1 Assistant to ditto, | ,, 200 | |
| Police of the District, | ,, 500 | |
| | 6,350 | |
| Multiply for 7 Districts, | ,, 44,450 | ,, 5,33,400 |
| *For Lucknow itself.* | | |
| Civil Establishment equal to that for a District, | ,, 2,450 | ,, 29,400 |
| 1 English Magistrate with his Establishment & Police, 2,000 3,000 | ,, 5,000 | ,, 60,000 |
| Total per annum. | | ,, 8,50,800 |

Every thing is here put down rather on a high scale. The Tahseeldar establishment of the Aumil might probably be reduced as soon as the twenty years settlement was completed; for instead of having to collect, as in our provinces from a host of poor impoverished wretches who just contrive to exist, the revenue in Oude would be realized from a much smaller number of people, well able to pay the demand against them, the subordinate judicial establishment of Sudder Ameen, &c. is probably larger than will be found necessary. The pay of the Moonsiffs too is entered on a higher scale than those in our provinces, whose emoluments are certainly by far too small. Nevertheless the charge for the whole of Oude, including the superintending English functionaries, and comprizing in fact eight districts if not much more than the establishments of the Judge, Collector, and Magistrate for three districts would cost in the provinces, taking into consideration the proportion of the expense of the Commissioners, Board of Revenue, and Sudder Dewannee Adawlut, which should be charged to those districts. With regard to the pension, which should be allowed to the King, that I leave to Government to settle, as I have not the means of forming a guess as to what the amount may be; but I would here give a caution against too suddenly withdrawing the pension and sinecure salaries, which so many about the Court now enjoy. It is true that few of them really deserve what they receive; but we should recollect, that almost all who receive, keep up large bodies of retainers, and armed followers: were all these men suddenly turned adrift, which must be the consequence of suddenly stopping the income of those by whom they are supported, the dispersion of so many thousand armed men who were deprived of the means of subsistence might lead to serious consequences in a city like Lucknow, containing an immense mass of wealth, and composed almost entirely of narrow streets, which are never lit up.

It would be equally inexpedient to disband suddenly the whole of the King's troops, as it would fill the country with men who would, probably, resort to plunder and robbery to support themselves. It would be a much wiser plan to entertain a portion of them, sufficient to form two Regiments of Infantry and one of horse, placing them on the footing of our Local Corps. They might be made extremely useful for Police purposes, and would probably enable us considerably to diminish the strength of the Police as above estimated. particularly in the city of Lucknow [illegible] Infantry and might also be employed in escorting [illegible] for short distances, and in other modes, thereby relieving the troops of the line from a variety of harrassing duty. Hereafter, as affairs became settled, and those who were discharged began to find other employment, the pensions might be reduced, and these Local troops gradually disbanded. The gross revenue which might at present be realized without difficulty from Oude would probably somewhat exceed a crore of rupees. The expense of collection and management I have already estimated: what the net revenue might be would depend on the pensions granted to the King, his Ministers, and courtiers, and those who now draw money from the public treasury. Undoubtedly were the country delivered over to the Crack-Collectors who from the neighbouring districts are looking with longing eyes on what they consider their prey, a larger sum might be realized; but where would be the benefit of impoverishing

the people when the extra sum acquired would be absorbed in the increased expenses of the collection?

The suggestions above advanced will, I have little doubt, excite the scorn and contempt of many; but let the truth be recollected, for truth it is, that Oude has been governed entirely by natives; and that notwithstanding certain abuses, the mass of the people are better contended with their government, with all its imperfections, than our subjects are with ours in the adjoining provinces.

When we do obtain possession of that country, it would be a noble opportunity by proper selection of British functionaries to carry the system into effect, of shewing what may be done by native management, and how much more cheaply we might govern India than we have hitherto contrived to do.

A FRIEND TO INDIA.

*June* 15, 1835. [*Hurkaru.*

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# ON CAPITAL AND ITS DIFFUSION IN INDIA.

## LETTER XV.

### TO THE EDITOR OF THE BOMBAY GAZETTE.

"The greatest misfortune of a country is an indigent tenantry. Whatever be the native advantages of the soil, or even the skill and industry of the occupier, the want of a sufficient capital confines every plan, as well as cripples and weakens every operation of husbandary."—*Hume's Essays.*

The third good reason for borrowing money on mortgage of private estates exists not I believe with regard to the public. The Company have ceased to trade, and therefore can have nothing to do with a principle which has reference only to trade. Of that part of the public property which consists in official buildings, &c. there is seldom a sufficient quantity in the market at any one time to make the manner of their disposal a matter of much national importance, and to prevent any appearance of partiality, as well as to realize their price immediately, public auction is the mode most commonly used. Doubtless a field may be found for the exertion of economy even in such matters as these, but it will be the *economy of the petty details*, not *that of general principles.*

No two things can be more different from each other than are these two species of economy, though unfortunately they are too often confounded together. I do not know whether the names I have given them be those usually adopted, or even whether their natures will be quite understood by such description, but to explain my meaning more fully, I will mention a few of their qualities. The economy of details looks to nothing but the quality of money expended; the economy of principles looks chiefly to the result of the expenditure. The former may often err in its application; the latter must always be right. The former is like the miser who loves to hoard his cash, yet through stinginess, will not lay out a penny in insuring or securing it; the latter is like the liberal but cautious banker, who is not ashamed to scrutinize well the security upon which he advances his money, but, having found that trust worthy, cares little to what extent his assistance is given. The former is like a landlord who would not even go to the expense of tilling his own grounds; the latter is like him who would cultivate even the hired land of others, grudging not the disbursement at seed time, for he knows he must be repaid amply at the harvest. The former will do well if it prevent a man's declining in the world; the latter is annually adding to his riches. The former, in short, is like the mean and paltry economy of the save all, which the merest kitchenwench might have planned; the latter is like the economy of the steam engine and all those other economical inventions in mechanics, the search after which has so greatly advanced the noble sciences, and the discovery of which has raised their authors to the highest pinnacle of fame, and left admirring nations in uncertainty whether their improvements have most increased the wealth of the world, or their splendid genius contributed to its adornment.

We will now proceed to the fourth legitimate cause for mortgaging private revenue; a cause, which is particularly resonable, and ought to be allowed as extensively as possible in the disposal of public money. It is, to make such loans to respectable tenants, in times of extreme distress, as may support their credit, and prevent the lands being thrown out of occupation. Even in the most barbarous times, such loans have been granted by Indian soverings, though the terms on which they were bestowed and nearly all their other measures relating to the cultivators, shewed that it was not so much out of compassion or a desire to improve the condition of their subjects they granted the favour, as through fear their rapacity, carried to too great extremes, would destroy all prospect of future revenue, and drive the miserable wretches from whom it was wrung to suicide or starvation. These

however are not the loans which are necessary; they must not be such as barely to enable the debtors of the state to keep body and soul together; they must be such as will afford them the means of advancing with rapid strides towards a state of comparative wealth, and as to gradually do away with the necessity of borrowing money at all.

Do not suppose that I am chimerical enough to desire that the interests of Government should be wholly, or even at all, neglected, and that it should advance treasure freely to every one who happens to be in want of such assistance. I am well aware that, even at the present moment, considerable difficulty is found in making the receipts cover the demands on the state; and certainly, under those circumstances, to waste, or even to risk any sum in absurd projects would be most unpardonable. Every thing ought to be suffered rather than that public credit should be injured, and public credit can only be maintained for any length of time by a wise expenditure of the public money. I know that though it would be well that a considerable portion of cash should be occasionally advanced to assist our tenantry, and enable them to work their farms, and dispose of their produce to much better advantage than they can do at present, in a word, that they must before the country can become prosperous, be rescued from the clutch of the bunyas; (whose slaves the greater part of them by borrowing at usurious interest virtually become,) yet still, centuries of misrule before our arrival have reduced the people to so low and indigent a state, that to grant them loans with safety to the finances would at the present moment be impossible. Some small sums indeed might be lent on the security of standing crops; but these, after deducting the rent, would be too insignificant to give any permanent relief, in fact such loans are always injurious eventually to those who contract them.

It is well known that at present few *monied* men will cultivate the Company's land, except those whose whole property is so fixed to the soil, that they could not realize its benefits without continuing to follow that employment. There is an excellent reason for this, which is, that a man can generally make larger profits by lending his money to landholders, than he could by occupying land himself; and this enormous interest is procurable, because the landholder has often little security to give but that of his person, which it is useless to attach in case of insolvency, or that of his crops, which is an uncertain pledge to the lender, and I have in a former letter shown to be a most ruinous one to the borrower. This is a most unnatural state of things, and nothing but the extreme poverty of the ryuts could produce it: poverty is a hard taskmaster, but even positive slavery would by most men be preferred to starvation.

To destroy this system of usury on the one part, and penury on the other, is the purpose for which, at the proper time, the Government ought to open its coffers; though, as in most similar affairs, it will only be necessary for it to lead the way, for it certainly will not want followers; then it will be able to withdraw from the field, leaving it to the more proper rivalry of private speculations.

At present there is little or no good security to be offered for money advanced for agricultural purposes. The first thing then which must be done is to create it. Unless capital be applied, the land will not yield half the profits it is capable of returning; and unless the interest paid for the use of that capital be moderate, no one can afford to apply it. But to procure large sums at low interest, good security is requisite, and until it is in the power of the landholders in general to offer such, they will never be better than day-labourers.

The best security for a farmer is land or houses, because he may always use them, and need only mortagage a part of their profits whenever he is in want of funds to lay out upon his farm. It should in consequence be an object of our greatest attention, to lead our subjects as much as is in our power to invest their wealth in this species of property. Whether it be bought or merely taken on lease is perhaps less important, though of course the more complete the purchase, and the longer the lease, the better will be the security which they give. In leases, however, we should endeavour to introduce that kind, in which the value is paid at the commencement, rather than the other, in which a large annual rent is reserved; as, in this latter case, the property will be held in little estimation by bankers. The sums which are obtained by persons commencing business, and the smallness of the interest paid by Government and mercantile houses of repute, prove incontestibly, that it is mainly for want of good security that the agriculturists are unable to procure money on such terms as will admit of their being able to profit by its use, and that if this impediment were taken away, capital would be at least as accessible to them as it is to others. But still the Government may have to set an example, and when masses of real property shall have accumulated in the hands of its subjects, there will be neither difficulty nor danger in its doing so.

How far the existing laws relating to successions should be modified, it is not for me to say. To introduce beneficial measures is the duty of every government; but how far it may be justified in altering the fundamental institutions of the state is a question of no ordinary difficulty to solve; one thing, however, is certain, namely, that no ruler, even if he had the power, should entertain the will to interfere with such, except in cases of the most urgent necessity. But whether any alternation be made or not in the law, it is doubtless in the power of the Government to do a great deal towards directing the wealth of its subjects into any desired channel, and I think that, until the landed interest has attained a more flourishing position, the best in-

vestment should be landed property. In a word, the most strenuous efforts of those in power ought to be directed towards encouraging the accumulation of masses of real property in the hands of their subjects, and towards assisting those who have good security of this description to give with loans at low interest, until private capitalists shall be reduced to the necessity of either advancing money to agriculturists on equitable terms, or deserting a branch of their business, which, then if not usurously lucrative, will give them a certain and sufficiently ample return. Which alternative they will accept no man can doubt, and when they shall have accepted it, Government will be at liberty again to leave matters to their ordiuary course and return to its proper position, which is that of a powerful and vigilant moderator, destroying alike the vicious machinations of riches and of poverty, but ever ready to give a helping hand to virtuous and suffering industry.

## LETTER XVI.

The fifth and last good ground for mortgaging private revenue is unavoidable necessity, when the hesitation to risk a part may cause the loss of the whole. This, of course, must apply also to the public revenue, and, indeed, so obviously, that it is quite needless to say any thing more on the subject. The only question that can ever arise on this point is, whether at any particular moment such unavoidable necessity exists or not; but, of this, those who are placed at the head of the state, are supposed to be generally the best judges, because they are possessed of information which few or none in inferior grades can have access to.

Whenever money raised by loan is expended in one of the five ways which I have enumerated, it is expended beneficially for the country; for other ordinary purposes the ordinary revenues are availabe, and, whatever may be said by these economists who will run all hazards and defy all consequences in their endeavours to save a few farthings, a country will never be ruined by such disbursements. These persons are excessively fond of asserting that the craft of statesmanship is a mere chimera, and that nothing but common sense and common honesty are requisite in conducting public affairs; but is their own conduct guided by either common sense or common honesty? Would common sense even induce a man who wanted a servant, to put up the place to public auction, and give it to him who might agree to take the lowest wages? Would common honesty lead any one to discharge, or reduce the stipend of an old and faithful domestic, who had merely consented to accept a low salary originally in consequence of a promise expressed or implied, that he should not be cast off in his old age? If in the first case such servant should prove unfaithful, would it be astonishing? if, in the second, he were to believe that dishonesty in the master might be fairly met by dishonesty in the man, would any body be surprised?

The fact is that both common sense and common honesty are the best ingredients, perhaps the principal, in the character of either an upright man or an upright minister; but, I hope it is not presumption in me to say that, those who, in political matters, vaunt most the virtues of these qualities, will too often be found to possess them least. I do not mean that they are more than others personally vicious, but that their public views are frequently such, as if entertained by one man against another in private life, would consign him who held them to well meritted infamy.

There is something so noble in preserving public faith at all risk, there is something in such conduct which must endear a government to its dependants, the implicit reliance, which under such circumstances the subject will ever place upon the sovereign, is productive of so ardent a loyalty, and so anxious a desire to discharge with integrity the duties which the latter may require, that I cannot but wonder that, for paltry pecuniary considerations, this, the very keystone of the arch of power, should be endangered. I will not say that salaries should never be curtailed, or that abuses in the public expenditure should never be corrected because individuals may profit by them. Government is omnipotent in all arrangements relating to these matters; but, if it be all powerful, it should at least remember upon what foundation that power stands, and never trifle with the base of a a structure, the rapid rise of which has astonished foreign nations, who are already both predicting and plotting its downfall.

Every writer who has touched upon Indian politics has declared that the main foundation of British power in this country is the high estimation in which British faith, justice, and generosity are held. I will not endeavour to injure so fair a picture, I will not suppose that our arms had much to do with our conquests, I will even forget for a moment, those passages in Indian history, which describe the occasional subservience of all the greatest in the nation to the worst of princes, their emulation of each other in adulation to sovereigns, the flagitiousness of whose lives was hidden by the number of swordsmen at their back. Indeed I am right in not raising this objection; for the intriguing and debauched nobles who preferred the sale of their honour to facing danger in the field, or espousing the cause of virtue in the council chamber, no longer deform our territory; and, as upon the ruins of the feudal power in Europe, the commons rose to affluence and distinction, and became the most important and influential party in the state, so probably will it be with India; the power of its barons having been destroyed, a party is now doubtless forming silently, perhaps unconsciously, which will prove far more virtuous, but which will certainly be also more patriotic, and stub-

bornly independent than that which preceded it. With these, then, the empire of opinion must be strictly preserved; for with these, public opinion will be the standard, rather than the banner of war and the kettledrum: implicit faith in the integrity of the English Government is a feeling which must in their breasts be fostered to the utmost degree; to effect this two things are essentially requisite; first, the dedication of our whole faculties to benefit this country in every manner possible, and second, to be particularly cautious in extending financial reductions to the salaries of natives, which have already been sanctioned by authority.

The majority of every people is more interested through the pocket than by any other means. A lavish expenditure too often reconciles men to despotism, over-taxation will make even liberty gall. Knowing this we ought to be aware that the very worst economy this country could ever be cursed with, is an injudicious application of the shears to the allowances of public servants or pensioners.

Native public servants are generally the most intelligent persons in the native community. Accustomed to a free intercourse with their European superiors, they learn more thoroughly to appreciate their characters than other men possibly can. In their eyes we are not deities; they have entered the penetralia of the temple, and have probably discovered how little the worship we receive is owing to the majesty of the idol, how much to the superstition of the crowd; they have seen that we too are subject to passions; they have perhaps learnt to take advantage of them. They have doubtless found that great intellect is not universally the attribute of the white man, and that even personal firmness has been denied to some of our nation. They are intimately acquainted with the resources of the provinces in which they have served, and have not been unobservant of the sentiments of the inhabitants. They often return at last to their native villages, there to enlighten their neighbours with anecdotes of their rulers and to take perhaps a prominent part either with the supporters of our power, or with the opposers of it as the treatment they met with in our employ may have been satisfactory or otherwise.

In our plenitude of power, we have not, I dare say, entirely forgotten how absolutely necessary we found it upon our first taking possession of each successive addition to our territories, to conciliate this class of men, in order to obtain their co-operation with us in setting the civil arrangements with the details of which they only were acquainted. In fact, in every country, the class of official men must be gained before any great progress can be made in its administration. They are well versed in business, and often possess more information upon practical points, than many of those who are pleased to look down upon them with contempt. Is this then a body which we can even now venture to slight with impunity? Or, even if it is possible to do so, would any wise man run the risk of exciting their opposition? Do you suppose that a set of discontented men of this description with the advantages for working both good and evil which they possess, could not be provoked to do more mischief, than any petty deduction from their pay or their pension would compensate for? To admit a man to the knowledge of all the arcana of Government, and then deliberately to make an enemy of him for the sake of economy, is certainly the most extraordinary way of adding to the stability of dominion that man ever heard of. We cannot govern any country, especially a conquered one, without paying for assistance; to attempt therefore, to curtail any really necessary branch of expenditure, would be about the same as the conduct of a labourer, who should, to increase his property, save half the expenses of his dinner daily, and then in a week reduce himself to so feeble a state as to be unable to earn the price of a dinner at all. Disaffection is always expensive to the Government, by causing either a decrease in its revenues or an increase in its expenditure; then what economy is there in provoking it? Why for the sake of a trifling present saving, sow the seeds of discontent, the fruits of which, when mature, it may cost you millions to destroy?

No man has ever doubted the right of sovereign power in India, (wherever that power may be) to reduce expenditure to what point it pleases; but sovereigns should have some regard to policy as well as right, and the best policy is that, which dictates a strict fulfilment of existing engagements whether expressed or implied, inclining, in the interpretation of them, rather to the side of generosity than of penuriousness. But public servants do not live for ever; and though old engagements should be acted up to, there is no necessity of entering into new ones; moreover, there is always a great number of persons, who may be said for the moment to have the bounty of Government, rather than to be permanently to its service; and these, if economy demands their dismissal, can have no right to complain.

It is very difficult to lay down any distinct line of demarcation between those whom the Government may be considered pledged to maintain, and those from whom it may, without injustice, withhold farther pecuniary assistance; an examination into individual cases is often requisite before this point can be ascertained correctly; but decisions in these matters, when impartially made, seldom fail to give general satisfaction. The public do not begrudge money really due, and claimants retire pacified, if convinced that justice has been honestly meted out to them.

Of late years, however, this principle appears to have been neglected. Great claims and small seem to have been held in equal estimation. Nothing is spared. Every one is in suspense. Those who escape present reduction are alarmed at seeing neighbours deprived of allowances, which appeared to stand on as good a foundation as their own; and they, not without reason, fear that the respite granted to themselves will prove merely

temporary. Even the hardly earned pension is not deemed too sacred for invasion. All feel their situation precarious, and begin to cast their eyes upon other, sometimes forbidden, modes of acquiring independence.

Feelings of this nature are pregnant with danger to our rule, and ought at all cost to be prevented. We should be very foolish if we imagined that interest did not form a considerable ingredient in the attachment borne to us by our conquered subjects; and the interest which has hitherto attached our public servants to us is not so much the magnitude of their salaries, as a confidence of their being continued to them. They will care little about the stability of our sovereignty if a corresponding stability in their own individual fortunes be not insured by it.

Whatever be done with regard to those who enjoy places and pensions under the British, is very immaterial to me, except that, as an Englishman, I feel a pride in beholding the empire which my nation has founded in India, and an anxiety to witness the increase of its splendour. With such pride, however, and such anxiety, I cannot but feel grieved to see a pseudo economy offered to our worship, which is daily alienating our friends, and giving strength to our enemies: which is daily lessening our reputation for those generous virtues which all once allowed us; which instead of adding to the stability, is sapping the foundation of our power; and the progress of which, like that of the idol Juggernauth, will be marked by the destruction of its blind and infatuated votaries.

## LETTER XVII.

Having said as much as is necessary upon the second mode of using capital, I proceed to the third; namely, Commerce. There are two descriptions of commerce, which vary so much in their nature, and in their effects upon a country, that they can hardly be considered similar in any thing but in name: it is requisite, therefore, that our attention should be separately bestowed upon *internal* trade, and *external*. I will first speak of the former.

Internal trade is one of the most modest and unassuming, but at the same time, one of the most valuable hand-maids the state possesses. She does not indeed pretend to introduce new wealth into a country, she is content with what already exists and finds therein a sufficiently ample field for her exertions. She adds not nominally to the aggregate of the community; but, if causing a proper distribution of those riches,—if extracting from them all the good they are capable of yielding,—if affording to the poor man the means of becoming wealthy, and to the wealthy man the means of deriving pleasure and profit from his gold; if acting as the moderator of nature's inequalities, which often lavishes too prodigally on some provinces the necessaries of life, while to others she will grant only unsubstantial luxuries; if all these qualities can endear her to our affections and entitle her to our respect, then is she indeed worthy of all the homage we can offer to her.

Internal trade is to a state what the circulation of the blood is to the body; its business is rather to avail itself of the virtues of foreign substances than to produce any thing original of its own: but, if alone it will not give support, it will make the support received from external sources beneficial instead of injurious; and adding to health and vigour, prevent those foul corruptions on the natural body, which represent the deformities engendered on the body-politic by the stagnation of trade, the effect of which is that fettered and unnatural distribution of wealth which has, in too many countries, divided the population into two unapproximating classes, the one of which flies to debauchery for want of occupation, and the other is doomed to pine in perpetual and unmitigated servitude.

Trade, on the contrary, keeps every thing in wholesome circulation, the merchant of to-day becomes a noble tomorrow, and the noble, who disdains to attend to his pecuniary interests, leaves obscurity to his children as their inheritance. Money is not allowed to be idle; every penny is employed. Those of unexceptionable character who wish to engage in business can procure capital or credit to commence with; and those who have made fortunes by their exertions still derive an income by entrusting their cash to the superintendency of another. Idleness is rooted up. Cadets of even the best families must enter some profession; there is no congregation round the hearth of hereditary idlers; one may indeed be privileged, but the rest will have to exert themselves, if not to provide for their own support, at least to secure portions for their offspring. Contempt pursues the embecile fattener on another's bounty. Pride and honor point to independence; and to gain it, thousands of well educated men engage in the most arduous employments and seek the most inhospitable climes, there to implant those principles of liberty and industry which distinguish their native land, and thus, while conferring incalculable benefits on foreign countries, add not a little to the splendour and glory of their own.

But there are two principal fruits of internal trade, which are alone sufficient to make us consider this branch of commerce of first-rate importance. The first is the encouragement it gives to manufactures for home consumption, and indeed for foreign also. This not only prevents too many persons from being taken away from more profitable occupations, in order to raise subsistence for their families by agriculture, but also, gives the greatest possible encouragement to the latter by making the number of consumers far exceed that of producers, and thus, raising the price of corn to a point high enough handsomely to remunerate the grower.

Nothing can be more destructive of all chance of prosperity in a state than the con-

junction generaly of several different trades in the hands of one person. A proper division of labour is always a proof of civilzation and wealth; and, it is only in barbarous countries, and poor ones, that we find a man at one season of the year supporting his family by field labour, while at another he is occupied in manufacturing its clothing. General and mutual poverty among the working classes is the only cause of this; the corn grower, from his inability to pay the weaver, is obliged himself to make what he requires, and the weaver, from his inability to pay the corn grower, is also obliged to turn agriculturist. To prevent this mischievous union of employments, and to enable each man to work only in the business which may, from his bodily constitution or peculiar skill, prove most profitable to him, it is necessary that labour of every useful description should be able to command a remunerating price. The price of labour varies in every state, and indeed is the principal criterion by which to judge of the wealth of a nation. Where it is low, nothing will be brought to perfection, because few can have the means of purchasing, but where it is high, industry may be carried to the utmost extreme, nothing is thrown away; moments, which would otherwise be spent in idleness, are profitably employed, and even the most fanciful tastes of the rich afford an honest and comfortable livelihood to the poor, who exert their industry and invention to gratify them.

The price procurable in exchange for labour is the mainspring, the moving principle of industry, which is certainly the only parent of wealth. Capital enables us to push industry to the utmost, and commerce ensures a continuance of our exertions, by taking care that our labours shall not be thrown away. To be useful to mankind, they must go hand in hand; capital is useless without trade; and trade cannot be conducted without capital. Both also equally require liberty, and the freedom granted to them can hardly be too great, for they must always be the greatest sufferers by civil disturbances, and consequently are most interested in the preservation of order.

The second great fruit of internal trade is its effect in improving internal communications. Most of the roads, as well as the canals and bridges which adorn Great Britain owe their existence to trade. They have been constructed on true commercial principles; namely, because their profits exceeded the outlay they occasioned; and in most parts, upon these principles have they been maintained. They are indeed most frequently true indices of the state of a country; where trade flourishes, they likewise become ruined, deserted, not forgotten. Roads constructed for pleasure often last no longer than the caprice which dictated their formation; commercial communications are only destroyed with that commerce, to which they are indebted for their origin.

It is evident, then, that money employed in internal trade is employed very profitably, to the estate in general, and to every individual in particular. By it the capitalist derives advantage from his capital, the industrious man procures remuneration for his industry; for every kind of goods there is a market; not only bodily labour, but also the inventions of genius are prized; the agriculturist finds a purchaser in the artisan, and the artisan is paid by the agriculturist. Every one being enabled to follow the avocation most suitable to him, engages in his business with ardour; and every one being certain of receiving a handsome remuneration for his trouble, men no longer perform their daily routine of duties with that langour and indifference, which characterize those who never have a hope of realizing any thing beyond a bare subsistence, and who never aspire to rise above their actual condition because they have melancholy evidence that the aspiration would be vain. When necessaries are plentiful, superfluities are indulged in; new wants follow the gratification of present ones; a taste for luxuries is imbibed; luxuries in time become necessaries, and so eventually springs up that constant struggle for more, which keeps the mind of man in activity, sharpens all his best talent to the utmost, and is productive of that noble and virtuous emulation, which makes each strive to continue advancing in some honourable path, and thus add his own to the long list of those, whom the public voice declares to have deserved well of their country.

## LETTER XVIII.

What freedom should be allowed to trade is a question which has long been agitated, has not even yet been brought to any satisfactory settlement; but this only refers to external commerce, for, with internal, the balance may be to the advantage of one province more than to that of another, all however forming one common state, the nation itself cannot possibly be injured. The principal objection to a free trade is that of their own markets; but, when both buyers and sellers are equally the objects of our care, this cannot possibly affect us. In internal trade therefore we may assume it as a fact that the greatest possible freedom should be allowed.

It is not to be supposed that such freedom necessarily implies the absence of all taxation upon saleable commodities; we may fetter the manufacture of a deleterious article, we may derive a revenue from the capricious tastes of the luxurious, but, if we intend to allow the sale of commodities at all, the sale itself should be as free as possible. There are somethings of course that in large and demoralized cities may be subject to the supervision of the police, but they are few in number and of so small aggregate value that the laws which prevent the disposal of them for improper uses, can have no injurious effect on trade.

The severest blow which it is possible to inflict on this species of commerce, in any coun-

try, is a code of regulations which authorize the constant interference of the subordinates of the Customs department in the affairs of merchants; how much more must it obstruct traffic in India, where insolence and corruptibility are the constant vices of the lower classes of native public servants. When a tax, even an oppressive one, is equally levied on all, the body may suffer, but individuals will not at least feel partial oppression; where, however, bribery exists, the honest man will never be able to compete with the rogue.

To prevent as much as possible the evils, which the temptations held out to inferiors in the employ of revenue officers too often occasion, it has been usual with wise financiers to consider simplicity in taxation of the utmost importance. From a complicated scheme no good can be expected; the people are harrassed with multifarious exactions, and the Government, from the necessity it lies under of trusting too much to low persons, is defrauded; a system of corruption is established and the public is plundered to gorge the most worthless dependants on its bounty. As long as great and immoderate profits continue, the merchant will not perhaps be driven from his task by the insolence and extortion of officials; but as soon as trade languishes, he will withdraw and suffer it altogether to expire.

In India, you will perhaps say, vexatious taxation is sanctioned by long and indeed immemorial usage, and the traders here are accustomed to it, and consequently cannot be greatly annoyed by it, but, until any one will be so bold as to hold up Indian rule as a model of good government, and the parent of happiness and of wealth, I shall not think the argument very forcible. I am sure we cannot look round us without regretting that this country should have been misgoverned so long. Instead of bolstering up an old system, which has from its own intrinsic rottenness, as much as from other causes, fallen to the ground, we should rather feel an anxiety to see the principles which have been proved in our own country made some use of in the management of this, and instead of constantly recurring to the measures of the ancient legislators of Hindoostan, (well suited probably to the age in which they lived,) we should remember that nearly every other nation is, since their times, entirely altered, and that, if this be intended to be more than a nonentity on earth, a corresponding improvement is necessary here. We need not uproot the flowers which delight on the trees which from old association are respected; but the weeds of ages may be lawfully sacrificed, and with them, the brambles which obstruct the path of the rising generation, without affording either shade or protection to that which is advancing to the tomb.

One of the greatest misfortunes of India is that it has been too much governed by no other punciple, (if indeed principle it may be called,) than that of mere temporary expedience. Acting thus will probably enable a person to overcome the difficulty which at the moment most torments him, but it will certainly beget more; similar conduct will then again be pursued, till at last the actor finds himself inextricably entangled in the web which he himself has woven, when bewildered and fatigued he resigns the post which he is no longer able to fill. The fact is that what is done merely because at the moment it seems expedient, generally proves, in the end, the most inexpedient thing that could have happened. The trust expedience is a firm and temperate course of conduct which is steadily guided by sound and fixed principle, and not led astray by each fancy of the moment, which may perhaps be brilliant, but like the brilliancy of the ignis fatuus leads only to destruction. The expedience which dictates tortuosity and vacillation in politics will prove, in the long run, about as productive as that which dictates the sacrifice of honor in a man, or of virtue in a female.

I have said that the greatest possible freedom should be given to internal trade, that is, that we should permit our provinces freely to interchange their products and to allow the superfluity of one part of our territories to relieve the wants of another. Thus all would be more valuable; abundance would not cause waste, and scarcity would be relieved before it became famine. To establish on a solid basis a freedom so advantageous, I shall offer some observations, the object of which is as much to increase the riches of the Government, as to add to the happiness and wealth of the people. The revenue we all know is necessary to the state, and cannot possibly be dispensed with; but, if an equal sum may be raised by a good system of taxation as is extorted by a bad one, that better system should surely be adopted, because it not only will give relief in the mode of collection, but will also have incalculable eventual effect on all classes of the community. It is seldom that a political measure whether for good or evil stops at the point prescribed; one act of injustice will beget the thirst of thousands for revenge; a few acts of clemency to individuals will often redeem in the public estimation a character blackened by the oppression of a whole nation.

The first thing that must be done, if trade is to be fostered, is to abolish entirely all forms of different branches of revenue, and also every thing in the shape of transit duties in the interior. I have, in a former letter on the subject of farming the revenue, stated the disadvantages to all parties, and indeed the injustice of using that mode of collection; I shall not therefore say more on that point here. With regard to transit duties levied in the interior, I believe they are now generally allowed to be a nuisance to the trader, a promoter of bribery, peculation, and tyranny, and of infinitely more harm to the country at large than their produce can ever compensate for. As far, therefore, as they concern our own internal trade, they should be for ever annihilated. The merchant should have a free passage throughout the whole of our territories with native wares, the products of our own provinces; and if he must pay a tax for

the introduction of foreign articles, let him at least be called on only at the frontiers, and let his payment be well defined, simple and single.

The only exceptions which should be made to this short and plain rule are two. The first is a payment of a toll, which might be exacted where bridges have been erected or roads improved. This toll, however, should not be established to raise a surplus revenue, but merely to repay the outlay occasioned by the improvement: it would then be so trifling that, taken together with the occasion of it, it would benefit instead of injuring commerce. The second exception is the payment of a small tax upon the introduction into cities of articles of consumption, in order to defray the expense of markets and other police arrangements. This, like the last, could not be objected to by the trader, as he would benefit most by those arrangements the cost of which he contributed to pay. It is only where imposition is practised that people complain, where a small public good is effected only as an excuse for levying an exorbitantly disproportioned return.

What I have said above relates solely to the assistance which trade must receive from the abolition of all revenue farms, and the removal from the interior of the country, all peons appointed to levy taxes on merchandize. These people are the greatest pests the country can possibly be afflicted with; and one of my principal reasons for wishing to see all Government land disposed of is, that the whole body may be dispensed with. We, who witness their respectful and submissive conduct to us on all occasions, are some times apt to suppose that they are a most inoffensive-body; but in the exact ratio in which a man, especially a native cringes to his superiors, will he tyrannize over his inferiors. I never saw a man particularly obsequious to his European masters, who was not a thorough bully to those placed under him.

Unless we choose wilfully to shut our eyes to the fact, we must be well aware that exaction must form at least as much of the business of these people's lives as protection. Their pay is so small, that it is quite impossible to expect honesty to be very prevalent among them. I do not mean the honesty which prevents a man from robbing his master, I mean the honesty which makes a public servant spurn the half extorted gift, which he is bound by the terms of his engagement to refuse. But is such honesty to be found among the ranks of those of whom I am speaking. Has no one ever heard that in spite of our boasted laws, there is in most cities an established rate, fixed among the police, at which the captor of a midnight wanderer must be bribed for release? Has no one ever heard that natives, unconnected with our countrymen are stopped occasionally in their passage through our dominions, and made to present their homage and their coin to rascals, who only get invested with the badge of authority to abuse it?

The fact is, that natives are generally so ignorant of the limits of each functionary's power, that his appearance excites in their breasts an undefinable dread, and they will do much to avert his displeasure. Europeans are gererally too sensible, and too honourable, to amuse themselves with terrifying those whom they have been taught to look upon with kindness, and whom it is their duty to inspire with confidence; but the native character is very different, and the lower classes of native officials pick up all the worst vices of their superiors, without bringing with them any of the virtues which tend to redeem them. The heads of offices cannot possibly know a hundredth part of the delinquencies committed by those in their employ, and, as they are not blessed with ubiquity, no blame is imputable to them; but still the evil exists, and as it is nearly impossible to cure it, the best way is to extirpate it. Thus, by placing the collectors of customs only on the frontiers and at seaports, would in a great measure be effected, and the utter abandonment of the system of farming any part of the taxes would complete the work, as much as is at the present day practicable. Merchants and travellers would then be free from molestation, and trade, when no longer pestered with vexation, interruptions and imposts, would in all human probability, flourish.

## LETTER XIX.

Having stated that internal land duties should be entirely abolished, and with them farms of any description of revenue, it is proper to mention what substitute may be used to raise an equal sum to that at present realized. Taxes are a necessary evil, but that evil may be wonderfully increased or diminished by the nature of the dues imposed and the mode of connection; while therefore it is the duty of those to whose care the state is committed, to shut their ears most firmly to every proposition which has for its object the relinquishment of any portion of the revenue really required, it is also their duty to lighten by the method of fixture the burthen which they cannot remove, and by attentively consulting the capabilities and the convenience of the public, to take care that it shall not gall. It is on this principle that farms and transit duties as at present established should be abolished; and, it is on this principle that the alteration I propose is founded.

There are four principal kinds of taxes on trade, simple, efficient, and generally approved of. These four are amply sufficient for raising a revenue on trade; they are the land tax, which affects all the produce of land; the excise, import and export duties. The first of these has so much more to do with agriculture, that I shall say nothing of it here; the last two principally relate to external commerce. It is not perhaps necessary to mention stamp duties: because it is a very nice question to what extent they may be carried with-

out injury to the public; in the decision however of that question Government seems to have been peculiarly happy, as its success has, I believe, been satisfactory to the ruler, without proving oppressive to the subject. Neither need I speak of the variety of petty taxes and rates which exist in some cities; as these relate more to individuals than to general trade; and are perhaps a necessary consequence of the comforts they enjoy.

If the necessity of freedom of internal trade be admitted, it is evident that the export and import duties, which are levied on it, should not be of a larger amount than may be requisite to pay for the benefit merchants derive from the establishment of proper harbour protection and all other outlay incident to a port. The nature of our territories make our coasting trade considerable, and it should be fostered with a careful hand. It is of the utmost importance to the whole of our possessions, that a free intercouse by water should be permitted; and proof that a vessel had cleared from any port subject to us in India should itself be a release from any payment, beyond that of the trifling dues I have mentioned. The exact percentage can of course only be fixed after a reference to the public documents which relate to these matters; but the principle, I think, should be such as I have stated.

It is a subject of much debate, and a question which can only be decided by the English legislature, whether or not, the freedom, which should certainly exist with regard to our Indian coasting trade, should be extended to its commerce with the mother country. There are so many conflicting interests concerned in this question, interests which are totally beyond the control of those who govern this empire, that it would perhaps be foreign to the purpose to enter into the consideration of a principle, which must involve the person who chooses to touch upon it in endless variety of discussions on as endless a variety of subjects, all which, except in their relation to free trade, are on almost every point totally disconnected with each other. The only thing then which we can do, is to view the matter as if this was England's only colony, and as if she had consequently no other favourite to rival us in her regards.

Few people can doubt that, if we wish to maintain an intimate footing with a colony, we ought at least to allow it a free trade with ourselves. In the most prejudiced periods, we never find this to have been denied. The only difficulty seems to have been to keep other nations from enjoying similar advantages, and, by excluding competitors from the market, to be able to purchase and sell at almost our own prices. This policy, however, narrow as it might have been, was assuredly liberal when compared to that used by Britain towards India at the present moment. We have taken every possible precaution for a number of years to monopolize her trade, as far as we found it convenient to ourselves, yet in the matter of those particular commodities, which principally she is anxious we should purchase, we have sacrificed her welfare to colonies, which, in point of extent, population, and sterling value, are unmeasurably her inferiors. England's usual wisdom seems in this instance to have been forgotten; and her conduct must be attributed, not only to the strong influence which the partisans of the more favoured possessions held in the country, but also, to the apathy with which Indian affairs have nearly always been treated in Parliament; except at the periodical renewals of the charter; when the interests of the country to be governed seem by a kind of tacit agreement among all parties to have been postponed, and the only interests considered have been those of the directors and of the ministers of the crown. The struggle has not so much been to arrange what was best for India, as to secure the power and influence in England, which Indian patronage must give; or if unsuccessful in that attempt, to unite with all parties similarly situated to place it in the hands of the most feeble; or so to sheer of its beams, as to render it, even in the hands of the most powerful, impotent. This apathy is happily decreasing daily; and, as the only questions, in which the passions of ministers might be supposed to be deeply concerned, whether in the East or in the West have been finally decided, it is not perhaps too much to hope that any strenuous efforts on the part of India to obtain attention to the subject of the duties levied on her products will meet with success.

The principal source to which we ought to look for a substitute for the customs abolished is the increase in the value of land, and the increase of import duties in certain cases. However applicable the excise may be to the condition of our countrymen, I cannot think that any one would advise the maintenance of such a system here. After a certain degree of liberty is attained, measures, which would be a death blow to freedom in its infancy, may often be used without any evil consequences; and, in the same manner, the duties which may not have the effect of confining commerce when it has reached maturity, would at once strangle it if applied too early. There is every difference in the world between a trade that has almost to be created, and another which has flourished for centuries. Commerce, in India, has, I think all will allow, only just commenced; for, to give that name to the buying and selling which generally went on, amid the constant disturbances which the country was subject to, before our arrival, is surely a profanation of the term. Where insurers acted at the head of armies, and the extortion of every official, from the prince on his throne down to that prince's lowest menial, formed a regular item in the balance sheet, there could never possibly exist any traffic of that open, equitable, and honorable description, which Europeans designate commerce.

To establish this, a powerful and just rule was necessary; a government sufficiently noble to abstain from extortion itself, and sufficiently potent to chastise others who might dare to attempt it. Accordingly, we find that

the mercantile community is generally extremely favourable to us; and if a few monopolists are injured by the facility with which trade is now conducted, the mass is grateful for the protection they receive. But, whatever confidence they have in our own integrity, they cannot help perceiving that native influence must still be great; and that influence they feel themselves unable to cope with; because the very nature of our laws, which scrupulously screen the innocent from injustice, renders it, too often, a more tedious and expensive process to convict the guilty, than most people are willing to engage in.

To take away the opportunity of guilt is therefore the wisest plan, when efforts to root out the inclination are likely to prove abortive; and on this ground, I think the excise should no more be an instrument of revenue in India than should farms. When the present generation shall have passed away, and another unused to the illegal proceedings of native governments, shall have succeeded, when a long course of inability to act dishonestly shall have confirmed the practice, and fixed the principles of virtue, then indeed the authority of subordinates may be extended, then perhaps their interference with trade may not be noxious, for then probably they will not overstep the bounds, which the wisdom of their superiors may prescribe.

With regard to town duties, they may perhaps be levied with less injury to the community than any others; because the collection must be a subject which will claim the active supervision of European officers, and in which these will generally have the power, as they certainly have the will, to prevent more abuse, than must, however cautious we may be, exist in every human institution. Of duties on spirits and intoxicating drugs I need not speak; no sensible man can object to them. The materials of intoxication are very different from those in use in Britain; and if some assert that beer is a necessary of life to the labouring classes, no one will affirm the same of ganja, spirits, opium, and bang. Indeed whatever increase the public treasure may receive from such sources, they must ever be looked upon, more as the repressers of excess, than as ordinary contributions, or in other words, more as an arm of the police, than a branch of revenue.

From the list of articles which come under this head, tabacco, however, should be excluded. The use of this weed may in other countries lead to drunkenness, but it certainly does not here. Many persons who do not object to its use on this score are pleased to call it an idle practice; in this they are mistaken; the wealthy may smoke to pass away time, but if any one will note the fatigue, which the abstemious native will undergo, when stimulated by it, and his exhaustion, without it, he will see that it is not without its virtue. It is, moreover, almost the only luxury which the wretched labourer possesses. Then, in the name of pity, let him gratify his taste as cheaply as possible. Mankind have ever been so averse to the simplicity of nature, that there is no country in the world, which has not invented some means of beguiling care, knowing, therefore that this passion is universal, and cannot possibly be eradicated, we should certainly shew more wisdom by endeavouring to direct it into the least injurious channel, than by preaching an exterminating crusade against it altogether; by the former method, we should have every chance of being tolerably successful, by the latter we should only meet with ridicule and defeat. Viewing the matter in this light, I cannot help believing that the taste of the Chinese for tea, that of the Arabs for coffee, and that of the natives of India for tobacco, are among the most innocent the world exhibits.

But independently of this consideration, tabacco is one of the most important products our territories yield, it is therefore surely our interest, if no other cause existed, to beware of checking even in the slightest degree a harmless indulgence, which furnishes us indirectly, by rental of our land, so large a revenue.

It is needless to say more on the present point. When I come to the subject of agriculture, I hope I shall be able to show that a small loss in the matter of internal duties and farms may, nay must, be amply made up by other means. We cannot have every thing. We have made India essentially an agricultural country, or rather nature has made it so for us. Every commodity which may be accounted valuable as contributing to the national wealth is here the produce of the land. Opium, cotton, tobacco, and sugar bear me out in this assertion, and indigo, saltpetre and silk can hardly be termed exceptions for in all these, the lord of the soil must at least derive a large share of the profits. To the land, then, every thing seems to direct us principally to confine ourselves. When we may have disposed of it, new sources of wealth will be opened to us; but until that period shall arrive, we should make the best of what we possess; we may be anxious to sell our estate, but we should be fools if we neglected every opportunity of making it more valuable. Instead, then, of frittering away our energies in exacting petty dues, let us fix our eyes on one grand object, and steadily pursue it; let us do our best to gratify our subjects in all things reasonable; let the trader enjoy freedom and security in his dealing, and let the peasantry to whom we must look for wealth, sooth life with a few of its luxuries: any small present sacrifice we may make to effect this will no more be money wasted, than is that bestowed in pampering the warhorse, whose master stints him not to-day, because he knows that to-morrow he will, by his assistance, be enabled to win victory, reputation, and wealth.

I am, sir, your most obedient servant,

FOUNDLING.

...rously att...ded meet-
... on the 8th Novem-
...testifyin... the esteem
...ty for Sir Charles Met-
...e for the seat of his new
...s.
...we
...pers...
...shew ...
...There w...
...such a propo...
...believed it wo...
...then constituted.
...stituted as to admi...
...sure some method mig...
...to present Sir Charles wi...
...sentiments, or some other lasting
...teem, and he therefore hoped that som...
...would come forward with some proposal to that ef-
...fect.

...having been called to
...eeting had been called
...the society of this place,
... had bestowed so much
pleasure, a... ...ived so much benefit by his hos-
pitality and kindness) to express to Sir Charles Met-
calfe, on his leaving the Presidency, by some public
means, the gratitude they felt for the kindness, hos-
pitality and affection he had at all times evinced
towards them. This intention had nothing to do with
any thing of a political nature. It was not for the
purpose of delivering any opinion on political sub-
jects that the m...eting had assembled, and if it had
it would have b...en impossible for him to have taken
any part in it, for he had no longer any right to ex-
press his opinions on public matters. As a private
gentleman, as he w... proud to say a private friend,
he conceived nothing was more consistent with his
duty, as nothing could be more consistent with his
feelings, than to take a part with his friends around
him in expressing the high admiration they felt for
the private worth of Sir Charles Metcalfe. It was
for the meeting to consider in what way that ex-
pression should be conveyed, and he should be hap-
py to receive any proposition that might be made
on the subject.

Colonel BEATSON said that the subject of the pre-
sent meeting had been the subject uppermost in the
thoughts of most people since they had learnt that
Sir Charles Metcalfe was going away so soon, and in
proposing what he was going to propose, he was only
stating what he had found to be the general feeling
with those with whom he had conversed on the sub-
ject. His kindness of manner and invariable hos-
pitality was appreciated by every one, and he felt
convinced that a better mode of conveying the ex-
pression of the sense that was generally entertained
of his kindness could not be devised than that of
inviting him to meet the gentlemen of the Presiden-
cy when most convenient to himself, before his de-
parture, at a dinner, ball and supper, where those
who had been so often entertained by him might
again have the pleasure of seeing him amongst them.

Mr. PLOWDEN said that he would second the mo-
tion with a great deal of pleasure, only he would
suggest that instead of a ball it should be a fancy
dress ball.

Mr. CHARLES PRINSEP said that the proposal
was certainly one that no one could object to, and
which he was quite sure would pass *nem con.* A
dinner was one of those marks of attention pecu-
liar to English society, and almost indispensable;
and as to a fancy ball it was an occasion for the
display, not only of gratitude, but of beauty and
of beauty's adornments. But he considered for one
that the merits of Sir Charles Metcalfe were so
great towards this society that he should not be

Mr. PLOWDEN said that something of the kind
was in contemplation, and that it was intended to ap-
ply to the Sheriff to convene a public meeting. The
present was a private meeting, at which no such sub-
ject could be properly entertained.

Mr. CLARKE perfectly agreed with his friend Mr.
Prinsep in his suggestion of an address to Sir Charles
Metcalfe; but the requisition to the Sheriff for that
purpose could not be made by the meeting: it must
be the act of private individuals, and could be done
when the chairman left the chair. He would there-
fore suggest that that course should be adopted, and
that the requisition emanate from them as private
individuals and not as a meeting.

Sir JOHN GRANT said the resolution that has been
proposed and seconded is this, "That Sir Charles
Metcalfe be invited before his departure, on any day
most convenient to himself, to meet the gentlemen
of the Presidency at dinner, and that he be also in-
vited to a fancy dress ball and supper on a sub-
sequent evening." The motion was carried una-
nimously.

In reply to a question from Mr. Plowden, Mr.
O'Hanlon said that he had heard that Sir Charles
Metcalfe would leave town in about a fortnight for
the seat of his Government.

Mr. C. PRINSEP proposed "that a deputation
wait on Sir Charles Metcalfe to request him to name
the days for these entertainments," which was
seconded by Mr. O'Hanlon and carried unanimously.

Mr. O'HANLON proposed that the deputation con-
sist of the following gentlemen, namely, the Honora-
ble Mr. Elliott, Colonel Beatson, Brigadier Brown,
Mr. Plowden, General Watson, Mr. Pattle, Mr.
Cockerell, Sir Charles D'Oyley and Mr. C. Prinsep,
which was seconded and carried unanimously.

Colonel BEATSON said that he was going to pro-
pose what he was sure would meet with the general ap-
probation of the meeting, namely, that Sir John Peter
Grant be requested to take the chair at the dinner,
and that General Watson be requested to act as
Vice-President [*applause.*]

Sir JOHN GRANT put the motion which was carried
unanimously, after which a person proposed that Sir
John Grant should take the chair at the supper also,
which having met with the approbation of the meet-
ing, Sir John Grant said that he should be happy to

## TO SIR

...ints ...ques- ...taking ...ating that ...s expressive ...fty for his vir-

...meeting, Sir Charles ...air, after which ...o the meeting to the follow- ...ot to apologize for presenting my- ...s to the attention of the meeting, but as I am desirous that neither my motives nor my conduct should be misunderstood, I think it better that I should address the chair before any motion for the adoption or presentation of an address is made. I beg that it may be distinctly understood that I am not here for the purpose of opposing any address that the friends of Sir Charles Metcalfe may be desirous of offering, for I know of no person who deserves more at the hands of his friends than he does; but I do object to any thing of the kind being passed by this meeting as a public meeting of the inhabitants of Calcutta. The object of such an address proposed at such a meeting I consider to be not a legitimate object. If you meet to address him in his political character, and I know not whether you are or do not, I object to it on that ground. It is on no personal ground, but as a general principle, and I should object to an address to any individual member of the Government on the same ground, and that is, as you had from the very best authority not very long ago in this hall, that the people of India are ignorant of the acts of their governors. The whole government was stated here, not twelve hours ago, to be conducted in secret. It was stated that the acts of public men were known in England, but that they were not here. We know not what acts of government any individual member may oppose or support; and under these circumstances I conceive it would be a species of slavish flattery to meet here to discuss Sir Charles Metcalfe's political character, and praise him upon trust, or upon the certificate of good conduct conferred on him by the Governor-General. Blind as we are stated to be—blind as we are to the political conduct of the members of the Government, it would be worse than futile to express our approbation of conduct we knew nothing about. What is the nature of the Government of which he forms a part? Is there one of the most insignificant of our West Indian Islands that has not a freer constitution than we have? Look at all the rest of our colonies, even our convict colonies: look at our sister colony of Ceylon, and see if there is one of them that cannot boast of a constitution at least preferable to that which we have. Have we got anything by the late Act of Parliament by which we are enabled to become judges of the conduct of our rulers in the Government of this country? What is the happy constitution that has been granted to us! We have for the first time a Legislative Council, to meet in secret, to deliberate in secret, to determine in secret, without any op... ...jecting to proposed ... ...ing what measures are ... ...passed and promulgate. What again, I ask, are ...us! what is the happy con... ...us! We have a Governo... ...of making himself almost ...cil chosen from the Civil ...aristocracy I suppose, wi... ...ber to represent the com... ...power of any kind, an Aristocracy without dignity, and a governing power without control; that is the happy constitution they have given us; and if you intend to be political in your address to Sir Charles Metcalfe you have no ground on earth to bear you out in such an intention. Then, on the other hand, suppose, as some of you will say, you come to address him in his private capacity, I say it should not be done at a meeting of the inhabitants of Calcutta. At a meeting so constituted there is not a cooly in Calcutta that has not as much right to vote as any one of you, and yet you would call on those coolies to vote on what? on the hospitality of Sir Charles Metcalfe. I ask you, allowing, as every man who knows him must do, the extent of his liberality and hospitality, I ask you whether this hospitality from the very nature of his station is not confined to the upper classes. Then let those upper classes thank him but call not upon those who have not experienced it to join them. I deny not his hospitality, his munificence, his support of useful institutions, but who are the proper judges of these acts? the members of his own society, who know what he has done, and not the six hundred thousand persons and upwards who compose the inhabitants of Calcutta, and whom, if assembled, it would be necessary ... ...neighbouring plain, and not in this confined space. What sensible man would call this meeting, composed chiefly of the upper classes of society—what sensible man would call an address from such a body an address from the inhabitants of Calcutta. There is another reason why it would not be proper to address him on the present occasion: he has just been appointed Governor of Agra. I know not what he has done since he has been a member of the Government, and I am sure none of you know what he will do in his new capacity; but it may be imagined that you are thanking him by anticipation for the people of Agra. In what situation does he stand at the present moment to make an address a matter of compliment to him? he stands high in office here, and about to fill a station where he is likely to have extensive patronage at his command, and he is to act as Governor-General *ad interim* should Lord William Bentinck retire before his successor arrives. Then I ask you whether this is not the first instance where those who were to be governed by a person, met before hand to congratulate him? Does it look like independence thus publicly to court the rising sun. I ask you what will the people of England say? what will they say of an address from a meeting of the inhabitants of Calcutta, at which there are about twenty or thirty natives present?

They will say that it is from a meeting of the upper classes who are to benefit or be prejudiced by the acts of the future Governor-General, a meeting assembled to give him a laudatory address that can be valuable to no man breathing. It is on these grounds, and on these grounds alone, that I speak. There is no address that could be proposed here that I should think a legitimate object for the inhabitants of Calcutta, and thinking as I do I will not be a party to it. It would be different if it were the address of private individuals, and there might be large masses of people who would not sign it if it were put to them. It is from no feeling of disrespect towards Sir Charles Metcalfe that I make these observations, but I cannot, and will not consent, as one of the public, to have my name used as one of the inhabitants of Calcutta, addressing a person of whose acts I know nothing. I disagree in toto in addressing persons situated as the members of the Government here are, but if this meeting choose to sign an address as the personal friends of Sir Charles Metcalfe, and not as the inhabitants of Calcutta, not one word of opposition shall it meet from me.

Mr. Longueville Clarke here observed "nor of support either."

Mr. Turton.—No, nor of support neither; and if you wish me to tell you why I will do so. I will never in any situation vote to please others, but follow the dictates of my own feelings. I tell you plainly I will neither support nor oppose it, but I tell you plainly that if this is to be an address of the inhabitants of Calcutta, it shall not go forth as mine. I will oppose it, and I will oppose every resolution from first to last—not the subject of the resolutions of the address, but the circumstances under which you have met, and the fallacy that has taken possession of you. Under these circumstances I shall conclude with a resolution, which if adopted I have done. If not, I am an inhabitant of Calcutta, and have a wright to vote as I think proper. I therefore propose—

"That whilst Sir C. T. Metcalfe has every claim to the attentions and civilities of his personal friends, any address to him from a public meeting of the inhabitants of Calcutta is unfounded either with reference to the political position of the Indian public, and their ignorance of the acts of any member of the Government, or from the particular circumstances of Sir C. T. Metcalfe's present departure from Calcutta—and therefore that this meeting of the inhabitants of Calcutta be now dissolved."

This resolution was seconded by Mr. Brightman.

Mr. Pattle.—I can hardly hope that this assembly will receive from me any thing like an address approaching to the eloquent one that has been just delivered. Mr. Turton very properly on all occasions wins your approbation by the able manner in which he discusses the matters he takes in hand. On this occasion he has stood forward in a very noble manner, for it is always noble to be independent, and to give expression to your sentiments without fear of favor or reward, and I congratulate the public of Calcutta that it can no longer be said, as it has been said, that there is not an independent man who can oppose an address of thanks. But unable as I am to cope with him on this subject again, I will offer my sentiments in the address to the addidence, and hope to meet with [illegible] myself by Mr. Turton has told you—I [illegible] not compete able to follow the order of his arguments however took no note of what he said, but I will endeavour as far as I can to recollect—Mr. Turton has often told us that he admitted that for his private hospitality Sir Charles Metcalfe was entitled to the utmost admiration of all his friends, but that he would oppose any address intending to compliment him as a public character. He has told you that it was said in the Hall below that the proceedings of Government were secret, and therefore that you can be no judges of Sir Charles Metcalfe's merits as a public character; but I beg to say that he pays a very bad compliment to your discrimination. It is true that we know not the individual opinions of the members of Council, but the acts of the Government and the benefits we receive from it are known to every body. It is not for me an humble servant of the Government, and humble I am, as all servants should be, to attempt, nor do I wish it, to enter into any detail of his merits as a public officer; but I am at liberty to call upon you to judge of the acts of the Government of which he is a distinguished member. Is it nothing that the Suttee was abolished—that widows are no longer allowed to immolate themselves at the shrine of superstition!—is it nothing that this has been done?—I fearlessly assert he was a powerful supporter of that humane measure. Is it nothing that the press has been liberated? How far has it canvassed, not only the acts of Government, but the opinions it entertains of the acts of every member of it. Has the highest authority ever objected to the freest strictures? What is the greatest liberty prized in England? will any one say it is not the liberty of the press? Is this no favor,—is it nothing for which the public ought to be grateful? Sir Charles Metcalfe could not originate such a measure, but he could support it. Our liberal-minded Governor-General did originate it, and Sir Charles Metcalfe did support it. Then to descend to smaller matters, how anxious has been the desire for the establishment of a steam communication with England, and has it not been nearly accomplished? We owe this great measure to our noble-minded Governor-General; but we owe it also, as he would tell you if he were here, to Sir Charles Metcalfe, who warmly participated in the support of it. Let me here leave to your generous feelings the impression I hope I have made by calling your attention to these three liberal measures, carried into effect greatly by his support. You are told that you know nothing of his claims on the public for his bounty and generosity, but I hope the public has some regard to talent, and those who encourage it. Who has supported charity, who has used his large receipts and fortune to the worthiest and best of purposes to the extent that he has done? To support merit, and relieve distress, has always been the chief pleasure of his generous mind. My friend who last addressed you has told you that this Government is inferior to that of any of the colonies—[Mr. Pattle was here corrected by Mr. Turton] well then, that its constitution is inferior. I beg to ask you, if what he has expressed has met your approbation, how comes it that the press which has always been allowed to pour forth all the opinions of the public has never published any such sentiments? We can only judge of a Government by its acts, now I know of none that ought to make us dissatisfied with that under which we live; and I will fearlessly assert that if the whole of the acts of our Government were fairly canvassed, the benefits we have received from it would greatly preponderate over the small causes of dissatisfaction. I am so little accustomed to making a speech that the exertion exhausts me, but before I sit down I beg to assure you, as far as I know of, that the address that will be offered for your approval pledges itself to no expression of public opinion to Sir Charles Metcalfe as a public character.

Mr. Charles Prinsep.—When I came into the room I little expected that the debate would have taken the turn it has; and I am sure that if my friend Mr. Turton had known the sentiments of those who called the meeting he would not have adopted the course he has done. I perfectly agree with my friend that the Government that has been given to us is less liberal than we could wish. I also go with him in saying that this is not the time to address Sir Charles Metcalfe on public matters; but I do conceive that it is competent in this society to estimate private virtues of the high character we are here met to do honor to, and I protest against the doctrine that we are not to express our approbation of such conduct wherever found. It was to express an opinion of his private virtues that this meeting was called, and those who joined in the requisition were well aware of the objection that might be taken, and on that account all allusion to political matters was carefully avoided; but when we are about to lose an individual who has endeared himself to us by his private virtues it is never a wrong time to express the sentiments we feel. I regret that public matters have here been brought

into question, when we met for no other purpose than to signalize private virtues, for the private virtues of public men are public property, and as such we have a right to deal with them. Notwithstanding the eloquence of my learned friend the Calcutta public will not be so far bamboozled out of their intention to express their sense of the merits of an individual, even though they be not the whole of the population, for every man had an opportunity of coming if he thought proper, even down to my friend's coolies, and expressing his dissent; and I don't think there are many in Calcutta who would like Sir Charles Metcalfe to leave it without some expression in favour of those qualities they have been able to appreciate. Be the new Government ever so miserably constructed, and so I say it is, shall that prevent us from expressing opinions that may lead to a better result, that may tend perhaps to the improvement of the administration. I don't know that it is necessary to dilate at all on his private virtues, for they are matters that the heart appreciates more than the tongue can express; but I may be permitted to draw your attention to one or two topics—What widow or orphan ever pleaded to him in vain? What public work ever went without his support? What public institution is there that has not experienced his munificence? These are not acts of the Government, but of the individual. Then, with regard to his hospitality, it was not confined to those who partook of it. What man ever had a worse dinner at his own house than some of those to which he has been occasionally invited? When we met here the other evening to entertain Sir Charles Metcalfe we got a worse dinner than any of us would have got at home. It is not the dinners that we appreciate on these occasions, but they furnish us with the means of shewing how we can appreciate good qualities. I say with confidence that such a man as Sir Charles Metcalfe has rarely been seen in our society if we look to his munificence and hospitity for the last seven years. During the greater part of that the Government has been itenerant, and we have met with that hospitality from him which it was not his duty but his pleasure to bestow. The late unfortunate mercantile distresses nearly swept away all society and during that time Sir Charles Metcalfe stood forward as a beacon round which we might rally, and, chiefly through his example, sociality is now beginning to revive, and we are gradually forgetting our losses. Under these circumstances I strongly dissent from Mr. Turton and support with might and main the amendment of Mr. Pattle "that an Address to Sir Charles Metcalfe be presented expressive of our high approbation of his eminent virtues."

Mr. DICKENS, as the seconder of Mr. Turton's resolution, was anxious to explain the reasons why he would persevere in the course he had adopted. He did apprehend when he first heard of this address, and his apprehensions were not removed by what had fallen from Mr. Prinsep, that it was intended to express their feeling on Sir Charles's public character and conduct. As an Englishman, placed in a society where he had nothing to do with the laws but to obey them, for to that the amendment came, no such expression should escape his lips, for he knew nothing better calculated to excite the people of England from that apathy with which they viewed the government of this country, than the expression here of their dissent to the situation in which they were placed. Mr. Dickens then contrasted the speeches of Mr. Pattle and Mr. Prinsep both in favour of the amendment, though apparently on different grounds, the one urging the measures of Government as a reason why the address should be voted, and the other denying that it had any reference whatever to political matters. Judging from the speech of the former gentleman it was a public question, something different from a social one, and leaving the meeting to judge of the motives, for his part he would say that if they were met there to say any thing of Sir Charles's private character, in the first place it was unnecessary, and in the second place it was ill timed. The meeting must be aware, that if Sir Charles did leave, it was but to return (no, no.) Gentlemen, said Mr. Dickens, is it not an admitted fact that Sir Charles will return in a certain time? (Cries of *no, no.*)—Mr. Plowden here intimated that Sir Charles's return was not certain, and that it was only in the event of the Governor-General's successor not arriving previous to his leaving this country.) Oh, is that it? said Mr. Dickens, then I must say it is a very probable provision for a possible casualty. Their adieus might be a parody on the words of Shenstone's lover

> "You gazed as I slowly withdrew:
> My path I could scarcely discern:
> So sweetly you bade me adieu,
> I thought that you bade me return."

Mr. Dickens concluded by strongly expressing his opinion that the time was ill chosen either for the meeting to agree to an address or for Sir Charles to receive it.

Mr. SUTHERLAND said that he had not thought of the legal distinction that had been pointed out by Mr. Turton when he signed the requisition, but he was now inclined to think that the best course would be to adopt his suggestion, and desolve the meeting of inhabitants *pro forma*. With regard to the expression of admiration for Sir Charles Metcalfe's amiable qualities he was prepared to go as far as any one, but he did think, after what he had heard, that this would be better done as private individuals than as the inhabitants of Calcutta.

Mr. TURTON.—I will, with your permission, Mr. Chairman, say a few words in reply. I concur in the sentiments of Mr. Dickens, but if I had a doubt when I came into the room, I never had a doubt as to what was my duty, though I had a considerable doubt whether I should perform that duty. But if I had any doubt it has been entirely removed by Mr. Pattle, who places the question on public grounds. He throws down the gauntlet. I don't mean to say that Sir Charles Metcalfe might not come out of the ordeal better than he went into it; but he still places the question on public grounds. Mr. Pattle and Mr. Sutherland will, I dare say, both of them recollect that when the meeting was got up for addressing Mr. Adam, shortly after the passing of the odious press regulation, I was persuaded by Mr. Fergusson to put my hand to the requisition. I think it was wrong to call a meeting of the inhabitants of Calcutta to bear testimony to the private virtues of any individual, and whatever may be the private virtues of Sir Charles Metcalfe, I think no one will deny that those of Mr. Adam were fully equal to them; but he did one thing which nothing on earth can wash out, and which would have prevented any thing on earth from inducing me to lend my sanction to his public conduct. Well, this meeting was held, and though I did not attend it, I repented of having signed the requisition, for what was the result? The address, an eulogium on his private character, was presented by Mr. Fergusson, and what was the answer? Why the answer was this. "I thank you gentlemen for this testimony of approbation of my public services." After this is it not pardonable in me to be suspicious? I am not saying that this address will be so interpreted by Sir Charles Metcalfe, but it may be by the world at large. As such a meeting was open to Mr. Adam to make such a request, so is it equally open to Sir Charles Metcalfe; and as it is equally open to his friends, and I hope by him by are that Mr. Pattle may not be the first to take an but it will go home as the public resolution of a public meeting of the inhabitants of Calcutta. It is because these public meetings have an influence far beyond their immediate sphere that I am anxious that our proceedings should not be misunderstood, for if you were to tell them in London that such an address, so passed, was not expressive of approbation of public character, they would laugh in your face. In 1827 a resolution was passed by Government, prohibiting the Sheriff from calling public meetings without its sanction, and as that resolution has never been rescinded, you are perhaps meeting by permission of the Governor, to praise his first in Council. When a public meeting was requested in the same year, to express the public opinion on the subject of the Stamp Act, it was

refused; then for what have we to thank them for being allowed to meet to praise themselves? We are told of the abolition of the Suttee as one of the reasons for concurring in the address, but I think there are a pretty large proportion of the inhabitants of Calcutta who think very differently from us on that measure. But do I know what course Sir Charles Metcalfe has adopted on this question? Mr. Pattle says he believes it,—I dont say whether I do or not; but I am not bound to believe every thing another believes. Then we are told of the suspension of the press regulation as another reason; but if you come to the merits of that question, ought we to address any member of the Government that has allowed that regulation to remain a part of the law of the land. If they intended the press well, what was the course for them to take?—not a mere sufferance, but to do away with that act which may be enforced at the pleasure of any future Governor, who has sufficient contempt of public opinion, to venture on so unpopular a measure. What would be the right course for them to adopt, if they wished the press to be really free and unfettered? why, to repeal it to be sure. The press at present is in the situation of a licensed prisoner. It has the liberty of the rules. The concession hitherto has been that of persons who have been as liberal as men can be under an act that they thought it injustice to enforce; but if it is injustice to enforce it, why is it not repealed? The next point that has been touched upon, is that of steam, but I know not, though I am a member of the Steam Committee, what Sir Charles Metcalfe has done to promote the project, further than by his subscription as an individual. I believe I have answered most of Mr. Pattle's observations, and shall now proceed to answer those of Mr. Prinsep with the same freedom. Much has been said of Sir Charles Metcalfe's liberality in the support of public and charitable institutions, but he did not subscribe to the funds for commemorating the memory of Rammohun Roy, and is it on this ground that he can claim the admiration of the native inhabitants of Calcutta. Then there is the invidious distinction that was made between the carriages of natives and Europeans during the time that he was President, is that another ground on which the native inhabitants can be called on to support the address? I merely mention these things because Mr. Pattle grounds his arguments on his claims to the gratitude of all ranks of society. His hospitality could have nothing to do with the large mass of society, and when Mr. Prinsep adverted to the late mercantile distresses, it was the last thing he should have done, as they had their commencement in private acts of his. I defy any one to shew any ground on which the mercantile community owe anything to the acts of the Government. Has it not chiefly at its own expense erected semaphores which the Government are about to discontinue if they do not carry them on at their own expense. If you go into the address as a meeting of the inhabitants of Calcutta I shall have another opportunity of addressing you,—if you accede to the suggestion of Mr. Sutherland I shall not address you again. These are the grounds on which I oppose the address, and however I may regret that I feel myself bound to make these comments, I would not compromise a public principle to flatter any man, however meritorious. The virtues of a private individual are not grounds for calling together a meeting of the inhabitants of Calcutta.

Mr. PATTLE.—I am perfectly persuaded that nothing that has been said to you either by Mr. Turton on the one side or Mr. Prinsep on the other will deprive you of your good sense and impartiality. You will hear the proposed address read, and will adopt it or not as you see fit. Mr. Turton said that I asked you to offer the address on public grounds. I deny that I did so. Mr. Turton told you that the acts of Government were secret, and I therefore mentioned those instances to show that they were public, and I mentioned three of the most popular acts to which Sir Charles Metcalfe gave his full support.

Mr. TURTON's resolution and Mr. Pattle's amendment were then read from the chair, after which the supporters of the two different proposals were requested to divide themselves, and tellers were appointed. After a considerable interval it was reported, that there were 121 votes in favor of the amendment, and 97* in favor of the resolution, but the report was not without a qualification on both sides. On the part of the amendment it was stated, that 20 out of the 97 on the other side were Hindu College boys, and on the part of the original motion it was stated, that the counting of its supporters had been interrupted by Mr. Prinsep, who had objected to certain persons who came up stairs during the process of counting. Mr. Dickens, one of the tellers, refused to consider the question as decided, but his voice was drowned by the gentlemen on the other side, who declared the amendment carried.

Mr. C. PRINSEP then read the following address:—

TO HIS HONOR SIR CHARLES THEOPHILUS METCALFE, BT.
*Governor of Agra, &c. &c. &c.*

It is not without a mixed emotion of pleasure and of regret that we have received the announcement of your immediate departure to asssume the new and high functions to which you have been called. However honorable to yourself and auspicious to the public interest the selection which thus removes you from amongst us, however necessary to the organization and due direction of the new member of our Indian system, we cannot suffer you to leave us without the warm expression of our esteem and affection. A long course of munificent hospitality, persevered in through a period when all around was gloom and despondency, of beneficence that has beamed alike on public and on private objects—and what is now uppermost in our present thoughts, of that individual kindness and courtesy, which are the very life of social intercourse, have so endeared you to us, as to make your absence felt to be the deprivation of an enjoyment of which we shall long and fondly cherish the remembrance. If that intercourse from which we have derived so much satisfaction, has awakened any pleasurable sensations in your breast, it will be gratifying to your feelings to bear with you this assurance of our constant regard,—of our fervent good wishes for your health and happiness, and for your progress in that career of honour, of which you have already traversed so large a space.

It was then moved by Mr. Prinsep, seconded by Dr. Grant, and carried, "that the address just read be adopted by the meeting."

Another address was proposed and read, but not seconded, the meeting considering it of too political a character.

It was then proposed by Mr. O'Hanlon and carried, "that the chairman sign the address, as chairman of the meeting, and present it to Sir Charles Metcalfe in whatever mode he considers most respectful."

The meeting then broke up, after having passed a vote of thanks to the Chairman.—*Hurkaru.*

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Sir Charles Metcalfe having upon application by the Chairman of the late meeting of the inhabitants of Calcutta, intimated that he would receive their Address at 11 A.M. on Monday the 8th December, the Resolutions and Address, fairly engrossed on parchment, signed by the Chairman, and countersigned by the Sheriff, were accordingly presented at the hour appointed. Sir Charles D'Oyly was unhappily prevented by an attack of gout from being himself the bearer of them, they were therefore at his request read and delivered by Mr. Prinsep, attended by Messrs. E. Barwell, Cockerell, Barlow, Captains G. Young, Hawkins, Steele, and several other gentlemen, who, notwithstanding the absence of any public notice, had obtained intelligence of the appointment. Many will regret that they were not equally fortunate; and a public announcement would, no doubt, have swelled the train with a long line of grateful friends and warm adherents. Yet perhaps it was better done by a smaller number; for it was evident from the manner of his reception, that the object of their attention was considerably oppressed by the marks of devotion that have poured in upon him from all quarters. He thanked the deputation

* The votes of Mr. Dickens and Mr. Hare, which were not taken, made the minority 99.—ED. HURK.

with some emotion, and stated that he was not prepared to reply on the instant, but would address his answer to the Chairman in a day or two; assuring them for the present, that, while the sentiments they had expressed were of a mixed nature, his own were those of regret alone at parting with friends of whose attachment and kindness he had received too many proofs. Mr. Prinsep then presented a note from the Chairman, expressiveof extreme regret and disappointment at his inability to attend in person, and the deputation took its leave with mutual demonstrations of regard.

The following is Sir Charles Metcalfe's reply to the address presented by the deputation on the 8th December:—

TO SIR CHARLES D'OYLY, BART.

Sir,—I have received, with a deep sense of the honor conferred on me, the Address signed by you, as Chairman of a public meeting of the Inhabitants of Calcutta, and this day presented to me, in the most obliging manner, by the gentlemen assembled for that purpose.

Next to the approbation of one's own conscience, there is nothing earthly so productive of happiness, as the esteem and affection of our fellow creatures, and especially of those with whom we have been associated. The assurance of such feeling towards me, on the part of the society of Calcutta, is a source of satisfaction replete with delightful sensations.

The abundant marks of kindness which I have received, in overflowing measure, on the occasion of my departure from this Presidency, are proofs of the generous goodness of those from whom they have proceeded, of which the impression can never be effaced, and which will connect with this period of my life the most grateful recollections. I trust that the consciousness that these distinctions flow from spontaneous cordiality, without any claim to them on my part, while it inspires me with the warmest gratitude, need not preclude me from the enjoyment of those feelings of pride and gratification, which such conduct from those whom we respect and regard and love cannot fail to excite.

I beg you to present to those gentlemen, who have honored me with this Address, my heart-felt thanks, and my ardent wishes for their welfare and happiness.

I part from them with unmixed regret, which not even the nature of the office that I am about to undertake can suffice to diminish. I enter however on the duties of that office with the highest sense of their importance. I regard the Government of India as a sacred trust, committed by the Almighty to the British Nation, to be exercised for the benefit of the countless millions, who have come under our rule in this distant land. It will be my earnest wish and indefatigable endeavour to uphold the honor of our country, by promoting, to the utmost extent of my ability, the prosperity and felicity of the people placed under my care; and I am sensible, that I shall make the best return in my power, for the overwhelming favor which has been poured upon me, on my separation from the society of Calcutta, if I can shew, by a just and successful administration of the territories entrusted to my charge, that I am in any degree worthy of such unbounded kindness, and that those who have bestowed it will not have reason to be ashamed of the affectionate feelings which they have evinced.

C. T. METCALFE.

*Aleepoor, Monday, 8th December*, 1834.—*Courier.*

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## MEETING OF EAST INDIANS TO PRESENT AN ADDRESS TO SIR C. T. METCALFE.

A very large concourse of East Indians assembled at the Parental Academy on the 6th December for the purpose of making a suitable acknowledgment to Sir C. T. Metcalfe for the services rendered by him to that body.

MR. MATHEW JOHNSTONE having been unanimously called to the chair, Mr. Pote addressed the meeting on the various benefits that had been conferred on the public, and more particularly on the East Indian portion of it, by Sir Charles Metcalfe, from which he arrived at the conclusion that he had a right to their gratitude for his public acts rather than for his private virtues, as advanced at a former meeting, with which the public had nothing to do, for observed he, "a man may be distinguished by the most eminent private virtues, as in the case of Governor Adam, and may yet, as that individual did, prove the greatest public scourge that a country was ever cursed with." Mr. Pote concluded a very long speech by proposing "that an Address be presented to Sir Charles Metcalfe, acknowledging the encouraging support which he has extended to all plans designed for the benefit of the East Indian community, and for the liberal policy which he has advocated in reference to their particular interests."

MR. ROGER DIAS, who had frequently interrupted the last speaker during his address, and who appeared to have adopted the same views that had been taken by Mr. Turton at the Town Hall meeting, thought that Sir Charles Metcalfe was entitled to nothing more than their private acknowledgments for the private favors he had conferred on them. He objected to all reference to his public conduct, and concluded by proposing as an amendment the original motion divested of its concluding clause "and for the liberal policy, &c.

To convince all those who were doubtful on the subject of the liberal policy of Sir Charles Metcalfe towards the East Indian community the chairman read the copy of a minute that had been published some time ago in the English newspapers, purporting to be a minute written by Sir Charles Metcalfe in reply to a despatch from the Court of Directors requiring the opinions of Council on the subject of the East Indians' petition. This minute set forth in a forcible manner the injustice to which the East Indians were subjected by the disabilities under which they labored, and advocated the placing of them on the same footing as Europeans in all respects, they being in fact Europeans, partially by descent, and entirely by education, religion and manners. It particularly drew attention to the anomaly of their being subject, when out of the jurisdiction of the Supreme Court, to Mahomedan law, and adduced an instance where one of their body, then holding the rank of a Major in the service, had been tried by the Mahomedan law, the country being under British rule, the judge a British subject, and the party accused an European in religion, habits, education and partly in descent.

MR. LORIMER then spoke at considerable length to show that the East Indians had every reason to address Sir Charles Metcalfe on public grounds for the benefits he had conferred on them and on the community, and that it would be absurd to do so in any other manner; after which the original motion was carried amidst shouting and applause, only six persons having held up their hands in favor of Mr. Dias's amendment.

MR. WALE BYRN then read the following Address, which had been prepared for the occasion:

TO SIR C. T. METCALFE, BART.

Hon'ble Sir,—It is with feelings of the highest gratification, that we approach you with our congratulations on your elevation to the Government of the new Presidency of Agra. In your elevation to one of the first offices in the British Indian Government, we see it exemplified that "the path of rectitude is the path of honor;" and in the bestowal of this honorable distinction upon yourself, we recognise the appreciation of the ability and integrity which have characterised your public career.

On this occasion, we deem it incumbent upon us to express to you our humble but sincere acknowledgments for the services which you have rendered to the East Indian community, although circumstances have unfortunately concurred to make us a separate class, and we only state this to allude to the fact, that, as a person in office and authority, you have had to deal with us as a separate class, and that your proceedings towards us have been marked, by the highest degree of liberality and kindness. The public record of your favorable sentiments, which have been the more prized by us because they were so rare, lays us under the deepest obligations to you! The advocacy on your part of a liberal policy in reference to our interests, is viewed by us as an act for which we can make no adequate return!

To every undertaking that has had in view the well being of the East Indian class, you have not failed to afford your warmest encouragement and support; our schools and societies have been cherished by your munificence; and we have looked to you as a never failing resource in every emergency.

These, Sir, are the claims which you have upon our regard and affection! These are the circumstances which lead us to consider you our friend and benefactor.

We desire to express our most ardent wishes for the success of your new Government, and our fondest hopes for your uninterrupted health and happiness.

Mr. WALE BYRN then proposed "that the Address now read be adopted," which was seconded by Mr. F. D. Kellner, and carried by an overwhelming majority.

Mr. JOAKIM SINAES proposed "that a subscription be raised for the purpose of preparing a portrait of Sir Charles Metcalfe, to be placed in the Town Hall, and that the subscription list be opened to all classes of the community." This was seconded by Mr. Kirkpatrick, and carried unanimously.

Mr. CHARLES BYRN proposed "that the following gentlemen be elected to form a deputation to present the Address to Sir Charles Metcalfe, namely, Messrs Mathew Johnstone, Ochme, C. Francis, Pote, Wale Byrn and Kelner," which was seconded, and carried unanimously.

Mr. POTE then proposed a vote of thanks to the chairman for his able conduct in the chair, which was carried by acclamation, and the meeting then dispersed.

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### MR. JOHNSTONE'S ADDRESS.

We have the honor to wait upon you, hon'ble Sir, with an address voted to you at a public meeting of the East Indian community of Calcutta, held on the evening of the 6th instant, in acknowledgment of your generous and liberal conduct towards them on all occasions, both in your public and in your private capacity.

We are sensible, Hon'ble Sir, of many defects in the address, since this is the first time that the East Indian community have been placed in a situation in which it has become necessary for them to make a public acknowledgment of their obligations to an eminent public character: and we look therefore to your generosity to receive it with indulgence.

We are conscious that the language employed in the Address, does not adequately describe the nature and extent, either of our obligations or of the gratitude and attachment entertained towards you by our countrymen. A desire to avoid distressing you, Hon'ble Sir, by dwelling on the ties by which we feel ourselves bound to you, has compelled us to refrain from giving full expression to our feelings. We hope however to be pardoned for taking this opportunity to observe, that whoever else British India may claim among her benefactors, the East Indian community will consider it their duty to regard you as the individual by whom, in his public capacity, their civil rights have been most strenuously—most generously—and we may add—most successfully asserted.

In proceeding now, Hon'ble Sir, with your permission to read the address which our countrymen have entrusted to our care, as well as the resolution prefixed to it, we do so with our most fervent hopes and wishes that wheresoever duty or inclination may hereafter lead you, increasing honors and increasing renown may be your unfailing reward.

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### SIR CHARLES METCALFE'S REPLY.

Gentlemen,—I value highly the honor which you have conferred on me by this Address, not as deeming myself in any degree entitled to such a compliment, but because it is a token of approbation of my public conduct, proceeding from a most respectable and high minded class of my fellow-countrymen, than whom, from the opportunities which they possess, none can be more capable of appreciating the characters of servants of the state in India.

I thank you sincerely for your congratulations on my nomination to the Government of the New Presidency, and for the obliging sentiments which you connect with your notice of that appointment. Most heartily do I join with you in your kind wishes for the success of that Government, the test of which will be the welfare of the people subject to its administration.

You overrate those acts on my part, which you exalt by designating as services rendered to the East Indian community; but this is natural to generous minds, such as you have evinced, which are always anxious to give more than they receive. My obligations to you are the greater on that account.

You do not, however, I am happy to assure you, overrate the extent of my good will towards you. It is perfectly sincere and unbounded. But I cannot boast of services rendered. Your cause was the cause of justice, and could not fail ultimately to triumph. It was impossible that the restrictions under which you suffered, could permanently last. They have been removed by the wisdom of the legislature, and whatever remains to deprive you of any rights enjoyed by your European brethren must likewise ere long be abolished.

That you should be considered, or should consider yourselves, as a separate class, is greatly to be lamented. Not less is it so that there should be any distinctions or separations of any kind in this empire. It must be the anxious wish of every man connected with India, that all classes, Native, East Indian, and European, should be united in one bond of brotherly love. If any feelings, too natural to be wondered at, caused by the dominion of foreigners, or difference of religion, customs, manners, and education, render this union at present difficult or unattainable, with respect to our native brethern; we can only hope that such difficulties may in time be surmounted by good government and the enjoyment of equal rights. But there is no reason, why East Indians and Europeans, if equal justice be dealt to both, should not be joined in the most cordial union, or why any distinction between them should ever exist.

But if your community, Gentlemen, were to be regarded as separate, it is one of which you have much reason to be proud. Judging from what has come under my own observation, I am not aware of any community, in which there is more respectability of character, or less apparently of crime or unworthy conduct. In official ability and efficiency you yield to none; and in all pursuits and professions, in arts and in arms, you have representatives of whom every community might justly boast. You have an extensive share in the public business connected with the administration of the government of this country; and the acknowledgment of the value of your co-operation has long been established, is daily increasing, and cannot fail eventually to produce for you important and beneficial results.

I beg you to accept my warmest thanks for the cordial feelings on your part which has led to this gratifying intercourse, and to be assured of my earnest wishes for your welfare and prosperity.

*Hurkaru.*] C. T. METCALFE.

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## NATIVE ADDRESS TO SIR CHARLES METCALFE.

We are happy to find, that the native community of Calcutta, are not less alive to the merits of Sir Charles Metcalfe, than the other classes of society have shewn themselves. A deputation waited upon him at Alipore, to present an Address, signed by upwards of five hundred native gentlemen, comprizing the far greater portion of the natives of rank, property, and influence residing in Calcutta or the vicinity.

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The Address was read by Maha Rajah Rajnarain Roy. The Rajah was accompanied by Baboo Callypersaud Mitter, Hajee Mirza Mehedy Ispehaany, and several other native gentlemen. Sir Charles received the deputation with his usual courtesy, and promised to send an answer to the Rajah. Among the signatures were those of four of the Mysore Princes, of Nuwaub Jaffur Jung Bahadoor, the Nuwaub of Chitpore, Maha Rajah Rajnarain Roy Bahadoor, Rajah Kaleekissen Bahadoor,

Rajah Oppoorbokissen Buhadoor, Baboos Jugguiset Govinchund, Ashotas Day, Promothonauth Day, Rooplall Mullick, Cossinauth Mullick, Looknauth Mullick, Bustomdoss Mullick, Oodychund Dutt, Hajee Mirza Mehedy Ispehanny, &c. &c.

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To the Honorable Sir CHARLES THEOPHILUS METCALFE,
*Baronet, Governor of Agra, &c. &c. &c.*

Honorable Sir,—We the undersigned members of the native community of Calcutta and its neighbourhood, presume upon your well-known affability towards all who approach you, to add our humble tribute of respect to those numerous tokens of attachment which have been poured out on the occasion of your expected departure. Our opportunities of estimating the private qualities that have earned you the love of your countrymen, have necessarily been few. But it would be a reproach to our hearts and understandings, if we did not come forward to proclaim our sense of the inflexible regard for equal justice, and utter contempt for abuse, corruption and chicanery, which have uniformly marked your official career. On this we dwell as the leading feature of your public life, for our great teacher tells us, that, in a Ruler, love of justice is the first of virtues. But it is not this alone that calls for our parting testimony. Your ear has always been accessible to our petitions and representations—your hand has been ever open to the distresses of our countrymen—our institutions both of charity, and of education, have ever found in your bounty a ready resource. Without flattering our vanity or indulging our caprice, you have ever studied, both in your public and your private conduct, to avoid offence to our habits and prejudices.

Though all these considerations make us look upon your departure as the loss, to this part of India, of the firmest friend to the Native interests, yet is it a consolation to know, that you will not be entirely lost to Hindoostan; and that your exertions for the public good are only transferred to another quarter, where they are at least as well known, and as highly valued.

That success may attend your acts, and happiness cheer your heart, whithersoever fortune may bear you, is the sincere wish and earnest prayer of.

*Reply of Sir Charles Metcalfe to the Address presented by Members of the native community of Calcutta and its neighbourhood.*

Gentlemen,—I receive with the highest gratification the honor conferred on me by this Address. I cannot be insensible to the value of such a pleasing token of esteem and approbation, from so numerous and respectable a body of the native community of Calcutta and its neighbourhood; among whom I recognize many of those most eminent in rank and character.

The sentiments which you express are exceedingly kind and obliging, and will be a source of cheering recollection in the distant scene to which I am proceeding.

I greatly lament that a difference in religion and customs should operate, as it does, in a great degree to prevent the benefits of social intercourse between the native and European communities in India; and consequently to preclude that personal intimacy, and that knowledge of private character, which are the chief cements of mutual attachment. You can neither share in our convivial enjoyments, nor take an interest in our amusements; and it is much to be regretted, that nothing has yet been devised, which, being suited to the habits and tastes of both parties, might lead naturally to that frequency of intercourse, which is so much to be desired, as tending to unite all in the bonds of affection. I trust that time will effect this desirable result, and remove the obstacles which retard it.

Notwithstanding this deficiency of personal intimacy, you have, with marked liberality, presented me with this testimony of your esteem on public grounds, such as cannot fail to make it highly gratifying. I hope that you may never see reason to alter the favourable opinions which you express. The first wish of my heart is that I may be instrumental, in the office to which I have been appointed, towards the welfare of the native community of India. Such is my own anxious desire; such is my positive duty; such is the object of the incessant injunctions of the Supreme Government of India, and of the authorities in England who have charged me with my present important trust—and that the happiness of India may be the fruit of British rule, is the ardent prayer of every British heart.

Accept, Gentlemen, my grateful thanks for your good will and kindness, and my cordial wishes for your prosperity.

15th December, 1834. C. T. METCALFE.

*Calcutta Courier.*]

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## MEETING OF THE ROMAN CATHOLICS.

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**A very full meeting of the Roman Catholic inhabitants of Calcutta was held on Monday evening, the 10th November, at the Principal Roman Catholic Church, to adopt measures to convey to the Pope their sentiments of gratitude for his prompt and ready compliance with their prayer for British Pastors.**

On the motion of Mr. MICHIE, Mr. JOHN LACKERSTEEN was called to the Chair.

The Chairman said, it was certainly a subject of peculiar gratification to meet on so interesting an occasion as the present. The advertizement had acquainted his hearers with the cause of their assembling, and he should not therefore trespass on their time by any observations, but would at once proceed to read an address that had been prepared, and which, if it met with their approbation would be submitted for adoption.

The Chairman then read an address to the Cardinal Prefect of the Propaganda, of which the following is an abstract:—

"We respectfully request your Eminence to convey to our Holy Father the Sovereign Pontiff the sincere expression of our gratitude for the ready and entire compliance which he has so benignantly accorded to our prayer for British Pastors. His Holiness has not only complied with our wishes, but has in the fullness of his affectionate solicitude for our spiritual welfare gratified the warmest feelings of our hearts by sending us Pastors belonging to a holy and learned society which we highly esteem, and we hail the arrival among us of Pastors of the same order as St. Xavier, the Apostle of India, with feelings of gratitude and delight, as an event most auspicious to the cause of our religion in Bengal. In the appointment of the most Reverend Dr. St. Ledger as Vicar Apostolic of Bengal we gratefully recognize the affectionate and parental care evinced for us by His Holiness, for a measure more calculated to produce the most beneficial effects could not have been devised. During the short period that our Reverend Vicar Apostolic and his companions have been among us, they have by their talents, zeal and affability, secured our unqualified confidence, veneration and esteem; and so fully convinced are we of their perfect qualification for this Mission, that we have nothing further to wish beyond a continuance and succession of such Pastors. We avail ourselves of the opportunity of acquainting your Eminence with the propriety of the conduct of the Reverend Fre Antonio de Santa Maria, the Vicar of the Church of Nossa Senhora D'Rozario, who received the Vicar Apostolic with the most unequivocal marks of respect, acknowledged him as the supreme Ecclesiastical authority in Bengal, and not only rendered him due honor and submission, but liberally tendered him the free use of the Parochial house, thus affording an edifying example of respect and obedience to the mandates of our Holy Father."

The address concludes with a repetition of gratitude to the Pope and with thanks to the Cardinal Prefect for the interest he has taken in the spiritual welfare of the Catholic community of Calcutta, together with an earnest solicitation that he will continue his fostering care and protection to the Vicar Apostolic and his Clergy to enable them effectually to perform the arduous duties of their Mission.

Mr. JOAQUIM SINAES said the occasion which collected them there was too interesting for him to suffer it to pass without the expression of his feelings and sentiments. He should reproach himself did he longer refrain to give vent to the feelings of gratitude that pervaded his bosom, and any attempt to suppress them would be a task as impracticable as if he were to attempt to impede the current of the ocean in its rapid flow. It was with no small degree of self congratulation that he hailed the opportunity of giving vent to his gratitude for this glorious consumation of their most ardent wishes. It would be presumtuous in him to attempt any panegyric on the Pastors who had been provided for their edification for the concurrent opinions of an enlightened community, and their admiration of the splendid talents already exhibited combined to render any commendation from him unnecessary. Appreciating as they deeply did the inestimable blessings conferred on them by their Holy Father the Pope, their gratitude called loudly for expression to the quarter whence

they derived these benefits. The contemplation of the great and glorious change which had been effected in their prospects never failed to fill him with gratitude to that beneficent Father who at their representation lost not a moment in supplying their spiritual wants, and in so efficient and perfect a manner as to leave nothing to be wished for or desired. Under the impression of such feelings he need not say that the address just read met with his hearty concurrence, and he subscribed his name with a gratification which his powers of speech could not convey. Mr. Sinaes concluded by proposing "that the address just read be adopted, and that it be transmitted through the most Reverend the Vicar Apostolic, the chairman being solicited to hand up the same to the most Reverend the Vicar Apostolic with a communication expressive of the desire of the meeting that he should kindly undertake to do so," and the motion having been seconded, was put from the chair and carried unanimously.

It was then proposed by Mr. Michie, seconded by Mr. Joaquim Sinaes, and carried unanimously, "that the address which has just been approved of be signed immediately."

Mr. ANTHONY DE SOUZA then proposed a vote of thanks to the chairman, which was seconded by Mr. Sinaes and carried unanimously.

The address was signed in duplicate by a great number of persons, and is to lie open for signature as long as possible at the house of Mr. Lackerstein; the time will not however be long, as it is to be dispatched by the *Exmouth*.

This meeting was distinguished by two peculiarities, namely, punctuality in taking the chair and entire unanimity in its proceedings.—*Hurkaru*.

## MEDICAL AND PHYSICAL SOCIETY.

*Proceedings of a meeting of the Medical and Physical Society, held at the Asiatic Society's apartments, November* 1, 1834.

The following gentlemen were elected corresponding members of the Society:—

Edmond G. Balfour, Esq., of Edinburgh, and William Kerr, of Paisley.

John Macleod, Esq., Superintending-Surgeon, Madras Service, and Thomas Leckie, Esq., Assistant-Surgeon, Bengal Service, were elected ordinary members of the Society.

K. M. Scott, Esq., Assistant-Surgeon, Bengal Service, was proposed as a member, by Messrs. Egerton and Twining.

Read a letter from Dr. Clendinning, Secretary to the Medical and Chirurgical Society of London, acknowledging on the part of that Society the receipt of the 6th vol. of Transactions of the Medical and Physical Society of Calcutta.

### BOOKS PRESENTED.

Dr. Morton's illustrations of Pulmonary Consumption, presented by the author, through Mr. Foster.

Professor Otto's work on Phrenology, presented by Dr. Cantor, on behalf of the author.

A specimen of Uspe-Gool Mucilage, presented by J. Tytler, Esq., was exhibited at the meeting.

The following communications were laid before the Society:

1.—On land scurvy, by James Hutchinson, Esq.

2.—A letter from the Secretary to the Medical Board to the address of William Panton, Esq., Superintending Surgeon of the western circle, soliciting information on the subject of land scurvy, at that time prevalent among the native troops at Neemuch and the surrounding stations, together with the following reports which had been forwarded by the medical officers of that division, in reply to the above, the whole presented by the Medical Board.

Reports on land scurvy, by A. Ross, Esq., by Dr. James Duncan, Junior, and by Dr. McNab.

Report of a Medical Committee ordered to assemble by Brigadier Tombs, to ascertain the number of men of the Native Regiments afflicted with scurvy, and to give an opinion as to the cause of the prevalence of the disease.

3.—Fatal case of dysentery with remarkable affection of the spleen, and a case of cholera treated by a solution of tartarized antimony, by C. T. Davidson, Esq.

4.—Note respecting the Aleppo boil, by S. M. Griffiths, Esq.

5.—Case of jaundice with remarks, by Wm. Twining, Esq.

6.—Dr. N. Hill's case of silicious matter voided per urethram, presented by Dr. McGowan.

The following communications were read and discussed at the meeting.—

1.—Fatal case of snake-bite, by C. Morehead, M. D.

2.—An appendix to the above, by the same.

3.—On the climate of Van Dieman's Land as a resort for invalids from India, by T. E. Dempster, Esq.

4.—Account of an extraordinary formation of the skin in a native, with two drawings, by J. Tytler, Esq.

5.—On the efficacy of the seeds of the Isob-gool in some cases of diarrhœa and dysentry, by Wm. Twining, Esq.

*Hurkaru.*] W. J. BRAMLEY, Secretary.

## AGRICULTURAL AND HORTICULTURAL SOCIETY.

A general meeting of this Society was held at the Town Hall on the 12th November, Sir Robert Colquhoun, Bart., in the chair. The Acting Secretary (Dr. Wallich) reported to the meeting, that the committee had been engaged during the months of September and October in distributing seeds of various descriptions throughout Bengal, Assam, and the Upper Provinces; and he likewise announced the recent arrival of a valuable cargo of Cape seeds and vine cuttings, which would be distributed in a similar manner.

We regret the absence of our Reporter prevents us from giving a full detail of the proceedings of this meeting. We understand some interesting communications were made relative to the cultivation of Sea Island cotton, the introduction of seed wheat from Van Diemen's Land, and various other subjects connected with the interests of the Society, and we may add, indeed, the interests of the community of India. Several new members were added to the list, and, though last not least, an order was given to invest Sa. Rs. 5,000 in Company's paper in the name of the office bearers of the Society, which betokens its funds to be in a flourishing condition.—*Hurkaru*.

## MEETING OF SUBSCRIBERS TO THE UNIVERSAL ASSURANCE SOCIETY.

Pursuant to an advertisement published in the Calcutta Newspapers, a meeting of the shareholders of the Universal Assurance Society was held at the office of Messrs. Bagshaw and Co., the Secretaries to the Society, on the 3d November, for the election of Directors, and the transaction of such other business as might be brought before it.

Mr. JAMES PATTLE having been called to the chair, Mr. Bagshaw addressed the meeting on the subject of the eligibilty of the Company's Civil and Military Servants, according to the terms of their service, to become shareholders. To settle the difference of opinion that existed on this point, a reference had been made to Government, and so far as the local Government was concerned all objection had been removed. The question had in the first instance been submitted to the Advocate-General for his opinion, but that gentleman, in consideration of his official capacity, had suggested the propriety of submitting it to another barrister, conceiving that the question, though by no means a difficult one, bore too closely on a Government one to allow him to answer it unless laid before him by authority. Application was then made to Mr. Charles Prinsep, who was of opinion that the Society, beyond all question, was not one of trade or traffic, and consequently there could be no valid objection to the Government Servants becoming shareholders. If the Society were one of trade or traffic the members of it would be subject to the English Bankrupt Law, which they were not, for under the late consolidated Bankrupt Act, which greatly extended the application of the word trader, no class of insurers had been included but those who insured against perils by sea. On these grounds he conceived that, not only Civil and Military Servants, but even King's Judges and Members of Council, were perfectly competent to become shareholders without infringing either law, regulation or order. This opinion had been submitted to the Vice President in Council, who, after consulting the Advocate General on the subject, had replied that they saw no existing impediments to members of the Services becoming shareholders in the Society. They had however stated in addition that the Court of Directors were free to make any order on the subject that they saw fit.

The following officers were then unanimously chosen, namely, Messrs. J. Pattle, R. Saunders, F. Macnaghten, C. R. Prinsep, and W. H. Smoult, Colonel Dunlop, Captain Steel and Doctor Nicholson, directors; and Messrs. J. D. Smith, J. Lowe and the Reverend H. Fisher, Auditors.

Eight hundred shares are calculated on as taken, so that there are only about two hundred left for disposal. The meeting was numerously attended, and broke up after a vote of thanks to the chairman. The shareholders before dispersing subscribed to an agreement binding themselves to execute the deed when it arrived in Calcutta.—*Hurkaru.*

## MEETING OF SUBSCRIBERS TO THE BENGAL PROVIDENT SOCIETY.

Pursuant to public notice a general meeting of subscribers to the Bengal Provident Society was held at the Exchange Rooms, on the 8th November 1834.—Present, W. Bruce, T. Dickens, J. D. Dow, J. Palmer, G. A. Prinsep, J. D. Smith, and A. F. Smith, Esquires.

Mr. DICKENS in the Chair.

The objects of the meeting having been stated to be the election of four Directors, and the consideration of all matters that might be brought before it, in any way affecting the interests of the several classes, the Secretary submitted a printed copy of the Regulations, and, it appearing from the 11th Article of the same, that the existing vacancies in the Direction could not be filled up, agreeably to rule, until the general meeting in January 1835, it was

*Resolved*,—That Messrs. T. Dickens, J. D. Dow, J. D. Smith, and A. F. Smith having respectively signified their willingness to undertake the office, be elected provisional Directors in association with Mr. Palmer, the present Director, until the general meeting in January 1835.

The Secretary, in answer to a question from Mr. J. D. Smith, described the circumstances under which he had become the purchaser of the house in Middleton Street, formerly belonging to the late Mr. Barwell, and read the proceedings of the Direction on the subject of the sale, from which it appeared that Mr. Leighton's offer of 33,000. Rs- exceeded the highest bids made on two separate occasions, when the property was brought forward by Messrs. Tulloh and Co. and Messrs. Jenkins, Low and Co. but as an opinion seemed to prevail abroad that more might be obtained for it, Mr. Leighton declared himself ready either to relinquish his bargain, on reimbursement of his expenses, or to complete the contract of sale, should a higher price not be procurable. He assured the meeting that the fullest justice had been done to the property in the way of giving the intended sale ample publicity in the papers of the presidency, and that his chief motive in becoming the purchaser was a desire to bring the affairs of the first class to a final close and distribute the remaining assets amongst the subscribers. After considerable discussion the following resolution was adopted by the Meeting.

*Resolved*,—That, with reference to Mr. Leighton's offer, the house in Middleton Street, formerly belonging to the late Mr. Barwell, be advertised for sale by public auction on Saturday the 22d instant, and then offered at an upset price of sicca rupees (35,000) thirty five thousand, and that, if sold at that or a higher rate, the proceeds be carried to the credit of the first class, less Mr. Leighton's expenses, but, should no purchaser appear at or above sicca rupees 35,000, that the existing contract of sale be confirmed.

The question of unclaimed dividends was then entered upon, and the Secretary read to the meeting the copy of a correspondence that had passed between himself and Messrs. J. and H. Cowie, regarding certain dividends on a share in the 1st class belonging to Dr. Hazlewood, which had been forfeited owing to their not having been claimed within the limit of time prescribed by the Regulations. The circumstances under which this forfeiture occurred having been duly enquired into and weighed by the meeting, it was

*Resolved*,—That Dr. Hazlewood's claim be disallowed, as it appears to this meeting that the forfeiture would not have been incurred had he followed the obviously proper course of making a direct application for his dividends to the late Secretaries and Treasurers.

The Secretary read the copy of a correspondence he had had with Messrs. Cockerell and Co. respecting some shares subscribed for by Major B. C. Swindell on the lives of his children, the dividends on which had not been drawn for, though notice of claim had been duly served upon the Society. It was understood that the assignees of Messrs. Palmer and Co.'s estate had either a legal or equitable claim to these shares, and it was determined, as a preliminary step, to call for the production of the original certificates, with the view of ascertaining to whom the Directors were bound to account. The following resolution was accordingly proposed and carried:

*Resolved*,—That the exhibition of the original certificates for shares Nos. 151 and 396, subscribed for by Major B. C. Swindell on the lives of his children, be made a preliminary condition of the payment of the dividends now due thereon, it being of importance to ascertain who the parties are actually holding a beneficial interest under these documents.

A long discussion ensued on the question, whether the 23d Article of the Regulations, defining the limit of grace for absent claimants, should not be strictly adhered to in future, which was terminated by the adoption of the following resolution:

*Resolved*,—That in cases where dividends become forfeited agreeably to the 23d Article of the Regulations, and are claimed after the expiration of the term of grace therein allowed to subscribers, a representation of the causes of such delay shall be submitted to the Directors for their consideration, and they shall have the discretionary power of admitting claims so made, should circumstances appear to justify the exercise of indulgence, and available funds exist for the settlement of them at or after the date of claim, without prejudice to demands previously declared payable.

The Secretary having intimated to the Meeting that Mr. Cullen had tendered his resignation of the office of a Director and that Mr. Fergusson was also desirous of being relieved from its duties, it was

*Resolved*,—That the resignation of Messrs. Cullen and Fergusson be accepted, and that they be requested to endorse the Company's paper to Mr. Palmer, he being the only Director, at present in office, elected in conformity with the Regulations of the Society, and it being apprehended that the Treasury officers would object to pay the interest accruing thereon on the receipt of Directors not formally appointed.

The Secretary suggested the desirableness of selling the claims of the several classes against the late and former Secretaries and Treasures to enable him finally to close such accounts as might now or shortly be wound up, and after some conversation, it was

*Resolved*,—That the claims of the several classes against the late firm of Cruttenden, Mackillop and Co. be disposed of, provided four annas in the rupee can be obtained for them, and that on any offer being made for the purchase of the balance due by Messrs. Palmer and Co.'s estate it be submitted to the Directors for their consideration and decision. A question having arisen as to the mode in which the Secretary had been in the habit of drawing his commission of two per cent., that is—in anticipation of the payment of dividends—Mr. Bruce observed that such was the practice observed by his own firm in the recent case of the distribution of the funds of the New Equitable Tontine, and it seemed to him only fair and equitable that a similar principle should be recognized in the present instance, especially as the remuneration was any thing but exorbitant. The Chairman agreed with Mr. Bruce that two per cent. was hardly an adequate compensation for the services of the Secretary, and, so far as he was concerned, he would be disposed to recommend an augmentation of the allowance at the January meeting, an intimation that was met by an admission on the part of the Secretary that he had *volunteered* to undertake the duties for the per centage in question, and that, however grateful he might feel for the Chairman's kindly disposition towards him, he would rather that no increase should be proposed. After some further conversation, it was

*Resolved*,—That the practice, hitherto adopted by the Secretary of deducting his commission of two per cent. preparatory to the payment of a dividend, be held to be a fair and equitable mode of taking compensation for his labor, particularly with reference to the admitted inadequacy of the amount, and that all past transactions be accordingly confirmed.

The meeting then separated after a vote of thanks to the Chairman.

(Signed) T. DICKENS, *Chairman*.

*Calcutta Courier*.]

## DINNER TO SIR CHARLES METCALFE.

The Dinner given to Sir Charles Metcalfe, at the Town Hall, on Friday evening, the 28th November, was attended by upwards of three hundred gentlemen, among whom, with one exception, were all that have any claim to distinction in the society of Calcutta. Sir John Grant presided, and the distinguished guest sat on his right hand. After the removal of the cloth the chairman gave "the King," which was drank with loud chees.

*Air*.—GOD SAVE THE KING.

*Sir John Peter Grant*.—Gentlemen, before giving you the toast, with which you will expect me to conclude, I have to state to you that I have received a communication from a distinguished person who regrets that from the state of his health he is unable to attend. I need not say that I allude to the Governor-General. He has done me the favor to write me a letter which I think it my duty to read to you.

Sir John Grant here read the following letter:—

*Barrackpore, November* 27, 1834.

MY DEAR SIR JOHN,—I have to request that as chairman you will do me the favor to express to the Subscribers to the entertainment to be given to Sir Charles Metcalfe to-morrow, the expression of my great regret, that the effects of my late illness compels me to forego the pleasure I had contemplated from the acceptance of their invitation.

At the preliminary meeting, you are stated to have expressed your willingness to take part in a proceeding which as being unconnected with political matters, could in no way interfere with your official character. It is true, that the present entertainment has no such object in view; but I should be sorry, at the same time, to think that public services of the individual were entirely excluded from the consideration which has led to this marked exhibition of esteem and respect.

It happens unfortunately for those who honestly administer the affairs of this country, that neither their motives nor their acts come officially before the public eye; but the present case may be deemed, in some degree, an exception to the general rule, because during the long period that Sir Charles Metcalf, has filled in succession the first appointments under the local government, one general conviction prevails as to the purity, honor and success, of his conduct, as well as of his just title to the highest distinctions, which have been lately conferred upon him, by the home authorities.

I had hoped upon the present occasion to have in person expressed my concurrence in this general conviction. My connection with Sir Charles Mrtcalfe in Council during more than six years ought to make me the best of witnesses, unless indeed friendship should have blinded me and conqnered my detestation of flattery, which, I trust, is not the case. I, therefore, unhesitatingly declare that whether in private or public life, I never met with the individual whose integrity, liberality of sentiment and delicacy of mind, excited in a greater degree my respect and admiration. The State never had a more able and upright councillor, nor any Governor-General a more valuable and independent assistant and friend; and if during the same period, any merit can be claimed for the principles by which the Indian government has been guided, to Sir Charles must the full share be assigned.

Neither has the access which my situation has given me to the public records and to past transactions led me to form a less favourable opinion of his preceding career. I need not enter into particulars. Suffice it to express my sincere impressions that among all the statesmen who since my first connection with India have best served their country and have most exalted its reputation and interests in the East, Webb, Close, Sir Arthur Wellesley, Elphinstone, Munro and Malcolm, equal rank and equal honor, ought to be given to Sir Charles Metcalfe.

I have been induced to say so much from an anxiety that the private virtues of this eminent individual, great as they are, should not obscure or cast in the shade his public merits, which are infinitely more of importance to our country. An example like this cannot be too prominently brought forward, not only for general imitation, but to extort, if possible, from the lamentable apathy of our countrymen at home, towards this large and valuable portion of the empire, the same degree of respect and honor for the servants of the state in India, which are so freely and generously granted to those who distinguish themselves in every other part of the globe.

I remain, my dear Sir John,

Sincerely yours,

W. C. BENTINCK.

Gentlemen, I put no other preface to what I have to offer to you in proposing the health of our distinguished guest than by reading this letter, except by saying that after so honourable a testimonial any thing that can fall from me must indeed fall far short of what I should wish to express, or of what that eminent individual so amply deserves. I cannot but feel that I am impressed with sensations of a very opposite nature in now addressing you. If it were my only duty to recall to your recollection the merits of that distinguished individual, to bring to your memory how much he has contributed to the benefit of this part of the British Empire, how much he has contributed to the happiness of our individual and domestic society, I should indeed have undertaken the task for which I am greatly inadequate, but at least to do which could be attended by no feelings but those of unmixed pleasure and delightful recollections; [*cheers*] but I am compelled also to remember to address him as your organ, and not only to express to him the deep admiration we feel for his past conduct and the gratitude we feel for the benefits we have derived from him, but our deep regret that we are about to lose him as a member of our society; [*applause*] and so selfish is our nature that I fear this impression has been uppermost in my mind ever since this entertainment was proposed; but I feel bound on your part and on my own to discard it. It is a selfish consideration. We know that he quits us to add to his own reputation, and to add the happiness of those he is destined to govern, and in so doing to do all that his life shews he has ever thought valuable. The Governor-General has alluded to what I said when this meeting was first proposed. I acceded with infinite pleasure to the honor conferred on me in nominating me to fill the chair. I did so not without feeling my own inability, but I felt that it became me to accept what was so kindly offered, and to take the only opportunity in my power of joining the public of Calcutta in stating my admiration of the virtues, public and private, of Sir Charles Metcalfe. The Governor-General has said that I stated on that occasion that my official situation did not in my opinion preclude me from taking the chair, because it was an assembly of the society in which Sir Charles Metcalfe had lived to express their kind feelings towards him, and not connected with any expression of political feeling. If I may be permitted to draw the distinction between an assembly congregated for the expression of political opinions, and one met for the expression of the public mind towards a distinguished member of society, I think that justice cannot be more properly employed than in awarding that tribute which eminent services deserved. If I were to detain you by tracing the life of our distinguished guest from the first period when at an early age he was selected by one of the greatest statesmen that ever governed India to form part of his private family, to be entrusted with the Secretaryship of the private and secret department;—if I were to trace him out from that early age when the Marquis of Wellesley so choose him out, along with Martin, Mountstewart Elphinstone, and a number of other distinguished politicians, who all acted with him in the service of that noble and eminent person;—if I were to trace him from the time when he was chosen by that great judge of character to fill important stations, when Mr. Elphinstone was deputed with one army and my friend on the right with another, at an early age, to exercise his first political functions in that country to the Government of which he is now called;—if I were to trace him through the subsequent periods of his life in the establishment of one of the most important branches of the Empire, near the dominions of that Prince of whom I see a late officer at this table;* [*cheers*] if I were to trace him through the whole of his important duties on the other side of India;—if I were to attempt all this I should do that which would be quite unnecessary in this assembly, in which I might be betrayed into saying what delicacy should forbid me to express: but I am sure I should not be able to do justice to his eminent services. I have detained you too long. [*Applause.*] The subject is one which to you requires no expression from me. Give me leave, gentlemen, to conclude with conveying to our distinguished guest our fervent hopes that his happiness, health and prosperity in the country to which he goes may be equal to the wishes of those he leaves behind him [*long and deafening applause.*] A bumper gentlemen, standing, with all the honors, to the health of Sir Charles Metcalfe. [*renewed cheering.*]

*Air.*—CHARLIE IS MY DARLING.

*Sir Charles Metcalfe.*—Gentlemen, you must be sensible that the honor you have conferred on me is so overwhelming, that I cannot find any language to convey to you even a faint notion of my sense of your exceeding kindness. The difficulty is increased by my not being aware of having any claim to so great an honor [*applause.*] It is pure generosity on your part, which can only be met by lasting gratitude on mine. I was prepared to part with the society of Calcutta with deep regret, after the long intercourse I have had with you, during which I have experienced numerous proofs of friendship and good will, but I was not prepared for this public, signal, magnificent manifestation of your kindness. It is, gentlemen, an honor of which I shall be proud to the last hour of my existence, coming as it does from such a society, than which there is not in the whole world one that is more independent, intelligent and noble minded [*cheers*] and coming as it does from such a society, I feel that I have a right to be proud of it. I am fully sensible that I have no title to it; [*cheers*] and that it proceeds entirely from your kind dispositions; but to be the object of so much generous feeling I consider to be a just cause of pride. I might go on, enlarging on your goodness and my own unworthiness, for of these things my thoughts are full; but I will not longer detain you, and will therefore beg you to accept my fervent and heartfelt thanks for your unbounded kindness. The recollection of it will cheer me throughout life, and furnish me with new motives to pursue the right path in all things, in order that I may not discredit this distinguished mark of your approbation. I cannot refrain from offering my warm thanks to your excellent President, Sir John Grant, for the high and flattering manner in which he has given expression to your generous sentiments. This is far from being the first instance in which he has made me sensible of his kindness, the remembrance of which will ever be grateful to me. In acknowledging my gratitude for the very flattering sentiments that have been just expressed towards me, I cannot refrain from regretting the absence of the Governor-General. His expressed intention to be present had he not been prevented by the state of his health is another of the numerous proofs of kindness I have experienced from him during the years that I have had the honor to be a member of his administration; and I am quite unable to express the sense I feel of the handsome manner in which he has communicated his inability to attend. I quit his council with regret, and regret still more that he is so soon to quit us, and to resign the Government of these dominions into other hands. I can only anxiously wish what we can scarcely hope that his successor may be as able and as competent to discharge the duties of his high office as he is, and as anxious to uphold the honor of our country and to promote the welfare of the millions in this country committed to his care as he has been. Once more permit me to offer you my most grateful thanks [*long and continued cheering.*]

The Chairman then gave "the Queen and the Royal family."

*Air.*—GOD SAVE THE KING AND QUEEN.

*Sir John Grant.*—It is a source of embarrassment to me that the healths of those whom I most esteem are to be combined in my mind with feelings of regret. The toast I am about to give you is that of a distinguished individual whose residence, I am sorry to say, is not to be long among us. I need not say that I allude to the Governor-General of India [*loud applause.*] It is not for me in the situation I now hold

* General Allard.

to allude to times which are past, when I had the happiness of acting with that distinguished individual in political matters. We are not here to discuss subjects of this kind, and I will abstain from them; but this I may be permitted to say, there never was an individual who acted in public life in any capacity who more acquired the confidence of those with whom he was associated. You are better judges than I can profess to be of his conduct in the Government of India, [*applause*] but no man living can doubt that the object of his Government has been to promote the happiness of the people who lived under him. I cannot help alluding, and I think no man in future history will ever look to the *reign* of Lord William Bentinck without recollecting that glorious achievement of his in this country, the putting down of the sacrifice of those unhappy females who were offered up at the shrine of barbarous superstition [*loud applause.*] In this as in every other matter which has conduced to the benefit of India my honorable and excellent friend on the right hand has participated [*applause.*] I will detain you no longer, but propose to you with all the honors the health of the Governor-General of India [*loud applause.*]

*Air.*—"UP AND WAUR THEM A'WILLIE."

THE NAVY.—*Air.*—RULE BRITANNIA.

HIS MAJESTY'S ARMY.—*Air*—BRITISH GRENADIERS.

*Sir John Grant.*—I rise to propose another bumper toast to the health of another guest whose presence I am sure you will all be happy to find afforded on this occasion. At all times it would have given me, and those who know him, the greatest pleasure to have his society, but on the present occasion I am particularly glad that he is amongst us, that he may see what sort of people we are, [*cheers*] and how we can estimate qualities very like his own. His presence restrains me from saying more than this, which I am enabled to say from the testimony of not a very short acquaintance, that the more you know of him the more you will like him, and the more reason you will have to estimate him in every quality, both of the head and of the heart. Of this I think I can assure you that in those qualities nothing will be found wanting to promote the prosperity of those whose interests are committed to his charge. I wish him most heartily success, and I wish him that which he wishes to all mankind, the enjoyment of uninterrupted health and happiness. I beg to give you the health, I was going to say of the Governor of Madras, you will forgive me if I give you the health of Sir Frederick Adam [*applause.*]

*Air.*—BLUE BONNETS OVER THE BORDER.

*Sir Frederick Adam.*—I rise to return thanks for the handsome manner in which my health has been drank with some degree of embarrassment, because the honor which has been conferred on me was unexpected, and because the manner in which it has been conferred on me, totally unknown as I am to this society, I feel to be totally undeserved. The worthy president said that he was glad to have me amongst you that I might have an opportunity of seeing what sort of people you are in Calcutta, and I assure you I am very glad to have had that opportunity. At any time it would be highly gratifying, but on an occasion like this it is a happiness that I deem peculiarly so; for though my personal acquaintance with Sir Charles Metcalfe has been very short, only since I have met him in Calcutta, yet there is no man who attends to the transactions of India who can be ignorant of his high character as a public man; but I have been accustomed to hear of Sir Charles Metcalfe, or to read his name, from one well capable of appreciating him, who well knows him, and who is well known here, and it is what I have heard from him that has given me a higher opinion of Sir Charles Metcalfe than the perusal of any public or other documents. Your president has done me the honor of drinking my health personally rather than as Governor of Madras. I feel the honor the stronger, because I am confident, and I say it with honest pride, that the name I bear is the best recommendation that could be given you [*applause.*]

*Sir John Grant.*—The health I am now about to propose to you is that of a new body, and I therefore think it necessary to preface it with a few observations; but as it is composed of very old friends I think the observations need not be more than a few. The toast is one that I believe has never yet been given, "the Council of India," and I am particularly glad that in giving it I give the healths of gentlemen with whom we are all well acquainted, and upon whose merits you will form a just opinion without anything being necessary to be said by me. My honorable friend who sits next me but one* is well known to most of you; to me he has been known but for a short period, but that period has been long enough to enable me to acquiesce in your opinions, and to feel the most sincere regard for him. With the gentleman next to him I have had the happiness of a shorter acquaintance, but his character is well known in this country. Gentlemen, all these persons require nothing from me to recommend you to drink their healths with great sincerity and all the honors but the bare mention of the toast I gave you, the Council of India [*applause.*]

*Air.*—LIFE'S A BUMPER.

*Sir John Grant.*—I purposely omitted the name of one Member of the Council of India, because I thought that as a stranger amongst us, it became us to treat him separately and by himself. (*Loud applause.*) He has brought with him here a high and a well deserved character, (*applause*) and unless he shall entirely falsify the expectations which have been entertained of him by persons highly capable of judging, his arrival will be attended, to the inhabitants of India, with the most essential advantage. He has come here charged with the fulfilment of duties of no ordinary sort. I may perhaps be thought to be influenced by the habits of the profession when I say that of all the institutions of a country the first and most essential are its laws. To improve the institutions of a people without violating their prejudices, without counteracting the slow progress of civilization, without hazardous experiments, but on sound principles, is a task of no ordinary nature, and the distinguished and eminent person of whom I am now speaking will permit me to say to him, that that which he has undertaken is that which, if well performed, will reflect the greatest credit on his name, and in the performance of which he will meet with many and serious difficulties. I wish to him and to those associated with him in the task the utmost success. I wish them to be forwarded in their views by the assistance of all those who have influence in the society of India, and I wish the inhabitants of this country those happy results which ought to be derived from a system of wise and careful legislation. I beg to give you the health of Mr. Macaulay, (*loud applause*) and success to the Legislation of India.

*Mr. Macaulay.*—I did not expect when I entered this room that I should in this manner be called on to express my gratitude. It is not easy for me, and I hope not necessary, to assure you how much gratitude I feel for the manner in which my health has been proposed, and the manner in which it has been received by this company. I am particularly grateful to my honorable and learned friend for coupling my name with those weighty and important words—the Legislation of India. Gentlemen, I feel myself rather indisposed this evening, and can only return you my sincere thanks for the manner in which you have drank my health, wishing you every degree of prosperity and happiness; and I particularly direct that wish to the distinguished individual, our guest, though any thing that I could say in his praise might be deemed superfluous, surrounded as he is by friends of many years' standing. Seeing as he sees this hall filled by friends whose friendship and admiration have been strengthened by a continued knowledge of his merits, it is impossible that he can place any value upon any tribute of respect that can be offered him by a stranger. I would not, however, willingly sit down without doing honor, not to him but to myself, by joining the voice of one stranger with that of

* We believe Sir John Grant alluded to Mr. Blunt.

the society of which he is the most conspicuous ornament, and congratulating him on the manner in which he leaves us, and myself on witnessing the proof that in Indian society the path of rectitude is the path to honour (*long and loud applause.*)

*Sir John Grant.*—I rise to propose a health which I think cannot be forgotten in an assembly of this kind. I may be betrayed by private friendship into too high an estimation of the person whose health I am about to propose: if so it is the betrayal of a long and intimate acquaintance with him, which leads me into a sincere conviction, that no person now existing can have a more anxious desire for the prosperity of India, or be more sensible of the responsibility which attaches to his situation than the person whose health I am about to give. I say nothing more, lest it should be said that I am betrayed by private friendship where I am only conscious of acting on principles of public duty. I give you, Gentlemen, the President of the Board of Control.

The health of the Governor of Serampore, the representative of His Danish Majesty, was then drunk, and suitably acknowledged.

*Sir John Grant.*—From Statesmen and affairs of State, I gladly call your attention to that part of Society for whom those Statesmen are most glad to toil, and whose smiles I believe the bravest of them consider as their highest reward. I am quite sure that more amiability, more kindness of disposition, more fascinating and agreeable manners, cannot be displayed than by that distinguised person whose name is placed at the head of the toast I am about to give to you, nor one more fit to head that society whose health I mean to include in that toast. Gentlemen, it would have better become me at an earlier period of life, and in a less grave capacity [*laughter and cheers*] to have expaciated upon those qualities which are so calculated to bestow upon them the greatest—[*here the Chairman's voice was drowned by the reiterated cheers of the company.*] I perceive from the reception you have given to what I have said, that I need say no more to your drinking, at least with three times three the health I am about to give. I give you the health of Lady William Bentinck and the Ladies of the Presidency [*long and loud applause.*]

*Air.*—HERE'S A HEALTH TO ALL GOOD LASSES.

*Sir John Grant* then gave a toast, which he said required no preface at all, namely, the Civil Service of India.

*Air.*—HOME, SWEET HOME.

*Mr. Pattle.*—I cannot, after a service of nearly half a century, urge that it is strange to me to address you on an occasion like the present, but I had hoped that some one of my brethren younger than myself would have undertaken a duty far better suited in this vast Hall to their more powerful lungs and constitution, and which would have received from their vivid and glowing imaginations an impressive eloquence much beyond the reach of my humble pretensions. It is the custom of the bar, which we would do well to follow, for the youngest member present to express their sentiments whenever occasion like this arises for a public declaration on their part. These are days pregnant with good reforms, and I respectfully hope that which I have ventured to suggest to my brethren will not hereafter be forgotten. Gentlemen, I address you desirous that a gratifying duty should not be wholly omitted, and I trust to your wonted indulgence to excuse the inadequate attempt I shall make to give utterance to feelings in which it is my good fortune that all here participate.

The Civil Service may be justly proud that this civic feast—a high compliment arranged in the best taste of ancient and modern times—entirely worthy of the congregated donors and equally worthy of the acceptance of our honored guest, I say the Civil Service may be justly proud that such a tribute of respect is paid to one of their brethren by this assemblage of worth and talent.

The Civil Service may be no less proud that on this public occasion they can fearlessly assert that time has not diminished their title to the very honorable and distinguishing encomiums passed on their body by a Castlereagh and a Canning in the Senate and by the most preeminent of their successive Governors. If former days produced a Warren Hastings, a John Shore, and a Hilaro Barlow, more modern days have been marked by a John Adam, a Mountstuart Elphinstone, a Holt Mackenzie, a William Blunt, and I may add with great exultation one more name, second to none of these I have mentioned, a Charles Metcalfe.

The service to which I have the honor to belong, may reasonably exult that our honoured guest has been considered by the high authorities at home so indispensable to the councils of this country, that the limited period of five years in his case was extended to seven, and then succeeded by his being created a Governor of Agra with an additional patent appointing him to preside over all India in the event of our Noble Governor preferring to return to England before his successor might arrive.

Gentlemen,—I will not attempt to discuss the official acts of our honoured guest nor to particularize the claims they give him to the gratitude of all classes of this country, but I will briefly and confidently assert that it has been the incessant anxiety of his public life to give his most powerful support to all measures, promising "the utmost good to the greatest number." This golden principle has always swayed his public conduct, and it could not be well otherwise without violating feelings so entirely congenial with his inherent benignity, benevolence, and philanthropy. In fact the influence of this golden principle has ever made him feel an unconquerable repugnance to all measures, which have not that cardinal merit to recommend them.

With our honored guest's private virtues, his unbounded hospitality, his never refusing liberality to talent, and his bountiful charity to all objects of distress needing his assistance, it would be superfluous to occupy your attention. These virtuous have for many years past been familiar to your daily observation. Gentlemen, I feel I cannot conclude this imperfect address without offering to you my warmest thanks for the indulgent encouragement you have given to me, nor can I conclude it better than by giving you the following toast—"The Governor of Agra, the pride of the Civil Service." [This toast and the speech which introduced it, were received with loud and repeated cheers.]

*Air.*—HOME, SWEET HOME.

The Indian Army. *Air.*—THE BRITISH GRENADIERS.

*Sir John Grant.*—I am about to propose a toast which embraces two different subjects, but neither of which could possibly be omitted at an entertainment given to our distinguished guest. I think there is no person here who is not aware of the great benefit conferred by the benevolent exertions and contributions of my honorable friend. I mean to give prosperity to the native education of India, and the charitable institutions of Calcutta. He has ever felt as I humbly feel also, that if you would maintain your dominion in India, you must educate the natives of India,—if you would prepare for that which may sooner or later arrive, the leaving them to their own resources, that they should not be left by Englishmen in a situation in which they cannot maintain their own independence and promote their own happiness. With regard to the charitable institutions in the place we live in, where is the individual who has contributed so largely to their support as our guest? Were claims ever made on his humanity in vain? Wishing well to these institutions, I have thought it inseparable from the duties of a chairman of this meeting assembled in honor of my distinguished friend, to call to your attention these particular subjects, and in conjunction with him to drink to native education and the charitable institutions of India.

After the above toast had been drank, the glee of "Life's a bumper" was sung. Sir John Grant then said, I am about to give you a toast which you may think very different from the burthen of the song

you have just heard—you have just heard a song about "mirth and music, love and wine,"—I am going to give you a toast about law and litigation; and yet when I do so, I think I shall mix it up with the names of persons whose amiable qualities will command your affection and esteem. I may be accused of partiality, but I shall have at least the credit of experience when I say, that the gentleman whose name I find at the head of the toast, and those included in it, are entitled from the community of this place to every degree of praise, I may say of gratitude. The administration of the law, we are all aware, is of the utmost importance: that law cannot be well administered without an honest and an able Bar; and when I say to you that I am about to give you the health of the Advotate-General and the Calcutta Bar—[*great applause.*] You have prevented me from finishing my sentence, but you have shewn me that it is quite unnecessary.

*Air.*—LEARNED MEN.

*Mr. Pearson.*—I do assure you, Gentlemen, that I have felt, and feel, most truly gratified by the manner in which you have received my name, nor do I feel less so at the compliment paid to the Bar; and in their name and my own I beg to offer you my grateful thanks. You, Sir, who have upon so many occasions to hear me at what you may sometimes perhaps consider an unjustifiable length will be the happiest of mankind that I shall be brief upon the present occasion. [We did not catch the concluding sentence of the Advocate-General's address.]

*Sir John Grant.*—I have to call your attention to the presence of another eminent guest who has favored us with his company on the present occasion, and I do so with the greater pleasure because it calls to mind the intimacy of that connexion which happily subsists between his country and ours. The Kingdom of France of late years has been actuated by principles the wisest and most likely to contribute to the happiness of mankind [*applause*]. Our friends upon the other side of the Channel, as we should say if we were in England, have been humorously stated to join with the appreciation of their own merits some appreciation of the merits of Englishmen, and to have said of England and their own country—"We are the two nations." I have so much of the same vanity, and so much esteem for that nation, that I join also in saying—"We are the two nations" [*cheers*]. But at present we are the two nations embarked together in the cause of liberty and civilization; and while we continue to direct our united efforts to these objects there is no man in Europe who must not duly estimate the value of our union. There is no philosopher, and as such and not as a politician I am now entitled to address you, that will not acknowledge that that union promises more of happiness to mankind than has ever been on any former occasion afforded by the junction of any nations. I beg to give you the health of General Allard [*great cheering.*]

General Allard said in his native tongue that he could not better reply to the eloquent and handsome manner in which the worthy president had proposed his health than by drinking to the union and prosperity of La Belle France and Gallant Loyal England [*cheers.*]

The merchants of Calcutta. *Air*—MONEY IN BOTH POCKETS.

Sir Charles Metcalfe after a few very brief comments proposed the health of the chairman, which was drank amidst loud acclamations.

*Air.*—ROTHIEMARCHUS RANT.

*Sir John Grant.*—I cannot find words to express how greatly I feel the honor of your kindness. I have never been in any situation which has given me more pleasure, or that has reflected more credit on me than the one which the choice of the society of this city has placed me in on this occasion. I think the occasion of our assembly, although as I said in my first address it is not unattended with some painful reflections, is one to be considered not merely as a private indulgence of feeling, but as a public declaration of approbation. If any effort that I could make on such an occasion has at all contributed to the due expression of your sentiments, it gives me very great satisfaction; and I am sure that where I have fallen short I shall meet with your indulgence [*cheers.*]

*Air.*—GOD SAVE THE KING.

The chairman, his guest, and a great portion of the company then retired, but the remainder kept up the feast of reason and the flow of soul till a late, or rather an early, hour on Saturday morning.—*Hurkaru.*

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## ST. ANDREW'S DAY.

Upwards of two hundred persons sat down to dinner at the Town Hall on the 1st December, to celebrate the anniversary of Scotland's Patron Saint. Mr. Macaulay presided as chairman, supported on his right by Sir Charles Metcalfe and Colonel Morrieson, and on his left by Sir Frederick Adam and Sir John Grant, and Mr. Leith acted as croupier. After the removal of the cloth the following toasts and speeches were given.

THE KING. *Air*—GOD SAVE THE KING.

THE QUEEN AND ROYAL FAMILY. *Air*—SHE IS A WINSOME WEE THING.

THE PIOUS MEMORY OF ST. ANDREW. *Air*—CALEDONIA.

MR. MACAULAY.—Gentlemen! The toast I have now to propose to you is one which I believe in all parts of the world Scotchmen are this night drinking with feelings of sociality and pleasure, and no where, I am sure, will it be drank with feelings of greater pleasure than here, although in this country, exiles as we are, with 15,000 miles of sea between us and the country of our birth, those feelings of pleasure may be mingled in some degree with feelings of regret. At this very moment, making allowances for the difference of our relative positions on the globe we inhabit; our countrymen at home are no doubt drinking with enthusiasm the toast I am now about to propose to you, "THE LAND OF CAKES." It is commonly said by those who seek for topics of reproach against the Scottish nation, that their patriotism has something in it too intolerant, something too exclusive. I am not sure that I can entirely vindicate them from this charge, but yet the acknowledgment sounds to me very like an eulogium; and if there be a nation where such feelings would be excusable, it certainly is the nation which we all glory in being connected with, and our connection with which we are this evening met to commemorate. I had not the honor, gentlemen, of being born in Scotland, neither was I educated there, and I have only visited it as a stranger and a traveller; but it is impossible for any one so to visit it without being struck with its beauties. I have never seen any country equally interesting, even to a person who contemplated it without the prejudices of a native. It is not easy I think to explain from what causes that peculiar interest arises, but I think it is this, that it is the only country in which you find objects close together that produce at once recollections of ancient and of modern times. There you find objects which remind you of events that took place in the sixteenth century, close to others of modern date. There you find all those things that have an extraordinary hold on the hearts of the uncultivated inhabitants, as well as all those that can be found in the most civilized countries on the earth; and I do not know any country which contains so much that moves the imagination, and at

the same time fully satisfies and gratifies the reason. In that country has been found, from the middle ages, even down to our own time, the characteristics of a rude state of society, a barbaresque costume, a rude hospitality, and close to all these you have the most extraordinary miracles of industry and art. The common traveller as he wanders through that country follows the course of some meandering brook, which in one place he finds surrounded by scenes of the rudest and wildest nature, and going a little further he finds the water of the same brook the moving principle of a vast manufactory. As I am speaking to Scotchmen, if I were to select one scene which at once displays objects of a past and of a present age, I would select that beautiful capital, which consists of a mass such as is not to be seen in any other part of Europe. Every step you take fills you with recollections of the past, and you are conveyed in imagination to the sixteenth century—you have only to turn round and you see every thing that calls you back to the present times, and beyond it a fleet of steam vessels which our ancestors would have considered magical. This is the single charm. There is no country in Europe excepting Greece and Italy that so forcibly reminds you of times that are gone by, and there is no country in the world, not even America, that displays ruder scenes of primeval nature. The cause of this I believe is that prodigiously rapid increase which our country has made within the last century in wealth and knowledge. There is no country that has made so vast a stride in improvement in the last century as Scotland. We have abundant reasons on many accounts to drink prosperity to this country with pride and pleasure. I shall not dwell on the many titles it possesses to the gratitude of mankind, on what it has done for science or political liberty, nor will I enumerate to you the number of eminent and preeminent men it has produced, whose names must be familiar to your ears. I shall only say this that it appears to me that while we join in this festivity we are sympathizing with those who are taking it in other parts of the globe; and I am sure you will all heartily join with me in drinking, with all the honors, "THE LAND OF CAKES."

*Air*—AULD LANG SYNE.

Mr. MACAULAY.—The next toast I have to propose is that of the Governor-General of India [*applause.*] I shall beg to say but little on this subject. The feelings of private affection and respect with which I regard him are such that I do not wish, while he retains the situation he holds here, to give distinct expression to them. The time will come and too soon it will come, when no restraint will prevent me from saying all I feel. At present I content myself with proposing his health, with all the honors.

*Air*—WANDERING WILLIE.

The Glee of *Glorious Apollo* was here sung by some of the company.

Mr. MACAULAY.—I wish now to propose to you a health which I am sure you will all drink with pleasure, I mean the health of my venerable and gallant friend here the Governor of Madras. I will not in his presence distress him by saying all or any part of what I would gladly say in his absence; but of this I can confidently assure you, that, though no person present has seen a greater variety of human life, or served his country, both in the field and in the different offices of Government, in a greater variety of climates, there is no person here who retains a more truly British heart, or a warmer attachment to that country we have met to do honor to than Sir Frederick Adam.

*Air.*—A MARCH.

Sir FREDERICK ADAM.—I beg to return you my best and heartfelt thanks for the flattering manner in which you have drunk my health. My honorable friend on the right, if I had felt myself a stranger on an occasion like this, the celebration of a day which I have for many a year in succession celebrated at the head of a gallant band of my countrymen,—if I say I could have felt any restraint on such an occasion, the way in which my health has been drank would have made me feel quite at home. [*Applause.*]

Mr. MACAULAY.—We have just been performing the agreeable duty of drinking the health of a new friend. We have now the more melancholy yet pleasing duty to perform of taking a parting glass with an old one. You will expect that I am about to propose to you the health of the Governor of Agra. [*loud applause.*] I feel as I said on the night of Sir Charles Metcalfe's triumph here, and triumph I may well call it, I feel that it would be perfectly vain for any person lately acquainted with him to add any thing to the effect which must be produced on the mind by the enthusiasm that his very name calls forth from those who have known and valued him. I will therefore merely content myself with requesting you to drink to the health of Sir Charles Metcalfe in bumpers, with all the honors. [*Tremendous applause.*]

*Air.*—CHARLIE IS MY DARLING.

*Glee.*—MERRILY SOUNDS THE DINNER BELL.

Sir CHARLES METCALFE got up amidst loud cheering and said, Gentlemen, I beg you to accept my warmest thanks for the very flattering manner in which you have drank my health. This is not the first of many instances in which I have experienced your hospitality and kindness, but I am sorry it is the last on which I shall have the honor to be with you [*cries of no! no!*] Go where I may I shall bear a grateful remembrance of your cordiality; and this day will never return to me in any part of the world without bringing with it the pleasing recollection of the happiness I have enjoyed with the sons of St. Andrew in this Hall. In returning my thanks to your chairman for the manner in which he has proposed my health I cannot help congratulating you on having to preside over you one of the brightest ornaments of the House of Commons. You are rich in distinguished characters on this occasion. I see one who has carried the renown of our country into all realms, and obtained the respect of all foreign countries; I see another who is an ornament and an honor to the Bench; I see a third who has been selected from all the services of the three Presidencies to fill an honorable post under the Government. You have many more to be proud of, and among the rest your admirable President of last year. Considering how many eminent men Scotland has produced you will forgive me in saying that you have assumed a most inappropriate designation in calling it *the land of cakes.* [*Laughter and applause.*] If I could forget that I were an Englishman I should wish to be a Scotchman. [*Applause.*] And where is the difference? [*applause.*] Are they not all the same? [*applause.*] Scotchmen, Irishmen, or Englishmen, does not the same heart and the same spirit animate us all? [*applause*] Are we not united in brotherly love and affection, and so united are we not a match for the whole world? [*great applause.*] In releasing you from my tediousness, [*cries of no, no*] it occurs that this is the last time that I can have the honor of addressing you, and in returning you my most grateful thanks, I wish you from the bottom of my heart, health, prosperity and happiness. [*Great applause.*]

THE CROUPIER here rose and said, the toast which I have the honor to propose embraces for its object, the collective wisdom of India. It is not, however, alone on this account, that the *Council of India* is entitled to this tribute of respect. There are but few men that can judge of and properly estimate the public conduct or public acts of a government, and this is not the place, even if I had the ability, to attempt the task. All men can, however, estimate, and, I am sure, all present do appreciate, the social virtues, the talents and private worth, which distinguish the individual members of Council, and as fellow citizens and members of society they are well entitled to, and possess our highest respect. There is one of that honorable body, a fellow countryman, whom illness, some time since, unfortunately compelled to quit his place at the Council Board, but who would have been among us this evening had the winds proved more propitious to him on his return-

ing voyage. However much we may regret his absence, and no one regrets it more sincerely than I myself, it is gratifying to know that he is returning to Calcutta, with restored health and renewed energies, to discharge his public duties which receive a reflected lustre from the charities and amenities of his private life. There is a distingui-hed member of the Council of India, besides our Right Honorable Chairman who has honored us with his presence this night, and he too is a countryman. Although personally a stranger to many of us, none of us are strangers to the high character which he has earned for himself on the other side of India. In that honorable gentleman meet the rare qualities, consumate military skill and those talents which eminently fit him for taking an important part in the deliberations of that body to whom is confided the government of this vast empire. To Colonel Morrison our congratulations are due on his assumption of this high office, and to him as a Scotchman I would offer in the name of our fellow countrymen present 'a highland welcome.' I have now the honor to propose the health of the *Honorable Colonel Morrieson and the Council of India*,—with all the honors.

*Air.*—TULLOCH GORUM.

Colonel MORRIESON returned thanks, but in an inaudible voice.

Mr. MACAULAY.—In mentioning the toast I am now about to propose, I almost dread I may incur some censure from the distinguished individual whose health I wish you to drink, for I am so well acquainted with the judicial austerity with which he regards the duties of his high office that I almost fear lest he should consider any praise towards the judges something like a contempt of Court; yet I hope and trust he will so far relax from that honorable austerity as not to deprive us of the pleasure of drinking to integrity and independance when we drink to Sir John Grant and the Judges of the Supreme Court. [*applause.*]

*Air.*—THE JUDGES ARE MET.

Sir JOHN GRANT.—I rise to return you once more the thanks which I believe I have in very much the same terms addressed to you annually since I have had the pleasure of being a member of your society. To your distinguished chairman, for the manner in which he has proposed my health, and for the connexions he has associated with it, I feel deeply indebted: I take his judgment to be one of which every man may be proud, if in his favor, and the manner in which you have received the toast, is a judgment from which there is no appeal. Attached as I am to the country that gave me birth, fond as I am of those annual associations which bring back to our recollection that country and the numerous virtues which adorn it, and the numerous ties that bind us to it, I feel gratified at seeing the attendance at these assemblies increasing yearly, till it has arrived at the number I now have the pleasure to see. I rejoice more particularly that you have now in your chair a person of such distinguished eminence, a person who though he states that he was not born nor educated in Scotland, we will yet not part with a Scotchman. His birth and his education he will give me leave to tell him are accidents,—his descent is that which constitutes him what he is. Gentlemen I will occupy no more of your time than merely to say that if in the situation in which I have been placed, I have been so fortunate as not to disgrace the country from which I came. [*Applause.*] I have attained all that I could wish, and attained, I am quite sure, that which is necessary to the public service in the situation which I have the honor to fill. (*Applause.*)

Mr. MACAULAY.—I have had the honor of proposing several toasts which have been received with well merited enthusiasm. I have now to propose one which deserves to be received with more enthusiasm than that of the best of Governors or Judges. It is one which expresses our feelings towards that sex every where the charm of life, and here more particularly our only solace and support. It is unnecessary I am sure in in any society of Scotchmen,—for one of the most distinguished foreign writers of our time has stated that on the whole Scotland is that country in Europe where women are most loved, and deserve it best—it is unnecessary, I say, to dilate on the merits of that distinguished lady who stands at the head of female society here, or of that female society which is the greatest charm of this presidency. I shall therefore content myself with requesting you to drink with all the honors,—It is unnecessary to say with all enthusiasm—"Lady William Bentinck and the ladies of the Presidency."

*Air.*—GREEN GROW THE RUSHES O

*Glee.*—TO ALL YOU LADIES.

THE CROUPIER in proposing the Chairman's health, said:—Mr. Chairman and Gentlemen, the honor of proposing the next toast has devolved on me. In rising to perform this duty I would have felt some hesitation from a diffidence in my own powers to do justice to the subject of the toast, had I not been convinced, as I am, that the reception which a toast may meet depends more upon the intrinsic merits of the individual named than upon either the manner or address of the proposer. With these views I anticipate the warmest reception for this toast, as the private merits of our Honorable Chairman are known to many of you, his public merits to all. Placed by you in the situation, which I have now the honor to fill, it would ill become me to break in upon that unanimity of sentiment and feeling which ought to pervade every convivial meeting, and which I am happy to see does pervade the present. I shall, therefore, avoid all allusions to politics. If to the navigator of unknown seas, and to him who surveys and measures the architectural remains of ancient grandeur, honors are paid, much more are they due to him who has come among us to navigate the ocean of mind, to survey and examine the civil institutions, and to guide the intellectual and moral capabilities of an ancient people of the East, and—being prepared for the task with a mind disciplined by the study of universal jurisprudence, and other appliances to boot,—to adapt to their peculiar wants and capabilities such parts of the laws and institutions of the now more refined state of society in the West, as may secure to them a more perfect and equal administration of justice, and the enjoyment of a higher and more permanent degree of happiness. Such is our Honourable Chairman's high commission. Of his qualifications for the duties before him it is not for me to speak nor is it necessary; his past almost unprecedented career of honorable and deserved distinction, which is known to all, is the best guarantee of his future success. To particularize other incidents either in the public or private life of our Honorable Chairman although they might well form the subject of eulogistic remark, would be alien to my own feelings of delicacy, and I am sure, distasteful to the sensitive mind of that gentleman himself. This is, however, a topic to which as a Scotchman I feel proud to refer, and as such it would be culpable in me to overlook. If Scotland had the honor of taking the lead in a particular class of literature which is daily becoming more popular and useful; it is equally true that this literature owes much to the genius and talents, and to the powerful and eloquent pen of our Honorable Chairman for the high place which it still holds in public opinion. As our Chairman, our thanks are due to that gentleman; and apologising for having so long delayed your participation in the pleasure which, I am sure, all will receive in drinking to the toast, I have the honor to propose the health of our Honorable Chairman with three times three.

*Air.*—WHAR HAE YE BEEN A'DAY MY BOY, TAMMY.

Mr. MACAULAY.—It is needless for me I am sure to say that I return you my most hearty thanks for the manner in which my health has been proposed and drank. It has given me the greatest pleasure to attend a society so far from Europe where there is so much of British, so much of Scotch feeling, of all those feelings which form the best connection between ourselves and our native country. I have

already told you that I am not a Scotchman by birth or by education, but I am by descent, and my affection is equally divided between the two parts of the Island; and this brings me to my next toast, which I shall give before I sit down. You will be surprized that one who calls himself as much of an Englisman as a Scotchman should give with so much heartiness as I do "the memory of Sir William Wallace and of Robert Bruce," and if those distinguished men had gained their victories in any vulgar war, whether on behalf of England or of Scotland, it would have been by no means justifiable in me to propose a health that could in any way have recalled irritating recollections; but it is as much the English as the Scotch part of the company that will assent to the justice of that toast. In England we can have no other feeling than that of respect for men who stood up in bad times to maintain the independence of their country against unjust aggression. No Englishman can look on them,—a commoner who first broke the force of a haughty Aristocracy and by his own merits placed himself in the dignified station of Regent of his country, and a King who placed himself at the head of his people and fought with them on foot in defence of their liberties,—I conceive that these two eminent men whose health I intend to propose were benefactors not less to the southern than to the northern part of the Island. No greater calamity could have befallen England than if, from the want of such men, she had been able to place on Scotland the yoke she abhorred, and to have her even down to this time perhaps a conquered nation. I am not aware that I touch upon political feelings, from which I am desirous to abstain, when I say that it would have been a most happy thing for the British Empire if Ireland had had her Wallace and her Bruce, if it had not in those dark ages come by conquest under the arbitrary yoke of England but had been like Scotland gradually amalgamated with England by pacific measures. On the other hand it would be the greatest calamity if at that time we had been cursed with another Ireland, if from the want of such men we had acquired a country to be governed through a succession of ages by military force. It is not as an Englishman—not as a Scotchman—but with an undivided British heart that I propose to you the healths of Sir William Wallace and Robert Bruce.

*Air.*—SCOTS WHA HAE WI' WALLACE BLED.

Song.—SCOTS WHA HAE WI' WALLACE BLED.

Lord Aukland and the British Navy.

*Air.*—RULE BRITANNIA.

Lord Hill and the British Army.

*Air.*—BRITISH GRENADIERS.

The Commander-in-Chief and the Indian Army.

*Air.*—GO WHERE GLORY WAITS THEE.

Mr. MACAULAY.—I have said that it is desirable to abstain from political topics,—it is still more desirable to abstain from theological ones. I am desired however to propose the health of Dr. Bryce and the Scotch Kirk. Whatever may be our opinion on political subjects or on the different forms of Church Government, no one will deny that the Scotch Kirk has invariably been found in times of peril on the side of civil and religious liberty, and to this day it possesses a strong hold on the affections of that great and united people. Without entering into the question of its constitution and formulae, these are questions that no person acquainted with the history of the country will dispute. I propose to you the health of Dr. Bryce and the Scotch Kirk.

*Air.*—MY AIN KIND DEARIE.

Dr. BRYCE.—In doing me the honor you have done me in drinking my health in conjunction with the Church to which I have the honor to belong, you have imposed on me a task pleasing indeed, but not so easy in the execution as gratifying in itself. I could have wished to keep silent altogether had I not known that it would be expected of me to return thanks. For myself I thank you most cordially. It is twenty years this day since I first entered the service of the Company as a Chaplain on their Establishment, and if in that time I have acquired your approbation, rich is my reward,—a stronger stimulus cannot possibly be afforded. I feel easy when I escape from myself and speak on a subject infinitely more worthy of your notice, the Church of which I am a humble member. Her character and utility are too well known to require any encomiums from any quarter, and much less would it be becoming from one of her own number. It has been stated what that Church was and what it did in days of peril and danger to civil and religious liberty. We have no such perilous days at present, though danger may be apprehended by some from doctrines that are now spreading in the world; but I have no fear for her stability, no regret at any opposition, for it will call forth virtues that have for many years been lying too dormant, energies which many believe her not to possess. Dr. Bryce then passed a flattering eulogium on the Church of England and some of its brightest ornaments, and concluded by proposing the health of Dr. Wilson, the Bishop of Calcutta, and the Church of England.

Mr. MACAULAY.—The toast which I am now about to propose is extremely well chosen for such an occasion. It is "the memory of Robert Burns." It is extremely well chosen from the whole of the literature of Scotland, rich as it is in great names from the earliest times. We can boast of a Buchanan, a Smith, a Sir Walter Scott, and many other names of literary celebrity; yet I confess if I looked out for a representative of the national genius, for a mind which abounded with the flavor of the soil, of all the writers Scotland ever produced I should certainly fix upon Burns. As for those other eminent men they were acquainted with the literature of many ages, to them classical learning was familiar; but Burns had nothing but the literature of the plain Scotch peasant. He wrote plain Scotch. Whenever he attempted to write English in my opinion, he always fell below himself, and I do not feel any great admiration for any of his works excepting those that he wrote in his own native dialect. His seems to have been a mind filled with images of the cottages and fields in which he passed his youth. His language is the plain language of Scotland, and with nothing but these materials and his own original genius, he came forth in the most benighted period of English poetry, and produced a succession of works which if they do not equal those of Shakespeare and Milton, are imbued with the same spark and spirit that are to be found in poets of the first class. I think therefore that your stewards have done most wisely in selecting his memory as an object of our respect, because I conceive it would be impossible to find in the literature of any country any man so much the image of the mind of his country as him. I have therefore much pleasure in proposing the *health* of Robert Burns.

Some of the company here began to cheer, when the chairman observed that it was usual to drink this toast in solemn silence.

Dr. GRANT. Not in silence. I say it is a toast of triumph, and we'll drink it in cheers.

The company immediately adopted the advice of Dr. Grant, and the toast was drank amidst enthusiastic cheering and applause.

*Air.*—THE FLOWERS OF THE FOREST.

Dr. MELLISH proposed the health of the old chairman of the St. Andrew's dinners, Mr. Cutlar Fergusson, which was drank amidst applause.

Mr. MACAULAY.—The toast which stands next on the list is the Civil Service of India, and there can be no toast that I would propose with greater satisfaction. I have had but a short opportunity of observing the conduct and characters of the public functionaries in this country, but I have had the opportunity of comparing the functionaries here with similar ones at home, of comparing those who here exercise the higher powers of Government with those who exercise similar powers at home, and judging impartially, and making every allowance for the

different state of things, and the early ages at which they leave their native country, I have no hesitation in saying that the Civil and Military Service in this country are, as far as I am able to judge, in no way inferior to those in Europe. The politics of India are necessarily different from the politics of Europe,—the revenue system here is not the same as it is at home —the diplomacy required with Oudh and Joudpore is not the same as that required with Paris or Madrid,—the details of business is different,—the mode in which the two countries are governed is different,—the Government of the one is carried on by means of the tongue, of the other by the pen,—of one by open discussion in Parliament —of the other by minutes and dispatches;—but when you have made allowances for these differences, you will be inclined to say, as I without hesitation do, that I have found in India abilities *for* the purposes of Government diplomacy equal to any I have ever seen employed, having seen the most eminent that are employed in the Government of England. I am convinced we shall drink this toast with the greater satisfaction when we consider how large a proportion Scotland has furnished to the Military and Civil Services of India. Munro and Elphinstone were both Scotchmen. Munro died in this country, and I leave his eulogium to those who knew him. Elphinstone I have seen. I have seen him in England in a society widely different to that to which he had been accustomed. I have seen him supporting the dignity of his own character in the crowds of London, who seemed at once to be impressed with the idea that they were approaching a great man. It is difficult to describe what I mean, but there are some here who will no doubt understand me when I say that I never saw any man who carried about him more of the character of greatness than he did. It was impossible when you saw him not to think that you spoke to a very great man. He was one of the very few who enjoyed in England a fame commensurate with his merits, for it is a fact that cannot be denied that the public in England pay little attention to the proceedings of this country or to the merits of its public servants. This is a circumstance that I have often when speaking to him regretted, imperfectly as I was then acquainted with the merits of those services; and it is a circumstance which, since I have become better acquainted with them, I regret still more. It is among the thoughts that are the most agreeable to me that I may be able to awaken a more just appreciation of the merits of those services,—to turn the attention of those who only want better information to act differently to the preeminent services which have been here rendered to the British Empire and to the honor of the British name, by the servants of the Company. Gentlemen, I propose with the greatest pleasure, the Civil Service of India.

*Air.*—TODLIN HAME.

Mr. PLOWDEN returned thanks on behalf of the Civil Service.

Mr. MACAULAY.—The next toast that I find in the list, is "the Calcutta Bar." [*Applause.*] My own forensic experience, gentlemen, has been extremely small, for my only recollection of an achievement in that way is, that I once convicted a boy before the Quarter Sessions of stealing a parcel of cocks and hens; but, gentlemen, I have sufficient experience to know well how many men of distinguished merits have resorted to the Calcutta Bar, and I earnestly hope that they will have the good fortune to get more briefs than I did.

*Air*—GROVES OF BLARNEY.

Mr. PRINSEP.—I return you my most hearty thanks on behalf of myself and my brethren, for the warm manner in which you have drank our healths, though I am at a loss to account for the warmth with which the toast has been received. The obligations between the Bar and the public seem to be all on one side. How often have the public been obliged to endure our pertinacity, which has sometimes degenerated into tediousness, and what can be found on the other side, except that warm attachment to the liberty of speech which I am happy to say has distinguished the members of my profession since the first planting of an English Bar on the plains of Bengal. I konw well enough the brethren of my profession can always maintain the same character. There was a time when the Bar was the nucleus of liberty in India. Happily there is now no longer any occasion for leaders, and we are content to be followers in the glorious cause. Mr. Prinsep concluded by proposing with all his heart, "Success to the Law Commission."

Mr. MACAULAY.—I have not proposed any toast with greater pleasure than that which I find next on the list, Old England and our English friends who have favored us with their company. It is unnecessary for me to tell you how close, how prefect is the union between the two countries, so close indeed that we form one body, and it is only certain ancient recollections and feelings of local attachment that separate us from each other. On every occasion in which it is necessary that the British nation should act as a body they go together as one man. Never for a century past has there been any disunion, and the feelings that exist are a sufficient security that the union will remain inviolate. I am sure every Scotchman here will join me in this toast with as much pleasure as I feel in proposing it,—Old England and our English friends.

*Air.*—ROAST BEEF OF OLD ENGLAND.

*Glee.*—THE BELLS OF ST. MICHAEL'S TOWER.

Sir CHARLES METCALFE.—It is incumbent on us your English guests to return our best thanks for the honor you have done us. Many here would do it better than I can, but we cannot leave it undone. I consider one of the strongest proofs of the intimacy of the union between Scotland and England to be that you have chosen an Englishman for your chairman; [*Great laughter*] for at least Mr. Macaulay has denied that he is thoroughly a Scotchman. England claims him by birth and education, and Scotland by parentage. They say a man is not a horse because he happens to be born in a stable, [*laughter*] therefore I fear England must give way to Scotland. At all events I think you are quite right to claim as your own one of whom either country would be proud, and I am sure he is in a proud position for whom two such countries would contend. I return you our best thanks, but as this would be much better done by Mr. Turton than by me I beg to leave the rest to him. [*Laughter and applause.*]

Mr. TURTON.—Thus called upon I certainly will not be wanting so far as to rise at least and offer my humble thanks, but I should like to know what I am to do where Sir Charles Metcalfe leaves me the rest after he has done. I know of nothing that I can add to it, unless I add some thing about the cocks and hens. I know of no other topic untouched. I beg to say as an Englishman that I feel most deeply the compliment that has been paid us. One observation is very commonly made of Scotchmen, that they stick very much together; but when they do they take some cement for the purpose, and that cement is generally of English or Irish composition. They are the only body in Calcutta that show any thing like an hospitable disposition. I believe I am the oldest legal guest that the sons of St. Andrew have in this room. I have attended every one of their dinners since I have been in Calcutta when I was not prevented by sickness, and they are the only annual public dinners that Calcutta can boast of. Returning thanks for my countrymen I beg they will look to themselves,—anticipating the hospitality of the sons of St. Patrick, I beg of them to remember St. Patrick's day; and if they only do one half that the sons of St. Andrew do we shall have something to thank them for. There has not been a St. Patrick's dinner in Calcutta since the year 1822, and the sons of St. George in consequence of his natal day occurring here in such hot weather never celebrate it. My friend Mr. O'Hanlon I see has left the room. I did promise that if the sons of St. Patrick would get up a St. Patrick's dinner, I would do my best for St. George. I thank you for listening to so much non-

sense with such good humour, but it is the fault of Sir Charles Metcalfe, who delights to get me up merely as a foil to himself.—I am happy to be so. [*Applause.*]

Mr. MACAULAY.—After the very severe animadversions that have been passed on our Irish friends for not entertaining us on St. Patrick's day, it is a question whether the toast I have next to propose will be received with much enthusiasm. There are more serious grounds that make me feel something like a reluctance to mention the name of Ireland in scenes of sociality like this; for I cannot hear it mentioned without feelings of peculiar pain, which I have brought with me from other scenes of political contention. There are some circumstances in the state of that unhappy country which make it peculiarly painful and unpleasant for any man accustomed to the transaction of affairs in England to speak of it. I do look on it with an affection and interest not inferior to Scotland or England, and only wish that the union which I find between the three nations here could be carried across the water. I am convinced that I need wish nothing more for the happiness of the Empire than that the union between Great Britain and Ireland were as cordial as between the English and Irish population of Calcutta. Whatever may be the feelings in another part of the world the only feeling here I am convinced will be that of cordiality and good will when I propose to you "the Emerald Isle and our Irish friends."

*Air.*—ST. PATRICK'S DAY IN THE MORNING.

Mr W. H. MACNAGHTEN in returning thanks for his Irish brethren replied to the accusation of want of hospitality by stating that his countrymen were not so fortunate as their neighbours in getting so many good and lucrative appointments, which he supposed to be the reason why so little attention had of late been paid to the memory of St. Patrick. He hoped however that something might be done, with Mr. Turton's assistance on next St. Patrick's day.

Mr. MACAULAY.—I wish the duty of proposing the next toast, "the mercantile community of Calcutta" had devolved on some person who had lived longer in this city than I have, as he would have found materials for a much better speech than I can give. My sojourn among you has been short, but not so short but I have found men worthy of confidence and esteem, and I am convinced that a longer residence would have enabled me to speak with greater authority. I do believe from what I have learned that the mercantile community of Calcutta are entitled to the highest respect, and that they are most important agents in the civilization of India, in the diffusion of knowledge and in developing the resources of the country. These must be the effects of trade when directed by liberal and enlightened minds, and even from my short experience I know that there are such minds. I wish some person better able than myself had given this toast, but I give it with the confidence that you will join me with great pleasure in drinking to the mercantile community of Calcutta.

*Air*—MONEY IN BOTH POCKETS.

Mr. COCKERELL returned thanks for the Merchants of Calcutta.

Mr. MACAULAY.—The next toast, and indeed the last one in the list, I am convinced you will drink without the smallest hesitation, for it means ourselves and those we like best—"Honest men and bonnie lasses," and no other recommendation is requisite than the mere words. It is an old Scotch toast, and I think there could not be a better.

*Air*—OF A'THE AIRTS.

The Chairman and a large proportion of the company then retired, but many others kept it up till an early hour next morning.—*Hurkaru.*

## SUPREME COURT.

### WEDNESDAY, NOVEMBER 5.

#### LA MARTINIERE.

*Mr. Advocate-General.* In the case of La Martiniere, my Lord, I have to move the Court for an extension of time till the first of July next for finishing it, and I make this motion under very peculiar circumstances. I wish it to be understood that I am not moving on behalf of Mr. Parker, who has contracted to build it, so much as on the suggestion of Major Hutchinson, of the Engineers, who has the overlooking and managing in a great degree of the concern. By the decretal order of this Court it was directed that the building should be finished within two years from a particular time: that time was the 1st of January 1833, when the first advance money was to have been made. Subsequently, however, an alteration took place in the original plan, the consequence of which was that instead of receiving the first advance of money then, Mr. Parker did not get it till the 6th of the May following. He thus lost four of the best months in the year for preparing the materials, and your Lordship knows that there is not much more than six weeks between the 6th of May and the setting in of the rains. All the brickwork however, except a very slight portion, is finished, but in consequence of the heavy rains which your lordship is aware have fallen this year the walls are so saturated with wet that though Mr. Parker could finish the building by the time fixed, yet it appears to him and Major Hutchinson that it could not be done (that is, that the plaistering could not be completed) without its acquiring a discoloration. Under these circumstances I make this application, more by the instruction of Major Hutchinson than of Mr. Parker, who can complete his contract, but not in such a manner as to be satisfactory to himself or his employers. Messrs. Cockerell and Co. who are Mr. Parker's securities for the due performance of his contract, are willing to extend their security to the time required.

Affidavits to the effect of the Advocate-General's statement having been put in, together with a letter from Messrs. Cockerell and Co. expressing their willingness to extend the term of their security, the application for extension of time was granted.

### FRIDAY, NOVEMBER 21.

#### MORELL v. COCKERELL.

This was an action brought for the recovery of Rs. 1,125, a sum alleged to have been improperly charged as commission on the sale of a certain indigo factory in the neighbourhood of Berhampore.

The facts of the case, according to the statement of the Counsel for the prosecution are briefly these. In the month of July 1830 the Messrs. Morell advertised the factory for sale, and continued the advertisements, at their own expense, from time to time, till the month of October following, when having occasion to come to Calcutta and thinking that applications might be made to them in their absence they directed the reference to be made to Messrs. Cockerell and Co. their agents. No purchasers having presented themselves, the advertisements, which had been regularly paid for by the plaintiffs, were discontinued on the 3d of November following, and the plaintiffs continued to conduct their factory as usual. In the month of February or the beginning of March following Mr. Deverill applied to one of the Mr. Morells to purchase the factory, and on the 10th of March the factory was sold to Messrs. Deverill and Hurry. For the sale of this factory Messrs. Cockerell and Co. charged full commission, at the rate of two and half per cent. and having funds in their hands belonging to the plaintiffs, placed the amount against them in their account current. For

the recovery of this sum the action was brought. Several witnesses were examined to establish the facts alleged and the customs of merchants in Calcutta respecting the charge of commission in such cases. All the witnesses examined on the subject of commission were decidedly of opinion that commission could not be charged by agents unless they actually effected the sale.

The Court adjourned at five o'clock, and the case was postponed to the following day.

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SATURDAY, NOVEMBER 22.

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MORELL v. COCKERELL.

Mr. Turton having closed the case for the plaintiff the Advocate-General moved for a nonsuit on a point of law, which was however overruled by the court. He then addressed the court for the defence, and examined witnesses to prove the custom of merchants in Calcutta. Mr. Turton addressed the court at great length in reply, after which Sir John Grant delivered judgment, the substance of which is as follows. The question in this case resolves itself merely into two points. As I understood it there is an account furnished by the defendants in which they admit a number of sums received by them, and state a number of payments made. In this account there are certain items for commission on several transactions, and among the rest on the sale of an Indigo Factory. There is also a small sum of eight rupees which is objected to, but not insisted on, by the plaintiff, as having been twice charged. The plaintiff objects to the deduction of this commission on the sale of the Indigo Factory. Now, with regard to the commission, which appears to be the main question, and indeed the only question of importance in the case, I take it to be a part of the custom of merchants that a factor employed to sell is entitled to charge a commission on the sale, the rate to depend on the custom of the place where the transaction is conducted, or on that particular business to which it relates. There may be one rate of commission in one place and another in in another place, or there may be one rate on one particular description of business, and another on business of another kind. Now to arrive, in the first place, at the rate of commission to which the party, if he had sold, would have been entitled we must go to the customs of Calcutta on that particular matter subject to question. I take it that it may be considered as the custom here, by the evidence, that two and a half per cent. is the rate charged by the custom of Calcutta upon the sale of Indigo Factories; but then there arises several considerations in this transaction taking it out of the general rule. This factory it has been said was not sold by the defendant, and that consequently he is not entitled to charge any commission. It has been stated that commission for the sale of any article is a remuneration for the trouble, labour and responsibility incurred in disposing of it; to a certain extent this is true; but it is not properly a remuneration, for the trouble and responsibility of selling a particular article, but a general charge which is supposed to be upon the whole a sufficient remuneration for his trouble and expense in all the sales he makes one with another; and therefore in determining the rate of commission on any transaction it would be wrong to look at the particular case; we must look to the custom of trade. Now, it cannot be stated to be the custom generally of merchants that, where a factor has power given, and does not effect a sale, he is entitled to charge commission. I take it that that is not the general custom, but that when he effects it he takes it, and takes his chance where he does not, for which he must look for remuneration to the general profits of his trade. If that be a correct view of the *general* custom of merchants, the charge in the case depends on establishing a *particular* custom, and it was with that view that I particularly attended to the evidence. His Lordship then recapitulated the evidence from the plaintiff's case, from which he arrived at the conclusion, that with the exception of Mr. Palmer, none of the witnesses had proved any thing like a general custom, for they all spoke merely to the practice of their own individual firms, and his evidence certainly did not prove that it was the custom here to charge commission where a sale was not effected, but rather the contrary. Without doubt it was for the defendant to prove that that was the custom under which he had made the claim. Sir John Grant then went over the evidence for the defence, and observed that the witness who spoke most strongly to the general custom qualified his testimony by saying that there had been perpetual differences and disputes on the subject of commission which it had been repeatedly found necessary to settle by arbitration. That appeared to be anything rather than evidence of general usage, and on that ground he was of opinion that the defendant had not made it out to be the general usage to charge commission where a sale was not effected by the party. He might go into other points of the case, but he did not think it necessary, because he thought it incumbent on the defendant to prove that it was the custom of the place to charge commission where he had not effected a sale. He thought he had failed in doing so, and he therefore thought that the commission ought to be deducted from the account.

Verdict for the plaintiff for the amount of the commission charged on the sale of the factory, with interest and costs.

It was further directed, with the consent of all parties, that the small sum overcharged to the plaintiff, with interest, should be deducted on the one side, as well as a sum of fifty rupees which had been put down by mistake in the other.

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## INSOLVENT COURT.

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*Before Sir John Peter Grant.*

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SATURDAY, NOVEMBER 7, 1834.

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IN THE MATTER OF CHARLES MURRAY, JUNIOR.

This Insolvent, after having sworn to the truth of his schedule, was discharged without opposition.

IN THE MATTER OF ROBERT ADAIR MACNAGHTEN.

Mr. Smith the Attorney applied to be relieved from his Assigneeship in this estate. He stated that he had been appointed Assignee at a time when the Court saw no objection to the appointment of Attorneys, almost immediately after which Captain Macnaghten had gone to Europe on furlough; consequently little or nothing had been done, and the case might now be considered almost a new one. An order had been made for the deduction of one third of the Insolvent's pay and allowances for the benefit of his creditors, but, in consequence of his departure for Europe, he had never received more than fifty pounds sterling from him. As Attornies were now prohibited from acting as Assignees, and as he was desirous of being relieved from a trouble that afforded him no remuneration, he moved that another Assignee might be appointed, and that he might be directed to pay over to him the sum of money now in his hands.

The Court ordered that notice should be published, and served on the detaining creditor, that another Assignee would be appointed, unless cause should be shewn to the contrary. The detaining creditor, Miss

Emma Roberts, not being in India, the Court thought that service on her Attorney would be sufficient.

QUESTION OF RELEASE FROM LIABILITY.

In granting an order, we believe in the matter of Cruttedden and Co., for the Examiner to examine and report whether there were sufficient assets to entitle the Insolvents to their final release from all liability according to the 63d section of the Act, Sir John Grant suggested that the enquiry whether the estate were in such a condition that no further proceedings were likely to be had in it should be included, as it would save the necessity of a second reference, and at the same time took the opportunity of intimating that he had not altered his former opinion on this question, though an opportunity might now be afforded for re-arguing and re-considering the matter. Sir John Grant also took the opportunity of mentioning that in the cases of the great agency houses their affairs were hung up in a manner that might give rise to an imputation that the Court was taking upon itself the perpetual management of them; and that in his opinion the Court ought to turn its attention to getting them finally disposed of as soon as possible.

Mr. Turton stated that such had been the opinion of the present Chief Justice in the early stage of the proceedings in the matter of Palmer and Co., but that his opinion had subsequently undergone a change, in consequence of the over-loaded state of the market, and he had thought it advisable to wait some time, and not to bring the whole of the property to sale at once, though it had never been contemplated to delay the sales longer than would be to the advantage of the estate.

Sir John Grant said that he had mentioned the subject merely that parties might be made aware of the impression that he had.

IN THE MATTER OF ALEXANDER AND CO.

Our readers will remember that an order was obtained a few weeks ago to restrain the sale of certain factories belonging to this estate, and to bring up Mr. Alexander and others for examination relative to certain allegations then made, for the particulars of which we refer them to our former report on the subject. The case, commenced this day by the reading of an immense heap of documents which it would be impossible to give a satisfactory account of, and which took the Clerk nearly three hours to get through. The following witnesses were then examined.

*Nathaniel Alexander* sworn. I was a partner in the late firm of Alexander and Co., and as a member of that firm, I am acquainted with the Moisurah indigo concern. The concern is divided into three divisions, namely, Moisurah, Gungadurpore and Neeschunderpore; and Neeschunderpore is again divided into two parts, namely, Neeschunderpore and Autpara. I had an interest in them all, and the entire property belonged to our house. The three different divisions were under three different managements. Neeschunderpore and Autpara were under the same management, and Mr. Saupin was the manager of them. When Mr. Saupin became a leaseholder in this concern he brought money with him into the house. He became a leaseholder in October 1830. At the time of the failure he was on the books as a debtor, and is so entered on the Schedule, but when the account of the sale of his indigo, which had been sent home, arrived he was a creditor to the amount of ~~Rs~~ 2,800. A general application was made by the Bank of Bengal to the Insolvent Court to sell all the indigo concerns. I am the Secretary to the Assignees, and as such act entirely under their direction. The Assignees opposed the sale of the greater number of these concerns. Some of them, for which they considered an adequate price had been offered, they agreed to sell, and they opposed the sale of others on the ground that the prices offered for them were inadequate. There was a general communication at the period that Mr. Udny intimated the intention of the Bank of Bengal to go into Court. There was one communication, in writing, relative to the whole of the Moisurah concern. I never saw Mr. Greig till two months ago. I know Mr. Donaldson by sight. I know nothing about his connection with Mr. Greig. I have heard that Mr. Donaldson is gone to England, but know nothing about it of my own knowledge. I saw him once, about a year ago I think, at the office of the Assignees. I know Mr. William Storm. [Letters A B and C were put into the witness's hand.] These letters were written by me in my character of Secretary to the Assignees on the business of the estate. I remember Neeschunderpore and Autpara being sold. The other two divisions of the Moisurah concern are not sold. The manner of the sale was this—Mr. Saupin came down to Calcutta to impress on the Assignees the necessity of their giving a large advance for the renewal of the izarra, or lease of the cultivation, of the Neeschunderpore factory, which he had previously written about. The 25th of August last must have been the day that he came down. He was in the management of Neeschunderpore and Autpara up to that time. He was so at that time on account of the lessees of the concern, who were Messrs. Alexander and Co., Mr. Terrasean, Mr. Albert and Mr. Saupin. Messrs. Alexander and Co. were the proprietors, and had taken those gentlemen as joint-proprietors in order to manage the concerns. They were joint lessees with ourselves, the proprietorship being in Messrs. Alexander and Co. Mr. Hurry was ill and unable to attend office at the time that Mr. Saupin came down, and the transaction of the sale took place between Messrs. Burkinyoung and Saupin, in the absence of Mr. Hurry. The manner in which the sale took place was this—Mr. Saupin had offered ~~Rs~~ 15,000 for the Neeschunderpore division in September 1833, which the Assignees accepted. [A, a letter to Mr. Storm, stating that Mr. Saupin was empowered to sell the whole of the Neeschunderpore division, put into his hand.] I wrote that by the direction of Mr. Burkinyoung. [B, a letter to the same person, stating that it was Mr. Saupin that had sold the whole division, and that he had done so under the express authority of the Assignees, put into his hand.] I wrote that letter also. There were two transactions on the 25th of August. The first was in consequence of Mr. Burkinyoung and me assuring Mr. Saupin that we were satisfied that the Court would never allow the Assignees to make so large an advance for so small a concern, when he renewed his offer of ~~Rs~~ 15,000, which he had made the year before. Previous to Mr. Saupin's leaving the office he asked Mr. Burkinyoung whether it would make any difference to the Assignees if two parties purchased the division instead of one, that is if he made a division of the division, the two parties giving the ~~Rs~~ 15,000 together, when Mr. Burkinyoung replied that the object of the Assignees was to sell, and that it was of no moment if the price were given whether there were one or two purchasers. Mr. Saupin then said that the purchasers were Mr. Rogers and Mr. Bell, and I considered them so. I considered the sale then as made. Part of B was written by the direction of the Assignees, and part was not. The substance of it was known to the Assignees, because I never wrote about the sale of any of the property without their knowledge. Part of it was an expression of a difference of opinion between me and Mr. Storm. When Mr. Saupin declared that two parties were to purchase, and Mr. Burkinyoung gave him authority to sell it them, I considered it an authority to him to treat for the sale. When Mr. Saupin said that they would divide the ~~Rs~~ 15,000 between them and Mr. Burkinyoung said "very well," I considered it a sale. I considered it an authority from the Assignees to Mr. Saupin to sell the property to those two persons. The whole of C was not written by the direction of the Assignees. The part that has reference to our personal difference of opinion was not; the other was. By direction of Mr. Burkinyoung, not of Mr. Hurry, who was ill, I made the communication referred to in that letter [*i. e.* "Had not Mr. Saupin received the authority of the Assignees to make the sale, I

should not have referred you to him, hoping that you might be in time to bid for the Autpara factory"] on the 25th of August, after Mr. Saupin had received the authority to sell it if he could get Rs 15,000 for it. I considered that if Mr. Saupin had seen Mr. Bell and settled it, it was a compact, but when I found another ready to give Rs 500 more I made reference to Mr. Saupin, hoping that he had not closed with the offer, wishing to get as much as I could for the estate. Mr. Saupin was not the purchaser, but he was authorized to sell if he got that price. That passage [*i. e.* "The Assignees desire me to state that they were ignorant that either you or Mr. Rogers were in the market for the concern."] was written by the direction of Mr. Barkinyoung. That was at the time that Mr. Barkinyoung authorized Mr. Saupin to get the rupees 15,000. Mr. Storm's application was made on the evening of the same day,—the day on which Mr. Saupin was authorized to sell. That passage had not reference to that day. In the letter to which this is an answer Mr. Storm said that the Assignees must know that he and Mr. Rogers wanted last year to buy one of these factories, and it is of this that they express their ignorance. I was perfectly ignorant that Messrs. Storm and Rogers were still desirous of purchasing these concerns, because many persons had applied for factories the year before, and afterwards dropped their intentions. Messrs. Storm and Rogers were, I believe, anxious to purchase the year before, but we lost sight of them, and heard no more of them till this transaction. I am speaking of these factories. The Bank of Bengal communicated some of the offers of purchasers, and I have reason to suppose some of them they did not. I have no recollection of any communication about Mr. Storm's desire to purchase. The Assignees had constantly advertised, from time to time, for two years, up to the time of the commencement of the season, the beginning of October 1833. Some of the offers were closed with, and others not, because they were too low. Then the Bank of Bengal gave notice that they would apply to the Court for a general sale, and after that all communication about sales ceased on their side. I can't tell why the Moisurah concern was not sold when these offers were made last year. I believe the reason was because it was expected that the Court would have made an order for the general sale, and we left it in the hands of the Court. The offer was made I believe when the Bank said they would apply to the Court for an order for a general sale. I think it was on the 1st of January that the Bank moved the Court, and I believe it was about that time that the offer was made. It appears there had been offers before which we never heard of. In January last Rs 70,000 was offered for the Moisurah concern,—for the whole of the three divisions. The offer was made just at the time that the Bank went into Court to get the general order, and the Assignees thought that it was useless for them to negociate with parties when the Court would have the whole question before them. The Neeschunderpore division was reckoned at Rs 15,000 by the Assignees. I don't know how much it was reckoned at in that offer of Rs 70,000. I have lately heard that the Bank refused Rs 15,000. The Assignees wrote to the Bank telling them that they were willing to receive the Rs 15,000, but never received any answer. The Bank were mortgagees, and their consent was necessary. The Assignees gave their consent, and left it to the Bank to accept or reject the offer. Afterwards the property was redeemed, and came again into the hands of the Assignees. What I mean is that Mr. Saupin applied to the Assignees for an advance of Rs 20,000 to be paid as a fine to the Zemindar in the beginning of January last. A considerable portion of that was required by way of *salammee*, and the rest was for the payment of rent in advance. The money applied for was to be lent to the Zemindar and to be deducted from the future rents. I think the lands and the lease itself is the security. I don't know whether interest was to be calculated in this instance. It is registered in Court to make it a valid document. When application was first made for this advance Mr. Saupin received an answer, in writing. The assignees were at that time just going before the Court brought there by the Bank of Bengal, and therefore did not take the matter into consideration at all whether they would make the advance or not, The general order of the Court was made, I believe, in March. After that order the question of redemption immediately arose, which was over in the end of July. I then brought the question of the advance to Mr. Barkinyoung's notice. Mr. Barkinyoung and I had several conversations on the subject, in which I pressed the necessity of something being done with reference to the advance to prevent the factory from going to ruin. The conclusion which I think Mr. Barkinyoung came to was that it was better to sell the factory at once than to go to the Court to ask for liberty to make this large advance, which I had no idea the Court would give. There was not more than twenty or twenty-two days from the time that I brought it forward to the time of the sale by Mr. Saupin. Twenty days is enough time for a man to write a letter if he has nothing else to think of. There was a general order for the Assignees to sell the whole of the factories whenever fair prices could be got. The order for general sale was superseded by giving the power to the Assignees to redeem the whole by fixed valuation, but I conceive the order to sell for fair and reasonable prices still in force. I believe it was generally known to all who wanted to purchase the factories and property generally of the estate. It was my opinion, and Mr. Barkinyoung agreed with me, that the necessity for renewing the izarra was a sufficient reason to wish to dispose of the concern, because we believed the Court never would have allowed the Assignees to make the advance. From the time when Mr. Saupin communicated the necessity of renewing the izarra in January last up to the 25th of August the assignees made no effort or attempt to sell the concern. They could not so long as the question before the Court remained unsettled. When the order was known there was no advertisement, nor did they make any private offer or enquiry. The usual season for these kind of transactions is in the cold weather, when planters are generally in Calcutta, and there are, of course, more bidders in the market. If this izarra is made it would be taken into consideration in the price of the factory in selling it. It is over and above the price to be paid for the factory. Thus if this had been given, the purchaser would have had to pay Rs. 15,000 and Rs. 10,000, and I understand that the purchaser Mr. Rogers did take it into consideration. I forget whether the Assignees gave notice of the intention to sell to the other lessees, but when the arrangement of the 25th of August was entered into I was told to write to them and ask their consent. I now know that Mr. Rogers bought the factory for Mr. Saupin, as I have heard so from Mr. Rogers within the last few days. I don't know when this advance was made. Mr. Saupin told me that he had advanced Rs. 9,000, and that he had been obliged to increase his rent in consequence of opposition from another party. He mentioned in that letter of January that there was a party who would get the izarra if he could not, and thus destroy the value of the factory. The impression on my mind is that Mr. Greig was the party mentioned by him. It would have ruined Neeschunderpore. I have no recollection that Mr. Greig made any application to purchase the concern, nor can I find any record of it. I have a faint recollection of Mr. Donaldson coming into the office and of my telling him that the Bank of Bengal were the mortgagees and of referring him to them if he wished to make any offers. I don't recollect that Mr. Saupin told me that the Bank of Bengal had refused his offer of Rs. 15,000 because they had been offered more. The deeds of sale to Mr. Rogers and Mr. Bell have not yet been signed, but half the money has been paid. Mr. Rogers paid Rs 5,000 and Mr. Bell paid Rs 2,500. I have since understood, I think from Mr. Barkinyoung, that Mr. Rogers paid his part for Mr. Saupin. Mr. Storm offered Rs 500 more for Autpara. We sold the two factories for Rs 15,000, and divided them into ten fives but he never offered for the others, and the assignees' object was to get rid of the whole Neeschunder-

pore concern. The sworn appraiser valued the whole of the Moisurah concern at Rs 60,000 but it was afterwards valued at Rs 70,000. The assignees did not refuse Rs 70,000 to my knowledge. We divided the valuation of Rs 70,000 thus,—we valued Moisurah at Rs 35,000, Gungaderpore at Rs 20,000, and Neeschunderpore at Rs 15,000. We redeemed the whole from the Bank at Rs 70,000, but that was the division of value that the assignees made in their own minds. Gungaderpore is a factory that has given us 270, maunds of indigo, but I don't know the number of beegahs it consists of. I suppose the average of Gungaderpore, on an outlay of from 20 to 25,000, ought to give from 200 to 250 maunds of indigo a year. The average of Neeschunderpore is about 160 maunds, but the cultivation in all factories has been greatly reduced, and if the outlay is reduced there must be a corresponding reduction in the produce. Neeschunderpore has never made so much indigo as Gungaderpore, which is one of the most productive factories in Bengal. Mr. Albert is the manager of Gungaderpore.

*Cross-examined* by Mr. Turton. The factories were valued after the failure by two sworn appraisers who were appointed by the Court, and I believe they were perfectly competent. The assignees were assisted by Mr. Ballard in making the estimate that valued the Moisurah concern at Rs 70,000, and myself, Mr. Burkinyoung and Mr. Hurry were all present and assisting. Mr. Ballard was the partner who had the management of the indigo factories of our concern before the failure. He was perfectly acquainted with indigo concerns, and was an old planter to boot. I have had also fourteen years experience in indigo concerns as an agent, but never as a planter. Mr. Hurry has also had experience, but Mr. Burkinyoung's experience is not so great. At the time the sale was made to Mr. Saupin neither myself nor the assignees had the least reason to suppose that we could have obtained better prices. Mr. Hurry had no concern in the purchase of these two factories that I am aware of. Mr. Bell told me that he was not a partner of Mr. Hurry, but I know nothing of the matter. With my knowledge of these factories, I strongly recommended Mr. Burkinyoung to sell them for Rs 15,000 when he got the offer, and I considered it a fair price. It was in consequence of the advance of Rs 10,000 being required that I thought it better to sell them at once. That division has not been a profitable concern. It has just kept itself square, calculating the interest of the money laid out. In the two years it has just paid its outlay, without clearing a profit. I was satisfied that a renewal of the lease would not be obtained without the advance to the Zemindar. I doubt whether Rs 25,000 could have been got for the concern if we had advanced the Rs 10,000. There were two other persons connected with us in the concern. I believe the pottahs were taken in the names of the three lessees. When I say that many people wanted to purchase these factories the year before I speak generally of all the factories, and not of these particular ones. From January 1832 to October 1833 the expenses of advertisements were considerable. The discussion on the subject of the order for the sale of the factories lasted some time. The arrangement for the redemption was a public order. Mr. Bell has tendered his remaining half, and we should have received the whole of the purchase money before this if it had not been for this application. At the time this sale took place Mr. Hurry was confined by a very serious illness. He had nothing to do with the negociation for the sale. He was very dangerously ill, and there was no possibility of communicating with him on matters of business. The Assignees have always been ready to give any information to the creditors of the estate, but if they were to supply written information to all the creditors who applied, we should never be able to carry on the business with the same establishment. They have never refused information to any creditors coming to the office.

*Re-examined.* When Mr. Burkingyoung stated to Mr. Saupin that he would sell the division for Rs 15,000 I wrote to the other lessees for their consent. When Mr. Storm made his proposal I considered the bargain completed. It was completed before I got the answer from the other lessees so far as it could be completed by the Assignees. It could not have been if they had held out. The lessees asked time to consider of it, and afterwards agreed. I suppose they would have had no objection to any other person who had offered more, why should they? It was a matter of no concern to them whether the concern was sold for five or fifty. The Assignees had been advancing funds to these co-lessees. They advanced the whole. If the Assignees had intimated to these co-lessees that they would stop the funds it would of course have been a pretty ready process to bring them round. When the co-lessees said they would think of it, the Assignees said that they would require them to find their own funds if they did not agree to fair and reasonable terms, and they gave their consent, but whether it was in consequence of that or not I can't say. They relinquished their lease then, and, having relinquished it, it could have been no concern to them to whom it was given. In saying to Mr. Turton that I did not particularly allude to these factories when speaking of the offers that had been made, I did not mean to exclude them neither. Mr. Burkingyoung tried to communicate with Mr. Hurry on the subject of the sale of these factories, but he was so ill that his physicians ordered him not to be spoken to.

*In reply to the Court.* I think the Neeschunderpore division has produced as much as 200 maunds of indigo, I believe on an outlay of about Rs 20,000, but the average I should say is not more than 160 or 180 maunds. I only know the particulars I have stated about these factories from what I have been told by the persons in charge. When the Assignees agreed with Mr. Saupin to sell the division for Rs 15,000, I wrote to the co-lessees to give up the remainder of their lease of that division, and having agreed to give up their lease, it was immaterial to them to whom it was sold, or for what.

*Richard Howe Cockerell*, a member of the firm of Cockerell and Co., sworn. I know Messrs. Donaldson and Greig. Our house had transactions with them in January last. We were prepared to make them advances at that time, but the extent would depend on the object. We would have advanced them Rs 20,000 for the purchase of this factory. I was apprised of their intention to purchase. We were prepared to make such an advance in the end of August last. When we were applied to we sanctioned the same arrangement we had offered before. I was a director of the Bank of Bengal last year. I know there was an offer made to the Bank of Bengal for this concern by Messrs. Donaldson and Greig, I believe in December or January last; I don't exactly recollect which. I believe they offered Rs 70,000, but I cannot be positive. I think there was a separate offer for the Neeschunderpore division, but that was before the offer for the whole. I believe the offer was Rs 20,000. The offer was made to the Bank as mortgagees. I think it was considered by the Bank that it would not be advantageous to sell a part, and then an offer was made for the whole. A communication was ordered to be made to the assignees, but I cant say whether it was made or not. I don't know whether they ever received such a communication.

*Cross-examined* by Mr. Cochrane. I am no further a party to this proceeding than by having signed a letter calling on the assignees to give an explanation on the subject of certain reports that were in circulation. I always met with ready attention from the Assignees. I did not instruct the Solicitor in this action, nor am I answerable to the Court.

*George Collier*, a Solicitor of the Court, having been sworn, demurred to giving answers to the questions put to him, on the ground that he knew nothing of the circumstances otherwise than in his professional capacity. It having, however, been ascertained that he had gained his knowledge as the Solicitor of Mr. Greig, and Mr. Greig having consented to his answering, the following evidence was given. I

had no communication with Mr. Rogers about the purchase of these factories, but I believe my partner had.

*Cross-examined* by Mr. Turton. I was employed by Mr. Greig to apply to the Court to cancel the sale of these factories; but I refused to do so, because, by the statements laid before me, I thought he had not good grounds for the application. I recommended him not to make the application, or to take the advice of the Advocate-General. I did see Mr. Burkinyoung on the subject. Having heard Mr. Greig's statement I proposed sending for Mr. Burkinyoung, who came and entered into an explanation, and, as it appeared to me, to Mr. Greig's satisfaction.

*Alexander Rogers* sworn. I received an application relative to the Neeschunderpore factory. I never received an offer for it. I don't call that [a letter which was shewn the witness] an offer. I did not understand it as an offer, and if I had the parties were not prepared to pay me the money. I certainly did not buy Neeschunderpore for myself. I bought it as an agent for François Saupin, by his desire.

*Frederick Handel Burkinyoung*, one of the assignees, sworn. I remember a valuation put upon these factories, both upon the whole and upon the three divisions. ~~Rs~~ 15,000 was put on Neeschunderpore, and ~~Rs~~ 70,000 on the whole. I have heard that there was an offer made to the Bank of Bengal in January last. There was an offer through a letter from the Bank of Bengal for the whole, connected with other offers, in one letter, ~~Rs~~ 70,000 was offered for the whole. I did not consider it at the time as a distinct offer. They stated that they had received an offer, and requested our concurrence, but I did not consider it an offer that called to be acted on immediately. The letter contained an intimation of their intention to apply to the Court for an order for the sale of the factories, and therefore we thought our concurrence unnecessary. The Bank did not bring this factory to the notice of the Court among the others. They requested us to assent to the prices mentioned. The offers were for four factories. I think they were the Souapara, the Moisgunge, the Rajapore and the Moisurah concerns. We gave no answer for the reasons mentioned, I think, as near as I can recollect. I think we did refuse the offers for the three other factories, which had been made on a previous occasion, but we did not refuse the offer for this factory. We did not answer the letter. We refused the previous offer for the three factories on a former occasion,—not on the occasion of this letter. The offer was not repeated, nor did we ever refuse the ~~Rs~~ 70,000 to my knowledge. (*Question.*) Did you ever make any attempt to sell the Moisurah concern between the 1st of January last and the time it was sold to Mr. Saupin? (*Answer.*) We are not in the habit of making enquiries for purchasers. There was no advertisement in the papers about the sale of this Moisurah concern or any of its divisions between the times mentioned, but it was well known,—people were always talking and enquiring about it. Parties came in occasionally enquiring about its capabilities. I was present when the order was made in Court for the general sale. It was the 1st of February. There were a great many persons present I believe. When the first application was made for us to sell there were many indigo planters in Court. The close of the indigo season was stated to be the proper time for selling. I remember an offer of Mr. Saupin I think in January last. We accepted the offer as far as we could. We informed him we would send his offer to the Bank of Bengal. It was sent, but it was not accepted. I know this by not having received any communication from the Bank. Mr. Saupin and his agent, Mr. Rogers, endeavored to compel us to complete the sale, which it was not in our power to do. Mr. Saupin, not being very well acquainted with the English language, misunderstood me, and thought that I had sold it to him, not that I had referred him to the Bank. Mr. Saupin was frequently at the Bank on the subject. He never communicated to me that any other offer had been made to the Bank. The first official notice that we had of the necessity of renewing the izarra was by a letter from Mr. Saupin the manager and lessee, I think dated in January last. I think it must have been after his offer in January. We were next applied to on the subject of the izarra on the 25th of August last, by Mr. Saupin in person. He came into our office, and I asked him what he had come about. He said he had come about the renewal of the izarra. I told him that it was impossible to think of advancing that sum of money, ~~Rs~~ 10,000, and that I would rather sell the factory. We had made up our minds in the interval that it would be improper to advance money on factories like that. We never made enquiries about the offer of ~~Rs~~ 70,000 after we knew of the necessity of the advance for the izarra. We considered the offer as abandoned by the parties who had made it. Had I been aware of the offer I should have thought it my duty to have applied, and should have been glad to accept it, but I did not think it existing then. We would have accepted it before had it not been for the letter of the Bank of Bengal, saying they would themselves bring it before the Court. I think in one or two instances we have accepted offers made through the Bank, and we have refused others. The substance of Mr. Saupin's communication was that he had come down to endeavour to persuade us to advance him the money. He was informed that we would not, and that we considered it more beneficial to the estate to sell the factories than to advance the money. He said that if the izarra was not renewed it would be taken by Mr. Greig, and that the estate would be injured by its being thereby lessened in value. The old izarra I think expired in March last. I was not aware in January last that the izarra would expire in March. When I told him that we would rather sell the factory than make the advance, I think I proposed to him to renew his former offer of ~~Rs~~ 15,000. I think the offer, or the suggestion at least, came from me, but I cannot be certain. I had not had any specific conversation with Mr. Harry on the subject, but I knew that he would not consent to make such an advance, and I acted on that knowledge of his sentiments. Mr. Saupin told me that he would take the concern for ~~Rs~~ 15,000, stating that Mr. Rogers would give ~~Rs~~ 10,000 for Neeschunderpore, and that Mr. Bell would give ~~Rs~~ 5,000 for Antpara. He was to get that sum for the Assignees. So far I was perfectly aware that he was purchasing Neeschunderpore for himself through Mr. Rogers's agency and assistance. I authorized as much of these letters [A B and C] as relates to the sale, but not those parts that speak of Mr. Storm. I authorized that part which speaks of giving authority to Mr. Saupin to sell. I think it was when Mr. Saupin made his first offer of ~~Rs~~ 15,000 that I was aware that Mr. Rogers was in the market as the agent of Mr. Saupin. I know that Mr. Rogers never wished to purchase it for himself. I did not know that Mr. Storm was in the market till the evening of the 25th of August. He called at the office on that evening, and made an offer for Antpara. He first made an offer of ~~Rs~~ 5,000, and then increased it to ~~Rs~~ 5,500. I requested him to call in the morning, when he would see Mr. Saupin, giving him to understand that it was out of my hands; because I had concluded with Mr. Saupin. I had a communication from Mr. Rogers the same day, before Mr. Storm came, on the subject of Neeschunderpore factory only. I had settled with Messrs. Saupin and Rogers before I saw Mr. Storm—with Mr. Rogers for the Neeschunderpore concern, for ~~Rs~~ 10,000 and with Mr. Saupin that he might sell Antpara to Mr. Bell or any body else, for ~~Rs~~ 5,000. No money was given on that day. Some few days afterwards some money was given. I did not attempt to communicate with Mr. Saupin that we had a better offer for Antpara. I did not know where to find him. I did communicate it to him next morning. He told me he had sold it to Mr. Bell. Mr. Bell was then in Calcutta. I considered Mr. Storm as after the sale. The season had then closed, but what work there was doing was on account of the assignees and the lessees. The lessees made no advance for the cultivation or the izarra. We never made any attempt to renew

the rent without the advance of izarra, because we considered it useless. The sale is completed, but the conveyance is not made, nor the purchase money all paid. I don't think that there was ever more than one communication from the Bank of Bengal to the Assignees about the offer for Moisurah. The whole transaction with Mr. Saupin occurred in the course of two or three hours on the morning of the 25th of August. I know nothing of Mr. Bell. He never made any offer before to my knowledge. On the following morning I saw Mr. Rogers at his shop, when he told me, I think, that he had written to Mr. Storm to tell him that the Antpara factory was in the market, not knowing, I suppose, that Mr. Saupin had made a bargain for both.

*Cross-examined* by Mr. Cochrane. All letters are laid on the Assignees' pedestal, and I don't think that any thing is ever done without their orders. I believe Mr. Storm only intended to purchase that one factory (Antpara). We would not have sold it for Rs 5,500 without the other going with it.

*William Storm* examined. Antpara adjoins a factory belonging to me. I did apply to the Bank of Bengal. I wrote a letter to Mr. Alexander the Secretary to the assignees, offering Rs 5,500 for it, on the 25th of August last, at about five in the afternoon. I had seen Mr. Alexander previously to making the offer. I expressed my desire to him to purchase it, saying that I had made an offer the year before, and that I was desirous of doing so again. I did not want any other factory, and wanted that because it adjoins mine, and in some degree interferes with it. I told him that if it were not sold I was desirous of making a tender for it. He told me that it was not sold, and that it was still open to any offer from me. I said if he would give me a slip of paper I would write out a tender for it at once, upon which he said that there was no occasion to do so then, and that it would be time enough next morning. Some further conversation took place, in the course of which I asked whether Mr. Saupin was here, to which he replied "yes, he has but just left me." I understood from Mr. Alexander that there had been some conversation between him and Mr. Saupin about the sale of the factories, but that no sum had been fixed. I asked him were Mr. Saupin was to be found, being desirous of seeing him to know what the conversation was, and he called the servants and asked them where Mr. Saupin put up, to which they replied that as he had only arrived that morning he was probably in his boat. I left Mr. Alexander, and then called on Mr. Rogers, to whom I communicated what had passed between me and Mr. Alexander. Mr. Rogers recommended me to send in the tender that night, notwithstanding what I had been told by Mr. Alexander, and I wrote a tender then on his desk. I offered in my tender Rs 5,500, and carried it myself, but not finding Mr. Alexander, after ascertaining where he was to be found, I waited on Mr. Burkinyoung. I sent up my tender accompanied by my card, and Mr. Burkinyoung came down. It was then about half past five o'clock. I explained the cause of my visit, and he asked what was the amount of my tender, which, being directed to Mr. Alexander, I believe he had not opened. I told him Rs 5,500, and he told me I should have a reply in the morning. I asked him, in case any body made a larger offer, to afford me the opportunity of amending mine, which he readily consented to do. He never said a word to me that evening about the factory having been sold, or the bargain completed, or any thing to that effect. I knew it was for sale from Mr. Rogers, who wrote me a note saying that he was on the eve of closing for Neeschunderpore, and that Antpara was in the market also if I wished to purchase it. I got a reply next day stating that the factory had been sold the day before.

*Cross-examined by Mr. Turton.* I did not make the application in consequence of hearing that Antpara was sold. I had not heard then that Neeschunderpore was sold. I don't think that I have Mr. Rogers's letter by me, not having thought it necessary to keep it, because it merely conveyed information. I saw Mr. Saupin on the same day that I saw Mr. Alexander, after I had written the tender for the factory, I think, and before I saw Mr. Burkinyoung. Mr. Saupin did tell me that the factories were sold, and he also told me the price, Rs 15,000. He also told me who were the purchasers. I did not mention a word of this to Mr. Birkinyoung. I did not ask him whether it was true. Having been told by Mr. Alexander that the offer was open, I did not consider Mr. Saupin's information correct, as it was his interest, he being an interested party, to prevent other purchasers from coming forward. I did not learn from Mr. Rogers that Antpara was sold, but I learned from him in the evening that he had bought Neeschunderpore for Mr. Saupin. It was not Mr. Alexander that referred me to Mr. Saupin, but I asked where he could be seen. I knew Mr. Saupin a little, and as he had had a conversation with the Assignees I was desirous to know what it was, and it was then that he told me that they had authorized him to sell them, and that he had sold them to Mr. Rogers and Mr. Bell. To Mr. Bell for Rs 5,000. The five hundred was not added after that, but at the writing of the tender. I was not aware then that Mr. Saupin was a bidder for Antpara. My object was solely for Antpara. I would not have given Rs 15,000 for the two. I did not want the other. I don't know the capabilities of the lands and therefore could not give an answer as to the value of the whole. Mr. Burkinyoung did not tell me that if I came in the morning I should have an answer from Mr. Saupin. I don't recollect that he mentioned Mr. Saupin's name at all. I did not ask him whether it was true, as stated by Mr. Saupin, that he had purchased the division. The reason that induced me to make the offer was the inconvenience that would result to me from the factory being in the possession of another. I have heard people say that Antpara is worth more than Rs 5,500. I had bid Rs 5,000 the year before.

*Re-examined.* Antpara adjoins Mr. Bell's factory as well as mine. They did not, in consequence of this nearness, give me notice to induce competition.

In reply to Mr. Turton through the Court. I knew that all the factories belonging to the insolvent estates were for sale, but there were obstacles in the way of selling some of them, and I did not know that in this instance the obstacles had been removed. I had often spoken to Mr. Hurry on the subject of the sale of this very factory.

*Mr. Saupin* was then called, and by his desire examined through the interpreter, though he appeared to speak English well enough, for he repeatedly replied, sometimes in English and sometimes in French, before the questions had been put to him, and as frequently corrected the interpreter, when the answers were not rendered according to his pleasure. He objected through Mr. Turton to give evidence till he knew who was to pay his expenses, but the Court would not admit of his being heard through the Counsel for the opposite side to that for which he had been summoned as a witness, and obliged him either to address it direct or to speak through the interpreter. The latter course having been adopted, it appeared that he had been served with the subpœna at his residence in Calcutta, and the court decided in consequence that he could not demand his expenses. He then gave the following evidence. I have the superintendence of Neeschunderpore, and had before August last. I had myself a share in the concern. The factory was then only rented, and I had a share in the lease of it. Messrs. Alexander and Co. furnished the advances. I have made an offer for the factory. The first offer I made was in 1833, but I forget the month. I did not repeat the bid in January last, but I did lately, on the 25th of August last. The offer of last year was refused by the Bank. Mr. Greig has a factory in my neighbourhood, and I believe Mr. Donaldson is interested in it, but he does not reside there. I never had any personal communication with Mr. Greig about being employed by him. [A letter put into his hand.] That is my hand writing. I wrote it because I thought Mr. Greig would give more for the factory than myself, and that it would be better to be employed under him

than not to be employed at all. I had reason to suppose he would have been glad to get me out of the factory, because he was always my enemy. When I wanted to be employed by him I was not aware of this. I think he would have given a greater price to get rid of me. I think I wrote to the assignees in the month of January last on the subject of the renewal of the izarra. The old izarra expired in March last. The annual rent was ~~Rs~~ 3,500. The rent since the renewal of the izarra is ~~Rs~~ 3,364 including the village. There is about ~~Rs~~ 150 difference between the old and the new izarra. The former was larger. There is also a piece of ground belonging to the Company that was and is rented distinct from the izarra. I only made one communication to the Assignees on the subject of the renewal of the izarra before the 25th of August. Before March last the rent had been paid annually. I came down on the 25th of August expressly to tell the Assignees that it was absolutely necessary to renew the izarra, because it had expired, and because I had heard that Mr. Greig was about to take it. Advances had been required of me after the expiration of the izarra, and also before. The first time that advances were demanded was in June last, but they had previously demanded an arrangement. No advance was demanded before June. The demand was made by the Zemindar through his people. I received intimation in April or June that if I did not come to an arrangement I should not be allowed to plough my lands. They asked for ~~Rs~~ 8,000 in advance for the renewal of the izarra, besides ~~Rs~~ 800 in presents to the Zemindar's sircars. I believe this was in June or July. It is customary with Zemindars to demand advances in this way, and it was not done before, because the Zemidar was the ward of the Collector, and besides an advance had been made ten years before, when Mr. Gibson built the factory. The ~~Rs~~ 800 was not given to the Sircars to get the rent reduced, but as a *salammie*, which is customary in such transactions. The difference of the old and new izarra is a clear gain to the factory. I came down to Calcutta alone, as far as Culna, where I fell in with Mr. Shepherd. I went immediately on my arrival to the Assignees, and it was then that the transaction of the purchase took place. I told them of the necessity of renewing the izarra, and that I would rather quit the factory and abandon my interest in the concern than remain if it were not renewed. Mr. Barkinyoung and Mr. Alexander then said that they would rather sell the factory than make such advances, and recommended me to endeavour to obtain the same price that Mr. Rogers had offered the preceding year. I then called on Mr. Rogers and related this conversation to him, and Mr. Rogers sent me back to the Assignees to tell them that if they would make him an offer he would accept it at ~~Rs~~ 10,000. I told the assignees that I should take the Neeschunderpore factory for myself at ~~Rs~~ 10,000 and the Autpara for Mr. Bell at ~~Rs~~ 5,000. I made this offer on behalf of Mr. Bell because five or six months previously we had agreed to take both factories together. I had seen him that morning. I had not seen him that morning. I forget whether I had or no. I saw him after having purchased the concern, when I told him that I had purchased Autpara for him. I will not swear that I did not see him in the morning because I don't remember, but I may have seen him. I am quite certain I I did not breakfast with him. I may have seen him at his own factory ten or fifteen days before. I did not tell the assignees that ~~Rs~~. 10,000 were required for the renewal, but I did tell them (Messrs. Barkinyoung and Alexander) that it had at first been demanded, and that I had subsequently arranged for ~~Rs~~. 8,000 for the renewal and ~~Rs~~. 800 for salammies. I did not tell them the rent was to be reduced. I had not heard before the 25th of August that any body but myself was bidding for the factory. Not this year. I heard that there were last year. Mr. Greig told me that he himself had made an offer for the whole. I think this was about November or December last. I did not know of any other bidders. I think Mr. Storm was a bidder for Autpara last year, but I don't know that he was this. The indigo season begins on the 1st of October. Mr. Greig was at my house at tiffin two days before I left home for Calcutta. I told Mr. Hutchins and Mr. Raison in his presence that I was coming down. The Zemindar gave me a receipt for the money and the pottah, but no security, and allows interest at five per cent.

*Cross-examined* by Mr. Cochrane. Mr. Greig came to my house uninvited. He came in as we were at tiffin, and I of course asked him to stay. I know Mr. Storm, he came to me at about half past four in the afternoon of the 25th of August, and questioned me about these two factories, telling me that Mr. Alexander had referred him to me to treat about the concern. I told him that I had purchased Neeschunderpore on my own account, and Autpara on account of Mr. Bell.

*Re-examined.* When I saw Mr. Storm I had not seen Mr. Bell. I did not see him (Mr. Bell) before that.

*William Cobb Hurry* sworn. I am a merchant and one of the Assignees of Alexander and Co. I am concerned in indigo factories. I am not concerned in the factory of Maisdee. Not now. I am in Taugra and Chowdangra. No others. I have been concerned in them five or six years. I am in partnership with Mr. Piddington. I have no other partner. Mr. Bell is not a partner of mine but he was in Moisdee. I gave up my interest in Moisdee in October 1833. I was concerned in several factories with a house in London, Lucas and Newgy, but in consequence of disputes with them I have given up Moisdee to their agents here. The assignment was made on the 5th of July last. My answer in equity is dated 18th November last, and I then stated that I held one third-share in Moisdee. Mr. Richard Clark Bell and Mr. Charles Bell were my partners in that concern. Mr. Richard Clark Bell is the person to whom the Autpara factory has been sold. He had made several offers for it before. He instructed me before the failure of Alexander and Co. to apply to the house to know if they would sell it and Mr. Ballard refused. Last cold season when he was here he came several times to the office about it. Mr. Barkinyoung knew of it. Mr. Barkinyoung perfectly knew of the connection between me and Mr. Bell, because I gave that as a reason to Mr. Bell for refusing to treat with him. I refused it to Mr. Bell in December or January last. I think he offered ~~Rs~~. 4,000 for it, but I am not certain. I was informed of this sale after it had taken place. I did remonstrate with Mr. Barkinyoung about it. The first I heard of it was from Mr. Terranean one of the lessees, who came to complain to me of it when I was ill in bed. The offer made to the Bank of Bengal was sent to us: it was ~~Rs~~ 70,000, one third down, and two thirds on long credit. That is a common way of making indigo purchases. The bank has made similar sales with our consent.

*Cross examined* by Mr. Cochrane. On the 25th of August last, I had no connection with Mr. Bell. I was away from office on account of illness six weeks. If it had not been for these proceedings the whole of the money would have been paid before this. When the Bank gave long credits they took the responsibility on themselves, and gave credit to the estate as an entire payment. I have had considerable dealings in indigo. I have no doubt that the offer of ~~Rs~~. 15,000 was a fair offer. This Neeschunderpore division has been a losing concern for the last two years. We heard that there were other parties trying to get possession of the izzara. If that lease had been obtained by other parties the concern would have been greatly injured. We were not willing to advance the sum required for the izzara.

*Re-examined.*—I have no doubt the Bank would have given the estate credit for the ~~Rs~~ 70,000 offered by Mr. Grieg if it had been accepted in the same manner that they did with other long credits. I never heard of more than ~~Rs~~ 15,000 being offered for the Neeschunderpore concern. I have no right to say that it has been mismanaged, and cannot account for Mr. Saupin's anxiety to purchase a losing concern, unless he expected to make a good season next year.

The Court adjourned at half past eight o'clock to Saturday next, when the case for the Assignees will commence.

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## Saturday, November 15.

### IN THE MATTER OF ALEXANDER AND CO.

With the exception of a short interval during which viva voce evidence was heard, the only material part of which is hereunto annexed, the Court was occupied from ten to four in hearing documents read on both sides of the question postponed from last Saturday. As may be supposed from the time taken in reading them they are too voluminous for the limits of a newspaper, even could they be readily procured; but the material parts of them will doubtless be noticed by the learned Commissioner when he gives his decision, which will of course be fully reported. The Court adjourned at four for the convenience of those gentlemen who wished to attend the Governor-General's Levee before the whole of the documentary evidence had been got through.

Alfred Lingham sworn and examined by Mr. Turton. I am the petitioner. Mr. Greig I understand is to pay the costs of application; I have no means of paying them myself. Mr. Shaw did inform me after the application was made that he had applied to the assignees to examine the books and papers. He also told me that he had attended at the Assignees' office and examined the books and documents, but after some opposition on the part of the Assignees. I never applied myself to the Assignees for information, only through Mr. Shaw. I did not sign the circular letter at the request of Mr. Greig. I had never seen him when I signed it. This circular was accompanied by a note from Mr. Shaw requesting me to peruse it, and if I approved of it, to sign it. That (No. 1) is the original circular letter which I signed. Mr. Shaw was employed by me in this matter, but not at that time. He has been employed by me since the application to the Court, but I do not pay the costs. I paid costs before, and took care not to do so again. I have a letter from Mr. Greig undertaking to pay the costs, which I have carefully preserved. I have no other authority but that letter, which I consider sufficient to cover all my costs. I never made any applications to the Assignees except by the circular. There are other cases that I should have brought to the notice of the Court if I had had the means.

Cross-examined by the Advocate-General. The cases that I said I should have brought to the notice of the Court if I had had the means are against the Assignees. I certainly concur in this application.

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## Saturday, November 22.

### IN THE MATTER OF CRUTTENDEN AND CO.

Mr. Turton said that in this case he had to bring to the notice of the Court the nature of the order under which it had been adjourned last year. The order was for the hearing to be adjourned to the 22d of November, and for the insolvents to attend on that day to be examined on the truth of their schedule. He apprehended that in this case, and in the cases of the other mercantile insolvencies, the order made in the matter of Palmer and Co. had been taken as a precedent and followed, but the cases were not precisely similar, because in the case of Palmer and Co. no order had been made on the hearing that they were entitled to the benefit of the act. That had been omitted, for what reason he could not say. In this case the order for adjournment had been drawn up in the same terms, but he took that to be incorrect if made after they had been declared entitled to the benefit of the act. The usual order had been to adjourn the hearings from time to time and to direct the attendance of the insolvents at such adjourned hearings for the purpose of being examined; but it appeared an inconsistency to him to make them entitled to the benefit of the act, and yet to adjourn the hearings to a future day, and to order their attendance from time to time to be examined. It could not be otherwise than injurious to the parties, as in estates that were not likely to be wound up soon it might act as a sentence of perpetual imprisonment by preventing them from leaving the country.

Sir John Grant said that it was no doubt proper to prevent insolvents from quitting the country till their affairs were wound up.

Mr. Turton said it was not necessary to argue that point then; he would only say that if it were necessary for insolvents to wait here till their affairs were finally wound up, such a doctrine would, in the cases of the great agency houses which were not likely to be brought to a close for a considerable period, certainly have the effect of imprisoning the parties for their lives in a country which was not their native domicile, and into which they had merely come for the purposes of trade.

Sir John Grant said he only interrupted Mr. Turton to enter his protest against the idea that any of these estates could not be wound up in a reasonable time.

Mr. Turton observed that the question was what was a reasonable time?

Sir John Grant said that he meant *a very short time*. He would wish it to be understood that it never could in his opinion be the intention of the Court to carry on these estates for an indefinite period.

Mr. Turton said that the question now before the Court was whether these insolvents should be obliged to be in constant attendance from day to day, and the hearing be adjourned from three months to three months, without any necessity for such an order that he could perceive. That it was wholly unnecessary was clear, for they might be called up for examination at any time on the application of parties desirous of questioning them relative to any particular point of transaction. It was not to their being subject to examination when required that he objected, but to the continuance of the order directing them to be brought up every three months whether necessary or unnecessary. In the case of Palmer and Co. it was quite right that whenever the adjudication was made they should be brought before the Court, and the hearing was very properly adjourned where there was no adjudication; but where the adjudication had been made, it seemed to be a hardship to continue the adjournments coupled with an order for them to attend on each occasion, without conferring any benefit thereby on the creditors, and it was therefore that he brought it to the notice of the Court. At present he moved that the hearing be adjourned in the usal manner for three months, but he wished the latter part of the customary order directing the attendance of the Insolvents for examination to be omitted.

Sir John Grant declined making any order for adjournment unless some cause for it was shewn, and asked Mr. Turton who he appeared for.

Mr. Turton said that he had been instructed to make the application both by the Assignees and the Insolvents. The Assignees applied for the adjournment as usual, but he appeared on the part of the Insolvents by consent of the Assignees, to object to that part of the order which directed their attendance from time to time.

Sir John Grant wished to know the grounds of the application to adjourn the hearing.

Mr. Turton said he had none to offer except that it had been the usual course in such cases to adjourn the hearing from time to time pending the proceeding.

Sir John Grant said he knew of no proceedings. All he knew was that there was a case in that Court which ought to be out of it as soon as possible.

Mr. Turton mentioned something about the order for carrying on the factories and other concerns belonging to the estate, which Sir John Grant said he was quite prepared to rescind, and he took the

opportunity of stating that, if he sat there at the termination of those orders, it would take some very strong evidence to convince him that they ought to be continued.

Mr. Turton reminded Sir John Grant of the destruction of property and injury to the estates that would most certainly ensue from the sudden stoppage of the indigo factories, and the throwing of such an enormous mass of property into the market at once.

Sir John Grant said he might as well say at once that he was quite satisfied that all these factories belonging to the several estates ought to be sold off immediately, and the proceeds divided among the creditors without delay. It was quite contrary to the spirit of the Insolvent Act and to that of the Bankrupt laws to involve the creditors in carrying on concerns for an indefinite period which could tend to the benefit of none save those who were concerned in carrying them on. He wished the parties to take notice of the impression that he had in his mind with regard to these concerns that they might be prepared in the event of any fresh applications for the extension of the orders.

Mr. Turton said that he had no grounds for the application to adjourn the hearing further than the ordinary practice.

*Sir John Grant.* Then let this case stand over till next Court day, that the Assignees may be prepared to shew cause why the order should not be made.

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IN THE MATTER OF PALMER AND CO.

Mr. Waddington made a similar application with the exception of that against the attendance of the Insolvents for examination.

Sir John Grant made the same order, and told the Attorney to be prepared to shew sufficient grounds why this case should not be finally disposed of.

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IN THE MATTER OF COLVIN AND CO.

A similar application was made, and a similar order passed.

Sir John Grant further said that it was quite necessary that these perpetual motions for adjournments should be put a stop to. He did not mean to say in these cases that there were no grounds for them; there might for all that he knew be very good grounds; but the Court should in every case of adjournment be compelled to turn its attention to the grounds for the application.

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IN THE MATTER OF ROBERT ADAIR MACNAGHTEN.

Mr. Smith renewed his application to be relieved from the assigneeship, and put in an affidavit of service of notice on the detaining creditor. It had been intimated to him he said by some of the creditors that the former adjudication should be altered, because by that only one-third of the Insolvent's allowances had been ordered to be deducted, whereas, if the adjudication were made now, he being a Captain in the Company's Military Service, the order of the Court might perhaps be different. His own application however was only to be discharged from the Assigneeship.

No cause being shewn against Mr. Smith's application he was ordered to make the assignment to Mr. Holroyd in the event of the security offered by him being approved of by the examiner.

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## CAPTAIN CRISP'S LIGHT.

*Rangoon, November* 18, 1834.

Mr. Crisp's compliments to Colonel Burney to inform him that on passing the North End of Andaman, about 10 days past, a light was seen on West Island. Captain Emmott thought it might be that of a Malay Prow. Mr. C. is and was of opinion that it was from some cast away crew. His wish however to ascertain the fact was overruled by Captain Emmott.

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*Rangoon, November* 18, 1834.

To CAPTAIN EMMOTT, Commander Schooner *Pyung Bong*.

Sir,—I beg to send you a copy of a note addressed to me this morning by Mr. Crisp, in order that you may have an opportunity of affording any explanation on your part respecting the light said to have been seen on West Island.

I am, Sir, your obedient servant,

H. BURNEY, *Lieut.-Col., Resident in Ava.*

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To COLONEL BURNEY, *British Resident in Ava.*

Sir,—I have the honor to acknowledge the receipt of your letter of this date with copy of a note addressed to you by Captain Crisp, who was lately a passenger in the schooner *Pyung Bong* under my command, and reporting to you that in passing the north end of Andamans about 10 P. M. a light was seen on West Island, which he was of opinion was from some cast away crew, but that his wish to ascertain the fact was overruled by me. In reply I beg leave to state that this supposed light was pointed out to me by Captain Crisp, and I then told him that what he took for a light was in my opinion nothing more than a strong glare occasioned by the breakers on the reefs which bound the north end of that Island. I am still of the same opinion. The night was very dark and the luminous appearance of breakers in such cases is well known to all who have had experience at sea; but even had a light been seen, that should not have caused any surprise or anxiety on my part knowing that these Islands are inhabited and that they are resorted to by Malay Prows, by fishermen, and others, at this season of the year. Moreover we passed close to the north end of the Island before sunset, and saw no fires or smoke or any signal which could lead us to suppose there were any shipwrecked people on the Island.

On another occasion, while in the neighbourhood of the Andamans, Captain C. pointed out a light on the summit of Saddle Mountain. I told him it was a star but he insisted it was a signal light from the inhabitants, who no doubt wished to have friendly intercourse with us, and that if we should be close enough inshore in the morning, and should send a boat it would prove so. Shortly after it was plainly seen to be the bright star in Orion. The object of Captain Crisp's report evidently is to insinuate that I displayed a want of humanity in that I did not attend to his suggestions in these matters. The explanation just given will, I am sure, free me from any such blame, and should you require further information I beg you will be pleased to call on my chief officer. It may be proper for me state that Captain C. and I have been long at variance on account of his conduct on board the schooner where he was strongly inclined to interfere with me in *my duty* as a Commander, and I have on several occasions been obliged for the safety of the vessel and for the sake of discipline to check him for attempting to give orders where he had no right to do so.

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

Rangoon, Nov. 18, 1834. J. EMMOTT.

[*Bengal Hurkaru.*

## NARROW ESCAPE OF THE "SOPHIA."

Having had a very narrow escape in the *Sophia*, during a very heavy gale of wind in the Bay of Bengal, the following particulars are published for general information.

*Tuesday, 4th November.*—At noon passed the Preparis Island, about 7 miles distant, with a strong S. E. wind, dark and cloudy with a heavy sea, ship under-single reefed top-sails—sent down royal yards. Lat. 14 56.

*Wednesday 5th.*—Continued strong gales and a heavy sea, ship under fore-sail and reefed top-sails. No observation. Lat. account 17. 10. N.

*Thursday 6th.* 3 A. M.—Strong gale from N. E. and dark cloudy weather; sent down top-gallant yards. 8 A. M. Increasing gales with a heavy sea; reefed top-sails. 10 A. M. Gale still increasing, housed the top-gallant masts, sent all the studding sails out of the tops and made the ship as light as possible aloft. Noon. Very heavy gales and a high sea running; close-reefed the top-sails and furled them; ship under foresail and fore-topmast-stay-sail; bent a new main, stay-sail, secured down all the hatches fore and aft, put preventer lashings on the boats and spars; ship scudding under fore-sail and fore-top-mast-stay-sail; secured all the dead lights, and made every thing ready to meet a heavy gale. 8 P. M. Very heavy gales with a high sea running, and much lightening to the S. W. 9. 30. P. M. Blew away the fore-sail and fore-topmast-stay-sail in a very heavy gust, at which time the ship became completely unmanageable. The wind then changed to the S. W. and a tremendous heavy gust threw the ship in the trough of a sea, which running to the N. W. made a fair breach over the lee-bows, and swept every thing off the decks. Finding ourselves in a dangerous state I cut away the main and mizen masts, and at the same time a tremendous heavy gust struck the ship and blew the foremast over the side, which fell across the larboard anchor, which had a chain bent to it, and carrying away the stoppers tore it from the bows, ran out the whole of the chain and took one quarter of the main hatches with it, from which cause a great quantity of water got below; and had the ship not been as strong as wood and iron could make her, we certainly must have perished, for no frail ship could have stood the shocks which the *Sophia* received. These tremendous heavy gusts lasted about four hours, at which time all on board had given themselves up to the mercy of Divine Providence, and had it not abated at the time it did, we must have foundered. On examination we found eight feet water in the hold, and the pumps choaked by the cargo washing into the pump-well. We thought it advisable to get the only remaining boat in readiness to leave the ship, after which we lifted the pumps two feet and cleared them, commenced pumping and heaving cargo overboard, found we could gain on the ship, ceased to heave over cargo and turned all hands to the pumps and got the ship free of water in eight hours, after which jury-rigged the ship and proceeded for the Sand-Heads, were we arrived on the 20th of November, all well on board.

JAMES RAPSON, *Commander.*

Calcutta, Nov. 26, 1834.

[*Bengal Hurkaru.*

## ABSTRACT OF THE INDIGO CROP OF THIS YEAR WHICH IS 1835.

| | *Fy. mds.* |
|---|---|
| Messrs. Cockerell and Co. | 14,740 |
| Assignees of Messrs. Fergusson and Co. | 14,032 |
| Assignees of Messrs. Alexander and Co. | 9,915 |
| Messrs. Bruce, Shand and Co. | 7,510 |
| Assignee of Messrs. Cruttenden, Mackillop & Co. | 7,419 |
| Assignee of Messrs Colvin and Co. | 6,105 |
| Messrs. Bagshaw and Co. | 5,800 |
| Messrs. Colville, Gilmore and Co. | 3,815 |
| Messrs. Gilmore and Co. | 3,400 |
| Assignees of Messrs. Palmer and Co. | 2,573 |
| William Storm, Esq. | 1,920 |
| John Palmer, Esq. | 1,730 |
| Assignees of Messrs. Mackintosh and Co. | 1,501 |
| | 80,460 |

SUNDRY AS FOLLOWS.

| | |
|---|---|
| Messrs. R. C. Jenkins and Co. | 1,000 |
| Messrs. Gillanders, Arbuthnot and Co. | 800 |
| Mr. J. V. Cavork, | 650 |
| Messrs. Lyall, Matheson and Co. | 500 |
| Messrs. Willis and Earl, | 500 |
| Messrs. J. and H. Cowie, | 450 |
| Mr. J. V. Newton, | 450 |
| Mr. A. Simpson, | 350 |
| Mr. Twidy, | 350 |
| Mr. Home, | 350 |
| Mr. Zigler, | 340 |
| Mr. Hastie, | 300 |
| Mr. C. Deverinne, | 300 |
| Mr. Rice, | 300 |
| Mr. J. Finch, | 300 |
| Mr. Dunlop, | 300 |
| Mr. J. Brae | 280 |
| Messrs. Watson and Co. | 250 |
| Mr. Rose, | 200 |
| Mr. Reid, | 175 |
| Mr. A. Agabeg, | 175 |
| Messrs. Boyd and Co. | 150 |
| Mr. Kay, | 150 |
| Mr. Russel, | 110 |
| Mr. Malous, | 105 |
| Messrs. Muller, Ritchie and Co. | 100 |
| Mr. Muller, | 90 |
| Mr. Johnson, | 95 |
| | 9,120 |
| Sundry small merchants of 1, 2, 5 and 10 chests which they brought last year were about factory maunds 434, I think they make this year factory maunds 500 | 500 |
| The Native crop of last year was better, but in this year was corrupted, on account of the gale could not reap the plant from the water; but it is not more than half of last year—their last year's crop I had made its account; it was factory maunds 9,450, and this year only half of the last, | 4,720 |
| Fy. mds. | 94,800 |

This is the total crop of the year, same as last year; but I think it will be less 10 per cent. for the Indigo Planters they write their quantity according to the number of cakes, their Indigo still wet not dry, nor been weighed, and after the weighing it will be much less than they guess; and this list is according to the quantity which the planters wrote before the weighing.

This week came here from four of them reports, and he who wrote 600 maunds he have only 525; and other who wrote 400 maunds he have only 370; and who wrote 170 maunds he have only 115 maunds. Those who wrote their quantity before the weighing and while their Indigo was still wet, those will deliver much less than in this list; but whoever writes after the weighing, he is right—and every 15 days I make a new printed list of every planters, how much they have written from the beginning, and how much they can bring here actually, that I know very well what loss arises to the crop of this year.

*Hurkaru.*] EZEKIEL MUSHLEA.

The exquisite edict of the Directors against public Meetings published by authority as certified by one "Thomas Brown," needs no argument for its condemnation. It never had the shadow of a foundation in law or right.

The appeal against the Charter goes, of course, to Parliament. The petition contains an exposé of the defects of this measure, which we should be glad to see an attempt to answer by something more worthy of the name of argument, than abuse and insinuations against the *motives* of those who advocated that petition at the meeting. We are willing to allow full credit for all the good that really belongs to it, though that is infinitely over-rated by those who admire it, and does little honor to the intentions of the framers of the new India Bill. The grand charge against them is, that they have either wholly overlooked, or made entirely secondary, the interests of the people of India.

That they have made the interests of this people secondary is clear, as Mr. Dickens noticed, from the very preamble of the Act in which the object of an arrangement with the East India Company is placed *first*—that of the *better* government of India, last. The whole measure is, with few exceptions, an apt commentary upon this text. The measure avowedly proceeds on a sacrifice of principle to expediency. Before any compromise was made with the Company, and more especially one with which to saddle this country with a heavy additional burthen, justice required that the question whether the Company really had any claims against this territory or not, should be decided: the accounts should have been submitted to professional accountants having access to all documents essential to their object, and their report should have been taken to be final. Instead of which the Committees, confused by the conflicting evidences of the Melvilles and the Langtons, left the question as they found it, and Mr. Charles Grant cut the gordian knot by admitting claims which we believe, have no foundation in justice: our settled conviction is that territory is not indebted to commerce, but at least before this country, with an actual deficit in the revenue to a very large amount, after half-batta and various other clippings, is saddled with a heavy additional burthen, that never ought to have been for ever set at rest. The speakers at the meeting have ably taken to pieces the Whig Charter, and the petitioners have placed on record against it in the petition, objections which we repeat, we believe, to be irrefutable. We confine ourselves therefore to a point of some importance on which we differ from some of the speakers. Both Mr. Turton and Mr. Dickens expressed an opinion in favour of retaining the East India Company as an instrument of government for India. From that opinion we have always dissented and do still dissent. Our reasons for this view of the case have been so often stated that there is no form of words in which we could put them that would not be a repetition, we will take the liberty therefore of re-stating them in the very words used by us in the *Chronicle* of August 17, 1833, in the conclusion of the article on Mr. Grant's arrangement and compromise. After speaking of the deficit of near half a million which would still remain, according to our estimate, after the completion of his financial scheme, we then observed:—

"Yet in the teeth of this enormous deficit, Mr. GRANT and the Court of Directors look abroad only: look to INDIA as the inexhaustible milch cow, and none of all the parties concerned appear to dream for an instant of looking *at home* for any relief, by means of that rigid economy and cutting down of superfluous establishments, which the whole of them are at all times eager enough to preach, if not to *practise*. It never seemingly occurs to any one to enquire, by what right, save of the strongest—under what colour of decency—through what pretext of justice, or from what semblance of utility, England persists in saddling this country with the continued and most intolerable expense of *two distinct Governments* at home, in addition to the only really needful Government, that on the spot? Surely in these enlightened times, with a local and vigilant press, with free resort and settlement of Europeans, and with many contemplated legislative reforms, it is high time to relax the vigour of that old passion for ruling India in all the foolish minutiæ of administrative detail from a distance of 15,000 miles, while the Local Government is to be strictly one of doubled *delegation*, the mere mouthpiece of the prone-to-meddling, inexperienced, and little-interested Legislators and Ministers of the India *House*—themselves scarcely better than delegates under the superior meddlers of the India *Board*.

"Many and multiplying as the inconveniences and evils are of this mania for delegated rule peculiar to the East India Company's possession, its inordinate expense is one of the most crying. This original sin—this Æthiopian *tache*, meets one in a thousand shapes and forms ridiculous, vexatious, and useless, beginning with the absurd extravagance of *troops* of copyists, and their countless folios of frivolous diaries and endless dispatches, and followed up by the enormous and wasteful *regiments* of functionaries—minor and major—in the City and in Westminster! Is it of the things impossible—*absolutely* impossible—that *one* of the *two* Establishments might be saved altogether? Is it contrary to the "eternal fitness of things" that the little Board at Whitehall, which costs not a tithe of the other, should, with a moderate addition of workmen from the great City House, do the work of both? Why not let the Chairs be named by the Crown?—in other words, Mr. Grant and Mr. Holt Mackenzie preside over a conclave, sufficiently numerous, of potent, grave and reverend Astells, Campbells, Marjoribankes, Alexanders, Bailies, Edmonstones, &c. &c. As much work at least, we should think, a compressed establishment of the sort *might* get through, as would be of any real utility to India and England. *The saving would apparently go far towards filling the vast deficit in the ways and means of India*; and surely such an experiment is at least well worth the trial. It *is* worth it, indeed, were it only for the honest face with which the Governments abroad might in that case be exhorted by their *collaborateurs* at Home, to strain every nerve yet unexhausted, of *prudent* economy, so as to complete the remaining work and fill up the *rest* of the hideous financial deficit."—*Hurkaru.*

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## TOWN HALL MEETING,—JANUARY 5, 1835.

The proceedings of the day were commenced by the Sheriff's reading the requisition for calling the meeting, which was to the following effect; and we insert here also the Sheriff's Notice for the purpose of preserving a complete record:—

NOTICE.—In compliance with the following Requisition, a Meeting of the Inhabitants of Calcutta will be held at the Town Hall, This-day, Monday, the 5th January, at 10 o'clock in the forenoon, for the purpose therein specified.

W. HICKEY, *Sheriff.*

Calcutta, Sheriff's Office, Jan. 5, 1835.

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TO THE SHERIFF OF CALCUTTA.

Sir,—We, the undersigned, request that you will convene a general meeting of the Inhabitants of Calcutta on an early day, to take into consideration the propriety of petitioning the Governor-General in Council or the Legislative Council of India, to repeal the press regulation passed in 1824, and to remove the restraints upon public meetings, and also of petitioning the British Parliament upon the subject of the late Act passed for renewing the Company's Charter.

We are, Sir, your obedient Servants,

| | |
|---|---|
| Thomas E. M. Turton, | Russick Krishna Mullick, |
| Theodore Dickens, | D. Macintyre, |
| James Sutherland, | Dwarkanauth Tagore, |
| John Brightman, | Collynauth Roy, |
| J. D. Dow, | W. Carr, |
| J. A. Hessing, | Charles Hogg, |
| E. W. Brightman, | A. Rogers, |
| Prosunnocoomar Tagore, | F. H. Burkinyoung, |
| Robert Paton, | T. Sandes, |
| Longueville Clarke, | George Vint, |
| Rustomjee Cowasjee, | W. Anley, |
| B. Harding, | C. Thackeray, |
| Joseph Willis, | J. H. Crane, |
| Willis Earle, | T. Holroyd, |
| J. Cowell, | R. H. Cockerell, |
| John Allan, | R. Spier, |
| Robert J. Bagshaw, | Henry Holroyd, |
| R. Scott Thomson, | W. F. Fergusson, |
| Thomas Allardice, | G. Wodsworth, |
| John Hastie, | E. Mackintosh, |
| W. Melville, | T. Plowden, |
| George Fraser, | R. C. Jenkins, |
| J. G. Bruce, | William Cobb Hurry, |

John Palmer,
Thomas Palmer,
J. Shaw,
D. Ingraham,
Charles Reed,
Ausbootos Day,
Promothonauth Day,
Radakissen Mitter,
Samuel Smith,
William Bruce,
Charles Dearie,
J. Kyd,
W. Crawford,
Alex. Fraser,
John J. Pearse,
W. J. Judge,
J. Page,
W. H. Twentyman,
K. R. Mackenzie,
Henry Mackenzie,
J. Cowll,
J. Church,
Hurrow Chunder Bose,
J. Maclean,
John Cowie,
Henry Cowie,
J. Stopford,
William Storm,
John Storm,
William Mackenzie,
R Lyall,
J. N. Lyall,
Hugh Matheson,
Thomas Leach,
J. J. Iselem,
W. G. Jenkins,
Henry H. Fea,
W. R. Young,
E. M. Gordon,
J. Franks,
D. Hare,
Shama Churn
Russomoy Dutt Bose,
D. C. Paull, .t,
Mobes Chunder
Luckenarain Goo Dutt,
Wm Gee, pto,
Muddoosoodun Mit
Radamadub Bonnerjee,
Seekissen Sing, See,
Hurrymohun Bose,
Nulkissen Bonnerjee,
Radapersaud Roy,
T. Young,
Chunder Shaikher Deve,
Woodoychund Dutt,
Esserchunder Mookerjee,
William Ball,
Peter Palmer,
Hurrischunder Sen,
Sreenauth Mockerjee,
Shama Churn Sen,
Rajkissore Sen,
Ramchund Bonnerjee.

Calcutta, December, 1834.

On the motion of Mr. Clarke, the Sheriff was called to the Chair.

Mr. Turton, in moving the first resolution, addressed the Meeting to the following effect. Gentlemen, I rise with no small degree of pride and exultation to offer to your acceptance a resolution which will, I trust, have the effect of putting an end to the restrictions which have for some years past been imposed upon the Press in this country,—restrictions which are as unjust in point of law as they are impolitic in their nature. It will be in the recollection of most of those who now hear me, that in the year 1823, certain regulations were passed against the liberty of the Press by the Government—that that liberty had never been enjoyed here in its full extent, I am willing to concede. I allow that there had been a previous censorship; that is well known to all, and that that had been repealed by the Marquis of Hastings is equally well known. But, Gentlemen, it was during the short period of the power of a temporary Governor-General, that those who saw danger in certain publications that had gone forth to the world, (or, as I believe is more nearly the truth, made the imaginary danger a pretence for a line of conduct which they found convenient on other grounds) came forward to propose a regulation, under the sanction of that temporary Governor-General, which should have the effect of bridling the tongues, and checking the pens, of all those whose remarks upon the policy and the acts of the Government they found disagreeable. So far what I have stated must be familiar to you, but it may not be equally in the recollection of all who now hear me, that simultaneously with this regulation, which applied to Calcutta, another regulation was passed for the purpose of imposing fetters upon the Press in the interior. Gentlemen, as far as my humble efforts can be of any avail, it is my purpose this-day to obtain the repeal of both those regulations. (*Loud Cheers.*) When I shall bring to your notice, or recall to your recollection, the terms of those two regulations, I think you will have no great difficulty in seeing what was the real object of those who passed them, and to what an extent they would have carried their restrictions had their power been commensurate to their wishes—they did carry them as far as they were able in Calcutta, but here there was a check upon them, for in order to give validity to their regulation, it was necessary that it should be registered in the Supreme Court. To what an extent they would have proceeded, had it not been for such a check, you may divine from seeing to what an extent they actually did proceed in the interior, where there was no limit to their power. The first regulation was, generally, to impose upon all persons, being proprietors of periodical publications, the necessity of obtaining a previous licence, which licence might at any time be withdrawn. It is not necessary I should trouble you by reading this Regulation at length, but I will read a kind of comment upon it by the Government itself, the day after it was registered in the Supreme Court, which will assist you in forming a judgment as to the motives of those who were concerned in passing it. On the 7th of April, 1823, the following order was issued in the *Government Gazette*:—

FORT WILLIAM, APRIL 5, 1823.

"The Governor-General in Council, with reference to the Bye-Law passed on the 14th ultimo, and registered in the Supreme Court on the 4th instant, deems it proper to notify to the Proprietors and Editors of Newspapers and other Periodical Works, as specified in the aforesaid Bye-Law, that the publication in any such Paper or Periodical Works of matter coming under any of the following heads, will subject them to be deprived of the Licence under which such Paper or other Periodical Work may be conducted."

That, Gentlemen, is the first paragraph. You know it is customary at the convivial Meetings in this Hall, whether held in the pious reign of George 3d or in that of George 4th, or in the brighter and more liberal reign of William 4th, the first thing you do after the dinner is over, and grace said, of course, is to drink the health of the king with all the honors; and it seems, that the enactors of this notable Regulation have followed your very excellent example, for when they come to impose restrictions upon the Press, the first bolt they level is aimed at "declamatory or contumelious reflections against the King or any of the members of the royal family." (*Much laughter.*) I am sure I don't know whether such thing ever was published here, but at all events we see that the first object of the Indian Government of that day was to preserve intact the reputation of his Majesty and the royal family. (*Laughter.*) Then comes—

"Observations or Statements touching the character, constitution, measures or orders of the Court of Directors, or the public Authorities in England, connected with the Government of India, or the character, constitution, measures or orders of [illegible] Governments, impugning the motives of such Authorities or Governments, [illegible] tending to bring them into hatred or excite resistance to their orders, or to [illegible] authority."

Now I will venture to say, that it ever was a [illegible] in Calcutta calculated to touch the character of the Government authorities, or to bring them into [illegible] or contempt, or to excite resistance to their [illegible] or to weaken their authority, it was this comment which they published upon their own odious [illegible]tion. (*Loud cheers.*) But, Gentlemen, is it to be tolerated, that we are not to have the liberty of commenting upon the acts, motives and designs of the Government under which we live, provided it be done in a fair and honest manner, without exposing the party who makes such comments to the risk of total ruin! Then comes—"observations or statements of the above description relative to allied or friendly native powers, their ministers or representatives." So at this present time, and my friend Mr. Adam hears me, you have not the power of making any comment upon the conduct of the Nizam, or of the minister of the King of Oude, or of the Regent of Gwalior, or of the Ambassadors of Runjeet Sing! (*Loud laughter.*) Yes, Gentlemen, you are at this moment in such a state of thraldom, that any man is liable to have his means of livelihood taken from him, because he has dared to comment upon the behaviour of the Ambassador of

Runjeet Sing! Then it goes on—"defamatory or contumelious remarks or offensive insinuations levelled against the Governor-General, the Governors or Commanders-in-Chief."—I have heard of offensive insinuations levelled against Commanders-in-Chief, though not proceeding from that source of all abominations, the Indian Press—"the Members of Council or the Judges of his Majesty's Courts at any of the Presidencies, or the Bishop of Calcutta! (*great laughter:*) and publications of any description tending to expose them to hatred, obloquy or contempt; also libellous or abusive reflections and insinuations against the public officers of Government." Now I will venture to say, there are many officers of Government who never knew that this shield was held up to protect them from public obloquy, and who would utterly repudiate any such kind of protection. (*Loud cheers.*) The Judges of His Majesty's Courts and the Bishop of Calcutta must also feel complimented by such an implied tribute to their merits. Then we have—

"Discussions having a tendency to create alarm or suspicion among the Native population of any intended official interference with their religious opinions and observances, and irritating and insulting remarks on their peculiar usages and modes of thinking on religious subjects."

Gentlemen, did you ever hear the equal of this first you are told you must not comment upon the constitution of the Court of Directors—Why, since this Regulation was passed, the constitution of the East India Company has been entirely altered! next you are told you must not discuss any question regarding the peculiar usages and modes of thinking on religious subjects, prevalent among the natives—why since that regulation was published, a regulation has been passed to put an end to one of the native rites, considered by one large party among them to be closely connected with their religious principles! That is the situation in which you are placed, and is it one to be tamely endured! Next comes a rather sweeping clause—"The republication from English or other papers of passages coming under the foregoing heads." So you must not hear any thing that has been published in any of the English papers which might by possibility expose to contempt any of the constituted authorities—Sir Richard Birnie for example. (*Loud laughter.*) I remember George IV., when he was [illegible] was called by Leigh Hunt a corpulent [illegible]ty—why, if this were to be transplanted into the columns of the *Englishman*, Mr. Stocqueler would have a good chance of being deprived of his [illegible] (*Loud laughter.*) Then comes "Defamatory libels, tending to disturb the peace, happiness, publications, tending to disturb the peace, happiness, and good order of society. "Anonymous appeals to the public, relative to grievance of a professional or official nature, alleged to have been sustained by public officers in the service of his Majesty or the Honorable Company." So if any man thinks he suffers under a grievance, he is not to be allowed to have recourse to that which is very frequently the only medium through which he can obtain redress—at many up-country stations, to debar a man from making public his grievances, is often tantamount to denying him all redress whatever. I think, Gentlemen, you will consider what you have already heard to be tolerably startling—but now comes what crowns the whole—here is the deliberate opinion of the Government of that day, as to what is the effect of these rules, an opinion gravely published by them in an official document—"The foregoing rules impose no irksome restraints on the publication and discussion of any matters of general interest." (*Roars of Laughter.*) Really, Gentlemen, I do not wonder at your mirth, for it is utterly impossible to preserve one's gravity in reading this. Impose no irksome restraints on the publication and discussion of any matters of general interest! Why there is hardly any sort of matter of general interest, the publication and discussion of which is not prohibited! No irksome restraint to the community, what could they mean? If they meant that the rules imposed no irksome restraints on the Government, it is all clear enough! And now let us see what was the practical result of this—this which was said to impose no irksome restraint on the discussion of any matter of public interest, Mr. Buckingham was the first to suffer. He carried on at this time a journal in this city. No, I am not in error. It was Mr. Buckingham's case which gave rise to the enactment—and what was this offence? He published a little satirical poem in which some allusion was made to the letters V I C E, the initials of the United East India Company marked on certain penknives, ink, pounce and paper—for this he was pounced upon, and was actually deported for publishing a frivolous, and to say the truth, not an over-and-above good *jeu d'esprit* upon the Secretary to the Stationary Committee. What has been the result of that? Why, ten years afterwards the East India Company are compelled by the British Parliament, at length aroused to a sense of justice, to make remuneration for the wrong they have inflicted. I believe the bill has not actually passed, but there is the report of a committee, and that a Bill will follow there can be no doubt. In a later stage of these proceedings, I shall have occasion to point out to you, in observing upon the Act of Parliament, which is entitled an Act for the better Government of India, that it is not from the East India Company that this remuneration must come, but from the pockets of the inhabitants of India. So much for the justice and policy of that proceeding. Now let us come to the next case—it was that of Mr. Arnott. He was sent home—I really am unable to explain to you why, although I was concerned in that transaction as his Counsel, but I think you will easily conceive, that a public journalist, under the restrictions of such rules as I have read, could hardly avoid giving an advantage to those who wished to send him home. Well, he was ruined and he afterwards received remuneration: such was the effect of that proceeding. Mr. Fair's case I take to be tantamount to these; for although the Court at Bombay refused to sanction a regulation, similar to that which the Judges of this Court allowed to be registered here, on the ground that it was contrary to the laws of England, yet they applied to the case of Mr. Fair, a clause in the Act of the 53d, George III., which allows of deportation, and they actually ruined him, by making use of another instrument, which, though different in form, was, if possible, still more tyrannical and unjust. I see near me two gentlemen who have also suffered in the cause. Will you believe that the Government could make it a condition with the proprietor of a public newspaper, for their continuing his licence, that a certain individual should not be employed as Editor—that they should have a veto, as it were, upon the Editorship. And yet with the proprietors of the *Bengal Chronicle*, the Government made a bargain that a particular gentleman should not remain the editor! There is another gentleman near me, to whose labors an entire stop was also put for the time, and upon whom the heaviest injury was inflicted. I believe, the two gentlemen to whom I have alluded, will not object to my mentioning their names, I mean Mr. Sutherland and Mr. Adam. Thus then I bring down the acts of the Government from 1823 to 1828, when the last exercise of this power was had recourse to, at the close of the Deputy Governorship of that day, Lord Combermere being the Vice-President. Can it then be said that this law is so obsolete, so unlikely ever to be exercised again, that it does not matter whether it be repealed or not? Does it not rather behove us, while we have a Governor-General under whom we have enjoyed every practical liberty

of the Press, *(loud cheers)* to solicit him, now he is on the eve of leaving us, that the last act of blessing he will confer upon this country shall be the repeal of a law, which may be a fearful engine of oppression in the hands of those who have less consideration for liberty than himself? *(Loud cheering.)* This is the object of the resolution I am about to propose.

Something, Gentlemen, has been lately published with regard to a distinction between the English and the Native Press. It is the latter which the other regulation I have mentioned, tends more particularly to controul. Of that regulation I will read you the preamble alone, for it is unnecessary to read more, in order to show the object of the Government of that day. It is regulation III. of 1823, passed by the Governor-General in Council, on the 5th of April, one day after the regulation for Calcutta was registered in the Supreme Court.

"A Regulation *for preventing the establishment of Printing Presses without Licence, and for restraining, under certain circumstances, the circulation of printed Books and Papers: Passed by the Governor-General in Council on the 5th April* 1823, *corresponding with the 24th Chyte* 1229, *Bengal era; the 10th Chyte* 1230, *Fussly; the 25th Chyte* 1230, *Willaity; the 9th Chyte* 1880, *Sumbut; and the 22d Rujub* 1238, *Higera.*

"*Preamble.*—WHEREAS it is deemed expedient to prohibit within the territories immediately subordinate to the Presidency of Fort William, the future establishment of printing presses, and the use of any such presses or of types or other materials for printing, except with the previous sanction and licence of Government, and under suitable provisions, to guard against abuse; and whereas it may be judged proper to prohibit the circulation, within the Territories aforesaid, of particular newspapers, printed books, or papers of any description, whether the same may be printed in the town of Calcutta or elsewhere;—the following rules have been enacted, to be in force from the date of their promulgation within the territories immediately subordinate to the presidency of Fort William."

This is a regulation, Gentlemen, for restraining not merely the *printing*, but the *circulation* of books or papers whatever, in *any* language whatever! not merely in the vernacular langua[illegible] the country, but all printed books and papers in every language, wherever printed and published! There is, Gentlemen, at this moment, an absolute power in the Government, to put its *veto* upon the circulation of any book, upon any one subject whatever, whether it contain offensive passages or not, and this without any responsibility whatever! I am sure that whatever difference of opinion there may be in the minds of different individuals, as to the propriety of any restrictions on the Native Press, there will, and can, be no difference of opinion, that a regulation so offensive to all the principles of freedom and good Government, ought not any longer to disgrace the Indian statute book. Have *we* the power of fettering Government as to any regulations they may choose to pass, for the purpose of knowing who are the parties responsible for any publication that may issue from the Press? That must be left in the hands of the Government; but I do ask that if there shall be any desire to pass any regulation, imposing further restrictions than those which are imposed by the common law, and by common sense and by common justice, that at all events, that law may not be carried to the extent either of a previous censorship or a licencing system. I do ask that, and I say, that is the least we can ask from any Government that makes the slightest pretension to enlightened principles. (Loud cheers). But lest I may be mistaken here or elsewhere, I say distinctly, that I make common cause with the Native Press. *(Loud cheers.)* I know of nothing that should prevent me. I know nothing of any superior firmness and courage in the native character, which should make them dangerous, in circumstances in which Englishmen are not dangerous. I know of no principle for the Government of this country, except that which extends to all equal blessings. *(Loud cheers.)* I am satisfied that, if we give to this country an enlightened and a liberal Government, if we afford its inhabitants opportunities of knowing the laws which may be passed for their direction, and opportunities of representing their grievances, and of being heard fairly and honestly, we shall find none but loyal subjects; and I believe it will be found by Natives, as well as by Europeans, the common interest of all, to support the British supremacy. On this ground I make common cause with the Natives to-day. *(Loud cheers.)* Gentlemen, what has been the result of the liberty which the Native Press has lately practically enjoyed? Has anything appeared in the Native papers likely to bring the Government into hatred or contempt? I declare, as I have already said, I know of nothing ever printed or published by any press, so calculated to bring the Government into hatred and contempt as this most odious regulation. Gentlemen, when I rose I did not intend to detain you at the length I have done. I have no intention of going into any general discussion on the advantage of a Free Press. The subject has been before you for the last twelve years, in two different characters, the character of restriction, and the character of enjoyment of liberty. When it was restricted, was there any one who did not feel the effects of that restriction? Since it has been practically free, have those who govern the country sustained any injury from it? I ask if the Government is not now more honored, if its laws are not more observed, and if it does not live more in the hearts of the natives than when Mr. Adam passed that regulation? I think, Gentlemen, I shall have your unanimous concurrence in the resolution I am about to submit to you, which is—

"That whilst this meeting acknowledges with gratitude the practical liberty which the press of Calcutta has enjoyed under the administration of the present Governor-General, yet it is highly expedient that laws so repugnant to those of England as the Regulation passed against the press by the Bengal Government in [illegible] 1823, which may be so readily applied to evil [illegible] in the hands of an arbitrary Governor-General, and under which so many individuals have already suffered, should be repealed.

(Mr. Turton sat down amidst loud cheering.)

The Resolution was seconded by MR. E. M. GORDON, of the Civil Service, in the following address:—

MR. CHAIRMAN,—I rise with unspeakable satisfaction to second the resolution moved by Mr. Turton. All my life long I have been a firm, an unalterable friend to the most perfect freedom of discussion; and I am proud of the opportunity now offered, of making this avowal within the hearing of the Government,—in the presence of this meeting,—in the face of all the world. There are no conceivable circumstances under which I should consider it to be my duty to conceal the fact, that I am the uncompromising advocate of a free press.

Could I at any time be brought to suppress the public acknowledgment of my opinion on this subject—could I be tempted to evade, or back out of the open confession of this my political faith, I should look upon myself as the most contemptible of hypocrites, and deserving of the scorn of all honest men. The resolution has been so ably supported by my learned friend, (if he will permit me so to call him:) the folly of the existing Press Laws has been so powerfully assailed by his ridicule, that little is left for me to say in seconding that resolution. There are, however, some observations of a general nature, connected with the encouragement that ought to be given to the diffusion of knowledge, which, though they seem to

be somewhat underrated by the mover, appear to me important, and to which, accordingly, I would call the special attention of all whom I have the honor to address. But before I do so, I beg to offer one or two remarks, touching the position I now personally occupy. I have the honor to be a member of the Civil Service, and it is precisely because I do belong to that body, and not from a foolish desire of display, that I am anxious upon this occasion to claim for myself and those of my brethren who agree with me, an unrestricted right to liberty of thought and speech. I am desirous of asserting boldly and fearlessly, but with perfect respect, and I trust without the risk of contradiction, that men ought not as servants to forfeit their claims to the just confidence of the Government, because they take a part in the proceedings of this day. A short time ago, and within these walls, there was an expression used by a gentleman, high in office, that it is the duty of servants to be humble. It is very far from my wish to misrepresent the civilian in question, and I do not suppose, that in employing the phrase referred to, he intended to preach up the duty of servility. But to prevent misconception, it may not be amiss, if I endeavour very shortly to state, how far the Government may reasonably require obedience from its servants, and where the duty of obedience on the part of servants may be fairly considered to stop. It will readily be allowed, that, in every country, some system of subordination, some scheme of discipline, must be kept up amongst the functionaries of the government. All cannot be masters,—each cannot be a law unto himself. An attempt to govern upon such a principle would lead to inevitable anarchy. What then may be regarded as a just practical rule, to be followed by servants towards the government they serve? It seems to me to be this.—When the government, on any occasion, has *finally* resolved to carry any plan or law into execution, it is the duty of the servant, to whom such an order may be communicated, to obey, or to resign his post. I speak not of extreme cases. It is impossible that the Indian Government, whose members are Englishmen of the 19th century, could promulgate any orders of a notoriously violent and sanguinary character. This is so exceedingly improbable, that I do not take it into account at all. What I allude to, is the *final* judgment come to, in matters about which there might be a reasonable difference of opinion amongst men; and I have no hesitation in saying, that in such cases, when the decree of the Government after mature deliberation has once gone forth, the only alternative left for the servants is obedience, or resignation. But before the time of this *ultimate* alternative arrives, there is an intermediate interval, during which it appears to be the bounden duty of the servants of Government, to bring before its notice, openly and fairly, and without reserve, all those facts and reasons, which in their judgment show the folly, or the injustice, or the inefficacy of any proposed plan or law. In making such a representation, far be it from me to say, that the servants of Government are not to use the language of respect, the style of conciliation, the modest and unassuming manner of subordinates when addressing the constituted authorities of the land. To pursue any other course would imply not only a want of wisdom, but apparently an indifference about the success of the cause they advocated. If it is true, in the language of scripture, that "a soft answer turneth away wrath," it is equally indisputable, that an insolent, overbearing, or forward mode of addressing those whom we would bring over to our own way of thinking, so far from conciliating, has the tendency still farther to estrange them from us and from our opinions. This is so obvious, that that man's sincerity might plausibly be doubted, who when professing to make converts on any subjects, defeated the end he had in view by his offensive mode of expressing himself. If then by humility as the duty of servants, it is simply meant, that they should observe a respectful, conciliatory, and modest tone when making representations to the Government, I subscribe with all my heart to the justness of the doctrine. But if it be assumed in any quarter, however high, that subordinates are necessarily incapable of giving wholesome advice to their rulers: if it be held, that the only province of servants is to yield an unquestioning, an unhesitating, an unconditional, and an instantaneous obedience to those placed in authority over them: if this is what is to be regarded as proper humility, then I beg to protest against such humility, and to declare before God and man, that those who so act, are in my opinion, not only not doing their duty, but are guilty of the greatest of crimes. Nay, I will go farther, and assert, without the fear of contradiction, that if at any time the government of this country, has been betrayed into acts of questionable wisdom, or doubtful justice, it has been owing in a great degree to this mistaken, ignorant, and unprincipled subserviency on the part of its own functionaries. The principles I have been laying down, as to the extent and the limits of a public functionary's obedience in official life, are of easy application, as regards the course he may pursue at a meeting such as is the present. If in his direct intercourse with Government, a fair and liberal latitude of opinion is conceded to a public servant, in all questions of proposed legislation, it surely cannot be contended, that he ought to be debarred from the privilege of uniting with his countrymen and native fellow subjects, in respectfully soliciting the attention of the Government to what he conscientiously believes to be the injurious tendency of any existing laws. That the Government does not desire to deprive its servants of such a privilege, is obvious from the fact, that several members of the service put their names to the requisition for leave to hold this meeting, and yet no intimation has been made to those who did so, that the Government considered them to be transgressing the legitimate bounds of a servant's obedience to the State. I have thought it proper to make these preliminary observations, that I may set myself right with Government, and that my motives in taking the part I now take may not be misinterpreted nor misunderstood. I now proceed to the business of the day.

In supporting a resolution like that which it has fallen to my lot to second, my great difficulty lies in attempting to divine what objections can be urged against it. The propriety of encouraging the growth of knowledge, ranks in my mind amongst self-evident truths. To tell a friend that temperance contributes to good health, or that a life of honesty will gain respect, appears not to be a more superfluous task than his seems to be, who has to enforce the proposition that it is beneficial to man, to increase the sum, and to extend the diffusion of knowledge. Unfortunately all men have not always been of this opinion, else it would not have been necessary for us to assemble here to-day, but I cannot help thinking, that the existing Government will agree with the inhabitants, and will by its acts, far more effectually second the resolution moved by my learned friend than I can by any speech of mine. Those who are unfriendly to an increase either in the amount, or the diffusion of knowledge, may be ranged under two classes. The first are they who extend this unfriendliness to all countries; the second are they who professing to be the friends of a progression of knowledge every where else, would yet have it to stand still here. Of the first, there is, I grieve to say, a very numerous body, who from their own entire ignorance, are not very capable of discoursing on the effects of knowledge, Walter Scott tells us, that "Sir Everard Waverley had never been himself a student, and like his sister Miss Rachel, held the doctrine, that idleness is incompatible with

reading of any kind, and that the mere tracing of the alphabetical characters with the eye, is in itself a useful and meritorious task, without scrupulously considering what ideas or doctrines they may happen to convey." The worthy Baronet and his maiden sister take the precedence of the order of persons I allude to, for these do not even reach the dignity of 'tracing the alphabetical characters with the eye." Steeped in profound ignorance, happy in slothful listlessness, they seem to live upon the line,

"Where ignorance is bliss 't were folly to be wise."

To such people, if they could but hit upon it, and carry it in their heads, this verse would be what ale was to the Scotch lawyer's Clerk in the novel,—it would be "meat, drink and sleep, bed, board and washing" to them. Leaving these worthies to sleep and fatten upon the ale of ignorance, I would speak of those, who not themselves absolutely destitute of knowledge, would yet very sparingly communicate this gift to others. How to describe such men is no easy matter; what to say to them is more difficult still. Wise men I cannot call them: men possessed of

——— "a power of mind
Foreseeing and presaging, from the depth
Of knowledge past or present,"

it is impossible to allow them to be; men animated by a strong, ever-stirring, and enlightened spirit of benevolence, they certainly are not: yet I am loath to think that they are actuated by pure selfishness. I would rather infer, that their minds, weak by nature, are filled with dark and vague apprehensions respecting the effects of knowledge universally diffused: that they are encircled by a dim foreboding which makes them tremble: that having nothing of the bold, nothing of the joyous temperament about them, every vision before them and around them is a

——— "dreary plain, forlorn and wild,
The seat of desolation, void of light,
Save what the glimmering of the livid flames
Casts pale and dreadful."———

It would be vain to attempt to prove to such men the groundlessness of their fears; it would be useless to tell them, that the real danger lies in the existence of little knowledge, or no knowledge: but if any thing can make an impression on them it must be the truth (which has often been declared, and which cannot too often be declared) that do what we will, we cannot possibly stop the progress of knowledge. In some of the more enlightened countries in the world, in England in particular, the cause of knowledge has advanced so far, has become so strong, that it may fairly bid defiance to its enemies. It is like the house built upon a rock. "The rain may descend, the floods may come, the winds may blow, and beat upon this house; and it shall fall not, for it is built upon a rock."

It is needless to inquire particularly, to what causes it has been owing, that knowledge has thus been advanced and diffused? Some have favored it from considerations of a religious nature; some perhaps from political party spirit; some from vanity and fashion; and many, I trust, from a pure desire to spread as far as possible, that pleasure which themselves feel from a gratification of the love of knowledge, and from a wish to raise their fellow creatures as high as possible in the scale of being. But from whatever cause or combination of causes proceeding, knowledge as "on a rock transfixed," shall stand secure, unless some moral apoplexy, shall strike to the dust, at one fell blow, the whole great mind of civilized man. Nothing short of such a moral miracle can injure knowledge: no human efforts can move her from her position: as well might the men of science with all their instruments and a place whereon to put them, attempt to move the globe from its orbit: as well might the royal hand be uplifted to stay the waves of the coming tide.

The other class of men whom I have alluded to, and to whom I beg to direct the attention of this meeting, consists of those, who are opposed to the diffusion of knowledge in this country. As respects other lands, these persons are ready to admit the all-powerful effects of knowledge. If asked, why they feel a just pride in human capabilities? They point to the countless manifestations of human genius,—to the innumerable proofs, the mind of man has given, of its power to add to the sum of our physical and intellectual enjoyments, and to raise us in the scale of moral being. They own too, that this striking superiority of civilized over savage man is owing to increased knowledge, and to increased knowledge alone. Following up this system of interrogation, were we to inquire of the persons I am speaking of what cause more than any other has made man in modern times an object of wonder? They would answer, the invention of printing? And why? Because by increasing prodigiously the facility of diffusing knowledge, it has indirectly, but beyond calculation in amount, contributed to all subsequent discoveries. And why does the facility of diffusing knowledge lead to useful discoveries in physical and moral science?

For two plain reasons:—1st. By extending the field of mental exertion, it brings a greater force, a larger amount of mind, to bear upon knowledge: and 2dly, this extended sphere of exertion most powerfully stimulates the labours of all, and especially of those whose desires and whose talents qualify them to extend the bounds of useful knowledge.

[Surely no one can doubt the truth of these principles. The intellectual achievements of one individual mind, unaided by past and contemporary light, would be as poor and miserable, when compared with the prodigious effects that have been produced by universal combination; as would be the physical condition of the inhabitants of a barren and isolated soil, when contrasted with that of a rich country, to the comfort of whose people every region of the earth furnished its quota of supplies! Equally unquestionable is it, that a large field of exertion acts as a mighty stimulus to all, not to relax in useful labour. Does it not feed and strengthen that most powerful of all passions the desire of fame? It is in vain to declaim against this passion: it is a part of the nature of man which we could not eradicate if we would, and which we ought not to attempt to eradicate even if we could. By this passion, even the most moderately gifted, are constrained to bring their share of useful knowledge to the general stock; and by this passion the lights of the world are supported under all privations, and the countless ills of life, and prevailed on to continue that unremitted toil, which is to delight, and to instruct, and to elevate their fellow men to the end of time. In the language of Milton,

"Fame is the spur which the clear spirit doth raise,
To scorn delights, and live laborious days."

Akin to the love of fame, and mixed up with it, but still separate from it, is the passion so constantly found in energetic minds, namely, that of desiring that their own opinions and emotions should be strongly felt by others: in the language of Byron "to make their own, the minds of others." It is this passion, as Southey justly observes, in his life of Wesley, that is at the bottom of all the religious reforms that from time to time take place in the world. This passion must deeply animate the minds of philosophers, moralists, and theologians, if they would rouse their fellow creatures from that apathy into which most men are apt to fall. That this passion has been beneficial to man no one I think can for a moment doubt. It has, in fact, at different times, kept the human race from relapsing into total darkness. The misfortune is, that this passion is not always accompanied by great reasoning powers, and in ages of ignorance it propagates error along with truth. Unaided

by the controuling influence of an unerring judgment, it communicates together with the good some of the worst passions of our nature—an impatient intolerance of difference of opinion,—a fierce, angry, and fiery zeal. Now by increasing the facility of the diffusion of knowledge, and consequently by increased knowledge, the zealous but weak propagandists (to use a word of Southey's) are disarmed of their sting, because their hearers and readers are better enabled to separate truth from error; and because the ascendancy over the general mass is more likely to be withdrawn from the feeble, and lodged with the powerful-minded in the community.]

NOTE.—The passage enclosed in brackets, in Mr. Gordon's speech, that gentleman, fancying he had tired the patience of his hearers, purposely omitted to deliver; but considering it important to the views he entertained, he afterwards inserted it in the report.

In all respects then, the diffusion of knowledge, as regards other countries, is allowed to be useful, and those who are opposed to such a diffusion here, profess a willingness to stretch forth and open the hand of encouragement to every institution, to every instrument, that shall widen the bounds of knowledge in other lands. And why is this benevolent profession not extended to India? I know not. I am left to conjecture alone. Is it asserted that the natives of India are incapable of receiving knowledge? That they consist of one large mass of leaden dulness, through which the light cannot penetrate? Were we absolutely without experience on this subject, the assertion would still be altogether an unwarrantable one; it would be coming to a conclusion without inquiring into facts; it would be giving a verdict first, and then examining evidence. But it so happens, that the assertion is contradicted by experience. So far as education has been scantily meted out to them, the native youth of India have shewn an aptitude for the acquisition of knowledge, and a love of it, that fairly entitle them to compete with an equal number of the youth of any other country in the world. And if this is so, it surely cannot be denied that the perfect freedom of the press must powerfully contribute to the extension of knowledge amongst the natives of India. I am far from saying that the press ought to be a substitute for a widely diffused and well-organised system of education, but would it not prove a powerful auxiliary to such a system? Is it not by means of the periodical and daily press that men can extend their views beyond the walls of their own house, or the small bounds of the parish in which they live, and know what is going on in other parts of the same country, and throughout the world? Is not the periodical press the great engine of literature in modern times? Above all, is not a free press a powerful support of a system of good government? This point was well urged by Mr. Turton in his opening speech. A spirit of free discussion, through the press, is favourable to good government; 1st, because by just praise, it stimulates the rulers and their executive officers to give an earnest attention to the interests of the community; 2dly, by censuring foolish and unjust legislation in the governing body, and carelessness, abuses of power, or incapacity in the servants of Government, it operates as a salutary warning to all that are invested with authority. This leads me to notice an objection, which I am ashamed to say, I have sometimes heard made to a free press. It is said India is not a free country, but a despotism, and the principles that may be applicable elsewhere are not so here. To this I would reply, that there are two senses in which the word despotism may be used. One is, when we speak of a Government, in the composition of which popular elements are excluded. In this sense the Government of India is certainly a despotism, but this by no means excludes the notion, that the Government may feel the strongest desire to promote the happiness and improvement of its subjects. The second sense is, when we allude to a Government which is theoretically and practically tyrannical, which governs for the sole purpose of enriching the few at the expense of the many. If we would uphold a Government of this kind, the sooner we put an end to every species of free discussion the better. But a desire to govern India upon such principles is disavowed, I am sure, by every Member of the existing Government; it is disavowed by the Court of Directors; and it is disavowed by the British Parliament. It is said there is danger in a free press. I would ask whether we who contend for freedom, desire the absolute licentiousness of the press? Do we say, men may write with impunity whatever they please? No: all we contend for is, that men who are charged with having written or printed that which ought to be punished, shall be tried, *before they are visited with punishment*. I for one, Sir, cannot allow that there is the slightest danger to be apprehended to British Supremacy from granting a perfect freedom to the Native press. I am satisfied, the Natives of India generally prefer our rule, with all its faults, to that of any Asiatic sovereignty that preceded it. If we look to the history of India as far as authentic records reach, we shall find the property of subjects to have been absolutely insecure: that men were liable to be plundered continually, either by their own princes or by foreign invaders; and the best proof of this is the fact, that in former times the custom universally prevailed of concealing treasure under ground. So desirous are the natives of Bengal to uphold British Supremacy, that in the late Pindarry war it was common, for men in their domestic circles, to offer up prayers for the success of the British arms. This fact is openly stated in the petition, which several respectable natives presented to the Supreme Court, against the press regulations of 1823. It is notorious, too, that a considerable portion of the public debt in India is due to native creditors. But it is said the press is practically free. This absurd position was so well assailed by my learned friend, that it requires no additional attack from me. I admit, the press is now practically free; and I trust it will not be in the power of any future Governor, *permanently to disturb that freedom*. What then? we ask for more. We say that so important a right should not be held by sufferance. We say that a rash, ill-tempered, wrong-headed Governor-General may commit a great deal of *temporary* injury. In the first place by withdrawing a licence, *all* the subscribers to a newspaper are deprived at once of a source of rational amusement and instruction. This may be a trifling matter to a Governor-General, but it is no trifling matter to the subscribers, and I submit, that so much power ought not to be left to the caprice of one man. In the second place, by withdrawing a licence a Governor-General deprives editors of their means of livelihood and proprietors of their property. Did not Messrs. Sutherland and Adam (whom I am proud to call my friends) lose some 10 or 12,000 rupees, as well as a temporary deprivation of livelihood, by the violent act of my Lord Combermere in 1827? To his Lordship 10,000 rupees might be a small matter, wallowing as he was then in ill-gotten wealth, by the plunder of Bhurtpore, one of the most disgraceful transactions in the history of India. We went against Bhurtpore in support of the legitimate heir, with whose father we were on terms of the strictest friendship, and to put down an usurper, the brother of the deceased ruler. We took the place, and gave it up to indiscriminate plunder! Lord Combermere, through corrupt influence with his grace of Wellington, (for I can ascribe it to no other cause), succeeded in getting an immense amount of private property, made over to the army of which he was Commander-in-Chief, and that likewise, in opposition to the strongest remon-

strance from the political agent, Sir
who, to his immortal honor, prote gai.
right to touch a single rupee. To I . Comber.
I say, 10,000 rupees might be insignificant, but
my honest friends it might make all the difference
between the situation of being able to command the
common comforts of life and that of utter destitution.
I sincerely hope the time is not far off, when no man
on earth shall have it in his power to commit an act
of such gross and abominable injustice.

I have nothing more to say but to thank the meeting for the indulgence with which it has listened to me, and to express an earnest wish that the efforts the inhabitants are this day making may not be in vain. [This speech was frequently interrupted by bursts of applause and the speaker sat down amidst loud cheering from all.]

The Resolution proposed by Mr. TURTON having been carried unanimously, Mr. DICKENS addressed the meeting to the following effect:—

Gentlemen, the Resolution just submitted to you, having been unanimously carried, it becomes my duty to propose, for your adoption, a petition framed in conformity with the sentiments expressed in that resolution. Before, however, I proceed to do so, and to explain to you what that petition is, I may take advantage of the speech you have just heard from Mr. Gordon,—a speech abounding in just sentiments and sound reasons, well delivered, clothed in most eloquent language—to say that I am here in the performance of a duty, which I would most willingly have seen in the hands of some one better able to discharge it than myself. I disclaim for the class to which I belong, and to which it is my pride to belong, any desire to thrust themselves forward upon public notice. I claim for them your belief, that they would willingly cede the performance of these duties to others. I claim for them this construction of their conduct, and I claim it fearlessly, because no purpose of narrow or selfish ambition can be answered by their coming forward in this manner in this community, for in this country the performance of public duties, such as these, leads to nothing. A man can gain for himself no advantage by discharging them. He may injure, nay destroy, private and selfish interests—he may have, and assuredly he will have, the approbation of his own conscience—but no other reward can he have, except, indeed, that to which he has a clear right, the reward of public applause. This I think it right to say, in consequence of what has been stated elsewhere as to the motives of those who have called this meeting. (*Loud cheers.*) It has been said that the time is ill chosen—I say that the time has been well chosen—there has been no other time, within the period of my own residence here, that could have been so well chosen. For sometime past we have had rumours of great changes, and we have had reason to suppose that the whole power in this country would be entrusted, with little controul, to the hands of the local Government. This has at length been done. We have under this Governor-General in Council enjoyed a most liberal consideration for public rights—(*loud cheers*) and this Governor-General being on the eve of leaving the country, was it not a fitting and a useful opportunity for us to aid him in that, which perhaps, without such aid, he might not have found the opportunity, or had the power to do? (*Loud cheers.*) You will recollect that, though he be powerful, yet he wields but a delegated power, that he is responsible though not to the public, though it be but to a few, and those at a distance—that the measure which we think so wise, may not be viewed with much approbation by some of those to whom he may have to give an account of his conduct—that it may be necessary for him to be able to say to them, when stating what he has done, that the people of Calcutta had, in the strongest and most marked manner, and as a parting legacy of good

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more than the preamble:—

"A RULE, ORDINANCE, *and* REGULATION *for the Good Order and Civil Government of the Settlement of Fort William, in Bengal, made and passed by the Honourable the Governor-General in Council, of and for the Presidency of Fort William, in Bengal, the Fourteenth Day of March, in the year of Our Lord One Thousand Eight Hundred and Twenty-Three.*

Whereas, matters tending to bring the Government of this country, as by Law established, into hatred and contempt, and to disturb the peace, harmony, and good order of society, have of late been frequently printed and circulated in the Newspapers and other Papers published in Calcutta, for the prevention whereof it is deemed expedient to regulate by Law, the Printing and Publication within the Settlement of Fort William, in Bengal, of Newspapers, and of all Magazines, Registers, Pamphlets, and other Printed Books and Papers, in any language or character, published periodically, containing or purporting to contain public news, and intelligence or strictures on the acts, measures, and proceedings of Government, or any political events or transactions, whatsoever."

Then the enactment which follows, is an absolute prohibition to prevent the printing and publication of any such works, without licence, to be withdrawn at the pleasure of the Government, without cause assigned. If those mischiefs mentioned in the preamble had then any existence, I must apply the saying of the Roman Historian, "*Ut olim flagitiis, sic, nunc legibus laboramus*"—that if it be true such mischief ever existed, still the permanent remedy was worse. The other regulation, which was passed for the Mofussil, I may spare the meeting the trouble of reading. It is to the effect that no publication on any subject, within the whole compass of human thought, can be permitted to issue from the Native Press, or any book in any language be circulated, without the previous permission of Government; and if the attempt be made, the person who makes it, is subject to most heavy penalties. Need I waste argument upon such a subject in order to prove that it is unwise and unjust? I will proceed at once to the petition, and I think you will agree with me that in its objects it is moderate, and in its language sufficiently respectful:—

"TO THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

*The Petition of the Inhabitants of Calcutta.*

RESPECTFULLY SHEWETH,—That on the 14th day of March, 1823, a law, entitled a "Rule, Ordinance and Regulation for the good order and Civil Government of the Settlement of Fort William, in Bengal, was made and passed by the Honorable the Governor-General in

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ate of things should continue? Or is it fit that a
state of what is called law, where such things may
again be possible, should continue? I humbly hope
not, and I think not one of you but will agree with me
it is unfit. The petition proceeds to say—

"That on the 5th April, 1823, the said Governor-General in Council also passed a regulation for the good Government of the interior of the Presidency of Fort William, in Bengal, numbered Regulation III., and entitled a Regulation for preventing the Establishment of Printing Presses without Licence, and for restraining under certain circumstances, the circulation of printed books and papers; which being intended to operate without the limits of Calcutta, was carried so far as to prohibit the printing of any books and papers whatsoever, unless previously licenced; and also the circulation of any printed books or other papers whatsoever, if prohibited by Government.

"That the preamble of the registered rule and regulation for the good order and civil government of Calcutta, recites that matters tending to bring the Government of this country, as by law established, into hatred and contempt and to disturb the peace, harmony and good order of society having of late been frequently printed and circulated in the newspapers, it is expedient to prevent such supposed mischief by regulating by law the publication of all printed books or papers published periodically; which expression "to regulate by law" meant, as plainly appears by the enactments which follow it, the prohibiting all such publications without previous licence, to be granted or withdrawn at the pleasure of Government, and without cause assigned.

"That the unregistered regulation for the rest of the Presidency simply recites that it is expedient to prohibit throughout its extent the future establishment of Printing Presses, and the use of any such Presses or of Types or other materials for Printing, except with the previous sanction and licence of Government, and under suitable provisions to guard against abuse.

"That your Petitioners humbly conceive that these laws, made to restrain the free expression of the thoughts of men, are unnecessary to the support of power in any country which is subject to the Crown of England,—and ruled in any degree by the maxims which ought to guide the conduct of Englishmen, that they are contrary to sound policy and to true wisdom; that they are not calculated to preserve the power of that Government, which has condescended to make use of them, but to impair it; that they are, in brief, not merely useless, but mischievous, and are degrading alike to those who imposed and those who have to obey them.

"That your Petitioners deem it superfluous in addressing the Governor-General of India in Council to enlarge upon the advantages that spring in *free* countries from the liberty of unlicenced-printing.

"That your Petitioners are fully aware of the arguments by which, in this country, in which a large native population is ruled by foreigners, few in number, but superior in knowledge, these restrictions have been and may again be defended.

"That these restrictions, in respect to publications in the English language, have been defended on the grounds that the number of Englishmen in this country is insignificant; that those who came hither, not in the service of the East India Company, came hither by sufference and under licence, and had therefore no ground of complaint; to which your Petitioners have to answer, that the restraint upon the resort of Englishmen to this country no longer exists; that while it did exist it could in no wise justify an abridgment of the rights possessed by them in England and under its laws, because even in this country, when they did come, those laws were guaranteed to them; that no question of right is insignificant, nor can its importance in principle be measured by its application to numbers; and lastly, that every Englishman who comes to this country, although not in their service, is as strongly interested in the just maintenance and exercise of the national power and supremacy as the body of the Proprietors com-

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rom those living under its protection, neither do they
preclude individuals from offering in a temperate and
decorous manner, through the channel of the public
newspapers or other periodical works, their own views
and sentiments relative to matters affecting the interests
of the community.

"It will be the duty of the Chief Secretary to the Government, and that officer is hereby enjoined to bring to the notice of Government, without delay, any infringement of the foregoing rules by the conductors of newspapers or other periodical works published in the English language; and the same duty is assigned to the Persian Secretary to the Government with relation to newspapers and other periodical publications in the languages of the country."

It is not my intention, Gentlemen, to make observations at this time of day, and after the *practical* liberty we have long enjoyed, which might revive old animosities. I will not characterize this document as I once would have characterized it; but you will recollect, it has been said, there is no servitude so miserable as where the law is vague and uncertain. What was the condition of a proprietor of a periodical publication under such a law as this? Why, that no man knew when he committed what was deemed a fault, for what he incurred a penalty. At the time that the question of the stamp act was under discussion, I was eng ed in conducting a publication similar to that which was conducted by my friends who are now sitting opposite to me. Were we not writing day by day and month by month to the same end, in the same strain, and the same style? Can I not declare that if boldness of writing was that which was displeasing to the Government, I ought to have incurred its censure as often as they did? I most conscientiously can. And yet, what was the result? The *Calcutta Chronicle*, conducted by them, was suppressed, and the *Bengal Chronicle*, written for, in all the editorial articles, by me, was allowed to exist. I ask any man to go through the files of the two journals, and say which of the two contained the strongest expressions; and yet the result was, that Mr. Samuel Smith retained his journal, while the two gentlemen opposite who, at their own expense, had established a rival paper, were ruined and crushed—their journal was suppressed, and no one knew for what—some said, for a copy of verses on some gentlemen, others for an article on the Burmese war, and others, for a Latin quotation alluding to an act of the Chief Secretary of the day in these terms "*Risum teneatis Amici*," with a note of admiration at the end of it! Which of these constituted the actual delinquency was and is a secret confined to the breasts of those who suppressed the

posing the East India Company, or their servants themselves.

"That it has never, to the knowledge of your Petitioners, been pretended, even that any danger to the existence of the English power and national supremacy could arise from the use of the English language in periodical publications, unless the preamble of the registered Regulation of the 4th April, 1823, be taken to have such meaning. That your petitioners on the contrary allege, that the number of natives of India conversant with the language of England is still deplorably small; that such knowledge has scarcely began to exist beyond the limits of Calcutta; that periodical literature is one of the readiest means of increasing the knowlegde of the English language among those who already possess some; and of inspiring a more extensive taste and desire for its acquisition among the great body of natives: while in the present state of native education and knowledge in this presidency, it is obvious that it never can for a very long period of time become generally enough understood to afford even a pretence for apprehending danger to the supremacy of England from its use in the periodical publications of India, even if danger can with reason be apprehended from such a source.

"That with whatever greater show of reason, danger to the supremacy of England may be considered likely to arise from publications, periodical or otherwise, in the vernacular languages of this presidency, your Petitioners cannot admit that such dangers justify a prohibition of all printing or publishing in such languages without licence.

"That one of the dangers prominently brought forward by some of the ablest advocates of such restrictions, viz., the danger to be apprehended by the disseminating libels and false intelligence among the native soldiery, is likely to be diminished instead of increased by the liberty of unlicenced printing, inasmuch as the nature of the act implies that it must be done clandestinely; that it could be done as effectually, if not more so, by written than by printed libels or falsehoods; that its chief danger lies in the ignorance and consequent credulity of the parties addressed; that such dangers would decrease with the increase of knowledge among the native community, whose better knowledge would tend to correct false impressions, and to diminish credulity; that finally, the danger, if it exist, can never, by any contrivance, be fully guarded against; that the prohibition of printing without previous licence in no degree guards against it, for it is chimerical to suppose that in cases where a strong motive exists unlicenced and secret presses could not be procured, or that seditious and mischievous falsehood, could not be clandestinely printed even at a licenced press, so as to elude detection.

"That arbitrary prohibitions against the open circulation of obnoxious native publications seem most peculiarly uncalled for in a country where the local Government has unlimited power in regard to the application of the existing Revenues, where Stamp duties may be applied to such publications in the interior at will, and where newspapers are still subjected to a heavy rate of postage."

I am afraid you may have found the reading of this petition somewhat tedious, but I think you must agree with me, that after the objections which have been raised, and which could not but be foreseen, to putting the natives on the same footing with ourselves, in regard to the periodical press, it was necessary some arguments should be urged, to meet those which have been advanced by certain persons of considerable influence and talent, and whom I may denominate the advocates of the East India Company. The persons to whom I allude are Sir John Malcolm, Mr. Elphinstone, and Sir Thomas Munro; and the petition has been framed with express reference to the objections they have made, particularly the danger to be apprehended from the dissemination of libels among the native soldiery—the petition alleges, and I apprehend by sound argument proves, that that danger will be diminished by the existence of a free press. If we consider for a moment what that is, which is called "the Press," we shall perceive more clearly that under no tolerable form of Government can it be really dangerous. It is a favorite sophism of its opponents that the Press creates discontent. That I deny where there is full reason for content. It may foment, exaggerate, palliate or soothe—nothing more; for the press creates nothing—it simply gives a voice to the public content or discontent. Without doubt, where that voice is suppressed, there may be more seeming quiet—if causes of discontent exist, they may not be expressed—all may be still and calm, like "the torrent's smoothness ere it dash below," until the explosion takes place, and the revolution but too common in Asiatic annals—the revolution of force ensues. *(Loud Cheers.)* Is not such a quiet the greatest of all dangers for any government, and for this Government especially? If the press be free, and if causes of discontent do exist, they will be heard and known, and the Government may view them at a distance, and ward off the coming blow,—if there should be discontent from our tampering with native usages, or if there should be irritation among the soldiery, the Government may, through the medium of the press, when there shall be a press that is free, know before hand where the dangers lie. As to the instance given by Sir John Malcolm of written libels having been scattered through his camp at Malwa, it amounts to nothing at all—suppose it were so—how does the freeing the periodical press increase such danger? What relation has the one thing with the other? The circulation of such libels is, from its very nature, a thing clandestine in its origin, and in no way can such a danger be increased by giving the natives the fullest liberty, periodically or otherwise, to print and publish, which are things the reverse of clandestine.

Gentlemen, I shall not detain you long upon the other part of the question,—that portion of the petition which relates to the restraints on public meetings. I have been asked why we have mixed up the two questions. I apprehend the one has a natural relation to the other, though it might perhaps have been in some respects, according to the judgments of others, a matter of convenience to have divided them. My answer to this, however, is that a large public meeting is not very easily collected in this city, and therefore I think the balance of convenience was in favor of comprising both questions in one requisition and one petition. Perhaps, Gentlemen, some of you may not know what *are* the restraints which exist in this town on public meetings. I will tell them to you, and they may strike some of you with surprise. The restraint on public meetings in this town consists in a paragraph of a general letter of the Court of Directors, written in 1806, published in the *Government Gazette*, in 1807, and since undeviatingly acted upon, but never with my knowledge re-published, except by myself when writing for the *Bengal Chronicle*. It is as follows:—

FORT WILLIAM; PUBLIC DEPARTMENT, APRIL 9, 1807.

The following Extract from a General Letter from the Honorable the Court of Directors, dated the 23rd of July, 1806, is published for general information.

"We direct, on the receipt of this dispatch, that public notice be issued, forbidding *under pain of our high displeasure*, any public Assemblage, either of our own Servants or of private Merchants, Traders, or other inhabitants whatsoever, without first obtaining the sanction of the Government through the medium of the Sheriff for the time being: and we further direct, that with the application for holding such meetings, the subjects intended to be taken into consideration, be also submitted to your previous consideration, in order that you may have it in your power to judge of the propriety of allowing the questions that may be proposed, to be agitated, and on no consideration whatever is the Sheriff, or the officer presiding at such meetings, to allow any subject to be considered that has not been previously submitted for your consideration. We have full confidence, however, that our Governments in India will not

preclude our Servants or other European Inhabitants from meeting for the purpose of expressing their sentiments, whenever proper subjects are submitted for their deliberation."

Published by order of the Honorable the Governor in Council,

(Signed) THOS. BROWN,
*Chief Secy. to the Govt.*

That, Gentlemen, is the whole restraint upon public meetings in this town. That it has the force of a law I cannot say, for, as it is stated in this petition, it is not law; it is against law, and it claims therefore the attention and obedience of no one except as a question of prudence. But how was it enforced or how could it be enforced? It could have been enforced, not indeed under pain of the high displeasure of the Court of Directors, but under fear of transmission and banishment, a power which, if the Governor-General dared to exercise, he was at liberty to exercise. That was the real power which, at the date of its promulgation especially, and long after, enforced obedience to this order of the Court of Directors. They, a body of traders, not having the power to make through their Government a local ordinance to take effect in Calcutta, an English settlement, without its being registered in the Supreme Court, and only then, provided it contain nothing contrary to the laws of England, issued this rescript of theirs to the Governor-General to prevent their fellow subjects from exercising a constitutional right! Is it right we should live under such a restraint, when we have had the experience of orderly public meetings held in this place, an English settlement for more than a century, when not a more orderly community for all that space of time can be found to have existed any where, and no one evil can be shown to have arisen from public meetings? I may be asked, is this restraint, founded in this rescript from the Directorial purple, any thing more than a dead letter. I am prepared at all points. I will show you a recent, gross, and inexcusable abuse by the Government of the power with which it is invested. In 1827, it was proposed by the Government, under powers which it seems they discovered after they had lain for years dormant in two sections of an Act of Parliament, to impose a stamp tax on the inhabitants of Calcutta, for the purpose, it was said, of putting them on a footing with the rest of the community. The inhabitants had this objection, that taxing them would *not* put them on a footing with the rest of the community, as Englishmen had not the power of residing in the interior without licence, and as they paid heavy municipal taxes not fairly or at all applied to their proper ends, which the rest of the community did not pay. But whether the objections were reasonable or not, they thought at least they had a right to be heard. A requisition was signed and delivered to the Sheriff of that day, Mr. Plowden, the first clause of which was—

"SIR,—We the undersigned request that you will be pleased to convene a Meeting of the British and Native Inhabitants of Calcutta, at the Town Hall, for the purpose of taking into consideration the *expediency of presenting a Petition or Petitions, to Parliament for declaratory Acts, or if necessary for new enactments,* relating to the following subjects, all and each of which involve interests of great importance to this community."—

So that, as you will observe, the first clause of this was simply to convene a public meeting to take into consideration the *expediency* of petitioning Parliament. This it was, and no more. The meeting *was* called by the Sheriff, but without the previous application to Government. The result was the following notice from Mr. Plowden:—

"NOTICE is hereby given that the Meeting called under a Requisition signed by J. Palmer, Esq., and other Inhabitants of Calcutta and advertized for the 17th instant, at the Town Hall, will not take place.

*Calcutta, May* 12, 1827. T. PLOWDEN, *Sheriff.*"

Here is the letter to Mr. Palmer.

"TO JOHN PALMER, ESQ., AND OTHER REQUISITIONISTS.

GENTLEMEN,—The notice of the Meeting advertized to take place at the Town Hall on the 17th instant, having from inadvertence been published in the papers without previous reference to the authority of the Government as required by a notification issued in the *Calcutta Gazette* of the 9th April, 1807, I have been called upon to explain the omission, and the result has been that the Meeting has been disallowed by the Right Honorable the Vice-President in Council. I have accordingly issued a notice stating it cannot take place at the Town Hall on that day.

2. Mr Chief Secretary Lushington, in communicating the orders of Government, informs me *that the Government consider themselves precluded, by the positive orders of the Honorable the Court of Directors, from sanctioning any General Meeting of the Inhabitants of Calcutta, having for its object the discussion of topics of the nature of those comprized in the first clause of your Requisition.*"

What was the nature of those topics? It was to take into consideration the expediency of petitioning Parliament. I ask, was that or was it not a reasonable exercise of an undoubted right? Was its prohibition a reasonable exercise of an unlawful power? If that was the meaning of Mr. Lushington's letter, I say that a more jealous, senseless, and capricious exertion of arbitrary power never occurred. The Government says, it is our pleasure you should not be heard, and should not be allowed to meet to consider the expediency of petitioning Parliament, although you are still governed by Parliament! But I apprehend that that paragraph had another meaning. The Court of Directors say—
* * * * * * * "We have full confidence, however, that our Governments in India will not preclude our servants or other *European* inhabitants from meeting for the purpose of expressing their sentiments, whenever proper subjects are submitted for their deliberation." Then you find from the letter of Mr. Lushington that the Government considers it is precluded from sanctioning any "general meeting." Now that requisition was signed by a great number of the native community, and the result was, the power of restraint was exercised. My own opinion is, the meeting was forbidden because it was a general meeting of the inhabitants, and not of the Europeans only. If that be so, I again ask, ought such a state of things to continue? I know that there is not a man *here* who will say they ought, and I know too, that so much has time wrought change in the thoughts of men, and in the sources of power, that no man *any where* will *now* be bold enough publicly to defend such proceedings. Having thus performed the duty that has devolved upon me, I have only in conclusion to observe that the prayer of our Petition was not made more specific for an obvious reason. All we pray for is the abolition of the existing regulations, and we pray (not over-anxious for new laws of libel,) that if any new enactment should be considered necessary, it may be printed in time to enable us to offer any objections that we may have to urge before it is passed. This I apprehend is a reasonable and moderate prayer.

(Mr. Dickens sat down amidst loud cheers.)

BABOO DWARKANAUTH TAGORE.—Gentlemen—In rising to second the resolution that this petition be adopted, I am only doing that which I did ten years ago. When this regulation was first promulgated, I with three of my own relations, and my lamented friend, the late Rammohun Roy, were the only persons who petitioned the Supreme Court against it; but most sincerely do I congratulate the community at large, that I now see the whole room of the Town Hall filled, both with Europeans and Natives, for the purpose of protesting against that regulation. At that time I did not ask any European to sign a petition, his signature to which might have subjected him to transportation; the same objection, however, did not

exist in the case of the natives, for the Government even of that day could hardly have transported them. (*Laughter.*) But none of the natives could I prevail upon to join me, and I believe it was thought I should be hanged the next day for my boldness. I think the present is the very time we ought to petition against the regulation; because for the last eight years we have, under the rule of Lord William Bentinck, enjoyed a really free press, in spite of its provisions. (*Cheers.*) If we could only secure Lord William Bentinck as a Governor-General, there would be no need of a petition, for with him this law is a dead letter, as well as many of the Court of Director's letters; but we do not know who we may get next; and for any thing we can tell to the contrary, Mr. Sutherland and Mr. Stocqueler may be turned out by the next Governor-General. This then is the time we ought to petition; and I have every hope, from the known character of Lord William Bentinck, and from the interest he has always taken in the welfare of the natives, and in that of the community at large, that he will repeal the regulation; and when once it is repealed, I think it will be difficult for any future Governor-General to get it enacted again. (*Loud Cheers.*)

Some discussion took place, in consequence of a suggestion, by Mr. Mangles, whether it might not be better to put the grounds of the objection to the restrictions upon public meetings, upon the general principles urged by Mr. Dickens, which were unanswerable, instead of resting upon the illegality of the restraint, a point upon which few men who were not lawyers, were competent to decide. The alteration was opposed by Mr. Turton, Mr. Dickens, Mr. Clarke and Mr. Sutherland. There could be no doubt that the restraint was unconstitutional, unwise and unjust; but it was also clearly illegal. It did not require any professional knowledge of law to enable a man to understand this. Nothing could be considered as a law binding upon the inhabitants of Calcutta, until it was embodied in a bye-law, and registered in the Supreme Court. That course was not pursued in this instance; but the Government had other means of enforcing obedience. In the case of Mr. Plowden for instance, who was a civil servant, the Government had over him not only the general power which they possessed over other individuals, but also that particular power which they might exercise over their own servants. Mr. Plowden could not, with safety, have acted otherwise than he did. If Mr. Turton had been the Sheriff at the time, he might perhaps have said, that he would not act upon that illegal order of the Government, that he would, as Sheriff, call the meeting, and then all the Government could have done, would have been to have sent him back to that country which he sincerely regretted he had ever left. It might perhaps have entered into the head of the Military Vice-President of that day, who was probably more conversant with arms than with laws, to have dispersed the meeting at the point of the bayonet; but that would have been a violation of law, at which every Englishman would have revolted, and it would have required a tolerably bold Governor-General to have dared to attempt it. It was impossible to say this letter of the Court of Directors was entitled to any obedience as a legal command—it was a mere assumption of authority by them, without a shadow of foundation, to prevent their fellow subjects from exercising a natural right. It might perhaps be a matter of minor importance, in consequence of the way in which it had been acted upon, but it was not of minor importance in point of principle. Every Englishman must know that his right of petitioning Parliament was part of the law and part of the constitution of England; any attempt to interfere with that right, was not only unauthorized by law, but violated all law.

After some further desultory conversation, the original resolution, propos and carried unanimously.

THE CHART

Mr. Dickens then rose, and addre to the following effect. Gentlemen, it (and allow me to say, I wish it had one of those whom I now see around me, my humble opinion, ought not to have dec duty) to move the following resolution:

"That the New Act for the Government of I essentially defective in its provisions for attaining its professed objects, viz. the better Government His Majesty's Indian Territories, while by the arrangement effected with the East India Company, a burthen of insupportable magnitude is laid upon the people of India for the sole benefit of the proprietors of East India Stock. And that therefore it is expedient to petition the Parliament of the United Kingdom to obtain an amendment and revision of the Act."

I shall endeavour to be as brief as possible in what I have to say, because the gentleman who will propose, for your adoption, a petition founded upon the resolution I have just read, will have to explain it to you at a length that will necessarily bring this day nearly to a close. I therefore waive every introductory observation, and shall proceed at once to a short exposition of some of the main grounds and reasons for supporting this resolution. The Act of Parliament that has been lately passed is entitled, "An Act for effecting an arrangement with the East India Company, and for the better Government of His Majesty's Indian Territories." Now it is my humble opinion, and I trust it will be yours, that the first only of these objects—the "effecting an arrangement with the East India Company"—has in any way been attained; and that at your expense. What are then, as far as regards this arrangement, the main provisions of the Act? The East India Company, since the reign of Queen Anne, had a commercial capital in England, which they were bound to keep up as a security for their commercial speculations—they had also loaded this country with a heavy territorial debt. It is clear that the payment of the territorial debt, contracted as it was for territorial purposes, on the security of the public revenues, should not be postponed to the payment of the commercial capital, if that were not forthcoming, or that fact was doubtful; but the fact is, that the security of the territorial creditor has been postponed, and the commercial capital has been paid in full in preference to all other charges whatever in Great Britain. As the whole power of Government belongs to the East India Company, to say that the commercial capital shall be paid in preference to all other charges in Great Britain, is to say, that it shall be paid in preference to all charges whatever. This I contend is a breach of public faith, done without examination of accounts, and without hearing the Indian creditors, who had a right to object. It may be said that this was done by the British Parliament under the pressure of circumstances. I deny the necessity to commit injustice. I deny the *necessity* in any possible case of deciding without hearing, and I say that they have, in this, found time to decide, on pretence they had no time to hear, and have, in consequence, postponed the claims of the territorial creditor, and lessened to him that which was his only security, for the purpose of paying an extravagant dividend to the commercial creditor, who *had* the means of making himself heard, being on the spot, and would have been in England to an embarrassed minister a formidable opponent—an extravagant dividend far above the market value of the stock at the time the Act was passed. It may be said it is useless for us to insist, now that the act is done, on this which may be termed a financial objection, that whatever may be the amount of the evil, there is now no chance that it will be remedied. Gentlemen, I do not admit the validity of this answer;

, the evil being reme-
ity ground of complaint ;
re Parliament with a better
grounds of complaint, if we show
e subjected us to an injustice which
emedied.

to the second head of objection: the
hich have been made "for the better Go-
of His Majesty's Indian Territories." I
ask any person to point them out to me. I
not find them. It may be said that the destruction
the commercial character of the East India Com-
pany, the removal of the monopoly of the China
trade, and the permission given to Europeans to re-
side in certain parts of the interior, without licence,
are provisions for the better government of India.
As to the two first, I deny that they are to be con-
sidered under that head at all. The destruction of
the commercial character of the East India Company,
may, or may not, be a benefit to themselves—it would
require an accurate examination of all their accounts,
to enable one to decide the point; but if it be a
benefit, it is a benefit to themselves. Their trade to
India had ceased to be an injury to the free Mer-
chant. The destruction of the China monopoly is an
undoubted benefit to the people of England; but in
what possible way is it a benefit to the people of In-
dia, who are not affected by it? Lastly, that the
permission to those of the class to which I belong,
to reside at a distance of more than ten miles from
this place, is a benefit to some extent, I admit,
or rather, it would be one, were it not clogged with
that uncertainty of law, which seems to have been
specially intended to act as a permanent restriction.
You will understand me, when I say that, as to that
most unwise and arbitrary power of transmission, whe-
ther it do, or whether it do not exist, is still left at
this hour in doubt. When the legislature of Great
Britain, after a continuing notice of twenty years that
the period must arrive, when they would have to form
a new constitution for the Government of this coun-
try, at length came to the performance of that task,
ought such a question as this—a question of such
vital moment—to have been passed over in silence?
Ought the rights of the natural born subjects of His
Majesty, any sort of security for the very existence of
their property, against a summary power of transporta-
tion at will, to be referred in a lump to the discretion
of the Governor-General in Council, Parliament trans-
ferring the whole responsibility to their shoulders,
who were thus called on to find reasons as it were
for justifying their retention of power? I say, if this
Act had been framed in the spirit of wise and cau-
tious legislation, this difficulty would have been con-
sidered, and the British Parliament would not have
left the question in the same unsettled state it was
before, but would have met the difficulties, if such
they were, on such a subject, have considered and
decided. This, Gentlemen, is my objection to that
permission to reside in the interior being in reality a
benefit to that class, for whose benefit perhaps it was
intended. Then let us look at the state of commer-
cial questions as between us and the rest of the co-
lonies of England. Do you behold any evidence of
a fit and proper consideration for the interests of this
country upon that subject? One of the great staples
of this country is sugar—upon that there is a du-
which is almost prohibitory—the effect of that, is felt
by every man who works here—was that or was it
not a fit subject for the consideration of Parliament?
Was it fit we should be left, under such circumstances,
to the rivalry of the West India Colonies, and of a
colony on this side of the Cape of Good Hope, more
especially after the events of the last session of Par-
liament? In that session, the West India proprietors
received, from the bounty of the people of England, a
sum of twenty millions sterling at once in the lump,
as a compensation for their slave property—am I say-
ing that was unjust, or the bargain was extravagant?
I do not say so—the principle of compensation I hold
to be a just principle; and I am without the means
of saying whether the amount was extravagant or not.
But I do say that, in the very same session of Parlia-
ment, a burden of a million sterling per annum was
imposed upon the people of this country—I say that the
sum to be paid as the amount of the dividend, with
the other additional expenses imposed by that Act,
will amount to that sum—and then I ask, was it rea-
sonable or just to impose upon the people of India
a burden equivalent to the bonus given to the West
India proprietors, without affording us any means of
lightening that heavy pressure, by increased facilities
of commerce? This, gentlemen, is not an evil that
is remediless; but I will venture to say, it never will
be remedied, unless we all record, in the strongest
possible manner, our sense that we are not treated
with justice. Is this the only disability under which
the commerce of India labours? It is not. I will not
however occupy your time by naming the others, but
will simply say, that as the question of commerce stood
before the passing of that Act, so in all respects is it
now; though you have large and onerous burdens
imposed upon you, yet your condition, in respect to
commerce, is left just as it was before. In vain
will you expect any remedy unless you bestir your-
selves.

Lastly, let us come to what I may call the consti-
tutional part of the question—the state of the law.
What was it before? What is it now? The class to
which I belong, in common with the inhabitants of
Calcutta of every class, had this security, that we
could be subject to no local regulation which was
repugnant to the laws of England—that security we
have lost. Will any man tell me who has gained by
our loss? Not one. If to put us all upon a footing,
means to leave us all upon the same dead level of
insecurity, then certainly I do admit we are all alike
on the same footing! (*Loud Cheers.*) By this reck-
less act of the legislature a torrent of arbitrary power
has been passed over us, levelling all distinctions, all
institutions, and leaving nothing upright but a Co-
lossus of despotism. (*Loud Cheers.*) It leaves the
Governor-General in possession of more power than
any Tudor ever swayed, of more perhaps than any
man ever held, save a dictator of old Rome! It
may be said that these powers are held by him sub-
ject to controul—to what controul? To a Parliamen-
tary impeachment, if his motives should be proved
to be wrong, of which proof is impossible! With
such powers a bold bad man may do any thing; a
wise man perhaps might refrain—but there is no-
thing a weak, a wicked, or an arbitrary man may not
do, short of the deprivation of life without trial. The
whole power is given to him—he has a Council indeed
—but it is in every respect rendered subordinate to
his will. Shall I be mocked, by being told that no
security has been added by the provision that one of
the members of that Council shall be a person not in
the service of the East India Company? I repel with
scorn the notion of such a security! I say it without
flattery to any man or any class of men, but I for one
would rather have the council composed, as it was be-
fore, of members of the Civil Service; at all events,
they possess the first of requisites, except integrity,
for the task of regulation and government, local know-
ledge and experience, which one named by the crown
may not have; in integrity, in all other knowledge
they are equal—they are like ourselves, like any one
who may be appointed, educated Englishmen. It
may be said the choice of the fourth member is un-
restrained—I admit it is so—I admit the Minister of
the Crown is free to choose one who possesses local
knowledge—he is free also to choose one who does
not. Then what is this pretended security? Recol-

lect the *veto* and power of controul is taken away from the Court of Directors, and given to the Minister of the Crown—the power has changed hands. Then, instead of this provision being a security, I say that it is the reverse; for it authorizes the appointment of one who is the nominee of the authorities at home—may be their pledged instrument for any ends. It may be said also, there is a Law Commission appointed—without doubt there is, and what has it to do? To frame a system of law for the whole of British India, a system of law and process which shall be *uniform*—and the instruction it receives for this very light task is, that it shall make it as uniform as possible! (*Cheers.*) Do you consider that in such provisions you find the results of profound legislative wisdom, or the traces of gigantic labour and care? It seems to me scarcely possible to throw off with more indifference the duties of legislation, and cast them upon those who, if I mistake not, it will soon be found cannot perform them, and ought never to have been called upon to do so. Then the Commissioners are to act under the direction of the perpetual Governor-General! And not a single limit is assigned to their power, not a single security under the sanction of Parliament afforded to us, not a path traced out for their guidance; but they who may be possessed of some qualifications for the task, are to act and inquire under the sole dictation of one man, who it is next to impossible can have any qualifications whatever for such a task. They have a task imposed upon them which no men can perform, and the execution of which is a wild chimera. Uniformity of law, in a country like this, with upwards of a hundred millions of inhabitants, of various races, and divers religions, in which two different systems, the Hindoo and the Mahomedan, irreconcileable with each other, and each bound up with the religion of its followers, are permanently rooted—uniformity of law under such circumstances! But more than this. The Commissioners are to reduce these two discordant systems, themselves divided into many sub-divisions, to an uniformity with a third law, our own, which we inherit as our birth-right. (*Loud cheers.*) This system is to operate upon Englishmen—upon intelligent Hindoos who have received the benefits of English education—upon such a class as the Military tribes of Upper Hindoostan—upon Bheels—upon Cossyahs—upon a population as diversified as can be exhibited by any country on the face of the globe! Then there is to be a uniform system of process—impossible! Consider the usages of Asiatics—consider our own—how incompatible—how opposed—in their very nature how impossible to be conjoined! A uniform process, when among the Hindoos no female can with the slightest propriety appear in public, and no zenana can be entered! Apply that system to ourselves, among whom no such feelings exist! Is the system to be universal? Is it to be applicable to all persons, and under all circumstances? Are natives of the highest rank to be put on the same footing with others? Why then it would become a political matter, the Government would be obliged to interfere, for service of legal process on a man of rank by Asiatic notions forsooth degrades him, and it would require a local law or a fresh reference to the discretion to restrain the uniform system. I say again, the task imposed upon the future Law Commission is nothing better than a chimerical attempt to compass what is impossible, a signal example of the absurdity of its framers. Then, with regard to the remaining provisions of the Act. The Legislative Council thus formed is to receive no assistance. Is it too much to say that when a power of legislation, guarded by no security, is given not to the Council, but to one individual, there ought to be a previous promulgation of the laws about to be passed? Am I wrong in asking that that reasonable security shall be prescribed by Act of Parliament? That has not been prescribed. What is the mode of promulgation required by the Act? The Court of Directors are to settle it with the approbation of the Board of Controul! I think it is not too much to ask that the laws should at least be made public before they are enacted, in order that those who are to obey them may have an opportunity of objecting to them; and that the constitution of the Legislative Council should be rendered less exclusive and useless. To that extent does the prayer of the petition go, and to that extent I think the feeling of all present will go along with it. (*Loud cheers.*)

Baboo Russick Krishna Mullick.—Gentlemen—In rising to second the resolution just proposed by Mr. Dickens, I must beg you to excuse any inaccuracy there may be in my mode of expressing my sentiments. I have to address you in a language foreign to me, foreign to the country which gave me birth—and this must plead my apology. Before I proceed to the immediate question, I must call your attention to one point to which I feel it necessary to allude. It may have been expected that the natives would be prepared to come forward and defend themselves against certain attacks which have been made upon the native Press—the natives were prepared to defend themselves, if the persons who made those attacks had had the boldness to come forward at this meeting, and propose any amendment to the resolutions; but as that has not been done, the natives did not consider themselves entitled to occupy your time by coming forward to repel an attack which has not been followed up. (*Loud Cheers.*) Gentlemen, Mr. Dickens has drawn your attention to some of the most important defects in the new Act of Parliament; and certainly, after a careful perusal of it, however much it may have been intended for the better Government of His Majesty's Indian Territories, I cannot come to the conclusion that the clauses contained in it do in any way tend to their better Government. (*Cheers.*) The more I have perused it, the more I have perceived that the motive which guided those who passed it was—*self*. (*Cheers*). It was passed, not for the benefit of India, but for the benefit of the proprietors of India stock, and the benefit of the people of England, while the welfare of the millions who inhabit these vast regions was not at all cared for. (*Cheers.*) Mr. Dickens has directed your attention to the commercial debts of the Company being paid out of the territorial revenues. I think that unjust, and it shows the British Parliament were looking to the interests of the proprietors of the East India stock, and not to those of the inhabitants of this country. (*Loud Cheers.*) We were already burdened with a heavy debt, and yet the British Parliament entailed upon us an additional burden to pay the commercial debts of the Company. It should have been considered whether those commercial debts could with propriety be paid out of the revenues of this country; if they were incurred through the folly and mismanagement of the servants of the Company, the burden should have fallen upon them and not upon us. I shall not detain you longer upon this point, or go over the ground Mr. Dickens has already traversed; but there are one or two points he has omitted, and to which I, as a native, must be allowed to advert. (*Loud Cheers.*) I will first allude to that clause in the Act by which the Ecclesiastical establishment of this country has been increased. I think a greater injustice could not have been committed. (*Loud Cheers.*) I know there are many who defend this, and who say that the civil and military servants require ministers to preach to them. It may be so, and it may be hard to deprive them of that blessing; but why should the revenues of this country, taken from the hard earnings of the poor Indian, wretchedly fed and clothed, be devoted to the purpose of extending a religion, which the natives feel to be destructive both of their temporal and eternal happiness? (*Loud Cheers.*) There might be some

excuse, if the object were merely a provision for the eternal interests of the Company's civil and military servants, but there is something more. It is said in the Act—" provided always that nothing herein contained shall be so construed as to prevent the Governor-General in Council from granting from time to time, with the sanction of the Court of Directors and of the Commissioners for the Affairs of India, to any sect, persuasion, or community of Christians not being of the United Church of England and Ireland or of the Church of Scotland, such sums of money as may be expedient for the purpose of instruction or for the maintenance of places of worship." What does that mean, but that money is to be taken out of the hands of the natives to convert them to a faith which they consider to be wrong, which they consider to be detrimental to their salvation? Is that just? Is it right? Is it in accordance with the precepts of that religion of which they boast so much? I have not found one word in their sacred book which warrants them to wrench money from the hands of an unwilling man to convert him to a faith which he believes to be wrong. (*Loud Cheers.*) So much with respect to that clause, but there are others which as a native I must notice. It has been asked (not here, but elsewhere) if there is any thing in the Act to which a rational Englishman can object. Not being an Englishman, I cannot judge of the feelings of Englishmen, but I do see a great deal to which I, as a rational native of India, do object. (*Cheers and Laughter.*) It is asked if natives are to object to that clause by which all persons, of whatever religion or colour, are rendered eligible to office under the Government. Certainly not. But let us enter a little deeply into that question, and we shall find, that though such a clause is inserted, there are other things which render it nugatory. (*Cheers.*) I allude to the necessity of education at the Haileybury College, an institution which, from what I have heard of it, I should think the sooner it is abolished the better for all parties. (*Cheers.*) The best school for those who are to hold office in India, is India itself. (*Cheers.*) All the lessons they receive at Haileybury can lead them but little to a practical acquaintance with the wants and feelings of the people of India. It must be by communicating with the natives, by speaking with them, by entering their wretched hovels, that any man can acquire that knowledge without which his best intentions will be in vain. (*Cheers.*) This is an objection to the College upon general grounds, but I will show that the clause has the effect of rendering utterly nugatory that other clause which makes the natives eligible to office. However one may regret the prejudice, still the natives entertain a prejudice that it is sinful for them to cross the ocean, much more to remain in England for years for the purpose of tuition. That being so, how can a native qualify himself for office? He must either give up his worldly prospects or his religion. (*Loud Cheers.*) It is another question whether the Hindoos are sufficiently advanced to be entrusted with high office, but while this prejudice exists, if the legislature intended that clause to mean any thing at all, they ought to have made some other provision to enable the natives to enter the civil service. (*Loud Cheers.*) Gentlemen, the more I read this Act, the more I am convinced the interests of the people of England were alone thought of. It has been said the tea monopoly has been abolished, and is that a measure to which we can object? No. But why was the tea monopoly abolished? For the welfare of the people of India? No. Only for the welfare of the people of England. If our welfare was thought of, why was not the monopoly of salt and opium abolished? (*Loud Cheers.*) Mr. Charles Grant has promised to do away with it, but when his promise will be fulfilled, heaven knows; I cannot say. (*Cheers and Laughter;*) Allusion has been made to the absolute power of the Governor-General, and Mr. Dickens has shown you that he is more absolute than the Kings of England in their worst days. What check is there upon him? If this petition succeeds, we may have one check (*cheers,*) but the Parliament has taken from us one that already existed. The Supreme Court has always been a check, and that is now taken away. The Supreme Court is put under the power of the Governor-General, and, to borrow words which have been written in one of the Journals of this city, " British Judges, whose independence is our pride and our glory, are reduced to be mere administrators of possibly ill-concerted and ill-considered laws." (*Cheers.*) Mr. Dickens has also alluded to the commercial interests of this country. In vain do I look for any clause that speaks of the removal of the restrictions upon commerce. I recollect Mr. Grant said that the merchant of Great Britain was so enterprizing, it was impossible not to attend to his calls, and do away with the tea monopoly. I cannot say what may be the enterprize of the merchants of Calcutta, but I ask, if those restrictions under which Indian commerce labours, had been removed, whether this country would not have flourished and increased in wealth and power far more than it has done. (*Loud Cheers.*) There is another subject to which we hoped, but hoped in vain, the British Parliament would have given some attention. In this Act there is not one word about the subject of education. (*Cheers.*) Two additional Bishops have been provided for the comfort of the civil and military servants, but there is no provision whatever for the education of the people of India. (*Loud Cheers.*) Gentlemen, what are the conclusions at which we must arrive from this state of things? Read the Act over and over again, and you will find the truth of my remarks, however badly they have been delivered. (*Cheers.*) I do humbly submit that we should petition the Legislature to remove some of the most obnoxious clauses in this Act, which disgrace the British name and power in India. (*Loud Cheers.*)

The Sheriff then put the resolution proposed by Mr. Dickens, which was carried unanimously.

*Mr. Turton.*—Gentlemen, I am extremely sorry to be obliged to detain you longer, but when I recollect the importance of the occasion, and that the present is a duty which at any rate you are but seldom called upon to perform, I think you will not object to remain and hear the petition which I am about to propose for your adoption, and that you will forgive me for trespassing further on your patience—for, in the discharge of our present duty, which is no light or trifling one, it is absolutely necessary we should show, that we are not acting without having maturely considered the subjects on which we intend to address Parliament. We owe the British Legislature that respect, for you will recollect this Act is the result of some years' discussion and inquiry in both Houses as to the wants and rights of the people of India, and the duties which the British Government owes to His Majesty's Indian subjects; it is necessary, therefore, we should show the Legislature, that we have well weighed the points on which, we think, they have neglected their duties and been utterly unmindful of our interests. However, so much has already been said by Mr. Dickens, that I shall be spared the necessity of going much into detail, but for the reasons I have given I cannot abstain from some observations. I do not hesitate to say that I regret most deeply, that there should be occasion to find any fault in this Act—it was passed by Ministers to whom, in addition to feelings of personal attachment which I bear to some of them, and the great personal and political respect which I entertain for others—I think we, and all the people of England, owe a heavy debt of gratitude for the blessing they conferred upon us in bringing forward, and carrying, in spite of every obstacle, one great and glorious measure—that of Parliamentary Reform. Whatever faults they may have

committed in the enactment we are now considering, I shall never forget that we owe them that debt; but, gentlemen, whatever attachment we may bear them, however much we may concur in their general political conduct, we must not allow any such feelings to blind us to their errors, or to render us heedless of our rights and interests, nor must it deter us, when we believe them to be wrong, from boldly telling them such is our conviction. I trace here, indeed, one injustice arising from that which has been already and will be hereafter, to a greater extent, the source of so much good—the Reform Bill. Though we suffer from it at present, I do not regret it, for it indicates a more lively participation of the representatives in the wishes of the people. But I cannot read this act without perceiving it has been past by a Parliament, the members of which have carefully, and I am sorry to say exclusively, studied the immediate interests of their own constituents and have postponed all other interests to them. The whole objects of this Act are British—the whole advantages are British—the whole benefit has been conferred upon those whom I may designate as the constituents of the Reformed Parliament. (*Cheers.*) To whom has the grant of all that has been granted been owing? To those who have, for the first time, been truly represented in the British legislature. The representatives of the great trading towns have given to their constituents, or rather taken to themselves, all that their own interests required; but I am at a loss to find a single instance in which the interests of this country have been consulted, or indeed, that any attention has been paid to them. Can it be said that the reformed Parliament have given to this great subject, so far as India is concerned, even that care and attention which former Parliaments bestowed upon it? Whether I look to the proceedings in Parliament prior to the 13th George III., or to the 33d George III., or to the 53d George III., I find on the occasion of passing each of those Acts, and in the Acts themselves, the spirit of diligent and laborious inquiry, and an anxious desire to legislate in detail for the benefit of the people of India. The opinions of the framers of those Acts may have been right or wrong, but they did endeavour to give to this country the constitution which they considered best adapted to its condition and its wants. The legislature gradually advanced from one act to another in a spirit of liberality in their legislation for India. (*Cheers.*) On this occasion they have ceased to advance. By this Act which I now hold in my hand, the Reformed Parliament has handed you over to the tender mercies of an individual; they have established a despotic government, and transferred the whole labour and responsibility of legislation to others. (*Cheers.*) It is this of which I complain. I say it was idle to appoint Committees, and to take evidence, and to investigate, if investigation was to be followed by no natural result, after it had taken place. (*Cheers.*) Gentlemen, I was not prepared until lately to expect in this place any dissent from this opinion, for I had heard no other expressed any where; but, within these few days, I have read, and read with astonishment, some remarks which appeared in a paper of this presidency. They are preceded by observations on the manner in which the requisition has been circulated. Let me say in the outset, that I am quite willing to take whatever blame or responsibility may be attached to the omission of sending the requisition to any one. I admit that with me originated the requisition, and that I, in conjunction with my friend Mr. Dickens, set it on foot. I showed it to such of my friends, and others whom I saw, who occurred to me as likely to join in the furtherance of those objects which I had in view—and delivered it to some at their request to submit to others: but my other avocations would not allow of my devoting much time to it, or of sending it to all. I perceive from this article that I have incurred the heavy displeasure of one mighty and influential power; that there is one person who complains that it was not sent to him. Not having the honor of constant and familiar intercourse with that individual, I did not happen to see him during the time the requisition was in circulation, and it certainly did not occur to me to present it to him for his signature: whether it was shown to him by others or not I do not know, and never inquired. But if his name had occurred to me, (as it is only amongst friends to the cause that I could have looked for signatures) has he not furnished ample reasons why I should have acted correctly in omitting to apply to him? If I had the power of diving into the heart of man, and ascertaining what was passing in his, could I have judged more accurately or determined more correctly than by omitting to submit it to him for his signature and support? If I had been aware that his sentiments were such as are expressed in the article I hold in my hand, would it be a matter of surprise that I should not have referred on such a subject to a man who tells you you have but one cause of complaint in this act? I have probably offended others also by similar omissions. If so I am sorry for it, for I intended to slight no man; but if I have offended him I have at least the satisfaction of knowing that in so doing I have not offended a friend to the cause. (*Cheers.*) I shall now proceed to observe on the remainder of this article. It is said, "As for the Indian act, which the sages of the city have permitted to remain undisturbed for so many months, we really can discover but one clause of its provisions against which rational Englishmen have any reason to protest." What gentlemen! Is it not time for an Englishman to protest when he is in danger of having his own laws taken from him, when, with the assent of the Court of Directors, new laws may be passed by which he may be subjected to capital punishment, and that even without trial by jury? The writer proceeds—"there is surely nothing objectionable in the removal of all restrictions on the settlement of Europeans?" No, there is no objection to [illegible]: there is a very great objection, and I say th[illegible] very gross culpability on the part of the Br[illegible]rliament in not having taken care, when the [illegible]oved the restrictions, that nobody should have may [illegible]r of imposing laws by which in effect they then [illegible]enewed. I say it was gross culpability in tern[illegible]t to have taken away, in express and positive in [illegible]he despotic power of the Governor-General liber[illegible]rd to deportation. It is true that by this act any p[illegible]is given to British born subjects to reside at [illegible]es which were under the Government of the Company in 1800; but does this or not repeal indirectly the power of deportation given under the act of 53, Geo. III.? If it does, is the Governor-General restricted from imposing laws to the same effect? There is, indeed, one clause in this act from which it may be contended, and I think with justice, that he is so restricted. The 2nd clause re-enacts all former provisions not repealed by or *repugnant* to this act, and by the 63rd section the Governor-General cannot pass laws to vary the provisions of this act. From this it may be contended that the Governor-General can pass no law to remove any one from such residence—and I should say that he would be a bold man in these days who dared to exercise such power *if he possesses it. But still it rests in inference, and arguments would not be wanting on the other side, where the will existed to make use of them.* Is that the way in which a law, which deeply affects the rights and liberties of Englishmen, ought to be left—which has been made the subject of complaint and petition to Parliament for the last ten years? Should we not have had a direct enactment upon thesubject? And yet, for all that depends on positive enactment, to-morrow—no, to-morrow we shall not, for to-morrow Lord

William Bentinck will be here—(*cheers,*) but as soon as he is gone, we may have a law and regulation passed, by which the Governor-General may be empowered to send any person out of the country. You may have more than that—you may have an Act of the Indian Parliament (consisting of four members, gentlemen,) which shall not be a general act operating upon all, but an act levelled against any particular individual who may be obnoxious to the Government. Nay, the Governor-General, against the advice of all his Council, may pass it if he considers "the peace of India" requires it. Then, if we are left in such a condition, I ask if the spirit of freedom pervaded the breast of the man who wrote the paragraph I have just read? (*Loud Cheers.*) The paragraph proceeds—"There is surely nothing offensive in the admission of all classes and colours to the paths to office?" I say that it is fallacious—it is a mere deception—the Act pretends by one of its clauses to admit natives to office, and then by another clause which makes Hayleybury College the only road to qualification, renders their admission an impossibility! it is a mere shuffle—but my native friend, who has just addressed you, has rendered it unnecessary for me to say any thing more upon this head. Then comes—"the addition to the members of council in the person of an independent and enlightened man"—I suppose he takes in the *Englishman*—(*laughter,*) "who acknowledges no special allegiance to the East India Company—is that objectionable?" To that I answer, that if we have an enlightened and independent man, we owe it to the Government of the day, and not to the Act. Admitting we have such an individual, was he pointed out by the Act of Parliament? But the whole thing is altogether illusory! What power or influence has a single individual, a mere member of the legislative, not of the general, council, when opposed to the other three members, and the Governor-General, who can controul them all four? I agree with Mr. Dickens, that so far from this being a protection, it is in fact the reverse. A person is sent out from England, who is a person of influence at home, p ly of parliamentary influence, and connected with e government. He is the connecting link bet ie Council here and the Board of Controul, as er members are between the Council and Court ec- tors, and he destroys the efficacy of the on eal you have from arbitrary power in this count The objection I have always made to a colonial re nce, is that if you are injured by the puppet of pow n a colony, your appeal to those who sent him th is a farce. (*Cheers.*) It has always been found . It is upon that ground amongst others that I diff from some of my friends, who desire that the Gove nment of this country should pass into the hands of His Majesty's Ministers. I do not desire it. I deprecate it altogether. I would not add the patronage to their influence, but, I say, divide power, and you lessen the te tation to abuse it. But, gentlemen, how is this fourth member to act? He may assist in discussing a law before it is enacted—in passing it, it cannot be said that he can be called upon to assist. What power has that one individual, as separate from the body of the Council, he coming here without any previous knowledge regarding the country? What weight will his voice have against the three others, long acquainted with this country, with a Governor-General who is in the same predicament with himself? and this is the great benefit and advantage we have gained! Truly we ought to be grateful for it! But is it the fact that this fourth member owes no special allegiance to the Company? Is he not as much a servant of the Company as the others? Does he not receive their pay? Is he not removeable at their pleasure? After a person has come out here, and given up, perhaps finally destroyed, his prospects at home for an appointment from which the Company can remove him, how is he to be called independent of them? His mind may be independent—his fortunes are not. (*Cheers.*) Next it is said, "is there any thing repugnant to the feelings and judgment of the requisitionists in the establishment of the Agra Presidency?" If the safety of the state had required this measure, that would have been a reason why we should cheerfully submit to the additional expense, but will any man tell me, while the whole controul, the whole responsibility, is vested in the Governor-General, and the Governor of Agra is a mere prefect, in what respect the Government of the Agra Presidency is likely to be better administered by the new arrangement than it would have been by a local Commissioner? This provision has the advantage of placing increased patronage in the gift of the Court of Directors, and the great disadvantage of increasing the expense here. Next comes —"is there any thing irrational or impolitic in the new organization of our ecclesiastical establishment?" I approach this topic with some degree of dread, because it is the fate of every man who doubts the wisdom of increasing the Church Establishments to be set down as an atheist, or at least as an enemy of the Church, by a certain party. To whatever obloquy, however unjust, the performance of a duty may expose me I must submit. I do not fear, however, being exposed to such obloquy in this assembly, although I do indisputably object to the increase of the number of Bishops at the expense of this country, and I ask with my intelligent native friend, whether it is just or reasonable that the people of India should pay for that increased establishment? I do not hesitate to declare my conviction that this provision was introduced, not by the desire of Ministers, but to conciliate a party. (*Loud Cheers.*) If I am an atheist because I oppose this measure, if I am an enemy to the Church, it is at least a consolation to know that I am one in common with the Court of Directors, who themselves were opposed to it. (*Cheers and Laughter*). If it is an object of British anxiety, let the British people pay for it, or rather let those pay for it who are now over paid to an enormous amount. Ten per cent. is not enough for the India stock-holders; pounds are not sufficient—"make it guineas," and the bargain is closed. (*Laughter.*) It seems to have been a kind of auction bargain. If they really are so desirous to have this increase of Bishops, let them give up their odd shillings —their half per cent. to pay for it. (*Laughter.*) It will be said, perhaps, that very little expense will be incurred, as the new Bishops are only to receive two thousand rupees a month; but we must not be deceived in this way—the salary is not the whole expense, and we shall soon be told that this salary is insufficient, as it is with reference to others of a similar rank, to maintain their station in society, and it must be increased. Next it is said —"Has mercantile ambition much to complain off in the total abolition of the tea monopoly?" London, Glasgow, Liverpool, Hull, and all the ports in England, all the tea drinkers of England, have reason to be thankful for it, but the people of this country have nothing whatever to do with it. The opening the China trade was insisted upon by the constituents of the House of Commons, the English people. In this way their representatives paid for the votes they got, and which in some instances were made to depend upon their being for or against what was called "the Indian monopoly;" but an Indian monopoly it was not; to us nothing has been given, and on this point we have nothing for which to be thankful. Then we are asked, "Does the appointment of the Indian Law Commission threaten to be a useless measure?" That has been answered by my friend Mr. Dickens. But I say the Act does not make such provisions in respect to it as we had a right to expect. All former Law Commissions with which I am acquainted were Parliamentary Commissions; the reports were made or at least submitted to Parliament, and published, and Parliament

openly deliberated and legislated upon them. Here there is no provision in the Act to compel any reports, to stipulate for any publicity. The reports may be made in secret to the Governor-General, and adopted or rejected as far as he thinks fit, and laws may be passed upon the reports without an individual having power to remonstrate against them, though they may be ruinous to his interests and opposed to all his feelings. From the nature of their duties, the Commissioners may be many years (and to perform them properly, some will at least be required) before a report may be hoped for, or a code commenced. In my judgment, if their labours had rather been directed to the securing to all, the laws which belong to their religion, caste or country, as they at present enjoy them; simplifying the process and reducing the expenses; facilitating the approach and opening the avenues to justice, and increasing the number of Judges, so that parties had not to travel, as in many districts now, 100 miles to the station where the Judge resides; if, I say, these lesser, but first and more obvious objects had been submitted to them, they would have been likely to have conferred more real benefit upon the country, than by attempting in the first instance to form a code which ten years of previous labour and inquiry will scarcely allow them to commence. That the Law Commission was a most proper provision and its objects meritorious there can be no doubt, but its utility has been left to depend on the discretion and personal character of the parties who are concerned in it, and on that of the Governor-General, instead of being secured by legislative enactments and provisions for publicity in its proceedings. Next—"Is the resolution to abolish all kind of slavery in the British Indian possessions unpalatable or discreditable to the home government?" I know not where that resolution is to be found, except in empty declaration. It appears to me that the effect of the Act is to reduce every man in India to a state of slavery. (*Loud Cheers.*) I beg ten thousand pardons. I had nearly forgotten the only ground of complaint? Whether the writer of this article unaided, and of himself, has been able to discover even this blemish may be doubted. From his apparent admiration of the Act, I should rather take it for *granted* that he had some assistance to lead him to the judgment he has formed on this point. I do not know from what source he has derived his sensitiveness—his unbounded respect for the independence of British Judges. Who it is intended to conciliate or to please I can hardly imagine—there is indeed only one English Judge now here, and if it is intended to conciliate his favor, I should hope—nay, I am sure, he has too independent a mind to stoop to accept, or at least to be influenced by such a species of flattery. (*Cheers.*) But this is not the question for us—we are not met here to consider what may be palatable or unpalatable to any Judge whatever. We are to consider what is the best protection to the people, for whose benefit the Judge is placed in his station. In that point of view, I coincide in all the objections which can be urged to the destruction of the independence of the King's Courts. Situated as I am, I might posaibly have felt some reluctance to touch upon this point, if it had not been opened by the Native gentleman behind me, and my motives may even yet be open to misrepresentation or misconception; but I cannot but say, that I look upon the destruction or impairing of any of those checks upon power or misrule, which were reposed in the Supreme Court, or of its independence, as not among the least of the complaints to be urged by all British subjects and the inhabitants of Calcutta against this Act. That the Supreme Court was originally created as a protection against power and corruption cannot be disputed, and I do say, that whatever objections may be raised to the Supreme Court, this Act is a complete violation of the principles upon which the Court was established in the year 1773; for it places the Court under the Governor-General in Council, and gives him, with the sanction of the Court of Directors, the power of abolishing all the King's Courts. It has been endeavoured by many to raise every prejudice against the Court. It has been said that the natives of Calcutta have been ruined by it, and this assertion is to rest upon the authority of a gentleman greatly esteemed here, and once high in office in this country, and who has since obtained, at least for a time, considerable influence on Indian matters at home. I am compelled, however, to say that, by whomever that may be asserted, it is false and unfavorable. Let me know who has been so ruined—point out to me the man who has spent more in litigation in the Supreme Court than that which was required fairly to try the question of right or wrong, and I will soon satisfy any dispassionate inquirer, that it rose from those vindictive or malignant feelings, which lead men to litigation, rather for the purpose of gratifying their own evil passions, than for any trial of a right, and which no Court in this country can destroy or indeed controul. (*Cheers.*) That the Natives of Calcutta may complain somewhat of the expense which is attached to that engine of protection I will not attempt to deny; that it is expensive, though not as expensive as it is represented, I will not deny—for it is, and necessarily must be, attended with a considerable degree of expense, as long as it shall be necessary to have English Judges and English Barristers, until the natives themselves shall be enabled equally well to fill those situations. In the nature of things, European labour cannot be obtained here at the same rate as native labour, and still less so in a profession which requires a laborious and expensive education. It is the same in every department of European labour in this country. I have no doubt you would find a native, who would be willing to undertake the duties of Governor-General for less than Sa. Rs. 2,40,000. (*Laughter.*) I dare say you could find native members of Law Commissions and Legislative Councils for less than £10,000 a year, and yet even now the Government and Court of Directors have thought fit to send you, to fill those important situations at that price, a gentleman highly celebrated for oratorical powers in the House of Commons, and who once, as a member of my profession, according to his own account, held a brief on which he convicted a boy of stealing chickens, rather than have recourse to the cheaper assistance of my native friends. (*Laughter.*) I can find native Secretaries and Judges of the Sudder at less than £5,000 a year, but to say that the natives have been ruined by the Supreme Court, more than by the sums paid to other European functionaries, is to say what is contrary to the fact. Who is it that Mr. Holt Mackenzie referred to as ruined by the Supreme Court? I have heard that Ramrutton Mullick is one—the man from whom the Government, when Mr. H. Mackenzie was secretary, took nine lacks of rupees as a forfeit for not completing a purchase of salt, which they re-sold for a larger sum than that at which he had purchased, and for the return of which he has still a petition pending before the Court of Directors. (*Cheers*). But the question is whether those who participated in the protection which under former statutes it extended to them, are willing to pay the price of that protection. I would willingly put it to these victims of the Supreme Court whether they would see it abolished, and I would stand or fall by their decision. If I could poll the whole of the inhabitants I know they would say we should wish the expense reduced, but with all its expense we prefer it to any other tribunal, for there, whether particular decisions be right or wrong, justice is at least independently, honestly, and fearlessly administered. I have a personal interest in this I admit, but it is one that does not belong to me alone, nor is it one which I could support, if the opinion of the inhabitants of Calcutta were against me. This at least I will venture to say, that there is not a man living who

can point out a single instance, since the first institution of the Court in 1773, to the present moment, of corruption or supposed corruption either of Bench or Bar; nor do I believe there is one native inhabitant of Calcutta who would wish to see it abolished. (*Cheers.*) If it is the expense of the Supreme Court which has influenced the legislature, let us see whether the same principle has actuated them towards the other high branches of Government. You will recollect that the last eight years has been a period of unexampled retrenchment and distress; all the officers of Government have been curtailed in the scale of their remuneration—I beg pardon; all except the highest. (*Loud Cheers.*) The civil service has suffered; the army, who could least afford it, has suffered; they have taken from the officer allowances which in the aggregate afford little to Government, but which involves in many cases the ruin, at least the destruction, of every comfort to the individual; the medical service in like manner has suffered; and during the same time the mercantile community has been overwhelmed with distress—a distress which has altered the whole aspect of affairs in India, at least in the Presidency of Bengal. Knowing all this, knowing how retrenchment had been pursued here among the subordinates, how every man's income and prospects had been curtailed, yet not one particle has been taken from the Governor-General, the Members of Council, or the Judges. (*Cheers.*) The framers of this Act have, on the contrary, inserted a clause to keep up, and for the present indeed to increase the salaries of the Governor-General and the Members of Council! (*Loud Cheers.*) When I allude to the reductions which have taken place, do not suppose I am saying that, when the exigency of the state requires it, reductions ought not to be made. When the just purposes of Government demand it, all must submit to it, and ought to do so without a murmur; but I say in that case it ought to be, and in those which have taken place, if they were proper, it ought to have been in fairness a rateable reduction, excluding none from its operation, but pressing equally upon all, (*cheers,*) and that the subordinates ought not to suffer whilst the high classes are left untouched. And yet it does so happen, that in this very Act a rather curious alteration has been made, whether in anticipation of the difference in the rate of exchange, I cannot say. By the former Act the Governor-General had £25,000, now he has two lacks and 40,000 Sicca Rupees. It would seem to be a reduction, but put that into pounds, shillings and pence, at the exchange of the day, two shillings and two pence, and you will find £1,000 a year has been put into his pocket—this was accident doubtless, for I do not suppose they had the gift of prophecy on the subject of the exchange, but it is a singular coincidence. (*Cheers and Laughter.*) A few words now, Gentlemen, with regard to the financial arrangement with the East India Company at home. The great objections to that are the extent of the dividend given to the proprietors, the increase to their stock fixing £100 stock at £200 sterling, the throwing the commercial debts on the territorial revenue, and exonerating from all liability the dividends of the proprietors. To me the latter appears to be little less than a fraud upon the public creditor in India. There are those who recollect the Company's Securities bearing 12 per cent. interest, and being at a discount. At that time people came forward and lent money to the Company; they did that not only upon the security of the territorial revenue, but upon the security of every thing which the proprietors of East India Stock possessed. The claims of the lenders were necessarily prior to the interests of, and even to the profits to be received by, the borrower; but by this Act the proprietors of East India Stock are to get their enormous dividend out of the revenue, whoever may go unpaid, and those who lent their money to the proprietors have their chief security taken from them; whilst by the operation of this provision all motive for economy is taken away—however lavish they may be, it cannot diminish their dividend—however parsimonious, it cannot increase it. Whatever they give, they pay nothing. I congratulate Ramrutten Mullick and others who have claims for compensation, upon their increased prospects of success, for the proprietors may well now be liberal when they have to pay away other people's money. Whether this arrangement was considered advantageous to the East India Company, may at once be seen by the result. What was the actual and instantaneous effect of the arrangement? Why, the stock which was under 200 per cent. before the arrangement, rose immediately to about 240; that is, every shareholder gained more than 20 per cent. at once added to his capital. Does not this prove the absurdity and impolicy of the arrangement as far as the English Government are concerned, and the injustice of throwing such an unnecessary burthen upon the territorial revenue of this country? That it has had its effect upon their liberality, already is sufficiently apparent. Their home servants, I contend, have always been paid more liberally in proportion than their servants in this country; if you take into consideration the destruction of health and constitution, the danger to life, the banishment, nay, I may say the imprisonment, which service in this country involves. How were their home servants paid, and what were their retiring pensions—infinitely higher in proportion—both the one and the other than those of the generality of their servants in this country? I am told that the Company gave to their tea taster £2,000 a year—a pretty liberal allowance for tasting tea. (*Laughter.*) If they would be content with morning and evening tasting, I should like to contract to do the work for one tenth of that sum—(*Laughter*) and now they have no more tea to taste, you will find they have given him a most liberal compensation—so again with regard to the compensations lately voted to the members of their maritime service—a most meritorious class of servants doubtless, but the compensations seem most extravagant—a Captain enjoys £250 a year for life, I think, with reversion of some portion to his wife and children; and that when he is probably in the prime of life, with the world before him, and his prospects unimpaired, as fit for service as ever, and his profession open to him—and so in proportion with the other grades. Is not this an indication that the proprietors, now they are sure of their dividends, do not care how much they give away? Has the alteration in patronage been made with more consideration to the interests of the public: what alteration has been made by the Act? Only giving an increase of patronage to the Board of Control and Court of Directors. (*Cheers.*) But what provision has been made to secure, by the distribution of the patronage, better servants for India, or what means of rewarding merit or services? None whatever. Mr. Canning and Mr. Wynn both endeavored, I believe, to direct some portion of the patronage to the reward of merit at the public Seminaries of England. There is no trace of such a desire in the present Act. I have heard that some years ago many officers having fallen in the wars of India, leaving little or no means of support for their wives and children, Lord Hastings sent home, and urged with all his influence, petitions praying that their claims might be taken into consideration, and some small portion of the patronage of the Company extended to those orphans whose fathers had fallen on the field of battle. I have heard that those petitions were indignantly returned, with a statement that the patronage of the Court was the patronage of each individual Director, and could not be interfered with. (*Loud Cheers.*) And this it remains at the present moment, as the means of

paying the Directors, who have only £300 a year salary. I say the British Legistature ought not to allow the continuance of such a system. I will do those who have distributed the patronage of his Majesty's Army the justice to say that is not the case with regard to that army. I will do the same justice to His Majesty's Ministers, be they who they may —the claims of children of meritorious public servants have not often been overlooked—but no such principle is recognized by the East India Company. (*Cheers.*) Again, has the Act been more attentive to the improvement of the country than the former acts? By the 53d George III. a lack of rupees was directed to be given annually for the purposes of education—what has been done with that I do not know, probably it has been duly laid out, but in the present Act I do not find the appropriation of one single rupee to any Indian purpose whatever; nothing is directed to be spent upon education, roads or canals, or any work of public utility—all the surplus is required to keep up the enormous dividend of the home proprietors. (*Cheers.*) And this while the Court of Directors are unable to give a number of Courts of justice adequate to the wants of the people. There are in truth only two Courts in the whole presidency of Bengal, the Supreme Court and the Sudder Adawlut, for the rest are simply single individuals. How different from the feeling of Parliament in the year 1773, when the East India Company having applied to borrow a sum of money from the British Parliament, resolutions were proposed by Lord North, and carried, that the Company should not be at liberty to increase their dividend beyond six per cent. till they had paid that debt, or beyond seven per cent. till their bond debt was reduced to £1,500,000—that principle also has been lost sight of, and they are to receive 10 per cent. without paying any of their debts, or providing even for the due administration of justice. One other point alone, but that a most important one, remains on which I shall detain you: I mean the providing some sort of legislative representation. I may be asked from what class shall the representatives be chosen? I do not care. But will it be contended that India cannot furnish them; that out of ninety millions of persons of the governed, and some thousands of intelligent Europeans, of the nation of the governors, there are none to be found capable of advising the government? I do not contend even that they should have absolute legislative powers; give the same power as at present, if you will, to the Governor-General as to adopting or rejecting laws—but will any man tell me that all the inhabitants of all the presidencies are so destitute of knowlage, of information and ability, that you cannot find one, or ten, or a hundred if need be, who could assist the Government in its work of legislation? There is not a petty colony in the West Indies—there is not a convict colony belonging to His Majesty, which has not some semblance of representation—they may have more or less power—but do not tell me that all you can do for India, in the way of a legislative council, is to send out a gentleman of great oratorical powers as fourth member of council, who is also to be the head of a law commission which has been in existence a year and has not sat a day. All my predilections, Gentlemen, are in favour of the men who passed this Act, but I do say that I never saw a worse Bill passed by any Parliament, reformed or unreformed, or one that evinces less consideration for the interests of those who ought to have been first considered, and more consideration for the interests of those who ought in common honesty to have been last considered. (*Loud Cheers.*) Idleness, carelessness, recklessness of the rights and liberties of those to be governed, are its great characteristics. There is not one provision contained in it for which we could be thankful, to which some clause is not tacked, rendering it a mere illusion. Believing this, and feeling that as an Englishman, I am in danger of being deprived of British Laws which I consider as my birth right, whilst no other inhabitant of India has reason to be grateful, I have given all the assistance in my power to inform the Commons of England what the people of Calcutta think of this measure. The time chosen for the meeting, which has been objected to, is, I say, a good one—even if it be late, I say "better late than never." But if we had come forward sooner, it might have been said we acted with precipitation—the Charter had yet scarcely been acted upon—the Government of Agra had not been opened—the Governor of Agra was still resident in Calcutta—Vice-President in Council—whilst the Governor-General and Council of India (the one member of it) were enjoying themselves in the salubrious air of the Neilgerry Hills, and the law-commission was not even filled up. If, however, we have been late in coming forward, the inhabitants of Calcutta do not seem to evince an indifference to the subject. There is one thing that cannot be said, whether we are right or wrong in the view which we take of the subject, that there has not been as large, as anxious and as patient an assembly this-day of the inhabitants of Calcutta as was ever collected in this place for the purposes of a public meeting. To their kindness, and to their patience, I am myself deeply indebted, but it would not have borne to have been thus pressed upon, except for the interest which the subject, and not what has been said, has excited. If I have warmly expressed myself, I am sure there is not one who knows me who will not believe there is no person more sincerely desirous of promoting the welfare of the country at large, or of the mother country, to which I hope to return, than myself, and they know the predelictions which I entertain; but while I live in any community I will not sit down calmly under a sense of injustice, by whomsoever committed, without expressing my sentiments. (*Loud Cheers.*) If this meeting had not come forward, I should have presented a petition in my own name, and in the names of those who have acted with me. I rather think I shall do so still, for I like plain speaking, and I should go a little further than this petition. I have, however, no right to pledge others to a similar extent; but we have at least a right to expect, and the petition hardly asks for more than as good a government as that bestowed upon Ceylon, a country somewhat similarly situated, but more happy at present in its constitution, for there is an approach there to a better legislative council, and what is perhaps of as much importance—publicity in its proceedings. Has this part of India a right to expect less? and we may at least say that there never was a period when the inhabitants of Bengal forfeited their right to good, to free, and liberal government by disaffection or disturbance. (*Loud Cheers.*) I will now, gentlemen, read to you the petition that has been prepared for your adoption.

## PETITION TO PARLIAMENT.

[THE PETITION WILL BE SENT IN DUPLICATE, PROPERLY ADDRESSED TO EACH HOUSE OF PARLIAMENT.]

*The humble Petition of the Inhabitants of Calcutta.*

RESPECTFULLY SHEWETH,—That by the Act passed in the third and fourth year of the reign of his present Majesty, and entitled an act for effecting an arrangement with the East India Company, and for the better government of His Majesty's Indian territories till the 30th day of April, 1854, your petitioners feel aggrieved, inasmuch as they humbly conceive that only the first of these objects has been in any degree attained; and that although an arrangement very beneficial to the East In-

dia Company has been effected, such benefit has been bestowed at the expense of the inhabitants of India, of every class, and that no secure or reasonable provision whatever has been made for the *better* government of His Majesty's Indian Territories.

That the arrangement which has been made, is one which benefits the East India Company at the expense of the inhabitants of India, is plain from the provisions of the 9th Section of the said Act by which the whole bond debt of the East India Company in England, as well as the debt called the territorial debt, and every other kind of debt and liability whatever is charged upon the revenues of India, without examination of the accounts by which the debt (so called) was made to appear territorial; whilst it is further provided by the same Section that neither any stock or effects which the said Company may hereafter have to their own use, nor the dividend of £10 10s. per cent. by the Act secured to them, or the Directors or Proprietors shall be liable to, or chargeable with, any of the then existing debts or liabilities.

That such arrangement benefits the East India Company alone is further plain from the provisions of the 11th Section, by which it is provided that out of the said revenues there shall be paid to the Company for their own use a dividend of £10 10s. per cent. half yearly:—by the provisions of the 12th Section, by which £200 sterling is to be paid for £100 stock as the price of redemption:—by the provisions of the 13th Section, by which the Company is entitled to demand redemption of their stock at the rate aforesaid in case of their ceasing to retain, or being deprived by authority of Parliament of the possession and government of the said territories: and lastly by the provisions of the 17th Section, by which the said dividend of £10 10s. is to be paid in preference to all other charges payable in Great Britain; which in effect, as the East India Company is left in possession of the whole government of India and the control of the revenues thereof, is as much as to say in preference to all charges whatever. By all which enactments your petitioners submit an injustice has been done to the whole body of Indian creditors holding Government Promissory Notes given for money unquestionably borrowed on the security of the territorial revenues, and on that security alone; inasmuch as their security, which was express in terms and prior in date, has been suddenly and without an opportunity of objection made secondary, in order to pay the commercial capital of the East India Company, with which the commercial assets alone were chargeable; while although the dividends on East India Stock are further secured to the Proprietors of the Company by the provisions of the 14th and 15th Section of the said Act, creating a guarantee fund to accumulate to the amount of 12 millions sterling, the territorial creditors are in nowise secured against the injurious effect of a perpetual drain of greatly more than a million and a half sterling annually from India, the revenues of which, while decreasing, are thus encumbered with an immense additional burden.

That not only has injustice been done to the territorial creditors by these enactments, but the condition of every man and every class of men in India is made worse by the exorbitant provisions of these sections, and no class of men benefitted, but the proprietors of the East India Company; for the effect of these enactments must necessarily be to reduce the salaries of the European servants of Government of all descriptions, so as to render the reward of labour scanty and return to their own country, always remote, in most cases impossible; to cripple the efforts of the merchant, and diminish commercial activity and enterprize by the scarcity of money, which an annual drain of capital to such an amount must needs produce; and finally to fill the reflecting landholder in Bengal [the country which has hitherto been looked to, to supply all deficiencies] with a just alarm lest the permanent settlement of the land revenue fixed in 1793, by Lord Cornwallis, should also at some future, yet no distant period be set aside, when it shall become evident to all men that the sums charged upon India by this act, cannot be paid without increased taxation.

That your Petitioners are so seriously impressed with the belief that the difficulties which must arise in making these payments, are so great as to be almost insurmountable, and the discontents that are likely to be produced in the endeavours to meet them may be so great as to be dangerous, that they deem it necessary to mention other sources of useless expense created by this act, that they might not otherwise have thought important enough to call to the notice of Parliament.

That the creation of a new Presidency at Agra is calculated apparently for no other end than to increase expense and patronage inasmuch as by the provisions of this act all political power and responsibility are taken away from the Governor and centred in the Governor-General of India, and your petitioners are not aware of any increase of benefit to be expected in the civil administration of the upper provinces of the Presidency that can compensate for the increase of expense, which is beyond doubt.

That the extension of Episcopal establishments of the Church of England, (even though as your petitioners admit, the extension has not been as yet effected on an expensive scale) is still an entirely useless burden, and moreover a grievance laid upon the great body of the people of India, and your petitioners humbly submit that if such extension of the Episcopal establishments be deemed of importance by the people of England, that the expense thereof should be paid out of the dividends of £10 10s. per cent. on India stock, or otherwise provided for by Parliament, out of the revenues of England.

That your Petitioners submit that the only legitimate object of taxation is civil government, defence, and improvement of the country to be taxed; that the only legitimate object of extension of territory or colonization, is the extension of knowledge, civilization, trade and commerce. That whilst roads, canals, and public institutions are almost unknown throughout India, whilst it wants nearly all that Art can do to promote the prosperity of a country, more of its surplus produce than ever, will be by the provisions of this Act sent to England for the advantage of an English Company of proprietors, or applied to objects alike foreign to its usages, its people, and its interests, and wholly unnecessary for the purposes of good government.

That while the financial consequences of the arrangement with the East India Company, and the other provisions of the act before noticed, are most burdensome and prejudicial to the inhabitants of His Majesty's Indian territories they can find in the other provisions of this act no secure or reasonable provision for their better government.

That this is the case seems plain to your petitioners on a summary of the changes effected by this act, and which your petitioners humbly suppose are intended to be the securities provided by the wisdom of Parliament for their better government. That as far as the changes in that part of the government of India, which is carried on in England are concerned, it appears to your petitioners that the whole material difference consists in this, that by the 20th Section of the Act, two more of the Cabinet ministers of the Crown are made *ex officio* members of the Board of Commissioners for the affairs of India, and all real and substantial political powers (except that arising from the possession of patronage) are transferred to the Board of Control from the Court of Directors.

That with respect to patronage and the power of nomination to the civil and military service of the East India Company, the Government of India remains as appears to your petitioners in precisely the same state that it was in before the passing of this act, for the whole result that can be expected from the complex and numerous provisions of the 103d, 104th, 105th, 106th, 107th, 108th and 109th Sections (if any material result at all can be expected) is that the government of the institution or college of Hailebury may possibly be improved, while all other matters relative to the granting and distribution of such appointments are left unchanged, and the civil service remains as exclusive and segregated from the national and all other establishments of education as

before, so that the provisions of the 87th Section of the Act, whereby it is enacted that no native of the said territories, nor any natural born subject of His Majesty, resident therein, shall by reason only of his religion, place of birth, descent, colour, or any of them be disabled from holding any place, office, or employment under the said Company, seem likely to be confined in their effect, during the period of twenty years to come, to the barren assertion of a principle that indisputably ought to prevail in all governments.

That in consequence of the omissions of this Act the power of appointment to the public service still remains attached as a personal perquisite to the individuals composing the Court of Directors, and while the Court of Directors itself as a body, will not exercise the power, neither the Board of Control, nor the Supreme Local Government have the right or can exercise the power of appointing a single individual to any office in the Civil, Military, or Medical Service of the country, however great may be his claims or however valuable the services performed by his family. That your petitioners submit that this mode of appointment to public employments is obnoxious in principle and injurious in practice, and that it would be more just and convenient to remunerate the services of the Directors of the East India Company by competent and liberal salaries than to continue a system so faulty and invidious, which gives them a power over public appointments, commonly exercised on the same principles as if they were dealing with matters of private property.

That as far as the Act affects the local government of India its effects upon the inhabitants of the country, may be thus not unfairly characterized, viz., that the inhabitants of Calcutta and every Englishman throughout the Presidency have been deprived of the security they before possessed, that no local law repugnant to the law of England should be imposed upon them while the great body of the people have gained no additional security for better government whatever.

That so far as the inhabitants of Calcutta of all classes, and all Englishmen not in the service of the East India Company, are affected by the provisions of this Act, they find the security they have enjoyed for more than a century, by the establishment of Courts of Justice created by Royal Charter and the authority of Parliament, and proceeding on the known maxims of English law, threatened by the extraordinary provisions of the 46th Section which declares, that it shall not be lawful for the Governor-General in Council *without the previous sanction of the Court of Directors*, to make any law or regulation whereby power shall be given to any Courts of Justice, other than the Courts of Justice established by his Majesty's Charters, to sentence to the punishment of death, any of his Majesty's natural born subjects born in Europe, or the children of such subjects, *or which shall abolish any of the Courts of Justice established by his Majesty's Charters.*

That your Petitioners of all classes, inhabitants of Calcutta, are most desirous to retain the security they derive from the institution of the Supreme Court of Judicature, and your petitioners, who are natural born subjects of his Majesty's, born in Europe, and now in the East Indies, respectfully but still with firmness maintain that they are entitled to the protection and support of the law of England, in common with all other Englishmen, having committed no fault for which they should be deprived of them. And they further maintain that it would be a breach of the law of England and the maxims which have always governed the conduct of Parliament to suppose, that a body of Englishmen could be deprived of every political right and personal security, and subjected to the punishment of death even, without trial by jury, provided the previous sanction of the Court of Directors were obtained to such proceedings.

That your Petitioners who were born in the United Kingdom can see no pretence of reason for depriving them of the security of their own law in this country, while their Mahomedan and Hindoo fellow-subjects of the crown are still left and must be left to enjoy their own.

That while your Petitioners affirm that they have been deprived of securities and the great body of the people of India have gained no additional security for good government, they are well aware that the termination put to the commercial existence of the East India Company, the opening to the people of England of the trade to China, and the permission to Englishmen to settle in the provinces which composed this presidency on the first January, 1800, are advantages, which cannot in a candid examination of this Act, be overlooked or denied; but your petitioners beg leave to observe that the first named of these changes is a matter which almost exclusively benefits the people of England, and that the permission to reside without licence is rendered insecure and valueless by the uncertain state in which the laws respecting Englishmen seem purposely left; and that, finally, the injustice under which this country labours in having extremely high and almost prohibitory duties imposed on one of its staple productions, sugar, and by many other vexatious commercial restrictions and unjust differences is still unremoved, and the several West Indian colonies are benefited at their expense. An inequality the more striking, since in the course of the same session in which this Act passed, there was bestowed on the West Indian colonies, at the expense of England, a compensation for the loss of slave property to the amount of 20 millions sterling, while by this Act annual burdens to a sum which it would require nearly 20 millions to redeem were laid on this country for the benefit of one English company and no compensation whatever afforded.

That no additional security for better government has been gained by any class of men in India, your petitioners conceive is further plain from the following facts, viz.—

That by the 43d Section of the Act an absolute power of legislating is given to the Governor-General in Council with no proviso that saves the rights of any man or class of men, but only a proviso (deemed necessary as it would seem by Parliament) to save the prerogative of the crown and supremacy of Parliament itself, from destruction or diminution by the legislative power of the Governor-General in Council!

That the provisions for the repeal or disallowance of any obnoxious laws that may be made in pursuance of such prodigious power still rests, as it did in substance before, with the ministers of the crown; that the provisions of the 46th Section afford no protection to the class for which it legislates; and that the provisions of the 47th Section for promulgating future laws do not prescribe even the very scanty security under the authority of Parliament of a publication of laws for a reasonable period previous to their enactment, which has been granted even to Ceylon, a country nearly or similarly situated with India, while the provision of the 40th Section that one legislative member of the Council of India is not to be a member of the Company's service must be looked upon as no security at all, since it will be the Board of Control and the Ministers of the Crown who will henceforward be committed by a previous approval of the future legislation of India to its support and not the Directors of the East India Company.

That moreover, as humbly appears to your petitioners, any consideration of the constitution of the new Council of India in its legislative capacity, is rendered of no importance by the provisions of the 49th Section, by which, in effect, the Governor-General of India for the time being is rendered the sole legislator, responsible only to the ministers of the crown in the first instance, with such possible responsibility to Parliament as even at such a distance, may be supposed by some to exist.

That in the humble judgment of your petitioners the result of all these provisions, which they suppose to be intended to secure their better government must be characterized by the same terms nearly as those they have employed to characterize the provisions for effecting an arrangement with the East India Company, viz., that while the great body of the people of India has received no additional security for good government whatever, the body of Englishmen resident here has been deprived of one most valuable to them, so that no men are the less

ter for these provisions of the Act, but the Ministers of the Crown who have acquired additional, and in India by delegation, almost absolute and uncontrolled power.

That in fine, your petitioners humbly conceive that pending the immense labour of future legislation imposed by this Act on the local government, it was unnecessary and unwise to remove any securities possessed by any class of men until it could be seen that something better for all was to replace them; that the constitution of a legislative council might easily have been rendered more popular, and more useful; for your petitioners are persuaded that in all the presidencies many men could be found out of the pale of the East India Company's service, whose knowledge would prove most valuable in the task of legislation; and though your petitioners do not at present assume to point out with whom the power of selection should reside, yet they do solicit that a less exclusive body of men, and some possessing local property and knowledge should be added to assist the legislative council in all matters relating to the making of general laws even though the selection should for the present remain with the Governor-General in Council; and further, that the plain and obvious security of a previous publication for a reasonable period of time of all proposed laws before their enactment, should be given to the people of India and means provided by which they could lawfully, peaceably, without offence, and with the sanction of government, meet to make known their objections to such proposed laws before their enactment, and be heard on such objections before the legislative council; and that whatever may be the constitution of the proposed legislative council, their proceedings may be made public at least, if not publicly conducted.

That your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take into its deliberate consideration the foregoing matters and apply such remedies by amendments of this Act and new enactments as shall seem calculated to remove the evils complained of by your petitioners, to retain the securities for their rights and for good government they already had, and really to improve their condition, and your petitioners, who are among the most loyal and attached subjects of the Crown of the United Kingdom, shall ever pray, &c.

"That the Petition just read be adopted as the Petition of the Inhabitants of Calcutta and be presented to both Houses of Parliament."

*Mr. Burkinyoung.*—Gentlemen, it may seem presumptuous in me to come forward to second this resolution, but concurring in all the sentiments expressed in the petition, and knowing that others around me entertain the same feeling, I do so with great pleasure. I will not detain you at this late hour by adding any thing more.

The Resolution as proposed by Mr. Turton, was then put by the Sheriff, and carried unanimously.

*Mr. Hare.*—Gentlemen, allow me to say that when I look around me, and see so many natives coming forward in association with Europeans to support their rights, I feel this to be a proud day for India. (*Cheers.*) I have seen very many meetings in this city, but I never recollect seeing one more numerous or more respectable. (*Cheers.*) It has also been my lot to have attended a great number of public meetings in England, and if I recollect right, it was the custom for the Sheriff to sign the petition on behalf of all. In accordance with that custom I now move—

"That the Sheriff do sign on behalf of the inhabitants the respective Petitions now adopted by this meeting."

This Resolution was seconded by Mr. Hogg, put by the Sheriff, and carried unanimously.

*Mr. Dickens.*—I have now to submit to you a proposition which is necessary to give effect to what has been done. I therefore move—

"That a Committee of the following gentlemen be appointed to have the several Petitions now read and adopted, engrossed, and when signed by the Sheriff, on behalf of the Meeting, presented respectively to his Lordship the Governor-General, and the two Houses of Parliament.

W. Adam.
Dwarkanauth Tagore.
Russik Lal Mullick.
E. M. Gordon.
Russumoy Datt.
T. Dickens.
L. L. Clarke.
C. Hogg.
F. H. Burkinyoung.
D. Hare.
T. E. M. Turton.
W. Young.
J. Sutherland."

The above resolution, having been seconded, was put by the Sheriff, and carried unanimously.

*Mr. Longueville Clarke.*—Gentlemen, before we separate, we have still one duty to discharge, and a pleasing duty it will be to us all. It is to offer our thanks to the Sheriff for the manner in which he has presided in the Chair. But I must not permit this opportunity to pass without congratulating you, that the first meeting at which the proper constitutional officer of the city has presided, should have been so numerously and so respectably attended, and convened for objects so important to us all. One objection which has frequently and not improperly been urged to placing the Sheriff in the Chair at our public meetings will, in a great measure, be removed, should the prayer of your first petition prove successful. It has constantly occurred, that the Sheriff was in the service of the Company, and the very object of the meeting, or what transpired at it, might place him in a painful situation, and he might be exposed to reproof, for permitting sentiments to be uttered, which would be considered as opposed to the interests of those whom he served. But should your Petition succeed, and this most illegal and obnoxious order of the Court of Directors cease to be acted upon, then that direct interference which is now assumed by the Government over our public meetings will be at an end, and their servants will be more independent in the discharge of their duties as citizens. But while I congratulate you, Gentlemen, I must also congratulate our Sheriff, that it should have fallen to his lot to be the first constitutional officer of this city, who filled the Chair, at a meeting so numerous, so respectable, and so unanimous. I say, unanimous, and I say that this is an object of great congratulation, for attempts have not been spared to sow dissention among us. But the attempt has signally failed, and although repeated in the *Englishman* of this morning, and a cry sent forth, that those who coincided with the writer should rally to support his views, yet these views have met with no countenance, and the writer himself has departed. Gentlemen, this cannot but remind you of what was sung by the Poet, that

"He who fights and runs away
Will live to fight another day;
But he who's in the battle slain;
Will never live to fight again." (*Laughter.*)

So sung the Poet, and it would appear that the prudence which he inculcates has not been thrown away on the prose writer of this paper. (*Laughter.*) I have hitherto abstained from addressing you, Gentlemen, under the expectation that these articles in the *Englishman* were but the prelude of an opposition which would be offered; for that opposition I reserved myself, for I prefer speaking in reply, and I knew that the resolutions needed no support from me, when the zeal and abilities of my friends were inlisted in their behalf. Had the attempt been made to divide the meeting, I would have been prompt to oppose it, but as it was not, I have abstained from intruding on your time further than to discharge this pleasing duty of moving that our thanks be given to our Chairman.

The motion was carried unanimously, the Sheriff then returned thanks, and the meeting broke up.

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We insert the conclusion of the Report of the proceedings of the important Meeting of Monday last at the Town Hall, and the whole will now be thrown off in the pamphlet form, for the benefit of those who may desire to possess such a connected and complete record of those proceedings.

We had intended to remark at some length on the discussion respecting the Charter on this occasion, but as in the *Bengal Herald*, we are, to a considerable extent anticipated, we shall be excused, perhaps, for adopting a portion of the leader on the meeting in that paper:—

"The discussion on the new Charter though last in order, was certainly not least in importance. We hope Messrs. Dickens and Turton will not consider us as ungrateful for the powerful aid they gave to the cause of good Government by their speeches on this memorable occasion, if we express our dissent from some of the opinions delivered by them on the subject of the Charter. We will first mention the points on which we cordially agree with them, and then refer to those on which we unfortunately differ. 1st. We think, that a most nefarious preference has been given to the home creditor over the holder of Company's paper in this country. No thorough inquiry was made whether the commercial creditor at home had *any just claims at all* on the revenue of India. 2dly. No provision (by lightening the duties on Indian sugar) for paying the enormous additional sum to be extracted from India, and to be made over to the *quasi* creditors at home, was made in the act renewing the Charter. 3dly. It is still left a matter of doubt whether a Governor-General has the power to deport Englishmen without trial. 4thly. The amount of power intrusted to Governors General is immense. We wonder why councellors were given at all. If men were not sufficiently wise and honest to make their votes *on every question*, to say the least, as valuable as that of a stranger, which the Governor-General always is, then why should they be members of the Government at all? If, as is constantly assumed by English Statesmen, public men in India are inferior to public men at home, surely the Indians are not inferior in the rates of 4 to 1. Are we unreasonable in thinking, then, that on two thirds of the Council differing from the Governor-General, the latter ought not to be permitted to act in such a case on his own responsibility? 5thly. We entirely agree with Mr. Dickens, in thinking that the Act should expressly have enjoined, that no new law affecting the interests of Europeans or Natives should be binding without having been previously published for a given time, for the information of all concerned. 6thly. Publicity should have been given to the proceedings of government by throwing the doors of the Council Chamber open, and by the subsequent publication of the proceedings in the newspapers. 7thly. Something more explicit on the subject of education and something more liberal on the subject of the employment of natives, ought to have been enacted. 8thly. No addition to the ecclesiastical establishment should have been made; and the salary of the previously existing Bishop ought to have been cut down. The points on which we differ with Messrs. Dickens and Turton, are as follows:—1st. We do not think the Government of the East India Company, on the whole, would be as good, in these days, as by responsible Ministers of the Crown; and, at all events, it is perfectly monstrous that there should be *two* Home Governments. 2dly. We entirely protest against the doctrine, that the Parliament of England can effectually legislate for India. 3dly. We think hard measure has been given to the enactments regarding the Law Commission. What that Commission *may or may not* do we think it is absolutely impossible to decide on *à priori*. The production of mere uniformity of laws, even if practicable, will form but a small part of the labours of that Commission, if it does its duty. The great importance of this subject will probably tempt us to return to it. In the mean time, we congratulate our readers and the public on the triumph, the glorious triumph, which the cause of good government has gained, by the late meeting, for we think it will be impossible for the Governor-General here, or the Parliaments at home, to disregard the Petitions of the most numerous, the most respectable, the most orderly, and the most unanimous meeting that ever assembled in Calcutta for political purposes."

A correspondent of the *Courier* charges the objectors to the Charter with having been extremely tardy in bringing forth their objections to it. To this Journal, at least, that charge does not apply, for before Mr. Grant's Bill became law, as soon as we first saw his proposed *arrangement* with the East India Company, we entered our protest against it in a very elaborate article, in which we went into an analysis of the whole scheme, and we have again and again returned to the subject and expressed our indignation at the utter indifference to the interests of this people which the whole Act manifests, with few exceptions. We do not underrate the importance of abolishing the China monopoly, nor are we blind to the fact, that indirectly that measure will benefit the people of India—we do not underrate the value of the partial removal of the restrictions on European settlement; but cannot it be said that in either of those measures the interests of the people of India were especially considered, that they were even thought of by those who proposed and carried those changes? We believe on the contrary, with Mr. Turton, with respect to the first, that Ministry yielded to the influence of the new constituencies under the Reform Bill, to the voice of the people of England and not to any consideration of the contingent benefit of the natives of India. As for colonization, impediments are still left in its way, and the despotic power of summary deportation instead of being *expressly* taken away, is entirely repealed if repealed at all, by implication and negative construction!! Is that the way, we ask, in which such a boon should have been conferred? It is actually left doubtful, whether a Governor-General might not now transmit a European, nor would a professional gentleman of talent find any difficulty in arguing for the existence of that power. Where then, we should be glad to know, are the mighty benefits conferred on India by the New Charter? Her Government remains as costly as ever, and ten times more despotic,—her expenditure is increased to meet the claims of greedy proprietors,—the Christian hierarchy is augmented at the expense of the Hindoos,—Indian commerce is still placed at a disadvantage,—there is not a word about education in the charter, so that even the farthing per cent., the one lakh of the old charter, is not secured by law to that great object. With all these and other defects we are told, that this is a measure for which we—no—not we, but the people of India, are bound to be thankful to His Majesty's Ministers, whose wisdom devised, and whose power made it law! What the intelligent natives do think of it, Mr. Charles Grant will soon learn from the speech of Baboo Russick Lal Kristna Mullick—a speech which may give public men in England some notion of what the Hindoos are capable of. Russick Lal is one of many here, of equal talent, independence and public spirit.

One point on which we have not dwelt, and which has been admitted even by the admirers of the charter, to be a defect in it, is, that of the subjection of the Supreme Courts to the executive authority. *Some* of our readers no doubt will recollect the part we took in the case of the collision between the Bombay Court and Sir John Malcolm, and the severity with which we condemned the conduct of the Tory Ministry, in re-calling Sir John Peter Grant. We considered, and we maintained on that occasion, although some of our warmest friends and supporters widely differed from us, that the very principle on which King's Courts were instituted in India, that of affording to the inhabitants of the Presidencies, some check against the misrule and oppression of the Company's servants, was violated in the recognition of the right of the executive to interfere with the jurisdiction of those Courts. We are still of that opinion—and even Lord Ellenborough has come round, it seems, to that view of the case, since there was no part of the charter on which he animadverted more severely than that, which was in truth in conformity with his own *doctrines* and *practice* when in power! We know that some of the most ardent friends of the liberty of the subject, hold that the check imposed on the enactment of arbitrary laws, by the Local Governments, by the condition of registry in the Supreme Courts, is vicious in principle, and not likely to be attended with benefit in practice. It cannot be denied that such a system does, to a certain extent, transfer the power of *legislation* from those to whom it properly belongs, to those whose duty, under a good system, would be wholly *administrative*; but what we hold is this, that that check defective as it was in principle, ought not to have been taken away until an open, comprehensive, responsible Council, fit to be entrusted with full powers of legislation, was established. That done, we would agree at once in taking away from Judges

even the negative legislative power of rejecting a law; for we have no wish to see the legislative and judicial functions blended; but what the Charter does, is to take away that check while it renders the government more despotic and less responsible than ever!

There is another point to which we have not yet adverted, and on which we do not exactly agree with one of our legal friends, who addressed the meeting. We mean that of the *unqualified* objection to Courts presided over by a single Judge. Now, if there is one point which Bentham has more successfully argued than another, it is that, of the advantage of a single Judge, *provided always that Judge be duly qualified* for his office. We admit, however, that under the existing system of English law, and while interst rather than qualification guides the selection of them, a plurality of Judges is necessary. Judges may be compared to chronometers—if you have an exceeding good one—you are better without any more, but if you have one, on which you cannot fully depend, you require others as checks—and that has been precisely the case as to Indian Judges. The Ministry have felt that their selections have in general been made without much reference to qualification, so much so, that it is a matter of astonishment, that our Bench has exhibited so much talent: but still we believe that no instance can be referred to, in which this community have not felt the want or the advantage of the check of a plurality of Judges, and hence the inference in favour of the necessity of them: but they would *not* be necessary if proper men were selected under a *proper system of laws*: and it is important always to bear in mind the distinction between what is sound in principle, and that which is merely defensible on the plea of expediency.—*Bengal Hurkaru.*

## OPINIONS OF MESSRS. TURTON AND DICKENS.

### To the Editor of the Bengal Hurkaru and Chronicle.

Sir,—As you have somewhat mistaken the opinions entertained by Mr. Turton and myself on the three points specified in your leading article of yesterday, I am induced to write you this explanatory note. I think the matter of sufficient consequence to require it, although not very desirous to make a comment on my own speeches. I think so, because although in fairness the meeting of the inhabitants can be taken to have assented to nothing but what is contained in the Petition, yet all that we uttered as members and advocates of a body of men entertaining generally the same opinions, may be loosely ascribed to them, and a right apprehension of our expressions thus become important to their cause; it is besides of some importance (and I feel it so) to myself.

What was said by us on this occasion must be always taken to refer to the Act under discussion. The speeches made, must be read as commentary on certain provisions of that Act, made by the Inhabitants of Calcutta, not by any means as attempts to point out in the character of statesmen or lawgivers, a general and comprehensive scheme for the better government of India: a much more undivided attention than either of us could bestow, would be necessary to enable either with propriety to attempt to address any public assembly on such a subject. With this introductory observation, I will come to the points you specified as those on which you differed, and you will find that on two of them at least there is perhaps no difference between us. First then, we *do* think (for I believe I can answer for both) that the Government of the East Indian Directors alone, *would be better* than the double which *is* established; and we think that if the constitution of the Court of Directors were improved, and the distribution of patronage in their hands well directed for the common weal, that they would in any case be a better instrument of government than a Government board, or Members of the Crown, more especially since the commercial existence of the E. I. Company has terminated. You see, Sir, that the necessity for two home Governments is not apparent to us. Secondly, we never held the doctrine that Parliament can effectually legislate for India. Thirdly, we never assumed to decide on what the Law Commission could or not do "*à priori*;" but I did venture an opinion that it could not make a uniform code of law and process. Our sentiments on the last named two points may be generally thus expressed:—we do not by any means object to the appointment of a law commission, or deny that it may be productive of great good, that it was not highly desirable that the attempt to improve the state of the laws was not called for; but we are of opinion that the instruction given to the law commission by the Act (if instruction it may be called,) is not sufficiently guarded or clear; that Parliament ought not to have left the Governor-General alone to point out the direction and limit of their labours; that the reports of the Commissioners when made, should have been referred to Parliament to be considered in committee or that at least when so vast a labour as a new code of law was complete, and before its imposition, that code itself ought only to have been imposed by the authority of Parliament. And we hold that the most intelligent legislative assembly in the world, ought to have been more anxious than it has shown itself, to seek for a subject of debate of such great dignity and importance as the composition of an entire body of law for nearly 100 millions of subjects and its imposition upon them. These matters are now referred in substance to some future Governor-General, and probably some future President of the Board of Control.

I am, Sir, your obedient Servant,

Calcutta, Jan. 12, 1835. Theodore Dickens.

## ROMAN CATHOLIC MEETING.

This meeting of the Roman Catholics of Calcutta was convened at the Church in Moorgeehatta Lane, on Wednesday evening the 14th January. On the motion of Mr. P. S. D'Rozario, seconded by Mr. C. R. Lackersteen, Mr. J. Michie took the chair, expressing his hopes that the same kind feelings which called him to the chair would support him in the performance of its duties. Mr. Michie proceeded to explain the object of the meeting, which was that as Roman Catholics they should express their opinion regarding the assumption of power over them by foreign priests on the part of a foreign potentate. As Catholics they were bound to obey the follower of Saint Peter, namely, the Sovereign Pontiff—to which he could not suppose on what ground any objection could be made. They obey him in spirituals—he is responsible for the appointment of pastors over them. But in temporal matters they owed allegiance to his Britanic Majesty, from whom they received protection. They had nothing to do with the king of Portugal either in spirituals or in temporals. The allegiance in spiritual matters that was due to the Sovereign Pontiff, like two parallel lines, can never compromise or interfere with the allegiance due to King William IV. He did not believe that even the Sovereign Pontiff could give a right to a

foreign potentate to exact obedience from them. He has a right to send Apostolic Missionaries, but wherever they go, it is on condition of acting as faithful subjects of the power they go to. Here, foreigners not only boldly but (he would be pardoned for saying) impodently claimed obedience from them to the king of Portugal. Such obedience was impossible. As subjects of Britain, they might have to proceed against his most faithful majesty. They had seen a document which some had described as seditious; certainly the tenor of it was nothing less than to induce a belief that their allegiance was due to a foreign power.

Mr. VALADARES, who had ever and anon interrupted the chairman, now proceeded to state his objections, in doing which he begged the indulgence of the meeting for his defects in the English language. He produced the document which had been condemned for sedition, and declared it was all a mistake as not a word was said in it about sedition. The Portuguese, he said, had first introduced Christianity into these parts, and had built the church at Bandel in 1599; it signifies nothing what change of government has since taken place; allegiance was due to the nation that first established the church. The Portuguese clergy required in that document that no submission should be paid till a reference was made to the Bishop of Meliapore, and surely the people might have waited till then. Only three months ago almost all the gentlemen present had left the church, believing that they owed allegiance to the Bishop of Meliapore. Where was their consistency now? The Portuguese nation brought the Christian religion to India; and had converted upwards of 200 souls, and now when other clergy had arrived, the Portuguese clergy were to be turned off unceremoniously without so much as thank'e. Mr. Valadares excited some merriment by his strange phraseology, and much confusion prevailed.

Mr. R. DIAS rose to reply. When the Catholics submitted to the Bishop of Meliapore, it was because there was no superior authority; and the authority to which they now submitted was derived from the Sovereign Pontiff, who is every where admitted to be the supreme head of the church. Mr. Dias proceeded to comment on portions of the document. It attacked, he observed, a man who had come from a great distance, at a considerable expense, with the most benevolent views—who has done more to enlighten them, to heal their breaches, and to conciliate opposing parties than the Portuguese priests ever had. It emanates from men who preach the doctrine of obedience, while they are the first to refuse obedience to the Sovereign Pontiff of Rome and his delegate the Vicar Apostolic. It was supposed that the Bishop of Meliapore was paid by the king of Portugal; but, it was no such thing; that king had as little to do in the matter as himself; nor could the king send out the Bishop, for there has been no Bishop at Meliapore for the last forty years. It was said that we owed much gratitude to the Portuguese priests; true, but for what?—for good dinners—for light when we were in darkness—witness the Bandel illuminations. Nothing was due to the Portuguese priests, who had been more than paid for what they had done. The conversions were owing to the Jesuits not to the Augustines. Since 1804 these Augustines raised 300,000 rupees. Fre Manoel de S. Teresa died worth 40,000 rupees and Fre Mosquito 14,000 rupees. At Bandel they raised funds to the amount of seventy or eighty thousand rupees; at the Boitacannah church to the amount of 100,000. Did these Portuguese priests give the people sermons in English? When English sermons were proposed, Mr. Texeira studied English and thereby did much good—he spoke a language they did not understand, but which he called English. Mr. Dias concluded with a warm eulogy on the Rev. Dr. St. Leger, expressing a hope that all would join hand and heart in upholding him.

The business of the evening was then proceeded with.

Mr. JOHN LACKERSTEEN noticed the arguments of Mr. Valadares, though he could not call them arguments but assertions. Mr. V. had said, that not three months ago, when there was authority from Meliapore to excommunicate the Vicar, all deserted the church, but as soon as the new clergy arrived, they deserted the Portuguese priests. This was a charge of ingratitude which every honest man would wish to rebut. His reply was, that they submitted to superior authority. The Sovereign Pontiff is an authority every where acknowledged. If they find a bull or brief from *him* appointing Dr. St. Leger, are not they bound by that authority? Are they then to be told of gratitude, and to pay no obedience to the authority of the Roman Pontiff and thereby become no Catholics but schismatics? When he first saw the document in question, he considered it seditious; it might be explained away, and it might not even mean so much, but he took it in the sense that it appeared to bear. The document asserted that the delegate of the Pope was not to be acknowledged, unless he had the sanction of the king of Portugal. He could scarcely suppose such a doctrine would be held by Roman Catholics, but must have been started by an enemy to their tranquility. The Augustines acknowledge the Pope's brief, yet cannot acknowledge the Vicar Apostolic without authority from the king of Portugal. What! cannot British subjects apply for British pastors without the consent of the king of Portugal? The framers of the document, the Portuguese priests, may be subject to that sovereign, but the people here are not. The only part of Mr. Valadares' speech which he (Mr. Lackersteen) understood was about the gratitude due to the Augustines. Now he should be glad to know what they have done; what liberal measures they have promoted; what schools they have established? They had had a hand in erecting churches but it was because churches were a source of revenue to them. Mr. Lackersteen concluded by proposing:

That this meeting view with indignation the sentiments contained in a document recently published by the Portuguese Clergy in Calcutta, and deny the existence of any right on the part of the Crown of Portugal to nominate Pastors for the Catholic Church in Bengal; that they acknowledge the Pope to be the Supreme Head of the Catholic Church, and as such, entitled to their obedience in spiritual matters, but that in all temporal concerns they owe allegiance *only* to the British Government, and they reject any authority which might interfere with their duty as British subjects.

Mr. A. HEBERLET seconded the motion, which was unanimously carried.

Mr. J. D'M. SINAES said that after the speeches the meeting had heard, he felt great diffidence in addressing them, nevertheless he was not willing to refrain from giving expression to his feelings, and he would consider it a dereliction of duty to submit quietly to usurpation. In the speeches of his friends, the authority of the Portuguese priests had been fully combated, so as to render further explanation unnecessary. As Catholics, the meeting could not recognise any other authority than that of the Holy See, nor yield obedience to any but the head of the church. They would reject with indignation this shadow of a bishop who had presumed to interfere when his authority could not be recognised. The resolution he had to propose would be a call on them to support Dr. St. Leger as the supreme ecclesiastical authority in Bengal. In reviewing the past labours of the Augustines, he confessed he could perceive no monument to testify to their deeds and attach the people to them. To them he might apply the words of Dr. Johnson to Lord Chesterfield: 'I hope it is no cynical asperity not to confess obligations, where benefit has not been received.' Already had the Catholic community derived important benefits from the Vicar Apostolic and his colleagues, and it was their intention to support his authority as supreme in Bengal in ecclesiastical matters. He proposed:

That in conformity with the preceding resolution, the members of this meeting consider themselves conscientiously bound to acknowledge the most Rev. Dr. St. Leger as the Vicar Apostolic and Supreme Catholic Ecclesiastical authority in Bengal, and they further consider it incumbent on them to support him to the utmost of their power, in the exercise of the high authority delegated to him by the Sovereign Pontiff.

This resolution was supported by Mr. M. Crow, who in a long speech which time will not permit us to give, explained the grounds of his conduct and and showed his consistency in supporting the Vicar Apostolic.

Mr. SPEED was of opinion, that the resolution proposed by Mr. Sinaes did not go far enough; he therefore proposed the following addition:

That in addition to the present resolution, we declare our intention not only to support the Vicar Apostolic, but express our willingness to unite with him in any application to the Local Government or other superior authority that he may deem necessary.

This addition was seconded by Mr. M. Lackersteen. The resolution and addition were both carried, *nem. con.*

It was then proposed by Mr. Leal, seconded by Mr. Vandenberg:

That the feelings displayed against the improper and unwise conduct of the Priest at Meliapore and the Augustine Friars, are not applicable to the Rev. Fre Antonio de Santa Maria but that the chairman should convey general thanks to him for his conduct to Dr. St. Leger and his colleagues, thereby testifying his ready submission to the supreme authority of the Catholic Church.

Mr. DISSENT proposed, seconded by Mr. T. Gregory:—

That this meeting deem it necessary to present a petition to the Government expressive of their duty and allegiance as faithful and loyal subjects, and praying, that the Government will be pleased to support the Vicar Apostolic, who, as a British subject is entitled to that protection, in the exercise of his spiritual jurisdiction in Bengal; and that their feelings of loyalty may not be further outraged by the pretensions and interference of the Portuguese Clergy.

A petition that had been prepared by Mr. Lackersteen, to be presented to Government if approved by the meeting, was read by that gentleman. The petition was unanimously agreed to. The document lies in the parochial house of the Moorgeehatta Church for signature.

The following resolution was moved by Mr. Dias, seconded by Mr. Speed:—

That the gratitude of the Roman Catholic community is due to the Rev. Dr. St Leger for the useful and instructive assistance he has afforded with the co-adjutant of his clergy since his arrival in the country.

It was then resolved that a deputation consisting of the undermentioned gentlemen should present the petition to Lord William Bentinck:—

Messrs. J. Michie, John Lackersteen, P. S. D'Rozario, G. T. F. Speed, James Robertson, M. Crow, and R. Dias.

Thanks were then voted to the Vicar for the use of the church, and to the chairman for his conduct in the chair.—*Englishman.*

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## MEETING OF PROPRIETORS OF THE UNION BANK.

At a meeting of Proprietors, held on the 15th January, Captain Vint in the chair, the business commenced by reading the following:—

### SECRETARY'S REPORT.

The lapse of another half year requires that the customary periodical report of the past six months' operations and their results be laid before the proprietary body. There is little to detail to you, for the transactions of the Bank have been quietly and steadily prosperous, and no troubles have occurred during this half year such as disturbed previous corresponding periods and figured in our reports.

The following are briefly the results of the past six months.

The nett gain realized amounts to Sa. Rs. 56,207 2 5, equal to a rate rather exceeding 7½ per cent. per annum. Compared with the profits of the corresponding six months in 1833, (or Sa. Rs. 51,826 14 11,) the present half year (1834,) has the advantage. It has still more the advantage of the last half year ending in July, 1834, which only yielded 45,545 Sa. Rs., but that is always a less active season for business than the latter months of the year. Your Directors, on the whole, are satisfied with the state of the Bank, which appears to be gradually gaining ground in public estimation, as a useful establishment for accommodation to all classes engaged in business, and for cheap and secure deposit of floating funds at moderate interest, or their advantageous investment in our Bank Stock.

Although the circulation of our Bank notes does not show symptoms of speedily rising to the height at which it stood (13 lacs) before the great failures in 1832 33,—still it does make some progress; for during the six months now elapsed, the circulation has increased by comparison with the like six months of 1833, nearly one fourth, vibrating from about five lacs to less than three. The period for comparison is chosen because at this time last year the Bank of Bengal had not (then) indicated its hostility against our circulation. That hostility, might have been expected to operate for a time in conjunction with the effects of panics and disasters fresh in the recollection of the Bazaar, in preventing the otherwise natural return of confidence and increase of a circulation based like our's on the solidity of a paid-up capital and an association of a numerous body of known and substantial Stockholders. But it seems sufficiently plain that the active endeavours of the protected establishment have failed in the expectation of forcing Union Bank Notes out of circulation, or even diminishing their amount. On this subject it remains only to report that his Excellency the Governor-General having returned to this Presidency, copies of the correspondence and proceedings relative to the discussions with the Bank of Bengal have been officially forwarded, to be laid before his Lordship, by your Chairman, pursuant to your resolutions passed at to the Special General Meeting of the 17th February last.

It is satisfactory to be enabled to conclude this Report by stating that the general business of the Bank, during the period it embraces, has been quite as large as a prudent application of its means would admit. Depositors have increased, both at the Presidency and from remoter quarters, and in the class of accounts fixed at interest as well as in that of open running accounts. If accommodation to applicants engaged in production and trade has in too many instances been withheld, or supplied more scantily than the interest of commerce and those of the Bank itself rendered desirable, the cause is to be sought not in the unwillingness but the inability of the Directors to take even the most unexceptionable business frequently offered with the comparatively small capital at their disposal, and under the limitations and reserves prescribed by prudence and by their primary obligations to their constituents, the proprietors.

J. YOUNG, *Secretary.*

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### THE TRUSTEES OF THE UNION BANK IN ACCOUNT CURRENT WITH THE PROPRIETORS OF THE UNION BANK.

*Dr.*

December 31, 1834.

| | | | | | |
|---|---|---|---|---|---|
| To Establishment and House rent from 1st July to this date..... | | | | 20301 | 0 0 |
| To charges general being for Law Charges, Stamps, Stationery, &c. | | | | 2661 | 5 10 |
| To Dead Stock for amount written off against that..... ..... | | | | 400 | 0 0 |
| To Balance due to the Proprietors in Silver..... ..... .... | 125934 | 5 | 11½ | | |
| in Bank of Bengal Notes .... | 539289 | 0 | 0 | | |
| | 665223 | 5 | 11½ | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| in Passon Mint certificate, &c. | | | | 84494 | 8 | 2 |
| in Dead Stock..... ..... | | | | 5600 | 0 | 0 |
| in Printed Bank Notes ..... | | | | 14200 | 0 | 0 |
| Realizable Bills discounted.. ..... | 1423385 | 14 | 7 | | | |
| Loans on Deposit.. | 1137892 | 0 | 5 | | | |
| Cash Accounts.... | 211249 | 7 | 9 | | | |
| Cash Credits..... | 775742 | 15 | 7 | | | |
| Salt Chaurys..... | 75233 | 0 | 6 | | | |
| Foreign Coins .... | 1114 | 6 | 6 | | | |
| Agra Bh. Bank note account ..... .. | 6800 | 0 | 0 | | | |
| Govt. 5p. ct. Paper | 33000 | 0 | 0 | | | |
| Govt. 4 p. ct. Paper | 183900 | 0 | 0 | | | |
| At the Bank of Bengal | | 14 | 1 | | | |
| In Suspense account | 12608 | 14 | 10 | | | |
| In Dependencies.. | 182710 | 0 | 11 | | | |
| | | | | 4043627 | 11 | 2 |
| | | | | 4810135 | 9 | 3½ |
| Debts due on floating accounts | 1870637 | 11 | 5½ | | | |
| „ on fixed accts. | 667210 | 9 | 3 | | | |
| „ Cash Credit accounts.. | 99088 | 10 | 1 | | | |
| „ Bank notes in circulation | 488088 | 0 | 0 | | | |
| „ Dividend of July 1832, | 825 | 0 | 0 | | | |
| „ ditto of Jan. 1833..... | 2100 | 0 | 0 | | | |
| „ ditto of July 1833..... | 2400 | 0 | 0 | | | |
| „ ditto of Jan. 1834..... | 3075 | 0 | 0 | | | |
| „ ditto of July 1834..... | 4125 | 0 | 0 | | | |
| | | | | 3138449 | 14 | 9½ |
| | | | | 1671685 | 10 | 6 |
| Sa. Rs | | | | 1695048 | 0 | 4 |

Shewing upon original subscription of..... 1495000 0 0

a profit (after deducting dividends paid) of..... 176685 10 6

1671685 10 6

*Cr.*

| | | | | | | |
|---|---|---|---|---|---|---|
| July 1, 1834. | | | | | | |
| By Balance of Account rendered to 30th Jan. 1833, being amount of Subscription for 598 shares in the Union Bank .... | | | | 1495000 | 0 | 0 |
| And amount of apparent profit to that date..... | 165328 | 8 | 1 | | | |
| Less Dividend paid to Proprietors .. | 44850 | 0 | 0 | | | |
| | | | | 120478 | 8 | 1 |
| | | | | 1615478 | 8 | 1 |
| December 31, 1834. | | | | | | |
| By Discounts realized to this date | 57876 | 14 | 3 | | | |
| Less appropriable to the half year ending 30th June, 1835, .... ..... | 9128 | 4 | 8 | | | |
| | | | | 48748 | 9 | 7 |
| By interest realized to this date ..... | 10970 | 13 | 5 | | | |
| Add due on outstanding loans.. | 10584 | 15 | 2 | | | |
| „ „ Govt. Paper | 8464 | 6 | 6 | | | |
| „ „ Cash Credit Bonds.... | 4780 | 8 | 0 | | | |
| „ „ Cash Accts. | 12028 | 1 | 3 | | | |
| „ „ Salt Chaurys | 900 | 15 | 0 | | | |
| „ „ Sundry Accts. | 5469 | 0 | 1 | | | |
| | 53207 | 11 | 5 | | | |
| Less due on Deposits Cash and Cash Credit Accounts..... | 22386 | 12 | 9 | | | |
| | | | | 30820 | 14 | 0 |
| | | | | 79569 | 8 | 3 |
| Sa. Rs | | | | 1695048 | 0 | 4 |

RESOLUTIONS.

The following resolutions were carried unanimously:

Proposed by Mr. Samuel Smith seconded by Mr. J. McKenzie.

I.—That the Report just read be approved and published.

Proposed by Mr. N. B. E. Baillie seconded by Mr. A. Frazer.

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

Proposed by Mr. R. H. Cockerell seconded by Mr. A. Rogers.

III.—That a half yearly dividend at the rate of six per cent. per annum, being seventy-five (75) Sicca Rupees per share be now declared.

The thanks of the meeting were then voted to the Chairman, and the meeting broke up.—*Hurkaru.*

## BENGAL MILITARY BANK.

The general annual meeting of depositors in the Military Bank took place on the 15th January, in the Town Hall. The meeting was thinly attended, three depositors only being present. Several Directors, however, were in their places. The accounts, of which we give a brief abstract below, were laid upon the table for inspection; of the conversation which ensued the following is the substance:—

From what fell from the Directors, it appeared that the present state of the funds of the Institution had arisen, first, from advances made, previous to the last five years, on landed property, which, in every instance, where the Bank was a mortgagee, had fallen considerably in value,—much below the amount advanced; and secondly, from the alleged inability of the mortgagers to pay the interest of the sums advanced. Several instances were brought forward, but the conversation chiefly turned upon those of two functionaries of Government, one filling a lucrative office in the Supreme Court, and the other receiving Rs 1,200 per month, in a subordinate department. The amount of principal of the bond of the former was Sa. Rs. 95,000, on which one year's interest only was due; and the amount of principal of the latter Sa. Rs 46,522, on which, with the exception of an amount of Rs 458, no interest whatever had been received since the date of the bond, 10th December 1824. As to the former, it was stated, that a compromise had been offered; viz. Rs 80,000; that is, the Directors had received Rs 20,000 in cash, and an acceptance, considered as good as cash, for Rs. 60,000, on condition, that the depositors agreed to the arrangement; but with regard to the bond for 46,522 no offers of an arrangement had been made. The property mortgaged to the Bank for Rs 95,000, has been recently valued at Rs 70,000; but, in the opinion of one of the Directors, it would not bring near that sum if now exposed for sale, and on the property mortgaged for Rs 46,522, according to the same authority, the Bank would be subject to a still greater loss. The question as to the compromise of Rs 95,000, with one year's interest, being about Rs 1,01,882, for cash in hand, Rs 20,000 and an acceptance as good as cash for Rs 60,000, total Rs 80,000, came first before the meeting.

*Captain Rawlins*, of the Artillery, strongly protested against any compromise being made with the functionaries of Government, the more so in this case since the mortgager was enjoying a most lucrative situation. He did not object to a compromise so far as to abandon the one year's interest now due, but the principal Rs. 95,000, he considered ought to be paid. If the individual could not induce his friends

to come forward with Rs. 15,000 more than was now offered, he thought the person of the mortgager ought to be seized under the bond; and, as in the case of various distressed officers, he might seek the benefit of the Insolvent Act, yielding up, as they had done one half of the pay received from Government for the liquidation of his debts.

*Captain Birch*, one of the Directors, thought the offer made by the mortgager was at least worthy of consideration. The regular payment of the interest evinced a desire to do that which was fair; and he did not see how the Bank would be benefited by pursuing the individual, who, the Directors had ascertained, was deeply involved elsewhere.

*Mr. R. C. Jenkins*, another Director, was of the same opinion, and declared, from what he knew of the affairs of the mortgager, that the offer was one which the Bank ought to accept. He was aware the mortgager was deeply embarrassed with the late agency houses, though he thought it right to add, his difficulties originated not in mercantile speculations, or extravagance, but in having assisted his connexions, who were deeply engaged in the Indigo trade, with large advances.

*Conductor Gilbert* said, he was a pensioner and about to return home, after having been in this country a number of years, and having saved Rs. 5,000 which he invested in this Bank fully expecting, that it would be ready at his call, he thought the mortgager referred to, ought either to pay or to seek the benefit of the Insolvent Act. But subsequently, the Conductor took a different view of the subject, and was willing that the Bank should compromise the debt for Rs. 80,000. Whatever was done, he thought the property ought not to be brought at the present time to the hammer, for the sales made by the assignees of the various houses had completely glutted the market, and, perhaps, in three or four years better prices might be obtained.

*Mr. R. C. Jenkins*, on the contrary, thought that landed property was looking up just now. With regard to the offer of a compromise, and the situation the mortgager held under government, he knew, that he was in embarrassed circumstances, and it would be well for depositors to remember that the emoluments derived from his situation were solely dependant upon his health, and that should he have to retire, they would entirely cease.

*Captain Rawlins* had reason to believe that the mortgager was not in the embarrassed circumstances in which he was said to be, on the contrary, he was informed, that he was contemplating a voyage home next year. But be that as it may, he thought that friends would come forward and advance Rs. 15,000 more than now offered rather than suffer the mortgager to be disgraced by having recourse to the Insolvent Act; for in his opinion it was a disgrace for any gentleman to have recourse to that act. The mortgager seemed to consider this Military Institution as a mere House of Agency, but the fact that the depositors included widows and children of privates in the army ought to make him strive to meet his debts as if they were of a more sacred character than due to a mere mercantile establishment.

*Mr. R. C. Jenkins* believed if the property was now put up for sale, that it would not bring more than Rs. 50,000, and taking into consideration the other claims on the mortgager, he did not hesitate to say, that it was highly desirable that the Bank should accept the compromise now offered. Perhaps when Captain Rawlins was aware, that the Assignees of the Agency Houses were frequently induced to make arrangements with the debtors for payment to be made at the end of three years, and then accept the sum in cash, less the discount, he might be induced to withdraw his objection.

*Captain Rawlins* said, he never could consider this institution as an Agency House, and desired that his protest against a compromise with a government functionary might be recorded.

Much conversation followed, the Directors being unanimously of opinion that the mortgager having regularly paid the interest of the principal, was entitled to consideration, and that under the circumstances in which he was situated, the compromise was highly desirable. Conductor Gilbert also acquiesed in this arrangement; but Captain Rawlins declared that he would sooner lose the greater part of his deposit (Rs. 39,000) than consent to any such condition, and he was also authorized to say that he represented the opinion of another depositor, a captain in the army. He was willing to waive the interest of the principal, but he would go no further. It was then determined that Captain Rawlins' protest should be made known to the mortgager, leaving the Directors to act as they thought fit under the protest against a compromise.

Considerable discussion followed with regard to some property mortgaged to the Bank in 1826, and which had been sold by auction in 1830 to Aga Korboli Mahomed. It appeared the Aga had endeavoured to get rid of the bargain, and owing to the supineness of the Bank's former attorney, and the difficulty of getting all the parties to join in the conveyance, a Bill in Equity to compel the purchaser to complete his contract had not yet been filed. The Bank had recently employed another attorney, who had assured the Directors, that the Bill was in a forward state, and would be filed at the end of this month.

The property mortgaged for Rs. 45,000 next came under observation, and the same objections as were made in the first instance against making any compromise were applied to this. It appeared that the mortgager had made no efforts to effect an arrangement, and his circumstances were represented to be in such an embarrassed state, that there would be no hope of his ever discharging the bond. It was then determined, that this and other lots of mortgaged property should be put up at auction, on an early day, and sold if the biddings exceeded Mr. Sheriff's valuation.

Previous to the meeting dissolving Captain Rawlins drew attention to the formation of the Institution. He, for one, had clearly understood that it was established with the sanction of government, or rather, that it was a government establishment, and so he thought would any one so consider it who was aware that it was promulgated in Government General Orders and recommended to Captains Commanding Companies by the then Major General Commanding the Forces, and if any thing was wanting to strengthen this opinion, it was the fact that Government appointed three of the Directors. If the other depositors would consent, he would have no objection to join in a suit against government for the amount of the deficiency.

The Secretary said, that the opinion of two leading barristers had been taken on the subject, and both were decidedly against the instituting of any proceedings against government. The Secretary also mentioned that a petition had been presented to Government from the non-commissioned officers and privates of the 38th Regiment, who were depositors to the amount of Rs. 10,000, and they were in daily expectation of a reply.

It appeared, that the assets of the Bank now consist of mortgages amounting with arrears of interest thereon to Rs. 582.275; a claim upon Alexander and Co. for about Rs. 11,000, and Cash and Company's Papers to the amount of Rs. 23,483; while *per contra*, the amount to the Depositors' claims is about Rs. 6,26,000 without interest. According to Mr. Sherriff's estimate the present value of the property under mortgages only ..... Rs. 2,39,792
to which, adding the purchase-money to be paid by Aga Korboli Mahomed,..... 68,970

Total..... ..... Rs. 3,08,762

which, with the funds in hand, would be sufficient to pay the Depositors in full without interest; namely, twelve annas in the rupee to such of them (representing about two lakhs) as have only received four annas, and eight annas to the rest.—*Englishman.*

## MEDICAL RETIRING FUND.

At a meeting of the Committee of Management held on Wednesday, the 17th December, (Mr. Surgeon F. Corbyn in the chair) the following resolutions were proposed, and passed unanimously, viz.

1st.—"That the Fund has been established from the 1st of January, 1833."

2d.—"That with reference to the paragraphs of a military letter, No. 19, dated 11th July, 1834, from the Honorable the Court of Directors to the Right Honorable the Governor-General of India, published in the *Government Gazette*, under date the 13th of December, 1834, the terms therein sanctioned by the Court for the institution of the Fund are thankfully accepted by the Committee on the part of the subscribers at large."

3d.—"That measures be adopted to give immediate effect to the Fund."

4th.—"That subscribers be called upon to pay up their arrears of subscriptions without delay."

5th.—"That three annuities be offered to the three senior subscribers, commencing from the 1st of May, 1835, provided that they conform in all respects to the regulations of the Fund."

6th.—"That the Committee of Managers draw up a letter to the address of the Secretary in the Military Department, soliciting from Government the favor of the Secretary of the Fund being allowed the privilege of franking all letters and documents on the subject of the Fund."

7th.—"That consistently with the interests of the Fund, the Committee cannot offer to the Secretary a higher rate of salary than rupees one hundred per mensem, from the 1st January, 1833, and of one hundred and fifty per mensem, including office establishment, from the receipt of the Honorable Court of Directors orders, in reference to the formation of the same, already mentioned."

This having been submitted to Mr. Mercer, and that gentleman having acceded to the terms, it was resolved.

8th.—"That the Committee of Management offer their thanks to Mr. Mercer, for having so readily complied with their recommendation in arranging the amount of the Secretary's salary."

H. S. MERCER, *Secretary.*

Calcutta, December 18, 1834.

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At a quarterly general meeting of the subscribers to the fund, held on Monday the 12th of January, 1835, Mr. Surgeon F. Corbyn being called to the chair, the proceedings opened by reading the report of the Committee of Managers for the past quarter, from which was learnt the following particulars.

The Committee had much satisfaction in recording the sanction of the Honorable the Court of Directors to the establishment of the Fund, as conveyed in the paragraphs of a letter to His Excellency the Right Honorable the Governor-General of India, published in General Orders under date the 10th ultimo.

By those paragraphs, though it appeared, that the Court had not been pleased to allow to the Medical service the full extent of the prayer of their Memorial of the 20th of February, 1833, with reference to the number of annual retirements solicited, and to benefits being allowed to the fund, similar to those granted to the Madras Fund, yet the Committee were satisfied that there was reason to congratulate the service upon the decision of the Honorable Court, so far as it had gone, and they accordingly submitted the resolutions passed by them on the occasion, as well as that with reference to the Secretary's salary, for the approval and confirmation of the meeting.

The terms which the Court had declared themselves prepared to sanction to the fund, were three annuities, each of £300, payable through the Treasury of the Company, with interest at six per cent. per annum, on the balance of the funds, and exchange upon remittances at two shillings the sicca rupee.

During the past quarter no returns had been made from the Civil or Military pay departments of the recoveries effected from subscribers on account of the fund, and by those that had come to hand, it appeared, that some subscribers had not as yet paid their contributions, and that others had not paid theirs agreeably to the rule on that head in the regulations of the fund. The entire payments from the establishments from the fund, brought up in the Civil department to the 3d quarter of the official year, 1833-34, and in the Military to the month of April, 1834, exhibited the sum of sicca rupees 43,118 7 5. The disbursements for the last quarter was sicca rupees 120, and the total expenses for office establishment, printing, &c. from the commencement of the Institution, up to the 1st of January, 1835, was sicca rupees 1,246 12-8.

According to the regulations of the Fund two gentlemen, Messrs. Egerton and Pearson, the senior and junior in the management, went out by rotation (but were eligible to be re-elected) whose places, as well as that of Dr. A. R. Jackson, who was temporarily elected a manager, were to be filled up by the subscribers at large. Messrs. Corbyn and Bramley were re-elected last year to the management, and the others, Messrs. Garden, Grant, and Spens, were elected during the course of the year.

The following gentlemen, Messrs. G. Baillie, J. Hall, J. Allan, P. Carruthers, and W. Cameron, Surgeons, and Mr. T. Oxley, Assistant-Surgeon, had been added to the list of subscribers, and Mr. E. T. Harpur, Surgeon, and J. McGaveston, Assistant-Surgeon, had withdrawn from it. At present the subscribers to the Fund were one member of the Medical Board, 8 Superintending-Surgeons, 61 Surgeons and 121 Assistant-Surgeons —total 191.

Upon the report being read it was moved by Mr. Pearson, seconded by Mr. Corbyn, and carried,

1st. "That the Report read be adopted, and confirmed by the meeting."

The following letter received from Colonel W. Casement, C. B., Secretary to the Government of India, Military Department, was then read.

No. 101.

TO SURGEON H. S. MERCER,

*Secretary Medical Retiring Fund.*

*Military Department.*

Sir,—1. I am directed to acknowledge the receipt of your letter of the 25th ultimo, observing with reference to certain paragraphs of a Military letter No. 19, dated the 11th July last, and published in General Orders of the 10th ultimo, that the Committee of Managers of the Medical Retiring Fund, request information on some points which they consider of essential moment to the interests and prosperity of the Institution.

2. I am instructed to acquaint you in reply, that the Honorable Court of Directors having expressed themselves prepared to sanction the Institution of a separate Medical Retiring Fund, leaves no doubt of their final decision in its favour, provided the rules and regulations framed for the guidance of its members are found to be unobjectionable.

3. The Governor-General of India in Council has no reason to doubt that the Honorable Court will sanction a clause making it obligatory on all Assistant-Surgeons entering the service after the establishment of the Institution to become subscribers to it, and His Lordship in Council does not contemplate that any objections will be made by the Home Authorities to the Committee being allowed to possess an unlimited control over their surplus funds.

4. The Committee of Management is recommended to submit as early as practicable a draft of the regulations of the Institutions for transmission to the Honorable the Court of Directors, under whose consideration the Government will at the same time bring the points adverted to in the 3d paragraph of your letter.—I am, &c. &c.

(Signed) WM. CASEMENT, *Col.*

Council Chamber, 7th January, 1835.

It was here stated that copies of the regulations of the Fund had been transmitted to the Honorable the Court of Directors along with the Memorial on the subject of the Fund.

After some discussion on the question, as to the propriety of offering at present, for acceptance, annuities from the funds, which some were willing should be declared, it was proposed by Dr. Jackson, and carried unanimously.

2. That the payment of annuities be postponed until the final sanction of the Honorable the Court of Directors be received, authorising the establishment of the fund, with the conditions refered to, in the letter just read.

The disbursements of the society for the quarter were next submitted and passed, and the meeting then broke up with a vote of thanks to the chairman.

H. S. MERCER, *Secretary.*

Calcutta, 13th January, 1835.

It may be observed here that it is the intention of the Committee to solicit through Government that the Honorable the Court of Directors will be pleased to sanction the annuities to be granted from the fund, to have retrospective effect from the date of its formation, *i. e.*, the 1st of January, 1833, and that with reference to a Member of the Medical Board, the value of his annuity, after two years service, shall progressively increase yearly, till in the last year, he shall be only entitled to it on paying up its full value, according to the Fund Table—conditionally that such a rule is approved of by the department at large.

H. S. MERCER, *Secretary.*

## HORTICULTURAL AND AGRICULTURAL SOCIETY.

We seldom notice the monthly meetings of the Horticultural and Agricultural Society, except by publishing the Secretary's Reports of proceedings, when we receive them. We were tempted however to attend the meeting, as its object was to choose Office Bearers, and we had heard of Dr. Wallich's intention to resign the Secretaryship which had been pressed upon him some months ago. When about a dozen gentlemen had assembled in the room at the Town Hall decoted to these meetings, Dr. Wallich stated the inconvenience to the Society which resulted from his conducting the business of its Secretary, living as he did so far off, and having his time occupied with the duties of the Company's Garden. Mr. W. N. Low was accordingly proposed and consented to relieve him of the charge, and the rest of the Office Bearers were appointed as follows:

PRESIDENT—Sir Edward Ryan.

VICE-PRESIDENTS—Lieutenant-Colonel Dunlop, Doctor Wallich, C. K. Robison, Esq., His Highness Nuwab Tuhowur Jung, and Baboo Radakant Deb.

COMMITTEE—James Pattle, Esq., Dr. Strong, Joseph Willis, Esq., William Storm, Esq., W. R. Martin, Esq., Major Honeywood, Dr. Bramley, David Hare, Esq., James Kyd, Esq., W. Earle, Esq., John Bell, Esq., Baboo Cossinauth Mullick, and Baboo Radamadub Bonerjee.

At the suggestion of Dr. Wallich, the allowance for establishment was increased to 100 rupees per month, to enable the Secretary to keep a clerk, the correspondence having become very voluminous.

A letter from Captain Sage was read, reporting that out of 378 Cape vine cuttings furnished to the Dinapore Branch Society's Garden, 219 had arrived in a good state for vegetation.

Just then Mr. Pattle entered the room, and on being told of the resignation of Dr. Wallich, he addressed the meeting on the inexpediency of permitting so great a loss to the interests of the Society, and suggested that Dr. Wallich should be entreated to continue to hold the office of Secretary—at least until the return of their President from the Cape.

Dr. Wallich reiterated his objections and further observed that the matter had been disposed of by the election of Mr. Low; but this gentleman promptly removed the objection of form, and offered to give his aid as an assistant to Dr. Wallich, who upon this condition yielded to the unanimous solicitation of the meeting.

A proposition was then made by Dr. Strong, that the Society should petition Parliament for an equalization of the duties on sugar, coffee, tobacco, and other colonial produce in the ports of Great Britain. This produced a good deal of conversation, Mr. Pattle, Major Honeywood and other thinking that such a petition was both foreign to the particular duties of the Society, and unnecessary, as petitions had been sent with the same object by the merchants and by the inhabitants of Calcutta, and besides, the matter had been taken up at home by the Court of Directors and H. M. Ministers had already pledged themselves to grant the object desired. A majority, however, including Dr. Marshman, Mr. Hare, and Mr. W. R. Martin, were of opinion that the subject could not be pressed too often, and that it was their duty to urge it as a measure greatly tending to the benefit of Indian agriculture. It was therefore determined to call a special meeting on Wednesday the 28th January at ten o'clock, for the purpose of a Petition to Parliament, praying for the equalization of duties on the produce of the East and West Indies.

As the meeting was breaking up a letter from Government was received, announcing that, as requested by the Secretary, parcels of seeds, &c. specially declared to be forwarded for the use and objects of the Society, might be sent in the Government Steamers without charge.—*Calcutta Courier.*

## MEDICAL AND PHYSICAL SOCIETY OF CALCUTTA.

*Proceedings of a Meeting of the Medical and Physical Society, held at the Asiatic Society's Apartments, December 6, 1834.*

K. M. Scott, Esq., Assistant-Surgeon, Bengal Service, was elected a Member of the Society.

Thomas C. Hunter, Esq., Assistant-Surgeon, Bengal Service, was proposed as a Member, by Messrs. Bramley and Twining.

Read a letter from Henry Ashton, Esq., President of the Athenæum at Liverpool, acknowledging on the part of that Institution, the receipt of the 6th vol. of the Transactions of the Calcutta Medical and Physical Society.

Read a letter from J. G. Malcolmson, Esq., Secretary to the Madras Medical Society, announcing the safe arrival of various duplicate works on the Medical Sciences presented by the Calcutta Society, and offering the best thanks for the same on behalf of the Madras Medical Society.

The following letter was read from Dr. Hunter Lane, of Liverpool:—

"Your letter communicating to me the honour which your Society had been pleased to confer on me, was duly received. In acknowledging its receipt I cannot more sincerely express my gratification at the subject of its contents than by stating that a just appreciation of the influence exercised by the Calcutta

Medical and Physical Society over the professional opinions of the European Faculty, and the respect which its Scientific character must universally constrain would have indicated it as one of the objects of my highest ambition, and in return, I shall endeavour not to allow my connexion with the Society to be a mere nominal association but one that will demand my feeble contributions.

If the volumes of my Journals sent herewith should be thought worthy the acceptance of the Society, I shall be happy to have them entered in its Library. I am just now engaged in the publication of Tiedomann's Comparative Physiology, in an English form, a copy of which I shall take an early opportunity of forwarding to the Society."

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WORKS PRESENTED.

Dr. D. Davis's Work on Operative Midwifery, presented by Dr. McGowan.

Liverpool Medical Gazette, vol 1st, and Monthly Archives of the Medical Sciences, vol. 1st, presented by the Editor, Dr. Hunter Lane.

A bottle containing powder of Turpethum, was presented by Dr. Wallich on behalf of Mr. Piddington, and the following letter read:—

"May I request that you will have the goodness to present the accompanying pint bottle full of powdered Turpethum root, to the Medical and Physical Society at their next Meeting, on behalf of Mr. Piddington, who has sent it to me for that purpose. He says 'it is atleast 6 or 7 years old,' alluding, I presume, to the powder, not the root. I have written to Mr. Piddington to inquire if the powder is of the bark, or of the root, only."

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FOR THE MUSEUM.

Preparation of an aneurism of the aorta which burst into the pericardium: presented by Dr. Duncan Stewart. The following brief notice of the case accompanied the preparation:—

"It is a case of aneurism of the arch of the aorta. A small false aneurismal bag proceeds by a narrow neck from the true aneurismal enlargement of the upper (the convex, superior or cervical) portion of the arching vessels; there is a slit or fissure in it, where it burst into the pericardium which was found full of coagulated blood. And besides this little bag there are two others in progress where ulcerated apertures have taken place through the inner coats. No disease was found in any of the valves or other vessels."

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COMMUNICATION PRESENTED.

1. Case of congenital cataract in both eyes, in a lad of 12 years of age. Successfully treated by operation, by D. S. Young, Esq., Senior Staff Surgeon Nizam's Army.

2. Notes of five cases of colica pictonum in the Howrah Seamen's Hospital, by Duncan Stewart, M. D.

3. Case of dracunculus in a European child at Calcutta, by Wm. Twining, Esq.

4. Case of hydrophobia arising from the bite of the Hill Squirell, by Dr. Dunbar.

5. Additional remarks on the application of iodine ointment for the cure of Bronchocele, by J. Bramley, Esq.

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The following papers were then read and discussed at the Meeting.

1. On land scurvy, by A. Ross, Esq.
2. On the same subject, by J. Duncan, M. D.
3. On the same subject, by D. McNabb, M. D.
4. Case of jaundice with remarks, by Wm. Twining, Esq.
5. Case of supposed hydrophobia successfully treated by a native, drawn up by G. Traill, Esq., C. S.

M. J. BRAMLEY, *Secretary.*

*Proceedings of a Meeting of the Medical and Physical Society, held at the Asiatic Society's Apartments, January 3rd, 1835.*

Thomas C. Hunter, Esq. Assistant-Surgeon, Bengal Service, was elected a member of the Society. Previous to the ballot being taken for the election of a Vice-President and other Office Bearers for the ensuing year, Mr. Bramley intimated to the Society, his wish not to be re-elected Secretary, in consequence of his being engaged in other duties, which so occupied his time as to render him incapable of devoting that attention to the Society's affairs, which the importance and variety of their details demand.

Mr. John Tytler, in a short address, informed the Society, that as he was about to proceed to sea, for the benefit of his health, he was under the necessity of relinquishing the office of Vice-President.

Votes of thanks were unanimously passed in favour of Messrs. Tytler and Bramley, in acknowledgment of their Services, the former, as Vice-President, and the latter, as Secretary.

The ballot box was then circulated for the election of Office Bearers for the year, when the following gentlemen were found to be duly elected.

*Vice-President.*—Dr. N. Wallich, M. D. F. R. S. &c.

*Secretary and Treasurer.*—James Hutchinson, Esq.

*Assistant ditto ditto.*—H. S. Mercer Esq.

*Foreign Secretary.*—W. Twining, Esq.

*Members of the Committee of Management.*—Messrs. Garden, Egerton, Stewart, and Bramley.

*Members of the Committee of Papers.*—Messrs. Cameron and Spens.

A specimen of an aceto spirituous tincture of cantharides was exhibited to the meeting at the request of D. S. Young, Esq., Senior Staff-Surgeon, Nizam's Army.

This tincture, Mr. Young has been in the habit of using for the two last years as a rubefacient and blister, if with the former intention, the part is once lightly touched, and if with the latter, it is to be rubbed, by means of a piece of leather or cloth dipped in the liquor, for three minutes, by which time, it is said, there will be an efflorescence perceptible on the skin; the part is then to be covered over with a piece of muslin, and in two hours perfect vesication will be found to have taken place. In cases of infantile remittent fever, in which there may be occasion to apply a blister, Mr. Young found the tincture to answer admirably. On the whole he considers it a very elegant substitute for the common blistering ointment, and much more speedy and certain in its operation. Mr. Young requests in the event of the preparation not being generally known in Calcutta, that trials may be made with it; and the specimen was accordingly made over to Mr. Twining and Dr. Stewart for that purpose. The mode of preparing the medicine is not specified.

The following preparations were presented for the Museum.

1st. An urinary calculus extracted by the natural passage, by Dr. Stewart, M. D., accompanied with a memorandum of the size of the calculus.

2nd. An urinary calculus extracted by the lateral operation and models of two instruments used by native Lithotomists, by William Bell, Esq., Kemaon Local Battalion.

The calculus Mr. Bell removed from a middle-aged man by the lateral operation, slight peritonitis followed, which was speedily subdued by antiphlogistic measures, and the patient recovered. The calculus is supposed to be of the common aithic acid species. The two models of instruments are those we use among the native Lithotomists, about Almorah. Mr. Bell states that sometime ago he witnessed the operation performed on a child of eight years of age. By means of two fingers of the left hand the stone was secured against the arch of the pubis, an incision was then made over the part and the stone hooked out. The operation appeared simple, and according to the Lithotomist's statement, had been very successful, only one casualty having occurred, among sixty persons on whom it had been performed. Mr Bell counted 30 calculi, of all sizes and shapes, in the

Baid's possession, which he said he had removed in the way described. The operation which Mr. Bell witnessed terminated successfully, but he is inclined to doubt if it always does so, from having lately been consulted in a case in which excoriation from *stillicidium urinæ* had taken place to a shocking extent.

The instruments are rude to a great degree, the knife not unlike the common Hindoostanee razor, but less clumsy; and the hook little else than a piece of iron bent at right angles, at about an inch and a half from its extremity.

3. Specimen of the fungus of the eyelids extirpated from a native by C. C. Egerton, Esq., and presented by that gentleman.

The following communications were presented.

1. Additional notes and cases on the cure of hydrocele by the injection of a solution of iodine, by J. R. Martin, Esq.

2. Case of hydrophobia in an European child, by William Twining, Esq.

3. Appendix to the case of dracunculus, presented at the last meeting, by William Twining, Esq.

The following papers was then read and discussed at the Meeting.

Notes of six cases of colicer pictonum treated in the Howrah Seaman's Hospital, by D. Stewart, M. D.

These cases occurred among the crew of a ship lately from England, who during the voyage to Madras, a period of about four months, are stated to have lived on salt meat stowed in leaden tanks. From the departure of the vessel from Madras to her arrival here, eight weeks elapsed, during the whole of which time the crew enjoyed fresh meat and vegetables, and a remarkable circumstance is stated to be, that though the crew looked sickly, and suffered from irregularity of bowels, headache, lethargy and loss of appetite, no case of colic occurred for eight weeks after the tainted meat was left off; then indeed eighteen or twenty cases of violent colic supervened almost simultaneously, nine of which proved fatal under different practitioners. The severer cases were characterized by violent spasms of the lower belly, shooting down the insides of the thighs and legs, affecting the loins and chests; there was generally some sense of tightness round the head. The pulse was quite natural. Costiveness was an invariable symptom, and the worst cases were seized with fits, which generally proved fatal. Of the six cases recorded by Dr. Steward, the first occurred in a young man of 21 years of age—with the other symptoms he complained of head-ache; leeches were applied and purgatives and enemata exhibited, but without effect until the tobacco enema was had recourse to, which produced copious evacuations. The relief was temporary, convulsions followed by total insensibility afterwards occurred, and although the temporal artery was opened and a blister applied to the nape of the neck—the man died.

Effusion was found to have taken place on the brain, the colon was greatly distended, and of a dark leaden color. Of the ascending portion, one half was healthy while the other bulged out like an aneurismal bag, was quite thin, of a dark leaden color, and Dr. Stewart doubts not was paralized.

The second case occurred in a boy, who had a fit on board ship, for which he was bled by the Surgeon. He had nightly paroxysms of colic, obstinate costiveness, slight pains of the head and back, his tongue was paralized on one side, and was dry and thickly furred. The tobacco enema was the first medicine to procure evacautions. An Opiate enema was given ½ night, and an infusion of gentian, with a sulpe noques, sulph ferri, and sulph quininæ during the day. This medicine acted freely on the bowels, and he gradually recovered.

The third case was treated with the tobacco enemata, the above tonic laxative, and the warm bath.

The fourth case is supposed to have been complicated with slight hepatic inflamation. His bowels would yield to nothing but the tonic laxative.

The fifth appears to have been milder and derived equal advantage from the laxative draughts.

The sixth case differed in being accompanied by pain in the course of the colon on pressure, although the application of the flattened had rather yielded relief. Slight peritoneal inflamation was supposed to exist, and he was leeched, had the warm bath and small doses of calomel, aloes, ipecacuenha, and camphor. After three days treatment the case yielded to the tonic laxative already mentioned.

JAMES HUTCHINSON,
*Secretary to the Society.*

*Hurkaru.]*

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## INSOLVENT DEBTORS' COURT.

*Before Sir John Peter Grant.*

SATURDAY, DECEMBER 20, 1834.

IN THE MATTER OF WILLIAM GLASGOW.

This insolvent, a Captain on the Invalid Establishment, was heard on his petition and declared entitled to the benefit of the act. There was no application for a portion of his pay to be set aside for the liquidation of his debts.

IN THE MATTER OF RAMRUTTEN CHUCKERBUTTY.

This insolvent was declared entitled to the benefi of the act, and discharged.

IN THE MATTER OF JAMES CULLEN AND ROBERT BROWNE.

Mr. Turton reminded the Court that an application was made some time ago to adjourn the hearing of this case to a future day, and the Court directed that the application should stand over until the grounds were laid before the Court. Without entering into the question how far adjournment was necessary in other cases he would content himself with showing it was necessary in this. In the first place, the year was not expired for which an order had been obtained to carry on the factories; and secondly, supposing that a dividend of the whole funds of the estate could be declared *instanter*, it would be necessary to wait for the expiration of the twelve months after advertising in the London Gazette. These, he believed, were sufficient reasons to render an adjournment necessary; and he would take this opportunity of assuring the Court that it was the assignee's object to sell the property as soon as a fair price could be obtained for it, but he was convinced that it ought not be sacrificed. There were Bulls and Bears here, as at home, and between the two parties the assignee had some difficulty to choose, for though it was his duty to sell for a fair price, it was not his object to sell for the first price offered, and, therefore, one of the parties was sure to feel dissatisfied. He might also state as a ground for adjournment, the necessity of altering and amending the schedule, but he believed the existing order authorizing the assignee to carry on the Indigo factories for one year from the 1st of January next was sufficient to induce the Court to pursue the usual course.

Sir J. P. Grant was quite aware that the course was the usual one, and he would not have ventured, without some grounds, to deviate from it. These orders for adjournment were applied for so frequently, that he was desirous of seeing the grounds of them, and as in this case it appeared necessary he would make the order. He wished to know what time was required.

Mr. Turton thought that the time need not be specified as the assignees or the creditors could come in on application.

Sir J. P. Grant thought there was a convenience in adjourning the hearing to a certain date, as it compelled the Court at the expiry of the time to turn its attention to the affairs of the estate.

The hearing was then adjourned for six months.

Mr. Turton said he was not employed by the assignee, but with his concurrence, and at the request of the insolvents personally, he directed the attention of the Court to that part of the order which required the attendance of the insolvents from time to time as the hearings were adjourned. The order was similar to one made in the matter of Palmer and Co., but the cases were different, as the members of that firm had not been adjudged entitled to the benefit of the act. In this case the parties had been so adjudged, and he did not see the necessity of their personal attendance from time to time, as there was a subsequent clause in the act, which put them completely in the power of the Court whenever their attendance was required. It, therefore, did appear rather a hardship to make them attend from day to day, and not only subject them to animadversion but to trouble for no purpose, as in nine cases out of ten there was no occasion for their attendance. He was quite sure the Court did not wish to impose any unnecessary hardship or trouble on the insolvents, and would venture to suggest that such part of the order might be omitted, as it appeared entirely unnecessary.

Sir J. P. Grant could not understand why the order had been so made out.

Mr. Turton said, it arose out of the order made in the first commercial case which came before the Court, in which the insolvents were not yet adjudged entitled to the benefit of the act.

Sir J. P. Grant said it was quite clear that if the insolvents had not been adjudged entitled to the benefit of the act, there was a necessity for their attendance, but, after they had been so adjudged, and there was an application to adjourn the hearing, —of the necessity of which at present he would not express an opinion—it did not appear to him that the attendance of the insolvents was necessary.

And so the order was made out, omitting that part which required the attendance of the insolvents from time to time.

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IN THE MATTER OF JOHN PALMER AND OTHERS.

Mr. Turton said, in this case the order for adjournment stood over to show the grounds as in the last case. A much longer time had elapsed since the insolvency and the greater part of the assets had been realized, but there was still a large amount due from debtors to the estate. He wished it to be understood, that the parties who had the management of the estate were paid by a percentage; it was their interest, therefore, to collect the amounts due as quickly as possible, because they paid the charges of the establishment. Another ground for adjournment was, that the insolvents had not been declared entitled to the benefit of the act, for what reason he know not, but such was the case. He believed an application to this Court had been made by Mr. Prinsep, for such adjudication, and perhaps that gentleman would state the reason of its refusal. The average monthly amount of the debts recovered by the assignee was about Sa. Rs. 15,000 for the last twelve months, but there still remained due to the estate from Civil and Military servants, in the service of His Majesty and the Company, about ~~Rs~~ 44,00,000, besides ~~Rs~~ 16,00,000 from other persons, exclusive of commercial debts. The ~~Rs~~ 15,000 monthly was, with very few exceptions, payable by instalments, and the assignees could not entertain a hope that the whole amount would be paid off for a long time. As to selling the debts at auction, he thought there were few who were not of opinion that such a course would be ruinous.

Sir J. P. Grant thought that it must be done.

Mr. Turton explained that the great majority of the debtors had no estate whatever, and were paying the instalments out of their salaries as they received them.

Sir J. P. Grant said that they might be considered as annuities for life.

Mr. Turton could assure the Court that annuities for life were considered unprofitable property in this country. If the debts were put up at auction, whent the parties purchasing took into consideration li tha they might have to bring actions against mi tary men at stations 1,500 miles distant, and other inconveniences, he was quite sure that nothing like the value would be offered for them. Here was ~~Rs~~ 8,000,000 due from different persons, whose monthly instalment amounted to ~~Rs~~ 15,000, he would venture to say, if the claims were sold at auction, they would not produce one year's purchase. However, that was not the question before the Court, and he would content himself with asking for an order for adjournment on the grounds he had stated.

Sir J. P. Grant thought the interests of the creditors would be best consulted by making a final dividend. It was contrary to the bankrupt laws to prolong the winding up the estate. The English Insolvent Act provided that the property should be brought to immediate sale, and all interests and contingencies were to be sold by auction, if the sale were approved by the creditors. Now it appeared to him that the best course would be to have the opinion of the creditors, as to the course to be adopted with regard to the outstanding debts, for it did seem to be a preposterous thing that the estate should not be wound up for thirty years, hanging over the heads of the insolvents, merely because the assignee were receiving a small sum monthly, for it only merited to [illegible]d a small sum when compared with the large Court they which it was a portion.

Jurry, ind ton said, if the debts were put up at auction, ale, and l purchasers would be the debtors themselves. hat he co P. Grant—Very likely.

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nt the rton referred to the clause in the act, which aut he co the Court to defer the sale of the property if it be. ...link proper.

Sir J. P. Grant wished to impress on the assignees the necessity of turning their attention to the immediate disposal of all property belonging to the estate.

Mr. Turton assured the Court that the assignees had no possible interest in keeping the estate open. He might mention that the opinion of the creditors was almost unanimous on the subject.

Sir J. P. Grant.—Where does that appear? There is nothing from which the Court may infer that such is the opinion of the creditors.

Mr. Turton said there could be no possible objection to call a meeting for the purpose of ascertaining the opinion of the creditors. It would, however, be as well to state whether the meeting should be a periodical one as the opinions of the creditors might change according to circumstances.

Mr. Prinsep, with reference to what had fallen from Mr. Turton, on the subject of his application on a former occasion, that the members of the firm of Palmer and Co. be adjudged entitled to the benefit of the act, was desirous to state that it was his own application made about one year after the failure of that firm. As far as he could recollect, Mr. Justice Grey and Mr. Justice Ryan, before whom the application was made, it being the first case of a commercial character that had come before the Court, seemed to doubt whether declaring the insolvents entitled to the benefit of the act, would not be giving them a full discharge. He endeavoured to persuade them that it would not, but the application was refused, and had not since been renewed.

Sir J. P. Grant directed that an order should be made to adjourn the hearing for three months, and called the attention of the assignees to the necessity of obtaining the opinion of the creditors on the subject of the sale of the debts due to the estate. He believed it would be the best for the creditors as well as for the insolvents that as much as possible should be recovered, and a division of it ought to take place immediately.

The assignees obtained leave to file their accounts, and a day was appointed for declaring a further dividend.

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IN THE MATTER OF FRANCIS KIRCHHOFFER.

Mr. Cochrane applied for an order that the Examiner do report if the number of consents have been properly obtained, to enable the insolvent to apply for his final discharge under the 63d section.

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IN THE MATTER OF JAMES CALDER AND OTHERS.

Leave was given to amend the schedule.

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Mr. Thompson applied for an order, on behalf of Mr. John William Sutherland, that Mr. John Storm (the only member of the insolvent firm now in Calcutta,) together with the assignee, Mr. Robert Castle Jenkins, formerly assistant to the firm, and Mr. J. N. Vant Hart, formerly a clerk in their employ, do attend the next insolvent Court for the purpose of being examined touching the claim of Mr. Brown Roberts as a creditor of the said insolvents. Also that Mr. Storm may be then examined touching his and the other insolvents' conduct in respect to remitting certain trust funds appertaining to the marriage settlement of Lieut.-Col. J. Geddes and Magdalena his wife, and of which settlement Mr. John William Sutherland is a trustee. *Order granted.*

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Mr. Bird obtained leave to file the assignees' accounts for the month of November.

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IN THE MATTER OF JAMES YOUNG AND OTHERS.

Our readers will remember an order
some time ago, on the petition of Mr. A.
for the examination of the assignees, touc
sale of certain Indigo factories, said to be
under circumstances calling for the interfe
the Court. The assignees were examined
day the 9th of November, when further cor
of the matter was postponed till the next Ca
But the Term in the Supreme Court intervening, and subsequently the Criminal Sessions, the further hearing was postponed from time to time until at length this day was appointed for the purpose. After several affidavits were put in and read,

Mr. Turton rose and addressed the Court for upwards of four hours on behalf of the assignees. The order, he said, is, that the assignee should show cause why they should not cancel the sale of Neeschunderpore and Hautpara factories, alleged to have been sold to Mr. Sanpin and to Mr. Bell, and why they should not be restrained from executing the conveyances, and why the factories should not be exposed for public sale at the upset prices of ~~Rs~~ 5,000 and ~~Rs~~ 10,000. This was what the assignees had to show cause against, if it could be said it was their duty to do so, and with regard to their duty, he begged to say on behalf of his clients, that whatever order the Court may make the assignees would do their best to comply with it. At the same time he thought it necessary that his clients should meet by counter statements the affidavits of Mr. Greig: as to Mr. Lingham he had no objection to make to him whatever, he was a creditor and perfectly justified in promoting this investigation, if he believed Mr. Greig's statements to be correct, especially as he was not responsible for the costs of this proceeding, should the petition be dismissed. Mr. Lingham had Mr. Greig for his bottle-holder; though perhaps it would be as well if he had dispensed with the office and gone himself to the office of the assignees, and heard from those parties the statements which had satisfied Mr. Cockerell, Mr. Plowden, and others. This is all he would say as to Mr. Lingham. He ought to have gone to the assignees, and if not satisfied he might have come fairly into the ring attended by his attorney and his bottle-holder. But he had preferred coming into the ring at once, without seeking for explanation, and as he had done so, he (the learned counsel) was ready to meet him and his bottle-holder, and to show that personal motives and not a desire to benefit the estate was the cause of these proceedings. But before he did so, he was desirous to draw the attention of the Court to the nature of the order. This Court had not the jurisdiction of the Chancellor in cases of bankruptcy, though to a certain extent it had the power of compelling the assignees to make reparation if they acted improperly, and to remove them from the assigneeship. It must be remembered that his clients had acted with the full knowledge of their responsibility, and supposing that they had not acted for the benefit of the estate, he was sure it was their intention to do so, but to act perfectly *bonâ fide* in all their transactions. Personal motives had been imputed to the assignees in these proceedings. It was said that Mr. Bell and Mr. Hurry were partners, and that the fact of their being so, ought to make the Court go into this inquiry. Had there been such a partnership, the sale could not have been sanctioned by the Court, for it would not have been valid in law; it would have been sufficient to have vitiated the sale in any Court in the world. But when it was found that Mr. Greig's belief had no foundation, or rested merely on the fact that Messrs. Bell and Hurry had been concerned on a former occasion, why then the objection rested on Mr. Hurry being a party to the sale, but when it turned out that he was ill and compelled to quit Calcutta, and was no more aware of the sale than the Court, all grounds of complaint as to personal motives were removed, and Mr. Greig was compelled to resort to something else. It was insinuated that some secret influence was at work in effecting the purchase of these factories for other parties: he could grapple with no arguments of which he was ignorant, but it was sufficient for him to say, that the insinuation was as ill-founded as the assertion that Mr. Hurry was the purchaser of the factories, when it is distinctly denied that he had anything to do with the purchase,—when it is distinctly proved that he had nothing to do with the sale. As to calling on the assignees to cancel the sale; that part of the order could not be literally complied with. It must be done, if cancelled at all, either by the intervention of the law, or with the consent of Mr. Bell and Mr. Sanpin. The assignees had no power to cancel; and with regard to the power of the Court, if the Court possessed the power he had not the slightest objection to their exercising it. He did not wish to uphold the sale, but he thought the Court would not make any order which might involve the estate in litigation. He felt great difficulty in addressing the Court lest it should be supposed the assignees wished to uphold the sale, but if he thought that any attempt to cancel it would be attended with expense and litigation, it was his duty to his clients to bring it to the notice of the Court. He begged to remind the Court that there were two modes of selling in cases of bankruptcy;—one on the responsibility of the assignee, and with which Lord Eldon refused to interfere, but the other sale before a commissioner was like that which takes place before a Master in Equity. He would not dispute that there were cases in which the Chancellor had set aside sales made before the commissioner. He knew a case in which Lord Manners said he had that authority, but he knew of no case wherein it had been exercised, and he would produce an authority wherein it was stated that the Chancellor had no such power. The learned counsel then cited *Sugden's law of Venders and Purchasers*, in which it is stated, that where estates are sold before the Master under a decree of a Court of Equity, the Court considers itself to have a greater power over the contract than if it were made between party and party; and as the chief aim of the Court is to obtain as great a price for the estates as can possibly be got, it is in the habit of opening the bidding after the estate is sold. This, however, never has been done, nor is there any reason to apprehend that so mischievous an extension of the rule will ever take place. This, continued the learned counsel, might be said to be the practice of a Court of Equity, or it might be considered a mooted point on which much might be said on both sides. In a sale before the Master if a person came in before the sale was confirmed by the Court, the sale might be set aside; but in a private sale there was no such rule; a party might make his bargain, and there was

no occasion to confirm the sale in any Court whatever. There was another point for consideration. What would Mr. Saupin say supposing this order was granted? Had he been served with a copy of the order? Again, was there any thing before the Court to say that this person who wished to open the biddings would deposit in Court the sum he said he was willing to give for the factories? Was there any thing to show that the Rupees 20,000 was inclusive or exclusive of the sum paid for the izarra? The offer was altogether ambignous, and if he meant ~~Rs~~ 20,000 including the izara, it was about ~~Rs~~ 5,000 less than for what the factory was already sold. He confessed when he heard of the offer of thus saving ~~Rs~~ 5,000 he gave Mr. Greig credit for a feeling for his own interest which was not destroyed until he heard that he had become responsible for the costs of these proceedings. If, however, the amount offered was ~~Rs~~ 20,000, exclusive of the sum paid for the izara, he entreated the Court to direct that the money should be brought into Court, and when that was done, if it had the power to cancel the sale, to exercise it.

Mr. Advocate General.—We are willing to do so.

Mr. Turton would not wish to do anything which might involve his client in a law suit, and it would be his duty to show that such might be the consequences. Still he was willing that the sale should be cancelled, provided the Court thought it would not involve his clients in litigation.

Mr. Advocate General said, to cut the matter short, he was willing to offer ~~Rs~~ 20,000 for all the interest the assignees had to sell.

Sir J. P. Grant said that the Court was placed in a very different situation than it would have been if there were no others concerned, besides the parties before the Court. As it was, he doubted, if the Court could authorize a private sale.

Mr. Advocate General was willing that the factories should be put up at auction, and sold to his client, if he were the highest bidder.

Mr. Turton begged to observe that the izara had expired and that not the assignees but other parties were in possession.

Sir J. P. Grant reminded Mr. Turton that he had to show the Court that the sale to Mr. Saupin was a valid one.

Mr. Turton, by desire of the Court, proceeded to argue that there was no general authority to sell given by Mr. Burkinyonng to Mr. Saupin, and that from the evidence of the former, it appeared he was perfectly aware that Mr. Saupin was purchasing for himself, through Mr. Roger's agency and assistance.

Some dispute took place here as to the exact tenor of Mr. Burkinyoung's evidence, when Sir J. P. Grant referred to that of Mr. N. Alexander, in which that gentleman, after detailing the proceedings of Mr. Saupin in the office of the assignees, 'I considered the commission given to Mr. Saupin by Mr. Burkinyoung an authority from the assignees to sell the property to those two persons' (Mr. Rogers and Mr. Bell.)

Sir J. P. Grant here intimated that before the sale could be considered a valid one, it must be shown that Mr. Saupin was not an agent for the sale.

Mr. Advocate General referred also to Mr. Storm's letter to Mr. Alexander, and Mr. Burkinyonng's reply to it, in which it was stated that 'Mr. Saupin had authority to sell and has sold,' and to a letter from Mr. Alexander which contained a sentence to the same effect. Now, said the learned counsel, it must be shown that Mr. Saupin was not constituted an agent, for if that was not done, he would have no difficulty in setting aside the sale.

Mr. Turton argued at length, there was no evidence that Mr. Saupin had a general power of sale,—that the assignee was perfectly aware he was buying the factories for himself, and that he was only a special agent to sell to himself.

Sir J. P. Grant said that might be an argument on behalf of Mr. Saupin, but it was not one for the assignees.

Mr. Turton said that it was also an argument for the assignees, as the expenses of any suit Mr. Saupin might institute, would have to be paid out of the estate.

Sir J. P. Grant.—Perhaps not.

Mr. Turton then proceeded to show the litigation that may ensue if the contract to Mr. Saupin is not completed. Now said the learned counsel, with regard to Mr. Saupin; in the first place, he is in possession of the factory, and in the second place, he is a foreigner over whom this Court has no more jurisdiction than it has over the Emperor of Morocco. Again, there were two other persons, M. Terrenean and M. Albert, whose consent must also be obtained before the assignees have the power to order a new sale. They were both Frenchmen and co-lessees, and had an undoubted right to the property for one year. As this court had no jurisdiction over foreigners.

Sir J. P. Grant said it was not to be supposed because they were not subject to the jurisdiction of this court, that the parties could not have recourse to competent Courts in the Mofussil.

Mr. Turton said, perhaps a Mofussil Court might not take the same view of the matter as this Court, and as for the expedition with which suits are there decided, he instanced a case in which he was concerned, not as counsel but as a party, which had been before the Sudder Dewanny for the last seven years, and which he did not expect would be decided for the next four. With reference to what the Court had said regarding the parties on whom the expenses of a law suit might fall, it was calculated to make the assignees extremely cautious how they consented to the cancelling of a sale, which, if put on their oaths, they must admit they completed to Mr. Saupin. He wished to be understood that his clients did not shrink from any responsibility, for they had done nothing but what he was sure he could satisfy the Court they had done with the best intentions. Mr. Hurry, indeed, had nothing whatever to do with the sale, and he had not the slightest apprehensions but that he could prove Mr. Burkinyoung had been actuated by nothing but the most honest desire not to lay out the sum required for the izarra, and to obtain what he considered the best price for the factory at the time. If the Court directed the assignees not to complete the sale, it must involve them in a suit from which they could not escape without considerable loss; for both Mr. Bell and Mr. Saupin had given notice that they would not pay interest for the remainder of the purchase money. Thus, as they could not make Mr. Saupin subject to the jurisdiction, he would submit that the best way would be to let the sale remain without completing the conveyance and give the purchasers an oppotunity to come into Court for their remedy. All the parties except the assignees were in enviable situations. Mr. Saupin had paid one-half and got the whole, and, being a foreigner, might say 'when you want the rest you may come to the Mofussil for it.' As to Mr. Lingham, be the decision of the Court what it may, he was quite comfortable, and might say

> 'Come weel, come wo,
> We'll gather and go.

He (Mr. Lingham) had Mr. Greig's assistance to involve the assignees in ligitation, which, after what had fallen from the Court, they would do well to avoid. But he presumed if he had failed to convince the Court that Mr. Saupin was not an agent for sale, it would be useless to continue.

It was however intimated, that the learned counsel had better proceed in his argument, which he did at great length, contending that the proceedings were instituted by Mr. Greig through malignant motives; that there was nothing to show that he was ready to pay the money he offered for the factories, or that Mr. Saupin had acted with any other than good faith throughout the whole transaction.

Sir J. P. Grant mentioned that it was in evidence that Mr. Saupin had paid ~~Rs~~ 8000, and a compliment of ~~Rs~~ 800 for the renewal of the izarra, whereas he had stated to the assignees that ~~Rs~~ 10,000 would be required. Also that Mr. Saupin, though he knew Mr. Greig was anxious to become a purchaser, had never mentioned that circumstance to the assignees.

Mr. Turton replied that, as to the first circumstance, Mr. Saupin knew how much wa demanded,

but it was not possible to say how little would be required; and as to the second, that the zemindar was urgent for the money and there was no time for further delay.

Sir J. P. Grant wished to know why the assignees had not inqsired if there were others willing to purchase?

Mr. Turton replied that they had the best authority as to the value of the factory, and their instructions were to sell whenever a fair price offered.—*Englishman.*

Mr. Turton closed at about three o'clock, when Mr. Cochrane followed on the same side with the following address:—

My Lord,—I am also with my learned friend Mr. Turton, who gives to juniors always a difficult task for he leaves few paths untrodden and few arguments untried. Perhaps, however, a different arrangement may set arguments, even though less forcibly urged, in a new point of view. I have somewhere heard that it is the right of the disappointed to indulge in the privilege of railing. Your Lordship after the evidence we have heard may perhaps think that Mr. Greig has liberally availed himself of so important a privilege. The present application is to rescind a sale. It is grounded on the application of a creditor. What therefore is the broad principle which should be kept before our view? It is the interest of the creditors. If it can be shown that setting aside this sale will be for the benefit of the estate, and if your Lordship shall think considering the rights of Mr. Saupin you have authority to make this rule absolute, the assignees will offer no opposition, but let Mr. Greig bring in the money. But if on the contrary I can show that the assignees acted fairly *and honestly for* the interests of the property entrusted to their charge, I trust that your Lordship will discharge the present application in the terms it is granted with costs. What is the main charge levelled against the assignees? It is that they have sold this property with the knowledge of a better offer being made. This charge rests on two letters—and on two letters alone. The first is a letter from Greig and Donaldson to the Bank of Bengal, dated the 28th December, 1833, offering the sum of Sa. Rs. 20,000 for the property in question. Beyond all doubt, my Lord, if any, if the smallest particle of knowledge or even any intimation of this offer could be brought home to the assignees, it would be decisive against them. Mr. Greig in his letters says to the assignees that he will prove their knowledge by their oath. Will he abide by his own offer? They have sworn they never were aware of it. Does it rest even on that? Mr. Udney, the Secretary to the Bank, tells you that that letter was never communicated to the assignees, and it was withdrawn by Mr. Greig, and the offer for the whole concern made. The next letter from which such an inference is attempted to be drawn is alleged to have been sent by Messrs. Greig and Donaldson of date the 13th of January, 1834. That letter is stated to contain an expostulation with the assignees for not accepting an offer of Sa. ~~Rs~~ 70,000 with reference to the offer of Sa. ~~Rs~~ 20,000 made by them to the Bank. This letter the assignees swear they never received. Your Lordship is informed that Mr. Bell acquainted the assignees of it. Mr. Bell is dead, Mr. Donaldson who is alledged to have written the letter is in England, Mr. Greig is alone here. It is no light sum to write about—Sa. ~~Rs~~. 70,000. Did he ever receive an answer to such alleged letter? He does not even pretend that he received one. Did he when he found no answer sent, write a letter demanding an answer? Did he ever send a single friend or go himself to inquire why an answer was not not given to an application to him of so much importance? He never did. Does he even produce his dawk book to verify the fact of such a letter being sent? Letters do not readily miscarry. He mentions two names but the dead are silent and the absent cannot testify. Men of business, my Lord, do not generally refuse to answer such letters when received, for such conduct, if done for an unworthy motive, admits of obvious and easy exposure. Am I justified in saying such a letter was never sent? Perhaps when I have gone through the evidence in this case the deduction may be more easy.

The main question is whether the assignees at the time of the sale to Mr. Saupin acted for the benefit of the estate or not. The application here being to set aside that sale, I reserve my observations on the propriety of selling till hereafter, because the propriety of selling may be influenced by a variety of considerations, and because it is necessary I should clear my way by disposing of the charges which Mr. Greig, for he is the real applicant, has levelled against the character of the assignees. Let me, my Lord, try them by the evidence in the case. He alleges that before the sale to Messrs. Saupin and Bell there was no valuation of the property made. Your Lordship will find that in the month of February, 1833, the united concern, of which the present is one of the least valuable of the divisions, was valued, under an order of this Court by sworn appraisers, at Sa. ~~Rs~~ 60,000. Your Lordship will also find that after this the assignees with Messrs. Alexander and Ballard valued the whole concern at Sa. ~~Rs~~ 70,000.

| | |
|---|---|
| Moisurah at..... | 35,000 |
| Gundapore..... ..... | 20,000 |
| Neechunderpore,..... | 15,000 |
| | 70,000 |

Your Lordship from the evidence may remember that Mr. Ballard was the managing member of the Indigo concerns of the late firm of Alexander and Co. In addition to the above Messrs. Cullen and Ferguson valued this property and made an affidavit of such value which was filed in the Court on the 11th of January. So much for this charge. Let me pass on to another, that the assignees sold the two factories in question under their value. Messrs. Harry, Barkinyoung and Alexander swear that Sa. ~~Rs~~ 15,000 is the full value of the factories. Your Lordship is aware that the assignees were willing to take this sum long before the present dispute arose. Mr. Storm swears that he would not give Sa. ~~Rs~~ 15,000 for the two. Mr. Bell swears that he was authorized by Messrs. Greig and Donaldson to make an offer for the two. Messrs. Greig and Donaldson taking Nechundepore and Mr. Bell Antparah. He states that an offer of Sa. ~~Rs~~ 14,000 was made to the assignees by his brother Captain Bell, which was refused. He also swears that he would not give for Antpara more than Sa. ~~Rs~~ 5,000.

I come now, my Lord, to the evidence of Mr. Rogers, of the House of Hamilton and Co. This gentleman, who is a merchant, of great intelligence, observes, that on Mr. Saupin's coming to him on the 25th of August, 1834, he, Mr. Rogers, remonstrated with him, Mr. Saupin, on the high price he would pay for the factory, taking the advance required for the izarah into consideration with the price to be given to the assignees for the said factory. He says, moreover, that he is well acquainted with the Nechundepore concern, having had the intention of purchasing the same, and having personally inspected the lands thereof, and he verily believes that Sa. ~~Rs~~ 10,000 is its full value, for he says that he refused to join Mr. Saupin and take a share in the purchase thereof—does it however rest even here? The evidence of Messrs. Rayson and Waschel, two adjoining Indigo factors, may be important. They say that Nechundepore is in their opinion not worth more than Sa. ~~Rs~~ 10,000, for it is a low and very uncertain factory, as the lands are subject to early inundations, and they believe that no other person in the neighbourhood or elsewhere would have given Sa. ~~Rs~~ 15,000 save Mr. Greig or Mr. Saupin. Your Lordship will also bear in mind that for two years this factory had not been profitable though the other two parts of the great concern had been productive. Having called your Lordship's attention to these charges which are levelled against both the assignees, permit me now to call your attention to those that apply to Mr. Harry. Let me first, however, disposed of one insinuation of Mr. Greig; I allude to that which states that Mr. Saupin, the purchaser of the property in question, was indebted to the estate of Alexander and Co. It turns out that he was a credi-

tor of the firm. What therefore is the main and startling charge which Mr. Greig brings against Mr. Hurry. It is that for his, Mr. Hurry's, own motives he sold the concern (Autparah) to Mr. Bell, his partner; and that at the time of the sale Mr. Bell was his partner. First, Mr. Hurry swears, that at the time of the sale he had no concern or dealing with Bell, and that all concerns ended at the close of the Indigo year, 1833 (1st October). Mr. Bell swears, that Mr. Hurry was heretofore a partner of his, Mr. Bell's, in the Moisday factory, which must not, my Lord, be confounded with the Moisurah factory, but that his interest in the said co-partnership ceased on the 23th September, 1833, and that Mr. Hurry is not now, nor was he at the time of the sale of the Nichundipore division, a partner of his, Mr. Bell's, in the Moisday concern, nor in any other concern whatsoever. Your Lordship will also allow me to remind you of that part of Mr. Hurry's affidavit, where he states the application of Capt. Bell somewhat more than a year ago in favor of his brother, and Mr. Hurry's refusal on the ground of having been connected in business with Mr. Bell. Again, my Lord, Mr. Hurry swears, and that is supported by Messrs. Bell and Burkinyoung, that Mr. Bell purchased the Autparah concern without ever consulting, and without the knowledge of him, (Mr. Hurry.) What are the real facts. Mr. Hurry was taken, as every one in Calcutta knows, dangerously ill on the 15th August last, and was unable to attend to business till the beginning of October. Is there nothing more Mr. Greig has sworn, that he never heard that the partnership of Messrs. Hurry and Bell was dissolved? Let me call your attention to the evidence of Mr. Bell. The passage is thus—"that in April or May last, he, on several occasions, and particularly on one occasion, when Mr. Greig was at this deponent's (Bell's house,) at Moisday, he, this deponent Bell, informed the said Alexander Greig that he and the said Mr. Hurry had ceased to be co-partners together in the Moisday concern." Your Lordship will remember from the evidence that Mr. Greig was an adjoining Indigo planter to Mr. Bell's concern. Are men so unaccquainted with him who is the partner of their next neighbouring Indigo planter? Do you believe that Mr. Greig could have been possibly ignorant of the fact? But can he make a mistake? Can he mean that Mr. Hurry was concerned in other factories with Mr. Bell? No, his manifesto of slander produced by Mr. Plowden fixes him there. The passage is this—"It turns out that 'Nechindepore was purchased for the lessee, Mr. Saupin, who was in debt to the estate, whilst Autparah factory was for Mr. Bell's own self, Mr. Hurry the assignee a third share-holder in Moisday factory, which adjoins Autparah. Let me now, my Lord, look at the justice of continuing such charges against Mr. Hurry, when inquiry would have shown this bad and malevolent man, their utter falsehood. He, Mr. Greig, was informed by a letter from Mr. Burkinyoung, dated the 12th Sept. 1834, of the illness of Mr. Hurry. Did that call for no inquiry before he allowed such serious and solemn charges to remain? His affidavit was sworn on the 4th of October, 1834. Examination had taken place. His very Attorney, Mr. Collier, tells him, Mr. Greig, after explanations with Burkinyoung, that he had not a shadow of ground to rest upon, and that his application, if made, would be discharged with costs, and refused to proceed. Did not his new Attorney, Mr. Shaw, know of the long continued illness of Mr. Hurry? Are the concerns of the assignees of the late great firm of Alexander and Co., so limited in amount that that illness was not generally known. Or did no creditor, who put his name to a paper slandering the character of the assignees, think it worth while to inquire?

Having dwelt so long on this long line of slander and abuse, Mr. Saupin is of course not forgotten. Let me see what this man ventures to charge against him:—First, that he mismanaged the factory for the purpose of buying it. There is not one particle of evidence on that head, and it is contradicted by the evidence you have heard. Secondly, that by asserting that Sa. ~~Rs~~ 10,000 were required for the renewal of the lease or izarah, he, Mr. Saupin, practised a deception on the assignees, of a very flagrant nature;—this is in his, Mr. Greig's, letter of the 13th Sept. 1834; and again, your Lordship will find, that in his letter to the assignees of the 20th Sept. 1834, he says that Mr. Saupin could have obtained the lease without the payment of a single rupee. So much for assertion. Now let us look at the facts. Mr. Saupin by his letter of the 25th January, 1834, informs the assignees of the necessity of an advance of Sa. ~~Rs~~ 10,000 to secure the lease. Was this deceit? On his arrival on the 25th of August, the day of sale, he not merely informs the assignees, of the advance required but of the danger of the factory. But it is asserted that he might have procured the lease or izarah without an advance. Are native zemindars so little acquainted with their rights? What is the fact? Mr. Saupin actually paid to the zemindar the sum of Sa. ~~Rs~~ 10,097, for the lease or izarah. Is this deceiving them? Let me now call your Lordship' attention to the conduct of Mr. Greig, and see whether he wished to obtain this lease, and also, if such were his object to consider the consequence of his obtaining it. Your Lordship is aware from the evidence of Mr. Saupin that the izarah or lease contained three-fourths of the lands of the factory. Let us now look at the conduct of Mr. Greig. I will say nothing now of his observation before Messrs. Rayson and Waschel that he would risk the loss of his bond of Sa. 10,000 in order to injure Mr. Saupin. Let that pass; our object is here to ascertain whether he desired to obtain the izarah or lease. Permit me, therefore, to call your Lordship's attention of his letter to Mr. Saupin, of the 7th August, 1834. Where he observe "had there been any chance of your getting your pottah renewed, I, of course, would have paid these rents into your hands, but from good authority I know that the zemindar will not give you a new pottah, and the reasons for his not doing so I will explain to you at meeting." The letter I have just alluded to, your Lordship will remember was before the sale, which took place on the 25th of August. The next letter to which I would call your Lordship's attention is one dated the 11th September, 1834, from the zemindar to Greig. In this, he says—"you sent Dhurromdoss here with the object of settling and taking lands for the cultivation of Indigo in the Turriffe of Nechindipore, I therefore write, if you are disposed to make an arrangement and take the same, you will speedily send a person here in whom you have confidence. You will not make much delay—this is the season for the cultivation of Indigo, the settlement will not be put off. You will consider this very emergent." Your Lordship will also find, and these are taken from the grounds put in by Mr. Greig, (for he is the real applicant) that the Naib of Nechindepore, one Muddoosooden Bisaw, as on the 16th September, 1834, writes to Greig, informing him that he had been to the house of the zemindar,—that he was desirous to grant the villages of Nechindepore and Modendungah to him, Mr. Greig, in farm, and that if he, Mr. Greig, had an inclination to take the same, he could settle the matter. Your Lordship will remember that at this time Mr. Saupin had purchased the property in question. The object of Mr. Greig, as your Lordship sees, was to obtain this izarah or lease and consequently ruin the factory; for it is sworn by abundant evidence that if he had obtained it, the factory would have been comparatively of small value. Yet singular as it may appear, the very malevolence of this man, Greig, defeated it itself. Your Lordship will find that in his, Greig's, correspondence with the assignees which commences on the 12th September, 1834, he complains in one of his letters of Saupin having deceived the assignees. The assignees immediately wrote to Mr. Saupin for an explanation. Mr. Saupin on receiving the letter of the assignees, wrote to Mr. Bell on the subject, and on the 18th September, 1834, received a letter from Mr. Bell of which the following is an extract. "All I know is this, that if you do not immediately renew your Nechundepore and Modendungah pottahs on the terms proposed by the Baboo, you will lose upwards of 3,000 beegahs of your best lands, and consequently leave your factory valueless. I may as well add that I am

aware that Mr. Greig is and has been doing all he can to oppose you in procuring a new pottah, and in fact his plan is to secure it for himself." This intimation, as your Lordship may well believe, admitted of no deliberation, and the 20th September, 1834, Mr. Saupin concluded his agreement with the zemindar and obtained the izarah. Having thus, my Lord, in some degree cleared my way, permit me to notice another charge which is contained in the affidavit of Mr. Greig: I mean, that no one was informed of the sale, and that previous to the sale, no public notice was given. If by this is meant that no notice was given to Mr. Greig, and that no public advertisement was made at the time of sale, it may be admitted, but this objection would apply to all private sales. If the assignees, at or about the time of sale to Mr. Saupin had advertized the factory for sale, Mr. Greig would have been enabled to obtain it for nothing by closing with the zemindar and then buying it at his own price. But is it true that no notice had been given? The property had been publicly advertised for more than a year—repeated applications had been made to the assignees respecting the factories generally—statements were constantly made out by the assignees—offers were frequently made to the Bank—proceedings were going on in the Insolvent Court—many of the Indigo planters were present—the adjoining Indigo planters Rayson and Waschell were aware of the factories being for sale, and that Assignees were open to offers—and Messrs. Greig, Rogers and Storm, were equally well aware of the fact. I come now, my Lord, to the propriety of selling; and permit me to observe that the conduct of the assignees is not to be measured by the animosity or bad feelings of this man. The question is not what Mr. Greig would give now, but whether the assignees did right under all circumstances in selling when they did.

Your Lordship is aware from the evidence that the lands comprised in the izarah surrounded and interfered with the residue of the land on which the factory was placed. Was that factory therefore in danger of being destroyed or greatly injured? Mr. Greig had obtained the lease or izarah? Was that no motive for selling? Yet here your Lordship is asked to set aside a sale made for the sole purpose of protecting the property of the creditors from the efforts of a bad and malevolent man. Let me only imagine Mr. Greig in possession of the lease—he would forfeit, as you have heard, 10,000 Rs. to injure Mr. Saupin. In what position would Mr. Saupin have been? Circumscribed in cultivation, left with works on which (as he, Greig, observes in his letter to the Bank of the 28th December, 1833,) the tide was running and which in all probability would not last more than two years. The man would have sunk from comfort to privation, and ultimately to penury and distress, and Mr. Greig would have completed his long line of slanderous malevolence by the ruin of this foreigner, his wife and his children, for ever. Yet this would be nothing—exculpation would be needless and condemnation there could be none, because, in the amiable language of this delicate specimen of Bhaugeretty elegance, "Mr. Saupin is a bloody little Frenchman." I know not, my Lord, in what country this man Mr. Greig was born—what education he has received—what habits have been engendered or what principles even he may dare to pretend to possess; but this I know that the feelings and principles he has exhibited, and which have been proved in evidence before you, are alike dishonourable in every country and in every clime—and shall never in my presence, so long as I wear the gown I do, intrude into a Court of Judicature without meeting with the reprobation their enormity deserves. But let me now suppose that the assignees had not accepted the Sa. Rs. 15,000 offered by Mr. Saupin on the 25th of August, and that Mr. Greig had actually obtained the izarah, could it be contended for one single moment that if they had refused such an offer they would not be liable to make good the difference. What possible protection could they have sheltered themselves under? What answer could they have given had any creditor brought it forward and said you were aware that this factory was not valued at more than Sa. Rs. 15,000 by your own valuation—you knew the danger it was in, yet why did you not close with Saupin's offers of Sa. Rs. 15,000? They did accept such offer, and because they have done it they are vituperated and abused.

I come, my Lord, now to the extraordinary letter written by some of the creditors to the assignees, headed by Messrs. Cockerell and Co. Was there ever such a production? What is the substance of it shortly? It is this—"understanding from *common report* that in this matter you have betrayed your trust, we request that you will send the correspondence which you have had with about 15 persons, directing your reply to our Attorney, Mr. Shaw, No. 2, Fairlie Place." The answer of the assignees informs the parties to such letter that it is impossible for the interests of the estate to be attended to if the time of the establishment is taken up in copying voluminous correspondences; the offer and request the creditors to come themselves to the office where they can receive the necessary explanations and examine the correspondence. Will your Lordship believe that not one of the creditors have ever been to the office to investigate? Unquestionably, my Lord, the assignees are bound to give every explanation to the creditors who appoint them. But what right have men without a particle of examination and on current report to be vilified and abused. I come now, my Lord, to that point which appears to have had weight with your Lordship. I mean the question of the agency of Mr. Saupin. The discovery of this celebrated point, however, is due to the Attorney, Mr. Shaw, and however disposed I might have felt to treat such a point with ridicule and contempt, the moment it finds weight with your Lordship it is my duty to lend to it my utmost attention. It seems that Mr. Saupin was an agent with a power of sale, and could not purchase for himself. Let us examine the transaction. On the 25th of August, Mr. Saupin arrived in Calcutta, he informed Mr. Burkinyoung of the danger the factory was in. Mr. Burkinyoung in his affidavit states, that after some discussion, he, Mr. Burkinyoung, asked Mr. Saupin if he would purchase the same, whereupon Mr. Saupin renewed his previous offer of Sa. Rs. 15,000 which he, Mr. Burkinyoung, offered to accept. Mr. Saupin then asked if it made any difference if two parties, viz. himself and another, divided the purchase. Mr. Burkinyoung said provided the assignees received the Sa. Rs. 15,000 he did not care who paid for it, and Mr. Saupin informed him, Mr. Burkinyoung, that he, Mr. Saupin intended to retain Nechundipore, that Mr. Rogers would assist him with the funds, and that he would sell Autpara to Mr. Bell for Sa. Rs. 5,000—and thereupon Mr. Burkinyoung, at the request of Mr. Saupin, wrote a letter to Mr. Rogers, informing him of the terms on which he was ready to make the sale, and that in the afternoon he received a letter from Mr. Rogers agreeing thereto. Now who were the contracting parties? Messrs. Saupin and Burkinyoung. If the contract was concluded, then nothing subsequent could vary it; yet here, from a subsequent discussion with Messrs. Alexander and Storm, you are actually attempting to vary the contract itself. What sort of answer would it have been to Mr. Saupin had he filed his bill against the assignees for specific performance, to tell him of subsequent letters when the transaction on which he rests his claim is admitted. In the letter from Mr. Alexander to Mr. Storm, it is said, that Mr. Saupin had authority to sell, and that he had procured purchasers; and from this it is attempted in the teeth of common sense and in defiance of the very nature of the transaction itself, which is as clear as the sun at noon day, to bring him within the principle I have mentioned—that an agent cannot purchase. He was an agent with a power of sale—was he? He was an agent for producing Sa. Rs. 15,000 and did he not do his duty when he handed over the cash? It is impossible to see how such a principle can be fairly applied consistent with the whole acts of the parties. Even Mr. Storm was perfectly aware that Mr. Saupin had bought one and

Mr. Bell another, and this he was informed by Mr. Saupin himself shortly after the contract was completed. I have now, my Lord, gone through the facts of this case—forgive the plain and homely language which I have used—and permit me, in conclusion, to observe that the question here is—did the assignees consult the interests of the creditors in selling when they did? Try their conduct by that test my Lord, and that guide will not deceive you. The propriety or impropriety of their conduct is not to be measured by what a man may offer, but by considering whether under all circumstances they were justified then. With these observations I leave this case in your Lordship's hands.—*Bengal Hurkaru.*

Mr. Advocate General in reply, said, it seemed to him that this case might be considered in three different views, and if any one of them was made out, his client would be entitled to something like what he asked. If it should appear that the assignees might have sold the factories for more, but for their own negligence or improper conduct, they were answerable for the loss;—if Mr. Saupin was the agent for the purposes of the sale, it was as clear as light that he was not entitled to become the purchaser himself;—or if Mr. Saupin had been guilty of any of those practices which the law considers fraudulent, it was quite sufficient to vitiate the sale. He apprehended the case stood thus:—the assignees had received part of the purchase-money, but not made over the property by any conveyance or any other legal process, and the other party, if they had the inclination, might file a bill for the due performance of the contract, when they would have their remedy if they had an honest cause to offer. The question was whether the court had the power of preventing or setting aside a sale made by an agent to himself, and as he had been a little surprized at some of the doctrines brought forward this day on that subject, he would refer to a text from which he had derived his own opinion. The learned counsel then referred to *Sugden's Law of Venders and Purchasers*, that trustees, unless they are nominally so, as trustee to preserve contingent remainders, agents, commissioners of bankrupts, assignees of bankrupts, solicitors to the commission, auctioneers, creditors who have been consulted as to the mode of sale, or any person who, by their connection with any other person, or by being employed or concerned in his affairs, have acquired a knowledge of his property, are incapable of purchasing such property themselves. For if a person having a confidential character were permitted to avail themselves of any knowledge acquired in that capacity, they might be induced to conceal their information, and not to exercise it for the benefit of persons relying on their integrity. He presumed that it would not be disputed that whether agent to sell for himself or sell to others, Mr. Saupin had been many years manager of the factory said to have been purchased by himself. The learned counsel also referred to *ex-parte Hughes*, 6. *Vessey*. 617, wherein a new sale was directed, the assignee under a commission of bankruptcy having sold by auction to one of the creditors previously consulted as to the mode of sale. It appeared that the creditor was not an agent for the sale, but had only been in the room where the parties had agreed to sell. But the Chancellor said it was impossible to permit him to hold his purchase. The Advocate General continued, he would not insult his own understanding to think for a moment, that in whatever point of view he considered Mr. Saupin, as a partner, or as an agent, he stood in a much stronger light than did *Hughes*, the creditor in the case just cited. In *ex-parte James* 8 *Vessey* 337, the purchase of bankrupt's estate by the solicitor to the commission was set aside. The Lord Chancellor would not permit him to bid upon the resale discharging himself from the character of solicitor, without the consent of the persons interested, freely given upon full information. Now he thought he had read enough to satisfy the Court, if it wanted any thing to satisfy itself on this point, that the sale must be set aside, for if Mr. Saupin was neither agent nor partner, he was the manager of the property, and they are better acquainted with its value than any other man. He would now draw the attention of the Court to some parts of the evidence which it would perhaps be necessary to refer to. The learned counsel here proceeded to comment on the correspondence of Mr. Alexander, and Mr. Barkinyoung with Mr. Storm, and on the evidence of the latter gentleman, who deposed that when he went to the assignees' office, after seeing Mr. Rogers, Mr. Alexander had informed him that the factories were not sold. Now, said the learned counsel, Mr. Alexander was present at the time when the authority was given to Mr. Saupin, 'I asked,' Mr. Storm swore, 'Mr. Alexander to give me a slip of paper, and I would write out a tender for it at once, upon which he said there was no occasion to do so, as it would be time enough in the next morning.' From this evidence, and what followed it, this conclusion must be drawn;—that he, (Storm) had learned from Mr. Saupin, that he (Saupin) had authority to sell to Mr. Rogers, and that the sale was not completed, but that he (Saupin) had authority to make it so. He (Storm) again went on the same evening to the office of the assignees and saw Mr. Barkinyoung, who agreed to allow him to advance the price if any other person should bid higher than he had done for the factory, therefore, it was quite clear, if Mr. Storm was not perjured, that Mr. Barkinyoung had some impression on his mind that he had only authorized the sale of the factory. The learned counsel continued to comment at great length on the documents regarding the sale, and contended that from the letters and evidence it was quite clear, that the factories were not sold at the time of Mr. Storm's application,—that Mr. Saupin was authorized to sell if he could get ~~Rs~~ 5,000 for the factory,—that he did get it—and sold it to himself. Mr. Cochrane had said that they were not to take parts of Mr. Barkinyoung's evidence but to take the whole; he (the Advocate General) said they were to do no such thing. But whichever way they took it, the whole or in part, it was as clear as the light of day that Mr. Saupin was authorized to sell to any body, and he might sit down with that impression. Mr. Turton had, however, introduced a different point, and he would go into it, as he thought the assignees were not patterns for assigneeship, and that Mr. Saupin had concealed some facts, and stated others which were untrue. The learned counsel then cited *Deacon's Law of Bankruptcy*, in which it was stated that the commissioner was to appoint a sale of the property between the hours of ten and twelve, but he was authorized to open the biddings should a purchaser offer, at a later hour. Such appeared to be the law and general practice of the Courts in England, and he saw no reason why those laws and practises should not extend to this country, yet here was Mr. Storm arriving a few hours after the alleged sale and deriving no advantage from it. In the evidence of Mr. Alexander, there appeared instances of gross negligence on the part of the assignees. When Mr. Turton stated that Mr. Hurry had fully exonerated himself from the charges brought against him, he (the Advocate General) made no remark. If he thought Mr. Hurry had exonerated himself, he would have admitted it without delay. He did admit it now as far as the partnership with Mr. Bell was concerned, but not that he had exonerated himself from the general charge of negligence during the time he had been enormously paid for his services. He thought he was equally amenable with Mr. Barkinyoung for bringing the factories into a condition wherein they had been sold so ill. Mr. Alexander had deposed that from January to July no attempts were made to sell the factories. There were no advertisements informing purchasers that the property was on sale. Would any rational man have acted in this manner with reference to this property, or would these gentlemen have done so if the property had been their own? It may be said they obtained the price at which this factory was valued, but if instead of ~~Rs~~ 5,000 they obtained 5,000 more than it was worth, it was still immaterial. They had grossly neglected their duty in not offering it for sale. But he would come to Mr. Barkinyoung's evidence. That gentleman did recollect something about an offer of

Rs. 70,000 from the Bank, but he had not condescended to return an answer, 'I neither refused nor acquiesced'—'I was not in the habit of looking for purchasers' and this was the way men acted who were paid so enormously! He did not hesitate to declare that in these particulars the assignees had betrayed their trust. The learned counsel then referred to the affidavit of Mr. Burkinyoung, which, he said, was interlined in order to make it agree with what Mr. Burkinyoung had said in the witness box. It appeared that the affidavit was written on whole sheets of foolscap paper, each sheet having the mark of Mr. Caw, the judge's clerk, upon it, except the part which contained the interlineal writing, which was upon half a sheet of paper and without the signature of Mr. Caw. He hoped Mr. Burkinyoung would give some explanation of this circumstance, for without making any accusation they were of an extremely suspicious character. Again, why had not the assignees accepted the first offer of Mr. Saupin? The reason was clear, they had doubts of the value of the factory. His learned friend, Mr. Turton, had spoken of the malicious motives of Mr. Greig: he saw no reason why the assignees should not have taken advantage of those motives for the benefit of the estate. If the factories had been their own they would have done so. While there was competition for the factories, they of course ought to have advertised them for sale. The learned counsel concluded by urging that Mr. Saupin had been guilty of legal fraud in not communicating to his principal that there were other parties desirous of purchasing the factories, and in the statement he had made with reference to the price of the renewal of the izarah. As for Mr. Collier's opinion that there were no grounds to bring this matter before the Court, and that the petitioner would have to pay the costs, though he had every respect for that gentleman, he thought the Court having put the assignees on their defence, was a complete answer to his evidence.

Mr. Prinsep followed on the same side.

At 9 o'clock the Court rose, and Sir J. P. Grant intimated that he would give his decision on a future day, of which notice would be given to both parties. —*Englishman.*

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## Saturday, January 3, 1835.

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### IN THE MATTER OF JAMES YOUNG AND OTHERS.

The Court was unusually crowded this morning, it having been intimated that Sir J. P. Grant would give judgment on the petition of Mr. Alfred Lingham. At ten o'clock, the learned judge took his seat on the bench, and inquired whether there was any person present, authorized by Mr. Greig, who would answer for his (Mr. Greig's) purchasing the factories at the price he had formerly offered for them.

Mr. Prinsep replied that since the offer had been made there had been a considerable alteration in the Indigo market, and he suggested to the Court the propriety of setting up the factories at auction, at the prices at which they were alleged to be sold.

Mr. Turton, with reference to the remarks which fell from Mr. Advocate-General on the last Court day, regarding certain interlineations in the affidavit of Mr. Burkinyoung, requested permission to put in explanatory affidavits.

Mr. Prinsep, in the absence of the Advocate-General said, that he did not think his learned leader laid any weight on that score. All that had been said was, that the matter wanted explanation.

Mr. Turton—I grant that not much was said, but there was a good deal insinuated.

Sir J. P. Grant.—The interlineations required explanation, the affidavit was full of them.

The affidavit was then read. It set forth, that the interlineations were in the affidavit at the time it was sworn:—and that from the moment it was sworn, it had remained in the custody of Mr. A. Wight.

Sir John P. Grant.—This case is one of importance from its being the first arising here, and though I thought it not right to interrupt counsel in their statement, I did not hesitate from any doubt in my mind as to its principle; but I thought it right to have the whole case stated, and in particular on behalf of the assignees with reference to other considerations arising out of these proceedings.

The first objection to making the order absolute is that this court has not power to set aside the sale. The power of this court is under the 49th section of the Act, as follows: "that from time to time as possession is obtained of any of the estate or effects of any insolvent or insolvents, the assignee or assignees shall with all convenient speed make sale of the same. Subject nevertheless to the direction and control of the Court, by authority of which, he or they shall have been appointed, in case any application shall be made to such Court by any insolvent, or any creditor or mortgagee; in all which cases, such Court shall have full power and authority to delay or postpone the sale of any property and to make such other order regulating the same as to the Court shall seem meet. The powers, therefore, which the Court has, are these:—First, to delay or postpone the sale; secondly, to make such order regulating the sale, as to the Court shall seem meet. It is not necessary to consider whether the power to annul and make void a sale completed is here included; for the sale is not completed, the whole price has not been paid; the deeds, which are equal to livery of seisin, have not been executed and delivered. The Court has clearly the power to delay or postpone a sale not completed, or to make other orders, regulating such sale, 'as to the Court shall seem meet,' that for the advantage of the estate and not inconsistent with justice and equity. Secondly; one main question is, whether it is not altogether an invalid transaction, and no sale. The first question alone might lead to opening the biddings; the second, to prohibiting any further proceedings in these transactions and directing a re-sale.

The order *nisi* is not correctly drawn in seeking to cause the assignees to cancel the sale. It ought to be to prohibit them from proceeding with the sale to these persons.

The resistance to this order on the part of the assignees, is in effect, desiring the Court to sanction the sales and to order their completion. There is nothing to annul, but something to complete.

The matter now being brought before the Court upon the application of a creditor, the Court is bound to give its direction, and to exercise its control in the terms of the Act.

The petition on which this proceeding is founded states certain facts. First, that certain factories were contracted to be sold by the assignees for inadequate prices—smaller sums than could have been obtained if they had been duly advertised for sale by public auction. Secondly, that no public notice was given of the intention to sell, previous to the alleged sale, later than October, 1833. Thirdly, no valuation was made except by Saupin, the principal purchaser. Fourthly, that biddings at public sales had before Commissioners of Bankruptcy which have been closed, have been re-opened by directions of the Lord Chancellor, where it appeared a better price could be obtained. Fifthly, that if assignees had made due inquiries they would have found there were many parties desirous of purchasing the same. Sixthly, that if it should appear that Saupin was the manager and one of the lessees of one of the factories sold, and was so when the sale was made, that the lessees authorized Saupin to sell the two factories sold to the best advantage on their account, and that he had purchased the first-mentioned factory on his own account, and that no advertisements or valuation had been made—that then Saupin was disqualified from becoming a purchaser, unless the factory had been first duly advertised for a sale by public auction, Saupin being, as the Petitioner considers, a trustee for the creditors and that this is so held upon grounds of public policy. Seventhly, that if Bell, the purchaser of the other factory, is, or was a partner of Harry, one of the assignees, although the sale was without the knowledge of the latter, such private sale to Bell ought to be set aside and the factory set up to auction. Eighthly, that of these things should not appear in reference to Saupin and Bell, but that the sale, to whomsoever, was *bonâ fide*, but that a larger price could have been

obtained if the factories had been duly advertised, and sold by public auction, then the assignees ought to be declared liable to pay such further sum as might have been obtained, had the factories been duly advertised and sold by public auction.

The Petitioner then prays the Court to order,—First, that the assignees and their secretary attend the Court to be examined. Secondly, for a rule to show cause why the assignees should not cancel the sales alleged to have been made to Saupin and Bell, and be restrained from executing conveyances of the factories; why Nischandarpur should not be exposed to public sale at Rs 10,000, and Haipara at Rs 5,000, and why the assignees should not pay the cost of this application? Or, in case the sales cannot be cancelled, to refer to the Examiner whether the factories could have been sold to any, and to what advantage, had they been duly advertised and sold by public auction; and to grant such other order as the case requires.

I have said, there being no sale completed, there is no sale to cancel. The first question, therefore is, whether the assignees ought to be restrained from completing the sales to Mr. Saupin and to Mr. Bell. If they ought, then, whether the factories should be put up for sale at the prices mentioned, or at what prices, and in what way? If they cannot or ought not to be restrained from completing the sales, then, whether those are grounds for the reference claimed to the Examiner. And what further order should be made.

The first thing which claims notice, is the letter of the several creditors who addressed the assignees, which is appended to the petition, and marked A. It contains statements grounded upon current report, no doubt, but such report as might well alarm the creditors, and such statements as demanded either an explicit denial *in toto*, or, if any part were true, a justification of it. Concise it might be, but sufficient it ought to have been with reference merely to the proofs of it, if they thought that convenient, but with a distinct reference to such proofs and resting upon them. The statements in that letter are very distinct. First, that the assignees had refused rupees 70,000 for the whole Indigo concerns mortgaged to the Bank of Bengal, which the Bank was ready to accept as the fair value; and that the assignees knew Greig and Donaldson were ready to buy at that price. Secondly, that the assignees accepted an offer of Saupin, the manager of the concern, for the two factories, now in question which the Bank refused as not the fair valuation, or equal to the offer of Greig and Donaldson. Thirdly, that Rogers, Bell, W. Storm, and Terraneau were desirous of purchasing parts of the concern. Fourthly, that Saupin came and represented that a large advance was necessary to renew the *izarra* which the assignees refused to make, but gave him power to sell that division;—that he, though aware that Greig and W. Storm were in the market, arranged with Rogers to buy one for him (Saupin) at Rs 10,000, and sold the other to Bell for Rs 5,000. Bell, being stated to be a partner of Mr. Hurry's, one of the assignees;—that no opportunity was offered to proprietors of neighbouring factories to come forward, the sale being effected by Saupin in a few hours. Fifthly, that previously to this sale by Saupin, W. Storm offered Rs 5,500 to Mr. Barkinyoung one of the assignees, and to Mr. Alexander their secretary, for what Saupin sold for Rs 5,000, and said he would give Rs 500 more than any other party, if necessary. Sixthly, that Greig was willing to give Rs 20,000 for what was sold for Rs 15,000, and actually offered Saupin and Bell Rs 22,000 for their purchase.

Each of those statements admitted and demanded a direct denial or admission with a short intimation of the reasons of their conduct, on the instant by the assignees, in writing, which might have been comprised in fewer words than the answer which the assignees addressed to the creditors through their attorney. In this answer they avoid any admission or denial of any one statement in the creditor's letter, on pretext which I must consider frivolous. First they affect to treat the statements as 'picked up from common report.' Common report may be a very bad ground whereon to found an accusation, but it is very good ground for inquiry, and if he whose conduct is implicated refuses to satisfy the inquiries of one interested and entitled to make them, he will make it a good ground of accusation. Secondly, they affect to treat this inquiry as if it were the same as a right of each individual creditor to call for a copy of voluminous correspondence, and an explanation in writing of each particular transaction upon any current report, and upon charges arising from the most frivolous pretences. They say very truly, that if they were to be so called upon, their time and establishment would be occupied to the neglect of the interests of the estate. But neither was this an inquiry by an individual creditor, but on the part of many creditors: the number of creditors represented by those who signed the letter, whose powers are registered with the assignees, being sixty-seven, and in value no less than Rs 12,26,380, or above £122,630 sterling. Nor, if the correspondence was voluminous to copy, was this any reason for refusing to make an admission or denial of plain statements, a short explanation of the reasons of their conduct, and reference to the correspondence and evidence by which it would be found to be justified. Nor was the transaction of an ordinary nature; nor the statement arising out of frivolous pretences. Assignees of insolvent estates ought to be aware that though their time ought not to be broken in upon with frivolous inquiries regarding every ordinary detail, it is a part of their duty to answer the reasonable inquiries of creditors upon transactions of importance and out of the common routine. In general, it were better, more prudent, and in some cases it is necessary, if the assignees would secure themselves from blame and liability, that transactions of moment should not be entered upon without such publicity as may make them known to all the creditors who are giving attention to their affairs. Thirdly, they state that Mr. Collier, acting as the attorney for Mr. Greig, was satisfied that Mr. Greig had no grounds to proceed on in the Insolvent Court. Now Mr. Greig was no creditor; but a disappointed purchaser; and it might be easy to satisfy Mr. Collier that he had no right to complain to the Insolvent Court though the assignees had given the estate away, unless there had been a sale at which Mr. Greig had been a bidder, and which had been unfairly conducted; or unless he could be permitted to advance upon the price and open the biddings, which Mr. Collier might think difficult. What had Mr. Collier's being satisfied to do with the just demand of these creditors to be informed whether their affairs had been so grossly misconducted in the matter in question as was stated? In like manner Mr. Plowden being satisfied though more to the purpose, since he was acting for a creditor, was no reason why they should refuse to satisfy these other creditors, and it would seem rather less troublesome to do so if what they had stated to Mr. Plowden was that they themselves thought sufficient to satisfy a creditor watchful of their conduct. I wish, however, to say, that enough has come out in the course of this investigation to show that Mr. Plowden was of too unsuspicious a temper to be very difficult to satisfy, at least, upon the point of fairness of intention on the part of the assignees, and being satisfied of this, to be inclined to push the investigation further and that a person of a less suspicious temper would probably not have been so easily satisfied. Fourthly, they seem very unwarrantably to insist upon considering the whole matter as Mr. Greig's affair, although the letter they were answering was signed by creditors and representatives of creditors in number and value entitled to a very respectful consideration, and the person they were addressing was the attorney for those creditors. They say, with great coolness, that having satisfied Mr. Greig's attorney Mr. Collier, who is also, they say, attorney for Cockerell and Co. though not, so far as appears in this matter, employed by that firm or any other creditor, and having been apparently unable to satisfy Cockerell and Co. by their former explanation—but what that explanation may have

been nowhere appears, they feel it would be loss of time to go over the same grounds again as they are hopeless of saving the estate, the expense of taking the matter into the Insolvent Court, and shutting the door against further inquiry or demand of information by these persons who form a part of the body of whom these assignees are the paid and trusted agents, they conclude by desiring the attorney to give them notice if he is instructed to move for a rule *nisi* that they may endeavour to protect the estate from any charge of costs in case it is not eventually granted.

Now in the question of costs this letter of the assignees is very material. They ought to have known that by law no costs can be given in this Court against any individual except in the single case of the opposition of a creditor to an Insolvent's discharge being frivolous and vexatious:—that assignees are, therefore, bound to do all in their power to prevent the estate being exposed to costs, and to grudge no pains or trouble if, by any possibility, with due attention to the interests of the estate, it can be avoided. And let them be aware that if such costs are incurred by their neglect, of such pains and trouble and they receive a remuneration for their pains and trouble (in the present case they receive no less than ~~Rs~~ 800 per mensem each for their services) they will be left to pay them out of their own pockets in all cases whatever, at least so far as depends upon any share I may have in administering the law of this Court.

The consequence was, that the assignees seem to have expected, and, I must say, courted—the moving, on the part of one of the creditors who subscribed the letter addressed to them, for an order *nisi* in this Court to set aside the transaction of the sale referred to.

I put aside the question of cancelling the sale for reasons already stated. Then what is desired by this order is, first, to restrain the assignees from completing the sales by executing conveyances. Secondly, to order Nischandarpur to be set up to public sale at 10,000, and Hatpara, at ~~Rs~~. 5,000. Thirdly, that, if the sales must be completed, to refer to the Examiner to inquire whether the factories could have been sold to any, and to what, greater advantage by public sale, and to make further order. And Fourthly, that the assignees pay the costs of this application.

As to the first question, there are two sales—one of Nischandarpur to Saupin, and one of Hatpara to Bell. Sales in such circumstances may be invalid, either in respect to the relation the purchaser stands in to the seller, without any consideration of fraud, that is, with or without fraud; or independently of any such relationship upon the ground of fraud. I will first consider the sale to Saupin of Nischandarpur with reference to this relation; and, secondly, that to Bell of Hatpara, or to Saupin for Bell. I will examine it upon the affidavits put in on the part of the petitioner: on the affidavits, which are next in order, put in on the part of the assignees, and on the *viva voce* evidence adduced before me, taken subsequently to these affidavits, and explanatory and corrective of them, where the depositions are by the same deponents who have made the affidavits.

The affidavit of Greig swears to two facts; viz. 1st. that Nischandarpur and Hatpara have been for a considerable length of time under the management of Saupin: and 2dly, that Greig was, and is, ready to give one third as much again as the factories have been sold for. The affidavit first put in by the assignees, that of Hurry and Burkinyoung and others, states that these two factories, the Nischandarpur and Hatpara composing the Nischandarpur division, were under the charge of Saupin. It states that the united Moisura Noesara concern, sometime in or about 1830, was on the 15th October, 1830, sold to John Freeman, Francis Saupin, Francis Albert, and Alexander and Co., who were partners. Freeman had 5 16ths, Saupin 3 16ths, Albert 3 16ths and Alexander and Co. 5-16ths,—at the rent of ~~Rs~~ 12,000 per annum;—that Alexander and Co. were proprietors of these factories, of which those of Nischanderpur and Hatpara were parts; that Freeman afterwards sold his 5-16ths to James Alexander Terranean. That in September, 1833, they (the assignees) accepted from Saupin an offer of ~~Rs~~ 15,000 for the two factories under his management: considering it the full value, without having received any other offer and without exposing or proposing to expose them to public sale. That the Bank of Bengal, who were mortgagees of all the factories, did not give their consent to this sale, and the two factories in question continued, therefore, unsold, and to be carried on under the superintendence of Saupin. That at the close of the indigo season they repeatedly advertised them for sale, and then discontinued it on account of the expense. The affidavit then states that Mr. Hurry was taken ill and was incapable of attending to business from 15th August till the beginning of October; and Mr. Burkinyoung and Mr. Alexander, the secretary, proceed to depose that Saupin waited upon the former, and urged upon him the necessity of obtaining an immediate renewal of an *izarra* or lease of some lands attached to one of the divisions of the factories, which he had formerly urged, and for which he had proposed making an advance, by way of loan, to the zemindar under whom it was held of ~~Rs~~ 10,000, which advance the assignees had refused to make. The affidavit, as originally drawn, does not state that at this interview any thing was said by Saupin about the advance, or of course that was said: the words and making an advance of 8,000 or 9,000 ~~Rs~~ for the same are interlined, but are not certified by the Commissioner's initials, or those of the deponents, to have been written previous to the oath made. This omission, however, is now supplied by the affidavits just put in without which it would be impossible to tell whether the interlineation was sworn to or not. But this I must say, it is very careless to produce a deposition resting in so material a matter, upon an unauthenticated interlineation, to which, I am persuaded, the Commissioner who took it could not swear. There are several other material interlineations in this affidavit subject to the same observation. Saupin represented that Greig, the proprietor of a neighbouring factory, would inevitably obtain this lease if the assignees did not make the advance, and would thereby ruin their factory. The deponents discussed the matter with Saupin, and expressed to him their conviction that the Court would not authorize this advance, and that it would be better the division should be sold. Then Mr. Burkinyoung does that which it appears was agreeable to Saupin, if not that which he most desired, Burkinyoung to do. He offers the purchase to Saupin himself, and agrees at once without more ado to take the price he had offered the year before, and which the mortgagees had refused to accept, but which he again offered. Here, then, according to the account given, was a sale of a factory by an assignee of an insolvent estate to the agent and manager of that factory, by private contract, without competition, without any recent advertisement of the factory being still for sale, or notice given to any p[illegible] of the assignees being then ready to treat for the sale of the factory itself; the resolutions so to sell it appearing upon this affidavit to have arisen upon the instant, upon the representation urged upon him by that same agent in that same conversation, and founded in his knowledge acquired of the concern as such agent—the sale being concluded at once, before he left the room. If the case rested here I have no notion how it could be supposed that the sale to Saupin could stand.

In *Wren v. Kirton*, 8, *Vesey*, 502, the Lord Chancellor declared he would have set aside a sale of a colliery to the agent and manager, in the name of another person, if it had been an original sale by auction; and upon this ground that it was the duty of the agent, if he meant to bid, to furnish all the knowledge he had to those who were to sell; and that very slight circumstances would have induced him to do so, even at some risk of further loss by a re-sale. And then, though it was a purchase at a third sale by auction, for a price greatly larger than the highest offer obtained at either of the former, the Lord Chancellor confirmed it, with great reluctance, after several days hearing, in November, 1802, and taking two months, from the end, of that

month to the end of January, 1803, to make up his mind to do so: declaring that he would not hesitate to set aside the sale if the least advance was made upon the sum offered by the manager. But he was pressed by the consideration that there was nothing leading him to suppose the property would ever again reach the sum originally offered; and after all he would only confirm the sale under the reservation that it should be set aside if an application were made before the first following Seal to open the biddings, giving security to make good any loss or deficiency of price.

And the reason of the rule which governs the case of all confidential and managing agents, as well as of agents for sale and trustees is clearly intimated, viz. that it is the duty of the managing agent, who has peculiar means of knowing the advantages and disadvantages attending the property under his charge, to communnicate all he knows that may enhance the price to the proprietor, the vendor, and to the intending purchaser: whereas his interest as an offerer is in such direct, and with ordinary men irresistible, conflict with this duty, that the law will not permit him to stand in both relations: and the rather, that the very fact of his standing in both relations, renders his detection, if he violates his duty, nearly impossible. This is the rule laid down in Equity, above thirty years ago in the case of managing agents buying covertly at a public sale by auction; and the rule did not take its rise then. Yet it is now proposed that this Court should confirm a sale made covertly to a managing agent by private contract, assignee of an insolvent estate, unsanctioned by any creditor or by any of the insolvents; for Mr. N. Alexander does not say that he knew of this sale.

But the case does not stop here. The affidavit of Mr. Burkinyoung goes on to state, that Mr. Saupin, on the 25th August, having come to him and offered ~~Rs~~ 15,000 for the two factories, and he having signified his readiness to accept that sum, Mr. Saupin asked if it made any difference if himself and another divided the purchase; to which Burkinyoung replied, that if they got ~~Rs~~ 15,000 he did not care how Saupin divided the purchase. On this Saupin said, he intended to retain the Nischandarpur division; that Rogers would assist him with the funds; and that he intended to sell the Hatpara factory to one Mr. Bell for ~~Rs~~ 5,000. Mr. Burkinyoung then, by Saupin's desire, addressed a letter to Mr. Rogers, informing him of the terms on which he was ready to sell; and the same day received a letter from Rogers in these terms—'I agree to purchase the Nischandarpur Indigo Concern at the price you offer, ~~Rs~~ 10,000 &c. &c.' Burkinyoung says he then considered the sale of that factory made to Rogers, as the agent, and for the benefit of Saupin. The following morning Saupin came, and Burkinyoung confirmed the sale of the Hatpara factory to Mr. Bell at ~~Rs~~ 5000 and agreed to make the conveyance thereof direct to Bell instead of Saupin.

Upon this statement, it appears,—First, that in truth the whole concern (the two factories) were sold to Saupin with an understanding that he was to sell one—or make over his purchase of that one—to one Bell who does appear not to have been known to the assignees. Secondly, that though this was what was *done*, what was to *appear* was a different thing, viz. that Rogers should appear the purchaser of a factory truly to be held for Saupin, and Bell should appear directly the purchaser from the assignees of factory truly bought by Saupin, under an agreement between him and Bell, on Bell's account, and that Saupin should not appear in the transaction.

The affidavit goes on to state that Mr. Burkinyoung and Mr. Alexander, the secretary to the assignees, considering it necessary to have the sanction of Terraneau and Albert, the co-lessees of these factories, to the said sale of them, wrote a letter to them, on the 25th August 1834, which is annexed to the affidavit. This letter, which is addressed to Mr. Terraneau, bears, that "the assignees, adverting to the precarious result of the concern, and the additional outlay of ~~Rs~~ 10,000, which Mr. Saupin personally has asked for to enable him to secure an *izarra*, but which the assignees will not disburse, have, at his suggestion, offered his division of the concern for sale. I am directed to add that should suitable offers be made, the assignees will dispose of your and Mr. Albert's divisions likewise, &c. &c. I am directed therefore to request your concurrence in the sale, in case an opportunity for disposing of the concern offers." What was done therefore, was this:—the assignees actually concluded a sale with Saupin, for both factories, on the 25th of August, agreeing that Roger's name should appear as the purchaser of the largest, and the other should be truly bought for Bell. They do this under the impression, created in them by Saupin, that an advance was necessary not exceeding ~~Rs~~ 8,000 or 9,000, (if the interlineation in the affidavit is to be credited,) and on the same day, after the bargain is made, they write to the partners of the insolvents, without whose concurrence they knew they could not fulfil their bargain, not what they have done, but, on the contrary, what they ought to have done; viz. that they had offered them for sale to any who should offer to buy, and had determined, should suitable offers to purchase be made after the time they were writing, they would dispose of all the factories, and desired the concurrence of those they addressed in the sale, in case an opportunity offered. They say not a word of Saupin in the transaction, (though he was the other partner of the insolvents, and those they were addressing, and their agent and manager in the part of the concern to be sold,) except that he asked for a large advance, and had suggested the offering that division for sale—not that he had offered to buy, much less that he had bought it;—and in stating the advance he asked for, they misrepresented and exaggerated the amount, if what they now affirm in the interlineation be true, as to what he said,—they stating it in their letter to the other partners to be ~~Rs~~ 10,000 instead of ~~Rs~~ 8,000 or ~~Rs~~ 9,000. Is this consistent with the statement in the affidavit, that a bargain for sale of the whole of the division of the concern was completed with Saupin on the 25th of August? Is it consistent with the averment in the interlined sentence, that all the advance required by Saupin was ~~Rs~~ 8,000 or ~~Rs~~ 9,000?

To this letter the partners in the lease return an answer on the 29th August, agreeing to sanction a sale of the divisions offered for sale by Saupin's suggestion. In this acquiescence there was necessarily an implied reservation:—if they should deem the price, or if the price should truly be, as good a price as could be got for the property; no price having as yet been named. On the 29th of August, therefore, these partners did not know of any final bargain being made for the sale of these two factories, nor could the sale be validly made before that day. There are two other letters between them and the assignees produced, but they relate to the remaining factories, not those the subject of the present petition. It is said in the affidavit that the consent of the co-lessees to the sale of the factories in question was not given until the 7th September, but this is a mistake.

The affidavit then details interviews and correspondence with Mr. Greig, a disappointed purchaser but not creditor, and Mr. Plowden, acting for a creditor, the object of which is to show that Mr. Collier (Greig's attorney) and Mr. Plowden expressed themselves quite satisfied with the explanations given by the assignees, of these matters; with all of which we have nothing to do here.

But one letter from the assignees to Saupin, of 15th September, is remarkable. First, it desires him to furnish them with such explanations as will enable them to prove that the advance for securing the izarra was necessary; not such as might justify the statement he had made and prove he had not deceived them. Had they taken it for granted, upon his statement without proof or examination, and had they nothing to show in verification of his statement, in making which he had so direct an interest? Secondly, they state, on the 15th September, the advance proposed was ~~Rs~~ 10,000; not ~~Rs~~ 8,000 or ~~Rs~~ 9,000. Thirdly, they desire him, in his confidential capacity of acting partner, to give them a true and faithful account of the position of the concern, which account was to decide whether a sale made to

himself and his friend, was a fair sale, and at a sufficient price. It is clear these explanations are no evidence, not worth the reading unless they prove something against the writer. But it is also clear the assignees knew Saupin to be in a confidential capacity, and as such to have peculiar means of knowing the position of the concern, and yet considered him a person with whom the assignees of bankrupts could safely and lawfully conclude a secret sale of property, of which he had, at the time, and had long before, the confidential management.

There is another letter, of 30th October, from the attorney of the assignee to the attorney of the complaining creditors, offering, on the part of the former, every personal information and access to every document the latter might require. It is much to be regretted that the same tone was not adopted earlier. If it had not altogether prevented the necessity of an application to this Court, which possibly it might not, it might have lessened its expense.

The affidavit of Saupin states, that before going to Calcutta, he had agreed with Bell to let him have Hatpara factory for Rs. 5,000 if he should purchase the division for Rs. 15,000. He confirms Burkinyoung's affidavit, that the sale was made to him, and completed on the 25th August through Rogers;—that he (Saupin) intended to sell Hatpara to Bell,—and that on the 26th, Burkinyoung confirmed the sale made by Saupin, and agreed to make the conveyance direct to Bell instead of Saupin. There is a good deal follows, denying any misrepresentation or deception offered by him (the deponent) to the assignees, and relating to the importance of obtaining the izarra, and some documentary evidence offered to this latter purport. In my view of the case these are matters into which I cannot go.

The affidavit of Bell states, that Mr. Harry's interest in the partnership with the deponent ceased on the 30th Sept. 1834. [Mr. Prinsep and Mr. Turton here corrected the learned judge, Mr. Harry's interest in the partnership ceased on the 30th September 1833.] I took it that the affidavit referred to 1834. But it is of no importance. He was truly out of the partnership, and I have always so considered it. Mr. Bell confirms the fact of his having agreed with Saupin for the Hatpara factory for Rs. 5,000 before Saupin made his offer to Burkinyoung.

The affidavit of Mr. Rogers confirms the statement that the sale was made to Saupin. But he says that Mr. Burkinyoung's letter to him said, that he had agreed to sell the Nischandarpur factory to Saupin. The letter is not produced, but from Roger's answer it seems certain that Saupin's name was not mentioned in the letter. This affidavit and the letters produced prove that Rs. 22,000 were offered for the two factories on the 20th Sept. 1834, to Rogers on the supposition that he was the purchaser. He states that he thought this above their value;—but he also states that Saupin did not wish to sell; so that, at least, he had not got a bad bargain.

There is also put in an affidavit of two persons, of the names of Rayson and Wachsell, which gives an account, very little to the present purpose, of some great resentment, as is alleged, for a very trivial cause, felt by Greig towards Saupin, and a great desire to injure him in his purchase of the factory. The affidavit also gives the opinion of these gentlemen as to the value of the factory.

These are affidavits put in on the part of the assignees, which, as I have said, must be considered as corrected and explained by the *viva voce* evidence of such of the deponents as were examined *viva voce*. The affidavits of the assignees and Mr. Alexander were sworn on the 8th of November, the Court sat on the same day, and the affidavits must have been sworn before the Court sat. Rogers's affidavit was sworn on the 8th November, and Saupin's on the same day.

I come now to the *viva voce* evidence before me; and this I am bound to take as the correct account of the transaction where it may differ from the accounts given in the affidavits of the same parties. The result of this evidence is as I shall now state.

Saupin is stated by Mr. Alexander to have been the manager of Nischandarpur and Hatpara, being himself one of the co-lessees, and that he was so on the 25th August, 1834. Alexander considers the transaction of the 25th August, an authority to Saupin to sell to Rogers and Bell; Saupin declared they were to be the purchasers. Alexander repeats several times it was an authority to Saupin to sell. He says "The manner in which the sale took place was this:—Saupin had offered 15,000 for Nischandarpur in September, 1833, which the assignees accepted at the time. I wrote letter A. I was so directed by the assignee Mr. Burkinyoung, Mr. Harry being ill. I wrote B. in August, about the 27th. There were two transactions took place on the 25th August. First, on Mr. Burkinyoung and I assuring Saupin that we were certain the Court would not authorize so large an advance. He then renewed his former offer which had been accepted before. Previous to his leaving the office, he asked if it made any difference if two parties became purchasers instead of one, paying Rs. 15,000 together. Mr. Burkinyoung said, it was of no moment. Saupin then declared the purchasers were Mr. Rogers and Mr. Bell. I considered the sale then as made. B. was written partly by directions of the assignees, partly not. I cannot say whether it was read by the assignees, but if not the substance was communicated to them, for I never wrote any thing regarding sales without communicating it to them. I took their orders generally. Letters might be written, but the orders were theirs. When Saupin declared Rogers and Bell were the purchasers, and Mr. Burkinyoung said very well, I considered it a sale. I considered it an authority to Saupin to sell to these parties. Letter C. is dated 1st September. It was not written by direction of the assignees—that is, not the part which has reference to the present communication with Mr. Storm. It was written by authority of Mr. Burkinyoung. The communication referred to was made on the 25th of August, after Saupin had received authority to sell to Bell and Rogers. When I found there was a person who would give Rs. 500 more, I referred him to Saupin hoping he had not closed with Bell. This was written by order of Burkinyoung—'Dear Sir,—The assignees desire me to say they were ignorant you were in the market.' Storm called the evening of the day, after the directions to sell. "I now know Mr. Rogers bought for Saupin. I have heard so from Mr. Rogers." Indeed, Alexander does not seem ever to have supposed Saupin was dealing for himself until he was told so afterwards.

Upon this evidence Saupin was the agent employed to sell. He could not buy for himself. This is an established rule of equity on consideration of public policy, independent of any imputation of fraud. The assignees could not employ him as an agent to sell, and at the same time have an understanding with him that he might buy, through a trustee, for himself; for they, acting as trustees for others, could not dispense with the established rule of Equity. Nor could Saupin, representing himself as communicating the offers of others, and as acting in the character of agent merely to sell to others, buy for himself. Rogers swears he bought as agent for Saupin, while Saupin was representing himself according to Mr. Alexander's evidence, as the agent to sell for the assignees to Rogers, as a principal. Burkinyoung says Saupin said he would get Rs. 15,000 for the assignees—Rogers would pay Rs. 10,000, Bell, Rs. 5,000. He says he was aware Saupin was buying for himself, through Rogers as his agent. Yet he goes on to deal with him as agent to sell for the assignees to Rogers;—to represent him as such to intending purchasers. On the 25th August, at 5 o'clock, P. M. Alexander tells W. Storm that Hatpara was not sold but was open to an offer from him. On the 26th August, Burkinyoung authorizes a letter describing Saupin as agent to sell. He had previously authorized the Secretary's referring purchasers to him as such agent. Burkinyoung actually concludes, according to his own story, with Saupin for the sale of one part to Saupin at Rs. 10,000 provided Saupin can sell the other for Rs. 5,000, and this provisional sale was not communicated to the secretary of the assignees and he instructs Saupin at the same time, as agent, to sell this other

part at Rs. 5,000, Saupin's own purchase being dependent on getting Rs. 5,000, and a purchaser (W. Storm) being then in the market at Rs. 5,500, and some time passed and the agreement with Saupin was not considered complete, and yet there was no acceptance of the Rs. 5,500, or any further communication with Storm, or any setting-up of the factories to auction. Storm asked and obtained leave to amend his offer, while Burkinyoung, as is now affirmed, had already sold to Saupin the agent, Storm, the intending purchaser, being permitted to consider Saupin as acting for the assignees in the sale and the assignee knowing Saupin had been in the market for the purchase. Saupin says he thought Greig capable of giving a greater price than himself and believed he was inclined to purchase; he believed Greig would have given a greater price to get him (Saupin) out of it. That is, it was worth Greig's while to give a higher price than any other person in order to get that factory into his own hands. Saupin says, he knew Greig was disposed to purchase a renewal of the *izarra*. There was no difficulty, therefore, in finding the purchaser who would purchase a renewal of the *izarra* also. Not a word of all this appears to have been communicated to the assignees, but Saupin presses upon them the necessity of advancing the money to renew the *izarra*, or else of selling without delay, while he knew of a purchaser who would give more than he would, and to whom settling for the izarra would have been no obstacle. Saupin now states that the commission he received from Burkinyoung, at the first interview, on the 25th of August, was to endeavour to obtain the price that had been offered the preceeding year by Mr. Rogers;—that he then went to Rogers who sent him back to the assignees to tell them if they would make him an offer he would accept it at Rs 10,000: he also states that he had entered into an agreement with Bell, five or six months before, that they should take the factories together, Bell at Rs 5,000 for Hatpara, and Saupin at Rs 10,000 for Nischandarpur. Saupin knew Greig had made an offer the year before. His account of the interview between himself and the assignees differs from those given by Alexander and Burkinyoung. He did not make a fair representation of the terms for the renewal of the izarra. The izarra was to cost Rs 8000, and Rs 800 as a present to the sircar.—This was to be advanced at five per cent. interest on Rs 8,000, with a deduction of Rs 150 per annum of the rent. That is, for an advance of Rs 8,800 they were to get Rs 550 per annum, or 6¼ per cent. and a renewal of the lease. He never mentioned the reduction of rent, so that in fact he represented that they were to get 5 per cent on Rs 8,000 out of Rs 8,800 which they were to advance, whereas they were to get 6¼ per cent on the whole Rs 8,800. This is according to the statement now made by Saupin, and the interlined affidavit of Mr. Burkinyoung, of the advance required having been stated on the 25th of August, at Rs 8,800, yet we have seen that on the same 25th August, the assignee represents the advance demanded to be Rs 10,000 and upon his own *viva voce* examination Mr. Burkinyoung distinctly swears, that the advance desired by Saupin on the 25th of August, as well as in January, previous, was Rs 10,000. How this is to be reconciled with the interlineation in the affidavit of the 8th November, the same day on which the deposition *viva voce* was made. I do not know, but the subsequent *viva voce* deposition is that to which I must give credit, more especially confirmed as it is by the written representations made at the time.

It thus appears. First, that Saupin was the confidential managing agent of the insolvents, and their partners in the conduct of the concern which it was proposed to sell. Secondly, that he was consulted as to the sale. Thirdly, that he was employed to effect a sale, by private contract, at a price, which was fixed by the then sole acting assignee, upon discussion with Saupin the agent himself, and with the secretary of the assignees who was one of the insolvents, no other person being present. Fourthly, that Saupin returned with an offer of the price fixed for the whole concern—for two thirds, in the name of Rogers, who, in truth, bought in trust for Saupin the agent and for the remaining one-third, in the name of Bell, with whom Saupin had before entered into an agreement still subsisting,—that they should purchase the whole between them at these prices. Fifthly, that thereupon, without soliciting, or giving time for competition, Saupin the agent, received authority to conclude these sales, which he did, and which the assignee immediately confirmed. Sixthly, that a sum of one-tenth more might have been obtained for Hatpara, and one-third more for both factories together, if the sale had not been thus rapidly and privately concluded.

It does not seem to me necessary to go further into the case. It does not seem to me, upon a careful consideration, that it is possible these sales should stand. I have not been able to figure to myself a ground in a Court of Equity on which they can be supported. The principle is well and clearly laid down by Lord Eldon in *Exparte James*, 8, *Vesey*, 345. (the learned judge here read the Chancellor's decision.) And what was told of the solicitor in that case is not meant to apply to a law agent merely, but to any agent of assignees confidentially employed by them and so it is said 1st p. 352. No doubt permission may be given to a trustee, or an agent, to become a purchaser, by those interested; but it cannot be given by a trustee or assignee of a bankrupt estate to an agent under him. If given, it must be by the creditors themselves and the bankrupt also; for he is not left without interest in the disposal of the estate by becoming bankrupt; nor can it be given by a majority of the creditors only. No majority of creditors can bind the minority in a matter regarding the management of the estate, contrary to general principles of law and equity. (6, *Vesey*, 622.) And the rule which excludes trustees of every description and persons confidentially employed or consulted, from becoming purchasers of property placed under their management, and regarding the sale of which they have been employed or consulted, extend most emphatically to assignees of bankrupt's estates,—to the agents employed by such assignees and to every person confidentially consulted by them regarding the sale of the bankrupt's property, (10 *Vesey* 393.) The rule which excludes trustees and agents of every description from becoming purchasers, is as old as any in the law. It was embodied in a maxim in the civil law: and is, as Lord Rosslyn says, in *Whichcote v. Lawrence*, 3 *Vesey* 750, 'that which prevails in all cases, in all laws and countries where trusts are admitted.' It is a maxim as to every trustee, *Non potest esse auctor in rem suam*. No man who has an authority to act for another can interpose his authority in a matter which concerns himself, or, as it is well translated by Lord Rosslyn in that case,—"He who undertakes to act for another in any matter, shall not, in the same matter, act for himself."

I have thought it right to go at some length into this case, because it is the first of the sort that the Court has had before it, and because the principle which it involves is one of the greatest importance, and most general application in the management of insolvent estates, and in the sale of insolvents' property; and because, from what has passed in this case, and I may add from the line that has been adopted in the argument, it seems to me that the principle is less generally understood than is consistent with the safety of those who have the management of them, or are interested in them, I have thought it right to cite at some length the received and ancient doctrines of the Court of Chancery upon disputable authority, that I may not be supposed, by any to whom questions of this kind may be new, to be setting up positions in the law.

There are other matters in the case, which, if they stood alone, would be worthy of remark. But I do not enter into them, because I wish it to rest on the plain and broad principle I have stated: otherwise I should observe upon the long intermission of advertisements for sale, and the sudden conclusion of a private bargain without renewing them; the non-acceptance of the offer for the purchase of the whole of these factories, which the Bank had signified its readiness to accede to—an offer which ought to have

been accepted, if on trial by public sale, it was found to be, as it probably was, the most that could be obtained.

There is one thing, however, which I think it right to observe: there is no clause in the act prescribing a sale by auction; but great caution is necessary in the adopting any other mode of sale if assignees who do so would escape liability and question. There is nothing in the statutes in Bankruptcy in England to prevent sales by private contract. But it requires in most cases the consent of the creditors to render it unobjectionable. Neither is there any thing in the Insolvent Act for England which requires any other than the real estate to be sold by public auction. But it is laid down in practice as generally advisable to adopt that mode in all descriptions of property, and it is said not to be generally departed from except with the advice of an auctioneer.

As to the costs of this proceeding, I have no power to order them to be paid by any party, but I have a power to protect the estate, and I think it my duty to order, that they shall not be paid out of the estate of the insolvents.—*Englishman.*

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## EXAMINATION OF NATIVE FEMALES.

The Eleventh Annual Examination of the Native Females attached to the Ladies' Society School, took place at the Town Hall on the 31st December, the room being well crowded at the appointed hour and the children being seated in rows with tracts before them, their examination began on the entrance of the Right Honorable Lady William Bentinck, and it was conducted by the Revd. Mr. Reichardt with the assistance of an European school mistress. There were five classes in all, and each having read a chapter of the Gospel and the Acts of the Apostles, was asked several questions on Scripture History, which were well and satisfactorily answered. The examination of the girls did not last half an hour as the language (Bengalee) they read and spoke was not understood except by very few of the audience. At the conclusion of the examination all who were present at it hastened to the sale below stairs, of the fancy articles of sorts which were exposed on many tables, the charge of which was taken by many ladies of quality. We never before witnessed such a crowded assembly nor so extensive a sale of articles, worthy of attraction, consisting of toys, pictures, bonnets, boxes, and other things of sorts.

Of the distinguished in the assembly we observed Lady William attended by the Governor of Serampore, Lady Grant, Sir Charles and Lady D'Oyly, Sir Jeremiah and Lady Bryant, Mr. and Mrs. W. P. Grant, Reverends Dealtry, Sandys, Reichardt, and many other ladies and gentlemen.—*Hurkaru.*

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## THE ARMENIAN PHILANTHROPIC ACADEMY,

### FOURTEENTH ANNUAL EXAMINATION.

### SATURDAY, JANUARY 10.

The examination in English commenced according to notification at 10 o'clock, and it was conducted by Dr. Corbyn in conjunction with the Reverend Mr. Sandys.

There are in this school about 70 boys, almost all of them children of Armenian gentlemen, and these are taught both English and Armenian.

From the second to the fourth class the boys were examined in English reading, grammar, geography, and the definition of words, and they acquitted themselves creditably.

The first class was examined last. By the ready answers from the boys of this class to the questions put to them in geography and natural philosophy, they gave general satisfaction; they then read a verse from the Poetical Reader, and analysed the sentences according to the rules of grammar, (but without quoting the notes, rules, and observations contained in Lindley Murray's Philological work) and they conjugated some verbs with facility--some of the boys manifested a pretty good knowledge of Scripture History.

After some recitations, Cato's Soliloquy, &c. which met with general applause, the examination in English was concluded at 2 o'clock, and Dr. Corbyn addressed the boys, in order to stimulate them to perseverance in their studies.

The Doctor, in a neat, plain speech, expressed his gratification at the progress the boys seemed to have made in learning, especially in grammar, though they had laboured under great disadvantages from the change of masters during the past year. He hoped, however, that as they were now under the tuition of a talented and attentive master, Mr. George Lewis, they would at the next year's examination make a better figure as they were taught geometry and mathematics: then exhorted the boys to perseverance, that they would doubtless become distinguished of society, and promised to visit the school then to see how they get on—as he had visitor.

The boys of the senior classes learn English Mr. George Lewis, the head master, and the junior, by Mr. Charles Frederick Macnamara, who is an useful and assiduous usher, having been connected with the Institution for a number of years.

The examination in the Armenian language was then conducted till after 4 o'clock by the reverend gentlemen of that community, who were pleased with the result of the examination. The boys have only one teacher in Armenian, Mr. Avdall, who is both well versed in that language and very active, and who, since the death of Mr. Kaloos, has discharged the duties of his department unassisted.—*Bengal Hurkaru.*

## MEETING TO VOTE AN ADDRESS TO LORD WILLIAM BENTINCK.

The Meeting held at the Exchange Rooms on the 30th January, was very fully attended. Mr. William Bruce, of the firm of Bruce, Shand and Co., was called to the chair, but as he declined taking it, Mr. Cockerell was proposed and presided accordingly.

MR. COCKERELL opened the proceedings by answering some objections which had been urged against the way in which the Meeting had been called. It was intended at first, he observed, to publish a notice bearing several signatures of the mercantile community, stating specifically the purpose for which the Meeting was called, that it was to vote an address to Lord William Bentinck, expressing the high opinion entertained of his Lordship's merits, and of the regard for commercial interests especially, which his Lordship had manifested; but as a similar course had in the case of the proposed statute to his Lordship given offence to so[illegible] as appeared by several letters which had [illegible]lished in the *Harkaru* on the subject, it was resolved, in order, the better to guard against any thing of [illegible]at kind to send forth an advertisement without signa[illegible]ures, calling a meeting of Merchants, and *others*, lea[illegible]ing it open to all who felt disposed to concur in the [illegible]ject, to attend. It had been objected that the mee[illegible]should have been called by the Sheriff, but Mr. [illegible]ockerell [illegible] see the necessity of that course. [illegible]e would now, however, leave the matter in the hands of the meeting.

Mr. HARDING in proposing the first resolution observed, that in addressing a M[illegible]ting of those who were disposed to concur in [illegible]e object of that resolution, he did not conceive [illegible] necessary to trespass much on their time—he h[illegible] no talent for public speaking, and merchants we[illegible] not in the habit of making long speeches. Mr. H[illegible]rding then read the 1st Resolution—

"That the public conduct [illegible] His Excellency the Governor General Lord W. C. Be[illegible]nck, as connected with the commercial and productive in[illegible]ests of this country and the public weal generally, deser[illegible]s the grateful acknowledgements of the community."

Baboo DWARKANAU[illegible] TAGORE seconded this olution, when

Mr. LONGUEVILLE [illegible]ARKE rose to propose an endment. Mr. Cla[illegible] observed that had this eting been publicly [illegible]lled in the usual manner l the object of the Meeting specifically stated, should not have int[illegible]ed on their attention. Any of men had a ri[illegible] of course to assemble for [illegible]-l purpose wever; and, but that the noti[illegible]clud[illegible]ther" he should not have been [illegible]t one of those *others*, he had an undoubt[illegible] to attend and take a part in their proceed[illegible]e, for one, was disposed to concur in an [illegible] to Lord William Bentinck. He agreed [illegible] *object* for which the meeting was called, but [illegible]inly did not approve of the *manner* in which was called. He objected because the mode of proceeding differed from all former precedents. We had had Meetings to address Sir Charles Metcalfe, Mr. Adam, the Marquis of Hastings, and Lord Minto, and all of these had been called in a formal and public manner by the Sheriff or by notifications bearing the signatures of those who by character and station commanded the respect of society; but the mode in which this Meeting was called was little calculated to honour Lord William Bentinck. (*Here Mr. Clarke read the notification.*) Here was not one name to sanction the proceeding, no one name to inspire respect, or do honour to the occasion. He knew of no reason why Lord William Bentinck was not as much entitled to honour as any of his predecessors—for in his (Mr. Clarke's) opinion, his Lordship had done more for the country than all his predecessors, and he was sorry to see him slighted. Undoubtedly the course adopted was a slight—a very great slight—that in this city containing half a million of inhabitants, a Meeting should be invited for such a purpose, by an anonymous advertisement not even stating the object for which it was intended to meet. He should consider such a course insulting to his Lordship, but that of course it would be too well understood that the Meeting could not have any intention to insult his Lordship. Still, it was calculated to convey a slight, and he (Mr. Clarke) therefore begged to propose the following amendment.

"That while this meeting refrains from pledging itself to an unqualified approval of Lord William Bentinck's administration, they are of opinion that some of his acts have conferred such eminent benefit on the country that the inhabitants of Calcutta ought, on the occasion of his retirement, to convey to him their expressions of gratitude and regard.

As this meeting has not been convened by the Sheriff of the City, nor by the avowed authority of any of the inhabitants, it wants that degree of publicity and sanction which the merits of Lord William Bentinck deserve when it is proposed to address him on his retirement."

Mr. BRUCE, of the firm of Bruce, Shand and Co. supported the admendment.

Mr. COCHRANE was unwilling at all times to intrude upon any assembly—he well knew the unworthy motives which might be attributed to him—but no censure should deter him from uttering sentiments which he had long cherished and which he believed were in unision with the opinions of nearly every one in that assembly. If public and private virtue could reflect lustre and honor on the virtuous, the generous, and the high descended, on the page of the History of British India, the name of Lord William Bentinck would be graven in characters indelible. If the[illegible] should be considered the langnage of adulation, let it be remembered that it was adulation paid to a *setting*, not a *rising* sun. What imported it where they met—how they were called, or whether they were assembled by the Sheriff or not, they were there to utter sentiments which were their own. Their[illegible]s was the tribute which followed after, not preceded the actions of the man—and envying not the taste or the feeling which had dictated this opposition, he begged leave to move "*the previous question.*"

Mr. CLARKE's amendment was then put and negatived.

Mr. CARR proposed the following resolution, which was seconded by Rustomjee Cowasjee, and carried without opposition.

"That the following address to His Excellency the Right Honorable the Governor-General Lord William Cavendish Bentinck, be engrossed and left at the Exchange Rooms for signature."

The Chairman then read the following Address, which was approved of:—

"As the hour is at hand when you purpose, on account of impaired health, to resign your high office and to quit for ever this country which you have now governed for nearly seven years, we the undersigned Merchants, Agents, Planters, and others of the classes more particularly concerned in production and commerce, desire to offer your Lordship the respectful expression of our profound regret at the loss which we are about to sustain in your departure, and our sincere sorrow for its distressing cause. We feel ourselves impelled by a strong sense of duty to your Lordship, and to that portion at least of the community, whom we may be said in some sense to represent, in thus presenting ourselves to contribute our humble testimony in approval of numerous measures completed or in preparation, having for their object the general improvement of the country, the moral and social advancement of its vast and various population, and the development in particular of its commercial and agricultural resources. For much good that has been accomplished, we return your Lordship our sincere and grateful thanks: for much that remains to be done by your successors, we shall not be the less grateful to them, because we may have to ascribe a share of their merit to your example, and to the tone in the public Councils, which you will leave behind you.

"In many respects your Lordship's administration has neeessarily been of a character widely different from those of your predecessors. Theirs were the more brilliant days of War and Diplomacy, and pro fuse expenditure. To you the task has fallen, mo homely, not less useful, but often more paint consolidating, preserving and organizing, of r ing the deep wounds in the public finances, o tending with an alarming deficit, and of enf the remedy of severe economy and retrench The period of your Lordship's Governm been marked in a most distressing manner by cantile disaster, to a degree and amount passi previous experience in India. That fearful has now passed over; but it is not to be forg that while in the beginnings of panic, the impe calamities appeared to be within the reach o vention by timely assistance, that assistanc liberally afforded by your Lordship; amon measures effected or designed for the advanc of the country and the development of its c lities we gratefully enumerate.

"Your liberal views regarding Colonization the free ingress and unlicensed and unmo settlement of Europeans with the right to hold satisfied as we are, that to your earnest advoca those great measures for the improvement of and to the publicity with which you were not to conduct that discussion, the country owes great and salutary enactments.

"To the perseverance and ardour with which Navigation has been recommended and encou in in all its branches external and internal, w indebted, that at length the subject has been ally taken up by Parliament and the Home Executive Authorities on your Lordship's representations.

"The treaties by which the Navigation of the Indus, and its tributaries has been thrown open for the first time to the adventurous trader, and the jealousies of the foreign powers along its course soothed into co-operation with that great design, we consider to be in a particular manner your Lordship's work, and we confidently expect that these beginnings will ripen with time and prudence into results beneficial to commerce and its concomitant civilization.

"In the enlightened spirit we hope your Lordship has planned the liberation of domestic trade and intercourse throughout the British Indian dominions, from the barbarous and antiquated shackles of transit duties, and other internal taxation. We trust to see the benevolent design speedily carried into execution, and we acknowledge with thank the indications of such intention in the facilities al ady granted to the transit of our great staple—In go— to this metropolis from the interior. We acknowledge further the relaxation practically allowed by your Lordship's Government in regard to the Calcutta Stamp Duties, a tax so distasteful to the

habitants from the circumstances under which it is imposed and its impolitic and vexatious pressure on a languishing commerce. We have seen with satisfaction the disposition evinced to encourage municipal improvement among us, and approaches to self-government, and to institutions akin to those of the mother country. In this description we include the Chamber of Commerce, the Trade Association, the contemplated advancement of Native Gentlemen to the Offices of Justices of the Peace, suggested improvements in conservancy details, patronage extended to Central and District Charitable Societies, the institution of Saving's Banks, and the endeavours to improve the Health of the City, and reclaim unproductive wastes, by a system of drainage applied to the Eastern Marshes and Salt Lake, in connection with the new canal which now with its durable suspension bridges has been drawn round Calcutta from the Hoogly connecting it with the navigation by the Sunderbunds.

"The attention which your Lordship has bestowed on the internal communic of the country gene- rally deserve our particul acknowledgements. The formation of the new tr k road through the Dooab, the arduous constructio of a solid and magnificent road from the great estern Mart of Mirzapore along the main line of traffic to the South and West. The preparatory s ys for connecting the Ganges with Bangrutty grand canal which shall main- tain the communicatin in the driest seasons—all these we regard as proofs of that real solicitude for the improvement of the country, which we were led to anticipate from the promise held out by your Lordship's early declaration of your desire to receive suggestions and informa by your constant perso- nal accessibility to all ks, and by your uniform encouragement of tha reedom in discussion through the Press, which your immediate predecessors had so strangely feared and so unwisely proscribed.

"We have gone into an enumeration of some of the benefits conferred by your Lordship on the country we inhabit, because we would not have it seem that we are carrying up a mere complimentary address to your Lordship, and are therefore anxious to put on record the substantial reasons which led us now to offer our unfeigned acknowledgeme for the benefits which have either been conferred contemplated by you, and our most sincere wis for the restoration of your Lo rdship's health and your future happiness and pro sperity."

Mr. JOHN BRIGHTMAN then proposed the follo ing resolution, which was seco nded by Mr. J. Fergusson, and carried *nem. con.*

"That the following Gentlemen be requested to presen address to His Excellency Lord W. C. ck. Bentinck.

"MESSRS. COCKERELL, HARDING, Co MAN, COWASJEE, JAS. HILLS, DWARKANAUTH TAGORE and VIS

The thanks of the Meeting were then voted to the Chairman and the Meeting broke up.—*Bengal Hurkaru.*

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## MEETING OF SUBSCRIBERS TO THE TRIBUTE TO LORD WILLIAM BENTINCK.

A Meeting of the Subscribers to the proposed Tribute to Lord William Bentinck, took place on the 4th February, at the Town Hall, according to advertisement.

WILLIAM WILBERFORCE BIRD, Esq., was called to the chair, when the following resolutions were passed unanimously:—

I.—"That a Committee of the following gentlemen be appointed to wait on Lord William Bentinck for the purpose of requesting his Lordship's consent to the wishes of the subscribers—of receiving and investing subscriptions—of directing such disbursements as may appear to them necessar — and generally of superintending all the arrangements for the execution and erection of the statue; it being the duty of the said Committee, at intervals of not exceeding six months, to publish an account of the receipts and disbursements.

Mr. W. W. BIRD,
Mr. F. H. BURKINYOUNG,
Col. W. CASEMENT,
Col. W. DUNLOP,
Mr. WILLIS EARLE,
Dr. J. GRANT,
Capt. J. H. JOHNSON,
Mr. ROSS D. MANGLES,
Capt. OUSELEY,
Mr. A. ROGERS,
RAM KOMUL SEN,
RUSTOMJEE COWASJEE,
Mr. J. J. STOPFORD,
Mr. C. E. TREVELYAN."

II.—"That the proposed limitation of the amount of subscription being understood to have given dissatisfaction, resolved that it be withdrawn."

III.—"That any surplus which may remain after the completion of the design entrusted to the Committee shall be appropriated to Lady William Bentinck's charity fund."

IV.—"That Sir Robert Colquhoun, Bart., and Colonel Galloway, being about to proceed to Europe, be added to the Committee, to aid in carrying into effect the arrangements for the execution of the Statue in England."

V.—"That the thanks of the meeting be given to the Chairman for his conduct in the Chair."—*Bengal Hurkaru.*

## NATIVE MEETI[NG] ... N ADDRESS TO LORD W. BENTINCK.

Pursuant to the requisition sign[ed] ... eral ... native gentlemen of Calcutta, and pu[b]lished in the ... the different newspapers of the city, a ... of numerous native inhabitants of Calcutta ... its neighbourhood was held on the 30th January 1835 ... at the Hindoo College, for the purpose of cons[i]dering in what manner they may best express ... sentiments of regret, at the approaching de[pa]rture of the Right Honorable Lord William C[a]vendish Bentinck from India.

On the motion of Baboo Dwarkanauth ... seconded by Baboo Ramcomul Sen, Rajah ... mohun Bahader was called to the chair; and on the chairman taking his seat he expressed his regret at the loss which the native community was about to sustain by the departure of their esteemed and benevolent Governor-General from India. His Lordship, he said, has done every thing kind for us, but the only act of unkindness is his Lordship's parting with us (cheers.)

Baboo Russomoy Dutt in moving the first resolution spoke as follows:—

Gentlemen,—You are aware of the purpose for which we have met here. Lord Bentinck deserves high tribute of respect and gratitude at our hands for the good he has done to our country and to our race. Although I am not in the state secret to be able to analyze all his Lordship's acts, yet I see and feel, in common with my fellow countrymen, the benefits arising to the native community from some of his Lordship's measures, and to a few of them I shall confine my observations. The first act of his Lordship's administration which comes under our observation is his making the Press in this country, free, by suffering the famous Press regulation of 1823 to remain a dead letter. The utility of a free Press is to make the Government and the Public intimately acquainted not only with the passing events, but with the real situation and sentiments of the population. It cannot fail to produce mutual confidence between the ruler and the people, and it is a mighty check over all abuse of power. The press within these few years has tended much to promote the cause of education and to expose abuses in this country, and if it continues as free as it has been during the administration of Lord Bentinck, it cannot fail to increase the happiness and comfort of the inhabitants of this country. Where there are no representatives of the people to take a share in the Government, a free Press is particularly useful, as it is the only legitimate organ through which the voice and sentiments of the population can be heard and ascertained. I shall next merely advert to the acts, abolishing the degrading corporal punishment, to which I believe the natives only were subjected, and that of establishing the trial by jury throughout the Company's Courts in British India. These acts need no comment. I come now to the regulations 5 of 1831 and 9 of 1833, authorizing the employment of natives on more important trusts connected with the administration of the country and thus raising them from the degraded state to which they have been so long subject under the British rule. Lord Bentinck's gracious intercourse with the natives is as worthy of his Lordship as it is gratifying to their feelings, and these acts of benevolence and kindness have (I hope) overruled the uncharitable opinion of the parties who think that "the natives of this country, taking the best of them, as men, are not only unworthy of trust and devoid of principle, but of too limited intelligence and reach of thought to allow Europeans with large and liberal minds and education to have even rational intercourse with them." Lord Bentinck is therefore justly entitled to the gratitude of the native community. With these observations, Mr. Chairman I beg to move that a suitable address be presented to Lord Bentinck expressive of the regret of the native community for the intended departure of his Lordship from India; and of their veneration, respect, and gratitude for his Lordship's person, character, and administration. The motion was seconded by Baboo Bissonoth Moteyloll and carried by acclamation. Baboo Russomoy Dutt, then obtaining per[mis]sion of the meeting to submit a draft of an ... which he held in his hand, read the follo[wing] ... English language:—

TO THE RIGHT HON'BLE LORD ... *G. C. B. & G. C. H., Governor*

My Lord,—In anticipation ... departure to Europe, we a[re] ... express our sorrow for ... your presence from amo[ng] ... state of health which r[e]quires our veneration for ... our gratitude for ... benevolence w[e] ... have been treat[ed] ... tration.

Situated as the nati[ve] ... Government under whi[ch] ... the person at its head i[s] ... mingled feeling of hope a[nd] ... the reins of power were entru[sted] ... hands, you did not leave us long ... we had found a ruler who would c[ome] ... of the subject, a friend, a prote[ctor] ... factor.

We now look back on the measu[res] ... rd-ship's administration immediat[ely] affecti[ng] ... sition and prospects of nati[ves], and w[hich] ... uniform, consistent and sus[tained] end[eavour] ... prove their condition and to elevate t[heir] ... r. These purposes have been wisely a[nd] ... tly sought by opening to na[tives], places of g[reat] trust and emolument, and thus setting before them new objects of ambition long before the late act nominally abolished disabilities by reason of religion, place of birth, descent, or colour; by introducing the trial of jury into the administration of justice by the Company's Courts, thus, both creating a duty and establishing a right which held to infuse a sense of public justice and a notion of public spirit into the mass of native society, by abolishing ignominous modes of punishment to which natives were subjected, and which both tended to perpetuate their degradation, and afforded occasion for new and enormous abuses; by establishing a regulated check throughout every branch of the public service to secure a subject and considerate treatment of natives from the officers of Government; by discouraging arbitrary and invidious usages, expressing and exciting mutual disrespect and distrust between Europeans and natives; by encouraging every effort which natives have made for their own amelioration, and for the extension of education among their countrymen; and finally by promoting free and friendly intercourse with natives.

We do not affirm that your Lordship has left nothing for your successor, with better health, with enlarged powers, with an explicit declaration of the Imperial Legislature in our favor, and with the cooperation of the authorities in England, to accomplish. But in the actual measures and in the spirit of your Lordship's Government, we see a sincere, benevolent and persevering regard for the advancement of our country and the happiness of our countrymen. Under your Lordship's paternal administration a new era has dawned upon us, tending to establish a community of feeling and identity of interests between races separated by almost every conceivable circumstance of alienation and united only under the same political Government and in allegiance to the same crown. Your Lordship has first taught us to forget the distinction between conquerors and conquered, and to become in heart and min[d], in hopes and asperations, one with Englishmen. We ardently desire to cherish these feelings. We trust they will descend to our children and to our children's children. And when the high des-

tinies, which as a people we may be permitted to anticipate in union with a great and a wise nation, are in progress of accomplishment and actually fulfilled, the name of Lord William Bentinck will be fondly remembered as that of the friend of the ...es of India.

...d, this language is not the flattering tribute ... is not the offering either of hope or ...o power. We feel our obligations ...e deeply than the language can ... thanks are the expression of ... for personal favours to our ... most of us have never re... ...ned policy and the just ... at common interests of ... been invariably pur...

... good wishes for ...nd, amid the ...nd countrymen, ...s days be crowned ...ivate happiness and

...ead, Rajah Kaleekissen ... some of the persons pre... ... not understand the English ... better if a translation in Ben... ...s just read be submitted for their ...chairman also being of the same opinion, ...ssomoy Dutt read a Bengallee version of the address which elicted a burst of general applause.

Baboo Ramcomul Sen moved, and Baboo Dwarkanauth Tagore seconded, and carried *nem. con.*

That the address just submitted be approved of, and a Committee be appointed to have it engrossed, signed by the native community, and presented to Lord Bentinck, and the following gentlemen to form the committee with power to revise the address if they consider it necessary.

| | |
|---|---|
| Rajah Gopeemohun Bahader | Baboo Rajchunder Doss |
| Rajah Kaleekissen Bahader | Baboo Prosono Comar Tagore |
| Baboo Kaliorath Roy | Baboo Dwarkanauth Tagore |
| Baboo Radakant Deb | Baboo Russomoy Dutt. |
| Baboo Mathooranoth Mullick | Baboo Ramcomul Sen. |
| Baboo Radamadub Bonnerjee | |

Baboo Radakant Deb thought that some expression of their sentiments towards Lady William Bentinck for her great politeness and atttention to the natives was due to her Ladyship, and moved that a subscription be set on foot to accomplish the object in view. The motion was seconded by Rajah Kaleekissen when Baboo Dwarkanauth Tagore spoke as follows: —Gentlemen, there can be no doubt that as a more suitable testimony of our sense of Lord Bentinck's administration, we should vote a statue to his Lordship; but having been preceded in our intention by the ...unity, the only course which ... adopt is to hand over to them the ...ay be able to raise for this purpose. ... proper that some mark of our gra... ...ifested towards Lady Bentinck for her ... us, and I think a portrait would be a ...d suitable testimony of our grateful feelings ... her Ladyship. The mover and seconder of ...ove resolution, and a majority of the meeting having assented to the suggestion, a subscription ...er was circulated, and several gentlemen put their names down as subscribers. It was agreed that the amount of subscription be collected by the Union Bank.

Rajah Kaleekissen observed that he was very happy to find the absence of all party feelings in the meeting.

Baboo Gungachurn Sen stated, that he was at a loss to know what general benefit had been conferred by Lady Bentinck to entitle her Ladyship to any expression of their sentiments, and as he could get no information from the gentlemen present, he begged to decline subscribing, upon which Baboo Ramcomul Sen observed, that none but those who felt disposed to subscribe were desired to do so.

Baboo Ramlochun Ghose then spoke as follows:—

Mr. Chairman.—When a country is impoverished by the misrule or inattention of its ruler, it requires time to improve its condition. When Lord William Bentinck came here as the head of the Government, he must naturally have been in a great measure ignorant of the situation, customs and usages of the people he came to govern; but when in course of time he made himself acquainted with all these particulars and put his hand in the act of amelioration, he is compelled to leave the country by the ill state of health, which is to be ascribed to the misfortune of the people of this ill-fated land. You are aware of the measures which his Lordship pursued for raising the character and happiness of the people of India, by appointing them to places of trust and emolument. If it be said, that because the services of the natives in the functions of the government, being obtainable at cheaper terms than those of Europeans, he did so for the mere purpose of lessening the expenses of the state, yet that is sound policy and not less praiseworthy, for it is commendable in a ruler to be able to ameliorate the condition of the people and to keep the state treasury overflowing at the same time, which have been both accomplished by Lord Bentinck.

The usual thanks to the Chairman being then passed the meeting broke up.

The proceedings were carried on in the Bengallee language, and the above report is authenticated by the signature of the Chairman.—*Bengal Hurkaru.*

## MEETING OF UNCOVENANTED SERVANTS OF GOVERNMENT.

A very large assembly of the uncovenanted servants of Government resident at the Presidency was held at the Town Hall on the 7th February, for the purpose of considering the measures that should be taken for the formation of a Retiring Fund, and of a fund for the provision of the widows and children of persons dying in the service. Mr. R. Leslie, of the Court of Requests, was called to the chair. He briefly stated the object with which the meeting had been convened, and touchingly appealed to the feelings of all those who were husbands or fathers of families to co-operate cordially in the measures they were assembled to discuss.

The first resolution, to the following effect, was then moved by Mr. W. Oxborough and seconded by Mr. Staunton:—

"That this meeting considers the Establishment of a Retiring Fund for the Uncovenanted Servants of Government in the Bengal Presidency and also of a separate Pension Fund for their widows and children, to be highly desirable and expedient."

Mr. Crow here rose, and having stated that some persons were unfavourable to the plan of a retiring fund though well affected towards a provision for the families of uncovenanted servants, moved an amendment to the effect that the two plans should form the subject of separate resolutions and be separately discussed. Some desultory conversation, and a little confusion ensued, which terminated by the question being pressed to a division when Mr. Crow's amendment fell to the ground.

Mr. G. Hill then presented himself to the meeting, and stated that Government had, he believed, in some measure, anticipated the wishes of the meeting by establishing a Life Insurance, which would make a pensionary provision for the widows and families of parties who subscribed or otherwise contributed. He added, that having heard much of Mr. Curnin's great talents and experience in matters connected with institutions similar in character to that which they were then assembled to discuss, and being like-

wise assured of the ready disposition of that gentleman to assist in the promotion of a sound and useful object, he had spoken to him on the subject, and solicited his advice and assistance, and had been favored with a reply, which he would read to the meeting. Mr. Hill then read the following:—

"67, *Wellesley Street, Feb.* 6, 1835.

"Sir,—In accordance with your wish and with every deference to the views and feelings of the valuable class of public servants of whom you form a part, I submit, that as the Right Honorable the Governor-General in Council is I believe about to establish a Life Assurance Office for the assurance of lives, and as in that institution it is most likely that all the charitable and retiring funds of the different communities in the state will be concentrated, it would be your better alternative merely to request that in any arrangements to be made relative to that institution, that your case should be taken into the favourable consideration of His Lordship: and that it would be pleasing to him to sanction your being permitted to pay monthly to that institution a certain per centage from your salary towards the purchase of a pension to commence after a defined period of time.

"As salary is or ought to be regulated by worth, it is clear that salary is the only available test whereby the value of the services of any public servant can be estimated; and therefore, in your memorial it seems to me to be but reasonable that you should pray that it may be pleasing to His Lordship to permit your being allowed to purchase such pension at so much less than the real value, as shall bring the claims upon the state to the precise amount now paid for superannuation.

"I have seen something in the papers relative to the 'Warden Fund' and that it had proved a failure. This must ever be the consequence where such institutions are not under the controul of persons perfectly competent to conduct them; and I may add, of persons, who can never have any claims of their own upon them. The failure of that institution has, as I conceive, been owing to two causes—to the limited number forming the society; and to their assigning pensions upon retirement without having any thing like an equivalent for the same. You will be protected from one of those evils by having your fund blended with the Government Assurance office; and you will avoid the other by assigning for the particular payments of each year their equivalent retiring pensions, to commence when a certain age shall have been attained.

"As it may be more than likely that the Government Assurance Office will be empowered, as soon as the proper data for that purpose can be obtained, to sell annuities and to convert a portion of the public debt, at the discretion of creditors, into life annuities; you must see that as the enlightened policy of the Governor-General induces him to do this, solely for the benefit of the public, that he will have no difficulty in extending the same previlege to you, and to permit you to purchase at a diminished rate annuities in like manner. The only difference between the two cases is this:—that the public would be more likely to purchase annuities to commence immediately, although, they could be assigned with equal propriety to commence after any given time; whereas you will want to purchase annuities or pensions to commence after a defined age shall have been attained.

"I trust I may be excused for drawing your attention to one circumstance which to me appears to be worthy of your consideration; and that is, that when the home authorities confer appointments in this country, they fix the salary, and the ultimate claims which they are willing to entertain for certain services to be performed: and, as you are about to ask that the state shall make certain remissions in your favor, you will, as I conceive, act with proper caution by not permitting any one holding an appointment directly from the Honorable the Court of Directors to join you—myself for example. If their right to a retiring pension is not recognized by the Court, by permitting them to join you, you will be asking for something which the Honorable Court did not previously choose to confer. If those persons should feel that this restriction presses heavily upon them, they have their remedy in an appeal; and to that alternative, I advise you, in the most respectful manner, to leave them.

I am, Sir, your most obedient servant,

JOHN CURNIN.

"To MR. GEORGE HILL, *Bengal Treasury Office.*

"P. S. Those principles by which deferred annuities can be assigned for payments made by you and on your own behalf, can be rendered equally available for the determination of pensions to your widows, or for the endowment of your children."

At the conclusion of the letter some further conversation took place. Mr. W. G. Smith then proposed, and Mr. J. Blechynden seconded, the following resolution:—

"That the services of Mr. Curnin be solicited, to determine the principles upon which two such Funds may with safety be established; and to supply the necessary tables and rules for their guidance respectively."

The resolution being put in the usual way and carried unanimously, the following was then moved by Mr. George Hill and seconded by Mr. Charles Byrn:—

"That the following gentlemen be selected as a committee to whom it shall be confided to prepare a memorial for submission to Government, stating the objects of the memorialists, and generally to do such other reasonable and necessary acts thereto relating, as may be considered expedient, viz.

| | |
|---|---|
| Messrs. Cornelius Smith, | J. B. Plumb, |
| W. Oxborough, | Robt. Smith, |
| D. Ross, | R. Kerr, |
| Wale Byrn, | E. Wilkinson, |
| N. Campbell, | W. G. Smith, |
| C. Francis, | F. D. Kellner, |
| M. Johnstone, | H. Martindell. |
| A. Heberlete, | |

Mr. Kellner having intimated his wish not to be on the committee, his name was withdrawn. The names of the committee being put to the meeting for its sanction, Mr. Gardner objected that there were too many from one office, and thought a substitute might be found for Mr. J. B. Plumb. But this objection was overruled as the parties named were all peculiarly fitted for the duty required of them, and, in the case of Mr. Plumb the opposition was singularly unfortunate, as from that gentleman's having served in an Annuity Office in England it was justly held that he possessed considerable qualifications for the office of committee-man in the instance in question.

At the suggestion of Mr. G. Hill, Mr. David Clark was nominated secretary to the committee, and the committee very properly selected Mr. Cornelius Smith as their chairman.

The fourth resolution was then moved by Mr. Wale Byrn and seconded by Mr. Martindell in the following terms:—

"That as soon as the memorial has been prepared, and the requisite statements furnished, the committee do convene a General Meeting of the Uncovenanted Assistants on an early day, at the Town Hall, or other convenient place to receive its report, and to determine the farther steps that should be then taken."

Carried *nem-dis.*

About this stage of the meeting a gentleman proposed that it be an instruction to the committee to incorporate in the memorial to Government a solicitation that no head of an office be allowed to discharge an uncovenanted assistant, until the grounds of such dismissal have been fairly laid before the Government and investigated. Instances were mentioned of much injury having been experienced, without sufficient reason, by individuals who had been discharged through the arbitrary exercise of the powers vested in the Civil Servants. On the other hand it was argued that the introduction of matter foreign to the immediate purposes of the memorial might be detrimental to the course of the

Funds and that, in all probability, Government would not feel disposed under any circumstances to alter the practice obtaining in respect to the power of heads of offices over the subordinates. The proposition was therefore withdrawn.

Mr. Crow then proposed the fifth resolution :—

"That to provide for incidental expenses attendant on carrying these plans into execution, a subscription be entered *into for a period of 3 months, as follows :*

| | | |
|---|---|---|
| Assistants drawing a salary of 400 Rs. or upwards, to pay per mensen | 1 | Rupee. |
| 300 and under 400 | ¾ | " |
| 200 and under 300 | ½ | " |
| And under all | ¼ | " |

Subscription to be voluntary : receipt of Secretary to Committee to be sufficient voucher ; and surplus, if any, to be handed to the District Charitable Society."

This resolution being seconded by Mr. R. W. Smith, was put to the vote and carried unanimously.

Thanks were then voted to the chair and the meeting broke up.

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A meeting of the Unconvenanted Servants of Government was held at the Town Hall on the 25th February, for the purpose of receiving the report of the Committee appointed by the Meeting held on the 7th February, and to sign the memorial prepared by that Committee for presentation to the Governor-General.

Mr. Leslie (who presided on the former occasion) was voted to the chair, and called on the Secretary to the Committee to read the report and memorial.

REPORT OF THE COMMITTEE.

"Your committee in coming before you, on this occasion, feel it to be their duty to submit a brief report of their proceedings since they had the honor of being appointed to their office, which, they trust, will meet with your approbation.

"Your committee held a meeting on the 10th February, and in conformity with your second resolution of the 7th, addressed Mr. Curnin, soliciting his co-operation in aiding your committee to frame tables and rules for the formation of the proposed funds. The following is a copy of the committee's letter to Mr. Curnin with his reply :

"J. CURNIN, ESQ.

"SIR,—I am requested to annex a copy of Resolutions 1 and 2, passed at the General Meeting of the Uncovenanted Servants of Government, held at the Town Hall on Saturday last, the 7th February, and, with reference to the assurance, conveyed by Mr. George Hill, of your ready disposition to assist in the promotion of the desirable object in view, the Committee congratulate themselves on so valuable an acquisition. Conceiving that some data will be required by you for the preparation of tables, &c. they have the pleasure to submit the following particulars indicative of their wishes on the subject ; viz. 22 years of actual service to entitle an incumbent to retire on an annuity of £300 or Sa. Rs. 3,000 —a gradnated scale being provided, descending to a minimum-annuity of £10 so as to suit the means of all ; and that widows and children have a reversionary interest therein. As it is possible, that circumstances may arise which would make it imperative on an assistant to leave his employ intermediately, it is desired, that a rateable annuity for a service of 11 years, be calculated to meet such a contingency. Perhaps, you would also be good enough to determine for the Committee, with advertance to the prospective saving that must be effected to the State by commutation of the present pension, what proportional donation may be reasonably asked for from Government in support of the contemplated Fund.

"The Committee conceiving, that the reversionary interest of widows and children alluded to above, will not afford a sufficient provision, consider it of importance to organize a distinct Widows' Fund, regulated according to the salaries of subscribers, in the following proportions :—The widow, ¼ of his salary during her widowhood, calculated on the average of the last 3 years of the deceased's income, and lawful children—boys 1-5th of the widow's allowance till they attain the age of 16 years, and girls the same until 21, or married. The children to have an enhanced allowance if left orphans.

"The Committee will be happy to supply you with any further information or data you may require.

"*Committee will set again on the 13th February*, and, with reference to the approaching departure of the present Governor-General, solicit the favor of an early reply.

"Yours, &c.

"*10th February*, 1835.

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"GENTLEMEN,—I have duly received your letter in which you express your desire, that I should prepare tables for you to enable you to subscribe for retiring pensions after a given time, and such additional subscriptions as should entitle your widows and children to the reversion of the same.

"I can give you a table to regulate your subscriptions for your own pension and for the reversion of such pensions to your widows, if you should be allowed to extend this benefit to them ; but I cannot pretend to divine the number and the sex of your children ; and am, therefore, unable to fix any rules for your subscriptions in their behalf.

"I apprehend, upon the whole, that your application to me is premature : you should, as I conceive, first get the consent of government to be permitted to establish a Retiring Fund.

"Secondly,—You should solicit such pecuniary aid as it may be pleasing to the Government to allow you.

"Thirdly,—That your fund may be ingrafted on the Government Life Assurance Institution ; and that it may have the guarantee of Government extended to it.

"Fourthly,—That the management of your affairs may be confided to the officers of that institution.

"By these concessions in your favor, you will be protected from the consequences which have too frequently occurred,—of the regulations of an institution being warped to suit a particular class ; you will also have the maximum value for your contributions, and without the expenditure of that sum for management, perhaps mismanagement, which you must incur if the institution is confided to your own keeping.

"You call upon me to say what you should ask for as the equivalent of the present liabilities of the Government. To this I must decline to reply, as I conceive it to be the province and the prerogative of Government itself to do this. If you were to ask, that it might be pleasing to the Government to give you credit for the present superannuation fund, and for such increase to it as it may be pleasing to the Government to allow, and to debit your institution with the existing claims of annuitants, the question would, I think, be simplified between the government and you.

"As there is an order of government in force, that no more sicca rupees shall be coined, with the view of facilitating the introduction of a new rupee of 180 grains in weight, all over India perhaps, it would be as well if you framed your regulations with reference to that rupee.

"Before I undertake any further labour relative to the question, I will wait for the instructions of Government ; and I advise you, with the view of avoiding or giving offence, that you pray the Government to call upon me to form your tables, &c.

"I am, Gentlemen, your obedient and humble servant,

"JOHN CURNIN.

"67, *Wellesly-street*, *Feb.* 13, 1835.

"To the Committee of the Uncovenanted Servants, &c. &c. &c.

"Your committee conceive, that the object of endeavouring to procure Mr. Curnin's assistance originated in the impression, that he would have proved of service to your committee by his experience in the formation of such tables. Your committee being disappointed by the tenor of Mr. Curnin's letter, and aware of the anxious desire of their constituents to approach the Governor-General previous to his Lordship's departure, and finding it utterly impossible, in so short an interval of time, to obtain a mature data of so various and intricate a description, and altogether indispensable to the correct formation of rules and tables of the nature required, decided in the circumstances in which they found themselves placed, to proceed at once to the preparation of a memorial to the Governor-General, representing your desire that the principles of the Civil Service Annuity Fund, and the rules of the Military Fund, be adopted as the ground work, modified to suit the particular circumstances of our service, not omitting the provision for furloughs. A Sub-Committee was accordingly appointed with instructions to draw up a memorial, which as prepared by them, and approved by your committee, will now be submitted, and laid on the table for your signatures."

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MEMORIAL OF THE UNCOVENANTED SERVANTS OF GOVERNMENT.

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TO THE RIGHT HONORABLE LORD WILLIAM CAVENDISH BENTINCK, G. C. B. AND G. C. H., *Governor-General of India, &c. &c. &c.*

The Humble Memorial of the undersigned uncovenanted servants of Government, including those who, though holding covenants for specific purposes, are not held to be entitled in any Department to the particular benefits prayed for in the present Memorial.

RESPECTFULLY SHEWETH,—That your Memorialists relying on the known disposition of your Lordship to promote the welfare of the class to which they belong, and anxious to obtain from your Lordship a recognition of the justice and expediency of their being provided, like other branches of the East India Company's Service, with institutions for granting retirement and superannuation allowances to themselves, and pensions in reversion to their widows and children, beg to approach your Lordship with their humble solicitation that, previously to your Lordship's departure from this country, your Lordship will be graciously pleased, to cause such measures to be taken, as may lead to the early formation of a plan embracing the objects above-mentioned, which for several years past have engaged the anxious attention of the body at large, in proof of which fact, your Memorialists beg to observe, that petitions to the effect of the present Memorial were presented to Government in August, 1825 and in August, 1829; but to their deep regret, without any apparent success up to the present period.

Your Memorialists have found it impracticable, with reference to the announcement of your Lordship's intended early departure, to come before your Lordship prepared with the requisite tables and statements. Believing, however, that the details of institutions like those under contemplation, might be better left to others who are in no way interested in the benefits to be derived therefrom, and who would consequently exercise an unbiassed judgment in forming an opinion as to the precise amount of contribution or percentage which should be levied, your memorialists humbly solicit that the matter may be entrusted to such confident individuals, as your Lordship may deem proper to appoint; and as your memorialists are not desirous of shrinking from any labour which may be requisite on their part towards the accomplishment of the objects in view, they beg repectfully to tender the services of such a portion of their class, as your Lordship may see fit to require for such purposes.

Your memorialists further respectfully hope, that they may be considered deserving of occasional furloughs, after such specific periods of service as Government may be pleased to determine; and as there are certain branches of the Company's service in the enjoyment of pecuniary and other privileges from which the Uncovenanted Service is entirely excluded, it is hoped that furloughs when granted, will enable the absentees to enjoy, in the same manner as the military servants of Government, a portion of their monthly salaries, the remainder of such salaries being appropriated to the payment of the substitutes who may be appointed to officiate in the interim.

Your memorialists further pray that in the event of a plan to the effect proposed being established, your Lordship will be graciously pleased to sanction retirements, after a stated period of service, computed in every case at 22 years, exclusive of furloughs. Your memorialists adverting to the fact that in other branches of the public service retirements are so regulated, entertain the hope that a similar indulgence will be generously accorded to them. The grant of this boon, besides ameliorating the condition of your memorialists, would have the further effect of securing the efficiency of the public establishments by accelerating promotion and keeping in actual employment only those most able to yield the quantum of labor required by the state.

As your Lordship may be desirous of knowing the general principles upon which your memorialists conceive that the proposed Institutions in their favor may advantageously be established, they beg permission to state, that in their humble opinion the basis of the Civil Service Annuity Fund, with modifications adapted to the circumstances of the uncovenanted service, might be assumed as applicable to a Retiring and Superannuation Fund for themselves, and that the rules regulating the Military Fund, might in the same way serve as a guide in the formation of a fund for the benefit of the widows and children of your memorialists, both these funds being aided by such donations from government as the services of the uncovenanted assistants may, in your Lordship's judgment and liberality, appear to entitle them to.

In conclusion your memorialists beg to confide their interests as explained in this memorial, to the care of your Lordship, in the firm hope, founded on your Lordship's benevolence and philanthropy, that their solicitation will be favorably and graciously considered.

Your memorialists avail themselves of this opportunity to express their unfeigned regret at your Lordship's approaching departure from this country and their respectful and cordial wishes for your Lordship's health and happiness in that land, to which you are about to return, and to which many of your Lordship's memorialists are attached by birth, and all, without exception, by loyalty and allegiance.

R. LESLIE,

*Chairman of the General Meeting.*

Mr. Ryland, in proposing the first Resolution, took the opportunity of expressing his earnest hope, that that unanimity which ought to characterize a proceeding of so much importance to the Uncovenanted Service as the establishment of a Retiring and Widow's Fond, would not be wanting on the present occasion. Mr. R. further stated, that he was enabled from an experience of 29 years residence in India, to express his firm conviction, that no previous Governor-General ever entertained so kindly a feeling towards their body as Lord W. Bentinck. He made bold to say, that his feelings on this head were the pervading feeling of the meeting. Mr. R. further adverted to the fact, that although the members of his service readily contributed to the establishments of charitable funds, yet that an apathy much to be regretted, existed among his co-adjutors, in regard to making a provision against want for those who had the strongest claims upon their consideration, namely, their wives and children. He

thought the memorial was one likely to further their views in this respect and, therefore, proposed

That the memorial drawn up by the committee be received.

Which was seconded by Mr. Rees, and carried unanimously.

Mr. Pote, in proposing the second Resolution said, that it would be consistent with the respect due to his Lordship were the memorial to be presented by deputation, and that, adverting to the likelihood of his Lordship's seeking for information at the hands of the deputation, he thought the members of the committee would be the most eligible to form the deputation. He, therefore, proposed

That the committee be appointed a deputation to wait on the Right Honorable the Governor-General of India, with the memorial of the Uncovenanted Service, and that on the receip of His Lordship's reply, such further measures be adopted as may be considered to be expedient.

Which being seconded by Mr. Meikie, was carried unanimously.

Moved by Mr. A. Heberlet, seconded by Mr. Stacy, and carried unanimously.

That Mr. Leslie be added to the Committee.

Proposed by Mr. Roxborough, and seconded by Mr. N. Campbell, and carried *nem. con.*

That the thanks of this meeting are due to the Chairman for his conduct in the chair.

There were about 200 present at the meeting, the most of whom signed the memorial.—*Bengal Hurkaru.*

## MEETING OF SUBSCRIBERS TO THE NEW BENGAL STEAM FUND.

The following proceedings of a Public Meeting of the subscribers of the New Bengal Steam Fund, held at the Town Hall, on the 17th February, 1835, are published for general information.

Captain J. H. JOHNSTON in the chair.

The Secretary to the Committee having read the Report of the Committee as follows:—

"The Committee of the New Bengal Steam Fund regret that they have again to meet the subscribers under circumstances connected with the progress of the *Forbes* far from satisfactory.

"As stated in their Report at the last general meeting held on the 2d August last, they made every possible arrangement for the despatch of the Steamer on the 1st September, but circumstances, beyond their control, delayed her departure until the 5th of that month.

"They have the satisfaction of knowing that when she left Calcutta the whole of the machinery was in the best possible order, and that nothing requisite to ensure success, or that was suggested either by her Commander or the Engineer, was neglected. They therefore, although they were fully aware that in comparison with the first attempt the present was much more difficult of execution, were confident, from the manner in which she performed the voyage to Madras in April last, making 889 miles in six days and ½ an hour, averaging 6 k. 1 f. per hour, against a wind, at times, fresh, and swell, almost directly opposed to her the whole way, that she would, with care and attention, effect the object in view, not certainly in so short a space of time as that in which there was every reason to believe she would have done it on the first occasion, but for the accident to the boiler; but in such a manner as to establish the practicability of the voyage being made at an earlier period of the monsoon in a vessel properly adapted for the purpose. They regret they are obliged to admit that the progress as far as is known does not equal their expectations. It is true on the passage to Madras she unexpectedly, for the time of the year, encountered a rather severe gale of wind, which necessarily retarded her passage, yet at periods of similar states of wind and weather, as compared with the former voyage, she certainly did not proceed so rapidly on this last occasion.

It is, however, satisfactory to know, that from the experience of her qualities as a sea boat, during the gale, Captain Forth expresses himself thus. "I stop here to say that much as I lament the length of the passage, and the disappointment to the Committee it will occasion to be felt, I am happy at having an opportunity of trying her as a sea boat and knowing as *we do now* what we have to depend in a heavy breeze. She made as good weather as any ship I have ever sailed in—a fine sea boat, with the engines plying and reefed trysails;" and it is further satisfactory to know that on arrival at Madras the boilers exhibited no signs of injury; and subsequently when they were examined internally after 18 days steaming there was only a slight crust of salt equally disposed throughout the bottom, about ⅛ of an inch thick, or rather less, which was easily removed.

Of the passage from Madras to Galle no detail has been received. It occupied five days and one and a half hour, certainly a longer period than had been estimated. As no communication of the state of the winds or currents was made, it is entirely impossible to account for the slow progress; especially between Madras and the Basses, where she arrived in four days and five and a half hours, making 4 k. 2 f. per hour; from hence however to Galle the progress is more satisfactory; it is thus noticed by Captain Forth. "Passing the Basses inside at midnight on the 20th, we continued coasting it about (full power) against a strong breeze within a mile of the shore up to Galle and rounded Dondra Head in 15ms. ¼ mile off"—"Several places were passed within half a mile of the land, and it may be as well to observe that I could not discover the slightest danger likely to deter a commander of the steam vessel from persuing the same route at all times of the season if it be required. I regret that the darkness when passing the Basses precluded the possibility of taking bearings or making observations calculated to persuade others to follow a passage, I would now prefer to the outer, least water 5½fms." Here then the *Forbes* made 110 miles in 20 hours, or 5½ miles per hour against a strong breeze and in all probability a strong current, including of course all stoppages arising from blowing off, and for the purpose of sounding.

From Galle she took in tow the *Regia*, a brig with 80 tons of coal on board; this brig, the only vessel which the agent could procure, is described as bluff bowed, and consequently not so well adapted for being towed, although the *Forbes's* progress with this vessel in tow was not so rapid as might have been wished, it is impossible to consider it unsatisfactory,—opposed as the vessels were generally too strong adverse winds and currents. In a *direct* line from Galle they made 502 miles in seven days and six hours, or nearly 3 miles per hour, although at times the vessels are noted as proceeding at 5 miles per hour. Captain Forth says that they had "the whole time a fresh westerly to W. N. W. breeze with intervals of squalls from N. W. with rain." The superior qualities of the *Forbes* as a sea boat were again evinced. While towing this vessel against a heavy head sea, Captain Forth says, "though it affects us not, she (the *Regia*) is pitching bows in."

It was on the 2d of October that the *Forbes* cast off the *Regia*, having received the whole of the coal by mechanical arrangements suggested by Captain Ross, the late Marine Surveyor-General, which was found to answer admirably; causing no delay in the progress beyond that necessarily incurred by having the vessel in tow.

The Committee are unable to gather from the reports of Captain Forth what quantity of coal th

*Forbes* had on board when she left the *Regia*, but as she was then 1,070 miles W. N. W. from Socotra, and the wind had been for the last two or three days drawing round to the northward and was when the *Regia* left at N. N. W., they have every reason to expect that she reached Socotra by the 10th October at the very latest; and that she thence got into the Red Sea in due course. Beyond this every thing must be entirely conjectural; and the Committee can only suggest as the more probable event that, from some accident to the machinery she is detained in that Sea by the strong southerly winds which prevail in the southern part of the Sea, from October or November to May or June, or by the equally strong easterly winds and currents to the westward, which obtain in the Gulf outside the Sea during that period.

Foreseeing that she could not return so as to be fitted out for the proposed voyage in January, the Committee requested of the Right Honorable the Governor-General of India in Council that the *Hugh Lindsay* might be despatched about the 10th of that month, in order to prevent any disappointment which might have been experienced if packets for January should have been made up for Alexandria and Suez in expectation of the *Forbes's* arrival.

His Lordship in Council with his wonted readiness complied with the request, and the *Hugh Lindsay* accordingly left Bombay on the 20th ultimo.

In the mean time it appeared that the Government at home and the Honorable the Court of Directors have concurred in directing a simultaneous effort to be made on both sides the Isthmus; the former authority having given direction for a steamer to be employed in conveying packets, brought by the March Falmouth steamer to Malta, from that Island to Alexandria, and to carry from this latter place packets from India by the *Hugh Lindsay*, for which purpose the Honorable Court ordered that vessel to be despatched on the 10th February.

Notwithstanding the probable inconvenience which may arise from the departure of the *Hugh Lindsay*, one month prior to the time fixed by the Honorable Court, it is impossible to be otherwise than gratified at this indication of the authorities at home being at length alive to the value and importance of the communication by Steam by way of the Red Sea; and yielding to a conviction of its practicability, unattended with that enormous expense, the fear of which would appear hitherto to have interposed to prevent its adoption.

The Committee trust, moreover, that this is but the first step to the establishment of the communication on a firm and sure basis, the end and aim of all their endeavours; and they are borne out in this hope by the terms of the Resolutions of the House of Commons, which, after granting the sum of £20,000 for experiments by way of the Euphrates, provide for the immediate establishment of the communication by way of the Red Sea for at least eight months of the year, the expense to be equally borne by England and India; it being left to the determination of His Majesty's Government and the Honorable the Court of Directors whether the communication from Suez shall proceed to Bombay or to Calcutta; or whether the combined plan suggested by your Committee shall be at once adopted. Such is the gratifying state of this most important question. It would be idle to enter into any speculations as to the final result; but your Committee may be permitted to express their confidence that the important interests involved in the extension of the communication to Ceylon, Madras and Calcutta will not be overlooked, and that the public spirit evinced by the subscribers to the New Bengal Steam Fund, in devoting so large a subscription to an attempt to re-open the communication will be duly appreciated.

That that attempt has not succeeded is to be deplored; but it has at least shown the intense anxiety for the establishment of the communication. It has led to the purchase of the Island of Socotra,* and to the establishment of a depôt there; and it has practically shown that coal may be located in the Red Sea at the extreme station, Juddah, *at a cost less by one half than that estimated by the Honorable the Court of Directors.*

It has further induced an examination of the Maldives, with a view to determine on the practicability of establishing a depôt there—the result of which is understood to be on the whole satisfactory, as far as it has gone. It is said that the islands are found not to be continually linked by reefs; on the contrary that channels exist among them leading into the smooth water between them. One passage has been found leading into the Tilla Don Matis Atoll—the northernmost of the group, and the one best adapted from its locality for a depôt—within which is a good anchorage and fresh water.

The above mentioned passage is described to be so safe that in a moon light night a ship might pass into the Atool free of risk.

Such the Committee understand to be the result of the examination as far as it had gone, some delay having taken place consequent on the necessity for a reference to the Sultan, who resides at king's palace in the middle of the group.

The Committee having been in friendly communication with the Sultan, and received from him assurance of a disposition to meet their wishes if practicable, expressed to him their desire that he should give every assistance and countenance to the officers deputed to examine the islands, and they are not without hopes that their request may tend to insure a friendly disposition on his part towards the officer deputed from Bombay on the survey, and his assent to the establishment of a depôt in case any proper place shall be discovered.

However therefore the attempt of the *Forbes* may have failed,—in the first instance clearly from no unfitness of the vessel herself, and in the second from causes yet unknown—the attempt has not been without its advantages; and the Committee, depending still on the continued support and patronage of the Governor-General as well while his Lordship remains at the head of this Government, as on his return home, will not relax in their humble endeavours to obtain the ultimate wishes of the Indian community, viz. the establishment of a comprehensive scheme—and they cannot close this part of their report without the expression of their full conviction that the subscribers owe it entirely to the recommendation of the Governor-General that such a comprehensive scheme has been included among those to be considered for final adoption. Their grateful thanks therefore, and those of the subscribers, and indeed of all India, are most justly due to his Lordship; and the Committee will not fail prior to his departure to solicit a continuance on his Lordship's part of his powerful aid for the final establishment of that scheme.

The accounts are laid on the table for the inspection of the subscribers, and annexed is a summary statement showing the receipts and expenditure since the date of the last report. The remaining assets are Sa. Rs. 34,582—4—4, besides this, Captain Forth had advanced to him Sa. Rs. 4,170 to meet the expenses of the voyage, a portion of which will be recovered from Government on account of the establishment; and there is stock to the probable value of Sa. Rs. 1,500, independent of the value of the coals at the several depôts.

By order of the Committee,

C. B. GREENLAW, *Secretary.*

*Town Hall, Calcutta, February* 14, 1835.

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*Summary Statement of Receipts and Expenditure, on account of the new Bengal Steam Fund, from 1st July, 1834, to 2d February, 1835.*

| | | | | | | |
|---|---|---|---|---|---|---|
| RECEIPTS. | | | | | | |
| Balance as per last Statement dated 5th July, paper. Sa. Rs..... | 40,479 | 9 | 6 | | | |
| Cash. .. .... .... .. | 4,704 | 3 | 9 | | | |
| | | | | 45,183 | 13 | 3 |
| Subscriptions realized..... .... | | | | 1,844 | 6 | 5 |
| Passage Money..... .... | | | | 880 | 0 | 0 |
| Received from Government on account Hire, &c. of Steamer *Forbes.* | | | | 47,057 | 14 | 2 |

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* The Committee have been favored by Goveanment with a copy of a highly interesting, general and statistical Report of the Island by Lieutenants Haines and Wellested, together with a well executed geographical map, both of which are laid on the table for the inspection of the subscribers.

| | | | |
|---|---|---|---|
| Refunded by Captain Ross, in part of Sa. Rs. 1050, advanced him on account mission to Socotra..... | | | 782 15 4 |
| Relizaed by sale of Coal Dust.... | | | 126 12 0 |
| Ditto Coal sent to the Mint..... | | | 62 13 0 |
| Interest on Company's Paper.... | | | 2,486 1 0 |
| | | Sa. Rs. | 98,424 11 2 |

DISBURSEMENTS.

| | | | |
|---|---|---|---|
| Balance of Freight to Socotra Sa. Rs..... ..... ..... | 5,000 0 0 | | |
| Galle.. ..... ..... | 2,466 10 8 | | |
| Juddah ..... | 6,390 0 0 | | |
| | | 13,856 | 10 8 |
| Landing Coals at Juddah..... | | 836 | 12 0 |
| Balance of Freight on Coal sent to Babelmandel, finally landed at Mocha.. .... ..... | | 1,323 | 0 0 |
| Further expenses connected with the *Forbes's* first voyage, remuneration to Engineers reporting on Boilers after return.... ..... | 360 0 0 | | |
| Establishment..... ..... | 4,934 3 8 | | |
| Sundry petty charges..... | 200 0 0 | | |
| | | 5,494 | 3 8 |
| *Forbes* Sundry Stores for general purposes.... .... ..... | | 724 | 9 3 |
| Hull, Masts and Yards repairing Sponsons; altering and strengthening Paddle Boxes and refitting Masts and Yards... .... ..... | | 4,366 | 10 4 |
| Advanced to Jessop and Co. for change Pump and spare Stores for Machinery.... ..... ..... | | 1,500 | 0 0 |
| *Forbes* 2d Voyage hire.. .... | 4,000 0 0 | | |
| Establishment.. .... .... | 7,653 8 0 | | |
| Insurance.... .... ..... | 9,991 5 8 | | |
| Burdwan Coal supplied at Calcutta | 337 8 0 | | |
| Coals purchased at Madras..... | 5,929 4 11 | | |
| Hire of the *Regia*.... ..... | 3,200 0 0 | | |
| Stores and Provisions for Crew.. | 1,568 13 3 | | |
| | | 32,590 | 7 10 |
| Advanced to Captain Forth for expenses connected with the Shipment of Coal at Socotra and Judda, and for other incidental expenses.. | | 4,170 | 6 9 |
| Shaik Tanher Aly, Salary from 16th May to 15th November, 1834.. | | 1,201 | 1 6 |
| Secretary's Office—salary of Assistant, Native writer and Peon from June, 1834, to January 1835, at 91 per month.... .... .... | 728 0 0 | | |
| Extra writers, copying sundry papers, voluminous report on Socotra, required for circulation to the committee and for record.... ..... | 101 10 4 | | |
| Stationery..... .. ..... | 50 9 0 | | |
| Allowance to Accountant for making up Accounts.... ..... | 225 0 0 | | |
| | | 1,105 | 3 4 |
| Printing Charges, Advertisements Circulars to the English Merchants, Copies of Letters to Court of Directors, &c... ..... ..... | | 442 | 11 0 |
| Charges General, Refund of Passage Money to W. Dunlop, Esq. Presents for the Sultan of Maldive Islands, Express Letter to Kedgeree, &c..... ..... ..... | | 330 | 8 0 |
| Discount on the purchase and sale of Paper.... .... .... | | 606 | 13 6 |
| | | Sa. Rs. 68,569 | 1 10 |
| Balance.... .... .... | | 29,855 | 9 4 |
| | | Sa. Rs. 98,424 | 11 2 |

ASSETS.

| | | | |
|---|---|---|---|
| The balance composed of the following Company's Paper, Sa. Rs. | 26000, 0 0 | | |
| Cash..... ..... ..... | 1,855 9 4 | | |
| | | 29,855 | 9 4 |
| Interest due on the above paper.. | | 1,460 | 0 0 |
| Recoverable from Government on account insurance paid..... | | 3,266 | 11 0 |
| | Sa. Rs. | 34,582 | 4 4 |

E. E.

C. B. GREENLAW, Secretary.

**Town-Hall, Calcutta, February 14, 1835.**

It was proposed by James Sutherland, Esq., seconded by R. Fitzgrald, Esq., and

Resolved—That the Report now read be adopted and published for general information.

Proposed by C. B. Greenlaw, Esq., seconded by Captain James Steel, and

Resolved—That the thanks of this Meeting be voted to the Chairman for his conduct in the chair.

JAMES HENRY JOHNSTON, Chairman.

**Town-Hall, Calcutta, February 17, 1835.**

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The *Forbes* has at length returned. Her arrival from Suez the 29th November was announced on Friday the 27th February. Our readers may remember that our last previous intelligence of her was the 2d October, when she cast of the *Regia*, to the westward of the Maldives Island. On the 11th having encountered light westerly winds and a strong current to the eastward, Captain Fourth put out the fires, the vessel being then about 500 miles from Socotra (in latitude 11 45 N. 62 32 East) and made sail, as they had only 10 tons of coal left which was reserved to bring them into the anchorage when he should make the land. The vessel reached Socotra on the 27th and left on the 29th—reached Madras on the 3d November—sailed on the 4th—arrived at Juddah on the 8th—sailed on the 10th and reached Suez on the 16th without any accident. From Suez Captain Forth went across to Cairo where he had several interviews with the Pasha. The *Forbes* left Suez on her return on the 29th November, reached Judda on the 6th December, and sailed again on the 10th—arrived at Mocha on the 16th and sailed the 20th, having taken in 85 tons of coals. They reached Socotra on the 5th January, having encountered strong easterly winds; and remained therein Tamaunda Bay till the morning of the 17th, having been detained by strong winds and the surf which prevented the speedy shipment of coal. From Socotra which they left on the 17th January, the passage to Galle was tedious as they did not arrive there until the 9th instant! They left Socotra however, with a north east gale, and as they had not coal enough, sailed part of the passage. They remained four days at Galle for necessary repairs to the engine; they left Galle on the 13th, and arrived at Madras on the 18th. They left that port on the 21st, a stay of four days, and got the pilot on the 26th, after being two days under sail with fine southerly winds.

Our information is not sufficient as yet to enable us to enter into any detail as to the extraordinary length of the voyage. The detention at each of the ports averaging from two days to ten, far exceeds all the calculations of the Committee. At Madras returning for the example the detention appears extraordinary. The vessel having left Galle on the 13th arrives at Madras on the 18th and sails on the 21st, that is, four days. Now after only four days steaming, that delay appears extraordinary. One thing is clear, that the vessel does not carry coal enough for such a voyage, and that it would therefore be insanity to send her again. As a sea boat, the *Forbes* has fully confirmed the character she had previously maintained. She has experienced very bad weather and weathered it beautifully. The *sponsons*, about which so much has been said, proved of infinite service to her in the gales she experienced. In weather she has been in every respect unfortunate.

We believe the following is an accurate account of the steaming of the *Forbes:*

| | | | *Miles.* | | *Hours.* | *Average.* |
|---|---|---|---|---|---|---|
| Madras | to | Galle.... | 580 | in | 114 = 5 | per hour. |
| Galle | ,, | Socotra.. | 1446 | ,, | 302 = 4 6 | ,, |
| Socotra | ,, | Juddah.. | 898 | ,, | 143 = 6-2 | ,, |
| Juddah | ,, | Suez..... | 624 | ,, | 140 = 4-4 | ,, |
| Suez | ,, | Juddah.. | 380 | ,, | 68 = 5-5 | ,, |
| Juddah | ,, | Mocha... | 656 | ,, | 148 = 4-4 | ,, |
| Mocha | ,, | Socotra.. | 725 | ,, | 155 = 4-6 | ,, |
| Socotra | ,, | Galle.... | 741 | ,, | 171 = 4-3 | ,, |
| Galle | ,, | Madras.. | 567 | ,, | 111 = 5 | ,, |

[*Bengal Hurkaru.*

## MEETING OF PALMER AND CO.'S CREDITORS.

A Meeting of the Creditors of Palmer and Co. was held at the Exchange Rooms, pursuant to advertisement "for the purpose of taking into consideration the propriety of carrying on some of the Indigo Factories belonging to the Estate for the present season, unless they can be sold for adequate prices, and also of disposing of the Outstanding Debts due to the Estate by public sale." About thirty creditors attended, and the chair was filled by Mr. Robert Wilkinson, of the firm of Thomas Dent and Co. of Calcutta.

Mr. R. C. Jenkins, the Secretary to the Assignees, produced a statement which he read to the meeting, showing what factories remained undisposed of, and the out-turn of each by working them last year. They comprehend five indigo concerns, namely, Sarnath, in the districts of Benares and Juanpore—Shaw Gunge and Bobsha, in Juanpore—Bickrampore, in Behar and Shahabad—Manickgunge, in Dacca—yielding altogether 1621 maunds of indigo at an outlay of 1,60,000 rupees, on which a profit of about 60,000 rupees was expected to be realized, and not one of them showed any loss. In answer to a question what had been the out-turn of the preceding year, Mr. Jenkins said it had been a profit of about 6 per cent. on the outlay. Two other concerns, it appeared, had been sold within the last six weeks—the Coolbaria for 70,000 rupees, and Palmer and Co.'s share in the Sultanpore factories for 27,000 rupees. An effort had been made to dispose of the five now remaining by public auction, and they were put up on Thursday last, by Messrs. Tulloh and Co. but not a single bid had been offered for any one of them. And further, it appeared that there had been advanced about 45,000 Rupees for the cultivation of the ensuing season, which would be all lost if the Factories were not carried on until sold. Mr. Jenkins also read the following memorandum and estimate of the Book debts.

| Due 30th April last. | | Ultimately recoverable. | Of which collected to 31st January last. |
|---|---|---|---|
| Civil, ..... | 14,31,747 | 12,54,689 | 85,804. |
| Military,..... | 29,59,065 | 28,07,713 | 1,00,131. |
| Miscellaneous,. | 1,42,41,608 | 6,07,294 | 1,72,139. |

the collections averaging 39,819 per month.

Hence it appeared that the Estate might yet possibly produce 54 lakhs of rupees, if managed as hitherto, in the course of a long period of years. But Mr. Jenkins, on being questioned as to his own opinion on the subject, said that he did not expect to realize so much as this estimate, which had not been formed by estimating each debt individually, but upon a general view of past recoveries.

After some conversation, in which every body seemed to concur in the opinion that it would be folly to throw away the Factories by a forced sale, the following resolution was moved by Mr. J. W. Sutherland, seconded by Mr. Younghusband, and unanimously adopted:

"That it is expedient to carry on the Factories now working for the current year, or until the Assignees have suitable offers made for them."

A good deal of conversation ensued on the subject of the Book Debts, in which Mr. Dick and Colonel Galloway took a prominent part, and some difference of opinion appeared on the wording of a resolution proposed by the former; but the substance of it being unanimously approved, was divided into the two following Resolutions which were adopted:—

"That it is the opinion of this meeting, that the disposal of the Outstanding Debts by auction is neither advantageous, nor practicable without almost total sacrifice to the Estate."

"That the Assignees as soon as possible make out a printed list of all the Outstanding Debts that may be due to the Estate on 30th April next, exhibiting in such statement what was the balance due by every Debtor to the Estate on the date of failure, as well as what may be due by him on 30th April 1835, and that this printed list, when ready, be furnished to every Creditor or his Representative requiring the same."

Colonel Galloway remarked upon the hardship of enforcing the doctrine attempted to be laid down here, that the property of an Insolvent Estate must be sold off at once at any sacrifice. This Estate, he said, had not been worked for five years, yielding at the rate of more than 5 per cent. per annum, and for some years to come was likely to yield an annual dividend of 2½ per cent. or thereabouts; whereas he believed that, if the remaining assets were sold off at public auction in Calcutta, they would not find purchasers, who would give the value of one year's dividend for them. Besides, that mode of winding up an estate was a temptation to the Debtors who had means, to hold back and wait the opportunity of purchasing their own debts for a trifle. In England property of every kind had always a market price and could easily be disposed of; yet even there, observed Colonel Galloway, there is no rule restraining Assignees from carrying on concerns for the benefit of the Creditors. In proof of this, Colonel Galloway read an extract from the preface to one of the volumes of the Mechanics' Magazine, in which the Editor declared the work to be conducted by him on account of his Creditors and as Agent to the Assignees of his estate.

After these remarks, the Meeting broke up, having passed the usual vote of thanks to the Chairman.—*Calcutta Courier.*

## AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A special Meeting of the Agricultural and Horticultural Society was held on the 28th January, at the Town Hall, to consider the expediency of petitioning Parliament for the equalization of the duties on sugar, coffee, tobacco, and other East India produce, with those of the Mauritius and the West India colonies. On the motion of Dr. Marshman, Sir Robert Colquhoun was requested to take the chair.

Dr. Wallich read the minute of the meeting of the 14th instant, and it was intimated that a member of the Committee had prepared a draft of a petition on the subject.

After the draft had been read, it was proposed by Mr. Strong and seconded by Baboo Dwarkanath Tagore, "That the draft which has now been read, be referred to a Committee, for the purpose of drawing up a Petition to both Houses of Parliament. The following members to form the Committee, and that they meet on Saturday, at 10 A. M.":—

| | |
|---|---|
| Sir R. Colquhoun, | Dr. Marshman, |
| Mr. Turton, | Baboo Dwarkenauth Tagore, |
| Mr. Strong, | Baboo Cossynath Mullick, |
| Mr. Low, | Baboo Radhamadub Bonerjea, |
| Mr. Dobbs, | Dr. Wallich. |

Some discussion took place with reference to the Members of the House of Commons who were to be requested to present the Petition. The names of Mr. Ewart, Mr. Whitemore, and Mr. Crawford were mentioned. Mr. Low was of opinion that as Sir Robert Colquhoun was about to proceed to England, it would be advisable to entrust the Petition to his charge, and leave to his discretion the choice of the members who were to present it. Dr. Marshman, on the contrary, thought that selection ought to rest with the Committee.

The majority appeared to concur with Dr. Marsh-

man, and the folloing resolution moved by Mr. Low and seconded by Dr. Wallich. "That Sir R. Colquhoun, now about to proceed to England, be requested to be the bearer of the Petitions, was carried unanimously."

The following resolution was also carried, proposed by Mr. Hare and seconded by Mr. Smith, "That the Petition to both Houses of Parliament be engrossed in duplicate."

After which Dr. Marshman seconded by Mr. Kyd, proposed, "That the thanks of the Meeting be given to Sir R. Colquhoun for his able conduct in the Chair."

The resolution was carried by acclamation, and the Meeting separated.

[PETITION.]

*To the Honorable the Commons of Great Britian and Ireland in Parliament assembled.*

HUMBLY SHEWETH,—That your Petitioners are Members of a Society, which has for some years past existed in Calcutta, under the name of "The Agricultural Society of India;" having for its object the promotion of Agriculture and Horticulture.

That the attention of your Petitioners has been directed greatly to improvements in the culture of sugar, cotton, silk, tobacco and other articles of raw produce, calculated for the home market; for which objects a series of experiments has been carried on by the Society, to which your Petitioner belong under the sanction and with the support of the Local Government, who have liberally encouraged the Society from its commencement in 1820.

That the result of such experiments has been to satisfy your Petitioners that if peculiar obstacles applying exclusively to the British possessions in India, were not opposed to the employment to British and native capital in the cultivation of such articles they might be produced in this country, of a superior quality and to a much greater extent than at present, and the home market might be supplied with them at a much cheaper rate. Your Petitioners, however, have found their efforts almost wholly paralyzed by the unequal duties to which several of these staple articles are liable in their importation into the United Kingdom, in comparison with the duties on the same productions from the West Indies and the Island of Mauritius.

The duties to which your Petitioners refer, and to which they respectfully but earnestly solicit the attention of your Honorable House, are the imposition of 8 shillings the cwt. on sugar—the growth, produce or manufacture of any British possession within the limits of the East India Company's Charter and imported from thence, beyond the amount of duty on the same article from the West Indies and the Mauritius, which is charged only at the rate of 24 shillings the cwt., whilst that from the East Indian possessions is charged at the rate of 32 shillings per cwt.

The additional duty of 6 shillings the gallon on British East India rum, that of the West Indies being subject to a duty of 9 shillings the gallon, whilst that of the East Indies is subject to a duty of 15 shillings the gallon, and the additional duty of three pence the pound on tobacco and, coffee from this country, beyond what is charged upon the same articles from the West Indies.

Your Petitioners cannot too strongly impress upon your Honorable House the importance, nay the justice, of removing the obstacles alluded to by your Petitioners. The manufactures of India which formerly enriched her, and afforded employment to unmbers of her population, have in some instances been utterly superseded (as in the case of her cotton manufactures) by the importation of the cheaper fabrics of Great Britian, or depressed by overwhelming duties as in the case of her manufactured silks, which are subjected to duties of 20 or 30 per cent. From hence, India is more essentially than ever an Agricultural country. Full three-fourths of her population are virtually interested in, indeed dependant upon, the prosperity of her agricultures. Her vast resources require only the removal of existing discouragements to be developed, and were the productions of her soil admitted into the United Kingdom upon the equality of duties sought for by your Petitioners, the interchange of commerce between the two countries would be greatly increased to the mutual advantage of both, whilst she would be better able to bear the depression on her own manufactures, and to purchase those of the mother country.

To India, this is the more essential, since she now possesses no other means of supply without exhausting her circulating medium, the annual drain upon her resources which is required under the provisions of the late act of Parliament relative to her Government.

Actuated by the desire to further the objects of their Society and to ameliorate the condition of the Agricultural classes of the community, (more especially the labouring classes) your Petitioners respectfully pray that your Honorable House will take into their earliest consideration the justice and expediency of equalizing the duties upon the articles which they have enumerated, and other products of the British possessions in the East Indies with those of the West Indies and the Mauritius.

And your Petitioners will ever pray, &c.

[CIRCULAR.]

I have been directed by the Members of the Agricultural Society of India to forward to you the accompanying copy of a Petition which has undertaken to present on their behalf to the House of Commons.

They feel assured that the prayer of it will receive your approval and support. The interests of India alone are not concerned in the question, but are identified with those of the agricultural and manufacturing population of Great Britain. To the former, the equalization of the duties mentioned in the Petition, will secure, at a cheaper rate, a supply of some of the necessary articles of life, and, while the same advantages will be afforded to the manufacturing population, an increased demand for their manufactures in return for the production of India, will be created.

The cheaper supply of articles of necessity or ordinary comfort to all classes is an object which they conceive the anxiety at present evinced for the abolition of the Corn Laws in Great Britain recognizes as sufficiently important to ensure to the Petition your support.

*Alphabetical List of the Members of the Agricultural Society of India who have* [illegible] *the Petition for equalizing the duties of East India production, with those of the West Indies and the Mauritius.*

Auley, Wm. Esq.
Barwell, Charles, Esq.
Bagshaw, R. J. Esq.
Bell, John, Esq.
Bonorjee, Rada Madub Baboo
Bonerjee, Nobokrishna Baboo
Bonerjee, Ram Gopaul Baboo
Bonerjee, Obeychurn Baboo
Brightman, John, Esq.
Bhose, Juggernauth Baboo
Blaney, R. E. Esq.
Cantor, C. A. Esq.
Cantor, J. D. Esq.
Currie, J. A. Esq.
Chowdry, Rajkissen Baboo
Colquhoun, Sir Robert Bart.
Cockerell, R. H. Esq.
Dobbs, Archibald, Esq.
Dunlop, Lieut.-Colonel V. P.
Deb, Radacanth Baboo
Donnelly, A. F. Esq.
Egerton, C. C. Esq.
Earle, Willis, Esq.
Graham, Dr.
Hare, David, Esq.
Harding, B. Esq.
Hurry, W. C. Esq.
Hastie, John, Esq.
Hodgkinson, G. F. Esq.
Hamerton, W. H. Esq.
Inglis, H. S. Esq.
Jenkins, F. Esq.
Kyd, James, Esq.
Kassiprasad Ghosh Baboo
Low, H. M. Esq.
Lyal, J. N. Esq.
Macfarlan, D. Esq.
Manook, M. M. Esq.
McQueen, Revd.
Martin, C. R. Esq.
Muller, A. Esq.
Mootee, Lal Bienauth Baboo
Mullick, Cossinauth Baboo
Marshman, Revd. J.
Marshman, Jno. Esq. *junior*,
Masters, W. Esq.
Nicolson, Simon, Esq.
Parker, H. M. Esq.
Plowden, T. Esq.
Pattle, James, Esq.
Patrick, William, Esq.
Prinsep, Charles, Esq.
Prinsep, James, Esq.
Richards, J. Esq.
Robison, C. K. Esq. V. P.
Swinhoe, J. Esq.
Saunders, R. Esq.
Sen, Ram Comal Baboo
Steel, Captain
Smith, J. D. Esq.
Smith, Samuel, Esq.
Seppings, J. M. Esq.
Storm, William, Esq.
Stong, F. P. Esq.
Trebeck, Charles, Esq.
Tohower, Jung Nawab Bahauder
Togore, Dwarkanauth Baboo
Tagore, Canny Lal Baboo
Tagore, Pursoonoo Comar Baboo
Turton, T. E. M. Esq.
Wallich, Nathaniel Dr. V. P.
Willis Josesph, Esq.

[*Bengal Hurkaru.*

## MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society, held at the Asiatic Society's Apartments, February 7, 1835.

Before the commencement of the regular business, one of the sets of Lithotrity instruments, lately sent out by the Honorable the Court of Directors, with the Lithotrity Bed, and percussion apparatus complete, was exhibited to the Meeting by permission of the Medical Board. John Allen, Esq., Surgeon, 10th Regiment N. I., was proposed as a Member of the Society, by Dr. Mercer and Mr. Hutchinson.

Letters were read from Assistant Surgeons A. Keir, M. D., D. McNab, M. D., and Simon E. G. Young, Esq., (the latter of the Madras service,) requesting that their names might be withdrawn from the list of Members of the Society; which was accordingly done.

A letter was read from Dr. Wallich, presenting some seeds sent round from Singapore by Mr. G. J. Gordon. The seeds are said to be in general repute at that place for expelling Lumbrici, or Ascarides.

The name of the plant, which is said to be a native of Java, is Sussung Aroos. Mr. Assistant Surgeon Oxley, who would appear to have brought the medicine to the notice of Mr. Gordon, speaks of it in the following terms.—" Numbers are bad, but those that have kernels, I pound, and give in a little jam or honey, the dose may be as large as you can get a child to take; but I believe four or five good nuts are sufficient. The natives sometimes eat it by handfuls, so it is perfectly harmless, I have known one dose, discharge without any other medicine given after it, 29 Lumbrici. It is worthy of being brought to the notice of the profession."

According to Dr. Wallich, the seeds are those of the Quisqualis Indica described by Rumphius in his Herbarium Amboinense, vol. 5, page 71. The plant is to be found at Penang, Singapore, and in the Burmese country. It is likewise cultivated with success in the Botanical Garden and Dr. Wallich offered to supply in their proper season, any quantity of the seeds, that might be required for medicinal purposes.

Mr. Twining was kind enough to take charge of the seeds sent round by Mr. Gordon, and to promise the Society a report on their medicinal qualities at a future opportunity.

Mr. Twining's and Dr. Stewart's reports, on Mr. Young's Aceto-spirituous Tincture of Cantharides, exhibited at last meeting, were then read.

Mr. Twining's account of this preparation is extremely favourable. He employed it in sixteen cases, a memorandum of which he annexes.—In his hands the medicine immediately produced the effects stated by Mr. Young, it acted as a rubefacient, if quickly brushed once over the skin, and when the skin was more freely wetted with it, and rubbed for the space of three minutes, vesication, more perfect than that produced by the common blistering ointment, followed in two or three hours.

Though the pain, which follows the application of the tincture is smart, it is transient, and is not felt at the moment of application. In only one instance did it affect the urinary organs, and in that case, in a trifling degree. Among many other advantages, which this preparation possesses, enumerated by Mr. Twining, the precision with which a particular spot can be blistered is not the least. Mr. Twining concludes his report in the following words. " The small space necessary for this remedy in military medicine chests, is of some importance. The blisters in the sixteen cases now alluded to, as well as the quantity required to be applied to the edges of two indolent ulcers, was less than one ounce. It appears to me, that the Aceto-spirituous Tincture of Cantharides is a most valuable preparation, in many cases, superior to the Emplast: Lyttæ, and in no respect inferior to that remedy, which it may entirely supercede."

Dr. Stewart's account is not quite so favourable. He employed it, in six cases of rheumatism, in native subjects. The liquid was applied by means of dossil of Lint or Tow dipped in it, and then rubbed backwards and forwards, for six or seven minutes, by which time, a pungent pain began to be felt. The parts were then left uncovered to dry. In six hours vesicles began to form, which in 8 or 10 hours were quite full of the usual fluid, having the enticle smoothly and uniformly distended.—In Dr. Stewart's opinion, the Liqr. Lyttæ is the most convenient, as well as effectual, and cleanly means, which we posses of producing a definite and certain vesication over joints, and other irregular surfaces, and preferable to any other, when from restlessness, or other cause a patient cannot be got to endure the continued application of blistering plaister.—The Secretary intimated to the meeting, that Dr. Young has been requested to communicate the Formula for the preparation of the medicine.

The following works were presented for the Library.

The 3d vol. of the Journal of the Asiatic Society, by the Asiatic Society.

Du cholera morbus, son seige, sanature, and son traitement, par L. Auzoux, D. M. by Dr. Tytler.

Memoire Sur le Cyanus Ceti, par M. Roussel de Vauzeme, D. M. by the author.

FOR THE MUSEUM.

An urinary Calculus extracted from a boy of 9 years of age by Mr. Egerton and presented by that gentleman.

The following communications were presented at the meeting.

1st. A fatal case of Dysentery, drawn up by James McRae, Assistant-Surgeon.

2d. Fatal case of Tetanus with dissection, drawn up by Mr. Roe, Surgeon H. M.'s 38th Regiment.

3d.—Five cases of blindness, one congenial, and four from early infancy successfully treated by operation by F. H. Brett, Esq., Assistant-Surgeon.

4th. Abstract of forty-nine cases, in which surgical operations were performed during the months of November and December last, by F. H. Brett, Esq., Assistant-Surgeon.

5th. Abstract of fifty two cases, forwarded at different times to the Society in which the operation of Lithotomy was performed by F. H. Brett, Esq.

The whole of the above were presented by the Medical Board.

6th. An account of three cases of disease of the Femoral Veins, by J. Monat, Esq., M. D., H. M.'s 13th Light Dragoons.

7th. Case of stone in the Bladder, successfully operated on by C. Griffith, Esq., Assistant-Surgeon.

The following papers were then read and discussed, viz.

1st. Additional observations on the cure of Hydrocele, by the Iodine injection, by J. R. Martin, Esq.

2d. Case of congenital cataract, successfully operated on by D. S. Young, Esq., Senior Staff-Surgeon, Nizam's Service.

3d. Case of Hydrophobia from the bite of a mountain Squirrel, by W. Dunbar Esq., M. D.

4th. Case of Hydrophobia in an European child, W. Twining, Esq.

Farther experience has given Mr. Martin no reason to think less favorably of the mode of operating in this disease, which he brought to the notice of the profession on a former occasion; on the contrary, in filtration, the great source of danger in the old operation, probably from the quantity of liquid

used, in no case has as yet occurred. In twelve cases of double Hydrocele, Mr. Martin operated on both sides at once, with perfect success, and with no bad consequences. In one case treated by Dr. Graham two ounces of the solution were injected, and allowed to remain for three minutes; it was then withdrawn, with the exception of two drachms. The patient was able to resume his usual avocations in three days, and has continued well ever since. In a patient of Mr. Bramley's reduced to a deplorable degree of nervous debility (Mr. Martin is inclined to think from the use of tobacco) the injection produced a fainting fit; but not the slightest bad consequences followed the operation, and on the eighth day, he was permitted to walk about. In a third case, the Hydrocele extended too near the knees, and contained the enormous quantity of ninety-two ounces of greenish offensive liquid. It was injected with four drachms of the solution, and the patient was quite well in eight days. To Mr. Martin's paper is attached a list of seventy cases, treated principally by Mr. O'Brien, the Apothecary to the native Hospital, from the 9th May, 1834 to the 1st January, 1835.

Mr. Young's patient was a boy about 12 years of age, he knew the difference between day and night; but had no conception whatever of colors; surgically the case offered nothing very new or striking. The first cataract operated on was milky, when the fluid contents of the caupsule, by freely mixing with the aqueous humour became sufficiently diluted to admit the rays of light to the retina, the boy saw the objects around him, and his language and gestures were highly expressive of the delight he experienced from enjoying the first manifestations of a new sense. In seventy-two hours, the whole of the milky fluid had been absorded,—the pupil was clear and black, and contracted powerfully; but the light was so painful and embarassing to the poor boy, that he would not allow the bandage to be taken off for several days. On the tenth day, Dr. Young operated on the other eye, the cataract, which was soft, and cheesy, he cut up, and left to the obsorbing powers of the aqueous humour. In six days, the pupil was black and clear; Dr. Young's experience in this case induces him to concur with Berkely, that the senses of sight and touch, constitute two worlds, which though intimately connected, bear no sort of resemblance to one another; "the tangible world having three dimensions, viz. length, breadth and thickness, and the visible only two, viz. length and breadth. The objects of sight constitute a sort of language, which nature addresses to the eyes, and by which, she communicates information most important to our welfare. As in any language, the words or sounds bear no resemblance to the things they denote; so in this particular language, the visible objects bear no sort of resemblance to the tangible objects they represent." A month after the operation, the boy could tell any color, but if he wishes to be very exact, when asked the name of any object presented to him, he first looked at it, and if he had seen it before, and it had been explained to him, he at once said a book, a stick, or whatever the object might be; but if it were new to him, he would tell the color, and then feel it with his fingers, when should it prove to be any thing he had been accustomed to handle, before he got his sight; he would at *once* name it. At the date of the despatch of Dr. Young's letter, the boy's vision was continuing to improve.

Dr. Dunbar's case of Hydrophobia occurred in a native, and is chiefly remarkable from having followed the bite of a mountain squirrel, which was destroyed, shortly after inflicting the wound, in consequence of being supposed to be in a rabid state. The poor man was bitten on the right forearm, and the disease did not supervene for 3 or 4 months afterwards, at which time no trace of irritation around the wound could be observed. The first symptoms were restlessness to such an extent, that the patient could not remain in one place or posture, sleeplessness, loss of appetite, and a wish to shun society. This continued for a few days, till it was found, he could not swallow. In this state, Dr. Dunbar was requested to see him. And attempt to swallow any liquid, or the agitation of the air, by means of a punkah produced instant convulsions. The man was bled, and an attempt made to bring the system under the full influence of mercury, which Dr. Dunbar seems to think was accomplished; a temporary mitigation of the disease, which was probably the result of great weakness, or the approach of dissolution, took place. The patient ate some native sweetmeat, and even washed his own feet by dashing water on them from his lotah without much inconvenience; any attempt however to appease his thirst was immediately followed by convulsion. He died exhausted with the struggle, between two or three days after Dr. Dunbar first saw him.

Dr. Twining's case of the same disease occurred in a fine European child of 8 years of age. He had not spoken for 24 hours when brought to the hospital. The countenance was expressive of anxiety and terror, the pupils were dilated, pulse 98 soft—the belly compressible, and the skin cool and moist. The child seemed to be quite sensible, and did as desired; but could not speak. He moaned occasionally, and turned from side to side, as if in pain. The case at this time was considered to be one of intestinal irritation. At noon he shudered when raised, that he might take some castor oil, the whole of which he swallowed with eagerness, and considerable exertion. One of the servants was ordered to punkah him, and then he struggled so violently that Hydrophobia was suspected. At 3 o'clock his mother arrived, and said that the child had been bitten about 2 months before, by a mad dog, and that he had been taken to a Surgeon at the time, and the wound excised. On examination an oblong gray scab was found on the top of the right foot, with a lurid redness round it; there was scarcely any swelling or hardness, and no line of inflamed absorbents towards the groin. Some time before, when asked where he suffered pain, he had pointed to the thigh of that side. The child lay with his face to the pillow, moaned occasionally, and if taken hold of to be moved, or if the air of a punkah reached him, the body and upper extremities were convulsed: the lower, however, throughout remained unaffected. The liquor plumbi acetatis was twice exhibited, but the disease proceeded rapidly to a fatal termination, and at 5 o'cock P. M. the child expired.

JAS. HUTCHINSON, *Secy. to the Society.*

*Bengal Hurkaru.*]

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## SUPREME COURT.

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JANUARY 9, 1835.

*A Traversed Case of Joseph Dunnovan* vs. *Rev. Paul De Gradoly.*

This was an action brought by the plaintiff for a breach of contract by the defendant.

Mr. *Thackeray* opened the case.

Mr. *Turton* addressed the Court to the following effect:—That this was an action brought to recover a certain sum of money due by the defendant to the plaintiff for the building of the Roman Catholic Church at Howrah, which had not been completed by the plaintiff owing to his being prevented by the defendant. That it would be proved to the Court how far the work had been done, what number of beams, quantity of chunam and other materials had been supplied; and that as to the defendant being within the jurisdiction of the Supreme Court about

the time the plaint was filed, it would be proved by witnesses that the defendant was seen on that day and several days after in Calcutta; that he had a room furnished in the Parsonage at Moorgheehutta, where he might have slept; and that the Roman Catholic Priests resort to their rooms at the Parsonage as persons in a College do whether they sleep there any night or not. Mr. Turton observed that he did not know if he could prove that the defendant slept in his room at the Moorgheehutta Parsonage, on the night the plaint was filed against him, but he (Mr. Turton) would be able to prove that the defendant was about that time an inhabitant of Calcutta, and if it be proved that he had a domicile, and was seen here about the time it was sufficient to prove the jurisdiction, and the cause might then be tried by his Lordship when it would be proved what was the quantity of chunam, &c. supplied by the plaintiff for the building in question.

Three native witnesses sworn, but from them nothing could be elicited to prove that the Reverend Paul DeGradolay was subjected to the jurisdiction, when the plaint was filed against him. The Reverend Antonia de Santa Maria being put into the witness box, deposed to Fre Paul DeGradolay's having removed finally on or about the 23d May last from his residence at the Parsonage of Moorgheehutta in Calcutta to the apartments intended for the Priest on the Howrah Church premises—to his (the witness's) having gone twice to the Howrah Church across the river, once on the laying of its foundation and once at the opening of it, and to the Church's having been consecrated one or two weeks before, Fre Paul de Gradolay had left him also to the rooms intended as the Parsonage on the Howrah Church premises, being in a fit state to be inhabited when the Reverend defendant is said to have occupied them. The jurisdiction not being proved, Mr. Turton would not proceed further, and the Court nonsuited the case.

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JANUARY 12.

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Judgment was to be given to-day against Ramnarain Mitter and Sumboochunder Dutt, who had been found Guilty of conspiracy, but after a few motions the Advocate-General moved the Court on behalf of Ramnarain Mitter for a new trial, stating his grounds for so doing in a very lengthy address. Some of the principal grounds were, that there had not been sufficient nor even weighty evidence to convict the man of conspiracy; that he (Ramnarain Mitter) together with Sumboochunder Dutt had been found guilty merely on the evidence of Messrs. Auley and Hudson, and the son of Oodychund Dutt, the complainant, in the absence of opposite witnesses; and that if the evidence of the above mentioned had been struck out, the jury would have given a different verdict. The Advocate-General added that he was far from throwing any reflection upon the jury who found the men guilty of conspiracy, or upon their decision, but they ought not to have come and asked the Court what had been proved against the defendants in the absence of witnesses, which he, the Advocate-General, was not then able to call. The learned Judge reminded the Advocate-General that during the trial he did not say it was not in his power to call such witnesses.

Mr. *Prinsep* next moved the Court for a new trial on behalf of Sumboochunder Dutt, stating that if the Advocate-General had had cause to move for it on behalf of Ramnarain Mitter he, Mr. Prinsep, had more on that of Sumboochunder Dutt, against whom the only charge laid to show he was a conspirator, was his having filed an answer to the bill filed in equity against himself and others. Mr. Prinsep observed, that if ever there was a case of conviction without evidence, this is one. The 2 counts in the indictment being nearly the same, viz. that the defendants had conspired to extort money from the plaintiff by filing a false bill in equity, and this charge has not been sufficiently proved.

Mr. *Prinsep* then alluded to the evidence against Sumboochunder Dutt, which amounts only to his having filed an answer to the bill in equity and no further.

The Court observed, that the reason for granting a new trial were well known to the gentlemen of the bar—that as to the two grounds for a new trial being granted, as stated by the Advocate-General, viz. 1st, that the verdict given had been against evidence: and 2dly, that the evidence had not been weighty, the Court could not order a new trial: on the 2d ground, as it rested with the Jury to consider the weight of evidence; and as to the 1st ground, the defendants had in the case in question had good legal advice, and they had no doubt come prepared with witnesses for their defence; and that as to Mr. Prinsep's remarks, there were no ground; for such an order being granted. The Court however granted rule *nisi* to the Advocate-General and Mr. Prinsep, both being in the same cause. Mr. Turton, who was on the opposite side, moved that the defendants pay the costs as is the case when new trials are applied for. Mr. Clarke, on the same side, referred to certain rules, showing that parties moving for a new trial had paid the costs.

The learned Judge left this point to be governed by the practice of the Court.

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JANUARY 22.

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*Ecclesiastical Side.*

Messrs. *Turton* and *Grant* appeared for Ramkissen Collear, who petitioned the Court to obtain letters of administration to the estate of his father Kissenchunder Collear, who died in the year 1818. The Advocate-General and Mr. Clark, were for the sister-in-law of Ramkissen Collear, who put in a caveat against such a petition.

Mr. *Clarke* opened the case by reading the petition of Ramkissen Collear against which the caveat had been put in. The petition in substance contained the following items:—That Ramkissen Collear is the only son, heir at law, and personal representative of Kissenchunder Collear, who died on the 23d November 1818, leaving Bunnoh Bebee the mother of the petitioner, the petitioner and another son (illegitimate), both of whom were very young, and large property. That the said property was made over by the deceased's elder brother Roopchund Collear to the Accountant-General of the Supreme Court, Mr. E. Macnaghten being the receiver. That Bunnoh Bebee, the mother, Roopchund Collear, the uncle, and Ramchund Collear, the brother of the petitioner are all dead, and that there is accumulated from the rents of the landed property of Kissenchunder Collear a sum of Sa. ~~Rs~~ 3,390-10-10. Under these circumstances the petitioner who by the Hindoo law is now the sole heir and representative of Kissenchunder his father, prays to be permitted by the Court to take out letters of administration to the estate of his father. Some affidavits were then read.

The Court observed that the prayer of the petition cannot be granted till the grounds upon which his prayer is made, be proved to be good and tenable.

The affidavit of the petitioner was then read.

Mr. *Turton* addressed the Court at some length in support of the petition.

The *Advocate-General* in support of the caveat objects to the application for obtaining letters of administration as it has been made 16 years after the death of Kissenchunder Collear, and states that sufficient grounds have not been shown for the long silence on the part of the applicant—the only grounds stated in the application being, that at the time of Kissenchunder Collear's deaths, both the petitioner and his illigitimate brother were very young, wherefore Roopchund Collear, uncle of the petitioner and brother of the deceased, became executor to his estate which he made over to E. Macnaghten Esq., and that this Roopchund Collear as well as Bunnoh Bebee and Ramchund Collear, the illegitimate brother of the petitioner, are dead and no executor to the estate has since been appointed. The Advo-

cate-General touched upon some other points in support of the caveat.

Mr. *Clarke* addressed the Court on the above and observed that the caveatrix makes no claim herself, but she merely petitions the Court not to grant letters of administration to an illegal claimant. After some other observations Mr. Clarke read a passage out of a Hindu Law Book entitled the "Dy a bangha," to maintain the grounds of his client, the caveatrix, for opposing the petition.

Mr. *Turton* then re-adressed the Court at great length in support of the petition for obtaining letters of administration.

The Court observed that order for the petitioner's obtaining letters of administration cannot be granted till it be shown that he is next of kin of the deceased.

Mr. *Turton* urged the necessity of the caveatrix proving her own right in order to oppose that of the petitioner or prevent the Court's granting the prayer of his petition. Mr. Turton therefore prayed that the caveat be overruled.

Mr. *Grant* next addressed the Court on behalf of the petition in a neat speech. The Advocate-General re-addressed the Court at some length.

The learned Judge, after some remarks, ordered that citation to the next of kin be issued upon which if no one could prove the illegitimacy of the petitioner, or disprove his right to obtain letters of administration to the estate of his father, his petition would be considered, and as to the payment of costs it would then be decided.

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JANUARY 27—28—29—30.

*Gool Mahomed Khan* v. *Hadjee Ibrahim Jumaul.*

Counsel for the plaintiff, Messrs. Turton and Clarke.

Counsel for the defendant, the Advocate-General and Mr. Leith.

This was an issue to try whether, according to the averment of the plaintiff, the defendant had been connected in the year 1824, in certain mercantile transactions at Bussorah, which the plaintiff had had with Abdoollah Jumaul, brother of the defendant.

From the examination of a horde of witnesses, most of whom were respectable Jew and Mogul merchants, viz. Aga Kurbullie Mahomed, Aga Mahomed Ibrahim, Hadjee Cassem, Aga Abdool Summud, Jasseem, Abdool Hummud, Aga Jaun, Shaik Ibrahim, and others, the Court was occupied three days in coming to a conclusion of the issue, and after the chain of evidence had been gone through, and the Counsel on both sides heard, the Court declared its opinion to-day, that Hadjee Ibrahim Jamaul's partnership as merchant with his brother Abdoola Jumaul in 1824 was not sufficiently established by proof.

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FEBRUARY 2.

After some contested motions with which the Court was occupied till 2 o'clock, the following case came on to be heard.

Johannes Stephen *versus* Edward Kent Hume and James Taylor, Executors to the last Will and Testament of Mrs. Mariam Hume, deceased.

Counsel for the plaintiff Messrs. Prinsep, Cochrane, and Leith.

Counsel for Mr. Hume, Messrs. Turton and Clarke.

This was a demurer on the part of Mr. Hume one of the defendants to answer to the bill filed in equity by the plaintiff against himself and Mr. Taylor (Mr. T. having on his own part answered to the bill as a disclaimer) on certain grounds, one of which is, that he Mr. Hume as an inhabitant of Dacca, (the plaintiff also being an inhabitant of that place) is subject to the Mofussil Law, the prayer in the demurrer therefore is that the bill be dismissed with costs.

Mr. Turton in support of the demurrer addressed the Court at great length which, from the little that could be caught of what fell from his lips, was in substance as follows.—That the plaintiff who is brother of the late Mr Hume has not proved that among Armenians a brother has a right, or is heir at law to his sister's estate.—That the bill filed by the plaintiff, which was to recover possession of certain lands in the Mofussil belonging to the estate of Mrs. Hume, the plaintiff claiming his right to them, should not be held under the following circumstances. That Mr. Hume was not a debtor to the estate. That as the plaintiff and Mr. Hume were both inhabitants of Dacca, the action against the latter as executor to the estate of Mrs. Hume which is in the Mofussil, should have been brought in the Court of that place. Mr. Turton in the course of his address cited many passages from certain law works for maintaining the demurrer. Mr. Clarke, who was on the same side with Mr. Turton, next addressed the Court. Mr. Clarke maintained that as the Armenian Laws are recognised in the Mofussil Courts (in proof of which assertion a report of a certain case was quoted from the Sudder Dawanny Adawlut reports) and as both the plaintiff and Mr. Hume were inhabitants of Dacca they were beyond the jurisdiction of the Supreme Court; and Mr. Clarke stated that he did not know of any case where the Court of Equity had extended its jurisdiction to foreign lands, and that the lands sought by the plaintiff to obtain possession of being in the Mofussil, the case was beyond the local jurisdiction of the Supreme Court. (Here Mr. Clarke quotes a case of certain natives to prove his statement.) Hence Mr. C. argued the Court of Equity does not entertain suits of this nature, and quoted certain reports from law works in support of his argument. After Mr. Clarke was heard, it being 5 o'clock, the further hearing was deferred by the Court, till another day.

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FEBRUARY 4.

*The King on the prosecution of Woodychund Dutt* versus *Ramnarain Mitter and Sumboochunder Dutt for Conspiracy.*

The Defendants being tried at the last Sessions, were found guilty by the Jury of the charge laid against them and judgment being deferred, they were at large on bail till the 1st day of Term, when their Counsel applied to the Court for a new trial on the ground that there had not been sufficient evidence before the Jury against the defendants to warrant the verdict.

The Court having granted the Rule *Nisi* two of the Counsel for the defendants were heard to day.

Mr. Prinsep, who was with the Advocate-General and who appeared for both Ramnarain Mitter and Sumboochunder Dutt, addressed the Court for nearly three hours, and maintained that the evidence before the Jury was not sufficient to prove the conspiracy.

Mr. Osborne, who appeared for Sumboochunder Dutt alone, also dwelt upon there not having been sufficient proof to convict his client of conspiracy with which he had been charged, and having referred to a certain passage from a Law Work he took his seat.

The learned Judge observed that as there had been a good deal of documentary as well as *vivâ você* evidence which had come before the Jury, and which must be considered, his Lordship would refer to them for the purpose before granting any order. The defendants were therefore allowed to be still at large on bail.

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FEBRUARY 5.

*Johannes Stephen* versus *E. K. Hume, or the Demurrer by the defendant—in continuation.*

Mr. *Prinsep*, one of the Counsel for the plaintiff, Johannes Stephen, in addressing the Court to the end that the demurrer be overruled alluded first of all to the bill, which states that the plaintiff claims heirship at law to the estate which consists of a freehold of his deceased sister Mrs. Mariam Hume by

the English law to which he acknowledges his subjection from being a British subject born in the British territory, though of the Armenian nation. Mr. Prinsep, after some remarks, went on to say, that Armenians never recognized their own law by the treaty entered into by their nation and the Honorable Company, and attested by Lord Bathurst, Sir Josiah Child and others; for by the conditions in the treaty the Armenians should have the same privileges as other British subjects of the Crown, viz they were to live, buy, sell, &c., to hold Civil offices, and to enjoy their religion undisturbed. By such a treaty Armenians came and established themselves here, and have since had the same rights as other Christians. Mr. Prinsep, then with reference to lands in the Mofussil, said that the Crown in assuming the territories in India, did not exempt the lands in the Mofussil, and that as regarded the laws there were only *three—one* which is the English law by which all were governed, and *two* which are the Gentoo and Mahomedan laws by which they alone were governed, and he admitted that there were regulations relating to the Mofussil. Mr. Prinsep next referred to a decision of the Court in the late General Martin's case regarding his landed property in Calcutta as well as in the Mofussil, and added that in this case, the Judges had given it as their opinion that the *alien* law affected the property both in Calcutta and the Mofussil. Mr. P. then commented on the case cited from the Sudder Dewanny reports on Monday last by his friend Mr. Clarke in support of the demurrer, by reading a note at the foot of the case by its Reporter, Mr. Macnaghten, which showed that it had not been decided according to the Armenian law, though the then Armenian Bishop had been referred to. A certain case of a Scotchman in regard to lands in the British territory was then mentioned wherein the decision had been according to the English law, and Mr. P. remarked that it would be dangerous if Christians should have different laws to be governed by—the case with Mahomedans and Gentoos being undoubtedly quite different —and that it was impossible to show such a thing as Armenian domicile. As to Armenian laws, they were out of the question, they (the Armenians) not having a kingdom. Going back to the decision in General Martin's case, Mr. P. observed that though the General had been a native of Lyons, but a resident at Oude, he had had an English domicile by reason of his having been a Major General in the King's service and paid by the Honorable Company, and after arguing that Armenians also ought to have no other law but the English to be governed by—mentioned that the plaintiff on the face of the bill declares himself to be a British subject, and his late sister to have been the same, which the demurrer does not deny, wherefore the plaintiff claims under the English law the same right as if he and his sister were born in England. Mr. Prinsep touching upon other points, remarked that the estate in question was that of the deceased's first husband, Arratoon Michael, which had still debts unpaid, the plaintiff's sister not having paid the debts though the estate was ample to allow of it. The estate now is in the hands of Mr. Hume. Mr. Prinsep's address lasted two hours.

The learned Judge observed to him that the plaintiff Johannes Stephen had not shown sufficiently that he was heir at law to his sister's estate.

Mr. *Prinsep* replied that the plaintiff had stated he was the sole brother of the deceased and was the heir at law to her estate, she having left no issue.

Mr. *Cochrane*, on the same side with Mr. Prinsep, next addressed the Court. He quoted a passage from Beame's Pleas in Equity in regard to Heirs at Law and observed that there was not even ground in the demurrer to show that the plaintiff was not the heir at law to his sister. Refering to page 230 of the 2 d volume of the Sudder Dewanny Adawlut Reports, which contains the decision in the Armenian's case already commented upon by Mr. Prinsep, and argues that neither the laws of the Portuguese nor those of the Armenians were applicable to their descendants in the British territories. Mr. C. then quotes the case of Paisley vs. Freeman from 3d Admiralty Reports by Robison, page 29, to show that men are governed by the laws of the country where they may be—and cites another case wherein certain landed property at Garden Reach descended to some Portuguese by the British law which is applicable to all Christians. Mr. C. then adverted to the decree in the year 1822 in General Martin's case, which is unvaried and unaltered to this day, and to the opinions of Sir Charles Grey and the present Chief Justice as to the extent of English law to Christians.

Mr. C. touched upon other points before finishing his address.

Mr. *Leith*, addressed the Court last. He began with an apology owing to the lateness of the time at which he stood, he said he was induced notwithstanding to do so from the known disposition of his Lordship to hear patiently the Council on either side.

The learned Judge remarked that there were some important questions to be considered.

Mr. *Leith* adverted to the evidence of Sir Edward Hyde East one of the former Chief Justices, before a certain committee in England, in regard to the extent of the British law, Gentoos and Mahomedans alone being exempted from it.

The learned Judge observed that all the lands in India belonged to the Crown, but that they were held in trust by the Honorable Company.

Mr. *Leith* reading the 13th clause of the Charter, maintained that the Supreme Court had a right over the Mofussil lands if the party claiming them be within its jurisdiction, and then referred to his own report of a case decided in the year 1830 as regards the lands in the Mofussil, and the saying on that occasion of the present Chief Justice, that it is every day's practice for the Court to decree even for lands in the Mofussil. Mr. Leith referred to certain other reports, and his address not being over till nearly six o'clock, the further hearing in this case was postponed.

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## February 10.

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*Shamlal Tagore and Hurrlla Tagore, executors of Ladlymohun Tagore, v. Collycomar Tagore, Hurrocomar Tagore, and Prosonocomar Tagore, who have survived Chundercomar Tagore and Nundocomar Tagore.*

Mr. *Leith* opened the pleadings.

Mr. *Advocate General* stated the case for the plaintiffs. This was an action brought to recover the sum of ~~Rs~~ 32,000, and interest at eight per cent., under the following circumstances: On the 4th June, at which time the debt became due, Chundercomar Tagore, Nundercomar Tagore, Collycomar Tagore, Hurrocomar Tagore, and Prosonocomar Tagore, the sons of Gopeemohun Tagore, formed a joint and undivided Hindoo family, of which Chundercomar Tagore, being the eldest, was the manager. On that day Chundercomar received for the benefit of Ladlymohun Tagore, of whom the plaintiffs are the representatives, on account of Gorachund Mookerjee and Nimchuro Debee his wife, a sum of ~~Rs~~ 34,532, and of this sum Chundercomar retained ~~Rs~~ 32,000, of course, with the approbation of Ladlymohun, it being understood, that it was a loan to the joint family. The balance of the amount received, viz., ~~Rs~~ 2534, was sent to Ladlymohun, and on the occasion the following paper was addressed to him by Chundercomar:—

'Addressed to your auspicious feet with salutations.

'I send you a check for ~~Rs~~ 2,534, due to you according to our shares, on account of Gorachund Mookerjee, and Nimychurn Debee, and have placed the remaining ~~Rs~~ 32,000 to your credit, on account of which you will receive interest at eight per cent.'

'*To the most worshipful Ladlymohun Tagore, my elder uncle's auspicious feet.*'

In September 1832, Chundercomar died. Prior to his decease Nundercomar died, leaving one son, now of full age, his heir and representative. Colly-

comar, Hurrocomar, and Prusonocomar are still living. Ladlymohun is also dead; and the plaintiffs are the executors of his last will which they have proved in this Court. He (Mr. Advocate General) apprehended, all that he would have to prove in this case, was, that the money was not left in the hands of Chundercomar on his own separate, but on the joint account; and as this would be done both by oral testimony, and a reference to the books, there would be no difficulty in obtaining the Court's decision in favor of the plaintiffs.

The jurisdiction was admitted, and Mr. W. H. Smoult proved, that probate of Ladlymohun's will was obtained by Shamlal Tagore, and Hurrlal Tagore on the 8th April 1833.

*Hurrochunder Tagore, examined by Mr. Leith.* Soorjeecomar, Chundercomar, Nundercomar, Collycomar, Hurrocomar, and Prusonocomar Tagore are the sons of Gopeemohun Tagore. Soorjeecomar died in 1820, Chundercomar died in 1825, and Nundercomar died subsequently. They were a joint Hindoo family, and after the death of Soorjeecomar, Chundercomar was the manager. The witness proved the signature of Chundercomar to the document (A) read by Mr. Advocate General. (*Cross examined by Mr. Turton.*) Ladlymohun had joint property with Mohoneemohun Tagore; they were brothers by the same mother. They had also separate property. Nimychurn Debee was Ladlymohun's sister; her husband was Gorachurn Mookerjee; Ladlymohun had two other brothers, but not by the same mother. They were all sons of Dupnarain, and inherited his property. Ladlymohun and Mohoneemohun were subsequently joint between them, but they were not joint between the other two. The names of the four sons were Gopeemohun, Hurrymohun, Ladlymohun and Mohoneemohun. Chundercoomar was one of the sons of Gopeemohun. Mohoneemohun left two sons, Connylal and Gopaullal, who are now alive in Calcutta. After the death of Ladlymohun, I was manager jointly with Prosonocomar, and brought an action against Shamlal, on an account procured from the books of Prosonocomar. I do not know that Ladlymohun had a set of books for his joint and for his separate estate. (*Re-examined by Mr. Leith.*) Mohoneemohun had zemindaries of his own besides the joint property.

*Dwarkanauth Tagore examined by Advocate-General.* I am well acquainted with Ladlymohun's circumstances. It is twelve or fourteen years since Mohoneemohun died. Some time after the death of Dupnarain, the four brothers separated; Ladlymohun and Mohoneemohun remained joint; that is, they kept their shares of the joint ancestorial property joint, both money and lands, but besides this they had separate books and separate property. I think some money was decreed by this Court which was to have been paid to Gorachand Mookerjee and Nimychurn Debee. The amount was to be paid by Chundercomar. Gorachurn Mookerjee was indebted to Ladlymohun, and the amount decreed to Gorachurn was handed to Ladlymohun, that is to say Rs 2534, by a check on the Commercial Bank, and the sum of Rs 32,000, retained by Chundercomar for which, at my request, he gave Ladlymohun the security (A). The sum was a legacy from her father to Nimychurn Debee, with accumulations, all of which stood to her credit in the joint books of her brothers Gopeemohun, Hurrymohun, Mohoneemohun, and Ladlymohun. Nimychurn's account became indeed to Ladlymohun in consequence of money advanced by the latter to her husband Gorachurn Mokerjee, and it was directed by this Court, that the amount of the decree should be paid to Ladlymohun in satisfaction of what he had advanced. I cannot say whether the money advanced by Ladlymohun was from the joint or his separate account. Chundercomar begged of me to go to Ladlymohun, and asked him to let part of the sum remain with him. Ladlymohun consented, and a part only of the sum (Rs 2,531,) was paid by a check on the Commercial Bank. Chundercomar gave the security for the remainder. Prosonocomar accompanied me to Ladlymohun, and heard what passed. The circumstances were known to the other brothers. It was a mere transfer: no money passed; Gorachurn Mookerjee was credited, and, Chundercomar was debited with the amount in the books of Ladlymohun; but I cannot say whether it was in the joint or separate books. They gave credit to Ladlymohun in the joint books of Chundercomar, but I have never seen the entry. It was by desire of all the brothers that I made this arrangement. I had no conversation with Nimychurn Debee at that time. She and her husband claimed something from Mohoneemohun; but if the money advanced to Gorachurn was from the joint account of Ladlymohun and Mohoneemohun, then the latter would be a creditor. (*Cross-examined by Mr. Clarke.*) If the money was advanced to Gorachurn Mookerjee from the joint account of Ladlymohun and Mohoneemohun, the amount transferred by Chundercomar would be placed to the credit of Nimychurn Debee in the joint account also. My impression is, that it was a joint transaction, but it will appear from Ladlymohun's books which are in the possession of Shamalal. The money was Nimychurn Debee's. Her husband had a large salt speculation which turned out very bad. A woman cannot come out and deal in salt, but whatever her husband did she was consulted. I know that because I had conversed with her regarding his transactions. (*Re-examined by Mr. Advocate-General.*) I think this salt speculation was after the death of Mohoneemohun. A paper was found with the will of Mohoneemohun concerning it. This paper is either in the possession of Ladlymohun's or Mohoneemohun's representatives.

Notice to produce the books of Chundercomar was admitted.

*Connylal Tagore examined by Mr. Leith.* My father, Mohoneemohun, died 1st Bysack 1226 (April 1819.) I have only one brother; he is younger than I am; I am the manager of the family. I do not know any of the particulars of this transaction; I was very young at the time it occurred. (*Cross-examined by Mr. Turton.*) Ladlymohun was the executor of my father. The joint books are in the possession of Shamlal and Hurrlal; I have seen them, but I cannot say from recollection it the sums advanced to Gorachun Mookerjee are in the joint or separate books.

Dwarkanauth Tagore was recalled for the plaintiffs, and Mr. Advocate General inquired if he had had any conversation with defendants regarding this transaction. Mr. Turton objected to this question, the witness having been examined and cross-examined, and having been in conversation with plaintiff's council since he left the box. Mr. Justice Grant inquired if Mr. Advocate General had put any question to the witness regarding the trial; the latter replied that Dwarkanauth, in conversation, had merely asked if he might go away, to which he had answered that there was a question in his brief which he had forgot to put. The objection was overruled.

*Dwarkanauth Tagore re-examined by the Advocate General.* I have conversed with Prosoncomar regarding this action: agreed with me that money ought to be paid; but said that he could not get his brothers to consent. (*Cross-examined by Mr. Turton.*) I have heard since I came into Court that the entry was in the joint books.

*Rajkissno Mookerjee examined by Mr. Leith.* I am the son of Nimychurn Debee and Gorachurn Mookerjee; the latter is dead. I know something of the money transactions between my father and mother and Ladlymohun Tagore. The money was received both before and after the death of Mohoneemohun. When my father and mother wanted any money they obtained it from Ladlymohun,—on one occasion to speculate in salt. I am not aware how the accounts stand between the representatives of Ladlymohun and us, but I think if a balance were struck between the representatives of Mohoneemohun and us, the account will be in our favor.

*Cross-examined by Mr. Clarke.* I cannot say how much the balance would be in our favor. The legacy to my mother was received on the joint account of the four brothers. What my mother received was on account of that legacy, and she got it on the joint account. My mother has yet to receive an account of the legacy, and what she has to receive is not due from the joint account of Ladlymohun and Mohoneemohun. What she has to receive is from the descendants of the latter.

This was the case for the plaintiffs.

Mr. *Turton* submitted for a non-suit on the ground, that it did not appear on the evidence on what account the sum was due, and there was no proof whatever that the advances were made by Ladlymohun on his seperate account, whereas it was necessary to be shewn whether the amount was to be received on the joint or separate account.

Mr. *Advocate General* replied, and Mr. Justice Grant thought there was not sufficient to shew what that the advances were out of the joint fund to warrant a non-suit.

Mr. *Turton* then addressed the Court for the defendants, and strongly urged, that the evidence was in favor of the advances having been from the joint estate. The learned Counsel in support of his argument put in several extracts, from the books of Ladlymohun, and in proof that in 1821, Nimychurn Debee was treated as a debtor on the joint accounts.

Mr. *Hedger*, the plaintiffs' attorney, was examined at great length, but his evidence was chiefly as to the production of books and papers referred to by Mr. Turton.

Mr. *Justice Grant* in giving Judgment said, it did not appear what the accounts put in by the defendants were. There were no explanations offered in evidence, and they were kept differently from European accounts. If the items were followed up it would be found that Nimychurn, from being a debtor on the estate at last becomes a creditor of it, and this was contrary to the oral evidence. Besides the accounts were in the name of Nimychurn Debee alone, and the name of her husband Gorachurn no where appeared, so that it would seem a distinct and separate account with her and the joint estate. He thought defendants had failed to show, that the sum advanced was out of the joint funds; and that the evidence given is simply as to a sum of money advanced by Ladlymohun, and an admission in writing to that effect by defendant's brother Chundercomar. *Verdict for the plaintiffs.—Englishman.*

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## February 13.

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*William James Kenderdine* v. *David McFarlan and Thomas Hoseason, Esquires.*

Mr. *Clarke* opened the pleadings.

Mr. *Turton* stated the case for the plaintiff. This is an action brought to recover damages for false imprisonment against the defendants who are both Magistrates of Calcutta. The cause arose out of a commitment under the apprentice laws, if it was under any laws at all, which he contended it was not, and the circumstances are as follow:—The plaintiff was an apprentice to Messrs. Jessop and Co., if an instrument which he held in his hand could make him so, but if that was termed an indenture, it was the most irregular one that he had ever seen in his life. But he would not go further into that subject, but proceed on the broad principle that the laws relating to apprentices do not apply to this country, and that the defendants had assumed a power of imprisonment in a case in which they had no jurisdiction. However he might say this much;—one of his objections to the deed of apprenticeship was, that it was not signed by the father of the boy, but by another person, who did not appear to have any authority. It was possible that person might have authority, but whether he had or had not, the deed was not a valid one. Some little time after the boy had been at Messrs. Jessop and Co.'s in consequence of some family disputes, he withdrew himself from the house of his father, and it was arranged that the latter should allow him something for maintenance, for the notable apprentice deed contained no provision whatever for that purpose. The father after continuing this allowance for sometime afterwards refused and abandoned the arrangement, but in consequence of Jessop and Co. threatening to cancel the boy's indentures unless some provision was made for him, it was agreed that the father should pay 50 Rs per month, and Rs 100 at the end of every year for clothing, and accordingly fifty rupees per month was paid regularly for about three months, but in January, 1834 the payments were stopped entirely. Some circumstances, however, which occurred shortly afterwards, induced the father of the boy to agree to a payment of thirty six rupees per month, and Mr. Jessop undertook to allow thirty-two rupees per month, making the whole sum sixty-eight rupees for the boy's maintenance, which was paid for some time to a friend of his mother with whom he was residing. This continued for four months, when the father again discontinued the payments, and intimated that the boy might live in the best way he could. The plaintiff wrote to Jessop and Co. in September last, informing them that four monthly bills against his father remained unpaid, and that if the arrears were not discharged he would not attend his employment after the end of that month, Jessop and Co. refused to pay the arrears, and on the 1st of October the plaintiff absented himself. He (Mr. Turton) understood it would be said that at this time some attempts were made by Captain Johnston to seduce the boy from the employ of Jessop and Co. but if anything were said on that subject, he was fully prepared to disprove it, and to show that there was no attempt on the part of the boy to leave his employment until they refused to continue the allowance. On the 2d of September the boy received a summons to attend the police office, whither he went and saw Mr. McFarlan, Mr. Hoseason, before whom he was to appear, having left the office. In consquence of Mr. Hoseason's absence nothing was done that day, on the following day Mr. Hoseason thought the presence of the father was necessary, and the latter being unable to attend, the proceedings were postponed to the 6th of that month. He would here observe that he wished to lay the case plainly and simply before the Court;—that he only asked for reasonable damages, and that he did not impute improper motives to the defendants, further than this, that it was a hasty proceeding and not much to their credit. On the 6th of October the plaintiff attended at the office of the Magistrates, and Mr. Thompson his solicitor, brought to the notice of the magistrates that the statute 5th Elizabeth did not, and could not, extend to this country, and that consequently the magistrates could not interfere and had no jurisdiction. Mr. McFarlan took some time to consider the objection, but Mr. Hoseason said he did not care a d——n for the law on the case, if his heart only told him he was acting rightly. Now this language might appear to greater advantage coming from a profession to which Mr. Hoseason formerly belonged; it might be good quarter-deck law, and that he might consider suitable for the occasion, but the mode in which the magistrates conducted their proceedings, made it appear that they wished to dispense with law altogether. Mr. Hoseason at the same time indulged in some other reflections, and after asking Mr. Thompson if he was a Reformer, said that the latter's objections as to the jurisdiction savoured of radicalism, and that it, and similar quibbles, originated in the passing of the Reform Bill. So that according to Mr. Hoseason, we must damn the law and praise the Apprentice Bills. This was followed by the plaintiff being sent to jail for thirty days. Mr. Thompson told the magistrates that it was the intention of the plaintiff to apply to a higher tribunal for his release, and at the same time begged them to consider that as the Doorgah Poojah holidays commenced on the next day it would be impossible for the plaintiff to take

measures for procuring a writ of habeas corpus, and that, consequently, he would have to remain in jail eight or nine days without a possibility of obtaining any redress during that time. To this Mr. Hoseason replied, that the boy richly deserved to go to jail, and when Mr. Thompson inquired how Mr. Hoseason would like to experience similar treatment, the latter replied, "why, very well, if I had been guilty of similar conduct." Now he (the learned counsel) begged the Court to recollect that if this imprisonment was contrary to law, it was committed at a time when it was felt with tenfold severity.

Mr. *Justice Grant* said, that there was nothing to prevent the obtaining of a writ of habeas corpus on the next day, and he could not permit an assertion to the contrary to go forth uncontradicted.

Mr. *Turton* said, at all events the imprisonment was inflicted at a time when difficulties existed in the way of obtaining a writ of habeas corpus, which ought to have deterred the magistrates from exercising a doubtful jurisdiction. He admitted a writ might have been obtained, but the Sealer and the writer would both have had to have gone to the judge's residence, and then three days must expire before the return could be made. However this was a digression, and the fact whether the writ could or could not be obtained, at that time, was quite unnessary for the purposes of this action. The plaintiff was committed, and placed on the misdemeanour side, in a cell, having a small door through which access was had to it, and in this situation he was found by Mr. Thompson the next morning, when the jailor refused to remove him to the debtor side without an order from the sheriff. When this order was obtained he was removed, and through Mr. King the jailor had afforded him every indulgence, still it could not be supposed that the delicate health of the plaintiff was at all improved by a confinement in a dungeon, for one night, in the rainy month of October. He (Mr. Turton) did not think that Mr. Hoseason intended the plaintiff to be confined in a cell of this description, on the contrary he had no doubt the magistrate would have freely given him all the comforts (and those are not a few) which his own house afforded. The writ of habeas corpus was obtained on the 17th of October and the boy was discharged on the 22d of the same month. The warrant by which the prisoner was committed did not contain the conviction, and up to this date there had been no conviction drawn out, nor was the boy furnished with the grounds of the complaint against him, therefore it was quite impossible to rest the defence on the conviction of the party. After the boy was discharged he went to Mr. Webster, one of the partners in the firm of Jessop and Co who took him by the hand, and said that he had no fault to find with him, and afterwards he obtained employ from Captain Johnston, and has since received for his services at the rate of Rs. 125 per month. Was this acting wrong? With a full knowledge that his indentures were invalid he offered his services to his former employers at a salary less than he could obtain elsewhere. He did not ask for vindictive damages because he believed neither of the defendants had acted from hostile or improper motives, but he asked for some compensation for the seventeen days' imprisonment, and for the expense which his client had incurred in consequence of this illegal proceeding. The costs amounted to Rs. 494, and it did appear to him that the least they who had imprisoned the plaintiff illegally could have done, would have been to have tendered that amount, as some small amends for having done that which the law will not justify, however the magistrate's heart might.

Mr. *John King*, the keepr of the great jail, after proving the warrant, and Mr. McFarlan's and Mr. Hoseason's handwriting, deposed as follows:—The plaintiff was in my custody in October last. On the first night, he was lodged on the misdemeanour side, in a single room on the ground floor, well raised, but without glazed windows. His servant could not have access to him. Mr. Thompson applied to have him removed to the other side, but this I could not permit without an order from the sheriff. On the next day an order was obtained for that purpose and he was removed. I saw him the morning after he was brought to prison, he appeared much distressed, I thought his constitution was delicate. He remained in prison till the 22d of October, when he was liberated. (Cross-examined) I think the apartment he was first placed in is comfortable. It is perfectly dry, and I never heard that it was unhealthy.

*Sir Edward Ryan* said, that line of examination need not be adopted as counsel had laid no weight in his opening on the one night's imprisonment on the misdemeanour side of the jail.

Mr. *William Thompson*, plaintiff's solicitor, deposed as follows:—I attended with the plaintiff, at the police office, on the 2nd October last. Mr. Hoseason had left the office, and one of the sergeants refused to permit the plaintiff to depart. I saw Mr. McFarlan and undertook that the boy should appear on the next day, at the same time explaining that we had counsel's opinion that the magistrates could not exercise their jurisdiction in the case. I attended with the boy next day, and repeated the same to Mr. Hoseason, and after waiting about two hours for Mr. Webster, who it appeared had been there, the magistrate said he would require the attendance of Mr. Kenderdine senior. On the next day Mr. Hoseason said he had received a letter saying that Mr. Kenderdine would not be able to attend until the 6th. I advised the magistrate to consult counsel as to the jurisdiction and mentioned the name of Mr. Cochrane. As I knew that gentleman and the magistrate were related, I thought he might perhaps give his opinion gratuitously. Mr. Hoseason treated me very civilly but his opinion seemed to be against my client. On the following Monday I attended again, and directed the attention of the magistrate to the signature at the foot of the indenture, 'Joon Cearns, of the Marine, for D. Kenderdine.' One of my objections was founded on that signature. Mr. McFarlan was called in to assist in the investigation. Several questions were put to Mr. Webster, but they were not reduced to writing. Mr. Kenderdine's deposition was the only one taken in my presence. I stated to the magistrates, that the statute of Elizabeth did not extend to this country, and that Mr. Webster's remedy, if he was aggrieved, lay in civil process. Secondly, that the deed or article of apprenticeship was executed by a party who had no legal authority to execute such an instrument, and that consequently, the deed was invalid and inoperative against the present plaintiff. I had a further objection viz. that the plaintiff was described as William Kenderdine, whereas his name is William James Kenderdine,—but I did not rely much on that. Mr. Hoseason was decidedly of opinion that the articles were binding, and Mr. McFarlan coincided; the latter appeared to have some doubts as to the jurisdiction, but the former had none. Mr. McFarlan retired, and after consulting Burn's Justice returned, and said the boy must go to jail for thirty days. I said it was a very hard case; we had been advised that the indenture was invalid, and the boy would have to remain in jail eight or nine days in consequence of the holidays preventing an application for a writ of habeas corpus. Mr. Hoseason replied, it would serve the boy right.' I asked him if he did not consider it a hard case, and how he would like to be sent to jail under similar circumstances. He replied 'why, very well, if I had acted as he has done.' He added, laying his hand upon his heart, that he did not care a damn for the law, if his heart told him he was acting rightly; that the objection was a quibble originating out of the passing of the Reform Bill, and asked me if I was a reformer. The plaintiff was committed to jail at three o'clock; it was an inclement day and the night was the same. I saw the place where he was confined. I should not like to be placed there for comfort. I saw the boy next day, he appeared much distressed and his eyes were swollen. The expense of the whole proceedings is Rs 494 which includes the

taxed bill of costs amounting to 388. (*Cross-examined.*) There was one regular hearing only at the Police Office. Mr. McFarlan retired for about half an hour to consider the question as to the jurisdiction. I believe there was no legal or regular conviction.

Mr. *John Webster*, of the firm of Jessop and Co., deposed that the plaintiff received thirty two rupees per month from the firm, and that his work was not worth more than sixteen rupees. Witness had been informed that the boy now received Rs. 150. (*Cross-examined.*) The boy knew nothing when he first came to us: whatever knowledge he has now he has acquired in our employ.

Mr. *John Reedie* proved that plaintiff is now in the employ of Government and receives Rs. 125 per month.

The warrant, writ of habeas corpus, and return, were then put in: this closed the case for the plaintiff.

Mr. *Advocate General* for the defence, took the liberty of suggesting that if any doubts should arise as to legal points, the court would allow them to be argued at a future time. When he was cross-examining the first witness, one of their Lordships was of opinion that the case had been made out consistent with the opening, but it had appeared to him that the declamatory style of his learned friend,—used for what purpose he knew not,—certainly not with a view to influence the Court,—and yet his friend was not in the habit of throwing it away for nothing,—was not borne out by the evidence. His friend had spoken of 'the dungeons of a prison,' and when such words were used it did not appear to be improper to show that the apartment in which the boy was confined for a whole day was a lower room, raised two feet from the ground. The time the confinement lasted appeared to have been seventeen days, the two last of which, according to his friend's admission, were entirely in consequence of their not applying earlier for the writ of habeas corpus. He supposed his friend considered two day's imprisonment not of much importance; there was no difference; the two first were the same as the two last, and the boy might have been released on the second day, if they had applied to the judge for a writ of habeas corpus on the second day as they had done subsequently. Now as to the merits of the case: the boy, three or four years ago, entered the service of an iron founder, and an agreement was executed which it is said is not valid, from this it is inferred that the boy ought not to stay with Jessop and Co. but the moment he has acquired a knowledge of his profession at the expense and trouble of his master, he is to leave and obtain employ elsewhere. He had always understood that, in the first instance, as there was no benefit derived by the master when the apprentice was uninstructed, the latter part of the time was to remunerate him for the former. Such was the equity of the case, and it is quite clear, whatever is said, such the understanding on the part of the master, and of the boy also, until better informed on the law. It is quite clear the boy refused to work;—that he was brought before two magistrates, and the latter, according to the custom prevailing and established here, sent the boy to prison using the common form of warrant on the occasion.—That it was the common form of warrant he would show by a book of no common authority.—It had this difference only, that the boy might be set at liberty on finding security to return to his employment. He mentioned this merely to show there was nothing harsh or hostile in the proceeding of the magistrates. It was true the parties were attended at the police office by an attorney, who gave his opinion as to the validity of the agreement, but he did not know that the magistrates were bound to take his opinion of the law; he did not know because of the attendence of an attorney, they were not to use their own discretion; nor did he know if that was the most competent tribunal to consider the validity of the agreement. It was however before the Court in evidence that the magistrates had paid attention to the attorney's suggestions, and that one of them had retired and endeavoured to satisfy himself as to the extent of the jurisdiction. If they erred, if they founded their belief on that which is not founded on law, it was but an error in judgment, and an error in judgment in a magistrate or judge is not a ground for damages or for an action. As to the jurisdiction not extending to apprentices in this country he would endeavour to shew it did. What are apprentices in England? They are not made by Act of Parliament, but owe their existence to common law.

Mr. *Justice Ryan*.—But the question is here not as to the common law, but as to the power of the magistrates.

Mr. *Advocate General* cited *Attorney General* vs. ——2 *Meridith*, and argued that such English laws were imported into this country as were not unsuitable to the land. There was nothing in the customs of this country to prevent an Englishman taking an apprentice and giving him instruction in his trade; the custom had been recognized here a long time; it was not merely recognized by custom but established by a regulation of Government relating to the Orphan School, and which regulation has been sanctioned by the Supreme Court.

Mr. *Justice Ryan*—That relates to apprentices in the sea service.

Mr. *Advocate-General*—But it proves that apprenticeships are suitable to this country. As to the power of the magistrates: he need not tell the Court that magistrates were formerly in England the mere creatures of the common law, *conservatores pacis*, and that it was not until the reign of Edward III. they derived their power from acts of Parliament or the King's commission. In either case, where they were recognized as Justices of the Peace in England which do not militate against the habits and institutions of this country. Under the statute 5 *Eliz. c.* 4 *s.* 35, 37, justices may vacate indentures or punish the apprentice. Was this statute conferred on this country?—That might be for further argument.—He remembered he was at *nisi prius*. Now was Mr. McFarlan right? He said he was. But whether or not, was this question for damages? In this case the boy had received all his instruction from the master, and then, at the time he knows he can get more money from another person, finds a flaw in the agreement, and refuses to attend his employment. He would not enter into the question whether the indentures is regular or not. He saw it was signed for the father and how any one could say it was irregular he did not know. There was no evidence that Mr. Cearns had not proper authority, and at all events, the police office not being the fittest place for an inquiry as to its validity, the magistrates were not bound to take the signature into consideration. The witnesses had proved beyond all doubt no hardship had been inflicted. It was true, the plaintiff had been in prison eighteen days, sixteen days of which he remained there at his own choice, for, as the Court had observed, a writ of habeas corpus might have been obtained on the second day of his imprisonment. What has the boy to complain of? What have the magistrates done? It is shewn that the boy violated his agreement, and the magistrates acted as they would have done as Justices of the Peace in England. It was evident no harshness existed on their minds; on the contrary they altered the form of the commitment in order to give the boy liberty on finding bail. In order to entitle the plaintiff to damages, it must be shown that he has suffered some grievance, and that there was some improper motive existing on the minds of the magistrates, but that the latter should be liable for damages to one who has had no more than he deserves is a new doctrine altogether. By a Regulation of 1814 it was provided that if any person leaves his contract."——

Mr. *Justice Ryan*—That is for Journeymen workmen and labourers.

Mr. *Advocate-General* understood the term "journeymen," to mean a worker by day, and if the boy was not as it was argued, an apprentice, the magistrates were right in considering him a journeyman or labourer.

Mr. *Justice Grant*—But how is this infant to contract !

Mr. *Advocate-General* supposed the contract could be made under the Apprentice Laws, and urged the Court, if it considered the case to be one of doubtful jurisdictiction to afford an opportunity for having it further argued. As to the question of damages, the Court would recollect that no injury was inflicted on the boy, and that no improper motives, no personal feelings, were attributed to the magistrates.

The *certiorari* and the return of the writ of habeas corpus were put in for the defence.

Mr. *Henry Holroyd*, Clerk of the Crown, proved that no further steps had been taken on the writ of *certiorari* since it came into his office. (*Cross-examised*) No conviction was returned.

Mr. *Turton* said, his learned friend had, in his address to the Court, told them one thing which he was not exactly aware of, viz., that he had used a declamatory style in addressing the Court, but his friend had left the facts of the case just as he had found them. He had, however, done this much besides,—if the Act of the Parliament extended to this country, he had proved there was no conviction under it. No conviction had been put in, and on that ground his client was entitled to a verdict. Further, he would remind his friend that when a magistrate convicts under one Act of Parliament, he may not justify his conduct under another. His friend had said the plaintiff had "got nothing but what he deserved." Now Mr. Hoseason, who he had known for many years, and who was as straightforward a man as any he ever knew, would no doubt remember, the next time he acted from his heart and not from his head, that he had the authority of the Advocate-General of the East India Company for doing so. The magistrates intended to do their duty no doubt; but when they found they had acted illegally they ought to have made some small amends; for he thought neither of them would say, a man according to the laws of England ought to receive an injury without also receiving some amends for it. He was astonished to hear his learned friend say that the plaintiff had suffered two day's imprisonment which he had avoided, and that it was of no importance since the two first days were the same as the two last. They were not the same; the disgrace and annoyance belong to the early part of an imprisonment, for after a time, the mind becomes habituated to both; and as for the "lower apartment" in the great jail, he would venture to say if his friend were to exchange his own comfortable house for that lower apartment, he would be in a more fretful humour than he was at this moment, though, perhaps, his friend's philosophy might enable him to support himself better than the boy who was found by his solicitor with swollen cheeks the next morning.

*Chief Justice.*—This is an action of trespass and false imprisonment, to which the defendants have pleaded the general issue only. Under that plea they could have put in the conviction, and that alone while it stood would have been a sufficient defence and would have entitled them to a verdict. There is no question of hardship here, and we do not go either into the question whether the apprentice law extends to this country, or into that of the valid execution of these indentures. The real question before the magistrates was, whether the apprentice should receive any and what allowance from Messrs. Jessop and Co. Now it is quite clear they were not bound to allow any thing towards his maintenance, and his father appears to have taken it upon himself. But the magistrates have not put in any conviction, and indeed none was drawn up, for it is impossible to look upon Mr. McFarlan's loose memorandum on the back of an affidavit as such. There must therefore be a verdict for the plaintiff. As to damages, he has proved an expence incurred of between 4 and 500 Rs. That we must give him of course. But we think, we must give something beyond that, and on this ground we think it right to mark our sense of the neglect of the magistrates to draw up a conviction in due form. It is an erroneous practice, and must not be continued. The party has a right to have a formal conviction, which he may remove, and have revised and considered in a Superior Court. On this ground, and to mark our opinion upon the course adopted by the Magistrates, we think it right to give 500 Rs. more. The verdict must be for Sa. Rs. 1000.

Mr. *Justice Grant.*—Agreed in both counts as to the verdict.—*Englishman.*

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## February 16.

*Henry McKellar* v. *Dwarkanauth Tagore and others.*

Mr. *Prinsep*, on Saturday, moved for an injunction against Dwarkanauth Tagore to stay proceedings commenced against complainant in the Court of King's Bench at home. The learned counsel moved on the affidavits of Thomas McKellar, William Greenaway, John Vanthart, and Goberchurn Chuckerbutty, which were in substance as follows:—In September 1832, the complainant, in consequence of an application through Dwarkanauth Tagore, lent the firm of Mackintosh and Co. Rs. 50,000 on a promissory note, due in four months, and on an agreement made with Dwarkanauth, that if complainant required that amount before the expiration of four months, the firm would discount the bill. In December, 1832, complainant being about to return to England, indorsed the bill in blank and sent his sircar, Gobinchurn Chuckerbutty, to Mackintosh and Co.'s to get it discounted. The sircar took the bill to the office and gave it to Mr. Storm, whom he found at his desk in conversation with Dwarkanauth, and who gave the bill to the latter telling him to give the cash for it. Dwarkanauth Tagore retired into the cash department and gave the sircar the cash, and Mr. Kellar returned to England with an impression that the bill had been discounted by Mackintosh and Co. At the time this transaction occurred it is sworn that Dwarkanauth Tagore was the banian to Mackintosh and Co.;—that he was a partner with that firm in the Commercial Bank—that the business of the Commercial Bank was conducted on the premises of Mackintosh and Co. the firm having no other department for their cash transactions, and the whole of their money transactions being managed by the Commercial Bank. In January, 1833, the firm of Mackintosh and Co. stopped payment, at which time it is sworn by Mr. Vanthart there was a sum of Rs. 83,000 due by the Bank to the firm. They have since been adjudged insolvent, and Dwarkanauth Tagore, the solvent partner in the Commercial Bank, alleging that the Bill was discounted by the Bank and not by Mackintosh and Co. has handed the Bill to Baring, Brothers and Co., his agents in London, and has commenced an action in the Court of King's Bench for the amount.

The Court granted an order *nisi* about 12 o'clock on Saturday, although it was at the same time intimated that they thought the affidavits put in on behalf of complainant contained a good ground of defence at common law. On Saturday, after the Court had granted the order *nisi*, defendant filed a demurrer which stayed the officer from drawing the order up, and on Monday a notice was served by complainant's attorney on defendant's attorney that he had not had his order *nisi* drawn up.

Mr. *Turton* argued, as a demurrer had been filed, and as the order had not been obtained, he was entitled to have it put out of the way; and moved that the Register be ordered not to draw it out, and that complainant pay the costs.

Mr. *Prinsep* allowed that the order must be discharged, it being the established practice not to draw out the order after the demurrer is filed. But as to the question of costs this was an instance of sharp practice which the Court would not encourage, moreover defendant now came in on the original affidavits and not according to rule on the office copies of them; and that, if defendant was to be considered as coming in upon the application for the rule *nisi* to oppose it, that these affidavits could not have been then had

and ought therefore to be put aside altogether. The learned counsel urged if defendant wanted strict practice he ought to follow strict practice also.

The Court decided that the question of costs should rest on the merits of the application, and that defendant should be put in the same position as if he had come in *instanter* to oppose the rule on Saturday.

Mr. *Turton* put in the affidavit of Mr. Storm, a partner in the insolvent firm of Mackintosh and Co. which set forth:—That Dwarkanauth Tagore never was the banian of the insolvent firm, but a partner in the Commercial Bank, in which various other persons at different times had been partners.—That the fund of the Commercial Bank were separate from those of Mackintosh and Co. and the business conducted in a separate apartment.—That to the best of deponent's belief the note in question was given, in renewal of a former note, in September 1832, at which time complainant was desirous to have it renewed for three months, but the firm objecting the note was ultimately given for four months. That when Chuckerbutty brought the note to Mackintosh and Co.'s in December, 1832, deponent, never having heard of an agreement to discount it, refused to do so, and did not direct Dwarkanauth Tagore to discount.—That the note could not have been discounted by the firm without deponent being aware of it, he having the management of the cash department.—That deponent as a partner in the Commercial Bank might have desired Dwarkanauth to discount the bill, but he had no recollection of such circumstance. The learned counsel urged that if the bill had been discounted by Mackintosh and Co. the initials of one of the firm would appear, whereas on the face of the bill it appeared a transaction of the Commercial Bank. Further, it appeared from an extract of a letter from complainant to Mr. Greenaway, and now put in with the affidavits on the part of complainant, that he was about to apply at home for a commission to examine witnesses in this country, and it did not appear that the deponents had any instructions to make this application. There was nothing before the Court to show that the case had not been already decided in England where Mr. McKellar resided, and where it was more convenient that it should be heard.

Mr. *Prinsep* argued that all the evidence, and all the accounts, being in this country, it was evident complainant could not obtain justice at home; and that the affidavit of Mr. Storm was not sufficient to stay the injunction, there being no affidavit from Dwarkanauth Tagore himself.

The Court were so far with Mr. Turton that they would not have granted an injunction, as complainant might have filed his Bill in England, and upon it might have applied for a commission to take the defendant's answer here, and also, if necessary to examine witnesses in this country; and the case would be more conveniently decided at home. The Court decided, however, that as Dwarkanauth Tagore might in this transaction have represented himself or acted in such a way as to make it appear that he was a partner in, or a Banian of, Mackintosh and Co. without Mr. Storm being aware of it, that Dwarkanauth ought to have made the affidavit himself;—and there being no affidavit from Dwarkanauth Tagore denying the agreement with Chuckerbutty, that each party should pay their own costs.—*English-man.*

## INSOLVENT DEBTOR'S COURT.

### JANUARY 17, 1835.

IN THE MATTER OF JUGGERMOHUN AND RAMMOHUN CHATTERJEE.

These insolvents were heard on their petition. They were opposed by Mr. Turton, and on examination they deposed that they had not been in business for the last seven or eight years. The petition on which the application was founded stated them to be merchants in 1833. *Petition dismissed.*

IN THE MATTER OF JOHN PALMER AND CO.

*Mr. Turton* applied, on behalf of Colonel Galloway, for leave to resign the assigneeship, he being about to proceed to England.

*Sir J. P. Grant* doubted whether the resignation of one assignee would not put an end to the assigneeship altogether. After some discussion it was determined that the matter should stand over to the next court day, in the meantime public notice was ordered to be given of the application.

IN THE MATTER OF JAMES CALDER AND OTHERS.

This was an order *nisi*, obtained on the 20th of December last, on behalf of Mr. John William Sutherland, that Mr. John Storm, the only member of the insolvent firm now in Calcutta, together with the assignee, Mr. Robert Castle Jenkins, formerly assistant to the firm, and Mr. J. N. Vant Hart, formerly a clerk in their employ, do attend the next Insolvent Court for the purpose of being examined touching the claim of Mr. Brown Roberts as a creditor of the said insolvents. Also that Mr. Storm may be then examined touching his and the other insolvent's conduct in respect to remitting certain trust funds appertaining to the marriage settlement of Lieut. Col. J. Geddes and Magdalena his wife, and of which settlement Mr. John William Sutherland is a trustee.

*Mr. Robert Castle Jenkins*, examined *by Mr. Cochrane.*—I was formerly a salaried clerk in the house of Mackintosh and Co. I received a larger salary than any other assistant. I commenced being an assistant in February, 1831, and continued until the date of the failure of the firm in January, 1833. When I first joined the concern I had the offer of becoming a partner; it was understood that I was to be a partner if I wished it.

I have examined the books of the late firm of Mackintosh and Co.; the first time I did so was in February or March 1831. I examined them individually, that is to say, when I examined them I looked at some of the largest accounts, at the balance sheet, and at the accounts generally. I never went regularly through the books. There was three or four accounts I pointed out to Mr. Gordon which I thought unsatisfactory; these were the balances due to the firm by Mendieta, Uriarte and Co., Râmratan Mallik, and Mercer and Co. I forget the amount exactly: the agregate amount was between twenty and thirty lakhs of rupees. These were debts due to the house. My own objection to join the partnership would have been the state of these accounts, but there were other reasons, one of which was the panic which prevailed against the large houses. My own objection would have been the state of those accounts had it been made a point that I should join the firm. At the time I investigated the accounts I confined myself to the existing year: I did not investigate them retrospectively; I went no further back then. I satisfied myself with the existing state of the accounts. I recollect looking at the accounts as far back as 1822.

The witness was here questioned as to his opinion of the solvency of the firm at the time last mentioned. Mr. Turton objected to the quetion, and urged that the books ought to be produced. The examination of the witness was not proceeded with.

*Cross-examined by Mr. Turton.* I recollect it was stated, that Rámratan Mallik's account was secured by landed property, but I considered that the security was insufficient with reference to the amount of the debt. That debt was increased some years back, prior to 1831. I have heard that landed property was of greater value in 1824 than in 1828; it did depreciate very rapidly from 1828 to 1832.

The house held an assignment of a claim due by the Philipine Company to Mendieta, Uriarte and Co. as a collateral security for their claim. If that claim on the Phillipine Company had been paid in full, it would more than have covered the claim on Mendieta and Co.

For the debt of Mercer and Co. the house held an assignment or a mortgage of Indigo factories, and houses up-country, which were the property of Mercer and Co. I believe they also held considerable quantities of cotton and up-country indigo which had been consigned to Rickards, Mackintosh and Co. for sale. I know there was considerable loss sustained by Mackintosh and Co. by the shipping of that indigo, the produce of Mercer and Co.; I believe the amount was £80,000. I speak from the books.

If the balance of Mendieta, Uriarte and Co. Ramratan Mallick, and Mercer and Co. had been good, and there had been no panic existing, I believe I should have joined the house.

I think the personal habits of the partners in the house were particularly economical.

My opinion was, that the house might go on. In October, 1832, I was not sanguine that they would become solvent, I thought the evil day might have been put off for many years provided confidence could have been restored. A lucky hit or two might have recovered the house in regard to its condition. I could only take my impression regarding it from the probable calls on the house. I was not a partner. I derived my impression from the partners. It did appear to be the feeling that the house would be able to go on.

*John Nicholas Vant Hart*, examined by *Mr. Cochrane*. I was employed by the late firm of Mackintosh and Co. as book-keeper. I have been in the house since March 1812.

I know Mr. Brown Roberts; he had an interest in the firm of Mackintosh and Co. from the 1st of May, 1820. He was a partner then and so continued till the 1st of May, 1828. I may say he was in the finance department of the house. I should suppose he was well acquainted with the accounts of the house.

There was a balance sheet made out yearly; it was merely for the information of the partners of the firm. I made it out. I used to hand it to one of the partners, generally Mr. Gordon, at the close of the commercial year. (*exhibit A.*) This is the baiance book.

I turn to the balance 1826 7. The balance is against the house; the amount is 16 lakhs, on the 30th of April 1827. This account only includes those debts which were considered irrecoverable. The 'Stock' is creditor ~~Rs~~ 16,85,714. When Mr. Fulton left the house he created a 'stock' of ~~Rs~~ 10,00,000 to meet the bad debts, which stock has increased by interest and one fifth annual profits to ~~Rs~~ 16,85,714. Opposite to this item is the debit side. Item 'old debts' considered wholly irrecoverable ~~Rs~~ 32,87,261. On the other side 'Balance per general abstract ~~Rs~~ 14,07,245;' this is to close the account and other books. This sum the deficit, or estimated deficit of the firm, arising from the accounts which have been written off, and were considered bad. If all the debts due to the house were considered good still there would be a deficit of this sum of 14 laks odd. This account does not include the debts of Mendieta, Uriarte and Co. nor of Rámratan Mallick. The debt of Mercer and Co. was about 20 lakhs at this time; the debt of Mendieta, Uriarte and Co. 12 lakhs. I suppose; and that of Rámratan Mallick about 8 lakhs. There was noot her 'stock' belonging to the house beside the ~~Rs~~ 16,85,714. There were other large sums due to the house. No part of Mendieta, Uriarte and Co.'s debt has been recovered. There has been a great deal recovered and a great deal laid out as to the account of Mercer and Co: the present debt is about 20 lakhs. Ramratan Mallick still owes upward of 8 lakhs; I considered it a total loss. There will be very little, recovered, I should suppose, of Mercer and Co.'s.

The firm of Mackintosh and Co. was insolvent in 1826-7. I can trace the insolvency through preceding years.

I now turn to the Balance Book of 1825-26. This shows the same result. The account was made up by me, on the same principle as that before mentioned, and shown to the partners. I now turn to 1824-5; it shows a deficit of ~~Rs~~ 5,50,000. I suppose the heavy losses accrued from the commercial year ending 1825-6.

Mr. John Williamson Fulton was a partner in the house long before I entered it. I believe he left the house in 1819. From my knowledge now I should say the house was insolvent at that time.

I should think that in March, 1828, when Mr. Brown Roberts quitted India, that he could not have been ignorant of the state of the accounts of the house. I am acquainted with the hand writing of Mr. B. Roberts; (*exhibit B.*) this letter is in his hand writing. I cannot explain the hieroglyphics. (*By the Court.*) Those things which have been called hieroglyphics are in Mr. Brown Robert's hand writing too. (*Mr. Cochrane continued.*) This (*exhibit C.*) and this (*exhibit D.*) are in the same hand writting.

At the time of the failure, Mr. Calder was indebted to the concern ~~Rs~~ 4,00,000; Mr. Gordon, ~~Rs~~ 2,70,00; Mr. J. C. Stewart ~~Rs~~ 70,000, and Mr. Storm ~~Rs~~ 8,000. I do not know if any part of this sum due from Mr. Sorm has since been paid; the assignees can tell.

In 1826-7 there was at credit of Mr. Calder ~~Rs~~ 1,73,169; at credit of Mr. Roberts ~~Rs~~ 25,944. Mr. Calder had a separate account which is not in this book (*exhibit* A.) The separate account I allude to is a debit account, and I suppose one would balance the other, that is, if opposed to this credit account there would be little difference. The balance now due by Mr. Calder is about four lakhs, on both accounts I should suppose.

I look at Balance Account in 1827-8. The general balance in ~~Rs~~ 21,50,000 deficit.

Mr. Brown Roberts's interest ceased in the house on the 1st May, 1828. There was a debit balance standing against him at that time. I believe he was advertised out of the house three years afterwards. It was not in 1828. Rickards, Mackintosh and Co. were the London correspondents of Mackintosh and Co. here. I do not know when Mr. B. Roberts joined the London house, but I know he was a partner in it. His present claim against the estate of Mackintosh and Co. arise from a credit, at the rate of ~~Rs~~ 40,000 per share for his three shares in the firm of Mackintosh and Co. I mean his three-sixteenths, or three anna share of the whole concern. It was a credit passed in account only.

There were large debts due to, and by the house on 1st May, 1828. The total deficit written off was as I have stated ~~Rs~~ 21,50,000. I mean that sum must have been made up before the house could be made solvent.

Nobody but the partners and myself had access to this book. (*exhibit A.*) I am not aware that it is usual to keep such a book in mercantile establishments. I am still book-keeper with the assignees.

At the time of the failure of Mackintosh and Co. I estimated their debt due to the London House at ~~Rs~~ 50,00,000; but it is now, in consequence of returned bills, about ~~Rs~~ 35,00,000.

I think the probable out-turn of the estate will yield about three annas in the rupee. It will be I suppose, about three or four years before a final dividend is paid.

*Cross-examined by Mr. Turton.*—I never was in the employ of any house but that of Mackintosh and Co., therefore I do not know if such books (*exhibit A.*) are usual, only from heresay. It is not usual for book-keepers to talk of the modes in which business is conducted in the different houses.

Mr. Calder's balance did not consist chiefly of speculations entered into by him which the house did not approve of, and threw upon him. The balance 'per loss in Saugor Island' is not included in this balance; it is in a separate account. The balance of four lakhs against Mr. Calder includes two lakhs lent to his personal friends.

I cannot speak as to Mr. Calder's personal expenses; I am not aware of them. I cannot say if he lived extremely moderate. I do not consider the balances against any of the partners as heavy considering that they divided no profits for the last six or seven years. One-fifth of the profits was carried to 'Stock Account.' By 'Stock Account' I mean a fund formed to meet bad debts. There were no profits for the last six or seven years, and the loss was carried to Stock Account.

I have said the claim of Mr. Brown Roberts arises from his three-sixteenths share in the house. There was a sum of money recovered on a life insurance of Captain Roberts, the brother of Mr. B. Roberts. This sum was about Rs. 20,000. It was recovered by Mr. B. Roberts, and forms a part of the balance of Rs. 70,000. I believe a further part of this balance is a sum of Rs. 15,000, Sheriff's fees, recovered for 1828-9. There were a great many other items, both payments and receipts, which I cannot recollect. Rs. 70,000 is the balance.

I have spoken of Rs. 32,67,000 as bad debts in 1826-7 not one of them has been realized. Dr. Loxmore's was not one of them; his balance was transferred to bad debts after final recoveries, that is, after the life insurances were recovered. The house recovered what they could and transfered the balance to 'Bad Debts.' I should suppose that at the time of failure 10 lakhs of these 32 lakhs and odd were covered by insurances. The premiums are carried to a separate head, 'Insurances on Lives of several persons.' It formed one of the items in the charges of the house. In 1826-7, the amount recovered by insurances was about the same.

Mr. Brown Roberts, at the time of joining the house was a Captain in the Army, of some standing, and I believe Assistant Commissary General.

The 'Stock' was formed by Mr. Fulton, in 1819; it was then 10 lakhs and has increased to 16 lakhs and odd. It was a mere sinking fund. There were many of those 'bad debts' I have said to be irrecoverable, might be recovered if the parties succeeded to property. All debts were carried to account of 'Bad Debts' on which the house ceased to receive interest, that is to say, when they ceased to receive interest and there were no hopes of further recoveries. At the time this account was made up, the house had a mortgage over Ramrattan Mallik's property. I do not know the value of that mortgage; the debt cannot be recovered now. Ramrattan Mallik was one of the eight sons of Mincharn Mallik. I do not know that there are 14 lakhs to be divided amongst these eight sons. I do not know that he claims upward of two lakhs from Sarupchundar Sircar Chaodri, I have heard that he has a claim to a large amount against the East India Company. I am not aware that Mr. Roberts went home to prosecute the claim of the Phillipine Company; that claim is now more than sufficient to cover the debt of Mendieta, Uriarte and Co.

Landed property has fallen considerably in and near Calcutta during the last six or seven years. I think sales of landed property nearly ceased from 1821 to 1828, and land kept up at a nominal value, but from 1828 to 1832 it fell very rapidly.

In 1827-8 there were large loans obtained by mercantile people in Calcutta from Government. Mackintosh and Co., neither applied for nor received part of those loans. From that time down to the failure of the house, and particularly after the failure of Palmer and Co., there was great pressure on commercial credit.

In 1827-8 the 'Stock' had decreased to between eleven and twelve lakhs; this was occasioned by loss of interest about four lakhs. Rs. 1,29,000 credit to Mr. Laruleta on his retiring from the firm, and a lakh and odd increase of 'Bad Debts.'

Mr. Brown Roberts left this country in March, 1828. The balance sheet for 1827-8 was not made out at that time. It was made out in December 1828, therefore the balance sheet that he would have when he went away would be that of 1826 7.

If the 'Bad Debts,' 33 lakhs, were good debts, the amount at credit of 'Stocks' would be the surplus of Rs. 11,74,095. That would be the amount at the general credit of the house. But I consider those 38 lakhs as actually irrecoverable, and therefore if all the other debts were good, still there would be a deficiency.

Mendieta, Uriarte and Co.'s was in 1827-8 about 12 lakhs; it is made up partly of interest and commission. When Mercer and Co. failed their debt was about 30 lakhs; it is now about 20 lakhs, without interest since the failure. No part of this debt consists of a loss of £80,000 sterling in consequence of the house holding indigo over at home. The house has borne that loss and not Mercer and Co. The house had landed property, indigo factories and other property, but they are charged in the books same as any other constituent. There was no stock beyond 16 lakhs. In 1828 the debts due by the house were about Rs. 170,00,000, to meet this there were debts due to the house and landed property. I suppose Coffee Plantations, landed property and Indigo Foctories were worth about Rs. 50,00,000.

In 1826 7 my opinion was, that the house was insolvent: I never mentioned this till after the failure. I first formed that opinion in 1823-4. The 'Bad Debts' in 1823-4 were 33 lakhs, and there was a deficit that year of five lakhs, which was reduced the next year to three and a half lakhs. I considered the house insolvent because all bad debts are not included in the 'Bad Debts.' In 1823-4 I first thought that the house was insolvent in 1819, when Mr. Fulton quitted it. There was a great loss in opium in 1825.

*Re examined by Mr. Cochrane.*—The hand writing (*written across the Balance Book, exhibit A.*) is that of Mr. Brown Roberts. He was a partner when the great losses occurred. The Phillipine Company and Mendieta, Uriarte and Co. are all the same. I suppose the person from whom we are to except payment of that claim is the late King of Spain, Ferdinand the Seventh.

*Re-examined by Mr. Turton.*—This book (*exhibit A.*) was the partners book. I have said that Mendieta, Uriarte and Co. and the Phillipine Company were the same; I mean that they were not the same persons but I consider them the same thing.

*Exhibit A* was now put in by Mr. Cochrane, Mr. Turton, with whom was Mr. Clarke, objects to its being read, Mr. Cochrane replies, the Court allows the objection.

*Mr. John Storm examined by Mr. Cochrane.*—I was advertised into the house of Mackintosh and Co., as a partner, on the 1st of May, 1827. I never had any share in the profits of the house. I merely received an allowance or salary. I recollect Mrs. Geddes as Miss Hessing; I have heard that she married Colonel Geddes. She had a small balance in the house and we had the charge of some Company's paper, I think it was for about Rs. 1,90,000. We received directions for the sale and remitted of that paper. (*exhibits E. and F.*) These are the powers of Attorney and Letters of Instruction. (*Reads.*) "To remit in Company's Bills or other respectable security." We received the amount of the paper on the 29th of October, 1832. There were no Company's Bills to be had at that time. Our house failed on the 4th of January, 1833. On the 7th November, 1832, we remitted about £ 2,000, being our own drafts on Rickards, Mackintosh and Co.; 8th December £ 2,000 in similar bills; on 27th December £ 5,000 in bills of Dent and Co., of Canton, on Rickards, Mackintosh and Co. and on 26th December £ 10,698 in bills of our own on Rickards, Mackintosh and Co.

in compliance of the orders of the trustees. Rickards, Mackintosh and Co. failed on the 6th May, 1833. In November, 1832, there were no Company's bills to be had, and we made arrangements to send produce to Rickards, Mackintosh and Co. to draw against. We looked no further than our own bills. We sent produce (indigo) to amount of £50,000 on two ships about the middle of December, to Rickards, Mackintosh and Co. The bills for £10,000 had only our own endorsement. On part of the produce we got a government advance; it was got in December as soon as the shipping documents were completed. The advance preceded the drawing of the bills on Rickards, Mackintosh and Co. probably two days. Besides the £50,000 of indigo we had purchased 6,000 maunds from Alexander and Co. amounting to £70,000, or £80,000, but the failure of that firm prevented our receiving more than one half of it, and that one-half we were obliged to sell again on the spot in consequence of our own difficulties. We were aware of the necessity of the resale of the time we drew the bills for £10,000. The amount drawn on all accounts by us in December, on Rickards, Mackintosh and Co. was a very heavy sum, I cannot say how much, not 10 lakhs,—nothing like it. I cannot tell what was the whole sum standing on bills drawn on the London house. The Government advance was about two-thirds on the invoice of £50,000; we required it to pay the heavy calls on us. The occasion of the delay in remitting was, that in November there were no Goverment or other bills to be had, and we could not draw till the shipping season for indigo came round. If there were other bills we would sooner have sent our own, having provided the means of drawing against them. The house on the 20th December, 1832 was deeply indebted to Rickards, Mackintosh and Co. It is the custom to sell out the paper before the bills are procured. We had not made arrangements for sending produce so we did not send the bills sooner. The produce sent would not have covered one tenth of our debt to the house at home, but we had authority to draw, they having drawn on us to the amount of 80 lakhs which we accepted in December, and could have easily paid but for the pressure occasioned by Alexander and Co.'s failure. I cannot recollect being aware that there were any Government bills in the market in December, 1832, but if there were we should not have availed ourselves of them having made arrangements to draw, and could not on account of the pressure on us. In December we were not aware that Rickards, Mackintosh and Co. were pressed for money.

I did not bring much money into the house of Mackintosh and Co. At the time of the failure, my debt was a balance of ~~Rs~~ 8,000 which has been, or will be paid out of my private estate by the assignee, I believe if we had drawn on Rickards, Mackintosh and Co. when we realized the paper, the bills would have been accepted. They did accept our first two drafts.

There is a part of this letter in ciphers which I cannot read, (*exhibit B.*) It is dated London, and from Mr. Brown Roberts. I have not the key to the ciphers nor ever had. It was explained to me by either Mr. Gordon or Mr. Calder at the time it was received. Mr. Roberts occasionally corresponded in cypher, but it was not the practice of the house to write in cypher. He occasionally wrote private letters to members of the house in cypher, but they were certainly not on matters of importance. This letter is an answer to one from me wherein I complained of his drawing so largely on the house through China. *(Reads part of the letter.)* 'But my friend, means were wanting,' and I suppose the cipher to mean, '*and still are wanting.*' Exhibit C. is addressed to the house by Mr. Roberts, dated 9th April, 1831, and contains as memoraudum of two drafts, for ~~Rs~~ 5,076. I think those drafts were paid. He was a debtor to the house when he went home, but I forget the state of his account. The drafts were drawn at exchange of 1s. 8d. the rupee, as stated in the letter, which is not a favourable rate, but it was the exchange of the day. Mr. Roberts was in the finance department.

*Cross-examined by Mr. Turton.* We expected at the time we drew the bills on Rickards, Mackintosh and Co., that they would be both accepted and paid. We expected we should get over our difficulties till a day or two before the failure, and I did not expect that it would occasion the failure of Rickards, Mackintosh and Co. The bills of Dent and Co. have since been paid by that firm. All but the last bills for £10,000 were accepted, and I think Rickards Mackintosh and Co. would have accepted them if they had arrived before their failure. Bills on Government were less plentiful in November, 1832, than previously in consequence of the Company's regulation. Government did not give bills at that time but to persons resident in England. I knew of no bills here at that time that were in my opinion safer than our own on Rickards, Mackintosh and Co.

*Mr. Turton* here intimated that Mr. Brown Roberts had no interest whatever in the claim on Mackintosh and Co., as the whole of his property had been put up and sold for the benefit of his creditors, subsequent to the failure of Rickards, Mackintosh and Co., in London. Mr. Roberts had however been authorized to come out to India to get in such parts of the debts as might be due to the creditors of the London house, and as the schedule of Mackintosh and Co., did not state that fact, he would now apply to have added to his name on the schedule, 'as trustee for the creditors of Rickards, Macintosh and Co.'

Leave was granted, and the learned counsel also obtained an order that Mr. J. W. Sutherland, the applicant in this case, do attend the Court, on the next court day, to be examined touching the covenant granted to Mr. Brown Roberts in the letter of licence of Rickards, Mackintosh and Co.

In the course of these proceedings Sir J. P. Grant frequently remarked that the books of the late firm ought to have been put in, instead of examining witneses as to the solvency of the firm at particular periods. At the conclusion with reference to this subject,

*Sir J. P. Grant* said, I can only say this, that the expences of this and similar proceedings greatly exceed what is generally contemplated.

*Mr. Cochrane.*—I can only say, my Lord, that it is your lordship's first duty to lessen them.

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IN THE MATTER OF FRANCIS KIRCHOFFER.

The examiner having reported that no further proceeding would be had in the matter of this petition, and that the consenting creditors were in number and value as required by the 63 section of the Act, the insolvent was finally discharged from all liability as to the debts mentioned in the schedule.

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IN THE MATTER OF JAMES CALDER.

A dividend of 20 per cent. was declared on the private estate of this insolvent.

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IN THE MATTER OF JAMES YOUNG.

A final dividend of 25 per cent. was declared on the insolvent's private estate.—*Englishman.*

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## FEBRUARY 7.

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IN THE MATTER OF JOHN HUGHES.

This insolvent, formerly one of the attornies of this Court, was brought up, heard on his petition, and discharged.

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IN THE MATTER OF JAMES YOUNG AND OTHERS.

Mr. *Turton* said, there were two applications in this matter which stood for to-day: the first was to make an order absolute for compromising the debts of certain persons who are indebted to the estate and interested in the factories which they hold.

Mr. *Justice Grant* wished to be informed under what clause of the Act the application was made.

Mr. *Turton* explained, that on a former day he had made a special application to the Court stating, that these persons were largely indebted to the estate, and had no means to pay except the interest they held in the factories. The application was made under the 46th clause. The assignees had already a general power to effect compromises with debtors; but this was a special case; for instance, one of the parties was indebted to the estate upwards of five lakhs of rupees and had no other property than the shares he held in the factory of which the assignees were co-lessees.

Mr. *Justice Grant*.—It is quite clear the general power to compromise is or is not sufficient for the purpose. If it is sufficient, the assignees may act on it; if it is not sufficient, they may apply to the creditors.

Mr. *Turton*.—But in this application the Court have already granted an order *nisi*.

Mr. *Justice Grant*.—True; but in making an order *nisi* it does not follow that it shall be made absolute.

Mr. *Turton* said, it was the ordinary course to make the order absolute if no cause were shown to the contrary. He was not, however, going to say, that the Court was bound to do so.

Mr. *Justice Grant* alluded to the general power conferred on the assignees to effect compromises.

Mr. *Turton* replied, it could not be disputed that the assignees had a general power; but this was a special case in which the assignees did not like to act without the authority of the Court. If the assignees ought to apply to the Court under any circumstances, he thought they ought to apply in the present instance.

Mr. *Justice Grant* inquired what were the grounds of the application.

Mr. *Turton* replied, the affidavit of the assignees which sets forth the amount of debts due by the parties with whom they were desirous to compromise. It was, perhaps, unnecessary to state to the court each individual case; he would take the Rajapur and Soonakondy, and the Bansbarriah concerns only to show the nature of the application. The parties were indebted to the estate upwards of five lakhs, and refused to join in the sale of the factories unless they received a full discharge from the assignees. They became indebted to the insolvent firm as follows:—They were originally partners with Alexander and Co. in whose name the factories stood, but the firm agreed, that these parties should hold shares and debited them with the amount. This agreement continued for several years, when the parties separated, and it was agreed that Mr. Clarke should hold thirteen-sixteeths, and the firm the other three-sixteenths of the Rajapur and Soonakondy concerns, and that Mr. Abbott should hold thirteen-sixteenths, and Alexander and Co. three sixteenths of the Bansbarriah concern. Thus the original price, interest, and expenditure composed Mr. Clarke's debt of ~~Rs~~ 5,03,361, and Mr. Abbott's debt of ~~Rs~~ 3,41,931 was composed in like manner. The factories are legally vested in the assignees; but these parties have an equitable interest in thirteen-sixteenths of each of them, and refuse to join in the conveyance unless they receive a full discharge from the debt due by them to the estate. The assignees consequently have no other means than to proceed in Equity for an account, expense of which they would have to pay, and whoever purchased the three-sixteenths would purchase a law-suit also. Though it would appear, that the other parties were in hands of the assignees, yet truly it was the contrary; for being entitled to an account, and to have the shares sold under a decree of a Court of Equity, in the meantime, during the suit, the assignees must advance monies for the use of the factories. The other debtors mentioned in the schedule attached to the petition were similarly situated. There were thirteen in all, and the real purport of the motion was to get rid of thirteen suits in equity.

Mr. *Justice Grant*.—But the difficulty is, how is this to be done by your motion? Where does it appear that advances are necessary, or that the debtors have no other means of satisfying the debts due by them to the estate.

Mr. *Turton* said, the affidavit of the assignees stated their belief, that the debtors have no other property. The assignees might proceed by process and bring them into this court, but the parties say 'we are entitled in equity to an account,' and as the debts could not be consolidated, no less than thirteen suits must be instituted against persons who had nothing to lose.

Mr. *Justice Grant* thought there were not grounds before the Court sufficient to authorise it to grant this motion. The assignees had already a general power to effect compromises; if this came within that power let them act upon it; if not, let them apply to the Court to make such order as it may think fit. But to accomplish the latter it is necessary to bring all the facts into Court, whereas this motion leaves it still in the hands of the assignees to ascertain whether the debtors have any other property.

Mr. *Turton* said, a statement that the assignees believe the parties have no property was then before the Court.

Mr. *Justice Grant*.—That hardly throws the onus on the assignees. The prayer is, 'that they may be at liberty to compromise certain debts, by taking over the shares held in factories by parties who the said assignees believe have no other means.' Now, in order to effect the object mentioned the application ought not to have stated the assignees belief as to the property of the debtors, but it ought to run thus, 'as shall be proved to the satisfaction of the assignees.'

Mr. *Shaw* appeared on behalf of Mr. A. Lingham, and suggested that the matter be referred to the Examiner to ascertain whether the debtors had or had not other property.

Mr. *Turton* said that so far from objecting to the matter being referred to the Examiner he would greatly prefer it. He had already stated the reasons which induced the assignees to apply to the Court, and it would hardly be said, that the general power to effect compromise prevented the assignees from applying to the Court under peculiar circumstances. For instance, the Court would not be controuled by the creditor; but suppose the assignees exercised their authority in a case like this, it was in the power of any creditor to come forward and say that they ought not to make any compromise with the parties, and to bring the matter to the notice of the Court.

Mr. *Justice Grant* said, the act was not as precise as could be desired; but the 50th clause did confer a power on the Court to make a special order on such applications, and he thought the proper course would be to refer the petition to the Examiner to ascertain whether the parties represented to be debtors to the estate, have any property besides the shares in factories therein mentioned, and whether it will be for the advantage of the state to make such compromises.

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Mr. *Turton* presented a petition from Mr. Burkinyoung praying to be discharged from the assigneeship of this estate. The learned counsel stated, that Mr. Burkinyoung had been anxious not to present this petition until another matter recently before the Court, had been finally determined, but his medical adviser had ordered him to proceed to sea. Dr. Nicholson's certificate was annexed to the petition, and he apprehended that he might be discharged from his duties under the 30th section of the Act.

Mr. *Justice Grant* alluded to an order made by the Court, on the petition of Colonel Galloway, and said a similar notice must be given by advertisement in this case.

Mr. *Turton* said the state of Mr. Burkinyoung's health was so precarious that every hour he should be detained here was of importance. Since he first mentioned the subject he had received another certificate from Dr. Nicholson which stated that Mr. Burkinyoung was unable to quit his room.

Mr. *Justice Grant* said, that was quite sufficient to entitle the Court to order another assignment, but notice must be given to the creditors. Mr. Burkinyoung could proceed to sea, if his health required it, without the sanction of the Court. But somebody must be substituted.

Mr. *Advocate General* said he had a petition to present recommending a gentleman to the notice of the Court.

Mr. *Prinsep* was instructed to oppose the immediate resignation of Mr. Burkinyoung. It was of great importance that so large an estate ought not to be left in the hands of one assignee.

Mr. *Justice Grant* thought the resignation of one assignee affected the assignment to both.

Mr. *Prinsep*—Then it is more apparent that the creditors ought to have an opportunity to shew cause.

Mr. *Justice Grant*—But no cause can be shown.

Mr. *Prinsep*—I apprehend a temporary indisposition does not entitle Mr. Burkinyoung to exonerate himself from his duties.

Mr. *Justice Grant*—I apprehend the certificate of his physician does; and the Court will not hesitate to release him.

Mr. *Prinsep* said, if Mr. Burkinyoung had come forward and apprized the creditors of his intention, no doubt the Court would not have hesitated. But under the circumstances, and when the Court thought it affected the assignment altogether, it did seem a most important step. As to Mr. Burkinyoung's going away, that did not affect his responsibility, but still it seemed rather a sudden measure.

Mr. *Turton* wished to know if Mr. Prinsep was instructed to oppose this application.

Mr. *Prinsep* said he was retained expressly by Messrs. Bagshaw and Co. who represented Fletcher, Alexander and Co. the largest creditors on the estate. His clients were not anxious to detain Mr. Burkinyoung here, or to prevent his being released, but it was counsel's duty when a party came forward to obtain so important an order,—one indeed which would leave the estate at sixes and sevens,—to represent that it ought not to be granted without notice. The estate could not revert to the common assignee, though the Court could convey it to him or any other gentleman; but the change of assignee to an estate, involving as it did a necessity to revive or file supplementary bills to all suits in equity, was most important, and ought to be done deliberately, and with a full knowledge of all parties. As to Mr. Burkinyoung having the power to proceed to sea, he apprehended he could go without the leave of the Court: but to vacate the assigneeship without affording the creditors an opportunity to recommend, or the Court to appoint a successor, was not only not expedient but not the practice. When this estate firs came under the control of the Court, the wishes of the creditors were consulted; and surely now, when the estate would be placed in complete jeopardy with regard to its equity suits, reference ought again to be made to the creditors.

Mr. *Shaw* said, he thought in this case that the rule would be the same as that laid down on the application of Colonel Galloway. He also begged to remind the Court of the recent decision on the petition of Mr. Lingham, and suggested, as Mr. Burkinyoung was going beyond the jurisdiction of the Court, that some security should be required for his acts during his assigneeship.

Mr. *Turton*—To ask for security from a party about to proceed to sea against whom no charge is made, and who asks for no discharge from any responsibility he may have incurred during the assigneeship—to ask this, is the most extraordinary thing I ever hear during the course of my life in any Court of justice! I should like to know what power or authority the Court has to ask for such security, or to continue a responsibility in a party who is unable to control any thing that may be done. Suppose the Court was to determine, what indeed was out of the question, to continue Mr. Burkinyoung as assignee, to use a homely phrase 'one man can lead a horse to the pond, but it was difficult to make him drink of it,' so a man may be continued as assignee, but could not be made to perform duties when incapacitated. All that the Court is asked to do, is to proceed according to the act of parliament, not to relieve Mr. Burkinyoung from any responsibility, but merely to release him from his duties and sanction the appointment of another.

Mr. *Justice Grant*—One of the creditors desires that Mr. Burkinyoung may find security to account for the acts of his assigneeship. Now the Court has this authority, if it is obliged to remove an assignee it may make him find security.

Mr. *Turton*—Suppose he cannot find security? Suppose he has nothing? Is the Court to imprison him? My friend, Mr. Prinsep, talks about dangerous precedents; I think imprisonment in such a case as this would be a dangerous precedent indeed! We have a precedent for my application in the course which has been adopted by the Court in the matter of Palmer and Co. in which the assignees have been permitted to resign in consequence of insolvency and other causes. As to all legal proceedings being tied up by the resignation, my friend, Mr. Prinsep, knows as well as I do that the Act provides, that suits shall not abate by the removal of assignees, and that it is only necessary to mention the substitution on the record. The Court in every instance except that of Colonel Galloway, has allowed the assignees to resign, and yet Mr. Burkinyoung incapacitated through illness, is to have the whole responsibility kept hanging over him. There is no creditor, not even Mr. Lingham himself, but who will declare that Mr. Burkinyoung has devoted the whole of his time, and the best of his ability, to the performance of his duty as assignee, and yet he is to be told, invidiously, that he shall not resign. I declare to God I think Mr. Burkinyoung's life depends on the obtaining of this motion.

Mr. *Justice Grant*—Mr. Turton, there is nothing invidious in requesting the Court to take securities from Mr. Burkinyoung as to his accounting for his acts prior to his resignation. The creditor has a perfect right to do so.

Mr. *Shaw* reminded the Court of a recent decision, and that the assignees had appealed to the Supreme Court.

Mr. *Turton* said Mr. Burkinyoung was recommended by a large majority of the creditors, did any one, at that time, say any thing regarding security for his accounting?

Mr. *Justice Grant*—Things are very much altered since then. Mr. Burkinyoung was known to be in business here; now he is going away, out of the jurisdiction of the Court, and it is but reasonable to say, 'leave something behind you.'

Mr. *Turton* said, that Mr. Burkinyoung was just as much an 'inhabitant of Calcutta' now, as he was at the moment he was appointed; and he reminded the Court, that there was not a single word or affidavit as to his going beyond the jurisdiction. Mr. Burkinyoung had given his attendance at the office of the assignees, gratuitously from the commencement of the year. Indeed he was in a very happy situation; when his medical attendant having advised him to depart, up comes a creditor and suggests to the Court that he should give security. He was ready to put in an affidavit, that Mr. Harry was in possession of the effects, and that the accounts had been filed, monthly, or quarterly, to which the creditors might have access. He would say that under the circumstances to withold the sanction of the Court would be a grievance, and that if Mr. Burkinyoung, incapa-

citated as he was, were to depart, he would incur no liability whatever.

Mr. *Justice Grant*.—It would not excuse him from being visited.

Mr. *Turton*.—My Lord, he is not, at present, likely to be visited by any one but death or a doctor.

Mr. *Justice Grant*.—But I do not wish those assertions to go forth uncontradicted.

Mr. *Turton*, in continuation said, if he was consulted by Mr. Burkinyoung, the latter being incapacitated by the Act of God, he would say that no legal responsibility was incurred by not acting when he could not act; and after having applied to this Court to be permitted to vacate the appointment he would not incur responsibility in any Court in Christendom. He would undertake to say, that to be detained in this country would peril Mr. Burkinyoung's life.

Mr. *Justice Grant*—I dare say you speak from your own personal knowledge, but there is no evidence of that before the Court.

Mr. *Turton*—From my own personal knowledge I have no hesitation to say it will be dangerous for Mr. Burkinyoung to remain here, and I dare say the same would be certified by the clerk of the Court who has just been to him to swear an affidavit.

Mr. *Smith* hoped, that the Court would not leave the assignment in the hands of one assignee only.

Mr. *Turton* said, Mr. Burkinyoung did not like to give notice during the time Mr. Lingham's petition was under consideration.

Mr. *Justice Grant* thought it unfortunate that he had put it off till the last minute. However he would have no hesitation to vacate the appointment on the certificates of the medical adviser. But as to the security; it was desirable, particularly in the case mentioned by Mr. Shaw. Perhaps some information could be given as to Mr. Burkinyoung's leaving property in this country?

Mr. *Turton*—My Lord, Mr. Burkinyoung is a creditor on the estate to a large amount.

Mr. *Prinsep*—That is not much property I fear.

Mr. *Smith*—I apprehend, my Lord, that is not available property.

Mr. *Turton* said Mr. Burkinyoung would continue liable if he went to England.

Mr. *Justice Grant* said he would continue liable,—if he could be laid hold of.

Mr. *Advocate General* said, possibly, whatever order the Court might make, it would be as well that it should be acquainted that he was about to present a petition from a number of creditors who did not like that one assignee should have the management of the estate. The names to the petition were very numerous, and the casting up of the claims they represented, though possibly it might be a little more or a little less, showed a sum of forty-two lakhs.

Mr. *Turton* was desired by Mr. Hurry to say that he did not wish to continue sole assignee.

Mr. *Justice Grant* directed that it should be added to the petition that Mr. Burkinyoung was leaving his property and business here.

The order was made that, in the terms of the act the assignment shall be vacated, and the assignee to deliver up an account to such person as the Court may appoint.

Mr. *Advocate-General*—Does your Lordship see any objection to granting an order *nisi* for the appointment of Mr. Holroyd?

Mr. *Justice Grant*.—Yes, I do: it may be considered if an order *nisi* is granted, that it will be made absolute if not opposed. There are no grounds before me at present in favour of such appointment.

Mr. *Advocate General*—Oh, pardon me, there are the recommendations of the creditors.

Mr. *Justice Grant*—It is not for me to say that I shall act on them.

Mr. *Advocate General* said that Mr. Holroyd had the recommendation of being an officer of the court.

Mr. *Justice Grant* said Mr. Holroyd had another recommendation, that of having given security for the performance of his duty.

The further consideration of the petition put in by Mr. Advocate General was defered until next court day.

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IN THE MATTER OF WILLIAM FREDERICK FERGUSSON.

Mr. *Turton*, on behalf of the insolvent, presented a petition praying for his final discharge under the provisions of the new act. Mr. Turton considered it quite clear that the partners of a firm must apply separately for their discharges.

Mr. *Justice Grant* thought it might be a question whether all the partners could not concur in one petition for saving of expense.

Notice of the petition was filed.

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Notices of similar petitions were also filed in the matters of W. F. Clarke, W. Melville, J. Gilmore, J. Young, G. Ballard, J. C. Sutherland, N. Alexander, J. Gordon, J. Storm, J. Palmer, C. B. Palmer, G. A. Prinsep, and W. Prinsep.

Mr. *Justice Grant* said, he had not had time to consider the New Act very minutely, and could not say if it did, or did not supersede the 62d clause of the old one.

Mr. *Turton* said it did not take away, but it added to the power of the Court.

Mr. *Justice Grant* said it conferred this benefit,—it got rid of the obstacle regarding 'all further proceedings.' He thought also that some of the provisions of the English Bankrupt Laws might have been introduced with advantage. It was left a question for consideration in the event of debtors obtaining the consent of upwards of five-sixths of their creditors whether the Court's sanction to their discharge might not be obtained in less time than fourteen months.

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IN THE MATTER OF JAMES CALDER AND OTHERS.

This was an order obtained on the 17th ultimo, that Mr. J. W. Sutherland do attend this court on the next court day, to be examined touching the covenant granted to Mr. Brown Roberts in the letter of license granted to Rickards, Mackintosh and Co.

*Mr. J. W. Sutherland* examined by *Mr. Turton*—I obtained the order for the examination of the parties in this matter, on the last court day. I am a creditor of Mackintosh and Co. and of Rickards, Mackintosh and Co. also. A deed of arrangement has been entered into with the creditors of the last mentioned firm. I executed the deed, and have acted under it. This is my signature. (*exhibits A.*) I have received twenty-five per cent. on my claims: I presume I have received it under the deed. I did not receive remittances from the house of Mackintosh and Co. for Company's Paper, sold by them, belonging to the trust of Colonel Geddes. I received remittances from them on my own account; I would say to the extent of £1,500 or £1,600. Since Colonel Geddes's trust has been transferred to me, I have had the bills remitted by Mackintosh and Co. on that account in my possession. All the bills which arrived in England before the failure of Mackintosh and Co. was known there, were accepted by Rickards, Mackintosh and Co. I have not received the dividend upon them. There are other trustees, and I understand that a dividend has been received by them on the small portion which arrived previous to the failure of Rickards, Mackintosh and Co. I have no direct information of this myself. The accepted bills amount to about £4,000; the non-accepted bills amount to £10,600. The trust received besides £5,000 in bills of Thomas Dent and Co. they were remitted with the

bills for £,4000 that were accepted. Those bills were received about a week or ten days before the failure of the house here was known at home. I had received my own bills about six weeks or two months previously. I am not aware that any bills drawn by Mackintosh and Co. were refused acceptance by Rickards, Mackintosh and Co. previous to the failure of the former house being known at home. I do not know what further dividend may be expected from Rickards Mackintosh and Co. but I believe something further will be paid. The extent of their dividend will depend very much on the out-turn of the estate of Mackintosh and Co. I do not expect to get twenty shillings in the pound; I shall be glad to get fifteen. I can form no accurate opinion of the probable out-turn of the estate at home. I have been refused information by Mr. Browne Roberts with regard to his proceedings in this country as agent for the creditors of Rickards, Mackintosh and Co. I made application to him in writing on the 19th of November last, and have a copy of the correspondence which ensued. This is a copy of part of the correspondence; it consists of his letters and my reply; one only is omitted. I afterwards applied to Baillie and Molloy, the solicitors, for information. I applied individually to Mr. Baillie, and obtained a statement of names of debtors to the estate of Rickards, Mackintosh and Co. and the sums due by them, which Mr. Roberts was to have recovered from the parties. Mr. Molloy said something that if I wanted any information on any specific head I was to receive it. My answer was that I wanted to see to what extent the claims mentioned in that paper had been recovered.

*Cross-examined by Mr. Cochrane.* At the first meeting of the creditors of Rickards, Mackintosh and Co. on the 17th May, 1833, a statement of their affairs was drawn out and placed before the creditors, and certain resolutions were passed. I know the signature of Rickards, Mackintosh and Co; this (*exhibits No.* 1.) is the signature of the house; the hand writing is that of one of the partners, Mr. John Rate. There is an item in this statement of amount of stock, due to Mr. Browne Roberts, by Mackintosh and Co., of £38,000. I was present here on the day the Insolvent Court last sate; I heard the amount then stated to be due to him, by Mackintosh and Co. was ~~Rs~~ 70,000., I have seen Mr. Roberts' departure from Calcutta announced in the papers a few ~~days~~ ago. He was present the last Insolvent day. This is a clause in the deed of Rickards, Mack~~intosh and~~ Co. (*reads*). "And further, that they the said Robert Rickards, Robert Dent, Brown Roberts, and John Rate shall not, nor shall or will, either of them, at any time or times hereafter, during the continuance of this present arrangement, without the consent in writing of two or more of the Inspectors for the time being, acting under these present, enter into or undertake, or become engaged or concerned in any new contract, undertake, trade or business whatsoever, except such as shall be essentially necessary for getting in and disposing of their estate under direction of the said parties hereto on the second part, or the majority of them, or the Inspectors or Inspectors for the time being, or such as in their judgment shall be for the benefit of the said creditors, nor shall, nor will they do, knowingly suffer to be done, any act, deed, matter, or any thing whatsoever whereby any creditor or creditors, of them, the said parties hereto of the first part, shall or may obtain any security or securities for his, her, or their debts, or any part of or any preferrence or priority of payment thereof, or of any part thereof, before any other or others of them, contrary to the true intent and meaning of these presents." Mr. Browne Roberts came to this country for the purpose of proving Rickards, Mackinsoh and Co.'s claim, as well as his own claim of £38,000 on the estate of Mackintosh and Co. He was to receive £2,000 from the Inspectors of the former estate for the voyage, but in consequence of some remonstrance, the amount was cut down to £1,500. The claim of £38,000 was reduced to ~~Rs~~ 70,000. I judge from circulars which have come into my possession, that he came out to benefit himself rather than to benefit his creditors. I understand there have been some arrangements regarding his claim on Mackintosh and Co. Mr. Roberts was not present at the meeting of Rickards, Mackintosh and Co.'s creditors on the 17th May 1833. I had conversations with him both before and after the failure. He told me that he did not take one farthing into the London firm, giving as his reason that Mackintosh and Co. would remit £38,000. I know of Mr. Roberts' marriage settlement, in which he had a life interest. He returned a schedule and an amended schedule in which he did not mention it. I, having satisfied myself that he had a marriage settlement and life interest, called for, and had a perusal of his private schedule; finding it was not mentioned, I wrote to the Inspectors of Rickards, Mackintosh and Co.'s estates on the subject. They did not reply to my letter, but they ordered the settlement to be publicly sold, and it produced £600 to the estate. Mr. Browne Roberts was not in London at the time of the failure of the London firm. I understand that he was at Madrid. He never told me, prior to the failure, that he had a large claim on the house here, nor the precise sum which he expected to be remitted to him and which ought to have been placed to his account at Rickards, Mackintosh and Co.'s.

*Re-examined by Mr. Turton*—Mr. Browne Roberts was not in England at the time of the failure of Rickards, Mackintosh and Co., nor was he present at the meeting of the 17th May. He was not at the meeting of the 28th June. I understood that Mackintosh and Co. would advance a sum of money for the share of Mr. Robert's capital, to be placed to his credit, for the share in the house at home. I understood this from Mr. Roberts himself. It was stated at the meeting the claim on the house here was composed partly of the amount they were to advance. I never heard the sum stated to be three lakhs. I never heard what the amount was.

Mr. *Sutherland*, in conclusion, declared that he had been actuated by no vindictive feelings in procuring this investigation. He only wished the case to be fairly investigated for his own satisfaction and for the satisfaction of parties at home.

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Mr. *Cochrane* applied for an order *nisi*, that Mr. Browne Robert's name be erased from the schedule of Mackintosh and Co.

The Court ordered that notice of the application be published in the newspapers.

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Mr. *Turton* applied for a day to be named to declare a dividend on this estate. The amount, he said, would be three per cent. The assignees, however, had sufficient assets to make a dividend of 5 per cent. but in consequence of the twelve months not having expired since publication in the *London Gazette* last June, they were obliged to divide three per cent. only.

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IN THE MATTER OF JAMES YOUNG AND OTHERS.

Mr. *Turton* moved the rule absolute for carrying on the factories for another year.

Mr. *Shaw* was instructed not to oppose this motion as it was evident that the effect of throwing so large a quantity of property at once into the market must be most injurious. He hoped, however, that the Court would bear in mind that this firm failed in 1832, and that up to this period no dividend whatever had been made. The Court would also recollect it was given in evidence that ~~Rs~~ 70,000 was considered to be the full value of the Moisgunj and Moisharah concerns. He was aware that several offers had been made for these concerns, but he had no knowledge as to whether any sale had been effected. He therefore, addressed a note to the assignees requesting to know, on behalf of a creditor, what is the best price which has been offered, since the failure of Alexander and Co., for the Moisgunj concern, and what is the price now put upon it. The answer he received was a request, that he would state the pue

pose and object: and that he should pledge himself that no harm should accrue to the estate from any information he might receive. To this letter he returned an answer, and received another reply, stating, that the assignees were willing to give, provided their attorney, Mr. White, was present, such information as that gentleman he might consider expedient. To this reply he had returned no answer, because he did not consider that the questions he had to submit to the assignees were of a naturre to require Mr. White's intervention, but he called at the office of the assignees, where he was informed by Mr. Burkinyoung, that the assignees were unwilling to give him the information he required, because it might prejudice the estate. He (Mr. Shaw) replied that he applied on behalf of a creditor, and was surprised that the information was withheld. Some further conversation took place, after which he took his leave, informing Mr. Burkinyoung that he would now only receive a written reply. As this information had been withheld by the assignees, he was obliged to seek it elsewhere, and he found, on application to Gisborne and Co., that that firm had offered in October, 1834, ~~Rs~~ 80,000 for the Moisgunj concern, which, at the date of the failure was valued by assignees appointed by the Court at ~~Rs~~ 70,000 only; and the Court would recollect that it had been stated, that Indigo had fallen thirty per cent. since that period, and that indigo factories, had, consequently, greatly depreciated in value. The offer of Gisborne and Co. was ~~Rs~~ 80,000, that is to say, ~~Rs~~ 40,000 cash and ~~Rs~~ 40,000 in six months; but Mr. N. Alexander, on behalf of the assignees, had declined acceding to the offer, and stated that one lakh of rupees was the lowest price that could be taken. He had heard of many other refusals to sell the factories, but as information had been refused by the assignees he could not bring any of them before the Court. With regard to the recent attempt to sell the factories, he thought, as the advertisement appeared for the first time on Monday, and the auction took place on the following Thursday, that there had not been sufficient notice given of the assignees' intention. He had received a letter from Mr. Gregg, an intending purchaser, who lived at a distance, complaining that sufficient notice had not been given. In the case of Palmer and Co.'s factories a different course had been adopted, and as the creditors of that estate were about to assemble to consider of the propriety of carrying on the factories, he would suggest that as to this estate a similiar course should be pursued.

Mr. *Justice Grant* inquired if Mr. Shaw opposed the carrying on of the factories.

Mr. *Shaw* said he did not, but he was auxious that the factories for which offers had been made should be put up at auction. In consequence of having been denied information, he was only in a situation to speak of the Moisgunj and the Sonaparia concerns, but he heard that offers had been made for the Western Dacca concerns also. He would suggest that these factories should be put up at the valuation put upon them by the Bank.

Mr. *Turton* said, that the grounds put in by Mr. Shaw stated, that he was an attorney of this Court, and that he had made an application to the assignees, but it was not stated that he was a creditor.

Mr. *Justice Grant*—He was known by the assignees to be an attorney for one of the creditors.

Mr. *Shaw* said, it did not only appear by the grounds that he was the attorney for a creditor, but that he was the representative of one also.

Mr. *Turton*, with reference to Mr. Shaw's objection to the presence of Mr. Wight, thought it would not have been unreasonable had Mr. Shaw not been an attorney himself, but as it was, he should like to know whether assignees to bankrupt estates at home were in the habit of giving information under similar circumstances, without consulting their legal adviser? As to the Moisgunj factory not having been sold, the reason would be apparent to any one who read the advertisement in the papers, and who were acquainted with the object of the application which the Court had that day refered to the examiner. The reason of the sale not having been effected was, that this very factory was one of those which the assignees could not sell without compromising with the planters. He thought there was nothing strange in Mr. Shaw requiring information after the reports he had heard regarding the assignees' refusal to sell the factory; neither was it remarkable that the latter should refuse to give it without consulting their attorney, for not only might they think that their answer to him might depreciate the property, but they were thoroughly convinced of the necessity of being careful. If the Court would refer to the petition presented on the former application, it would be found that in the Moisgunj concern Mr. Savi, whose debt was ~~Rs~~ 1,29,564, held four sixteenths, Mr. Stuart, whose debt was was ~~Rs~~ 2,84,869 held six-sixteenths, and the concern held six sixteenths likewise; the value of the whole factory had been estimated at ~~Rs~~ 70,000, and it was stated that the assignees had refused ~~Rs~~ 80,000, but the reason was evident,—they could not sell until some arrangement was effected with the co-lessees. In like manner, of the United Western Dacca concern Mr. Oram held five-sixteenths, the estimated value of the whole was ~~Rs~~ 1,50,000, and Mr. Oram's debt was 2,84,869. Was not this an ample reason why they could not bring it to sale? With regard to the advertisement not having appeared before last Monday, it did not strike him that Mr. Shaw was misinformed; he thought he had seen it for several months before: and as to the allusion made to the factories of Palmer and Co. he reminded the Court that the factories had been carried on without any reference to the creditors. As to Mr. Gregg having written to Mr. Shaw, he was not aware how it appeared that Mr. Gregg was a creditor.

Mr. *Justice Grant* said he was not at all surprised at Mr. Shaw being surprised at the reference to Mr. Wight for information; it was not however, strange that the assignees should be anxions that their own attorney should be present, when such information was obtained. The main question was, what is to be done with the factories, since it appeared, from the statement of the assignees that they could not be sold owing to the rights of the creditors being involved and mixed up with the right of other persons. As to the propriety of delaying the sale, it was evidently of no use putting them up in auction since it appears they cannot be sold until some arrangement is effected. He thought this order must be made absolute, with a proviso that Mr. Shaw's client may come in and show cause that the factories may be sold. *Englishman.*

## FREE SCHOOL EXAMINATION.

TUESDAY JANUARY 27, 1835.

Before the Examination began, the following Gentlemen were elected Governors of the Institution for the present year.

Reverends T. Dealtry and J. McQueen.
Messrs. R. D. Mangles and W. Byrn.

The Reverend Mr. Robertson then referred to the Bank Book to ascertain what sum of money remained in favor of the Institution, and it appeared that six thousand and odd rupees were to its credit.

BOY'S DEPARTMENT.

The Revd. Mr. McQueen at the proposition of the Revd. Mr. Robertson conducted the Examination in the following order. The 3d Class Boys under the tuition of Mr. Ridge, the second teacher, were ques-

tioned on some parts of Scripture History such as the Creation of the World, &c. and they answered satisfactorily, they were then asked to parse the sentence "I will strike the table with my hand" which they did etymologically, and after the correction of some wrong sentences they worked a sum and were dismissed. The 5th Class under the tuition of Mr. Keir. nander the fourth teacher was next examined in spelling, reading, and the definition of words, and the result of the examination was satisfactory. The 1st Class was examined last, and from the manner in which it acquitted itself, Mr. J. Lindsay, the head teacher, deserves great praise, for all the boys of this class who were examined closely by Rev. McQueen manifested a deal of progress which it was astonishing to witness in an Institution which only a year ago was noted for insignificance as regards the education of its boys.

The 1st Class Boys were examined in the History of England down to the reign of King James, which they seemed well acquainted with, they were desired to parse syntaxically the following sentence:—"The spectators testified their horror at the spectacle in sighs and lamentations," which they did with apparent facility; they then gave the parts of speech derived from one another such as nouns from adjectives and so on, and after being questioned on Geography and the definition of words which they answered *sans difficultié*, they were dismissed.

Rev. Dealtry took the opportunity of testifying his approbation at the result of the examination, and he was joined by Mr. T. C. Plowden and some other gentlemen present. They all said that it was surprising to find the boys getting on so well since the change of teachers, and they hoped the Institution might do better in time.

GIRL'S DEPARTMENT.

Rev. McQueen conducted the Examination in this Department also.

The 1st class read the 7th Chapter of St. Mathew and answered many questions connected with Scripture History, especially those regarding the Patriarchs, al of which they answered aright—the Girls then gave a definition of some words and their parts of speech as well as corrected some simple erroneous sentences and manifested a knowledge of Geography.

The 2d Class read the 1st Chapter of St. Luke and explained the meaning thereof; they gave the parts of speech and spelt correctly.

The 5th Class was examined by Rev. Robertson in reading and Scripture History, and they seemed to know well the five senses, viz. Seeing, smelling, hearing, tasting, and feeling; also the four elements earth, air, water, and fire.

The last class repeated some lesson with various motions touching the head, the mouth, &c. which was somewhat amusing.

The examination in this department also met with general approbation, and what appeared remarkable was the cleanliness in the dress of the girls and the hearty appearance which they exhibited, none appearing wan or sickly.

At the conclusion of the examination some boxes, &c. were given to the girls by way of encouragement. The boys also looked clean in their dress, healthy and robust, and we were told on inquiry that there were only 4 sick at the Hospital.

The examination in both the Departments was honored by the presence of the Right Honorable Lady William Bentinck, Lady Bryant, Mrs. Trevelyan, and several other ladies of quality, and Revds. Fisher and Dealtry, Messrs Plowden, Pattle and Macfarlane and Captain Birch.—*Bengal Hurkaru.*

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## EXAMINATION AND FAIR AT THE EUROPEAN FEMALE ORPHAN ASYLUM.

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TUESDAY, FEBRUARY 3, 1835.

At ¼ before 11 o'clock the Revd. Mr. Dealtry in conjuction with Mr. Bunkins commenced the examination of the 3d class. The girls having read the 3d Chapter of St. John's Gospel were questioned on Scripture History, chiefly regarding the Patriarchs, Abraham, Isaac and others—and the Prophets Samuel and Eli. From the ready answers given they manifested a pretty good knowledge of the sacred writings. After this stage of the examination the Right Honorable Lady William Bentink entered the room and the 1st class was called. The Revd. Mr. Dealtry set to the girls of this class one or two sums in the Rule of Three, which were worked correctly. The Revd. Mr. Harberlin then examined them pretty closely on Bible History from the creation down to the Deluge, and they acquitted themselves creditably. The Revd. Mr. Dealtry thought proper before dismissing this class to question the girls on Grammar and Geography, and they were required to parse the following sentence:—"good men shall be rewarded both in Earth and in Heaven" and "the wicked shall be punished—" these were parsed according to the rules of etymology and the verb "to love" conjugated. A few simple questions on Geography and the History of England were next put to them, and these were answered satisfactorily. The Class was about to be dismissed, when Lady William very complaisantly expressed her satisfaction at the result of the examination by handing to each girl the present designed for her, viz. Some books tied up together and forwarded to her Ladyship by Mrs. Dealtry, the Secretary to the Institution. The 2d Class was examined last by Reverends Harberlin and Garstin on Scripture History, &c., and it afforded as much satisfaction as the other classes.

Whilst this class was undergoing examination, the assembly, amounting to nearly 300 Ladies, Children and Gentlemen, hastened to the Fair in the Upper Department of the School, where Tables covered with Engravings, Toys, and other articles of the most beautiful kind, seemed to invite all to purchase.

Of the distinguished at the assembly and those whom we can name were the Right Honourable Lady William Bentink, Mrs. Trevelyan, Mrs. Dealtry, Mrs. Oakes, Sir Charles D'Oyly, Bart., Reverends Mackay, Morton, Dealtry, Harbelin, and Garstin, Major Powney, Mr. Saunders, and Mr, Bagshaw.—*Bengal Hurkaru.*

## MEETING AT MADRAS TO ERECT A BREAK-WATER.

A large assemblage of the inhabitants of Madras took place in the Town Hall at 11 A. M. on Monday the 23d February, to take into consideration the practicability of erecting a Break-water at the Port of Madras. The Hall was crowded at an early hour, and included nearly all the leading members of our society. Where unavoidable duty caused absence, it was gratifying to find that a sense of the value of the object sought to be attained was still uppermost in their minds, and letters to this effect which were received from the Honorable Sir Ralph Palmer and Sir Robert Comyn, amongst others, added fuel to the general excitement that prevailed. We regretted to observe the paucity of our native friends on the occasion, which was explained by Ragavah Chariar, to arise from their not being subscribers to the Presidency Newspapers, and therefore unaware of the period or nature of our assemblage; but this excuse we fear assists them little, as they had their own organ, the *Carnatic Chronicle*, which should have trumpeted forth the intended Meeting.

The SHERIFF opened the Meeting in due form, and proposed that Mr. Norton be called to the Chair, which was carried by acclamation,

Mr. NORTON then opened the business of the day in his usual masterly manner.

The VENERABLE ARCHDEACON informed the Meeting that he held in hand a letter from the Lord Bishop of Calcutta, who regreted that his early departure prevented his Lordship's attendance at a Meeting held for so desirable and beneficial a purpose. The letter ran as follows:

To Captain DALRYMPLE, &c. &c. &c.

Dear Sir,—I am truly sorry that I am compelled to leave the Presidency before the Meeting takes place for considering the practicability of erecting a Break-water in the Madras Roads. I cannot refrain however from assuring you that I heartily wish success to so useful and important an undertaking. If upon mature consultation any plan should be resolved upon, you may put me down as a subscriber for 1,000 Rupees. I should however venture to recommend great care in framing your calculations and preparing for expected difficulties, from the first. If you look every thing fairly in the face and obtain the concurrent approbation of the leading Nautical and Scientific gentlemen of the Presidency, to some definite project, I should have very little doubt of the ultimate success of the subscriptions. The roads of Madras are famous, I might say with Vergil, infamous, throughout the civilized world. The moment is surely then peculiarly favorable for removing the danger and inconvenience, when the gates of commerce are thrown open, when colonization is inviting Science and the Arts to your shores, and when the diffusion of knowledge is tending to raise the native mind to the efforts of commercial enterprize, nor can Britain appear in a more becoming attitude than when she is thus distributing those advantages of the Western world and accumulating those benefits of civilization in her Eastern Empire, which she has herself derived from her Religion and Laws, and which go to commend those foundations of her own prosperity, to the inquiring minds of the Inhabitants of Hindostan.

I remain, dear Sir,

Your most obedient and faithful,

DANIEL CALCUTTA.

*Government House, Madras, Feb.* 21, 1835.

It was perused amidst warm applause from all parts of the room.

The Venerable the Archdeacon then rose to propose the first resolution, and spoke in the following terms:

Sir,—Having read the letter of the Bishop of Calcutta, whose representative I have the honor to be, I might have contented myself with assuring the Meeting of my entire concurrence with the sentiments expressed by his Lordship; but I gladly avail myself of the opportunity which has been thus kindly offered me of submitting to this numerous and respectable assembly the first general proposition of the subject before us. And I am the more anxious to offer myself thus early to your notice, because I stand altogether unconnected with the immediate interests of the measure we are met to advocate. My ignorance of the specific plans to be proposed, my inability to enter into the details or to grapple with any of the practical difficulties, and the circumstances of the profession to which I belong might appear at first sight to mark me out as the last person to take any share in the discussion; but it is important for us to shew that in this and in all similar plans of public improvement, all professions and classes of the community join hand and heart as in one great and common cause. It is true that the measure now to be considered is one chiefly of commercial enterprize, and the proximate and immediate benefits we anticipate are those of mercantile speculation, but we know little of the true interests of our country and its colonies, if we imagine that all of us—whether civil, military or ecclesiastical, are not deeply interested in its success. England is a commercial nation. Commerce is the salient living spring from which all its power and pre-eminence among the nations of Europe is derived and by which its moral power is transferred to every quarter of the habitable world. When therefore we aid its commerce we extend its power, and whether at Home or in her distant colonies, every measure of improvement, though immediately bearing only on her mercantile prosperity, is an instrument of raising the civil and moral grandeur of our native country. It is impossible for any of her children, especially when new sources of improvement are opening upon us by the late political arrangements for India, to be indifferent to the success of schemes so important as this,—the more important because it is one of a primary and elementary character. What would England now have been, with all the beauty of her rivers and the majesty of her shores, without her Piers and Breakwaters to secure and defend her trade, and to enable her to receive into her bosom the wealth of the civilized world? Without them it would have still remained the haunt of the half naked savage: and it was by seizing every opportunity within her reach of progressive improvement which the skill, industry and enterprize of her sons individually as well as nationally, furnished, in short by steps of advance similar to that we now advocate, that she has attained the high and commanding station she now holds in the western world. If we would share and perpetuate her triumph we must aid her commerce, nor must we narrow our prospects of success. It is not the present generation only that will receive the benefits resulting from such improvements as this, but future years and the future colonists of India in an infinitely greater degree than we can hope to do; and we are only following up the true principle of the commercial spirit of our country by uniting to effect a measure which if effected must inevitably produce results of immense, though distant benefit On these grounds, Sir, permit me again to express the pleasure I feel in submitting to the meeting the 1st Resolution which is proposed for their adoption.

1. Resolved. That it is the opinion of this Meeting; that for the furtherence of Commercial Prosperity at Madras as well as the public convenience, it is highly desirable that some measure be adopted to overcome the difficulty of communication with shipping in the Roads occasioned by the surf.

The Resolution was seconded by the Honorable Mr. Oliver, and carried unanimously.

Mr. CHAMIER proposed the second resolution and addressed the chair as follows:

Mr. Chairman.—The resolution which I have to propose is to the effect that "the plan of a Break-water appears to offer the most eligible means of attaining the desired object at the least expense;" but before I request you to submit this resolution formally from the chair, it is proper that I should state to you the reasons which appear to justify the opinion that a Break-water is preferable to other modes of effecting the object of facilitating communication between the Shore and Shipping in the Madras Roads and obviating the dangers and difficulties arising from the violent surf which incessantly breaks on this coast. It is also right that those who are interested in the proceedings of this day but are unable, from whatever cause to attend the meeting, should know that before pronouncing this particular plan to be the best adapted to our purpose, we have duly examined and considered those which have been suggested by men who have gone before us and whose opinions are entitled to great weight on account of their professional knowledge and scientific acquirements. I shall therefore bring to the notice of the meeting those plans which I have had means of becoming acquainted with.

In 1798, Captain Lennon, of the Engineers, a highly talented officer, submitted two proposals to this Government, one for building a solid Pier, and the other for an extension of this work so as to form a harbour in these Roads—the object of the former was that, which we have in view, of facilitating communication between the shore and shipping and providing means of expeditiously and safely loading and unloading vessels: and the object of the latter was, of course, to afford a secure shelter for shipping at all seasons of the year. It was proposed that the Pier of solid masonary should be carried out to the distance of 450 yards and to the depth of 14 feet low water—beyond which it was ascertained the surf was never so violent as to prevent ship's boats or lighters from watering, or receiving and discharging cargo. The Pier was to run out nearly at right angles to the shore, so as to bisect the direction of the surf in the different monsoons, which would thus at all times strike slantwise on the Pier and afford, in the opposite direction, as lee side for safe approach of boats. The other proposition to construct a harbour where ships might ride with safety required an extension of the work to a distance of 650 yards, so as to give sufficient depth of water and capacity to contain and shelter them. The harbour was calculated to cost £4,50,000, the single Pier £1,20,000 or 300,000 Pagodas. These propositions were not sanctioned by the Home Authorities from an apprehension of accumulations of sand being likely to form from the action of the surf and currents by which, in the end, the Pier itself would be rendered useless by the gradual encroachment of the shore.

In 1803 the same zealous officer, desirous to obviate the objections which I have just stated, submitted proposals for erecting a Pier upon piles—to be elevated 10 feet above high water mark and carried out to the distance of 450 yards, with a depth of 14 feet low water—which, as has already been stated, is considerably beyond any effect of the surf in the most violent weather. The flooring of this Pier was to be moveable, so as to admit of being taken up at the approach of the monsoon. The work was estimated to cost 300,000 pagodas. It was referred for the consideration of several intelligent Commanders of Indiamen and they stated various objections—not to the *practicability* of construction, but to the expediency of the scheme. They had doubts whether, notwithstanding the Pier was constructed on open piles, banks might not be eventually formed so as to prevent at times the approach of vessels to the Pier for loading and unloading their cargoes, and they were apprehensive that the currents during the prevalence of the strong southerly winds might raise, on being opposed by the Piles of the Pier, across and chopping Sea on the side on which vessels were to lie in their situation of loading and unloading, so as to prevent their continuing by the Pier—which at the same time they would be unable to quit without a warp, unless favored by a wind directly from the land—and thus they would often be exposed to danger in hauling off. And it was also feared that the same difficulty of lying alongside the Pier-head, would be occasioned by the great swell which is constantly experienced in these Roads. A further objection was made on the ground of the very limited means of loading and unloading ships, which the Pier would afford. Not more than two or three vessels could be worked at one time; and the progress of delivery, as well as of loading, would be tedious and uncertain. The means which the Pier would afford would be inadequate to the use required of it by the shipping, but quite sufficient to throw out of employ a number of that most useful class of people at this port, the boatmen, who would be compelled to disperse and seek other means of livelihood, and thus in the event of any injury to the Pier from storms, or an enemy, or from ourselves to keep off an enemy, their service should not be readily replaced and the business of the port would be seriously impeded, if not entirely stopped, for a time. For these reasons it was not thought advisable to adopt the plan submitted by Capt. Lennon.

In 1808, Mr. Greig proposed to erect a Pier and Wharf at his own expense, by way of experiment, with the condition that if he succeeded and a more permanent and extensive work should be undertaken by Government, he was to have the execution of it and a suitable remuneration. This gentleman, while he noticed the rejection of Captain Lennon's propositions submitted no plans of his own. It was not thought expedient to give him any public pledge and his proposal was declined.

In 1821, Major De Havilland another scientific Engineer, submitted the plan of a Wharf to be projected from the Bulwark, near the Custom House. One of the chief inducements to bring forward the proposition at that time was the opportunity which it afforded of turning to account a vast collection of planks and timber which had been employed as scaffolding during the construction of the Bulwark and another was the expectation that the work would tend to retain the sand more effectually along the Bulwark—this accumulation, or retention, of sand being the very effect which the Home Authorities anticipated when they declined Captain Lennon's first plan. The expense was calculated at 35,000 Rs. in addition to the value of the available wood, which was estimated at 18,000 Rs. It was proposed to carry this work out at first only to the extent of 104 feet beyond the foot of the Bulwark, which was not far enough to reach beyond the break of the surf, and consequently it would not be possible to load boats in such a position, but on the contrary, difficult for any but a very active man to get in or out of a boat. The scale of the work was not considered sufficiently commodious for the general purposes of the port; and it was further deemed advisable to wait to see what effect the regular return of the season might have in restoring the beach, before any expensive work upon it was undertaken. The construction of the Wharf was not therefore at the time sanctioned and the proposition has not, I believe, since been revived.

The plan of a Break-water is free from all the objections which have been urged against Piers or Wharfs. Nothing is to be feared on the score of accumulations of deposites of sand; for, as it is proposed to place it at 400 yards from the shore and parallel with it, a wide passage will be left open for the currents, which in their course north or south, according to the season of the year, will effectually prevent any accumulations which can possibly be detrimental to the landing of boats—or disturb the smoothness of the water. Simple in its design; requiring no complicated machinery in its construction; easy of repair; admitting of extension in length, breadth, or height at pleasure; not interfering in any way with the anchorage of ships; moderate in cost; ensuring smooth water for the landing and shipping of goods and affording security to life and property, with facility of embarkation for troops and stores at all times, it has, in my opinion, irresistible claims upon the attention and support of the public.

Let it be remembered that in 1782 some hundreds of coasting vessels laden with rice were, from the want of the means of expeditionsly landing their cargoes, detained in the roads until the monsoon wrecked the whole of them and caused thousands to perish by famine. When the interior of the country is unable from bad seasons, which are unfortunately of frequent occurrence, to furnish the required supplies of grain, we are dependant upon importations by sea, and the instance which I have mentioned is not the only one in which extensive losses and inconvenience have occurred from the detention in these roads of native craft, upon which so much, even the very subsistence of the people in times of scarcity, depends.

The consideration, if there were no other, ought to induce us to do all in our power to facilitate communication between the shore and the shipping, and to prevent, as far as human means can avail, the recurrence of those calamities which the continuance of the present obstacles may occasion.

In conclusion I am happy to be able to say that Sir F. Adam has intimated, in reference to the object of our meeting, that if any good plan be suggested for so important a benefit to the port of Madras, as we have in contemplation, it shall have his best assistance, as he is sure it will that of Government.

From what I have now stated it will be seen that plans for effecting the great object of faciliating communication with the shipping in these Roads have not been wanting on the part of officers of this Government, and that the Government itself has not been indifferent to such undertakings; and if it has not sanctioned plans which upon examination have been deemed inexpedient, it may be hoped that when a feasible, expedient, and beneficial project is submitted for its consideration, it will afford that cordial support which we all desire and which is so essential to the public interests on this occasion. I now request Mr. Chairman that you will be pleased to submit this Resolution to the meeting. (The Resolution was here handed to the Chairman and read by him to the meeting.

2.—Resolved. That the plan of a Break-water appears to offer the most eligible means of attaining the desired object at the least expence.

Captain DALRYMPLE in rising to second the motion of Mr. Chanier, took occasion to say—Mr. Chairman, it may seem to require some explanation why I should come forward on the present occasion to take a prominent part, having so recently become a member of this society, but placed by my official situation within daily observation of the surf and its effects, the subject has in a manner forced itself on my attention. As soon as the matter came under discussion it was necessary to ascertain the following points.

1st.—How far the surf breaks from the shore in ordinary weather.

2d.—How far it breaks when communication with the shipping is cut off.

3d.—The depth of water from the shore beyond the surf; and

Lastly.—The nature of the ground.

Under the able suggestions of Captain Arthur Cotton, I have endeavoured to possess myself of information upon these several points.

During the last four months, two buoys have been laying on the spot where it is proposed to erect the Break-water, these buoys are in 19 feet water and distant from the shore 306 yards. The surf has never broken outside of this spot since the buoys were laid down, although the communication has been cut off for three days consecutively. The anchors holding the buoys (one of which is a heavy anchor of 8 cwt.) are not buried in the sand, which indicates a hard bottom. On the table I have placed for the inspection of the meeting 16 specimens of the bottom between the buoys and the shore, taken by the divers. There does not appear to be any deposit of silt or mud. In the two principal surfs, the sand is coarse and becomes finer as the distance from the shore is increased. This state of the bottom is in accordance with the well-known action of the current, which sets along the shore to the north in the southerly monsoon and to the south in the northerly. It has not come within my observation that there is any perceptible set of the tide and its rise and fall does not exceed 2 feet and a half.

All these circumstances conspire to prove that a Break-water composed of loose stones dropt in a single line to find their own base appears to be the most eligible and most economical plan. A rough sketch of such a structure is now lying on the table. It was kindly furnished by Captain A. Cotton, who has devoted a considerable share of his attention to this particular subject. I need not expatiate on his fitness for this task, his abilities are too well known to need any eulogium from me. He has lately visited most of the structures of this description not only in Great Britain, but in many parts of Europe; and the plan rough as it is, may be fairly considered as the result of all his observations. As, Mr. Chairman, most justly observes the plan appears to meet the objections of all the suggestions hitherto offered in a most remarkable manner. Great exception has been taken to the trifling amount of the estimate, I need only observe that the calculation is grounded on very sufficient data. It is known that a large quantity of stones of the description required are now lying on the beach, forming the bulwark. They came from the Mount on bandies, they cost so much money. The Mount can still furnish the required quantity, the bandies are to be had at the same price, the road is better than it was, and therefore it is very easy to calculate the cost of bringing so much material to the beach. The additional labour of rolling the stones upon catamarans and hauling them through the surf is also very easily summed up, and as there does not appear to be a necessity for using any machinery or artificers (except to blast the stones,) the economical nature of the plan proposed seems quite clear. It has been suggested to me that the stones could be floated down the Adyar from the little Mount, and I see no difficulty in this. I may also mention that Mr. Roberts, the Principal Collector of North Arcot has stated the feasibility of opening the bar at Pulicat for country craft which would afford another means of procuring material at a small expense of water carriage.

Mr. Chairman, I will now, with your permission, read a few remarks penned by Captain A. Cotton illustrative of the advantages to be derived from adopting the plan proposed and the means of carrying it into execution.

1st.—Drop all the stones on a single line, by which means the work would be brought to the surface of the water, with the least quantity of stones possible, and the effect of the work be seen at the least possible expense.

2d.—Drop the small stones first, because it would be immaterial of what dimensions the stones were, of which the heart of the work was composed.

3d.—It would be desirable that the outer stones should not be less than ½ ton each.

4th.—The stones would get firmly arranged by the action of the waves in rough weather, and where the surface was lowered by this means, fresh stones must be placed.

5th—At first the stones to be rolled upon catamarans at the edge of the surf, and the catamaran hauled out to the proposed scite by a rope made fast to a buoy outside: taking advantage of the landwind mornings to begin the work, and throwing the stones down in a length of 20 yards at first, in order to obtain some shelter as soon as possible.

The main point to be observed respecting the construction of a work to counteract the surf are;—

1st—As the current sweeps along the shore, any work constructed parallel to the beach, will have little or no effect upon the bottom, so as to cause an increase or diminition of depth of water.

2d.—As the surf is caused by the swell rolling in nearly direct from seaward, a work constructed parallel to the beach, will effectually prevent the surf from breaking upon the part of the beach opposite to it.

The advantages of a simple line of loose rough stones are;—

1st—There will be no difficulty in its construction.

2d.—It will be a permanent work; the greatest injury it could receive in a storm, would be the displacing of some of the upper stores, which could be replaced at a trifling expence.

3d.—It seems probable that no cheaper plan could be found.

4th.—The boats when within the Break-water would be sheltered from the *swell*, as well as from the surf, and would lie in smooth water while loading and unloading or while unemployed, which would not be the case with a pier or jetty carried out to be back of the surf.

The proposed Break-water is similar in the principle of its construction to those two great works at Cherbourg and Plymouth, both of which have succeeded under difficulties ten-fold greater than we have to contend with at Madras. The Plymouth Break-water is open to the whole force of the great Atlantic Ocean, to the *unequal* lateral pressure of a column of water varying from 35 to 40 feet by the rise and fall of the tide, to the velocity of the tides which greatly accelerates the force of the waves and to frequent gales of wind during every month of every winter. The Madras Break-water would only be exposed to the *equal* lateral pressure of a column of water of 19 feet, has no velocity of tide to contend with and is not likely from past experience to be visited by a gale of wind oftener than once in seven years. As a sea risk, I consider, it is not exposed to greater danger than any other sea-risk, and it has never been urged against the employment of shipping that they are sometimes destroyed by hurricanes or gales of wind, I need scarcely advert to some objections which have been urged through the medium of the press, but to prevent misconception, I may briefly state that Captain Cotton placed three separate plans for consideration upon *one* sheet of paper, whereupon it entered into the head of some persons that all three of the plans were to be carried into execution for 40,000 rupees, the outer one for ships, the middle for dhonies, and the inner one for boats. This idea was very like making a *large* hole in the door for the cat and a *small* one for the kittens, I need not say that the speculations which were put forth under this erroneous supposition are the dreams of a visionary. It may be satisfactory to the meeting to know, that it does not necessarily follow that the present boats and men are to be discontinued. To throw out of employ so large a body of men would be productive of great inconvenience, and I see no objection to the employment of the present boats and men when the Break-water is completed.

Mr. Chairman, I beg leave to conclude by assuring you and the meeting that if a Break-water is resolved upon, in so far as I am permitted by the Government whose servant I am, I will use my best endeavours to carry on the work to completion. As a member of the community at large, I will exert myself in every way which can promote the interests of this great work.

Colonel MONTEITH rose and said:—

At so early a point of our proceedings we should avoid as much as possible entering into any details of the execution of the work, the plan of which has this day for the first time been brought before the public. The warm interest which it appears to excite among all classes of the community is the best pledge of its being brought to a successful termination. It is far from my wish or intention to start any difficulties which may throw a doubt on its success, but to state those obstacles which every enterprise of this kind must be attended with, that they may be firmly encountered and proved. The only chance of failure is undervaluing the impediments and uncertainty of all works which have to resist the mighty power of the ocean. In my opinion it is therefore expedient to avoid any mention of the sum for which the object may be expected to be accomplished or to adopt any plan without the most mature deliberation and approval of the public in general. I will venture to say from the hasty view of the sketch now before us, which I see for the first time, that at least three times the dimension and solidity will be required to resist the force with which it will be assailed.

In drawing out a plan of this nature we should never lose sight of what has been done and proposed by those before us, avoiding the known causes of failure and adopting those principles which have been attended with success.

The names of the Break-waters of Plymouth and Cherbourg have been this day quoted, the former have been attended with success in every stage from its commencement to its present state; and any persons who will take the trouble of examining the drawing on the table, will perceive that it is on a scale of three times the plan that is now proposed! We may safely conclude from the talent which was exerted that there were good reasons for such an expenditure of money and materials. Strong as it appears, it has once been partially injured and thus proved the wisdom of the precautions taken. These with a depth of water of 30 feet, the base is 210, it certainly therefore never can be supposed sufficient to give only a base of 54 to a height of 20. In the experience we have of the sand about 6 feet only is moveable, after which it is so compact that with the utmost difficulty could a pile be forced into it.

I beg leave further to state that neither the same certainty of success or the same facility of execution exist at Madras as at Plymouth. In the latter we all know that the Break-water is situated in a deep bay, the two ends sheltered by the sand, and to create smooth water it was only necessary to resist the waters entering from the south. At Madras you have a perfectly straight line with the prevailing winds blowing through the covered passage—we all know the strength and direction of the long shore winds and also the N. E. monsoon. A straight line or one only slightly bent at the ends is not I think the proper form to be given, but as I before said this point had much better be left to the Committee. Regarding the accumulation of sand, I think little apprehension need be entertained; in confirmation of this assertion I beg leave to lay before you a survey of the harbour named after Admiral Sir H. Blackwood, and surveyed by the officers of my department. Here you will perceive nature has placed a Break-water on a grand scale and nearly parallel with the shore, the current running through the channel has for ages kept it open, and the banks marked, it will be perceived have accumulated only where the current has been thrown off by propelling points. Had fortunately our first settlement at this point been maintained and not abandoned for Madras, a secure and beautiful harbour could with ease have been constructed, by simply finishing what nature had began, and a few feet of stone on the present reef and bank would have formed a secure harbour at all seasons. I will no longer detain you, and only trust nothing I have now said will shake the confidence of those gentlemen, who have expressed so warm an interest in the improvement of the port, or make it be supposed that I have doubts of the practicability of the undertaking.

The resolution was then put and carried unanimously.

On the motion of Mr. Arbuthnot seconded by Mr. O. Viveas.

3. Resolved—That a Committee of the *thirteen* gentlemen hereunder named, be now appointed (with power to add to their number) to investigate plans, and generally to adopt such measures, as may appear calculated to forward the objects of the Meeting.

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| J. W. Dare, Esq. | Captain Dalrymple, |
| G. Norton, Esq. | Lieut. J. Braddock, |
| Lieut.-Colonel Monteith, | W. Ashton, Esq. |
| J. Line, Esq. | Major Ross, |
| J. Scott, Esq. | J. Arbuthnot, Esq. |
| J. Ouchterlony, Esq. | and |
| Æ. R. Mcdonnell, Esq. | Ragavah Charry. |

On the motion of Brigadier General Doveton, seconded by Mr. Morris.

4. Resolved,—That a subscription be now opened for voluntary contributions or donations, on the condition that the sum so subscribed shall not be called for, unless some plan shall be approved by the committee appointed to examine the plans proposed and adopted by the majority of the subscibers at a meeting to be called for that purpose.

On the motion of Mr. Campbell, seconded by Ragavah Charry.

5. Resolved,—That the committee be requested to apply immediately to Government for their sanction and support.

On the motion of Mr. Line seconded by Mr. J. Barrow.

6. Resolved,—That the Committee be requested to give all needful publicity to their proceedings through the medium of the public press.

On the motion of Brigadier General Doveton seconded by Mr. Campbell.

7. Resolved,—That the thanks of this Meeting be given to Mr. Ashton, Captain Dalrymple, Mr. McDonnell and Captain Cotton for the public spirit they have evinced in originating this most useful project.

On the motion of Mr. Baynes, second by Mr. Ashton.

8. Resolved,—That the Chairman be requested to forward a Copy of the Resolutions of this Meeting to the Lord Bishop of Calcutta, to convey to his Lordship their thanks for the expression of his kind offices and liberal offer of his support.

Mr. Norton having left the chair, Mr. Chamier was unanimously called to it, when

On the motion of Mr. McDonnell, seconded by Colonel Smythe, it was Resolved that the thanks of the Meeting be given to Mr. Norton for his able conduct in the Chair.

Mr. Norton returned thanks,—when it was agreed that a Subscription Book should be immediately put in circulation round the room.

The Meeting was then adjourned to a future day to be fixed upon by the Committee, for the purpose of submitting their Report; due notice of the day and hour of meeting to be given through the press. —*Madras Herald, Feb.* 25.

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## MEETING OF ALEXANDER AND CO.'S CREDITORS AT THE EXCHANGE.

A Meeting of the Creditors of the late firm of Alexander and Co. was held on the 16th March, at the Exchange, Mr. D. Macfarlan in the chair. After much desultory conversation, it was carried unanimously that it be recommended to the Insolvent Court that the Assignees do cease to receive monthly salaries, and that they be remunerated for their labors by a commission of five per cent. on dividends, including establishment and all other charges, except law charges.

Some of the creditors having complained of the unsatisfactory nature of the statements laid before them, and desired to have some distinct information with respect to the present state of the property and the prospect that existed of dividends from the estate, Mr. Fullarton said, that though he had not yet had time since his return to Calcutta to look minutely into the latter transactions of the Assignees, he believed he was sufficiently conversant with the affairs of the estate to give the meeting a pretty fair idea of the effect of the late compromise with the Bank of Bengal, and of the prospects of the creditors, as far as concerned the indigo works and other mortgaged property. The assignees had agreed to redeem that property from the Bank at a valuation of thirteen lacs and odd thousand rupees, payable in three yearly instalments, of which the first and part of the second had been already paid; and as, in consequence of the fall in the price of indigo, an immediate dividend appeared to be out of the question, it was thought the best course to employ whatever funds were now in hand or in course of realization from the sales of produce, to the further reduction of the debt to the Bank, which there was reasonable ground for hoping might be altogether redeemed before the close of the year, if not at an earlier period. The whole of the real property would then become assets available for dividends as fast as it could be sold, as would also the proceeds of the Indigo of the season, whether the factories might be worked to a profit or not. The real property measured by the low valuation set on it in the arrangement with the Bank might be taken at 12 lacs, though, according to the prices which have been recently given for Indigo Factories in the market, 15 lacs would perhaps be nearer the mark. The value of the produce might be taken at from 01 to12 lacs; so that, on the whole, assets to the extent of between 20 and 25 lacs of rupees might, on a very moderate computation be expected to be forthcoming from this source at no very distant period. In proof of the benefit which the creditors at large had derived from the settlement with the Bank and from carrying on the Indigo factories, Mr. Fullarton mentioned, that the original debt to the two Banks and to Government, for which this property was given as security, might be stated in round numbers at about 35 lacs of rupees, of which 5 lacs had been paid from the proceeds of the Indigo on hand at the time of the failure, 10 lacs out of profits since realized from the produce of the factories, (between 6 and 7 last year, and from 3 to 4, notwithstanding the fall of markets, in this,) and only, he believed, about 6 lacs from the actual sales of the mortgaged property, leaving the Bank of Bengal a creditor for about 7 or 8 lacs on account of the redeemed property, and entitled to rank for dividends against the general estate to the extent of between 5 and 6 lacs more. However therefore, the assets of the estate might now be depreciated, and however disappointing might be the general out-turn, there could be no doubt but that the estate was now in a much better position, than if the whole of the mortgaged property had been peremptorily sold, immediately after the failure, for the benefit of the mortgagees. With respect to the prospects of the creditors from the recovery of book debts, Mr. Fullarton could not take upon himself to give any decided opinion. Those debts, he must say, had been coming in very slowly.

Mr. H. SMITH stated, that he had always been of opinion that the proper mode of paying the Assignees was by a commission and not by a salary, that he had expressed that opinion at a meeting three times more numerous than the present which was held above a year ago, and that it received, he believed, the unanimous concurrence of that meeting, with the exception of one gentleman, Mr, Fullarton, who, upon what ground he would not pretend to say, had also, as he understood, now come round to the same way of thinking. They had now got a new Assignee; and Mr. Smith trusted, that, among the other matters claiming his attention, he would not fail to look into that gentleman's account and into the accounts of the other retired partners, who appeared as

claimants against the estate to the amount, he believed, of nearly 40 lacs of rupees. The late case of Mr. Brown Roberts showed the necessity of such investigation.

Mr. FULLARTON in reply observed, that his change of opinion with respect to the proper mode of remunerating the Assignees arose entirely from the very different circumstances in which the estate now stood, as compared with its position last year. It was then loaded with an enormous mortgage debt; there was no prospect of any early dividend; a very large establishment was still required for closing the books, rendering the accounts, and enabling the Assignees to carry on efficiently those concerns which could not be immediately sold; and Mr. Fullarton considered, that by paying the Assignees under such circumstances by a commission, the creditors would have been merely holding out an inducement to them to precipiate sales and sacrifice the property. Now, however, the case was different; the mortgages had to a considerable extent been cleared off: so large an establishment was no longer necessary; and there was a reasonable prospect of a dividend at the end of the current Indigo season. As to what had been said respecting his own claims against the estate and those of his former partners, it might be expected perhaps that he should offer some observations. On this subject, however, he should be very brief. Any attack of the nature intimated, he trusted, when the proper occasion arrived, he should be prepared to meet and to rebut. For the present he would merely remark, that if a charge of insolvency could really be sustained against the late firm having reference to a period twenty years back, (and Mr. Smith's observations embraced that period; the last retirement was Mr. Fullarton's own and he settled with his partners and relinquished his interest in 1819;) if a charge of insolvency throughout all that time could be sustained against them, he could only say that he and his friends had been labouring under some extraordinary delusion. It could scarcely be thought very credible, that four men, neither of them, he believed, suspected of any remarkable indifference to their worldly concerns, nor very deficient in prudence or sagacity, men intimately acquainted with the state of Alexander and Co.'s concerns should have gone on for such a length of time, reposing the most unlimited confidence in the establishment, if they had known it all along to be insolvent; that they not only should have shown no anxiety to withdraw their funds, but should in many instances have rejected remittances, and even added largely to the sums at stake. With respect to Mr. Josias Dupre Alexander in particular, who was the largest creditor of any of the retired partners, Mr. Fullarton was prepared to prove, that he not only rejected remittances to a great amount, during several years after his retirement, but had remitted very considerable sums subsequently from England, which now formed no small portion of his claim against the estate. Indeed up to the period of Messers. Palmer and Co.'s failure in 1830, when rumours began to be buzzed abroad against Alexander and Co.'s credit, they had all been acting on the most thorough conviction, that the establishment was not merely solvent but in the most flourishing circumstances.

Mr. H. SMITH said, that no person could blame the course he had taken on the present occasion, and he was glad that it had produced so satisfactory an explanation as Mr. Fullarton had now given. He certainly had not apprehended that these transactions were of such old standing, and could not suppose that so long ago as sixteen years, the partners could have contemplated the insolvency of the house.

Captain VINT suggested that the Chairman, in communicating to the Insolvent Court, the resolutions passed at this Meeting, should be requested to solicit, that in the event of the Commissioner not approving and adopting the recommendations therein contained, his Honor should be solicited to refer the matter back to another Meeting for reconsideration.

Captain VINT's suggestion being approved of and thanks voted to the Chairman, the Meeting then broke up.—*Bengal Hurkaru.*

## MEETING OF CREDITORS OF JOSEPH BARRETTO AND SONS.

There was a Meeting of the Creditors of Joseph Barretto and Sons on the 10th March, at the office of Messrs. Hedger and Smalley, for the purpose of appointing a new Trustee in substitution for Mr. Melville, whose ill-health obliges him to go to England; and it was unanimously agreed to request Messrs. Brightman and Co. to accept the Trust, with a commission of two and a half per cent. upon the amount of the dividends to cover all expenses except the law charges. Mr. J. D. Brightman, on the part of his firm, assented to the arrangement.

A statement was produced showing that there were assets now available—in cash Rs 2,478 3, Company's 4 per cent. Paper 79,000—besides arrears of rent due by Messrs. Currie and Co. on the Howrah Docks 18,746-10-8, and a dividend of 10 per cent. about to be paid by the Assignees of Fergusson and Co. which firm was indebted to the Trustees of Jos. Barretto and Sons, Rs 2,52,324-4-10; and the sale price of the Howrah Docks sold in November last, to Messrs. Currie and Co. for Rs 2,05,000, the first instalment of which Rs 24,000 is now over-due and under arrangement with the purchasers. The books of Barretto and Sons contain claims against various persons to the extent of some eighty lakhs of Rs, which are all now regarded as desperate, and we understand the only good asset of any consequence in addition to those we have enumerated, is a debt of about 20,000 Rs due by a Persian Merchant here for some transaction with the Trustees. In round numbers, we may estimate the net sum likely to be realized for division at about four lakhs. Per contra, the registered claims amount to about 13 lakhs; but among them there are specialty creditors to the extent of 4 or 5 lakhs otherwise provided for, and the amount also includes a Judgment debt of between 6 and 7 lakhs represented by the Firm of DeSouza and Co. for which they have elected to come upon the separate estate of old Barretto, in the first instance; so that the joint estate of the firm will only have to pay a dividend upon the balance of that claim if not satisfied in full by his separate estate. Hence it follows, that the debts at present entitled to dividend are under four lakhs.

It was resolved that Messrs. Brightman and Co. should make an immediate dividend of the assets now available, if upon inquiry no legal impediment should be found to exist arising out of the suit of Messrs. DeSouza and Co.—*Calcutta Courier.*

## PARENTAL ACADEMIC INSTITUTION.

At the Twelfth Annual Meeting of the Society, connected with the Parental Academic Institution, held at No. 7, Park Street, on Monday evening, the 2d March, 1835.

On the motion of Mr. F. D. Kellner, seconded by Mr. C. W. Lindstedt, F. Corbyn, Esq. was called to the Chair.

On the motion of Mr. W. Kirkpatrick, seconded by Mr. C. Pote,

It was resolved unanimously,

1.—That the Report now read be accepted and published for general information.

On the motion of Mr. M. Crow, seconded by Mr. G. F. T. Speed,

It was resolved unanimously,

2.—That the efforts that have been made by means of the Institution towards improvement in local education, need to be followed up by renewed efforts, in dependence upon the divine blessing, in furtherence of the important end in view.

On the motion of Mr. J. Welsh, seconded by Mr. W. Duff,

It was resolved unanimously,

3.—That the acknowledgments of the Meeting are due to the friends and supporters of the Institution on account of the encouragement and patronage extended by them to the Institution.

On the motion of Mr. J. DePenning, seconded by Mr. T. McDonald,

It was resolved unanimously,

4.—That the undermentioned gentlemen be elected the Committee of management for the ensuing year: viz. Messrs. W. Byrn, W. Dacosta, C. Francis, J. Hill, J. Jacobs, F. D. Kellner, R. Kerr, C. W. Lindstedt, H. Martindell, W. Stacey, W. Sturmer, J. Welsh, and J. Wood; and that Mr. W. Byrn be the Secretary for the ensuing year.

On the motion of Mr. J. Welsh, seconded by Mr. W. Byrn,

It was resolved unanimously,

5.—That Mr. J. A. Lorimer, the Head-master, be nominated Honorary Member of the Committee of Management.

On the motion of Mr. W. Kirkpatrick, seconded by Mr. M. Crow,

It was resolved unanimously,

6.—That a Sub-Committee be appointed for raising subscriptions for liquidating the debts of the Institution: viz. Messrs. C. F. Byrn, F. Corbyn, J. DePenning, C. French, J. Graham, M. Johnston, W. D. Oclune, C. Pote, and P. Sutherland.

On the motion of Mr. M. D. Sinaes, seconded by Mr. P. Sutherland,

It was resolved unanimously,

7.—That the funds raised by the Sub-Committee be made over, as collected to the Secretary of the Institution, to be appropriated for the liquidation of the debt of the Institution.

On the motion of Mr. F. D. Kellner, seconded by Mr. C. W. Lindstedt,

It was resolved unanimously,

8.—That the thanks of the Meeting be offered to the Chairman for conducting the business of the evening.

(Signed) F. CORBYN, *Chairman.*

*Bengal Hurkaru.*]

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## MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society, held at the Asiatic Society's Apartments, March 7th, 1835.

Before commencing the regular business, the Secretary intimated to the meeting, that from the high gratification he had experienced in witnessing the experiments performed by Dr. Tytler in Electro-Dynamics or Magnetic Science before the Medical Board, he felt anxious that the Members of the Society should enjoy a similar pleasure; that he had accordingly proposed to Dr. Tytler to deliver a lecture to the Society on the subject, should the Members desire it, to which that gentleman had kindly consented.

The proposal was cordially agreed to, and an extra meeting for the purpose was called for on Tuesday evening the 10th instant.

John Allan, Esq., M. D., Surgeon, 10th Regiment N. I., was elected a Member of the Society.

The following gentlemen were proposed as Members of the Society. H. Chapman, Esq, Assistant-Surgeon to the Right Honorable the Governor General's Body Guard, by Mr. Bramley and Mr. Hutchinson; William Griffith, Esq., Assistant-Surgeon Madras Establishment, by Dr. Wallich and Mr. Twining.

R. C. MacConnochie, Esq., and J. W. Knight, Esq., Assistant-Surgeons Bengal Establishment, by Mr. Hutchinson and Mr. Egerton.

Letters were read from Messrs. Beckwith and Co. and Messrs. Arbuthnot and Co. the Society's Agents at Bombay and Madras, forwarding their accounts current for the past year, the former exhibiting a balance in the Society's favor of Sicca Rupees 349-2—(a hoondee for which sum has been received) and the latter a balance of Madras Rupees 740-13-3—which Messrs. Arbuthnot and Co. have been requested to remit at their convenience.

A farther communication on the Liquor Lyttæ from D. S. Young, Esq., of His Highness the Nizam's Service to the address of the Medical Board of Madras, was presented by the Medical Board of Bengal, and read to the meeting. Much of Dr. Young's account of this admirable remedy has already been communicated to the Members of the Society. The principal advantages which it possesses over the common Emplastrum Lyttæ are the rapidity and exactness with which vesication can be produced by it, the little irritation which it occasions, the little room it occupies in the medicine chest, its retaining its powers for a comparatively long period, and its being applicable to the most uneven surfaces. It appears, that in 1832, Dr. Young received from Mr. Snowdon of the Haymarket a few ounces of the Liquor Lyttæ with the following memorandum—"The Liquor Lyttæ is an Aceto, spirituous tincture of cantharides, and will be found to be a good substitute for a common blister. There was no formula for its preparation sent, but Dr. Young succeeded in making it. The following is the process adopted by him.

Take of concentrated acetic acid nine ounces.

Rectified spirit three ounces.

Spanish flies four ounces.

The Spanish flies to be coarsely pounded and put into a wide mouthed glass stoppered bottle, when the acetic acid and rectified spirit are to be added. Let the whole digest for five days exposed to the sun, be then strained through flannel and preserved for use. The quantity of the "Liquor" will be about eight ounces. The following Dr. Young conceives is the modus operandi of the Medicine. "The immediate efflorescence of the skin is in all probability produced by the acetic acid, and a highly inflamed surface is thus presented to the action of the Cantharides by which its operation as a vesicatory is expedited."

The Liquor Lyttæ is now prepared at the H. C.'s Dispensary of a quality not inferior to that made by Dr. Young himself.

The following Chemical and Pharmacentical preparations were laid before the Society by the Medical Board, viz.

A quantity of Caoutchoucine, a liquid substance, said to be of a highly inflammable nature, obtained from Caoutchouc or common Indian Rubber. Specimens of the Liquor Lyttæ, prepared by Dr. Young, and at the H. C.'s Dispensary.

FOR THE LIBRARY.

Memoirs of the Life and Medical opinions of John Armstrong, M. D., with an inquiry into facts connected with Marsh Fever, by F. Boot, M. D., presented by the author, through the Vice-President Dr. Wallich.

FOR THE MUSEUM.

Specimens of Phosphate of Lime taken from the Mesentery of a subject that died of Chronic Gastro-Enterites, by Wm. Twining, Esq.

The following original communications were presented at the Meeting, viz.

1. Observations on the climate and diseases of the new Colony of Western Australia, more especially of the Swan-River District, with a brief account of the settlers, natives, soil, productions, &c. by Wm. Milligan, Esq., M. D., Assistant Surgeon H. M.'s 63d Regiment.

2. Additional report of cases of cataract and artificial pupil operated on by F. H. Brett, Esq.

3. Additional catalogue of cases of lithotomy on natives of India, by F. H. Brett, Esq.

4. Farther observations on the prevalence of dracunculus as connected with geological formation, by C. Morehead, Esq., M. D., Bombay establishment.

5. A fatal case of fracture with depression, drawn up by Thos. Oxley, Esq., A. B., Assistant-Surgeon, at Singapore.

6. A fatal case of rupture of the spleen, drawn up by Thos. Leckie, Esq., Assistant-Surgeon, 4th Battalion Artillery, Dum-Dum.

The two last communications were presented by the Medical Board.

The following papers were then read and dicussed. —viz.

Five cases of blindness, one congenital and four from early infancy, successfully treated by operation by F. H. Brett, Esq.

Account of three cases of disease of the femoral veins, by J. Mouat, M. D., Surgeon H. M.'s 13th Light Dragoons.

Case of ulcerated stricture of the asophagus communicating with the trachea, by A. K. Lindesay, Esq., officiating Garrison Surgeon Chunar.

Mr. Brett's first case occurred in a native lad 16 years of age, who had no recollection of ever having seen; although his relations would not appear to have become aware of his blindness, till he was six months of age. The eye balls rolled excessively, as is usual in similar cases. On the 27th of November, the right eye was operated on in the usual manner, and the cataract depressed to the bottom of the vitreous humour. On the 29th not the slightest inflammation had occurred. The cataract had risen so as to appear behind the inferior half of the pupil, dancing behind it, whenever he moved his eye, but without injuring the Iris. Nothing further was done till the 3d of December, when on examination the eye was found in the same state, the cataract remaining unaltered. Mr. Brett then adopted the following expedient, which he hopes will be attended with great success in all cases of old congenital cataracts. He seated the patient before him, as in the operation for extraction of the cataract. The pupil having been previously dilated by belladonna, an incision was made with a sharp pointed lancet through the sclerotica, about a line from the union of it with the cornea, to the extent of full one line and a half, midway between the external canthus and the lower part of the eye, and a delicate sharp pointed hook introduced. The cataract was seized and withdrawn, and only a slight degree of a vascularity near the wound was the consequence. The same independence of each other, or want of concord between the senses of sight and touch was remarked in this case as in Mr. Young's recorded in the proceedings of the last meeting. The second case occurred in a native aged 25, who had been blind from the age of 5 years. The cataracts were operated on in the usual manner for procuring absorption. The operation was successfull on the left, but the right eye became amaurotic after rather a smart attack of inflammation. The case is considered principally remarkable as showing the aptitude of the optic nerve to resume its functions, after having remained for so long a period, as twenty years in a dormant state. In the third case Mr. Brett performed the operation for an artificial pupil. The boy was 12 years old, and had been blind from the age of 3 weeks. He had lost his sight from neglected inflammation and ulceration of the cornea of both eyes, leaving two dense opacities. There was a small transparent semi-lunar portion of the cornea opposite the external canthus of the left eye, behind which the Iris was observed in a healthy state. A small sharp knife was introduced about a line from the cornea, and an opening made in the Iris, after which he saw immediately. The discrepancy before noticed between the impression of the senses of sight and touch was likewise observed in this case. The subject of the fourth case was a boy who had lost his sight from opacity of the cornea from small-pox at the age of five years. The circumference of the cornea was clear to the breadth of half a line all round and to the extent of two lines at the external inferior portion. An incision was made in the cornea close to its junction with the sclerotica, the Iris protruded, it was seized and a small portion cut off by means of the curved scissors, and the boy saw immediately. In the fifth case there is nothing particulary calling for remark. The operation for the extraction of the congential cataract through the sclerotica appears to Mr. Brett very practicable and worthy of attention, of course, it is only applicable where the capsule is thickened and unyielding, as in all advanced cases of the disease.

Dr. Mouat's first case of disease of the femoral veins occurred in a Dragoon 33 years of age and 14 years in India. His general health was indifferent; being dyspetic, subject to attacks of fever and dysentery, and the feet occasionally becoming odematous; he was not however confined to bed till the 15th September, when he experienced acute pain of the right lower extremity extending from the thigh to the ankle, with soreness and hardness along the course of the femoral vessels. The pain was relieved by leeches and fomentations. On the 17th he complained of pain in the opposite extremity, from the iliac region to the knee accompanied with fever, cold perspirations, restlessness and great weakness. On the 19 h the vessels of the right extremity were sore and hard; while those of the left were soft and without pain. From this period he continued tolerably easy, but excessively weak till the night of the 24th, when the pain returned with great violence in the left extremity, accompanied with difficulty of breathing, cold perspirations and feeble irregular pulse. The man died at 1 o'clock A. M. in great agony. On dissection the common iliac vein of the left side was found filled with a firm coagulum extending into the internal iliac, and likewise the external iliac and crural veins, as far as the ham where it terminated gradually. The upper part of the coagulum terminated abruptly at the junction of the two iliac veins, where it was firm, of a cream color and adhering to the internal coat of the vein, which was tinged red. The veins were much distended and the situation of the valves had a puffed and dark appearance. The vessels of the right side were healthy. The lower extremities were both alike odematous. The second case was not very unlike the first, but was proceeded and accompanied by much more severe symptoms of constitutional irritation, affecting more

particularly the thoracic an abdominal viscera. On the 25th of November, he first began to complain of the local affection of the left lower extremity, continued to increase, accompanied with hardness and soreness of the femoral vessels, glossy swelling tension of the limb generally, till the 8th of December, when the patient died. On dissection disorganization of the femoral vessels was found similar to that already recorded; but still more extensive. The third case was one of phlegmsia dolens, it occurred in a lady and likewise proved fatal. There was considerable similitude in the symptoms to those in the previous cases, and Dr. Mouat is inclined to think, that their diseases have more or less affinity to each other; if they be not one and the same. It will be in the recollection of the reader, that a case similar to those detailed, is recorded by Mr. Boswell of Penang in the 6th vol. of the Society's Transactions.

Mr. Lindsay's case of structure of the osophagus occurred in a pensioner at Chunar aged 55 years, of moderately temperate habits. During the month of June, 1833, he had fallen while tipsy, and felt as if he had struck on a sharp hard body. From that time he had had slight pain in the upper part of the right side of the thorax, and gradually lost the power of swallowing. The smallest tube of a stomach pomp could be passed into the stomach, but gave a feeling of resistance for an inch or so, opposite to the top of the sternum, and on withdrawal was found smeered with thick puriform mucas, streaked with blood. About the beginning of September, after two unsuccessful attempts, an elastic catheter was made to pass, and through it a weak solution of nitrate of silver was applied, by means of a small piece of sponge fixed to the stilette. No decided advantage followed; for though the tube passed with less difficulty, he could not swallow more easily, and could only use liquids. About the beginning of October, he was much in the same state. Liquids were returned, if sucked too hastily. A piece of gut was at the time passed on a catheter, and afterwards inflated, so as to cause dilatation. In the farther progress of the disease, difficulty was experienced in passing the instrument before reaching the former seat of stricture: towards the end of November, a catheter was introduced into the strictured portion, but not beyond. A little water was injected to relieve thirst, but it was blown back with much coughing and spitting of bloody mucas; so that there was evidently a communication between the traches and osophagus. He was now supported in a great measure by nutritive enemata, the tube was afterwards more easily introduced, and about the beginning of December, the fœter is described as being most offensive. On the 14th he died, having for some days before vomited every thing which was given him. The appearances on dissection were such as might have been expected. An opening about the size of a shilling was found between the trachea and osophagus about midway between the creceid cartilage and the bifurcation; opposite the latter, the osophagus internally was found thickened and ulcerated in its whole circumference, for at least four inches. It was covered by thick pus, and was very irregular in its surface, there being several pale lumpy projections, which felt rough and cartilaginous. The canal above the aperture was much more capacious than below; but even downwards the little finger could easily be made to pass.

In consequence of an application from Dr. J. Clarke, of London, the Society are particularly desirous of obtaining information relative to the effects of the climate of the different districts of India on persons predisposed to tuburculous phthisis, or labouring under the early stages of that disease; in regard to the progress of the disease in the native constitution, and the remedies which the natives of this country have recourse to for its treatment.

JAMES HUTCHINSON, Secy. to the Society.
*Bengal Hurkaru.*]

## AGRICULTURAL AND HORTICULTURAL SOCIETY.

The Agricultural and Horticultural Society met on the 13th March, to approve of the draft of an Address prepared by Mr. Minchin and Dr. Strong. The Chair was filled by the President of the Society, Sir Edward Ryan, and there were twenty-six Members present, a larger number than we had ever seen assembled before.

The Chairman, in stating the object of the Meeting, regretted that the Address had necessarily been drawn up in a hasty manner. He observed that on the present occasion they had nothing to do with the merits of Lord William Bentinck as a Governor General: they were only to consider what he had done to promote the objects of this Institution. And every member of it must feel that he had promoted them very liberally, both with the public money and by the measures he had advocated. Sir Edward particularly adverted to the experiments in the garden at Acra for the improvement, more especially, of the cotton staple, and expressed his conviction of their partial success, and that hereafter this would appear in the improved qualities of cotton that would be produced in India. To Lord William Bentinck we were indebted for preliminary steps towards the abolition of the Transit Duties, which he (Sir Edward Ryan) considered a most serious bar to the agricultural prosperity of the country. When these should have been removed, and the sugars of India should be put upon the same footing as those of Mauritius and the West Indies in the home market, which he hoped would soon take place, he doubted not that both cotton and sugar would become very important articles in our export trade. Sir Edward proceeded to notice other ways in which the measures of the Governor General had promoted the interests of agriculture, not forgetting what he had done for inland Steam Navigation and to improve the roads and canals of the country. The Chairman then read the Address, which was adopted with two or three amendments and additions suggested by Mr. Pattle and Mr. C. K. Robison. One of these had for object to make more particularly the liberality of the grant of money for the Acra Garden experiments; another to give due credit to his Lordship for having originated the Tea Commission. The former, if meant to allude to the 20,000 Rupees granted by Government for premiums on cotton and tobacco, was rather unhappily dwelt upon; for the money was all lost by having very unnecessarily been placed in the house of Alexander and Co. in anticipation of prizes not claimable before a distant period. The latter, we understand, was entirely a measure of his Lordship.

It was resolved that the Address, when amended, should be drawn up on parchment, and signed and presented by Sir Edward Ryan as president of the Society.—*Calcutta Courier.*

### REGULATIONS FOR THE AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA AS SANCTIONED AT A GENERAL MEETING, MARCH 11TH, 1835.

ARTICLE. I. The promotion and improvement of the agriculture and horticulture of India constitute the objects of the Society.

2. Gentlemen of every nation shall be eligible as Members of the Society.

3. Candidates for admission as Ordinary Members shall be proposed by two Members, at a General Meeting, and ballotted for at the succeeding, when a majority of votes will determine the election.

4. Honorary Members shall be persons eminent for their knowledge of, or encouragement given to, agriculture or horticulture; or for services rendered to the Society. They are to be proposed and balloted for as Ordinary Members; but two-thirds of the votes are to determine their election.

5. Ordinary Members are to pay an admission fee of eight rupees, and the same sum quarterly, in advance, so long as they continue resident within the Presidencies of Bengal or Agra. It shall be optional for any Members to compound for the quarterly contributions by the payment of 150 rupees to the funds of the Society.

6. Resident Members failing to pay their contributions for one year, the same having been duly demanded, shall cease to be Members of the Society, and their names shall be erased from its list.

7. The Office-bearers shall be elected annually, consisting of—

1 President:

4 Vice-Presidents, two of whom shall always be Natives;

2 Secretaries, one European and the other Native;

1 Collector.

8. A General Committee shall also be elected annually, consisting of the office-bearers and six Members.

9. General Meetings shall be held at the Society's Apartments in the Town Hall, on the second Wednesday of every month, throughout the year.

10. The election of office-bearers shall take place at the Anniversary Meeting in January.

11. Special meetings may be convened at any time, on a requisition to that effect, signed by at least six Members.

12. The Bank of Bengal shall be the Treasurers of the Society; and any surplus in their hand of 500 rupees, (over and above what may be required for current expences,) shall be invested in Company's securities, on behalf of the Society, in the joint names of the Secretary and Collector for the time being.

13. Such communications made to the Society, as may be deemed of public utility by the Committee, shall be published, whenever a sufficient number have been collected to form part at least of a volume.—*Bengal Hurkaru.*

## FAREWELL ADDRESSES TO THE RIGHT HONORABLE LORD W. BENTINCK.

### [FROM THE MERCHANTS AND OTHERS.]

*To the Right Honorable Lord W. C. Bentinck, G. C. B. and G. C. H., Governor General of India.*

My Lord,—As the hour is at hand when you purpose, on account of impaired health, to resign your high office and to quit for ever this country which you have now governed for nearly seven years, we the undersigned Merchants, Agents, Planters, and others of the classes more particularly concerned in production and commerce, desire to offer your Lordship the respectful expression of our profound regret at the loss which we are about to sustain in your departure, and our sincere sorrow for its distressing cause. We feel ourselves impelled by a strong sense of duty to your Lordship, and to that portion at least of the community, whom we may be said in some sense to represent, in thus presenting ourselves to contribute our humble testimony in approval of numerous measures completed or in preparation, having for their object the general improvement of the country, the moral and social advancement of its vast and various population, and the development in particular of its commercial and agricultural resources. For much good that has been accomplished, we return your Lordship our sincere and grateful thanks: for much that remains to be done by your successors, we shall not be the less grateful to them, because we may have to ascribe a share of their merit to your example, and to the tone in the public councils, which you will leave behind you.

In many respects your Lordship's administration has necessarily been of a character widely different from those of your predecessors Theirs were the more brilliant days of War and Diplomacy, and profuse expenditure. To you the task has fallen, more homely, not less useful, but often more painful of consolidating, preserving and organizing, of repairing the deep wounds in the public finances, of contending with an alarming deficit, and of enforcing the remedy of severe economy and retrenchment. The period of your Lordship's Government has been marked in a most distressing manner by mercantile disaster, to a degree and amount passing all previous experience in India. That fearful crisis has now passed over; but it is not to be forgotten, that while in the beginning of panic, the impending calamities appeared to be within the reach of prevention by timely assistance, that assistance was liberally afforded by your Lordship; among the measures affected or designed for the advancement of the country and the development of its capabilities we gratefully enumerate.

Your liberal views regarding Colonization, and the free ingress and unlicensed and unmolested settlement of Europeans with the right to hold lands; satisfied as we are, that to your earnest advocacy of those great measures for the improvement of India, and to the publicity with which you were not afraid to conduct that discussion, the country owes those great and salutary enactments.

To the perseverance and ardour with which Steam Navigation has been recommended and encouraged in all its branches, external and internal, we are indebted, that at length the subject has been cordially taken up by Parliament and the Home Executive Authorities on your Lordship's representations.

The treaties by which the Navigation of the Indus, and its tributaries has been thrown open for the first time to the adventurous trader, and the jealousies of the foreign powers along its course soothed into co-operation with that great design, we consider to be in a particular manner your Lordship's work, and we confidently expect that these beginnings will ripen with time and prudence into results beneficial to commerce and its concomitant civilization.

In the enlightened spirit we hope your Lordship has planned the liberation of domestic trade and intercourse throughout the British Indian dominions, from the barbarous and antiquated shackles of transit duties, and other internal taxation. We trust to see the benevolent design speedily carried into execution, and we acknowledge with thanks the indications of such intention in the facilities already granted to the transit of our great staple—Indigo—to this metropolis from the interior. We acknowledge further the relaxation practically allowed by your Lordship's Government in regard to the Calcutta Stamp Duties, a tax so distasteful to the Inhabitants from the circumstances under which it was imposed and its impolitic and vexatious pressure on a languishing commerce. We have seen with satisfaction the disposition evinced to encourage municipal improvement among us, and approaches to self-government, and to institutions akin to those of the mother country. In this description we include the Chamber of Commerce, the Trade Association, the contemplated advancement of Native Gentlemen to

the office of Justices of the Peace, suggested improvements in conservancy details, patronage extended to Central and District Charitable Societies, the institution of Saving's Banks, and the endeavours to improve the Health of the City, and reclaim unproductive wastes, by a system of drainage applied to the Eastern Marshes and Salt Lake, in connection with the new canal which now with its durable suspension bridges has been drawn round Calcutta from the Hoogly connecting it with the navigation by the Sunderbunds.

The attention which your Lordship has bestowed on the internal communication of the country generally deserve our particular acknowledgments. The formation of the new trunk road through the Doonb, the arduous construction of a solid and magnificent road from the great western Mart of Mirzapore along the main line of traffic to the south and west. The preparatory surveys for connecting the Ganges with Bhugrutty, by a grand canal which shall maintain the communication in the driest seasons—all these we regard as proofs of that real solicitude for the improvement of the country, which we were led to anticipate from the promise held out by your Lordship's early declaration of your desire to receive suggestions and information, by your constant personal accessibility to all ranks, and by your uniform encouragement of that freedom in discussion through the Press, which your immediate predecessors had so strangely feared and so unwisely proscribed.

We have gone into an enumeration of some of the benefits conferred by your Lordship on the country we inhabit, because we would not have it seem that we are carrying up a mere complimentary address to your Lordship, and are therefore anxious to put on record the substantial reasons which have led us now to offer our unfeigned acknowledgements for the benefits which have either been conferred or contemplated by you, and our most sincere wishes for the restoration of your Lordship's health and for your future happiness and prosperity.

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[LORD WM. BENTINCK'S REPLY.]

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Gentlemen,—I am greatly flattered by your Address. To have the stamp of usefulness thus fixed upon the past administration by a body of men so respectable, intelligent and eminently practical, must be as gratifying to those with whom I have had the good fortune to be so long associated in the Government as to myself.

You have adverted to the altered circumstances of my time from that of my predecessor. To their more able hands was fortunately committed the conquest and formation of an empire which I hope and believe is destined to confer an unexampled portion of happiness upon its long oppressed population. It has, on the contrary, been my unfortunate and painful lot, as it must continue to be that of my successors, to have to repair the financial distress occasioned by preceding wars. It has been my task to reduce the expenditure within the income, which I am sorry to say has not been accomplished. It will be theirs to relieve the country from many burthens which press heavily upon industry, and seriously retard the public prosperity.

With respect to the reforms and improvement to which you refer, I trust a beginning has been made which will lead to the realization of the same advantages that exist in other parts of the civilized world. It must be admitted that public opinion has done much to stimulate to these acts of public usefulness; but at the same time, part as we are, though inferior and dependent, of that administration which has conducted the Government of the mother country for the last four years, it would have been the grossest dereliction of public duty, if regardless of their example we had failed to use our utmost endeavours to place all our institutions on the most efficient and satisfactory footing, and to win for the crown the good will and regard of our native subjects.

I willingly turn from topics too personal to myself to other more useful and interesting. Taking this last leave (in India only I hope) of the steam question, I cannot but rejoice in the entire success of the inland navigation. The home authorities met our recommendation with a promptitude and completeness of execution which demands our warmest thanks. The communication with Europe has not been equally successful. Greater difficulties surround it. We all lament the resolution to adopt the line of the Euphrates. If there were no obstacles in the channel of the river, or in the state of the surrounding countries, the difficulties of maintaining steam machinery in a state of efficiency, even with the command of the naval establishment, the foundaries and skill of Calcutta, has been too often brought to our notice, not to create a lively apprehension, for the success of an experiment wholly deprived of these indispensable aids. The provision also of a sufficient number of engineers is a source of great expense and of constant disappointment.

But an efficient marine steam establishment in India is called for by considerations more powerful even than those of commercial advantage, or improved political control. It would multiply, in a ratio little understood, the defensive means of the empire. Let me advert to an event, the particulars of which are within your recollection—the Burmese War. If five powerful steamers had then been at our command to bring up in quick succession all necessary reinforcements and supplies, the war would probably have terminated in a few months, and many millions of treasure, many thousands of lives, and extraordinary misery and sickness would have been spared. Allow me to submit another estimate of advantage, of the correctness of which you all can likewise judge. The proper station for the principal reserve of our European Troops in India is at Bangalore—Madras the place of embarkation. In a few days at any period of the monsoons, the same five steamers would carry this force to the most distant part of the shores of the Empire. In five weeks, with the aid of the River Steamers, this reserve would reach Allahadad, the most centrical point of our territories, and one of our most commanding positions. The same steam power that would enable us to baffle any invader in war would be ample in time of peace to carry into complete execution the whole plan of the Bengal Steam Committee, for which I continue to be a decided advocate.

I cannot refrain from noticing the Chamber of Commerce as a valuable addition to our institutions. The want of a body so constituted has long been felt, in order to place the commercial and shipping Regulations of the Port on the most improved footing. The Pilot service and the Steam Tug establishment demand particular attention. The first is very expensive, inadequate to the increasing intercourse of the Port, and susceptible of being made more satisfactory to the individuals concerned. The latter so necessary to the quick despatch and safety of vessels through their difficult and dangerous navigation to the Sea, is lamentably defective. The service has latterly fallen exclusively upon the Government steamers, but it more properly belongs to private speculation. The Government I am confident would gladly retire from all interference with it, and I think should do so at the earliest period.

And now permit me to bid you farewell, repeating my deep sense of your kindness and offering my ardent wishes for your happiness and success. I do not think I am deceived in my expectations of the immense benefit to commerce that are likely to accrue from the general opening of the trade. The great China Wall must crumble to dust before the peaceful attacks of British commercial enterprize—a free communication and interchange of products between these two vast countries must inevitably follow—and I hail with pleasing anticipation the certain prospect that Calcutta, already great and flourishing, must attain to a degree of eminence and wealth that will place her in a rank with the greatest emporiums of trade in the world. God grant that these advantages may quickly and largely pour in upon her and that you may all share in her increased prosperity.

[FROM THE NATIVE COMMUNITY.]

*To the Right Honorable Lord W. C. Bentinck, G. C. B. and G. C. H., Governor-General of India.*

My Lord,—In anticipation of your Lordship's early departure to Europe, we approach your Lordship to express our sorrow for the intended withdrawal of your presence from amongst us, and for the impaired state of health which renders that step necessary,—our veneration for your person and character,—and our gratitude for the enlarged spirit of justice and benevolence with which the natives of this country have been treated under your Lordship's administration.

Situated as the natives are and constituted as is the Government under which they live, every change of the person at its head is regarded by them with a mingled feeling of hope and apprehension. When the reins of power were entrusted to your Lordship's hands, you did not leave us long in doubt, that in you we had found a Ruler who would consult the welfare of the subject,—a Friend, a Protector, and a Benefactor.

We now look back on the measures of your Lordship's administration immediately affecting the position and prospects of natives, and we discover a uniform, consistent, and sustained endeavour to improve their condition and to elevate their character. These purposes have been wisely and benevolently sought by opening to natives places of greater trust and emolument, and thus setting before them new objects of ambition long before the late act nominally abolished disabilities by reason of religion, place of birth, descent, or colour; by introducing the trial of jury into the administration of justice by the Company's Courts, thus both creating a duty and establishing a right which tend to infuse a sense of public justice and a portion of public spirit into the mass of native society; by abolishing ignominious modes of punishment to which natives were subjected, and which both tended to perpetuate their degradation, and afforded occasion for new and enormous abuses; by establishing a regulated check throughout every branch of the public service to secure a just and considerate treatment of natives from the officers of Government; by discouraging arbitrary and invidious usages, expressing and exciting mutual disrespect and distrust between Europeans and natives; by encouraging every effort which natives have made for their own amelioration, and for the extension of education among their countrymen; and finally by promoting free and friendly intercourse with natives.

We do not affirm that your Lordship has left nothing for your successor, with better health, with enlarged powers, with an explicit declaration of the Imperial Legislature in our favor, and with the co-operation of the authorities in England, to accomplish. But in the actual measures and in the spirit of your Lordship's Government, we see a sincere, benevolent, and persevering regard for the advancement of our country and the happiness of our countrymen. Under your Lordship's paternal administration a new era has dawned upon us, tending to establish a community of feeling and an identity of interests between races separated by almost every conceivable circumstance of alienation and united only under the same political Government and in allegiance to the same Crown. Your Lordship has first taught us to forget the distinction between conquerors and conquered, and to become in heart and mind, in hopes and aspirations, one with Englishmen. We ardently desire to cherish these feelings. We trust they will descend to our children and to our children's children. And when the high destinies, which as a people we may be permitted to anticipate in union with a great and a wise nation, are in progress of accomplishment and actually fulfilled, the name of Lord William Bentinck will be fondly remembered as that of the Friend of the Natives of India.

My Lord, this language is not the flattering tribute of servility. It is not the offering either of hope or fear to rank and to power. We feel our obligations to your Lordship more deeply than our language can convey, and our feeble thanks are the expression of heartfelt gratitude, not for personal favours to ourselves individually, which most of us have never received, but for the enlightened policy and the just liberality with which the great common interests of our country and our race have been invariably pursuedby your Lordship.

Accept, my Lord, of our ardent good wishes for your Lordship! In your native land, amid the esteem and respect of your friends and countrymen, may the evening of your Lordship's days be crowned with an abundant measure of private happiness and public usefulness.

[LORD WM. BENTINCK'S REPLY.]

The extremes kindnes of your address towards myself— the cordial spirit of brotherhood that it breathes towards my native country, specially entitle me to salute you as affectionate friends and brethren.

You alone can accurately judge of the effects of our administration; you best can decide upon its failure or success; and your gratifying testimony upon this occasion encourages me to hope that we have *not* lost sight of the great end and purposes of British Government in India, as laid down for our guidance by the Legislature and the Home Authorities, and so eloquently and justly described in your address to be these,—" to establish a community of feeling and of interest between races separate by almost every conceivable circumstances of alienation,—to efface all distinction between conquerors and conquered,—and to make all in heart and mind, in hopes and aspirations, one with Englishmen." It is the consummation of this great truth, that is to be devoutly prayed for. This foundation once solidly laid, the greatness and honor of Britian, the happiness, prosperity and independence of India can never be impaired.

But it would ill become me, in my position, to conceal the unpleasant fact, that during my course I have seen too much of this conqueror spirit, of the pride of domination, of the abuse of power, and of the too general oppression of the strong over the weak, to be able to pronounce that this wished for time is arrived. These evils still require the strong hand of authority to put them down,—the establishment of a more simple code of laws, and what is of great importance, a more efficacious administration of them. But the dawn of that day, under other influences than ours, has long appeared and the day itself is rapidly advancing. The same spirit of enlightened and benevolent improvement which is reforming the European world, has established its powerful sway over India, and even the present generation may, I hope, live to see more than a partial realization of those blessings which the dispensation of a kind Providence seems to have intended for India, when she permitted her almost miraculous union with a nation, the most distant from her, but alone by her insular situation, her mighty power, and liberal institutions to perform effectually towards her the joint offices of guardianship and of regeneration.

I have read with peculiar satisfaction in your address, large expression of approbation passed by those best able to form a judgment upon the measure of the Government abolishing corporal punishment from the native Penal Code. I am glad to see the unanimous opinion of the Supreme Council, confirmed by your own greater knowledge of the character of your countrymen, viz. " That this ignominous punishment tended to perpetuate the degradation of the natives, and afforded occasion for new and enormous abuses." We all believed further in its uselessness, either to check crime or to reform the offender. It may be of advantage to state, that the Council consisted at that time, of Sir C. Metcalfe, Messrs. Blunt and Ross—names to which deference and respect are particularly due, and that their con-

viction long previously formed, and resulted from their great experince in the judicial and every other branch of the Indian administration.

But the subject of the highest congratulation with all those whose hearts are with India, is that enactment of the Legislature, which, in harmony with the injunctions of the Home Authorities for the more extensive employment of native agency, has abolished all distinction in respect to eligibility for office. This measure is as wise as it is just, for there can be really no good government till the spirit of it is brought into full operation. The two races are indispensable to each other, the labours of each are imperfect without the aid of the other. The European brings to India his higher education, his superior knowledge, his greater energy, and his active valour. The native contributes the collective talents of his vast numbers, his local information and sympathies,—his aptitude for business, his subordination and patient courage. The most complete administrative system ought to be created out of this union of various merits. But to arrive at this end, it is necessary on your part to advance the elevation of the native mind and character to the highest possible standard of perfection, while the ruling authority on theirs must give the utmost encouragement to the attainment of the necessary qualifications by throwing wide open the doors to distinction, and by granting a full participation in all the honors and emoluments of the state.

I will now conclude. I part from you with sincere regret. I should most willingly have devoted a further portion of my life to your service, but it has been otherwise ruled; and it only remains for me to bid you a most affectionate farewell.

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[FROM THE MEMBERS OF THE STEAM COMMITTEE.]

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*To His Excellency the Right Honorable Lord William Cavendish Bentinck, G. C. B. and G. C. H., Governor General of India, &c. &c. &c.*

My Lord,—We cannot allow your Lordship to quit the shores of India, and the communications to cease which we have had with you in the important matter of intercourse by Steam between India and England without expressing, in the strongest terms, our sense of the gratitude which is due to your Lordship for your exertions in the cause, not only from all India, but from all at home in any way connected with this highly interesting and valuable portion of the British Empire.

On the part of our constituents, the Subscribers to the New Bengal Steam Fund, we beg to render to your Lordship our thanks for the uniform countenance and support afforded to the objects to which they devoted their subscriptions—and if one of these objects has not been obtained, we hope that the other, which also under your Lordship's patronage has been made a matter for the consideration of the authorities at home, may continue ro receive on your arrival in England your Lordship's strenuous advocacy, and that ere long we may have to report to our constituents, that your Lordship's endeavours for the final accomplishment of their wishes has been crowned with success.

With every earnest wish for your Lordship's restoration to health, and the continued enjoyment of every happiness, we have the honor, my Lord, to be your Lordship's most obedient, humble and obliged Servants,

(Signed) BY THE MEMBERS OF THE COMMITTEE.

*Town Hall, Calcutta, the 26th February*, 1835.

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[LORD WM. BENTINCK'S REPLY.]

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*Barrackpore, March* 4, 1835.

Gentlemen.—Accept my best thanks for your kind expressions of regard.

I have been a zealous supporter of the cause of Steam Communication with Europe, from the strongest conviction, confirmed by every day's further reflection, of its real importance to innumerable interest both national and commercial.

I cannot command the opportunity of forwarding its future success; but if within my reach, you may depend upon the exertion of my most earnest efforts to promote its progress, and to obtain for India an advantage so great in all its direct and indirect consequences that in my opinion it would be cheaply bought at any price.

In the early part of next week I shall request an interview with a deputation of your Committee for the purpose of receiving some information respecting the execution of the Committee's plans, which it may be useful hereafter that I should possess.

I remain, Gentlemen, your obedient servant,

W. C. BENTINCK.

*W. H. Macnaghten, Esq., and other Members of the Steam Committee.*

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[FROM THE MEMBERS OF THE TRADE ASSOCIATION.]

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*To the Right Honorable Lord William C. Bentinck, G. C. B. Governor-General of India., &c. &c. &c.*

May it please your Lordship,—Impressed, as we are, with the loss which this country must sustain by your Lordship's departure and resignation of your high office, we cannot allow so important an event to take place without expressing our humble, but sincere regret, that the state of your Lordship's health should have rendered it necessary.

When we consider the advantages which the liberal and enlightened policy pursued by your Lordship has bestowed on this country, and the encouragement which has been steadily and openly held out to the industrious mechanic, as well as the man of science, we cannot as Tradesmen but feel great satisfaction in looking back to the past years of your Lordship's administration.

The countenance we have received at your Lordship's hands, in our endeavours as a body, to make ourselves useful in protecting the interests of the Calcutta Trades and promoting the comfort and security of the inhabitants of this metropolis, will operate as a stimulus to still greater exertions; and while we express our gratitude for several encouraging marks of your Lordship's approbation of the past, we trust that no future act of the Trade Association will render us unworthy of your Lordship's good opinion.

We will not dwell on the political acts of your Lordship's government, that being a subject beyond our province, but we cannot allow the present opportunity to pass away without adverting to the encouragement which has been held out for the diffusion of education over the hitherto neglected region of British India—a policy which cannot fail to benefit all classes of subjects, and for the adoption of which the natives of this country especially, must ever regard your Lordship as their greatest benefactor.

We trust, that your Lordship will long live to witness the good effects of a system, which could only have emanated from a benevolent and exalted mind, and hope that you may enjoy, in another country, a complete renovation of health, and be long spared to aid with your influence and talents the advancement of the happiness of the people of this vast dependency of the British crown, by a continuance of that enlightened and liberal policy which has peculiarly distinguished your Lordship's administration.

We have the honor to subscribe ourselves, your Lordship's most obedient humble servants, by unanimous vote of the members.

A. ROGERS, *Master of the Association.*

[LORD WM. BENTINCK'S REPLY.]

I thank you sincerely for your Address. Your kind interest in my welfare—your favourable opinion of my humble endeavours to promote the good of the community, convey a gratification, that it is easier to feel than to express.

Your association had, from its commencement, my best wishes for its success. The state of credit stood upon the most rotten footing—the fraudulent and unprincipled alone profited by it—the honest buyer and seller were the victims. It was not possible for the single efforts of the most honest tradesman to overcome the practice; but the combined efforts of the whole trade have effected a thorough reform, most creditable to those, who devised and accomplished it, and most useful to the public at large.

The further direction of your attention to objects of a more public nature, and unconnected with your immediate and separate interests, is highly laudable, and deserves particular commendation. The improvements of many of the municipal arrangements of this great city can best be promoted by the inhabitants themselves. But in this rapidly changing society, large associations only can ensure permanency of system, uniformity of execution, and perseverance in carrying it on, and in incorporating with it all useful improvements.

Having been for many years a warm advocate for reform, I have contemplated with pleasure the great benefits, derived from that measure by the larger admission into the councils of the kingdom, of the intelligence and patriotism of those classes, which had previously been in a great degree excluded. A somewhat similar feeling is excited by the present transaction. It is the exaltation of a class—a new infusion of independence and usefulness, working for the benefit of all, which delights me. You represent, and worthily, the respectability, the knowledge, and enlightened principles of the same classes in our own country. Your connection with every branch of business enables you to judge, how all, separately and collectively, are affected by the public institutions, and by the measures of those who preside over them. And yours is an impartial and independent evidence, of which, if favourable, any Government would have reason to be proud—I am so—and beg to repeat through you to the community at large my grateful acknowledgments for the comfort, which the manifestation of so much kindness and good-will must impart to the remaining period of my life, whatever be my lot, health or sickness—prosperity or adversity.

[FROM THE AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.]

*To the Right Honorable Lord William Cavendish Bentinck, G. C. B. and G. C. H., Governor General of India.*

My Lord,—We beg leave respectfully to express to your Lordship our deep regret at your approaching departure from this country, and that the state of your Lordship's health has unfortunately rendered it necessary. In your Lordship the Agricultural Society has always found a patron who has taken an active interest in its proceedings. During the period you have presided over the Councils of India, the support and encouragement of the Government have uniformly been afforded to all our endeavours to improve the agricultural productions of the country. To the aid which the Society has thus received the experimental farm at Ackra owed its existence. Our report of the result of the important experiments which have thus been tried, owing partly to the absence of our president, and to other circumstances over which we had no control, has not yet been forwarded to Government. We feel assured, however, that when made it will shew, that there exist good grounds for our opinion that nothing but the application of skill and capital is necessary to cause the chief agricultural products of India successfully to compete with those of America and the West Indies. We would here advert to the importation of American cotton seed which we were enabled to effect by the assistance our funds received from Government. The distribution of the seed has been general throughout India, and has, amongst the native population, excited much interest. The consequence we trust will be an encreased cultivation of cotton of a superior description. When we reflect, that it was not until after the year 1790 that cotton, now its principal staple, and the source of such vast advantage to America, was introduced into that country, it is not too much to expect, that in future years its cultivation will become a source of equal benefit to India.

The advantages to be obtained from the improvement of the agricultural productions of British India will be greatly extended when, as we confidently hope, the staples of this country shall be relieved from the restrictions which now operate to their prejudice, and which have in a great degree prevented the good effects, which it was the object of this Society to promote. We have lately forwarded to England Petitions to both Houses of Parliament, praying for an equalization of the duties on East Indian produce, with those of the West Indies and the Mauritius, and pointing out the obstacles that exist to their growth and improvement. To your Lordship it is unnecessary for us to state how important it is to the agricultural prosperity of India, that these discouragements should be removed. We would respectfully solicit your Lordship's support to the objects of our petition, confident that in you the interests of India, will always find a protector and a friend. Your Lordship is well aware, that the cultivation of the Sugarcane can be carried on in this country, to an almost unlimited extent; an object of the highest importance to its vast and impoverished population. We would on their behalf call to your Lordship's observation, that whatever claims the West India colonies, or the Mauritius might formerly have had to monopolize the supply of home market, the munificent grant lately bestowed upon them to procure the emancipation of the negro population ought now to be considered as a sufficient answer to any further consideration at the expense of the community at large.

Next to the unequal burden that is laid in the English market upon the Sugar, and some other productions of this country, we conceive that the vexatious system of restrictions upon the Indian market, which which goes by the general name of the Transit duties offers the most serious obstacle to the proper development of the agricultural resources of India, we have observed with sincere satisfaction, the preliminary measures which have been adopted by your Lordship for the removal of this grievance. Should these measures result, as we trust they will, in the abolition of the internal Custom-houses, the people of India will owe to your Lordship the boon of freedom of the home market, and will be relieved from the ruinous extortions and delays to which they are at present daily subjected on almost all the great routes of trade, and which, while they diminish to the producers the demand for his produce, cause to the consumers, that is to the whole of the people of India, a general encrease in the price of commodities.

We view with pleasure the measures adopted by your Lordship's government to improve the internal communications of this country, as another means which will indirectly tend to benefit its agricultural interests. The communication by steam with the upper provinces has been established under your Lordship's direction; and we trust that the same enlarged views which have induced the present government to plan and commence the great roads throughout the country, will be followed up by your successors.

There is another measure most ultimately connected with the objects of this society on which we cannot be silent. It is to your Lordship that we are indebted for the important inquiry that has been made whether the culture of the tea plant can be introduced into Hindostan. A Committee has been formed

by Government and most active investigations have taken place with that object. In the progress of this Committee a discovery has been made, which we do not hesitate to pronounce as one of a most interesting and important nature as connected with the commercial and agricultural interests of this empire, we allude to the existence of the real and genuine tea plant of China indigenous within the Honorable Company's dominions in Upper Assam. This shrub is no longer to be looked upon as a plant of doubtful introduction, it exists already planted by the hand of nature through a vast extent of territory in Upper Assam bordering on the Chinese and Burmese provinces of Shore and Yunnan, where it is at present cultivated for its leaf both for consumption and exportation. We cannot therefore but anticipate the best results from these inquiries now, as we understand, on active operation.

We cannot conclude without requesting your Lordship to accept our sincere wishes for your restoration to health, and that your life may long be spared to enable you to pursue that path of honorable usefulness in which your Lordship has been so greatly distinguished.

(Signed) EDWARD RYAN,

*On the behalf and by the direction of the Agricultural Society of India.*

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[LORD WM. BENTINCK'S REPLY.]

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Eagerly devoted, for many years previous to my return to India, to agricultural pursuits, it has been a deprivation of much amusement and interest to have been debarred by my public duties from taking any part in the transactions of your Society; I have however had ample means of estimating the utility of your labours, and the zeal and ardour with which they have been prosecuted—I congratulate you at the same time upon having a President so well able by his anxious co-operation and high influence to second your endeavours to better the condition of the people in this most important branch of rural economy.

As for all the great measures of justice and policy to which you refer—the equalization of the duties upon those great products of the country that would be mutually beneficial to India and to Britain—I think we may confidently rely upon their being no longer delayed. It will however, be my duty to represent to the Home Authorities the injustice and impolicy of existing discouragements. Those in India, which have been such a dead weight upon her commercial and agricultural prosperity, are in a fair train of being very much diminished, if not totally abolished, as I hope may be the result.

It is impossible not to deplore the same defective state in the agricultural, as in every other science in this country. Look where you will—examine the whole scheme of this Indian system, and you find the same results—poverty, inferiority, degradation in every shape. For all these evils, knowledge, knowledge, knowledge is the universal cure.

It is to be hoped that the progress in European literature, will lead to those improvements in agriculture, which, during the last half century, have so much benefited the mother country. It was my intention, had I remained in India, to have proposed the establishment of small farms in the upper, centre, and lower provinces, as seminaries, or rather examples of improved modes of cultivation and cropping, and of preparing for distribution seeds and plants of the superior products. It is part of the general education in which a very small annual sum, well expended, might have been attended with inestimable advantages. The very limited establishment and means at your disposal have shewn what might be done. We must not forget that the Government is the landlord of the country—possessing both the means and knowledge of improvement, and putting all obligations of public duty aside, is the most interested in the advancement in wealth and comfort of its numerous tenantry.

I cannot refrain from bringing to the notice of the Society, the superior cart and animal in general use in the Madras Presidency. The large, high spoked wheel is every where seen, and the bullock is of a very much larger size. A very few rupees would enable the Society to expose annually for sale a small number of the former. The loss could not be great, and the experiment of a few years would shew the greater weight, which the high wheel by more easily overcoming obstacles, will draw. The inferiority of the cattle in Bengal is owing, in my opinion, to the defect in the system of cropping, which provides no artificial food for the animals during the dry season. There is a high plant at Rio Janeiro, introduced from the Coast of Africa, but the name of which I forget, that I think would be a most valuable acquisition. I brought from thence some plants with me, but the greater part perished at sea, and I have not heard what fate attended those which were transferred to the Botanical Garden in Dr. Wallich's absence.

Accept, I request, in conclusion, my very grateful acknowledgments for this very flattering mark of your consideration and regard.

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[FROM THE MISSIONARIES.]

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*To His Excellency the Right Honorable Lord William Cavendish Bentinck, G. C. B. and G. C. H., Governor-General of India, &c. &c. &c.*

My Lord,—We, whose names are affixed, the Missionaries resident in Calcutta and its vicinity, from the Societies of the Established Churches of England and Scotland, and of Protestant Dissenters, beg leave to approach your Lordship with this united expression of our high respect, and of our regret at your approaching departure from India.

The sentiments and language of political adulation, my Lord, are as far from our habitual feeling and habit as they would be derogatory to our spiritual office, and injurious to the moral interests which we subserve. To debateable matters of political science and experiment, therefore, it is neither our duty nor our desire to advert, least of all on an occasion like the present. Many things in your Lordship's administration we appreciate only in silence and enjoyment.

It is as Christian Missionaries, my Lord, that we now approach you. If the general tenor of your Lordship's administration, as well as many of its special measures in particular, have been calculated, as we firmly believe, to promote the real welfare of India, and to aid forward, whether directly or indirectly, the one great paramount object in which we individually labour, it would argue in us a culpable indifference to that object itself, or great insensibility to the means of its advancement, were we to omit thus publicly to offer the thankful expression of our respectful homage.

Education, under your Lordship's Government, has reached a standard much higher, and made a progress far greater than in any former period of the British rule in India. Measures have been introduced eminently tending to elevate the Native character, to call forth the Native mind, to excite in it the sentiment of civism, and to interest all in the progress of the common welfare:—such as the institution of Native Juries, and the appointment of Natives of talent and character to offices of greater trust and emolument in the secondary departments of justice, as preparatory to still higher advancement. Your Lordship's readiness to receive, and even forwardness to invite the contributions of individual experience, wisdom, and observation to the general stock of public happiness has been strikingly exhibited: and it is a subject of special gratification that greater security also has been given to the possessions of converts to Christianity, who had in too many instances been disturbed by private persecution or legal spoliation; but who will now, it is to be trusted, repose in tranquillity and safety under the shadow of an equal law. These, my Lord, are some of those acts and results of your Lordship's adminise

tration, that, under the blessing of Almighty God, have excited, and must continue to exert the most beneficial influence on the moral and civil prosperity of British India.

The abolition of the impious and murderous rite of Suttee, by which the foul stain of blood, the blood of the innocent, victims to an unnatural, cruel and degrading superstition, has at length been wiped away from the front of a Christian Government—multitudes of hapless widows and mothers annually preserved to their helpless families and to society, and a new impulse and direction given to the domestic affections; while the greatest hitherto existing obstacle to domestic education, in which national virtue has ever its origin and cradle, has been at once and for ever removed. This measure alone, one which your Lordship had the wisdom and humanity to resolve upon, the courage and firmness to carry forward to completion, would be abundantly sufficient of itself to stamp an indelible character of benignity and mercy on your Lordship's administration, and for which millions yet unborn will venerate your Lordship's memory.

We may be permitted also to advert to the generous aid your Lordship has in so many ways given to plans and institutions of general utility. Schools of instruction, benevolent establishments, schemes of new interest and benefit, have by your Lordship's encouragement and munificence been formed, fostered, or matured—thus not only conferring the most substantial advantages on the present, but securing them to succeeding generations.

If the departure of your Lordship would, under any circumstances, be viewed by us as a subject of regret, that feeling is greatly increased by a consideration of the cause which has accelerated it, and has terminated your Government at a period when the most important changes are to be introduced,—changes which your Lordship's experience, firmness and talent would, we had hoped, have so advantageously directed to a final and successful accomplishment.

We beg your Lordship to receive our united assurance of a grateful recognition of that Divine Providence by which Kings rule and Princes decree judgment, in those beneficial results to India, to which we have adverted, and which the God of all the Kingdoms of the Earth has called and enabled you to bring about. To that same gracious power our fervent prayers are and shall be devoutly offered, for your Lordship's future health and welfare.

We will further only presume to add the strong sense we entertain of the advantages which your Lordship's excellent Lady has conferred upon the society of India, and upon those many institutions which have partaken so largely of her Ladyship's patronage. The munificence of Lady William Bentinck's charities, the amiability of her manners, and the example of her virtues, have justly endeared her in no common degree to all. Deeply do we deplore the loss to be sustained in her Ladyship's, as well as in your Lordship's departure; fervently do we unite in supplicating for her health and happiness gratefully shall we cherish the remembrance of her many excellencies.

Thankful for the kindness which we have now been permitted to approach your Lordship, we beg you to accept this expression of our sincere and most respectful sentiments and wishes, and have the honour to be, my Lord, your Lordship's most humble and obedient Servants,

C. C. Aratoon, Baptist Missionary Society.
T. Boaz, London Missionary Society.
T. Bowyer, Incorporated Society P. G. F. P.
J. Campbell, London Missionary Society.
W. Deerr, Church Missionary Society.
J. D. Ellis, Baptist Missionary Society.
D. Ewart, Missionary of the Church of Scotland.
G. Gogerly, London Missionary Society.
J. Haberlin, Church Missionary Society.
M. Hill, London Missionary Society.
J. Kruckeberg, Church Missionary Society.
*A. F. Lacroix, London Missionary Society.
J. Leechman, Serampore Mission.
J. Linke, Church Missionary Society.
J. Mack, Serampore Mission.
*W. Mackay, Missionary of the Church of Scotland.
* Joshua Marshman, Serampore Mission.
* W. Morton Incorporated Society P. G. F. P.
G. Mundy, London Missionary Society.
W. H. Pearce, Baptist Missionary Society.
C. Piffard, London Missionary Society.
T. Richardt, Church of England Missionary.
W. Robinson, Serampore Mission.
* T. Sandy's, Church Missionary Society.
J. Thomas, Baptist Missionary Society.
J. Weitbrecht, Church Missionary Society.
* W. Yates, Baptist Missionary Society.

Those marked with an asterisk formed the Deputation that waited upon his Lordship.

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[LORD WM. BENTINCK'S REPLY.]

Gentlemen,—Returning to my country and to my friends I can present to them no testimonial so impressive as your address, that in the discharge of this great trust, I have done nothing to tarnish the national honour, or to forfeit their good opinion and esteem. Your holy profession—the excellence of your lives—the concurrence of so many individuals of different persuasions, give a value to your approbation that is indeed most gratifying. I must at the same time recollect, that it is part of that charity which you so earnestly teach and practise to think no evil, and to regard with indulgence conduct that seems to emanate from good intentions. But even your praise must not mislead me from a deep consciousness and confession of my own unworthiness, or make me forget that only in humble dependence upon the Giver of all mercies, I can hope by earnest prayer to obtain forgiveness for the unprofitable use I have made of the talents committed to my care.

I have the more reason to feel flattered by your kindness upon this occasion, in as much as it proceeds from those with whom, in their public capacity, I have carefully abstained from holding any communication. The professed object of your lives and labours is conversion. The fundamental principle of British rule—the compact to which the Government stands solemnly pledged is, strict neutrality. To this important maxim, policy, as well as good faith, have enjoined upon me the most scrupulous observance. Because besides disarming the disloyal of his most powerful means of mischief—it tends to give contentment of mind to the good, and to form into one firm bulwark of defence, the confidence and attachment of the whole population. The same maxim of strict neutrality is peculiarly applicable to the question, now so much agitated, of general education I venture to give it as my firm opinion, that in all the Schools and Colleges under the support of Government, this principle cannot be too strongly enforced, and that all interference or injudicious tampering with the religious belief of the students, and all mingling, direct or indirect of Christianity with the system of instruction, ought to be positively forbidden.

It is held I know by many, that the improvement of the human mind in India, if unaccompanied by instruction in a purer faith, is calculated to destroy that which exists, without substituting any thing in its place. One of our best and most useful Prelates, the late Bishop Turner, thought otherwise. His was an opinion in which the Moosulman, the Hindoo, and the Christians, all in fact who believe their faith to be true, ought to join—that the more the mind is enlightened, the better it will be to appreciate religions and every other truth.

There is, I understand, in England, a large class of excellent persons, who consider as a compromise, the protection afforded to the religions of the country, and would gladly induce more active interference on the part of the ruling power in the diffusion of Christianity. They may be assured that a more grievous error could not be entertained. The recollection of past ages, when conversion by whatever means, by

fire and sword, if persuasion failed was the first care of the conqueror, is not obliterated from the memory or apprehensions of the people: and the greatest obstacle to the cause they espouse would be the distrust any decided intervention of the Supreme Authority would inevitably create. The extension of Episcopacy was not without objection, as involving the great principle of neutrality. Known as this great Dignity is to derive his office from the Crown, and bearing always the rank and character of one of the highest officers of the state, it is difficult for the public to see him in other capacity of Head and Patron of the Church Missionaries, without having the suspicion that the Government must have some connection with, and interesting in, their proceedings. We may rely with confidence in the exercise of the greatest caution in this respect on the part of our excellent Diocesan, but that caution is now, and will always be particularly called for.

Being as anxious as any of these excellent persons for the diffusion of Christianity through all countries, but knowing better than they do the ground we stand upon, my humble advice to them is, rely exclusively upon the humble, pious, and learned Missionary. His labours, divested of all human power, create no distrust. Encourage education with all your means. The offer of religious truth in the school of the Missionary is without objection. It is or is not accepted. If it is not, the other seeds of instruction may take root and yield a rich and abundant harvest of improvement and future benefit. I would give them as an example in support of this advice: the school founded exactly upon these principles, lately superintended by the estimable Mr. Duff, that has been attended with such unparalleled success. I would say to them finally, that they could not send to India too many labourers in the vineyard like those whom I have now the gratification of addressing.

Farewell. May God Almighty give you health and strength to prosecute your endeavours, and may He bless them with success!—*Friend of India.*

## SUPREME COURT.

FRIDAY, MARCH 6, 1835.

JAMES HENRY JOHNSTON *v.* JOHN WEBSTER.

*Mr. Prinsep* opened the pleadings.

*Mr. Advocate General.*—The Court have heard that this is an action to recover damages for words spoken injurious to the plaintiff in his occupation, and it would be a waste of time if I were, before this tribunal, to dwell on the serious injury he has sustained. Indeed, I have only to state the circumstances to the Court, in order not only to be entitled to a verdict but to considerable damages unless my learned friends succeed in proving a justification. The plantiff is the controller of the whole of the Government steamers, and Captain Forbes, being superintendent of Government machinery, it might be very readily supposed that there were frequent causes for communication between these two parties. Defendant is a member of the firm of Jessop and Co., who, it was hardly necessary to say, were iron-founders in Calcutta, doing a very considerable business, and amongst which were the manufacturing and repairs of Government machinery. It happened, as it frequently did, that in August last, the plaintiff considered it his duty to go to the defendant's yard to see how some repairs were executed. In doing this I shall show that he did nothing more than his duty, and he would have been unfit for his appointment had he acted in a different manner. Mr. Webster, however, disapproved of the plaintiff's interference and frequent disputes arose with him on this subject. In August last the steamer *Irrawaddy* had her engines out of repair, and they were sent by Government to Mr. Jessop's manufactory; that gentleman himself was in China or in the Indian seas at the time, and his partner, Mr. Webster, had the management in his absence. In August the plantiff went to the manufactory, and observed, or thought he observed, no matter which, that the repairs to the *Irrawaddy's* engines were not being properly executed, and he mentioned this to Captain Forbes, who went and looked at the cylinders himself; subsequently the defendant came up to plaintiff and ordered him to leave the yard, stating that Captain Forbes had informed him that he, Mr. Webster, was mangling the cylinders. Some altercation ensued, which terminated in the plantiff leaving the yard, and shortly after he wrote to Captain Forbes asking him what could be the reason for Mr. Webster's conduct. I cannot do better than read the exact words of Captain Forbes's answer. "My dear Johnston, the communication I had with Mr. Webster, after the receipt of your first note was a verbal one, and to the effect that it certainly was necessary, as I had daily been urging, that the greatest possible care should be taken in the process of boring out the ends of the cylinders, some few of the tool lines of which I had previously observed were rather too deep. These lines I again examined with him when I mentioned the substance of your note, as far as regarded the chance of injuring the cylinders, but, so far as I remember, without mentioning the terms you had used, one of which, on referring to your note this morning, I found was 'mangling' them. Irritated at your having visited the manufactory in his absence, when, as he stated, if you had come to him direct, he could have been happy to have given any explanations wished for, he added, what I to-day told him I should consider it proper to inform you had been stated, that you had proposed to Mr. Jessop or to the firm of Jessop and Co., their allowing you a *dusturi* on the amount of Government work done by them; as also that previous to the departure of Mr. Jessop, you had made proposals for placing money in their house, their rejection of these proposals being apparently referred to as part of the cause of the unpleasant feeling, assuredly injurious to the progress of the government work, existing between you and them." Now whether what is meant by an offer to place money in the house would be injurious to the plaintiff's character, I do not know, nor do I know what Mr. Webster meant by the explanation either; but it is quite clear that taking *dusturi* is contrary to the orders of Government, and would have exposed the plaintiff to a removal from his office. It is therefore, that we seek for damages. Captain Forbes goes on to say, "whether or not you may regard these assertions worthy of refutation, or of any notice, of course rests with yourself." Of course it did rest with himself, but of course Captain Johnston could not let it rest there long, and he took the only step he could by applying to the Supreme Court for redress. My learned friends have put in Pleas of Justification without end, which, I venture to say, they will not be idle to prove, and if so, they augment the wrong already received. In any case I need not say that the Court will consider this a very serious charge, and if the justification is not proved I trust the Court will mark their opinion of the pleas by giving some compensation to the injured feelings of the plaintiff, and restore him to the world with a character which, up to this moment, has been free from reproach.

The jurisdiction was admitted, and the following witnesses were called for the plaintiff.

*Captain W. N. Forbes examined by Mr. Prinsep.* I am in the employ of Government, and am the superintendent of Goverement machinery. I remember having some conversation with Mr. Webster towards the end of August last, between the 25th August and the end of the month. *(Exhibit. A.)* This is my writing. I can now say that the conversation was on the 28th of August, and it took place in the yard of Jessop and Co. That firm had been employed by Government on the repairs of the *Irrawaddy's* engines. They had been employed in similar work for about six years. The repairs for the *Irrawaddy* were done on a prabable estimate of ~~Rs~~ 25,000. I have always considered Mr. Webster as the partner of Mr. Jessop. My office bring me into cantact with that firm, and the work was executed under my orders. *(The partnership of Mr. Webster and Mr. Jessop was admitted.)* The plaintiff some time ago was nominated controller of Government steam vessels, and on the 28th of August last he held that office. I remember, in a conversation with Mr. Webster, in August last, I mentioned that I had received a note from the plaintiff in which he stated that he considered one of the *Irrawaddy's* cylinders was in a fair way for being spoiled, and I supposed that what he referred to was some rather deep scratches in the inside of the cylinder, made by the boring tool. Those scratches having repeatedly been the subject of conversation between Mr. Webster and myself, I requested him to pay the utmost attention, and to be present himself, as frequently as possible, during the process of boring. He replied that it was impossible for him to be always present, his health being bad, but that he would put an European Assistant to watch the progress of boring; and he added that Captain Johnston had given him a great deal of annoyance for a long time, in various ways, coming about the workshop, at times when he was away, and interfering with the workmen. He said Captain Johnston had given him bad name, abusing the work of Jessop and Co. to the Marine Board, and as to his coming about the yard, he only objected to that so far as coming to the manufactory during his absence, and interfering with the men. Mr. Webster said, he was surprized that Captain Johnston went to such lengths, aware as he (Johnston) must be that they (Jessop and Co.) were up to his tricks. Then he alluded in some way that he had understood from Mr. Jessop, that Captain Johnston had proposed to put money in the house, and also that he had asked for *dustari* or *buxis* with reference to work done on Government account. I did not inform Captain Johnston of this conversation on the day on which it took place, and on the succeeding day I went on the river. On the morning following I received a note from the plaintiff requesting to know what had taken place. I received a second note before I answered the first. I informed him on the following day. *(Exhibit A.)* This is my reply in which I first communicated the substance of the conversation. I first heard from Mr. Webster on a Saturday morning, that there had been a 'row.'—that was the expression he used—between Captain Johnston and himself, in which they had abused each other very hard. He said he had been much annoyed, and the annoyance would not have taken place, if Captain Johnston had been allowed to put money in the house or to have a *dustari*;—he would not have experienced the annoyance if the house had accepted those proposals, which he understood had been offered to Mr. Jessop; and he added he was afraid he could not keep his temper with Captain Johnston. I replied that if he could not keep his temper he had better keep out of the way. I believe it was considered Captain Johnston's duty to look after the work. I understood that his duty was the same as Mr. Greenlaw's had been previously. I had received two notes from Captain Johnston before I heard of the 'row' from Mr. Webster; the latter did not tell me of the circumstance that had been the immediate occasion of the 'row,' but he said that they had abused each other, and that Captain Johnston had ordered the workmen not to continue the repairing of the *Irrawady's* engines. The 'row,' he said, took place near where the cylinders were, and on the Saturday morning, when I went to the yard I found no person at work at the cylinders. Mr. Webster told me that he had no objection to Captain Johnston's coming into the yards, provided he did not interfere. I am not aware that plaintiff has been excluded from the yard. Government work has continued to be done by Jessop and Co. I told Mr. Webster, that the work had been sent there by Government, and was under my superintendence, and until the Marine Board countermanded the order, the work must proceed. I thought plaintiff had been irrated. I met plaintiff who told me that Mr. Webster had abused him, and he asked me to memorialize government to remove the work from Jessop and Co. I consulted Mr. Greenlaw, as a private friend, regarding the allusions made by Mr. Webster, and the result was that I considered it fair to inform Captain Johnston, to whom I addressed a note on the Saturday. I first spoke to Mr. Greenlaw on this subject on board the *Forbes*; he thought it must have originated in a mistake. Shortly afterwards Mr. Webster came on board, I informed him that I had mentioned to Mr. Greenlaw the imputation regarding *buxis* and *dusturi*, and I said I considered it fair that before I mentioned the subject to Captain Johnston, he should have an opportunity of retracting words which, perhaps, he had used in a moment of irritation. Mr. Webster replied, that he had not the least objection to the subject being mentioned to Captain Johnston, for it was impossible that he could have been mistaken;—that he had heard from Mr. Jessop that some communication, in some form or ether, had been made, and that it had been rejected. I asked him if he had mentioned this subject during the 'row;' he replied, he had given him (meaning plaintiff) 'a hint.' When I came home I received a second note from Captain Johnston asking what communication had taken place between Mr. Webster and myself; I replied (*exhibit A.*) These are the two notes I received from the plaintiff (*exhibits B. and C.*) The reply is on the back of B., and A. is the reply to C. I never heard that *dusturi* was allowed to be taken by an officer of Government.

*Cross-examined by Mr. Turton.* This (*exhibit No. 1*) is Captain Johnston's hand writing. I have known Mr. Jessop and Mr. Webster for twelve years; the latter is the best workman in Calcutta. I consider the best work is done at their manufactory, save and except a little at Fort Gloster, and a little at the Mint (*a laugh.*) There was a slight scratch or ridge in the cylinder which required to be filed out. The cylinder is now a fair job; then it looked far worse than it was. I was frequently, every day, at Jessop and Co.'s yard. There was a good deal of work going on for the *Irrawady*, *Forbes*, and *Ganges*. I did not consider the scratch a serious injury. Steam engine cylinders wear more in the middle than at the ends, and this cylinder required boring at the ends to make it approximate towards the middle. Captain Johnston decidedly is not an engineer of so much experience as Mr. Webster. The reason why the *Irrawady's* engines were not taken back, for they were demanded, was, that a specified sum had been agreed to for the completion of the repairs. Since that time no other Government work has been given to Jessop and Co. in which Captain Johnston has any control, but the work would have been withdrawn by degrees, though not to the same extent, if this quarrel had not taken place. The work has since been executed at the Mint. I heard something regarding Captain Johnston having seduced some of Jessop and Co.'s men from their employ; but I do not know if such is the fact. Mr. Webster did say that he had the information from Mr. Jessop; he said he had no written paper but that he had no doubt that the conversation had taken place. I received this *(exhibit No. 1)* on the 27th of August. It appears that the term 'mangling' had remained on my memory: I told Mr. Webster that I did not see any thing like 'mangling' about the cylinder. I was dissatisfied with the scratches. Mr. Jessop was absent, and there was no person of experience to assist Mr. Webster. When I went to the yard I did not find

Mr. Webster at the cylinders, but he accompanied me to them, and he alluded to Captain Johnston's coming into the yard. I was the person with whom rested the orders regarding the machinery, and in consequence Captain Johnston urging me to induce the Board to take the work from Jessop and Co. Previous to this quarrel I had observed some mutual dislike. I do not think they liked each other; but I am not aware of any thing before which could have induced plaintiff to urge the Board to take away the work from Jessop and Co. On a previous occasion plaintiff, two other persons, and myself went into the yard to look at the repairs to some engines: defendant declined to accompany us. On this occasion plaintiff knocked two rivets off a boiler. The rivets were a little hollow, but it was not necessary that he should have knocked them off; he might have objected to them. Such a proceeding was calculated to give the greatest offence to every person about the factory.

*Re-examined by Mr. Prinsep.* When I first spoke to Mr. Greenlaw on board the *Forbes*, defendant was not present. I think it was an irritating thing to knock off the rivets, and a person doing so at Boulton and Watts's, or Mandesley's in England, might fairly calculate on being knocked down. Some of the rivets were a little hollow. Captain Johnston is under the Board of which Mr. Greenlaw is the Secretary. I was requested by the Board to make some arrangements for completing the repairs to the *Irrawaddy's* engines, and I applied to Jessop and Co., but they replied that they had been advised not to give them up until the repairs were completed.

*Mr. C. B. Greenlaw examined by the Advocate General.* The plaintiff is under the direction of the Marine Board, and I have the letter from government for his appointment as controller of steam vessels. I know of no other document for the appointment, but a notice of it appeared in the *Calcutta Gazette.* I never heard of officers of Government being permitted to take *dusturi.* It is the duty of the plaintiff to see to the repairs of steam vessels, but I apprehend not to the exclusion of Captain Forbes. My impression is that Jessop and Co. were informed of Captain Johnston's appointment by a written communication.

*Cross-examined by Mr. Clarke.* In August last, all communications regarding machinery were made to Captain Forbes, but I consider when Captain Johnston was the superintendant he had orders to be on the alert,—to have his eyes about him. Captain Forbes is the Engineer officer who superintends machinery on the part of Government. At present, under circumstances, plaintiff has charge of some parts of it, but in August last Captain Forbes was the only officer in charge.

*William James Kenderdine examinad by Mr. Prinsep.* I was in the service of Jessop and Co. in August last, at the time the *Irrawaddy's* engines were repairing. After the quarrel, and when plaintiff had left the yard, Mr. Webster informed young Jessop, Imley and myself that Captain Johnston wanted *dusturi* on the Government work, and as the firm were determined not to give it was resolved to take the work from the yard. I was present during the whole of the quarrel. It originated about the cylinders. Defendant said, he understood that plaintiff had written to Captain Forbes saying that the cylinders were spoiled in boring. Both made use of abusive language; defendant called plaintiff a sneaking rascal who came into the yard when he (Webster) was at his meals, and told the durwan not to admit him.

*To the Court.*—Nothing was said about *dusturi* till the plaintiff had left the yard.

*Cross-examined by Mr. Turton.* I was in the service of Jessop and Co., left them, was imprisoned in consequence, brought an action against the magistrates, and I am now employed by plaintiff. I received a subpœna on Monday last. Plaintiff knew that I was in the yard at the time of the quarrel. I mentioned that fact to Mr. Kemp, Mr. Henderson, and Mr. Thompson. Mr. George Jessop was present during the conversation in which Mr. Webster spoke of the *dusturi*, and I think Imley was present also, and Bagster was standing at a little distance. Both plaintiff and defendant were violent, but I did not hear what were the words the former used.

This was the case for the plaintiff.

*Mr. Turton* submitted for a *non-suit* on the ground that there was no proof of the words having been said of the plaintiff in his office of Comptroller of Steam vessels, and that there was no evidence that taking *dusturi* was inconsistent with his office.

*Mr. Advocate General* replied.

*The Court.*—The averments are that plaintiff holds an office, and that the words, imputing to him a want of integrity, were spoken of him in that office. Though the evidence is slight in some points, yet we think it might be left to a jury, and plaintiff ought not to be non-suited. Defendant, if he thinks fit, may have leave to move either on any point of law or defect of evidence.

*Mr. Turton*, for the defense, did not intend to make the slightest reference to the decision of the Court, and did not in the slightest degree dispute that words imputing a want of integrity were actionable, but he did complain, that in this case there was not the least scintilla of evidence of what *dusturi* was, or of the taking of *dusturi* being contrary to the office held by the plaintiff, and he thought a jury would be taking on themselves a presumption if they decided that to be a want of integrity of which they had no evidence before them. It was possible that even the Governor-General might say, 'well, if Jessop and Co. are foolish enough to give Captain Johnston a *dusturi* I shall not object to it, for the repairs to the steam engines are done by order of the Marine Board, and Captain Johnston has not the slightest control over that body.' That the evidence went to show that Captain Johnston knew something of engineering there could be no doubt, and he was not going to impugn it, (especially as the evidence of Captain Forbes, than whom there was not a person more competent to speak,) if it showed that he had some knowledge, showed also that it was not much, and that he was infinitely inferior to Mr. Webster although he wrote R. N. after his name. Then he asked what was there to show that *dusturi* was contrary to the integrity of the plaintiff's office? He admitted that taking what at home was called the 'market penny' was an absurd and improper custom, but it did not carry with it such an imputation on the character of the person who took it as would sustain an action for damages for verbal slander. He would be glad to have been spared the duty of going further into this case, but with reference to the extent of damages it was necessary to trouble the Court with a few words, for here was the plaintiff, reigning supreme over the Government steamers, at this moment, on a certain fixed salary, and showing in his own person that this assertion of the defendant, if true, has not been attended with the slightest injury; nay he has been able to prove nothing further than an injurious exclamation, spoken before two apprentices, in a moment of irritation. It was not shown in what way the Court were to judge of the malicious feelings of the defendant though for the purpose plaintiff had recourse to one who recently had been called by his learned friend, the Advocate-General, 'a runway apprentice.' But it appeared the malice had not been so successful as to induce that apprentice not to enter into plaintiff's employment. There was evidence that the defendant was annoyed;—that for a series of time a person who was not entitled took an opportunity of stealing into the the yard to interfere with the men, during the time he was absent;—that Captain Forbes had communicated to him the following letter from the plaintiff. "My dear Forbes, I find that all the fire doors will be completed by 10 and every thing ready to get the steam up. May it not therefore as well be done to-day as to wait till Friday? Will you give the necessary orders? I wish to draw your attention to the

*Irrawaddy's* cylinder which Jessop appears to have mangled teribly." When this case was opened by his learned friend it was stated that the defendant went up to the plaintiff and asked what was meant by the word 'mangling.' He did say that if the plaintiff had made such charge against a person merely because he would not at that time, harassed as he was, stand over and watch what was described as a tedious job, he was, in point of fact completely exonerated, for what appeared in the eyes of Captain Johnston to be mangled was proved to be a scratch, and only mangled so far, because the plaintiff could not understand it. But in what way did the defendant repeat the words to Captain Forbes? He said the plaintiff was welcome to come into the yard at any time, only he desired that he might come to him; referring to the affair of cutting off the rivets, he thought the plaintiff might feel inclined to take upon himself the part of master as he had done before that of workman, and stating what he had heard from Mr. Jessop, the defendant imputed the whole of the annoyance to the firm's refusal to give a *dusturi* to the plaintiff. Now it would be shewn that defendant had heard this from Mr. Jessop; and further, that he was entitled to communicate it would be shewn also. There was one part of this communication which the plaintiff had not ventured to put in the record which was that he wished to put money into the house, and to participate in the profits, or in fact to become a sleeping partner of the firm (the learned counsel here read a letter from Captain Johnston relating some offers of pecuniary assistance made to Jessop and Co. The letter was not put in as evidence, but the reporter understood it contained a proposal that Captain Johnston should have a share of the profits accruing from capital advanced by him.) He was perfectly aware how his learned friend would use that part of the evidence of Captain Forbes which related to his communication with Mr. Greenlaw. It would be said that the circumstance had been reported to Mr. Greenlaw, but in fact that gentleman had only been consulated as a private friend; and what was the result of the communication to these two gentlemen? Why both agreed that there must have been some mistake, and the character of the plaintiff stood as well as it did before the words were uttered. He admitted that the words, if true, might tell against Captain Johnston; but the words were not actionable, and no more hurtful to the feelings than the assertion that he wished to put money in the house and for which there was no prosecution. On the other hand, there was an attempt to take the work from Jessop and Co. and the only reason it did not succeed was, because there was an existing contract, and the firm would not give it up. There was also evidence that no Government work had been done since by the firm; and surely the feelings of Captain Johnston, if they had been wounded, had been doubly satisfied by this. He understood that gentleman to say he did not understand the assertion regarding putting money in Jessop and Co.'s house. He would now inform the Court that Captain Johnston, some years ago, after he had arrived in this country in the *Enterprize*, and whilst he was at home he had frequent communications with Mr. Jessop's family, who have a large concern at Butterly. He should be able to prove that this communication led to a certain degree of intimacy, and that a proposition did come from him, not exactly that he should join the house, but that he should deposit money with an understanding that he should have the emolument derived from his capital. This proposition was communicated to Mr. Webster by Mr. Jessop, and that gentleman declined to accede to the arrangement, and expressed himself angrily; therefore it was not singular that, during a moment of irritation, he might mention the subject to Captain Forbes without any other intention but to state what he felt. Now during the time of this quarrel taking place, the Court would bear in mind that Mr. Jessop was absent, and that the whole of the business had fallen on Mr. Webster, and that from day to day he considered himself harassed and annoyed by the plaintiff. It was also in evidence that they were not particularly found of each other, and possibly the plaintiff might cherish some angry feeling as he did find a reason for the display of them. Well, what followed; Captain Johnston gave orders which he had no right to do, and the defendant said that which had been stated to him by his partner. The action was brought in the absence of Mr. Jessop, pleas of justification were put in, and he would now, as Mr. Jessop had returned to this country, be able to prove that the words were true. He granted that the word made use of was not *dusturi* but 'commission.' That was probably in consequence of Captain Johnston's English education, but the proposal was that Captain Johnston should be allowed a commission on the work done by Jessop and Co. for Government; and if he should be able to prove that he thought he would be entitled to a verdict.

*Mr. George Jessop examined by Mr. Clarke.*—I have known the plaintiff for fourteen or fifteen years; we have always been on terms of intimacy. The firm had a great deal of business from Government in the repairs of machinery, Captain Forbes had the superintendence of the whole of the work we did for Government, Captain Johnston had no control over it whatever. In the early part of July last, in consequence of a reference to Captain Forbes, a communication was received from the Marine Board, and it was understood that the plaintiff was to be allowed to inspect but not to interfere with the repairs. Captain Forbes still continued to discharge the duty of inspection. I am aware of the subject of the present action. Captain Johnston on one or two occasions asked me if he was not entitled to some handsome commission for bringing the work the firm were doing; I mentioned this to Mr. Webster merely saying that plaintiff had been asking for *dusturi*. I cannot say if commission was mentioned on more than one occasion, but it might have been so. He asked me, if I would take him into the concern as a partner, stating that he had £5,000 to put in, but nothing more was said. I also told this to defendant. I replied that I had no objection to sell the whole concern, and plaintiff asked why I did not write a letter to him in order that he might lay it before Government. Mr. Webster would not agree; he said he would have no connection with the plaintiff. I left Calcutta at the end of July.

*Cross-examined by the Advocate-General.*—The conversation about the partnership took place at the time the *Ganges* was under repair last year. I do not recollect it was at the time of the establishment of a steam committee. I remember Government offering two lakhs to any body who would take a contract for steam communication with England. I do not know whether this offer to me was made by plaintiff about that time, but I will not swear that it was not. I will not swear that it had no reference to the Government contract. Plaintiff said he had influence with the Governor-General, and a partnership would be for the benefit of us both. I do not recollect a conversation regarding the two lakhs at the Steam Committee. I communicated plaintiff's offer to the defendant, and I said also that the former wanted *dusturi*. This might be one or two days after the offer was made, but I am sure it was not ten days. He said he ought to have, or that he was entitled to some *dusturi*. I cannot either recollect the occasion or time, but it was in the passage near my own door. I do not recollect what we were conversing about; we might have been speaking with reference to some work in hand. I have not been trying to recollect when it was said, or anything at all about it. I do not know the amount of plaintiff's salary but I suppose he has one. I believe plaintiff and defendant were always on good terms before this dispute. I do not recollect when the conversation about *dusturi* took place, or whether it was before or since plaintiff last returned from England, or if it was since he held his office. I do not recollect anything more that was said, but I remember we were laughing and talking at the time. I do not know if plaintiff applied to Government for a loan on my behalf. We were laughing and talking, but I did not believe the proposal was a joke. I

never asked plaintiff to lend funds to Jessop and Co.* I do not recollect offering plaintiff a commission if he would sell the concern to Government. It was possible that I may have done so; I might have done so;—I do not recollect if I did at the time Lord Amherst was Governor-General. (*By the Court.*) Do you believe that you offered the plaintiff a commission to sell your establishment to government? I do not. I do not recollect that plaintiff refused to do so. I never requested a loan of the plaintiff, but I might have done so in a joking way; I might have said "Johnston will you lend me a lakh?" I cannot say it I never said so seriously. I have been employed to do work on the plaintiff's private account; he has paid some bills, and some he has not. Some trifling amounts for repairs to his carriage or buggy were not charged, but the account now produced, for three rupees, has been paid. I did not offer the plaintiff anything if he would procure me the building of river steamers: he has had the power to cause the rejection of my proposal to build them. He never had it in his power in the contracts with Government to shew favor or disfavor. When I communicated to defendant the plaintiff's proposal that we should allow him a *dusturi*, I stated it merely as what occurred when we were laughing and talking,—as a joke, and as such I mentioned it.

*Re-examined by Mr. Clarke.*—I did not tell Mr. Webster that it was a joke.

*Mr. Advocate-General* replied, but at the suggestion of the Court, he confined his argument entirely to the second plea, and after commencing on the reluctance with which Mr. Jessop had given his evidence strongly urged that the probabilities were, that not only had the words never been uttered to Mr. Jessop by the plaintiff, but that the former had never communicated them to defendant.

*Chief Justice Ryan* said, it was the impression of the Court that in this case there must be a verdict for the plaintiff on the general issue and all other pleas but the second plea, and with reference to that there was a case in 10th *Barnwell and Creswell* to which the attention of the Court had not been directed by counsel. [The learned judge then cited *M'Pherson* v. *Daniel* in 10th B. and C., wherein it is decided that it is not an answer for oral slander, for a defendant to shew that he heard it from another and named the person at the time, without shewing that the defendant believed it to be true, and that he spoke the words on a justifiable occasion.] The learned judge continued, the question then is, whether there is evidence as to what is contained in the second plea; the Court thinks there is satisfactory evidence that Mr. Jessop did say to the defendant what is alleged; and also that there is some evidence that defendant believed what Mr. Jessop said. Mr. Advocate-General, in his address to the Court, thought there was no reason to believe that the communication had been made to defendant, both from Mr. Jessop's conduct and from the probabilities of the case; but the Court cannot arrive at that conclusion, because we find that defendant mentions Mr. Jessop as his authority on each occasion, and from the declaration of that person we think the probabilities are that defendant was so informed by Mr. Jessop. But the Court expresses its opinion by the verdict, as to whether Captain Johnston made the proposal to Mr. Jessop. Then as to the second plea, the question is whether the words were spoken on a justifiable occasion. Now this is the main point, and this is the way Mr. Justice Bailey put it in the case already cited:—"It seems to me that a person cannot be justified in repeating slander unless he believes it to be true. But that alone is not sufficient. I think it can only be repeated on a justifiable occasion. Every publication of slanderous matter is *primâ facie* a violation of the right which every individual has to his good name and reputation. The law, upon grounds of public policy and convenience, permits, under certain circumstances, the publication of slanderous matter, although it be injurious to another. But such act being *primâ facie* wrongful, it lies upon the person charged with uttering slander, whether he were the first utterer or not to show that he uttered it upon some lawful occasion. Upon the whole, I am of opinion that a man cannot by law justify the repetition of a slander by merely naming the person who first uttered it; he must also show that he repeated it on a justifiable occasion and believed it to be true. The question is, had defendant at the time a right to repeat the words. We think it a very doubtful point whether it was a lawful occasion, or whether he believed it to be true. We think there is some evidence that it was said at a time when Captain Forbes urged by plaintiff, was about to take away the work from Jessop and Co.; and as it is a little doubtful, we are inclined to give the defendant a verdict on the second plea. Mr. Turton submitted for a *non-suit*, but though the evidence is slight, he thought there is evidence which might go to a jury, and did not *non-suit* the plaintiff. But defendant has liberty to move to enter upon a *non-suit*, if he think fit. We must say that the Court is not satisfied with the evidence of Mr. Jessop; and that Captain Johnston goes out of Court with a character untouched. We suppose the latter came into Court to establish his character and not for damages; if we had damages to give they would have amounted to ~~Rs~~ 1,000. We wish it also to be understood that we think the plaintiff has done right in bringing this matter before the Court: we do not believe that he uttered the words which he is said to have uttered, and he goes out of Court after having given an opportunity to the defendant to establish an imputation on his character, and which the defendant has wholly failed to do.

*Mr. Justice Grant.*—I entirely concur with the Chief Justice; and as it may be satisfactory to the plaintiff whose conduct has been under inquiry, I must add that there is not the slightest imputation on his character.—*Englishman.*

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* The following has been handed to us as a correction of the above passage in Mr. Jessop's evidence, as taken down in Court —ED. IND. GAZ.

I have offered railing to Government, and have done so for 12 years. I do not recollect having asked plaintiff to get Government to buy it. I might have offered plaintiff money to sell it to Government. I might have said so probably I might; I cant recollect that I did say so. I might have said so. I do not recollect who was Governor-General. (*In reply to the Court.*) I cannot swear that I said so to plaintiff. (*To Advocate-General in cross examination.*) I do not believe I said so. I do not recollect the plaintiff refused it. It might have happened that he did.

## MONDAY, MARCH 16.

### TO THE MATTER OF COLVIN AND OTHERS.

The case in appeal on the Petition of the Insolvents for their discharge on the consent of the major part of the creditors, was this morning called on for the decision of the Court.

Sir John P. Grant, as the Junior Judge, according to the practice of the Court where there is a difference of opinion, delivered his Judgment at considerable length, and to the same effect as his former decision when sitting in the Insolvent Court.

The Chief Justice regretted his difference of opinion from his learned brother, which would have made him suspend his judgment till the Court should have been full, but was pressed by the importance of of time to the Petitioning party. He also felt more confidence, because it was not a new matter, the same point having been considered in the case of C. G. Strettell, when reference was made to the other Judges and the order for his discharge was made with the entire concurrence of the then Chief Justice. He should not go into the question of the policy of the statute, but confine himself to the consideration of it as it stood; and though he was bound to say there was much obscurity in the clause in question, yet he thought it clear that the party was entitled to discharge without any referrence to the future con-

duct of the matters of the estate. That he gave no opinion upon, and it would be a matter for further consideration; but the Statute gave a right to discharge "whenever" the sufficient number of assents should be obtained. It had been said that an Insolvent Law was framed on a different principle from those on which the Bankrupt Law was introduced; but it appeared to him that the Indian Bankrupt Act had much of the character of a Bankrupt Act also. The learned Chief Justice then went shortly into the grounds of his decision, which was that the Insolvents were entitled to their discharge as asked, and the order of the Insolvent Court must be altered accordingly.—*Calcutta Courier.*

## INSOLVENT DEBTORS' COURT.

FEBRUARY 14.

### IN THE MATTER OF WILLIAM FAIRLIE CLARKE AND OTHERS.

This was a question of sett off between the assigness of Fergusson and Co. and Mr. Bishop. The assigness agreed to admit the facts of the case, and to have the point of law argued before the Insolvent Court. The particulars are as follow:

About the end of 1829 the firm of Fergusson and Co. applied to Mr. Bishop to become the manager and superintendent of the Bamoudee indigo concern, situate in the Zillah Kishnagur, of which Fergusson and Co. were then in possession as proprietors. In March 1830, Mr. Bishop entered on charge, it being understood between him and Fergusson and Co. that after the expiration of two years the latter would admit the former as a partner, and that he should have a four anna share of the Bamoudee concern. After the expiration of the two years, in January 1833, Mr. Bishop applied to the firm on the subject of such share, and was informed by them that they could not then fulfil their intention in consequence of a suit pending between themselves and Mr. Ebenezer Thompson, a former proprietor and mortgager. In consequence of this information Mr. Bishop did not again bring the subject to the notice of the firm till the 12th July 1833, when he received from Mr. Melville, a partner in the house of Fergusson and Co. a paper signature, purporting to be an engagement to hold himself responsible to the Government Loan Committee for the Bamoudee concern and the produce of the season. Mr. Bishop, somewhat surprised at the request, replied, that the firm of Fergusson and Co. would probably not object to his withdrawing a balance of ~~Rs~~ 19,000 or thereabouts in their hands, in his favor, under the impression that if they had power to mortgage to the Government Loan Committee, they had equally the power of selling to him a share of the concern had they been inclined to do so. To this Mr. Bishop did not receive a reply previous to the 27th of the same month, when he wrote again expressing his surprize at receiving no answer and stating his determination to withdraw the balance. But before the last mentioned letter could have reached the Calcutta an answer to the letter of the 12th of July was received, in which Mr. Melville, on the part of the firm disclaimed any intention of not fulfilling the agreement, the delay being solely caused by the continuation of the legal proceedings on the part of Mr. Thompson, and proposing to give Mr. Bishop an interest in the profit and loss of the Bamoudee concern from the commencement of the next season, upon an engagement which he trusted would be satisfactory to all parties. Mr. Bishop replied, that from the house having mortgaged the concern to Government, he was led to suppose the suit with Mr. Thompson was not of such a nature as to prevent them giving him a share; however, he hoped that the matter would be arranged at the end of the then season. In October, 1833, Mr. Bishop came to Calcutta, and some written communications passed between himself and the firm in which the latter stated they were willing to allow Mr. Bishop to retain the management of the Bamoudee on the following terms, viz. On a salary of ~~Rs~~ 400 per month, and a fourth interest in the annual profit and loss, the firm charging a yearly rent of ~~Rs~~ 20,000. The arrangement was to continue for one or more years at the option of the firm. To this arrangement Mr. Bishop agreed, but previous to the receipt of the letter containing the proposal he received from Mr. Melville a memorandum of the estimated outlay and rent of the Bamoudee concern for the period of one year, his proportion being estimated at the sum of ~~Rs~~ 18,700. After Mr. Bishop had intimated his consent to the arrangement he withdrew nearly the whole surplus funds to his credit in the firm above his estimated proportion, leaving the remainder to answer the share of the rent and outlay for one year, but there was not any arrangement between himself and the firm respecting the disposal of the balance which was suffered to stand as before to the credit of Mr. Bishop generally, in account.

Fergusson and Co. failed on the 26th November 1833 and were duly adjudged insolvent. Mr. Bishop now petitions the Court, setting forth:—That the partnership between the late firm and himself commenced on the the 1st October 1833, the commencement of the Indigo season; and that at the date of the adjudication in insolvency of the firm Rs. 15,000 only had been supplied by Fergusson and Co. for the purposes of the factories.—That at the date of the insolvency the sum of Rs. 19257 was standing generally to the credit of the petitioner in the books of the firm, and that no debit for outlay or rent had been carried to his account. That the assignees, without any fresh agreement, continued the requisite advances for cultivation during the remainder of the season, and that the total outlay of the season, inclusive of rent, has amounted to Rs. 78,000 or thereabouts. That the produce of the factory having become ready for division, the petitioner applied to the assignees to come to a settlement and division of it, and to account for the sum left by him in the hands of the firm, as a sett off against the proportion of outlay and rent chargeable to the petitioner, under the agreement of partnership, amounting to ~~Rs~~ 19,500; but the assignees have declined to allow the sum to be sett-off except as to the amount advanced by the firm prior to the failure.

The petitioner then prays, that the Court will order that he be at liberty to set off the sum of ~~Rs~~ 19,257, standing to his credit in the books of the firm at the date of the adjudication in insolvency, against ~~Rs~~ 19,500, chargeable to him as his one-fourth share or proportion of ~~Rs~~ 78,000, being the gross outlay, inclusive of rent, during the indigo season ending the 1st October last.

The assignees having admitted the facts, the right of sett off came on for argument last Court day, and Mr. Prinsep was heard on behalf of the petitiner, but in consequence of the lateness of the hour the Court adjourned until the following Monday at 10 o'clock when the learned gentleman resumed his argument, and the further consideration of the matter was postponed till the next Court day. The reporter understood the matter was adjourned to the next Court day in the first instance, he is therefore unable to give the arguments of counsel.

We shall give the decision when it is pronounced by Mr. Justice Grant, who presided.

FEBRUARY 21.

IN THE MATTER OF JAMES YOUNG AND OTHERS.

This was an order *nisi*, obtained on the 7th instant, on application, by petition, of various creditors, praying that the Court would order that Mr. Thomas Holroyd be appointed assignee to the estate of the insolvents in the room of Mr. F. H. Burkinyoung, resigned. Notice of the application was given by public advertisement to the creditors, and now—

*Mr. Prinsep*, on behalf of Messrs. Bagshaw, and Co. and others, presented a petition, not against the appointment of Mr. Holroyd, but praying that some alteration should take place in the management of the estate, and that for the future the assignees may be remunerated by a moderate percentage on the net proceeds realized, and not as hertofere by a fixed salary.

*Sir J. P. Grant* noticed, that the petition did not state what alterations were necessary in the plan of management.

*Mr. Advocate-General* said, the Court would hardly exercise its discretion as to the remuneration without having some information before it. The petition prayed that the assignees might receive a moderate percentage. Now the expenses of keeping up the necessary establishment might be so great that a moderate percentage would not be sufficient to defray them.

*Mr. Turton* on behalf of Mr. Harry, thought it quite impossible to fix the amount of the percentage without there was something before the Court to shew what expenses were incurred. The Court had generally referred this question to a meeting of creditors, and acted upon their suggestion. Supposing in this case, which, indeed, was likely enough, that the dividend would be small and the trouble great; the assigness might require something more than a moderate percentage on the dividends, and if the assignees, at this moment, could not tell what would be the amount of those dividends, it was an additional reason why the Court should pause. It might appear, on investigation, that a large percentage and not a small one would be necessary, but his client was quite satisfied that a fair allowance would be ordered by the Court.

*Sir J. P. Grant* said, the petition stated that a moderate percentage would be for the benefit of the estate; but it was not said how the estate would doe benefitted, nor what difference ought to be adopted in the plan of management It stated, without imputing any blame to the assignees, that they had hitherto so conducted the estate as to produce nothing. But no alteration was suggested; and what was the reason of this, apparently unprofitable management he could not tell. He had no information or knowledge on the subject, and of course the Court would do nothing without giving the creditors an opportunity to come in. He thought the best course would be to refer to the Examiner to inquire whether it would be for the benefit of the estate that the assignees should be remunerated by a percentage, and if so, what that per centage should be. If the assigneess of the estate, contrary to the practice at home and in this country, were to be considered as servants who received a salary, they must be treated so, and have something according to their trouble.

*Mr. Clarke* suggested, that the subject should be left for the consideration of the creditors, a great number of whom were well acquainted with the affairs of the estate. If a meeting were called and the opinion of the creditors laid before the Court, the latter would have some guide for their decision.

*Sir J. P. Grant* said, the Court had no power to call a meeting of the creditors, neither could he say that it would be bound by their resolutions. He would, however, be happy to receive any suggestions from the creditors, and he regretted that the petition now before him did not state the grounds on which the election was made for a percentage rather than a fixed salary, and what different plan of management was necessary for the advantage of the creditors of the estate.

*Mr. Turton* remarked, that it had been said no advantage had been derived from the present plan of management. He could hardly think this assertion consistent with the fact that at the time of failure almost every particle of the property had been mortgaged, and these, to the extent of twenty-one lakhs, had been paid off.

*Mr. Prinsep* understood that mortgages to that extent had been contracted to be paid off.

*Mr. Turton* said, that fourteen lakhs of mortgaged property had been actually cleared. Of course it was necessary to clear these incumbrances before a dividend could be paid. It was hardly fair to say nothing had been realized; much had been realized; but the clearing off incumbrances might be considered as payments made to a preferential creditor. He begged to say, that his client was not a party to an application for a reference to the Examiner, and with reference to a percentage he thought it quite impossible, for any person in the world, under present circumstances, to say what would be a fair amount.

*Mr. Advocate General* thought it would be hardly fair to name an early day for the Examiner to report, Mr. Holroyd being only now appointed, he would require some little time to make himself acquainted with the affairs of the estate.

*Sir J. P. Grant* said, that the order might afterwards be enlarged, but he would name the next Court day for the Examiner to inquire and report whether it is for the benefit of the creditors that the assignees should be paid for their trouble in the conduct and management of the affairs of the estate by a percentage or a fixed salary.

IN THE MATTER OF WILLIAM FAIRLIE CLARKE AND OTHERS.

This was a question of sett off between Mr. Charles Bishop, of the Bamondee indigo concern, and the assignees of this estate. The particulars are reported in a preceding page. The learned Judge decided, that in the adjustment of the accounts for the season ending September 30th 1834, the petitioner be allowed credit for the sum left in the hands of Fergusson and Co. to the extent of one fourth of the sum advanced to him by the firm, for the purposes of the factory, previous to the failure; and to the like extent for amount advanced by the assignees, and that the same be debited against the estate, with interest at the rate of five per cent; and that the petitioner be allowed to prove for any balance which may remain in his favour. The learned judge observed that if the assignees undertook to fulfil the engagement entered into by the insolvents, they must place themselves exactly in the position of the latter, and do so subject to all contingencies.

IN THE MATTER OF JAMES CALDER AND OTHERS.

This was an application, by Mr. Cochrane, made on behalf of Mr. J. W. Sutherland, that no dividend be paid on the claim of Mr. Browne Roberts, until the rest of the creditors of the insolvents be fully paid and satisfied.

*Mr. Turton* appeared for Mr. Browne Roberts, and for the trustees of the firm of Rickards, Mackintosh and Co. The learned counsel put in the petition of Mr. B. Roberts, which set forth, that he retired from the house of Mackintosh and Co. on the 30th April 1828, having proceeded to England in the previous March, and that he became a member of the firm of Rickards, Mackintosh and Co. in May 1830.—That the latter firm stopped payment in June 1833, and that a deed of arrangement was entered into in which, among other things, it was provided that the partners should realize and get in their personal estates, and after satisfying their separate debts, should pay the surplus to the co-partnership fund.—That the whole

of deponent's personal property in the United Kingdom, and also his marriage settlement was sold and disposed of pursuant to such covenant. And the deponent further saith, that he hath an admitted claim on the estate of Mackintosh and Co. of Rs. 55,700, exclusive of further claims to which he considers himself entitled upon the footing of an arrangement entered into between him and his partners upon his quitting the firm of Mackintosh and Co. But whatever claim he hath is not for his own benefit, but in trust, and for the benefit of the estate of Rickards, Mackintosh and Co. That Mr. J. W. Sutherland, on whose behalf this application is made, did execute the deed of trust as one of the creditors of Rickards, Mackintosh and Co. and that the deponent had lately arrived in this country for the purpose of realizing certain claims on parties at present residing in India, on behalf of the trustees of the estate of Rickards, Mackintosh and Co. The learned counsel argued, that before Mr. Roberts's claim could be struck out of the schedule of Mackintosh and Co, or rather, before the payment of it could be postponed until the remainder of the creditors should be paid in full, it must first be ascertained to which of the creditors of Mackintosh and Co. Mr. Roberts was liable and who are to be paid in full before him. For instance, it was quite clear that Mr. Browne Roberts had not been a partner in the firm since 1828, and therefore it was evident was not liable to any parties who had become creditors of the firm since that period.

*Sir J. P. Grant*, did not see clearly how or when Mr. Roberts had quitted the partnership.

*Mr. Cochrane* said he had not been advertised out of the firm until three years after the period it was said he had left it.

*Mr. Turton* said, even in that case Mr. Roberts would only be liable to those who had not had notice. It was distinctly proved, that there was a sum of Rs. 70,000, a balance admitted by the assigneess, in Mr. Roberts' favour, and that this sum was not made up merely of the amount he was to receive for his three annah share in the firm, but of sums received on his private account since he had quitted the partnership. He would admit until it was shown the firm was in a solvent state when Mr. Roberts quitted it, that he could not be entitled to any thing for his three anna share, but any sums paid in on his private account, subsequent to his quitting the concern, were clearly the property of the creditors of Rickards, Mackintosh and Co. But before the Court would order the amount alleged to be due for the three anna share, to be struck out of the schedule, it would be necessary to ascertain to which of the creditors Mr. Roberts was liable. As to the transaction itself, he thought he should be able to shew that the transfer of the sum to the account of Mr. Roberts, had been *bonâfide*, and that it was not at all evident, but rather on the contrary, that the firm was insolvent in 1827 8, or if it was, that Mr. Roberts was aware of it. Mr. Vanthart had dieposed, that according to his belief the house was insolvent in 1819, when Mr. Fulton quitted it, but from the amount carried to 'bad balances' it would appear that gentleman had come to an erroneous conclusion. In 1825 there was a balance of three lakhs and a half against the house, and the year preceding the balance was five lakhs. He admitted that from 1825 downwards the house had been gradually getting worse, but a fair examination into the circumstances would shew that there was nothing which could induce Mr. Roberts to believe that the house was likely to fail. In 1825, the firm incurred a considerable loss in opium, but it by no means followed that the deficiency thus occasioned could not be made up by a more fortunate transaction next year. In 1826 7 the balance against the house was eleven lakhs, and this in 1828 was increased to fourteen lakhs. But when was the balance sheet of 1827 8 made out? From the evidence of Mr. Vanthart it appeared to have been made out in December 1828, within two months of one year after Mr. Browne Roberts had quitted the country, and proceeded to Europe, partly for the purpose of endeavouring to recover what was at that time considered a recoverable debt. He would also remind the Court that Mr. Jenkins, at a subsequent period, would have joined the house if he had considered the three accounts he referred to as good balances. He would direct the attention of the Court to the acts of the partners at the time Mr. Roberts quitted the partnership, and ask if they showed a sense of their own insolvency when they undertook to pay Rs. 40,000, per share for each of his shares. Would they have done so if they had thought their concerns were irremediable? Of course they would not. Did any one come into the house on the retirement of Mr. Roberts? Was he a young and inexperienced person that joined the firm at that time? No; on the contrary, Mr. Storm had been long in business, and thought he was doing perfectly right in joining the house. If the amount of the transactions of the house was looked at, it would be found that the deficiency in 1825, was about five per cent. of the capital, and surely it could not be considered that a large trading concern, such as the house of Mackintosh and Co. might not realize a profit of five per cent. on business. It so happened, however, that a series of circumstances took place here at that time, which no man, of whatever sagacity could have foreseen, otherwise it would have been a poor business indeed, which with the resources of Mackintosh and Co., could not have realized a profit of fifteen per cent., and if the house had realized ten per cent. only they would have been left in a solvent state. Mr. Jenkins had said, that the state of three accounts in 1831 prevented him from joining the house; but that he continued with them to the date of the failure, not having finally determined whether he would join them or not. Then was it to be believed that if Mr. Jenkins thought it might be worth his while to remain with the house, that Mr. Roberts could not quit India in 1827 with a favorable view of its solvency? It had been proved that landed property remained at a nominal value from 1828. It had also been proved that the firm of Mackintosh and Co. held large mortgages and securities, which at the time were considered sufficient to cover Ramrattan Mollick's debt; but in 1831 the state of things was different, and Ramratten's account had been converted into a bad debt, in consequence of the depreciation in the value of landed property; still, at that time, Mr. Jenkins thought a fortunate year or two might have turned the scale in favour of the house. As to the debt of Mercer and Co., at the failure of the house it was indebted to the firm about twenty lakhs of rupees, for which there were securities now remaining to about the value of one fourth of the amount. Mercer and Co. failed in 1827; they possessed cotton, indigo and indigo factories, and Mackintosh and Co. had security over the whole property. Could any one tell him that at that time it might not be considered a valuable estate. It was proved that the firm lost £90,000 by the house at home holding Mercer and Co's indigo over at a time when it fell from five shillings to two shillings and six-pence, making a loss of near one half the debt which could not have been foreseen at the time Mr. Browne went home. Had Rickards, Mackintosh and Co., sold the indigo immediately, the result would have been very different, and as this indigo was not sold till March 1828, it was quite impossible that the loss could have hastened Mr. Robert's departure from this country. The house here likewise held cotton on which a very considerable loss had been sustained. If the Court came to examine the balance against Mercer and Co. in 1827, they would find that the firm were fully covered by what was considered good security, indeed he remembered in 1828, at a meeting of the creditors of Mercer and Co. it was considered that Mackintosh and Co. would not only be fully paid, but that they were authorized to hold over the balance for the other creditors. In like manner the value had depreciated of up-country indigo factories which were now hardly worthy of cultivation, and the export of cotton, which continued to be extensive for some time after the American war, as the large cotton screws in this neighbourhood bore testimony, had now entirely failed. He now came to the debt due by Mendieta, Uriarte and Co., which, to this moment, was not ascertained to be in-

remediably bad, though he would admit that claims against kings were generally encompassed with difficulties. Unless he was wrongly informed the assignees had now thought it worth their while to send Mr. Storm, one of the insolvents, to Madrid, to press the claim there. Mr. Browne Roberts had himself spent two years in Spain, having the same object in view; but it was to be hoped that a better state of things now obtained in that country, and that Mr. Storm would be more successful. If the whole should be recovered it would be more than sufficient to cover the debt of Mendieta, Uriarte and Co. The debt itself had originated out of the trade to Manilla which was carried on to a considerable extent, both here and at Madras, until it was put a stop to by the decision of Sir William Scott on the question as to the right of any privileged body to license a trade with the subjects of a power hostile to the Supreme Government. It was afterwards carried on at Calcutta by Mendieta, Uriarte and Co. who, being Spaniards, were not affected by the decision. When that firm became involved they made over their claim on the Philipine Company to Mackintosh and Co. and shortly after Ferdinand VII. swept away the whole of the assets of the Phillipine Company. Spain, however, since that time, had come to a better era,—at least it was to be hoped she would under the quadruple alliance,—and if that government only paid, as it was called in this country, ten annas in the rupee, it would be sufficient to discharge the claim on the Phillipine Company. These were the three debts which had prevented Mr. Jenkins from joining the firm; and he thought no person in 1828 could have considered them irremediably bad. As to the debt of Ramruttan Mullick, his Lordship was aware from what had passed in another place, that person had a claim of one lakh and a half against Surropchunder Sircar, and it was also well known there was claim against the Company for nine lakhs, in support of which there was a petition before the Court at home. The claim against the Company it was true might not now be regarded as it was in 1828, but the claim of one and a half lakh was yet before the Supreme Court. Now what was the state of these three balances when Mr. Browne Roberts quitted the partnership? Ramruttan Mullick's security was a good sett off to the full amount; Mendieta, Uriarte and Co.'s was a security to the full amount with great difficulties in the way of recovering it: and Mercer and Co.'s was considered, in 1827, to be a sufficient security to the full extent; but the fall of indigo, cotton, &c. had since destroyed that to very considerable extent, and in like manner, the fall in landed property had made Ramruttan Mullick's a bad debt. Mr. Jenkins said "if these three debts had been good, and no panic had existed, I think I should have joined the house." The debts were considered good at the time Mr. Roberts left the house. Mr. Jenkins continued "a lucky hit or two might have recovered matters. "I took my impression from the partners of the firm; it did appear to be the feeling that the house might not go on." If such was the impression of the partners he would like to know what there was of fraud in receiving Rs. 40,000 for each share three years previously to the time the impression was communicated to Mr. Jenkins. The account of Mr. Browne Roberts was not before the Court, but this was,—that a part of it consisted of sums received by the firm, on his account, since he left the house. Mr. Vauthart says, 'there was a sum of Rs. 20,000 recovered on the life of Captain Roberts; it was recovered for Mr. Browne Roberts, and forms a part of the claim of Rs. 70,000.' Ought not the house to be responsible for this? Again the sum 'Rs. 15,000 and upwards is composed of Sheriff's fees recovered in 1828-9, and there was a sum of Rs. 7,000 recovered for rent on account of Mrs. Roberts's settlement. The utmost the petitioner could say was, that Mr. Browne Roberts was not entitled to recover for his creditors any part of the sum remaining for the three anna shares. Perhaps it would not be worth the while of the trustees of Rickards, Mackintosh and Co. to dispute that, but the Court would take into their consideration that Mr. Roberts had received not a cowrie during the time he was at Madrid, and that had he remained a partner of the firm he would have at least received his maintenance during that period. A great deal had been said regarding a representation made at the first meeting of the creditors of Rickards, Mackintosh and Co. of a sum of £38,000 said to be due to Mr. Roberts from the house here; it however turned out that Mr. Roberts was not present when the statement was made, and when the matter came to be sifted it was found to be a sum of £30,000 which the firm here promised to advance him. It was true no lawyer would tell Mr. Roberts that he had any claim on the firm for this sum, but when such promises were made to him, could he be said to be deceiving any body? He would now only draw the attention of the Court to one other circumstance. Mr. Sutherland appeared here in a most extraordinary position, and he was quite at a loss to account for his feelings otherwise than that he was promoted by a desire to play the scavenger,—throwing dirt on Mr. Roberts. Mr. Sutherland was a creditor of Rickards, Mackintosh and Co. he had received a dividend under the assignment, and he now came here to move the Court to strike out the claims of Rickards, Mackintosh and Co.

*Sir J. P. Grant.*—He is also a creditor of Mackintosh and Co.

*Mr. Turton* admitted that he was, but still there appeared something singular in Mr. Sutherland's proceedings since he was acting against the interest for which Mr. Browne Roberts are merely a trustee, for not one cowrie would ever go to that gentleman, as there would be no surplus from the estate of Rickards, Mackintosh and Co. However, Mr. Sutherland was the best judge of his own actions. The question before the Court was merely a question of law, as to the amount received by the firm on Mr. Roberts' account since he quitted the partnership. There could be no doubt his creditors were entitled to that, and he would submit for a reference to the Examiner to ascertain what those accounts were and to whom they were due. The amount of the balance due on the three anna shares he admitted to be doubtful, but if any reference were made he begged that might be included, as well as to ascertain whether any sums were due for Mr. Browne Roberts' expences while at Madrid. Mr. Roberts had drawn nothing but what was perfectly understood to be his own, and if it was asserted that he had, there was the more occasion for a reference.

Mr. *Cochrane*, in reply, said, that the usual courtesy of the bar prevented him telling his learned friend, who indeed generally made good addresses, that he never heard him make one so bad, nor one in a worse cause. There seemed to have been a considerable deal of time, certainly not of argument, consumed in an endeavour to prove that the house of Mackintosh and Co. was solvent when Mr. Roberts quitted it, but he could assure his learned friend that all the might-bes and may-bes he had made use of, together with the cotton screw he had made use of also, would fail to screw up the assets to a state of solvency. But he would speak of the claim of Mr. Roberts as it appeared before the Court. It did not appear by the books of Mackintosh and Co. that Mr. Roberts was a trustee; but it appeared that he had represented to his creditors in London, or his partners had done so for him, that there was due to him from the house here £38,000, which had been cut down there to £34,000, and which had been ultimately cut down by the assignees here to Rs. 70,000. Perhaps he might be permitted, on the part of Mr. Sutherland, to disclaim any endeavour or wish to prevent any of the family of Mr. Roberts making a claim for the amounts for which it was now represented he was a trustee. He, however, was ready to shew that Mr. Roberts was not a trustee; and that an order pressed against him would not be injurious to any other party. With reference to the assignment, it could not be supported, for if it was shewn that the house here, had been entirely insolvent, he of course could convey nothing, and his assignees must be bound by the equities of the man whom they claim under. In April, 1831, Mr. Roberts sent a begging letter to the firm here with which he

thought it necessary to tronble the Court, as it was asserted that Mr. Roberts was a creditor to a large amount (*Reads.*) "Having in consequence of my joining the house here, been under the necessity of hiring a house and furnishing it, and not having a penny in the world at my command, rather than add to the weight of my pauper situation here in Bishopsgate street, I have taken the liberty to pass the two following bills on you at the ruinous rate of one shilling and eight pence,—the only terms on which I was able to negociate them, viz.

On the 31st of March £423 or Sa. Rs 5,067

On the 6th of April £500 or Sa. Rs 6,000

Even these sums I should not have thought of drawing for had you continued to send on to Major Oliver, the accruing interest on Mrs. Roberts's trust and property, the deprivation of which, situated as I unfortunately am in this house, puts me and my large family to serious inconvenience. Trusting that you will kindly honor these two drafts, and pass the amount, when paid, to my debit, believe me, your attached friend, B. Roberts." This letter (Mr. Cochrane continued) the whole scope of it showed that it was not only written by a man who knew he had no claim on those he addressed, but who also knew the situation of his late partners. How was it that Mr. Roberts was not present on this occasion! Why was he not here at present 'acting under the deed of arrangement?' It appeared to him (Mr. Cochrane) that Mr. Roberts' conduct from beginning to end had either been a fraud against one set of creditors or a double fraud against both. He would now read the Court a letter which he had produced during the examination of Mr. Storm. It was written in hieroglyphics and Mr. Storm could not read it, though perhaps Mr. Roberts might be able to do so now, as he was gone to gather some information amongst the pyramids of Thebes: (*Reads*). "In regard to the credit through China, our former letters will have set the subject at rest for ever I hope. You are now fully aware of all the circumstances that led to the case; had direct remittance been made, they would never, I am assured, have been resorted to. But, my friend, means were T. W. P. H. W. P. H. W. P. N. and are still U. M. I. V. J. G. to meet your P. Y. W. R. F. Look, I beg of you, at C. J. S. Y. W. R. H. F., and G. P. J. N. M. F. O. W. V. W. P. S. Q. F. The consignments of the year lately made, you will find with referrence to prices here, and the frightful stock on hand, will not give an average anything like sufficient to cover the drafts passed in favor of the Board of Trade. Allow me once more to repeat the question I before put to Gordon. Where are R. L. P. R. F. to come from? Be assured that in India I never had anything like the W. P. E. U. G. H. E. that these things produce here. I must once more implore you all to take into N. Y. W. D. G. S. J. P. F. U. P. the T. P. G. P. W. S. W. M. H. in which T. G. shall be placed W. R. G. W Y. V. C. and V. W. Y. M. G. Y. G. M. U. H. H. F. be not I. Y. J. M. T. H. M. W. W. P. G. I will not dwell further on the subject but refer you to Mr. Rickard's letter." This letter (Mr. Cochrane continued) was of importance as it shewed that the partners were compelled to have recourse to hieroglyphics to conceal their situation from their head bookkeeper, and even Mr. Storm was not acquainted with the characters. Was this consistent with a belief that the house was solvent or that it might recover itself by 'a lucky hit or two' which Mr. Jenkins had spoken of? The learned counsel then commented at great length on the address of Mr. Turton, urging that even the statements made by Mr. Vanthart did not shew the real amount of the deficiencies and that the house had been insolvent for years to a much greater extent. If, the learned counsel argued, there was only a deficiency of five per cent. how came it that the book-keeper had deposed that the estate would only pay three annas in the rupee, and that not till after the lapse of five or six years after the failure.

*Sir J. P. Grant* said, he thought this was quite a different case from the question whether a partner can retire from an estate without notice and not be liable for the debts afterwards incurred; or from the question whether a partner may be entitled to retain the sum of money which he goes out for. In this case there was an agreement to pay a sum of money to the outgoing partner, but if the firm had no assets they could not of course fulfil their agreement, and it could not be supported against the claims of creditors. The claim here rested on two different grounds, the first was the balance of the agreement made on the retirement of Mr. Roberts and the second was the amount said to be received by the firm subsequent to that retirement. He thought it ought to be ascertained how much had been received by the firm since Mr. Roberts left it, and he did not see how that could be done without a reference to the Examiner. Mr. Turton agreed to wave the right to any sums but those received by the firm subsequent to Mr. Robert's retirement, and the Examiner was ordered to inquire and report as to their amount.

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## SATURDAY, MARCH 7.

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*(Before the Chief Justice.)*

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### IN THE MATTER OF GEORGE WEYLAND MOSELEY.

*Mr. Turton* stated that the insolvent is a Major in the Company's Military Service; and applied for an order that one half of the insolvent's pay and allowances be appropriated to the liquidation of his debts. The learned counsel informed the Chief Justice that during his recent absence, an application had been made to Government, by the Court in order to ascertain what portion of a military insolvent's pay might be appropriated for the benefit of his creditors without injuring his efficiency as a public servant, and that on the receipt of an answer from the Vice-President in Council, it had been determined to set aside one half of the pay of field officers, and one third of the pay of subalterns for that purpose.

*Mr. Clarke* said, that the time the insolvent applied for his discharge, there was an application made on behalf of the assignee for some portion of his pay to be paid over for the benefit of the creditors, but that no order was made, it appearing to the Court that a considerable portion of the insolvent's pay and allowances was stopped and withheld in consequence of some defalcations in his account with Government as Timber Agent at Nathpore. The total amount of this defalcation was Rs. 1,31,089, and Government resolved to hold Major Moseley responsible to that extent, taking steps with the view of gradually liquidating the amount, by monthly stoppages of Rs. 300 of the Major's pay, at the same time leaving it to the Court of Directors to determine if any remission of the public claim against the insolvent could be allowed. The learned counsel then read the correspondence between the Government here and the Court at home, from which it appeared that the Court's attention was drawn to the following circumstances in favour of the merciful consideration for which Major Moseley had appealed. They are briefly, —that for the more active and enterprising duties of the Agency, a better officer could not probably have been found;—that it would have required the continued active exertions of an able accountant with efficient assistants to preserve the extensive and complicated accounts of the agency in order;—that so far from Major Moseley being an able accountant he appears to have no knowledge of any system of book-keeping, and was wholly dependant upon the native agents under him;—that during the investigation not a single overt act of fraud or dishonesty on the part of Major Moseley in the management of the agency has appeared, whilst it is evident he needlessly defrauded himself of no less a sum than Rs. 5,000 by entering to his debit a draft for Rs. 15,000 instead of for Rs. 10,000 the real amount and which was not discovered till after the compilation of the account by Captain Hawkins.—Finally, that Major Moseley is a married man with a rising family and is believed to have been for some time in embarrassed circum-

stances. To this communication the Court of Directors replied, that they regretted the loss which the public had sustained by the mismanagement of Major Moseley whilst employed in the Nauthpore Timber Agency, but upon a full consideration of all the circumstances they were induced to authorize the Government here to remit whatever balance might still be due from him to the Government at the date of their dispatch, provided it should appear that Major Mosely had no means of liquidating the amount except by stoppages from his military allowances. The learned counsel put in the affidavit of Mr. Robert Swinhoe, in which it was set forth, that the insolvent has a wife and six children; two of the latter are at school in England, one at school in India, and two under education by a teacher at the insolvent's house;—that to the best of deponent's belief the expense of educating the children is Rs. 260 per month, and that the insolvent has no other means or income whatever besides his pay and allowance as a Major in the army. Under these circumstances Mr. Clarke submitted that the insolvent was entitled to the favourable consideration of the Court.

*Sir Edward Ryan* said, that he had always found it difficult to determine what part of a military insolvent's pay should be given up to his creditors, but after the communication from Government the Court would not depart from the rule which had been adopted. Every thing had been done which could recommend the insolvent's case to the favourable consideration of the Court, but the Court must act on one general principle, and there might be a great deal in so doing; it might be an inducement to the military officer not only to repress extravagance, but to adopt a system of retrenchment in order to pay off debts already incurred, and to avoid what may be considered the disgrace of coming into this Court.

*Mr. Clarke* submitted that the order should only go to the ~~Rs~~ 300 per month, the amount remitted by the Court of Directors. That is, to take from the insolvent what the Court had restored to him, which would leave ~~Rs~~ 415 per month to keep up his station in the Army and for the education of his six children.

*Sir Edward Ryan.*—This Court must consider that the creditor has the first claim on the insolvent. Perhaps the Court might have exercised a discretion in this case had matters stood as they did formerly, but in the face of this communication from Government it cannot do it.

*Mr. Clarke* submitted that an application may be made to Government in this particular case.

*Sir Edward Ryan.*—No: the order must go forth.

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IN THE MATTER OF FRANCIS JOHN SPILLER.

This insolvent is a Major in the East India Company's Military Service, has been declared entitled to the benefit of the Insolvent Act, and on the 23rd of August last it was ordered that he do pay over to Mr. Thomas Holroyd, his assignee, one half of his monthly pay and allowances for the benefit of his creditors, such monthly payments to commence four months from the date of the order. The assignee directed Messrs. Hogg and Sandes to forward an office copy of the order to the Pay Office at Benares, from which office the pay and allowances of the insolvent are receivable, but on the 23d ultimo, they received a reply from Captain Clayton, deputy pay master at Benares, returning the office copy of the order, and annexing a copy of a letter addressed to him by the insolvent, in which Major Spiller stated that he did not recognize the power which the assignee attempted to assume, and requested Captain Clayton would on no account make any deductions from his pay and allowances without special authority emanating from himself.

The Court, on the application of the assignee, now issued an order that the insolvent do forthwith direct Captain Clayton to pay to the assignee one half of his half pay and allowance.

## SATURDAY, MARCH 21.

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IN THE MATTER OF JOHN EDWARD CHEETHAM.

Lieutenant John Edward Cheetham, of the 11th Regiment of Native Infantry, was brought up on his petition.

*Mr. Judge* stated that there were decrees against the insolvent in the Mofussil Courts of Request, to an amount of about ~~Rs~~ 1,000, of which, he apprehended, his client would be free in consequence of the parties being inserted in the schedule and served with notice. However, in consequence of the decrees he was under stoppages by Government of sixty rupees monthly, and £70 per annum was paid to his wife at home by the Court of Directors, which sum was also deducted out of the Insolvent's pay in this country. Under these circumstances he submitted that no part of the insolvent's pay should be set aside for the benefit of his creditors.

*Sir Edward Ryan* said under the circumstances it might be hard to take away one third of the insolvent's pay. There could be no question but that he was discharged from the debts inserted in his schedule, but he might be under some obligation to the Military Court which had decreed against him. As for the circumstance of the Insolvent's family arrangements, he had before stated, on a recent occasion, it would be impossible for any Court of Equity to take it into consideration. The Court must act on one general principle. The only question here was that of time, and he would make no order at present but direct the assignee to make inquiries regarding the insolvent's situation, and then to apply for such order as he may think proper.

Lieutenant Cheetham took the usual oath and was discharged.

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DIVIDENDS.

The following dividends were declared.
10 per cent. on the estate of Ferguston and Co.
15 per cent. on the estate of James Cullen.
15 per cent. on the estate of Robert Browne.
20 per cent. on the estate of William Melville.
20 per cent. on the estate of John Gilmore.
35 per cent. on the estate of W. F. Fergusson.

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IN THE MATTER OF JAMES YOUNG AND OTHERS.

*Mr. Turton* presented a petition from the assignees stating the resolutions passed at the recent meeting of creditors, one of which, after stating that the assignees had certified to having possession of assets equal in value to one half the insolvents' debts, recommended that the remuneration of the assignees should be a commission of ten per cent. on the dividends, the assignees paying all charges except law charges. If it was likely that the out turn of the estate would enable the assignee to pay eight annas in the rupee, the learned counsel said, there could be no doubt that the remuneration would be too much. But the fact was that the certificate of the assignee extended to assets whether for the payments of mortgages, or the payment of dividends, and not to the payments of dividends alone. From the statement he held in his hand it was quite clear that a remuneration of ten per cent. on the dividends was insufficient although the expenses of the establishment had been greatly reduced.

*Mr. McFarlan*, the chairman of the meeting, informing the Court, that no statement of the probable out turn of the estate had been laid before the meeting.

*Sir Edward Ryan* said, he would rather not decide if a full statement of the probable out-turn had not been made to the creditors; and he suggested the propriety of calling another meeting. The Court, of course, was not bound by the resolutions of the creditors, but it was always read to listen to their suggestions.

Mr. *Turton* explained that the assignees were willing to take a commission of five per cent. on the dividends, and five per cent. on the payments to the Bank of Bengal.

Mr. *Fullarton*, as we understood, was favourable to this proposition; and during some conversation it was stated that the assignees' estimate of the recoverable debts was less than that gentleman's. It was the opinion of the assignees that there would not be more than twenty lakhs applicable for the purposes of a dividend during the next five years.

*Sir Edward Ryan* did not think the assignees' proposition unreasonable, but he thought it was advisable to have the opinion of the creditors.

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*Mr. Turton* applied to the Court on a subject connected with the final discharge of the insolvents. The assignees found that there were a number of creditors in Europe who had taken no proceedings whatever in this Court; others had taken proceedings, both here and under the Commission at home, and others had proceeded at home only. A question arose whether it was necessary to have the consents of such creditors to the insolvents' discharge as had taken no proceedings, or proceedings at home only. The creditors who had taken no proceedings whatever, consisted chiefly of those who had withdrawn their deposits many yesrs ago leaving perhaps a trifling amount, which, by interest and compound interest, had accumulated into their present balances. Of these parties the assignees knew nothing, and could know nothing except that the estate was liable, so far as the debts were established by being inserted in the schedule, but the question on which the assignees felt a difficulty was whether the consents of such parties were requisite to the insolvents' discharge under the sixty third section of the Act. The learned counsel referred to the Act, and read a part of the section which authorized the Court to grant a final discharge from all liability whenever it shall appear that the estate of such insolvent debtor, which shall have come to the hand of the assignee or assignees shall have produced sufficient to pay three fourths of the amount of the debts which shall have been established in such Courts, or that creditors to the number of more than one half shall have signified their consents in writing, &c. This was a novel application entirely with reference to this question; but as to the creditors who had proceeded at home, he apprehended, as the order for discharge did not affect them, their consents were not necessary.

*Sir Edward Ryan* suggested before a distinct application was made to the Court, that the debts should be arraigned, for example, first the Indian creditor; secondly, those who have taken proceedings in this court under the petition; thirdly, those who have taken proceedings in this Court and in England; fourthly, those who have taken proceedings in England only; and lastly, those who have taken no proceedings whatever. It was matter of very considerable importance, and it might be a question, looking at the whole of the act, how far it applied regarding the insolvents discharges, but in the present shape of the the application any opinion would be merely speculation.

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### IN THE MATTER OF JAMES YOUNG.

Mr. *Leith* moved to make a rule absolute, obtained on the 7th instant, for the payment of a sum of money on behalf of the trustees of the marriage settlement of Mr. and Mrs. Jacobs. It appeared that the debt was proved by mistake against the private estate of Mr. Sutherland alone, and that in the meantime the whole of the dividends had been paid out of the private estate of Mr. Young which was jointly liable for this debt. However, as there was a surplus in the hands of the assignee of Mr. Young's private estate, the present application was made for payment of the balance out of it.

On the suggestion of Mr. Turton, who appeared on behalf of the assignees of the firm of Alexander and Co., the Court ordered that notice of the application be given to the assignees of the firm who were interested in the surplus, and that the application be renewed next Court day.

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### IN THE MATTER OE JAMES CULLEN AND ROBERT RROWNE.

Notice of an application for a final discharge was ordered to be published.—*Englishman.*

# THE STEAM COMMUNICATION.

## THE SUB-COMMITTEE'S REPORT.

In conformity to the resolution of the General Committee, we proceeded, on the afternoon of Monday the 2d instant, to examine Captain Forth of the *Forbes*. From him we endeavoured to ascertain the cause of the lengthened passage to Madras, and the causes of delay in the other stages of the voyage to Suez.

On the 3 I we again assembled to examine that officer; on the 4th and 5th, the chief Engineer Mr. Dyus appeared before us, and Mr. Conningham the 2d; on the 5th Mr. Woodley the 1st officer, and the second and third Engineers.

We did not make any detailed record of the examinations and cross-examinations each individual underwent, but proceed to give you the substance of the information we were able to gather from all.

As regards the voyage to Madras, we learn from Captain Forth and his officers, that the delay is to be ascribed to the giving way of some stays that had been fixed to the boilers to strengthen them, and the necessity for repairing them—in this no blame is attributable to the Engineer; that they encountered a tremendous gale described by one of the parties (Mr. Conningham) as equal in violence, for four hours to the one in which the Hon'ble Company's ship *Duke of York* was lost in May, 1833, when he was on board a vessel in the River—this occurred off Masulipatam, and drove them greatly to the southward and eastward of their regular course.

We regret to say we have received no satisfactory explanation of the diminished speed and number of revolutions of the paddles. Neither Captain Forth or his officers pretend to explain the matter and the Engineers have not satisfactorily accounted for it. This is again more strikingly evinced on the passage from Madras to Galle, when the vessel did not come up to the speed she has evinced under similar circumstances on previous and subsequent occasions. We have endeavoured to obtain explanations on these points in vain.

On the departure of the vessel from Galle it does not appear that the full measure of coals for which provisions was made by the Committee was embarked in the *Forbes* and the *Regia* which she towed, and though we are not satisfied with the speed of the *Forbes* whilst the *Regia* was in tow, yet strange to say, she did not much exceed it after the *Regia* was cast off. We endeavoured to ascertain if this was attributable to any defective stowage or trim of the vessel, but regret to say that we cannot elicit from the examination of all on board, any satisfactory explanation of the matter. There was nothing in the weather or the sea to contend against. Had they persevered steaming direct to Socotra with spirit, we cannot doubt but a different result would have been obtained, whereas after casting off the brig, they steamed on for twenty hours at nearly as slow a rate as before, employed three and a half days in packing the engines and clearing the flues, and again steamed on for five days, during which the vessel often proceeded at upwards of seven knots against the wind, and then by a zig-zag route, under sail, with light baffling winds, gained sight of Socotra in sixteen days, and steamed at the rate of eight knots an hour into harbour.

At Socotra the arrangements for embarking the coals and supplying the ship were highly creditable to the parties engaged by Captain Ross and Tauher Ally and to the officers and crew of the steamer. The *Forbes* proceeded on to Suez equal to the most sanguine expectations of the Committee.

| | |
|---|---|
| From Socotra to Mocha..... | 4½ days |
| Mocha to Judda..... | 4 |
| Judda to Suez..... | 6 |

running 5½ and 6½ and 7 knots against a fresh breeze.

The delay at Suez from 17th to 29 h November was immaterial; but her voyage down the Red Sea exhibits the same inefficiency that prevailed in former parts of the voyage.

| | |
|---|---|
| Suez to Judda..... ..... ..... | 8 days |
| Judda to Mocha ..... | 9½ |
| Mocha to Socotra..... | 17 |

From 8 A. M. of the 8th till 5 P. M. of that day the steam was up, but the vessel at anchor waiting for passengers; they took a buggalo in tow and went on till 7 A. M. of the 10th. Hove to, steaming head to wind, to keep ship steady till daylight, to send passengers on shore. The loss of time reckoned at six knots an hour might have carried the ship to Mocha in as short a period as she was going that distance on the way up.

At Socotra, on the return seventeen days were expended in what formerly occupied only two, part may be attributed to difference of weather and the unsettled state of the island consequent upon its having been just before taken possession of by a British detachment; but such protracted delay appears incompatible with any great degree of energy or exertion.

Immediately on leaving Socotra the coals were used to stem a gale then blowing, whereas by merely laying to or pushing on the best course they could, the wind being from the north-east, they would have saved their fuel. The consequence was, that their coals were expended long before they approached Galle and it consequently took 23 days to reach that harbour.

From Galle they came to Madras in five days.

The delay at Madras was occasioned by the repair of a crank pin, and the vessel proceeded on here and came up the river Hoogley at a rate, which the Engineers state showed the efficiency and good order of the engines, but in our opinion only proves how little justice had been done to the vessel on other occasions.

To the repeated inquiries put to the Engineers, to account in any way for the inferior rates of steaming, they invariably attributed it to the bad quality of the coals, forming clinkers to a degree that rendered removal frequently necessary. But it appears to us a strong fact that the coals most complained of, obtained at Galle and Madras in going, are the same which propelled the steamer so triumphantly up the Hoogley; and the coals which were so efficient in the Red Sea in going, were the reverse on the return voyage—we were not able to discover from the Log book that there existed any causes, connected with weather or sea, to explain this difference.

We cannot consider the result of our investigation as satisfactory.

The particular causes of delay above enumerated, are not of themselves sufficient to account for the slow progress of the *Forbes*, nor are we able to pronounce with any degree of certainty, that mismanagement materially operated to produce the unfortunate result which we have been investigating, and although we have been unable distinctly to trace the causes of the failure, we have abundant reason to believe that justice has not been done to the vessel. Comparing her average speed on the recent trip, with the average of her former performances, we have been unable to find any sufficient reason to dissuade us from the belief, that the vessel will do again, what on former occasions she is proved to have done, and consequently that our opinion of her capability to perform the voyage, within a moderate period, was well founded.

We have ascertained that in estimating the concentration by Hydrometer, the Engineer made a mistake in waiting till the water was cool, and that from the excess of blowing off, a somewhat larger quantity of fuel was expended than was necessary.

With regard to the stoppages which were said to have been made for the purpose of performing this operation, the Committee will judge how impracticable it was for us to arrive at the truth, when we mention that the entries of the stoppages for this purpose, which we found in the Log Book, are declared to be erroneous by the head Engineer, who affirms that the *Forbes* was not stopped on that account so often as is stated, though the opportunity of her stopping for clearing the fire of the clinkers and for other purposes, was taken to blow off.

We observed that the *Forbes* while towing the *Regia* generally made greater speed during the night

than during the day, the cause of it was discovered to be that the Brig was hauled up close during the day for the purpose of taking out coals, which was not the case during the night, when coals were not taken out of her, and the tow rope was veered out.

From the inquiries we have made of all the individuals employed on this trip, there appears to be nothing in the voyage, either as regards winds or currents, to frustrate the permanent establishment of Steam Communication between Calcutta and Suez. Were the good anchorage at King's Island on the Maldives, as mentioned by Mr. Woodley, or Minicoy, available, no difficulty would exist. In fact there is no part of the passage that might not be satisfactorily accomplished by a sea-going Steamer of moderate power.

We understand that the necessary repairs of the *Forbes* will occupy at least two months, and it is probable therefore, that she may not be ready for sea for ten weeks, but we would recommend that she should start again if possible on or about the 1st of June.

This though not the most favorable season is as good a one as could be selected for an experimental voyage, and if the *Forbes* should be successful on the next occasion, the fact of the feasibility of making the voyage at all seasons will be established beyond dispute. We see no reason why she should not succeed. Not only has her recent failure been attempted to be accounted for by causes of partial operation, but it has occurred under circumstances which make it exceedingly doubtful, whether some degree of mismanagement (which it may be hoped will not again occur) has not operated more than any other cause to produce this result seeing that without apparent or assignable reason, the performances of the *Forbes* during her recent voyage have fallen far short of what experience warranted us in expecting, and we may add that both officers and engineers unite in the highest commendation of the *Forbes*, describing her as a sea boat, equal with the spunsons which were added, to any weather.

The communication on the other side of the Isthmus will doubtless be in active operation about the time the *Forbes* starts again, and it might be the source of much disappointment if the communications on this side were to fail. Bearing in mind the importance of keeping alive the interest of this undertaking, and not being aware of any other purpose to which the fund in hand could be legitimately appropriated, we have no hesitation in recommending another trial. If on the one hand zeal may be said to have been damped by the result of the last voyage, yet experience has been gained, and a degree of confidence has been acquired as to the safety of the vessel which cannot fail to be serviceable.

We have only further to suggest that in order to avoid the delay occasioned by tugging a vessel from Galle, it would be desirable if it could be arranged, as we are led to believe it may, that a vessel laden with coal should be stationed at one of the Maldive (King's) Islands or at some spot mid-way between Galle and Socotra.

It might be matter for consideration, whether it would not suffice to send the *Forbes* to Cassin instead of to Suez on the approaching voyage.

The Committee will naturally expect that we should record some opinion as to the conduct of the officers and engineers who were employed in the *Forbes* during the last trip.

But we cannot record censure without proof of culpability, and though we cannot but believe that mismanagement existed some where, we have no reason to suspect that there existed wilful misconduct in any quarter. Still it will be for the Committee to determine what arrangement shall be made for the proposed voyage.

In the selection of the Engineer, the Committee had no choice but were obliged by the assignees to take their nomination of a man deemed fully adequate; he has declined going again.

With regard to the other officers, the Committee had to select from those who offered their services in reply to a public advertizement, and we do not know that they could have under the circumstances made a better choice, though it might have been advantageous if men of experience in Steam Navigation as well as competent nautical knowledge could have been obtained.

In conclusion, we would beg to recommend that the Log of the *Forbes*, or an abstract of it should be published for general information.

W. H. MACNAGHTEN.
J. STEEL.
THOS. E. M. TURTON.
R. H. COCKERELL.

I concur in the above report as regards the difficulty we have experienced in ascertaining the precise causes of the tardy progress made by the *Forbes*, but I think that sea and weather have had more effect in producing it than is estimated, and I cannot therefore agree in recommending that a second voyage should be attempted in the month of June with this vessel.

J. PRINSEP.

Published for general information, by order of the Committee,

C. B. GREENLAW, *Secretary*.

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## REPORT OF THE COMMITTEE TO THE SUBSCRIBERS TO THE NEW BENGAL STEAM FUND.

The Committee of the New Bengal Steam Fund, having duly considered the report of the Sub Committee appointed to inquire into the cause of the length of the voyage of the *Forbes* to Suez and back, being satisfied that it did not arise from any defect of the vessel, it was determined by the majority of the Committee to despatch her again about the 1st June, it having been ascertained that the necessary repairs to the machinery could not be effected before that time.

This determination was come to chiefly on the following grounds; first, in respect to the vessel herself it has been shown that she is capable of carrying 160 tons of coal—that the consumption of Europe coal was $13\frac{3}{4}$ tons per diem, allowing nearly 12 days' consumption—that with 157 tons of Burdwan coal on board, she left Juddah for Suez, and steamed W. N. W. 4k. 4f. 4k. 6f. and 5k. against moderate breezes N. W., and within 18 hours of leaving the port went 4 knots against fresh breezes, and heavy head sea—that returning from Juddah she left with 163 tons and with a fair wind, went 5k. 6f. and 6 knots; while on the outward voyage she left Socotra with 147 tons on board, and went for 16 consecutive hours 5k. 6f. against light winds and airs. Her qualities as a sea-boat were tried in a heavy gale of wind in the bay, four hour of which are described as being as heavy as that which occurred here in May 1833, and again in another gale on leaving Socotra on her return. On this occasion she left Socotra with 150 tons of coal on board, and after steaming only 21 hours, she was brought head direct against a strong gale and high sea, and steamed against it for seven hours making $\frac{1}{2}$ and 1 knot per hour without straining, or taking any seas on board.

Her failure then in making the last voyage appeared to the majority of the Committee mainly to arise, first; from the full speed of which she was capable not having been generally obtained, and from the unnecessary frequency of blowing off; secondly, in the passage from Galle to Socotra, from the proper quantity of coal directed to be laden on the *Regia*, not having been put on board, only $62\frac{1}{2}$ instead of 80 tons having been supplied; and thirdly, from the inferior quality of some of the coal at Juddah, and of that at Mocha sent from Bombay, having caused its expenditure prior to reaching Socotra on the return; although, if the vessel had not been detained after leaving Juddah to land certain passengers, and the chimney had been properly repaired prior to leaving Suez, where it was found defective, instead of being left in a bad state, not only causing detention but encreased consumption of coal, the delay of this part of the voyage would not have occurred; the inferior quality of the coal not being of consequence otherwise than by encreasing labor and trouble where the depôts are not far separated.

The majority were further induced to determine to send the *Forbes* again by the consideration that the expense of the coals had been incurred; and mainly from the desire to keep up the interest already excited at home in favour of the establishment o the navigation, which they considered it their peculiar duty to sustain and keep alive by every means within their power.

However on requiring the assignees of the estate of Messrs. Mackintosh and Co. to repair the machinery on the terms of the agreement, those gentlemen evinced much disinclination to co-operate further, and a desire to have the vessel made over again to them; and after a month had elapsed from the return of the vessel, during which nothing had been done (notwithstanding every effort on the part of the Committee towards the repairs which were required) to the machinery, the assignees tendered to the Committee the sum of Rs. 10,000, the amount agreed upon for the infringement of the contract by either party.

After this time had elapsed, the Committee, under all the circumstances of the case, felt bound to take this offer into consideration, prior to proceeding to the measure, which they had in contemplation, of themselves repairing the machinery and subsequently calling on the assignees to make good the expense.

The result of that consideration was a determination, if Government would take the coal belonging to the fund at several depôts at the cost at which it stands on the books of the fund, to accept the offer, and to retain the remaining funds to be employed hereafter, according to circumstances, in the manner most consonant to the original directions of the Subscribers.

The Committee were induced to adopt this course by the following considerations; first, that they could not hold out with certainty any fixed period for the departure of the steamer under these circumstances, and that the consequent advantage to the public and the subscribers was thereby greatly lessened; secondly, the inconveniences which would have arisen from the continued employment of the vessel in direct opposition to the wishes of the assignees, especially with reference to the difficulty of obtaining the services of a thoroughly competent engineer to the satisfaction of both parties on whose qualifications, it is obvious, the success or failure of the future voyage would chiefly depend; thirdly, that some of the Committee were opposed to the renewed voyage altogether; and lastly, it being understood that confident hopes are entertained that ere long steamers of sufficient capacity for every stage of the voyage will arrive in this country on speculation, by which means the communication may be more certainly made.

Government having consented to take the coal at the cost on the books, subject to a refund for any deficiency which may be found to exist when the delivery takes place, the Committee now give notice to the Subscribers that they have made the *Forbes* over to the assignees.

The amount of the remaining assets is about Sa. Rs. 76,000, subject to the continued salaries of the agents at Socotra and Juddah, until notice is given to them of their services being no longer required, and to a refund to government deficiency in the delivery of the coal, the particulars of which cannot be as yet at all correctly calculated. The Committee have therefore resolved that these funds shall remain invested in Company's paper at the Union Bank, according to the original instructions of the subscribers, and that no part thereof shall be appropriated to any purpose without the reference to the Subscribers at large directed in the resolutions 7 and 8 of the General Meeting of the 22d June, 1833, viz.

"Seventh—Resolved unanimously, that at the General Meeting referred to in the fifth Resolution, if it shall appear to the majority of the Subscribers and proxies present in number and amount, that there is a fair and reasonable prospect of the plan proposed by the Committee being successful, it shall be competent for such majority to direct the whole or any portion of the fund subscribed to be paid in aid of that plan, and that the decision of such majority shall be binding on each individual Subscriber."

"Eighth.—Resolved unanimously, that a period of not less than six weeks shall elapse between the publication of the Committee's Report in the public papers of this Presidency, and the calling of the General Meeting of Subscribers, to take it into consideration, and that Subscribers resident beyond the precincts of the town of Calcutta, be entitled to vote by proxy or by letter should they so desire it, otherwise the sense of the majority of vivâ voce and written votes to decide the matter."

In the mean time the Committee will not fail to give their attention to the best means of promoting the objects for which they were constituted, and on arriving at any conclusion on the subject they will have the honour of again addressing themselves to the Subscribers.

MINUTE BY CAPTAIN FORBES.

Having been in the *minority* alluded to in the report, I entirely concur in the opinion it expresses, that under the circumstances it was expedient to accept the proposal of the assignees.

W. N. FORBES.

By order of the Committee.

CHAS. B. GREENLAW, *Secretary*.

Town Hall, Calcutta, March 28, 1835.

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## ESTATE OF BARRETTO AND SONS.

At a Meeting of the Creditors of Messrs. Barretto and Sons held at the Exchange Rooms, this 26th day of March 1835,

PRESENT—

Rustomjee Cowasjee, Esq.
Mr. Edward Wm. Brightman.
Mr. James Dunbar.
Mr. Carapiet Jacob.
Mr. F. W. Jones.
Mr. John Vandenberg.

Mr. A. DeSouza called to the Chair,—

I. With reference to the objections made by Mr. Clarke against the nomination of Messrs. Brightman and Co. being such as to disqualify them in point of law from acting as the Trustees to the affairs of Barretto and Sons.

*Resolved*,—That in consequence of those objections, Mr. John Davison Smith be appointed as Trustee in the room of Messrs. Brightman and Co.

*Resolved*,—That in offering to Mr. Smith the office of Trustee, he be requested to adhere to the Resolutions passed at the Meeting of Creditors which took place at the office of Messrs. Hedger and Smalley, Solicitors, on the 10th day of March instant, in regard to the winding up, and management of, the trust generally, and an early division of the funds amongst the Creditors.

*Resolved*,—That all sums of money realized by the Trustee, when the same shall amount to 3000 Rs., be converted into Company's Paper in the name of the Trustee, being especially endorsed, and that the Union Bank be the depository of all recoveries realised on account of the Trust, the sums received being credited in the Banks as on behalf of the creditors of Joseph Barretto and Sons.

*Resolved*,—That the Trustee do convene a Meeting at the Exchange Rooms, or other convenient place, quarterly, upon which occasion the Books and Accounts shall be submitted for inspection.

*Resolved*,—That Mr. Smith do receive a commission of two and a half per cent. on all Dividends paid,

and that all incidental charges relative to the Trust, law charges excepted, be defrayed by Mr. Smith.

A. DeSouza.
Rustomjee Cowasjee.
J. Dunbar.
F. W. Jones, for Philadelphia Jones, Executrix to the Estate of Samuel Jones, deceased.
J. Vandenberg.
James Nicoll, by his Attorney.
James Lamb.

Mr. Allan on behalf of Messrs. Brightman and Co. (with reference to the legal difficulties which had been suggested so as to invalidate their nomination) attended and stated that, inasmuch as the causes creating the difficulties had not been specifically assigned, Messrs. Brightman and Co. were precluded from explaining them away. At the same time as Mr. Clarke conceived that difficulties did exist, they, Messrs. Brightman and Co., begged to withdraw from the Office of Trusteeship, to which, as the creditors were aware, they had been called by the consent of the creditors at the last Meeting.—*Calcutta Courier.*

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## REPORT OF THE COMMITTEE OF THE UNCOVENANTED ASSISTANTS.

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*Report of the Deputation of Uncovenanted Assistants appointed to wait on* LORD WILLIAM BENTINCK *with the Memorial of that Body, according to the Resolution of the General Meeting held at the Town Hall, on Wednesday, the 25th February*, 1835.

In accordance with the request of His Lordship Five Members of the Deputation waited on Lord William Bentinck on Thursday the 5th instant, and were favorably received. The point on which the Governor-General first required information was a precise definition of the classes considered as composing the Uncovenanted service. It was stated to his Lordship that all servants of Government in Civil employ, whether Christians or natives not holding Covenants came within the term. His Lordship then inquired whether all Servants of Government so situated were intended to be provided for by the contemplated Funds. It was answered that they embraced all; but if a limit were considered advisable, the existing Pension rules supplied it, in excluding all Individuals in receipt of Salaries under 10 rupees per mensem. That supposing the proposed Funds to be confined to christian assistants only, a contribution of 5 per cent on their salaries, would yield about 75,000 rupees per annum; but that if natives receiving more than 10 rupees per mensem were included, an annual income of 2,25,000 rupees would be available for the proposed Funds. On the subject of these calculations, His Lordship was informed that they only applied to Bengal and Agra, and did not comprehend Madras and Bombay. The idea entertained by the Governor-General was that a pension Fund, if established, ought to embrace the four presidencies. His Lordship asked for information on the subject of the probable extent of the liabilities which would devolve on the Funds, and whether the above mentioned income would be sufficient to meet them? Want of time had prevented the Committee from forming the necessary tables, and this circumstance was stated to His Lordship; it was however urged that if the general principles of the memorial were recognized; the requisite Tables would be prepared. Lord William remarked the Deputation might consider the general principles of the Memorial admitted, and being asked if any objections existed to furloughs replied that there would be no difficulty on that head, and that it was desirable that such an indulgence should be provided for. His Lordship observed that the Memorial in its present form would be unintelligible to the Court of Directors, but that he would put the matter in train, and after consulting some persons on the subject, he would see the deputation again. The Members composing it, then withdrew.

On Wednesday the 18th instant, His Lordship intimated, that he desired the attendance of Messrs. Leslie and Francis on the subject of the Memorial who accordingly waited on His Lordship at 2 P. M.

His Lordship opened this conference by stating that the Memorial had in the interim come under the consideration of the Council, and that objections had been urged, which his Lordship was apprehensive would be fatal to its success. With respect to furloughs, His Lordship observed, that the class of persons (Europeans) who alone would benefit by such indulgence could not expect to obtain a privilege which would be of little use to the larger proportion of the uncovenanted service. To this it was replied, that, though the term furlough might be considered as too extensive in reference to their actual expectations, still it was to be borne in mind that occasional relaxation from incessant labour, especially when such occasioned no additional expense to the state would be available equally by those born in the country as by Europeans; and that the authorized grant, of such an indulgence would doubtless be acceptable to the Service in general.

Retirements after 22 years actual service His Lordship observed might be viewed by the Court of Directors as too great a concession to persons born in this country, and that the rules of the Civil Fund, from which the clause had been borrowed, being considered inapplicable to the Uncovenanted Assistants, would be discouraged by the home authorities, who had reasons for conceding to their covenanted servants special privileges. His Lordship expressed apprehension that the committee had not carefully calculated the extent of aid which Government would require to contribute, and that 5 per cent would be insufficient. On this point it was observed, that the support of Government would be absolutely for a certain number of years, but that eventually Government would be relieved of all expense on account of Pensions under existing regulations.

His Lordship then expresed a hope that the life Assurance office which Government was about to establish would meet the wishes of uncovenanted servants, especially as it was his intention to propose to the Home authorities, that an annuity office should be engrafted on that institution. The present pension regulation would however still remain available to the uncovenanted assistants as heretofore.

With reference to some odservations made by the Deputation, His Lordship mentioned that he thought benefit would result to the uncovenanted Service, and to the country generally by the Establishment of a Retiring Fund, in the way proposed. His Lordship added that it had been determined to forward the Memorial to the Court of Directors, and that on his arrival in England he would communicate with the India House on this subject in connexion with the Life Assurance Plan. The Deputation in taking leave earnestly solicited His Lordship to use his influence in bringing about the recognition of some fixed principles of retirement for the members of the Uncovenanted Service, and in obtaining the sanction of the Home authorities in regard to the pensions for their Widows and Children.

COR. SMITH, *Chairman of the Committee.*

*Calcutta*, 31*st March*, 1835.

The Chairman also begs to intimate that the Committee having considered to follow up the memorial with another to the Honorable Court of Directors, a sub-Committee has been appointed to prepare it, and to render it as complete as possible: so soon as this is done, the memorial will be submitted to a general meeting of the Uncovenanted Assistants, with such suggestions as may appear for the general benefit of the service.

# MEDICAL AND PHYSICAL SOCIETY.

*Proceedings of a Meeting of the Medical and Physical Society, held at the Asiatic Society's Apartments, April 4, 1835.*

Before commencing the business of the evening, the Secretary intimated to the Meeting, that part II. of the seventh vol. of the Society's Transactions, was all but completed, and would be issued to the members of the Society in the course of the month.

The following gentlemen were elected members of the Society, viz.

H. Chapman, Esq., Assistant-Surgeon Governor-General's Body Guard, Wm. Griffith, Esq., Assistant-Surgeon, Madras Establishment, R. C. McConnochie, Esq., Assistant-Surgeon and J. W. Knight, Esq., Assistant-Surgeon, both belonging to the Bengal Establishment.

C. J. Davidson, Esq. Assistant-Surgeon Artillery Dum-Dum, was proposed as a member of the Society by Dr. Stewart and Mr. Hutchinson.

The following miscellaneous communications were then read to the Meeting.

A letter from C. Mackinnon, Esq., Surgeon 32d Regt. N. I., requesting that his name might be withdrawn from the list of members of the Society; which was accordingly done.

A letter from Messrs. Arbuthnot and Co., the Society's Agents at Madras, giving cover to a remittance of sicca rupees 703 9 9 in favor of the Society.

A memorandum from W. Twining, Esq., descriptive of a preparation forwarded by him of a diverticulum of intestine. The process in question consisted of a sort of cul de sac, about four inches in length, projecting from the jlium. It was taken from the body of a subject, that had died of chronic gastro enteritis by which an extreme degree of emaciation had been produced. The disease of which the patient died was not supposed to be connected in any way, with the malformation abovementioned; nor could Mr. Twining learn, that the health of the individual had been at all affected by it.

A letter from J. W. Knight, Esq., descriptive of a beautiful piece of animal mechanism in the first dorsal fin of the balistes, belonging to the family of Sceerodermes and order Phlectognathi of the Subbrachial Malacopterigians of Cuvier. Although this naturalist is silent on the subject, Mr. Knight is inclined to think, that in this fin, or rather in the first spine of it, the fish likewise possesses a weapon of offence and defence. In the delineation given by the Progressors of the Jardin des Plantes, Mr. Knight states, they have omitted the membrane and ligaments without which the fin would be rendered imperfect.

A description by Dr. Stewart of a post mortem examination of a case of tuberculated liver. The subject was an old Hindoo, who had probably never tasted animal food or spirits in his life. He stated himself to have been only ill for a month. During the few days he remained in Hospital previous to his death, nothing of course could be done for him. On dissection the diaphragm adhered firmly to the liver, by which it was forced up, so as greatly to contract the size of the thorax. The liver likewise occupied the whole of that portion of the abdomen above the navel. On removal it weighed 8½ -and measured 14 inches in its long axis, and 9 in the other. It was indurated in substance, throughout of a pale, livid, and mottled color, and thickly studded with white or yellowish tubercles of various sizes, from that of a millet seed, to that of a filbert. The cystic duct was compressed by a round, white hard gland, about the size of a hazelnut; another gland considerably larger, pressed against the ducts near their junction, and several others of a similar nature were found in the capsule of glisson. The gall bladder contained a biliary calculus, and the hepatic artery was unusally small. The pancreas was completely disorganised, stretching down the left side of the spine to the brim of the pelvis. It was firmly bound down by the mesentery, and seemed to consist of numerous smooth, round, hard tubercles. The mesenteric glands were all swelled, hard and white, like those in the capsule of glisson, and were probably in a schirrous state. Dr. Stewart's description was accompanied by a drawing, by a promising young artist, Mr. Woolnorth, which will be acknowledged in its proper place.

The following works were presented for the Library.

The second fasciculus of drawings from preparations in the Army Medical Museum at Fort Pitt, Chatham, presented to the Medical Board, by Sir James MacGregor, and by them to the Medical Society.

A treatise on the Epidemic cholera, by Alexander Turnbul Christie, M. D., by the Medical Board.

An Index to the first eighteen volumes of the Asiatic researches, by the Asiatic Society.

FOR THE MUSEUM.

A preparation of a diverticulum of intestine, by W. Twining, Esq.

A drawing of a turberculated liver, by D. Stewart, Esq., M. D.

A biliary concretion by ditto ditto.

The following original communications were presented at the meeting.

A report on the Medical management of the jails, throughout the territories subject to the Governments of Fort William and Agra, compiled in a great measure from documents in the office of the Medical Board, by James Hutchison, Esq.

A fatal case of extensive pulmonary and visceral disease, presented by the Medical Board.

The following communications were then read and discussed, viz.:—

A case of arrow wound of the head, by A. Storm, Esq., Assistant-Surgeon.

A case of poisoning by laudanum, in which artificial respiration was had recourse to with advantage, by C. J. Smith, Esq., Madras establishment.

A case of ileus in an infant, by D. Stewart, Esq., M. D.

Farther observations on dracunculus, by C. Morehead, Esq., M. D., Bombay establishment.

The subject of Mr. Storm's case was an European, who while employed on actual service on the 24th of October, received two arrow wounds, one in the head and the other in the back. From that time till the morning of the 27th, when Mr. Storm saw him, he had been a great deal exposed to heavy rain, from the want of tents. The patient said, that he felt stunned when wounded, and that the arrow could not be extracted without force, but it did not appear to have occasioned him great pain. The wound which was in the middle of the occipital bone, was partially closed. The party reached cantonments on the 28th. On the 31st the patient complained more of his head, felt feverish and was reported sick in consequence next day. He had a purgative, in the evening was bled to Syncope, and next day had 50 leeches applied to his head. On the 2d November, he felt greatly better, and the bowels had been acted on. The wound was puffy; it was opened with a lancet and a poultice applied. On the 3d, he complained of headache, with frequent and full pulse; was again bled to 16 ounces, and was purged by calomel and colocynth. The stomach was irritable, and could not retain any medicine in a liquid form. From this time, the cerebral symptoms continued to increase; notwith-

standing active measures of depletion and mercurial purgatives. On the 6th, he felt somewhat better, sat up at 8 o'clock P. M. in a chair, and shortly after felt cold, was seized with shivering, and complained once more of great uneasiness in his head. The measures of depletion were continued. From this time to the 14th, when he died, he gradually got worse. The fever came on every 24 day, with a slight exacerbation on the intermediate one. For the last two or three days he was comatose. On examination the pericranium was found detached for a small space round the wound. The arrow had penetrated in a slanting direction, a little towards the left side of the occipital bone; it had wounded the dura matter and brain. On opening the former, and about half an inch from the surface, an abscess was discovered; the left lateral ventricle was likewise full of matter. The substance of the brain in the tract of the abscesses was soft and pulpy.

The subject of Mr. Smith's case was a young woman of 24 years of age, who had taken laudanum with the view of destroying herself. This was at 6 o'clock A. M., she was then perfectly insensible, the countenance livid, and the pulse beating irregularly from 30 to 40. The respiration was carried on by long drawn sighs, and did not exceed 10 or 15 in the minute. The body was cold, and the pupils insensible. The stomach pump was effectually used, and ammonia and brandy afterwards exhibited by means of it. Venesection was attempted; but the blood would not flow. Turpentine enemata were administered and sinapisms applied to the feet. At 10 o'clock, she is described "as being almost gone," the pulse not to be felt in the axilla, only three or four deep inspirations in the course of the minute; the lips, hands and body of a leaden colour and quite cold. In this state artificial respiration was had recourse to, and in the course of a quarter of an hour the action of the heart was stronger, and the hue of the body had improved. By a perseverance in this course till 12 o'clock, the pulse returned to the wrist, the lips nearly regained their usual colors and the respiration had improved. She was left to herself for half an hour, and relapsed. Artificial respiration was again had recourse to till 3 o'clock, when she was conceived to be so much better, and to render a continuance of it unnecessary. At 4 o'clock, she was again relapsing, and the same remedy was had recourse to till 6, she was then quite insensible but the pulse and heat of body had returned, and she breathed naturally. At 11 P. M she moved her hand, and during the night continued to improve, so as to be considered out of danger next morning. Mr. Smith concludes with some observations on the phenomena of sudden death, having relation to the experiments and opinions of Brodie, an account of which may be found in the 2d vol. of Paris and Fonblanque's Medical Jurisprudence.

Dr. Stewart's case of ileus occurred in a very young and puny infant of European parents, who had lost three former children in early infancy.

The symptoms of ileus came on 3 or 4 days after the imprudent checking of a slight diarrhœa by the nurse, probably with opium. When the child was first visited the belly was found distended and flatulent. There was obstinate costiveness, violent retching and screaming, spasms of the limbs and every symptom of internal obstruction. There was however, no fever, but little morbid heat of belly. No insensibility, and the tormina were evidently assuaged by warmth and frictions. Fluids were swallowed with avidity, but instantly ejected.

After trial of all the usual remedies, such as warm bath, calomel, common and turpentine enemas, &c., &c., recourse was had to tobacco. A cataplasm of the wet leaves was bound round the body and retained for 15 minutes, while an injection was administered of the infusion of 10 grains of tobacco leaf in 4 ounces of water. This was thrown up into the colon by means of the long flexible tube of Read's stomach pump. In introducing it, some obstruction was found in the situation of the first flexure of the colon, but after passing that, the tube entered freely its whole length. The injection was repeated after half an hour, and was followed by copious green discharges. The abdomen soon became flat and soft.

An alarming degree of collapse ensued, which lasted for several hours, but happily terminated in a long, found sleep from which the infant awoke greatly revived and took the breast cheerfully.

Stimulant embrocations were directed to the spine and belly, and minute doses of calomel with rhubarb and aloes every six hours were exhibited to maintain the re-established action and promote healthy secretion; next day however all the symptoms returned; and the child did not survive for more than 24 hours.

On examination, there was no evidence of active inflamation having existed in the abdomen; although at the root of the mesentery there was considerable vascular congestion, and the mesenteric glands were enlarged. The small bowels were empty and white, the stomach and colon were pale, thin and enormously distended with air.

Dr. Morehead's Paper on dracunculus is intended as a continuation of a former one on the same subject, which appeared in the 6th vol. of the Society's Transaction, and in which he suggested, that the endemic prevalence of dracunculus might be found connected with geological formation. The Secondary trapseries being in his opinion the one, which would most probably be found favorable to the disease. His farther researches have not gone a great way to establish this theory: notwithstanding he continues to prosecute them. His present communication opens with a geological sketch of the Peninsula of India, so far as that is required to elucidate the subject of inquiry. His information relative to the presence or absence of the guineaworm in the northern and southern Concan has been obtained in a great measure, from the replies to queries circulated at his request, among the native functionaries of government, by his friends the Collectors of the northern and southern Concan, and the sub-Collectors of Bugulcotta and Cuddapa. The following is the result of these inquiries:—

In four talookas guinea-worm does not occur, and in all the upper crust, is of laterite rock. The water used is not specified, but from the physical features of the districts it must be chiefly that of wells.

There are reports from 494 villages, in which guineaworm does not occur, of these 364 are in a district the upper crust of which is of laterite rock. The nature of the water is not mentioned, but from the physical features of the district it must be chiefly of wells. Of the remaining villages, in 109 the water of rivers of considerable size is used, 162 of which are in districts where primitive rocks, chiefly marble and clay slate, constitute the geological features, 7 in Secondary trap districts and 21 villages use the water of nullahs, wells and tanks.

Of 991 villages in which Guinea-worm prevails; 309 are in districts of Secondary trap formation; 451 in districts in which there is a probable alternation of geological structure, but in which the Secondary trap formation prevails to a considerable extent; 215 are in districts in which primitive rocks prevail; in 120 lime stone and clay slate are the principal members of series.

Of the 991 villages, in which Guinea-worm occurs; in 479 the nature of the water is not stated, but from the physical features of the districts it must be chiefly of wells. Of the remaining villages, 276 use the water of wells; 131 the water of nullahs or tanks; and 58 the water of rivers, but in a great proportion of the villages, in which nullah water and river water is used, the decrease is stated to occur every 2d, 3d, or 4th year, and not annually.

In zillah Cuddapa of 9 talookas, in which Guinea-worm occurs in 4, allusion is made to the water being deteriorated by the influence of a soil of calcutta. In some, allusion is made to a particular kind to vegetable, and to a bilious condition of the constitution as predisposing to the disease. To Dr. Morehead's communication are appended some interesting tables, extracted from the records of the Bombay Medical Board, for which he has been indebted to Dr. Kemball the President of that Board.—*Bengal Hurkaru.*

JAMES HUTCHINSON, *Secretary to the Society.*

## BENGAL MEDICAL RETIRING FUND.

The Second Quarterly General Meeting of the Subscribers to the Fund, was held on Monday, the 13th Instant, at one P. M. when Mr. Surgeon F. Corbyn having been called to the chair, the Report of the Committee of Managers for the past quarter was read. The Report stated, that since the Quarterly Meeting held in January last, the Committee had submitted to the vote of the subscribers at large, 1st a rule, that the Value of the Annuity of a Member of the Medical Board, after two years' service in that rank, should progressively increase yearly, until in the last year of service, he should be only entitled to the Annuity on paying up its full value according to the Fund Table. 2ndly, a question with reference to the appropriation of the surplus funds, pending the decision of the Honorable the Court of Directors, for the operations of the Fund having a retrospective effect, commencing from the 1st of January, 1833, and to the Fund being permitted to pay off retirements in addition to the three which the Honorable Court had declared themselves prepared to sanction—and; 3rdly, for filling up three elections to the Management for the present year, in the room of the senior and junior Members, who by the regulations of the Fund, went out by rotation; and in that of Dr. A. R. Jackson, who was temporarily elected a Manager.

Upon the rule 74 Members had voted for its being passed, 3 against it, giving a majority of 71 in its favor; for the appropriation of the surplus funds 47 had voted for houses, 30 for annuities, being 17 in favor of the former; and for the appointments to the management the following gentlemen were found to be re-elected, viz., Messrs. C. C. Egerton, and J. T. Pearson, and Dr. A. R. Jackson chosen to succeed to the vacancy occasioned by the resignation of Mr. Surgeon A. Wood.

Statements had been received from the Accountant-General of donations and subscriptions effected in the Military pay department from May to July, 1834, both months inclusive, amounting to Sa. ~~Rs~~ 5,687 6 8; and in the Civil department for the 4th Quarter of 1833 34 amounting to Sa. ~~Rs~~ 1281 12 10; likewise from the Accountant to the Agra Presidency of subscriptions credited in the Revenue department for the 1st and 2d Quarters of the current official year amounting to Sa. ~~Rs~~ 1,074 5 3; total Sa. ~~Rs~~ 8,043 8 9. The disbursements on account of the Secretary's salary from January, 1833, to 31st January, 1835, was Sa. ~~Rs~~ 2,499 15 8 and for office establishment, stationery, &c., during the quarter Sa. ~~Rs~~ 83 13 11; total Sa. ~~Rs~~ 2,583 13 7.

It was with regret the Committee had to observe, some subscribers have recently withdrawn their names from the Society, on the ground that three retirements only having been sanctioned by the Honorable the Court of Directors, promotion in the Department would be rather retarded than accelerated. Those who had withdrawn were Messrs. J. Ransford, W. Gordon, A. Colquhoun, J, Hervey, S. Winbolt, A. Keir, and T. Stott, Assistant-Surgeons. One gentleman, Mr. D. W. Nash, Assistant-Surgeon, had been added to the list of subscribers, and one who formerly withdrew from the fund had been re-enrolled. The present number borne upon the list was 1 Member of the Medical Board, 8 Superintending Surgeons, 61 Surgeons, and 116 Assistant-Surgeons; total 186.

The Report having been read, it was moved by Mr. Bramley, seconded by Mr. Egerton, and carried unanimously.

"That the Report of the Committee of Management be confirmed."

The Secretary's accounts for the quarter were next submitted and passed, and the meeting then broke up with a vote of thanks to the chairman.

H. S. MERCER, *Secretary.*

*Calcutta, 14th April,* 1835.

## SUPREME COURT.

MONDAY, MARCH 30.

IN EQUITY.

*William Melville and others*, executors of the last will of James Fraser, deceased, v. *Anne Fraser, by original suit*, and same parties v. *Jacob Lambert Heatley*, executor of the last will of Anne Fraser, deceased, *by Bill of Revivor.*

*Mr. Clark* opened the Bill, which, in substance, states, that James Fraser, of Chowringhee, in Calcutta, then about the age of seventy, in October, 1823, married Anne Gold, afterwards Anne Fraser, the defendant, who was then about the age of twenty-five, and possessed of no property. Previous to the marriage, Fraser settled ~~Rs~~ 25,000 on his future wife, appointing William Fairlie Clarke, Jacob Lambert Heatley, and the Reverend Joseph Parsons, trustees for the marriage settlement; it being arranged that the ~~Rs~~ 25,000 should be laid out by them in Company's paper, the interest whereof was to be paid to Fraser and his wife during their joint lives;—to Anne Fraser, should she survive; and after her death to the children of the marriage if any;—should there be no such children, the fund to become the absolute property of the survivor: and by a memorandum Fraser barred his wife's right to dower on the real estate. About the 16th April, 1832, Fraser died, being upwards of eighty years of age, leaving his wife surviving, who thereupon became entitled to the ~~Rs~~ 25,000. Previous to his death he made a will devising the whole of his real estate to the complainants in trust to convert it into money. In his will he left the interest of ~~Rs~~ 10,000 to his wife, for life, and such of his household furniture as she might select, not exceeding in value ~~Rs~~ 2,000; and after declaring that the provisions of the marriage settlement were so made in lieu of dower, he directed the residue of his estate to be divided into five equal parts, two of which he bequeathed to his two natural sons Thomas Fraser and John Richard Fraser; the three remaining fifths he directed his executors to lay out in trust for his three natural daughters, Isabella Railey, widow of Julian Alfred Railey, formerly of Jaffeegunge, indigo planter; Eliza Fraser, now Mrs. Henry Smith; and Jane Fraser, now Mrs. Alfred Lingham, who were to receive the interest of such shares for life, free from the control of any future husband, and after their decease the interest devolved on their children. The Bill states that, Mr. Fraser and his wife did not live happily together, she, taking advantage of his age and infirmities, was in the habits from time to time, of obtaining large sums of money from him under the pretence of employing the same in the domestic expenses of the establishment, but whereof she acquired considerable accumulations, and of which she had possession at the time of the filing of the Bill, to amount of ~~Rs~~ 20,000. Besides which she gave and lent large sums to her sister who was married to Mr. Jacob Lambert Heatley, a bankrupt, who had been in gaol, but who then lived in the house adjoining Fraser's, in Chowringhee, and whom she entirely supported by money surreptitiously obtained from her husband. On one

occasion, it is stated, that Mrs. Fraser, under pretence of proceeding to Monghyr for the benefit of her health obtained Rs 1,000, from her husband, but instead of going to Monghyr she was absent six days only. Shortly before Fraser made his will he drew out the draft of another will, unknown to his wife, wherein he bequeathed no legacy or provision for her, but she, becoming acquainted with this and finding a fair copy of the former will in writing, became violently enraged, and did not cease to importune and harrass her husband, with entreaties and threats, until he consented to leave her the interest of Rs 10,000 for life. In 1831, in consequence of his wife's violent conduct, Fraser, fearing that she would become possessed of his securities, removed the iron chest in which he kept his papers, to the house of his natural daughter Mrs. Railey, and the chest remained there until the day of his death, previous to which he endeavoured to separate from his wife, proposing to allow her a monthly amount equal to one third of his clear income, but in consequence of the threats and conduct of his wife and Heatley, he was induced to abandon his intention. The Bill further states that Mrs. Fraser, by intimidation and false pretences, procured from her husband an order on Fergusson and Co. for Rs 2,000, which Heatley procured to be cashed, appropriating to his own use Rs 1,000, and handing over Rs 1,000 to Mrs. Fraser.—That the whole of the property of Mr. Fraser amounted to Rs 90,000, exclusive of the Rs 25,000 settled on his wife, and that amongst other property he was possessed of a Company's Paper for Rs 30,000, which he was in the habit of keeping with his title deeds and other valuable property at the house of Mrs. Railey, but which shortly before his death, he took with him to his own house for the purpose, as complainants believe, of having the same presented for payment at the Treasury, the same being advertized to be paid off, but which Mrs. Fraser alleges that her husband gave to her for her absolute use. But the complainants shew that such allegation is wholly unfounded, and that Mrs. Frager, if she was ever in possession thereof before the death of her husband, got possession of it by threats and violence, for not only were the husband and wife on general bad terms, but they continued so without interruption until his death on the 16th April, 1832;—that on one occasion when J. R. Fraser and his wife who had shortly before returned from England, and was living with the elder Fraser, had gone out, a violent quarrel arose between Mrs. Fraser and her husband, which was only put an end to by the interference of the servants. After this Fraser became very nervous and alarmed, and about eleven o'clock next morning he had an apoplectic fit which rendered him speechless but not incapable of motion, and he got up and endeavoured to open the almirah, apparently in search of something, but Mrs. Fraser led him back to his seat, after which, though bled by his medical attendant, he never recovered his speech till he died on the 16th April, 1832.—That when Fraser was taken ill, his wife ordered a tin box which was on the table in the room where he was sitting, to be taken into her bed room. The box contained Fraser's private papers and vouchers, but after his decease it was found to contain a few blank sheets of writing paper only.—That the will was proved by Mr. Melville and Mr. J. R. Fraser, the latter of whom first discovered that the Company's paper for Rs 30,000 was not amongst the effects of the deceased. He thereupon applied to Mrs. Fraser, who replied that the deceased had given it to her, and that she had handed it over to Mr. W. DaCosta, a trustee under her marriage settlement; that person being applied to, answered he had returned it to Mrs. Fraser who intended to submit it and other matters for the opinion of counsel. The Bill prays, amongst other things, Mrs. Fraser may be decreed to account for and pay to the complainants what may appear to have been received by her during the coverture, out of Fraser's funds and estate, not settled by him to her separate use or freely given in his life time to her, for her own absolute use and benefit;—that she may be barred by the settlement memorandum of all right to dower;—and that she may be directed to give up the Company's Paper for Rs 30,000, and all other documents belonging to the estate of the deceased.

*Mr. Prinsep* opened the answer, which after admitting the jurisdiction, saith,—that defendant was of the age of 32, and Fraser of the age 75 when the marriage took place. That she is the daughter of a British Officer long since deceased, and was, at the time of marriage, a ward of the Bengal Military Orphan Society, residing with her brother-in-law J. L. Heatly and his wife. Admits that she was not possessed of any property other than her personal ornaments, but saith that previous to her marriage she was in the full enjoyment of contentment and happiness in the society of affectionate relatives, and had not only the necessities of life freely provided for her, but was also entitled to Rs 35 per month from the funds of the Orphan Society for her private expenses. The answer then goes on to say that by the rules of the Orphan Society ample and comfortable maintenance is provided for the wards, and that persons in independent circumstances addressing the wards with a view to marriage are required to make a proper settlement, without which the consent of the Governor is withheld even though in other respects the offer may be unexceptionable. The wards marrying with such approbation are entitled to a dowry of Rs 2,000, to be invested in the Bengal Mariner's and General Widows' Fund. Fraser received the Rs 2,000, at the time of marriage, but in consequence of his great age, he was not admissible to the Fund, and therefore he proposed to settle on the defendant Rs 25,000 and did so, after the marriage, on the 4th November, 1823, which settlement defendant endorsed, being ignorant that it contained a memorandum barring her right of dower. As to the will, she is wholly ignorant whether Fraser did or did not execute it; but she believes that at the time of the alleged will he was feeble in memory as well as in body and could not comprehend its meaning. Defendant altogether denies that herself and husband lived unhappily together or that she took any advantage of his infirmities, or obtained any sums from him which were not required for domestic purposes, neither did she by threats and intimidation induce her husband to leave her the interests of Rs 10,000. But she believes it to be true, that her husband at the suggestion and importunity of his natural children, went to Mr. A. Wight, and gave instructions for a will, which was never duly explained to him, nor does she believe it expresses his real testamentary intentions. The answer which is very voluminous, then goes on to narrate, the terms on which the testator lived with his natural children, who, she admits, he always treated with kindness and affection, but attributes to them the cause of much dissension between herself and husband, and that on one occasion, being harrassed and worn out by the annoyances of Thomas Fraser and his wife, she quitted the testator's house, and went to reside with Mrs. Halwood, a widow lady of her acquaintance, but shortly after, being informed by her husband, that Thomas Fraser was about to quit the house, she returned home to the great satisfaction of her husband, and continued to reside with him. Defendant denies that the whole of the testator's property amounted only to Rs 90,000 exclusive of Rs 25,000 settled on her; on the contrary she believes it amounts to Rs 200,000 exclusive of that sum, and of the Rs 25,000 settled on his natural children. In March, 1832, her husband informed her that he had made a will in which he had secured her the monthly sum of Rs 200, and that the house in Harrington street, in which they were then residing was not mentioned in the will, being intended by him as a bequest to her; and having on a subsequent occasion more particularly alluded to this subject, she wished to be favoured with a sight of the will in order to ascertain whether his wishes and intentions had really been expressed therein, the more so as she believed the will had not been prepared according to his instructions. Whereupon her husband proceeded to the house of Mrs. Railey, and shortly after returned bringing with him a parchment deed, which turned out to be Mrs. Railey's marriage settle-

ment, and the testator informed the defendant that his natural daughter would not allow the will to go out of the house, and that she had said it was not proper to allow defendant to see it. Fraser then dispatched a note to Mrs. Railey requesting her to send the will, but that person sent a 'salaam' in return. On the 19th of the same month Fraser informed defendant that he was then going to the house of Mrs. Railey, and on his return he placed in her hands the will, requesting defendant to read and satisfy herself that he had not willed away the house in Harrington Street. On the 22d of the same month Fraser inquired if she was satisfied; she replied how could she be, when the first thing mentioned in the will was a bequest of all his real estate, which, of course included the house in Harrington Street? The defendant expressed himself ignorant of the term 'real estate,' supposing as the house in Harrington Street was not mentioned he could still will it away, and he added 'Nancy, Nancy, do not make yourself uneasy, I shall yet satisfy you.' Some few days afterwards, and about fifteen days before the attack of paralysis of which Fraser died, he was in his dressing room and sent a bearer, named Ramnarain, requesting her to come to him, and when she went into the room Fraser said, 'Nancy, I see the will is against you very much I confess. See, this house cost Rs- 42,000, and which I always intended for you, but let it go, don't think of it, I give you in exchange this Company's Paper for Rs- 30,000. It is yours; be satisfied. Let the will stand: it will only create disturbance, expense and trouble.' He then put into her hands the Company's Paper, in the presence of the bearer and a girl named Susan, endorsed and accompanied with the memorandum as follows:

'FOR IMPROVING NANCY'S FUTURE INCOME.

| | | |
|---|---|---|
| To make over my new house and ground suited in Harrington street | 15,000 | for land |
| | 1,700 | |
| Building exclusive of interest,.. ... | 25,080 | |
| | 42,700 | |
| All furniture and Plate,..... | 1,830 | |
| Fairlie,..... | 36,000 | |
| Alexander,..... | 36,000 | |
| | 90 | |
| | 30 | |
| | 3)120(40 | |

Fraser then turned round to one of the witnesses and said, that her mistress had plenty of money or words to that effect. Defendant admits that in April, 1832 Fraser had a paralytic affection which rendered him almost speechless but not incapable of motion; but she positively denies that he got up to open an almirah, or that she led him back to his seat, she said that he appeared to be looking for something which led Mrs. Thomas Fraser to observe, 'that, perhaps, he wanted that paper,' and on defendant producing it he compressed it within her hands and said, 'no; no,' and a watch being brought to him he appeared satisfied, and died shortly afterwards.

Mrs. Fraser died on the 20th of November 1833, before any further proceeding were had in the cause, having in her life time appointed Jacob Lambert Heatley her executor, who has taken out probate and the suit has been received against him.

*Mr. Turton*, for complainants, drew the attention of the court, to the alledged gift of Fraser to his wife of the Company's paper for Rs 30,000. The best witness, said the learned counsel, to prove that it was not given, was Mrs. Fraser herself, and the next best witnesses were those who could speak as to the circumstances in which Mrs. and Mr. Fraser lived, one of whom Mr. Davis, of the Mint, after speaking of the uncomfortable, and bad terms in which they were, swore clearly and distinctly that the Government paper alleged in the answer to have been given defendant with a blank endorsement sixteen days before Fraser's death was in his (the witness's) hands unendorsed, six days before the last illness of the deceased, The endorsement on the Paper was sworn not to be in the deceased's hand writing by several witnesses well acquainted with his affairs. It would be shewn that the alleged gift was improbable from Mrs. Fraser having already so large a portion of the property as Rs- 25,000, and the interest of Rs- 10,000 settled on her, and by the evidence of Dr. Halliday and others, who spoke to the bad terms in which the deceased and his wife lived together. Moreover the will, which it was alleged in the answer was brought from the house of Mrs. Raily and commented on by Fraser to his wife, was found after Fraser's death with the unbroken seal of Mr. Wight attached to it. Under these circumstances he submitted that if even this court was of opinion Fraser had given the paper, of which there was no evidence except that of a bearer and a slave girl, whether their lordships would not require evidence that it had been given voluntarily, without threats or importunity.

A mass of evidence, being answers to interrogatories before the Master was then put in and read. It occupied the court two days in hearing, and chiefly went to shew the unhappy terms in which Fraser and his wife resided, and that the endorsement on the back of the Company's paper was not in the handwriting of Fraser. One witness who had the paper in his possession six days before Fraser's death, swore that the endorsement was not on it at that time, whereas it is sworn in the answer that the paper was endorsed and given by Fraser to his wife sixteen days before his death.

Mr. Advocate-General opened for complaint. But the court stopped the case and ordered in issue to be tried at the sittings in which defendant is to be plaintiff, and to prove, that the testator gave the Company's Paper to his wife in his life time to be her sole property after his death.

## TUESDAY, MARCH 31.

*Supersaud Saia and others, v. James Hills, John White, and Thomas Parker.*

The plaintiffs are talookdars in the neighbourhood of Nuddea, where the defendants, Hills and White, have several indigo factories, three of which the defendant Parker is the manager. The action was brought to recover damages for a trespass alleged to have been committed by Parker in going to plaintiffs' two cutcheries with a body of armed men, on two occasions, and committing various outrages, amongst the rest, taking therefrom cash and notes to the amount of Rs- 2,928, and setting fire to and burning down a cutchery. After proving the jurisdiction, the first witness called, proved two distinct acts of felony, and the court nonsuited the plaintiffs on the ground, that an action at common law could not be maintained, without addocing in evidence, a record of conviction for the felony.

## WEDNESDAY, APRIL 1,

The following provisional appointment was announced, and the officer duly sworn: Sir Edward Ryan said, that the appointment was not made with a view of being a permanent one, but solely for the object therein stated. At the same time he intimated, that the court would be happy to receive any suggestions from the bar, which might tend to diminish the expense or facilitate the business in the Master's office:—

'The Judges appoint Theodore Dickens, Esq. to the offices of Master of the Supreme Court, Accountant General, and Record Keeper, to hold the said offices to the first day of the ensuing term.

'The Judges make these provisional appointments in order, that they may duly examine into the fees, enrollment, and business of the said offices, and to enable them after such examination, to reduce the

costs of all proceedings therein to the lowest scale that is compatible with securing able and competent persons to fill them permanently.

(Signed) E. Ryan,
J. P. Grant.

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Saturday, April 11.

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***Moran and another**, v. Pollock, Robertson, and Mrs. Butler, Executors, &c.*

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Judgment.

*Chief Justice.*—The first question for consideration is, whether the investing of infants' funds in a mercantile establishment by any one of the executors amounts to a breach of trust; and if it does, the next question is, which of these executors are liable to make good the loss. It is a general rule that an executor or administrator lending money on a promissory note or bond is answerable should any loss be sustained, and at home the rule goes even further; for executors and trustees are directed to invest trust monies in a particular government fund. It is not necessary in this case to decide to what extent that rule applies to this country; but thus far it is quite clear, that no executer here is entitled to invest infant's funds in a mercantile establishment, for if executors and trustees are required at home to invest in a particular government fund, because of the risk attending other securities, surely the executors in this case must be considered liable as no *security* whatsoever has been taken. There is no doubt, therefore, that such investment is a breach of trust on the part of Colonel Pollock, and that he is liable to make good the loss. Now, the next question is, are both his co-executor and co-executrix, or either of them also liable in consequence of this breach of trust. According to the old authorities an executor joining in a receipt, or in any act which put the trust monies into the hands of his co-executor, made himself liable for the loss occasioned by a breach of trust committed by the latter. Modern cases have, however, modified the old rule, and I take the true rule, to be that laid down by Lord Rodesdale in the cases of *Joy* v. *Campbell* 1 Sch. and Lef. Rep. and *Doyle* v. *Qlake* 2 Sch. and Lef. Rep. The rule in these cases differs in some degree from that which Lord Eldon thought the proper rule, and which was the old rule. Assuming this principle upon which these two cases were decided to be the true principle of the modified rule, how does it apply to the defendent Robertson? The learned Judge then commented on such parts of the evidence as related to the case of Mr. Robertson, and, among other letters, his Lordship read one from him to Colonel Pollock containing the words 'Young (of Alexander and Co.'s) will no doubt act to our mutual satisfaction, and also a letter of October, 1820, from Mrs. Butler, to which, said the learned Judge we find all three defendants affixing their names in their official capacities, as 'Executors, and 'Executrix.' There is, however, one letter in particular, continued his Lordship, upon which alone I think the case might rest as to Mr. Robertson.—It is the letter of 20th November, 1820 from him to Messrs. Alexander and Co. constituting them his agents, and this was followed up by the letter dated from Culpee the 15th January, 1821 on his departure for England in which he expressly authorizes Alexander and Co. to act in all things, as he, as executor could legally do, having before this, and before quitting Calcutta, indorsed the promissory note upon which the trust monies were received by Alexander and Co., Can it be said after reading this evidence that, in placing the funds in the hands of Alexander and Co. Mr. Robertson was not as much an actor as Colonel Pollock? In the year 1826, Mr. Robertson returns from England and receives a letter from Mrs. Butler relative to her children's allowance, and although he may have been ignorant on his arrival as he states, as to how matters stood with reference to the trust fund, it is evident that he had made inquiries and had investigated the accounts of Alexander and Co. before writing in reply to Mrs. Butler. Mr. Robertson has been throughout as much an executor and manager of the affairs and the monies of the testator as Colonel Pollock, and is therefore also liable for the breach of trust. As to the case of the remaining Defendant Mrs. Butler, there can be no doubt that she was well acquainted with these affairs also, and indeed in her letters she shows a knowledge of the business generally, which is not expected and but, seldom met with in a woman. In her letter to Alexander and Co. dated 28th December, 1826, she claims her share of the commission which is allowed to the executors, on the ground of her being an executrix of her husband's will; but the letter which most clearly shews that she assumed a control over the trust fund is her letter of August, 1829, addressed to Alexander and Co. and stating her opposition to placing it in Court, or on other than personal security, and asserting her authority over it as executrix and guardian. Upon the facts, I think that all these three parties have exercised a controul over the trust fund, and have acted as executors, and have thereby rendered themselves responsible for the consequence of the breach of trust. This is a question between two innocent parties: on one side however there is an infant who knows nothing and cannot protect himself; on the other side we have three adult executors who knew what they were doing and were capable of protecting themselves. The latter must, therefore, suffer for their breach of trust. I think the conduct of the executors honorable throughout; and it is no doubt a hard case, but for the reasons given they must all be held liable to make good the loss. The complainants are clearly entitled to the principal money from the date of Alexander and Co.'s failure. If the adult complainant likes to have his share without interest he may, but if he claims interest the master must take an account as to what rate of interest he is entitled to.

After some observations by the counsel engaged in the cause it was decreed upon consent of all parties, and to save expense, that the adult complainant should be allowed to take his share of the trust fund with interest at 4 per cent. from the failure of Alexander and Co. without going before the Master to take the account; and that the bill as to him should be dismissed on payment of his share and interest. The defendants were then ordered to pay the infant's share of the principal sum of Sa. Rs. 32,000, we believe, within two months, the adult complainant consenting to give them the same time to pay over his share with interest. An account, among others, was then directed to be taken by the Master, as to what would be the amount now due as interest on the trust fund if it had been invested in Company's paper on the 1st July, 1821, for the purpose of enabling the court to decide at what rate of interest the defendants should be charged on the share of the infant complainant.

*Mr. Justice Grant* said he entirely concurred in what had been said by the Chief Justice; and then at considerable length stated the points upon which he rested his concurrence, which we are sorry, want of space will prevent us giving so fully as we would wish. The learned Judge in the course of his able judgment said that the rule here as the investment of trust funds by executors must be, with reference to the rule at home, that the money must be laid out on the *best* security available; and in this case the credit of Alexander and Co. could not be considered so good a security as Government security,—Company's paper,—which the defendents had within their reach. The conduct of all the defendents has been perfectly honorable, and the gentlemen seem to have given up the executor's commission for the benefit of a posthumous child which was highly creditable to them. I allow, said the learned judge, that this is a case of hardship, but the rule is inflexible; and for the safety of the estates of infants I think it ought to be made known to all, that executors, placing trust money in a trading firm, and making profit of it, even although for the benefit for the infant, shall be answerble for it, if lost.—*Englishman.*

## MONDAY, APRIL 13.

T. C. J. PLOWDEN, ESQ. *Foreman.*

A. Gilmore, Esq.
J. P. Grant, Esq,
A. Fraser, Esq.
H. J. Leighton, Esq.
J. Prinsep, Esq.
D. Hare, Esq.
F. T. Fergusson, Esq.
B. Harding, Esq.
Rajah Kaleekishen,
Baboo Radakant Deb,
J. J. Astley, Esq.
C. McKenzie, Esq.
J. Dougal, Esq.
A. DeSouza, Esq.
G. Cowles, Esq.
J. Lamb, Esq.
W. C. Harry, Esq.
J. Younghusband, Esq.
H. M. Parker, Esq.
Baboo Prusonoconar Tagore.
Baboo Ashootos Dey.
Baboo Doorgachurn Paul.

The Hon'ble Mr. Justice Grant, who presides during the present Sessions, delivered a Charge to the Grant Jury to the following effect. His Lordship first expressed his happiness on the present occasion for the convenience of the Jury, at there not being so many cases as might require too much of their time, and their not being of a difficult nature. The Jury were then told what justice required at their hands in the discharge of the important duty committed to them; viz. that they were to be satisfied by the evidence before them of a man's guilt before finding the Bill against him to be true, though every man's case would undergo a thorough examination before a Petit Jury, it being absolutely necessary for the Grand Jury to deliberate before sending a man for trial. His Lordship did not say so from jealousy, but from finding some gentlemen of this country (Hindoos) associating with the gentlemen of Europe in making up the number of the Jury. These Hindoo gentlemen, added his Lordship, were entitled to the valuable assistance, timid as they are, of the European gentlemen, with whom they have associated in their arduous undertaking; and they, from their knowledge of the character and the language of the people to be brought before the Grand Jury, would be a help to the Europeans. His Lordship then went at length into the nature of murder and manslaughter, shewing what constituted either, and directed the attention of the Jury to the terms in the Statute, Clauses 59 and 60 of Geo. 4 c. 74. This was done on bringing to the notice of the Jury some cases which are to come before them of cutting, &c. with intent to murder, maim, and disfigure. His Lordship next alluded to a case which also is to come during the Sessions, where an attempt at carnally knowing a girl under age had been made. The Jury were told what the Law was in the case, viz. that if the attempt were made upon a girl under 8 years of age, it was a capital crime, and if upon a girl older than 8 and not above 10, then a crime for which the accused and guilty should suffer severe punishment. The charge was eloquent, and lasted an hour.—*Calcutta Courier.*

## MONDAY, APRIL 20.

Ramsohoe was placed at the bar upon an indictment charging him with stealing from the dwelling house of his mistress Gona Bebee two silver cups, one muslin tote and various other articles her property. The whole of the evidence fully established the prisoner's guilt, and the Jury, after a few minute consultation, returned a verdict of guilty of the petty larceny only. Sir J. P. Grant then addressed the prisoner at some length upon the narrow escape he had had, from being transported, and sentenced him to six calendar months imprisonment in the House of Correction and to be kept to hard labour.

Jadub Doss stood charged upon an indictment with having burglariously broken into the dwelling house of one Bridgmohun at Calcutta, on the 14th of March last, with intent to steal his goods and chattels.

Bridgmohun being duly sworn, said I left my home about 5 o'clock on the evening of the day laid in the indictment, and did not return until between three and four o'clock in the morning. When I arrived at the door of the house I found it standing wide open and the cord with which it has been fastened was cut. I heard a noise in the middle room where I, Ghodmohun and two others sleep, as if some one was meddling with the padlock of a box which stands there; I proceeded towards the room and perceived a man coming out, I called who's there, but received no answer.

I then seized the man by the cloth round his waist, but he cut it and disengaged himself; he then lifted up a dawh (bil hook) and attempted to strike me with it but I wrenched it from him, and the three persons who live with me hearing the noise came to my assistance and secured the prisoner.

Several other witnesses were examined and their evidence fully corroborated the testimony of the prosecutor.

The prisoner in his defence said, that he had contracted to make a mat for the prosecutor for which he only paid him half, and had made him call several times for the remainder; that when he last called prosecutor abused him and said he would see to him; that about four o'clock on the morning of the day in question prisoner was going up the lane to his daily labour, when the prosecutor, Ghodmohun and two others fell upon him, and charged him with breaking into their house. The dawh was his; he used it in his work.

Sir J. P. Grant then summed up, and the Jury without hesitation returned a verdict of Guilty. Sentence—to be transported to the Eastern side of Bengal for 14 years.

Yesterday Mohun Singh was placed at the bar upon an indictment, charging him with having violated the person of Mercha. The whole of the evidence was totally unfit for publication, and no one was permitted to enter the Court while it was being taken. Sir J. P. Grant was on the point of addressing the jury when the foreman said, that it was quite unnecessary to trouble his Lordship, as they had already come to a decision; they then delivered a verdict of "not guilty;" and Sir J. P. Grant acquitted the prisoner.—*Hurkaru.*

# INSOLVENT DEBTORS' COURT.

## SATURDAY, APRIL 4, 1835.

### IN THE MATTER OF JAMES YOUNG.

Mr. Leith applied on behalf of the trustees of the marriage settlement of Mr. and Mrs. Jacobs. This was an order *nisi* obtained on the 7th ultimo, and the particulars of which were inserted in our publication of the 23d ultimo. Mr. Leith now stated that notice of the application had been given to the assignees of Alexander and Co. and they having counsel's opinion, had declined to offer any opposition to the application.

An order was made directing the surplus of the insolvent's estates said to be about Rs. 13,000, to be paid over to the assignees of Alexander and Co. after deducting Rs. 1,561, the balance due under the marriage settlement.

IN THE MATTER OF JAMES YOUNG AND OTHERS.

Mr. Turton, with reference to the remuneration of the assignees of this estate, stated the result of the last meeting of the creditors, and the order was made directing the remuneration to be five per cent. on the dividends and five per cent. on all future payments to the Bank of Bengal.

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Mr. Turton with reference to the application of the 21st ultimo, touching the discharge of the insolvents now moved, that the order for the reference to the Examiner be discharged. The assignees after an examination of the books and the powers of attorney, the insolvents were now enabled to make the following statement. The total number of creditors are 2029, and the amount of claims Rs 3,09,50,380, The creditors who have taken part in proceedings are 1,733, viz., Indian creditors 1,567, the amount of whose claims is Rs 1,30,55,608, and creditors west of the Cape of Good Hope 166, whose claims amount to Rs 1,32,70,714. Total amount of claims of creditors who have taken part in proceedings Rs. 2,63,26,323. Creditors who have taken no part in any proceedings 296, amount of claims Rs 46,24,056. Of the 1733 who have taken part in proceedings, the following had consented to the insolvents' discharge, viz., Indian creditors 790 whose claims amount to Rs 86,75,794, creditors west of the Cape 91, whose claims amount to Rs 1,11,96,617. Total number of consenting creditors 881; total amount of consenting creditors' claims Rs 198,72,411. The learned counsel said that this statement showed a majority of consenting creditors of those who had taken part in proceedings, and a considerable majority in the amount of claims, as the 881 consenting creditors represented two thirds of the claims.

Sir Edward Ryan inquired how this appeared in evidence.

Mr. Turton replied that he was speaking from the affidavit of the assignees.

Sir Edward Ryan was desirous to save the expense of a reference to the Examiner, but he should certainly require the principal facts to be stated on affidavit, and also he should like to examine such a power to release as the assignees consider good and valid. He did not feel much difficulty as to the construction to be put on the Act of Parliament, but if the facts were stated on affidavit, and a power to consent such as the assignees consider good and valid, sent to him on an early day, then if any objection arose, he would cause it to be intimated to counsel, and hear what might be said on the point on the next court day.

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IN THE MATTER OF JOHN EDWARD CHEETHAM.

Mr. T. Holroyd applied for an order that one third of the insolvent's pay be appropriated to the payments of his debts. He had made the inquiries suggested by the court on the last court day, and now applied that the payments should commence one month after this date in order to enable the insolvent to join his regiment at Gurruckpore.

Mr. Judge said, he believed no difficulty would arise as to the decrees against the insolvent in the Military Court in the Mofussil, and that the creditors must come in like the rest and receive a dividend. On the last court day his lordship had said he could not take the circumstances of the payments made to the insolvent's wife into consideration, but he (Mr. Judge) was anxious to state that the payment of £70 per annum, was made by the Court of Directors to the insolvent's wife, and deducted from his pay in this country.

Sir Edward Ryan.—Is this a voluntary or a compulsory payment!

Mr. Judge repeated, what he had before stated, that it was made by the Court of Directors, and deducted from the insolvent's pay.

Sir Edward Ryan.—How can they do so without the insolvent's consent?

The order was made for one-third of the insolvent's pay, to be assigned to the assignee, commencing one month after this date.—*Englishman.*

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## MEETING OF THE UNIVERSAL LIFE INSURANCE SOCIETY.

There was a well attended meeting on Monday the 23d April, at the Office of the Agents to the Universal Life Insurance Society, for the purpose of taking into consideration the position of the Society with reference to the announcement of a Life Insurance Office about to be opened by Government. The chair was occupied by Mr. Pattle. After reading a Report of the Directors of the Calcutta Branch, it was resolved by a majority of 20 representing 437 shares against 3 representing 12 shares, to petition the Government against the intended measure. A long memorial drawn up in strong but respectful terms, in which various inconveniences, and especially the injury which this and other private institution must suffer, were pointed out, was then read and adopted.

We cannot give a more particular account of the proceedings, as it was resolved at the meeting that, pending this representation to Government, it would not be proper to publish either the report or the memorial. The public, however, will be interested to know that the meeting determined that the Directors should continue to grant Policies, whether the Government plan should take effect or not. The number of Policies issued since the 19th November last, was stated to be 76, of which 28 were for the whole period of life, and 58 for short periods; the amount insured being 10,09,260 Rupees, the average amount of each risk is 13,280 Rupees. No lapse has yet occurred. The funds are all invested in Government five per cent. paper.—*Calcutta Courier.*

## MEETING OF THE SHAREHOLDERS IN THE THEATRE.

On Monday the 25th May, a Meeting of the Shareholders of the Theatre took place, at 10 o'clock, at the Town Hall, pursuant to a requisition signed by twenty-five proprietors, 'for taking into consideration the resolutions adopted by the managers regarding the letting of the Theatre to the Italians, and coming to such determination thereon as may seem expedient. Also for adopting measures for the repairs of the theatre, and for general business.'

P. O' Hanlon, Esq. in the chair.

At the request of Dwarkanauth Tagore, the requisition to the managers, signed by twenty-five proprietors, was read to the meeting, after which Mr. Stocqueler remarked that some of the requisitionists had become proprietors subsequent to the date of the requisition, and he believed Mr. Osborne was one of them. On reference to the Transfer Book it was found that the share had been transfered to Mr. Osborne one day after the date of the requisition;—that it had formerly been the property of Mr. Melville, and had been sold with the consent of the attorney of that gentleman, Mr. W. F. Clarke.

Dwarkanauth Tagore apprehended that the transfer was not legal, as the share belonged to the assignee of Mr. Melville's estate, and that gentleman's attorney could have no interest in it.

Mr. Clarke thought the question was one in which the proprietors could not interfere, and which rested between Mr. Melville's attorney and his assignee. He held in his hand a letter from the assignee, stating that he had no intention to interfere with the transfer.

Mr. Turton, on the other hand, thought that it was a question which affected the proprietors, and that it was material for them to know by what means gentlemen had become proprietors.

Mr. H. M. Parker, as one of the committee of management, considered that he stood there, before the proprietors on his trial and he should feel very sorry were that trial to go off on a point of law.

Mr. C. R. Prinsep agreed with Mr. Turton. It was material to know in what manner each proprietor obtained his share in the co-partnership.

Mr. J. W. Alexander was of opinion that Mr. Osborne was not entitled to sign the requisition; he would, therefore, at once move that his name be expunged.

Mr. Clarke opposed the motion, the share having been regularly bought and paid for, there was no person who could object to the sale except Mr. Melville's assignee, Mr. Holroyd, by whose order the share had been sold in February, 1834. It was true the share had not been transferred until a later period, but it had been legally sold and legally paid for, under the authority of the assignee whose right the meeting could not dispute. It was quite true that the transfer had not been made until a recent period, because as the manager who made the transfers, he found the share in Mr. Melville's name, and he avowed he did not transfer it until this requisition was in progress. But there were many other shareholders in a similar situation to Mr. Osborne, and it was quite clear that was a mere technical objection, and that as a manager who made the transfers, he had had the power to do that which technically was undone.

Mr. H. M. Parker would not evade a trial by taking advantage of a point of law. If Mr. Osborne's name were expunged, it would be of little moment for there were twenty-four names remaining to the requisition, whereas the deed of co-partnership only required twenty.

Mr. C. R. Prinsep had no doubt that the transfer of Mr. Melville's share to Mr. Osborne was good for nothing, but the question was not as to who were proprietors but who had a right to vote.

Mr. W. Young could not agree with Mr. Parker, on the contrary he would vote that Mr. Osborne's name be expunged, and he would feel very happy if the number of his accuser were reduced from twenty-five to twenty-four.

The Chairman and Mr. Franks, who had both signed the requisition, disclaimed any intention of preferring an accusation against the managers, or of implying, directly or indirectly, any censure whatsoever.

Mr. J. W. Alexander would adhere to the resolution to expunge Mr. Osborne's name from the requisition, and moved the following which was seconded by Mr. J. P. Grant:—

'Resolved that the share held by Mr. Osborne is unduly transferred.'

Mr. C. R. Prinsep was quite clear that there was not the semblance of a transfer, and was astonished to hear it asserted that the proprietors had nothing to do with with the transfer of sharee. He would like to know where there was a partnership in the world in which the members had not a right to know who were concerned with them?

After a few words from Mr. Turton, and from Mr. Clarke, who suggested that the word 'legally' should be substituted for 'unduly,' the amendment was carried *nem con.*

Mr. Turton noticed another share which had been obtained irregularly. He alluded to that purchased by Mr. Crouch, and to the transfer of which the consent of the managers had not been obtained as provided in the deed of co-partnership. He had no wish to destroy that vote, but he thought the transfer was irregular and that the managers could not delegate their duty to any one of their body for such purpose.

Mr. Clarke explained that although the 11th clause in the deed of co-partnery provided that no member's share should be sold without the consent of the managers, he would undertake to say that the clause had never been strictly enforced since 1817, and that it had never been acted on at all except in the manner he had acted on it. When he first came into the management his attention was directed to the manner in which some transfers had been made by Mr. W. Prinsep who had sold the shares of several shareholders in arrears. He was aware this was not according to the deed of co-partnery, and on giving his opinion to the managers he was desired to find a remedy. He recommended that the shares should be re-sold, and his advice being adopted, he purchased them in the name of the trustees, and afterwards they were conveyed to the original purchasers. At a subsequent period it was arranged that he should give his consent to transfers for the whole body of the managers, as it had been done before by Mr. W. Prinsep, and by Mr. H. Wilson; therefore, the meeting, though it might be of opinion that he had exceeded his powers, would acquit him of having done wrong intentionally. (Hear, hear.)

Mr. Turton did not bring this subject before the meeting in the spirit of discord, but merely to mark his disapproval of the powers of the managers being delegated to any one of their body.

The Chairman thought the meeting had better abandon all discussion foreign to the matters stated in the requisition, and though 'general business' was therein mentioned, he did not think that to hear these explanations was the purpose for which the meeting had assembled. He did not wish to prevent discussion,—far from it,—but it would be as well to proceed at once to the business for which the meeting was convened.

On the motion of Mr. W. Young, Mr. Farmer read the minute of the last meeting of managers, which was in substance, a resolution to let the theatre to the Italians, for one hundred rupees per night, ten days' notice to be given of each intended performance, so that there might be no collision with the performance of the English drama. As to wear and tear; the loss was to be determined by three of the committee of managers and three of the committee of the Italian Opera.—To this an amendment was proposed in effect that the matter should be referred to a general meeting of shareholders. The amendment was negatived.

Mr. Clarke said before he referred to the subject of the resolution he would notice a mistake on the face of it.—There had been no offer whatever on the part of the Italian Company.

Mr. W. Young begged to state that there was an offer, and Mr. T. Fergusson declared, as a member of the Italian Opera committee, that Mr. Young had been authorized to make an offer for the rent of the house Mr. W. P. Grant also spoke to the same effect.

Mr. Clarke said, there was a written proposal before the managers, and the first proposition, that the terms of it should be complied with, was negatived. He begged to say that he considered there had been no offer before the managers; but he would waive all that, and come to the point at once, for he admitted that he was the principal, if not the chief instigator, of this meeting, and for what he had done he would now give his reasons. He was happy to see so large a meeting assembled, because it gave him an opportunity of rebutting the foul aspersions that had gone forth regarding the manner he had acted during the discussion before the managers, and he appealed to the Italian Opera committee, with many of whom he had had the pleasure to converse, whether it was ever his wish to make a profit for the theatre out of the exertions of the artistes, or to exclude them from the use of it. All that he had considered in opposing the resolution which allowed them the use of the theatre, was the simple question of pounds, shillings, and pence. He had no other object but that of doing his duty to the proprietors who had entrusted him with the care of their property. The proposal was originally for twenty performances and six benefits, which, during the summer months, were to be paid for at the rate of fifty rupees per night; subsequently at the rate of seventy-five rupees; and during the cold weather at the rate of one hundred rupees per night; and it was also proposed that the proprietors should have fifty per cent. in consideration of the proprietors' giving up their tickets, and allowing a railing to be erected for the convenience of the subscribers to the operas. When this proposal came before the committee, he voted against it, and in justice to himself he asked permission to read a short minute on the proposal then before the managers.

Mr. W. Young said that the minutes of all the managers should be read if one was brought before the meeting, and he requested that Mr. Clarke would read them.

But Mr. Clarke would do no such thing, and he put it to the meeting whether he ought not to read his own minute in order to shew with what temper he had treated the proposal of the Italians.

Mr. J. W. Alexander said, that was not the question before the meeting, and a number of proprietors appeared to be of the same opinion. Others, however, appeared to think differently, and a fierce discussion arose which the reporter will not attempt to describe. After the noise had abated we heard

Mr. Turton declaring that it was utterly impossible for the meeting to go on unless they heard both sides dispassionately, and he thought that it was hardly fair to deprive Mr. Clarke of an opportunity of making any observations relative to matters now under discussion.

Mr. Trower begged to ask whether the meeting was not called together to take into consideration the proceedings of the meeting of managers; and whether it was not proper that they should hear what had transpired at that meeting?

Mr. Clarke,—Gentlemen, you hear with what temper my observations have been made; I now ask whether it is not fair that you should hear the minute I have referred to? Mr. Clarke then read the minute as follows:—

'The proposal made to us stands thus, for 20 operas and six benefits, the house must be opened from 100 to 156 nights, including rehearsals, and the subscribers, nay all the public, attend rehearsals. For THIS we are to receive Sa. Rs. 1800. We are then to give up our tickets, to purchase which for 26 nights would cost, Sa. Rs. 40,352. For this we are offered 50 per cent. or Sa. Rs. 900. We are also to have 275 front seats appropriated. We shall also have an Italian performance once a fortnight, AIDED by *our house*, our *scenery*, our wardrobe for 13 months. During this time we cannot expect to get up any English play with a profit; but we must expect a loss. Our standing expenditure without plays, is Sa. Rs. 5000 per annum, from this take 2700 (to be received from the Italian committee,) it leaves 2300 to be made up. Our plays will not make this up; so far from it, we must either abandon the English drama, or increase the expense by performing to a loss, and that too, at a period when we never were stronger in our amateur corps. Many of the rules contained in our votes, I always thought absurd, but they were framed at a period when our secretary was absent, and Parker was too unwell to aid us in any way. But now that affairs are changed, they ought to be abandoned altogether. I have much more to urge than this note can contain, but my voice is for declining *this* proposal altogether. If, however, it be entertained, then, according to the vote of the managers when the house was let for the second series of the Italian operas, and, what is stronger and unavoidable, the vote of the general meeting of share holders, on a motion of Mr. Turton's—there must be a meeting of proprietors to consent to giving up the free admissions.'

Mr. Clarke continued: This was his note on the subject;—he asked if there was anything intemperate in it? He asked whether they could say he was 'animated with the holy bigotry of a zealot'? Whether he was 'waging a war of extermination'? Or if there was any thing in the note from which they could infer he was 'ferocious and inconsistent,'—any 'vehement vituperations'—'eloquent exaggerations,' or which showed that he was a 'champion of the conservatives? And yet this note had been fixed on as a ground for making such assertions; and if these were made to his face, what he asked, would those be which were made behind his back? He did not oppose the Italian Opera Committee, nor had he been instrumental in calling this meeting for the sole purpose of obtaining the opinion of the proprietors as to the rate which the house ought to have been let to the Italians; but he had been of opinion when that question came before the managers, that it was one which ought to be decided at a general meeting of proprietors; for it was no slight matter to change entirely the character of the performances,—it was no slight matter to let the house for a number of nights for an object foreign to that for which it was built; and it did appear to him to be a matter of so much importance that the opinion of the proprietors ought to have been consulted before the terms were finally settled. Such had been the course pursued on former occasions; and it would appear from the books on the table, that in 1822, when Sir Francis McNaghten applied for the use of the house for a benefit for the distressed Irish, the managers did not think they ought to consent without the approbation of the proprietors; and the result was that a meeting was called at which only five proprietors attended, and in consequence the managers did not consider themselves authorized to let the house for that purpose. In 1823, when Mr. Alsop died, than whom no man who had been connected with the theatre was more respected, application was made for the use of the theatre for a benefit for his distressed family, but the managers did not consider themselves authorized to give it up for that purpose, and in consequence a meeting of proprietors was held. But when they came to the subject of the letting of the house, it would be remembered that the first application was in 1825, when Mr. Linton submitted his proposals not to the managers but to the proprietors.

These proposals were acceded to, and the period of the arrangement was extended in the July of the same year. Similar recurrences were had to the opinions of the proprietors in 1826, and 1827; and in 1829 a proposal regarding Mr. Perkins had been referred to the decision of a general meeting. Again in 1833, regarding the Italian Company, a meeting was called for the purpose of inducing the proprietors to give up their tickets. Subsequently there was a meeting to consider the Italian Company's request to have one month's rent remitted to them. At the latter meeting there was no resolution passed, but he remembered it was asked whether the English performances were to be suspended, to which it was replied that they could not be got up as Mr. Farmer was in Europe, and Mr. Parker unwell. Now he had brought forward a number of instances to show, that as regards the letting of the house, the managers have sought the sanction of the proprietors;—the only instances which could be given to the contrary were one series of Italian Operas, and two of French performances, and the reason given for this deviation from the general rule was, the impossibility of getting up English performances, (cries of 'By whom?' 'by whom?') This reason was given during the illness of Mr. Parker, and the absence of Mr. Farmer; the managers were then in treaty with the Italians, and could not get up an English play. With these exceptions the rule had been to apply for the proprietors' sanction, and therefore, he said, that the importance of the subject, and the practice of the committee of management, both required a reference to a general meeting to consider the proposal which had been accepted by the managers. It might, perhaps, appear that there never had been a difference of opinion in the committee of management with regard to the Italians, but he was able to shew that there had existed considerable difference. When they first sent in their proposal, Mr. Parker and himself thought it might be complied with for Sa. Rs, 10,000, (laughter), Mr. Turton was of the same opinion; (Mr. Turton 'oh decidedly!) that gentleman also thought that the managers ought not to let the house under Sa. Rs, 10,000 for the cold season, and Rs. 300 a month during the hot weather.

Colonel Beatson.—But what has this to do with the subject before the meeting?

Mr. Clarke.—In short no question with regard to the Italians has been before the committee of management, but on which there had been considerable difference of opinion, and if this was the case, surely it made a strong reason why the recent proposal should be referred to the proprietors. He had not been desirous that the proposal of the Italian Opera Committee should receive the support of the committee of management, but since it had received that support, he would now change sides altogether, and what he was going to say he was sure the friends of the Italians would not object to. He thought the Italians had not been fairly treated; they had made a proposal and had not received an answer. He was no enemy to the Italians, and if that proposal was accepted by the proprietors, he was quite willing that they should have the Theatre. But in that case the Italians had been most unfairly treated by the committee of management, in not laying the proposal before the proprietors.

Here Mr. Clarke was interrupted by loud cries of 'oh! oh!' 'order,' 'order' 'question,' and repeated bursts of laughter. After silence was partially obtained, Mr. Clarke intimated that he had several resolutions to propose, and was about to read them, when

Colonel Beatson protested against any attempt to 'spin out' the proceedings, and moved that the first question be at once disposed of. He begged that Mr. Clarke would proceed at once 'to take into consideration the resolutions adopted by the managers regarding the letting of the Theatre to the Italian Society' and come to such determination thereon as may seem expedient.

Mr. Clarke begged to say that he should not take that course, but would first draw the attention of the proprietors to the state of the house, for it was important before they sanctioned the letting of the house, that they should know whether it was in such a state as rendered it impossible for them to let it with security to the public. The proprietors were aware that three years ago the state of the roof was brought to their notice; two years afterwards it was again reported to them, and one year ago—

Mr. J. P. Grant was sorry to interrupt Mr. Clarke, but he begged that the requisition might be read.

The requisition was accordingly read, of which the following is an extract.

'We the undersigned Shareholders of the Chowringhee Theatre request that you will forthwith convene a Meeting of the Proprietors for the purpose of taking into consideration the resolutions adopted by the Managers on this day regarding the letting of the Theatre to the Italian Society, and coming to such determination thereon as may seem expedient; also for adopting measures for the repairs of the Theatre, and for general business.

Mr. J. P. Grant said, if Mr. Clarke had no resolution to propose, he, as we understood, had one to offer for the consideration of the meeting. Mr. Grant proceeded but the confusion, and cries of 'order,' 'order,' 'hear,' hear,' completely prevented our hearing the continuation. At last the chairman succeeded in obtaining a hearing, and urged that Mr. Clarke was in possession of the chair, and if he wandered from the subject he would stop him, but he entreated that a fair hearing might be given to every proprietor.

Mr. Clarke continued: the letting of the house must depend on the state of the building, and he would now read the resolution of the last general meeting appointing a committee to report on the state of the roof. (Mr. Clarke read the resolution.) Now no report had been made; nothing had been done; the proprietors knew nothing of the state of the roof which a year ago was declared to be dangerous.

Mr. James Prinsep interrupted Mr. Clarke, who objected to Mr. Prinsep being heard. Another scene of confusion took place, and considerable time elapsed before the chairman could obtain silence.

Mr. Clarke continued: he had read to the meeting what was thought of the state of the roof eleven months ago, since which time no report had been before the shareholders, but in January last a minute was circulated stating that, from the dilapidated condition of the house it would be dangerous to admit the public during the rains. Did those who drew up the circular report that which was untrue, when they told them that they could not with safety give the public admittance during the rains? He would also mention another circumstance to which their attention ought to be drawn: he was told that the roof was sinking; that on drawing a line across it was found to have sunk one foot in the centre. His friend, Mr. Pattle, would remember an occasion when a whole verandah sunk during the rains, and if the roof was in the state he had described,—if there was an accumulation of twelve inches of water during the rains, adding an additional weight on the already dilapidated walls, he would leave it to the proprietors to say what might be expected. But there was a still stronger fact: he went to the theatre on Saturday last, and was told by the machinist, Mr. Squires, that he was during the recent performance of the *Critic* unable to shift the scenes and he had been compelled to shorten them by three inches for Mrs. Leach's benefit (loud laughter.) This was caused by the gradual sinking of the roof; and he put it to the proprietors whether the managers were much mistaken, when they told them a year ago that the house was in the dangerous state. This might be a subject of merriment with the management, and bring forth a joke from Mr. Turton, but he considered that the house ought to be examined by a professional person, and he would, therefore, move that a professional builder be

employed to ascertain the state of the house, and to report if it be in such a state as to allow the public to be admitted without danger, and, if not, whether it can be made available for performances by any temporary repairs. This was a resolution which could not be objected to, and he intended to follow it up with another motion regarding the performances during the cold season.

Mr. Bolst seconded the resolution.

Mr. James Prinsep begged to make a few observations on what had just been said with regard to the roof. Mr. Clarke had stated that nothing had been done by the committee appointed to examine it, but he begged to say that the roof had been examined, a new plan made out, the estimate made, a vote of money passed, and the amount paid out of the treasury by Mr. Clarke himself, (Hear,) (hear.) The sum had been paid to Cap. Thomson, of the Engineers, who has made some progress towards the commencement of a new roof. This had been stated at several meetings of the committee of management, and it had been determined by them that until the new roof was ready the old roof should not be takenoff, and that the theatre should be available for performances. He had recently seen Captain Thomson, who had obtained the permission of the Board of Works to undertake the work, and who had purchased the timber for the roof. With regard to the state of the roof; it had been gradually sinking, but it was not in immediate danger, nor was there any thing to be apprehended from a lodgment of water on the surface as the same means would be used to prevent it as had been hitherto adopted,—that of placing men on the roof to bail off the water. Mr. Clarke had spoken of the scenes having been shortened, but he could assure the proprietors that the roof over the scenes was not in the slightest danger. It was true one particular part of it had gradually sunk the iron pillar by which it was supported, but that was of no importance, at all events if it threatened danger to any persons it was to the performers, and not to the audience. (Hear, hear.)

Mr. Clarke did remember that an estimate had been sent in by Captain Thomson, and also one by Mr. J. Prinsep, but as the former was only Rs. 1,200, and the latter Rs. 6,000, he inferred that nothing had been determined on with regard to them.

Mr. J. Prinsep explained that his estimate was for a copper roof, and Captain Thomson's for one of iron.

Mr. Kyd believed that the roof was in no immediate danger; and Mr. Carr, who with Mr. James Prinsep, and Mr. Kyd had been appointed a committee to draw up the report, was of opinion, as far as his knowledge went, that the roof was perfectly safe. Mr. J. P. Grant hoped Mr. Clarke after this explanation would withdraw his resolution.

Mr. Clarke would certainly, after the opinions given by Mr. Kyd and Mr. J. Prinsep, withdraw his resolution, but in justice to himself he must say that he should never have brought it forward had the report been furnished to the committe of management. However he would now go on to the next question, and disclaiming the feelings of hostility towards the Italians which had been imputed to him, he declared that he was actuated by no other motive than a desire to preserve the interests of the proprietors which had been confided to his charge. He would not touch the resolution of the committee of management as it stood; he did not propose to take from the Italians the use of the house, but it was right they should be fairly treated, and not only be made acquainted with the terms on which they should have the house till the 1st of October, but the terms upon which it would be let to them afterward. Mr. Leyding's letter to the committee remained to this hour unanswered, but if the managers would not answer it, the following resolution would put an end to all doubts on the subject. Mr. Clarke then amidst considerable uproar proposed the following resolution:—

'That the theatre be let according to the terms proposed by the committee of management, up to the 1st of October, and that for the future it be let during the months of October and March for 300 per month, during April, May, June, July, and August at Rs. 200, per month, but that it shall not be let, nor allowed for any benefit, except as part of an engagement, during November, December, January, and February.

We believe Mr. Arratoon seconded the resolution, but we cannot describe the scene that followed. Order being restored,

Mr. W. P. Grant said it was evident that Mr. Clarke's intention in moving that the proceedings of the committee of management be confirmed, was to give the go-bye to that particular question, but however it might suit the tactics of Mr. Clarke to give the question the go-bye till it suited his convenience to discuss it, the meeting would not be prevented recording their opinion of the propriety of calling them together (cheers.)

Mr. C. R. Prinsep begged to submit that when a meeting was called, they who call it ought to bring forward some motion as to what it is called for. Mr. Clarke had distinctly stated that he was the principal mover in calling this meeting, and he took it, that he ought to found some motion on the subject mentioned in the requisition.

Mr. Clarke said he had already made a motion, but if it suited the convenience of his friends he would go further, and at once dispute the power assumed by the management of letting the threatre. He came there to defend the rights of the proprietors to whom he thought the proposal of the Italian Opera Committee ought to have been referred, and though, for the sake of unanimity, he did not now oppose the letting of the theatre to the Italians till the 1st of October, he did not approve of the terms; still if the majority agreed to it he would not object. But he would never agree to an important question of this kind being decided by the management. He disclaimed the assertion that because he had not succeeded with the managers he had appealed to the proprietors. He wished the proprietor also to set the question at rest as to the future letting of the house, as it was known that many who had subscribed towards the repairs refused to pay the money, and others refused to contribute for the sole reason that there were doubts regarding the repairs being commenced. Mr. Clarke, at great length, then urged the necessity of keeping the theatre for English performances during the cold season, contending that society in Calcutta could not maintain both amusements.

Mr. J. P. Grant said, by the fifth clause of the deeds of co-partnership the decision of a majority of the committee of management was decisive; and as there was no special rule for the letting of the theatre, he wished to be informed for what reason had the proprietors been called together. As the managers were empowered by the deed of co-partnership to do all things legally for the proprietors, were the latter could together to break an agreement which the former had lawfully made? After delegating their rights to the managers, were they to attempt to undo what the latter had done? He could imagine no other resons for calling them together, for though he has heard Mr. Clarke speak for a considerable time he was utterly at a loss to account for this proceeding. It was so extraordinary,—he could not characterise it at all.

Mr. Grant commented severely on the conduct of the requisitionists, who, in his opinion, intended to cast censure on the managers, and proposed a resolution, which after Mr. Siddons, Mr. Trower, Mr. Franks, and several other requisitionists had disclaimed all intention of censuring the managers, stood as follows:—

'That the manager who has acknowledged himself at the prime instigator of the present attempt to appeal to a meeting of proprietors on the subject of the determination of the managers on a matter particularly within their charge, has, by so doing, forfeited the confidence of the proprietors.'

Mr. Turton intimated that he dissented from the resolution. He thought that casting censure was not the best way to promote unanimity.

Mr. H. M. Parker thought this was an extremely useless meeting. He had voted in the committee of management for letting the house to the Italians under the impression that the Italian performances would not at all interfere with those of the English amateurs. There was a majority of the public who preferred English to Italian performances, but nevertheless they had no objection to witness the latter; and as to the wear and tear he thought the proprietors would not refuse to contribute a small amount towards it. As a manager, Mr. Parker declared he would not be satisfied with any resolution which did not convey a degree of censure on those who had called the meeting.

After considerable discussion, during which there was so much confusion that the reporter entirely lost all trace of the original motion, the following resolution was proposed by Mr. J. P. Grant, and seconded by Mr. W. R. Young.

'That by the fifth clause of the deed of co-partnership it is provided that the managers have full power to let the theatre to the Italian Opera Committee, and that the terms on which they have let it are binding on the proprietors.'

Mr. Clarke saw no reason for opposing this resolution, but he contended that if the managers had the power to let the theatre the proprietors had a right to set it aside. The proprietors were the superior body, and he instanced a vote of censure, on a motion by Sir J. Bryant, which the proprietors had passed on the managers for having expended Rs. 13,000 more than the estimate.

After a few words from Mr. Turton, and Mr. Pattle, Mr. J. W. Alexander ridiculed the assertions of Mr. Clarke that he was a friend to the Italians. On the contrary, said Mr. Alexander, he has been their most formidable enemy. Has he not accused them of robbery to the extent of Rs. 2000? Has he not declared that they shall not have the theatre? And is he not the author of the letters under the signature of 'Dick the Apprentice?'

Mr. Clarke said he would give an answer to the first question,—it was utterly untrue.

Here followed another scene of confusion, during its continuance it was impossible to take any notice of what passed, but when order was restored we found Mr. Turton speaking to the first resolution proposed by Mr. J. P. Grant, and urging conciliatory measures, as the principal question was now fully disposed of. Mr. Turton proposed a resolution declaratory of the proprietors' confidence in the management and moved an adjournment. This was supported by Mr. Stocqueler, but opposed by Mr. W. P. Grant, and Mr. C. R. Prinsep; the latter gentleman expressing himself strongly with regard to what he described as a useless call on the proprietors to waste their time and lungs most unprofitably, and which he considered as deserving their strongest reprobation. After a long conversation, during which five or six spoke at the same time, Mr. C. R. Prinsep proposed the following resolution, which was seconded by Mr. J. P. Grant, who withdrew the resolution previously proposed:—

'That the call upon the proprietors on this occasion, at the instance of a small minority of the managers, to consider of a resolution of the majority was wholly unnecessary and derogatory to our sense of the obligations we owe to the managers at large.'

To this resolution Mr. Trower, Mr. Stocqueler, and several other gentlemen objected, chiefly urging that the services rendered by Mr. Clarke to the theatre, made it particularly desirable that he should not be placed in such a situation as would render his resignation a necessary step. Mr. Siddons also admitted that Mr. Clarke's services as a manager had, in a particular line, been very useful.

But Mr. Clarke was desirous of being judged by what he had then done, not what he had done on any former occasion; declaring that whenever he thought it necessary he would appeal from the managers to the proprietors. With reference to the warmth with which he had expressed himself towards Mr. J. W. Alexander, he explained that he did not cast any imputation on that gentlemen; he merely denied the truth of the report that he had charged the Italians with robbing the house. He was aware such reports had been maliciously promulgated.—Mr. Alexander expressed himself perfectly satisfied with this explanation. Mr. Clarke in conclusion acknowledged that he had stated that the Italians had damaged the wardrobe to an amount perhaps of Rs. 2,000.—This brought up Mr. T. Fergusson, who warmly advocated the cause of the Italians, censuring Mr. Clarke for bringing forward any charges against parties who were not present to defend themselves. Cries of 'order,' 'order,' chair, chair, prevented our taking any notes, but we observed Dwarkanauth Tagore, Mr. Turton, Mr. Higgins, Mr. Clarke, and Mr. W. P. Grant all addressing the chair at the same moment. We understood Mr. Higgins to express his preference for English performance rather than Italian, and his regret that Mr. Clarke should attend to the interests of the theatre when he ought to be watching those of his client;—Dwarkanauth Tagore, his regret that he had lost three hours last week, and five hours to-day 'moonshine;' Mr. Parker his hope that it would not be reported or he might lose his appointment, and Mr. Turton his hope that it would to show their consistency. When silence was restored we found Mr. Turton again pressing his motion for adjournment.

Colonel Beatson opposed it. He thought that the meeting was called upon to express a decided opinion on the conduct of the gentlemen who had been principally concerned in calling it, especially since Mr. Clarke persisted in defending the measure he had adopted, and declared his determination to follow a similar course whenever he should think it necessary to do so. He thought Mr. Clarke's conduct factious, though he wished to be understood that he used the word 'factious' in a parliamentary sense.

Mr. Turton's resolution was again read after undergoing several modifications. It was seconded by Mr. H. M. Parker, and was as follows:—

'That the majority of the managers having settled until the annual meeting of proprietors the question of letting the theatre to the Italian Opera Committee, the meeting thinks it necessary to express its dissatisfaction that the minority of the managers did not acquiesce in such decision, as the course best adapted to promote that harmony, and cordiality amongst the managers which is essential to the true interests of the theatre. And that this meeting do now adjourn.'

Mr. W. P. Grant said there were two distinct questions; first, the approval of what the managers had done; and secondly, the terms on which the house had been let to the Italian Committee. If the motion had been confined to either or both of those subjects, it would have been very proper, but he must decidedly object to any attempt to adjourn the meeting.

Considerable discussion followed, after which the meeting divided on the question of adjournment, when the numbers appeared for the motion 22, against it 26. The result was hailed with loud cheers, and after a long dispute as to the right of several gentlemen to vote, Mr. C. R. Prinsep, and Mr. J. P. Grant again pressed the resolution which they had respectively moved and seconded.

Mr. Clarke opposed the motion on the distinct ground that it impugned the proprietors' right to call a meeting.

Mr. W. P. Grant wished to understand clearly what the meeting were called on to vote upon, for if the resolution did not convey censure to Mr. Clarke, he could oppose his honorable relative's withdrawal of the resolution originally proposed. It was a very ungracious and a very disagreeable task, but there were several gentlemen present who had very strong opinions as to taking the sense of the meeting on this particular question, and he did say that when a gentleman came forward

and persisted in defending the calling of this meeting as Mr. Clarke had done, it became their duty to express an opinion that Mr. Clarke had acted inconsistently with his duty as a manager. He had been willing to allow that the meeting had expressed its censure on the minority by its approval of the course adopted by the majority, and, that the censure was as much as the conduct of a gentleman merited who in a pet had declared that he would 'override' the majority. But when he found that gentleman persisting in the course he had adopted, he thought it his duty to press for a more decided mark of the meeting's displeasure.

Mr. W. P. Grant then pressed the chairman to put his brother, (Mr. J. P. Grant's) resolution to the meeting. Mr. O. Haulon refused, on the ground that as one of the requisionists, it applied censure to himself. Much confusion followed, and after a long discussion in which Mr Turton, Colonel Young. Mr. J. W. Alexander, Mr. C. R. Prinsep took part, Mr. Turton's resolution without the proposition for an adjournment was put and carried.

Mr. Clarke thought the resolution just adopted was calculated to give the erroneous impression that this meeting was called only for the consideration of one subject, whereas the object he had in view was to determine with regard to the repairs of the house. In calling the meeting he had done nothing but what he would do again, and he denied that it had been called solely for this purpose of considering the manager's agreement with the Italians.

Colonel Beatson, who had voted for Mr. Turton's resolution, expressed his surprize that it had been so ill received.

Towards the close of the meeting, a motion was made by Mr. J. P. Grant, seconded by W. Grant—*That this Meeting of Proprietors request Mr. Clarke to retire from the management of the Theatre.*' On which a division took place when by the report of the sellers, the numbers were, with the vote of the chairman, equal. On the right of the chairman to vote a good deal of discussion took place, in which it was admitted the usage of the two Houses of Parliament differed on this point, the chairman of the Commons not voting unless when the numbers were equal, the chairman of the house of Lords voting in every division.

Mr. O'Hanlon inquired if there was any local usage? One gentleman present, said he, as *chairman*, had voted: another that he might as *chairman* have voted. The chairman on these considerations, and statements voted against Mr. Grant's motion.

After the votes were thus taken, two proprietors Mr. Hyland and Mr. Hare, who had been left out of the division, presented themselves and declared their determination to vote against the motion for Mr. Clarke's retirement. The chairman said he considered himself bound *not now* to receive their votes.

Previous to the chairman voting against Mr J. P. Grant's resolution, that gentleman and the majority of those who had voted with him, protested against the chairman giving any vote on the question, and left the room, declaring they considered the opinion expressed by the meeting quite sufficient for their purpose.

After Mr. O'Hanlon quitted the chair, he expressed himself very strongly regarding what he considered the vindictive feeling with which Mr. Clarke had been pursued, and Mr. Clarke declared that a knowledge of the fact that many of the gentlemen who voted against him, had become shareholders for the occasion, and had not paid for their shares, could alone reconcile him to continue in the management.

Thanks were then voted to the chairman, and the meeting separated.—*Englishman.*

## MEETING OF THE LAUDABLE SOCIETIES.

The meeting of the Shareholders in the Laudables, was held on the 6th May, at the office of the Secretary, pursuant to notice. Dr. Bramley in the Chair. The first business transacted, was the election of three Directors to fill vacancies. Messrs. Greenlaw, T. Holroyd, and W. H. Twentyman, were proposed in the usual form, and duly elected. Mr. Turton explained that they were desirous of proposing some Civil Servant, but that no gentleman in the service held policies on his own account.

On the motion of Mr. LOWE, seconded by Mr. COWIE, it was then resolved, that the correspondence of the Secretary with the Secretary of the Government office should be read with exception to that portion of it which had appeared in the newspapers. the substance of which Mr. Cullen was requested to state, which he accordingly did, and then read a letter of Mr. Curnin's addressed to himself which appeared to us to be in substance the same as a letter signed INDICATOR, in the *Englishman*, and also a letter from the Committee of the Government office to the Governor-General. Mr. Cullen stated that he had denied the assertion of Mr. Curnin, that the *Universal* had drawn away ten lakhs of the business of the Laudables, and observed, that he was only aware of one transfer, to which Mr. Curnin had replied that he had no means of knowing the amount of transfers, but that the Universal, if there were no Government office, would draw all the good risks, and the Laudables spin themselves out into insolvency. This correspondence will be published we believe.

A question arose whether Mr. Greenlaw's appeal to the Government should be read, but the meeting decided in the negative.

Mr. GREENLAW then addressed the meeting. The meeting were aware that he was at first friendly to the establishment of a government institution. He then knew nothing of the proposed rules and was disposed, as he still felt to give Government credit for the purest motives—in the words of his appeal, he approved of the principle and only wanted to see an introductory fundamental rule to the effect that all *bonâ fide* subscribers to existing societies should be taken over on paying the same premiums for the same amount of risk without any new certificate, the receipt of the old Society for the premium being held sufficient. He had not then seen the rules, but the moment he saw them, he perceived that they did not afford security to existing interests. Mr. Curnin had said that he, Mr. G., had done all in his power to defeat the government institution. How did Mr. Curnin know that? Had he seen it under his, Mr. Greenlaw's, hand? Yes, and he would tell the Meeting how. He, Mr. G., had addressed a letter to Mr. Cullen, Mr. Curnin had opened that letter because as he said he was told it came from Greenlaw. He had assigned no other reason; but he, Mr. Greenlaw, would impute it, of course, entirely to mistake, as he admitted his hand writing was not very intelligible; but he did contend that having obtained his knowledge in this way from a private note not addressed to him, Mr. Curnin had no right to make any public use of knowledge so obtained. He did not complain of it, however, because he, Mr. G. had neither written or said a word on the subject which he objected to have made public.

Mr. GREENLAW then sat down, but immediately rose again to say that he had been asked whether he had been in previous correspondence with Mr. Cur-

nin. He admitted that he had the previous evening addressed him, respecting the rules of the new institution.

Mr. TURTON then addressed the meeting at some length, but we can profess only to give a brief outline of what fell from him. It is the less necessary, indeed, to go into detail as this gentleman's arguments are embodied in the Petition which was afterwards read and proposed to be submitted for the signature of the Directors. Mr. T. commenced by alluding to a remark in a letter in the *Englishman*. He felt some delicacy in addressing the meeting because he might be charged with availing himself of this "cheap mode of advertizing his talents." If he wanted to advertize he had ample opportunity without coming there: the fact was that he had been many years connected with that Society and had sustained its interests in times of greater difficulty. He could remember very well that when after the failures it was discovered that six lakhs of the funds of the Societies were inefficiently secured, the cry was that they were ruined, and one Director declared that it would be madness to go on; but he, Mr. T., took a different view of the matter, and thought that the institution might be restored and put on a better footing. He would appeal to the meeting whether in two years his predictions had been verified or not. The Landables had yielded an average of 7,000. The 7th Landable had divided 6,000 and would yield, he believed, altogether 7,000 rupees; while in the 13th Landable, which had been most unfortunate, the out-turn of which was so bad, *not one cowrie* of the funds had been lost. Mr. Turton explained why he thought this society had not turned out so well, but we did not clearly catch his explanation. We think it was, that the Society had an unlucky year to begin with and had taken too short an average of years, and that was all the 13th Landable Society could blame themselves with. But a great outcry was raised which spread far and wide and reached, among others, the late benevolent Governor-General, whose benevolence would not suffer him to give any aid to the mercantile community in their distress, yet did not prevent him from practically proclaiming that there was not credit or honesty enough in the community to conduct the business of Life Insurance—this was the wound which public credit received from Lord William Bentinck. Mr. Turton had always entertained a high respect for the character of Lord William Bentinck, nor did he charge him in this matter with unworthy motives, but unquestionably his Lordship was misled. His Lordship, without consulting any existing institution, appointed a Committee, that Committee, from the day of its appointment, up to this time, never communicates a word of its proceedings to those whose interests were likely to be affected by the new institution. Up to this moment he knew nothing of the representations of that body to the Government. On the eve of his Lordship's departure, it is intimated in the Official Gazette, that a Government Office will be established; it was acknowledged that extensive injury will be done by this measure, to existing institutions, and we are assured that the Government are prepared to consider and provide for them; but the public had a right to know to what extent, what is the nature of the guarantee or indemnity proposed; but no such information was given and it would appear by the second communication on the subject, that a transfer was all that was really offered. But whatever might be the nature of the guarantee, he, Mr. Turton, did not hesitate to declare, that the Government had no right, no legal power to give a guarantee; and what is more, if they did give such guarantee, there was no fund in existence which they could legally appropriate to it. Their whole revenue was by the new Charter applicable to the purposes of Government and the dividend, and to these only. Before that Act, the Company had a right, as a commercial body, to apply the revenues to any commercial purposes—to guarantee any thing they liked—they might even, if they had pleased, have guaranteed the price of indigo! but they had no such right now. Mr. Turton then proceeded to support his opinion by references to the 4th, 5th, 6th, 9th, 10th and 25th Clauses of the Charter, and contended that if a guarantee were required, and it could be of any avail by the 6th Clause, the Board of Control alone could grant it; that the guarantee or indemnity cannot be lawfully contracted, and that therefore the shareholders in such a Society would be debarred all remedy in law or equity; that the Government had not the power of pledging the Proprietors in any way. The 10 per cent., the dividend was guaranteed, subject to certain priorities of claim, let what would happen, and he would add that any Governor who should attempt to appropriate the revenues contrary to these provisions, would be guilty of a public offence—the Governor who put his hand to any such guarantee as that in question, might be impeached. Not even with the sanction of the Board of Control can the Governor appropriate one farthing to any other purposes than the purposes of government, and they are equally prohibited from pledging the dividends. Say that the law officer should take the same view of the question that he, Mr. T., did, and give his opinion—to Manners Sutton or the new governor whoever he may be—the institution would then be dissolved, the governor would tell those who accepted the guarantee, "I can't keep faith with you, you should have looked to the authority of the government to give that guarantee." We had heard a great deal about the good faith of the Government, the Military Bank was a case in point. He, Mr. T., had had a case before him from the 11th Dragoons as to their right to come on the Government regarding the Bank as a government institution, and as having the guarantee of the state. He considered that there was no such guarantee, but the men were actually assembled on parade and called on to confide in the Bank, so that they naturally concluded that the guarantee was given and there was not one man in ten in the whole Army who was not fully persuaded that the Bank had the security of Government. Against any misapprehensions of this kind we should guard. Suppose to-morrow, that all the risk of existing institutions were taken over, the aggregate amount would be about two crores of rupees, including the Universal. We are told that without the acceptance of this offer we should be ruined, that all would leave us except grey-headed old fellows, yet it seems they would be glad to get this ruin. Did Mr. Curnin then indeed grasp at a ruin? He would say, however, for the sake of argument, that the whole two crores were taken over. Such a six months as we have seen, might more than swallow up the whole fund of the institution to meet claims:—well, the Government pay, the Board of Control refuse to sanction—the Government say we only guarantee mutual assurers—what then, they come back upon the mutual assurers—they would not get much out of him—many would be unable to pay; but those who could not, will be pretty well squeezed for those who can: but he would suppose no loss should occur, and that the Government was merely forbidden to continue the guarantee, and leave us to restore the Landables; but this was not what we wanted—where were our funds? swallowed up in Mr. Curnin's salary perhaps. If Government should give up the office, what then? Would this Society receive it from them." Government took over, we should be told, "the seeds of ruin, and they may have grown up and furnished a fruitful crop of it." Mr. Turton proceeded to argue that before Government interfered with existing institutions, it was bound to see that it had the power to guarantee and to make that guarantee specific. It had been alleged that by the establishment of Universal the Landables must spin themselves into insolvency. It was alleged that the Universal returned more than the Landables. He would shew that that was a fallacy, it was not true. The Landables returned the whole—the Universal four-fifths. Mr. Turton then adverted to some change in the plan of the Landables which had been adopted, and contended that any man under 50 would pay less in that institution than in the Government office; but it had been urged as matter of charge that the Landables returned the whole and divided every five years, and it had been

asked in a very exulting tone, who ever heard of an Assurance Office dividing every five years? now he would ask who ever heard of these offices not dividing in five or seven years? The Equitable, one of the first offices in England, divided every seven years, and other offices in England divided in five or seven. It had been urged that the Societies would be ruined by their old lives, that a constant infusion of young lives was essential to the success of the institution; now it would perhaps surprise the Meeting, but it was a fact that if only lives of eighty were insured at the rates stated by INDICATOR (a writer in the *Englishman*) the societies would gain more than by lives of twenty!! He did not make this assertion without having data to prove it; but so cautious had the societies been that they had acted against the advice of Mr. Curnin and had fixed a greater value on the shares than they might with safety held out. Mr. Turton here read a letter of Mr. Curnin's, in which that gentleman had stated with reference to the rules of the New Landable Societies, that if no other institution were established that might prevent the Societies from having a fair share of business, the Society might safely advance 4,000 more, dividing every five years. "Yet who ever heard of dividing every five years?" Why, Mr. Curnin it seems; but the Society had fixed the value at 7,000 rupees. After some further remarks, Mr. Turton proceeded to read the following passages from a letter signed INDICATOR in the *Englishman*.

"Let me put the whole case practically to you, and I will do it fairly, and even favourably. Say, that a new Landable on your plan starts into healthy being. Say that it forthwith succeeds in obtaining a thousand subscribers for full shares, and has to run for 5 years. The first year's receipts we may assume at 3 lacs; and, with reference to former experience, and the ascertained law of mortality, to which all lives from 20 years and upwards, in this climate, are exposed, it will probably have to pay, during that year, ,140,000 ~~Rs~~ or the customary advance of 4000 ~~Rs~~ on 35 lapses. It will then carry on 1,60,000 rupees to the next year. The same process will ensue in the second year, and so on, throughout the five years, provided always that 175 new subscribers during these years, or 35 per annum, replace the number of lapsed shares. We need not calculate the interest;—we suppose it gone for establishment and to meet unforeseen contingencies. So far all is well. There will remain 8 lacs at least for final division, yielding if the old rule of deducting 10 per cent. be adhered to a further dividend to each lapsed share of a little more than 4000 rupees each.'

"All thus onward is *couleur de rose*; and so it may be for at least three or four or more succeeding societies; *provided ever* that new and healthy subscribers *replace* the lapses. But lo! after such 20 or 25 years there will still remain two or three hundred of the original thousand shareholders,—men aged as your fellow subscriber C. would pourtray himself to be, and who will increase your average rate of decrements beyond contemplated or safe ratio.* They have large sums at stake; for while they could obtain fresh certificates or health from time to time, they contrived to extend their number of shares as they rose in their professions, or profited in their respective pursuits. Now comes the tug of war! These men have subscribed heavily, for years, on the principle always of *sic vos non vobis*, and have made up the shares of earlier lapses, leaving their own to the coming mercies and tender approaches of juvenile applicants for the same beneficial system they have gone through. Alas! not a rupee of their own payments is in hand to meet their own impending fate:—the advances made by the Landables for increased mortality soon become more and more appalling and frequent;—the eyes of the public are opened:—they of the many bad lives in the invalid and antiquated Landables;—new subscribers fail to approach and THEN who are to pay the remaining aged assured of that day? As for increasing rates of premium, these are utterly inadequate, if unsupported by new and healthy contributions; and, in a word, shares must fall to half, nay a tithe of their present amount!! The picture is not overdrawn; for it admits of ample proof. It is an axiom in life assurance, that a society based like yours, carries in it the seeds of irretrievable decay; and so must every assurance office that madly pays away,—*clears out*, as it were, every few years that which ought to accumulate in due proportion, and form a capital equal to the value of every existing liability on its books."

Mr. TURTON shewed satisfactorily, that from INDICATOR's own data a very different result would follow; that the lives of 80 would yield 9,000, those of 10 6,400 taking lapses at 3 per cent., premiums at 2·84. We could not follow the speaker in some remarks which succeeded. He reasoned with great force against the interference of Government, and contended that if it must be submitted to, the guarantee should be secured by Act of Parliament, and declared that independent of the general grounds of objection, speaking for himself, he was largely interested in getting back what he had paid, for the Landables and Oriental, but would rather see them sink and lose it all than get it back from an institution, the establishment of which was a disgraceful insult to the community. After some further remarks Mr. Turton concluded by moving the following Resolution:—

"That this Meeting is of opinion that no negociation can be entered into with the Government for the transfer of the risks of the Landable Societies to the Government Office, even if such a proceeding should be thought ultimately advsiable, until the nature and extent of the guarantee which Government is willing to give, and the degree of the liability which the subscribers to the new Society will incur, can be clearly and distinctly defined, and shall be offered by Government; and that a communication, to that effect be made to Government, pointing out the legal objections which have been raised to the guarantee."

Mr. GREENLAW seconded the resolution, and made some remarks on the plan of the Landables which we did not clearly catch.

Lieutenant-Colonel BEATSON agreed in much that had fallen from Mr. Turton, but thought, we should consider not merely what was just and right, but what was expedient in the particular case. If the Government office were established, people would not trouble themselves much with the law of the case—they would not search Acts of Parliament; but they would prefer the institution which afforded them the guarantee of Government. He thought it was clear, that whether the societies should lose their present subscribers or not, that they would not get new ones, as they would have done, if Government had not interfered. He had not been able to discover the advantages of the Universal, he preferred the simple principle of the Landables, of Mutual Assurance and dividing the profits; but be that as it might, if the effect he had mentioned should follow, those who remained in the societies would be much worse off some years hence, than they actually were. He thought it therefore better that the Landables should merge in the Government Office, although he deemed it most essential to know the extent of the guarantee, and also that Government should be informed of the power of Government to to give such guarantee.

Mr. TURTON.—As a professional man I hesitate not to say I have no doubt whatever. I had doubts at first but now I have none.

Lieutenant-Colonel BEATSON observed, that the fact of such an opinion being given by a gentleman of Mr. Turton's high professional reputation, would be a sufficient ground to induce every one to pause and consider. Lieutenant-Colonel Beatson ended by proposing an amendment, which was subsequently withdrawn, after some remarks from Mr. Turton, who permitted his original resolution to be altered as it now stands.

Mr. COUL then proposed:—

"That the Petition which has just been read, be adopted by the meeting, and that the Directors be requested to sign it on behalf of the Societies."

Mr. STRICKLAND seconded the resolution.

The petition was then read, but as it was to be circulated to the Directors, we have it not in our power to publish it at present.

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* To assist any reader who may wish to attempt a calculation on these points, they will find the following to be very near the per centage of decrement in India per annum, among the fair average of lives assured:—after 60, the per centage increases fearfully, and if the lives are *bad* the matter is beyond any calculation of figures."

| | | |
|---|---|---|
| At 20 | Years the annual per centage of deaths are | 2 84 |
| 30 | ..... | 3 40 |
| 40 | ..... | 4 16 |
| 50 | ..... | 4 64 |
| 60 | ..... | 6 87 |
| 70 | ..... | 9 51 |
| 80 | ..... | 22 0 |

Some discussion then ensued, in which Colonel Beatson, Mr. E. McNaghten, and Mr. Greenlaw engaged, when the petition was put and carried by a majority.

Lieutenant-Colonel BEATSON then again addressed the meeting, observing that the petition agreed to was against the establishment of the Government office. If it should be established then what he proposed would be of no consequence, but otherwise it would be necessary to adopt some course of the kind. If the office be established people would go to the Government shop. Mr. Turton himself had admitted the new office would carry individuals though the societies might not go over. Then in case the office should be established he proposed that they should be addressed to ascertain at what rate they would take over the risks of the societies.

Mr. GREENLAW objected that this was ill-timed and would imply that we objected merely to the inefficiency and uncertainty of the guarantee, whereas the rules were in many other important points most objectionable. Some of these Mr. G. proposed to explain, but they had been stated before at the Meeting and we must hasten to close this report. After some further discussion and explanation Lieutenant-Colonel Beatson withdrew his amendment. The following is the authenticated Resolutions passed at the meeting :—

"M. J. BRAMLEY, ESQ., IN THE CHAIR.

It was proposed by Mr. Palmer, and seconded by Mr. Turton,—That the following gentlemen be appointed to fill up the vacancies in the direction, viz:—T. Holroyd, C. B. Greenlaw and W. H. Twentyman, Esquires."

Proposed by Mr. Lowe, seconded by Mr. Cowie—That the Secretary be requested to read all that part of the correspondence between the Government Committee and Directors of the Laudable Societies which has not already been published, and shortly to state the purport of that portion of it which has already appeared in the newspapers; which was complied with.

Proposed by Mr. Turton, seconded by Mr. Greenlaw:—That this Meeting is of opinion that no negociation can be entered into with the Government for the transfer of the risks of the Laudable Societies to the Government Office, even if such a proceeding should be thought ultimately advisable, until the nature and extent of the guarantee which Government is willing to give, and the degree of the liability which the subscribers to the new Society will incur, can be clearly and distinctly defined, and shall be offered by Government; and that a communication to that effect be made to Government, pointing out the legal objections which have been raised to the guarantee.

Read Petition of the Governor General in Council, regarding the proposed Government Institution, for the Insurance of Lives.

Proposed by Mr. Coull, seconded by Mr. Smith :—That the Petition which has just been read, be adopted by the Meeting, and that the Directors be requested to sign it on behalf of the Societies.

Moved by Mr. Greenlaw, seconded by Mr. Holroyd,—That the thanks of this Meeting be given to the Directors for the care taken by them in endeavouring to obtain from the Committee all necessary information for the Subscribers in order to their determining the best course to pursue under their circumstances of the case, and that they be requested to continue similiar exertions with reference to the 8d Resolution.

Proposed by Col. Beatson, seconded by Mr. Turton,—That in the event of the Government Office being put in operation, that the directors be requested to call a Meeting of Proprietors as soon as practicable, after such event shall be known.

Moved by Mr. Turton, seconded by Mr. E. Macnaghten—That article 44 of the Rule of the new Laudable Society be cancelled and that the following be substituted in its room.

In case of the Office of Secretary becoming vacant, it shall be filled up by the Directors *pro tempore*, and the appointment is to be submitted to the body of Shareholders at the next half yearly General Meeting.

Moved by Mr. Turton, seconded by Mr. Mackenzie,—That the thanks of this Meeting be given to the Chairman for his services on the occasion.

(Signed) J. CULLEN,

Secy. to the Laudable Societies."

**The thanks of the Meeting were then voted to the chair, and the business of the day concluded.**

## TABULAR STATEMENT

READ BY MR. TURTON AT THE MEETING OF THE LAUDABLE SOCIETIES.

1,000 lives at 20—on full risks, *i. e.* 10 shares per life.

10,000 } shares at a prem. of
200 } 200 per share.

2,000,000 per annum.
5

for 5 years, 10,000,000 Total premiums.
Dedt. regulated advance, 6,000,000 on 1,500 shares at 4,000.

4,000,000
Dedt. 10 per cent. for fund, 400,000

3,600,000 } divisible among 1,500 shares.

Lapses at 3 per cent. on 1,000 lives, 30 per annum, 10 shares each, 300 shares in 5 years, 150 lives or 1,500 shares regulated adv. 4,000 per share.

6,000,000

1,500) 3,600,000 (2,400 per share being with the regulated adv.
3,000
6,000
6,000
00

1,000 lives at 50 full risks 10,000 } shares at a premium of
422 } 422 per share.

4,220,000
5

21,100,000
Dedt. regulated advance, 10,000,000 on 2,500 shares.

11,100,000
Dedt. 10 pr. cent. for fund, 1,110,000

9,990,000 } divisible among 2,500 shares.

Lapses at 5 per cent. on 10,000 lives 500 pr. annum 10 shares each, 500 shares in 5 years, 2,500 shares on which regulated adv. 4,000 per share

10,000,000

2,500) 9,990,000 (3,996 per share without the former fund, or
7,500
24,900
22,500
24,000
22,500
15,000
15,000

8,000 Rupees per share within 4 Rupees.

1,000 lives at 80—on full risks 10,000 } shares at a premium of
2,200 } 2,200 per share.

22,000,000 annual premium.
5 years.

110,000,000
Dedt. regulated advance, 46,000,000

64,000,000
Dedt. 10 pr. cent. for fund, 6,400,000

57,600,000 } divisible among 11,500 shares.

Lapses at 23 per cent. annually on 1,000 lives, 230 10 shares each, 2,300 in 5 years, 11,500 shares regulated adv. 4,000 per share.

46,000,000

11,500) 57,600,000 (5,008 per share.
57,500
160,000
92,000

or 9,008 per share with the advance without the former fund.

*Bengal Hurkaru.*]

# LIFE ASSURANCE SOCIETIES' PETITION.

*To the Hon. Sir* CHARLES THEOPHILUS METCALFE, *Bt., Governor-General in-Council, &c, &c, &c.*

The humble petition of the undersigned, merchants and others, inhabitants of Calcutta, interested in life assurance.

HUMBLY SHEWETH,—That your petitioners are largely interested in various ways in the insurance of lives in Calcutta, chiefly as insurers, some of them to a very large amount.

That your Petitioners have learnt with very great regret that it is the intention of Government to institute an office for the insurance of lives under their guarantee, and under the guidance of directors, of whom two thirds are to be appointed by Government.

That unless your petitioners are misinformed, the original institution of the office was suggested at a time when there were but two institutions for the insurance of lives in Calcutta, namely the Laudable Societies, which may be considered as one, and the Oriental Insurance Office; of which the first having been almost entirely in the hands of the principal Houses of Agency and being involved in their failure, was thought by many to have been irretrievably ruined, and the other of which was, after those failures, in the hands of only one proprietor.

Under these circumstances, and the natural alarm created by them in the minds of the timid, it was desirable for the great and important objects of life insurance, to establish some institution which should effectually guard against the evils which had arisen under the former system, and which should offer the greatest possible advantages of security and economy.

There were some who feared that Calcutta did not, under its then circumstances of difficulty and distress, offer the means of establishing this great object without the assistance of Government, and under this impression the Right Honorable the late Governor-General in Council, as your petitioners have been informed, was pleased to appoint a Committee to inquire into and to consider the subject: and, after two years of deliberation, during which no part of their proceedings were made public, it was for the first time announced, on the eve of his departure, that a mutual insurance society would be immediately established under the guarantee of Government. Still, however, the public were wholly uninformed of the distinct object or intentions of Government, and of the rules which were to govern the projected institution. Unable to judge, until the moment it was announced, of what would be the probable determination of Government,—completely in the dark as to the proceedings of the Committee or their reports and representations on the matter referred to them, —and in utter ignorance to this moment of the promoters and instigators of the interference of Government, your petitioners were unable previously to come forward and represent their feelings or wishes on the subject, nor would it, as your petitioners conceive, have been equally respectful to Government to have anticipated their intentions, or to have prejudged the labours of the Committee.

In the meantime, a total change has taken place in the circumstances which induced the Government originally to listen to the proposition, a change which your petitioners venture to suggest is not confined to the public, to the insurers or to the insured; but which extends to the very Government itself.

At the time when the Committee were appointed, the East India Company was a commercial body as well as a Government, and had commercial funds entirely free from controul, which they might employ in any mode, at the discretion of the Directors; and such was their situation at the time when (unless your petitioners have been misled) the suggestion of such an institution was not unfavourably received by the Honorable Court.

At the present moment, the commercial competition of the Honorable Company with private enterprize, has been, by Act of Parliament, interdicted. The whole funds of the Company are territorial, and with the whole of their affairs under the controul of the British Government, which renders necessary the sanction, not only of the Hon'ble the Court of Directors, but also of the Board of Controul, to the permanent establishment of a Government insurance office, or the validity of the guarantee.

On the other hand, private enterprize has supplied, during the period of the Committee's deliberations, the desideratum which gave occasion to their appointment.

The affairs of the Laudable Societies, on closer investigation, were found in a better state than the alarms of the timid, or representations of the self-interested, had painted them. One society, the 13th Supplementary, had suffered no loss of funds,—whilst the sister society, the 7th Laudable, was found to have been more fully secured than even some of its friends had imagined, and it has divided already nearly 6,000 rupees per share, and will ultimately divide, in all probability, Sa. Rs. 7,000 per share, a larger return, it will be found on examination, then even the Government scheme holds out to the public under the proposed rates of premium. Measures were taken to re-organize the constitution of the societies, and they are now in progress of consolidation on a footing which whilst it places them under the controul of all the different classes of which the public consists,—gives the greatest security that the funds cannot be misappropriated or endangered, confers on every insurer the fullest right of investigation, of interference, and self-government, places its management on the most limited scale of expense, and returns to the insurers in it every rupee of profit not requisite to secure the amount insured.

The Oriental Insurance Company has, in like manner, been re-organized, and is in the hands of a large and respectable body of proprietors. Its management is likewise on the most economical footing, its capital laccumulating for the security of the insured, and it offers to all who wish to become mutual insurers, the power of doing so, and participating in its advantages, whilst it receives all who would avoid the risk or trouble of mutual insurance on the ordinary footing of simple insurers.

During the same period, another insurance office has been established, connected with an office with large capital in London and having a numerous proprietory in India.

These offices your petitioners humbly insist, afford every necessary security, whilst your petitioners are satisfied that the new Laudable Society at least is on a much cheaper scale than that put forth by the new Government institution; its establishment being infinitely less expensive, and its whole surplus profits being returnable. The other offices your petitioners believe, on the average, to be on as low a scale of premium, and if not, competition will lower it. The Government office will destroy competition.

The present offices, however, have successfully continued the business of insurance in Calcutta, under the circumstances of the greatest disadvantage. The failure of the great Agency Houses withdrew from them business to a very large extent, leaving upon their hands the worst lives and the heaviest risks. The rumours of a projected Government Office have induced many to hold back, under a fear that it would annihilate the old offices which would be unable to compete with Government. During the first year of this period, owing to the above circumstances, heavy losses occurred, beyond all former example, without corresponding new business to meet them. In the latter part of the period, a natural reaction has taken place, and with greatly improved lists, the offices were beginning to feel a lively return for their interprize and perseverance, when a Government competition is announced, which in the very language of its announce-

ment, anticipates the deepest injury to, or the very annihilation of, the existing offices.

That the establishment of the Government office would materially affect the existing institutions, your petitioners do not doubt, from the influence which the name of Government will ever have. But your petitioners submit that such injury will be inflicted, without adequate cause, for no certain good, which it is not only possible, but in the estimation of your petitioners, it is highly probable that much evil may ensue to your petitioners, and the rest of the public who are insurers, from such establishment.

Your petitioners refrain from any general observations upon the interference of Government with private interprize, or upon the injurious tendency to asperse public credit, which the projected measure is likely to have, from respect to the Government, and a desire to abstain from every observation which may afford matter of discussion of dispute; but they may venture to suggest, that there are some, who, with their families, are entirely, and others who are greatly, dependent for support on the existing institutions, and who by their destruction would be reduced to ruin, or by their injury would be proportionally distressed; and your petitioners presume that the Government would not desire to interfere, unless under the impression that the public seek and would be benefitted by such interference. Your petitioners venture to suggest that the opinions and wants and wishes of the public on this subject, have been misrepresented. They respectfully solicit to know what body, and what individuals have solicited the interposition of Government. Your petitioners feel satisfied that they represent the feelings of a very large portion of the public of Calcutta, they might venture to say of Bengal, in respectfully but earnestly deprecating the proposed measure, whilst they give every credit to the Government with which the idea originated, for the purest and best intentions.

The direst effect which the friends, and many of the opponents of the new office equally anticipate, is the destruction of existing offices. If it would not have that effect, it is not desired nor needed by the public. If it produces that effect, the result is, that it will reduce future insurance in Bengal to Sa. ~~Rs~~ 100,000 on each life, the limit which the office affixis to future risks a limit which your petitioners consider ample for any one office, because it will greatly exceed the average amount of insurances, but an extent wholly inadequate for the objects of many insurers.

Your petitioners, however, do not anticipate that the effect of the Government office will be to annihilate the old offices, thought it will greatly injure them, by diverting from them many individual risks; but connected as insurances are with the Commercial classes in Calcutta, your petitioners feel assured that the great body of Insurance effected by Commercial Houses will rest with the one or other of the present institutions, with which the parties may be chiefly connected; and your petitioners embrace amongst their own numbers some, and are acquainted with others, who, unconnected with Commerce, still deprecate, and feel alarmed at the interference of Government with private enterprize, and others who fear to enter into engagements in which in case of difference of opinion they could not venture in a contest which they would consider as one with the Government of the Country.

Your petitioners do not feel entitled to urge the probability, under such circumstances, of the Government office not affording, in the first instance, sufficient surplus profits to defray the charge of management, (necessarily larger, whilst the arrangements are incomplete,) so far as the Government are concerned: but they would feel little inducement to join an office of mutual insurance, under such circumstances, where, as mutual insurers they would incur a liability to the extent of the whole risks, without any funds in the first instance to satisfy them, beyond the amount of premiums, the whole amount of which in the first year, might be absorbed by two or three heavy losses, and for the payment of which, though the assured would have the guarantee of Government, your petitioners presume the mutual insurers would be respectively liable.

It is perhaps on this point, on which, as far as prudence merely is concerned, your petitioners have the greatest alarm, and would most hesitate to join the projected office.

No fund is subscribed to guarantee the payment of losses. The first instance, as your petitioners conceive, of an insurance office established without such resource. It is true, the guarantee of Government supplies that deficiency, if the Government have the power to give the guarantee.

Your petitioners earnestly hope, that, in casting any doubt upon such power, they may not be considered as intending the slightest disrespect to Government. But the subject is one of the deepest importance, and must be so considered by Government, or it would not have deviated from its ordinary path to hold out the hand of assistance to those who are interested in life assurances. It behoves every one, therefore, minutely to scan the guarantee he receives, not merely in amount, but in Law. If it should be ultimately held, that such a guarantee trenched upon the commercial interprize from which the Company are interdicted by act of Parliament, or that such payments out of the territorial revenue of Government were foreign to the purposes for which the Government was continued in the Company, such guarantee could not be enforced,—such guarantee could not legally be fulfilled, however much the good faith of Government was involved. The result must be the dissolution of the institution, —possibly with loss to the members of it,—possibly with lapses unpaid!

The institution must be equally dissolved, if thought, though not beyond the power, beyond the proper sphere and objects of Government, and on that ground not sanctioned by the Honorable Court of Directors and Board of Control, as to the guarantee of Government. If that were withdrawn, what would be the situation of the insurers in the office without a fund to pay the lapses? If the new institution should have taken over, as the Committee propose, all the risks in Calcutta, they would be insurers to the amount of about two crores of rupees, —an unfortunate number of lapses, (such as heretofore has more than once occurred,) would confound all the calculations furnished, upon a nice average of years, and allowing but small profits, without a fund to meet casualties in the early years of such average. Should the Government have paid such losses in the meantime, your petitioners conceive they would have no trifling difficulty in recovering them back from the members of a dissolved Society, established under the guarantee of Government, and dissolved because the guarantee was withdrawn, and not sanctioned, whether by law or policy.

But even supposing no such pecuniary results what would be the situation of the insurers in the office? It may be said that the members might still continue mutual insurers amongst each other. They might indeed, without a fund, and without means probably as to many of them, to contribute towards the raising it. If they did continue, your petitioners submit, that not only would no advantge have been gained over the existing system, but that the collected funds which now form the security of the assured in the present societies, would have been dissipated, and that after the interference of Government with them, individuals would not be readily induced to form another fund; but your petitioners submit that the most probable event in such a state of things would be the entire dissolution of the institution. No legal obligation would exist to compel the parties to remain,—for the vital principle of their adherence is the guarantee of Government. This would be gone, and with it the liability which was incurred upon the faith of it, whether to the Government or to each other. The better lives would probably form a new society. The old and uninsurable would be helpless; and their families, if dependant upon their insurances, beggared. It is not necessary to make out against the present establishment of the proposed office that such consequences must necessarily ensue. It it enough, as your petitioners

conclude will not be disputed, to shew that they are not impossible.

With the guarantee of Government distinctly understood, its nature and extent defined, the rights of the assured and assurers equally guarded, the existing institutions might be saved from future loss. Your petitioners feel that without the offer of such distinct guarantee the Government cannot, and will not, be a party to the injury, and possible destruction of existing institutions. But your petitioners submit that the proprietors of those offices who have subscribed money to form a fund, should not only be guaranteed from future loss, but also receive back the amount of their deposit, principal and interest, and the fair estimated value of their business for the period for which they are united, before they can with justice be called upon to give way entirely to the Government office. Your petitioners have heard with surprise, that it has been proposed that the existing offices should make over "*all their assests* and risks" to the Government institution! In short that that Institution should receive the accumulated Fund of the Laudable Societies received from the former offices, and the subscribed funds of the Oriental and Universal offices!

Before, however, any purchase of existing rights can take place, your petitioners conceive that not only the extent to which the Government are willing to carry their guarantee should be defined, but that the validity of such guarantee should be placed beyond doubt. This, your petitioners conceive cannot be done until a reference shall have been made to England, and the sanction of the Honorable the Court of Directors, and that of the Board of Control obtained. Even that sanction your petitioners conceive would not protect parties in a Court of Justice, if it were held that the engagement of Government was a contravention of the late Act of Parliament.

Your petitioners would hope that if it shall be considered necessary to establish a Government insurance office that these doubts and alarms may be obviated by its being instituted under the sanction of an Act of Parliament, and Charter, under which all the proprietors and insurers may have rights and privileges, not only strictly defined, but expressly recognized by law.

In the mean time, all who are interested in the in the subject of insurance, are kept in a state of anxiety and incertitude. Commercial men who have embarked a portion of their capital in it, with a view to profit, see their enterprize threatened with failure, at the very moment when they considered all difficulties surmounted whilst if driven to protect themselves from a powerful competition, by selling or transferring to the Government office their present rights and risks, they embrace but a greater evil, and involve themselves in still graver doubts and difficulties.

That your petitioners are insurers collectively to the amount of Sa. Rs- 1.50,00,000 and upwards, and have the strongest possible interest in the establishment of secure and economical insurance. They are equally satisfied that the management of the Government office cannot be on a more economical footing, and they regret to say, that under the circumstances which they have noticed, and giving the fullest credit for good faith and every liberal intention to the Government, they cannot satisfy themselves that they would obtain perfect security in the Government office, because, in this respect, the Government are not altogether unfettered.

Your petitioners, therefore, with every respectful feeling towards the Government, most humbly, but earnestly, pray, that your honor will not sanction, or permit, the establishment of the projected office for the insurance of lives under the guarantee of Government; or that its establishment: may be postponed until such guarantee shall have been sanctioned by an Act of Parliament, and a Charter of Incorporation granted, or at least, until the guarantee of the Government shall have received the fiat of the Honorable the Court of Directors and Board of Controul, or that if it shall be determined, contrary to the earnest wishes and entreaties of your petitioners, to establish such office without such previous sanction obtained, then that your honor in council may be pleased to issue a Government Notification of the precise extent and nature of the guarantee of the Government on behalf of the East India Company, and of the fund on which such guarantee will be chargeable, with the liability of the mutual insurers to make good any advances of Government with such provisions as may be a distinct security to all parties in the event of the Honorable the Court of Directors and Board of Controul withdrawing their sanction from such guarantee.

And your petitioners, as in duty bound, will ever pray.

*Calcutta, 6th May*, 1835.

T. E. M. Turton, B. Harding, Dwarkanath Tagore, W. H. Twentyman, T. Holroyd, C. B. Greenlaw, } Members present of the Laudable Society's Committee.
E. C. Jenkins and Co. as Agents and Sec. Oriental Life Insurance Company, on behalf of the Society,
Colville, Gilmore and Co.,
Carr, Tagore and Co.,
Macintyre and Co.,
R. C. Jenkins and Co.
Boyd and Co.,
Gilmore and Co.,
Rustomjee, and Cowasjee,
George Vint,
John Hastie,
Bruce, Shand and Co.,
William Storm,
Longueville Clarke,
Tullob and Co.,
Adam F. Smith,
Willis and Earle,
Andrew Wight,
Brigtman and Co.,
Shedden and Co.,
W. N. Hedger,
John Lowe and Co.,
Mackenzie, Lyall and Co.,
Thomas DeSouza and Co.,
William Smalley,
N. C. Biale,
Adam Scott and Co.,
Smithson and Co.,
John Lackersteen,
Dick and Co.,
Eglinton, McClure and Co.,
T. Holroyd for self and R. C. Jenkins, Assignees, of Mackintosh and Co.
J. Mackillop,
John Palmer,
Thomas E. M. Turton,
C. B. Greenlaw,
C. Thackery,
J. Pattle,
C. R. Prinsep,
A. Garden,
H. Ford,
T. Milner,
Gisborne and Co.
G. Henderson,
C. A. Cavorke,
J. Steel,
A. R. Jackson,
W. Dunlop,
H. S. Mercer,
Charles Dearie,
Samuel Smith,
John Allan,
Robert C. Patton,
R. Scott Thomson,
Thomas Allardice,
A. Rogers.
Samuel Smith,
Ludk. Carmichael. [*Ibid.*

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## MEDICAL AND PHYSICAL SOCIETY.

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*Proceedings of a Meeting of the Medical and Physical Society held at the Asiatic Society's Apartments, May 2, 1835.*

A copy of part II. vol. VII. of the Society's Transactions, now in course of distribution to the Members, was laid before the Meeting.

C. J. Davidson, Esq. Assistant-Surgeon Artillery, Dum-Dum, proposed at last Meeting, was elected a Member of the Society.

A. M. Mack Minto, Esq. Assistant-Surgeon, was proposed as a Member by R. C. McConnochie and W. Twining, Esqs.

A letter was read from W. Bell, Esq. Assistant-Surgeon Almorah, having reference to a former communication of his descriptive of the mode in which the native practitioners in that part of the country perform the operation of Lithotomy. From Mr. Bell's second communication, it more clearly appears, the operation in question differs little from that known and practised in Europe under the designation of "Cutting on the Gripe;" to Mr. Bell's communication is appended the history of a case of preternatural labour successfully treated by '*Turning*.'

A morbid preparation of the bones of the Pelvis of

a Quadruped accompanied by a Memoir and two drawings was presented by Doctor Cantor. In the preparation in question the hip joint has been luxated, the head of the femur forced through the upper portion of the Foramen Thyroideum, so as to project a little into the Cavity of the Pelvis, and then fractured from the neck and body of the bone. In this situation it is firmly fixed by a copious deposition of Callus. The acetabulum is almost filled with osseous deposit in the form of tears, and those portions of the Ileum, Ischium, and Pubes composing it, are much thickened in structure, and very freely perforated with foramina, for the transmission of blood vessels. The upper or sciatic rim of the acetabulum is flattened, and bears marks of having formed a portion of an artificial articulation. The Ileum and Sacrum on the affected side are firmly united by anchylosis. The history of the case is not known; but from these appearances, it may safely be concluded, that the femur was dislocated by a force drawing or propelling it forwards, and outwards, that the animal survived the accident for months or years, and that its sufferings must have been severe.

The following works were presented for the Library.

The first number of the United States Medical and Surgical Journal, by the Publishers.

General observations respecting Cholera Morbus, by J. N. Casanova, C. M. D. by the author.

A brief account of the Ophthalmic Hospital at Macao, by J. B. Thornhill, Esq.

Harris de Morbis acutis Infantum and Hamilton on the use and abuse of Mercurial medicines, by Mr. Hutchinson.

The following original communication was presented at the Meeting.

A Register of the Lithotomy cases treated by operation from April, 1833, accompanied by fifteen specimens of Urinary Calculi for the Museum, thirteen of which were extracted by operation, by R. N. Bunnard, Esq.

The following papers were then read and discussed:

Four years reports on the climate and diseases of the new colony of Western Australia, more especially of the Swan River District, by Wm. Milligan, Esq. M. D. Assistant-Surgeon His Majesty's 63d Regiment.

A case of Tetanus with Post Mortem examination, by S. Roe, Esq. M. D. Surgeon His Majesty's 38th Regt.

The new colony of Western Australia, according to Mr. Milligan, is situated on the Western Coast of new Holland, and extends from Cape Londonderry in Lat. 13° 44' South, to West Cape Horne in Lat. 33° 8', and from Longitude 112° 52' to 129°, from the meridian of Greenwich. The Swan River district, the one first settled, and still the most important, is situated in between Lat. 32° and 33°, the entire area being about 50 miles long, by thirty in breadth. The country is generally of the open forest description, the surface undulating, and covered with a great profusion of trees, shrubs, and herbaceous plants. Three rivers intersect this valley, the Swan, the Canning, and the Murray. They are subject to the influence of the tides, abound with fish, and though generally shallow are subject to occasional inundations, which leave extensive alluvial deposits. The Swan is navigable for boats of 4 or 5 tons as high up as Perth, which is about 12 miles from the Sea Coast. Fresh water Lagoons are numerous; there are also others containing salt water. The water of the wells, though at first indifferent, from not having been procured from a sufficient depth is excellent. It sparkles in the glass, cooks food and washes linen well and speedily, and may be drank freely without relaxing the stomach. The strongest winds are from the north west, and south west. The north wind is the hottest and is very sultry during summer, destroying vegetation, if long continued. During the summer there is a regular land and sea breeze, the former prevailing in the morning, from the east, and the latter setting in about noon from the southwest The mornings and evenings are pleasant and the nights cool. The sky is clear, and of a beautiful azure, without cloud or rain. Moderate dews descend at night. As the autumn approaches the weather becomes less serene. The sky is occasionally overcast with thunder storms, which prove acceptable however, and beneficial; mitigating the excessive heat and rendering the fields fit for the labours of the husbandman. In winter the winds are occasionally boisterous endangering the shipping, if exposed; it rains for the most part, two or three days together, and then clears up for a somewhat longer period. In wet weather fogs are not uncommon in the mornings and evenings, in the low grounds or along the banks of the rivers. Hail of a large size occasionally falls, snow is unknown, and ice is but rarely met with. Fires are not unwelcome in the mornings and evenings; but on the whole are to be looked on, more as a luxury than a necessary. Such is the nature of the climate and locality, in which Sir James Stirling proceeded in June, 1829, accompanied by a detachment of His Majesty's 63d Regt. to establish a new colony. Settlers soon commenced to arrive, and poured in rapidly, till the end of 1830, at which time the population amounted to about two thousand. The vessels, which brought them out, and resembled in some measure Noah's ark, being crowded to excess with animals, birds and plants as well as men, women, and children, with provisions, and household goods. If we can fancy the population of one of the parishes in England, mixed with a sprinkling of half-pay officers, some gentlemen from the east and west Indies and a few cockuies, put down on the shores of a wilderness, we shall have some idea of the founders of this interesting colony. Their first object on landing was to get under shelter. Their domiciles were of course at first of wretched description. Some had single tents, other huts of green wood, previous to every shower, while many had no other covering night or day than the wide canopy of heaven. Afterwards when the settlers got on their own grants of land, their houses improved by successive gradations from the wooden house, they had imported, or had made in the colony, to that of wattle and dab, and finally to the more durable structure of brick or stone. As might be expected losses from the straying of cattle in the bush, and disagreeable adventures from the travellers losing their way, were far from uncommon. Accidents from explosions of gunpowder, and from the use of fire arms by persons unaccustomed to handle them, were likewise far from unfrequent; in no instance however did any tetanic affection follow. Notwithstanding these little mishaps, matters continued to go on pleasantly enough till the beginning of the winter of 1830, whe the supplies brought from England, consisting principally of salt meat, biscuit, and rum, began to fail, the harvest was indifferent, and to crown their misfortunes, after heavy rain, the rivers rose from fifteen to twenty feet above their usual level—and all who had commenced buildings on the lower grounds were obliged to desert them. From these various causes much personal fatigue and exposure were encountered, the hopes of the settlers damped and their energies depressed; scurvy, fever, and dysentery consequently showed themselves. These diseases were principally confined to the lower orders; among the higher classes, who were better provided with the necessaries and comforts of life, and who were more temperate in their habits, there was little sickness, and less mortality. With successive seasons the harvests became more bountiful, the flocks more numerous, and scurvy has disappeared in consequence. The fevers have likewise become less prevalent as the country has been more widely cleared, and better drained. The endemic diseases of the country appear to be principally inflammatory affections of the mucous membranes, opthalmia, dysentery and catarrh. Rheumatism is occasionally met with in damp weather in autumn and winter, of rather an obstinate description, and also a low fever, the *gastro enterite*.—Mr. Milligan's observations on these diseases have principally reference to the locality of Perth the capital of the colony. This town is situated on the banks of the Swan River on a gentle elevation, 30 feet above the level of the river, and about 40 above that of the sea. It is bounded to the south by the Swan, which is here $\frac{3}{4}$ of a mile broad, to the north by a string of fresh water la-

goons, which run up to the mountains, to the east by an extensive plain terminated by the Darling range, and to the west by Mount Eliza, which running north and south affords considerable protection from the strong gales coming in that direction. The Swan and the Canning unite immediately below the town in a large estuary, called Melville water, which still farther reduces the temperature of the sea breeze in its progress inland. The soil is light and sandy, with the exception of the banks of the river which are alluvial. The substratum is sand stone.—Having premised this much I proceed to extract a few notes on the several diseases above specified. The opthalmia appears to be a subacute species of the prulent, and is in Mr. Milligan's opinion peculiar to the country. It made its appearance about the middle of March, and soon became epidemic, very few escaping an attack of it; in May it reached its acme, then began to decline and disappeared in the begining of June. Some itching was felt on its approach, the eyelids become sticky and adhesive, and fuller than natural. In 24 or 36 hours, a viscid mucous discharge took place; the vessels of the conjunctiva became distended with red blood, and this state was often accompanied by redness round the eye externally—when the prulent discharge was considerable, the swelling of the eyelids often prevented the patient from opening them for several days. Exposure to light caused pain; but when the light was excluded pain was seldom much complained of. In a few cases the sensation of sand being in the eye was felt, and was attended by a greatly increased secretion of tears. These symptoms generally subsided in 4, 6, or 9 days under the use of purgatives, diaphoretics, lead, and zinc lotions—occasionally the unguentum calammare was used to prevent gluing of the eyelids, and in more obstinate cases the ungt. nitrat. argenti. Bleeding was rarely necessary; but was had recourse to, where there was much fever or pain. Blisters were applied to the nape with advantage. Before the appearance of the disease the heat was high, 120 in the sun at noon, and 90 in the shade, there was no rain, the light dazzling, and probably particles of sand floating in the air—all cases under Mr. Milligan's care terminated favorably; but some under less skilful or active practitioners were not so fortunate.

Cases of dysentery appear to occur throughout the year, but it prevailed in April, 1830. This, it will be recollected, was not long subsequent to the first establishment of the colony. The disease appears to have been of a mild nature. The symptoms were frequent scanty dejectionsof mucous and blood accompanied by tormina and tenesmus. The pulse was not often much excited, nor the temperature of the body increased. The tongue was white and furred, there was no thirst and the appetite was but little impaired. It terminated favorably in a few days in every instance, except one, who was in a hopeless state, passing involuntary stools, when admitted. The disease was induced generally by sudden changes of temperature, deranging the balance of the circulation. The objects in attempting the cure were to correct this, to restore the suppressed secretions, and to remove congestion or inflammation. To fulfil these indications bleeding, the warm bath, aperients, diaphoretics, calomel and opium were had recourse to with advantage. It was necessary to be careful of the lancet, as many of the patients were tainted with scurvy: leeches were the safer remedy. Mercury for the same reason could only be used with great care.

Scurvy first manifested itself in June, 1830. It was characterised by a bloated sallow complexion, sponginess of the gums and palate, sometimes giving rise to hæmorrhages from these parts, great debility, hard tumors on the thighs and calves, of the legs, contraction of the knee joints, petechiœ, vibices, and ulcers. Pulse frequent and weak, skin cool, respiration anxious, tongue white, appetite good, bowels constipated. The mind clear and full of hope to the last. Many cases were admitted into Hospital in the last stage with large fungous excressences sprouting from the gums and roof of the mouth, contracted joints, diarrhœa, dropsical effusions and extreme exhaustion. The labouring classes, as subject to the greatest privations, were of course the greatest sufferers. The disease appeared to increase as the wet weather set in. The remedies employed were lime juice, fresh animal and vegetable food, dry air, ventilation and cleanliness, wine and quinine. When any determination to a particular organ manifested itself suitable remedies were had recourse to. Of sixty three cases treated, fifty-seven recovered, and six died.

In the beginning of May as the winter commenced a few cases of continued fever appeared. It was in general characterised by great debility, by a pale shrunk and dejected countenance, feeble and unequal pulse, general excitement, and great nervous irritability, the surface was cold and pale, as if the blood had retired to the internal and vital organs. A low stupor or delirium appeared early, and continued during the progress of the disease. Such cases as put on these appearances soonest, were the most dangerous. Some cases were attended by more free vascular action, the heart and arteries beating more strongly than natural, the heat of the surface increased, the face flushed and accompanied with headache or giddiness. The nervous excitement was less, there was no delirium; the patient however was troubled with great restlessness, anxiety, and oppression. In a few cases near low and marshy grounds the fever assumed the remittent form; in no instance however has intermittent fever been met with in the colony. The remote causes of the disease appear to have been cold, damp, fatigue, exposure to the weather, indifferent food, the depressing passions, intemperance, and such other causes as are generally supposed to give rise to fever in Europe; perhaps infection, as some vessels appear to have arrived, on which Typhus prevailed during the voyage. The proximate cause, Mr. Milligan is inclined to attribute to Gastro-Enteritic inflammation. The treatment adopted in the early stages of the disease was the antiphlogistic, with tonics and stimulants in the more advanced.

Rheumatism is occasionally met with during winter and autumn. It appears to be a good deal of a subacute or chronic form, and is marked by pains in some set of muscles, increased on motion, some times in the head, the nape, shoulders, arms, chest, loins, and so forth. It is generally accompanied by headache, loss of appetite, thirst, white tongue. The vascular action was seldom much disturbed, and increased heat seldom met with; metastasis to the heart was not uncommon. Mr. Milligan is inclined to attribute the disease in some measure to derangement of the chylopoietic organs. The remedies employed were bleeding, general and local, aperients diaphoretics, warm bath, narcotics, calomel and opium, colchicum, blisters, issues, moxa, acupuncturation; and finally, tonics, such as quinine and arsenic.

A mild form of cholera showed itself in the month October, 1832. The fluid ejected by vomiting, and the dejections were bilious, cramps of the extremities attended in some cases; but the disease bore no resemblance in severity to Indian cholera, and readily subsided under the use of calomel and opium, and mild aperients. Weakly persons and children suffered most.

About the middle of October, 1833, hooping cough first appeared in the colony. It was imported with a detachment of H. M's. 26th Regt. which arrived on the 13th of September, from Sydney and Van Dieman's Land. The disease does not appear to have been marked by any peculiarity, with the exception of the following which deserves to be recorded. A short time previous to the commencement of the disease, the patient was often attacked with a vesicular eruption on the head, face, chest, abdomen or extremities bearing all the characters of varicella. In some instances, in which this eruption did not appear, small boils came out, as the cough declined.

Notwithstanding every exertion, vaccination had not been introduced during Mr. Milligan's residence in the colony.

Gonnorrhœa was met with, for the first time, in the beginning of 1833, and is supposed to have been introduced from Van Dieman's Land.

No case of measles, small pox, scarlatina or syphilis had been met with, and to no diathesis did the climate appear hostile; but to the rheumatic.

It agrees with the European constitution, and every description of live stock, and of vegetable production, though collected from different climates find there a a congenial locality. The annual mean temperature is from 60 to 64°. A great advantage, which the Swan River possesses to the Indian Invalid is its proximity, the voyage from Madras having several times been performed in 25 or 30 days; it is said to be shorter by one half, than either to Sydney or Van Dieman's Land. The society is good and respectable. The best period for leaving India is February, as the intensity of the summer heat in both countries is thus avoided.

Among much other valuable information in Mr. Milligan's elaborate paper, of which I have been unable to avail myself, is an interesting account of the aborigines of the country.

Mr. Roe's case of Tetanus occurred in a private of H. M.'s 38th Regiment of fair complexion, and sanguine temperament, aged about 25. He was admitted into Hospital on the 25th of December, in consequence of a lacerated wound of the thumb and fingers of the left hand, occasioned by the bursting of a fowling piece, which he had bought of a native. The wound became gangrenous and sloughing, and he is reported on the first of January, as having been troubled all night with spams of his fingers and hand, These formidable symptoms continued to increase, in spite of the treatment employed, and he died at noon, on the 3d, after having suffered every torture which Tetanic patients do. On examination five hours after death, the right foot and toes were found so much turned inwards, from the ankle, by the spasmodic action of the muscles, that it appeared dislocated. On being placed in its natural position, it immediately resumed its unnatural distortion, and retained it; although five hours after death.

The calvarium was strongly adherent to the dura mater, which was very vascular. The medullary portion of the cerebrum and cerebellum was soft and doughy. The membranes on the base of the brain were florid red, and very vascular on laying open the whole length of the spine, the sheath was highly vascular, particularly at three points, the 3d cervical, the 2d dorsal and the 4th lambar vertebræ. On laying open the sheath, and turning it back, the inside was pale and shining: the chord beautifully covered with florid red vessels along its whole course downwards, as if painted by art. The vessels anastomosed more thickly, at some points than at others, viz. near the last cervical and the middle of the dorsal vertebræ. The nervous substance appeared firm, and to resist the scalpel. There were some spots of vascularity over the stomach, which seemed continued from the lower portion of the Œsophagus. This tube was particularly contracted, for two inches from the pharynx downwards, so that it scarcely measured the diameter of a large goose quill. As it united to the stomach, it spread out a little wider, and exhibited a slight inflammatory blush. The upper portion was rather pale and shining.

The spleen was very large, brittle, and of a dark purple colour.

JAS. HUTCHINSON, *Secretary to the Society.*

*Ibid.*]

## PARENTAL ACADEMIC INSTITUTION.

At a special Meeting of the Society connected with the Parental Academic Institution, held at No. 7, Park-Street, on Wednesday evening, the 20th May, 1835.

On the motion of Mr. F. D. Kellner, seconded by Mr. W. Byrn, Mr. C. Francis was called to the chair.

On the motion of Mr. J. Welsh, seconded by Mr. M. Crow.

It was resolved unanimously.

1.—That, with the view of evincing the sense which the Society entertains of the invariable kindness and liberality of sir C. T. Metcalfe, as shewn especially by his munificent donation of rupees 5,000 to the institution, his honor be solicited to accept the office of Patron to the Parental Academic Institution.

On the motion of Mr. W. Byrn, seconded by Mr. G. T. F. Speed,

It was resolved unanimously,

2.—That with the view of perpetuating a remembrance of the uniform liberality of Sir C. T. Metcalfe towards the Institution, two free scholarships, to be denominated the 'Metcalfe Scholarship,' be established.

On the motion of Mr. F. D. Kellner, seconded by Mr. W. Ewin,

It was resolved unanimously,

3.—That Dr. F. Corbyn be solicited to become the visitor of the institution in consideration of the interest he has evinced towards it.

On the motion of Mr. G. T. F. Speed, seconded by Mr. W. Byrn,

It was resolved unanimously,

4.—That the thanks of the Meeting be given to the Chairman.

(Signed) C. FRANCIS, Chairman.

*Ibid.*]

## INSOLVENT DEBTORS' COURT.

SATURDAY, MAY 23.

IN THE MATTER OF JAMES CALDER AND OTHERS.

This was an application of Mr. John William Sutherland, under which Mr. Storm, Mr. R. C. Jenkins, and Mr. Vanthart, were examined on the 17th of January last, in order to shew from the circumstance of the co-partnery, that Mr. Brown Roberts who claimed a debt as a creditor, is not entitled to have a dividend paid to him by the assignees until all claims against the estate are discharged. The matter came before the court in January and February last, and has since stood over for his lordship's decision.

Sir J. P. Grant now gave judgment, declaring that the credit given in the books of Mackintosh and Co. in respect to the shares of Mr. Brown Roberts, the partners being utterly insolvent at the time, as well as Mr. Roberts, is not binding on the assignee. Secondly, that on the 1st of May, 1830, when the partnership was dissolved by the retirement of Mr. Browne Roberts, the firm was utterly insolvent, and which fact was well known to all the partners. Thirdly, that at the time of the dissolution of the copartnery there was no balance struck whatsoever, or no sum which could be divided, and that the sum credited to Mr. Browne Roberts was not a bonâ fide credit: and fourthly, that the assignees do therefore, strike out from the accounts of the insolvents all entries of any sums at the credit of Mr. Browne Roberts in respect to such shares. With regard to the costs, his lordship ordered that all reasonable costs as between party and party should be paid out of the estate.—*Englishman.*

# EXTRACT FROM MR. A. E. KUHN'S MONTHLY PRICE CURRENT.

## REVIEW OF THE CALCUTTA MARKET.

INDIGO.—Statement of Imports from the Interior of the last season, and comparatively to the seasons of the preceding five years.

| | 1835 | 1834 | 1833 | 1832 | 1831 | 1830 |
|---|---|---|---|---|---|---|
| Maunds | 105503 | 93802 | 122330 | 121000 | 129117 | 122940 |

Exported during the last season.

| | | |
|---|---|---|
| To Great Britain..... ..... | maunds | 57772 |
| „ France ..... | „ | 24229 |
| „ the United States..... | „ | 2940 |
| „ the Gulfs..... ..... .... ... | „ | 8168 |
| | maunds | 88109 |
| Remains in hand of the importers.... | „ | 17394 |
| | maunds | 105503 |

The demand has been moderate, during the whole month, and sales confined to small parcels, unworthy of notice. Shipments had also a very limited scale as is usual at this season. In our last we quoted our prices nominal, they may be considered as the same for the present. Our stock is about 18000 maunds. London Price Current (2d March) as well as the latest news received from France, are favorable to the stuff, which may affect our prices in some degree. Accounts from the interior state the weather as particularly favourable to the young plants, the late fall of rain, instead of doing harm, as it was at first expected seems to have improved the prospects in every direction.

OPIUM.—Shipments for China and the Straits continue in progress; the drug has been in moderate request during the month, and prices experienced some advance, but are again declining. Our stock in the Honorable Company's Godowns is about 5000 chests.

RAW SILK.—There has been some inquiry of the finer descriptions during the month; our stock in the bazar has become more heavy, prices have improved since our last number, but the accounts received by the overland despatch from the home market, showing a decline in prices, have caused the buyers to pause, and the article is reported rather lower as before.

SILK PIECE GOODS.—Transactions in these fabrics during the month had no great extension, owing to the latest unfavourable accounts received from England, which state the stock as very heavy and prices much lower; This we anticipated in our number of February last. The few sales reported are chiefly for shipments to North America. We have to quote our last prices.

SALTPETRE.—The absence of available Tonnage for England has produced a decline in our prices during the first two weeks of the month, as our stock is very heavy; the last fortnight the market has exhibited encreased activity. The purchases reported are chiefly for shipments to England. The demand continues at our quotations. Prices which have already improved, may have a further improvement after the arrival of the vessels expected.

COTTON—Has been in active demand during the whole month. Prices of the assortments are reported with improvement; the market being insufficiently supplied; a further improvement may be expected, by increasing quantity of Tonnage for Europe, China and Bombay. The quantity of *Cotton* shipped to China during the last seven months amounts to 41863 bales.

SUGAR.—Purchases are restrained by want of Tonnage and supplies in the market. The new crop is arriving, several purchases have been made for England with an advance of about 1 Rupee per maund upon our last quotation. The purchases reported are chiefly for the English markets. Fine 1st quality is in much demand.

HIDES.—Hides continue flat, sales have been extremely limited during the whole month, owing to the scarcity of Tonnage and prices experienced some decline; our stock is rather heavy. Prices may improve after the arrival of the vessels expected. In *Horns* no transactions are reported and prices continue low.

LAC DYE is not much required for, the prices are yet steady. There has been more inquiry for Shell Lac, chiefly far the American market; the prices quoted exhibit a slight rise. Of Stick Lac prices have experienced some decline, consequent to recent importation; the transactions are very limited.

SPICES AND DRUGS.—Nothing worthy of notice has been been done in Turmeric, Mace, Cubebs and Dry Ginger. The demand for Cloves has been steady during the whole month. Nutmegs have been in moderate demand; we have to notice a recent importation of 38 casks from Bencoolen, which may affect our prices in some degree. Coffee in limited demand, we have no alterations in our prices to report. Black Pepper continues in good demand and prices have improved, first quality is particularly required and meet a ready sale. Long Pepper continues also in demand with improvement in prices. There has been some inquiry of Safflower for shipment to England and America, several purchases are reported at the prices quoted. Very limited transactions have been done in Camphor and Cassia, without alteration in prices. Linseed continues in good request, some extensive orders have been given to the interior for shipments to England. The market for Alum continues firm, and holders are generally looking for higher prices.

RICE.—But little business can be reported, shipments for the Mauritius having been somewhat suspended, prices are rather lower. Very little has been doing in Wheat.

TWIST.—The sales in Mule Twist have been on a limited scale; the market may be considered active as regard to demand, holders are firm as the stock is very limited. The demand for Turkey red Yarn and Orange Twist continues at our quotations; yellow Twist is neglected.

COTTON PIECE GOODS.—The transactions in Long Cloths have been extensive; the sales which have come to our notice during the month being upwards of 8000 pieces. The demand continues for almost all descriptions of white Cotton at steady prices. Chintzes have also been in fair demand; Turban sets and neutral stripes have improved in prices. The following are the imports:—Coloured Cotton, 61 bxs. and bls.; Printed ditto, 61 bxs.; Plain Cottons, 631 bxs. and bls.; Long Cloths, 31 bls.; Brown Cottons, 18 bls.

WOOLLENS.—Some extensive business have been done in the early part of the month in Scarlet Woollens; the market continues firm with improvement in prices.

METALS.—The copper market continues dull and sales are confined to small parcels, with reduction in prices owing to the anxiety of holders of small stocks to realize. Our stock begins to be heavy. The following are the receipts per *Tamerlane*, sheet 323 cwt., cakes 600 cwt. per *Ganga* 10 tons tile, 5 tons cake, 42 bxs. Sheating. Iron has a favourable aspect, and prices have experienced a slight advance throughout the assortments. Steel continues in demand for Swedish description, the prices of which and blistered are quoted with some improvement. Lead; some sales of Sheet and Pig are reported in our abstract; the demand continues, and prices of the assortments show an advance on previous quotations. Spelter remains firm at our quotation. Tin Plates and Quicksilver are also in moderate demand.

EXCHANGE.—Bills of undoubted character are offering at 2 2 to 2 2¼ the market however is extremely flat. The average remitting rates is about 2 1¼.

FREIGHTS.—Continue high.

| | | | | | | |
|---|---|---|---|---|---|---|
| To London Dead Wt..... | £ | 4 | 4 | *a* | 4 | 10 |
| Light „ ..... | „ | 5 | 10 | *a* | 6 | 0 |
| Indigo and Silk ..... ..... | „ | 6 | 0 | *a* | 6 | 10 |
| To Liverpool Dead Wt..... | „ | 4 | 10 | *a* | 5 | 0 |
| Light Goods..... ..... . | „ | 5 | 10 | *a* | 6 | 0 |
| Indigo and Silk..... | „ | 6 | 0 | *a* | 6 | 10 |
| To China Opium..... | Sa Rs | 25 | 0 | *a* | 32 | 0 p chs |
| Cotton..... ..... | „ | 7 | 0 | *a* | 7 | 8 p bl |
| Grain ..... | „ | 1 | 8 | | | p bg |
| Eastward Opium ..... | „ | 12 | 0 | *a* | 18 | 0 p ch |
| Piece Goods..... ..... | „ | 25 | 0 | | | p bl |

## PUBLIC MEETING—THE PRESS REGULATION.

The following Report of the Meeting at the Town Hall, on Monday, the 8th June, is chiefly made up from that which appeared in the *Englishman*, but it has been collated with notes taken at the Meeting, and from these and from memory various omissions have been supplied, so that it is fuller, and it is hoped more accurate:—

The requisition having been read,

Mr. TURTON said, as one of the persons whose name is affixed to the requisition to the Sheriff for calling this meeting, he did not think it out of place that he should take an active part in this proceeding, but he had a peculiar reason for presenting himself thus early to the notice of the meeting. In a former case in that hall, he had found himself in hostility to the proposers of an address to Sir Charles Metcalfe, on the occasion of his departure from Calcutta? He did not repent the course he had then taken, he had acted conscientiously, and if the the same circumstances were to occur again, should act precisely as he had then done: He had then stated his objections to an address which he and his friend near him could only look upon as merely adulatory, offered as it was to one of whose public opinions they could know so little. There were indeed few occasions for such expression of public feeling even to the head of the Government, and Members of Council were in a worse condition in that respect inasmuch as it was impossible for us to know how they voted; but the case was now different, and he fully concurred in the propriety of an address to Sir Charles. It was well known to them now, that he had sanctioned the proposed law, they could appreciate the motives that had led to the measure, knowing as they did that Sir Charles had been employed for many years in situations of high trust which enabled him to estimate the value and the danger of a free Press, and it was therefore incumbent on them when they saw such a law promulgated to come forward and state that the measure had their warmest approbation, that they hailed it with satisfaction as affording the brightest hope for India.

He was anxious to come forward thus early, that it might not be supposed that he did not heartily approve of the proposed law, for during the whole course of his life he never had greater satisfaction in proposing a resolution, than he felt in moving, the one with which he should conclude, and which was, in substance, thanking the Governor-General for the proposed law. He had been in this country for some years, and seen during that time all the changes of opinion on the part of the government regarding the press. He remembered the declaration in its favor by the Marquess of Hastings, and the acts inimical to its liberty, of the succeeding government, of persons who had been here as long, but who were not so wise, and he had had opportunities of hearing the opinions of men whose views were liberal as to the press in Europe, but who could not extend those liberal views towards the press in this country; he could, therefore, very well appreciate the motives of Sir Charles Metcalfe, who had been surrounded by men not of the most liberal opinions, and who, he might almost say, had been fostered into importance by the India House, where laws of the description recently promulgated had not hitherto been the most palatable, and who had got rid of early prejudices regarding the press laws which he might have imbibed from his intercourse with an Adam, and a Uslington,—he said, got rid of them, if he ever possessed them,—and come forward at the end of twelve years to propose their total abrogation. This was indeed a fit subject of congratulation for the meeting and for the natives of this country, intimating, as it did, that brighter times were in store for them and that the prejudices by which India had been kept down in the scale of nations were at last fading away. He confessed it was with these considerations that he felt the greatest satisfaction in proposing the resolution, for he did not merely view the abrogation of the press laws as an important act of itself, but also as the harbinger of measures that would follow it. It had been urged by some gentlemen who were favorable to the emancipation of the press, that circumstances rendered it fitting for the meeting to ask the Governor-General to pass the law immediately. He, for one, was opposed to this course; he wished that the act should appear as the triumph of reason and of principle; that it should appear the deliberate act of the council; and that the servants of Government should have sufficient time to express their fears of the consequences of its being put into operation. Therefore he was opposed to any attempt to expedite it, that at some future period it might not be said that it was the hasty measure of a day; on the contrary, he would rather that it should appear the deliberate act of men, the majority of whom have been long accustomed to the manners, customs, and character of the people, and who have carried it into effect from a conviction that it is for the interest not only of the people of this country, but also for the interest of those by whom they are governed. *(Loud applause.)* He was aware that it was thought necessary to expedite this measure in consequence of an apprehension that the future Governor-General might not be so favourably disposed towards the press as the present one, but he was not prepared to suppose that Lord Heytesbury would ever venture, even if he had the inclination, to oppose a law proposed by three men who had been twenty five years in this country, and who had had the best means of knowing the manners and habits of the people. He did not believe, whatever might be Lord Heytesbury's inclination, that he would venture to suspend the measure, but he did not think he would have the inclination—he did not believe he would ever hazard a measure which would place him not only in opposition to the council, but to the whole community; but he believed Lord Heytesbury would not be found averse to the liberty of the press; for he was quite satisfied the opinion was every where gaining ground, that it was as essential to the governing as to the governed. As an instance of the growth of the opinion he might advert to the case of Lord Amherst who made use of the law when urged to do so by others; but who although wanting in the moral courage to repeal it, still would not have recourse to it in any case in which he was personally concerned. He had declared that as it was passed by men of great experience, and approved of by the Court, he would never repeal it though he would not exercise it in his own case. His testimony therefore was in favour of the freedom of the press, since he, who of all others, in his high station most required protection of the law, if protection were needed at all, had refused to avail himself of it. With regard to Lord W. Bentinck, he regretted that he had not come forward to repeal these laws, and that he had expressed an opinion as to the necessity of summary power over the press; for he had a great respect for Lord William Bentinck, admired many of his acts, and considered him as liberal and single minded a Governor-General as ever came to the country; he believed also that no man had ever more sincerely at heart the happiness of the people. If they feared Lord Heytesbury's hostility to the press because he had been bred up in the Tory school of diplomacy, they should recollect that Lord William Bentinck was educated in the same school. When the deputation from the former meeting waited on Lord William Bentinck, his impression was that his lordship had not considered the subject,—he did not think that Lord William would have given his sanction to a measure, empowering the Government to come down on the conductors of the press with any summary proceeding, but he was now convinced that he had been mistaken, and that Lord William Bentinck had a firm conviction that such a summary power was necessary for the government of the country. This was a spot on Lord William's character, but it was a spot on a character that could afford to have a spot upon it. *(Cheers.)* Another subject for congratulation on the proposed law was, that it made no distinction of persons. It was not a law for those only who might be supposed to have a common interest with the government, but for the natives of the soil also. On a former occasion he had said he would make no distinction, and he held it to be the brightest feature in Sir Charles Metcalfe's law that it repudiated the idea of any such distinction and made all alike, native and European, amenable to the law. *(Loud Cheers.)* He was no advocate for the licentiousness, but for the liberty of the press—but he thought that the licentiousness of the

press was amply provided against by the law. So far from believing the existing laws of England insufficient for restraining the press, he believed that they imposed too many restrictions upon that liberty, and he trusted that if any new laws for the press were provided they would extend and not curtail its power. *(Cheers.)* Mr. Turton would take that opportunity of mentioning that he had received a letter from Mr. Evelyn Gordon of the Civil Service with respect to this Meeting. Mr. Gordon regretted that he could not attend, but declared that his heart and wishes were with the Meeting—that could he have been present no false delicacy should hav[e] p[re]vented him as the friend of Sir Charles Metcalfe who was now in power, from expressing his sense of the enlightened policy of liberating the press, and that he hoped to hear the sentiments of members of the services expressed at the Meeting. Mr. Gordon, said Mr. Turton, forcibly remarks on Sir Charles Metcalfe's friends and connections at home—and certainly there never was an example of greater and of nobler disinterestedness than his liberation of the press, for his only chance of permanently holding the highest station [he] was that of coming to the views of the home authorities. One of two things Mr. Turton observed was clear, either that the light had penetrated the roof of that august building in Leadenhall Street, or that Sir Charles Metcalfe disregarding the opinions there entertained in favor of what he believed to be right, had utterly rejected all considerations of self-interest by proposing this law. Mr. Turton then submitted the following resolution:—

'*Resolved*—That it is expedient that an Address should be presented by the inhabitants of Calcutta to the Governor-General of India, Sir C. T. Metcalfe, expressive of the satisfaction and gratitude which they feel at the proposed law relating to the Press of India, and for repealing the Regulation of March, 1823, relating to the Press of Bengal.'

Baboo Dwarkanauth Tagore expressed the pleasure he felt at the promulgation of the proposed law. He had ever felt a deep interest in the removal of all restrictions on the freedom of the press, and had partaken in every public expression of feeling on that subject. It was natural, therefore, that he should be pleased with the victory, and as he had helped to fight the battle he could not do better than second this resolution.

The resolution was then put and carried by acclamation.

Mr. Dickens said, when last he had the pleasure to meet the inhabitants of Calcutta, it was in the performance of a common object and public duty—part of that object was to obtain the removal of the restriction on public meetings. That restraint had been declared by government to be unnecessary, and he now congratulated the public on meeting them for the first time at a public meeting convened by the Sheriff without the permission of government having been asked by that officer. On that occasion it was also part of their prayer, that the most tyrannical, most unwise, and most mischievous Press Laws should be removed: they are now about to be removed by the man to whom he would read an address which he would propose should be adopted by the meeting, and he trusted they would accord their assent to it with the same cordiality which he felt in proposing it. But first he was desirous to explain that his friend Mr. Turton and himself had not taken an early part in the proceedings from any desire to thrust themselves forward, but because there was a peculiar and personal propriety in their taking that course. Mr. Turton had alluded to those circumstances. He and his friend had opposed the former address because they thought that the inhabitants ought not to be assembled to vote an address to any man for his private virtues, especially at a time when he was leaving them only for a brief period to return to them vested with the supreme power. He had so returned and a noble use he had made of that power. *(Cheers.)* Now therefore he, Mr. D., was prepared to vote an address and to concur with those to whom he was formerly opposed. When he opposed the former address he disclaimed all personal motives—he disclaimed them now. He would now proceed to his immediate subject. A few observations would be necessary to explain a point in the address which might otherwise appear doubtful. As for the value of the testimony in favour of the Press of Sir Charles Metcalfe after thirty-five years experience in this country, he need not dilate on that point—supported by such a council as the present, that testimony must be decisive and set the question for ever at rest. He had no doubt that Lord Heytesbury would never venture in defiance of such a decision to oppose or prevent the enactment of the law. It was impossible—it would be an act of unparralleled political presumption. On no account, however, would he, Mr. Dickens, consent to pray for the precipitation of the measure—for its enactment before the expiration granted by previous promulgation for its consideration. It was not for them who had before prayed that all laws might be so promulgated before enactment as to allow of full time for their discussion, to call for such precipitation, and thus to establish a precedent against themselves. The more the subject was canvassed the better—the more would the utility of the press appear and the measure instead of being like the enactment which enslaved the press the effect of a rash impulse, would be the result of reason and calm deliberation. There was one topic mentioned in the address, on which it was necessary to say a few words—a formal and deliberate disclaimer of the existence of any party in this country opposed to the government. Much mischief had been done in England, by the employment of nicknames and watchwords of party—but here there was no excuse for the use of them; for he would deny that there was a party opposed to the Government. When they felt a grievance, they appealed to the Government respectfully for its redress; but he would deny that there was any political party here that did otherwise than praise the Government—that was not positively and absolutely contented with it; but it was most important that this fact should be recorded—for such was the ignorance which prevailed at home, that even in official correspondence party epithets were introduced, which had no application here. It was the more important to record the fact, from the ignorance which prevailed at home as to the real condition of the country, and which afforded every ignoramus there an opportunity to pronounce legislation for India, a bore. If that ignorance led men to neglect a sacred duty—to be guilty of a political crime, there was no measure better calculated to dispel it than the freedom of the Press. They would shew that they would not abuse that freedom—that they wanted the liberty and not the licentiousness of the press.

Mr. Dickens then concluded by reading the following

## ADDRESS.

*To the Honorable Sir Charles Theophilus Metcalfe, Bart., Governor-General of India. The Address of the Inhabitants of Calcutta in the Town Hall, assembled.*

Honorable Sir,—The publication of the Regulation proposed in Council, on the 27th April, entitled Act No.— of 1835 for—and which is our earnest hope will be passed as a law without material change, is the occasion of our addressing you, before you relinquish the high powers which fortunate circumstances (fortunate at least for us) have placed in your hands, and which you have so well used.

The nature of the British Government of India has long made it a subject of debate among Statesmen, whether the free expression in print of the thoughts of its inhabitants could be permitted to exist without destroying that Government or perpetually endangering its stability.

There have not been wanting former Governors of India who have declared that approbation was needless. The Marquess of Hastings expressed that opinion, Lord William Bentinck implied it by permitting the Press to be free, with scarcely an exception, and your testimony has now been added to theirs; [the] experience of a whole life passed among the people of [India] in its most remote and war-like provinces, and its most turbulent times, renders this testimony the most valuable of all. We view this, as one among other recent proofs, that the Government of India is wisely and safely entrusted to those who are intimately acquainted with the course of its administration, and with [the] manners, [opinions], and feelings of its people.

Aware that a more timid and distrustful policy has heretofore been approved in England, we cannot but admire the high minded decision with which you have cast the weight of your testimony into the long

balanced scales of opinion. It is our hope as well as our belief, that nothing can occur after this to dissappoint the public wish.

We trust that you will not be called upon to resign your high office until the period shall arrive, when this proposed Regulation ought to receive the final sanction of the Governor-General of India in Council, and be passed into a law. Not from any doubt that this measure which you and the experienced Council which assists you, have deliberately pronounced to be safe and desirable, and will be carried into effect by your successor, but from an anxious desire, that he with whom the measure originated, may have the full credit which will attach to his enlightened policy.

As it is not improbable that some misapprehension on another subject connected with this, may prevail in England, we take the opportunity afforded to us by this Address, to declare our belief that there exists in this country no political party in opposition to the Government. It would be an error, that might produce ill-will, discontent, perhaps injustice, to apply the designations of political party in England, to the differences of opinion on local subjects which exist here, though there are many who think that great and obvious deficiencies exist in the late act of the legislature of Great Britain providing for the renewal of the East India Company's Charter,—deficiencies which they deem ought not to have been left to any other power to supply; yet we express it to be our deliberate conviction, that the great body of the people here are contented—and more than contented, with the Government, that they are attached to it and grateful.

We think it not superfluous to allude briefly to the possibility, that some difficulties may occur in framing the provisions of a law to restrain all excesses and injuries which may be committed by means of the Press. It is obvious that the subject could not be suitably discussed within the limits of an address, nor do we assume to ourselves to instruct the Government. We content ourselves with saying that while we pray for a lawful freedom of the Press, and are thankful for it, we do not wish *to liberate the Press from any just and legal responsibility which may attach to its licentiousness.** We feel satisfied that the power of legislation is now in wise and liberal hands: we do not fear that exorbitant penalties will be imposed, or that the spirit of the proposed law will be impaired in its progress. In case future legislation should become necessary, and in particular if temporary or local difficulties arise, which shall render it necessary to restrain the liberty of the Press, we trust that the measure of precaution, will be in proportion to the danger apprehended, and that no restrictions will be made permanent, which are not now, and at all times necessary.

In conclusion, we permit ourselves to hope that you will not receive without pleasure this public testimony of approbation and high esteem; the general character of the Government under your auspices is such that this proposed law ranks only as one among many wise and liberal measures; it can need therefore no panegyric. Hitherto throughout Europe and the civilized world, a too common error has prevailed, and the Government of India has been deemed a grasping despotism, the support of which was military force alone, or if it were maintained by opinion, that opinion was simply the conviction that its force was irresistible. It has been reserved for you by this law which you have proposed, *which we trust you will remain to complete*, and which we meet here to approve, to dissipate this error, an error most injurious to the natural character of Great Britain. What you have done, must prove to all men, that there is nothing in common between the Government, which now exists in this country, and those which have heretofore existed; that the maxims of all Asiatic domination are the very reverse of the rule of the British Government of India.

Mr. James Sutherl[illegible] that there was so little difference of opinion he[illegible]xplain, but he could not second an ad[illegible]portant subject without expr[illegible]o. He had heard it suggested [illegible]s politic in the meeting to call on [illegible]precipitate the passing of the proposed law, but he most fully agreed with Mr. Turton and Mr. Dickens, that such a measure would not only be impolitic, but also in very bad taste. He quite concurred in the opinion that we ought not to sacrifice a matter of principle to a point of mere *etiquette!* but he very much doubted whether in this case the principle would be at all advanced by the precipitation recommended. It was true that the nobleman about to come out to this country was a diplomatist of a very bad school, but he had not the slightest doubt that he partook so far of the spirit of the age, that he would concur in the [illegible] a law which had been proposed and approved by [illegible]cil and supported by the public voice. He believed, indeed, that let who would be our future Ruler, be he Whig or be he Tory, he would not venture to oppose this law. Mr. Sutherland also warmly supported that part of the address which disclaimed the existence of any party in India opposed to the Government, and congratulated the meeting on its respectability and number, and on its unanimity so far, from which he said, it was evident that the spirit of the age was progressing in this country [illegible]

Mr. Stocqueler said, that as allusion had been made to the suggestion that the Government should be solicited to pass the draft of the Press Law into an Act at once, and as he had been the person who had offered that suggestion, he would take occasion to object to that passage in the address which left it to be supposed that the meeting had no fears that Lord Heytesbury would hesitate to sanction the law in question. The passage ran thus:—

'We trust that you will not be called upon to resign your high office until the period shall arrive, when this proposed Regulation ought to receive the final sanction of the Governor-General of India in Council, and be passed into a law. Not from any doubt that this measure, which you and the experienced Council which assists you have deliberately pronounced to be safe and desirable, will be carried into effect by your successor, but from an anxious desire, that he with whom the measure originated may have the full credit which will attach to his enlightened policy.'

Now he, (Mr. Stocqueler,) would not press his objection to this passage as the meeting appeared to be unanimous in favor of the address as it stood, and as he could not hope for its adoption by his suggestion. He would merely content himself therefore with recording his own dissent. It had been said that Lord Heytesbury came from a very bad school, which circumstance alone was sufficient in his, (Mr. Stocqueler's) opinion, to place no reliance on the liberality of his intentions. Moreover, there could be no occasion for further time to deliberate upon the question of the propriety of freeing the Indian Press since the public had, for the last eight or ten years, unequivocally expressed its opinion thereupon.

Mr. Turton rose for the purpose of making a slight alteration in the address, which was adopted, and which is printed in italics. He also took the opportunity of saying a few words in reply to Mr. Stocqueler, though on one point he perfectly agreed with that gentleman, viz., that Lord Heytesbury came out of a bad school,—that is, a bad *political* school,—for he was educated in a very good school as he (Mr. Turton) happened to know. But he (Mr. Turton) had known some very good boys come out of a very bad school, Lord William Bentinck for instance;—but come out of what school he might, he (Mr. T.) believed that his Lordship would not venture by opposing the proposed law to set at defiance the Council and the people: but if he did, there would then certainly be two parties in India—Lord Heytesbury on the one side, and the enlightened public of India on the other. He feared not the power of any Governor-General which was opposed to the enlightened intelligence of men who had passed a great portion of their lives in this country,—who had got rid of their prejudices before Lord Heytesbury ever had any; but should Lord Heytesbury be so inclined, he hoped to see him in his quixotic enterprize couch his lance against the Press. He did not believe Lord Heytesbury could dare attempt to act against the opinion of the whole community; nor would he with no further knowledge of him than that of the school in which he was bred, impute to him the intention of such an act of tyranny. He did not believe that Lord Heytesbury would so act, nor would he meet him

* The words in italics are Mr. Turton's amendment in place of the following, *for the liberty of printing without any previous restraint.*"

with such an imputation. On the contrary he would rather receive him with cordiality, and assume that he had something like sense in his head. He had no doubt indeed that his Lordship would pass the law, that he would cheerfully pass it, and if he had a prejudice against it, that he would get rid of that prejudice. On that ground he supported the Address as it stood with the exception of the slight alteration to which he had referred. He did wish the Press to be without restraint, but not without responsibility, which may attach to its licentiousness.

Baboo Duckenunder Mookerjee said, [illegible] that the meeting is unanimous in its opinion as to the freedom of the press, allow me to explain that the reason for presenting myself to its notice, is, because I consider that the proposed law is one of the greatest importance to the native community, in whose behalf I rise to express my sentiments. Sir Charles Metcalfe, certainly, deserves all the thanks that we are able to bestow on him; and I concur with Mr. Turton that [illegible] liberty we require is not [illegible] Let the offender be amenable to the laws, and if he deserves punishment, a Court of Justice is the tribunal to inflict it. I am sorry that we have some cause of complaint against Lord William Bentinck, for not having passed this proposed law. It was his duty according to his oath, if he thought the present law good, to inforce it—if not, to repeal it,—to do neither was hypocrisy. The proposed law is well calculated to promote the benefit of the country—for no country so much needs a Free Press as that whose Government is despotic. We cannot all, like Rammohun Roy, cross the ocean to make our appeals in England. (Mr. Stocqueler here asked, why not!) why not? because we have not all the same genius, the same courage or the same readiness to make great sacrifices. Lord Heytesbury will not oppose this law, he dare not. Truth next to God is omnipotent, and when he sees European and Native united in favour of the freedom of the Press, I don't think he'll oppose it, and if he does, I don't believe he'll succeed. (The Baboo sat down amidst the loud cheers of the meeting.)

Mr. Osborne observed, that the meeting had heard from his learned friend Mr. Turton that if Lord Heytesbury should refuse to pass the proposed law he woul fly in the face of the Council and the people, for that there never had been a press meeting at which there was a dissenting voice against its freedom. He (Mr. O.) would take care that should be said no longer. He could tell his learned friend that although they could not elevate their voices at a public meeting, there were many of the wisest and most experinced heads in this society opposed to the freedom of the Press. There were many passages in the address with which he could not agree. With respect to the English newspapers, indeed, he did think there was much necessity for the law. Those papers address themselves exclusively to a highly civilized class—and without intending any disparagement to the talent of the conductors of the English journals here, he thought their chief recommendation was the judgment of the Editors in making European selections, and the rapidity with which they gave circulation to Europeans news. He did not think that any benefit would arise from the increased circulation of native papers. He did not conceive that the press was an instrument of civilization: he believed that it was only in a very advanced stage of civilization that the press was at all required. In a country like this, in the lowest grade of civilization, what good was to be expected from the native press—from the *Sumachar Durpun* he believed they called it, or from such papers the names of which he could not pronounce or recollect! He certainly did not anticipate any great result from them, even if they went forth in all the glory of licentiousness, circulating only among a few wealthy natives. In fact he looked upon the native press as utterly worthless—a mere nullity; but were it otherwise they had the Hindoo College, from which pure fountain they might suck all the knowledge really useful to them. Many of the best informed members of this society did not approve of these public Meetings for the liberty of the Press. He thought the press had been going on very well under the old law and he saw no reason for change.

Mr. Longueville Clarke.—His learned friend Mr. Osborne had told them many of the cleverest heads in society were enemies to the Press: he would not contradict his assertion when he found that in that category, he (Mr. Osborne) included his own head: but he Mr. C. believed that the number of these clever heads opposed to the press was so few that the future Governor-General, if disposed to rely on them, would not derive much support from them. He (Mr. C.) had been many years in this country. When he first arrived he admitted there had been great diversity of opinion relative to the freedom of the Press; but as time had passed away, so had prejudice also, and every year the feeling had continued to increase that the liberty of the Press was essential to the welfare of India. He agreed with his friends Messrs. Turton and Dickens that it would afford a strong argument against us, if we were to call on the Council to precipitate the measures. He (Mr. C.) was not afraid that Lord Heytesbury would array himself against the Council and the people; but if he did, we could appeal to the throne for his removal; and without doing his Lordship the wrong of assuming that he would so act, he (Mr. Clarke) would observe that if he should, he (Mr. C.) would be the first to put his name to a requisition for a meeting to appeal to the Crown against his Lordship. We could now always do that—we could meet without permission of Government. He hoped there would be no necessity for so strong a party measure; but if the time should come for it, he would then evince his sincerity not by words but by deeds, and carry the petition to the foot of the throne for the recal of the man who had invaded their rights. If they were forced to have recourse to such a proceeding, they would find an invaluable ally in a Free Press. Even his learned friend Mr. O. would not deny that; and if it were only in contemplation of such a probability, it was the duty of every man to stand up for a Free Press. He had one observation more to offer. A short time ago he was in opposition to his learned friends Messrs. Turton and Dickens, and they had supposed that personal motives had been attributed to them. On his part and that of all his friends, he utterly disclaimed having imputed motives to them—he knew them both too well to suppose they had acted from personal motives or from a mere spirit of factious opposition. He gave them credit then as now for the best motives, and was happy that a time had arrived when there was no longer any difference of opinion between them on the subject of an address to Sir Charles Metcalfe. *(Loud applause.)*

Mr. Turton.—His peripatetic* friend Mr. Osborne, *(laughter)* had accused him of deriving his notions of the value of the press from the unanimity which had prevailed on the subject at public meetings! now he appealed to all present as to whether he had made any such declaration. What he stated was, that if this act passed deliberately, allowing time for the whole of India to be heard on the subject without a single voice being raised up against it, no Governor-General would dare to rescind the measure. His learned friend had also spoken of the feelings of the Indian community, but he thought he knew something more of the feelings of the people of India than his learned friend, and of one thing he was quite satisfied, that whatever feeling Mr. Osborne had heard expressed regarding the measure, he had not come forth this day with one argument against it. His learned friend, it seemed, had been picking the best heads in India, and culling the essence of their brains without extracting any argument from them. He allowed that the press laws were nugatory; and yet he would allow a nugatory law to continue unrepealed, one, too, under which men had been ruined and men may be ruined hereafter!! Surely it was an additional reason if the Press Laws were nugatory, that they should be swept from the statute book. His learned friend would admit, he thought, that he had to thank him, Mr. Turton, for extracting a single argument out of all his declamation though that argument made against him.

[illegible] He had not intended to address t[illegible] generous attack on the native press[illegible] words in its defence. Mr. Osborn[illegible] native press should have been con[illegible] not have been set free because i[illegible] the highly civilized but only amon[illegible] and that its contents were worthless. Yet the learned gentleman confessed that he could not understand the native Papers, could

* Mr. Osborne had been repeatedly moving about the Hall.

not even read their names, and yet he condemned them! (*Cheers.*) He (Mr. O.) should have known more of the native press ere he came to a sweeping conclusion against it. He had long known that press; but could Mr. Osborne say that its articles were such as merited the stigma the learned gentleman had cast upon it. The *Summachar Durpun* circulated in various districts and was full of useful discussion. Certainly the learned gentleman had not drawn his conclusions from the contents of the papers. This was not the first attempt that had been made to separate the natives from the European press: but he was glad to see that our rulers had scouted the proposition. Neither the European nor native press would advocate licentiousness, and the native press could be restrained by the same laws that applied to the English. Why such distrust of the natives—there were good and bad of all races. He would conclude by calling the attention of the opponents of the native press to a passage from Milton—'Who kills a man, kills a reasonable creature, God's image; but he who destroys a good book kills reason itself; kills the image of God in the very eye.' Many a man lives a burden upon the earth, but a good book is the precious life of a master-spirit, embalmed and treasured up 'on purpose for a life beyond life.' (*Loud cheers.*)

Mr. James Sutherland would trouble them with a few remarks on what had fallen from Mr. Osborne. He certainly had not anticipated any opposition when he had previously congratulated them on their unanimity: but he was glad that the gentleman who differed from them had boldly spoken out. The learned gentleman had assured them that many of the most enlightened members of the community were hostile to the liberty of the Press, although he had observed they could not elevate their voices at a public meeting. It was very unfortunate that these enemies of the Press should be absent, for at least if they could not elevate their voices they could have elevated their hands; now at the great meeting in January last not one single hand had been raised against the freedom of the Press. The learned gentleman had assured them that in his opinion the Press had been going on very well under the old law. It was very easy for that gentleman to hold and to express that opinion.

'He jests at scars who never felt a wound.'

But if the speaker had had his property destroyed and his prospects ruined by the law of which he now approved, he would most probably have taken a very different view of the matter. Into the question whether the Press had or had not been an instrument of civilization, he (Mr. S.) would not then enter. It was enough for him to know that the opinion that it had not, could not be supported by any argument derived from history or experience. He knew indeed that it had been a favorite dictum here with a higher authority than the learned gentleman's, that a Free Press should follow, not precede free institutions, by which he supposed we were to understand that we were to await until we had native elections and a parliament sitting in Calcutta ere we claimed or exercised the right of expressing public opinion through the medium of the Press. He always had opposed, and always would oppose that doctrine, as absurd. The learned gentleman had drawn a distinction between the European and the native Press, though he admitted that he was ignorant of the native languages and knew little of the contents of that Press. He, (Mr. S.) would plead guilty also to the soft impeachment of being ignorant of the native languages: but fortunately some of the native papers were translated and he had been for years in the habit of reading them. It was his opinion that if a distinction were to be drawn between the native and the European Press, the balance as to temper and decorum would be in favour of the former. He had heard a great deal indeed of the ignorance of the people; he admitted, and he deeply lamented, that a vast mass of ingorance and superstition did still exist in the country: but he denied that that was any argument against the liberty of the Press. In his view, indeed, if ever there was a country above any other in which the freedom of the press was safe and salutary, India was that country—for though the mass of the people were ignorant there existed a large amount of enlightened public opinion, of which the governing stood in awe, which they were desirous of having in their favour, and thus the natives were benefitted by an instrument of the value and nature of which the mass of them, he admitted, still remained ignorant. He had always disclaimed, and he would still disclaim, any boon which was to be conceded at the expense of the natives, and if there was one feature with which he was more gratified in the proposed law than another, which reflected more honour on Sir Charles Metcalfe, it was, that it rejected all distinctions between Native and European, and recognized the Trojan hero's maxim of impartiality.

"Tros Tyriusve mihi nullo discrimine agetur."

He was glad that the gentleman who was opposed to them had stated his objections, and he regretted that those who agreed with him had not followed his example, he hoped if any of them were present that they would still do so. He entirely agreed with those who urged that the more the subject was discussed the better. Their's was the cause of principle* and reason—and by principle and reason alone let it triumph.

Mr. Torrens.—As the learned gentleman had set himself up as a butt to be spoke at, and imagined that among the service to which he (Mr. T.) belonged, there were many who were unfavourable to the liberty of the Press, he rose to vindicate it from that imputation. There were in that service he believed very few persons who hold such opinions. In fact, the man who did, must be born a Tory, bred a Tory, and be a Tory in grain. He believed that it had been imputed to the service to which he belonged that they dreaded the bosom of reform, but they had been belied—they desired public opinion on their acts—they courted public scrutiny into the conduct of their judges. He believed that he spoke the sentiments of the majority of the service that so far from being opposed to free discussion, they were favorable to it, and rejoiced in the means of making their actions better known to the country.

Dr. Corbyn considered it the duty of every man on an occasion of this kind to state the results of his observation and experience. If the actions of men were subjected only to subsequent restraint by Laws—he was at a loss to conceive why the productions of mind alone should be trammelled by previous restrictions. Suppose a man had an estate and another man were to injure the property of that estate, and the offended were to be made amenable to him whom he had injured—to be judged by him alone, should we not say that such a system was opposed to reason and justice? Why then not adopt this rule in respect to the productions of mind—the laws have power to punish the abuses of the Press, why then restrain its freedom? It had been urged that the liberty of the Press had not promoted civilization. To refute that assertion we had only to look at our own little island. What constituted its greatness—if not freedom? By what was that freedom secured but by the liberty of the Press? If that were so, why, then, he asked, should the press in this vast country be subjected to restraints? He had been induced to address the meeting chiefly because he could not have it supposed that the service to which he belonged participated in hostility to the press.

Mr. Crow would trouble the Meeting with a few words on behalf of the class to which he belonged, the East Indians, who were as well qualified and as much entitled to express their opinions on this subject as any other class. His was no very limited experience among his countrymen, and he was particularly well aware of the sentiments of those who were in the habit of taking part in public meetings, and he would venture to say that there was but one opinion among them, they were all in favour of the freedom of the press, and unanimous in desiring that the proposed law should pass.

Mr. Joakim Senaes, would presume, week and feeble an advocate as he might be, humbly to echo the sentiments expressed by Mr. Crow—they, the East Indians, were all agreed in favour of the liberty of the press, and in proof of his own sentiments, and those of Mr. Crow, he could refer them to articles written by both which would fully bear him out in that statement. He had

* We beg to observe that this speech is reported entirely from memory, as we could not for a reason, which many of our readers will divine, take a note of it; but although it is in reply, and therefore, of course, was wholly unprepared, we believe it is substantially correct.

been at all times an advocate of the liberty of the press. These were not mere words and professions, but sentiments which flowed directly from his heart.

Mr. Pattle came there simply for the gratification of hearing what he had heard, he had not intended to speak; but he felt it now incumbent on him to rise, and repudiate the opinion that there were many enlightened persons in this community opposed to the liberty of the Press. He could declare that in the service to which he belonged the minority holding such opinions was so very small, that he believed he might be entitled to say that the whole service was favorable to that liberty. They courted publicity. Honest men never feared it. He who did was not honest, and he hoped that such men might meet the exposure they deserved. He believed that their opinions were equally in favour of the native press, for himself he thought very highly of it—it had been ably and temperately conducted, and he thought it would be a useful instrument for diffusing knowledge among the people. He had heard of danger from it to our Government; but the best tenure of our power was the voice of the people in its favour—so long as the people preferred our Government (and they would prefer it the more it was known) so long would that Government endure—whenever they ceased to prefer it—he hoped it would endure no longer. *(Loud cheers.)*

The following gentlemen were named a committee to present the Address—Mr. Pattle, Mr. Turton, Mr. Clarke, Mr. Dickens, Mr. Sutherland, Mr. Stocqueler, Mr. H. Torrens, Mr. Crow, Mr. Sinaes, Dr. Corbyn, and Baboos Dwarkanauth Tagore, Duckenunder Mookerjee and Russic Kisto Mullick.

The thanks of the meeting were then voted to the Sheriff, and the meeting separted.

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## THE GOVERNOR-GENERAL'S REPLY TO THE ADDRESS.

*To the Inhabitants of Calcutta, in Town Hall, Assembled.*

Gentlemen,—On the part of my colleagues in the Government, as well as on my own, I sincerely thank you for this testimony of your approbation of our proceedings, and for the obliging manner in which it is expressed; but highly as I prize your esteem, I will not underrate the character of this Address by regarding it as designed principally to convey a compliment. You have adopted this mode of giving authentic expression to public opinion, on a great question, in which the happiness of all India, it may be said of all the world, is concerned.

I rejoice to meet you on this ground, and to join my humble voice to yours, in favor of that measure, which will, I trust, in due course be consummated.

I need not to you defend a proposed Law which you cordially approve; but there may be some who are not satisfied, that it is either necessary or safe. I will, therefore, avail myself of this opportunity to state as briefly as possible the reasons by which it appears to me to be justified and recommended.

To all who doubt the expediency of the Liberty of the Press, I would say, that they have to shew that it must necessarily cause imminent peril to the public safety, such as would not exist without it, and cannot be averted by salutary Laws; for otherwise there can be no doubt, that freedom of public discussion, which is nothing more than the freedom of speaking aloud, is a right belonging to the people, which no Government has a right to withhold.

It also rests with them to shew, that the communication of knowledge is a curse and not a benefit, and that the essence of good Government is to cover the land with darkness; for otherwise it must be admitted to be one of the most imperative duties of a Government to confer the incalculable blessings of knowledge on the people, and by what means can this be done more effectually than by the unrestrained liberty of publication, and by the stimulus which it gives to the powers of the mind?

If their argument be, that the spread of knowledge may eventually be fatal to our rule in India, I close with them on that point, and maintain, that whatever may be the consequence, it is our duty to communicate the benefits of knowledge. If India could only be preserved as a part of the British Empire by keeping its inhabitants in a state of ignorance, our domination would be a curse to the country, and ought to cease.

But I see more ground for just apprehension in ignorance itself. I look to the increase of knowledge with a hope that it may strengthen our Empire; that it may remove prejudices, soften asperities, and substitute a rational conviction of the benefits of our Government; that it may unite the people and their rulers in sympathy; and that the differences which separate them may be gradually lessened, and ultimately annihilated. Whatever, however, be the will of Almighty Providence respecting the future Government of India, it is clearly our duty, as long as the charge be confided to our hands, to execute the trust, to the best of our ability, for the good of the people. The promotion of knowledge, of which the Liberty of the Press is one of the most efficient instruments, is manifestly an essential part of that duty. It cannot be, that we are permitted by divine authority to be here, merely to collect the revenues of the country, pay the establishments necessary to keep possession, and get into debt to supply the deficiency. We are doubtless here for higher purposes, one of which is to pour the enlightened knowledge and civilization, the arts and sciences of Europe over the land, and thereby improve the condition of the people. Nothing surely is more likely to conduce to these ends than the Liberty of the Press.

Those who object to it are further bound to shew that it is not salutary for the Government and its functionaries to have the check of a Free Press on their conduct, and that the exercise of arbitrary power over a restricted Press is preferable to the control of the Laws over a free one, assumptions which cannot be maintained.

The time was, when the Fredom of the Press was considered as intolerable for any class in India. That has passed away, and many now admit, that there is not much harm, and that there may be some good in granting it to Europeans, but still entertain apprehensions as to its injurious effects, if enjoyed by natives. I do not participate in those apprehensions, but of this I am sure, that to legislate in distrust of our native fellow subjects, or to legislate differently for them and for Europeans, in matters of right and liberty, would be extremely unwise and unjustifiable policy. The Press will always be under the safe-guard of Laws, and Laws can be made where Laws are wanting. The existence of a Local Legislature, which can at any time provide for the safety of the state, should it be endangered, has removed the only formidable bar which before opposed the complete liberty of the Press.

In addition to the motives, which must have existed on general principles for giving the fullest freedom, there were circumstances in the state of the Press in India, which rendered the measure now proposed almost unavoidable. The Press had been practically free for many years, including the whole period of the administration of the late Governor-General, Lord William Bentinck, and although Laws of restriction existed in Bengal, which gave aweful power to the Government, they had ceased to operate for any practical purpose. They were extremely odious. They gave to the Government arbitrary power, which British subjects in any part of the world detest. No Government could now have carried them into effect, without setting universal opinion at defiance. After the liberty given by Lord William Bentinck's forbearance, no Government could have ventured to enforce those Laws, unless it had been gifted with a most hardy insensibility to ridicule and obloquy. Even supposing them to be good, they were utterly useless, and as they brought unnecessary odium on the Government, it would have been absurd longer to retain them.

In speaking of those Laws, I cannot refrain from adverting to the individual, who having been at the head of the Government when they were passed, bears all the blame of being their author. He was one of the best and the purest and most benevolent of men that ever lived. In proposing those Laws, he must have been actuated, as he always was, by the most upright and conscientious motives. Had he been now alive, and at the head of this Government, he would probably have

been among the foremost to propose the abolition of those Laws, which he formerly thought necessary, but would now have seen to be useless and odious. To what a degree popular feeling prevails against them cannot be more strikingly shewn, than by the detraction which they have brought on the memory of one, who was eminently deserving of all praise, distinguished by great talents and the most important public services; the soul of honor and virtue, admired, beloved, revered by all who knew him; but condemned by the public, who knew him not, solely on account of these Laws which they abhor.

In the Bengal and Agra presidencies, the question was, whether these Laws should be retained or abolished; Laws be it observed, too unpopular to be executed, which in practice had in every respect become obsolete. In the provinces subordinate to Bombay, there was the same question, but that was not the question in other parts of India. The question there was, shall such laws be introduced where they have not been known? Shall odious restrictions be imposed where there is already perfect freedom? Shall despotic power be substituted in the place of Law, or of liberty unrestrained even by Law? At Madras there was no Local Law, and there were no means of making any person responsible for what was published. At the presidency of Bombay there was a Law, already existing, as free as that now proposed for all India. At Madras and Bombay, to have made any Law, short of perfect freedom, would have been to impose restrictions which did not before exist. Such a course would surely have been wrong, and was certainly unnecessary. A Law was urgently required at Madras, where liberty existed without responsibility. We could not legislate partially on such a subject; and the result of our deliberations was, that what is now proposed was the safest and the best Law that could be devised. It gives perfect liberty, and all its subordinate provisions aim only at proper responsibility. Things could not remain as they were, and any Law of restriction would have been sad retrogression in legislation and totally opposed to the spirit of the age.

You have alluded most justly to the difficulties that beset the framing of a Law to restrain all excesses and injuries which may be committed by means of the Press. On this point, I fear, Legislation is set at defiance. We cannot apparently enjoy the Liberty of the Press without being exposed to its licentiousness. We must submit to the attendant evil for the sake of the predominant good. Although the boundary between liberty and licentiousness is perceptible enough in practice, it can hardly be defined by Law, without the danger of encroaching on useful liberty. The Laws of England have utterly failed to prevent the licentiousness of the Press, and yet perhaps could hardly be made more efficient without endangering its freedom. Much, therefore, necessarily depends on the good sense and good taste of those who wield the power which the Press confers. The worst enemies of the Press are such of its conductors as destroy its influence by prostituting its use for the gratification of base passions. When public measures are fully and freely discussed, and censured or approved, as may be, in a spirit of candor and justice, the influence of the Press must be great and beneficial. But when men find themselves the objects of gross personal scurrility, without any reference to public measures, or real character and conduct, they may at first feel pain, because, sensitive men, with benevolent dispositions towards all their fellow creatures, grieve to perceive that they have rancorous foes, busily employed against them, but lurking in concealment, the cause of whose enmity they know not, and whose wrath they have no power to appease; but they cannot respect the instrument of unjust virulence, they must know that such attacks proceed from personal hatred, or wanton malignity, and they must learn to despise calumny which cannot be guarded against by any goodness of measures or any correctness of conduct. The proper influence of the Press is thus destroyed; and ultimately just censure, which would otherwise be respected and dreaded, is disregarded and discredited, and being confounded with the mass of indiscriminate abuse, loses it due effect.

I entirely concur with you in the desire which you entertain, that if at any time actual danger to the state should render necessary, temporary or local restraints on the liberty of the Press, the precautions applied by the Legislature may be only commensurate to the real exigency, and that no restrictions may be made permanent beyond those which are necessary to ensure responsibility; and I trust that all legislation with a view to protect the community against licentiousness, will be in the true spirit of liberty.

I am sensible of your kindness in the wish which you have expressed, that I may remain in my present office long enough to take a part in passing the proposed measure into a Law. For two reasons I entertain the same wish. I am naturally desirous of having a share in the completion of a Law, which will, I trust, conduce to the welfare of India and mankind. I am also anxious to relieve the Governor-General elect from the responsibility of a measure regarding which long experience in India enables me to proceed without hesitation. On the other hand there is a consideration, which will more than reconcile me to the transfer of this duty to the hands of the distinguished nobleman appointed to this office. Fully believing that all the prepossessions of a British Statesman, and especially of one who has witnessed the inferiority of countries where the Press is enslaved, compared with his own, where it is free, must be in favor of the Liberty of the Press, I shall rejoice at his having an opportunity of commencing his administration with an Act, which will at once establish a good understanding and a cordial feeling between the head of the Government and the community over which he is to preside.

*June* 20, 1835. C. T. METCALFE.

[*Bengal Hurkaru.*

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## SPECIAL MEETING OF THE GOVERNORS OF THE NATIVE HOSPITAL,

HELD 20TH MAY, 1835.

The non-existence of any Institution, uniting the advantages of medical advice and of attention to the personal comforts of the native population of Calcutta and its suburbs, labouring under Fever, Dysentery, and other disorders incident to this country,—the sufferings and the immense loss of human life consequent upon those diseases, increased to a fearful height from the want of an Asylum of this nature near at hand, having been forcibly brought to the notice of the Governors of the Native Hospital, by the Surgeon of that Institution, the subject was by them deemed of so much importance, that a Special Meeting of their body was convened upon the 20th instant, for its consideration, at which the following Gentlemen were present:—

The Right Revd. the Lord Bishop of Calcutta.
The Hon'ble Sir E. Ryan, Chief Justice,
The Hon'ble Sir J. P. Grant,
C. W. Smith, R. Saunders,
C. R. Barwell, T. C. Robertson, and
B. Harding. S. Nicolson, Esquires,

attended by Mr. Martin, Dr. A. R. Jackson, and Baboo Ramcomul Sein.

The Lord Bishop was voted into the Chair, when a printed report and some manuscript notes by Mr. Martin were laid before the meeting, along with corroborating letters from other practioners of this City, and series of practical observations by Baboo Ramcomul Sein. Mr. C. W. Smith then read the following remarks, and proposed the resolutions annexed to them, which, together with Mr. Martin's notes and the other letters and obser-

vations alluded to, having received full and deliberate attention at the time, are now appended for the information and consideration of the community at large, and in the fullest assurance that this attempt to add another most beneficial establishment to those which already distinguished this City, will be met with that liberality and benevolent feeling, which is so characteristic of the inhabitants of Calcutta, both European and Native.

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MR. SMITH'S ADDRESS.

The purpose for which we have called the present meeting of the Governors, is to consider a proposition submitted and recommended by Mr. J. R. Martin, to add a Fever Hospital to our already existing Establishments.

In the following remarks I shall briefly shew, that the proposition in question is consistent and compatible with the immediate object of this Institution, is in itself an object, the attainment of which will confer great and important benefits on the Native population, but that it is also one which we cannot accomplish in a suitable manner, with reference to our funds, without having recourse, as in 1792, to an appeal, addressed to the community at large, in furtherence of it; and I shall conclude by suggesting some resolutions which, with every deference to this meeting, I would propose for adoption.

It has been suggested, then, by Mr. Martin, in his valuable paper on this subject, that with reference to our present establishments, we could not extend the benefits of this Institution, in a manner better suited to meet the exigencies of the Natives in this populous City, than by establishing a Fever Hospital in a centrical part of the Native Town.

It is the opinion of Mr. Martin, that such a Hospital is most urgently required, for the relief of the population, not only in times of unusual sickness, but even in ordinary seasons, and he gives it to us as the result of his personal inquiries and observation, that there is no other object in the nature of a public benefit which could be more useful or which could be more generally and gratefully acknowledged by the Natives.

In entertaining the present proposition, we are making use of our undoubted privilege as Governors.

We are vested with authority to appropriate the funds of the Institution in such manner as shall best secure the object of the Institution, which we learn from our Rules, is that of extending its benefits to persons requiring medical advice and assistance.

We are therefore called upon to give our mature consideration to the proposition of a Fever Hospital, and to decide whether it is or is not such an object as, with reference to our rules and other contingencies, should be adopted by us.

As the sole object of this Institution is to extend the benefits of medical advice and assistance to the community of this City, it is first necessary to inquire whether the establishment of a Fever Hospital embraces that object; and secondly, whether it is needed in addition to our present establishments, considered with reference to their local position, and extent to which their usefulness is circumscribed.

I believe it will be found that of all the catalogue of diseases in this fruitful clime, common Fever greatly outnumbers the whole put together, and is in itself the immediate cause, when neglected, of many others. I here speak under correction, but if I have approached the truth, little more need be said, tending to shew that the extension of medical aid and advice, to lessen the ravages of this prevalent source of illness and death, comes peculiarly within the province of our Institution.

I must not here omit to introduce Mr. Martin's opinion upon Fever. He says—"Fever is so universal with the Native, that until enlarged spleen, or bowel complaint (the Sequelæ to often repeated Fever) seizes him, he never thinks it necessary to apply for aid; and when he does, it is but to accelerate his fate: the compound of Arsenic and Spices, or the rude preparation of Mercury given by the Native Doctors is efficacious to rekindle the feeble remains of constitutional power, only to sink the more rapidly into death."

I will not stop to urge how desirable it is to have separate Fever Hospitals, and to keep the patients suffering from fever, apart and at a distance from other patients suffering from the effects of wounds and broken limbs, or under surgical operations, because this is a part of the subject which will better become, and be better handled by those of our body who are professionally conversant with such details, but I will hasten on to consider the subject as it is not recommended to us by its exigency, compared with the local position of our present establishments.

Upon referring to a Map of this City, it will be seen that it is a dense mass of native houses and huts, which, from the Native Hospital northward, occupies an area of some three miles in length, by a mile and a half in breadth; that within this space, large, indeed, when considered with reference to its population, we have not a single establishment, save and excepting that of Gurranhutta, which is by no means centrically placed, and even if it was, would be quite inadequate to its wants even in times of ordinary sickness. If such be the case, it must then be conceded that Mr. Martin has pointed out a field, to which the benefits of medical advice and assistance, which is the sole object of this Institution, have not yet been extended, and that practically considered, his proposition to erect a Fever Hospital in a centrical position, within the area above noticed, merits our best attention.

It now only remains that I should say a few words respecting our funds. From the accompanying statements drawn up by our Secretary, in reply to some queries I put to him, it will be observed that, after paying all expenses incurred by our existing establishments, the present available average monthly sum is only rupess, 229-1-9 or if the sum of sicca rupees 616, the average monthly sum hitherto disbursed for the Leper Asylum, which, under a recent vote of the Governors, will in all probability be soon an available additional sum, we shall then have a surplus unappropriated sum of about 850 rupees.

Considered with reference to the average expenses of the other establishments of this Institution, we may, I think, conclude that the above available sum will be sufficient to meet the monthly expenses of a Fever Hospital, provided we can obtain sufficient means to purchase ground and to erect suitable wards and buildings for a Fever Hospital.

In the accomplishment of such an object conducive to the health and comfort of thousands upon thousands of their suffering fellow countrymen, be assured the wealthy natives of this populous city will not be backward; to doubt this would imply an ignorance of the magnificent donations already on the records of this institution, and which grace the names of the Newaub Visier, of Rajah Buddenath Roy, Seebchunder, and Narsing Chunder Roy, and many others.

Nor can we entertain a doubt that the community, European as well as Native, whether of Calcutta, or of the Mofussil Towns and Cities, will all unite in the furtherance of an object, which holds out such abundant anticipations of usefulness, and which addresses itself so directly to the best sympathies of our nature.

In conclusion, I beg to submit the following resolutions, more with a view to place something tangible before the meeting than from any confidence that they will merit adoption.

1st. That, in the opinion of the Governors, the proposal to establish a Fever Hospital in a centrical part of the Native Town of Calcutta, is one of undoubted expediency.

2d. That the object is consistent in every respect with the objects of this Institution, which is to give medical advice and assistance to the utmost possible extent.

3d. That our present funds, with reference to the disbursements on account of existing establishments, do not give us the necessary available means to purchase ground and to build the projected Hospital.

4th. That, under such circumstances, it is highly necessary to solicit the contributions of all classes of the community.

5th. That a statement explanatory of the object now contemplated be drawn up, published in the English and Native Papers, and be circulated among the com-

munity, Native and European, in the City of Calcutta, and throughout the Towns and Stations in the interior.

6th. Resolved, that the following Gentlemen be appointed as a Sub-Committee, to give effect to the above resolutions, and to report, after the result of this appeal to the public shall have been ascertained, to the body of Governors for such further consideration as may then appear necessary.

Sir Edward Ryan, Lord Bishop of Calcutta, Sir J. P. Grant, C. W. Smith, Esq., Chairman; Baboo Ramcomul Sein, Baboo Rajchunder Doss, Baboo Radakaunt Deb, Mr. J. R. Martin, Dr. A. R. Jackson.

7th. That the resolutions of this day be communicated to Government.

C. W. Smith.

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## DR. MARTIN ON FEVER HOSPITALS.

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The situation I hold at the Native Hospital, afforded me daily opportunities of witnessing on a large scale, the misery and death produced by the inundation of 1833, among the Native inhabitants of Calcutta and the surrounding country. Natives of respectability have assured me, that in the villages to the south and east of us, half the occupants of each house died of fever during that year:—some even went much beyond this estimate, but admitting both accounts to be exaggerated, the real amount of suffering must be admitted to have been terrible; and I am led to think, that the extent of the calamity is not generally known, and that, were it known, the active sympathies of Government, and of all classes of Europeans would be roused to prevent, or alleviate, if it could not prevent, the effects of similar calamities in future. I am of opinion, moreover, that a great deal could be done to secure the population, both European and Native, against a recurrence of so much suffering; and it was for the purpose of ascertaining the actual state of the town and suburbs, with a view to such preventive measures, that I committed to paper the result of several examinations of the localities in and about Calcutta.

The accompanying Memoranda contain a brief description of such of the defects observed, as more immediately presented themselves, and that demanded more immediate remedy: they have no other pretensions, and were printed only for my own convenience: they go chiefly to establish the general prevalence of fever amongst the natives, and to point out its apparent cause.

On the subject of establishing a Fever Hospital in a central part of the Native Town, I beg to offer a few observations; and without reference to extraordinary occurrences, such as that alluded to, or any unusual epidemic, I declare my belief, that such an Institution has become one of necessity to the Natives, and that I know of no other, the active benefits from which would be so generally felt, and so gratefully acknowledged, as a Fever Hospital.

Fever is so universal with the Native, that until enlarged spleen or bowel complaint (the sequelæ, too often repeated fever,) seizes him, he never thinks it necessary to apply for aid; and when he does, it is but to accelerate his fate. The Compound of Arsenic and Spices, or the rude preparation of Mercury, given by the Native Doctors, is efficacious to rekindle the feeble remains of constitutional power, only to sink the more rapidly in death.

As a commencement, I would propose, that the Fever Hospital be incorporated with the Dispensary at Gurranhutta, the existing establishment of which, with some additions, would be sufficient for the present duties, and until the demand becomes great.

With reference to the convenience of the Native population, I would suggest that a spacious house for the purpose be secured, in a more central position, than that now used for the Dispensary, say about Cotton-street or Machooa-bazaar.

Besides the advantage to the community of the proposed change of place, it would bring the Hospital so much nearer the Students of the Native Medical School, as greatly to facilitate their recourse to it; and that is a point of much consequence, as it is in an Hospital alone they can ever acquire the practical knowledge which can render them generally useful. Under any possible advantages, the Natives cannot be expected, for many years, to become bold or skilful Surgeons; and it is therefore on their practical knowledge of fever especially, its nature and treatment, as exhibited extensively within the walls of an Hospital, that a great deal of their usefulness must depend.

To promote the objects here but hinted at, subscriptions might be solicited from the wealthier Natives throughout the country, for they are in an especial manner bound to support such an establishment; and it is a mistake to suppose, that its charities would, any more than those of the Native Hospital are at present, be confined to the inhabitants of Calcutta; for in it we have persons daily from every portion of the presidency, from Cuttack to Loodianah; and the followers of the Sikh Embassy, who made frequent applications for relief, declared the benefits conferred by the Hospital, to be well known even in their distant country.

On the subject of the Leper's Asylum, I submit that, with reference to the objects and the original establishment of the Native Hospital, and the active nature of its charities ever since, such a plan of pure Medical Police as that of the Leper's Asylum, is not compatible with the purposes of the parent Institution, in which active relief and cure are daily aimed at; whereas, I have said, the other is only an establishment of Medical Police, limited to granting food, clothing and quarters—a cure being out of the question. Such an establishment is well for the Town of Calcutta to maintain, and I think it ought at once to be transferred to the Police Establishment, or such other mode as may appear best to the Governors. By this measure alone, a sum of 500 rupees per mensem, on an average, would at once be placed in the hands of the Governors.

On the contemplated improvements in the Town and suburbs, I have only to say that I shall feel much gratified if their importance has been made in any way apparent to the Governors, and if through any efforts of theirs, a remedy can be obtained for an evil that will otherwise certainly go on increasing.

Finally, I throw these matters on the better consideration of the Governors of the Native Hospital, through whose continued humane exertions with the authorities and the public, so great a benefit has already been secured to the poor as that exhibited by last year's returns of the Native Hospital and Dispensaries under their orders, viz. 2,48,684 persons; an amount of relief that could hardly have been anticipated by the most sanguine, when, in 1792, the Governors of the day first addressed the inhabitants of Calcutta "on the subject of instituting an Hospital for the relief of the Natives."

(Signed.) J. R. Martin.

*Native Hospital, April* 9, 1835.

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## NOTE ON THE MEDICAL TOPOGRAPHY OF CALCUTTA AND ITS SUBURBS, CHIEFLY WITH REFERENCE TO THE CONDITION OF THE NATIVE HEALTH.

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"If we except a knowledge of the symptoms of diseases, and the powers of the remedies used to combat them, there is perhaps, no one species of information of greater importance to the medical practitioner than that which teaches the effects of *climate, locality*, and other *external* causes upon the health of man."

*Dr. Hennen.*

A knowledge of the external circumstances which influence the health of the inhabitants of any particular country, commonly designated Medical Topography, when practically considered, has for its object the *prevention* of disease, which in a large portion of cases, originates in *external causes*.

Of its great importance, therefore, there can be no question, and it has been found at all times to progress in exact accordance with the state of civilization in any given community: Malte-Brun, when speaking of the most temperate climates, declares' "that it is man himself

who has in a great measure created these salubrious climates; France, Germany, and England, not more than twenty ages ago, resembled Canada, and Chinese Tartary, countries situated, as well as our Europe, at a mean distance between the equator and pole." Much as has undoubtedly been effected in the countries alluded to, through the suggestions of professional men, still more has been done by the common sense and observation of the public at large; and fortunately, it does not require a technical or professional education, to enable a person to prosecute Medical Topography, any more than quarantine regulation, with the greatest advantage to the public. So much has it been so on many important occasions, that Dr. Hennen, himself, the best writer on the subject that I am acquainted with, has complained that during the plague at Malta, "the trammels of medical theories" had perverted the better judgments of certain medical officers, and that their opinions had been "torture to the purposes of professional controversy" to the degree that, from all the evidence he could collect, he much preferred the plain common sense of Sir Thomas Maitland, the then Governor.* I think it is useful to point out this fact, as it ought to encourage the non-professional in the prosecution of so beneficial a subject; and to medical men it ought to teach the superior value of practical observation over theory —so often dignified with the name of science. On the other hand, I think that, in this country especially, there are few matters, next to the right treatment of disease, to which patient and observant medical officers can apply their minds with more beneficial effect to the State, or credit to themselves, than Medical Topography; and I am much mistaken if most stations, civil and military, throughout India, do not stand greatly in need of the practical application of a knowledge thus acquired.

If we accord in Sir Gilbert Blane's opinion, that all predominant diseases are referrable to the following general heads, viz. 1st. Vitiated exhalations and secretions of the human body. 2dly. Noxious exhalations of the earth, and 3dly. Depraved habits of life;—we shall at once see how much of public health, in the great matter of *prevention* of diseases, may be effected through a practical application of the Science of Medical Topography. The injury from human exhalations is removed simply by prevention of crowding, by exposure to sun and wind, cleanliness, &c.; and that from terrestrial exhalation, by draining, clearing, levelling, &c.

Having made these prefatory observations, I shall proceed briefly and free from technical language or theoretical discussion of any kind, to point out what I conceive may be done with ease and without serious cost, to improve the immediate locality of this City and its suburbs, chiefly with a view to ameliorate the condition of the Native health.

A detailed Medical Topography of Calcutta would comprehend a variety of subjects which I conceive foreign to the practical objects, to which I would limit myself in these Memoranda.—I shall therefore pass over the questions of position, boundary, sea, rivers and canals, temperature, climate, soil, levels, police, population, morals, &c. and proceed at once to the subject.

That it is in our power, by removing defects of locality, to remedy those of climate, and thereby conduce largely to the preservation of public health, need not again be insisted on. The history of every country and of a hundred cities speaks to the fact; and perhaps of none more than that of Calcutta, though its improvement has been so gradual as to escape notice.

Extended agricultural and other improvements produce remarkable influence on health in all parts of the world; but those in and about Calcutta have, with exception to the works belonging to Fort William, the Mahratta Ditch, and those effected by the Lottery Committee, been chiefly from the clearing and draining, preparatory to the construction of buildings, roads, &c., the result of private speculation and enterprise. But as all these sources of improvement have, for some time past, ceased to operate, and as they are not likely soon to revive, it is much to be feared that, without the aid of Government, this City will experience the gradual effects of neglect, and become as unhealthy as we know it to have been in former times. "It is only by constant efforts of industry that the salubrity of any spot is maintained: when these are relaxed, or when prosperity and civilization decline, the seeds of disease are immediately deposited in the earth."

It may be useful to look back for a moment to what Calcutta *was* in the earlier periods of its occupancy by Europeans; and from many accounts that might be cited, I have chosen the following from the travels of Captain Alexander Hamilton, who visited India between the year 1688 and 1733.

"One year I was there, and there were reckoned in August about twelve hundred English, some military, some servants of the Company, some private merchants residing in the town, and some seamen belonging to the shipping lying at the town, and before the beginning of January there were four hundred and sixty burials registered in the clerk's Books of Mortality."

This worse than Batavian condition, and frightful suffering, are ascribed by Captain Hamilton to the annual subsiding of the salt water lake; leaving its marshy banks covered with fish and exposed to a vertical sun. No doubt this had a most injurious effect; but the unimproved state of the grounds in and about the town—the marsh and rank vegetation, producing constant unwholesome exhalations, retained and accumulated in a humid atmosphere—these, too, had their full share. On the object of the choice of Calcutta as the site of the British "emporium," the same authority declares, that Mr. Job Charnock had no better reason for it, than its possessing "a large shady tree," (!!) and it is further added (truly enough) that "he could not have chosen a more unhealthy place on all the river."

In more recent times, it was the custom of the European inhabitants of Calcutta to meet on the 15th of December of each year to congratulate each other on their escape from the period so emphatically marked by Captain Hamilton; but though this is no longer considered necessary on account of the insalubrity of the place, still I think it will not be difficult to shew that we are far indeed from having effected for our "emporium" all that might, or ought to have been done for it. For many years to come, little more can be expected from that commercial and private enterprise to which Calcutta has hitherto owed so much; and it therefore becomes the more urgent on the part of a great and liberal Government, to take a lead in so humane and beneficial an undertaking.

That remittent and intermittent Fevers, with all their fatal consequences, prevail to an extraordinary extent in all parts of this city, and during every month of the year, but especially on the decline of the rains, any man may satisfy himself who will enquire as I have done, on the spot; and here I purposely omit the result of my observations of the Native Hospital, where, though it be more strictly a Surgical institution, the worst forms of fever, existing any where, are brought daily, and that generally in an advanced stage. I omit this, in order to speak to what I have seen on the spot, in the houses of the poorer Natives, where I have often gone to learn the fact of the existence of the Fevers in question, with their sequelæ of spleen, dropsy and bowel complaint. There is another fact connected with the last, which does not rest solely on the opinions of physicians, but is supported by the general observations of mankind, viz. that the Fevers in question arise *from marsh and other exhalations.*

It having been shewn then, what this locality once was, and what by neglect, it may again become, I proceed, in as brief a manner as possible, to point out the works which I consider as likely to improve and maintain its salubrity; and first, of the streets.

Whoever has visited before sun-rise the Native portion of the town with its narrow lanes, and "rankest compound of villainous smells that ever offended the nostril," will require no arguments in favor of widening the streets, so as to effect the two greatest improvements of all, as respects the salubrity of the city—free exposure to the sun, to rarify and elevate the vapours, and to the winds, to dilute and dissipate them.

* Before the publication of Dr. Hennen's work, the best account of the Medical Topography of the Mediterranean was that of Captain Smyth, of the Engineers.

It were easy to point out where clearing out masses of building, and widening and new-forming streets should be effected; but here I shall only indicate the necessity for these measures, in almost every part of the Native town: the details could easily be arranged afterwards. Where new streets are formed, they should be, as much as possible, in the direction of the prevailing winds. All streets should have raised pavements on each side, for foot passengers.

It is surprising how much the condition of the Native habitations has been neglected in this great city and its suburbs, in which are to be found all the faults of all the cities in India. It may not be very easy efficiently to interfere in this matter, and it may be very true that it is easier to find fault than to remedy the evil complained of; but in an affair of so much importance to the health of the inmates, *something* may and ought to be tried at least, if only in the way of municipal or police regulation.

While in Ava, I was forcibly struck with the superior mode of building amongst the Natives, which in point of airiness, elevation and mode of construction, constitute the best habitations for the poor I have ever seen in any country; and I have no doubt they contribute much to form the hale constitutions of the Natives as contrasted with other Asiatic races. There, every man is raised above the ground in proportion to his means, and even the poorer classes are three feet above it; while here, nine-tenths of the entire population sleep on the ground. Dr. McCulloch, in his account of the Hebrides, states that, while the inhabitants had no shelter but huts of the most simple construction, which afforded free passages to currents of air, they were not subject to fevers; but when, through the good intentions of the proprietors, such habitations were provided as seemed more comfortable and commodious, but which afforded recesses for stagnating air and impurities, febrile infection was generated.

In the event of a contagious disease (and there is no reason why such should not occur here,) the dense state of the Burra-Bazaar and surrounding parts, the want of facility for removing accumulations of filth, &c. would stand as insuperable bars to the best devised regulations of medical police. All masses of buildings should be opened out, old walls and decayed buildings removed; for these are fertile sources of fever, even under ordinary circumstances.

If it amount to a demonstration, as stated by a distinguished author, that "freedom from some of the most fatal scourges of the human race, and a gradual amelioration of health" can be traced to the "free exposure of the streets of London* to the sun and wind, a hard regular pavement, preserved clean by proper scavengers, the construction of common sewers and privies, and the advantages of a flowing stream," what amelioration of the public health may not be expected from similar measures in such a city as this, situated as it is within the tropic!

There is probably no subject, connected with the public comfort and health of a city of more consequence than the state of the sewers. Those of Calcutta throughout, I believe to be defective in number, construction, and fall, without which last, the most approved plan gives no real usefulness. The great sewers should be of solid masonry and arched over; and they should have lesser communicating sewers proceeding from every house, and their fall should be such as to admit of no arrest of their contents: such of the sewers as terminate in the river, should have their mouths at ordinary low water mark. Open sewers should, when practicable, be made in the direction of the prevailing winds, and wide, so as to admit of exposure to the sun and free ventilation.

As the river water during the greater part of the year is brackish, and unfit for general use, the chief supply for all classes of Natives is derived from tanks which, properly constructed, ought generally to contain wholesome water; but purity being an object of great importance, it is to be regreted that more attention has not been bestowed on the construction of these reservoirs. New tanks, on approved plans, should be dug at convenient distances throughout the Native Town, both for affording an ample supply of good water at all seasons, and as helping to carry off under-ground moisture: all half-dried tanks and pits should be carefully filled up. Bathing might be permitted in such tanks as are unfit for other use; but clothes-washing ought to be prohibited.

If the wealthier Natives must needs have tanks within their premises, the police should oblige their being kept clean; for at present, I am told, they are universally in a neglected and filthy state.

Wells should be encouraged throughout the Native Town. They are useful in draining under-courses, and though the majority be brackish, the water will yet be found available for domestic purposes and conducive to cleanliness. Artesian wells would be eminently useful.

Cesspools ought also to be encouraged in the Native quarters.

No burying-ground should be allowed to be in use near the Town, and the Native one off Lower Circular Road should be closed and brought into cultivation as soon as possible. I have known it complained of by persons residing in the neighbourhood.

No rice cultivation should be permitted close upon the Town, and all belts of bamboo ought to be cut down and rooted out.

All butcher's markets and slaughter houses should be removed to the outskirts of the Town, on the river bank, and be constructed on more approved principles than any now extant.

The Tiretta's bazaar does littlecredit to European state, whether as respects situation or cleanliness. The chief meat bazaars of this city should have a free water-course in every direction, and be paved with Chunar stone.

The duties of Police Surgeon ought to be extended to the strict supervision and periodical report on the state of the habitations, sewers, streets, roads, and tanks, &c.:—he should also report minutely on the state of the suburbs.

The conclusion I would draw from all that has been here said, as well as from my personal observations on the condition of the Natives residing in and about Calcutta is, that a Fever Hospital has become *absolutely necessary*, and that from the want of such an institution, thousands die annually within the city and its suburbs.

A Fever Hospital ought to be constructed in an open central part of the Native Town, well raised on arches and on the most approved principles of ventilation.

It should contain spacious wards for Hindoos and Mahomedans, with separate entrances to each, and separate offices and tanks.

Independently of the great benefit to the suffering Native community of such an Institution, it would form the best school of practice for the Native youth of the Medical profession.

Such an establishment, however, must, in the words of a former Governor of the Native Hospital, when urging its advancement, be assisted from "the Treasury of Government," and "I do not know that the public revenue can be applied to a better purpose than that of saving the lives of those who pay it."

P. S.—It must not be supposed that in what I have stated as necessary to be done within the Town, I have comprised *all* that may be requisite or conducive to the public health:—far from it, but as I set out with the intention of only calling attention to what appears *most* necessary, and may be attended with least expense, I have omitted many details.

The recent shock to mercantile credit will for some time prevent any great improvement being effected, as before, through private capital and enterprize; and from the Natives we cannot expect much *until they are shewn the usefulness of public works*; when, I am confident, they will do more than build ghats.

All I have said of the Native City applies to the inner suburbs called Kurbalah, Simlea, Mirzapore, Paritollah and Collingah, where defective drainage and half-dried tanks are every where to be found; but as details would occupy more space than such a sketch as this admits of, I proceed to notice the condition of the outer suburbs.

* "Dr. Caius, the most eminent physician in England at that period, states that the mortality of London from ague in 1558 was such that the living could hardly bury the dead."

## PUBLIC MEETING TO ESTABLISH A FEVER HOSPITAL.

A meeting was held on the afternoon of the 18th June, (which was very fully attended) of those friendly to the establishment of this Institution. C. W. Smith, Esq., in the Chair. We have only time for a brief report of the proceedings.

The CHAIRMAN stated the purposes for which the meeting was assembled. He briefly explained the objects and advantages of the proposed Institution, and observed that when the subject was first agitated before the Governors of the Native Hospital, they had turned their attention to the state of the funds of that Institution—they found that the expenditure had greatly increased, and the surplus was so small that they decided that it would not do for them to interfere at all, and that a separate hospital was necessary. The success of the proposition for establishing such an Institution must depend on the natives themselves. They, the Europeans, were all ready to join them, but they were few and could effect very little. Let the natives then come forward to support this useful, he would add noble, Institution.

DWARKANAUTH TAGORE did not come there for the purpose of speaking merely, but he would offer a few words on the subject before the meeting. After the opinions of the highest medical authorities had been pronounced in favour of the necessity of the proposed Institution, it was needless for him to dwell on its value and importance to the natives. He was aware, indeed, that native prejudices opposed an obstacle to the success of the object, but these prejudices were giving way. The most wealthy natives, including his friend Rada Madub Bannerjee, were now in the habit of taking European medicines. Still some objections existed even among some of these as to medicines made up at the Dispensary although they objected not to those made up at the houses of the Doctors. Such prejudices were indeed giving way. True, some argued, oh! the people were well before the Europeans came here, why not do without them now?—but the fact was that some of the native remedies which were procurable in former days were not to be had now, and the people were dependent on the remedy of poison (arsenic and the poison of the snake, we believe the Baboo referred to) and the lower classes were in fact unable to get any remedy whatever. In short, if the natives did not come forward to support such an Institution as this, that would be a disgrace to them. He had heard it argued that government ought not to support such an Institution—why not? He thought the government ought to support such Institutions. A wealthy native, Rajnarrain Roy, had placed 20,000 rupees at the disposal of Government to do what they pleased with, could it be better applied than to the object proposed! He sincerely hoped natives would come forward, in fact he could not doubt it. If the Europeans subscribed, it must be a matter of humanity—but with the natives it was a point of duty. Baboo Dwarkanauth concluded by moving:—

"That a subscription be immediately opened for those gentlemen who may be inclined to contribute towards the proposed Institution."

SIR EDWARD RYAN was not aware until he saw the notification in the papers that there was to be a general meeting at the Town Hall. He was glad, however, to meet so large an assemblage. Referring to the opinions of the Committee and the medical authorities, Sir Edward observed, that the main question now was that of raising contributions for the proposed object. The funds of the Native Hospital were totally inadequate to any such purpose, for it would take a lakh of rupees to establish the Hospital. The views expressed by the Chair had been confirmed by the statements of Dwarkanauth Tagore, and friendly as he was to the object, and ready to support it, he certainly would not subscribe until the natives had set the example by a liberal contribution—until he saw the names of a large body of natives as subscribers to the proposed hospital. For Europeans to attempt to accomplish the object was out of the question. It was for the natives, and they had the means of raising this noble institution. That once done, Europeans, he was sure, would come forward to support it.

MR. R. D. MANGLES here asked whether any estimate had been made of the probable monthly expense.

SIR E. RYAN replied that it was was supposed the monthly cost of the Institution might be about 5 or 600 rupees.

MR. MANGLES suggested that wards should be established bearing the names of liberal donors. The Chairman observed that another suggestion which had been proposed was that there should be separate wards for Moosulmans and Hindoos.

The CHAIRMAN explained that it was intended to have a general meeting of the subscribers to the Native Hospital to report the result of the present meeting.

Sir EDWARD RYAN. That reminded him that he ought to explain, that after the Governors of the Native Hospital had ascertained the wishes of the meeting, and the intentions of the natives, they intended to submit the proposition to a meetting of subscribers, but where not in a condition to do so until they knew what the native gentlemen would do.

The LORD BISHOP addressed the meeting in a very characteristic speech, displaying the usual good feeling of the Reverend Prelate, and those occasional alternations between the conversational and the eloquent which mark at once the ease and power of the speaker and command the attention and interest the hearts of his audience. We fear we can convey but a feeble idea of this speech, certainly we cannot pretend to report the language of it, but merely the substance. The Reverend Prelate rose chiefly to join in the testimony borne to the utility of such an Institution as that proposed. He would just suggest to them that in every age and in every country, whatever had been the Institutions established, they must all yield in importance to those of the nature of that now submitted to their consideration, for without health of what value were other enjoyments. Of all the arts and sciences which aided, embellished and honoured human life, the medical science had made the most progress. His Lordship appealed to the members of the faculty whether of all the sciences any could be compared to medical science in respect to the progress it had made. Fever was the disorder most prevalent here. In England, which was a cold climate and where fevers were not so prevalent, they had separate Institutions for that disorder, with a view to secure the patients the benefit of better treatment, more comforts, freer ventilation, &c. In this country then where this disease was so much more prevalent, it was infinitely more important to meet this giant evil, to grasp and to crush it in so far as that was practicable under the blessings of the Almighty. They wanted to establish a Hospital and why should they not succeed? a good object would ever make its own way. He was greatly mistaken if the natives could withhold their aid when they understood the nature of the object. When it was in all the magnitude of its importance fully set before them, they could not refuse their support to this noble institution. He calculated—he relied on the natives. They would form an epoch in one's life—it would be delightful to recall the event, and to be able to say—"oh! yes I was there in Calcutta when we established that Hospital, we had a meeting at the Town Hall." All the medicines except those prescribed by the European physicians only killed the patients. How many he would ask that gentleman (Dr. Nicholson) died of that native poison which had been mentioned—well, he could not say, but the number must be infinite. The reverend prelate concluded by intimating that he gave his cordial support to the object of the meeting.

SIR EDWARD RYAN here suggested that a separate meeting of the natives should be held to consider the subject, and that they should send their report to the Committee of the Native Hospital; but the Chairman reminded Sir Edward that a proposition of Baboo Dwarkanauth's, seconded by Baboo Ram Comul Sein, for an immediate subscription had been carried.

SIR EDWARD RYAN then proposed that a Committee consisting of the following native gentlemen be organized to collect subscriptions:—

Radhamadub Bannerjee,
Ramcomul Sen,
Russomy Dutt,
Rajkchunder Cowasjee,
Rajchunder Doss,
Aga Kurboli Mahomed,
Moothooranauth Mullick,
Raja Rajnarain Roy,
Mahomed Mabady Murky,
Muttyloll Seal,
Bissanauth Muttyloll, and
Dwarkanauth Tagore.

Sir John Peter Grant then addressed the Meeting in a brief but eloquent speech, of which we can merely give a faint outline. He had one resolution to propose in addition to those which had been carried. He need not say any thing more in support of the utility of the proposed Institution. Every man who valued the health and welfare of the people must feel the importance of such an Institution, and the establishment of it could not fail to confer high reputation on all those natives who took a lead in promoting its success, and he hoped that a great number of them would come forward to support such an object. One thing was necessary to make the Institution fully useful, and that was to render the free access of all to it, compatible with the religious feelings of the natives. This was important, for many poor natives were prohibited by—he would not say their prejudices, but their religious feelings—feelings which were derived from their ancestors and imbibed in their infancy, and to which he (Sir J. P. Grant,) was therefore bound to pay the highest respect: he would therefore beg that a Committee of Native Gentlemen be appointed to co-operate with those who may be appointed to superintend the Institution. Sir John P. Grant then moved the following resolution, seconded, we believe, by Captain Birch:—

"That it be recommended to the Governors of the Native Hospital to provide for the appointment of a sufficient number of gentlemen, Hindoo and Mussulman subscribers to the Hospital, to superintend the internal management necessary to accommodate the institution to the religious feelings and habits of the native community."

Mr. Beardsmore addressed the natives in a very emphatic and feeling manner in behalf of the Institution. He spoke of his own experience of the disease and its fatal effects—he maintained that the object was not a matter of trifling but of the highest importance—and that if the preservation of the subject were really a legitimate object of interest the Government was bound to support the Native Hospital. He concluded by earnestly inviting the native friends to come forward with liberal contributions in support of the object of the Meeting.

Mr. Woollaston called attention to the unhealthy state of Scaldah, of which he cited several instances, and expressed his hope as the Hospital would be remote from that part of the suburbs that some provision would be made to give the natives of that quarter the benefit of it.

The Chairman explained that the Hospital was intended to embrace the suburbs and would be centrically situated, but that Mr. W.'s suggestion should not be lost sight of.

Subscription books were then circulated, and soon afterwards on the motion of Sir J. P. Grant, Mr. C. W. Smith left the Chair, which was taken by Sir Edward Ryan, who announced that the native gentlemen present had subscribed 15,000 rupees.

Sir J. P. Grant then proposed the thanks to the Chair, and in doing this begged to say that he did not mean to offer a mere customary or unmeaning compliment, he proposed the thanks of the Meeting to the Chairman for the zeal he had manifested in behalf of the object they were assembled to promote, for he felt they were highly obliged by that zeal. Mr. C. W. Smith expressed his sense of the flattering terms in which the thanks to him had been proposed and the Meeting dissolved.

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## MEDICAL RETIRING FUND.

A Meeting of the Committee of Management was held on Tuesday the 2d June (Mr. Surgeon A. Garden in the chair) when the following communication received from Mr. Curnin was read:

To H. S. Mercer, Esq.,

*Secretary to Medical Retiring Fund.*

Sir,—I have to acknowledge the receipt of your letter of the 5th instant, in which you inform me that you have the "entire approbation of the Governor-General to address me," to know the terms on which the Medical Service could be admitted to join in, and to participate in the advantages of a plan of a Retiring Fund in course of adoption by the Officers of the Indian Army.

I have also been addressed both verbally and officially by other members of the Medical service, whom, I believe, you do not represent; and in compliance with the desire so expressed through you and by them, I beg to submit the following to the consideration of the Officers of the Medical Profession in the service of the Honorable Company.

The plan a Retiring Fund devised for the officers of the Indian Army, derives its chief support from two sources—from the off-reckonings allowed to Colonels of Regiments; and from the donations of Officers on the attainment of superior rank. For the first source of supply the Medical service has, as I conceive, no adequate substitute: or the relinquishment of the superior pensions allowed to Superintending-Surgeons and to members of the Medical Boards will be found quite insufficient for this purpose. For the second, a substitute may be found in periodical donations: and, accordingly, if the Medical service of India should resolve to relinquish their present claims to superior pensions in consequence of being Superintending-Surgeons or Members of the Medical Board, I think the Honorable the Court of Directors might be disposed to sanction their having a retiring pension per annum of

| | | | |
|---|---|---|---|
| 360£ | for 17 years' service. | 455 | for 21 years' service. |
| 380 | 18 | 500 | 22 |
| 405 | 19 | 660 | 25 |
| 430 | 20 | 825 | 28 |

and £1000 for 31 years' service; on their subscribing, for the first year, 10 rupees per mensem.

| | | | |
|---|---|---|---|
| 2d | 10 | | |
| 3d | 10 | | |
| 4th | 150 | | |
| 5th | 15 | | |
| 6th | 15 | | |
| 7th | 20 | | |
| 8th | 20 | | |
| 9th | 150 | | |
| 10th | 25 | | |
| 11th | 25 | | |
| 12th | 25 | | |
| 13th | 30 | | |
| 14th | 150 | | |
| 15th | 30 | | |
| 16th | 35 | | |
| 17th | 35 | | |
| 18th | 35 | | |
| 19th | 150 | | |
| 20th | 40 | | |
| 21st | 40 | | |
| 22d | 45 | | |
| 23d | 45 | | |
| 24th | 150 | | |
| 25th | 50 | | |
| 26th | 50 | | |
| 27th | 50 | | |
| 28th | 55 | | |
| 29th | 150 | | |
| 30th | 55 | | |

and for the rest of the time during which an officer may continue on the establishment, a monthly subscription of 60 Rs.

To adapt this to the case of Officers who are now in the service, those who have served but

| | Rs | | Rs |
|---|---|---|---|
| 1 yr. will have to pay | 124 | 9 yrs. will have to pay | 660 4 |
| 2 | 258 | 10 | 757 6 |
| 3 | 409 | 11 | 865 0 |
| 4 | 2295 | 12 | 933 0 |
| 5 | 2701 | 13 | 1121 6 |
| 6 | 3150 | 14 | 1422 4 |
| 7 | 3707 | 15 | 1607 |
| 8 | 4622 | 16 | 1820 6/7 |

…o has served 17 years will have to pay 20,582 … he can claim the full advantages of the

…ed this to the Medical Service of India …nat of Bengal in particular, although I am …re are Medical Retiring Funds in opera… …dras and Bombay; not under the vain impres… …at this would be more acceptable to those bodies … their own, but under the impression that it would be …ore likely to be adopted by the Honorable Court for the whole service than for any branch of it whatever.

Should the desire exist to adopt this as a general plan, no difficulty can present itself in the adjustment of the claims of all on the funds and income of the members of those institutions.

Should any officer not feel disposed to pay the whole amount of immediate donation due from him; I shall have much pleasure in assigning the *increased* contributions which should be paid as the equivalent of those donations.

I am, Sir, your most obedient Servant,

(Signed) JOHN CURNIN.

No. 67, Wellesley-Street, May 27, 1835.

Proposed by Mr. Bramley, seconded by Mr. Grant, and carried unanimously.

"The Committee of Management of the Medical Retiring Fund, acting for themselves, and as representatives of a large portion of the Medical service of Bengal, regret that they deem it incumbent to record their expression, of general disappointment at the scheme of the Retiring Fund proposed by Mr. Curnin."

Proposed by Dr. Jackson, seconded by Mr. Egerton, and carried unanimously.

"That considering specific applications from themselves and other Members of the Bengal Medical Service, were before Mr. Curnin, and so far as they are aware, none from Members of the Medical establishments of other Presidencies; the Committee of Management deem it inexpedient that their case should in any way be mixed up with those of other services, seeing that the Madras and Bombay Medical establishments have already independent Retiring Funds of their own in actual operation."

Proposed by Mr. Egerton, seconded by Mr. Corbyn, and carried unanimously.

"That, whatever may be the benefits to be expected from Mr. Curnin's scheme of a Retiring Fund, the Members of the Medical service have not the means of paying the contributions requisite to secure them, according to the rates now submitted to the management; and, even if, by great sacrifice the means could be raised by officers after 17 years' service, the Committee are unanimous in opinion that an annuity of £168, or thereabouts, is not worth the sum of 20,580 Rupees.

Resolved.—"That in consequence, of the reduction of two Superintending-Surgeons, the Committee of Management feel, that the bases of the calculations on which the Bengal Medical Retiring Fund was originally founded no longer exists; and they, therefore, recommend to the general body of subscribers; that for the present all payments on its account be suspended from the 31st ultimo."

H. S. MERCER,
*Sec. Med. Ret. Fund.*

*Calcutta, 3d June,* 1835.

[*Bengal Hurkaru.*

## MEETING OF THE HORTICULTURAL SOCIETY.

There was a Meeting of the Horticultural Society on the 10th June, at which two new Members were balloted for.

A letter was read from Mr. Bell, stating his ready acceptance of the invitation to act for Dr. Wallich as Secretary during the employment of the latter in the scientific expedition to Assam, for which he is preparing to start next month: According to a statement produced, the funds of the Society appeared to be in a very flourishing condition: Mr. Bell had collected arrears to the extent of 1754 Rs since the 18th ultimo, and the assets now amounted to 7500 Rs in Company's Paper and above 1100 Rs in cash.

A letter was read from the Private Secretary to the Governor of Madrass, intimating the desire of Sir Frederick Adam to promote the interests of the Society; that by his directions a set of queries had been circulated among the Collectors, to obtain the various information solicited by the Society; and that any person whom the Society might appoint for the purpose, should be permitted to search the public records at Madras. On the motion of Dr. Wallich, it was resolved, that the President should be requested to write a particular letter of thanks in acknowledgment of the obligation conferred upon the Society by Sir Frederick Adam.

A letter was read from Captain Wade, presenting to the Society a quantity of Seeds from Cashmere, and a work on Native Gardening, in Persian. Thanks were voted to Captain Wade for his valuable contributions.

One of the Committee appointed to report upon the Akra experiments, apologised for the delay which had occurred in preparing the Report. The papers, he said, were now with Mr. Willis, who found it necessary to refer to Mr. Deverinne, the late Superintendent of the Farm, who was now at Bauleah. It was accordingly determined that the papers should be sent to Mr. Deverinne as suggested.

The chief business of the Meeting was the presentation of a Report from the Committee, which had been appointed to examine certain suggestions of Lord William Bentinck, who, our readers will remember, recommended the introduction of a species of Brazil grass, the use of the large cart wheel of Madras, and the large Mysore breed of cattle, and attributed the degeneracy and poor condition of the Bengal cattle to a defective system of cropping. We subjoin a copy of this Report by which it will appear that his Lordship's well intended suggestions were rather the crude opinions of the moment, than the result of attentive observation. The Brazil grass (called *capim* at Rio de Janeiro) of which his Lordship did not recollect the name, there is some reason to believe is identical with the Guinea grass already known, though not sufficiently disseminated in this country. Mr. Minchin, as one of the Committee, represented that special thanks were due to Dr. Wallich for the trouble he had taken in collecting information from all quarters on the subject of their inquiries. Dr. Wallich expressed himself grateful for the compliment, but felt that he was only entitled to share it with his colleagues.

### REPORT.

The Committee appointed by the Agricultural and Horticultural Society to consider and report upon certain suggestions made by Lord William Bentinck in his reply to the Society's Address, beg leave to submit the following result of their inquiries:—

In order to benefit by the best assistance procurable in their investigation, the Committee addressed themselves, in the first instance, to Lieut.-Col. Beatson, Commissary General, Capt. Parsons, Superintendent of the Hurriana Establishment, and Lieut.-Col. Skinner, at Hansi; from all of whom they have met with the most courteous and prompt compliance with their wishes. The correspondence which has taken place on this occasion, and which has in a great measure superseded the present report, was laid before the Society at their last Meeting,—with the exception of the reply from Lieut.-Col. Skinner, subsequently received, and which accompanies this statement.

It will be seen from the above documents that a series of experiments was instituted four years ago at Hissar on a scale of considerable extent, and under the most judicious management, with the view of introducing the large Mysore cattle and crossing it with that of our own

provinces. The result was unsatisfactory as far as regards the prospect of an immediate or direct establishment of the Mysore breed in Western Hindustan; although it may perhaps not be unreasonable to expect, that a useful intermixture will be produced, at the 3d or 4th remove, by crossing it with our own cattle. In this manner the objects in view in those costly attempts may perhaps in time be partially accomplished.

With respect to the small breed of Bengal, the Committee think themselves warranted in speaking with an equal degree of confidence, not only in regard to the difficulty, if not impossibility, of introducing a larger species from our own Northern and Western provinces or from Mysore, but also as far as respects the doubtful result which would be produced, even if an attempt of this nature were to prove successful in the first instance. Every one must have witnessed the speedy deterioration which invariably followed the introduction into Lower Bengal of any sort of large sized cattle on occasions of public emergency, or for the sake of trial; and if individual instance have now and then succeeded, it must be borne in mind that private enterprize and exertions will sometimes accomplish that, which cannot be attained if attempted on a public and extensive scale. Hence it happens that we meet, occasionally, with fine specimens of foreign cattle yoked before gentlemen's carts in Calcutta, while whole herds of the same breed are seen to linger and decay in public establishments. But the Committee beg to repeat, that it appears to them very doubtful whether any such attempt, however successfully made, would be followed by any ultimate and permanent benefit. They are of opinion that the small Bengal breed is peculiarly well adapted for the climate, the roads, and the light but continuous and unceasing Agricultural labor, which designate this province. It is indeed a known fact, that this active though diminutive breed has been found of great use even beyond the limits of Bengal to the Westward, on occasions of long continued and harassing Ordnance Service. In expressing this opinion, however, the Committee would not be understood to affirm that the Bengal breed is unsusceptible of improvement; what they mean to say is simply, that the object is not to be accomplished by cross-breeding, but by a more judicious and compassionate treatment of this indefatigable little animal, and above all, the use of some more suitable and nutritious sorts of fodder than the paddy straw affords;—one of the salutary consequences which would follow the introduction of that admirable rotation of crops, which is in full force from the Himalaya to Cape Comorin. The Committee are of opinion that much permanent good would be effected in this respect were the Society to import and distribute gratuitously large quantities of seeds of Grasses (for instance—Guinea Grass) and other articles of fodder.

The Committee beg to observe that the experiments to which the highly interesting and instructive communications now before the Society refer, though the most recent and in one respect the most comprehensive, are by no means the only trials that have been made either on the public account or by private enterprize. In the years 1814-15 an experiment was conducted by the Stud Department; and not less than a half a century ago a great number of experiments were made under the superintendence of a Mr. Mallet, directed generally to the improvement of the Agriculture of this country. The result of all those undertakings was unfavourable owing chiefly, the Committee feel disposed to think, to the fallacy of all theoretical speculations in matters of this nature, and to the striking contrast which exhibits itself between the facility with which improvements may be suggested in the husbandry of any given country, and the extreme difficulty of carrying such improvements into effect, except under circumstances of great skill, judgment and perseverance, aided by sound local experience.

With reference to the other branch of their inquiries, namely, the proposed introduction of the high-wheeled cart of the Madras Presidency, the Committee are of opinion that the present light cart of Bengal is suited to the size of the Cattle, and that unless a larger description of Bullocks is used for draught, the introduction of a higher wheel would not be feasible. The extreme poverty of that class who gain a livelihood by hiring carts, cannot afford the introduction of Iron axles, which appears to be all that is wanted to make the present very light cart in all respects suited to the Cattle and Roads of Lower Bengal. The Committee have nevertheless taken measures to procure patterns of the Madras cart-wheel and axle-tree, which will be submitted to the Society as soon as they are received.

W. Dunlop.
E. J. Honywood.
J. Minchin.
J. Kyd.
N. Wallich, M. D., *Secy.*

*Town Hall, 30th May*, 1835. [*Cal. Cour.*

## INSOLVENT ESTATES.—MEETING AT THE EXCHANGE.

There was a meeting on the 22d June at the Exchange, at ten o'clock, pursuant to advertisement, of the creditors of Fergusson and Co. and Cruttenden and Co., to consider the expediency of petitioning the Insolvent Court, on the subject of the assignees' management of the indigoes, and other property belonging to the estate.

At the commencement some difficulty was experienced in obtaining a chairman. Mr. Turton proposed Mr. Willis, that gentleman, however, declined, he being a requisitionist, and perhaps he might have some remarks to offer to the meeting. Mr. Turton thought that a gentleman presiding at the meeting would not be prevented from offering any opinion he might wish to express; but Mr. Willis thought otherwise, and proposed Mr. Dick, who also declined, and proposed Mr. Bagshaw.

Mr. Bagshaw had a very great objection to occupy the chair, inasmuch as he was one of the parties who had signed the requisition. Perhaps, however, Mr. Turton, who he was sure had come to the meeting with an intention of being very impartial, would not object to preside on this occasion. *(Laughter.)*

At last Mr. J. Robison was voted in the chair, and the requisition having been read,

Mr. E. Macnaghten rose and spoke as follows.—I have attended this meeting because I consider it respectful to the creditors and the requisitionists to do so, and also because my non-attendance might have been attributed to reasons which do not obtain; but before I enter on any subject which may come before this meeting, I should wish to be informed by Mr. Bagshaw, who I believe has taken an active part in this proceeding, whether, putting aside the shipment of indigo, there is any other part of my management of the estate of Fergusson and Co. to which he has an objection?

Mr. Bagshaw, in reply said, at the time the question regarding the shipment of indigo was first agitated, he conceived it his duty to call on the assignee, and to state the objections which he felt to the measure, and which he knew existed on the minds of others. He begged most unquallifiedly to state, that as far as he was concerned in the calling of this meeting, he came before it solely for the purpose of obtaining its opinion on the expediency of the indigo shipment, for he thought the estate could not have been placed in better hands than those of Mr. Macnaghten; and further, that a debt of gratitude was due from the creditors to that gentleman for the extraordinary exertions he had made towards bringing the estate to a close. But with regard to the shipment of indigo, he believed he was wrong; nevertheless if a considerable number of the creditors did not bear him out in that opinion he would not go into the Court alone.

Mr. Macnaghten. If this is the opinion of the other requisitionists as well as that of Mr. Bagshaw, then he must say that the requisition was injuriously and improperly worded, as it was distinctly stated that the creditors were not only dissatisfied with the management of the indigoes, but also with the management of other property. However, before he proceeded further, he would say that he considered the calling together this meeting perfectly unnecessay; and though he was at all times ready to receive the suggestions of creditors, he wished it to be understood, that he would not resign his own judgment to theirs, or receive instructions regarding the management of the estate from any other quarter but the Insolvent Court. As to the shipment of indigo; he had acted on his own judgment and the best advice he could obtain. It was true he had not consulted the requisitionists, but the reason which had guided him was, that he thought on this question they were interested parties, and not able to view it in all its bearings. They are a few whose interests were opposed to those of the many, and who are employed by parties in England to purchase indigo in this market, and of course, it was their duty to purchase it at as low a price as they were able. He had heard it said that parties being so situated might not be prevented from doing their best for the estate and for their constituents also; but he considered the remark arrant nonsense, for it was impossible to do their best for two interests which were completely opposed to each other. In conclusion, he candidly informed the meeting that he would receive no instructions from them, and whatever opinion they might think proper to form, it should not influence his conduct.

Mr. Charles Deane, with reference to what had been urged by Mr. Macnaghten that the requisitionists were interested in the sale of indigo, reminded the meeting, that if they were so, it was also their interest to get it out of this market as soon as they can, and rather to advocate than oppose the shipment before the new crop came into the market. He also took the liberty to deny that all of the requisitionists were interested in the sale of indigo.

Mr. B. Harding after a few introductory remarks, proposed the following resolution:—

"That the shipment and consignment for sale in a distant market of property forming the assets of an Insolvent Estate, is an abuse of the discretion vested in the assignees, and calculated to defeat the object of safe and speedy realization and division among the creditors."

Mr. Turton.—He would offer a very few words to the meeting, not in his capacity of advocate, though some one had heard such was his intention. He was sorry to say that he did not appear in that capacity at present, but hoped as the meeting had so often heard him as an advocate, they would now listen to him with as much patience in another character. His friend, Mr. Harding, who knew what was for his own interest as well as any man that flourishes in this world, had brought forward a resolution in which he thought that interest was not altogether lost sight of. He meant no disrespect to Mr. Harding or to the gentlemen who acted with him, but he would ask the meeting whether the requisition was not composed of two parties, one of whom were the growers of indigo who had sent shipments home, and the other buyers of indigo, and tolerably well interested in lowering the price for the sake of their own interests, or those of their constituents? He would, however, put it to the meeting whether the assignees were not adopting a prudent measure with a stock of indigo of 12,000 mds. at a time of the year when generally there were but 2,000 mds. in Calcutta, when foreigners were out of the market, and when there was no competition to be expected but from the requisitionists? At a time too, when it was expected there would be a crop infinitely larger than there had been for some time before, when the stock in the London market was less 6000 mds. than in the preceding year, and when no objections were raised except, suddenly, from those whose interest it was rather to depress the market than seek to keep up the price? Mr. Macnaghten had made a manly straight-forward defence, such as might be expected to come from his lips; and it was not to be expected that in shaping his course he could please two parties, those who are now anxious to purchase indigo cheap, and those who had sent Indigo home, and who in the expectation of a large crop from the approaching season, would wish to keep 12,000 maunds in this market. He would say nothing as to the general conduct of the assignees, but in this instance, though he was confident they had acted with the best intention of serving the estate, he thought they had overstocked the market. But, having done so, are they to sell the indigo at any price that may be offered, or with almost the certainty of a large crop are they to keep it in this market, thus committing a second error because they have committed a first? The meeting would remember that the assignees were paid by a commission, and that if they had studied their own interests rather than those of the creditors, they would have endeavoured to make a dividend six months ago, at any sacrifice, for it is their interest to get rid of a large establishment, and put the commission into their pockets as fast as they can. He acknowledged that the assignees had committed an error, but even if they had, on the contrary, thrown so large a quantity as 12,000 mds. into the market, he would appeal to his friend Ezekiel, who stood opposite, whether the effect would not have been to depress the prices. Of course the speculators would not endeavour to force a large quantity into the market, and under those circumstances he was perfectly satisfied that the best thing that could be done for the creditors was to ship the indigo, though, perhaps, the purposes of the requisitionists might be answered by the adoption of a resolution which he had some intention of proposing and which he would now read:—

'Resolved, that the retaining 12,000 maunds of indigo in the market here, with the expectation of a large coming crop, whilst all foreigners were out of the market, is a course admirably adapted to promote the interests of the requisitionists as speculators in indigo.' (*Laughter.*)

This resolution, he thought, at all events, would meet with the favor of Mr. Bagshaw; and he had some thoughts of proposing it as an amendment to that proposed by Mr. Harding. However, he would now meet the latter with a direct negative, leaving the requisitionists to apply to the Insolvent Court, for if the assignees have come to a wrong conclusion, it is there only where it can be discussed, with assistance on either side, and without the appearance of favor or self-interest.

Mr. Bagshaw.—Mr. Turton has assumed that it is the interest of the grower to get the indigo out of the market as soon as possible. But he disagreed with the learned gentleman, and thought that if the indigo went home and was forced on the market at an unusual period, or if there was any expectation it would be so forced, the effect would be to depress that market, rather than of affording any relief to this; and the effect that will be anticipated here, would, he thought, tend to reduce prices lower when the ensuing crop comes in, than were the whole to remain in this market to be added to it. Mr. Turton had said that there are no buyers in this market, (Mr. Turton expressed his dissent). There are, however, great numbers of small buyers in this market, namely, the Americans, French and Arabs, who are always on the alert to purchase our principal staple, together with a numerous host of English speculators who are ever ready to buy an article, which, in their judgment will find a market and give them a consignment and a current exchange. Mr. Turton had stated that the assignees' interests were better consulted by making a speedy dividend and not shipping this indigo. But that was an argument which cut both ways (Mr. Turton, I know it does,) for it must be borne in mind that the assignee, if a mercantile man, has the opportunity of employing his shipping patronage in the shape of insurance, and the opportunity of making a valuable connection with the house at home.

Mr. B. Harding thought he was entitled to say a few words with reference to what had fallen from Mr. Turton, and he was sorry that gentleman had so far departed from the matter before the meeting as to enter into a discussion of the motives of those who called it. The resolution he had proposed for the adoption of the meeting, was formed not on the motives of the assignees, but on the irregularity, and perhaps, the illegality of their proceeding, but of that he would not speak further than to say that it appeared to him an improper course for an assignee to take which put the property of the estate out of the jurisdiction of the Court. (*Hear.*) Mr. Turton had admitted that the assignees had committed a very great mistake in not selling the indigo

when prices were higher than they are at present: let them not commit another mistake by preferring a remote contingency to the immediate profit which this market will afford. The learned gentleman had also alluded to the suddenness of this disapproval of the assignees' intentions; but that suddenness altogether arose out of the suddenness with which those intentions had been communicated. It was therefore not the creditor's fault that they had not given a more timely notice; they were not desirous that the indigo should be sacrificed in this market, but they would prefer that it should remain in this country for six or for twelve months rather than it should be placed in hands on whom it was reported advances had been drawn, and whose interest it was to realize as early as possible and at any price. Mr. Turton had also fallen into a mistake, which indeed was excusable in the learned gentleman, regarding the advantages which would accrue from the shipping of the indigo in the face of a large coming crop; and as a commercial man he would say it was an inexpedient measure, for in all probability, two months before the indigo would arrive at home, the market would be depressed with all sorts of vague reports, regarding the extent of the crop. He thought Mr. Turton had been a little too hasty in his remarks regarding motives, and that the requisitionists had quite as much claim to the merit of disinterestedness as the learned gentleman. The whole brunt, if he might use the expression, or pith of his remarks, had been as to the motives of the requisitionists. Possibly, Mr. Turton might be a claimant to a large amount on both estates, but though he, Mr. H., was a mercantile man, he was interested as the representative of claimants, and he considered himself bound to come forward and endeavour to put a stop to an arrangement which he thought injurious and unnecessary.

Mr. Turton, in explanation, declared that he had no intention of imputing any unworthy motive or improper intention to the requisitionists; but he did say that they were interested one way and the assignee another. He was quite ready to submit to Mr. Harding's judgment in mercantile matters, that is, supposing Mr. Harding neither a bull nor a bear, but it was rather too much to expect that he could suppose that gentleman perfectly unbiassed in his views on this question. With regard to the sale here or the shipment of the indigo, Mr. Harding's judgment might be correct; but he, Mr. Turton, was quite satisfied that it was best to separate a large quantity of indigo, sending it to two markets, rather than to overburthen one.

The resolution was now put and the chairman declared it to be negatived, but this not being the general opinion, the resolution was again put to the meeting, when the numbers, twenty-six, appeared equal, and the chairman declined to vote. Considerable discussion followed, and, it was suggested that the names of each party should be taken. This suggestion, however, was not adopted, and after some conversation,

Mr. Turton said, as this resolution had been disposed of, and as Mr. Macnaghten had declared his intention not to be governed by the decision of the majority, it could not be supposed that he would be governed by the opinion of an equality. He therefore moved an adjournment.

Captain Vint seconded the resolution.

Some conversation arose here, and we believe the motion was put and negatived, when

Mr. Macnaghten expressed his intention of adjourning, and quitted the room accordingly.

Mr. Dick was not satisfied with the decision. He thought if the names had been written down there would have been a majority in favor of the resolution. There had been some demur to that mode of proceeding, but if it had so happened that the 'Noes' had it, there would have been no demur whatever.

Mr. Turton freely confessed that if it had been decided in favor of the 'Noes,' he would have raised no objection. *(Laughter.)* But, however, as it was, the creditors were not prevented from stating their case to the Insolvent Court.

A Creditor thought the best plan was to go to the Court at once.

Mr. Turton was sure that the best plan he could pursue, was to go to the Court at once; and as it was eleven o'clock, he would carry that plan into immediate execution. *(Laughter.)*

Mr. Bagshaw after a few prefatory remarks, moved the folowing resolution:

"That it is for the interest of the creditor to resist such speculative dealings with the assets of the estate, and that an application be made to the Insolvent Court to restrain the shipment."

Mr. Wills briefly seconded the resolution, and after a few words from Mr. Arbuthnot, who suggested that the words 'until the market be more fairly tried,' the resolution as it originally stood was put and carried *nem. con.*

Thanks were then voted to the chairman, and the meeting separated.—*Englishman.*

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## MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's apartments, June 6, 1835.

A. M. Mackenzie Minto, Esq., Assistant-Surgeon, proposed at last meeting, was elected a member of the Society.

The following communications on miscellaneous subjects were then read:—

A letter from G. King, Esq., Surgeon, 56th N. I., requesting that his name might be withdrawn from the list of members of the Society, which was accordingly done.

A letter from James Prinsep, Esq., returning thanks on account of the Asiatic Society for part II. Vol. 7., of the Society's Transactions.

A note from J. Ochterlony, Esq., superintendent of the Herald Press, Madras, stating that he would have great pleasure in compliance with the Society's request, in causing their proceedings to be republished in the paper under his control.

An extract of a letter from S. M. Griffiths, Esq., dated June 2, 1834, descriptive of an operation practised in Tehran, and its vicinity, for the cure of opacity of the cornea.

The object of the operation seems to be completely to cut off vascular communication, by the excision of a circular portion of the conjunctiva, at a small distance from the margin of the cornea. This is accomplished by fixing eight small hooks in the conjunctiva, about a line from the union of the cornea, with the sclerotica, quite round the cornea.

The operator then raises that part of the conjunctiva, by pulling the hooks towards him, and afterwards with a pair of scissors cuts off the portion raised, thus completely insulating the conjunctiva covering the cornea. The result is the gradual absorption of the opacity of the part affected, and that the cornea recovers its transparency.

The after treatment is very simple, consisting merely in the introduction of a small quantity of antimony between the eyelids.

The following works were presented for the library:—
Three different pamphlets containing accounts of various late improvements in the Microscope, by William Griffith, Esq., Assistant-Surgeon, Madras Service.

The following original communications were presented at the meeting.

Observations on the family of Rhizophoreæ by William Griffith, Esq., Madras Establishment.

Notes on the Mishme Teeta and Pacha *Pat*, by N. Wallich, Esq., M.D., F.R.S., &c., accompanied by specimens of the drugs.

A memorandum on the medicinal virtues of the Mishme Teeta, by William Twining, Esq.

Cases of Gastro-Enteritis with observations, by William Twining, Esq.

Case of Dislocation of the Os Humeri, in which reduction was effected after a lapse of one month and four days, by Mr. Reid, of the Colingah Dispensary.

A Meteorological Register kept on board the Experiment Flat, during a voyage to the Upper Provinces, in the months of April and May last, by J. W. Knight, Esq., Assistant-Surgeon.

Note on blood-letting in the cold stage, in the treatment of the intermittents of Persia, by S. M. Griffiths, Esq.

Cursory remarks on the medicinal properties of a plant called by the author The Convolvulus Nil, presented by Colonel Cooper, through N. Wallich, Esq., M. D.

An examination of the advantages and disadvantages of operating for Cataract, when only one eye is affected, by E. H. Brett, Esq., Assistant-Surgeon.

Cases in which Magnetism and Galvanism were had recourse to, with an account of some novel experiments in Electro-Dynamics, by R. Tytler, Esq., M. D.

Case of Abscess in the Liver, by W. Gordon, Esq., Assistant-Surgeon.

The three last communications were presented by the Medical Board.

The following papers were then read and discussed, viz.

Cases of Gastro-Enteritis, with observations, by William Twining, Esq.

Cases in which Magnetism and Galvanism were had recourse to, with apparent advantage, by Robert Tytler, Esq., M. D.

Mr. Twining's paper on Gastro-Enteritis claims the attention of the profession, to a most extensive range of disease, whose predominant local affection is seated in the mucous membrane of the stomach and intestines, one or other of which portions of the intestinal, is found to be the part most frequently affected during the course of many acute as well as chronic affections. Andral has asserted, that in every ten cases of acute disease there are about eight in which the structure or functions of the alimentary canal suffer from some derangement, and that in chronic disease of every description, there are very few, in which the structure of the mucous membrane of the digestive apparatus does not undergo some alteration. When we refer to the vast number of symptoms denominated dyspeptic, which depend on the existence of acute inflamation of the stomach, or upper portion of the intestinal canal, more or less acute in its nature, and varying in the extent of the part affected; and when we add to these maladies, those colliquative diarrhæas and other affections, which often attend the ulterior stages of phthisis pulmonalis, and of hepatic suppuration, as well as the alvine profluvia attendant on the conclusion of incurable affections of the spleen and some modifications of diseased mesenteric glands, it will at once be apparent, that he must have to treat gastro-enteritis, or some of its consequences, at some stage of a very great proportion of the diseases, which affected the human frame. When Hunter denominated the region of the stomach, and the adjacent solar plexus, the centre of sympathy of the human system in health, we cannot hesitate in admitting the necessity of paying due attention to the same part, when affected by disease. It will be evident, that a subject so extensive, and so important in all its relations, is beyond the compass of an essay adapted to one evening's discussion, therefore the author has chosen on this occasion, to call the attention of the Society, to some varieties of Gastro-Enteritis, remarkable at once for the obscurity of their symptoms, and the intensity of the febrile affection, which proves fatal. He has also shown, that it it is probable, that an inflamatory affection of the stomach may sometimes be excited by the use of the sulphate of quinine in some febrile affections. Three cases only are introduced in this essay,—the first of which was a tall and thin man, 29 years of age, and 5 years in Bengal. He had an attack of dysenteric purging on the 24th November, attended with slight pyrexia and cerebral affection, which symptoms were reduced by bleeding from the arm, and the repeated application of leeches, and the usual treatment for dysentery. In the beginning of December there was a daily febrile exacerbation, for which sulphate of quinine was administered, but without much effect on the fever, therefore leeches were repeatedly applied to the belly, and calomel was administered till the mouth became sore, and the distinct febrile exacerbations ceased. Still he remained weak and despondent, the tongue became dry and covered with a tan-colored fur, which continued, although the alvine secretions were much improved. There was no morbid heat of skin, or paternural frequency or force of the arterial action, he neither complained of pain nor uneasiness of any sort, and died on the 12th of December, 1833. On dissection, extensive inflammation of the stomach was found extending through all its coats. In the second case, the patient was 26 years of age and the disease commenced as ardent fever on the 27th September, 1834. There was no rigour, and at first cerebral symptoms were predominant. The pyrexia was subdued by active antiphlogistic treatment, and after the cerebral symptoms had abated some tension of the muscles of the belly, and morbid sensibility of the epigrastric region were observed, leeches, mild aperients, and antimoniats, removed these complaints; and when he was free from fever, but weak, some sulphate of quinine was ordered, and on the next day he had a return of dyrexia, with despondency, the tongue became of a morbid red colour, its centre was dry, brown, and hard, and the edges moist, red, and raw, or excoriated. A mild antiphlogistic treatment was again resorted to with benefit. This man ultimately recovered; but when his convalescence was far advanced, he had a distinct attack of hepatic congression, with pain in the right shoulder, as well as palpable enlargement, and morbid sensibility of the right lobe of the liver.

The third case had also commenced as fever, attended with vomiting and followed by constination, the patient was 30 years of age, a sailor of large frame, but extremely emaciated when he came under treatment on the 21st February, 1835. The muscles of the abdomen were then tense, and the belly flat and retracted, there was a tendency to constipation, but very small doses of medicine purged him violently, and obstruction recurred immediately afterwards, the tongue was glutinous, but not much loaded with mucous, and although moist, its substance was hard, and its shape pointed. This man's disease was of six weeks' duration—no remedies were of any avail in this case, and the patient died four days after he came under treatment. On inspection, there was morbid vascularity of the stomach, the small intestines were contracted, and their coats thickened, there was also an extreme dégree of inflammation of the mucous membrane of the great intestines. In two of these cases, the symptoms more distinctly referrible to gastro-enteritis, arose soon after the administration of the sulphate of quinine. In each of the three, we find a different state of the tongue was remarkable, and the consideration of the particular state of the tongue in reference to the ascertained seat of the predominant local affection is interesting.

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The first case in which Dr. Tytler had recourse to magnetism was that of a Mussulman between 30 and 40 years of age. He was affected with violent acute pain in the muscless of the back and loins. Three shocks in rapid succession, from the *magnetic wheel*, were passed from the loins to the upper part of the back; the patient decleared himself relieved, and the pain has not returned. The second case was that of an East Indian woman, about 30 years of age. She had been for several years affected with a paralysis of the thumb and fingers of the right hand. Shocks from the *magnetic wheel* were adminstered for a month, the stream being directed from the front of the biceps muscle to the wrist. She likewise twice or thrice received galvanic shocks, she can now sew and comb her hair, which she was incapable of doing when the magnetism was first had recourse to. The third case was that of a native writer affected with deafness. He received shocks from the *magnetic wheel* three timesa

week, for about a fortnight. He likewise had one or two galvanic shocks. The hearing of the right ear, which was quite gone, is now in some degree restored, and he declares the ear to have become *burrah hulkuh*, that is, much lightened or relieved. The above Dr. Tytler believes are the first cases which have been treated by galvanism in India.

To the above cases Dr. Tytler subjoins an account of two experiments in electro-dynamics performed by him. In the first, Dr. Tytler states, that a charge of galvanism from a compound trough, containg fifty plates of zinc and copper, and capable of giving a powerful shock to the human body, only moves the galvonometer a few degrees; whereas a small cylindrical trough, containing only two copper plates, and one of zinc, or a simple trough, moves the galvonometer many degrees, and is yet incapable of communicating a powerful shock to the human body.

In Dr. Tytler's second experiment, a small quantity of sulphuric acid being placed in a glass vessel, two copper wires were immersed in the acid, and connected with the galvonometer, no effect was produced in the needle: but on adding water, so as to raise the temperature of the mixture, the magnetic needle instantly deflected three or four degrees. A piece of chalk was then added to the diluted sulphuric acid; with the commencement of the affervescence, the needle deflected nearly 45 degrees. On removal of the wires, the needle resumed its position, and again deflected, when the communication was restored. By this experiment Dr. Tytler considers the identity of the chemical action produced by an acid and an earth with magnetism to be fully established.

To Dr. Tytler's communication is annexed an attestation from Mr. Assistant-Surgeon T. Russel, that the two experiments related were performed or repeated in his presence, and likewise that he had seen Dr. Tytler apply galvanic shocks to rheumatic patients in the Regimental Hospital apparently with much benefit.

*Hurk.*] J. Hutchinson, *Secy. to the Society.*

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## SUPREME COURT.

Tuesday, June 23, 1835.

R. C. Jenkins *v.* Alexander Fraser and others.

This was a case upon an Insurance Policy on the steam vessel *Forbes*, on a voyage to Suez and back in the year 1834. Mr. Grant opened the pleadings, Mr. Turton stated the case.

The circumstances of this case were the Steam Committee were bound to insure this vessel on her then projected voyage to Suez to the extent of two lakhs of rupees apportioned in manner following: sixty-five thousand rupees upon the block and one lakh and thirty-five thousand rupees upon the steam engine and locomotive machinery: the voyage ensured was to Socotra and Suez and back, with liberty to touch at all intermediate ports. Before effecting the policy, the Committee sent round circulars to the different Insurance offices relative to terms of Insurance, and five of them agreed to take the risk—defendant subscribed the policy for thirty-three thousand one hundred and fifty. The term of the insurance was for six months certain from noon on the 1st of April till the noon on the 1st of October following, with liberty to touch at the intermediate ports. The question was whether the loss and damage which the vessel had sustained during the voyage were occasioned by such perils of the sea as were legally included in the terms of the policy. It will be substantiated by evidence that such loss and damage could not have happened at anchor, could not have happened except at sea, nor could by any possible means have been occasioned by causes to which the sea was not contributory. The vessel sailed from the port of Calcutta and arrived in Madras roads, when it was discovered that a large quantity of salt had accumulated in the narrow parts of the boiler which had occasioned its bursting. This was caused, as far as it could in the opinion of the competent be ascertained, by a want of effectual blowing off, as it was termed, a process by which the hardening of the salt in the narrow parts of the boiler which were exposed to the fire, was prevented. She was obliged to come back in consequence of this accident. The insurers first find out that there was no loss of freight; that there was an informality in the policy, and they referred the question to an august assembly, a self-constituted tribunal denominated the Chamber of Commerce, who determined that there was no loss of freight although she was laid up four months idle, and sixteen thousand rupees was the loss consequent upon her non-employment.

The first ground upon which the present claim is attempted to be resisted is that the Engineer was guilty of negligence—that his negligence was the cause of the damage, and for that loss his employers, and not the Underwriters, are liable. I contend that it has been finally and satisfactorily determined that the Underwriters are responsible for the Captain and the crew, and for their negligence in respect to the ship; and by a parity of reasoning, if the engines are insured, the Underwriters are responsible for the party who takes care of them. I will shew that from character and the knowledge of competent persons, a better man than Mr. Daius could not have been found to take charge of the machinery—I will prove the same with regard to the other Engineers—but another and chief ground of defence relied upon the recent discovery of the defective and un-seaworthy state of the machinery. If the opinion as to the sea-worthiness is to be decided by what appeared when she was examined on her return, I am ready to admit that her machinery was defective. But if evidence drawn from such subsequent appearance be offered, I will shew that Messrs. Jessop and Co. had reported previous to her departure as to the perfect soundness and competency of her machinery and that her boiler in the thinnest part was one-sixteenth of an inch. Now in a report to the House of Commons on the subject of Mr. Gurney's invention, it was stated that in the machine there described the boiler was one-eighth of an inch, and the pressure was 400 pounds upon every square inch. In the boiler of the *Forbes* the thickness was 4-sixteenths of an inch and the pressure was 3 pounds on every square inch. Mr. Seppings had surveyed the whole machinery in question and had pronounced it excellent—that it was made by Bolton and Watt after the plan adopted in his Majesty's Navy—that the vessel was built of teak and saul, was copper fastened and exhibited no sign of weakness. In 1833, however, not satisfied with this, she was repaired under the superintendence of Captain Forbes, and every part the least defective was removed. In March, 1834, she was engaged by the Steam Committee, and in April the policy was effected. The best proof that the boiler was in no respect weak was that the fire which was sufficient to tear out new rivets did not rend the part which was found to be thinnest. This assertion in fact arises from the circumstance that when she was examined upon her return it was found that there were two of her plates thinner than the rest. I need not say that copper exposed to the action of fire from without and deprived of the counteracting influence of water from within, will be destroyed more quickly than when the action of water is continued. With respect to the accumulation of salt in the boiler, the extent to which this takes place has been found to vary considerably in different places and in different seas:—in the Mediterranean it was found to take place much more rapidly than in other quarters. Mr. Turton here read a paragraph from a publication describing some particular instances corroborative of his assertion: Now, said he, if I established that the boilers of the Steamer were clear and free previous to her departure, the extraordinary accumulation of salt, which could not have happened in the river, must, like that taking place in the Mediterranean, be considered one of the perils incident to the navigation of the Bay of Bengal, and consequently covered by the policy. With respect to the amount of damages as there are some charges which may admit of

discussion, we will willingly consent to a reference for the adjustment of them. The jurisdiction and the execution of the policy by Mr. Brightman as Secretary to the Insurance Office were admitted on the part of the defendants, as was also the interest of the assignees of Messrs. Mackintosh and Co.

*John Woodly.* I am a mariner and was employed in the *Forbes*, in March, 1834. I was chief officer in her when she went to Madras, and returned in consequence of an accident: she left this port on the 15th of April. I cannot say exactly, when she arrived; I think it was about the 22d. When she arrived there the boilers were examined by the Engineers Mr. Daius, Mr. Lowder, and Mr. Eddy. Mr. Daius was chief Engineer: nothing was done in consequence of that examination. The boiler was cracked in several places. There were six boilers. I went into the boilers at Madras, and examined them with Captain Forth. I don't know where Captain Forth is at present—it is six months since I saw him. When we went into the boiler there was a great quantity of salt collected in it. The salt was about different parts of the boiler. I cannot say how much there was. We threw overboard three or four tons of salt and dirt together. The crack was about the larboard quarter. There was an accumulatio . of salt about the crack. The salt was about hal an inch thick. [Here a diagram of the machinery was put in to explain to the Court the situation of the boilers.] In consequence of this injury we returned to Madras. We were not able to proceed under steam: we returned under sail. I now know wh the operation of blowing off is—I did not th . The boiler was taken out of the vessel wher we come back and sent to Jessop and Co. It was placed when repaired, about three months after she proceeded to the Red Sea with the same boiler and re rned. We had no accident on the second voyage: e steamed and sailed there and steamed and sailed back.

*Cross-examined by Mr. Pears* .—How happened it there was no accident in the sece oyage?

She was constantly blown off y two hours: on the first voyage I cannot say wheth he was blown off or not. We had stopped to blow but most frequently gone on. I now know what blowing off is. I do not know whether she was blown off the first voyage; but I have seen the Engineer go down the hatchway to the blow-off cocks. I saw them blow off on the last voyage —never saw them do the same on the former voyage. I don't remember a conversation when about five days from Calcutta on the first voyage, when Mr. Daius proposed to Captain Forth to blow off; but I heard so afterwards from Captain Forth and himself. We did not stop on that occasion. I don't know why the vessel was not stopped. I believe it was that as we were so near Madras it would be a pity to stop the vessel so near port. We reached Madras about the second day after that. I had never gone in the vessel any where before: I have been a voyage to the Red Sea since and up and down the river. In the first voyage we met with no bad weather. According to my judgment if she had been blown off in the first voyage every two or four hours, as we have done in the last voyage, no accident would have occurred. I have heard that the vessel has been to China. We had a ship's log; I have not got it here. I don't know of any protest being made out either at Madras or Calcutta—I beg pardon there was one at Calcutta when we returned but none at Madras. [Paper shewn to witness.] This is my signature and that of Captain Forth. [Back shewn] This is the log book, it is part in my hand-writing, and part in the second officer's—his name is Cunningham. It is entirely in the hand-writing of us two.

*Alexander Cunningham.* I am a mariner and was employed in the *Forbes* in April, 1834. I remember an accident happening to her machinery on coming into the roads at Madras. At first it was reported that there was a leak in the boiler which put the fires out in consequence of which the steam could not be kept up; we came to an anchor, and the top of the man-hole was taken off and an examination took place. I did not see the damaged part of the boiler till we arrived at Calcutta. I saw Captain Forth about two months ago; he is not now in Calcutta.

*Henry Daius.* I was chief Engineer of the *Forbes* on her first voyage to Madras. I had been in the vessel nearly four years. She had been repaired by me at Cossipore in March, 1833. Captain Forbes used to come and see that the repairs were properly done. I had been regularly brought up as an Engineer—my father was an Engineer—I was in business in London myself, and I have been employed as an Engineer ever since I was fifteen years of age. I never was employed as a journeyman about steam engines. I was employed as a manufacturer. In the four years I was in business, about ten went out of my hands. I had about eighty under my management for distillers, brewers and others; they were generally condensing engines like that of the *Forbes*. There is not considered any very great art in driving an engine; the driver of an engine is not generally an engineer. I have had the care of this engine nearly four years: the blow-off cock goes out of the boiler through the bottom of the vessel, and when at sea we cannot examine without putting out the fire. It takes about fourteen or fifteen hours to cool the flues to enable a man to enter. I was aware of the necessity of keeping the boilers free when I went to sea. It is not usual, as far as I am aware, to enter the blowing off in the log. This was done on the last voyage by special instruction. We ascertained the state of the cock by the lowering of the water in the boiler. We had no means of ascertaining the degree of condensation of the salt on the first voyage; on the second we had an hydrometer for that purpose. When we examined the boiler at Madras the one was found choked the others were free; the pipes of the others were not choked. There are four cocks and we found them all free at Madras but one. We examined the cock by taking out the plug, which can only be done when the vessel is at anchor. I examined this boiler particularly at Cossipore, because that one was out of repair and the others were not: the part that we found damaged at Madras was the part which was found damaged and which we repaired at Cossipore. We blew off on the first voyage according to our judgment—that was in four and twenty hours. On the second voyage varying from two to four or six hours. On the first voyage we generally blew off very regularly—the day after we left the pilot was the first day—it is not entered in the log. We made no report of it to the Captain. I always on the first voyage blew off myself at midnight. When we blew off we could not tell whether all the pipes blew off or not—all the boilers communicated one with another. The boiler itself was altogether choked up between the flues for the space of fifteen feet, but that space is very narrow, about four or five inches. I was appointed by the Steam Committee; it was a mutual appointment. I received a portion of my salary from the Committee and part from the Assignee. I was examined by the Steam Committee when I came back, that was on our return some time in May. I asked Captain Forth to stop the engines to let me examine on the fourth day after we had been steaming, but we did not stop to blow off; the Captain said we were very near Madras and it would be a pity to loose time. I asked him to stop to prevent the chance of any accident. It is not usual to stop for short trips such as from London to Leith, a voyage of six and thirty hours; it depends upon the judgment of the engineer. It is important to examine the boiler from port to port. I should say it was necessary every three days: whilst in the river I did not deem it necessary. I did not know from experience how often it was necessary to blow off at sea. On the second voyage I only examined the boiler from port to port: at Calcutta, at Madras, at Ceylon, and at Socotra, never during the voyage. We washed them out between Ceylon and Socotra, that is twelve days' voyage. We were short of coals going to Socotra, and where more than 12 days; I think about thirteen days. The boiler in which the accident happened was the the boiler I repaired in 1833. We commenced running as soon as the repairs were done. Mr. Dove had the management of the vessel at that time, that is to say the letting of it. When I was employed in repairing it, I thoroughly examined it and the other Engineers examined the boilers carefully, and I should say they were in a fit state to make the voyage—the boilers and flues were then clear. I was not in Calcutta for a few days and Mr. Lowder superintended the cleaning; I examined them after it was done, and it was done properly and sufficiently. When she started, the machinery was in the best possible order, and the boilers were sound. I consider Mr. Lowder very competent to the

situation he held—Mr. Eddy is not competent, but is equal to the duties he had to perform. The accident was discovered in consequence of our not being able to supply the engines with steam. We discovered that the water in the boilers was running out through the flues, the engines were then stopt and examined together with the flues. In the boiler that was damaged, there was a quantity of salt, a deposit I believe called sulphate of lime: there was in the boiler perhaps fifteen hundred weight. The water space between the flues is about 2½ or 3 inches or rather more. We found in this space a deposit of salt, and there was a deposit underneath the flues. I attribute this accident to a stoppage in the after blow-off cock. We got rid of the salt by opening these cocks occasionally, so that the force of the steam drove out the concentrated salt water, the place of which was supplied by fresh water. The cock which was stopped was the one through which the concentrated salt water should have passed off into the sea. The accumulation of salt water is an accident to which sea going steamers are always subject—they are not subject to this in fresh water nor in the river. At Madras I examined the boilers minutely. We returned to Calcutta in consequence of the splitting up of the boilers; the rents were at the angles up and down. There were six or eight—they were in the new copper. Some of the copper put in at Cossipore was rent—there were no rents in the bottom of the flues. The rents were occasioned by the deposit between the flues getting heated and swelling. I consider that the same causes would produce the same effect in other vessels. The thickness of the copper was about 5-16ths of an inch when she sailed. I have never driven an engine before this nor been a steam voyage in charge as an engineer. The cock was choked up. I had not examined it since we left Calcutta—we had no means of getting at it. I did not examine it on the second voyage. It is not to my knowledge usual to furnish a steamer with an hydrometer.

*Thomas Lowder.* I was second Engineer on board the *Forbes*. Previous to her reaching Madras her boiler had been cleansed out. I superintended the cleaning out of the boilers and flues, it was quite sufficiently done. They were cleaned for the purpose of the voyage, Mr. Daius saw them after and approved of the manner in which it was done. I went round in the vessel to Madras; I saw the accident. In my opinion it was occasioned by the pipe being choked. This arose from no defect in the pipe nor from any want of repair. It had been repaired at Cossipore—the vessel had run two months since the repairs. Had the same secretion of salt taken place in another pipe the same consequences would have ensued. During the whole voyage, I blew off about 7 times during my watch which was from 8 to 12. I blew off according to my own judgment. I had power to do so without consulting the other Engineers. I blew off four hours, and when it came to Mr. Daius's watch he blew of four hours more. Mr. Eddy did no blow off in his watch to my knowledge. I saw the boiler after the accident at Madras; all the angles of the boiler were burst. We had no means of ascertaining whether the blow off cock was choked, but by taking out the fire. All the boilers communicate, so that if one passage was stopped it could not be ascertained which without examining all. There were six boilers all communicating, and all in operation at the same time and an equal quantity of water and of the same kind of water in each.

*Examined by Mr. Pearson.* I account for one boiler bursting and the other not by one pipe communicating with it being jammed. I cannot tell how this pipe came to be jammed and the others not. There must have been the same condensation of salt in all of them. It so happened that the one which was repaired at Cossipore was the one that burst, and burst in the same identical place. I received power to blow off from Mr. Daius, but no directions excepting according to my own judgment. I had never been in another Steamer. I blew off in my watch at nine, ten and eleven, and Mr. Daius blew off at midnight. I don't know that any body blew off after Mr. Daius. The angles were all cracked. The angle is not composed of two pieces of metal joined but one solid piece bent, without breaking it. I can bend any metal without weakening it. A series of bendings will break metal, but if properly prepared in the fire, it may be bent without weakening.

*John Milligan Seppings, sworn.* I am son of Sir Robert Seppings—I am a naval architect—I have been frequently on board the *Forbes*. This is a report made for Messrs. Mackintosh and Co. respecting that vessel for the Pasha of Egypt in March, 1833.

[Report put in.]

*By Mr. Pearson.* I am acquainted with shipping. I am accustomed to survey shipping but not machinery of this description.

*Captain Forbes.* I am Superintendent of Steam Machinery for the East India Company. I superintended the repairs of the *Forbes* in 1833, as a matter of friendship to Mackintosh and Company. I saw sufficiently of these repairs to say that they were particularly well done. I had heard of Mr. Seppings' report of that vessel, and the boilers were calculated for service for 3 years, and notwithstanding that report, I recommended that the boiler in which the accident happened, should be taken out and repaired. The vessel was laid up and repaired in 1833. She then run till the 1st of March when she was made over to the Steam Committee. The repair then made cost 5,000 rupees, of which 1781 were for new copper introduced into the boiler.

I had known the vessel from first to last, and I gave the order for her machinery very often. She had run three years and ten months when she was made over to the Committee that is, from the time when she first began to run as a tug. I considered her in a competent state to make the voyage when she left this in April, 1834. I have had many opportunities of examining her since, and my opinion is still the same as to her competency in April, 1834. Her damage was occasioned solely by the accident. I examined her very frequently: I went over these very flues perhaps forty or fifty times. The remainder of Captain Forbes's evidence tended to establish the perfect sea-worthiness of the vessel, and the perfect soundness of the machinery and the competency of Mr. Daius as an Engineer.

*Mr. Pearson for the defence.* I shall at once state to your Lordships that I have no witnesses to call excepting as to certain parts of the demand respecting the policy of the insurance. The merits which affect the whole claim are these. The insurance runs—to take upon us the perils of this voyage, from enemies, fire, the seas and other perils by which either loss or misadventure shall accrue to the detriment or hurt of the machinery. This is not the time to argue the point of law—your Lordships will give leave for that purpose to move to enter a nonsuit. I must, however, take this opportunity to submit—that though other perils are specified generally they ought be perils of the same kind as those specifically mentioned before. You are to take the same construction of this policy as of an act of parliament, and the perils relied upon must be of the same kind and description as those enumerated before; that being so I would submit to the Court there is nothing in anywise like the perils of the seas. In regard to the accumulation of salt, how this can happen by perils of the seas is beyond my conception. My learned friend has read from a newspaper, something relating to the Mediterranean sea; though the facts apply equally to the Bay of Bengal, I still cannot perceive how this can be construed into a peril of the sea. There is a well known case—an action against insurers where a ship's bottom had been damaged by a kind of worms peculiar to the African coast, and in the river Senegal. Many witnesses were brought to shew that the worms infested that river; so the Bay of Bengal, and the Mediterranean sea may be constantly and highly saturated with salt, but that is a local peculiarity and not a peril of the sea. Your Lordships will observe that Mr. Daius was appointed by the assignees and approved by the Committee. Mr. Daius never went out before; he never drove an engine till this particular time, but it is urged that he had made them—made them? why, I might as well say a ship's carpenter was fit and competent to steam navigation. But he had had seventy or eighty under his care; what does this prove? why, that he was competent as a musician to keep an instrument in order, upon which he could not perform. Now the Committee, as I maintain, had not appointed a competent person; they had not taken the means to remedy his defects; they had not provided an hydrometer. Out of the six boilers one was in a damaged state some time before the commencement of

the voyage. This was the same identical boiler to which the accident happened. That which had been pronounced to have been weak before was found to be weak again. Does chance work in this consistent manner? The opinion of Captain Forbes was that it was sound, I say that the event is stronger than the opinion. Suppose that out of six horses in the same stable, and with the same food and attendance, a particular one had gone lame of a leg. Suppose they had all gone a journey under the same guidance and care, and the same horse had again fallen lame of the same identical leg. Would a hundred witnesses overturn the inference which would necessarily arise from such coincidence? The learned counsel further urged that there was nothing like barratry in the conduct of the Captain; and again impressed upon the Court that the general words of the policy were confined by the perils enumerated according to the judgment of Lord Tenterden, in 5 Burnewall and Creswell 163.

The Court deliberated a few minutes. Sir E. Ryan stated that the Court were of opinion there should be a verdict for the plaintiffs. The first question is one of law in which we do not now give an opinion, and though we are inclined to entertain little doubt upon it, we shall give leave to enter a nonsuit, upon which the point may be argued.

The next question is whether Mr. Daius was competent, and whether he ought to have had an hydrometer. We think the evidence establishes his competency, and that such an instrument was not necessary to the liability of the Underwriters.

The next question is whether the machinery was the time of sailing in such condition as to entitle it to be considered what may be termed "steam worthy." We find by the evidence that it was, and upon this no question of law can arise; the only question therefore upon which to take the opinion of the Court is whether this risk falls within the provisions of the policy. Our *nisi prius* opinion on this point is with the plaintiffs.

*Sir J. P. Grant.* I concur in the verdict and opinion as delivered by the Chief Justice. Some discussion then took place as to the adjustment of the items of the demand, and a verdict was entered for the plaintiffs, with liberty to the defendants to move to enter a nonsuit.

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THURSDAY, JUNE 25, 1835.

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The Court was chiefly occupied to-day in the hearing of arguments upon motions in cases of little interest except to the parties concerned. The sentence, however, passed in a criminal case, is of importance to the public as involving a question materially concerning the verdicts of Juries:

REX *v.* SUKAWUT HOSSAIN AND OTHERS.

The defendants had been convicted at the last Session of a conspiracy. In the course of a trial certain documentary evidence had been put in, and a witness examined thereto, who had proceeded so far in his evidence as to convey to the Jury its full scope and tendency when, on the interposition of the Advocate-General, he was stopped by the Court which decided that such evidence was inadmissible. In summing up the evidence the learned Judge had directed the Jury, in the consideration of their verdict, to dismiss from their minds every impression which the inadmissible evidence so received might have made upon them. One of the Jurymen thereupon said—"That we cannot do."

The Judge, however, who presided at the trial, directed them to find their verdict consistently with their oath, which bound them to find according to what was evidence, meaning evidence in legal acceptation. The Jury convicted the prisoners and a motion was now made for a new trial on the above circumstances.

MR. JUSTICE RYAN, pronounced the opinion of the Court to be, that under such circumstances and upon such grounds the Court could not grant a new trial without throwing an imputation upon the Jury of having given in their verdict in opposition to the oath they had taken; that such an implication was not to be raised against the integrity of the Jury, who having the whole evidence before them, and being instructed as to what that was which they should exclude and dismiss from their consideration, and having thereupon found their verdict, it must be taken as their consecutive verdict on the evidence, and could not be impeached.

Sir J. P. GRANT concurred in this decision, and in a very impressive manner passed sentence upon the prisoners.

The sentence was a fine of 500 rupees to the defendant Sukawut Hosain, as being the principal in the conspiracy, and the master of the other defendant, which last was sentenced to six months' imprisonment.—*Hurkaru.*

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FRIDAY, JUNE 26.

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JENKINS, HOLROYD AND OTHERS, *v.* A. FRAZER, BRIGHTMAN AND OTHERS.

*Mr. Advocate-General*, referring to leave given to move to enter a nonsuit in this case, mentioned his intention that he might be within time, but applied for leave to move on Monday, not only for a rule to shew cause why a nonsuit should not be entered, but also on other grounds why the amount of damages should not be considerably reduced.

*Mr. Turton* had no objection to an extension of time, but the rule was that no new affidavits should be sworn after the fourth day. If the affidavits were sworn to-morrow he did not object to their being put on Monday.

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HEATLEY *v.* MELVILE AND OTHERS.

Our readers will remember a report of some proceedings during last term in which a Bill was filed by *Melvile and others, executors of Fraser deceased*, against *Anne Fraser*, and revived cause. The Court ordered an issue in which defendant should be plaintiff, to try amongst other things, if the endorsement on a Government security, was in the hand writing of *James Fraser*, and if the gift said to have been made to Anne Fraser was *donatio causa mortis*.

*Mr. Turton*, complainant's counsel in the equity suit, now moved that the issue be set down for trial. Plaintiff had filed his plaint, to which defendant had filed a plea and ruled him to reply. Plaintiff had not replied, and defendant had added a semiliter, since which plaintiff had taken no further steps in the issue. Under these circumstances he moved for defendant, that the issue should be tried in July, it being important that there should be an early trial as a material witness was about to go to New South Wales.

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ALEXANDER MILLET *v.* RUSSICKCHUNDER SEAL AND OTHERS.

The Bill was filed, January 4th, 1835, and sets forth that, in January, 1830, complainant, an Indigo Planter at Sootraghur, Kishnagur, being in distressed circumstances and in want of money for the purpose of carrying on his factory, applied to Judubchunder Seal, a brother of the defendent, who agreed to obtain for him Rs. 5,000. A few days afterwards the defendant advanced that amount, for which complainant gave him a Bengalee bond. In the month of March following, complainant being pressed by his creditors, applied to defendant for a further sum of Rs 5,000 which was to be advanced on condition that complainant executed a bond for Rs. 20,000. and warrant to enter upon judgment in this court; and it was further agreed that the bond and warrant should be security, as well for the Rs. 5,000 which had been advanced, as for the Rs. 5,000 which was to have been advanced on the execution thereof, and that the Bengalee bond executed in the January preceding should be returned to the complainant. The agreement for Rs. 20,000 was executed at Chandernagore, by complainant, 27th of May, 1830, conditional for the repayment of Rs. 10,000 and interest at 12 per cent. but the second sum of Rs. 5,000 was not advanced, nor the Bengalee bond returned at the time, complainant being informed that both would be ready for him on the following day, at Chinsurah, where defendant resided. Complainant attended at Chinsurah accordingly, but defendant made various frivolous excuses for the non-payment of the money and

return of the bond; and a few days afterwards, caused judgment to be entered in the Supreme Court on the warrant for Rs 20,090. On the following day a writ of *fieri facias* was issued under the judgment, and the Sheriff of Calcutta seized complainant's Indigo factory, which by agreement, was shortly afterwards released, though the writ was not returned or the Bengalee bond given up. At the commencement of 1831, defendant applied to the Civil Judge of Kishnaghur, and, filing the Bengalee bond, was again put in possession of complainant's factory in satisfaction of the debt, complainant having been unable, owing to his embarrassed circumstances, to oppose the application in the Zillah Court. Russickchunder Seal continued in posession of the factory during the whole of the Indigo season of 1831, and caused about sixty maunds to be manufactured and sold, and for which he has not yet accounted. In 1832, in consequence of certain disputes between the defendant and a Mr. Shearman, the former was unable to carry on the factory, and he agreed, together with several other creditors, to allow complainant to carry on the factory by a letter of license, and to cause satisfaction of judgment to be entered on the bond for Rs 20,000. It was also agreed that the letter of license should continue in force till January, 1835;—that Russickchunder Seal should make the necessary advances, and repay himself from the sale of Indigo, and complainant then gave defendant Rs 1,800, in satisfaction of his debt. When Russickchunder signed the letter of license he set forth after his signature, Rs 12,450, and evaded the return of the bond for Rs 20,000, refusing also to give any account of the sums advanced or realized while he was in possession of the factory. Complainant being solely dependant on Russickchunder for advance was compelled to submit. In 1832, complainant appointed his brother to the management of the factory. This brother died in August, 1834, shortly after which Russickchunder went to the factory, accompanied by his servants, and took possession of about eighty maunds of undried indigo, together with all the account books, vouchers, office furniture, &c., carrying the whole away with him to Chinsurah, and has since refused to restore them, threatening to sell the factory for the full amount of the penalty of the bond for Rs 20,000 or to sue out a fresh writ of *fieri facias* against complainant's property. The bill sets forth that large sums were realized during the time defendant held possession of the factory, and prays for an account, and that defendant may be restrained from further proceeding under the judgment.

To this bill defendant filed a Demurrer in April, 1835.

*Mr. Turton and Mr. Leith* appeared in support of the demurrer, mainly relying on the non-jurisdiction, defendant being a resident at Chinsurah.

*Mr. Advocate-General*, with whom was Mr. Dobbs, rose to reply, but was stopped by the Court, the Chief Justice remarking, that there were some cases so bad that even the ingenuity of counsel could not make them better. It was quite clear that defendant had made himself subject to the jurisdiction in this suite, he having caused judgment to be entered upon the warrant of attorney, one of the matters in dispute.

*Demurrer overruled, with costs.—Englishman.*

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MONDAY, JUNE 29, 1835.

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### RIGHT OF SHERIFF TO INDEMNITY.

*Mr. Prinsep* rose to show cause why the late Sheriff should not have further time to make his return to a writ of *venditioni exponas*. The action was brought against Syed Mendhy Ally Khan, and the property comprised in the writ of *venditioni exponas* was advertised for sale, but when the day arrived the then Sheriff refused to proceed to sell without an indemnity. Now the general principle that prevails here is that the Sheriff is not entitled to an indemnity, under the circumstances of the present case. The property here consisted of a share in a zemindary in Tirhoot, and although it would be otherwise in the case of goods, here no action could be brought against the Sheriff, no indemnity could be required. The grounds upon which such indemnity was demanded by the Sheriff, were that notice of several claims had been served upon him, affecting the property in question One of these claims was made by Mr. Wilkinson, the Collector, on behalf of Government, for arrears of revenue; another was by a mortgager, and there were several others. On these grounds the Sheriff when the day of sale arrived refused to proceed, although it appears by the affidavits put in that there was a party present who had come all the way from Patna for the express purpose of purchasing, which opportunity was lost. The learned counsel urged that the Court would neither protect the Sheriff nor pronounce him entitled to an indemnity excepting in the case of a well substantiated claim, and not on mere letters and notices like the present.

The Court, however, after some little consultation declined hearing the opposite counsel, and decided in favor of the Sheriff's right to the indemnity he demanded previous to the completion of the sale. This matter is now regulated by Act of Parliament; the 1st and 2nd William 3d, the spirit of which statute is to relieve the Sheriff not to exercise his responsibility.

### THE STEAMER FORBES'S INSURANCE.

The *Advocate-General* in pursuance of the permission of the Court, proceeded to move in this case for leave to enter a nonsuit, and in addition to the grounds on which he made this motion he had, in case such motion should not be granted in its full extent, to apply for a reduction of the damages to a very considerable extent. This latter application he should ground first of all upon the admission of a mistake in the calculation of the amount of the damages by the plaintiffs themselves. This mistake was to the amount of 1,000 rupees and was admitted by the opposite party, and to this amount the verdict was acknowledged to have been irregularly and illegally calculated.

The *Chief Justice* said, that the Court could not occupy itself in settling mere matters of calculation, and it must not be stated, that a verdict is irregular on such grounds. There is the officer of the Court who will rectify such errors as arise from mere miscalculations.

*Sir J. P. Grant* observed, that it was a mistaken assertion to say, that the verdict was wrong in a sum of 1,000 rupees. The verdict was given for the plaintiffs for such sum as a correct calculation should shew them to be entitled to.

The *Advocate-General* then proceeded to urge the further grounds of his motion, alleging, that the principles upon which the verdict was given, were contrary to the principles of law, and the custom of merchants. In London this case would have been decided by a special Jury composed of men conversant in the usage and custom of merchants. I have, said the learned advocate, very numerous affidavits of gentlemen conversant in such usage and custom, and had they formed a special jury for the trial of this case, your Lordships would have referred the question of usage to their decision. As to this point the learned counsel cited a passage from Martin's book of commercial customs. Another ground upon which the present application was made was that the demand should be apportioned on the different offices insuring, and that the defendant in this action should not be compelled to pay the whole. There were several other insurers and the present defendant's liability ought not to be, for the whole, but *pro rata*.

The *Chief Justice* cited a case Emery v. Rogers I Espinasse's reports which was an insurance of the ship *Dart*. The defendant there had underwritten the policy for £200. The property of ship and cargo separately calculated the former at £15,000. The defendant contended, that as no part of the cargo was taken on board, no risk as to that had been incurred. The jury recognizing *the pro rata* calculation admitted at Lloyds, gave their verdict accordingly.

The *Advocate-General* quoted a passage from Binecke's Law of Insurance, to the effect that if we suppose a ship to be valued at £3,000 which ought to have been valued at £4,000 and let the repairs amount to 1,200 it is clear that the owner ought to be considered an underwriter for £1,000 and that as such he ought to bear one-fourth of the damages.

It was observed by the Court that there was this difference in the present case: here the parties to the

policies stand alone—the policies are in terms totally distinct and different.

The *Advocate-General* urged that if the present defendants are compelled to pay the whole demand in this instance, one of two flagrant pieces of injustice must take place: either that one who receives no higher premium than the other insurers are to pay the whole loss, or the plaintiffs may bring their separate and several actions against the other parties, and recover against all.

*Mr. Turton* here remarked that such actions had indeed been commenced, but that plaintiffs had agreed to their being staid on the parties asserting to abide by the decision of the present case.

The Court hereupon granted the rule *nisi*.

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TUESDAY, JUNE 30, 1835.

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THE DIRECTORS OF THE MILITARY SAVINGS BANK *versus* SHEIK ABDOOLAH.

This was a bill brought by the Directors of the Military Bank, to enforce the specific performance of an agreement entered into by Sheik Abdoolah for the loan upon mortgage of two lacks and fifty thousand rupees by the Directors to the defendant, and which agreement he now refused to fulfil. A demurrer was put in to the bill, and the grounds relied upon in support of the demurrer, were several. The only point of law, however, raised was, whether the Directors—as Directors, and without the averment of an interest as members of the establishment of the Bank, or depositors therein, could maintain this suit, without making some of the depositors in the Bank parties thereto. The Military Bank was established under the auspices of Government, for the purpose of receiving deposits of the savings, from the pay and allowances of the Company's Military Servants, a body of Directors was nominated for the purpose of conducting the affairs of the institution, under the directions of Government, and among other orders they received directions to lay out the funds on good real security so as to enhance the interest. The agreement for the loan in question, the subject of the present suit, had been entered into by Sheik Abdoolah, with the present complainants in their capacity of Directors, and it was argued at considerable length by Mr. Prinsep, that as the defendant had contracted with the parties, and recognised by his agreement with them their title, and to make such contract, he had stopped himself from making such an objection as the want of parties in the present suit. They brought the suit with whom he had contracted, and as far as he was concerned and as far as he was cognisant with their right, the contract was full and complete, and no objection founded on the absence from the suit of third parties was to be alleged by him.

The Court was however decidedly and clearly of opinion that the Directors were merely in the situation of trustees, and it was settled beyond dispute that a trustee could not institute a suit involving the interests of his *cestui que trust* without making the latter a party. The demurrer was therefore allowed with leave for the party to amend.

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SREEMUTTE SCBOOSUNDRY DOSSEE AND OTHERS *versus* BUMOLAH DOSSEE AND OTHERS.

This was an application arising out of a decree by which a certain fund had been appropriated to the worship of a family idol, and the repairs of the temple. It appeared that the idol in question appertained to the families of the Setts and Mullicks, and that the right of performing worship and applying the funds passed in succession to the several branches of their families, and that the present applicant had come to her turn to perform the religious duties of the worship, which she had duly fulfilled, without, however, having any participation in the funds. A fund of 33,000 rupees had been appropriated by a former decree of the Court, of which 30,000 were applicable to the worship, and the remaining three thousand to the repairs. The Court expressed a wish to get rid of the suit, which thus promised to give rise to proceedings in the Court for all futurity. The bill could not be dismissed, a decree having been made thereon; but some method must be adopted by the appointment of a trustee or by other arrangement that might prevent these applications which otherwise would proceed in *secula seculorum*. After much discussion the cause was ordered to stand over for some days.—*Bengal Hurkaru.*

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## INSOLVENT DEBTOR'S COURT.

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SATURDAY, JUNE 6.

IN THE MATTER OF JUMAH BYANUM.

The debt of this insolvent (a nautch girl) were chiefly due to an attorney of the Court for costs. She had been two years in gaol, and was now brought up on her petition and discharged.

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IN THE MATTER OF JAMES CALDER AND OTHERS.

On the application of the assignee, the 20th instant was named to fix a day for declaring a further dividend on this estate.

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IN THE MATTER OF CONNYLOLL, BANYLOLL AND CHEETERAM.

These insolvents, shroffs in Calcutta, were brought up and heard on their petition. The debts on their schedule appeared to be Rs. 2,25,000, to meet which there were debts due at Madras and other distant places, considerably above that amount. The first mentioned insolvent was examined at great length by Mr. Turton touching some property not inserted in the schedule, and also touching the firm's connection with a *cotee* at Furruckabad.

The Court ordered a reference to the Examiner to inquire into the truth of the schedule.

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IN THE MATTER OF JOHN PALMER AND OTHERS.

*Mr. Advocate General* obtained an order for the attendance of two of the above named insolvents, Mr. John Palmer, and Mr. G. A. Prinsep, the only members of the late firm of Palmer and Co. now in Calcutta, also of Mr. R. C. Jenkins, and Mr. G. Pattison, in the next court day, to be examined, touching and concerning the claim of Joynarain Mitter, the legal representative of Ramchunder Mitter, deceased, and for the production at the same time of certain books of the late firm. The learned counsel moved on the petition of Joynarain Mitter which set forth that Ramchunder Mitter his father, died in 1828, leaving a large property, a part of which he directed by his will to be laid out in religious purposes, but the petitioner having filed a bill in the Supreme Court, the bequest was set aside and the petitioner declared entitled to the whole residue.—That at the time of the death of Ramchunder Mitter, he had a large balance in the hands of Palmer and Co. amounting to about Rs. 68,369;—that this sum was shortly after the death of the deceased, and without any notice to the petitioner or the executor, written off in the books of that firm in the profit and loss account, and that no payment was ever made to the petitioner or to the executors of the deceased, or any accounts furnished explanatory or relative thereto. The learned counsel argued that the production of the books in court, might explain that the account had been written off, but he contended that the examination of the partners was necessary to show how the books came to be in that situation.

*Order granted. Parties to be examined next court day.*

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IN THE MATTER OF WILLIAM FAIRLIE CLARKE.

*Mr. Turton*, on behalf of the assignee of the private estate of this insolvent, applied for an order *nisi* under the following circumstances:—In 1828, Patrick Clarke, of

Edenbank, in the county of Ayr, by his will bequeathed a legacy of £5,000, and the reversionary interest, contingent, on his death without issue, in one sixth part of an amount provided in his marriage contract. In 1830, Mr. P. Clarke died without issue, leaving his widow surviving him and without having revoked the said legacy. The late firm of Fergusson and Co. were the testator's agents, and at the time of his decease they had a sum amounting to Sa. ~~Rs~~ 68,000 standing to his credit. Mr. W. F. Clarke took out probate, and as executor continued the sum in the hands of the firm. In 1833 the firm of Fergusson and Co. failed, and the assignee of Mr. W. F. Clarke's private estate was desirous that the insolvent, as executor of Mr. P. Clarke, should pay to him the legacy of £ 5,000. But as the insolvent alleged that he had not sufficient funds then in his hands, the assignee applies that Mr. W. F. Clarke, may be allowed to prove, as executor of Mr. P. Clarke, for the sum of ~~Rs~~ 68,000, against the joint estate of Fergusson and Co. and pay to him (the assignee of the private estate) such dividends as he may receive thereon to the amount of £ 5,000, the sum bequeathed to the insolvent. *Order nisi.*

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SATURDAY, JUNE 20.

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IN THE MATTER OF ALEXANDER COLVIN AND OTHERS.

Mr. TURTON moved that the sum of ~~Rs~~ 2,40,000, which had been reserved from the former dividend, and deposited with the Accountant-General, be released for the purposes of a further dividend, the twelve months having expired since the date of notice of petition filed, in the *London Gazette*.

The Court granted the order, and the assignee stating that this sum, added to the amount now in his hands, amounted together to ~~Rs~~ 9,18,869 equal to ten per cent. on the amount of debts, ~~Rs~~ 91,88,000, a dividend of ten per cent. was declared payable forthwith.

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IN THE MATTER OF JAMES CALDER AND OTHERS.

Mr. BIRD moved for a like order in this case, to release a sum of ~~Rs~~ 3,90,000 which together with an amount of ~~Rs~~ 3,50,000, now in the assignees' hands, would enable them to pay a dividend of three per cent. on amount of debts, Rs 2,32,53,492.

Order granted. A dividend of three per cent. declared payable on the 15th July next.

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IN THE MATTER OF PETER ABERCROMBIE.

Leave was granted to this insolvent, a prisoner in the petty Court jail since 24th of May last, to file a petition for relief.

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IN THE MATTER OF JAMES YOUNG AND OTHERS.

Mr. TURTON moved on a petition for the final discharge of these insolvents, and briefly alluded to the Court's order for an examination of the powers granted by creditors for their release. That examination had been entered into, and the result, with the powers to release, in different classes, laid before the Chief Justice in chambers. The assignees certified that a majority of creditors, Indian, and to the west of the Cape, who had taken part in these proceedings, had assented to the Insolvents discharge, and he apprehended that the consents of creditors who had taken no part in these proceedings were unnecessary. So early as the time of Elizabeth, see 2 *Coke*, it became a question as to what was an equal distribution among all the creditors; since that time it has been considered that the creditors were those who had come in and proved their debts; and at home, in cases of bankruptcy, a party is bound by the certificate of those creditors who have proved their debts, even though he never heard of the bankruptcy. But in the Insolvent Act for this country, it is expressly stated that the consenting creditors must have established their debts to the satisfaction of this court, and the question is by whom have the debts been so established? Not certainly by those who have taken no proceedings whatsoever, or by those who have taken proceedings under the commission of bankruptcy in England; and such was shewn plainly to be the intention of the legislature, by the provision that a final discharge by this Court shall not prevent a creditor who has taken no part in these proceedings, bringing his action against the insolvent.

Sir EDWARD RYAN said, that counsel need not proceed further in the subject. He had considered the question, which arose entirely under the sixty-third section of the Insolvent Act, and certainly, at first view he was disposed to think that the Court could not discharge an insolvent unless with the consent of a majority of creditors whose debts were set forth in the schedule. That was his first opinion, and it was formed on this ground.—That the debts must be considered as established against the insolvent, because the insolvent admitted them. But on looking more minutely into the clause he was of opinion that the sound construction of the word "established," must be taken with reference to both parties, and not against the insolvent alone; and it is impossible to say, when the creditor is not an active party in this Court, but out of the local limits, and who is not bound by the act of the Court, that the debt is established on his part. The case was different with regard to those who resided within the limits of the Court, and with regard to those who resided in Europe, and who had choose to act in these proceedings. Therefore, supposing the insolvents entitled to their discharge, it would not include all the debts on the schedule, but merely from the debts of those who resided within the limits of the jurisdiction, or who had chosen to act in this proceeding. This he was clearly of opinion was the right construction of the clause.

It appeared that the total number of creditors, Indian and European, on the schedule was..... 2,029

Indian and European creditors who have taken part in this proceeding..... 1,733

Of these the number of consents was..... 894

Leaving a majority of 27 in number, and a considerable amount above half the debts, as required by the sixty-third section of the Act.

Mr. TURTON stated he was instructed that the assignees had received consents from fifteen other creditors since this statement had been laid before the learned Judge; and he also explained that the reason the majority was so small was chiefly in consequence of the manner in which the insolvents kept their books, accounts being kept open for persons many of whom were not in existence.

Sir EDWARD RYAN said, it was formerly the practice of the Court to refer to the Examiner to inquire and report when matters of a similar nature were brought before the Court, but this practice had been departed from as he was informed for the purpose of a saving of expense. He had, however, looked through the whole of the papers, and he found that of the assents there were 561, on which there could be no dispute whatever, being given in the words of the Act of Parliament; and the second class contained a general power of release. There were only five powers of which he had any doubt, and these, though one of them, that of Fletcher, Alexander and Co. was for a very large amount, would not turn the scale, either as to number of creditors or value of debts. He was aware that Mr. Fullarton and Messrs. Bagshaw and Co. had a general power to act for Fletcher, Alexander and Co. and that the former gentleman not thinking he had the power to consent, some correspondence had taken place between him and the London house, who had replied, "and if also you have exercised your judgment and given the insolvents a discharge we will ratify that measure." There could be no doubt but that Fletcher, Alexander and Co. were truly consenting parties; but it was not necessary for him to decide on the validity of a power which was not required for these proceedings. On these facts he thought there was enough for an order *nisi*, with one month's notice to creditors, as in the case of Messrs. Cullen and Browne.—*Englishman*.

# MISCELLANEOUS NEWS.

## CALCUTTA.

FRAUD.—A respectable goldsmith of this city was defrauded a few days ago of jewels to a considerable amount under the following circumstances:—Two christian women, attended by a khansama, called on the goldsmith and having selected jewels to the amount of upwards of 1,000 rupees, despatched them under the care of one of the goldsmith's peons and the khansama, to a gentleman residing at Garden Reach who, it was asserted, would pay for them, the females remaining in the shop as hostages for the return of the jewellery or their price. The khansama having reached the house in which he said his master resided, desired the peon to give him the jewels and remain at the gate whilst he showed them to his master, and having obtained them he is supposed to have made off by another gate, as he has not since been heard of. The peon after waiting some time at the gate, proceeded up to the house to enquire for the khansama, when he found that both himself and master had been tricked. The females after waiting two hours for the khansama's return and not seeing any trace of him, went away. Shortly after, the jeweller received a note from the proprietor of the house at Garden Reach, stating that he apprehended that the jeweller had been defrauded of his property: the peon was the bearer of the note, who on not finding the khansama had given the alarm, when every search was inffectually made for the apprehension of the rogue. On an application being made to the police subsequently, the females were apprehended, and it appears from their statements before Mr. Blacquiere, that they also had been deceived by the khansama, who had persuaded them that he was deputed by his master, who resided at Garden Reach and was desirous of being married, to procure some young woman for him, and he promised to introduce the youngest of the females to his master; but he said that he had been authorized previously to take her to a jeweller's shop and request her to select some articles, as his master was desirous of seeing what taste she possessed in such matters, and that 1,400 or 1,500 rupees was no object with his master. The trick, as above stated, was successful, the jeweller lost his property the female her husband.

ICE.—All the ice shipped by the brig *Apthorp* in Boston, for this place, has melted away; the brig was nearly set on fire by the heating of the straw with which it was enveloped. Three other ships are shortly expected with cargoes of this luxury.

The following resolutions were adopted at a meeting held at the Town Hall for the encouragement of American Ice:—

1. That a subscription be raised for the purpose of constructing an Ice House for the reception of Ice from America, under the superintendence of Mr. Bacon, as Agent for Mr. Tudor. The shares to be 100 Rs., half share 50, quarter share 25. Each full share to be entitled to receive 8 seers, half share 4, quarter share 2, at 2 annas per seer. Non-subscribers not to receive Ice at less than three annas.

2. That when built, Mr. Tudor shall have the use of the Ice House for three years, if willing to supply sufficient Ice for the consumption of subscribers, he giving them the preference when there shall not be sufficient supply for the whole public.

3. That the following Gentlemen form a Committee to act in co-operation with Mr. Bacon, and collect subscription: Mr. Pattle, Col. Dunlop, Captain Steel, Mr. James Prinsep, Captain Forbes, and Mr. Turton.

4. That Rules, &c. be formed by the Committee, and when 50 shares are subscribed for a meeting be called, and the Rules submitted thereto.

5. That the Committee be at liberty to appoint a Secretary, and that Mr. Hedger's offer to act as such for the present be accepted.

6. That the Committee be instructed to solicit from Government the gift (or to purchase if necessary) a proper and suitable piece of ground to build the Ice House.

7. That subscriptions be collected by calls of 15 per cent. as the Committee may require the money.

8. That Shares in the Ice House be transferable.

There are already seventeen subscribers for shares in the Ice House.

STEAM NAVIGATION.—The *Ganges* is to be sent to Suez in the beginning of July, by the southern passage, for the Malta mails. It is expected that she will make the passage in seven weeks or two months.

It is also said that the steamer *Ganges* is to be sent round to Bombay to be attached to that port unless the Government of that Presidency should object to the arrangement, on which point a reference has been made to Bombay.

The *George Swinton* and *Bhagurutte* Flat arrived off Town on the 9th June, bringing nineteen lakhs of treasure for recoinage at the Mint.

The *Lord William Bentinck*, steamer, with the *Experiment*, flat, arrived on Friday, by the Jellinghy route. The passengers it appears were greatly inconvenienced by the leaking of the decks in the trip down. It is said that these vessels have gained for the Company about 80,000 rupees for freight and passage.

SHIP NEWS.—The ship *Pascoa*, in charge of the pilot, on the night of the 21st June, unfortunately run foul of the brig *May*, from Bombay, in the Eastern Channel, by which accident the brig lost her fore and main masts. The *Pascoa* remained by the brig till daylight, and then reported to Mr. Sinclair who sent immediate assistance. The Semaphore has since reported the brig to have passed up from Kedgeree.

A letter from the commander of the *Forth* mentions, that that vessel reached Singapore on the 9th of May after a passage of 27 days from the pilot, with light winds for the greatest part of the passage, and that she fell in with the new clipper *Sir Robert Taylor*, and beat her, tack and tack, both in light and strong breezes.

MILITARY RETIRING FUND.—Reports of the proceedings of numerous meetings for considering the Retiring Fund Plan have been published and they are all in favor of it. The Members of the Medical Service have also solicited Mr. Curnin to endeavour to devise a plan by which they might be enabled to participate of the benefits of the Fund. Mr. Curnin has promised to endeavour to comply with their wish and has the subject now under consideration.

MILITARY FUND.—The following propositions have been carried by immense majorities:—

"That out-fit allowance be reduced to Rs. 300.

That officers paying their donations by instalments pay interest at 4 per cent. per annum.

That in all cases when the difference of ages between husband and wife exceeds 15 years, the donation should be increased 10 per cent.; when 20 years, 15 per cent.; when 25 years, 20 per cent.; when 30 years, 25 per cent

when 35 years, 30 per cent.; and when 40 years, 35 per cent. ; and thereafter in a similar proportion.

LORD WILLIAM BENTINCK'S FUND.—The amount of this tribute is now upwards Rs 36,000, the largest sum that has ever been subscribed in India for a similar purpose.

INDIGO PLANTERS.—The draft of a petition, now in circulation for signature, from the indigo planters of Jessore &c. to the Governor-General, against the proposed repeal of the law of 1830, which deterred the ryuts from those breaches of their contracts with the planters which endanger their property and tend to bring them to ruin, has been published in the daily papers. The petition most emphatically exclaims against the measure, as one calculated to bring utter ruin on the planters by rendering insecure their contracts for indigo, and affording an inducement to the ryuts to become dishonest.

INDIGO.—The prospects of the planters, it is asserted, are by no means so gloomy as might be inferred from the several statements that have been published. Although considerable damage has been done by the heavy rain in Jessore, &c.; yet on the whole, an increase of twenty thousand maunds, it is confidently asserted, might be expected on the produce of last year.

The assignees of the estates of Cruttenden and Co. and Fergusson and Co. have announced their intention of shipping the stock of indigo on hand for sale in England, should it not realize a fair price at a sale at Moore, Hickey and Co's during the ensuing week.

A meeting of the mercantile community, interested in the cultivation of indigo, took place on Wenesday the 24th June, at the Office of Messrs. R. C. Jenkins and Co. to frame a memorial to Government against the proposed recision of section 2d and 5th of 1830, which provides that persons instigating and inducing ryuts to evade the performance of their engagements may be prosecuted for the specified penalty, and that persons contracting for the cultivation of indigo plants who shall wilfully neglect to sow or cultivate the ground specified in their agreement, shall be considered guilty of a misdemeanour, and liable to punishment. Mr. Speir of the house of Cockerell and Co. addressed the meeting and ably set forth the jeopardy, if not utter ruin, which would ensue from this recision, the planter, in that case, having no other means to compel the ryut to fulfil his engagements than by civil process, a remedy which cannot be obtained before the seasons for sowing is past, and the mischief has ensued. Such an enactment, Mr. Speir urged, would certainly induce the planter to recur to those acts of oppression and bloodshed which have reflected indelible disgrace on the Government under whose rule they were perpetrated, and must lead to an increase of expense in the cultivation of our staple produce, which is now threatened with a low priced competition from Egypt, and the English chemists.—It was agreed that a memorial to the Governor-General in Council should be presented, and a committee, consisting of five gentlemen, were appointed to draw it up.

CIVIL SERVANTS ANNUITIES.—It is said that intelligence has been received from England intimating that the sum to be paid in future by Civilians on receiving their annuities, has been reduced from Rs 50,000 to Rs 25,000 each.

CIVIL SERVICE ANNUITY FUND.—At a Special General Meeting of Subscribers to the Civil Service Annuity Fund, held pursuant to advertisement on the 19th June R. H. Tulloh, Esq., in the Chair.

The requisition from nine subscribers and the proposed Rule—viz.

'That a subscriber, having intimated his desire to accept of the Annuity as prescribed by Articles 6 and 7, may pay the balance of his fine, and resign the Service at any period between the 1st of May and 1st November of the year in which he may have agreed to accept the Annuity; receiving during that year, a part only of it in proportion to the remainder of the year for which it may be due, and continuing his subscriptions to the date of acceptance. The fine to be calculated according to the age of the annuitant on the 1st May preceeding that date'—was read from the Chair.

Moved by Mr. Bushby, and seconded by Mr. Harvey, that the above Rule be approved by this Meeting, and that the Managers be requested to move the Hon'ble Court through the Local Government for its adoption. *Carried nem. con.*

Thanks were voted to the Chairman.

BENGAL BANK.—At a special meeting of the Proprietors of the Bengal Bank, held at the Bank on the 5th June, for ascertaining the opinions of the proprietory on the question, whether or not in the new Charter it should be declared that persons holding the office of Director of any other Bank should be disqualified for acting as Director of the Bank of Bengal, the question being put to the vote there appeared.

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|---|---|
| Against exclusion..... | 20 |
| For exclusion..... | 16 |
| Majority against exclusion..... | 4 |

Letters had been written on the subject by the Secretary to a large number of proprietors resident in India, but only three answers had been received, and they were for exclusion; they were accordingly added to the minority.

Sir E. GAMBIER, the new Recorder of Penang, was a passenger on the *General Kyd*, which vessel arrived at Madras on the 29th May.

THE SAVING'S BANK.—The half-yearly Abstract of the Saving's Bank, exhibits that Institution in a most properous state. The aggregate receipts in one year and six months to the 30th April last, exceeded six lakhs, and the withdrawals being less than 1½ lakh, there remained Rs 4,65,278, of which 3 lakhs were transferred to the 4 per Cent. Loan, and the rest remained at open credit in the Bank. The daily amount of deposits has averaged Rs 1,580 in the last 6 months, against Rs 1,264 of the previous half year.

LITERATURE.—The second part of Mr. J. C. Marshman's Brief Survey of History has just appeared. Mr. Marshman has apparently paid great attention to contemporaneous events and has likewise felicitously blended together the main incidents in the sacred history of Christians and those which belong more particularly to profane history.

The second edition of Dr. Twining's Medical work has just appeared.

*The Enquirer*, newspaper, is defunct. The last of that journal appeared on the 18th June.

The *Poorna Chundra-oodoy*, or the rising of the full moon, a native paper, has made its appearance, on the Conservative principles of the *Chundricka*. It is said, however, that the style of the editor is much above the comprehension of the generality of his countrymen.

*The Orient Pearl* for 1835 has just issued from the press, and far surpasses in every respect all previous numbers of that work. The Editor has announced this to be the last number of the work, as he finds the labour and attention which should be devoted to it, incompatible with his present situation and duties.

CHANDERNAGORE—SPECIAL MISSION.—One of the highest public functionaries of Chandernagore is about to proceed to Pondicherry, via Madras, in the ship *Resource*

on a Special Mission to the Supreme Government, which the encreasing embarrassments of the Colony render absolutely necessary.

MESSRS. W. DORIN AND L. A. RICHI.—The principal inhabitants of Chandernagore and Nubbeedeep have addressed letters to the *Sumachar Durpun*, expressive of their high appreciation of the liberal and upright conduct of the above named gentlemen while exercising sway over them.

MESSRS. GRANT AND PEARSON have retired from the Editorship of the *Medical Journal*, and Mr. Corbyn succeeds to that office,

AGRA.—From private letters received from England it appears that there will be a change in the constitution of the Government of Agra, and that instead of Governor the chief of the new Presidency will be styled Lieutenant-Governor.

THE POLES.—An association has been formed for affording the unfortunate, expatriated Poles, whom the persecuting, bloody Autrocrat of Russia would per force denationalize, that national education of which they have been deprived in their mother-land, and for procuring them such employment as might make them useful members of society in those countries in which they might have found a shelter. To enable the association to put its intentions into effect the generous and liberal-minded are called upon to contribute such pecuniary aid as they can afford; and it is sincerely trusted—nay, it is certain that the appeal will not be in vain.

All donations will be regularly inscribed in a Register, and receipts given only by the members of the Committee of Finance, viz. Prince Adam Czartoryskie, and Generals Kniazwicz, and Pac, who are authorized to receive contributions and give receipts. Subscriptions and donations may be sent to Generals Kniazewicz, Place de la Madaline, No 3, or to General Pac, Rue Godot de Monroy, No. 26, at Paris; and to Prince Czartoryski, through the hands of Messrs. Coutts and Co., or Messrs. Jones, Lloyd and Co. London.

MOFUSSIL SCHOOLS.—The following gentlemen have been selected and appointed to the superintendence of schools about to be established at the stations mentioned opposite their respective names:—

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|---|---|
| Mr. Clift,..... | Patna. |
| Mr. Ridge,..... | Dacca. |
| Mr. Arrow,..... | Ghazipore. |
| Mr. Sinclair,..... | Meerut. |
| Mr. P. B. Singer,..... | Gowahatty. |

Schools are also to be established at Gowhattie and Hazareebagh, but the masters have not yet been named.

INFANT SCHOOL.—The second examination of the infant schools took place at the Town Hall, and exhibited a most interesting spectacle. Among the leading gentlemen of the community present on the occasion were the Lord Bishop, Sir Edward Ryan, Sir Charles D'Oyly, &c. Before the children came in His Lordship explained that the principle of instruction was to take advantage of the known propensities of young children, their love of noise, of motion, &c. and to give these an application to their moral and intellectual culture—to make the instruction suited to their infantile capacity, in short, a pleasure instead of a study.

The pupils, about 56 in number, were brought in, the master leading and holding the foremost by the hand, and the next boy having his hands on that one's shoulders, and so on in succession, forming one long line. In this order they entered, beating time with their feet and singing after the master one, two, three, four—one, two, three, four—until they were placed in their seats. The examination then commenced. The children were first directed to clap hands—which they did most joyously and in good time—then they sung the words of one of their lessons to some familiar air, "Highland laddie, bonnie laddie" and so on with several others—they answered various simple questions put to them in a manner suited to their capacity, they named different members of the body, the head, hands, arms, legs, ancles. The master then told them an infantile story, stopping and hesitating every now and then to give them an opportunity to fill up the hiatus; for instance, "my little dog named" ——, what's his name? "Fiddo, Fiddo" exclaimed several of the children—and so on in every case of pause:—then an experiment was exhibited to shew the completeness of their training, in the midst of their singing altogether, a bell rings and they are all in one instant silent.

The spectators, among whom were several little children, seemed highly delighted with this novel scene.

A sermon was preached at the Cathedral on Sunday last, by the Lord Bishop, on the subject of infant education, after which a collection was made in aid of the funds of this interesting institution, amounting to Rs. 1,500.

COL. SIR R. ARMSTRONG, of H. M.'s 26th Foot, it is said is about to retire on half pay.

Mr. HOHLENBERG.—A monument to the memory of Mr. Hohlenberg, late Governor of Serampore, is about to be erected by subscription in the Church of that settlement.

TREASURY PAYMENTS.—Government have abolished the new plan of discharging demands upon the Treasury, and all future payments will be made in the old way in the same buildin.

BILLS ON LONDON.—Government have authorised the Board of Trade to take their bills on London against goods, at the reduced rate of 2*s*. 1*d*. per rupee.

CHOWRINGHEE THEATRE.—The performances for Mrs. Francis's benefit, although there was some flagging on the part of the amateurs, on the whole went off very well. Mrs. Leach, in the character of Norval, was, as she always is, enchanting. The little actress comported herself with all the grace and dignity of a hero, and her quarrel scene with Glenalvon was particularly impressive. Mrs. Francis exerted herself to the utmost to give satisfaction, but was not quite at home in the character of Lady Randolph. Glenalvon was good but rather over-strained, and the dance by the Nouveaux seemed to give great satisfaction. The house was tolerably full, and it is to be hoped that Mrs. Francis has not been much disappointed in her expectations of a *plentiful harvest*.

ITALIAN OPERA.—A highly respectable meeting was held at the Town Hall for the purpose of taking into consideration the terms on which non-subscribers should be admitted to the performances. After a great deal of animated discussion, in which Mr. T. Fergusson took a prominent part, the following resolutions were unanimously adopted:—

1.—"That no non-subscriber be allowed to enter the boxes at a lower rate than that paid by subscribers."

2.—"That the price to non-subscribers for admission to the Boxes to any performance be 8 rupees per ticket.'

3.—"That the price for Pit tickets be four rupees per ticket."

4.—"That this meeting entertaining entire confidence in the discretion of the Committee of Management, do authorize them to make such arrangements for the admission of temporary residents to the privileges of subscribers, as they may deem expedient."

The new series of the Italian Operas opened on the 25th June, with Rossini's heroic opera *Tancredi*,

which seemed greatly to delight the audience. Mrs. Atkinson made her *debût* in the character of *Ameneide*, and was successful beyond expectation. The sweet voice of this accomplished lady is entirely adapted to the music she had to sing, and she was therefore enabled to give to it the full effect intended by the composer —she sang with an energy and precision which left nothing to be desired. Schieroni had the part of *Tancredi*, her first appearance here in a male character, and both in her singing and heroic bearing she did more than justice to the part. Pizzoni sustained his part very cleverly, notwithstanding the disadvantage of being obliged to sing in music quite unsuited to the character of his voice; but his calls for the prompter were scarcely excusable in one of his experience and rather too loudly uttered. Bettali's part was unimportant but he made the most of it. The orchestra was rather imperfect, but it is hoped that Signor Catania, who has undertaken the task of leader, will soon render it proficient.

The house was tolerably full, and every part of the arrangements seemed to give satisfaction, except the confining of non-subscribers within a small enclosure, which it is hoped will be removed before the next performance. Sir Charles Metcalfe was prevented from attending by indisposition, but with his usual kindness he caused it to be intimated to the Society that he regretted not being able to witness the performance.

The Opera Company have announced their intention to repeat the performance of *Tancredi* on Friday the 10th July and to get up an Opera every alternate Friday evening until further notice.

THE MAGISTRACY.—On the 17th June Patrick O'Hanlon, Esq., appointed by the Governor-General to succeed Mr. Thomas Hoseason, and Mr. Paten, of Allipore, were sworn in as Magistrates.

HONORARY MAGISTRATES.—Only three Honorary Magistrates are to be appointed for the present, viz. Mr. James Kyd and Baboos Dwarkanauth Tagore and Radacant Deb.

THE POLICE AND CONSERVANCY DEPARTMENTS.—It is said that the Conservancy department is to be transferred to the Military Board, and that the Police is to be reformed at the suggestion of Capt. Steele, by an encrease of European superintendence, and a better distribution of the native constabulary force.

DEATH BY LIGHTNING.—A Sepoy of the 56th N. I. was killed by lightning on the 13th June while standing sentry at the Cooley Bazaar Gate of the Fort.

POST-MASTER GENERAL.—Mr. G. J. Siddons, the Collector of Government Customs, is to be Post-Master-General, in the place of the Hon'ble Mr. Elliot, who is about to return to England.

MR. CHARLES CHICHELY HYDE, has been appointed to succeed Mr. Siddons as Collector of Customs.

CAPTAIN WALLACE AND THE SYLPH.—Captain Wallace, late of the *Sylph*, has published a statement of the loss of that vessel, which fully clears him from all blame; and also exonerates Captain McKinnon of the *Syad Khan* from the charge, ungenerously insinuated, of his having passed by the *Sylph* without rendering her aid, although aware of her situation. The Bintang shoal, it appears, by Captain Wallace's statement, extends further out a great deal, than it is marked on the chart.

READING GRATIS.—A liberal individual has, by an advertizement in the *Exchange Gazette*, notified his intention of lending books to those young men who are inclined to improve themselves but have not the means of purchasing books, if they will apply at No. 12, Doomtollah.

SILVER CURRENCY.—It has been resolved by the Supreme Government that in future silver shall be the standard currency and that gold shall not be a legal tender!

THE MADRAS MINT.—The Madras Mint has been done away with by the Supreme Government. It has been found that more than half the expenses of the Mint Establishment at Madras (about two lakhs of rupees per annum) may be saved by providing the wants of that presidency with coin from Calcutta by steamers.

THE NEW PUISNE JUDGE.—Sir Edward Gambier, the new recorder of Penang, sailed from Madras on the *Resolution*, on the 22nd June. On his arrival at Penang, Sir B. Malkin, the new puisne judge of Bengal,* would proceed to Calcutta.

SUPREME COURT APPOINTMENTS.—Mr. L. A. Richy, civil judge of Chandernagore, has been appointed interpreter of the French, and Mr. Siret, interpreter of the Portuguese language, vice Mr. D'Anselm. It is said that Mr. Dickens will continue to hold the temporary appointments of Master in Equity, Accountant-General and Keeper of the Records, in addition to his own permanent offices in the Supreme Court until the October term, when the Bench being full, other arrangements will take place.

VAPOUR BATHS.—Mr. Wetherell is about to establish a *Shampooing and Vapour Bath*—a description of luxury for the healthy, and a remedy for the invalid, which has long been a desideratum in this city. The scale of charges, with reference to the expense incurred, and the comfort ensured, appears to be extremely moderate. Opportunity is given to the public of obtaining baths if they please at a cheap rate by subscribing for a series.

SWIMMING BATHS.—It is contemplated to establish Swimming Baths within a large walled enclosure in Entally. The projector proposes to construct several tanks for the purpose, each tank occupying a surface of 16 or 17,000 square feet, with small dressing-rooms adjoining. The subscription is 36 rupees per annum, for which a ticket will be given entitling the subscriber to three admissions per week. Each tank is to be limitted to 30 persons a day, and in proportion as the applicants increase new tanks are to be dug.

OPIUM.—It has been officially reported from the Benares Agency, that the manufacture of Opium in that Agency will not be less than 5,200 and may, perhaps, reach 6,000 chests.

PRESENTS TO THE KING OF ENGLAND.—It is said that his highness the Nawab Nazim of Bengal, is going to send to His Majesty the King of England a few valuable curiosities of the country under the charge of two of his English aides-de-camp.

EXTENSIVE ROBBERY.—Company's Paper to the amount of ~~Rs~~ 40,000 together with a quantity of cash, jewels, plate, &c. was stolen two days since in the neighbourhood of Pultah.

REVISED COINAGE AND WEIGHTS.—It has been decided by Government that for the future one coin shall exist throughout India, and the new rupee is to be a thin, flat coin, two thirds as large as a ½ dollar price, the device on which will be the King's head on one side with the words "William IV. King;" and on the reverse the words "East India Company" round the edge and a wreath of laurel with the words "one rupee" and the year of coinage in Devanagree, Persian and English, in the centre. It is also contemplated to establish an uniform standard of weights throughout the country. The annexed is a scale of the coinage and weights:—

The new Sicca=1 Tola.
2 Tolas=¾ oz. Troy.
8 Tolas=3 oz. or ¼ lb. Troy.
16 Tolas= 6 oz.=½ a lb. Troy.
32 Tolas=12 oz.=1 lb. Troy.
1 Seer of 80 Tolas=2½ lbs.
2 Seers of 160 ditto=5 lbs.
One maund=40 seers or 100 lbs. or 3,200 Tolas.

The new Silver coinage is as follows:—

| | | | |
|---|---|---|---|
| The Rupee..... | wg. | 180 | Grains or 1 Sicca Rupee. |
| Half Rupee..... | ,, | 90 | Grains. |
| Quarter Rupee... | ,, | 45 | Grains. |

The new gold coinage:—

The Double Gold-mohur or 30 Rupee piece.
The Single Gold-mohur or 15 Rupee piece.
Ten Rupee piece.
Five Rupee piece.

## BENGAL, &c.

DUEL PREVENTED.—A quarrel took place about the 10th May, at the Mess table of the 11th Dragoons, between two officers, and the consequence was a challenge. Lieut. Low of the 39th N. I. who witnessed the affair, waited on Col. Brutton and requested him as Commanding officer to prevent the duel. Col. Brutton wished not to interfere on the plea of the subject not being represented to him in an official manner. Lieut. Low then stated that he called in an official manner and requested Col. Brutton to do the duties imposed on him by the articles of war; and the Col. then caused both parties to be arrested and thus the duel was prevented.

ALLYGHUR.—A murder was lately committed at Murern. The murdered man was supposed to be possessed of considerable wealth, which induced the assassins to enter his dwelling, pillage it of every thing and murder him. The murderers have not been detected.

ALLAHABAD.—The Thug sessions have ended at Saugor with the capital condemnation of 31 and the transportation of nearly 200 Thugs for life. Mr. S. C. Smith started for Calcutta on the 10th May.

The Governor, it is reported, will shortly leave for Calcutta.

An attempt has been made by the Amlah of the Sudder Dewanny to change the office hours from 10 A. M. to 4 P. M., to 11 A. M. and 6 P. M., but it is likely to prove abortive.

The Local Government has deputed Mr. Colvin to conduct the trial of Nawab Shumsodeen. Mr. Colvin was to leave Allahabad by dâk on the 7th June. It is reported that the Mahomedans have determined to rescue the Nawab in case of his condemnation to the gallows, and that it has consequently been thought expedient to call a cavalry regiment from Muttra to prevent of any such attempt.

Mr. J. S. Boldero has been appointed to officiate in the situation of Mr. C. T. Sealy, Senior Judge of the Sudder Court of Allahabad, during the absence, on leave, of the latter gentleman.

It is reported that an affray took place recently at Munjoorpore Puttah in which one man was killed and another wounded.

The Civilians at Allahabad are about to send a requisition to the Civil Fund Directors to assemble a meeting to discuss the propriety of admitting Mr. J. C. C. Sutherland to the benefits of the Fund.

The *Mofusil Ukhbar* states that orders have been received from the home authorities to remove the seat of this presidency to Agra, but the report is contradicted by the *Bengal Hurkaru*.

The practice of the zemindars of Jelapore with regard to the manner of collecting rent from the ryuts, has created great dissatisfaction in that part of the country. It is asserted that more than the actual *jumma* is frequently extorted from the ryut, and if he refuses to pay it he is seized and compelled to stand broiling in the sun for several hours, a guard being placed over him to prevent his moving from the spot. This practice has now been brought to the notice of the Magistrates, who have already entered into an investigation of the case.

FURREEDPORE.—On the 24th May a peasant lad was about midnight seized by the Shikdar's people and taken away from his hut. The dead body of the unfortunate boy was found next morning by his mother in some jungle near a mangoe tope, stark and cold. The affair is under investigation.

FORGERY.—A case of forgery, similar to those discovered at Futtehpore, has been detected in the Munsiff's Court at Bolundshur.

DELHI.—Mohun Lal, the traveller, has been detained at Delhi, having suffered from a violent attack of fever; he was about to proceed to Lahore and Khandahar on the 28th May, having sufficiently recovered.

MR. VIGNE has left Loodihanah in prosecution of his journey.

On the 28th May, eight convicts, sentenced to perpetual confinement, managed to escape from the criminal gaol, and proceeded as far as Jysing Poora before they were overtaken, when in the attempt to secure them three are said to have been killed. The remaining five were brought back and replaced in the dungeon.

A man named Chotay Khan, it is supposed in a fit of jealousy, killed his wife and having locked up the corpse fled on a borrowed camel. The dead body was found three days after by the mother of the woman, in a horrid state of putrefaction. The murderer has hitherto baffled the exertions of the police to apprehend him.

AGRA.—A respectable native, it is said in consequence of the incontinence of his wife, destroyed himself.

A mounted traveller, was murdered on the 24th May within three kos of the city and despoiled of his horse and other property. A diligent search is making after the assassin.

On the 15th May, Lieutenant Michell, 32d Native Infantry, escorted eight lakhs of rupees from Coel to Agra.

Mr. Turner, the acting Commissioner of Agra, vacated his office on the 10th June, which has been filled by Mr. H. T. Boulderson; Mr. Davidson has taken charge of the office of Judge of Agra, and Mr. Boldero has proceeded to Allahabad to assume charge of his appointment in the Sudder Dewannee Adawlut.

About 40 men of the rajah of Alwar's troop recently made an incursion into the Company's territories and sacked the village of Achineru, ten koss from Agra. Property to the value of about 400 rupees was carried off, and three people were killed in the affray and four wounded.

Julius Cæsar, the member of the De Propaganda Mission in Hindoostan, who was lately nominated by a Bull from Rome, Vicar Apostolic of Sirdhana, and Bishop of Amutunta in Cyprus at the request of the Begum Sumroo, was expected at Agra daily, to undergo episcopal consecration.

The worthy Vicar Apostolic, of the Thibet and Hindoostan Mission, has just recovered from a serious indisposition, and is, his friends will be happy to learn, looking "charming well again."

The half devoured body of a child was this week found in the cantonments.

Mr. Sealy the Judge of the Sudder Dewanee Adaulut at Allahabad, is compelled from ill health to quit his ap-

pointment, Mr. Boldero the Judge of Agra, will be appointed to act for him, Mr. Davidson the Collector of Cool, to act for Mr. Boldero, Mr. Kennaway from Cawnpore to act for Mr. Davidson, and Mr. H. W. Deane is nominated to act in the vacant Joint Magistracy of Ally-Gurh.

BHURUTPORE.—A conflict ensued lately between the Rajah's Musulman and Hindoo sepoys on the merits of their respective religions, in which many of the former were put *hors-de-combat*. The Musulmans immediately tendered in their resignations to the Dewan, but were ultimately pacified by a promise of redress and money.

A Brahmin woman, who had invaded the conjugal rights of another in whose house she had found shelter, was poisoned by her rival and died. The Rajah caused the nose and years of the offender to be amputated as a punishment for the crime.

SAUGOR.—The arrival of Mr. Shore has created a considerable sensation among the thieves of this place, and they have been devising plans for evading his vigilance.

NUSSEERABAD.—The following is an extract of a letter from Nusseerabad, dated 28th May :—

"The season here is regular this year, *i. e.* burning hot with a constant high wind from the west, so that we may expect a favorable rainy season, which is much required to mar the speculations of the grain monopolists, who are still reaping a golden harvest from the scarcity of 1833, which it will take some years to recover, particularly in cattle. Trevelyan has I hear brought about a meeting between the Rawul of Jussulmere, Auj Sing, and Ruttun Sing of Bekanere, so it is to be hoped that they will settle their differences, though I don't expect much good will be done till a British Agent resides permanently at one or the other capital."

MEERUT.—The Governor of Agra has become a subscriber to the Meerut school of 100 rupees per annum. The school has opened and is now in operation, and from the number of applications made for admission, promises well.

MEERUT FREE SCHOOL.—Mr. Harris has been selected by the Governors to be master of the Meerut Free School.

PURNEAH.—Five dacoits were executed on the morning of the 15th June. They were the leaders of a gang which had attacked the village of Bysee in October last, and killed six men. On the way to the gibbit the men appeared slightly affected, but after prostrating themselves to the sun, they became quite calm, ascended the ladder, and disdaining to be contaminated by the touch of the low-caste hangman, placed the nooses round their necks themselves, and a moment after were launched into eternity.

A writer from Purneah on Indigo affairs says :—We shall commence this year nearly a month earlier than any former season, the cultivation also being greatly extended and a finer crop on the lands than the concern has ever had; the advances for manufacturing are consequently obliged to be greatly increased.

ELACHPOOR.—The Nuwab has just lost one of his numerous offspring from small pox; when physic and spells failed to arrest the disease, he was advised to seek the shrine of "Seetla" and invoke her divine aid in restoring his child to health. The goddess was accordingly solicited but was inexorable, which so incensed the Nuwab, that he ordered her image to be broken to pieces and her temple desecrated.

KURNAUL.—A trooper of the 3d Cavalry has cut down his Subadar and absconded. A reward of 250 rupees has been offered for his apprehension.

SUBATHOO.—A school for communicating English instruction, has been established at this station, and has already a number of scholars. It is entirely supported by private individuals. The appointment of a surgeon to Simlah, with a staff allowance of 100 rupees per month, has been made, and will be permanent.

LOODHIANNA.—It is said that four boats laden with merchandize proceeded from Loodhianna to Mittin Kote by the Sutlej river; that one of the boats belonging to Mirza Mul Seth is destined to Shah Bundur; that Kishun Chund, vakeel of the ruler of Lahore, has furnished a chaprassee for the protection of the boats through his master's jurisdiction, and the maatimund or confidential agent of the Bhawulpoor government has furnished another man to carry them safely through the territories of his lord.

JESSORE.—A murder was committed on the 7th June on a native, whose body was sent to the station on the 8th June. A correspondent of the *Hurkaru* mentions that gangs of armed men go about this district violating the law and that no notice is taken of them by the police.

BUREEGAON.—A boat with upwards of 125 persons on board was swamped just below the junction of the Betwa, about fifty yards from the bank. About 50 persons escaped by swiming, all the rest perished in the water.

BARON VON HUGEL, the Austrian traveller, left Agra on the 3rd June for Muttra, Meerut, and the Hills viâ Futtehpore, Bhurtpore and Deig. He will then enter the Punjab, visit Cashmere, and return to Delhi, whence in about six months he sets out for Bombay by the Jeypore route.

DACOITY.—A boat was plundered by some dacoits from Oudh, on the 29th May, at Nijora Ghat, on the Ganges.

ON DITS.—A letter from Benares mentions that the 10th Cavalry is to be sent to Agra, to prevent any attempt at rescue which might be made during the trial of the Nawab Shumsoodeen.

Mr. W. B. Jackson has been appointed additional Judge of Ghazeepore, but will continue to act as Registrar of the Sudder Dewance Adawlut.

## NATIVE STATES.

PESHAWAR.—Dost Mahomed the Affgan chief, it is said, retreated with his forces to the mountains the night before the long-expected conflict was appointed. His intention is to draw the Sheikhs after him into the narrow vallies, where he might combat them with greater hopes of success. The Sheikhs were quite elated at the retreat of Dost Mahomed and caused a grand salute to be fired on the occasion.

A jagheer of five lakhs of rupees per annum was offered to Dost Mahomed if he would join the Sheikh interest and promise not to mal-treat those who might be placed under his rule. The Affgan indignantly rejected the offer.

The last accounts state that Runjeet Sing was at Goornaum employed in devising plans for coming to a final arrangement with Dost Mahomed. The Affghan Chief, since his retreat, has changed his mind and is desirous of accepting the offer made him and coming to an amicable arrangement with Runjeet Sing; for which purpose he sent a message to His Highness stating that he would avail himself of the offer if Rajah Golaub Singh and a few other Sirdars were ordered to meet him within 2 miles of his camp. Runjeet Sing declined coming to any understanding on such conditions, and said that if Dost Mahomed wished to prevent the adoption of hostile measures in order to bring him under subjection, he must come in himself without any body being sent to meet him.

It is said that peace has been made between Dost Mahomed and Runjeet Singh, the former has retreated

towards Cabul, and the latter remains at Peshawur, to arrange matters for the better government of that city.

Jagheers of three lakhs of rupees had been granted to the three brothers, the former rulers of Peshawur—To sirdar Sooltan Mahomud Khan, he has given the district of Hushtnuggur, yielding 1,50,000 rupees per annum, to Peer Mahomud Khan, the Purgunnah of kobat, yielding 1,20,000 rupees, and to Syud Mahomud Khan the Purgunnah of Illachee Teree assessed at 30,000 rupees per annum. His Highness has sent Monsieur Ventura to make arrangements for the cession of those districts as Jagheers to the sirdars, and is himself on his way back to his capital of Lahore, where it is expected he will shortly arrive. It is heard that sirdar Sooltan Mahomud Khan will visit His Highness on his return to Lahore.

MOOLTAN.—It is said that the Beloches, about 2,000 in number, horse and foot, had committed considerable depredations on the hill provinces of Runjeet Singh, and that the Maharaja's forces stationed in those parts had attacked them, and after a severe conflict in which they put 200 of the enemy *hors-de-combat* and sustained a loss of a hundred men, succeeded in compelling these plunderers to retire, who, however, carried of booty to a considerable amount besides many men and women. Devan Suwan Mull, the governor of Mooltan, had proceeded with his troops to chastize the robbers, and it is said had succeeded in capturing three of their Chiefs.

MESHID.—The ruler of Turkistan, it is said, has invaded Meshid with a large army, defeated the Governor's forces, and taken possession of the City.

HYDERABAD.—The Resident, numerously attended, and bearing a letter from the late Governor-General, waited on the Nizam and presented his Lordship's letter. The letter was read by a Baboo and contained a few civil expressions on his Lordship's departure. The Court affected to be considerably moved at the intelligence, but quickly resumed their wonted composure.

LUCKNOW.—The death of Meer Mehndy Khan and Wagid Ally is reported. The Shah Begum was about to return to her palace, from whence she had been recently expelled. There has long subsisted a great animosity betwixt the King of Oude and the Begum his mother, and it is now understood that the King is determined the Begum shall retire to Fyzabad.

JOUDPOOR.—Mahum Singh continues his atrocious career in Joudpoor, and Junko Roa is passively suffered to commit treason against his Sovereign and rob his treasury.

JEYPORE.—A most tragic affair occurred in Jeypore on the morning of the 4th June. Major Alves, the British Agent, was cut down by a Jeyporean desperado and his assistant, Mr. Blake, seized and barbarously murdered by a crowd of blood-thirsty ruffians. The following are the particulars of the case :—

Major Alves, accompanied by Captain Ludlow, Cornet McNaghten, Mr. Blake, and a small guard of chuprassies, paid a visit to the Ranees, and having received from them the most flattering expressions of their satisfaction of the state of affairs, left them and was about to remount his elephant when a man stepped out of the crowd which was collected around, and before he could be prevented, inflicted three severe wounds on the head and back of the Major with a sword, which brought him to the ground: Captain Ludlow and Mr. Blake immediately fell upon the assassin who was secured, offering no resistanc. The Jeyporeans around viewed the affair with the greateest apathy, not one moving to render the least assistance. The wounded Major was put into a palanquin and attended to Camp by Captain Ludlow. Cornet McNaghten also attended the Major a short way, when he turned to take a look at the villain who had wounded him, and found Mr. Blake with the wretch's sword in his hand, almost bent double, with four sepahees and two chuprassees engaged in binding the man. After looking on the scene for about five minutes, the Cornet urged Mr. Blake to go on to the camp and leave the man to the Rawul's people: Mr. Blake, however, declined going until the man was made over to the Rawul and requested the Cornet to stay; but the latter wishing to attend the wounded Major set off to join his palanquin. The above occurred within the palace court and the Cornet had no idea of the commotion existing outside: he had no sooner emerged from the gates, however, than he was assailed with a shower of brickbats, &c., and with great difficulty, owing to the speed of his horse, which was struck in several places, he escaped to camp. Mr. Blake left the palace shortly after on his elephant attended by a single chuprassee and was assailed in a similar manner as the Cornet, and after running the gauntlet for some time on the elephant, the poor animal was ham-strung by some suwars who rode up behind, and others goaded it with spears. Mr. Blake, however, got as far as the city gate, and would have succeeded in escaping had the gate been open, but finding it closed he turned the elephant and managed to get the animal near a temple, in which he sought an asylum from the fury of the mob; but the murderous villains rushed in, dragged the unfortunate gentleman to the ground, where some held him while others proceeded deliberately to cut his throat. In the evening when the riot had been quelled, the corpse of this lamented gentleman was sent in by the Rawul, and consigned the next morning to the grave. Tranquility had again been restored in the city on the 5th June and Major Alves was doing as well as could be expected from the nature of his wounds.

The Ranees are stated to be all at variance in the palace, and the Thakoors and Moosuddees are all intriguing outside. It is not believed, however, that either the Ranees or the Rawul were privy to this tragical affair. Expresses had been sent to Nusseerabad for troops and the Cavalry was expected at Jeypore on the 6th or 7th. The Governor-General, it is said, has put the troops under the directions of Major Alves, to be disposed of as he thinks proper in chastizing the Jeyporeans.

On the 13th June all remained quiet in Jeypore; the cavalry from Nusseerabad, as well as some reinforcements of infantry from Dooesa had arrived, and all apprehensions of the camp being attacked, were at an end. The man who had cut Major Alves down and several other persons had been arrested, and it was strongly suspected that the first was an hired assassin, employed by some person wishing to set up the influence of the Mahajee. Jotaram, it is rumoured, has been murdered and his guard destroyed. He is said to have been cut up and his body sent in a bag to the Residency; but the report wants authentication. Major Alves was recovering fast.

## MADRAS.

NEW SCHOOL.—A body of liberal-minded gentlemen have determined on establishing a school for native education in the neighbourhood of St. Andrew's Church, on a plan assimilating with that of the General Assembly's School in Calcutta.

SIR R. PALMER, KT., intends shortly to quit the shores of India and return home.

CAPTAIN H. I. ELLIS, of His Majesty's 41st Welch Regiment, was tried by a Court-martial on the 28th February, for insubordination, and sentenced to be placed two steps lower in his Regiment, and to receive such reprimand as the Commander-in-Chief might think proper.

TAHSILDARS.—A circular has been published by the Madras Government, prohibiting the Collectors from removing or dismissing the Tahsildars without reference to the Board.

MADRAS CLUB. The following resolutions were unanimously adopted at a meeting held at the Club House on the 27th May, to take into consideration the subject

of a letter from Lieutenant Taylor, late Secretary of the Club, refusing to receive, in consequence of some remarks published in the papers, a piece of plate voted him by the Club for his care of the interests of that institution while Secretary.

1st.—That the Committee, in recording the above letter cannot omit to express their deep regret that circumstances should have occurred to render it necessary for Lieutenant Taylor to decline the testimonial voted to him on the 24th March last; and that so little consideration should have been shown towards the feelings of one who devoted so much of his time and energy to the duties of so thankless an office. The vote of the 24th March was by a General Meeting of Subscribers, and however well meant on their part, and however well meritted on the part of Lieutenant Taylor, he has now renounced the intended honor; and it is hoped that such renunciation will put a stop to the discussions which have proved so hurtful to his feelings, and so little conducive to the well being of the Club.

2nd.—In acknowledging the receipt of the foregoing letter, ordered that a copy of the above resolution be communicated to Lieutenant Taylor.

NEW PUBLICATION.—The late Editor of the *Times* has taken the Editorial field again in a ter-weekly paper, to be entitled the *Standard*, the first number of which was issued on the 2nd June.

The *Weekly Messenger* was to have made its appearance on the 6th June.

JAULNAH.—It is said that orders have been received from home disapproving in the strongest terms of the troops having been removed from the station of Jaulnah, and that in consequence a Brigade of troops is forthwith to return and garrison that station.

THE BREAK-WATER.—At a meeting of the Break-water Committee, held on the 5th June, it was resolved by a majority of *one*, that the plan originally proposed by Captain Cotton, of the Engineers, should be recommended to the public for adoption. The sum already raised for the construction of the Break-water amounts to 41,000 rupees.

A public meeting had been summoned by the Sheriff, for the 24th June, to receive the report of the Break-water Committee.

MILITARY ITEMS.—Brigadier-General Doveton, C. B., left the Presidency on the 29th May for Arnee, on duty: a salute of 11 guns was fired on the occasion.

Brigadier-General J. Doveton, C. B. commanding the centre division of the Army, returned from Arnee on the 1st June and was saluted by a discharge of 11 guns from the batteries.

The Court-martial on Captain Arthur, had acquitted him fully and honorably of all the charges brought against him; and it was supposed that this decision would involve the dismissal of his accusers from the service. Two subalterns, it is reported, are to be tried for improper and ungentlemanly conduct. A Court of Inquiry is sitting at Bangalore, to inquire into the conduct of several native writers in the Commissariat department.

A private of H. M's 54th foot, at Trichinopoly, has been sentenced by a Court-martial to suffer death for shooting one of his comrades, and the sentence has been confirmed and ordered to be carried into effect.

## BOMBAY.

THE RAJAH OF SATARA returned to his capital on the 14th May.

COAL.—Captain Ouseley, the Resident at Hosungabad, has been fortunate enough to discover on the banks of the Seta Rew, one of the tributary streams of the Nerbudda, some very valuable beds of coal. The quality of the mineral has been tested and found to be remarkably good, as the coal was speedily ignited and produced an intense heat.

AHMEDNUGGUR.—A private letter from Ahmednuggur, mentions that the young Rajah had come in, but that no notice had been taken of him by the British authorities.

LAUNCH.—A beautiful ship of 346 tons burthen, built for Aga Mahomed Roheim Sheerazee, was launched from the Bombay dock on the 29th May, and named the *Sir Herbert Compton*.

MALDIVE ISLANDS.—The H. C. brig *Royal Tiger*, Lieutenant Powell in charge, arrived from the Maldives on the 29th May. Private letters received by her state, that her crew became so disabled by sickness that she was rendered totally unserviceable on the survey, and in consequence a few men were sent from the *Benares* to work her up to Bombay. The Survey had been carried on by Lieutenant Powell, during the stay of Captain Moresley, the Chief Surveyer at Cochin, and it is expected that by the end of June one half of it will have been completed. The *Benares* is to leave the Islands for Bombay about the latter end of June, and the Survey will be resumed in September or October.

THE LIVERPOOL.—The Imaum of Muscat's 74, the *Liverpool*, arrived on the 21st from Zanzebar. The only intelligence she brings is that Mahomed Ali having obtained entire possession of the province of Yemen, has introduced his trade-monopolizing system, and that coffee as the chief product of the land, has been the first to suffer.

The *Liverpool*, it appears was dispatched by the Imaum to be fitted out at Bombay and then sent to England as a present to his Majesty; and as she is a splendid ship of her class, built entirely of teak and almost new, a better present could not well be made. The vessel had previously been offered by the Imaum to the Indian Government while Lord William Bentinck was in the Neilgherries. His Lordship immediately perceived that some return which it would be inconvenient to make would be expected by the Imaum and consequently refused her. Sir John Gore, however, who was at Bombay at the time, accepted the vessel, and was only induced to part with her, which he did with great reluctance, by the urgent and repeated remonstrances of Lord William Bentinck. He, however, caused it to be intimated to the Imaum, that if the vessel were sent to England she would be accepted, which course has now been adopted by the Imaum.

DISPATCH TO SUEZ.—The schooner *Shannon* of the Indian Navy, was to have been dispatched to Suez with packets for England, on the 10th instant.

SENHOR PERES has for some time past been making grea exertions in recruiting troops in order to make a descent on Goa, to chastise the insurgents and reinstate himself in his Government. He has succeeded in his undertaking and has collected a force sufficiently large for the purpose. A body of regular troops consisting of one thousand men, together with three hundred and fifty Bheels, are destined for the land service; and the Portuguese Frigate *Infanta Regente*, having a crew of two hundred and fifty men, among whom are several British sailors, together with a brig of war, two gun-boats, and two armed bunder-boats with the proper complement of men and officers, are to operate by sea. The greater part of this force has sailed for Goa already and the rest will quickly follow. The inhabitants of Goa are in favor of Senhor Peres, and have already attacked some of the strongholds of the insurgents. The insurgents were aware of the intended attack from Senhor Peres, and had been busied in putting themselves in a state of defence.

THE GOA EXPEDITION.—The armada fitted out for the subjugation of the insurgents at Goa, returned to Bombay on the 5th June after an unavailing attempt to contend

against the south-west monsoon. The following account of the armada is given by a correspondent of the *Bombay Courier* :—

"I beg to send you an account of the fate of the 'Invincible Portuguese Armada' which sailed from this on the 27th of May last, under command of the redoubtable Commodore Holbrow, consisting of one corvet, 2 luggage-boats, 1 ketch and one gun-boat. The corvet and buggalow were the only vessels that proceeded to sea.

"The latter, however, after she had been absent sixdays, returned in a miserable condition. The luggage-boat is wrecked under the Fort; the small gun-boat is lost on the coast; the ketch is at Mazagon half full of water, and the buggalow is hauled ashore at the Custom-house bunder, having returned with only two casks of water, 115 souls on board, and one man smothered in the hold!—She was also in a sinking state.

"I have also to add that one officer has been drowned from the luggage-boat, and that the Pattans on board the corvet drove the second Officer overboard, but being an experts wimmer he was saved."

MANOCKJEE CURSETJEE of Bombay, the Asiatic poet, has been elected a member of the London Royal Asiatic Society.

EQUALIZING DUTIES.—A petition on this subject has been prepared and placed for signature at the Town Hall.

EXACTIONS OF SHROFFS.—To prevent the exactions of shroffs, who have on frivolous pretences refused to receive good rupees of the old coinage, Government have issued a proclamation stating, that parties refusing such coin, which is a legal tender of payment, will do so to their own loss and damage.

GUZERAT.—A private letter from Guzerat states, that His Highness the Guicowar has lately issued a proclamation throughout his territory, prohibiting all persons from carrying arms about them in his dominions, and at the same time addressed a letter to the British Representative at his court, requesting him to do the same in the Company's territory adjoining that of His Highness.

## PENANG

SAVINGS BANK.—The deposits in the Prince of Wales' Island Savings Bank, established about six months ago, already amount to Sicca Rupees 12,000.

BARQUE SARAH.—Accounts have been received by the Dutch schooner *Amelia*, that the Dutch barque *Sarah*, Kelikins, from Bencoolen to Batavia with spices, had been cut off by her crew and run on shore in Belimbing Bay near Fontana Island on the Sumatra side of the Straits of Sunda.

## SINGAPORE.

PIRACY.—A sampan puckat, which left Singapore for Tringanu with eight chests of opium and other goods to the value of ten thousand dollars on board, was captured by a piratical prahu off Romania, about ten hours sail from the harbour. Of her crew of twenty-nine Chinamen, twenty-seven were butchered by the pirates, the other two jumped overboard and after floating on a plank for two days, were drifted on the coast of Bintang, whence they made their way to Rhio and reported the circumstance to the authorities there. Another daring and bloody piracy was perpetrated near the Carrimons on three prahus returning from Tubing Tingie, laden with 2,700 tampins of sago. They were attacked and captured by seven piratical craft, and all their crews, except three men who escaped in a small sampan, were murdered, and the cargo with several brass guns taken away by the pirates. An attempt was also made on a boat near the entrance of the straights of Rhio, but on finding that she only contained gambier, the attack was abandoned. The guard-boat sent to protect the wreck of the *Sylph* is said to have been attacked by pirates or was in great danger of being so, and the *Helen* had in consequence been dispatched to render her the necessary assistance.

The brig *Helen*, Captain Macallister, which was supposed to be lost, has arrived. On the 22d of March she observed four prahus near the N. E. entrance of the straights of Banca and heard some firing, shortly after which three of the prahus made off leaving the fourth at anchor. When the *Helen* came up with the remaining prahu, she anchored and Captain Macallister went on board and found that she had been plundered of her cargo, which appeared to have consisted of rice, onions, &c. and scuttled: she had 4½ feet water in her, and one dead Mallay was found in her hold. The lid of a box with an inscription in Dutch, four cerises and some Mallay papers where also found on board, which will probably lead to a discovery of the place whence the prahu came.

Several acts of piracy have been perpetrated recently. A junk from China, bound to Singapore with a cargo of earthen-ware, &c. was attacked off Pulo Tingie by five pirate prahus, each containing about forty men. The crew of the junk, thirty-two in number, fought for two days until they neared the Bintang shore, when the pirates boarded her at night and slaughtered thirty of the Chinese; the other two escaped by taking to the water, and after floating about for two days on a spar, were picked up by Mr. Halpiké of Singapore, who was in charge of the wreck of the *Sylph*. A cargo-boat with a crew of 5 men, while taking a cargo of tin to the American ship *Cashmere*, at anchor a little way outside the harbour, was attacked by a Malay prahu, four of her crew were killed and she was plundered of the tin. The remaining man, who being severely wounded was left for dead, recovered and managed to reach the vessel in the boat, with a few slabs of tin and two dead bodies. The Reverend Messrs. Deanes and Jones, on their way to the *Cashmere*, were also attacked by a pirate prahu; the former gentleman and a boatman were severely wounded with fish-spears, and a box of papers was taken away by the pirates. The men who perpetrated this act are known as Tambangan people belonging to the settlement. The brig *Mavis* from Calcutta was chased by seven pirates while passing the Carimons, but the breeze freshening she got away from them. The H. C.'s schooner *Zephyr*, shortly after rounding point Romania, observed a prahu attacked by two others, and immediately made sail towards her; but owing to the lightness of the wind she was unable to come up until the prahu had been captured and plundered. On the *Zephyr* coming within gun-shot the pirates deserted the captured prahu and made off, and the boat being very much riddled by the pirate's shot, went down during the night. The next day five of the prahu's crew, who were severely injured from the explosion of some gun-powder they had on board by the pirates' shot, were picked up by the *Zephyr* and brought on to Singapore; ten others, who refused a passage on her, remained in the jungle. Rajah Who of Kemaman and the Taumagung of Teluk Blangah, are reported to influence these piracies; especially the latter, who from his power over the families of the Tambangan boys, who mostly reside in his territories, exercises almost absolute authority over them, and obtains, through their means, accounts of every vessel leaving the harbour, the value of their cargoes and their strength. The Dutch authorities at Rhio have succeeded in detecting a wealthy Chinaman who has been for a long time leagued with the pirates, by means of a portion of the cargo of the China junk wich was robbed off Bintang being discovered in his possession; and it is expected that his apprehension will lead to some discoveries of importance. One of the two Chinamen who escaped from the pirates when the junk was captured, has proeeeded to Rhio to identify the property.

NEW PUBLICATION.—A new journal is to be established at Singapore to be entitled the "Singapore Free Press, Mercantile Advertiser and Price Current."

STEAM VESSELS.—A report is prevalent of a steamer being brought out from England, for one of the merchants of Singapore, and being employed to run to Siam, Penang, &c.

THE SYLPH.—The labors of the individuals concerned in floating off the *Sylph* from the Bintang reef, have been crowned with success; that vessel was towed into Singapore roads on the 14th May, and hauled ashore on Sandy Point to undergo a thorough repair.

PETITIONS.—The Inhabitants of Singapore have petitioned the Governor-General, and His Majesty the King. The former is solicited to grant proper authority, and the means, to the local authorities effectually to suppress piracy, the formidable increase of which threatens greatly to injure the trade of the settlement; the latter is humbly entreated to cuase the abolition of the absurd restriction which prevents American vessels from entering the port to trade, and forces them to carry on their commercial relations with the settlement from Rhio and the circumjacent settlements.

## BURMAH.

CARAVANS FROM TALI IN YUNAN.—From the extract of a letter from Rangoon, dated 25th May, 1835, inserted in the *Hurkaru* of the 22d June, it appears that Dr. Richardson, who had returned to Moulmein from a mission to Zeumay, Laboon and Lageroa, in about Lat. 19½° N. and Long. 99½° E. has arranged with the heads of the Chinese caravans which annually visit those towns, to come on with their merchandize to Moulmein next year; and it is expected that a trade extremely beneficial to the country will shortly be established.

Lieut.-Col. Burney, the Resident, was making arrangements to visit Ava in all May, where he will be able to take charge of Dr. Wallich and his party, should they succeed in penetrating so far from Assam. Some of the older inhabitants of Rangoon, however, are of opinion, that the party will not be allowed to proceed on to Ava as the Burmese are extremely jealous of Europeans obtaining any knowledge of the country to the northward of their capital. In the direction of Seumay, however, the Burmese will not be able to prevent any communication with Chinese Yunan.

## ASSAM.

ACCIDENT.—A boat belonging to the Assam Light Infantry, having on board a party of the 12th Company, who were proceeding to Bishnath, was upset by the carelessness of the manjee, near the mouth of the Kulling river in the middle of the stream, and at a great distance from shore. By this fatal accident the whole of their appointments were lost, and the lives of 29 individuals, consisting of 1 havildar, 7 sepoys, 1 clashie, 11 women, and 9 children.

The manjee himself escaped with the major portion of the party, that death which his carelessness has visited on others; but as his conduct is very culpable it is expected he will not altogether escape punishment.

## CHINA.

A disturbance was existing between the opium smugglers and the Mandarins on the 23d March, which had caused a temporary stoppage to the delivery of that drug, and the article had consequently fallen to a nominal value of 540 Spanish dollars per chest. Several junks had been placed on the bar to intercept the smugglers, and much fuss and parade was made as if the Government intended entirely to suppress the trade.

PRISONERS RELEASED.—The comprador, cook, cowkeeper and cooly of Mr. Jackson, who were seized with him and some other gentlemen while going from Macao to Canton without a pass, on a fast-boat, were on the 6th April released from confinement in the city. The cooly was the only one punished for being a willing accomplice in this breach of regulations; the others excused themselves by saying that they were ignorant of the boat being hired by Mr. Jackson and were only passengers on her.

DROUGHT.—There has been no rain in Canton since September last, and if the drought continues much longer, a partial famine is expected.

EDICT.—A long Edict for the prevention of foreign men-of-war entering the inner harbour, and for regulating the employment of Chinese servants by foreiguers, &c. has been published by the Governor of Canton.

INSURRECTION.—The rumour of the insurection in the province of Sze-Chuen is increasing. It is said, the adherents of Chang-kih-urh—the Mahomedan prince who caused much anxiety to the Emperor in 1828, and who was hacked to pieces in his presence on surrendering—are rising to revenge his death and that the independent Meaou-tsze are espousing the cause of the murdered Chieftain.

CORONATION.—One of the imperial concubines has been elevated to the rank of Empress, and crowned with the celestial diadem.

CHASTITY.—An old Chinaman, a literary graduate, who had conceived an incestuous passion for his daughter-in-law, after several vain endeavours to win her over to gratify his lust, at length attempted forcibly to effect his purpose. The unfortunate woman, in her endeavours to save herself from his incestuous constupration, seized a pair of scissars which happened to be in the bed, and stabbed him. The old man died of the wound and the young woman, according to the laws of China, was condemned to die. On petitioning the Governor, however, and representing how impossible it was to save herself from violation in any other way than that she had adopted, she was pardoned, and a sum of money given to her as a reward for her chastity.

EXILED LINGUISTS.—The two Linguists who were imprisoned under a charge of treason, for having *admitted* of Lord Napier's going to Canton, have been sentenced to exile.

CHINESE COWARDICE.—A correspondent of the *Canton Register* states, that whilst laying at anchor off Chuenpee, he was ordered by the madarins to depart with his vessel, or that a war-junk would be sent to compel him. On an answer being returned that it was not convenient then to depart and that if obliged, the vessel was prepared to repel force with force, these bragadocios changed their tone and begged that the vessel might be taken to Lintin, the *proper anchorage for outside vessels without passes*, or that they, the mandarins, would get into trouble. He further adds, that an English vessel was laying at anchor in one of the Chinese bays, when she was approached by two war-junks, which anchored close to her. The Captain of the English vessel not liking their approximation *ordered* the junks to sheer off to a greater distance, but they refused to obey him. A jolly boat with an officer and four lascars armed, was then sent to insist on their doing so, but they being still disinclined to acquiesce, the officer boarded one of the junks and seized all her arms, both great and small; he then boarded the other boat, tumbled all her great guns overboard, seized the small arms, and ultimately made both junks quit the bay.

## SOCOTRA.

The sickness at Socotra was rapidly increasing, the fever had reached the ships and had made fearful havock. The camp could afford but one native sentry and he was placed over the treasure-chest, and consequently the provisions and other stores in the tents were plundered every night. The *Cootee*, *Shannon* and the buggaloh, had arrived, and the *Cootee* had landed several thousand rafters for constructing houses, but for want of artizans they had been cast on the beach as useless. Captain Bayley had sent in an application to commander Rose to take the troops to Bombay, but the commander had not complied with the application.

The *Tigris* was to proceed to Mocha, to relieve the *Euphrates*, and return in August to settle about the purchase of the Island. One of the Shaicks of Kassen had visited the island and offered to dispose of it for a much less sum than that offered by Mr. Haines—he waited a few days for the arrival of a vessel from Bombay, but in consequence of the death of several of his followers, he went away again. The Shaick and about ten natives had died in the town.

# REVIEW OF THE CALCUTTA MARKET.

*(From Kuhn's Monthly Price Current, June 30, 1835.)*

INDIGO.—Notwithstanding a few letters of complaints from unlucky planters here and there, we have reason to believe, there never was a season so brilliant in prospect for the Indigo crops, as far as quantity of produce is concerned. We hear that the great Jungypoor Concern is expected to yield 4000 maunds, and that a Factory in Kishnagur, which gave 800 maunds last year, is likely to give 2500 this year, that in the Burdwan Districts there will be a surprising crop, and in short, that in general there is an appearance of abundance. We would be cautious of creating alarm in distant markets, by an over estimate of the growing crop, knowing how much the result still depends upon weather, but it is our duty to give out the information that reaches us on matters of this kind, and to protect as much the buyer as the seller from speculations made in ignorance of the true state of things. Before the accident of season, which began in May last year, the crop of 1834 was estimated at 125 to 130,000 maunds. In July, August and September it was generally reckoned only 85 to 90,000 maunds, and it turned out about 106000 maunds. The sowings this year, have been considerably more extensive, and in spite of some damage from heavy rain in Jessore, the general prospects are better now than they were at any period of last season, or of any previous year. The crop will, in all probability not fall short of 130,000, it may reach 150,000 maunds,* but it is still too early to form with sufficient accuracy any correct calculation of the quantity that may be produced. Heavy rains at this particular crisis would materially lessen produce more especialy where plant is ripe, which added to sudden inundation would alter the face of things altogether. Planters, however, have generally had the good fortune of an early crop. Transactions during the month were on a very limited scale. Some parcels have been brought to public auction, on account of Insolvent estates, with the understanding that if they did not fetch the valuation, the whole should be shipped to England under advance from the Company. Of 1400 chests brought to auction on several days, only 278 chests were sold at prices from 105 to 140. The principal lots were 40 chests H & C Colgong at 127 8, and 81 chests Bhaugulpore at 125. The Colgong was actually sold during the season at 152 8. It is to be feared, that if large parcels of Indigo held on account of Insolvent estates be thrown on the London market, simultaneously with the highly favourable accounts of the next crop, prices must give way. Another public sale of 343 chests is advertised by the Assignees of Insolvent Estates. We may consider our prices with a decline of 10 to 15 Rs. per maund under our last quotation which we then quoted nominal. Our stock is still about 17000 maunds.

OPIUM.—Experienced a slight decline on the beginning of the month, as some holders were anxious to realize their purchases. After the arrival of the *Agnes* the market has become more steady with improvement in prices. The stock in the Hon'ble Company's godowns amounts to 1800 chests Benares, and about 3000 Patna. The probable quantity of this drug which may take the several vessels charging at present for China, is reported to exceed 1000 boxes, of which the *Red Rover* will receive about 500.

RAW SILK.—We have very few purchases to report; shipments to some extent have been supplied directly from the Aurungs. Price steady.

SILK PIECE GOODS.—In very limited inquiry, and prices of the assortment are reported with some reduction. Stock of Bandanos and Chopahs small, of Corahs heavy. Price steady.

COTTON.—The demand has been steady during the whole month, and shipments for China continue active. The crop has been a very large one this year. Superior qualities are scarce, middling plenty. Prices declining.

SUGAR.—Has been much sought after; large purchases are going on Up country, chiefly for the home market, prices expecting to rise. The new crop is now arriving.

SALTPETRE.—Our stock is about 45000 maunds in middling qualities, first sort is scarce. The demand has been steady during the whole month, chiefly for shipment to England. Prices are expected to improve should freights decline.

LAC.—European Dye is at present very scarce, Native plentiful, holders are firm. Our stock in Shell Lac is reduced to 2000 maunds in middling quality, superior, scarce, purchases are limited to a few advantageous lots for shipments to England and America. We continue our last quotation. Transactions in Stick Lac are increasing.

HIDES.—Transactions are still and limited prices have appearance to some further decline, as our stock is very heavy. *Horns* have been in demand during the month at quotation: our stock is reduced to about 40,000.

HEMP.—Stock 1000 maunds, price steady. Jute scarce and in great demand, price rising.

GRAINS.—Rice, very limited transactions to report, prices rather declining. Wheat, some sales are reported for shipments.

SPICES & DRUGS.—The several descriptions of Gums are very scarce and procurable only in small lots. Gallingalls dull. Mace and Nutmegs continue in demand. Gambier, buyers for the French and home market. Ginger declining. Cloves in demand at our quotation. Black Pepper, Bhoory has been in demand at our quotation. Coffee market dull, stock about 6000 maunds. Alum experienced a slight reduction. Cubebs in demand at our quotation. Cassia stock middling, prices steady. Borax market steady. Linseed increased inquiry, prices rising. Munjeet stock about 1000 maunds in good quality. Salaunoniac and Senna nothing doing worthy of notice. Turmeric, price firm, stock about 2000 maunds. Safflower stock about 1200 maunds 1st quality, crop expected to be a fair one this year. Red Sanders and Sapan Wood very little doing, stock middling.

TEA.—Government have dispatched Mr. Gordon, to China, to collect information respecting the culture of the Tea plant, and on his return it is to be hoped that the result of his researches, applied to Major Grant's valuable discovery of the Tea plant, growing in numerous places of India, may render a large tract of territory highly profitable and give a new and rich produce of exportation to this country.

ELEPHANTS' TEETH.—Steady, small lots to be had.

CASTOR OIL.—Made as required, market rather dull.

METALS—The Copper market is still in a languid state. Our stock, which is about one year's consumption, has been increased by the late arrivals, there is therefore no chance of prices rising soon. Iron has been in some demand, prices at present rather tending to fall. Our stock has been increased since our last, but is still a small one Quicksilver, Steel, Lead and Tin Plates continue in good demand; stock small. Spelter, in good demand stock middling, price steady.

TWIST.—No extensive transactions to report, market steady, holders firm, stock continue very limited, prices expected to maintain till heavy importation.

COTTON PIECE GOODS.—Our stock of the several descriptions continue small, and prices will be fully upheld unless importation be very large. Large exports are reported of Book Muslin to eastern ports, and large parcels of Lappets sent up country, where demand has been great. Consumption of Scarfs continue increasing. Importation of Chintzes although larger than previous year, is still too small for the demand, prices are therefore safe unless supplies should prove excessive. Stock of inferior Handkerchiefs very large, good none and sealable, Plain red twilled cloth in steady demand.

WOOLLENS.—Town in good demand, Long Ells, fine qualities, much inquiring after, stock small; Coarse, prices steady. Pelisse Cloth wanted, stock small, Flannels prices steady, stock middling. Shalloon's Bombazette good and brisk demand, stock small.

ALE.—The importation which has exceeded at 1000 hhds. since our last, has given a new activity to our market. Price steady.

EXCHANGE.—The average remitting rate may be considered about 2s. 1½d. American and Canton Bills without local endorsement procurable at 2s. 3d.

FREIGHTS: continue high

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|---|---|---|---|---|---|---|---|
| To London ... | Dead Weight.. | £ | 3 10 | *a* | 4 0 | | |
| „ Liverpool.. | Light Goods.. | „ | 5 0 | *a* | 5 10 | | |
| | Indigo and Silk | „ | 5 10 | *a* | 6 0 | | |
| „ Mauritius... | Rice..... | Rs. | 1 8 | *a* | 1 12 | per | bag |
| „ China .. ... | Opium.. ..... | „ | 20 0 | | | „ | chest |
| | Cotton.... .... | „ | 7 0 | | | „ | bale |
| | Rice.... ..... | „ | 1 12 | | | „ | bag |

* Later estimates, on which we place full reliance, state the coming crop at from 1,15,000 to 1,20,000 maunds.—ED. M. J.

# TRIAL BY JURY IN CIVIL CAUSES.

On Wednesday afternoon, the 8th July, a meeting convened by the Sheriff, was held at the Town Hall, at four o'clock, for the purpose of adopting such measures as may be best calculated to secure Trial by Jury in Civil Cases in the Supreme Court, and likewise for considering the expediency of extending and promoting the Jury system throughout the country. On the motion of Mr. Longueville Clarke,

THE SHERIFF IN THE CHAIR.

The requisition having been read,

Mr. Longueville Clarke addressed the meeting and gave a full detail of the proceedings of the committee of 1832. It would have been far more gratifying to him if the proceedings of the meeting were to have been confined to the object stated in the latter part of the requisition to the Sheriff, to consider the expediency of extending and promoting the Jury system throughout this country. It would have been far more gratifying to him if he could have stated that the object for which they met three years ago had been carried into effect, and the beneficial results had induced them to assemble this day to propose to our rulers to extend the Trial by Jury throughout the country. But a number of untoward circumstances had prevented the object of that meeting being completed, but he thought it right to say that those untoward circumstances were not to be attributed to any defect in the committee of that meeting. It would be remembered that it was referred to a very large committee to prepare petition for signature and to transmit them to England, accompanied by such suggestions and remarks as they might deem expedient. That committee had many meetings; petitions were prepared and engrossed, and he was proud to say that upwards of two thousand signatures were obtained to them. The part the committee had to perform was to prepare the draft of an Act, suitable to local circumstances of this country. He did not wish it to be concealed that a considerable difference of opinion prevailed in the committee as to the provisions of that draft; some thought that, whatever the number might be, the Jury ought to be unanimous; others agreed with Bentham that the verdict ought to go by the majority: several were of opinion that the number of the Jury ought to be twelve, while others could discover no cabelistic charm in that number, and thought that a Jury composed of seven or nine better adapted to the local circumstances of the town. However, the petitions were prepared in triplicate before much time elapsed, and Colonel Young undertook to forward two of them to England, while the third remained in his (Mr. Clarke's) hands. Twelve months elapsed, and not hearing any thing of the petitions it was deemed expedient to forward another copy to Mr. Charles Grant, and a duplicate was forwarded to Mr. Crawfurd, who had, on many occasions, proved to be greatly serviceable to the inhabitants of Calcutta. The petition intended for Mr. Grant was placed in his hands by Captain Henning of the *Duke of Buccleugh*, and presented by that gentleman to the House of Commons, while the one intended for the Lords was presented by Lord Lansdown. Mr. Grant, in a letter addressed to him, (Mr. Clarke) strongly recommended an application to the Supreme Council, in consequence it was presumed, though not intimated by Mr. Grant, of the then projected Law Commission. About the same time a letter from Mr. Crawfurd announced the receipt of the two petitions, the delay having been wholly occasioned by the negligence of the Captain, who had taken charge of them, but had not thought proper to deliver them before his return voyage from Calcutta. He, (Mr. Clarke,) thought it due to Mr. Crawfurd, to make this explanation, because he was aware that some misconcepton had arisen as to the delay in presenting the petition and which was not in the slightest degree to be attributed to that gentleman. When the letter from Mr. C. Grant came to hand, the council were holding their deliberations on the salubrious, but not very populous, tops of the Nhilgherries, and it was shortly announced that a Law Commission was to be formed; and that having now been embodied, this was a fitting season to renew the endeavours to further which the committee had been originally formed. He said it was a fitting season, because the Law Commission had been embodied, but he did not forget that the dawn of freedom was shedding her young light on the press in the country, and that at length the march of liberal principles had reached India, for he knew of no principles professed by any Government more liberal than those professed by the liberal gentleman who was at the head of the Government of this country, (*hear, hear.*) But there was a stronger and more important reason. The liberty of the press was not secure until the Trial by Jury was established; and he would state it broadly as his opinion that it were better to trust the liberty of the press in the hands of members of the council or officers of Government than in the hands of any Judge on the bench. If a Governor-General thought proper to attack the press, he might do so on the ground of expediency, though he, (Mr. Clarke,) thought it must be a strong ground indeed to warrant such an interference; but how different would be the situation of a Judge, fenced round by the labyrinth of the libel law, he may revel in its defences; answerable to no party for his decision, he may say, 'I am not a legislator, but sit here to administer the law as I find it,'—God help us, from the present libel laws, if they are to be administered by a conservative Judge! and it would be difficult to say any Judge existed who was entirely beyond the favor of the King. As it is, any man who feels himself aggrieved,—perhaps a little nervous,—or apprehensive, may bring his action against the proprietor of a newspaper in the Supreme Court, before a single Judge, who very likely may decide on the merits of the case, and entirely destroy the proprietor by a verdict with enormous damages. He said, if they left the liberty of the press in this state, they did but half discharge their duty; they ought to fence it round by the birth-right of Englishmen, for no editor would be safe until he was protected by a Trial by Jury. This was a stronger ground, and if there were no other, looking at what has been done by the independents of the press for the liberty of man, he contended that they would leave their work unfinished, unless they secured that not less important measure. He did not think it necessary to detain the meeting by entering more fully on the subject, and as to the inconvenience which might be apprehended to jurors, he adhered to the statement he had made three years ago. He did not then believe that it would require six hours additional attendance. Since that time the number on the Jury list had considerably increased, and the list he had in his hand fully bore out that opinion. (Mr. Clarke here read the statement, from which it appeared that there were 894 on the jury list, of whom 706 were liable to serve on the Petit Jury.) Now, continued Mr. Clarke, taking the number to be 706, the question was, how long after would each be called on to serve during the year? he had taken a fair average of the cases tried in the Supreme Court during the last three years, and found the number to be 498, of these 122 were *exparte*, leaving 376, or something more than an averge of 120 per year. If then there are 60 complete Jury lists, and 120 causes, each Juryman would have to serve twice in each year, and he, Mr. Clarke, would undertake to say, that the time occupied by each trial would not average more than six hours, and who he asked would begrudge the sacrifice of that much time, when the importance of the object secured was taken into consideration. But the jury list might be increased from 700 to 2,000 by extending the jurisdiction to Entally and the suburbs, so that each Juryman would have to serve once only in two years, and when the meeting were told that unless a Trial by Jury were extended to Bengal, the liberty of the press would remain in jeopardy, he asked, was there a man amongst them who would begrudge the

time? It would be an insult to the meeting to entertain such a supposition. He would go to another point, he would urge that it was necessary as an act of justice to the Government that they should endeavour to secure this civil claim. He would contend that more popular revolutions had been occasioned by the bad administration of justice than by any other cause; the history of nations would teach us this fact, that where no popular tribunal stands between the Government and the people, the errors of the magistrates are attributed to the rulers who appoint them. Let it be considered what would have been the ferment in England, if Sir Francis Burdett had been convicted by a Judge instead of a Leicester Jury, and if in like manner, Mr. Hunt had been sentenced to two years imprisonment. Why the Judge who convicted them would have been denounced as the creature of the crown in the first place, and the conviction considered as the result of corrupt motives in the next. But on the other hand, no imputation was attached to the Jury, for each individual considered the situation in which he himself might be placed, nor could they bring it home to any one individual, for by the construction of Juries at home those twelve men were not likely to sit again, or if they were, still there was the glorious privilege of challenge. In this point of view it was important to Government, for those who suffer by the justice of a Judge, no matter how low their station in life, how small their talent, or wherein their sphere of talent, they become objects of importance, the multitude immediately surrounds them, and their indignation is expressed not against the functionary but against the Government under which he has suffered. Therefore is it important to every Government to have an institution of this kind, that the blame of unjust convictions may rest with the people, and not with those who rule over them. Mr. Clarke concluded by moving the following preliminary resolution:—

*Resolved*,—That the late President of the Board of Control having recommended on the subject of introducing Trial by Jury in Civil Cases, a petition be presented to the Governor-General of India in Council for that purpose.

Mr. Rogers had great pleasure in rising to second the resolution, and most unqualifiedly concurred in the sentiments which had been so ably expressed by Mr. Clarke. The only objection to the extension of Juries to this country was the difficulty of procuring persons eligible to serve. He had, with the assistance of his friends, taken that objection into consideration, and the result was that he could vouch for the accuracy of the statement read by Mr. Clarke, and he was also sure that, as sixty Juries could be formed, no man would begrudge the time he would have to bestow upon an object of so much importance.

Mr. Osborne.—This was his second appearance in public, and he hoped that the observations he should offer to the meeting would not experience that frightful opposition which they had met with on a former occasion. He trusted this meeting would not be quite so unanimous, but was sure it was equally respectable. Mr. Clarke appeared to have continually before his eyes the frightful phantom of a single Judge, sitting in solemn divan, over his darling liberty of the press; but he, Mr. Osborne, was at a loss to conceive how greater danger could be apprehended from a single Judge, sitting at the *nisi prius* than from the deliberations of a council of twelve. He supposed, however, that an extraordinary degree of virtue is to be found in numbers, of which a Judge alone does not possess a portion, and that a greater degree of responsibility attached to a Jury of twelve, than did to a single Judge who decided as to the law as well as to the fact. But the assumption of his learned friend was a mere phantom, or to say the least, an extreme case, and he, Mr. Osborne, would appeal to his friend, whether the case of a single Judge presiding at the Supreme Court is not one of very rare occurrence. [Mr. Clarke, 'it is not a rare occurrence.'] Well, his friend had a longer experience in this court than he had, and admitting that it might occasionally happen that one Judge only presided, he would contend that the probabilities in favor of that being the most correct and competent tribunal was as one to twelve. The Judge was a responsible functionary, whereas a Jury was an irresponsible tribunal, not answerable for their decision except to heaven and their conscience, both of which, he admitted, were very excellent; but experience had shown that something more was required to conduct the sublunary matters, and that law was necessary to keep gentlemen correct (*laughter.*) A Jury, however, had nothing to apprehend as to the consequence of their decision, and without impugning the general excellence of that mode of trial, he did not see its advantages here, where the consequences of an improper decision by the Judges, was the coercive force of public opinion, and the prospective certainty of being turned out of office. Besides the Judges were invariably men of superior education, chosen from a class remarkable for the general propriety of their conduct (*loud laughter,*) and unlikely to be biassed by those circumstances by which a Jury might be unintentionally governed. He was not attributing unworthy motives to Jurors, neither would he anticipate an unworthy imputation on the Judges of the Supreme Court, and he could confidently ask, whether, with one single exception, that of Sir E. Impey, the breath of slander had ever been lifted against one single Judge of that Court! Therefore, he took upon himself to say, the meeting were wrong if they supposed that there was a wonderful deal of integrity on one side and none on the other. In fact, he believed, that his friend would find, if he intended to weigh the advantages of the two systems with an equal hand, that the scale would preponderate in favor of the mode of trial now pursued here, indeed, so far from considering the advantage on a par, they would be found to be all on the side of the bench. He would call the attention of the meeting to the effects wrought by what was termed the palladium of English liberty, which he had admitted was one of the most noble institutions at home of which an Englishman could boast, and it would be found that so far from always giving those decisions most consistent with justice, it had not been so far by any means infallible. He would call to their recollection that a Jury convicted Algernon Sydney, and brought Raleigh and Russell to the scaffold. He would not however go into the question of the efficacy of Trial by Jury; it was rath r too late in the day to broach that subject (*hear and laughter*), all that he would observe was that Juries were liable to errors, and had, as in the case of Titus Oates, given credit to the most absurd evidence, and put in jeopardy the lives of honest men, on testimony, too, on which we would not hang a dog! He could confidently say this would not occur where the Judges have to form an opinion of the facts. It was well known that in Ireland, O'Connell, when counsel, in cases of libel, invariably challenged, well knowing that with an orange jury, a catholic libeller could not have a fair trial. Now he, (Mr. Osborne,) thought that this fact was a strong proof that that distinguished advocate at least thought Juries liable to be influenced by their prejudices and passions,—and that Jury in Ireland was a very dangerous tribunal. But how would it be if the system that prevailed here also prevailed in that country? There were no orange Judges in Ireland, save Baron Smith,—a splendid exception. But he would leave that part of the subject merely stating that if he had not made the circumstances in Ireland plainly applicable to this country, it was the incapacity of the speaker and not the fault of the matter, and proceed to his friend's plan for establishing juries in this country. If he understood his friend aright, he calculated on having 750 Jurymen in Calcutta, but as the qualification at home was higher in civil than in criminal cases, he apprehended the same rule would obtain here, and if so, he wished to know how it would affect his learned friend's argument, for he apprehended if the rule at home were followed, the number of available Jurymen would be considerably diminished. But, he supposed it would be said, that there were a number of wealthy and influential natives, and such undoubtedly was the case; however the meeting must bear in mind that it was the invariable custom to challenge native Jurymen in criminal cases,—he could not assign a reason, but such was the fact,—and it might obtain in civil cases. Also, again, circumscribed as this community is, it follows as a matter of course, that each individual is more or less acquainted with another, and he would ask, when questions arose connected with commercial transactions whether the Jury Trial could then be considered the

most elegible system? He thought not. He thought that twelve men trying the interests of two men with whom they had commercial dealings must feel a bias—he did not say an unworthy feeling, but some bias would always exist towards the interest of that party by whom in their dealings they had been most liberally treated. Would it be said that this was a more impartial tribunal than one composed of three Judges, having in consequence of their position little to say to the greater part of the community, their only connection with them being the dispensation of fair and impartial justice. He had trespassed too long on the meeting, and he feared he had trespassed to very little effect, but he could not take leave of them without adverting to a statement which had been put forth by his learned friend, by which it appeared that were the Jury system to extend to this country, the number of civil cases, likely to be tried in the Supreme Court, might average 127 yearly. Now he, (Mr. Osborne,) had an opportunity of hearing some of these cases from which the average had been formed, and he could assure the meeting that in a large majority of them the matter in dispute did not exceed Rs. 1,500—perhaps there were not half a dozen cases in the course of a year in which the amount was so considerable; yet were the native community called upon to express their dissatisfaction with the construction of the tribunal on the plea side, while they did not hesitate to give to the same Judges on the equity side the jurisdiction over suits in many of which lakhs and lakhs of rupees were in dispute. Was it then to be said the equity Judges were not capable of deciding cases on the plea side in which the amount was not one hundredth part of those on the equity side? Really, he had a great respect for the meeting, but he must denominate such a proceeding quite farcical.

Mr. James Sutherland had the *honour* on a former occasion of being opposed to the learned gentleman, but he had not anticipated, when he came to the meeting, that he should so soon again enjoy that honour. He liked the frankness with which the learned gentleman stated his opinions—he liked a little opposition,—it gave an interest to the discussion while your entire unanimity might be compared

> "To verses which flow as smooth as cream,
> In which there's neither depth nor stream."

If he understood the learned gentleman rightly, his objection to Juries might be divided into two branches, the one against the utility, the other against the expediency of the institution: now with respect to the question of utility, in addressing that assembly, he (Mr. S.) thought it unnecessary to dilate much on that point, for he believed that there would be little difference of opinion on the subject. The learned gentleman had indeed carried them back a long way into history, and had referred to the case of Titus Oates in defence of his position. This reminded him of what a French Judge once said to a learned advocate, who had been disposed to indulge in this kind of display, "we will begin," said the Judge, "with the deluge if your please;" now he (Mr. S.) could not indeed say, that the learned gentleman had gone back *quite* so far as the deluge; but his research had certainly gone far enough. He begged, however, to remind them, that although in the days of Titus Oates, we had Juries, there was also at that time a facility of packing Juries, which he hoped and believed no longer existed, and that it was as easy in those days to obtain an unjust verdict by means of a packed Jury, as it had been too often found so to procure one from corrupt Judges. The learned gentleman had talked of the integrity of Judges—and of the security we had in that integrity and in their being drawn from the class of society far above the community in general, as securities for their impartial admiration of justice, he (Mr. S.) had the highest confidence in the integrity of our Judges, but we had all heard of political Judges, and while the system of selecting Judges remained what it was, and while human nature continued unchanged, the most honorable men in such situations would be liable to bias, imperceptibly perhaps, even to themselves; while he also thought that in the sympathies of those who were in habits of familiar association with us, we should have better security for justice, than in that exalted station which the learned speaker thought was such an advantage in this case, but which he (Mr. S.) thought was a disadvantage. With regard to the expediency of Juries here, the learned gentleman had treated with ridicule what he called the phantom of Mr. Clarke's imagination, a single Judge on the bench; but it was within his (Mr. S.'s) recollection that we had had a single Judge presiding on the bench for one year, and that to that single Judge we owed the enactment of that odious law destructive of the liberty of the Press, which it would be the distinguished honour of Sir Charles Metcalfe's administration to repeal. The learned gentleman had dwelt much on the inconvenience to Jurors, but as there were upwards of 700 on the list, and as he believed that the number might be increased as Mr. Clarke had remarked to 1000 (Mr. Osborne here remarked, yes by extending the jurisdiction to Entally.)—Well, then, he, (Mr. S.) would venture to state his conviction that *without* extending the jurisdiction to Entally that number of jurors might be found. Mr. Clarke had stated that the average attendances, however, required in the course of a year would not be above two—of six hours each; but if it were twice that number, where was the man who would shrink from the duty imposed on him, when he considered the Jury system as one of the best safeguards of our rights? If, however, the number of Jurors was insufficient, why should we, in extending the system, tie ourselves down to the precise number twelve? There was an obvious remedy for the evil in reducing the number of a Jury, and he knew of no cabalistical virtue in the number twelve to induce us to deprive ourselves of Trial by Jury in order to adhere to it.

Mr. Stocqueler said that he thought with reference to the opposition offered by Mr. Osborne and the remarks regarding the effect of the Jury system on the Press, it was to be lamented that Mr. Longueville Clarke had not addressed himself to those other arguments he had so successfully advanced in 1832, instead of dwelling upon such as more particularly concerned the Press. He considered that the Press was very well protected under present circumstances, and that there was no occasion to have an espicial eye to its conductors, for excepting for the purpose of reporting the interesting matters which passed there, they were less rarely found in the Supreme Court than any other class of men. Mr. Stocqueler could have wished that Mr. Longueville Clarke had dwelt, as on a former occasion, on the importance of Civil Juries in other matters, and particularly on their great utility (as referred to by Sir E. Ryan) in determining the *facts* brought forward in evidence. That, he thought, was the grand argument in their favor.

Mr. Longueville Clarke.—Allow me, gentlemen, a few words in reply to the last observations of Mr. Stocqueler; he has urged, that I need not have been under any alarm for the safety of the Indian Press, and I admit that my apprehensions would have been groundless could I be certain, that it would at all times remain in hands so extremely discreet as his own.—[*a laugh. Mr. Stocqueler bowed.*]—Again he has said that my argument to-day has not been so strong, as those which I addressed to the meeting in 1832, but really the fault is his own, for he has done me the honor within these few days of publishing that speech, and as all India reads the *Englishman*, (*another laugh*) where was the use of repeating that which every one had read? But now let me have a word with Mr. Osborne. He has said that a single Judge never decides in the Supreme Court. I have been here upwards of twelve years, and for more than four of them the decisions have been or might have been those of a single Judge; during a great portion of the time there was only one on the bench, and when there were two, yet still the senior had the casting vote. My friend has also alluded to the importance of the equity business, but that is the strongest argument in favor of Juries, for equity Judges direct issue to try every doubtful matter of fact, and these will henceforth be determined by Juries. Gentlemen, this is the age of reform. Reformers are plenty, and some of them mad, but the maddest of all reformers I ever met with, is my friend Mr. Osborne.

Mr. Osborne—In am no reformer.

Mr. Clarke.—Indeed you are, and very mad indeed. What has been his argument to-day, but that Trial by Jury, the most ancient and revered of all our institutions, is bad, and that the single Judges of foreign courts are preferable. My friend cannot speak from his experience at the English bar, for he has been but lately called, nor

from his experience of this country, for he has not long been here. But then he has been a great traveller, and so charmed is he with the administration of justice which he found at Venice and Vienna, that he would have you substitute it for English Trial by Jury. But I will reply to him in the words of the Poet:

" What though some treacherous tapster Thomas
Hangs up an Angel two doors from us!
As fine as daubers hand can make it,
In hopes some stranger may mistake it;
We hold it both a shame and sin,
To quit the good old Angel inn."—*Loud laughter.*

Mr. PRINSEP said that it was not often he was induced to suspend professional pursuits for the purpose of taking part in discussions of this Hall; but the share he had in the former proceedings on this important subject, had brought upon him a call for some further exertion in the cause. And certainly if there was any one object rather than another to which he would be content to sacrifice personal considerations, it was that upon which they were now met—the extension of the Jury principle to all cases in which it was applicable. Attachment to that principle was natural to an Englishman: he imbibed it in youth, and a professional life which he could now call a long one had encreased it to veneration. It was only those who were occupied in the temple of Justice itself, that could properly estimate the immense advantage of keeping the jurisdiction of fact distinct from that of law, and confining the one to professional Judges, the other to men of plain sense and knowledge of the world: this was a grand advantage, which Mr. Osborne seemed to have overlooked. The Jury principle was to be venerated, not because it was veiled in the halo of antiquity, which was itself a title to reverence, or because it was English, which was enough to endear it to himself and to many of those about him: those were motives which could not be expected to operate with all his hearers; it had a stronger claim to veneration, as the best safe-guard that human ingenuity had yet devised against the despotism of a monarch or the fury of a mob. It was needless to eulogize the Jury system to Englishmen: but it was necessary to address a few words to the Native portion of his hearers, because he was sorry to observe that as yet they had taken little part; and without their concurrence it never could be effective or general. They had shown no indisposition to take the duties of Grand Jurymen, which were attended with some honor and little fatigue or anxiety; but the more onerous and more important duties of Petty Jurymen they had hitherto stood aloof from. He would have the Natives consider that the Jury system was the first link of the great chain of self-government, which was the end and aim of all sound political speculation. If they would not lay hold of one end of the chain, how could they ever expect to reach the other? What encouragement was there to look for Judges amongst those, who could not or would not perform the duties of Jurymen? or what right had those to participate in the higher duties of administration who would not take upon themselves the burthen of the lower. He would have them consider well, that a people, amongst whom the Jury system was established by law, yet amongst whom men could not be found to undertake the office of Jurors and to execute it with integrity, were not ripe for the enjoyment of liberal institutions, or fitted for the business of self-government, but must be content to peep about under the colossus of foreign energy. A word or two on the object of the meeting. It was well known that the King's Courts on their establishment brought with them the Jury system in criminal matters: when life and liberty were assailed by criminal process, they were placed under the safeguard of a Jury; but property and liberty too, when assailed by civil process, and character, which to every one of proper feeling is more dear than life itself, were delivered over to the cognizance of the Judge. Thus the system had been introduced by halves: and the first object in question was to render its establishment complete in the King's Courts of India. But there was an ulterior object of higher importance.—The extension of the Jury principle over the whole of the territories of the Company. Then as to the chance of success in the object, he could not entertain a doubt. When he considered that the only two Judges now on the bench were both pledged to its support, and had expressed themselves desirous to be relieved from the trial of matters of fact;—when he found that the Indian Minister of the Crown in England had recommended the measure to the authorities here;—when he recollected that the late Supreme Government had itself attempted by Reg. VI. of 1832, to establish the Jury principle throughout India, and had hitherto failed rather through the imperfection of the measure and the want of skill in the execution, than from inaptitude of the principle itself;—but most of all when he looked to the individuals who now composed the Council of India, and especially to him who presided over it, hope was expanded into confidence. Was it possible that the Government which had just established the liberty of the Press in India, should refuse the completion of the system of Juries? He never could believe it—the motive was too strong—present gratitude—future fame! The Jury system was not a story of a day: if it once took root, it would subsist for ages. Generations would pass away, and when the English domination in the East was a matter only of historical research, the Jury system would still remain, and when it was inquired what was its origin, it would be found to date from the year 1835, the same year, in which the liberty of the press was first fixed upon a legal foundation, under the Government of the English Metcalfe. Such an opportunity would not be thrown away, they had only to prefer their request; and all that remained was to determine the form in which to make the application, and this was the point from which the exciting nature of the subject had made him digress too long. The course intended to be taken was that of laying before the Government the former Petition, which had been referred back from England, but his brethren of the Committee had requested him to put together a few words of supplement, and those he would now lay before the meeting.

Mr. PRINSEP concluded by moving the adoption of the following Resolution and Address:—

*Resolved*—That the petition now read be adopted by the meeting, and being signed by the Sheriff on their behalf, be presented to the Governor-General of India in Council:

*To the Hon'ble Sir* CHARLES THEOPHILUS METCALFE,
*Governor-General of India in Council.*

The Petition of the Inhabitants of Calcutta.

HUMBLY SHEWETH,—That it was resolved at a General Meeting of the British and other Inhabitants of Calcutta, convened by the Sheriff, and held at the Town Hall of Calcutta on the 14th of April, 1832, to present a Petition to the King and the two Houses of Parliament, for the introduction of Trial by Jury in Civil as well as Criminal matters in issue before the Judges of the Supreme Court of Judicature at Fort William. That a Petition was accordingly prepared and forwarded to England with numerous signatures; but the various untoward circumstances delayed its delivery until the month of May, 1834, when it was at length presented to His Majesty and to the Houses of Parliament respectively.

That the motives of the said application are so fully and clearly set forth in that document itself, as to make it superfluous to do more than to solicit the attention of your Honor in Council to the copy of it which is hitherto annexed.

That the British Legislature, then recently engaged in the great work of receiving the scheme of Indian Government, having thought proper to erect a Local Legislature with extended powers, and to direct the appointment of Law Commissioners to investigate and report upon the Judicial establishment of India, with a view to their entire reform, it was determined to refer the consideration of the above Petition to the Local Authorities; and such determination was communicated to the Petitioners, by letter from the Right Honorable the Chairman of the Board of Control, dated the 22d May, 1834, a copy of which also is annexed.

That your Petitioners esteem themselves happy that their applicatiation has been thus referred to the consideration of a body from which no act has yet emanated that is inconsistent with the most liberal principles of Government; and they present themselves with equal respect and confidence to lay their former Petition before your Honorable Council.

That, since the date of its transmission to England, the object of your Petitioners has been continually advancing

in importance, and receding in difficulty of attainment, by reason of the increasing number of European Inhabitants and the improving intelligence and spirit of the Native population.

That the late Supreme Government has afforded the best evidence of its approbation of the views of your Petitioners, by passing the Regulation VI. of 1832, with the avowed purpose of engrafting the Jury system upon their own Judicial establishment; and, although that measure has hitherto produced no general effect, your Petitioners are disposed to impute its little success rather to imperfection in the details, than to any inaptitude of the principle. They have, however, the satisfaction of hearing that the Jury principle has already taken root in the newly conquered provinces on the Eastern frontier; and that it has been resorted to occasionally in other parts of the territory, and always with the best result. Your Petitioners regard this commencement as the earnest of future endeavors, and hail this dawn of success as the promise of a brighter boon.

Your Petitioners are well aware that serious difficulties may attend the adoption of the Jury system to those Courts where English forms and English law do not prevail: nor are they so bigotted to the institution because it is English. They are fully prepared to admit that many modifications may be requisite to accommodate it to the purposes of a varied and ever-varying society. But they trust that the hearty concurrence of all liberal and intelligent minds, which they venture to engage for, will overcome all obstacles and scruples, and secure, if not to the inhabitants of the country at large, at least to those who are subject to the jurisdiction of the Supreme Court, the accomplishment of an object that has been present to their hopes and desires since the first establishment of British justice in these regions.

Your Petitioners therefore humbly pray, that your Honorable Council will take into your earliest consideration the prayer of their former Petition, with a view to the introduction of Jury Trial in Civil as well as Criminal matters in all his Matesty's Courts within the British Territories in India.

And your Petitioners will ever pray.

Baboo Russomoy Dutt.—When I had the honor to address the public meeting on a former occasion, I fully stated what were my views, not only with regard to the advantages that would attend the introduction of the Trial by Jury in our Supreme Court, but its extention throughout India. On that occasion I cited our divine lawgiver Menu, and Malcolm, and Munro to prove that Trial by Jury was not unknown amongst our ancestors, and that the *punchayut* bore a very close resemblance to that excellent institution as it now exists in England. I stated on the former occasion, I was of opinion that an extension of the Jury system would secure the best administration of justice throughout this country, and in seconding the resolution proposed by Mr. Prinsep, it is unnecessary to say that my opinions have undergone a change.

Mr. Leith.—The motion of his friend, Mr. Prinsep, had been already seconded, but he could not give a silent vote on the present occasion, although he did not flatter himself that any thing which he could say could induce the meeting to look favourably on the measure which had called us together this-day, if the able addresses which the meeting had already heard had failed in producing this effect. He could not, however, deny himself the gratification of raising his humble voice with those of his fellow-citizens, who had preceded him in support of this contemplated law which has for its object the improvement of the administration of justice, as well as the political and social condition of the people among whom we live. Before entering this room and before hearing the speech of his friend Mr. Osborne, he (Mr. L.) did not think that any arguments would be required by this meeting in proof of the superiority of that system of jurisprudence which embraces Trial by Jury. His friend having, however, impunged their usefulness and importance, but apparently without gaining many supporters. He (Mr. L.) would content himself by denying his position and refer him to the constitutional History of England for the best of all arguments against him—that which may be drawn from experience. Although the original introduction of Trial by Jury is in some measure hid in the obscurity of our early annals, we can clearly trace it through a period of upwards of six centuries in daily operation and growing in public estimation, until it became, as it now is, deeply rooted and cherished in the affections of the people, and revered as one of the oldest and most popular of their free institutions. The question why England introducing her system of laws into this country, impaired by the exclusion of so important a member of that system as Trial by Jury, may be more satisfactorily answered than the question upon which we are now met to deliberate; viz., why the Local Government should longer withhold from this community the privileges of Trial by Jury in civil cases? With regard to the British born subjects of his Majesty and their descendants in this place, he Mr. L., claimed it, not as a boon, but as a birth-right; and he would urge the propriety of granting these privileges upon the broad constitutional principle, that the province of the Judge and the province of Jury are, and ought to be kept, distinct, and that it is contrary both to the spirit and letter of our laws, that the office of the Judge and the office of the Jury should meet in the same man or in the same body of men. As to the native community of this place the only reason, which he could allow himself to suggest as being of sufficient weight to authorize their exclusion from the benefits of Jury Trial, would be their ignorance of the English language, the medium of communication in our Supreme Court. This ground is, however, no longer tenable, for the document read by his friend Mr. Clark to the meeting and the confirmatory statement of Mr. Rogers who seconded him, prove beyond a question that the supply of natives of unimpeachable character, as well as Europeans, in this respect, exceeds the demand, whether that demand be regulated by a due consideration of the conduct and private avocations of the Jurors, or by the number of the causes, which would require their attendance in Court. He knew it had been urged, and may be again, that the natives of this place have not yet reached that degree of civilization and mental culture, which is assumed to be necessary in order, properly, to discharge the office of Juror. In answer to this he would point to the state of England when jury Trial was there first established by law, in the reign of Henry II. when all learning was monopolized by the Clergy, and when the Barons, the lords of the soil, who were the representatives of the wealth, the power and the pride of England unblushingly, but with truth, designated themselves the illiterate laity, and when the great body of the people who were removed by many degrees lower in the social scale were necessarily precluded from benefits of even the commonest education, he said, that in comparison to the state of that class of the natives of this place from whom the Jurors will be drawn, the state of the people of England in the reign of Henry II was, religion excepted, in a state of semi-barbarism. But it may be replied, that the causes which they were called upon to investigate were few and simple, and that it is widely different here where the native cases in the Supreme Court are complicated and intricate. To this he would answer, perhaps more dogmatically than argumentatively, that he held it to be an incontrovertible proposition, that the dealing and transactions of a community become complex and artificial in an exact ratio to the degree of civilization and of social and commercial advancement to which that community have arrived. If, therefore, it be predicated that the native cases in the Supreme Court are of that complex artificial character, it presupposes the existence of that very state of the native community who originated them, which will supply men capable of investigating and unravelling their intricacies. As a lawyer he anticipated the most beneficial result, in the more perfect administration of justice, from the establishment of Jury Trial in civil cases. The first ground upon which he rested that anticipation is the aid and assistance which the Jury, from their habits of life and local knowledge and experience, will afford the Judges, in shifting truth from falsehood; but more especially in the case of the native Jurors, who will enable the Judges to thread their way more easily through the labyrinths and perplexities of conflicting native testimony. The other ground is that the natives will as Jurors hear with their own ears and see with their own eyes, and so be enabled to judge for themselves; the consequence of which will be to engender in their minds an increase of confidence in the

wisdom of our laws and purity and impartiality of their administration to the poor and to the rich so as to check oppression and protect the oppressed. In saying thus much he was far from admitting the want of confidence on the part of the natives in the present constitution of the Supreme Court, much less did he intend to throw the shadow of a reflection on the Judges who preside therein. On the contrary he would venture to say, that at no period of our history, and in no Court were British Law has been administered, were ever found men more upright, pure, and independent than the Judges who now dispense justice in the Supreme Court; and it is gratifying to know, that both these learned Judges, as the meeting had already heard from his friend Mr. Prinsep, are in favor of the measure which he (Mr. L.) had now the honor to advocate; while the learned and eloquent charge of the present Chief Justice, several years back, and the able and eloquent address in which the other learned Judge propounded his views and his experience in this very Hall, on a similar occasion to the present, and in approval of a similar measure, must be fresh in the memories of many who are here present. Justice and policy both forbid the exclusion of the natives from the enjoyment of the privilege. He admitted that in many respects the liberality of Great Britain to the conquered provinces exceeds the liberality of the ancient Romans to their conquered provinces, but in one respect we fall short of their liberty, and in a degree which involves both justice and policy. We are told that the conquering Romans admitted into co-operation with them, in the business of local government and the administration of justice, several of their conquered cities, and by this means that they bound to them an influential body who had an interest in desiring the perpetuity of their rule. We would do well at least to follow, if not to improve upon this example, by admitting the natives of India, who have so long borne the burdens of the state and supplied the means of carrying on the Government, if not to a share in the actual Government of the country, at least to a co-operation with us in the administration of justice. As it is the duty of Government to abstain from doing violence to the religious opinions of the people, and to respect their usages and customs, it is well known that the introduction of Jury Trial is rather in accordance with both than in opposition to either. The meeting had been already told and truly, by his native friend, Baboo Russomoy Dutt, that the *punchayut* system formed an important part of the original machinery for administering civil justice throughout the country. The *punchayut* system differed from Jury Trial in this, that the office of the *punchayut* was rather that of arbitrators than mere judges of fact, and in this respect the latter had more resemblance to the body called *Sectatores* among our Saxon ancestors, who, although drawn from the ranks of the common people, were judges both of law and of fact: still, he, Mr. L., had no doubt, that it will be found as practicable and easy to engraft on the *punchayut* system of India, the Jury Trial of England, as it was proved to be practicable and easy to engraft on the *Sectatores* of our Saxon ancestors, the Jury Trial introduced by our Norman conquerors. In concluding, he said, he had to apologize for having occupied so much of the time of this meeting, but it was a subject upon which he felt strongly, for he was convinced that by admitting the natives of India into co-operation with ourselves in the administratton of justice, we would not only give them an interest in desiring the stability of our Government, but we open a wider field of exertion to them—give new motives of action –a new stimulous to education; and by exercising and disciplining their minds in discharging the duties of Jurors, we prepare them for executing higher political privileges, and by yielding respect to, and reposing trust and confidence in such of them as are worthy of it, we would most effectually teach them to respect themselves—the value of character—and the importance of public principles and moral rectitude of conduct.

Mr. Turton objected to the first sentence in the last paragraph but one of the original draft which stood thus: "Your petitioners are well aware that serious difficulties may attend the adaptation of the Jury system to those courts where English forms and English law do not prevail; nor are they so bigotted to the institution, because it is ancient or because it is English, *as to suppose it either perfect or invariable*, or incapable of abuse."

After some discussion, in which Mr. Prinsep, Mr. James Sutherland, and Mr. Turton took part, Mr. Clarke said, there was one reason why the alteration ought to be made, viz. that it was of very little consequence. The meeting coincided with Mr. Clarke, and the words marked in italics were struck out.

The address proposed by Mr. Prinsep was then put and carried.

Mr. Willis Earle, after a few brief remarks, proposed the following resolution, which was seconded and carried *nem. con.*—

*Resolved*,—That the following gentlemen be appointed a committee for the purpose of preparing the Draft of an Act, or suggestions to be forwarded with the petition to the Governor-General of India in Council, and also to adopt such other measures from time to time as may be necessary to further the proposed object.

| | |
|---|---|
| Burkinyoung, F. H. | Radacaunth Deb. |
| Clarke, L. | Rogers, A. |
| Dwarkanauth Tagore. | Russomoye Dutt. |
| Dickens, T. | Torrens, H. W. |
| Hare, D. | Turton, T. E. M. |
| Kyd, J. | Vint, G. |
| Parker, H. M. | Young, J. |
| Prinsep, C. R. | Young, W. R. |
| Prosunnocoomar Tagore. | |

Mr. H. Torrens.—After the very eloquent display of the two last speakers, he felt doubly disposed to propose the next important resolution, which had for its object the extension of the Jury system throughout India. Many were in the habit of considering India as comprised in Calcutta only, but he would remind them that the interests of millions besides were depending on this act. He had been anticipated in what he was going to advance as to the existence of the *punchayut* in India, but he might repeat that at the time when our ancestors, the feudal barbarians were attending to the ordeal, there was a tribunal in this country resembling that which now was the glory of our own, and this though partially destroyed by the Mahomedan irruption, had been restored by Ackbar and other conquerors. The attempt at legalizing the system of *punchayut* by Regulation VII of 1832 had been most praiseworthy, and is one of those measure which will reflect most honor to Lord William Bentinck; but it is said to have failed, and such certainly might be the case, in many parts of this presidency, for this simple reason, that the regulation itself contains the germ of its own nullification, owing to an admixture of some of the speculatively beneficent leaven observable in all the acts of the recent government. The regulation directed that there should be assessors, but made no provision whatsoever for the wholesome exercise of what is termed in English law the compulsive process, whereby they were obliged to attend and to act, thus the operation of the regulation must depend almost entirely on the individual character of the Judge, in each zillah, on the tact, temper, experience and knowledge of the native character and popularity with the native community. This secured to the regulation only a casual success, and left the effects of the attempted introduction of the *punchayut* to the test of fortuitous circumstances. Granting that the act of legislation had failed, there was a subsequent one of somewhat the same nature, which, by the manner of its working, not only proved the expediency of legalizing the *punchayut*, but pointed to the real cause where had arisen the failure of the former law. He, Mr. Torrens, alluded to Regulation IX. of 1833, a sound and excellent law as respects the subject in question, and the practical benefits whereof, in the western provinces, he was enabled by personal experience to speak. He must crave the patience of the meeting while going briefly into the detail of that law. It is therein provided that should any judicial question be pending in a village, about to be settled, the Collector will appoint a term within which an award shall be produced by the parties disputant, failing the production of such award he is empowered to summon a *punchayut*, whose decision on the case shall be final, or if questioned by superior judicial authority, shall only be considered by another *punchayut* similarly assembled. Now the main question of civil and criminal actions throughout a great part of this presidency, he might almost say throughout India, arises from disputes on village boundaries, on land partitions, and manorial rights. The meeting could hardly conceive the extent to which

affrays and the virulence with which litigations are carried on under the irritations caused by those unhappy disputes. In fact, the greatest boon to the millions of the native population must be the introduction of a legislative system, whereby the speedy settlement of such differences might be secured. The regulation in question answered the end proposed in a great measure in all the provinces not under permanent settlement, because in allowing the assembly of a *punchayut*, it admitted also of a certain compulsive process. In case of a refusal of plaintiffs or defendants to appoint a *punchayut*, or of the persons appointed to act, the collector might select a body of assessors by lot and oblige them to decide the case. Within the last eighteen months, he, Mr. Torrens, had an opportunity of seeing the working of the system, and had been present when hereditary village feuds which had existed for nearly two centuries, have been set at rest in less than twenty-four hours by the award of a well composed *punchayut*; such being the case, why not carry this good one step further and introduce its benefits into the civil courts? Why not let plaintiff and defendant name their own members of the *punchayut*, as is the custom with mutual agreement of both parties to the persons nominated, and the judge take the place of the fifth assessor, the chief arbiter or *surpaunch* as he is termed, thus completing the quorum, and composing a body fully competent to give final decisions in any case brought before them? The members of the *punchayut*, being from the vicinage of the spot in which the action lies are to all intents and purposes jurors according to the old English law, bringing with their local information of the case, a knowledge of all its intricacies, for in this country the considerations of rights of property and possession are the daily occupation of the leading members of a village community, called on at all times to exercise their powers as arbiters. The Judge or *surpaunch*, acts as counsel in case of legal technicalities, and aids the consultation by the exercise of his unbiassed judgment; the pleaders of the party are heard before this equitable tribunal, and the final decision is given, as by Regulation IX. by the majority of votes. Here then is a remedy to the delay of Anglo-Indian judicial proceedings which obviates the fatal facility of appeal, aids the judicial executive, and must eventualy have a most beneficent effect on the moral character of the native community, who in the formation of the *punchayut* should be bound by oath, but be allowed to take their own obligation, as in an extra judicial *punchayut*, an obligation, the nature of which it is hard to discover, but which he, Mr. Torrens, believed had never yet been broken. The decision of this tribunal, if in the opinion of superior judicial authorities it should require revision, should be considered only by a *punchayut*. Such a system, with the exercise of the compulsive process, empowering the attendance of assessors, would, he, Mr. Torrens, as far as his own experience enabled him to judge, believed combine much of the excellence both of the India and English Jury, and afford the community at large a boon of incalculable advantage. Mr. Torrens then proceeded to comment on the absence of the Orthœpigraphical-Indophili-Evangelical party, who would teach the community to spell, but who never came forward to aid the real improvement of India. He proposed the following resolution:—

*Resolved*,—That this meeting convinced of the benefits resulting from Trial by Jury, and of the applicability of the system to all parts of India, cannot refrain from expressing their earnest hope that the Government of India may find it practicable to extend it to all parts of the empire.

Mr. H. M. Parker regretted that the seconding of this resolution had not fallen into hands better qualified. However as there was a perfect unanimity, the task was comparatively a light one, he said a perfect unanimity because, though it had been a little disturbed, the gentleman who had thought fit to oppose the first resolution had not thought fit to hold up his hand against it. The advantages of the Trial by Jury were sufficiently manifest in the states of Europe which had adopted it, and though in the Mofussil, it had not had equally desirable effect, he believed the failure arose rather from the unwillingness of natives to serve than from the system itself. In Lower Bengal he was aware it was generally believed the natives were opposed to it, but he could deny the assertion on the authority of several friends, conservatives of 1788, who had informed him that they experienced the greatest assistance from the natives.

Baboo Duckenunder Mookerjee said, before this proposition is put to the vote, I beg to make a few observations, especially as it is one which affects the native rather than the European community; and, indeed, I think I should be doing an injustice to the native population were I to omit expressing my sentiments on the merits of a system, the introduction of which must confer so many lasting advantages. The Baboo then took a view of the state of India previous to the invasion of the Mahomedan conquerors, when the *punchayut* was in existence, and ridiculed the repugnance to sit on the Grand Jury which had on a recent occasion been manifested by a native gentleman of rank.

Mr. Speed stated his own personal knowledge as a pleader in the Sudder, that the system of constant appeal was attended with the ruin of thousands, and that the extension of Trial by Jury in the Mofussil, by checking the progress of appeal would be attended with the greatest advantages.

Mr. Turton.—Recurring to the remarks of Mr. Torrens, admitted that those whom that gentleman had denominated "Maharatta ditchers" were not so well acquainted with subjects connected with the Mofussil, as those who had the opportunity of residing beyond that boundary; but he had yet to learn that a person residing within the precincts of the Maharatta ditch was precluded from expressing his opinion on Mofussil matters, and on the authority of information obtained from gentlemen who had more favorable opportunities. On what principle, he would ask, did foreign nations introduce English institutions? Is it because they have seen their operation, or that they have become acquainted with their theory? He would venture to reply that it was a knowledge of the theory alone, and however imperfect their knowledge of Mofussil affairs might be, he thought it would still be, a greater reproach to sit quietly down and hear gentlemen in the Mofussil exclaim, 'yes, you are desirous to obtain the best administration of justice for Calcutta, but utterly careless as to what may be the portion of other parts of India.' He did not concur entirely with Mr. Torrens in his strictures on the Indophili *et hoc genus omne* many of whom were admirable with their pen but who shrunk from public discussion. He admitted that they might have taken a silent part in this proceeding, but he was not disposed to quarrel, especially when he saw them usefully employed, and he was glad to glean and learn, and urge what they had written to the notice of the public in a manner more conformable to his habits. But if they had not attended this meeting, he would venture to say, on no occasion had there been a larger attendance of those by whom the Juries were likely to be formed, those who were told that the duties would be most irksome to them, and it might be supposed too that they considered it a matter of interest which had induced them to congregate in such large numbers. Mr. Turton then briefly alluded to the method formerly pursued in the Mofussil under the impression that the same routine was continued, but being corrected by Mr. Torrens, he proceeded to comment on the arrears of business in the Mofussil Courts, and the ruinous consequences of appeals. Nothing, said Mr. Turton, should be a matter of appeal, but that which is a matter of law; and if there was a recurrence to the old system, and the *punchayut* formed from the neighbourhood where the cause lies, one Judge would then be able to do the work which at present took three to dispose of. He did not desire that the English system of Trial by Jury should be introduced into the Mofussil; it was the principle he advocated, and would leave the details to those who had greater experience than himself. With regard to the service of natives he thought they must be compelled to do that which is right if Government thought it for the good of the people at large. He thought that much injury had been done, by a too great attention to instructions not to offend against the habits and prejudice of the natives, and that Government being convinced of the right, should take no excuse from the natives tending to evade the performance of their duty.

The resolution being put and carried *nem. con.*

Mr. Parker moved the thanks to the Sheriff, and the meeting separated.—*Bengal Hurkaru*.

## PROCEEDINGS OF THE AGRICULTURAL SOCIETY.

At a Meeting of the Society, on Wednesday the 8th July, three new Members were proposed, to be balloted for at the next Meeting, viz.—

Sir J. P. GRANT.
W. P. GRANT, ESQ.
R. WALKER, ESQ.

After the usual routine of reading the former proceedings,

Read copy of a letter from the president to Sir Frederick Adam, Governor of Madras, expressive of the obligations which the Society felt themselves under for the polite attention paid by his Excellency to their printed circular of queries respecting gardening, &c., and for the permission granted to the Society to nominate some person at Madras, competent and willing, to search the records of that presidency for any information that might contribute to the objects which the Society have in view.

The only difficulty seemed to be, who should be deputed to undertake the task, but the question was set at rest by Sir Edward Ryan, who very kindly offered to write to some of his friends, and solicit their assistance.

A Persian work on gardening was presented by Col. Dunlop.

Baboo Radacanth Deb volunteered his services to give an abstract of the contents in English, and the book was lent to him for that purpose.

Some books and papers were laid upon the table, having been delivered by Mr. Willis to the officiating Secretary on the preceding day.

These documents had been in the hands of the Sub-Committee appointed to draw up a report for Government of the experiments carried on at the late farm at Akra.

Mr. Willis, who was present, explained to the meeting the cause of his report having been made.

With reference to the instructions previously conveyed to the officiating Secretary to forward these papers, &c. to Mr. Deverinne, late superintendent at Akra, Dr. Wallich suggested to the chair the danger of sending such documents to a distance at this season without retaining duplicates, and as this would involve considerable delay, he was authorised to offer Mr. Bell's services to draw up the report, at once, from the date before him. This proposition was immediately agreed to.

A letter from Messrs. Willis and Earle to the officiating Secretary was read, containing some interesting particulars of a small consignment of Akra grown cotton, sold in the Liverpool market, which will appear in the forthcoming report.

Some seeds were presented to the Society by Mr. C. K. Robison, lately received from New South Wales, part of them had been sown by Dr. Wallich, but from want of due care in packing, they had lost their vegetative powers.

Some sample bales of cotton grown at Akra, being reported by Mr. Willis, yet in his godowns, it was determined that they should be forwarded by the Society to the Court of Directors, with an official communication, and a copy of the-report upon the experiments generally drawn up.

Mr. Patrick tendered his services to work up a portion of this ample cotton into cloth at Fort Gloster—and it was resolved that one of the bales in Messrs. Willis and Earle's godowns should be given up to Mr. Patrick, who was requested to forward the specimens of cloth to the officiating Secretary, with such remarks as the quality of the staple and texture of cloth as his experience might suggest.

The President pointed out to the meeting the great importance of securing and distributing fresh supplies of cotton seed.

From the trials already made, and results obtained, there could be little doubt as to the success attending the introduction of a superior description of Cotton. The efforts made by Messrs. Willis and Earle to obtain supplies direct from America having been as yet unsuccessful, it was resolved that in addition to the funds of the Society vested in that house to meet the provision of seed indented for, a further sum of one thousand rupees should be set aside for this specific end. The officiating Secretary was accordingly directed to take such steps as seemed to him best calculated to insure an immediate supply.

Mr. Willis stated that he had examined a few specimens of Cotton at the request of Messrs. Gunter and Hooper, grown in some part of the upper provinces—he was unable to say *where*, as the parties preserved secrecy on this point, but the staple was excellent, and said to be the produce of Upland Georgia seed.

On a motion from Mr. Kyd, it was resolved that the officiating Secretary was directed to write to Bombay, Dinapore and Cawnpore, for a supply of onion, turnip, and other kitchen garden seeds, against the cold season.

The following statement exhibiting the operations of the collecting department was laid upon the table.

| | | | | | |
|---|---|---|---|---|---|
| Net balance at open account on the 10th June,..... | | | | 1,197 | 13 0 |
| Since collected..... | | | | 722 | 15 9 |
| | | | | 1,920 | 12 9 |
| Invested in Com.'s 4 per ct. | 500 | 496 | 4 0 | | |
| Disbursements..... | | 176 | 13 0 | | |
| | | | | 673 | 1 0 |
| Net balance at open account on 6th July.. | | | | 1,247 | 11 9 |
| Amount of deposits in Company's paper at Treasury..... | | 8,000 | 0 0 | | |
| Interest thereon at Society's credit in Saving's Bank on the 25th June..... | | 157 | 9 2 | | |
| | | | | 8,157 | 9 2 |
| Total assets, Sa. Rs | | | | 9,405 | 4 11 |

The officiating Secretary was requested to give in at the next general meeting a list of non-paying members.

Much time having been taken up in discussing some important questions regarding cotton, many papers designed to have been read were necessarily postponed, and the meeting adjourned.

## MEDICAL AND PHYSICAL SOCIETY.

*Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's apartments, on the 4th of July*, 1835.

The Secretary intimated to the Meeting, that copies of part II. vol. VII. of the Society's Transactions had been dispatched for the use of the Members, to the care of the Medical Boards of Madras, and Bombay, and of Superintending-Surgeons of divisions, to whom applications are accordingly to be made.

G. Paton, Esq., Assistant-Surgeon, was proposed as a Member of the Society, by Dr. Wallich and William Twining, Esq.

The following communications, on miscellaneous subjects, were then laid before the Meeting.

A letter from Dr. Hunter Lane, of Liverpool, presenting on the part of Dr. Gully and himself, a copy of their Translation of Tiedemann's comparative Physiology.

A letter from Mr. Malcolmson, the Secretary to the Medical Board, Madras, presenting on the part of that Board, a copy of his work on Beri Beri and Rheumatism.

A letter from J. Kinnis, Esq., presenting a copy of his report on small pox, as it appeared in Ceylon in 1833-34, and soliciting, on the part of the managers of the Ceylon Military Medical Library to be furnished, paying for the same, with copies of such works as the Society had published, or might hereafter publish.

On the motion of Mr. Hutchinson, seconded by Mr. Twining, it was unanimously resolved, that a series of the Society's publications be presented to the Military Medical Library of Ceylon, and that Dr. Kinnis, the Secretary of that Institution, be addressed to that effect.

The following gentlemen requested, that their names might be withdrawn from the list of Members of the Society; which was accordingly done, viz. William Graham, Esq., M. D., and J. Corbett, and J. Lawder, Esqs., Assistant-Surgeons, the latter of the Madras Service.

An extract of a letter from S. M. Griffiths, Esq., the Medical Officer attached to Colonel Pasmore's establishment in Persia, dated Shiraz the 15th of April last.

According to Mr. Griffiths, Persia is the land of intermittent fevers *par excellence*, and a vast number of instances are to be met with in which the bad effects of a stimulant mode of treatment are evinced; these show themselves in dropsies, and in enlargements and indurations of the liver and spleen. Mr. Griffiths states, that he has extensively practised bleeding in the cold stage, and that he continues to do so both in the cases of natives of Persia and of Europeans with very satisfactory results. The usual mode of treating spleen affections pursued here, Mr. Griffiths states to be equally successful in these affections, when they occur in Persia.

A memorandum, descriptive of a cluster of encysted tumors, by Mr. Twining. The preparation was taken from a subject that was sent to the General Hospital in a state of insensibility from fever, and survived but for a few hours. It is said to have shrunk considerably in drying, having been originally larger than a man's head, and nearly of the same shape. Externally it has the appearance of being one tumor consisting of six cells, three of which occupy fully three-fourths of its whole bulk. It was attached, in the subject, to the upper and back part of the fundus uteri, inclining towards the right side dragging the uterus upwards along with it. It adhered only for a space, equal in size to half the palm of the hand. The contents consisted of a transparent serous liquid, which gave an alkaline reaction with the appropriate tests. The abdominal enlargement was said to have existed for several years. Mr. Twining takes the opportunity of this case to suggest, the interest that would arise from collecting a series of observations on the nature of pendulous tumors of the mesentery, and other abdominal viscera; their origin, effects on the general health, and functions of the chylopoietic viscera. These tumours he is inclined to consider to be of two kinds, the first and most numerous class, being globular or ovoid, smooth externally, from the size of a pigeon's egg to that of an orange, easily moveable, accompanied with little pain, and very little affecting the patient's health. The second more uneven or tubercular, less moveable, and apt to become morbidly sensitive on being handled; both are said to occur in persons, who have been subject to intestinal irritation, but may be readily distinguished from chronic induration of the great intestine supervening on dysenteries and various descriptions of Gastro-enteritis.

The following original communications were presented at the Meeting.—viz.

Case of Ranula, in which the left submaxillary gland was extirpated, by J. G. Malcolmson, Esq., Secretary to the Medical Board, Madras.

Memorandum of a dissection of a case of Extra-Uterine pregnancy, which occurred at Ellichpore, by J. S. Login, Esq. Assistant Surgeon H. H. the Nizam's Service.

Case of spontaneous rupture of the spleen occuring in a sepoy, by John Greig, Esq. Assistant Surgeon 39th Regiment Native Infantry.

Observations on some of the bad consequences, which occasionally arise from the use of lead for various purposes, on board ship, by William Twining, Esq.

Notes on irregularities of menstruation, by D. Stewart, Esq., M. D.

A detail of some experiments instituted with a view to determine the effects of Galvanism on the Magnetic needle, the cause of the polarity of the needle, and of the variation of the compass, by R. Tytler, Esq., M. D.

The following papers were then read and discussed.

On the family of Rizophoreæ, by William Griffith, Esq., Madras Service.

An examination of the arguments for and against operating in cataract where only one eye is affected, by F. H. Brett., Esq.

Case of spontaneous rupture of the spleen occurring in an European, by T. Leckie, Esq., Assistant-Surgeon.

Case of spontaneous rupture of the spleen occurring in a sepoy, by John Greig, Esq., Assistant-Surgeon.

Dissection of a case of rupture of the spleen from violence, by James Hutchinson, Esq.

Mr. Griffith first proceeds to describe at some length the peculiar structure of the anthers of the genus Rhizophora, which genus the author limits to R. Mangle, Linn, R. Candelarie, D. C. and R. Macrorhiza, a new species of the anthers. This structure appears to have been first adverted to by Jacquin in his "selectarum stirpuim Americanarum Historia" and subsequently by Dr. Robert Brown in his matchless account of Rafflesia Linnæan. Transactions vol. XIII, part 1st, p. 214. It appears to have escaped the notice of other authors.

The Pollen is stated to be lodged in alveoli, formed in the cellular tissue of the body of the anther, around its periphery. Dehiscence takes place, by the separation of the cuticle, which closed in the abveoli, from the body of the anther, into two distinct unequally valves, which are internal and external with regard to the axis, and not right and left, as is perhaps invariably the case in other plants. The inner valve remains attached by its base only, the outer by its base and extreme apex. The difference in degree of the adhesion of the calyx to the ovarium, and the corresponding difference in the structure of the seed is next noticed. In those species, in which the capsule is scarcely half inferior, and in which its upper part is exserted, the cotyledons are consolidated into a mass, the vitellus of Gœrtner, which is solid above, but hollowed into a cylinder below, in which the highly developed plumula is lodged. The base of the cylinder is distinctly articulated with the collect; and the upper part of the solid apex is converted into a spongy mass, the albumen of Gœrtner, in reality the remains of the original integuments of the ovule. Again in those species, which have a nearly inferior capsule, or at least entirely included within the clayx, no deviation of structure takes place either in the integuments or cotyledons. A few remarks are next made on the anotomy of the exerted radicles, and the difference in the quantity of the woody fibre, entering into their formation, is pointed out. In Kandelia Rheedei the woody fibre is shewn to be confined entirely to the apex. The arched form of the roots, which issue in such numbers from the lower surfaces of the branches, is next adverted to, as connected perhaps with the lifting up of the axis from the earth. The paper concludes with a synopsis of the Rhizophoreæ found by the author on the Tenasserim Coast, between the parallels of 16. 30. and 12. North latitude, amounting in number to eight, and belonging to four distinct genera. The characters of the new species above referred to are given at some length.

Mr. Brett, after an able exposition of the usual arguments for and against operating in Cataract where only one eye is affected, and proceeds to offer some others in favor of operating, which however are not of universal application—1st. The patient may have originally laboured under myopia or short sightedness, in which case he may see better with the assistance of glasses than he did before, especially if the myopia had been caused by deficient convexity, (Qy. by too great convexity) of the lens, and not of the Cornea. 2nd. Persons advanced

in years, who are affected with Presbyopia, or what may be called long sightedness often see extremely well after the operation, without the use of glasses. 3rd. Beer and other occulists have supposed, that by removing Cataract in one eye, as soon as formed, the tendency to the disease in the other, through sympathy, is diminished; Mr. Brett's experience however is against this conclusion. 4th. The removal of the deformity, which Cataract occasions in the young of both sexes, particularly in young females, is an argument of considerable weight; finally where one eye is affected with Cataract, it frequently, by the confusion of vision it creates, interferes materially with the sight of the other. Of a hundred cases, taken in succession, operated on by Mr. Brett, 88 were double Cataracts, and 12 single; of these 12, confusion of vision occurred in only one case, and then lasted only for three days; in 7 cases, the vision of the eye operated on was as good or better than that of the other; in three it was of average goodness; and in the remaining two the operation was unsuccessful. Of the above hundred cases, 17 had undergone the native operation in one eye: the disease, however, had not in a single instance been prevented, in consequence, from advancing in the other. The native operation, Mr. Brett considers most barbarous. In the seventeen cases above mentioned, the vision of the eye in fourteen was completly destroyed; in two others it was very imperfect; and in one very good. In almost their best cases, the internal Hyaloid Membrane is broken down, and absorption of the vitreous humour takes place. To these causes may be attributed the tremulous Iris, the closed pupil, amauresis and general suppurative inflammation of the eye, which so frequently follow their operations. Some degree of apparent want of success is likewise no doubt to be attributed to their inability to select proper cases for operation.

Mr. Leckie's case of rupture of the spleen occurred in a corporal of Artillery, 34 years of age. The man had been discharged on the 6th of January, cured of an obstinate Intermittent: he was re-admitted on the 21st of the same month after hard drinking, complaining of acute pain diffused over the whole of the abdomen, with which he had been seized during the night. The belly was tender on pressure, full and round, countenance anxious, breathing quick and short, pulse 130 small and weak, T. white and dry, S. cool, B. open. He was bled to 12 ounces, fomentations were applied, and the bowels attended to, which they continued to be, throughout the case. At 1 P. M. he is reported to be in the hot stage of fever which commenced with rigors at 11. Eighteen leeches were applied, and tenderness of the abdomen continuing, they were repeated the following day. On the 23d he experienced slight pain on pressure along the course of the colon, for which eight leeches were applied. Shortly after the morning visit he was seized with severe rigors followed by a hot and a sweating stage. The pain was completely relieved by the leeches, and the gums had become slightly sore. On the 24th, 25th and 26th he is reported to be free from pain and complaint; about midnight of the last, however, he was seized with excruciating pain in the left side, which soon became diffused over the whole abdomen, and he could not bear the slightest pressure over the region first indicated. The head, thorax, and extremities became cold, the pulse scarcely perceptible, and in three quarters of an hour the man died. On dissection 46 fluid ounces of blood were found in the Cavity of the Peritoneum, a large coagulated mass occupied the left hypochondrium, and communicated with a rupture in the under surface of the spleen, where the vessels enter. When this clot was removed, the spleen was found not to be enlarged. The peritoneum over the small intestines was slightly opaque. Mr. Leckie has since heard it reported, that this man received a severe fall on his left side, the day before his admission into Hospital.

The subject of Mr. Greig's case was a sepoy, 45 years of age. He was admitted into Hospital at 9 o'clock P. M. of the 7th of October, with Intermittent fever, which went off in the course of the night, leaving only slight headache; on the morning of the 8th, leeches were applied to the head and a purgative administered, which gave him great relief. In the evening he said, he felt quite well, and had a little calomel and antimonial powder at bed time. Next morning he declared there was nothing the matter with him, walked to the lines, ate some dinner, and returned to the Hospital before 10 o'clock A. M.. At 11, he was seized with the cold fit of an intermittent fever, during which he died. On opening the abdomen a considerable quantity of dark colored blood was discovered, which was found to have proceeded from numerous openings in the substance of the spleen. This viscus was completely disorganized, very much enlarged and so softened throughout, as scarcely to bear the gentlest handling without breaking; its color was that of chocolate. Mr. Greig states, that this man's previous health was good, and that at no period did he complain of pain or uneasiness in the left Hypochondrium.

The subject of Mr. Hutchinson's dissection was a native, about 25 years of age, who appeared to have enjoyed excellent health previous to the accident which proved fatal. The body was brought for examination, within half an hour after the man's death, and was then still warm. The inspection was postponed in consequence for some hours. On opening the abdomen, it was found filled with fluid blood, which was traced to have proceeded from a rent in the under surface of the spleen. This had been occasioned by a blow, the man had received on the left Hypochondrium with a small piece of brick-bat, which had been thrown at him; but with so little force, that it had left neither discolouration nor abrasion of the surface.

His death, as far as could be learned, almost immediately followed the blow. The spleen could scarcely be said to have been enlarged.

James Hutchinson, *Secretary.*

*Bengal Hurkaru.*]

## QUARTERLY MEETING OF THE BENGAL MEDICAL RETIRING FUND.

A Quarterly General Meeting of the subscribers to the Fund was held on Monday, the 13th July. On the chair being taken by Mr. Surgeon Corbyn, the report of the Managers for the quarter was read, which stated, that the managers had to bring to the notice of Meeting and the subscribers in general, that doubts have arisen with themselves, and several subscribers, whether it would be practicable to carry the Fund into effect, they considered it to be their duty to solicit the Honourable the Governor-General's permission for putting themselves into communication with Mr. Curnin, with reference to the possibility of including the members of their service in the plan of the Military Retiring Fund proposed by that gentleman. The sanction of his Honor having been obtained, a communication was entered into with Mr. Curnin, who furnished a scheme for their consideration, but it was with feelings of no small regret that the committee had to record their disappointment at the terms that had been offered to them. In consequence it was deemed proper to address the Governor-General on the subject, representing, that Mr. Curnin's scheme was quite impracticable, on account of its not being possible for the Members of the service to pay the high rate of subscriptions that were therein laid down, and under these circumstances they were satisfied, that unless some assistance was granted by the Honorable the Court of Directors, the idea of a Medical Retiring Fund must be altogether abandoned. They ventured to solicit, that the Governor-General in Council would be pleased to bring to the notice of the Hon'ble Court their anxious prayer, that arrangements might be made for the Bengal Medical Service being admitted to the Fund, upon a scale of contributions within their means, and to make this possible, they expressed a hope, that the Hon'ble Court would afford them such aid as might be deemed adequate to place them in an equal position with all other classes of

their Military servants. That his Honor the Governor-General would likewise be pleased, to represent to the Hon'ble Court the hardship of their being the only class of the Hon'ble Company's Military servants who did not receive off-reckonings, nor any compensation for off-reckonings, whether in the shape of a direct pecuniary donation like that granted to the Engineers, or in that of superior advantages in the formation of a Retiring Fund. That it was true, that a Medical Retiring Fund had lately been established at Bombay, but superior grades, and staff situations of the Medical Service at that Presidency were far more numerous in proportion than they were in Bengal, while at Madras the Medical Retiring Fund was assisted by a liberal donation from the Honourable Court. The Committee respectfully represented to his Honor, that so long as they could entertain a reasonable hope that their Fund could be established they forbore to trouble him, thankfully accepting the terms offered by the Honorable Court, but now they were compelled most reluctantly to pray for the intercession of his Honor, by the apprehension of the Bengal Medical Service being the only body of the Honourable Company's servants, whose promotion and retirement would be beyond any hope, but from the liberality of the state.

Pending this reference, and likewise the Committee's former application to the Honourable Court of Directors, soliciting that the Fund might be permitted to grant, through private agency, the additional three annuities which the Medical service, in their Memorial of the 20th of February, 1833, petitioned, might be sanctioned to them, they had considered it adviseable to recommend to the general body of subscribers that for the present all payments be suspended on account of the Fund. They likewise recommended that all pecuniary contributions already subscribed should remain in the hands of Government, until the sentiments of the Hon'ble Court were known, seeing, that were they now returned to subscribers there would be no nucleus whatever hereafter to form a Retiring Fund upon, should the Court's reply be favorable.

A statement had been received from the Accountant-General of recoveries effected in the Military Pay Department on account of the Fund from August to October 1834, both months inclusive; amounting to Sa. ~~Rs~~ 5461-10-5., and another in the Civil Department of the Bengal Presidency of subscriptions received during the 1st quarter of 1834-35, amounting to Sa. ~~Rs~~ 1,066-1-1—total Sa. ~~Rs~~ 6,527-11-6. The expenses for Office Establishment, &c. during the quarter amounted to Sa. ~~Rs~~ 98-5-9.

One gentleman, Mr. J. Barber, Assistant-Surgeon, has withdrawn his name from the list of subscribers, and those at present belonging to the Fund, were one Member of the Medical Board, 8 Superintending-Surgeons, 59 Surgeons, and 115 Assistant-Surgeons—total 183.

The report having been approved of, and the accounts for the quarter submitted and passed, the Meeting then separated.

H. S. Mercer, *Secretary.*

*Calcutta, 14th July, 1835.*

[*Bengal Hurkaru.*

## MEETING OF THE PROPRIETORS OF THE UNION BANK.

A half-yearly Meeting of the Proprietors took place at the Bank, on Wednesday the 15th July, pursuant to advertisement.

Captain Vint being called to the Chair, the Secretary read the following Report:—

SECRETARY'S REPORT, JUNE 30, 1835.

"In the customary half yearly Report of Union Bank transactions during the past six months, which is now to be laid before you, nothing appears to call for particular notice, except the extraordinary amount of profit upon Banking business during the period in question, from January to June, 1835 inclusive.

The *nett* gain of the Bank has amounted to no less than Sa. ~~Rs~~ 94,784-2-3 being within a fraction of 6½ per cent, that is to say, yielding a rate of Sa. ~~Rs~~ 12-10-2 per cent per annum, on the Bank capital, which is more than double the profit of the corresponding six months of 1834, and it is needless to add, very satisfactory. This result, though of course mainly arising from the high value of money in the market, has been also much promoted by the general increase of our business. The Bank deposits have swelled to an amount exceeding by one-eighth the deposits of 1834; the increase appearing greatest under the head of balances fixed at interest.

The circulation of notes has increased somewhat within the half year, though by no means in proportion to the increase of general business, and therefore scarcely to be reckoned as having materially aided the profitable result shown above. The highest point of circulation reached during the six months, has been 5,62,000 in February, and the lowest 3,20,000 in June. In the preceding half year, those extreme points were 5 and under 3. The improvement is slight, but distinct, taking 2½ as the point of greatest depression, to which the circulation descended at the panic period of the great failures.

The Directors in now congratulating their Constituent Proprietors, upon the present condition of the Bank, refer not merely to the circumstance of very large immediate profits accruing to the current year, but likewise to the steady advance which the Institution appears to be gaining in the confidence of the public, as well in the provinces as at the presidency. If the capital of the Bank had been larger so as to meet the numerous unexceptionable calls for accommodation, which have been of necessity declined, the Directors would no doubt, have been enabled to offer a more favorable view of the past half year's operations, even than that which has been now presented.

Before concluding this Report, perhaps it may be expedient to advert to the effect which the accumulating reserved fund on the one hand, and the gradual realizations of doubtful balances on the other, are producing on the item in our accounts, headed Dependencies.

That item consisted originally of 2,7,2,201-4-10, bad and doubtful debts due by the firms which failed *up to* 1831 *only*, for by none subsequently have losses been sustained.

Of that amount Sa. ~~Rs~~ 93,574-10 have been realized to this date—leaving a balance due to the Bank of Sa. ~~Rs~~ 1,78,626-10-10.

To meet this, there is in the first place the reserved fund amounting in December, 1834 to Sa. ~~Rs~~ 1,31,835-10-8 which reduced the balance of Dependencies to Sa. ~~Rs~~ 46,791. Against this, we have to set off. 1st.—Five Union Bank Shares, let the property of the Insolvent firm just alluded to but remaining now to be sold—the value of which say at par is 12,500 ~~Rs~~. 2d.—The forthcoming dividend from the Estate of Messrs. Palmer and Co. which we are assured by the Assigness will *exceed* 5 per Cent or say ~~Rs~~ 7,500. 3d.—Our claim on Gopee Mohun Doss, late Banyan to Messrs. Bonnaffeé and Co. the settlement of whose large debt has hitherto been delayed because of the non-age of his Co.-Partner brothers; as they have at length attained their majority, the Estate must now be divided, for which the necessary steps have been commenced. The above items, with other lesser expected realizations, will no doubt more than cover the true remaining balance of "dependencies," as above reduced to ~~Rs~~ 46,791.

It remains for the proprietors now to determine how much of the nett profits, 94,784, set forth in this Report, shall be appropriated for current dividend, and how much shall be set apart for what may be considered as a new reserved fund to meet any contingencies hereafter, or be divided at some future period.

J. Young, *Secretary.*

The following resolution was then proposed by Mr. J. Hastie, who congratulated the Meeting on its satisfactory tenor, seconded by Mr. Younghusband and carried unanimously :—

I—That the Report just read be approved and published.

The attention of the Meeting was then drawn to the following statement of the accounts of the Bank :—

THE TRUSTEES OF THE UNION BANK IN ACCOUNT CURRENT WITH THE PROPRIETORS OF THE UNION BANK.

DEBTOR—JUNE 30, 1835.

| | | | | | | |
|---|---|---|---|---|---|---|
| To Establishment and House Rent, from 1st January to this date | | | | 20289 | 13 | 2 |
| To Charges general, being Law Charges, Stamps, Stationery, &c. | | | | 3167 | 9 | 7 |
| To Dead Stock for amount written off against that. | | | | 400 | 0 | 0 |
| TO BALANCE DUE TO THE PROPRIETORS. | | | | | | |
| In Silver | 191820 | 3 | 5 | | | |
| In Bank of Bengal Notes | 363783 | 0 | 0 | | | |
| | | | | 555603 | 3 | 5 |
| In Dollars | | | | 7425 | 0 | 0 |
| In Dead Stock | | | | 6200 | 0 | 0 |
| In Printed Bank Notes | | | | 14200 | 0 | 0 |
| Realizable Bills discounted | 1061499 | 8 | 4½ | | | |
| Loans on Deposit | 1611200 | 4 | 7 | | | |
| Loans on Salt Chaurrs. | 107426 | 4 | 2 | | | |
| Cash Credits | 1130573 | 9 | 2 | | | |
| Cash Accounts | 179390 | 6 | 3 | | | |
| Foreign Coin | 999 | 15 | 9 | | | |
| Agra Bank Bank Note account | 1700 | 0 | 0 | | | |
| Govt 5 per Cent. Paper | 27100 | 0 | 0 | | | |
| Govt 4 per Cent. Paper | 217000 | 0 | 0 | | | |
| At the Bank of Bengal. | 0 | 14 | 1 | | | |
| Suspence Account being Interested on Loans, Govt. Paper, &c. to 30th June | 35668 | 10 | 4 | | | |
| Dependencies | 178626 | 10 | 10 | | | |
| | | | | 4551786 | 3 | 6½ |
| | | | | 5134214 | 6 | 11½ |
| Debts due on floating accounts | 2071498 | 9 | 0½ | | | |
| „ on fixed ditto | 832530 | 1 | 2 | | | |
| „ for Union Bank Notes in circulation | 494316 | 0 | 0 | | | |
| „ Divnd. of July 1332 | 825 | 0 | 0 | | | |
| „ do. of Jan. 1833 | 2625 | 0 | 0 | | | |
| „ do. of July „ | 2325 | 0 | 0 | | | |
| „ do. of Jan. 1834 | 3300 | 0 | 0 | | | |
| „ do. of July „ | 2700 | 0 | 0 | | | |
| „ do. of Jan. 1835 | 3075 | 0 | 0 | | | |
| | | | | 3412504 | 10 | 2½ |
| | | | | | | 1721619 12 9 |
| | | | Sa. Rs. | | | 1745477 3 6 |
| Shewing upon original sub. of | | | | 1495000 | 0 | 0 |
| a profit (after deducting former dividends paid) of | | | | 226619 | 12 | 9 |
| | | | | | | 1721619 12 9 |

CREDITOR—JULY 1, 1835.

| | | | | | | |
|---|---|---|---|---|---|---|
| By balance of Account rendered to 31st Dec. 1834, being subscription for 598 shares in the Bank | | | | 1495000 | 0 | 0 |
| Add amount apparent profit to that date | 176685 | 10 | 6 | | | |
| Less Dividend paid to Proprietors | 44850 | 0 | 0 | | | |
| | | | | 131835 | 10 | 6 |
| | | | | | | 1626835 10 6 |
| JUNE 30, 1835. | | | | | | |
| By discount realized to this date | 53325 | 15 | 0 | | | |
| Less appropriable to the half year ending 31st December, 1835. | 6062 | 3 | 6 | | | |
| | | | | 47263 | 11 | 6 |
| By interest realized to this date | 25745 | 14 | 1 | | | |
| Add due to this date on outstanding loans | 26415 | 11 | 7 | | | |
| „ „ on Govt. Paper. | 16881 | 6 | 4 | | | |
| „ „ on cash credit bonds | 19114 | 15 | 1 | | | |
| „ „ on cash credit accounts | 17242 | 0 | 5 | | | |
| | 105399 | 15 | 6 | | | |
| Less due on Deposit accounts | 34022 | 2 | 0 | | | |
| | | | | 71377 | 13 | 6 |
| | | | | | | 118641 9 0 |
| | | | Sa. Rs. | | | 1745477 3 6 |

Errors Excepted.

A. H. SIM, *Accountant.*

Calcutta, 30th June, 1835.

It was then proposed by Mr. W. Carr, seconded by Mr. Oxborough and carried unanimously :—

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

The Deputy Chairman of the Bank, Mr. Alexander Rogers, then proposed—

III.—That a half yearly dividend, at the rate of ten per cent per annum, being one hundred and twenty five (125) sicca rupees per share be now declared.

This proposition was seconded by Mr. Morgan and carried unanimously, accordingly, out of the half yearly profits, 94,784-2-3 a sum of 74,750 is divided among the shareholders, and a sum of 20,034-2-3 set apart in reserve.

The meeting then proceeded to elect four directors for the ensuing year, in the room of Messrs. K. Mackenzie, W. C. Hurry, Radamadub Banerjee and Dwarkanauth Tagore who go out by rotation—when the election fell on Messrs. F. H. Burkinyoung, William Carr, Promotonath Day and Prosunnoo Coomar Tagore.

The thanks of the Meeting to the Chairman were then proposed by Mr. W. R. Young, seconded by Captain Sewell, and carried unanimously.—*Bengal Hurkaru.*

## BANK OF BENGAL.

BALANCE OF THE BANK OF BENGAL, THE 30TH JUNE, 1835.

| Dr. | Sa. ~~Rs~~ | A. | P. |
|---|---|---|---|
| Cash and Government Securities | 79,09,472 | 4 | 11 |
| Loans on Deposit of Government Securities, &c., | 85,97,568 | 4 | 9 |
| Bills on Government Discounted, | 6,99,441 | 12 | 2 |
| Private Bills Discounted, | 24,45,488 | 12 | 9 |
| Purchasers of Pledged and Forfeit Securities, | 6,59,983 | 4 | 2 |
| Doubtful Debts | 2,35,444 | 5 | 6 |
| Accondts of Credit on Deposit Securities | 4,08,148 | 7 | 10 |
| Advance for Legal Proceedings | 2,086 | 15 | 4 |
| Dead Stock | 1,10,871 | 1 | 9 |
| Bullion and Specie | 84,101 | 0 | 7 |
| Sicca Rupees. | 2,11,52,606 | 5 | 9 |

| Cr. | Sa. ~~Rs~~ | A. | P. |
|---|---|---|---|
| Bank Notes and Post Bills Outstanding and Claims payable on Demand | 1,54,42,968 | 6 | 9 |
| Suspence Account, B. N., | 53,696 | 0 | 0 |
| Suspence Account, | 2,69,273 | 1 | 7 |
| Net Stock, | 53,86,668 | 13 | 5 |
| Sicca Rupees. | 2,11,52,606 | 5 | 9 |

(Signed) H. J. LEE, *Acting Accountant.*

(Signed) C. MORLEY.
„ R. J. BAGSHAW.
„ JOHN COWIE.
„ J. CHURCH.
„ J. A. DORIN.
„ ALEX. FRASER.
„ W. CARR.

REMARKS.

The items of the foregoing Statement, which would appear to call for remark, are "Private Bills Discounted," "Purchasers of Pledged and Forfeit Securities," "Doubtful Debts," "Advance for Legal Proceedings," "Suspence Account, B. N.," and "Suspence Account."

"PRIVATE BILLS DISCOUNTED."—In this item is still included Sa. ~~Rs~~ 7,92,123-14-9, being the balance of the principal amount of the Acceptances, (which charges) for which the Estates of Messrs. Cruttenden, Mackillop and Co., Alexander and Co., Fergusson and Co., and Mackintosh and Co., are liable. For this sum the Bank holds collateral security, besides the direct liability of the four Firms, and the Directors have always therefore considered the whole amount to be good.

"PURCHASERS OF PLEDGED AND FORFEIT SECURITIES."—This item shews the balance of the Acceptances for which part of the collateral security of the Estate of Messrs. Alexander and Co. has been sold:—the Title Deeds of the several Properties remaining with the Bank pending payment in full of the purchase monies. The account has been reduced since the last report in the sum of Sa. ~~Rs~~ 7,59,016-11-10.

"DOUBTFUL DEBTS."—The sum of Sa. ~~Rs~~ 2,35,444-5-6 is the balance of ~~Rs~~ 13,83,952-8-11, this difference having been written off as Bad Debt. This balance was valued by the Directors at the close of the half year just ended at Sa. ~~Rs~~ 1,98,775-8-1.

The profit on the Banking business of the past half year amounts to Sa. ~~Rs~~ 3,86,668-13-5, or at the rate of Sa. ~~Rs~~ 15-7-5½ per cent. per annum on the Stock. Of this sum, the Directors have declared a Dividend at the rate of 14 per cent. per annum, or Sa. ~~Rs~~ 3,50,000, and the balance ~~Rs~~ 36,668-13-5, has been carried to Doubtful Debts in liquidation of the estimated Bad Debt of that account, as alluded to in the preceding paragraph.

"ADVANCE FOR LEGAL PROCEEDINGS."—The amount of this item was advanced to meet the costs of the Appeal made by the Assignees of Palmer and Co., against the Judgment obtained by the Bank in the Supreme Court in the matter of the surplus proceeds of Company's Paper of the Estate of Messrs. Palmer and Co., held by the Bank.

"SUSPENCE ACCOUNT, B. N."—The sum at credit of this account is the balance of Old Bank Notes, marked A. out-standing for more than 10 years, of which since the report of the half year ending 30th June, 1834, only Sa. ~~Rs~~ 5,238 have been paid.

"SUSPENCE ACCOUNT."—The sum at Credit of this account consists of the Interest on the Advances for Indigo made to the Assignees of Alexander and Co., of the profit arising on those Advances; and of other items relating to the Bank's transaction with the late Firm or Estate of Alexander and Co."

By Order of the Directors:
G. UDNY, *Secretary.*

*Bank of Bengal, 9th July*, 1835. [*Calcutta Courier.*

## SUPREME COURT.

WEDNESDAY, JULY 1, 1835.

*Amelia Dent and others* v. *Thos. D'Souza, and others, by Originat Bill, and Amelia Dent and others* v. *Margaret Pendergrast, Administratrix of J. Breen, by Bill of Revivor.*

The original bill was filed by complainants against John Breen and others, Executors of John Blyth deceased, for an account of his estate. It was referred to the Master to take an account, and Mrs. Pendergrast, the administratrix of John Breen now deceased, came before him to prove the account. On a reference before the Master, it appeared that Breen had borrowed from Blyth ~~Rs~~ 20,000, for which he gave him a receipt promising to pay or account for on demand. About one year afterwards Blyth died, having first made a will appointing Breen one of his executors, and giving legacies to two of Breen's children but no legacy to Breen himself. It was argued by counsel before the Master, that Breen having been appointed executor of Blyth, it operated as an extinguishment of the debt; and the Master, George Money, Esq., reported to that effect. To this report exception was taken, and came on this day for argument.

*Mr. Advocate-General*, in support of the exception. It is an established rule in equity that the debt is assets for the payment of legacies; see 3*Brown's Chancery Reports, Carey* v. *Godinge*, in which Lord Thurlow said, he thought it had been a settled point in the Court of Chancery that the appointment of the debtor as executor, was no more than parting with the action; and declared it a trust for the next of kin. The learned counsel also cited cases in 11th and 13th *Vesey*, and that of *Feagle* v. *Fox*, in *Barnewell* and *Cresswell* merely stating that the case in *Brown* and that in 11th *Vesey* had been given up without argument.

*Mr. Clarke* followed on the same side.

*Mr. Turton* for the administratrix of the executor, argued that Blyth's appointment of Breen to be executor of his estate, ought to be considered in the light of a specific legacy to the debtor for the purpose of discharging his debt, and that, therefore, though like other legacies, it shall not be paid or retained against creditors, yet the executor has a right exclusive of the other legacies; and it was evidently so understood and intended by the testator. Blyth was Breen's personal friend, and lent him ~~Rs~~ 20,000, on his receipt to pay on demand, besides which, after lending the money, he appointed him executor, and left every member of the family, except Breen himself, legacies.

*Mr. Leith* followed, drawing a distinction between the case before the court, and those cited by counsel in support of the exception; and contending that there has been no adjudication on similar circumstances to those appearing in the present case, there being no legacy given to the executor or any disposition of the testator's debts.

*Chief Justice.*—It is quite clear that this expection must be allowed, *Selwyn* and *Brown, Cas. Temp. Talbot's* cases, is an express decision in point. As to costs; this question was argued before the Master, and as he held the executor to be discharged, we cannot allow costs. But as the infant who takes the exception benefits the whole estate of the testator, and the residuary legatees, she must have her costs out of the estate, and the other party must pay her own.

*Mr. Justice Grant* entirely concurred with the learned Chief Justice.—*Englishman.*

MONDAY, JULY 6.

*Lolljee Mull. v. Rajchunder Chowdry.*

*Mr. Turton*, on a former day, obtained an order *nisi* to shew cause why Mr. William Nelson Hedger, one of the attornies of this court, should not pay the sum of ~~Rs~~ 9,000, part of the levy endorsed on the writ of *fieri facias*, issued in this action, to the plaintiff. The learned counsel put in the affidavit of Lolljee Mull, a gomastah in the service of Honoomaun Doss, shroff, in the Burra-baazar, which set forth that the defendant being indebted to him in the sum of ~~Rs~~ 3,500, and to Honoomaun Doss ~~Rs~~ 7,000, deponent in March last, applied to defendant for payment, when the latter pleaded his inability but promised to discharge the debt, on the recovery of a certain demand due from one Ameenuddeen Khan against whom he had issued execution, but who had filed a bill to set aside the judgment. Rajchunder requested a further loan of ~~Rs~~ 500, for the purpose of defraying the expenses of filing his answer to the bill,

and promised, if deponent would lend him this amount, to execute a bond for the whole amount, about ~~Rs~~ 11,000, with a warrant of attorney to confess judgment. Deponent called on Mr. Hedger, defendant's attorney in the equity suit and in the action, and, the three parties being present, it was agreed that deponent should advance ~~Rs~~ 500, for the expenses of the equity suit in consideration of defendant executing a bond of ~~Rs~~ 22,000, conditional with the payment of Rs. 11,000. The bond and a warrant to confess judgment thereon was executed; and an agreement, in Bengalli, at the foot of the bond, to pay out of the funds to be received from Ameenuddeen, was explained to Mr. Hedger. Judgment was entered up, and on the 4th June a writ of *fieri facias* issued. On the 15th June Mr. Hedger informed deponent that the payment of the Rs. 500 would be the means of recovering the Rs.11,000; and on several occasions subsequent to this period, Rajchunder, in the presence of Mr. Hedger, directed the latter to pay the Rs. 11,000 whenever it should be recovered from Ameenuddeen Khan, it having been agreed, that an arrangement should take place and that Ameenuddeen should pay Rajchunder Rs. 17,000 in full of all demands. On the 23d of March last, deponent was proceeding towards the Supreme Court when he met Mr. Higgins, Ameenuddeen's attorney, who informed him that his client had offered to compromise the suits for ~~Rs~~ 16,000, and afterwards Mr. Hedger attended at the office of Mr. Higgins and told deponent that all disputes were settled and that Rajchunder Chowdry would receive ~~Rs~~ 17,000;—that he, Mr. Hedger, was to receive ~~Rs~~ 8,000, being a demand for costs and sums advanced to Rajchunder, but that deponent would receive ~~Rs~~ 9,000. At the request of Mr. Hedger the deponent proceeded to that gentleman's office, where he found Rajchunder, who altogether denied having made such an arrangement, whereupon deponent returned to Mr. Higgins's and requested Mr. Hedger to be prepared to seize the money under the execution issued in this Court. Mr. Hedger replied "don't be alarmed" and desired deponent to go back to the office, which he did, but after waiting two hours, he returned to the office of Mr. Higgins whither Rajchunder also went. On the 23d of March the suit between Rajchunder and Ameenuddeen was finally settled, ~~Rs~~ 17,000 being handed over to Mr. Hedger, by Mr. Paul, clerk to Hogg and Sandes, attornies for one Sill who had lent a sum of money to Ameenuddeen for the purpose of settling the dispute with Rajchunder. Mr. Hedger counted out eight notes of one thousand each, and said he would retain that sum on account of his claim; whereupon Rajchunder entreated Mr. Hedger to retain only ~~Rs~~ 6,000, who, after some discussion, consented to retain only 7,000, and handed over to Rajchunder the remainder, ~~Rs~~ 10,000 which Rajchunder placed in the clothes round his waist. Rajchunder then left the office of Mr. Higgins for the purpose of proceeding to that of Mr. Hedger where deponent understood he was to receive the ~~Rs~~ 9,000; and on their way deponent did not lose sight of Rajchunder. On their arrival at Mr. Hedger's that gentleman came in, and deponent requested that he would pay him the ~~Rs~~ 9,000, whereupon Mr. Hedger directed Rajchunder to do so, but that person positively refused, alleging that he could not spare so large a sum as there were other creditors pressing him. Deponent desired Mr. Hedger to seize the money under the execution of this Court, and Mr. Board, the sheriff's officer, was sent for. Mr. Hedger desired Mr. Board to remain in the next room, telling deponent, at the same time, not to act in so pressing a manner. Deponent then stated that Mr. Hedger was his attorney, and that he ought either to procure the payment of ~~Rs~~ 9,000, or to seize it under the process of Court, as the bailiff was in the next room. Mr. Hedger then took Rajchunder into a private room, but afterwards came back, and said he could procure no settlement, and desired both parties to quit his office and settle their disputes out of doors. Deponent and Rajchunder then proceeded into the street when the former told the latter that he had given the remainder of the notes to one of Mr. Hedger's writers. The deponent alleges that Mr. Hedger's writer received the money with that gentleman's knowledge and acquiescence; and that he left all matters in dispute to Mr. Hedger as his attorney.

On Friday last, *Mr. Advocate-General*, with whom was *Mr. Clarke*, shewed cause, and put in the affidavit of Mr. Hedger which, in the substance, denies that any agreement was made between Rajchunder Chowdry and Lolljee Mull, in his presence, for the payment of ~~Rs~~ 11,00, conditional with the advance of ~~Rs~~ 500, or that Lolljee offered to pay this latter amount to deponent; but admits that Lolljee paid that sum to Rajchunder; denying that he, the deponent has at any time received it. The affidavit states that Lolljee and Rajchunder, on the 17th March last, called at Mr. Hedger's office, whereupon Rajchunder informed Mr. Hedger, that Lolljee had promised to advance ~~Rs~~ 500, and on the 27th of May the money was paid in Mr. Hedger's presence, Rajchunder executing a bond and warrant. Deponent denies that a Bengallee agreement, said to have been at the foot of the warrant, was explained to him; and denies having made any promises of payment to Lolljee on the recovery of the debt from Ameenuddeen Khan, but admits that he has informed Lolljee that he had hopes of recovering a large sum of money from that person on account of Rajchunder. States that Lolljee employed deponent and his partner, and that they by his direction entered up judgment, on the bond and warrant, and caused a writ of *fieri facias* to be issued to the Sheriff to levy ~~Rs~~ 11,167. This writ was enlarged until 15th June. Deponent states that Rajchunder's common law and equity suit has been carried on without any advance, and that, besides costs, Rajchunder is indebted upwards of Rs. 2,000. Deponent denies that Rajchunder directed him to pay Lolljee when the amount should be received from Ameenuddeen Khan, or that deponent promised to do so. On the 20th of March it was agreed between Rajchunder and Ameenuddeen, to settle all disputes, the latter agreeing to pay to the former Rs. 17,000. This negociation was going on about twenty days before it was completed, and during this time, deponent admits that he promised to use his influence with Rajchunder in order to induce him to pay Lolljee on receipt of the money from Ameenuddeen, Lolljee having told deponent of a promise made by Rajchunder to that effect. But Rajchunder denied the existence of such promise, stating that he had several creditors, who were all pressing him for money, and that it was his intention to divide the money which he would receive from Ameenuddeen amongst them all. During this negociation deponent was called upon by Prussonnocoomar Tagore, one of his clients, who stated that he held a bond and warant to enter up judgment against Rajchunder, and the latter had promised to pay him a considerable sum out of the amount he was to receive from Ameenuddeen. On the 20th March the terms of settlement were finally arranged, and deponent immediately informed Lolljee of the arrangement. On the 21st March Rajchunder called on deponent and informed him that Lolljee insisted on having payment of the whole amount of the sum to be received from Ameenuddeen, and that Prussonnocoomar Tagore, and Radamadub Bannerjee, to whom he was also indebted, had respectively told him that unless he paid a part of their claims they would issue execution on the judgment which they held and put him into jail;—that he, Rajchunder, was desirous to divide fairly what he might receive amongst his creditors, and it was then agreed between deponent and Rajchunder that deponent should receive ~~Rs~~ 8,000, on account for costs and business done in the several suits. Deponent informed Lolljee of this agreement, whereupon Lolljee begged that he would pay to him ~~Rs~~ 9,000, the remainder of the Rs. 17,000, but deponent refused to interfere as there was another person, his client, who had a similar claim. On 21st March deponent and Rajchunder went to Mr. Higgins's office, in order to complete the arrangement with Ameenuddeen, and deponent in the presence of Mr. Higgins told Lolljee to arrange with Rajchunder in the best way he could, and that he should be present when the money was paid over to Rajchunder by Ameenuddeen. Deponent further saith that Lolljee conversed apart with Rajchunder, after which he appeared satisfied, and he was informed by deponent that the matter would be settled on the following Monday, when he was requested to be present. On the 23d of March deponent went to the office of Mr. Higgins, where it had been arranged the money should be paid. Shortly afterwards Lolljee Mull arrived. Deponent denies that he then promised that the balance of ~~Rs~~ 9,000, should be paid over to Lolljee, or that Lolljee requested him to seize the money under the execution issued in the cause. At about

half past four o'clock in the afternoon, Mr. Paul, clerk to Messrs. Hogg and Sandes, attornies for one Sill, arrived at Mr. Higgins's with the money which it had been agreed was to be paid to Rajchunder, viz. 17,000 in bank notes, the same were handed over to deponent, who counted eight of one thousand rupees each, which he said he would retain for his costs, but was afterward prevailed on to keep only Rs. 7,000, and handed over the Rs 10,000 to Rajchunder. Lolljee Mull then demanded payment from Rajchunder, but the latter refused. Deponent denies that Lolljee in company with Ramchunder afterwards came to his office by his direction, but on his return he found the parties there in loud altercation on the subject of the Bank notes; Lolljee appealed to deponent, and requested him to insist on the payment of the money. Deponent refused to do so, but said he would advise Rajchunder to pay the money: Rajchunder, however, refused, but offered to pay Rs. 3,000, whereupon Lolljee requested deponent to send to the Sheriff's office for an officer. Deponent wrote a note and sent it to the Sheriff's office, but before the arrival of an officer, Lolljee became much enraged, and made use of abusive language to Rajchunder, when the deponent, hoping to arrange the matter in dispute, left his desk and proceeded into the adjoining room, and called Rajchunder to him, and advised him to make a larger offer to Lolljee, but Rajchunder refused, for the same reasons which he had before stated. Deponent then came from the room and endeavoured to persuade Lolljee to accept the offer; Lolljee refused, and shortly afterwards the Sheriff's officer arrived and during the time deponent was informing the officer, that Lolljee was desirous of seizing the Rs 9,000, Lolljee and Rajchunder left the office. Shortly afterwards Lolljee returned and informed deponent that he had searched Rajchunder who had stated that he had given the Rs 9,000 to a writer in deponent's office which Rajchunder in deponent's presence denied. Deponent admits that Lolljee demanded of deponent as his attorney to insist upon Ramchunder delivering him the money, and to direct it to be seized;—denies having received more than Rs 7,000 from Rajchunder, and admits that Lolljee left all matters in this suit to deponent as his attorney.

*Mr. Advocate-General and Mr. Clarke* opposed the rule absolute, mainly urging that Mr. Hedger could not seize the money in the hands of Rajchunder, as such seizure would clash with the interests of other clients.

*Mr. Turton* and *Mr. Leith* replied, and contended that this was a case of negligence on the part of the attorney, who ought not to have undertaken to act where the interests of his clients clashed. *Mr. Leith* cited a case in 7 *Mod. Rep.* 47, wherein it is held that an attorney may not act for both sides even with the consent of both parties.

The rule absolute was moved on Friday, and the Court, after hearing counsel, took time to consider.

*The Chief Justice* now pronounced his decision.—This certainly is a case of very considerable importance to the public on the one hand, and to Mr. Hedger on the other. The rule applies, first, that the attorney shall answer the matter in the affidavit, and secondly, that he shall shew cause why he should not pay over Rs. 9,000 to Lolljee Mull. I think it right to say with reference to the first matter, that is, an answer to the affidavit, that, so far as any misconduct or want of integrity is imputed to Mr. Hedger, he has given a satisfactory answer to the Court. As to the other point, whether Mr. Hedger ought to pay Rs. 9,000; it is a question not involving his integrity, but simply, whether the case, as stated in Mr. Hedger's own affidavit, (to which we look for as it is the last sworn, we discard all that is contained in that of Loljee Mull,) is not one on which the rule ought to be made absolute. After giving the facts much consideration, I am of opinion that the rule ought to be made absolute; that Mr. Hedger must pay the Rs. 9,000 and that he must pay the costs of this application. The ground is shortly this:—Lolljee Mull thought his debt was to be discharged from the fund paid by Ameenuddeen to Rajchunner Chowdry; Mr. Hedger, being attorney both for Lolljee and for Rajchunder, was aware of the whole proceedings in the equity suit, and of the writ of *fieri facias*, including the compromise and the payment of the money. Now in what situation has he placed himself with reference to all these parties? He was attorney for complainant and defendant; true it is, there was no formal action, but judgment confessed. His client instructed him. Mr. Hedger swears not to proceed on the writ of *fieri facias*, because the other party was about to come to a compromise. It is not stated at what date Mr. Hedger received these instructions from his client. On the 21st of March, however, he was informed that Rajchunder would not comply with the terms of Lolljee and pay the debt out of the fund to be received. Now what was Mr. Hedger's duty at that time as attorney for Lolljee Mull? It was to seize the money in the hands of Ameenuddeen. It is said, the money was in the hands of one Sill and could not be seized. On the following Monday, however, it came into Mr. Hedger's own hands, and then he took his costs, and handed over the remainder to Rajchunder. Now what was his duty at that time as attorney for Lolljee, independent of his duty as attorney for Rajchunder, which we cannot look at here? It was his duty to have seized the money for Lolljee. It is said that Prussonnocoomar Tagore, a client of Mr. Hedger's, had a bond and warrant, and that Mr. Hedger could not have seized the money without interfering with the interests of Prussonnocoomar: but an attorney must not put himself in an equivocal situation in which the interests of his clients clash. It is quite clear that he was not himself in that situation; he was attorney for Rajchunder, for Lolljee, and for Prussonnocomar; and he secured his own claim for Rs 7,000, a large proportion of the amount received, leaving only Rs 2,000 due to him. It is on this ground that we decide. I think it right to say there is nothing to affect the honesty of Mr. Hedger's character. You may look at it in the light of two innocent parties, and the question is which should suffer? Clearly, he who had the most skill. There can be no doubt that Lolljee expected to receive the money from Rajchunder; that is satisfactorily shewn in the affidavit. We decide that Mr. Hedger must pay the Rs 9,000 and the costs of this application.

*Mr. Justice Grant.*—I have considered this case with the most careful and the most painful attention, and do not think we ought to attribute to Mr. Hedger any intention which can or ought to affect his character. I cannot look at the case as a mere mistake; but a negligence of duty arising from his having improvidently placed himself in a situation in which he could not act for one client without interfering with the interest of another. I may add, however, that it would have been more satisfactory to me had Mr. Hedger explicitly answered that part of the affidavit that charges him with a knowledge of the Bengallee note at the foot of the agreement. If he was acquainted with that agreement between Rajchunder Chowdry and Lolljee Mull, he was placing himself as a trustee for both parties by receiving the money, and was bound to see that each party fulfilled the agreement. But if not acting as a trustee, he was the attorney for Lolljee Mull, and by the case very properly cited by Mr. Leith, from 7 *Mod. Rep.* it is clear that he was acting contrary to his duty, in acting as the attorney for another whose interests were conflicting. It is perfectly clear that it was not his duty to consider what might be the wishes and desires of Rajchunder, however praiseworthy they might be; and it was still less his duty to consider what might be the wishes and desire of another creditor, for he was not there to make an equitable adjustment amongst them. I regret that a gentleman of Mr. Hedger's respectability should have placed himself in this situation, but I only regard it as a civil consequence arising out of the situation of the parties, and not as imputing any want of integrity.

*The Chief Justice* cited *Exparte Bayley in re Harper* 6 *Barn.* and *Cress.* rep. as an authority exactly in point as to the ground on which this case has been decided: and also as an authority that where the money could be recovered in equity, the Court is in the habit of making the order on motion. The following is the marginal note:—

"A party was articled as a clerk to one of two attornies in partnership, and paid a premium and acted as clerk to the two partners for two months, when the attorney to whom he had been articled died: the Court ordered the surviving partner to refund a portion of the premium, although at the time of the payment of such premium his partner was indebted to him, and the premium had

been set off in account between them. *Lord Tenterden* said, I am of opinion that this case is not to be decided by any strict rule of law. The Court exercises a jurisdiction over attornies, and that is to be exercised according to law and conscience and not by any technical rules."

*Mr. Advocate-General* hoped the Court would take into consideration the fact that, Lolljee at present held a mortgage on the property of Rajchunder to the extent of Rs 5,000, and that another execution had issued.

But the Court made no reply.—*Ibid.*

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TUESDAY, JULY 7.

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*Lackersteen and others, v. Rostan and others.*

By a decree in the suit, on the 15th January, it was referred to Dr. St. Leger, Vicar Apostolic of Bengal, to make an award on six several points:

First,—The qualification of persons now entitled, or shall hereafter be entitled and admitted to vote as Roman Catholic inhabitants of Calcutta, at the election of Vicar, or Wardens, of the Church of *Noso Senhora De Rozario.*

Secondly,—The qualification of persons entitled to be elected as Wardens.

Thirdly,—As to the measures to be adopted for the better security of the funds of the said Church.

Fourthly,—As to the qualification of persons to be elected to the office of Trustee of the said funds.

Fifthly,—As to the payment of all sums due to the Rev. Fre Antonio De Santa Maria, the vicar of the said Church as well for salary, as for expenditure and disbursements to the poor, and for other objects connected with the church and charities, and charitable institutions connected therewith, and also, as to the payment of the costs of the several parties to the original and supplemental suit, and to award and finally determine out of what fund, and to whom, when, and in what manner, the same shall be paid.

Dr. St. Leger having made his award, it was brought into Court for confirmation, and the case was set down for final decree.

*Mr. Advocate-General,* counsel for complainants, had been engaged in this suit for some years, and he took some credit to himself, for having said from the commencement that it would either go on for ever or come to some amicable arrangement. Fortunately, when Dr. St. Leger came out, the differences between the several parties had been referred to him by the Court, and he having made an award satisfactory to all parties, the decree would be taken on consent in the words of the award.

*Mr. Clarke* observed, that the decree was to be taken on consent, and he would take this opportunity of doing justice to Dr. St. Leger. The parties to this suit had for years been actuated by violent animosities; every attempt at reconciliation had failed, and their disputes had been carried on within the pale of the church itself; but now, through the influence of Dr. St. Leger, all parties were reconciled, and his award had the rare merit of meeting with the approbation of all the legal litigants and yet securing the objects of the charitable donors.—*Ibid.*

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FRIDAY, JULY 10.

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*Gee v. Turner.*

This was an action to recover damages for criminal conversation with the plantiff's wife. Defendant was recently a clerk in a mercantile establishment in this town—plaintiff about two years since carried on business at Cawnpore, as a wine and provision dealer.

*Mr. Clarke* opened the pleadings.

*Mr. Advocate General* stated the case for the plaintiff. This is an action brought against defendant to recover damages for adultery with the plaintiff's wife. Mr. Gee is a tradesman in an extensive business, and some time ago carried on trade at Cawnpore. There he married his present wife; there she bore him five children, three of whom are now alive to lament the necessity he is under of bringing this action. About two years ago plaintiff left Cawnpore and came to reside in this town which has since been his place of residence. Defendant came to Calcutta in February, 1834, and resided, in the first instance, with a family named Dunbar, whith whom he had lived during his minority; he is now about twenty-seven. Mr. Dunbar had been for a number of years intimate with the family of Mr. Gee, and this circumstance, of course, led to an acquaintance with Mr. Turner, who was invited to the house of the plaintiff. There he went, and afterwards, a greater degree of intimacy having taken place, he became a frequent visitor; and there he has not thought it consistent with his notions of gratitude to commit adultery with the wife of the man in whose hospitality he has so frequently participated. In actions of this nature he (the learned counsel,) was aware that it was a frequent habit to set forth in glowing colours the beauty and accomplishments of the woman whose departure from the paths of virtue the plaintiff had to regret. He never, even in his early days, was very much addicted to flowery imagery, and his predilections did not increase as he advanced in life. He had, therefore, made no enquiries as to the woman's beauty or accomplishments, but he had found that she had been for thirteen years the wife of the plaintiff; that she was the mother of children now at an age to require her care, and that by the act of the defendant she had been prevented performing her duty eitheir to their children or the parent of them. Amongst these children was a young lady aged thirteen, a time of life too early for marriage, even in this country, where, as the Court are aware, marriages take place much earlier than in England. This young lady was receiving her education at a school in Chowringhee, there she passed most of her time, but she came home on Saturdays and Sundays, and at those times the defendant made a point of being present, paying her every possible attention, such as led all to believe that at no distant time those attentions would ripen into an union of more permanent duration. This he, the learned counsel, thought was the strongest part of the case, where, under the mask of friendship, defendant had partaken of the plaintiff's hospitality, and under the pretence of making advances to the daughter, had concealed his intention to commit adultery with her father's wife. The particulars were few but conclusive. In January last Mrs. Gee miscarried, and, in consequence, lived apart from her husband; she continued for some time indisposed, but when she began to recover, she went, as is usual in this country, for a short time on the river, accompanied by the family of a friend. When she came back she refused to return to her husband's bed, declaring that she would sleep separate, and in another room. True it is, that the room she slept in is the one adjoining to that of her husband, but it is also true that there was a lock on the door, and a private staircase by which any person might have access to her without discovery. This room was formerly used for the children, but they were removed in order that Mrs. Gee might experience the convenience of it, and there she continued to sleep until May last. It was not known how long the criminal intimacy existed, how it began, or where it was carried on, but in May last a circumstance occurred which put it beyond all doubt that the plaintiff had been disgraced. In the house of Mr. Gee resided two gentlemen of very great respectability, a fortunate circumstance for this case, for they would be adduced as witnesses this day; and he, the learned counsel, would not be exposed to the charge which might have been otherwise put forth by his learned friend, of bringing no persons forward as witnesses, but hirelings or discarded servants. One of these gentlemen is Mr. Davis, who has resided with Mr. Gee since he came to Calcutta, and the other is a Mr. Carey, a son of the gentleman who was well known as the principal missionary at Serampore, where also Mr. Carey's family resided, and whither he was in the habit of returning on Saturdays and Sundays, but the rest of the week he resided at the house of the plaintiff. On the night of the 28th of May, or the morning of the 29th, for on this point these gentlemen differed, they received a message from Mrs. Gee, desiring them to come up stairs, where they immediately went. But he, the learned counsel, should state that previously to this,

Mr. Gee had gone into his wife's room and requested her to return to her former apartment, upon which she made a considerable noise, and having sent the bearer down for Carey and Davis, told those gentlemen, on their coming up-stairs, that her husband had been behaving very violently, and had threatened to kill her, and declared that she would quit the house. From these gentlemen the Court would hear the manner,—the unaffected surprise—with which the husband heard this accusation. These gentlemen gave no credit to her assertions, and they did what was their duty if they believed the plaintiff innocent, though not their duty if they believed him guilty, they urged her not to leave the house, telling her that circumstances which take place between husband and wife in private ought not to be divulged, and that if she left the house at that hour it would be a reflection for ever on her private character. However, she persisted, and ordered the carriage to be got ready, but this Mr. Gee refused to allow. At length she suffered herself to be pursuaded, and remained at the house during the following day, but on the evening of the 30th May, when Mr. Gee returned from his ride, he discovered she was not at home. Enquiries were instantly made, and on the following day he learned, that she had thought fit to go to the house of the defendant, where she had remained from that time till the present. Now he, Mr. Advocate-General, was aware that his learned friend was instructed, that Mrs. Gee was expelled the house, and fled to the first place she could find, and that defendant, forsooth, could not refuse her an asylum. There was no doubt that she had been well schooled, and that this was the original arrangement; that she might appear unwilling to leave her husband's house, but that a regard for her own life made the step inoperative, and, therefore, she was justified in taking refuge where she could. If these were his learned friend's instructions he must say a case of greater aggravation, a deeper infliction on the feelings of a husband he had never heard, for what would the Court think, when he adduced evidence that for months before the event he had just related, the criminal intimacy had occurred, and had been continued, nay, that defendant had boasted that the child of which Mrs. Gee had miscarried was his own? It would also be proved that the defendant was in the habit of visiting Mrs. Gee, in the most extraordinary way, habiting himself on those occasions in the dress of a common Chinaman, apprehending, perhaps, that it was a disguise, the baseness of which corresponded with the baseness of his design, for that by this means he did carry on an adulterous intercouse with this woman for a very considerable time appears too certain. He, the learned counsel, was quite aware that he could not now urge these facts with a view to vindictive damages. Our fathers were not so nice, but recent decisions established that the amount of damages was given not with a view of punishing the offender, but of pointing out the greater degree of injury sustained by the husband. But looking at the breach of friendship and hospitality,—the attempt to impute to the husband's conduct the necessity of the elopement,—the conduct of defendant towards plaintiff's daughter,—he did not think that there ever was a case of adultery, he would not say involving more important circumstances, regarding the parties' rank in life, but one more injuriously directed at the happiness and character of the husband. One word more with reference to plaintiff's sister Mrs. Poulson. She was in Court, and he took it for granted, would be examined by his learned friend who had subpœnaed her. He took it for granted that defendant had not made his learned friend the unknowing instrument of practising a deception on the Court, and that, as the witness was present, he would seek that testimony which he had appeared desirous to obtain. If so, he, the Advocate-General, supposed, he should have another opportunity of addressing their lordships, but if not, the Court would consider the application for her attendance only as one link in the chain of falsehood and deceit which extends throughout this transaction.

*Ramcoomar Ghose and Mr. G. E. Hudson,* proved the jurisdiction. The latter deposed, I went to defendant's house on the 31st of May, saw defendant and Mrs. Gee on that occasion. I enquired what had induced her to leave her husband's house, and I informed Mr. Turner, that Mr. Gee was about to bring an action against him. He replied the sooner the better. *(Cross-examined.)* I did not ask Mrs. Gee to return to her husband; I enquired if he had no wish to return, she replied that she had not. I also enquired if she had no wish to see her children, but these questions were not put by desire of Mr. Gee. *(Re-examined.)* I had at that time instructions to commence proceedings from Mr. Gee.

*Thomas Watkins* deposed. I am a member of the firm of Watkins and Cliff; I know defendant; he resided with me, but left my house on the 30th of May. Had conversation with defendant regarding Mrs. Gee, when he told me that she was residing with him in Creek Row, and that she came there on the night of the 30th May. Had some conversation with defendant five days ago: he told me it was known to all the servants that the child with which Mrs. Gee miscarried was his. Gee's house is about thirty yards from mine: defendant used to pass his evenings there, returning home, sometimes, so late as half past nine. Never heard from him that he had been there at a later hour. Defendant, when at home, wears a China jacket, such as Chinese of respectability wear at Canton, but I am not aware that he went to Gee's in that dress. I was thinking of leaving Calcutta about the latter end of May last, defendant was to accompany me up the country. We made purchases for that purpose, but the project was delayed partly on account of this elopement. *(Cross-examined)* Defendant was in the employ of a mercantile house here, first at 52 ~~Rs~~ then at 64 ~~Rs~~ per mensem, but resigned his employment four days previous to 30th May. *(Re-examined.)* Believes defendant has some money, but don't know how much. He told me "his girl" would go up the country with him, and I believe he alluded to Mrs. Gee.

*Mrs. H. Dessa* proved the marriage of plaintiff and his wife at Cawnpore in 1822. Witness accompanied Mrs. Gee to Church on that occasion. *(Cross-examined).* At that time plaintiff was about forty, Mrs. Gee was more than fourteen but not fifteen; she was quite a child in age, but a fine bulky young woman in appearance. Saw them three years afterwards. Don't know Mr. Turner or Mrs. Poulson. Was acquainted with Mrs. Gee's mother and father: he was an European merchant, and is since deceased. Her mother was born in this country. Major Owen was present at the ceremony, so was Mr. Foley of the Custom House, Cawnpore. *(Re-examined by Mr. Clarke.)* I saw Mrs. Gee three days previous to the ceremony, she seemed very happy, and I was the person she chose to dress her.

*Mr. John Davis.*—I am a tradesman; my place of business is at Benares where I have resided for nineteen years. I arrived in Calcutta, on the 18th April last, and have since that time resided at the house of Mr. Gee. I have seen Mrs. Gee on three occasions at Benares, and since I came to Calcutta. Plaintiff has two daughters and one son. Seen defendant since my arrival. Plaintiff's eldest daughter is at Miss Fulton's school in Chowringhee, but she used to come home on Saturdays, remain there during Sunday, and return on Monday, and she remained a week at home during Easter. Defendant was regularly at Gee's to dinner on Saturdays and Sundays, and, as I thought, paid particular attention to Miss Gee. I considered the seat next to Miss Gee as the one which Mr. Turner usually took. He paid much attention to the young lady, so much that on one occasion when he was sitting between the mother and the daughter, I thought it right to rise and proceed to the extremity of the verandah. On the night of the 28th or morning of the 29th May, the sirdar bearer awoke me, saying Mrs. Gee wanted to see me. I was taken by surprize, but I put on my trowsers and gown, and being joined by Mr. Carey, went up-stairs to the upper-hall. We found there Mrs. and Mr. Gee, the former said the latter had threatened to kill her. I said it was impossible, and that it was a family dispute in which strangers ought not to interfere. Plaintiff declared that he had never made use of the expression. I did not hear him use any harsh expressions. Saw Mrs. Gee the next day, Friday, and went out in the evening to ride with the plaintiff: we returned at eight o'clock, when we found Mrs. Gee had gone out, leaving word with the servant that an European lady had called for her in a carriage with two bay horses. She did not return that night, and at my suggestion, no minute enquiry was instituted. The following morning

we made further enquiries, and on Sunday Mr. Hudson and myself had an interview with her, in a house in Creek Row in the presence of defendant. They were sitting near each other, at a circular table. She asked me if I was not aware that her husband had threatened to kill her. Plaintiff and his wife lived together as married people usually do: his conduct was that of an affectionate husband. (*Cross-examined.*) Don't know if plaintiff and his wife frequently quarrelled: there appeared to have been a dispute in the morning. Plaintiff told me that he called his wife to come to his bed, and that she replied "no, you will kill me," and he answered "impossible."

*Dr. Jackson* deposed that he attended Mrs. Gee on several occasions, one of which was, a threatened miscarriage in January last. Family arrangements induced witness to leave Calcutta about that time, and on his return he was informed that Mrs. Gee had miscarried. Witness saw her afterwards. On all occasions Mr. Gee's conduct was affectionately attentive (*Cross-examined.*) Witness has seen Mr. Turner about fifteen months since, his appearance is that of about 25 years of age.

*Dr. Graham* deposed that he attended Mrs. Gee for a few days during the absence of Dr. Jackson, thought plaintiff's conduct particularly kind and attentive.

*Mr. Jabez Carrey* deposed as follows. I am a son of the late Dr. Carrey, and know both Mr. and Mrs. Gee. I first knew Mr. Gee in 1819, but have been particularly intimate with him for the last five months during which time I have resided at his house. Remembers the 30th May; there was a dispute between plaintiff and his wife, one complaining of the other, and Mr. Davis and I were called up. I do not think Mr. Gee spoke harshly. I have not seen Mrs. Gee since. Plaintiff's conduct to his wife was kind and affectionate. I know Mr. Turner, he was a frequent visitor at Mrs. Gee's during the Easter holidays. There was a freedom between him and Miss Gee, which I, as a parent, would not have permitted. He used to speak to her and sit close to her. (*Cross-examined.*) I have heard defendant was a clerk, but never that he was in the habit of making presents to Mrs. Gee. I was present on one occasion at a dance, but don't know if the music was paid for by defendant. Plaintiff is boisterous and loud in his manners; don't recollect having advised him to be more moderate. I know Mrs. Poulson: saw her two or three days before Mrs. Gee left her husband; have heard she was present at the time of the miscarriage. There are people in Calcutta who have lived as servants in the family during the last two years. There were two Portuguese women when I first went there. A cook and ayah have been examined at the attorney's office; also a young Malay woman. Never heard that plaintiff had seen Turner in bed with his wife. The Malay woman did not so state it. I acted as interpreter, and was present when she was examined. She stated that her master came into the room and conversed with Mrs. Gee, but the purdah was down. I do not know that plaintiff and his wife have not occupied the same room for the last year. The Malay woman did not state at the attorney's office that plaintiff called out to his wife on one occasion. "What noise is that which the bed is making?" &c. &c. The two bed rooms adjoined. Mr. Gee appeared very happy with his wife; she did not appear so happy. Plaintiff has felt much since his wife went away; I thought he would have lost his reason.

*Munno Ayah* deposed.—I came from Cawnpore with Mrs. Gee about two years since; she brought three children with her. At first plaintiff and his wife slept in the same room and in the same bed; I slept in another bed with the children in the next room. The door used to remain open. But when Mrs. Gee became unwell she slept in the children's room on a couch. The musquito curtains were dark. After the miscarriage, Mrs. Gee remained ill for twenty days, then she rose, walked about, and came to the table. A short time after she went on the river, Mrs. Favier being with her, and she remained away two or three days. I know defendant. He used to come to the house on Saturdays and Sundays and sometimes during the week. I have seen defendant in Mrs. Gee's room. On one occasion, after nine o'clock, Mrs. Gee retired to her chamber, undressed herself, having first fastened the door, bolted it and locked it. After she had undressed herself she directed me to retire. I did so, and she shut the door after me. After I quitted the room I looked through some venetians that opened into the bathing room, and I saw the defendant in a Chinaman's dress, sitting close to Mrs. Gee, who had her usual night dress on. Defendant used to come up the back stair case. Mrs. Gee did not then sleep in the same bed with her husband. It is about three months since this circumstance took place. She had her night chemise on, nothing else. I did not look on for any length of time, but retired to the children. Defendant remained there the whole night. I saw him go away on another occasion down the back stair case. On another occasion, when the door was ajar, I entered that room, Mr. Turner and Mrs. Gee were close together; they started and I retired. This was after nine o'clock; they were on the couch on which she slept, and she had only her night dress on. She shut the door, and locked and barred it. I know she received chits from defendant which she tore and threw away. (*Cross-examined.*) I was dismissed by Mrs. Gee; my husband was turned away at the same time; he had seen the durwan take a box to Turner's and he had remonstrated. The durwan communicated this to Mrs. Gee, and she dismissed us. The morning after the elopement I was desired to attend, and Mr. Gee asked me, if I knew where Mrs. Gee was. After this, plaintiff's sister addressed me, saying "Ayah, speak the truth, and say who used to visit Mrs. Gee—did not Turner come? Did not letters come from him?" To which I answered Turner did come, and letters came. Plaintiff and his wife did not go out together, she went in the chaise, and he went in the buggy. They slept together until the miscarriage, after which they never slept together. Plaintiff sometimes came into his wife's room, sometimes when she has been undressing, and after conversing with her for a short time he would retire, when she would shut the door. This was at the time she had recovered her health. They used to have quarrels, but on those occasions she used to speak in a loud voice, while he used to look so,—and hold his tongue.

*Dr. Daunt*, H. M. 44th Foot, deposed, that he attended Mr. Gee's family when at Cawnpore, and that he never saw any person manifest greater anxiety for his family during their illness than plaintiff.

*Francis Favier*, deposed, that he had known plaintiff for twenty two years, and Mrs. Gee since 1831. Always thought that they lived affectionate and happy together. (*Cross examined*) Mrs. F. did not visit the Gees much, but they were on visiting terms. Did not know that there were frequent bickerings and quarrels between plaintiff and his wife. Thought that these quarrels were chiefly owing to her temper. Knew she had one hundred rupees per mensem allowed her for the house expenses and for the horses, and that some land settled on Mrs. Gee, was sold by plaintiff. Mrs. Gee executing the conveyance a little out of temper.

This was the case for the plaintiff.

*Mr. Turton*, with whom was *Mr. Grant*, addressed the Court at great length on behalf of the defendant. The learned counsel stated that it was impossible to deny the main fact of the case, but in extenuation, strongly urged the disparity of the ages of plaintiff and his wife; their living apart, since January after the complete recovery of health, and that Mrs. Poulson, the most intimate acquaintance of the family had not been called on behalf of the plaintiff. Mr. Turton then commented on the opening of the case by plaintiff's counsel, particularly that part of it which noticed the appearance of defendant in the Chinaman's dress, and on the alleged attentions paid to plaintiff's daughter, a child of twelve years age.

*The Court* gave a verdict of damages Rs. 400, stating as the grounds that it was proved beyond all doubt that plaintiff was much attached to his wife, but that there did appear a carelessness in his having lived apart from her after the complete recovery of her health, and that some weight was to be attached to the argument of Mr. Turton, regarding the want of Mrs. Poulson's evidence. Besides it was not shewn that defendant was a man of large property, and the Court must bear in mind that he could not be discharged from the damages under the insolvent act without undergoing a certain period of imprisonment. But on the other hand, the children were

deprived of their mother, and the Court must not hold out that because a man is poor, he may offend with impunity.—*Ibid.*

MONDAY, JULY 13.

*Heatley v. Melville.*

This was an issue directed by the Court.

*Mr. Clarke* opened.

*Mr. Advocate-General.*—Their lordships have heard that the only question for trial is whether a Company's paper for Rs. 35,000 was given or not by the late Mr. Frazer to his wife. The consideration of this question, stript of all possible legal investigation, appears very simple, and so it is, but notwithstanding, the court would excuse him, the Advocate-General, stating as shortly as possible, the circumstances connected with it. In April, 1823, Mr. Fraser, a gentleman very, very far advanced in years, married Miss Gold, aged 33, then in the Orphan School establishment, where not only are the children of officers, pupils during their infancy, but continue until they think fit to remove, or are provided for in some other way. The rule of this institution is, that any orphan who marries with the consent of the directors, is entitled to Rs. 2,000, when her husband is expected to place in the Bengal Mariners' and Widows' Fund. At the time this lady was married, she had that sum, as others have had before, but her husband was too far advanced in life to be insured in the Fund, and he thought proper to settle on the lady Rs. 25,000, the interest of which would have produced Rs. 80, per month, about the sum she would have been entitled to receive on the death of her husband had the amount been placed in the Widows' Fund. The marriage took place, the settlement having been previously drawn up, though not previously executed,—but of that he did not complain, for it was executed a few days after the marriage took place, and no doubt it was clearly obligatory, and as clearly vested the property, as it had been executed the day before the marriage took place. But a few days afterward,—and looking at probabilities this fact was of importance,—Fraser added a memorandum to that instrument, by which his wife was held excluded from all dower, to which, nothing can be more clear, than that she would previously have been entitled. However, they went on, and lived together in a tolerably comfortable way, considering the difference of age, and perhaps there would have been no difference whatever but for what he was about to state. Mr. Fraser had five illegitimate children, to each of whom he had given Rs. 25,000, and to one Rs. 30,000, a very large sum when it is considered what was the amount that he settled on his wife. As he, the Advocate-General, said before, it appears that Fraser and his wife led a tolerably comfortable life, but the cause that embittered all was these natural children who were constantly interfering with them. They lived together, till 1832, at which time Fraser was very near eighty four years of age, when, in April, if he, the Advocate-General, recollected right, Fraser was seized with apoplexy on the 13th and died on the 16th. Now long before this he had been considering in what manner he should provide for his wife: he knew, considering his fortune, which amounted to two or three lakhs of rupees, that she was very inadequately provided for, and that Rs. 25,000 was not that to which she was justly entitled; indeed, it is plain that if all the children had been legitimate instead of natural, that she would have been entitled to something more. Accordingly their lordships would find, Fraser had intended to lay out Rs. 42,000 on a house intended for Mrs. Fraser. There was no doubt whatever of that part of the case:—there was one piece of evidence on which there could be no doubt at all, which set forth that sum in his handwriting, "for improving Nancy's fortune." About fifteen or sixteen days before his death or before he was taken ill, Fraser came home bringing with him a box, which box contained, as he said, Company's paper. At this time he had made a will, in which he had left his wife nothing but Rs. 10,000 for life, but though he had done this in his will, at the instigation of his natural children, he had not abandoned all intention of making her a consideration in another way. On this occasion, on his return, he called his wife to him, shewed her the will and asked if she was satisfied with the drawing up of it. She replied, very naturally, that she could not say she was, for that she was his wife, and entitled to his first consideration; and though he was their father they were natural children only. He answered, he did not like to alter the will as it would cause a disagreement in the family, but showing her a Company's paper, he said, "I will give you this Rs. 30,000, which will do as well as if you had been in the will.' Now he, Mr. Advocate-General, could urge that this was clearly a gift in contemplation of death; but this was not the time for such argument. He might, however, mention, that the reading of the will would be a strong fact in favor of such being the case. However, he, the Advocate-General, would not go further on that point; he would go to another part of the case. At the time Mr. Fraser came home on the 16th April, he was taken with a paralytic fit, and Mrs. Thomas Fraser, the wife of one of his natural sons, was present. Fraser was looking about as if he wanted something. Mrs. T. Fraser said, "I think he may be inquiring for the Company's paper,' on this Mrs. Fraser brought it, he took it into his hand, and immediately returned it, squeezing it into Mrs. Fraser's hands, and denoting, by his gesture, as well as he could, that it was her property: a watch being brought, he looked at it, and afterwards seemed satisfied, it being clear that it was the watch he wanted in the first instance. Now it was singular how Mrs. Thomas Fraser became aware that this Company's paper was in her, Mrs. Fraser's possession. In the Bill of Complaint it is set forth that Fraser, went to the almirah, as it is called, clearly showing that he thought the paper was there, and that he wished to see it: and this clearly confirmed his, Mr. Advocate-General's statement, that Mrs. Thomas Fraser was present, because from what other source could they have learned that the Paper was in the keeping of Mrs. Fraser? This paper was afterwards sent to Mr. DaCosta, a gentleman whose evidence their lordship's would hear, and when they heard from that gentleman a confirmation of the account of constant hostility experienced by Mrs. Fraser from the natural children, their lordships would not feel any degree of surprize that she should have conveyed the paper to where she believed was a safe place. Mr. DaCosta would swear the paper was endorsed on the 13th April, and Mrs. Heatley would swear it was so in the beginning of that month. Therefore, as to the endorsement, this evidence was conclusive. But will it be set up that this endorsement is a forgery? If so, he, Mr. Advocate General, would ask whether it was committed before or after the death of the party? That it might have been done after death was not entirely improbable, but it was quite so that it could have been done subsequently, because the party might have recovered and said, "this signature is not my own." It were wasting time to suppose for one moment that it could be a forgery in the life time of Mr. Fraser; and that he had written the endorsement was manifestly clear; but he, Mr. Advocate General, could not very clearly prove the writing of the endorsement, though several would swear to the hand-writing. He said that he could not clearly prove, because the witness Susan was dead, but she had given evidence to that fact before the Examiner in Equity. Under those circumstances it was clear plaintiff was entitled to a decision from the Court. He was not now to argue to the Court that the paper was a *donatio causa mortis*. He was not going to investigate that point now, but in his humble opinion, looking at all the circumstances, the reading of the will, the returning the paper by Fraser to his wife with gestures denoting that she should keep it, there could be no doubt that it was a gift in contemplation of death. The gift, the name on the paper, it being there during Fraser's life time, all that would be before the Court. So much for positive facts supported, by positive evidence, now let him look to the probabilities. Was there anything impossible in the gift from a gentleman who intended to increase his wife's fortune by Rs. 42,000, but who was diverted from the attempt,—diverted, too, by his illegitimate children, and after his wife had been deprived of dower?—The facts were in his client's favor and the probabilities also.

*Shaik Ramjaun* deposed. Was in the service of Fraser four years before his death, as his sirdar bearer. I took care of clothes, papers, and money that he brought home. He died three years ago, very old, perhaps 100. I remember the Churruck Pooja of that year. Fraser was deaf and his wife was obliged to speak loud to him. Six-

teen or seventeen days before his death he had gone out, when he returned, he put a tin box into my hand, saying "take care, it contains Company's paper to a large amount." He was rather weak. I led him up-stairs, leaving the box on a table on which he wrote. He sat on a chair while I undressed him. He opened a tin box and took a paper out of it which had an impression upon it above, like this, but not like this (B. A. Company's paper) below. I did not examine the paper particularly: it had two impressions, like this, one above and one below. Fraser sat there and desired me to call his wife. He had a pen in his hand, I don't know whether he wrote with that pen. Mrs. Fraser and Susan came: she spoke to her husband in English. He rose from his seat and gave the paper into the ma'am's hand, saying something in English. She took the paper and went into her own room, accompanied by Susan. Fraser said to me, "observe I have given to ma'am a paper of this quantity of money (holding out his hands) valued ~~Rs~~ 30,000. He desired me to call the ayah, she came, and he said, go and compose the ma'am. I have given her a Company's paper for ~~Rs~~ 30,000;" telling us not to mention it to any body, for if Mrs. Ryley knew of it she would quarrel immediately. Mrs. Ryley is Mr. Fraser's eldest daughter. I have forgotten the ayah's name, she died before Mr. Fraser. I saw that paper when Mr. Fraser was taken ill. On that occasion he directed me to get the palanquin ready, which I did. He desired me to bring a bottle of liquor; I did so, and on my return I met Susan on the stairs, who told me to run, for master was taken ill. I ran into the room with Susan, where I found Mrs. Fraser, and the wife of Mr. Fraser's eldest son. I went close to Fraser; he was turning up some books, but was unable to speak. Some conversation passed between Fraser and his daughter-in-law, when his wife went into the room and brought the paper. Fraser looked at it, and made an exertion to speak, closing the paper, when it was open, in her hands. Some conversation passed between his wife and Mrs. T. Fraser, the latter desired that the watch might be brought, Susan brought it, and put it into ma'am's hand who gave it into Fraser's, he pressed the spring, opened it, looked at it, and gave it back to ma'am. Mrs. T. Fraser quitted the room, so did I for the purpose of getting some hot water, the children came in, and a short time after Dr. Halliday arrived. All the children came except James. Fraser died four or five days afterwards. Susán Jane died. The children remained. I attended Fraser during his illness, so did Longham, Jack, and Mrs. Heatly. *(Cross-examined).* I live in the Bow-Bazar, am no body's servant. Heatley sent a note for me and I came. I went to my home after the death of Mrs. Fraser, I resided with her at the time of her death. Susan was no relation, but Mrs. Fraser had taught her to read; I don't know where she came from. When Fraser took the paper out of the tin box, he had a pen in his hand; he then desired me to call the ma'am. I did not see him write. He was not able to write on the last occasion; his speech was stopped. The ayah died before Mrs. Fraser. I guess it was about two months and a half. I cannot remember the ayah's name; I don't know an ayah named Begum. I don't know Mrs. T. Fraser's ayah. She used to change her ayahs. I could speak to the person of the one she had at Fraser's death. (Ayah produced) this is her; she was living at Collingha with Mrs. T. Fraser, when the paper was first given. On the second occasion Fraser had not been out. Fraser was a little deaf, we spoke a little loud. His wife spoke to him in English; there is a great difference in the sound of language when people are quarrelling. I could not discover whether they quarrelled or not. The ayah that is dead was an older servant than I am; she was, I think alive when we were before the Examiner. I do not know what was Fraser's reason for telling the ayah to go and compose her mistress after he had given the paper. I am quite certain he took out that Company's paper, and took a pen in his hand before he had on that occasion seen Mrs. Fraser. I do not know whether he had been to Fergusson and Co.'s that time. Futti Mahomed was not in his service at this time. Budderadeen was. Futti Mahomed was in the service of Mr. T. Fraser. Kerandee came into service two years after I did; I don't know the fact, but I have heard from Fraser that Kerandee had been in his service before. There had been no quarrel between Fraser and his wife, the day before, and there was no quarrel on the day of the gift. *(Re-examined.)* Susan spoke a few words in English, I don't know if she could speak Bengalli. I had holiday during the Churruck Poojah, so had the other bearers, the pattee did not go out on the day the bearers had leave of absence.

*Sophia Heatley*, was the wife of plaintiff, was called and put into the box, but Mr. Turton objected, and the order directing the issue was read, which directed the examination of the witness, if plaintiff or defendant should require it, after her examination in the enquiry suit had been read. The examination was then read.

*Willoughby Da Costa* knew the late Mrs. Fraser, and was one of the trustees to her marriage settlement, which I signed when Mr. Heatley declined to act. It was signed some time after the marriage, some time after Mrs. and Mr. Fraser signed. I knew Mrs. Fraser many years; had a moderate acquaintance with her husband. I always found them well together when by themselves. Mrs. Fraser said in the presence of her husband, one evening in particular, that the children caused a difference. Have considered with Fraser on the subjects of settlement for Mrs. Fraser. On that occasion Mrs. Fraser had left the house; he said he had not been able to persuade his wife to return home, unless Mrs. Tom Fraser left the house. This brought forth a remark from Mr. Betts, "you are a man of fortune, worth three lacks of rupees, you ought to give her one." He denied being worth so much. Mr. Betts took up a slate to show he was, on which Fraser turned round to me and said he intended to leave her the house in Harrington-street, and ~~Rs~~ 200 per month. Fraser lived in this house; it is comfortable; but has been sold. This was in January, 1830. Mr. Betts is now at Berhampore. Saw this (a Company's paper) in 1832. Mrs. Heatley gave it me with a copy of the marriage settlement, and a letter from Mrs. Fraser, requesting it might be kept in safety. The endorsement "James Fraser" was on it then, the 14th April, 1832. Both endorsements were on it then. I swear to that. I don't know Fraser's hand-writing sufficiently to speak to it. *(Cross-examined.)* Knew Mrs. Fraser twenty years before I was made trustee. She begged of me to take the trust that Heatly declined, in order to make a quiet house. I am not aware that it was wrong. I knew that if she had not signed that she would have been entitled to dower. I knew that she was defrauded, but I signed it for one simple purpose. I had nothing to do with fraud. I read the draft of the deed before I signed it. Mr. Parsons was the clergyman at Kidderpore. I read the recital. I learned that dower was the bone of contention, and signed the deed at the request of Mrs. Fraser, to make a quiet house. Mr. Heatley declined to sign it. I cannot say if the dower was barred when Mr. Ponson signed. When Mrs. Heatley brought the paper to me, I put it in my box, where it remained until the 25th, when I gave it to Mrs. Heatley, who said Mrs. Fraser wanted it to submit it to Counsel. I did not look at it in the mean time. But I am sure the endorsement was on it. I can swear to the two names, but cannot swear to the hand-writing. It did not strike me that there was a difference in the hand-writing. Heatley owes me money, a running account, the original was 5,000 on an insurance on his life. It was ten years ago. I don't suppose it is ~~Rs~~ 10,000. I have paid premium and not received any interest for the last two years. I don't think this is Mr. Heatley's hand-writing. The first I heard of the Company's paper was when Mrs. Heatley brought it to me, she said her sister had found Mrs. Tom Fraser and some of the members of the family trying to persuade her servant to open the almirah. I did not ask why she had not given it to her husband. I made no enquiry. I was present at the marriage of Fraser and his wife. Mr. Betts was an acquaintance of Fraser's. They had indigo factories near each other. Betts was positive that Fraser was worth three lacks, the old gentleman said he was not. *(Re-examined.)* I only look at the material endorsement on Company's paper, that which transfers the property, and not that which conveys this interest.

## Tuesday, July 14.

*Willian Davis.*—I am an assistant in the Customs. Knew Fraser for two or three years before his death. Apparently he became weaker as he became older. I

believe I know his hand-writing, and that both of these endorsements (Company's paper produced) are his handwriting. In my own mind I have no doubt of it. I thought from what I saw Mr. and Mrs. Fraser were a fond husband and wife. Had coversation with Fraser, regarding purchase of property in Harrington-street, adjoining his own property. He said he should like his wife to live in that house and have the one he was residing in to rent out. The house he pointed to, is not a large house, nor a small house. I recommended my own landlord to sell the house I was living in; he consented, I told Fraser, who came and looked at the two houses. He said he wanted one to rent and one for his wife to reside in. I believe I told him the purchase would be about eighteen or twenty thousand rupees, but in consequence of my departure for Lucknow, the purchase went off. This was in January or February, 1832. He was at that time able to transact business. (*Cross-examined.*) I went to Lucknow in February, 1832, and returned the latter end of April. I first became acquainted with Fraser, when on a visit to Heatly in 1828, 29, or 30. Complimentary chits passed between us, invitations, at a particular time, when the houses were failing. I recommended him to take ~~Rs~~ 30,000 out of Fergusson's and invest it in Company's paper. He did not express any alarm regarding the fund in Alexander's. (*Company's paper B. produced*) One of the signatures appears more firm than the other, but the characters are alike. (*Examined.*) This document (*O. Produced*) has the signature of Mr. Fraser but the body does not appear to be in this handwriting, I think the figures are. (*Re-examined.*) On the outside of this (*P.*) is the name of Heatley; I don't know who he is. The word "contingencies" is something like Mr. Fraser's. It is, apparently, a mere draft letter, of an introduction by Fraser of witness to Mr. Melville, (*O.*) I don't know when this was written; I saw it first when examined in the equity suit, and I may have have seen P. also. The "important matter" mentioned in the letter to Mr. Melville was an affair of my own. I was indebted to Fraser ~~Rs~~ 1,000, and ~~Rs~~ 500, in all above ~~Rs~~ 2,000. This is not paid, but the executor has been satisfied. I am not to expose my affairs (the Court ruled that the question must be answered.) A native has undertaken to pay; he purchased the notes for ~~Rs~~ 750; I did not know at the time what the amount was that the native paid. It was not with Heatley's knowledge. I was applied to by Mrs. Fraser, who then was residing with Heatley, regarding the paper. I knew Mrs. Fraser, but had no knowledge of Fraser till 1829, when I was introduced by Heatley. To the best of my recollection I first borrowed money of Fraser in 1831. That was not the year in which I was first introduced. I borrowed twice, and have paid nothing. I was very intimate with Heatley. I have heard that the old gentleman came home angry, and that he was in the habit of taking whiskey at Mr. Wight's. Never saw any quarrels between Fraser and his wife. Looking at the signatures on this paper, I believe they are the same character. There does appear a difference in the colour of the ink of the second signature. There is a difference in the head of the "J." in the second signature which is not like the "J." in the first. Some of the letters in the second signature appear to have been gone over. I don't remember having seen his signature in this 'painted form,' as you call it. The dash under the signature is like the "J." and appears to be painted. The up stroke of the tail of the "J." is done with a bad or rough pen, the tail of the "F." appears to have been gone over, and also the final "r." I saw Fraser on the 13th April, he was a weak old man, but did not write a weak hand for his age. I believe this (No. 1) to be his writing. It is clear, and in his ordinary hand. I was not asked to Lingham's wedding. No. 2 appears Fraser's hand-writing; I see no painting or trembling in the hand. (*This letter is dated* "1st, April," 1832, *and the testator adds after his signature* "No Fool." *An Almanac was also produced with testator's signature on* 13*th April.*) (*Examined.*) A word in No. 2 is not well formed, but the letters are firm. The body of No. 1 is not Fraser's; I mean by "painting" going over the letters again, but breaking off and going over again what is badly written. (*Exhibit Q.*) The words "rhumatism foot," are Fraser's; they do not appear to be painted, but with fresh ink, and with a new pen, I mean thick ink, but the words "hides" might be painted; "daughter" is not painted; it is old ink on old paper, "Davis" is not painted but twice formed. In another word the first letter appears to have been gone over three times, the two last letters are blotted and not gone over. I am speaking to the second signature of the second endorsement. I have before sworn it is Fraser's. The top of the "J." is different, but sometimes he wrote that way. S. is Mr. Fraser's signature; there is a break in the top of the "J." which seems to have been formed twice, but is not painted. I negociated a bill for Fraser in 1832. (*Cross-examined.*) "Bruised my leg at 10 o'clock at Mr. Wight's," is Fraser's writing. That may have been the whiskey day, but I never saw Fraser intoxicated at noon. (*By the Court*). After looking at these different papers, I think that the second endorsment is Fraser's hand-writing, and would act on such signature, or consider a promissory note, genuine with that signature upon it.

*R. S. Strickland.* Am agent to Military Bank; was a clerk in the firm of Alexander and Co. for many years. Fraser was a constituent of that firm. I have seen him write previously to Feb. 1831, and have received two notes from him. He wrote feebly. I know the general character of his hand, but should have a difficulty in swearing positively. (*Exhibit B.*) Cannot say if the second endorsement is Fraser's. Mr. Bartlett is the most likely person to speak to the writing, because he was the accountant in Alexander's.

*Abel Bartlett*, deposed. I was an assistant in Alexander and Co.'s; knew Fraser and his hand-writing, (*Exhibit B.*) All his drafts and receipts generally passed through my hands. To the best of my belief these two signatures are his. He was a constituent of Alexander's for thirty years. My brother was at the head of the cashier's department. I was employed for thirty years by that firm. Cannot exactly say what was the balance due to Fraser, at the time of his death: not more than ~~Rs~~ 30,000, (*Cross-examined.*) When the drafts are presented the sircars bring them to the accountant's department, where the signatures are examined, and it is ascertained if there are frauds. I have been in the accountant's department above 10 years. Fraser's hand appears to have trembled when he wrote the second signature, but the character is like the first signature. The "J." and "r." are alike, there is a small difference,—the flourish, it can be taken for the same writing. The "J." is a little stronger and a little longer. One seems written with a bad pen, the other with a better. The two "F.'s" are not exactly alike, yet they may be considered written by the same person. I might not have called the attention of the house to the singularity of this last signature had it been presented. I can't perceive the painting, it is written with a bad pen, and the ink appears a little darker. Heatley has shown me yesterday several of Fraser's letters to refresh my memory as to the hand-writting, but I should have known and been able to speak to the signature without that. My brothers looked at the writing. I have known Heatley a long time. He showed me the letters without asking. My brother Thomas saw the letters. I knew Mrs. Fraser a very short time. Fraser's hand-writting was seldom examined by Mr. Ballard. (*Re-examined.*) Mr. Ballard is at Porto Novo. My brother John has been subpœnaed. It appears to me that some part of the second signature is pale. I believe it to be his hand-writting.

*Thomas Bartlett* deposed. I was in the accountant's department of Alexander and Co. for 29 years. I knew Fraser well, and think I know his hand-writing as well as any body in that office. The checks came before me. I saw his hand-writing till his death, there was a change in it now and then. (*Exhibit B.*) I believe these signatures are in the hand-writing of Mr. Fraser. I saw him shortly before his death, and don't suppose his handwriting was then so strong as formerly. This (S.) is an acknowledgment of his account to April, 1829; his signature is affixed. I cannot doubt that (O.) is Fraser's hand, (P.) the same. (*Cross-examined.*) This is the first time that I have seen B. I am not very intimate with Heatley; have known him since he was in Alexander and Co's. That paper was not shewn me yesterday by Heatley, but several letters were. I perceive a difference in the second signature, but have passed

drafts for thousands of rupees under the same kind of tremulous hand. His writing varied, it was not generally of the character of the second signature, but I have seen it that way several times. One signature was shewn me yesterday by Heatley, which astonished me; there was something particular about the "J." in that signature, but the body of the letter was not in his handwriting. "B." Appears to have been painted. The top of the "A." and the top of the "R." are paler. There is a roughness such as is produced by going over a second time. (*Re-examined.*) About two millions of rupees per year passed through my hands. The ink of this country is not always good. I think the roughness in the signature arises from the badness of the paper and ink. I have no doubt whatever, I would pass that for Fraser's signature.

*Dr. Halliday.*—I attended the family of Fraser until 1832. He was not a feeble man for his very advanceed age. I have often seen him write. I should take that (B.) to be his hand-writing. It is not unlikely that an old man's hand after having been out in the sun might shake more than it would at other times. I went to the Cape, and then Dr. Cameron attended the family. (*Cross-examined.*) I don't think No. 1 and No. 2 are his handwriting. There is a difference in the signature of B. but not sufficient to shake my opinion. If shewn that signature previously to my going to the Cape, I should have concluded he was ill. Fraser and his wife lived in one continued quarrel from first to last; she was a woman of an impetuous temper. He seemed to give way to her. I saw them but occasionally, but they were on decidedly bad terms. But latterly they seemed to be less violent, whether from the strength of parties being exhausted or not I don't know. He frequently complained of her; he spoke of his children with great affection, but not of his wife. I never heard him complain of his children. He never expressed to me an intention of making his wife a present to the extent of ~~Rs~~ 30,000. So long as the epileptic fit lasted he could not have taken the Company's paper in his hands, and returned it to his wife. (*Re-examined.*) The children were not on good terms with Mrs. Fraser. I believe the signatures on B. to be his hand-writing; cannot say what was the cause of quarrel; the children and wife were on bad terms. When Fraser was ill, on one occasion she was particularly kind and attentive, on others she was less so. He was in a dangerous state when she was kind and attentive, but when she was less so, he was not in a dangerous state. Her own health was not good, when she watched him by night and by day.

*Dr. Cameron* deposed. I knew Fraser, and succeeded the last witness in attending the family in January, 1832, and till the time of death. The immediate cause of death was a determination of blood to the head; he had epilepsy. I saw him a week before his death; he was about 78 or 79, and a feeble man. He was then able to go about, and appeared, for that age, as if nothing particular was the matter with him. Mrs. Fraser had an affection of the chest. When I was called in, he was in a fit; I bled him, and gave the usual remedies, afterwards he recovered a little and appeared to recognise his family. I had few opportunities of seeing their manner of living. I found him on the last occasion labouring under epilepsy, about four o'clock on the day, but I have a very vague recollection of the circumstances. My recollection is not so clear as it was when I was examined on a former occasion (*Cross-examined.*) Epilepsy is sometimes caused by the disordered state of the stomach affecting the brain. I should think a person attacked with epilepsy would not be able to take up a paper and give it to another, but in paralysis he might.

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WEDNESDAY, JULY 15.

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*William Bolston.* I am an assistant in the General Treasury. (*B. produced.*) This note ought to have been paid off 2d July, 1832. There was an advertisement in the papers to that effect three months previous to that date. (*Cross-examined.*) I examine the signatures in the Company's paper. I have passed signatures similar to this. Looking at it through a magnifying glass, the second signature seems to vary. The ink seems to be different. The letters "m" and "J" appear to have been passed over. Without a close examination I should pass this signature, but on a close examination I should be doubtful. It appears a traced signature. It might be traced on glass. Otherwise than looking through the magnifying glass, I should think the signature genuine, but looking through the glass I do not. (*Re-examined.*) I think this paper too thick to trace on. Ink varies; if I wrote my signature, and the ink appeared too light, I should stir the ink and go over the signature again. Ink is frequently pale at the top of the glass, but dark at the bottom.

*Eliza Caroline Urquhart.* I was acquainted with Fraser and his wife. I knew her at the time of her marriage and him afterwards. I never heard them disputing. My daughter visited them. I remember a negociation regarding the purchase of some land from Alexander and Co. I had some correspondence with Fraser regarding that negociation. I produce that. It was signed by Fraser in my presence. I produce the correspondence I received from Alexander and Co., they asked a great deal, and Mr. Fraser declined to buy. I told him I could not buy it in my own name, or they would come on me for the money; on this he told Mrs. Fraser to write (W.) and that he would sign. He said that he wanted this land for Mrs. Fraser. He lived in one of my houses for one year after the marriage, adjoining to the house in which I resided. I heard that Mrs. Fraser and the children did not agree. (*Cross-examined.*) I was occasionally at Fraser's house, in the habit of dining and taking tea there; always saw him behave kindly. She was of a mild disposition, I never saw them quarrel; had they done so I must have observed it. I had only this one communication with Fraser, it was on the day the letter was written. I showed him the reply and he gave as a reason for declining, that it was too much money. I have met Jack and Tom at the house; but never saw any quarrels between them; have heard of quarrels from my own daughter, who was more in the habit of visiting there than I was. Fraser never complained to me of his wife. The sum to be given for the ground I don't recollect.

*Eliza Cassandra Urquhart*, daughter of the last witness. I was acquainted with the Frasers from my infancy. I often visited them. Mrs. Fraser's behaviour was kind and affectionate towards her husband. She often complained to me of the children. I was at the house in 1832, and saw her sitting in he room reading the will. I read some part of it to her, and she wrote it out. She had been writing previously. She told me that Mr. Fraser had got it from Mrs. Ryley. I spent that day there. (*Cross-examined.*) I recollect who were the witnesses, and know the signature, but cannot say that I remember the substance of what concerned Mrs. Fraser. I don't know what became of the copy of the will. I was acquainted with Mr. and Mrs. Heatley a few months before the death of Fraser. I knew the girl Susan Jane. She was a native that Mrs. Fraser had brought up, and had christened. I was with Mrs. Fraser and remained with her after Fraser's death until she went to the house of Heatley. I believe that she took no books of accounts with her. I never prevented Susan Jane communicating with the servants, never conversed with her concerning a Company's paper; she was more of a companion than a servant. I was told by Mrs. Fraser after she had removed to Heatley's, that there was a dispute about the Company's paper, and that Susan had been present when Fraser gave it. Susan died in Heatley's house. I think Mrs. Fraser was a mild amiable woman, incapable of quarrelling, I never saw them quarrel. She was a remarkably good tempered woman. I never heard that they did quarrel. (*Re-examined.*) Mrs. Fraser was in her own house when I first heard of the gift of Company's paper. I resided in Calcutta previously to being acquainted with the Heatleys. (*Will produced.*) This is Mr. Fraser's will; the will which I have spoken of before.

*Mary Harwood* deposed. I knew Mr. Fraser, but not at the time of his marriage. I saw him and his wife seldom; she was at my house in 1831 unaccompanied by her husband. She came in consequence of a quarrel with the children; she remained about seventeen days. Fraser called daily to see her; he was very kind and affectionate, so was she. I received a letter from her before she came to me. This is it, and my reply. She returned in consequence of Fraser's solicitation; I accompanied her; Mr.

Fraser was at the house. They always appeared kind and affectionate. (*Cross-examined.*) I always found them on the best possible terms, never heard them complain of each other. I never heard of a contemplated separation. I never saw Dr. Halliday in the house.

This was the case for the plaintiff. A variety of documentary evidence was read, after which Mr. Turton opened the defence.

After plaintiff had closed his case, the following witness was examined under the order directing the issue:

*Mrs. Thomas Fraser.*—I remember the 13th April, 1832, when Mr. Fraser was taken ill. I went to his house about 11 o'clock in the morning; he was then very well. He took me into the hall below stairs. He was taken ill about one o'clock; Mrs. Fraser led him out of her room; she called out to me. He walked into his room; he seemed to be confused, as if he was looking for something. He made no attempt to speak, but sat down. I asked him what he wanted, but he could not answer. He was near the desk; he went to his book-case, which he opened, and again sat down at his desk. Mrs. Fraser, Susan, and myself were present. Susan remarked "perhaps, he wanted the paper." Mrs. Fraser said "what paper can he want?" No paper was produced. I remained in the room about three hours. I did not stay till the doctor arrived. He was not sensible when he left the room. I saw no paper produced whatsoever, nor did I make the observation "perhaps, he wants the Company's paper," or any paper. While I was in the room no paper of any kind was put into his hand. I know what a Company's paper is. I saw a tin box in the room, but I don't know what has become of it. It was in a corner of the room that he was in; but I did not see it when I came back again. It was not there in half an hour when I returned. He kept his Company's paper in that box. I had it with me about five weeks before his illness. I had taken the paper out and given it to him when he wanted it about five weeks before. Fraser and his wife were very unhappy. This is Mr. Fraser's hymn book. I saw it always when I lived in the house; he was in the habit of reading it every morning. (*Cross-examined.*) From the commencement of his illness he was sensible and able to go about, to open a drawer, to look into it, and so he continued until I went away. The paper he took away first from me and the tin box afterwards. I gave him the tin box three days after I gave him the paper. Before this bill was filed, some enquiries were made of me as to the circumstances of that day, by Mr. John Fraser. Nothing was written down on that occasion, what I said is the same as I have said to-day. I think I did not say anything about Susan Jane speaking of Company's paper. I am sure I did not. I don't think I mentioned it at all until after Susan's death. Recently when I returned from Burdwan, I mentioned it to the gentleman who conducts this cause. I believe I never mentioned it before. I was informed by Mr. J. Fraser what Mrs. Fraser said in the answer. He told me that it was stated I had remarked that, perhaps, Fraser wanted the Company's paper. I knew Ramjaun the bearer. I was confused at the time of Fraser's illness, but I can remember who was present. Ramjaun was not present when Mrs. Fraser led her husband into the room, nor during the three hours I was present. Ramjaun was Fraser's personal bearer to dress and undress him. Ramjaun helped him up-stairs when he came home. I knew that paper to be value Rs. 30,000, yet never mentioned till these proceedings were commenced that Susan had mentioned it at that time. I recollect Fraser's house being painted during that time, the two months he lived with us, but she refused to come. They were on good terms then, though she lived apart. (*Re-examined.*) I have had a severe illness since Fraser's death. Mrs. Ryley is my sister-in-law. I informed her of Fraser's illness when I left the house, and said what occurred to her on that day. (*By the Court.*) There might have been papers on the table on the day he was taken ill, but I did not see them. I gave the watch to him when I thought he wanted to look at it. I don't know if he looked at it; I put it on the table. Mrs. Fraser was in the room, Ramjaun was not. I first heard that Mrs. Fraser had the Company's paper, about three or four days after his death. I left Calcutta in April, 1834; I knew Susan Jane had seen this paper, because we all saw it when he first brought it into the house.

*Mr. Turton*, for the defence. This is one of the most painful cases he ever knew before this Court, because, whatever may be the result, it is quite clear, there must have been the grosset perjury on either one side or the other, although it may not be necessary to decide the case on that evidence. In one point it was particularly painful, for there would be a direct contradiction to the evidence of a young person in whom the Court might not expect to have found so much art. But he would be able to shew what it would require a very charitable mind to come to any other conclusion than that she had at first been well tutored with a got-up story, which she was determined to adhere to till the last. One very extraordinary part of her story, if it were true, is that the will, a part of which she has sworn she read to Mrs. Fraser, was returned to Mr. Wight, by whom it was drawn up, in the same envelope, in which it was originally sent to the testator, and with Mr. Wight's office seal unbroken. The will drawn up by the solicitor was engrossed in duplicate, one copy being sent to the testator, and one to Fergusson and Co. At the time of the testator's death, Mr. Melville and Mr. Wight were both out of town. On the return of Mr. Melville, a day was appointed to examine the will by Mr. Thomas Fraser, when Mr. Melville brought the will deposited with Fergusson and Co. both were found in the envelopes, with the seals unbroken, precisely in the state that they had been sent from Mr. Wight's office. It was also extraordinary, but not so much so as that part of the tale to which he had just alluded, that Mrs. Fraser should have not preserved that copy of the will which this young person swears she saw her engaged in making; and again it was extraordinary that no mention was made of the copy in Mrs. Fraser's answer. Yet it would appear, if this evidence were credited, that she thought it a matter of sufficient importance to copy the will and to have the assistance of this young person upwards of one hour,—for what purpose? he would ask,—for the purpose of production, and yet their lordships had it not. The Court would recollect that Miss Urquhart had stated this day that the will she saw was on parchment; now the will produced was not on parchment, and when he, the learned counsel, cross-examined on that part of the evidence, it was evident that she knew perfectly the distinction between parchment and paper. This perhaps was not a very material contradiction, but it strengthened the opinion that much was to be drawn from the answer that was put in the first instance, and that Mrs. Fraser had bound the whole of her party to that statement,—a statement which if he, the learned counsel did not prove to be false, he should feel very much surprised. Leaving the testimony of this young person to make what weight it could after the evidence the Court would have to contrast it with, he would proceed to another part which his learned friend had thought of sufficient importance to make a point of, namely, the temper and disposition of Mrs. Fraser. Now, he would ask, who had his learned friend brought forward to speak of the sweet disposition of, as she was described, this amiable and affectionate lady? Without exception they were all dependents, or persons connected with Mrs. Fraser from the time of their infancy; and one witness, Susan Jane, whose evidence had been read to the Court, had been taken from the most servile condition, taught to read, educated by Mrs. Fraser, and in fact, been made a companion of by that person. It was unfortunate that this witness could not be produced, unfortunate for many reasons, not the least of which was that it was impossible to lay aside the consideration, that a person capable of committing acts such as would appear before the Court, might possibly be capable of committing acts which would render their perpetration difficult of proof. He, the learned counsel, was as little in the habit as any man of casting forth observations injurious to an individual's reputation, but there were cases, and this one of them, which rendered those observations necessary for his client's interests, as the Court would be aware from circumstances to which he would at a subsequent period advert. He might, however, mention now, that it was remarkable in this case, only one book had been produced by plaintiff, and that contained no entry made at the time of this alleged gift. The last of the testator's entries is made on the 19th March,—the day it is sworn he went for the will and brought it home with him. As to the memorandum

which had been produced, there was not a single title of evidence to prove that it was in the testator's hand-writing. In fact, in a case like this, in which the strongest evidence ought to have been adduced, there was not a single circumstance but what was overwhelmed with suspicion. The advanced age of the testator, the nature of the gift itself, the mode of life of the parties, and the form of the signature, were all circumstances which threw the strongest suspicion, to meet which his learned friend had brought forward only the intimate friends and connexions of the plaintiff, with the exception of Dr. Halliday, whose testimony, indeed, did not go far to strengthen his friend's case. That gentleman had not sworn that Mrs. Fraser was of the most mild and amiable disposition that ever blessed an old man in his dotage; on the contrary he swears that Fraser and his wife lived in one continual quarrel from first to last, and that she was a woman of the most impetuous temper. Was it necessary to go further into that subject? His learned friend had shewn, that during the last three years of this old man's life there had been two separations, he, the learned counsel, would shew a third. He had always considered that it was not a very triffling matter for a wife to leave her husband, and that it would require strong grounds to justify such conduct. It would seem that he, the learned counsel, was not singular in that opinion, for Mr. Heatley swears, in his examination in equity, that from the time she quitted the house in 1831, and required twenty-one days to come back, they had lived together in uninterrupted happiness. Notwithstanding this, however, there was an entry on a subsequent date in the only book produced, to this effect, "a squall, in consequence of Tom," and next day "Nancy went to live at Heatley's" so that those who, according to Mr. Heatley, lived in "uninterupted happiness," lived, as had been described by Dr. Halliday, in one continued quarrel from beginning to end. Referring to the same book it would appear, that the testator "went to live with Tom" on the 19th December, where he continued till the 6th of January, three months before his death. Is it now said that they lived on affectionate terms? He, the learned counsel, would shew that the whole story was impossible: he would prove it from her own hand-writing, and that Mr. Heatley, with whom she went to live, was fully aware that they lived on the worst terms, notwithstanding what he had sworn in the equity proceedings. Perhaps, it would be said that the testator was of a forgiving disposition, and he, Mr. Turton, believed he was so; but he would shew that Mr. Heatley was well aware of the terms on which they lived, that though he had sworn he was against the marriage, he had been the testator's agent for that marriage,—the marriage broker,—he it was who wrote the application to the Orphan School managers to which the testator affixed his signature;—that from the time of the marriage to the time of testator's death, he, Heatley, had been one of those friends who had been constantly pulling at his purse;—that,—for convenience—he lived next door—that he admitted on one occasion receiving ~~Rs~~ 2,000 from Mrs. Fraser, ~~Rs~~ 1,000 of which he applied to his own purposes, and that, as it would appear from a note addressed to Heatley by Mrs. Fraser, acquainting that her husband was jealous, &c. that Heatley was well aware there was a continual quarrel between them. Now who are the witnesses? Davis, of the Custom House, has been acquainted with Heatley from his youth; through Heatley he becomes acquainted with Fraser; by Heatley he is assisted to rob the old man; for Fraser lent the intimate friend of Heatley money, not one fraction of which has ever been repaid. But says Mr. Davis, they appeared to live on very good terms, and thus, perhaps, because before Mr. Davis, the testator put up with his wife's continual ill-treatment, therefore is she kind and amiable! Now what did Dr. Halliday swear? and yet this extraordinary Mr. Davis is one of the parties to prove Mrs. Fraser kind and amiable. But they had Mrs. Heatley's evidence in the proceedings in equity opposed to them,—the wife of the man who is to derive benefit from this cause, the man who was guardian of Mrs. Fraser before the marriage,—oh, but he was opposed to the match, very well,—the wife of the man to whose hand-writing the first proposal of the testator had been traced, and he, the learned counsel, would do Mr. Heatley the justice to say, that, so far as composition went, he was really much superior to the testator. (The learned counsel here read the letter to the managers of the Orphan School, soliciting their consent to his marriage with Miss Gold, which was proved to be in the hand-writing of Mr. Heatley, except the signature, which was that of the testator.) Now, then, here was the commencement of this bargain; ~~Rs~~ 2,000 she should have, and he insuring his life, that is, as to the first part, precisely the same as if Heatley was to have the money. He, the learned counsel, did not blame Mrs. Fraser for making the best bargain she could; of course, money was the only object she had in view. Then there was evidence of Heatley having wrote out the proposal. Something more too, Fraser is too old, and ~~Rs~~ 25,000 is settled on his wife, a tolerable specimen of Heatley's powers as a negociator. This sum, said the Advocate-General in his opening, was about an equivalent for what was to produce her ~~Rs~~ 80 per month.—a tolerable specimen of his learned friend's powers as a calculator. But she was to have ~~Rs~~ 25,000, perhaps, because, and looking at the sum she had remaining at the time of her death, it was the more probable, it might be more beneficial to others than herself; or probably she was looking with maternal affection at the large family she might expect from an union with a man of Fraser's years. Next they had in evidence a letter from this ardent lover to his friends in Scotland, stating that he had married a religious woman and not a young woman (not a word about her temper) who, he expected, would supply the place of the mother of his children, but there was not one word as to whether those expectations had been realized. It was not necessary that he should advert further to the terms on which they lived; it was sufficient to say that they were not such as in themselves would account for the gift. But, said his learned friend, she was entitled to more. He, the learned counsel did not know to what that woman was entitled who spent all she could obtain from her husband. But, said his learned friend, he had provided for his children. That, however, carried with it a refutation, for according to his learned friend's own statement, he had increased that provision at the instance of Mrs. Fraser. Now the fact was, that when he originally made that settlement on his children, he had not the slightest idea of marriage, but he intended to go home to Scotland. So much for this important flourish of his learned friend's flowery statements; and when he, the learned counsel, could so expose these flourishes, was he not bound to believe that they were important to the slender case to which they clung. He admitted, however, that his learned friend had received his instuctions from those who had given them with great care. He must be understood that he was making no professional allusions. Notwithstanding the gross inconsistencies of this case, there was not a single point on which, as far as Heatley was concerned, an indictment for perjury could be maintained. As to the gift; Heatley had been told by his wife, she had been told by Mrs. Fraser, it rested entirely on the evidence in equity of that child Susan, who had been raised by Mrs. Fraser from the station of a menial to that of a companion. The gift rested on her testimony alone, given at a time when, if the testator had any reason to dread the remonstrances of his children, and had a dislike to their being present, there was no earthly reason to prevent him calling in Heatley as a witness. Heatley was much less likely to inform the children than Susan. But the object was obvious,—those wretched beings, Susan and the bearer, are the only persons who can be prosecuted for perjury. It was not to be lost sight of, that in the proceedings in equity, his learned friend mainly depended for the gift on what was said to have taken place three weeks before the death of the testator, but now, forsooth, it was altered for the purposes of the issue. They now make out that when the testator was last taken ill, the paper was brought, he squeezed it, and returned it into her hands. He would say little about that, satisfied that no Court in the world would be content with a gift under those circumstances, however he must not forget, that the testator is represented to have said "no, no," at a time when it is sworn he was speechless. The Court would contrast the evidence of Susan Jane with that of the witness Mrs. Thomas Fraser whom they had ordered to be examined, and he would leave that part of the case quite satisfied as to the result. He would now proceed to the case for

the defence. This Company's paper was advertised to be paid off on the 2d July. Mr. Davis, of the Mint, was a person of property and respectability, with whom the testator was intimate, and with whom his youngest daughter resided for two years, when she was driven from the house of her father by Mrs. Fraser. On the 11th of April, a Churruck Pooja holiday, Mr. Davis remained at home, and on that day the testator called upon him and asked his advice regarding this identical paper. He shewed it to Mr. Davis, desiring him to examine it attentively, to ascertain whether if he, Fraser, left it with Fergusson and Co. for the purpose of receiving the interest, there was any chance of that firm being able to obtain the principal. Davis examined the paper attentively, and he would give evidence that at this time there was no blank endorsement on it. Now, giving up temper, habits, illness, everything that made for the likelihood of the gift, here was positive evidence, and if they believed Mr. Davis the gift was impossible, and the whole story was false from beginning to end. This evidence there was opposed to that of Susan and the bearer. Now, as to Susan: if Mrs. Fraser was disposed to commit this fraud, here was a girl to assist her who had neither food nor clothes, but what she provided; who had no place or home other than that of the *baberchee*, to whom she had been bethrothed in her infancy and to whom she must have returned, but for Mrs. Fraser, and who it must be allowed, had strong claims on her gratitude. This brought him to a most suspicious circumstance. At an early stage of the equity proceedings, it had appeared that sooner or later it must come to an issue, and an offer was distinctly made by complainants to defendants' attorney, and distinctly refused by the latter, at the same time stating that he too, was of opinion, that it must come to an issue, but at present he must decline. The offer was refused—for what? and by whom? By the attorney apparently, but truly by Heatly, who had the management of the proceedings, and for this purpose, that he might have time to tutor Susan Jane,—that he might have the advantage of her deposition before the Examiner, and in the event of her death, that he might have all the benefit of that examination, without the danger of cross-examination in this Court. Susan Jane, if the Court believed plaintiff's witnesses had sworn one thing that was untrue, namely, that the paper remained in Mrs. Fraser's possession after the alleged gift. But this was distinctly contradicted by Mr. DaCosta. If it is alleged that the gift was, because the testator had fraudulently barred dower; it was evident that the instrument was engrossed on the day of marriage, and the probability was that it was executed on that day also. The learned counsel then commented on the evidence of Davis, who had deposed that the signature was "painted," and proceeded to point out the various marks which, of course, we are not able to explain to our readers.

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THURSDAY, JULY 16.

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*W. D. Shaw* deposed. I knew Fraser three years before his death, at which time I was assistant in the office of Mr. Wight. I am an attorney at this Court. (*Z. the Will, produced.*) I am a subscribing witness to this. I remember Fraser giving instructions for this will; he gave me a paper with the heads of his instructions. I prepared the draft, which was afterwards re-copied fairly and given to Fraser. I read over the original draft to him, I put in the words "dearly beloved wife." He saw them and said "Humph! but I suppose that is necessary." A fair copy of the draft was sent by his directions to Mrs. Ryley's under cover to himself. This draft was returned. (*No. 8.*) This is the instructions. (*No. 9.*) This is the draft. I am acquainted with Fraser's hand-writing. This is in (*No. 10.*) When I received the draft again it was marked with Mr. Wight's initials to engross; to the best of my recollection these were subsequent instructions. Subsequent to this the will was executed, being engrossed in duplicate. Fraser was an exceedingly shrewd man. The instructions were received from Fraser alone, and not from his family. I never knew the latter to take any part in giving instructions. From what I have heard Fraser say, I believe that he lived on unhappy terms with his wife. After I was admitted an attorney, in February or March, 1831, Fraser came to my office to have a "crack," as he expressed himself. He said then he was not happy, and spoke of a separation. I recommended him to go to Mr. Wight, who I said, was acquainted with all his family matters and able to advise him. (*B produced.*) This second endorsement is not Mr. Fraser's usual hand-writing. If I had received a letter written by another person with this signature, I should not have considered it Fraser's writing unless he was in bad health. The letter "m" appears to have been written first with muddy ink, and it is not gone over again at the turn up. He was very particular with the turns of his writing; never saw any of his writing that resembled this. I have seen his writing frequently. I should know the hand-writing of Heatley; this is something similar, but I cannot swear to it. (*Cross-examined.*) Fraser's hand-writing varied at times, but it always retained one general feature. I have never remarked that ink varies much in writing written at the same time. In the word "solicitor" now shown, the letters are sometimes light and sometimes dark, but the variation is not the same as that in the signature on the endorsement. The expression Fraser made use of regarding his wife, I thought was the true expression of his mind. But the expression "dearly beloved wife" occurs twice in his own instructions. He mentioned that he had some property in Scotland. I think he had no property in Indigo factories at the time the will was made.

*William Davis.*—I hold a situation in the Mint; have been there 10 years, and in the service of Government 22 years. I knew Fraser; was on intimate terms with him; one of his daughters resided at my house, at the request of her father for two years, previously to her marriage. I remember Mrs. Fraser going on the river. Miss Fraser then went to her father's house and remained two days, when I understood from her that she returned in consequence of Mrs. Fraser's coming back. Fraser very often complained of his wife. I saw Mr. Fraser either two or three days before he was taken ill, and on the evening he was taken ill. Remember the Churuck Pooja. Fraser wrote a note and came to me on the same morning to consult about a Company's paper then about to be paid off. He had consulted me before. He asked what was the best plan of investing money. I advised him to place the money in Fergusson's, as I thought the price of Company's paper might shortly come down, and he might remit it. I saw the paper on that morning—(*B. produced*) this is the very same. The second endorsement was not on it then. From something that transpired at the time, I looked particularly at the endorsements, and I can most distinctly state that the second endorsement of "James Fraser" was not on it on that occasion. I have seen his hand-writing frequently. The impression on my mind, when in the Examiner's office was, that this was not Fraser's signature, I have no reason now to alter that opinion. I examine it, it appears to me not genuine, but a traced signature. Fraser told me that he had entrusted the receiving of the interest to his agent, and asked me if I thought there was any danger. I requested him to show me the power; examined the paper; told him I thought there was no danger, but requested him to keep the paper in his possession. I asked him to let me have the bills on interest, as I wanted to remit to a family at home. He consented and I offered the market price of the day. Two or three days after I went on his invitation to take tea with him. It was either on the Thursday or Friday; I found him lying on his bed dreadfully ill, and he died three or four days afterwards. I did not expect to hear of his being alive in the morning. (*Cross-examined.*) I advised him to take short bills on Fergusson and Co. He consulted me whether it was safe to leave the paper with that firm, yet I advised him to invest the whole amount for safety in Fergusson's. Mrs. Davis knew of Fraser's visit; she was not examined in the Examiner's office. I don't think any man likes to have his wife dragged about on these occasions. Mrs. Lingham lived with me for two years; I cannot say whether it was a fortnight, a month, or six weeks, after Fraser's death that I heard of this dispute. My wife and I spoke of it, and I had correspondence with Lingham. It was a long time after the commencement of the equity suit before I was examined. When Fraser came, it was between the 10th and 15th of the mouth in which the Churuck Pooja takes place. It may have been one of the two great days. I have no doubt it was the Churuck, and not any other

Pooja, and on a Tuesday or Wednesday. Lingham told me they could not find the Company's paper at the time. I drew his attention to the fact of there being no blank endorsement on the paper when I saw it. Mr. and Mrs. Lingham are interested in this suit. Never was informed that the paper was in Court till I saw it in the hands of the Examiner. I went once to Mr. Wight's before I was examined. I suppose it was in consequence of my first examination that second interrogatories were filed I had a paper for Rs 30,000 of Fraser's in my possession for two or three days; I believe it was the same. I took it to the Mint to ascertain if it was one advertised to be paid off. The last time I had it was to make those inquiries. It remained with me two or three days, I think in April, 1832. It was advertised to be paid off on the 29th March that year. I must have had it between 29th March and 10th April, 1832. I had it for two or three days; don't know whether Fraser brought or sent it. I don't recollect it. I gave him a receipt for it. I have seen it on previous occasions. It may have been in my possession in 1830. I don't recollect any paper being left with me by Fraser with a blank endorsement. He may have brought the paper to me at the time of Rajkissore's forgery. When Mr. Lingham applied to me, the paper had disappeared, and it was an object to learn if there was an endorsement on it; very likely there might have been some consideration about it. I never was told that the paper was brought into Court. (*Re-examined.*) I was examined at Mr. Wight's. Fraser had an old peon who generally attended him. To the best of my recollection I told Mr. Wight and Mr. Lingham what I have said here to-day. I took the paper to the Mint with a view of consulting Mr. Ross as to the numbers. An occurrence took place which fixed it on my memory. I placed the paper under the slope before me, and forgot it until on my return home; when half way across the river I remembered it, but it was then too late to return, the Mint had been locked up, and it remained under the slope all night.

*Dr. Jackson* deposed as to the indisposition of Mrs. Thomas Fraser subsequent to the death of Fraser. In witness's opinion during the time he attended her she was not in a fit state to be examined before the Examiner in equity. Her mind was variously affected and her memory impaired. Witness first attended Mrs. T. Fraser in March, 1833, and left her in June, 1833. (*Cross-examined.*) Her illness was occasioned through excessive grief for the loss of her child. Previous to her child's death she was capable of answering any questions.

*Mr. Andrew Wight.*—I was solicitor to the late Mr. Fraser; received instructions to prepare his will in 1828. He was very frequently with me. He was shrewd and intelligent. There was apparently no wavering as to his intentions during the three months I was engaged to draw up the will. I was out of town when he died. The will was engrossed in duplicate. The day after the funeral Mr. John Fraser desired me to appoint Mr. Clarke to meet at my office. I saw Mr. Melville, and he came with the will. On the day the wills executed in duplicate were signed, I delivered one, sealed up with my office seal, in an envelope to Mr. Fraser, the other to Fergusson and Co. for which I obtained a receipt. When Mr. Melville came, he brought one of the duplicates sealed up as I delivered it. Mr. J. Fraser shortly afterwards brought the other copy; it was also sealed up. My attention was drawn to this from a particular circumstance. The endorsement on this latter will was in his own hand-writing. I have a distinct recollection of the state of the seals. I opened them; I believe they had not been opened. I have had this seal since I commenced business. When Mr. Davis was examined at my office, he gave precisely the same account of the endorsement as he has done this day. (*B. produced.*) I do not believe the second endorsement is Fraser's hand-writing. I believe this to be the envelope of the will. I have no doubt whatever that Fraser's will was brought back, after the funeral, sealed. I was consulted about a separation with his wife by Fraser. On that occasion there was a negociation with Heatley, as Fraser told me, but it went off. In January or February, 1831, there was another consultation about a separation; he assigned the harsh conduct of his wife as the reason. (*Cross-examined.*) There was an omission in the Bill by way of "a trap," by the advice of counsel. Davis attended at my office about the 20th of May. My recollection is that the will was folded up by myself, and given to Fraser. (The witness was here directed to examine the envelope. On doing so, it was thought that the paper was not large enough to contain the will. The envelope and the will were handed to the bench, but the Chief Justice was of opinion that the issue mainly depended on the evidence of Mr. Davis, of the Mint. If his evidence was true, the plaintiff's case must be false, and it was but wasting time to dwell on these collateral issues. However with regard to the evidence of Miss Urquhart, Mr. Wight was further cross-examined, but we have already given the substance of his evidence.)

*William Davis* recalled.—This other paper for Rs 30,000 may have been left with me by Mr. Fraser, at the time of Rajkissore's forgery; but I have no recollection.

*The Advocate-General* replied, reconciling the evidence of Miss Urquhart with that of Mr. Wight with much ingenuity.

*The Chief Justice.*—In this case it is sufficient to find a verdict on the issue, but with reference to another stage of the equity proceedings, it may be as well to state the grounds on which we decide. In the first place, we find the issue for defendant, and we believe the evidence of Mr. Davis who was examined this day. Now believing this, is there any ground to believe the Company's paper was Mrs. Fraser's property? On the first occasion it was alleged that the gift was made fifteen, seventeen, or twenty days before the testator's death, and in the presence of Susan Jane and Ramjaun, but neither of those persons state that there was then an endorsement made on the Company's paper: they state that the testator had a pen in his hand, and that there was ink near him, but there is no positive testimony in this issue that an endorsement was made on the paper at that time. Then comes Davis's testimony, and as no one positively swears that the endorsement was on at that time, it is a mistake to suppose that his testimony is contradicted. He states that he positively recollects the circumstance from these three things:—the Churruck Pooja, he had just returned from the Sunderbunds, and that it occurred in the week Fraser died. From his evidence it appears that Fraser himself had the Company's paper in his possession two days during that week, the 11th and 12th of April, therefore we may believe his testimony without discrediting that of other witnesses, and as there was no endorsement on the paper when he saw it, there could be no gift in contemplation of death seventeen days before. On the 13th April, Fraser is said to have come out of his room, and on this occasion, he is alleged by Susan Jane, to have pressed the Company's paper in Mrs. Fraser's hand. Ramjaun says Fraser pressed it in his own hand. But allowing that the Company's paper had an endorsement on it at that time, we are of opinion that he was not in that state of mind in which he could make a gift. Looking, therefore, at these two facts, and believing Davis's evidence, the issue must be found for defendant. On the question of forgery it is not necessary to give an opinion.

*Mr. Justice Grant* concurred entirely with the Chief Justice.—*Ibid.*

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## Monday, July 20.

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*Melville and others*, v. *Fraser and revived suit.*

The Court in the issue having found for Melville, the cause was set down for further directions, and came on now exparte. The following is the substance of the decree:—

That complainants, as executors of James Fraser, do pay amount of legacy due to Anne Fraser, to defendant Heatley her executor, with leave to deduct thereout of costs of suit and of issue. That defendant Heatley do deliver up to complainants on oath all papers belonging to the estate of James Fraser, and join in necessary applications to take the same out of Court. That the Equity Registrar do deliver over to complainants as executors of James Fraser, the Company's paper for Rs 30,000 now deposited with him. That Heatley as executor of Anne Fraser, do pay out of her estate complainants' costs of equity suit and issue, when taxed, as between party and party.—*Ibid.*

THURSDAY, JULY 23.

*Calder* v. *Halket.*

*Mr. Dobbs* opened the pleadings.

*Mr. Turton* stated the case for the plaintiff. This action is brought by Mr. Calder, who is a British subject residing in the Mofussil, to recover damages from the defendant who, as he styles himself in his plea, is an acting magistrate in this country, but whether from his plea he could justify his acts in that capacity, he, the learned counsel, would not at present presume to say. Of this, however, he felt certain, that defendant could not justify his proceedings under any Act of Parliament. It was barely possible that his learned friend might rely on 21st Geo. 3d; however, that would fail him, as that act had reference only to natives and gave the magistrate no jurisdiction over British subjects. The 53d Geo. 3d. was the first act that gave to Justices of the Peace in the provinces jurisdiction, in cases of assault and trespass committed by British subjects on the natives of India. (*Reads*) "Be it, therefore, enacted, that it shall and may be lawful for any native of India in case of any assault, forcible entry, or other injury with force." &c. &c. If, therefore, his learned friend founded his jurisdiction under this clause, it would be necessary that he should shew that some injury had been complained of by a native. He, the learned counsel, would take the highest authority on that point. The complaint being made, the magistrate then had power to "take cognizance, hear parties, and examine witnesses;" "to take down in writing the substance of the complaint and the defence;" but there was no authority for the magistrate to issue his summons till some complaint or information on oath came before him. The act then goes on to describe the punishment the magistrate may inflict, which is a fine to the extent of Rs. 500, "to be levied in case of non-payment, by warrant, under the hand of the said magistrate, and upon any property of the party so convicted which may be found within the said district; and if no such property shall be found within the said district, then it shall be lawful for the said magistrate, by warrant also under his hand, to commit such offender to some place of confinement within the said zillah or district, which in the judgment of the said magistrate shall be fit for receiving such offender; or if there shall be no fit place of confinement, then to the goal of the Presidency, to remain there for a period not exceeding two months, unless such fine shall be sooner paid." This is the jurisdiction a Justice of the Peace must have under this clause. But, it was said, that defendant had jurisdiction as a magistrate. He, the learned counsel, would be very happy to try that question by the law he would prefer to all other law in the world,—British law, which required a complaint, or information, before a party could be arrested. In this instance he would show there was no ground for suspicion, and no complaint; this he should be able to prove from the defendant's own statement, and that there was not the slightest shadow against the plaintiff from the first to last. The question then is, whether a British subject in this country shall be imprisoned in his own house for a week, no investigation taking place, then taken a distance and imprisoned for another week, still no investigation taking place, sent back in custody to the former prison and detained another week, then brought to a station at a considerable distance and detained a considerable time, and ultimately set at liberty on entering into recognizances of the most extraordinary description,—not that he shall remain at the place during the investigation,—not that he shall attend the Court,—but, forsooth, that he shall not quit that station. He, the learned counsel, admitted there was no complaint against Mr. Magniac, the magistrate of the district, who on investigating the case, was desirous that the plaintiff should be discharged, but this was opposed by Mr. Magniac's second officer, who insisted that a second recognizance should be entered into, to answer any complaint that might be preferred by Government within ten days from the time the first was discharged. He would do Mr. Magniac the justice to say that in this instance he only acted from a friendly leaning to his second officer, and he would also add for the sake of his client, that he was perfectly aware he was not bound to enter into the recognizance which he had done. However, his client had entered into that recognizance, and the result was that on the 6th September he was suffered to depart,—to have his liberty, subject, however, to be called on, after having been dragged about from the end of July down to that period. Now, what had led to these proceedings? The facts were briefly these. The plaintiff resided at Bagadanga, and was an assistant to Messrs. Andrews, who had Indigo Factories in that neighbourhood, several of which were under the superintendence of Mr. Calder. About the end of July, 1834, the head naib of a cutcherry in the neighbourhood belonging to Mr. Andrews, absconded, after having been called on by that gentleman to bring in his accounts. In consequence of this, Mr. David Andrews, who their Lordships would find designated, "David sahib," then at his own factory at some distance, dispatched a letter to the plaintiff, desiring him to send some burkundazes to Dutpoolia, for the protection of the cutcherry from which the naib had absconded. This letter arrived at Bagadanga, about eight or nine o'clock in the morning of the 26th July, and it so happened that on that morning Mr. Calder had left Bagadanga at daylight, for the purpose of inspecting the crop of a factory under his charge, at some distance, after which, as is usual with indigo planters who are at a distance from their own residence, he retired to a neighbouring factory, where he remained during the heat of the day. This latter factory was named Nonagunje, belonging to Messrs. Harris and Co. with whose superintendent, Mr. Wooldridge, he was on terms of intimacy. On the arrival of Mr. David Andrews' letter at Bagadanga, it was taken, in the absence of Mr. Calder, to Mr. Jeffreys, who was then superintending the erection of some works there, and Mr. Jeffreys learning that the letter was "emergent," did not scruple to open it. But before proceeding further it was necessary to inform the Court, that Kishnaghur, and particularly the neighbourhood of Bagadanga, was not the most peaceable part of India; and that in consequence of some very considerable disturbance, Mr. Calder had thought it necessary to apply to the magistrate for two peons, who had been accordingly stationed at the factory for its protection. These peons could not be considered to be in the employ of the planter; they were stationed there by the magistrate, and this he, the learned counsel, considered a fortunate circumstance, as by their testimony he should be able to show, that his client was not at the factory when the letter arrived, and that consequently he had nothing to do with sending the burkundazes to the cutcherry, or the disturbances, which, perhaps, it might be shewn, arose out of that proceeding. He would now return to the proceedings of Mr. Jeffreys, who, as he had informed their lordships, opened the letter forwarded from Mr. David Andrews, and gave the necessary orders. Mr. Jeffreys desired thirteen burkundazes to proceed forthwith to the cutcherry and take possesion of it. Now their lordships would observe that the occasion was urgent, the naib having absconded, it was a matter of importance to take possession of the cutcherry as soon as possible. It happened that some quarrels had existed between the villagers and the servants at that cutcherry, how they originated did not appear, though no doubt his learned friend would make the most of that circumstance, neither did it appear how these thirteen burkundazes, armed, no doubt his learned friend would say, like the knights of old, came to attack three hundred villagers. His learned friend perhaps would say the burkundazes were the aggressors; he, the learned counsel, said they were not. It was not denied that the wounds received by the villagers were more serious than those inflicted on the burkundazes, but the wounds of the latter were more numerous, and moreover they were taken prisoners by the former. However, he, the learned counsel, as his friend's case required some extraordinary aid, was willing to consider that these thirteen burkundazes were the bravest, strongest, most merciless and best armed that ever issued without the ramparts of a Bengal indigo factory. He was willing to concede all this,—his case could well allow him to do so,—but he would ask, what earthly reason was there to suppose his client had been amongst this party? There was not one single charge against Mr. Calder in the proceedings before the magistrate, but certainly, the proceedings signed by the magis-

trate, and with reference to Mr. Calder, contained some of the most accurate reasoning that ever came from the understanding of a Mofussil law-giver. He would read a part of the purwanna directed to the darogah of Hounsecolley by Mr. Halket, for their lordship's information, offering a few remarks also for his own satisfaction. "Whereas, it appears from the report of the darogah, that burkandauzes belonging to David sahib have been wounded by the ryuts while employed in proceeding with letters," and so on, "no other inference can be drawn than that the affray and conflict was premeditated." That was the sequitur, because the affray had occurred, no other inference could be drawn than that it was premeditated. Here was a specimen of law and reasoning in the Mofussil for their lordships' observation. But this was not all, because the affray had occurred between the villagers and the people of David sahib, and because it was premeditated,—what follows! why, "it is clearly evident that such an affray could not have occurred without the knowledge of the gentleman of the factory,"—their lordships would see the same reasoning pervaded the whole document,—"it is ordered that a purwannah be written directing the darogah to apprehend Mr. Calder." That is, the affray could not have happened without the knowledge of Mr. Andrews, *therefore* Mr. Calder must be taken into custody. However this accurate reasoning was followed up by proceedings as regular. On the 3d of August, Mr. Calder was arrested, but not as might have been expected, called upon to account for his time; had that mode of proceeding been adopted, he could have satisfactorily shewn that at day light the morning on which the burkundazes were dispatched to take possession of the cutcherry by Mr. Jeffreys, he left Bagadanga, and went to inspect the cultivation of a factory at some distance, and afterwards proceeded to a neighbouring factory belonging to Mr. Harris, called Nonagunge, where he breakfasted with Mr. Wooldridge the superintendent, and where he remained the whole of that day. It was true, Mr. Calder did hear at about two o'clock that day, that there had been an affray between the burkundazes and some villagers at Dutpoolia, but he remained at Nonagunge that night, as the testimony of Mr. Wooldridge would clearly prove. On the next morning, the 3d August, on his return to his own factory, he was arrested, and there he was kept in custody four days, till at length, the "sewarry of the presence" having arrived at Dutpoolia, he was taken in custody to that place. Now whether the "sewarry of the presence" was too dazzling, he, the learned counsel, could not say, but certain it was that his client was not taken before it. On the contrary, Mr. Calder remained in his boat on the opposite side of the river the whole of that day, when at night "the presence" it would seem, willed that he should be taken back to the factory. Accordingly "the presence" sent over a Persian order, and Mr. Calder being ignorant of that language, requested to know what it meant. The person who brought it explained that it was an order to take Mr. Calder back to Bagadanga, and in a week to bring him in custody to Kishnaghur. Accordingly back he was taken in a small boat, and conducted in the same manner to Kishnaghur on the 14th of August. After being kept there a close prisoner in his boat for three or four days, he was at length brought before "the presence," and entered into a recognizance as novel in its form as every thing else that distinguished the proceedings was singular. This he would read to the Court,—"it not appearing necessary to detain Mr. Calder at this place any longer for the present, until the conclusion of the case. Under these circumstances, it is ordered that Mr. Calder be allowed to depart." Now one would have thought that this would have been followed up by a recognizance binding to appear there, and if it had been so, then the Court would only have had to consider if there was any reasonable ground for a suspicion that he was concerned in the affray out of which the proceeding arose. But the conditions are as follow:—"entering into a recognizance of ~~Rs~~ 1000, to appear when required, and that the case stand over." So that, if the case was taken to the Sudder, and whether it was or not, he, the learned counsel, could not say, there Mr. Calder "must appear when required." Such might be the form of entering into recognizance in the Mofussil, but he, the learned counsel, had yet to learn the law on which it was founded. On the 6th of September, Mr. Magniac, the senior magistrate arrived, and after looking into the case, thought that Mr. Calder might be immediately discharged. But "no," says the second officer, "there is some reason for suspicion, and though it is not necessary to detain him, there must be a recognizance taken by the Court." "Why," says the senior magistrate, "should there be a recognizance when there is no charge before the Court?" But finding the junior persist, and willing to let him down as easy as possible, Mr. Magniac turns round to Mr. Calder, and says "there is no just cause to detain you, but you can have no objection to enter into your own recognizance." Mr. Calder certainly had great objections to enter into these recognizances, but under the circumstances, he thought it better to comply, therefore he did so, the condition being that he should appear before that Court "to answer any complaint that may be preferred against him by Government within ten days," and then he was finally discharged. Now the Court would take into consideration that the interruption experienced by Mr. Calder with regard to his business had been extremely great. It might have occasioned the loss of his situation, because it was at a time, the manufacturing season, when his services were most required. However he, the learned counsel, was not going to say such had been the consequence, but of this he was quite sure, that no person in this country could be made a prisoner, and detained in custody for a fortnight in his own dwelling, without being lowered in the ideas of those persons by whom it is necessary he should be shown some respect. He thought it would be admitted that this was a fit case for a Court of Justice to enquire into. But he was not now going to press for vindictive damages for the wounded feelings of his client; the Court would consider the real injury sustained. "Our farthers were not so nice," as his learned friend had observed a day or two ago, but though the real injury would only now be considered, he would go so far as to say that this modern practice was sometimes but the substitution of one word for another, and the amount of damages may go also to satisfy the wounded feelings of the party. He would like to put it to his learned friend, suppose some persons landed at Chandpaul ghat, and kept Mr. Advocate-General a prisoner in his own house, large and pleasantly situated as it is, how would he like it! "Can't go out!" his learned friend would say, "why I have some business in the Supreme Court that must be attended to!" "No matter, sir," say they, "our orders are not to allow you to go out." "Why men," his learned friend would reply, "my client's interest will suffer!" Just so, and had not the interests of Mr. Andrews suffered in consequence of the confinement of Mr. Calder? Well, suppose, after his learned friend had been in custody about a week, he was marched between two peons up to Barrackpore, and after being in full sight of "the presence" for a whole day but not taken before him, suppose his learned friend marched down again to Chandpaul ghât and confined to his house for another week, then sent up to Chandernagore and kept waiting at the ghât three or four days, till they may be pleased to take him before "the presence" at that place. How would his learned friend like that? Difference in station did not make a difference in the feelings of Englishmen, and he, the learned counsel—his client was a Scotchman,—thought Mr. Calder could lay claim to that feeling which was universal amongst British subjects when their liberty was interfered with. Such interference was felt as heavily and deeply here as in the land that Mr. Calder came from. However his client had no vindictive feelings to gratify, if vindictive feelings could have been gratified in a Court of Justice, but he was satisfied that whatever the remedy may be for this illegal imprisonment, he would have it from their lordship's hands. It would be shewn that Mr. Calder is a British subject,—that there is no pretence to say that the injury was done by defendant as a Justice of the Peace, if there was, there was no ground to justify it that could enter into a mind accustomed to reason much more accurately than Mr. Halket seems to have done.

The following is a condensed report of the evidence of the witnesses called on behalf of the plaintiff. The four first were examined as to the jurisdiction:

*J. F. M. Reid,* Register of the Sudder Dewannee, proved defendant to be in the civil service of the East India Company. *(Cross-examined.)* Defendant has been magistrate of Nuddea upwards of one year. I knew the late Mr. Richardson, but don't know if he was an American.

*Charles Binny Trevor.*—I have heard defendant is a Justice of the Peace; don't know that he is; don't know his hand-writing.

*L. Magniac.*—I am a civil servant, and was collector and magistrate of Kishnaghur. Defendant is in the civil service. I am not quite sure whether he was a Justice of the Peace last August, but he was previous to that period. I never heard him say what countryman he is, or of what country his parents were.

*Frederick Osborne.*—I know defendant. He told me one evening that he was an Irishman.

*Duncan Calder.*—I am brother to plaintiff. He was born in Aberdeenshire in Scotland.

*Goolamee.*—I am a burkundaz of the thannah of Haunseeolly. Goolab Sing was the darogha last year. I received some orders from that thannadar, desiring me and another burkundaz to gird our loins and be ready. I now know Bagadanga, and proceeded there from the Doulagunj factory, by order, in writing, of the thannadar, who desired me to go there, and keep the gentleman in custody till the arrival of the suwaree of the presence. I communicated the order to Mr. Calder. I think I remained at the factory five or six days. Four of us were there; we told Mr. Calder that we could not permit him to go out of the factory or to any other place. He did not attempt to go to any other place. We did nothing but watch him from going out to any other factory. He used to go to various parts of the factory, but never went out. He never said that he wanted to go out for exercise. After five or six days, Mr. Halket's suwaree arrived at Dutpoolia. A peon came with a purwannah from the presence to conduct the gentleman to Dutpoolia. Mr. Calder said he would go next morning, and we accompanied him there in the beauleah. The peon followed in the cook boat. Two peons remained in the factory. We arrived at Dutpoolia, and saw Mr. Halket's pinnace on the other side of the river. We asked Mr. Calder, if we should go over, he said let us remain on this side. Mr. Calder did not go that day. One of the burkundazes went to the other side of the river. Shortly after the close of day a burkundaz came over, who said he was appointed to act in the place of the man just mentioned, and that Mr. Calder should remain for a week at the factory of Bagadanga, and then he was to proceed to Kishnaghur. This man's name was Syfoo. Mr. Calder said he did not understand Bengalli or Persian, and that he would proceed if he received an order in English. Then Syfoo went over to the other side of the river, where Mr. Halket's pinnace was, but he again returned, and spoke to Mr. Calder's vakeel and another servant, upon which Mr. Calder gave orders to proceed to Bagadanga. I returned with him according to orders, with four others who were appointed to accompany the gentleman. We reached the factory, I think, by day-light. Rampaul, the burkundaz who went over to Mr. Halket, did not return with us. We remained, I think, four, five, or six days at the factory. Mr. Calder made no attempt to go out nor did we prevent him. We were told by a burkundaz that we were to remain as heretofore, and Mr. Calder said he would not attempt to go out. He got his beauleah ready and proceeded to Kishnaghur. We told his sircar that it was necessary one of us should proceed with him. Mr. Calder said he had no room in his boat, and that we may go a-head; afterwards it was arranged that I should go in the cook-boat, and the others should go by land. When we arrived at Kishnaghur we came off the collector's ghaut, where we remained about six days, after which two of Mr. Halket's servants came, and said Mr. Calder must proceed to the presence. During these six days he had not gone ashore; he might if he had thought proper, being an European, but I should have gone with him as servants attend their masters. Two days after we first arrived at the factory, a gentleman (Mr. Wooldridge) offered to give bail if we would let Mr. Calder go. We said we had no power, and that we were stationed merely to guard and watch. We went to the cutcherry where Mr. Halket was holding a Court. Mr. Calder and Mr. Halket spoke English together, and I was then told to depart to my own thannah. This was, by guess, five or seven days after our arrival at Kishnaghur. Doulagunj and Haunseeolly are within the jurisdiction of the Kishnaghur magistrate. *(Cross-examined.)* The orders were the magistrate's; I received them from the darogah; the first was to go to the thanna of Doulagunj. This was a written order, sealed, but after it was executed it was returned. I received from Syfoo another order at Dutpoolia; it was a verbal one. Mr. Calder refused to proceed and Syfoo went to the other side. On the next occasion Syfoo was accompanied by Mr. Calder's vakeel. Syfoo is not in Calcutta. At the factory Mr. Calder assured us he would not go out. The factory is about three or four bigahs from the bungalow. He never left his bungalow, but he might if he had thought proper have gone to any part of the factory, for we would not have prevented him, except he was proceeding from the factory to some other place. I received two written orders only during all the time. We did not go into the bungalow; we remained at the distance of about a biggah. I saw no armed men about the place; there were two burkundazes there before I arrived. *(Re-examined.)* I can neither read nor write, and should not be able to identify the orders. The darogah told me to watch the gentleman. *(Cross-examined.)* From Dutpoolia, Mr. Calder went to his factory, where he remained five or six days, and then proceeded to Kishnaghur in conformity with the order he had received. The collector's ghaut is about eight biggahs from the cutcherry of Mr. Halket. *(Re-examined.)* We told Mr. Calder that he might go about the factory, but that he must not quit it. The plant was not fit for cutting. We would not have permitted him to leave the factory to see the cultivation.

*Khoodeeram Parre.*—I am a burkundaz of the Doulagunj thannah; was so in July last. I know the Baggadanga factory; it is six coss from the factory. I was stationed at the factory, in consequence of Mr. Calder's request, at the end of May. Before July Mr. Calder was in the habit of visiting daily other factories. When the order came in writing, it was communicated to me, verbally as I could not read. It was explained to me, after which Mr. Calder was not permitted to go out of the factory. We would not have permitted him to do so. I told him he might go about his own factory, but not into the village. We never saw any riot or disturbance. I was at Bagadanga, when the riot took place at Dutpoolia. On that day Mr. Calder went away early in the morning. About three hours after day light the burkundazes went away from Bagadanga. Mr. Calder returned either on that day or the next; three or four days afterwards Rampaul came with a perwanah. *(Cross-examined.)* I first went to Bagadanga at the request of Mr. Calder, who could not agree with the tenants. I never saw there were stocks in that neighbourhood. I don't know of any stocks for the ryuts. About thirteen persons, west country people, left the factory on the morning of the riot; they were armed; two burkundazes remained, I and another, and two of Mr. Calder's remained. I cannot say why fifteen burkundazes were kept on these premises, but Mr. Calder had lands of his own to look after. These thirteen men were in the riot at Dutpoolia. I don't know whether they went twice during the day. They were taken prisoners. I heard from the officers six villagers were wounded. I never knew them to be out in a body before, five or four used to go out. Mr. Calder has two factories under his charge.

*William Jeffreys.*—I was at the Bagadanga factory last year. I remember the riot at Dutpoolia. Mr. Calder was not at the factory at seven o'clock, he left it at day light. I opened a letter which came from Mr. Andrews, Mr. Calder being absent. In consequence of that letter I ordered burkundazes to be sent to Dutpoolia. Mr. Calder had nothing to do with those orders. Nonagunje lays in a north or north west direction. Dutpoolia is nearly south from Bagadanga; Mulnath, south of Bagadanga seventeen miles, is Mr. Andrews's residence. It was on the 28th July that the burkundazes were sent to Dutpoolia. Mr. Calder returned on the following morning. On the 3d August the peons came

to arrest Mr. Calder; he did not go out of the factory while I remained. I was there when he returned with the peons from Dutpoolia. I was present when an offer of bail and security was made. The orders I gave to the burkundazes were to go to Dutpoolia to protect the cutcherry. I gave these orders in consequence of what I read in the letter. There were three factories under Mr. Calder's care, about four miles distant, in all, from 12,000 to 15,000 biggahs. The cultivation extends three or four miles from the Bagadanga factory. They had commenced manufacture before this occurrence. (*Cross-examined.*) I was in the factory at the time of Mr. Calder's arrest, and heard that it was in consequence of the riot at Dutpoolia. I did not go to Mr. Halket, and tell him I was the person who ordered the burkundazes. I mentioned it to the plaintiff the next day, but I do not know whether he mentioned it at the cutcherry to Mr. Halket. I have mentioned it to Mr. Molloy; don't recollect mentioning it to any other person at the factory; don't recollect what Mr. Calder replied when I told him; I don't think Mr. Calder ever said that no men had been sent. I never went to Mr. Halket's cutcherry; I was never called upon to go. The letter I opened was from Mr. Andrews, and I opened it because the bearer said it was an express. The letter contained an order to send these men to Dutpoolia. I have been at the Bagadanga factory for eight months, but I do not know that he used these men to punish the ryuts who offended him. I never saw stocks to punish the riots in Dutpoolia, or any of the villages. I know Mulnath, but am not aware that any money was sent there on the morning of the riot. Mr. Andrews's head naib had absconded the day before, and the burkundazes were sent for the protection of the cutcherry. Takoor Doss Chatterjie is the head sircar of Mr. Andrews. I don't know if he is here to-day. Bhyrob Biswas was Mr. Andrews's naib; he is now in prison, having been tried for that riot. (*Re-examined.*) I reside at Bhuwaneepoor, about twenty miles from Kishnaghur, and four from Mr. Calder's factory. I gave no other orders to the burkundazes than those contained in the letter. There are many gang roberries in Kishnaghur. It is necessary to have armed men at the factories; the business could not be carried on without them.

*Richard Wooldridge.*—I am an assistant to Harris and Co. at their Nonagunje factory, about eight miles from Mr. Calder's. I remember the day of the riot at Dutpoolia. Mr. Calder arrived at Nonagunje factory on the 28th July, at 9 o'clock in the morning. He remained there all day. He heard of the riot at three o'clock in the afternoon. He remained reading and writing. He generally visited his own factory in the morning. Subsequently, I asked the burkundazes if they would take bail, but they said they had no authority. (*Cross-examined.*) We heard of this riot about three o'clock. Mr. Calder then thought of going but I advised him not to do so. I heard that bail had been offered to the magistrate, but am not aware that it is true. I had not began cutting. It was not a busy time. At Kishnaghur, Thakoor Doss Chatterjia was both Mr. Andrews's and Mr. Calder's vakeel. I heard there were about eleven wounded men in the hospital. I don't remember if one was dangerously wounded. I went to Kisnaghur to be bail for the plaintiff. The defence made by the burkundazes was that they were attacked by the villagers when proceeding with money and notes to another factory.

*Syed Ghureeboollah.*—I was the acting darogah of Haunsecolly thannah last year, but was discharged after the riot of Dutpoolia. (*Cross-examined.*) I reported the riot of Dutpoolia to the magistrate. I saw the village people; six of them were wounded. They had sword cuts. I saw some burkundazes bound, they were wounded, but not by swords. My report was reduced into writing, and delivered to Mr. Halkett immediately, after which I was discharged. One of the men wounded with a sword was Hollodhor Bose. I understood the people were Mr. Andrews's, under the controul of Mr. Calder. (*Re-examined.*) When I went to Dutpoolia, I found six of the village people wounded with swords. There might be about two hundred male inhabitants in that village.

*Goolas Sing.*—I am darogah of the Haunscolly thannah. I received a perwannah, and directed two peons to remain at the factory at Bagadanga, and not to suffer Mr. Calder to leave it. I have not had any conversation with Mr. Halket, regarding the arrest of Mr. Calder. (The witness then deposed with regard to the purwannah being returned to the magistrate.) (*Cross-examined.*) Dufterpullia is within my jurisdiction. Mr. Halket left the district soon after Mr. Magniac succeeded.

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FRIDAY, JULY 24.

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The case being closed for the plaintiff,

*Mr. Advocate-General* took two objections. He rose in the first instance, and trusted that it would be in the last, to convince the Court, now that the case for the plaintiff had been brought to a close, that on his friend's own showing it was not cognizant to this Court. His learned friend might treat as lightly as he thought fit, the act 21st Geo. III, but it might be as well to read the words of it, before he offered any argument to the court, and their lordships would have the goodness to attend and see whether they were applicable to any case more than the present one. "Whereas it is reasonable to render the Provincial Magistrates, as well Natives as British Subjects, more safe in the execution of their office, be it enacted that no action for wrong or injury shall lie in the Supreme Court against any person whatever, exercising a judicial office in the country courts, for any judgment, decree, or order of the said Court, nor against any act done by, or in virtue of, the order of the said Court." This act, Mr. Advocate-General contended, though a law prior to the 53d Geo. III. which first gave Provincial Magistrate jurisdiction over British subjects in the Mofussil, extended to, and was to be construed with it. As to the second point the learned counsel contended, that the plaintiff, as in an action against the Sheriff, must connect the defendant with the darogah, by proving the purwannah, or giving evidence of some act of recognition.

*Mr. Turton* rose to reply, but the Court reserved both points.

*Mr. Advocate-General* upon the case. There are three distinct trespasses charged in the complaint, but if the defendant was connected with the arrests at all, it was clear it was only to that one under the purwannah laid in the first count of the declaration, that is to the original arrest and so much of the imprisonment as took place under it. Now, what are the circumstances at the time this arrest was directed? Your lordships will observe we have justified what we have done, and beside the pleas, there is a defence before the Court which proves that we could not have justified ourselves to the country, to the Government, or to our own feelings, had we taken a different path than we have done. Your lordships have heard there were fearful riots, which if not originated by, were at least participated in, by the armed servants of the defendant. On such an occasion what was the duty of the magistrate not acting under the law of England—if he were acting under the law of England sure I am that I could easily justify it—but under the Regulations of the Government of this country, which have been ratified by Act of Parliament? It was his duty to look at what those Regulations directed, which by IX. of 1807, section 4,—I state the substance only as follows:—Magistrates are not restricted from issuing process for apprehension, upon the report of an officer of Police, or upon other credible information. That being the duty of the magistrate, let us look at Regulation XX. for 1817, section 13, for that of a darogah:—Upon receiving information, the darogah shall enquire into the circumstances, and transmit the substance to the magistrate. What then has been done on this occasion? The darogah did make an enquiry and reported to the civil magistrate. But my learned friend takes another course, which, for all I know, may be better suited to his case, and comes here with a declaration of the rights of Englishmen and their love of personal liberty,—a declaration which no man is more willing to allow than myself, but according to the views I have been accustomed to take,—that they are plain and old fashioned I admit,—right and duty go hand in hand, that liberty is to be allowed so far as it is consistent with order, and that Eng-

lishmen should show that duty to the law as citizens in whatever part of the world they may be placed. I little thought at the opening of this case to hear a tirade in favor of liberty from a man who admits in the same breath that he keeps a band of robbers, armed with sword and shield, brought from a distance, and ready to be let loose on the unoffending inhabitants of the neighbourhood. I say, I little thought to hear such a tirade from a man brought here to claim his rights,—a man who keeps for such purposes foreigners,—foreigners to this part of the country at least,—ready armed for persecution, a circumstance which alone is a very good ground of suspicion and would warrant his confinement. But let us see a little further. What was the state of the country, and what was the part this man acted, who dares to come into an English Court of Justice and ask for damages for acts against his own person? I will ask your lordships to attend to the proceedings in the Mofussil Court, which will be put in evidence, and then let us see if the state of the country is so tranquil, that this gentleman, my client, was not justified in acting as he has done. Your lordships have heard that the darogah has power to administer oaths, to examine and to report, and on that report the magistrate has power to act by that, which is, in truth and in fact, the law of the land. Now let us see the report of the darogah: "After having transmitted to your presence touching the assault and pillage of the village of Dutpoolia, by Bhyrob Biswas, the gomastah and Sookub Roy and about one hundred and fifty persons, men with sticks and staves, on the part of Mr. David"—that my lords, is on the part of Mr. David Andrews's factory,—and so it goes on;—"this creature," meaning the darogah "found Hollodhur Ghose, and other six persons, tenants of the village, wounded and thirteen other persons wounded on the side of the said gentleman," meaning Mr. David Andrews. "On the following day the tenants delivered over to this creature four swords, three shields, &c. &c. alleged to have been in the hands of the rioters." After this, there being unfortunately no medical man to examine the wounds, the darogah goes on to describe them, one of which he states to be "of the length of seven fingers, of the breadth of two fingers and a half, and in breadth one and a half fingers." There are other wounds which he describes as "wounds filled up" with what he calls "medicine," but your lordships will see the nature of the attacks from the evidence. I may however say, that the darogah describes them as being inflicted with swords. Now Calder keeps these men; and I should like to ask, in the first place, if these outrages are to be committed with impunity; and in the second, if not, then I should like to ask, if Calder can complain;—if by keeping these men he has excited the cause of complaint, whether he can complain himself of being called to account for it? I say, first of all let him do justice and then ask for justice for himself. In a country,—a peaceful, timid and quite race of men,—nay, I do not speak of the timidity of the people where these armed men come from,—but it is notorious that the Bengallis are so,—are they to be wounded and persecuted by one who chooses to boast of the name of Englishman, and after doing so, is he to come into a Court of Justice with a complaint? We have lately heard, my lords, that natives of this country are now admissible to high offices; I do not say that this was not required by the circumstances of this country, but, I do say, that such a law is worse than the worst mockery, if such men as Calder are permitted to remain among them. I will call you lordships' attention to another part of the darogah's report: "On being interrogated, Hollodhur Ghose, and other ryuts who had been wounded, stated upon oath in their respective depositions, that the *assamees* then present, and others belonging to the gentleman before named, being armed with clubs, and other weapons, had made an attack, and committed a riot and affray, &c. But Hollodhur Ghose being severely wounded and unable to speak, it was with great difficulty and labor that he spoke one or two words and he was unable to give his statement in detail." Now, I put it to your lordships, not as judges, for that I cannot do, but I know you have the feelings of men, and indeed, I need not put it, for I know you would have felt it your duty not to see these unfortunate creatures imprisoned, some of them as we are told, for six years, while the conduct of their master, who was the cause of all, was suffered to pass without inquiry. In another part of the same report it is stated, that they, to the number of twelve persons, had been deputed by Calder sahib, the assistant at the factory of Bagadanga, in charge of a parcel in which there was a note, for the purpose of conveying the same, and were proceeding near the village of Dutpoolia, when the whole of the people of the village assembled, attacked and beat them, and plundered them, and carried them to the village, and charged them as *assamees* or defendants." This is the report of the darogah, that a riot had taken place of a most serious nature, and caused by persons in the employ of the plaintiff, of whom Biswas was the principal rioter, and he was plaintiff's gomastah;—these men were sent out by the order of his employer, so they say, and believing so far, I must say, that part of their story regarding the carrying of a note seems to me altogether impossible. But be that as it may, suppose an inquiry made, and Calder suffered to go abroad, what would any man say? Why, that the magistrate was unfit for his office; that a leaning towards Calder in his own mind had prevented the administration of impartial justice. Next came the report of the Session Judge, the order of the Fouzdary Court, of which I do not deny, that my client was the only member, and which will prove that he acted in his judicial character. I am not now going to return to my objection to the power of this Court taking cognizance of my client's proceedings in that character, but I may put it to your lordships, whether under the circumstances, and consistent with his duty, Mr. Halket could have acted in a different manner than he has done. The judge immediately above him thought he acted right, the jury before whom the case came found that a number of Calder's servants were engaged in the riot. But while I am arguing that this is sufficient to justify the conduct of Mr. Halket, allow me to enter my protest, that I do not consider myself called on to justify his conduct in this Court. Now, your lordships have it before you, that these servants—civil or military—certainly more like the latter than the former—were tried by a jury and sentenced to heavy periods of imprisonment—amongst the sentences was one for a period of six years, and on this I will trouble you with the comment of the Session Judge,—"because from the proceedings it is clear and evident that these riots and tumults that happened as well in the morning as at the hour of ten o'clock in the day, were founded upon the oppression and machinations of the said Bhyrob, for this reason:—that he, prior to the happening of this matter, had caused a person of the name of Ruttenchunder to be seized and brought before him, and was determined to send him, together with his boat, without giving him his hire to the factory of Bhowannypore." This factory, your lordships will recollect, is the factory near to Mr. Wooldridge's, and of which it was said, Mr. Calder had gone to inspect the cultivation,—"and received a blow" and so on; so that Mr. Calder's factories seem to be the general places whence armed burkandazes are sent out, and peaceable ryuts are brought in. The report of the Sessions Judge goes on to state, that an attempt to extort money was the ground of the riots, and he evidently considers this man, Bhyrob, to be the leader, and this man was not one of the armed party, but the head of Bhowannypore factory itself. Now I hope for your lordships' patience for the time I have trespassed on you; but what follows is too important for me no not to draw your lordships' attention to it. Calder left Bagadanga at four o'clock in the morning, whether the witness means four guntas, I do not pretend to say; but it is material to this part of the case to remember, that Bhowannypore where he went is five miles distant from Wooldridge's factory. At four o'clock he started from Bagadanga, and at nine he arrives at Wooldridge's house. I am not here to argue that Calder was in the affray: it is only necessary for me to shew that there was enough to warrant suspicion. Now what did this arrival at nine o'clock at Wooldridge's prove? Is it the first time an *alibi* has been set up in this court by a man in the situation of Calder himself? But what does it prove? If Calder was concerned—I am not justified in saying that he was—he might have given his orders over night and then taken himself quietly out of the way. Yet is this brought forward and boasted to convey an idea of his innocence with the certainty of

mathematics. Now I turn to the evidence of Mr. Wooldridge. He tells you that it was nine o'clock when Calder came there. Came there—for what purpose? Not for business, for Wooldridge tells you he passed his time in reading the newspaper. Did he come on a horse or on an elephant? Wooldridge could not tell; but I suppose he must have come on one or the other, and if he did, why not now produce the man who accompanied him to shew how he passed his time,—that he did not stay by the way! It is said that Kooderam accompanied him on ordinary occasions, but, perhaps, on this occasion something was to be done which it might not be proper to be seen or overheard; and, therefore, was there no account of his time. Now, your lordships have heard how he got to Wooldridge's, and you have also heard from my learned friend much of the busy season and the interruption of Mr. Calder's business; it seems, however, that his business, urgent and important as it was, permitted him to remain at Wooldridge's for the remainder of the day, reading the newspaper. At three o'clock, intelligence arrives of a riot. My friend talks of the rights of Englishmen, I should have thought that the man who boasts of the rights of an Englishman would have respected the rights of others. I should have thought that he, Calder, would have hastened to the spot where his people were imprisoned, to enquire into the circumstances, and mitigate the evil which possibly his absence had occasioned; and so he might have done had he so desired. But he desired no such things. "Oh, Yes," says Wooldridge, "I persuaded him to stay." Persuaded him to stay! The sense of duty was remarkably strong. We have heard of a "dazzling" from my learned friend, but there was no dazzling to prevent him proceeding to his imprisoned people had he so chosen. A little wooing—a little offer to go might enhance the pleasure of his company on this, as it is said to have done with others on an other occasion,—he plays the maid's part,—he coyly says "no," and yet accepts the offer after all. And there he sits quietly in the house of his friend reading newspapers when he might have gone to the spot; a word from him would have stopped the whole proceeding. I now come to the evidence of Jeffrey's, which is to exonerate Calder by taking the blame upon himself. Your lordships heard how that man gave his evidence; there was hesitation and equivocation such as never yet fell from a man that was going to speak the truth. He says he received a letter written to Calder to tell him to send down those men to protect the cutchery, and the reason assigned for this is, perhaps, the most whimsical that ever entered into the head of man:—the naib had ran away, *therefore* he expected the cutchery to be attacked. Now, I ask, how was the cutchery in danger, because the naib had ran away? A man must strain hard before he finds such a reason—he must be quite sure that the matter will not bear investigation that twists and turns in this manner. I say, as I proceed, fresh suspicion crowds upon my mind. In a case of this nature, more particularly where such a defence is set up, one would have expected to have seen the letter of Andrews itself. Jeffreys had sent it to Calder, but why is it not produced here? Again I say, at every step I take fresh suspicion crowds upon my mind as to the conduct of this man. Why not call Andrews himself? Oh, that would not answer the purpose; much better to send Jeffreys into Court with an imaginary letter. Now let us consider how far this evidence concurs with that of the bunkundazes themselves state. They say they were proceeding from the Bagadanga factory in charge of a parcel or a note, therefore, it is not possible to believe this evidence of Jeffreys. True it is that the depositions of the burkundazes vary a little from that of the villagers,—they state they "were passing near a village," whereas they were in the village, but it is not possible that a statement of that description should be accurate in all points. Now Jeffreys never mentioned this fact on one single occasion except to Calder, and to the respectable gentleman who is Calder's attorney, and who, I am sure, would not bring a witness forward in this Court on whom he could not place some reliance. If the tale had been true, it appears to me that he could have written to Mr. Halket, but it is quite clear that it is made up for the occasion on which it may be used. He never recollects, (Mr. Turton corrected the learned counsel) oh, no doubt the correction is worthy of the interruption. I say he never recollects,—his imagation, rich as it is in invention, can remember nothing. Now, let us see if it is likely this affair could have taken place. Is it to be believed that Calder would have submitted to this confinement when a single word have relieved him from it! Is it to be believeed, that Calder would not have written, and said. "It was not my doing; I can prove that the order was Jeffrey's and by desire of Andrews!" Here was Calder's servants concerned in a riot—here was the head man of his factory also concerned,—here was Calder himself out of the way without accounting for his time. But if this tale was true, Calder could at once have explained to the magistrate,—he could have said, "I am not concerned in it; I can shew that the order came from a different source." There must be some claim upon your credulity if your lordships are called upon to believe one word of this. But supposing the tale was true, Calder could only have acted from a love of persecution,—he had laid a "trap" for the magistrate,—my friend has done me the honor to recollect a word of mine the other day,—it is fair that I should recollect a word of his—he took a step to secure his own imprisonment,—he might, in the first place, have availed himself of the conversation with Jeffreys—he might have told the magistrate that he was a British subject,—he might have put him on his guard by saying; "I was born in Scotland," and surely that thought would have occurred to any man who did not want to draw the magistrate into a difficulty. Then let us look at Calder's conduct when he was confined, and your lordships will not suppose with the view I take of the case, that I am speaking with a view of lessening the damages. I am speaking here for no such thing. I am quite satisfied that you will think the conduct of my client correct; but I am speaking for Mr. Halkett, and I am desirous of showing to those who have a right to know, that no spot rests on his character, that it is not only just and good, but that in acting as he has done he has acted right, and that had he done otherwise he would have done wrong. During the time Calder was in custody, every person appears to have acted with every degree of kindness compatible with keeping him safe. But it was his object to get something like persecution, and then to have his remedy in Court. He was told he might have the use of his factory; he might visit the vats which are at some distance from the house, but "no," he confines himself with the strictness of a prisoner to his own habitation, and then comes here with a story of his suffering, which reminds me of the character in the Tale of a Tub, who would stand at the corner of the street, and calling to those who passed by, would cry, "Worthy Sir, do me the honor of a good slap in the chaps;" "Honest friend, pray favor me with a handsome kick on some other part." "Madam, shall I entreat a small box on the ear from your ladyship's fair hands?" "Noble Cap ain, lend a reasonable thawck with that cane of yours over these shoulders." And when he had by such earnest solicitations, made a shift to procure a basting sufficient to swell up his fancy and his sides, he would return home extremely comforted, and tell terrible accounts of what he had suffered for the public good, telling the people that had he been tender of his poddle, they would have had the Pope and the French King, long before this time of day, among their wives and their ware-houses. Just so, only not quite so amusingly, did Mr. Calder tell what he had suffered for the rights and liberties of Englishmen. Sufferings indeed! Your lordships cannot have forgotten that when he was taken, as he calls it, from his own factory to Kishnaghur, one of the peons asked permission to accompany him in the beauleah, but no, says Mr. Calder, "go in the cook boat." A pretty prisoner! Well, he arrives at Kishenaghur, and remains two days at the ghât there. Now, I happen to know something of Kishanagur, sufficient at least to say that the ghât is a considerable distance from the collector's house, and that it is quite possible that a person may remain there for several days without that circumstance coming to the knowledge of the magistrate. But with this we have nothing to do. I fancy, it is clear that we have to do with but one single imprisonment, and one single purwannah. The case is simply, not whether Calder is guilty, but to say whether Mr. Halket had or had not a cause for suspicion which warranted the enquiry he has made; and we have to look only at the first arrest which does not clearly

appear to have lasted four or five days. If there was no ground of suspicion, I confess I am at a loss to account for Calder's conduct. He might have given orders that morning; he might have planned the whole scheme: he hears of the affray at three o'clock in the day, still he never interfered; he is made acquainted with Jeffreys's wonderful tale, still he never discloses it,—not a word does he state about that anterior to his release. All his sufferings, as he calls them, arise from himself. Now let us look at the other side. Here are the statements of the wounded men, saying they were maintained, armed, and let loose by Calder himself. Then we have the decision of the Court, the report of the Session Judge, and looking at these, I feel assured that your lordships will say that Mr. Halket has not only done quite right, but that if he had acted in any other way, he would have done wrong.

The following witnesses were called :—

*Goureboolah.*—I was examined yesterday. I enquired into the affray, I think the day after it happened. I examined the villagers and transmitted a report to Mr. Halket, in the course of my duty, as daroga. I have seen the original in the Sudder Court, and compared the copy with it. This is it. I saw at the same place the order on that report. It contains the examination of the six villagers wounded with a sword, and the thirteen men on the part of of Mr. Calder. The answer of the thirteen men states that they were wounded with sticks but had no dangerous wound. This is the copy of Ranjee Ussa's deposition, the original of which I have seen at the Sudder. There are five other depositions of men who were wounded at Dutpoolia. I received information and enquired in the course of my duty. I found Hulloder Bosh senseless, weak, and feeble. The tenants' wounds were inflicted with a sword. I sent all the wounded men to Kishnaghur, together with my report. I had been at darogah for nine months. There were riots and tumults at Hunseeolloy about indigo plant. I have heard that this is a talook belonging to Mr. D. Andrew. I had a purwannah sent to me in consequence of those riots, and on a previous occasion I went to Dutpoolia in consequence of a quarrel. I saw five or seven wooden stocks in the village, which were not placed there by the proper authorities. At Sunbannia, which is connected with Bagadanga, I saw no stocks. This a copy of a purwannah; the original is at the Sudder. The opinion of the Session Judge has also been compared with the original (the witness proceeded to prove several other documents.)—(*Cross-examined*) Lately I have had no employ. I was subpœnaed and came to the attorney with whom I went to the Sudder to see the original of these papers. I have been here eight or nine days. After the Court rose yesterday, I went to Mr. Paul; there I saw Mr. Halket, but I had no conversation with him then or this morning. I have not the power to administer an oath to a person who make a complaint, but I am authorized to examine a person on oath who has been dangerously wounded, and whose life is in danger. I took the examination of the other persons also, alleging that Mr. Calder had sent them. I completed all in about five hours. There are gang robberies in all the district of Kishnaghur.

*J. F. M. Reid* proved several documents purporting to be proceedings in the Zillah Court.

*Hollodhur Ghose.*—I am an inhabitant of Dutpoolia; remember an affary in July, 1834. I was hurt, as well as several others. Two respectable persons in our village were taken to Mr. D. Andrew's factory, fined, and imprisoned. Hearing a noise, I came out and received a wound with a sword. The mark remains; this is it. An up-country man, in the employ of Mr. D. Andrew, and in company with sixty others wounded me. Subsequently I was sent to the hospital at Kishnaghur, with six others, who were also wounded. There were stocks, four in number, put up in the village by Mr. Calder, but I never saw any person punished in them. I was examined by the darogah the day after I was wounded. (*Cross-examined.*) I think there were about sixty, but am not certain.

*Mr. Turton* in reply. When I was first engaged in this cause, I was fully prepared to oppose all the obstacles that might be thrown in my way, for I could not be blind to the fact that persons acting in a judicial situation, and not engaged in the administration of the law of England, and particularly persons in this country, have a sort of prescriptive right not to be bound by those laws which, it is generally thought apply to them. I say, I was fully prepared to encounter these obstacles, but I must confess I was not prepared to meet that sort of defence which has been set up this day,—that a gentleman exercising the jurisdiction of a magistrate in this country should feel ashamed of the land which produced him. However it is pretty clear that this line of defence would not have been adopted,—that the time of the Court would not have been trifled in proving the defendant an Irishman or the plaintiff a Scotchman, if my friend had any reliance on the other line of defence, to the weakness of which he has now added his own testimony. My friend has made one comment regarding our not having informed the magistrate that he was a British subject, but it appears to me, it had been better before he had done so to have asked the gentleman who imprisoned my client, whether he was, or was not, at the time he caused him to be apprehended, in possession of the roll of British subjects residing in that district. I say if he was not aware that he was a British subject, he has spent his time at billiards or in other amusements, for it was his duty to know every British subject who resided in that district, and till very lately it was his duty to give information to Government of every British subject residing there without their permission, and one of your lordships may recollect an action against Mr. Middleton, because he objected to Mr. Morton being in the upper provinces without the sanction of Government. What then becomes of my friend's tub? There was a time when my learned friend would not have treated the wrongs of Englishmen so lightly; and now I should have at least expected that my client would have received compassion for the injuries he had experienced through the ignorance of his client. This young gentleman, Mr. Halket, came out to this country in 1827, a few years afterwards his *presence* is unfortunately inflicted over the large district of Kishnaghur, where in his judicial situation he claims immunity from all error. That it was quite possible for him to have committed error I think no man can doubt, but my learned friend in his defence says he adopts the line of conduct Mr. Halket has taken; nay, he says more, he says his client has adopted the proper course, and sorry am I that I can compliment my friend as little on his judgment as I can compliment my friend's client on the course he has taken. He has stated his notion of liberty connected with the right of others, but this, though not a peculiar notion, so far as his client is concerned, is a most unfortunate statement, for if true liberty consists in having some consideration for the right of others as well as for our own, what regard has Mr. Halket shown for this opinion? Is the imprisonment of Mr. Calder in his factory,—the dragging him from one end of the district to the other, consistent with that right and duty which goes hand in hand, and the respect for the rights of others as well as of our own, which I am quite as ready to admit to be my notion of English liberty as well as my friend's? But, he has stated, that I opened this case with a tirade in favor of liberty, and if I had I should not be ashamed to acknowledge it, for if ever I am guilty of a tirade it will be in favor of that subject, and I am tolerably certain few men but my learned friend would have selected it as a matter for their sneer. He has complained that my client has not sought an opportunity for explaining to the magistrate that he was entirely unconnected with the order for the departure of the burkundazes, but he has forgotten that in this district, subject as it is unfortunately to continual quarrels, subject as it is to the administration of justice by one or two young men, and where there is a want of justice from the want of persons to administer it, the magistrate is not always to be found at the spot where the seat of justice ought to be; besides it must not be forgotten, that the spot where this affray took place is twenty miles from the residence of the magistrate, and my own experience, which is not like my learned friend's, confined to the ghat, enables me to say, that some parts of the district where the magistrate's persence is required is more than an hundred miles from it. Here, too, I may observe, with reference to those men whom my friend has called a band of robbers, that there is some excuse for my client having employed them, since they afforded his property a

protection which the law might have done but did not. But, throughout his address my friend has insisted that Mr. Calder originated this affray,—from his own witnesses it is quite clear that he did not,—and he sneeringly asserts that it was my client's duty when he heard of the affary to proceed instantly to the spot, and prevent what had already occurred. A little wooing, said he, served to keep him from that purpose, forgetting that he was not within twenty miles of the spot, and that outrages were then going on which the police had not the power to check, and in which had he determined to proceed, it is not only possible but probable that he would have been murdered,—outrages of daily occurrence which would prevent any European existing in Kishnaghur were it not for the protection of that armed force of which my learned friend has attempted to make so much. I need not remind the Court, that two years has not elapsed since a faqueer over-run the whole district almost under the very nose of the Governor-General in Council. On the keeping of these armed men the whole supposition of my learned friend is founded. But what becomes of his supposition when the state of the district comes before the Court? and what said Mr. Reid, who had himself been a magistrate of that part of the country? "That if the protection of armed men was not necessary, he did not suppose that the planters would keep them." The planter protected himself; he did that which the law could not do for him, and yet are we told that very circumstance is sufficient to warrant his imprisonment. Now I think it must have been a kind of Mr. Halket who first originated that doctrine, for it shewed as little knowledge of the state of the district in which he resided as it did of the seat of government, for there were many opulent natives here who kept armed men not for their protection it is true, but to gratify their ideas of dignity. What dose my learned friend say to Rooplaul Mullick, who keeps sepoys at his door not only with muskets on their shoulders, but with brass on their caps also? Now, my lords, what are the terms my friend used towards Mr. Calder this day? for if my learned friend has uttered any thing this day worthy of attending to, it is this. In the first place, he says, my client is in the employ of Mr. Andrew, and that as the magistrate had arrested the other party he would have been accused of partial justice had he not arrested him also. Now this being Mr. Halket's duty, it must not be forgotten that according to my friend's doctrine, Mr. Calder must go to Mr. Halket for that purpose, crying as he went by the scene of outrage, like the character in the Tale of the Tub, "Worthy inhabitants of Kishnagur give me a slap in the face." "Charming Sir, bestow one month's imprisonment." But impartial justice is the object. Very well. Mr. Andrew who gave the order for the peons to be dispatched, and who employed them, is suffered to be at large, while Mr. Calder who had neither ordered, dispatched, nor paid the peons, is arrested. So much for my friend's impartial justice; but, perhaps, there might be something in the strength of Mr. Andrew's purse compared with the strength of that of Mr. Calder, and I am ready to confess, that if my client's constitution was not stronger than his purse, his health would have suffered more during his imprisonment than it appears to have done. Oh, but these civil or military servants, as my friend calls them, are under the controul of Mr. Calder, and, therefore, is he answerable for their behaviour. But it seems this new doctrine was of partial application only, for though Mr. Calder was responsible for the acts of the burkundazes. Mr. Halket was not responsible for the conduct of the darogah; nay, more, Mr. Halket claims immunity not only for himself but for all under him. This brings me to another part of the subject,—the report of the darogah,—and the depositions said to have been taken by that person. It is rather singular I think, that all but one of the latter, though precise as to the day of the week, were not so as to the day of the month. The English day Monday was there, but no mention of the day of the month or how many days the affray occured prior to the making of the deposition. Now, says my friend, on this report of the darogah, Mr. Halket was justified in arresting Mr. Calder, and were it necessary, he added, he could by English law easily justify that proceeding. I deny that my friend could have justified his client by English law, or any other law that I know or ever wish to be acquainted with. But, says my friend, he was acting under regulation IX. of 1807, sec. 4. Is my friend so ignorant as not to know that this does not, and cannot apply to British subjects without being registered in this Court; and that my client carried with him into the mofussil, the protection of that law which here is the subject for my learned friend to sneer at, but to which at home he would be bound to pay a great deal more respect? The darogah made a report your lordships are told, and admitting that he might have done so, the whole case rests on the question, whether the magistrate had then the power to issue his warrant to arrest a British subject. That he had by the 53d Geo. III. my learned friend has not ventured to assert, and that he had not by the 21st Geo. III. the act which my learned friend has denominated the living will of the legislature, I shall have no difficulty to prove when not, as now, precluded from going into the law of this case. My friend has thought it worth his while to extend his enquiries to the defence in the mofussil Court, and drawn from thence the conclusion, that because it was conducted by a vakeel employed occasionally by Mr. Andrew, that gentleman and my client must necessarily have an interest in the trial. Now, if so, may I not, too, infer that the defence in this Court, conducted by the Advocate-General, and the brother of a Member in Council, is undertaken by Government? He asks who defended there? I say who defends here? and I think I have a much better reason for the observation, than my friend had to entertain the Court for a quarter of an hour in order to prove who was the vakeel by whom the defence in the mofussil was conducted. Then comes a description of the wounds, and their surgical treatment with turmeric and cow-dung, concluded with a sort of lament that the surgeon was not in attendance in this Court to give something like respectability to the case. However, in lieu of this he has a witness in the box, whose description of the wounds is none the the worse for wear, and he says they were filled up by some surgical application. Then my friend bursts forth, and says they were inflicted by the servants of Mr. Calder, armed men, kept by him to rob and plunder, and be let loose on the peaceful, timid, unoffending inhabitants of Kishnaghur. Peaceful and timid, indeed, but let their object be gain, and it is necessary for the planters to have armed men, foreigners as my friend calls them, to protect their property. But it is said to be impossible that this peaceful and timid race of men can be admitted to high offices if such men as Mr. Calder remain amongst them, and is permitted to employ these "foreigners" who I suppose my friend means are men from the western provinces. I remember in my youth, some part of my time was spent in the neighbourhood of a farm, and it was the custom for the country people to call all persons by that name who resided more than twenty miles from them. I do not know whether my friend received similar early impressions; I should have thought he had, did he not describe them as being kept for the purpose of being let loose on this peaceful, timid race of men. It is by this suspicious circumstance he justifies the magistrate,—whether he justifies the Justice of the Peace by this, or 21st Geo. III, or Regulation of 1793, or any other Regulation I really do not know,—but this I say, a more impudent suspicion was never perverted,—a more inaccurate one never formed. It solely depends on the report of the darogah, who says a number of persons, belonging to Mr. Calder's factory, who say they were going in another direction, and were set on by the villagers. So much for these "foreigners" being let loose on this peaceful, timid race of men; and so far has Mr. Halket grounds for his suspicions, for if he had depositions which made the burkundazes the aggressors, it must be remembered, that he had also depositions that contradicted those; nor is there any attempt to state the men were sent by Mr. Calder for any other purpose than that what is here stated, although it is said another purpose was proved against them. I ask again, is the liberty of a British subject to be interfered with on no other ground than this suspicion? Is he to be arrested, detained, and dragged from one end of the district to the other on such grounds of suspicion on the mind of a magistrate whose reasoning would disgrace a child from school? The tumult took place, hence the suspicion,—Mr. Calder must have known of it!

Here is the suspicion upon which we could not, "had we acted otherwise, have justified ourselves to the people, the government, or to our own feelings!" My lords, I cannot place this case in another light, and the question is, whether on such absurd grounds as these the rights of a British subject are to be interfered with. I need not trouble your lordships with any observation on the pleas, satisfied as I am that if my friend relied on them he would not have compelled me to prove the jurisdiction; but I may be allowed to remark on that part of my friend's opening, in which he endeavoured to prove that Biswas, in the proceedings of the mofussil Courts, had been sentenced to six years imprisonment. If it be so,—and I do not speak under the same prejudices as my learned friend which makes him forget all his ancient opinions, all his old fashioned notions,—I cannot but declare that in my opinion the attack was commenced by the villagers, and that the servants of the plaintiff were bound to make a vigorous resistance. Yet is this man sentenced to six years imprisonment! Is this the regard shewn in the mofussil for liberty? and is it to be put forward as a ground of suspicion against a man who was not of the party? The suspicion would disgrace the man who entertained it. I do not, my lords, suppose that Mr. Halket would commit an act of injustice from inclination, but I do believe him to be one of those young men who come out to this country under the impression that much good may be effected by severity, by acting what is generally termed the *bahadhur*, and that in consequence he has clearly committed an act of injustice on a person on whom there does not rest the slightest suspicion. I will now turn to the evidence of Mr. Jeffreys. My friend does not believe it, but he commented upon it in two places. He said, your lordships saw the hesitation with which Jeffreys gave his evidence. Your lordships did see it. It is not every man that is put in that box has the coolness and is as collected as my learned friend,—a coolness which many men pass a long professional life and fail in attaining, though I admit he possesses as much *esprit de corps*, *esprit de counsel*, or *esprit de* Advocate-General as most men. My learned friend will also recollect that men who have worn the barrister's gown for some years have cut but an indifferent figure in the witness box. But, says my friend, the order was sent direct to Mr. Calder, and yet Mr. Jeffreys had the impertinence to open it. A strange affair truly, if when a man brings a letter from the employer to one assistant another may not open it, when informed that it requires immediate attention; and what, says my friend, was there in this note to require the despatches of armed men to the cutcherry?—a whimsical reason,—a naib had absconded. But I see nothing whimsical in seizing the papers of a servant who has absconded when called on to bring in his accounts. Now, says my friend, admitting this, Mr. Calder's time is not accounted for from day light in the morning till nine o'clock, and he has commented on the absence of the peon who usually accompanied him. However, your lordships will see that Mr. Wooldridge's factory is in a contrary directions to Dutpoolia, nor do we think it necessary to bring forward the peon who accompanied him, since it is not pretended that he was present at that village. As for the idle story of the stocks, which has fallen completely to the ground, and the comments of my learned friend on the advice given of Mr. Wooldridge—a little wooing as he calls it, the substance of which is, that he did not go, I shall pass them over with but one comment—they are brought forward to lead your lordships from the consideration of the proper subjects, the first of which is, had Mr. Halket a right to interfere with my client, and the second, has he in interfering proceeded in the course pointed out by the act of parliament? There was one statement with regard to Mr. Jeffreys which might require comment. First, says my friend, it is most extraordinary that he never told any person regarding the orders he had given, and secondly that he did not write and explain the subject to Mr. Halket. No—had he done the latter, I think it is not impossible that "the presence" would have returned it because not written in Persian, and on the proper stamp. But where was "the presence" to be found, for we hear that he was marching up and down the country! But, forsooth, it is for the satisfaction of Mr. Halket's character. Had he been anxious to have shown that he had acted right, he would have come into this court and said, "I am a British subject and a Justice of the Peace; I acted on the supposition that I had authority, and if I have not, I regret that I have been misled." I think it will be admitted that a judge may take a wrong view on a point of law, and the least that could be said was that a young man may commit an error, and not leave his conduct open to the imputation that he had acted from some secret and improper motive. It is, however, to be considered, that the injury has been done to a British subject, over whom the mofussil Court has no jurisdiction, and it does follow that your lordships should give such damages as will make young men of this kind consider before they act. The affray took place on the 28th July, Mr. Calder is taken into custody on the 3d August, "the presence" does not arrive until the 8th of that month, and where was the pressure that prevented him proceeding into Mr. Calder's case? "The presence" remains for eight days longer, doing what, God knows, for I cannot imagine, without supposing that he was enjoying the pleasures of the mofussil. Mr. Calder is taken back, thence he is taken to Kishnaghur, and detained at the Collector's ghât four days, with the alternative of being confined to his boat or going about with a guard of honor, while it was the magistrate's bounden duty, if he had the power to arrest him, to see that he did not remain a single hour in custody before his case was investigated. My friend says he might have gone out had he thought proper to do so, but as he chose to remain at the ghât it is no hardship. My friend, doubtless, would consider it no injury, but who else would like to go out accompanied by the officers of justice? Is this no aggravation? It is plain, that during this time the magistrate was neglecting his duty, for he has not shewn what he was doing during this detention. But if your lordships only look at the original arrest, and not to the subsequent detention, I say it is a heavy grievance; and I am sure my client will not be told in the words of my learned friend, "oh, but he was allowed the liberty of the vats, the whole circuit, the ambit of the factory, and that it was your own fault, in fact a trap for the magistrate." It is for your lordships to shew that the rights of a British subject may not be invaded with impunity, and in calling on your lordships to protect them, I hope I have expressed the sentiments I shall entertain to the last moment of my life, surprised as I am to hear the altered sentiments of my learned friend.

*Chief Justice.*—Early in the cause we stated that it was our intention not to express any opinion at present on the points of law raised by defendant's counsel. The verdict we are about to give must only be considered nominal, and to raise the points to be heard hereafter, and not as expressing our opinion of the legality or illegality of the magistrate's proceedings, or whether this Court has jurisdiction. Mr. Advocate-General has argued first, it is quite clear, if defendant acted as a magistrate he is entitled to a verdict, and secondly, that if defendant acted out of his jurisdiction, we are precluded from interfering by the 21st Geo. III. We must, however, come to a decision on one point, the amount of damages, supposing plaintiff's case to be established, so that, should our decision hereafter be in his favor, he may not be put to the expense of coming again into Court. Now on this point we are quite satisfied, notwithstanding the ingenious observations of the plaintiff's counsel, that no improper motives of any kind are to be imputed to defendant, and that if he has acted wrong it has been a mere mistake of judgment, and without any motive or wish to deal harshly or improperly. It may be our opinion that defendant has acted illegally, and in that case the plaintiff is entitled to compensation, but in considering the amount of damages, one fact has great influence, and that is the conduct of the plaintiff himself. It is quite clear that on his return he was informed by Jeffreys what had been done during his absence, and that he might have taken Jeffreys with him to Dutpoolia to give an explanation to the magistrate; nor are we satisfied with the plaintiff, who on his arrival at Dutpoolia refused to go to the other side of the river where it is said the magistrate was. Now what should an Englishman do under those circumstances? If he thought the magistrate had mistaken the facts, he should have taken the first opportunity to explain and set him right. This has great weight with

us in considering the damages, because we cannot but think, that if an explanation had been given at that time the plaintiff would have been released.—*Ibid.*

THURSDAY, JULY 30.

BIGAMY.

*Thomas Edward Colville Sherburne* was placed at the bar, charged with having, on the 20th February 1807, at Calcutta, married one Marian Carepiet, and afterwards on the 23d August, 1834, at Chinsurah, having married one Harriet Eliza Smith, his former wife being then alive. The prisoner pleaded *not guilty*.

*Arathoon Petroose* deposed that he attended the marriage ceremony performed by the Rev. Mr. Joseph, in 1807, at the Armenian Church. The witness saw Marian Carepiet in Calcutta, about four months ago. (*Cross-examined.*) Does not recollect how old Marian Carepiet was when she was married. The ceremony was performed according to the rites of the Armenian Church, but I only know the form from what I saw.

*Nicholas Aviet*, sexton and vestry clerk of the Armenian Church, deposed, that he had been ten or twelve years in that situation. Knew the prisoner and his wife. She was in the habit of attending the Armenian Church. (*Cross-examined,*) There has been a restriction in the church for the last ten or twelve years, requiring that young girls under the age of twenty-one, should have the consent of their parents.

Several other witnesses were examined and proved the marriage.

*Eliza Smith* deposed that she knew the prisoner, and that two letters put in evidence were in his hand writing. One was dated 20th July, 1834, and contained a proposal for marriage with the witness's daughter: it set forth that he was told he would get some fine French ladies at Chandernagore, but being aged 48, he did not like a young lady, because it was possible, that she would not like him. Witness and her husband were present at Chinsurah, when prisoner was married to her daughter, on 23d August, by the Rev. W. Morton. (*Cross-examined*). Never saw the prisoner till he addressed me the letter. My husband is in town; but he is not in the Courthouse,—he was at Saugor at the time when I lodged the complaint. I knew Mr. Westcott when I first knew the prisoner, but then I had no communication with him. I received Rs. 200 from Sherburne on one occasion, in instalments of 100 Rs at a time; I never received a larger sum. My daughter is seventeen. I knew the prisoner three weeks before my daughter was married to him, and all I knew regarding his occupation or means was the account he gave of himself. After the marriage, prisoner spent one or two days with my daughter at Mrs. Stone's. My sole wish to have my daughter married was, that my means were scanty and prisoner said he was in the receipt of Rs. 80 per month. I have heard of a Mr. Bushy, but never knew of an attachment between him and my daughter.

*Eliza Harriet Smith* deposed, she was married to the prisoner, last year, at Chinsurah, by the Rev. W. Morton. (*Cross-examined.*) I did not marry the prisoner through persuasion of my father and mother. I thought he was old and would make me comfortable. My father first informed me of the proposal. I don't know Mr. Bushy.

*Rev. W. Morton* deposed that he performed the marriage ceremony at Chinsurah according the rites of the Church of England.

This was the case for the prosecution.

*Mr. Clarke* submitted there was no evidence of a legal marriage in the first instance. With respect to the first marriage, it is sufficient to prove a marriage in fact to have been celebrated at home or abroad according to the law of the country. But here, in this case, it was not proved that the prisoner was an Armenian, and the marriage was a mere ceremony performed by a person who had no right to perform it.

*The Chief Justice* reversed the point.

*Mr. J. Moore* was called for the defence, and deposed that the prisoner was a man of intemperate habits, and of weak intellect. On his examination by the Court, witness deposed that in his opinion the prisoner was capable of distinguishing right from wrong.

*The Chief Justice* summed up, and the Jury returned a verdict of *Guilty*. His Lordship desired that the prisoner should stand down for the present.—*Ibid.*

## INSOLVENT DEBTORS' COURT.

SATURDAY, JULY 4.

IN THE MATTER OF H. N. CAMPBELL.

Our readers will remember a report inserted in our Journal of May last, of an application by the assignee of this estate, that a portion of the insolvent's salary, he being an uncovenanted servant of Government, be set aside for the benefit of his creditors. This application was founded on the decision by Mr. Justice Grant, in the case of Mr. Rebello, pronounced during the absence of the Chief Justice from India, and contrary to previous decisions of the learned judge and Mr. Justice Franks. The application was opposed by Mr. Clarke on behalf of the insolvent and several other uncovenanted assistants whose cases would abide the decision of the Chief Justice. The learned counsel argued that the case of the insolvent did not come within the meaning of the 27th section of the Insolvent Act; and cited several decisions of the Court, amongst which was that of Mr. Sinaes which originally came before the present Chief Justice, but was decided by Mr. Justice Franks, and it was understood, when that learned judge pronounced his decision, that an unconvenanted servant did not come within the meaning of the clause, and that he had consulted Mr. Justice Grey. From the time of Mr. Sinaes's case down to that of Mr. Rebello, several similar cases had come before the Court, some of which had been decided by the present Chief Justice, and the Court had invariably refused the application to assign any portion of an uncovenanted servant's salary for the benefit of his creditors.

The Chief Justice, having taken time to consider, now pronounced his decision, concurring entirely with Mr. Justice Grant. The learned judge, having read the ninth section of the Act, which provides what shall pass by the assignment, and the twenty-seventh, which authorizes the Court to order a portion of the receipts of the Company's servants, civil, military, or ecclesiastical, to be paid by the insolvent to his assignee, was quite clear that by the former section, whatever an insolvent may acquire vests in his assignee until he obtains his final discharge, but that the latter was a clause restraining the power of the assignee, and which enables those persons who come within its meaning, to retain for public purposes such a portion of what they may acquire as the court may think just and right. This being his general view of the clauses of the Act of Parliament, the question is, whether this insolvent falls within the exceptions contained in clause twenty-seven? It is rather curious, said the learned judge, that the petitioner comes into Court to protect himself from the operation of the twenty-seventh clause, that is, he seeks to be exempted from the clause which restrains the assignee from taking all that he may acquire until he obtains a final discharge, and wishes to be placed under the general power of the Act, by which, whatever he may acquire until he is finally discharged is vested in his assignee. But the question is, whether this petitioner is entitled to the protection of clause twenty-seven. At first I was inclined to doubt, but on further consideration I think that he is, and that all he may acquire is not vested in his assignee. The words of the clause are:—

"That if an insolvent at the time of making any such

assignment as is herein-before mentioned shall hold any public office, appointment, or benefice, civil, military, or ecclesiastical, under the crown of the United Kingdom of *Great Britain* and *Ireland*, or under the said United Company, and if his interest in such office or appointment shall be such that he might lawfully sell the same, such interest for the purpose of sale shall, by the assignment, be transferred to, and vested in, the assignee or assignees in trust for the benefit of his creditors; and if his interest therein shall not be such as he might lawfully sell, then it shall be lawful for the said Court to order the said insolvent to pay such proportion of his receipts therefrom to his assignee or assignees as the Court shall think just and right."

I am of opinion, said Sir Edward Ryan, that this insolvent holds an appointment under the United Company. It is true that in his affidavit it is stated he is an assistant to Mr. Fraser in the sea custom house, who can dismiss him when he may think proper, but it is quite clear that his salary is paid by Government, and that he holds an appointment under the Company. His lordship then stated that on a former occasion he entertained a different opinion, but that he now entirely concurred in the decision of Mr. Justice Grant, and that the same views were entertained at Bombay and Madras.

*Mr. Clarke* admitted the accuracy of the statement as to the amount of the salaries of the several insolvents whose cause would abide by this decision, put in by the assignee, but suggested a reference to Government as to what amount might be set aside for the creditors without rendering the insolvents inefficient for their public duties.

Sir Edward Ryan had no objection to that course, and the decision as to the amount will remain pending the reference.

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IN THE MATTER OF ANDREW LIDDEL.

This insolvent was declared entitled to the benefit of the act, and discharged.

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IN THE MATTER OF GEORGE TETLEY.

*Mr. Advocate-General*, on behalf of Messrs. Cockerell and Co. opposed the discharge of this insolvent. The insolvent is an indigo planter, and in 1833 purchased the Chultea concern, which he subsequently mortgaged to Messrs. Cockerell and Co. receiving at various times from them sums to the amount of Rs. 23,000, having in various letters informed them that he had considerably improved the concern and rendered it more valuable by the building of another factory. Messrs. Cockerell and Co. on the faith of this information, inferring from the insolvent's letters that the new factory was erected on the concern mortgaged to them, advanced money from time to time, to enable him to carry on the manufacture. At the time of his insolvency it appeared that the new factory was not only not erected on the property mortgaged, but that the greater part of the advances had also been laid out in its improvement. The insolvent was remanded until the next Court day, to afford him an opportunity of shewing that he had not intentionally deceived Messrs. Cockerell and Co.

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IN THE MATTER OF JAMES CULLEN AND ROBERT BROWNE.

*Mr. Prinsep* presented the following petition on behalf of the creditors whose names are thereunto affixed :—

"That by an order of this Honorable Court, made in this matter, and bearing date the sixth day of September, in the year of our Lord one thousand eight hundred and thirty-four, of which an office copy is hereunto annexed, marked A. it was ordered that Donald Macintyre, Esq., special assignee of the estate and effects of the said insolvents, should be at liberty to defer the sale of messuages, lands, tenements, hereditaments, and premises, several factories and shares of factories and concerns mentioned in the schedules of the said insolvents, as also of the several ships or vessels belonging to the said insolvents until one year, from the first day of January, then next, in case no price should in the mean time be offered for any of them, which in the opinion of the said assignee would be advantageous to the creditors to accept, and that until such messuages, lands, tenements, and hereditaments, and indigo factories and shares, and shares of factories, and concerns and ships and vessels might be respectively sold, the said assignee should be at liberty to advance out of funds in his hands as such assignee as aforesaid, such sums of money as should be adequate, and sufficient further for the purpose of carrying on the said indigo factories and shares of factories, and keeping the said messuages, lands, and hereditaments in tenantable repairs, and for employing the said ships or vessels in addition to the several sums of money which the said assignee had already advanced and laid out for the several purposes aforesaid. It was also ordered that the said assignee was authorized and empowered to raise such sums of money by way of mortgage of the said several properties, or any part thereof, or otherwise as might be required for carrying on the said factories and shares therein, and employing the said ships or vessels, and for keeping the said messuages, lands, tenements, and hereditaments in a tenantable order and condition until the whole could be sold without unnecessary sacrifice as opportunities occur.

"That under and by virtue of the said order, the said Donald Macintyre, assignee as aforesaid, has carried on the said indigo factories respectively for, and during the last indigoseason, which ended on the first day of October now last past, and expended large sums of the assets of the said insolvents' estate in the carrying on thereof, and that large quantities of indigo, that is to say, seven thousand two hundred and thirty-two maunds and upwards, the produce of the said factories for the season aforesaid, was consigned to, and arrived at, Calcutta, and was received by the said Donald Macintyre, assignee as aforesaid.

"That the best season for the sale of indigo at Calcutta is during the months of December, January and February, and that it was the duty of the said Donald Macintyre, as such assignee as aforesaid, to have sold and disposed of the whole of the said indigo during the months of December, January and February, and that the same could then have been readily sold.

"That the price of indigo in the market of Calcutta has since fallen from sicca rupees ten to sicca rupees twenty and upwards, in consequence of unfavorable intelligence respecting the price of indigo in England and elsewhere, in Europe and America, and in consequence of an anticipated large crop.

"That indigo can at all times be readily sold at Calcutta, and that a fair market price might have been, and may still be obtained for the same, if gradually disposed of between the present time and the period when the new crop will come to market, but that the said Donald Macintyre, assignee as aforesaid, has not sold the residue of the said indigo, but is about to ship the same to London for sale, consigned to the mercantile houses or firms of Palmer, Mackillop and Company, and Forbes, Forbes and Company.

"That on the thirtieth day of June, (instant) your petitioners and others addressed to the said Donald Macintyre, assignee as aforesaid, a joint letter, remonstrating against such shipment and consignment, to which letter a reply has since been received, of which letter and reply, copies are hereunto annexed, marked B. and C.

"That the twenty-third day of June last, your petitioners and others, through their Solicitor, Mr. George Henderson, addressed to the said Donald Macintyre, assignee as aforesaid, a further letter in respect to the quantity of indigo produced at the factories of the said estate during last indigo season, and touching the general management of the estate of the said insolvents, to which letter a reply has since been received, and of which letter and reply copies are hereunto annexed, marked D. and E.

"That the said indigo forms a considerable part of the asset of the said insolvents, and that by such intended shipment and consignment thereof the realization of the assets of the said insolvents and the settlement of the accounts of the said insolvents' estate, and the consequent dividends upon their debts will not only be greatly and indifinitely delayed, but a great part of the said assets will be placed wholly beyond the control of the said assignee, and beyond jurisdiction of this Honorable Court.

"That such intended shipment and consignment is moreover a speculative employment of part of the said assets, and that the same will thereby be exposed to all the chances and vicissitudes of commerce, and to the hazards of a distant market, and the chances of insolvency of the consignees.

"Your petitioners therefore humbly pray, that the said Donald Macintyre, assignee as aforesaid, be restrained by order of this Honorable Court, from making such intended shipment and consignment of the said indigo, or any part thereof, either to London or elsewhere, beyond the jurisdiction of this Honorable Court, and that he be ordered forthwith, or so soon as convenient may be, to proceed to sale and realization of the same, and duly to lay out and invest the proceeds thereof for the benefit of the estate, and that should the said indigoes or any part thereof have been shipped, that the said Donald Macintyre be required to re-land the same, or that the said Donald Macintyre be directed to make good to the estate any loss that may arise from such shipments.

And your petitioners shall ever pray, &c.

Bagshaw and Co.
Cantor and Co.
Robert Hollow, for self and Jos. Hollow, executors to the estate of the late Mr. J. Hollow.
Bruce, Shand and Co.
John D. Smith.
T. Gunter by his constituted attornies.
Gobindchund Dhur.
George F. Hodgkinson, attorney for Mrs. M. Mackie.
Isserchunder Mozoondar, executor of Tarraney Chunder Bose.
Willis and Earle.
Gisborne and Co.
Boyd and Co.
Adam F. Smith.
John Lowe.
Ram Comul Sen.

The learned counsel urged, that this mode of dealing with the assets of an insolvent or bankrupt estate, was contrary to all principle and practice. The mode of sale was by the 49th section of the Indian Insolvent Act, entirely under the controul of the Court; and it was competent to any creditor to present his petition. The discretion of sale was usually left to the assignee; but it was an abuse of discretion to send the assets for sale beyond the jurisdiction, while a sale could be effected under the eye of the Court, and without risk to the estate, on very reasonable terms. It had long ago been decided in England, that if the assignee himself left the jurisdiction it was a ground for removing him from the trust, and there was a case in *1 Ves.* to that effect. The removal of the assets, however, was a still stronger measure, and nothing but absolute necessity could justify it. What security was there that the consignees might not fail with the proceeds in hand? or what control could this Court exercise over the funds while in England? If realized here the Court could see to the immediate investment for security, which was required here of the assignee, in analogy to the order of Lord Lougborough, and the subsequent direction of the 49th Geo. 3, which had been adopted in the late consolidated bankrupt act 6, Geo. 4. No Court of Bankruptcy or insolvency in England could direct their investment, or exercise any controul over them: the agent there would be the personal agent of the assignee, accountable only like any private agent. The assignee might be perhaps held responsible, but what was his responsibility to answer 8 or 10 lacks of rupees? This disposition of assets was in direct opposition to the very principle of bankrupt and insolvent laws, which was a speedy realization and distribution; for it must necessarily delay the winding up of the estate for 18 months at least. It did, indeed, appear, that the assignee was to obtain the whole estimated value on advance $\frac{2}{3}$ for Government and $\frac{1}{3}$ for the consignees, who would thus purchase by an advance of $\frac{1}{3}$ a commission on the whole. This might be a pretty speculation for him; for they had the double security of the indigo, and of the estate at large; but it was a gain to him at the risk of the creditors, inasmuch as, in case of the proceeds not realizing the advance, the estate would be liable to all the loss of re-drawing, and all the charges and delays, and that on a mere speculation of obtaining a better price. But the assignee was not warranted on a speculation: he was bound by the 49th section of the act to sell immediately unless this Court sanctioned delay. The order of the Court had sanctioned delay in the sale, not of the produce, but of the factories and works. Produce was perishable; and it was the duty of the assignee to have realized it during the past season. A heavy loss had already been suffered, from which possibly he might be made personally answerable: longer delay were inexcusable, and unless he could shew to the Court a case of absolute necessity, it would never authorize the further delay of a remittance for sale to so distant a market. No such necessity could be made out, for indigo was sworn to be always marketable here; indeed, this was the indigo market for all the world. The rule in bankruptcy was, that any single creditor might insist on present sale, as was done in the case of Sir George Colebrooke's bankruptcy, though the great majority of the creditors there assented to the delay, and 15s. 1d. in the pound had been already realized with an expectation of realizing 20s. It was suggested by Mr. Turton, that such a consignment had been expressly sanctioned in the estate of Palmer and Co. but that order was not opposed by any creditor; and besides that order had been made on a suggestion, that dividends had to be made in England, which was an untenable ground, for the Court would never suffer the assets to be distributed any where else, but under its own controul, and at the place of administration of the estate. Creditors were bound to come and take their dividends here,—the assignee was not authorized to remit to them. The order made in that case was altogether anomalous, and ought not to be followed. He relied, however, mainly on the general rule, not to allow the assets to be sent out of the jurisdiction, which he could not find to have been permitted in any other case. The mere fact of such an intention was sufficient ground for the Court to call upon the assignee to justify such an exercise of his discretion.

*Chief Justice.*—This is an application for an order *nisi* to restrain the assignee from shipping a quantity of indigo to England; and one of the objections is, that he has no power to remove the assets beyond the jurisdiction of the Court. With reference to the power vested in an assignee; they are totally different and much more extensive here than in England or in any other country: and I think it very fortunate that the drawer up of the Indian Insolvent Act has inserted a clause which prevents a single creditor coming into Court to compel a sale. By the fiftieth section of the Act, the court may defer the sale of property if it shall think proper; and under that clause Mr. Justice Grant made an order authorizing the assignee to carry on certain factories belonging to this estate. Of course this order gives the assignee a great discretion, authorising him to invest large sums in the manufacture; to sell the produce, and to bring the amount to the general account. Now this is an application of a very few creditors, though their claims are to a large amount, for the Court to interefere with the discretion vested in the assignee, and to order him to conduct the sale in a particular manner, and in a particular place. If strong grounds were laid before me, I would interfere, but they must be very strong grounds indeed. If it were shown that the assignee was about to exercise his discretion to the injury of the estate, I would restrain him from proceeding; but from anything that appears in this petition, the course he is pursuing may be the one best adapted for the benefit of the creditors. Had the gentlemen who have signed this petition sworn, or took upon themselves to state, that the course adopted by the assignee was an unprofitable one for the estate, or that the sale of the indigo would produce a less amount in England than it would in this market, either of those grounds would have induced me to grant an order *nisi*; but these statements do not appear, and the Court is asked to interfere with nothing before it except the vague suppositions of the petitioners. It is said that the proper season for the sale of indigo is December, January, and February; if so, why did not the petitioners make this application in February, and not delay it till July? I cannot undertake to say that the assignee is adopting the course best adapted for the interests of the creditors; but this I do say, that it would be a mischievous course for the Court to interfere with his discretion, on no other ground than a vague statement. Let them show any misconduct in the assignee and the Court will remove him: or let it be shown that he is adopting a course injurious to the credi-

tors, and the Court will call upon him to answer the statement. But it is not shown how the interests of the creditors may be injured; on the contrary, it appears that the assignee has received the money for the indigo. If it can be shewn that the estate has suffered by the sale in England, it might, though it would be a hard case certainly, be a ground to call upon him to make good the loss; but while he has the funds in his hands at this moment, it is not possible for the Court to interfere with his discretion. I do not know whether the petitioners are mercantile men in Calcutta, but if they are, I cannot suppose they are acting from any motive but a desire to benefit the estate. However they have not stated or shown that a loss will be the consequence of the course adopted by the assignee; I take it therefore that they are not able to do so, and I must refuse the order *nisi*.—*Englishman*.

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We copy from the *Englishman*, the petition to, and judgment of, the Commissioner upon the question of the shipment of indigo, upon the appeal of certain creditors of the firm against that measure. Our contemporary's report embraces the Petition and some correspondence between the creditors and Mr. Macintyre, relative to the subject, and also to some other matters which do not appear to have been brought before the Court. Mr. Macintyre appears to have answered all the questions put to him, although considering that sending the indigo home would be more advantageous for the estate than forcing it on this market, he chose to act on his own judgment, which no doubt he had a perfect right to do. The Court appears to have refused the rule *nisi* on the ground that no proof was adduced that the estate would suffer by the proposed course—that the petitioners had not even ventured to state that it was an unprofitable course. Unquestionably if the petitioners felt sure of their ground they should have expressed a very decisive opinion that the measure would be attended with loss.

With respect to the shipping, Mr. Macintyre has stated that all the ships are sold except the *Carnatic*, for which only 35,000 rupees had been offered, while competent judges value her at 50,000 rupees; now if ever there were a case to which the Hudibrastic principle of valuation applied it is that of shipping.

> And hence the value of a thing,
> Is just exactly what t'will bring.

The shipping of an estate is precisely that species of property which an assignee should get rid of forthwith, for it is constantly deteriorating; and how many vessels of 5 or 600 tons of this port, we should like to know, even under the most careful management, do more than pay their expenses? Those only who have capital or great interest in the mercantile community can possibly make ships profitable; and many would not even accept the ship as a gift on the condition of bearing the risk of sailing her.

With respect to landed property, Mr. Macintyre states that he has refused 64,000 rupees for the house which the Union Bank occupies. If so then we think he has refused an offer he is not likely to get again. An assignee should be left free to exercise his judgment certainly, but it would be a wise policy surely in him not to hold out for the valuations of mere professional men, whose judgments are often guided rather by what they think a property *ought* to fetch, than what is its value with reference to the state of the market.

In the important case of the question of the power of the Court to make deductions from the salaries of the uncovenanted servants, Sir Edward Ryan has decided that the deduction ought to be made. Sir Edward Ryan has changed his mind on this point, as several of his former decisions were opposed to that which the learned judge has now pronounced. We confess that the judgment appears to us to be contrary to the intent and meaning of the 27th clause. The decision in fact overlooks the distinction between appointments secured for life and those held *de bene placito*. We need scarcely be at the trouble of illustrating the magnitude of the distinction, or of shewing how unequal is that rule which takes from a man who holds a situation for life, half his income—and the same proportion from him who holds it at the caprice of another, or is liable to any of those changes in the system which may throw him out of bread in a moment.—*Bengal Hurkaru*.

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## MISCELLANEOUS NEWS.

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### CALCUTTA.

THE LEGISLATIVE COUNCIL.—A Resolution of the Council of India was published on the 8th instant, to establish rules for the formality of its proceedings, and laying down the principle that the draft of every law shall be printed and published for general information six weeks before it is re-considered to be finally passed by the Legislative Council.

BENGAL CLUB.—There was a very full attendance of the members of the Bengal Club, at the Club House, on the 27th June. The members were chiefly occupied with an entire revision of the rules of the Club; in which several important changes were effected. Some of the members made an attempt to cause the repeal of the clause restricting the admission of young Civil Servants to the time of their leaving College, and that requiring the specification of the quality of the members of the Club. They were, however, strongly opposed and defeated by a very large majority. The Report of the Committee and the annual statement of the Club accounts, were directed to be printed and circulated to the members, and the nomination by the Committee, of Mr. Strickland to be Secretary, was confirmed by the meeting. A detailed account of the proceedings of the meeting, is given in the *Englishman*, but it is stated to be extremely inaccurate, and therefore we have refrained from making an abstract of it.

RE-UNIONS.—The stewards have adopted a liberal modification of the original terms of subscription by admitting non-residents in Calcutta to become subscribers to half the series, and to purchase tickets for a single night.

INDIGO AFFAIRS.—The indigo sale on the 26th June, by order of the Assignees of Colvin and Fergusson's estates, was attended by a very few bidders, and they entirely for the English Market. About 640 chests were brought forward, but only 100 chests sold at the upset prices; the remainder was withdrawn. Immediately after the sale, however, 100 chests more were sold at a trifling advance.

Accounts received from different parts of the country state, that the rapid rise of the rivers has swept away nearly one half of the indigo, and has forced the planters to cut the young plant in order to save it from the deluge. It is now thought that the crop will not exceed 1,20,000 maunds.

Very favorable accounts of indigo crops have been received from Tirhoot. The plant appeared beautiful and promised good produce, and was so abundant that it was necessary to commence manufacturing it in an immature state, in order to work it off in time. Accounts from the factories on the Ganges, however, are as desponding as before. The river still rising and destroying the plant.

Accounts from all parts of the country complain of the destruction of the plant by the heavy rain and rising of the rivers, and it is expected that there will be a considerable reduction in the anticipated quantity of indigo, as well as a falling off in the quality, as planters are obliged to cut and manufacture the immature plant to save it from being destroyed by the water.

The memorial of the Indigo Planters and others concerned in Indigo affairs to Government, and another

from the Trade Association praying against the abolition of the Regulation of 1830, have been published in the daily papers, and it is hoped that they will induce the legislature to arrest the measure now in contemplation, and which, if carried, will produce the most disastrous consequences to the cultivation of, and commerce in, indigo.

DISTRICT CHARITABLE SOCIETY.—Pursuant to the advertisement of the Central Committee of the District Charitable Society, a very full meeting was held on the 29th June, at which there was some warm discussion at first, but the tact of the Lord Bishop soon re-established a good understanding between all parties. The position of the Leper Hospital was adverted to, and it was unanimously determined to rescue it from the ruin which threatened it in consequence of the Directors of the Native Hospital resolving not to appropriate any part of their funds to its support. Baboos Dwarkanauth Tagore and Russomoy Dutt, were added to the Leper Hospital Committee, with a view to incline natives to suscribe for the support of the institution so very important to them, and it is hoped they will not withhold their contributions.

LAUDABLE SOCIETY.—The first half yearly general meeting of the new Laudable Society took place on the 27th ultimo, and about four or five persons attended. The Secretary's statements exhibited the affairs of the Society to be in a flourishing state. The first half year had lapses only to the extent of 17 shares, leaving 873 shares insured upon 351 lives, and making the apparent value of a lapsed share rupees 13,15,99 on the 30th June. The incorporated Societies showed a list of 1,294 shares on 490 lives, and 23½ lapsed shares up to the date of meeting, with a fund of rupees 437,000.

THE HINDOO COLLEGE.—Some new arrangements have been effected in the Hindoo College, Captain D. L. Richardson, Editor of the *Literary Gazette*, has been appointed principal professor of literature, on a salary of 500 rupees per mensum; Mr. Middleton is appointed head teacher on a monthly salary of 350 rupees; Mr. Curnin retains his former situation as Mathematician, and Mr. Ross has been discharged. In addition to the regular visitors of the College, several more have been appointed as members of the Education Committee. Sir E. Ryan, Col. Young, Dr. Grant, Captain Birch and Messrs. Shakespear and Trevelyan, will take the duties of visitor in turn.

BANK OF BENGAL.—The Bank of Bengal, on the 2d July, declared a dividend of 14 per cent. per annum for the last half year, being seven hundred rupees per share.

UNION BANK.—A dividend of 10 per cent. per annum, being 125 rupees per share, was voted at a Meeting of the proprietors of the Union Bank on the 15th July. The Secretary's report shewed the nett gain of the Bank to amount to 94,784-2-3 a fraction less than 6½ per cent. on the ½ years business.

THE CIVIL FUND.—The following gentlemen have addressed a letter to the Secretary of the Civil Fund, expressive of their disapprobation of the re-admisson of Mr. Sutherland to the Civil Fund on his paying up the difference between his former subscriptions and 5,000 rupees:—J. R. Hutchinson, G. F. Franco, P. French, J. G. Grant, C. B. Bacon, T. P. Plowden, junior, W. E. Money, N. Prowett, M. J. Tierney, R. N. C. Hamilton, T. B. C. Bayley, J. Maberly, R. C. Glyn, H. M. Elliot, E. L. Hodgson, R. Cathcart.

The Secretary in reply, returned the following extracts from the proceedings of the Quarterly Meeting of the Fund, held on the 27th April last:—

"Read a letter from Mr. Sutherland, in reply to the manager's letter of the 21st October last, requesting to be allowed to continue his subscription to the fund. Resolved by a majority of 9 against 1, that Mr. Sutherland be considered a retired Civilian and subject to payment due under rule XXXV.

Mr. Tulloh has no objection to Mr. Sutherland being so considered; but objects to the competency of the meeting, and is of opinion that the question can only be determined by a reference to the subscribers generally."

MR. HALKET.—It is stated that a petition is about to be addressed to the Governor-General, by the native and European inhabitants of Kishnaghur, soliciting the reinstatement of Mr. Halket in the office of Magistrate of that district.

NATIVE FEMALE EDUCATION MEETING.—There was a very numerous attendance of the Friends of Native Female Education, at the Town Hall on the 2d July. Nearly all the beauty and fashion of Calcutta were present at the Fancy Fair. The reading of the report by the Lord Bishop was rather wearisome, and when his Lordship rose to move the adoption of it, very few of the audience were left in the Hall, the rest having adjourned to the rooms in which the fancy articles were displayed. The articles were the most brilliant ever exhibited in Calcutta, and it is said that the sale realized about 2,400 rupees. For the School at Howrah about 200 rupees were raised, and for the Orphans 500 rupees.

NATIVE SURVEYORS.—It is said that government intend to appoint a native surveyor to each Zillah, on a salary of ~~Rs~~ 100 per mensem.

COMPANY'S SILK FACTORIES.—The Company's Silk Factories in Cossimbazaar, Soonamooky and Commercolley, are advertized for public sale at the Export Warehouse on the 15th proximo.

TOKEN OF REGARD.—Twenty-six members of the Calcutta Hunt, have resolved on presenting the Hon'ble Mr. Elliott with a very elegant little clock, made by the famous McCabe, as a token of their regard. There is a modest and characteristic inscription at the back of the clock, and the names of the subscribers are engraved on the little door which encloses the works.

MR. FOOTE.—An European residing in Clive-street, was seized with cholera on Monday night and died on Tuesday. The Police, on proceeding to the place, in consequence of information given to them, endeavored, but without avail, to obtain some particulars regarding the deceased's affairs from persons in the neighbourhood, and as the house had an appearance of poverty, they ordered the body to be interred on Tuesday evening in the manner usually resorted to in the case of paupers. Serjeant Little, the person appointed to attend to the burial, previously to leaving the house, had the curiosity to open an old almirah which he saw in the room, that safe possession might be taken of any little property that might be found in the absence of legitimate claimants. To the serjeant's surprise he discovered, on opening the almirah, property in Company's paper, money and jewellery, to the extent of about 20,000 Rs. It was subsequently ascertained that the deceased was formerly a Harbour Master at Batavia, but no information has been elicited as to what business or occupation Mr. Foote has followed since his settleinent in Calcutta. It would appear that he is totally unknown, and without a single relative or friend in the place. A gentleman has, however, since communicated the intelligence of the deceased's possessing relatives in Devonshire with whom he has kept up a friendly correspondence ever since his arrival in India 30 years ago.

ACCIDENTS.—Mr. Barrett, a tavern keeper in the Loll Bazaar, was accidentally drowned on the 7th instant, at Alliporc, whilst bathing in a tank.

On the evening of the 10 instant, one of the guard boats belonging to the Salt Golahs, was upset near the Golahs. The accident was perceived from a house in the Howrah Dock and Messrs. Evatt and Grindall immediately pushed off in a beauleah and succeeded, with considerable risk to themselve, in saving the crew—seven

in number. Several other boats were near the place when the accident happened, but they rendered no assistance.

On the night of the 12th June, a boat, containing about twenty persons, was upset near the Hasting's Bridge, by the strength of the bore, and thirteen of her passengers were drowned. Several dingheewallahs were near the spot, but they would render no assistance. At the instance of Mr. Nott, however, two boats put off, and succeeded in bringing to shore several of the natives, apparently dead, seven of whom were restored to life by the humane exertions of that gentleman.

On the present trip of the *George Swinton* two fatal accidents occurred. A pilot boat swamped alongside the steamer near Rajmahal, on the 12th instant, and a boy was drowned. On the same evening the passengers from the *Bhaguretty* went on shore for a walk, when Ensign Davidson, approaching too near the edge of the bank, the earth gave way and he sunk in the stream to rise no more. Boats went in search of the body, but without effect.

COLLECTORS OF BURDWAN, &c.—The *Gazette* of the 11thinstant contains an order of the Governor of Bengal, assigning to the Collectors of Burdwan, Dacca, and Backergunge respectively the duty of trying cases referred to them by the Superintendents of Salt Chokeys in those districts, and directing them to make monthly reports thereof to the Board of Customs, Salt and Opium.

STOLEN RECORDS.—There is in the *Gazette* of the 11th instant an advertisement offering a reward of 100 rupees for the recovery of certain Records, forming altogether a large mass of volumes, stolen and missing from the office of the Civil Auditor. It is suspected that the abstraction of these Records must have been going on for some time, and merely for the purpose of selling them for a trifle as waste paper.

PULTAH ROBBERY.—It is reported that 22 persons were arrested on the 2d July in the Sobah Bazaar, on suspicion of being concerned in the robbery of Mr. Breen at Pultah, and that 800 rupees were found in the possession of two of them. Several of the thieves turn out to be bearers: one of them, when caught, was actually wearing a necklace of Mrs. Breen's about his neck, which, with singular effrontery, he at once acknowledged was stolen by himself. The iron chest has been found in the river near the shore in Garden Reach, where it was broken open and left on the night of the robbery. It still contained many valuable papers, and there is now a clue by which it is hoped the rest of the property will be traced.

Another robbery of considerable importance occurred in Shambazaar on Saturday night in the house of Baboo Sibchunder Bhose, whose loss, it is said, in jewellery and plate, amounts to ten or fifteen thousand rupees.

MILITARY FUND.—It is stated in the *Englishman* of the 13th June, that the Directors of the Military Fund have circulated, among others, the following proposition:—

"That the passage-money to widows be reduced to 1,500 Rs. At present a General Officer would receive for his passage, if entitled to have the same provided at the expense of the Fund, a sum five hundred rupees less than the widow of a Cadet. *The effect of granting passage-money to widows is this,*—the Fund pays, in each case, 2,000 Rs *to remove the party to a country where she will cost 7½ per cent. per annum more than she does here, and where she is* CERTAIN TO LIVE LONGER!"

MILITARY ITEMS.—Major Cox, it is said, is again under arrest and about to be tried by a Court-martial for writing a disrespectful letter to the Chief of the Staff. It is supposed however that he will not be tried, as he has addressed a communication to the Adjutant-General, expressing his regret for his letter which was deemed disrespectful.

Major Tennant, it is said, is to succeed Lieut.-Col. Powney, who leaves the station in consequence of his promotion, as Agent for the manufactory of gunpowder.

Captain Johnson has been restored to the mounted branch of the artillery.

Capt. Impy died on board of the *Sherburne*, on the night of the 13th inst.

MR. BLAKE'S MURDERERS.—Government have issued orders to the authorities at Jeypore, for the immediate execution of every one proved to have been concerned in the murder of Mr. Blake. It is said that the city guard took a prominent share in the bloody tragedy.

CAPTURE OF A ROGUE.—It is reported that the man who lately defrauded a respectable Goldsmith of this place of jewels to a large amount, has been detected, but none of the trinkets have been recovered,—the man declaring his determination to brave all that the authorities can do rather than restore them.

SHIPPING.—The *Thalia*, it is said, is safe in a very fine dock in Moulmein; she grounded, but sustained no injury.

The Steamer *Enterprize*, in proceeding down to the *Sherburne*, ran foul of a small brig and nearly capsized her, and almost immediately afterwards came in contact with another vessel under sail, by which she severely damaged her paddles. But for the promptness of the Engineer in backing the paddles, by which the shock was lessened, it is supposed that the concussion would have proved fatal to the steamer.

The Captain of the French ship *Clarisse*, which arrived from Bourbon on the 13th June, reports, that she sighted the island of Cargados Garajos at the southern extremity of the Cabalva Shoal, Lat. 17° 15′ S. Long. 60° E., and there observed a three-masted vessel aground, which he computed to be of seven or eight hundred tons.

The *Sherburne* has put back leaky, in consequence of an injury in her stern, sustained in the river, which caused her to make so much water as to compel her to return.

The bark *Resource*, Scott, put back from sea on the 23d instant, after being out for nearly a month and a half, the commander finding himself unable to prosecute the voyage in a vessel so indifferently manned and found.

Private letters have been received from the Cape, which announce the arrivals at that place of the *Neptune* and the *Duke of Northumberland*: passengers all well. The *Duke of Northumberland* passed the French Ship *Triton*, and spoke the *Palmyra*, off the Cape.

The *Bhaguretty* has started for the Western Provinces in tow of the *George Swinton*, with twenty lakhs of treasure and quite full of cargo. The passengers are: Mr. Conelly, M. C. S.; Lieutenant McKenzie; Mr. Oswald; Mr. Rawson; Lieutenant Fraser; Mr. Sinclair; Mr. Beecher; Mr. Shipton; Mr. Davidson; Mr. Johnston; Mr. Bishop; Mr. Abbott; Baboo Sumboochundal Bonnerjee, and a native gentleman his friend.

The *Swinton* takes the *Bhaguretty* to Dinapore, where a relay steamer awaits her arrival to carry her on to Allahabad.

The last of the iron steamers was launched on the 22nd instant, and named by the lady of T. P. Plowden, Esq., the *William Blunt*.

FEVER HOSPITAL.—The Rajah of Burdwan has given 7,000 Rs. to the Fever Hospital.

TEA PLANTS.—It is asserted that Government intend to dispatch a steamer to bring round a quantity of tea plants, of various choice kinds, which have been collected on the eastern extremity of our Assam frontier.

SIX PER CENT. REMITTABLE LOAN.—In the *Globe* of March last is an advertisement issued at the India House on the subject of the Six per Cent. Remittable Loan, notifying the terms of the advertisements of the Government for the discharge thereof. Notwithstanding the notice of transfer, they will continue to receive Six per Cent. until the date when the paper falls due here, according to the advertisements put forth by this Government.

IMPROVEMENTS IN STEAM MACHINERY.—The *Courier* asserts that exertions have been in progress for several months past at the new foundery at Cossipore, for the completion of a new mode of condensing steam entirely different from any plan hitherto effected in Europe, by which the use of salt water in the boilers of steam boats in future will be rendered unnecessary, thereby at once removing the great annoyance arising from the deposit of salt.

MR. MACAULAY.—It is stated in the *Madras Courier*, that the Court of Directors have determined to recall Mr. Macaulay, and that orders to that effect have actually been sent out. The *Bengal Hurkaru* disbelieves this report, and states that no intimation of such an order has been received at this presidency.

CALCUTTA LOTTERY.—The ticket No. 3,802 came up a prize of 50,000 rupees. Messrs. Roussac, Brothers, are the possessors of it.

MUTINY.—A mutiny occurred on board the *Kusrovie*, Marter, which arrived here from Sumatra. On the 19th of April, in a gale of wind, off the east coast of Sumatra, the Captain struck the Tindal with a rope's end for being tardy in performing his duty. This proceeding exasperated the crew and inferior officers, and they all ceased doing duty and commenced arming themselves. The Mate reported this to the Captain, who, after arming himself with a brace of pistols and a cutlass, and supplying the Mate with the same, proceeded, attended by him, to the forecastle, where they were received with execrations and threats. The Captain and Mate expostulated with the men and promised to guarantee them better treatment, but they were suddenly surrounded, thrown down, severely beaten, and disarmed. The Mate, however, succeeded in making his way to the quarter-boat, the falls of which he cut away and got into her. He was shortly after joined by the Captain, and several of the crew who had not joined in the mutiny, and the party pushed off for the shore, about twenty miles distant. During the disturbance the vessel was at anchor, but after the Captain left her the crew got her under weigh and stood for Pedier where they anchored. The Captain and his party arrived at a small village on the Sawang river, where they were arrested at the request of the Sherbunder (Master-Attendant) of Pedier, to whom the native owner of the vessel had complained of being unable to proceed to sea for want of some one who could navigate the vessel. After a detention of sixteen days, the Captain and Mate rejoined the vessel, the crew having sworn to offer them no annoyance. The Captain put to sea and arrived here safely, and the mutinous crew have been discharged without any judicial enquiry into their conduct.

REBELLION.—Four companies of the 4th Native Infantry, from Berhampore, were supplied with 60 rounds of ball cartridge and obliged to make a forced march of 30 miles, at an hour's notice, to quell a serious disturbance among the indigo ryuts in the Bauleah district, the civil power being insufficient for its suppression. The 41st N. I. has been ordered from Barrackpore to Berhampore, to supply the place of the Regt. sent from thence to quell the disturbance.

The *Courier* has the following extract of a letter from Bouleah dated 22d inst., on the subject:—"There has been a Rebellion in our district—the two Magistrates obliged to take to their heels three days ago—and the military called from Berhampore to quell the mobility. They take the field to-day about 12 miles hence. There will be a slaughter, else I am much mistaken. The ryuts turned out and burnt all the mahajuns' papers, their bonds, &c. and when the police with the Magistrate at their head, went to protect the merchants, they were driven off—near one of the Company's Silk Factories called Burhagutelly."

It appears that the recent disturbances in Bauleah, were occasioned by the mahajuns refusing to make any more advances to the ryuts to keep them from starvation. The ryuts, it seems, had been previously selling their crops to the zemindars instead of to their creditors, and after this they proceeded to break open the houses of their creditors, and to destroy their books, accounts, &c., so that no claim might be proved against them in the numerous suits which had been instituted. The Magistrates interfered, and about one hundred of the rioters armed with sticks, were seized; but the civil power being apprised of a rescue which was about to be attempted by a rising of the whole country simultaneously, retreated and sent for the military, who, on their arrival, were divided into small bands and sent to scour the country; but as the insurgents are unprovided with fire-arms the disturbance is likely to be quelled without bloodshed: one old man, however, has been severely wounded. Later accounts state that the disturbance is at an end and the troops returning from the scene of outrage.

MR. ADAM has completed a Report on the state of education, from such documents as he could command at the Presidency, and in reference chiefly to the Missionary and other philanthropic institutions. The Report has been delivered to the General Committee of Public Instruction.

NATIVE MEDICAL COLLEGE.—An examination of the pupils of the Native Medical College, took place on the 24th inst., and the progress the students had made in the science of Anatomy and Osteology in particular, surprized all who were present. The progress of the students, reflects the greatest credit on their industry and zeal and the able superintendence with which their studies have been directed by Drs. Bramley and Goodeve.

THE JURY QUESTION.—The *Courier* states that the Committee on the Jury question have agreed amongst themselves upon the following principles as the basis of the Act to be drafted for submission to the Legislative Council. Juries in Civil Cases to be summoned at the desire of either Plaintiff or Defendant, *or of the Judge*, but not otherwise. Ordinary Civil Juries to consist of *four* members, whose verdict to be that of a majority (that is, three jurymen,) but given by the foreman as the verdict of the whole Jury. Full Juries to consist of *twelve*. Their verdict to be that of a majority in the same porportion as above,—namely, nine; but if so large a number cannot agree *after two hours deliberation*, then the verdict may be given by a simple majority. The Judge, plaintiff, or defendant to have the option of summoning an ordinary or a full Jury. Jurymen to receive four rupees per diem for each cause.

It is further added, that another public meeting is to be called for the approval of the Draft when ready, and for the purpose of laying before the public the answer which shall have been received from Government to the Petition.

CIVIL ANNUITIES.—It is stated in the *Hurkaru* of the 25th inst., that a letter from a Civilian in England has been received here, which states that there is no chance whatever of the Annuity to retired Civilians being increased, but what it is probable that the present per centage of deductions from allowances would be diminished.

THE HON'BLE JOHN ELLIOT, has returned to his situation as Post Master General, in consequence of the ship he had taken his passage in, having put back—and Mr. Siddons in consequence has resumed his duties at the Custom House.

MR. H. RICKETTS, has been appointed Commissioner of Cuttack, in the room of Mr. John Master.

THE HON'BLE COL. REHLING, K. D., who has been appointed by his Danish Majesty Governor of Serampore, landed at that settlement, from the steamer in which he came up the river, on the 24th ultimo, under the usual salute. Col. Rehling has had the benefit of a long experience in Indian affairs as Governor of Tranquebar, and as a token of the King of Denmark's especial confidence, has been invested with the order of Dannebrog and raised to the rank of Colonel.

FANCY FAIR.—A Fancy Fair is to be held on the 11th instant, for the benefit of the Cape sufferers, at which there will be exposed for sale, a number of beautiful articles, contributed by the ladies of the Presidency.

## BENGAL, &c.

MILITARY ITEMS.—Lieutenant-Colonel Hunter it is said has been honorably and fully acquitted of all the charges brought against him by Captain O'Hanlon, which officer is now to be tried for having written certain letters against Captain Scott and Colonel Reid.

Orders have been issued to Captain Scott, Cornet Campbell and Lieutenant Martin, to proceed to Calcutta, to attend the trial of Captain O'Hanlon, who is to be tried on five charges, springing out of the late complicated trials of that Officer and Col. Hunter.

The following relief of Foot Artillery, it is said, will take place this year, viz.—"The 2d and 4th Companies of the 4th Battalion to march at the conclusion of the rainy season from Dum-Dum to Agra. The first Battalion goes to Dum-Dum. The 3d Battalion to Mhow, Saugor, Benares and Dinapore. The 2d Battalion to relieve its own Companies, the Head Quarters remaining at Nusseerabad. The 5th Battalion moves to Cawnpore. The 1st Battalion to detach one of its companies to Moulmein."

Private accounts mentioned that the 35th Native Infantry, now stationed at Delhi, are to relieve the 49th N. I. at Loodeanah this ensuing relief, and that Colonel Faithful, C. B., is to be removed from the latter corps and posted to the 62nd Native Infantry.

Muttra is not to be abolished as a Military station for Cavalry.

Orders have been received from England to disband all local corps, including the irregular horse.

The 42nd N. I. go to Bareilly and 39th to Neemuch.

LOODEANAH.—The Sikh Political Agent, Captain Wade, returned on the 10th ultimo to this station from Rooper, where he had passed the hot winds.

MEERUT.—The rains have set in with incredible violence. On the 21st ultimo, a house was thrown down and two people killed by its fall.

An affray was very near taking place recently in the city, in consequence of the officers of the Customs Department stopping a marriage procession to search for copper pie of native manufactory, on which, according to the orders of the Allahabad Revenue Board, they are directed to levy a duty of ten per cent.

The water in the nullah at Meerut rose to an unusual height about the end of last month, in consequence of the heavy rain which had fallen for two or three days. It was nearly level with the parapet of the Begum's Bridge, and created much devastation in several of the compounds in its vicinity.

DELHI.—A carbine which was taken out of a well in the city, is regarded with great suspicion as the one with which Mr. Frazer was shot. A careful examination, however, has not elicited any thing to criminate it. Juswunt Singh, Raja of Nab, has subscribed 1,000 rupees for a conviction in the case. Several of Shumshoodeen's friends —sahuokars of Delhi—have raised a knotty question about how they are to be repaid by Shumshoodeen, to whom they had advanced considerable sums on the security of his ilaqu, since the attachment of that property. The Resident confessed himself unable to decide the point until the arrival of Mr. Colvin.

A rumour is in circulation that Lieut.-Col. Cobbe has been nominated Governor-General's agent at Delhi.

The committal of Nawab Shumshoodeen was made on the 19th ultimo, and the trial was to take place in Mr. Metcalfe's cutcherry in the course of a few days. The partisans of the Nawab are quite elated at Mr. Colvin being selected to try the case, and give out that his appointment has been obtained through the solicitations of the Nawab's vakeel.

It is rumoured that Isfunder Bey and his associates, are endeavouring to get the Nuwab of Ferozepore bailed and removed to the house in the Derriowgunge Lines, on pretence of enabling him to collect his witnesses and prepare his defence, which they say he is unable to do in his present locality.

Intelligence has been received of the apprehension of one of the men concerned in the assassination of Mr. Fraser. This man had been placed, armed with a sword, near the spot where the bloody deed was perpetrated, ready to complete it should the bullet have failed, and effected his escape after the catastrophe. He was subsequently seized in a neighbouring territory, but rescued by a superior force. A fakeer, a short time since, arrived at Hansi and informed Col. Skinner of the man being concealed in the vicinity of that place, and that if his capture was not immediately accomplished, it would be useless to attempt it. The Colonel instantly dispatched a body of his own Horse, and after a desperate resistance, succeeded in capturing the villain, who has since made a full and unqualified confession, so that the conviction of Nawab Shumsoodeen is now *almost* certain. Search was made for the fakeer who gave information, in order to reward him, but he could no where be found, having probably made his escape to avoid detection and the vengeance he would be almost certain to experience from some fanatical Mussulman.

The trial of Mr. Fraser's murderers commenced on the 13th inst. The Court was crowded by natives of low degree, and a small enclousure on the left of the bench was occupied by native and European gentlemen, for whom seats were provided. Unnia, Kurreem Khan's accomplice, was the first witness called, and his deposition, which lasted four hours and was corroborated by a host of witnesses, satisfactorily proved the guilt of Kurreem Khan and Shumsoodeen, and there is no doubt that they will soon expiate their crimes on the gallows.

Mr. Simon Fraser, it is reported, is permanently appointed to the Delhi Magistracy.

Mohun Lal was to depart for Khandahar in a few days.

The uxorious King, it is said, in a fit of tenderness, made over, by a regular deed of conveyance, the whole of his property to his favourite wife; the Resident, however, would not ratify the transfer, and thus rendered futile this proof of the monarch's affection.

ALLAHABAD.—The recent arrangements rendering it impossible for the Commissioner of Allahabad to hold the Hummeerpoor Sessions, the prisoners committed by the Hummeerpoor Magistrate, are to be sent to Banda for trial by the Sessions Judge there.

A daring attack was made on the 6th June, on the person of the Treasurer of the Magistrate. This functionary was returning home accompanied by three attendants, and when passing the city, a man with a sword in his hand suddenly attacked and made three desperate cuts at him. The Treasurer, however, evaded the blows and the villain was knocked down by the attendants with their sticks and secured, and is now in prison.

On the 24th June, being the anniversary of St. John the Baptist, the brethren of the Lodge Independence with Philanthropy, No. 550, assembled at their Rooms in the Fort at Allahabad, from whence they proceeded to the place of divine worship in due order. On their arrival at the chapel, the Revd. Mr. Ward performed the morning service of the day, taking for his text the 11th verse of the 3d chapter of St. Paul's first epistle to the Corinthians, "for other foundation can no man lay than is laid, which is Jesus Christ." In the evening the brethren re-assembled at the Lodge Rooms and partook of an elegant dinner. The utmost harmony prevailed throughout, several loyal and masonic toasts were drank, and the brethren separated exactly at midnight, highly pleased with the entertainment.

On the 19th ultimo the corpse of a man was found in a house in Ibraham Poorah, with several severe wounds on it, which left not a doubt as to the manner in which the deceased met his death. The murderers have not been detected; strict enquiry has, however, been instituted to find them out.

A robbery was recently committed in the house of Ram Churn, a native of Bhurud Gunge, and property to the amount of 2,000 rupees carried off. An adopted son of Ram Churn's is supposed to be implicated in the affair.

THE BEGUM SUMROO has entirely recovered from her late alarming illness and has returned to Meerut.

BARON HUGEL has departed for Mussoorie.

Wheat is selling in Allahabad at 20 seers per rupee, flour at 17, and gram at 21.

A sepoy named Samber Sing on the night of the 24th ultimo, inflicted ten dreadful wounds on a kidmutgar's wife with a tulwar, and left her for dead. The woman next day, partially recovering, named the assassin; and the villain has accordingly been apprehended and is now in custody.

AGRA.—A native traveller, by name Rekkeishan, eldest son of the court physician at Neypaul, has arrived at Agra for the avowed purpose of observing and studying the effects of the British administration in all its branches.

A Havildar of the 9th N. I. was murdered on the night of the 3rd instant. The quarter guard were drawn to the hut of the man by hearing cries of distress issuing from it, and on entering they beheld the unfortunate Havildar laying on his back weltering in blood. On examination seventy-six wounds were found on the body, apparently inflicted with a sharp sword. Shortly after the discovery of the horrid deed, the Adjutant proceeded to the spot, and within an hour's time had the roll called, when all but three sepoys were found present, and they shortly after appeared and accounted for their absence in a very satisfactory manner. The Havildar had served in the Regiment for a period of 30 years, and was much respected in his corps.

The man suspected of murdering the Havildar of the 9th N. I. and 7 other sipahees of the same regiment and company, have been apprehended and is now in confinement. The men, it is supposed, were instigated to the deed from being overlooked in the promotion they thought they had merited, and so aggrieved it is said, did they conceive themselves, that they meditated the life of the European officer commanding the company; but their intentions were providentially frustrated by their apprehension. The presumptive evidence which has subsequently transpired at the Court of Inquiry held to investigate the affair, is so strong against the Havildar who succeeded to the appointment on the death of his predecessor, that he has been placed in prison in irons.

Another murder was committed on the 26th June in the 51st Regiment, the perpetrator of which has escaped detection.

The Session Judges in this presidency has been vested with the appellative powers hitherto exercised by Commissioners in respect to decisions by Magistrates.

The wolves are said to have become so daring this year in the suburbs of the city of Agra as to create a general alarm among the families residing there. The number of children carried off by these voracious animals since January last is said to be 131.

The rains continue unabated, and it is expected will severely injure the cotton and khuruf crops.

Instructions have been issued by the Government of Agra to the criminal authorities in the western provinces, directing that prisoners shall not be permitted to enter the cutcherry armed. The order has emanated in consequence of the assault upon Mr. Louis.

The station of Agra was visited by a severe thunder storm on the 5th instant, and the house of Lieutenant Say of the 45th, was struck by lightning and the thatched roof entirely consumed.

NATIVE AGENTS.—It is said that Government have a native agent at Lahore; a Mr. Lewis watching the movements of Dost Mahomed Khan; a Moonshi at Herat, and another to report the intrigues and proceedings of Sindian chiefs, stationed near the mouth of the Indus. It is also said that a person will shortly be dispatched to Bochara, to apprize our government of the state of politics at the Khan's court.

THE MOFUSSIL UKHBAR has changed its name to that of the *Agra Ukhbar*, and assumed a new form.

NEPAL GENERAL.—It is said, that one of the principal generals of Nepal, has it in contemplation to make a voyage to England, *via* the Cape of Good Hope, from motives of curiosity and a desire of acquiring knowledge.

SHALAPOOR.—Lieutenant Elwall, Assistant to the Agent at Saugor, arrived at Shalapoor with some Thug approvers, and will be employed in extirpating the murderous fraternity, who are said to be very numerous in that place.

HUTTUNDER.—An affray took place at this village a short time since, about a deer which had been wounded by one party of villagers and killed by another, in which one man was killed and five more wounded.

MR. BALDERO, it is said, has been deprived of his appointment to the Sudder Dewanny Adawlut at Allahabad, by the Governor-General.

BADGE QUESTION.—It is reported that Government has issued a circular to collect the opinions of the Magistrates on the Badge Question.

## NATIVE STATES.

LAHORE.—On the 2d June, Maharajah Runjeet Singh crossed the river Jullum. 500 rupees and 50 vessels of sweetmeats were, at the request of his Highness, directed to be sent to Rajah Golaub Singh, and the Chiefs of Rawul Pindee were ordered to send to the Fort of Uttuck 500 bags of wheat and 200 of barley. On the 3d two French gentlemen, who had come to Lahore some time previously, came before his Highness with such *nuzzeranná*s as they could afford. They were minutely examined by his Highness regarding the route they had come, their intentions and qualifications. On being informed that they were adventurers who had come viâ Muttra seeking employment, and that they were thoroughly acquainted with the process of making gunpowder and the forms of the French Military discipline, his Highness desired them to remain in his territories and that suitable employment would be given to them.

RUNJEET SINGH AND DOST MAHOMED.—Intelligence having been brought to His Highness Runjeet Singh, that Dost Mahomed had taken flight with his army. His Highness directed a salute to be fired, and next morning rode out to reconnoitre the ground on which the Affghan had encamped.

Hukeem Azeezooddeen, Doctor Harland, and others who had waited on Dost Mahomed to bring over hostages, returned and related to his Highness that the Affghan Chief had ordered Sultan Mahomed Khan to have them massacred, but the latter demurring, Dost Mahomed had become enraged and ordered his troops to retreat by the pass of Khybur, whither they were constrained to follow them; but having succeeded, with Sooltan Mahomed Khan's troops, in separating themselves from the main body at the pass, they had returned to the presence with that Chieftain, Peer Mahomed Khan, and Syed Mahomed Khan.

JALLALABAD.—Dost Mahomed Khan, at the date of the last advices, was still at Jallalabad, busily engaged in regulating the statistical affairs of the country. It is said that he had imprisoned and fined several persons suspected of having influenced the negotiations between Sultan Mahomed Khan and Runjeet Sing, and that he intended as soon as he had subjugated the disaffected chiefs in his own territories, to invade Peshawur with a powerful army.

DOST MAHOMED KHAN.—This chieftain is still encamped on the river Khuebur, where he revolves in his mind some enterprize which may obliterate the disgrace of his retreat from the Sikhs, and immortalize his name. A report which receives some credit, states that anguish and shame have armed his own hand against his life.

DESPERATE AFFRAY.—A bloody conflict recently ensued near Malwa, between the followers of the Belaspore Rajah and the inhabitants of a large village belonging to him. The villagers were worsted in the conflict, two Brahmins were burnt to death, and five women had their bellies ripped open by the Rajah's followers.

JEYPORE.—A force consisting of the 17th N. I., 3rd Cavalry, and a detachment of Artillery, with 4 nine-pounders is now at Jeypore. The distance between Nusseerabad and this place, is 86 miles, which was completed by the troops on the third day from their departure. The bazaar attached to the cavalry was robbed on the march! The force is stationed at the Residency. Major Alves is slowly but progressively recovering.

On the 22d ultimo the five men, who had been identified as the most forward in the murder of Mr. Blake, were executed by the Jeyporean authorities in the street fronting the temple where the atrocious deed was perpetrated. Another man, a Mussalman, the most guilty of all, had been reprieved till the 23d in order to afford him time to substantiate a charge adduced by him against a Srawajee named Sim Lal, of having instigated him to join a tumult, which he, the culprit, was informed would be excited by the servants of another Srawajee, Dewan Remur Chand. The man had been promised his life if he succeeded in proving his assertions, but very little doubt was entertained of their being fabricated to prolong existence. Some two or three others implicated in the murders had been named by witnesses, but had, up to the date of the last intelligence, succeeded in evading the search of the authorities. From the depositions of the man who attacked Major Alves and the driver of Mr. Blake's elephant, there is reason to conclude, that the discontented Ranee and Thakoors were the instigators of the bloody tragedy; and also, that thee Rawul's guard were active participators in the transaction. About sixteen natives, in the service of the Europeans, it appears, were also dispatched by the mob.

MR. BLAKE.—The remains of this unfortunate gentleman are buried at Jeypore, but it is the intention of some of his friends to remove them to Delhi, and to erect a monument to his memory.

PURTABGURH.—The country about Mundessore is in a most lawless and disturbed state. On the 3rd inst. the Thakoor of Gunzutty, with fifty suwars, attacked a party of 16 armed men who were escorting a quantity of opium, the property of an individual named Murbee Ram, to Mundessore, wounded several of the guards, and seized the whole of the opium, which is described as worth 8,500 Rs. It would appear that his Excellency of Gunzutty demanded 50 Rs as the price of his permission to allow the opium to pass, which being refused, the Thakoor, evidently no admirer of the non-interference system, proceeded to collect his revenue in the manner above mentioned. The jungles of Purtabgurh afford such facilities for conceatment, that pursuit would be useless.

TOUNK.—The young Nawab has proffered his assistance to the Company, in the event of a war in Rajpootana, and expressed in unmeasured terms his indignation at the treachery of the Jeypooreans.

AURUNGABAD.—For a period of 3 years little or no rain has fallen in this district, in consequence of which famine has been so sore, that cannibalism has prevailed to some extent This season, however, the rains have set in early and abundantly.

BHURTPORE.—The Rajah is said to be greatly increasing and disciplining his troops.

A large reservoir of water, named the Moteejheel, about two koss from Bhurtpore, being overcharged with water, burst its banks and deluged the whole country to the very walls of the city. The breach, however, was repaired before any very great damage occurred.

HYDERABAD.—A body of Suwars in his Highness the Nizam's employ being discharged, refused to receive the arrears of their wages, and urged that they had served out their youthful days in his Highness's employ, and that it was hard that they should be discorded in their old age. This being reported to his Highness, he said that they were a body of mutinous rogues, and commanded their immediate dismissal; they were accordingly paid up and sent away.

It being also represented to his Highness that a zemindar of one of his villages had attached himself to a body of banditti, whom he caused to pillage and murder every traveller who fell in their way, his Highness ordered a body of experienced men to be sent to capture the marauders and bring them before him.

GUJENDRAGAD.—The Fort of Gujendragud, with a territory yielding annually a revenue of 17,500 rupees, which had been in the possession of Appa Saheb Ghorepuday, was taken by the British forces on the 6th ultimo, when the British flag was hoisted over the castle, a salute of 21 guns fired, and a garrison of sepoys placed to guard the place.

SHEKAWATTEE.—The establishment of troops in Shekawattee is said to be viewed with considerable jealousy by the chiefs, who declare that they will not pay their tribute unless the force is removed. The Rance of Seekur is said to be at the bottom of all the intrigues carried on, her aim being to recover the fortins of Deogurh and Rugonauthgurh, which places have been recently reinforced to prevent their re-capture by the Shekawats. The Ranee is said to have sent 500 suwars to Jeypoor on hearing of the massacre there, and is also accused of having sent emmissaries to Beekaneer and other states to the westward, to urge then to revolt and assert their independence.

## MADRAS.

ATTEMPT TO MURDER.—A most daring attack was made on Lieut.-Col. Townsend, of the 30th M. N. I., by a sepoy who had been discharged for misconduct. The man after receiving his dismissal loitered about the lines and succeeded in obtaining a musket, with which he proceeded to the house of the Colonel, and finding him laying on a couch in the verandah took aim and snapped the piece at him, but if fortunately missed fire. The second attempt, which was equally unsuccessful, attracted the attention of the Colonel's dogs whose barking roused the Colonel, who perceiving a man close to him with a gun levelled sprang up and seized him, when the sepoy made a third ineffectual attempt to shoot him. The man is in custody.

BREAK-WATER.—The general result of the Break-water meeting is, that an experimental commencement of a Break-water is to be forthwith undertaken, 350 yards from the shore opposite the Custom House, and that Government are to be applied to for the services of an engineer and such other assistance as may seen desirable. Six or seven hundred convicts have been accorded by the Government to be employed on the Break-water.

COURT-MARTIAL.—The Court-martial on Lieutenant William Lawless Seppings, of the 4th Regiment Native Infantry, placed in arrest for striking his superior officer, Lieutenant P. A. S. Powys of the same Regiment, sentenced him to be repremanded by the Commander-in-Chief, which sentence has been carried into effect, and Lieutenant Seppings has been directed to return to his duty.

ABOLITION OF CORPOREAL PUNISHMENT.—It is rumoured that instructions have been given for the abolition of corporeal punishment in His Majesty's army in India, with the following exceptions, viz. being found drunk on duty and purloining ammunition, accoutrements, &c., in which cases even, corporeal punishment is to be avoided as far as may be found consistent with the due maintenance of order and discipline.

MILITARY FUND.—At a meeting of the Directors of the Military Fund, held on the 15th ultimo, it appearing that on the completion of three months (from the date of reference to the subscribers, according to Regulations) the votes received on the question referred, (admission of widows and legitimate children without reference to extraction) was 682, whilst that of the subscribers in India was 1,100, leaving a very large proportion whose votes have not come in, and that of the former number 359 were *pro.* and 323 *con.*—the Directors are of opinion, that on a point so important to the welfare of the Fund, all the subscribers should be afforded an opportunity of giving their judgment,—the present state of the poll, although giving a majority in favor of the proposition, not being enough to carry it; and in submitting the subject to the consideration of the subscribers the Directors express their hope, that in deference to the solicitations of the Court of Directors, as well as to avert the dreadful consequences that must result from the withdrawal of all support from the East India Company, with which the Fund is threatened should the renewed attempt of the Court to carry the question be again defeated.

The Directors further submit, that the following sacrifices will be rendered imperative by the withdrawal of the East India Company's support:—

1st. The discontinuance of *all* personal benefits to living subscribers.

2d. Of passage-money to widows and children.

3d. A reduction of 12 per cent. upon the incomes of all widows and orphans.

4th. Increase of subscriptions to the undermentioned scale.

| | *Married* | | | *Unmarried* | | |
|---|---|---|---|---|---|---|
| | Rs | A. | P. | Rs | A. | P. |
| Colonel,..... | 97 | 5 | 6 | 64 | 14 | 4 |
| Lieut.-Colonel..... | 53 | 2 | 8 | 35 | 7 | 1 |
| Major..... | 42 | 1 | 2 | 28 | 0 | 9 |
| Capt. Chaplain, Surgeon | 25 | 6 | 11 | 16 | 15 | 3 |
| Lieut. Assist.-Surgeon.. | 15 | 4 | 9 | 10 | 3 | 2 |
| Ensign, Cornet, 2d Lieut | 12 | 0 | 9 | 8 | 0 | 6 |

to proportion the receipts to the present rate of disbursements. And even should the East India Company continue their support, considerable sacrifices on the part of living subscribers, with a moderate increase of subscription, will be necessary to preserve the Fund from decay.

No certain calculation can be made of the additional charge to the Fund by admitting widows, without reference to extraction; it is clear, however, that it can bear no comparison to the loss to be sustained by the withdrawal of the support it derives from the Court, so that on the part even of those otherwise opposed to the measure, there ought no longer to be the slightest hesitation in adopting the course that will be attended with the least pecuniary detriment.

EXECUTION.—Vincatochellum, the discharged sepoy of the 30th Native Infantry, who was convicted on the 7th instant of attempting to murder Lieutenant-Colonel Townsend and condemned to death, underwent the sentence of the law on the 13th instant. The unfortunate man seemed to have been made sensible of his situation and the ignominious death he was to meet, and had devoted the period between his condemnation and execution to prayer; he, however, conducted himself firmly, yet respectfully, at the place of execution and met his fate without betraying the least weakness.

ON DITS.—A rumour is current of Sir Frederick Adam being recalled in consequence of some matters in which the Hon'ble Colonel Morrison and Colonel Cullen were concerned, and that he is to be succeeded by the Hon'ble Sir C. Metcalfe. It is also reported that the removal of Captain Douglas from the Residency of Tanjore and the appointment of Colonel T. Macleane thereto, has hastened the recall of Sir Frederick,—and that Captain Douglas is to be reinstated forthwith in his former situation.

THE FRENCH ARTISTES left Madras and proceeded, per *Resolution*, Jellicoe, to Penang on their way to Batavia.

ACCIDENTS ON BOARD THE MELVILLE.—H. M. S. *Melville* reached the Cape on the 6th May,—a most melancholy accident occurred on board that vessel on her passage. A sailor fell over board and Lieut. Gore, the Admiral's son, in the hope of rescueing the man, plunged into the sea after him. The life-buoy was immediately cut away and two boats, commanded by Lieuts. Hammond and Fitzgerald, were immediately lowered to their assistance. Lieutenant Gore swam lightly and with vigor, and was close to the ship asking where the man was before the boats were well in the water. He was directed to strike out for the life-buoy, to which he accordingly made, but on the boats reaching it, neither the Lieutenant nor the man were to be found. The boats, after pulling about for some time without meeting with the objects of their search, at length made for the ship which the one commanded by Lieutenant Hammond reached in safety but that in which Lieutenant Fitzgerald was, swamped and every soul in her perished in the waves.

STEP HUNTING.—It is said that an Officer belonging to a Regiment stationed at Bangalore, is put under arrest, and is about to be tried upon some complaint of a Junior Officer. The case is reported to be somewhat parallel with that of Captain Arthur of the 20th Regiment, whose recent trial laid open to the public the system called "*step hunting*," which for many years had been carried on in certain Regiments of the Madras Army.

MR. MACLEANE.—The *Standard* states that the Court of Directors have disapproved of the appointment of Mr. A. J. Macleane, son of Colonel Macleane, to the secretaryship of the Marine Board, and have directed that the salary be increased, and the appointment be conferred on a covenanted servant.

A NEW MISSION.—It is said that the Rev. Mr. Rhenins, in conjunction with his late Missionary colleague of Tinnevelly, is about establishing a new mission in the west of Madras.

HORTICULTURAL SOCIETY.—It appears that a few spirited individuals of this presidency are exerting themselves to establish a Horticultural Society, and invite all well disposed towards that useful science to assemble in the College Hall for the purpose of aiding the project.

On the 15th ultimo, there met about thirty gentlemen favorable to the projected Horticultural Society. A. R. McDonell, Esq., was called to the chair. A Committee was appointed, whose selection promises fair to extend the usefulness of the Society's labors, to whom was left the arrangements of all details.

THE BENTINCK TESTIMONIAL.—On the 15th ultimo, there was a meeting of about half a dozen persons in the College Hall, to select the Bentinck Testimonial. Mr. Norton in the chair. It was decided that His Lordship should be requested to sit for his picture to one of the first masters in England, and that the same, when received, should be suspended in the Banquetting Room.

NELLORE COPPER MINES.—It is said that an attempt is about to be made to work the Nellore Copper Mines, by a Company under the firm of De Fondclair and Co. The Company is to be a joint stock one, having a capital of 480,000 rupees; divided into 96 shares of 5,000 rupees each; and these to be subdivided, if necessary, into one-fifth shares of 1,000 each.

SIR FREDERICK ADAM, it is said, intends to depart for England early in the ensuing year.

THE TENASSERAM COAST, it is reported, is again to be transferred to the Madras Presidency, and that the Horse Artillery will not be removed from the Mount to Bangalore, as anticipated.

THE MINT.—It is asserted that orders have been received from the Court of Directors, by the *Roxburgh Castle*, to suspend the order for abolishing the Madras Mint, until the Court shall have received the reply of the Madras Government to their former communication on the subject.

## BOMBAY.

SOCOTRA.—Another detachment was to sail from Bombay for Socotra on the 18th June, provided with rafters and every thing necessary to make themselves comfortable quarters.

MILITARY FUND.—The clause which excludes widows of native descent from the benefits of the Military Fund, is to be submitted once more for the consideration of the Bombay Army.

COURT-MARTIAL.—The sentence of the Court-Martial on Lieut.-Col. Dickson is dismissal, which has been confirmed by the Commander-in-Chief.

OPIUM.—A notification in the *Bombay Official Gazette*, fixes the price of passes, for the free transit of Malwa opium to Bombay, for exportation during the season of 1835-36, at 125 Bombay rupees per chest of 140lbs. weight.

THE THEATRE is advertised for sale by Government, to whom the ground belongs on which it is built. This measure seems to have been resorted to as the only means of discharging the debt of the concern, which it is said now amounts to 30,000 rupees.

The weather, accounts from all parts state to be favorable, though in Poonah and its neighbourhood the quantity of rain has not been sufficient for the crops.

The inhabitants and sirdars of Poonah, it is said, intend to present an address to Mr. Marriot on his appointment to the situation of Senior Judge of the Sudder Adawlut.

COLONEL CHESNEY.—The following is a letter received from Bagdad, dated the 28th March, relative to Colonel Chesney:—

"By letters from Aleppo of the 26th of February, I learn of the arrival of Mr. Lynch at Latakia, as avant courier of the iron Steam-boats, as well as of all the necessary orders from Constantinople and this city, to secure every aid possible to the expedition. Our Pasha has been referred to from Constantinople about it, and has given it his most strenuous support; and after all my communications with the Arabs, I really think the project will shortly be brought to a successful termination, and that steam vessels will ere long be plying constantly on our river."

MILITARY SECRETARY.—It is said that the Military Secretaryship to the Commander-in-Chief at this Presidency, has been abolished.

## CEYLON.

It is mentioned in the *Colombo Observer* of the 7th ultimo, that that will be the last number issued of that paper, as for want of an Editor it is obliged to close its existence.

## PENANG.

The sessions of Oyer and Terminer for Penang and Province Wellesley closed on the 23rd May, leaving two criminals for execution, who had been clearly convicted of murder, one of whom has suffered, but the other has had is sentence commuted to transportation for life.

EPIDEMIC.—An epidemic, allied to cholera, and confined chiefly to children, has been prevailing in Penang, and has proved fatal to a great number, principaly among the Chinese.

SIR EDWARD GAMBIER arrived in the *Resolution*, Jellicoe, on the 26th ult. and took the usual oaths and his seat at P. W. Island, as Recorder of P. W. Island and Mallacca, on the 29th.

THE HON'BLE K. MURCHISON, Governor of the Straits, returned to Prince of Wales Island in the *Zephyr* on the 28th ult.

THE FRENCH ARTISTES, who arrived in the *Resolution* on the 27th ult., gave their first performances, *Lees Premieres Amours*, followed by *Angeline or La Champenoire*, on the 3d inst. The performances were received with loud bursts of applause, and greatly delighted the audience, although but a few could understand even a sentence of the dialogue.

SCHOONER BOMBAY.—His Majesty's sloop *Raleigh*, Quin, anchored in the harbour on the 23d ultimo, in company with, and in charge of the schooner *Bombay* of Bombay, and from thence the 28th May, bound to China. It appears that the commander of the schooner, Beattie, died on the 20th day after leaving the port, and the mate was shortly after seized with fever and ague, and when he fell in with H. M's vessel, was so utterly incapable of attending to his duty that he, having no capable person on board, applied to Captan Quin to have an officer and a party of seamen sent on board to take charge of and navigate her into port. His request was complied with and the schooner was safely anchored in Penang harbour. His Majesty's sloop *Raleigh* claimed a salvage, for the assistance rendered in bringing her into port, of one-sixteenth of the value of vessel, cargo and freight, and the claim being objected to on the part of the surviving commander of the schooner, the salvors seized a portion of her cargo, viz., 9 chests of Malwa opium, which were sold by public auction on the 2d instant, and averaged 560 dollars per chest. The schooner, after being properly officered, manned and armed, proceeded on her voyage to China on the 1st inst.

A MONSTER.—A monster of the swine species was lately brought from Province Wellesley to Penang. It bore some resemblance to a pig, but with one head and neck and two faces; one like that of a pig and the other a disgusting resemblance of that of a human being: two entire bodies joined by the breast; two separate bellies, and four of each ears, eyes, fore-legs and hind-legs, and two tails.

## SINGAPORE.

PIRATES.—It is reported that the pirates who cut off the cargo boat on the 17th April, when conveying tin to the American vessel *Cashmere*, laying at anchor a little way outside the harbour, have been discovered, and that two of the number have been apprehended and lodged in prison.

## GOA.

Private letters which have been received from Goa, give accounts of a most atrocious, infamous, treacherous and cold-blooded butchery committed by the insurgents. The following are the particulars:—

On intelligence being received at Goa, of the preparation of an armament by Snr. Peres, the garrison of the Fort of Tyracol declared in his favor. The rebels, headed by the Military Governor, attacked the fort but, after some hard fighting, being unable to effect any thing they retreated from the place. Shortly after this, however, finding that the expedition had not arrived, and being acquainted with the want of provisions and ammunition on the part of the besieged, an overture was sent by the rebel chiefs to the garrison promising them their lives if they would surrender. The besieged accepted the offer and surrendered; but as soon as the insurgents had obtained possession of the fort, they murdered the first four leaders of the garrison on the spot. Three other chiefs were next seized by these sanguinary villains; two of these were spared through the earnest intercession of Col. A. Lopez; but regarding the manner in which the other should be disposed of, considerable discussion took place. M. Atmarama proposed to have him flayed alive, Col. Lopez to set him free according to their pledge, when Fortunato de Mello terminated the dispute by taking a musket from a soldier and shooting the prisoner. All the private soldiers found within the fort were put to death, and the heads of these unfortunate men, after being borne in triumph through the streets of Goa, were sent to their wives and families, and subsequently stuck up on posts before the houses in which they resided.

The wretch who bore the flag of truce to the murdered men, and pledged the honor of the rebel chiefs for their safety, was promoted to the rank of ensign for his dexterity in duping them.

## CHINA.

PREVENTION OF THE SLAUGHTER OF ANIMALS.—On the 16th April, the Nan-hae-heën issued a proclamation, severely interdicting the slaughter of animals for food; and all officers, high and low, were ordered to repair to the altars of the Dragoon King to supplicate for rain. On the 18th a Cavalry review took place; and on the 21st the Kwang-chow issued a proclamation prohibiting the catching of fish.

An imperial edict has been issued, notifying that in consequence of the Empress-mother having attained her seventieth year, there will be in every province an extra examination of graduates who are candidates for the Ken-jin degree, and also at Peking an examination of the successful Ken-jin men for the degree of Isin-tsze.

DROUGHT.—The long continuation of the drought has become a matter of serious importance, and both the Government and people think and talk of little else.

## PERSIA.

The following are extracts of a letter from Bombay, received by the *Hurkaru* on the 22d June:—

"The *Meccaee*, Pilgrim-ship, is expected from Judda in about a week; by which, it is hoped, the May packets from England will be received. This, however, from the arrangements, or rather want of arrangements, in Egypt, cannot be relied on.

"The H. C. S. *Elphinstone*, just arrived from the Gulf, brings us letters stating, that "it is understood Mahomed Ali Pasha will not allow the Steamers to pass through Syria, as he wishes them to ply in the Red Sea." Captain Elwan, the Commodore in the Gulf, died of fever on the 17th June.

"The young Shah of Persia is well spoken of by one of our correspondents who says, 'The King himself, I am sure, is really a good youth, and had he a good and honest minister, I would hope to see much good done for this unfortunate country.'

"A letter from Tehran, of the 27th May, says, that they had not, at that time, any intimation, *officially*, of Mr. Ellis's appointment or approach."

# REVIEW OF THE CALCUTTA MARKET.

*(From A. E. Kilhn's Monthly Price Current, July* 31, 1835.)

INDIGO PROSPECTS.--Accounts from the interior in regard to the present crop are of a great variety; the heavy rain fallen during this month have in many parts caused damage by the sudden rise of the rivers. The produce of Burdwan, Khisnaghur, and Jessore, is reported to be small.—Accounts from some parts of Dacca are more favorable. Jungypore is said to have suffered severely. Letters from Tirhoot continue to promise a very large crop. From all the accounts received from the interior, and considering the heavy rains we have had since our last, there is no doubt that in many districts, where cultivation is on low land, the plant must have suffered, but as it is a fact, that the present crop is a very early one, and that a considerable quantity is already manufactured, the inundation cannot have done that great damage which would have been the case, if the plant had been less advanced in its maturity, it is therefore probable that the crop will be more than an average one.

It must be recollected that although the failure of the great agency houses did at one time threaten a material falling off in the produce, yet the Assignees of the Insolvent Estates, (with the sanction of the Court) having applied the assets to carry on vigorously the factories that could not be advantageously disposed of, an amount in ready cash has been employed in the manufacture of Indigo which the old houses in the most prosperous days could probably not have furnished, so that in fact the cultivation has been considerably increased, and we may state that the present rough estimates of the crop will not fall short of 125,000 maunds. Few transactions have come to our notice during the course of the month; in the early part of it, about 220 chests Ghazeepore were sold at prices ranging from 115 to 120, the last fine mark sold, brought 149 rupees, and a fine parcel of Ghazeepore, say pale soft clear weak purple, 110 rupees. The prices which we quoted in our last number, at about 10 to 15 Rs. under our *previous* or May quotation, which were then nominal, experienced some improvement, in consequence of the recent unfavorable accounts from the interior. We quote our last prices. Shipments to England have reduced the stock of the last season to 4000 maunds, which may probably follow to the same destination.

OPIUM – Experienced a further decline owing to an unusual anxiety of some holders to realize, as the money in regard to this drug is scarce in the market. Purchases are reported for Bombay. The quantity existing at present in the Hon'ble Company's Godowns is about 2,500 chs. Patna, and 1,500 chests Benares. Since our last number, about 1,700 chests have been cleared for the Straits and China, to these we have to add about 600 chs, which the vessels now loading may export, of which the *Carnatic* alone, will receive about 400 chs. Prices expected to rise.

RAW SILK.—The present hund which is expected to commence arriving in a few days, is always of inferior quality, owing to the season, but the rainy weather we have had during the whole month, must have influenced still more its quality. The market is generally dull with the exception of a few isolated speculators. Cultivation is greatly decreasing, since the Company have abandoned it. Prices rather declining. Stock very limited. March hund is all shipped.

SILK PIECE GOODS.—After a few months calm in the market, (owing to the heavy stock in England,) a new activity was given to the demand for Corahs, from the late favourable accounts received by the overland despatch. Prices are steady and may improve, as the stock is very moderate. The manufactory of Bandanos and Choppahs is at present not very extensive. Transactions are limited.

COTTON.—There are at present twenty vessels loading for China, the greatest part of their cargoes will probably be in cotton. Some purchases in superior qualities are reported for the home market, although shipments are still on a limited scale, as the superior quality is scarce. The latest accounts from England are favourable.—Prices of middling and inferior qualities, which we have to quote already lower than in our last, may experience a further decline. Cultivation is increasing.

SALTPETRE.—Market steady; transactions are yet trifling, as tonnage is still scarce; our stock in superior qualities is small, middling and inferior abundant. Prices expected to be maintained.

SUGAR.—There has been some demand for middling and better descriptions, the latest accounts from England being favourable, and prices well supported. Our stock is getting heavy, shipments are restrained by want of tonnage. Prices rather looking down.

LAC.—Transactions of Lac Dye and Shell Lac have been on a very limited scale during the whole month. Our stock of Lac Dye is moderate, Shell Lac is rather heavy. No particular transaction in Stick Lac has come to our notice. Prices of the several descriptions are steady; superior qualities scarce.

GRAIN.—There has been a decline in price of Mungby, Bellam, and other inferior descriptions of Rice: prices at present are likely to maintain, large shipments continue for eastern and western ports. The next crop, which is expected to arrive in November, appears to be a very large one. Superior quality has been procured for the English market. In Wheat and Gram, transactions were on a limited scale, prices are yet well supported.

LINSEED.—The crop is coming fast into the market in consequence of the rivers being navigable. The expense of land conveyance on an article of this description being enormous, holders in the interior are obliged to stock it until the kscree allow of its transmission. The total quantity that reached our market last year, 1833-34, including some of 1832-33 was 75,000 maunds. The demand first commenced in December 1834, (the sowing season is October, and the grain is reaped in April,) it was then too late in the year to enable cultivators to take advantage of the sudden call for the article and provide sufficient the following season, to meet probable demand. We cannot form any correct idea of the crop of 1834-35, but from the facts stated, we conclude it cannot exceed in a very great degree to that of former years. The ensuing crop of April, 1836, which will arrive in the market from July to October 1836, will doubtless be very extensive, as cultivators will have sufficient time to make the necessary arrangements to supply the demand; which, however, depending entirely, (or in a great

measure,) on the rate of freight, is rather precarious, the chances are, that when once the trade is established on a firm footing, many vessels will come out from England, expressly for a cargo of this seed. Its quality we have heard is finer than the Russian, and only equalled by the Sicilian, which production is on a very limited scale.

HIDES—Continue dull, and prices rather declining, owing to the scarcity of tonnage; our stock, which is already heavy, may shortly be increased by new important arrivals from the interior.

HORNS—Our stock, which is still a large one, has been reduced by late shipments to England. Prices are expected to maintain.

HEMP—Continues steady without much inquiry: stock increasing. The price of Jute which has been raised with great rapidity to 4 Rs. could not be sustained, and is again down to Rs. 2-8, with the probability of a further decline.

SPICES & DRUGS, &c.—Borax and Tincal, transactions very limited. Cassia, no sales to report. Castor Oil, stock heavy, prices are yet steady, as the consumption in England is increasing. In Coffee, (Mocha) there has been some inquiry for the home market, prices are well supported, stock middling. Gallingals very little doing. Gambier or Cutch, has fallen considerably in price, in consequence of recent importation. Ginger is looking down, stock small; very heavy imports are expected from the interior. In the several descriptions of Gums, no sales worthy of notice are to be reported. Munjeet is in steady demand, and prices are expected to rise, good quality is much inquired after for shipment to England. Pepper, we have no particular variation to report since our last number, our stock is small, and prices maintained. In Rattans there is some inquiry for superior quality. Sapan Wood, stock small, prices without change. Red Sanders experienced a slight decline in prices, stock middling. Safflower, first quality, is well supported in price, as accounts from England are favourable to this dye. Our stock in Putter-gultah is middling. Delaspore is declining in price, as there is no inquiry after it. Turmeric, prices are expected to maintain, there is yet no particular demand for it at present. Elephant's Teeth are steady, small lots only to be had. Senna, no transactions to report. Mace and Nutmegs, transactions to some importance have been effected. Cloves continue also in demand. Alum market inactive, and prices declining. Recent importation of Betelnut have caused a fall in our prices. Camphor market steady. Long Pepper experienced some decline in prices.

METALS.—Copper.—11,550 mds. Peruvian Copper, of recent importation, have been offered at the public auction, but only a few lots were sold from 24 10 to 26 Sa. Rs. per factory maund. Our stock of all descriptions continues very heavy, and prices shew no probability of improving. There is no material alteration to be reported since our last, but should importation become very heavy, a further decline will be the consequence.—Iron, the market has at present a more steady aspect than at the end of the last month. Spelter.—The importation of the last three years having been considerably under our annual consumption, our ancient stock has been much reduced, and is at present only about 70,000 maunds. Our present quotation is therefore likely to be maintained, unless importation should become very extensive. Of Lead, Steel, Tin Plates, Quicksilver and Japan Copper, we have nothing particular to report. Some transactions are reported of Block Tin at our quotation.

TWIST.—Transactions have been more extensive during the present than the last month, notwithstanding recent rather heavy importation, aggregating to about 850 bales. Accounts from England state, that shipments in Twist would be less plentiful for some time, owing to the large order under execution for the continent of Europe. There is consequently no probability of a fall in our prices. Our stock is still a very moderate one. At a public sale held some days ago of a considerable parcel of Orange Yarn, more or less damaged, the prices obtained ruled from 12½ as. to 1 R. 3¾ as. according to the extent of damage.

COTTON PIECE GOODS.—Since our last number there has been some large transactions, chiefly from the cargoes lately arrived. We have not, however, any material alteration to report in our last quotation.

WOOLLENS.—Town and Long Ells, of fine qualities, continue in demand, but our stock in these descriptions is very small. The few transactions of importance have been in Flannels, which continue in good demand. The stock is also very moderate.

FREIGHTS—Are at present rather high, say £3 10 to 4 0 for England, for Sugar and Saltpetre, £4 to 4 10, for Cotton, Hides, and Linseed. The greater part of the vessels which arrived lately are loading for China, so that the available tonnage for home has been naturally diminished. We are, however, informed that Shipping to the amount of about 12,000 tons is expected from London, and that a considerable addition is also expected from other parts; it is therefore highly probable that the present rates may soon be materially reduced, the more so as the China market offers no inducement for ships to proceed there on speculation, for which reason it is obvious that those who may possess discretionary power in the direction of the ships would prefer the homeward destination so long as freights should not be absolutely ruinous.

# MR. BRAMLEY'S INAUGURAL LECTURE,

*Delivered to the Students of the Medical College, June 1, 1835.*

Mr. Bramley commenced by observing that it was in compliance with custom rather than from any notion of utility, that he gave his first address, the character of what is commonly called in college phrase, an inaugural lecture.

A formal introductory address of the description to which he referred, and on an occasion such as the present, when the students of a new, and he might be allowed to say, a noble national institution were gathered together for the first time, may justly be expected to embrace some notice of the establishment, and the objects contemplated by its founders, an outline of the course of instruction which it was intended to pursue, in teaching the art or science for the cultivation of which the particular lectureship was endowed. Also a general view of the divisions and heads of which it was intended subsequently to treat in detail.

It should, further, naturally include advice and recommendations from the preceptor to his pupils, as to their conduct, and their best course for profiting by his instructions, and so of acquiring the most thorough and speedy knowledge of that which was to be taught. Nor should the teacher in this place, and on this occasion more particularly omit some general exposition of the advantages to be derived in after life from that knowledge.

Such Dr. B. observed were the heads, which an introductory address at the opening of this College should embrace. But there was one topic, to which it would be especially incumbent on him to allude, but that it may appear somewhat premature in the present provisional condition of the establishment, to do more than briefly advert to it; he meant, the munificent arrangements in preparation by this Government for the solid and permanent advancement of science and education, more particularly as behoved his chair, he referred to the memorable instance of public patronage bestowed on medical education in this country, for which he could not but feel that their especial acknowledgments were justly due, to the late illustrious Governor-General, who in having sanctioned, or he should rather say, having instituted and organized the Medical College of Calcutta, had supplied a new and efficient stimulus for native youths, towards the acquisition of European science based on a knowledge of the English language, and had afforded large and liberal means to his pupils, of acquiring a profession, which he had little hesitation in predicting would prove a better security for winning to themselves reputation and independence, than any that the present condition of society among them admitted.

This great and liberal act on which he had here but briefly touched, would, he trusted, be duly felt and more amply, or at least, more formally acknowledged hereafter when the fitting moment should arrive.

Nor was it his intention to occupy their time that day, in dwelling upon all the other topics which as he had already observed, an Introductory Lecture should rightly comprehend.

At present he begged his pupils to understand, that the general and enlarged course of professional instructions, which it was intended to adopt, in this seminary, could not be regularly commenced on till numerous arrangements, with regard to the erection of suitable buildings and the necessary appliances for teaching shall have been completed. These, however, he was happy to inform them, were in progress, and he trusted in the course of a few months, they would find themselves fairly and comfortably established in an institution, which would do no discredit to the age in which they lived or the munificent government which had endowed it, he would then have the pleasure of seeing around him, a much larger number of pupils than was there assembled in this infant stage of the College.

It had been thought, however, that as a preliminary step, their time might be immediately employed with advantage, in commencing a course of instructions in the rudimental branches of anatomical science—and it was with this view solely that a limited class had been formed in the first instance. This plan had serveral advantages—amongst which he would allude to the opportunity it would afford him of gaining some little previous insight into a science which it was assumed to be the intention of his pupils to take up as a profession—of paving the road to future and severer study—and of gradually dispelling those scruples which it was no more than natural they should entertain, from the circumstance of their parentage, and hereditary prejudices in regard to the study of anatomy. The plan further gave to those native gentlemen who had been selected to aid Dr. Goodeve and himself, in their labors, a good opportunity of initiating themselves in the details and methods of teaching—and last, though not least, it afforded, to his colleague and himself, the means of qualifying and perfecting themselves as instructors in the various and difficult branches of Medical Science. For he was not ashamed to acknowledge that he looked to practice and experience in the art of teaching, as his chief aid towards the successful accomplishment of the arduous and important undertaking which he had to conduct.

Having thus briefly alluded to one or two points on which it was not his intention to enlarge for the present, he should now pass on to the more immediate objects of that day's discourse, namely, to give his pupils some idea of the important nature of their studies—to point out the advantages to be derived from close and zealous application—to explain briefly what would be expected from them as students, as well as what would be required from them hereafter, as practitioners in the healing art.

In lecturing on the science of anotomy, in what is generally understood by its regular course, it would, perhaps, behove him to begin, as had been customary amongst its Professors—with the History of Anatomy—taking a progressive view of its rise and progress in successive ages of civilization, beginning with those able anatomists among the ancients who had made themselves remarkable for their discoveries, and had laboured to prosecute or diffuse the kowledge of their art. But he must not forget, however desirable such information may be in ordinary cases, that he was placed there in a very different situation from that of a Professor in Europe. He must not forget that although surrounded by a number of intelligent youths, his class was composed of Asiatics, and that the medium of instruction was a language which was foreign to them—that their education in the elementary branches of general knowledge was as yet incomplete and imperfect, so that their minds could not yet be supposed prepared to receive with profit the information to which he alluded.

He should not then trouble them for the present at least, with a history of anatomical science. Because his immediate duty was to keep their minds constantly alive to those subjects, which they were then most capable of retaining in ready recollection, and to confine his discourses to such divisions and departments of the science, as it was absolutely necessary they should learn and understand, in order to qualify themselves as useful members of an honorable profession. His chief duty, in short, was simple, and could be explained in a few words. It was to fit them for the active and practical duties of medical men. In endeavoring to accomplish which, they might rely on his discretion not to attempt teaching them too much at first—he hoped he would avoid all imputation of professional vanity, if he considered the Science of Anatomy as one which more immediately than most others concerned the welfare of the human race. Even in the most early ages, before luxury had laid the foundation of many diseases now too prevalent in these days, and even in countries compartively remote from the influence of civilization, some knowledge of Anatomy,

that is, of the structure of the human frame, must have been considered always of primary importance, in as much as self-preservation predominated over every other feeling and impulse, with exceptions too rare to be taken into account.

That science, therefore, which enabled them to afford bodily relief, to their afflicted fellow creatures, in cases of imminent danger, might well be considered as one of the first of useful acquirements. The subduing warrior, proud with conquest, would soon sink back to humble dust, but for the assistance of the Anatomists, when labouring under a dangerous wound or an oppressed brain—accidents which were incident to all mankind whether in polite or barbarous nations. The magnificent, gorgeous palace, and the bed of down, would oftentimes be found to afford even more short lived joys than the homely cot, without the succour of medical art.

When it was considered that the study of the medical profession, diligently pursued on scientific principles, enabled them by the removal of disease, to alleviate the greatest afflictions to which the human frame was exposed, they could not but feel a deep sense of the importance of that station, which they were destined to hold in the scale of society; nor could they avoid reflecting how all-important it was to establish the principles of the science on the most solid foundation. It was only by an accurate knowledge of the structure and functions of the human body in a state of health, that they could infer and judge of the nature of disease, and that they could qualify themselves to act upon just and rational principles in its treatment.

If those observations were true (and he had little fear of their meeting with denial) he could not avoid again adverting to the liberality of this Government in having bestowed upon medical education in this country so large a portion of public patronage. For it might be well known to all his pupils that among the very heads of their own community, where so much opulence was found and where so much extravagance of expenditure prevailed, that a miserable inattention existed, as to the nature and wants of medical science, though it was a matter in which every individual forming that community was more or less interested.

This inattention, this apathy, would be the less deplorable, if ignorance indeed were merely of a negative quality: if failing to do right, it forebore to do wrong—but in this, more than perhaps in almost any other country, it was, he regretted to say, most mischievously active, and greatly augmented the "ills which flesh is heir to."

To whose fostering care were the lives of thousands, aye, of millions, entrusted in India, under the various states of disease to which all, and every one of them, may one day or other become subject? To the wretched and ignorant empirics who infest every city, town, and village in these vast and populous territories—men eager to earn a profitable subsistence, at the expense of human suffering, yet content to remain grossly and darkly ignorant of the veriest rudiments and first principles of the healing art.

It would be illiberal in him to deny that there were exceptions to this description. But to what, he would ask, do even these rare examples amount! A mere sprinkling at most, of a few intelligent individuals who under the guidance of some natural turn for observation, aided by common sense, may have acquired some superficial knowledge of disease—such a smattering perhaps as to enable them to treat simple cases, on something approaching to rational principles, and so by relieving the sufferings of their fellow-creatures, obtain the confidence of their countrymen. But, after all, what *were* these among the number requiring medical aid!

It surely could not be wondered at that these empirics—quacks—should be extensively encouraged, so long as there were no competent and respectable practitioners in the art of medicine to fill their places. But, they would see what would be expected, if in course of time, that College should be the means of disseminating over this country a body of well qualified and efficient medical men. Why, independently of the advantages which must accrue both to the community and the practitioner, it may be hoped, indeed it may be expected, that the Government would extend its patronage in proposing some kind of legislative enactment, to prevent uneducated and unqualified persons from practising. This plan, he said, which at least had the recommendation of simplicity, had already been adopted in other countries with great success. In France, for instance, there was but one school, or faculty of medicine as it was called, one education, and one examination. After having undergone the latter, the individual may practise all branches of medical science, in any part of that country. But it was only those so educated, that were qualified to practise. It was the same in the United States of America, and he believed nearly so in the Universities of Germany: he wished he could say as much for England.

Now they might rest assured that those only who had studied the profession as a science were qualified to practise the healing art. It would always be required of such, that they be the respectful and observant followers of Nature. They would never presume to precede her, except to remove some impediment from her path, or to perform what she evidently indicated; but, as he had already said, in this country, the ignorant take the lead, place obstacles in the way of Nature's progress, and presume to direct her course. But they would find, as they advanced, that so admirably was man constituted, that the very actions of disease often tend to the restoration of health: yet these beneficial actions by the ignorant were deemed diseases—and were put a stop to—and far worse maladies established. Trifling diseases were suspended, they might call them cured, by means detructive to health and productive of lingering infirmities.

But before he quitted this subject, he would look to the metropolis of British India. To Calcutta itself. To whom do the majority of natives of rank and wealth, and intelligence in the present day, resort in times of severe sickness? To Europeans. And why, it may be asked, do these entrust their lives to the care of foreigners, whose very touch or even presence is apt to be considered a contamination? Not because the trusted physician is of European birth or extraction. Not because of preference to strangers over their own countrymen. But because the European is known to have received an education that vouches his fitness for his vocation. Because he has been sedulously taught his art on scientific principles. In short, simply because the knowledge he has acquired is well understood and believed to be built on a solid and sure foundation. But was this state of things right and natural? Should the moral condition of the natives subject them to this infringement on their hereditary or religious privileges? Certainly not. You, observed the lecturer, are the persons to whom the eyes of your own countrymen will be directed hereafter, as substitutes for European skill. It is you, who ought to supersede the foreigners, or enter into honorable rivalry with them. And, placing as I do the firmest reliance on your determination to prosecute your studies with zeal and perseverance, it is you who will ultimately supersede them.

Can it be credited that Egypt, which seven years ago possessed no kind of medical institution whatever, now boasts of a well-organized Medical Government, essentially superior in many respects to that of a nation which vaunts of its multitude of chartered corporations, professedly devoted to the cultivation of medical science? The latter remark, he was sorry to say, was in allusion to the public Hospitals and Medical Colleges of England. But he would see to what intent the tree of knowledge had been replanted in a country where it had perished ages since. What has sprung up in uncivilized Egypt! Why, an organized Medical School, embracing four distinct sections, which he proceeded to enumerate.

He hoped his puplis would not be led away with the idea that the science of medicine was to be learned by attending lectures. It was not by their daily attendance in that room, in mere compliance with the customary routine of study, that would avail, unless their attention was exclusively devoted to the subject before them. Lectures, like books, were only auxiliaries to the practical study of disease: but the medical sciences rested chiefly on observation, and were only to be acquired by resorting to Nature.

A course of lectures should contain a general, but not minute exposition of the science, a discussion of the principal doctrines, a methodical arrangement of the subject, and such a collection of knowledge from various quarters as was calculated to exhibit the present state of the art, and so arranged as to suit the capacities and minds of the pupils. But the rest which was necessary they should know, and which was by far the most essential part, must be supplied through the active exercise of their own industry and energy.

It was not then lectures or writings that would qualify them as medical practitioners. Nor indeed was it a knowledge of Anatomy and Physiology alone which could teach them that of disease. The question then is, how were they to be taught this? by studying the book of Nature, lectures and books, though they may be useful, are but secondary importance in comparison with the observation of disease. It was of course necessary, in the first instance, to acquire some knowledge of Anatomy and Physiology, which were the great ground-works of Medical Science, before they could turn their observation of disease to a profitable account. No mechanic would think of repairing a watch or a clock, who was not well versed in all its parts, its movements, and its connections: the same with respect to the human body, no persons was able to cure its different diseases without his being acquainted with the structure of the whole. But having gained this knowledge, his pupils would be able to judge of the distinctions between health and disease—and it was then that much would depend on their observation, for they must see which, and examine the sick patients for themselves. A large Hospital, then, they would soon discover, was the best school of medicine, and *clinical* instruction, under the guidance of a competent teacher, was the best and surest mode of learning. The facts, thus presented to the senses, make a much stronger impression than any description. The immediate appeal to Nature, which the presence of the sick patient affords, and the close attention of intelligent students, supply at once a salutary excitement to the preceptor and pupil. A few cases attentively observed would teach them more than any lectures or books. For if they attended to Nature with an unprejudiced eye, they could not go astray. To secure these advantages to their full extent, he was happy in being able to inform them, that the arrangements made by Government, for the practical instruction of the pupils of that College, were ample. Besides the valuable sources which would hereafter become available, as the European General Hospital, the Native Hospital and its dependent Dispensaries, the Eye Infirmary, all of which were under the superintendence of the most experienced men in this country, a Hospital, containing a large average number of patients, was to be established on the premises adjoining the Medical College. This would prove a valuable acquisition, as, independent of its affording ample means of practical instruction, the pupils during the early part of their studies would be saved the time and trouble for seeking the same information from a distance, while their attendance would be conducted on all occasions in the presence of their instructors.

With reference to the plan of instruction and the regulations by which this would be guided, so much would depend on circumstances which were likely to arise as they would proceed, and which at that time could not be reckoned on, that he had thought it advisable to defer drawing up a prospectus until sufficient progress had been made in his arrangements, to admit of his plans being regulated by a fixed code. On their doing so, depended, in a great measure, the preservation of that regularity of attendance, and good moral general conduct which he would ever hope strictly to maintain within those walls.

Their attendance would not be required for more than 1½ hour each day for the present; and he would endeavour to keep to this limit probably for the first twelve months, that is, as regards what would be considered public instruction, in order that they might have as much time as possible to devote to a continuation of their general studies. He would exhort all of them, who had the opportunity of improving themselves in general knowledge, whether at school or at their own homes, to make the best use of the intervening time, for the greater store of general information they acquired, the better would they be prepared to meet, and receive with profit, the numberless difficulties they would have to contend with, in seeking to gain an adequate knowledge of Medical Science ere they would be qualified as practitioners. Furthermore this opportunity of improving their general education was perhaps the last they would have, because by and bye the necessity would arise to oblige them to devote their exclusive time to Medical Science, that is, if they were ambitious of becoming efficient practitioners.

He would conclude that day's discourse, then, by assuring them with all possible sincerity that his associate Dr. Goodeve and himself partook out of the common spirit by which every teacher should be actuated, viz. that in urging men on to study with zeal, perseverance, and assiduity, their best efforts would be directed to the improvement of those who commit their education to their charge. For they felt that the success of that institution, which was so fully calculated to aid the course of useful information amongst the natives of this country, would mainly depend on the friendly relation, which he hoped to establish and support, between the teacher and pupil. Thus by mutual aid, and by a common interest, he might hope to contract that friendly intercourse, which might prove a lasting source of gratification and advantage to them both.

It was very probable there would be many points in his lectures, both in regard to language and the details of the science, which he might have failed to describe with sufficient clearness to meet their understanding. If these should occur, or rather he should have said when these occur, he trusted they would not reconcile themselves to continue in uncertainty about them. He advised them on all occasions to reject, without ceremony, any delicacy which would prevent them from applying to Dr. Goodeve or himself for further explanation. So far from his being averse to these inquiries, he would receive them as a gratifying proof of their zealous attachment to their profession, and of their determination to understand it.

Lastly, he would impress on their minds the serious nature of the studies they were about to enter upon, and to exhort them to employ most diligently the short, he would almost say, too short period of time, that they would have to devote to the purpose of rendering them able to take upon themselves the active duties of their profession. They might believe him when he said that the study of medicine was a most arduous undertaking. He did not wish to discourage them when he told them that it would occupy persons of great mind and shining talents many years to master it, and bring up their knowledge to the present state of the Science. It was, however, a salutary and pleasing exercise of the mind, while the practice of the profession called forth all the better feelings of their nature. In some respects they enjoy peculiar advantages: they were employed in the study and contemplation of nature, and the investigation of truth. They were not called upon to defend doctrines or systems, nor to uphold any particular set of opinions. They had no interests at variance with those of the community at large. In professional intercourse with their fellow creatures they were known only as the instruments of good—as the means of restoring or securing health, the greatest of blessings—of alleviating or removing pain and sickness, the greatest of evils, and to soothe the acute anguish which relations and friends feel for each other. Not only the happiness or the misery of life, but the very question of life and death often depended on their judgment and exertions.

Observe, said the lecturer, the responsibility, belonging to those decisions, on which it would depend, whether a beloved husband or wife should be saved; whether children should be restored to their anxious parents, or parents be preserved for the benefit of their offspring. He trusted, that bearing in mind the serious nature of these duties, they would eagerly embrace every opportunity of gaining that knowledge which would qualify them for discharging them effectively.

They would thus become respected members of an honorable profession, and they would prepare for themselves in the decline of life the sweetest of all rewards, the retrospect of labours, devoted to the good of others. —*India Journal of Medical Science.*

## PUBLIC MEETING—THE FREEDOM OF THE PRESS.

A public meeting took place on Thursday, the 20th of August, convened by the Sheriff, to take into consideration the best mode of testifying the public satisfaction at the repeal of the Laws which have hitherto restrained the Freedom of the Press, and the enactment of a law by which that freedom is rendered reasonably secure.

THE SHERIFF IN THE CHAIR.

The requisition having been read,

Mr. H. M. Parker rose, and after briefly alluding to a notice, recently circulated, of a Public Library, said, that a resolution had been assigned to him not certainly to propose the establishment of such an institution, but to submit that this community should mark the Emancipation of the Press, by the erection of a public building, which, if the meeting were so disposed, might be appropriated for the reception of a public library. This, as many of the meeting were aware, had already been proposed by a gentleman who gave his name H. M. P.; but an objection had been started in the pages of a journal famous for fancy, wit, and good taste, that the building was too utilitarian, and would not be sufficiently ornamental for the purpose it was intended to commemorate. He, Mr. Parker, did not expect to find much that was utilitarian in the pages of the journal to which he had alluded, nor could he imagine, if a beautiful building is considered adapted for the purpose, why the one now proposed may not be made as ornamental as circumstances and situation will permit. If either the Parthenon or St. Peters were considered adapted to the purpose, he would be very glad to see them removed; or he would be glad if another building were erected here equal to either of those; despairing, however, of attaining his wish, he would be content with something inferior, though he confessed, when he looked at the Ochterlony Pillar and its incomplete state, he blushed with shame. But to leave this subject, he would read the resolution he had the honor to propose for the meeting's adoption:—

"That a Public Subscription be opened for the erection of a building, which shall be called 'The Metcalfe Library,' and that on the portico or some other conspicuous part of the building, the object of its erection, to wit, In commemoration of the Freedom of the Indian Press having been recognized by Law under the Government of Sir Charles Theophilus Metcalfe, shall be recorded by a suitable inscription."

"That the building, which shall be ornamental and commodious, be offered free of rent and in trust for the reception of a Public Subscription Library, to be formed on a scale, and conducted in a liberal manner, worthy of this metropolis. The Metcalfe Library to be so offered free of rent and in trust on condition"—

"First, that the Edifice be kept in repair from the funds of such Library."

"Second, that a provision be made for opening the library, and allowing the use of books gratis to poor students, whether Native, East Indian, or European, belonging to any College, or any Public School of Medicine, now established, or which may be hereafter founded in Calcutta. The privilege being granted under such precautions to prevent its being abused, as the committee presiding over the affairs of the library shall desire."

"Third, that in matters connected with the Library all possible accommodation and facility be afforded to respectable strangers visiting this city, either from the interior, the other Indian Presidencies, or from other countries."

Baboo Russomoy Dutt seconded the resolution.

Mr. Longueville Clarke was perfectly unprepared for this proposal, but would be ashamed of himself,—ashamed to be considered an Englishman, if he was not perfectly prepared to support a proposal so worthy of the object it was intended to commemorate, and so deserving of the city of which the inhabitants had shewn the value they place upon the liberty of the press, by the perseverance with which they had contended for it. He knew of no measure which would shew the feelings of the inhabitants of British India,—which would better show the estimation in which they held the liberty of the press, than by the establishment of a public library; but he did not think it sufficient to give the library merely the name of the individual to whom they were indebted for that liberty, and he would suggest that a marble tablet ought to be erected, on which should be inscribed the letter which first communicated to them the determination of the legislature. Those gentlemen who have been in London would remember that Beckford's reply to his sovereign at the time he considered an attempt was made by the minister on the liberties of the people, was recorded on a tablet in one of the public buildings. He need not detain them further with remarks on that subject, or indeed dwell at length on the utility of a public library, but this he might say, that if there was any part of the world in which such an institution would be useful in cultivating European ideas, Science, and notions it would be in this city; and he was sure, that the principle of having it open to all the community, as his friend proposed it should be, was the best principle on which it could be founded. Heartily would he support the project, and he was quite sure, when he thought of its importance,—when he thought of the number of inhabitants of this town who were desirous to show their gratitude to the statesman who had bestowed the freedom of the press, sure he was that they could not do better than accede to his friend's proposal.

The resolution was then put and carried, and after some conversation the suggestion made by Mr. Clarke was left to a committee, and the following resolution, moved by Mr. J. Sutherland and seconded by Mr. L. Clarke, was put and carried *nem. con.*:—

"That the following gentlemen be appointed a committee to collect the subscriptions, arrange the details, and superintend the construction of the building, and to carry into effect the objects in the foregoing resolutions; adopting such measures as may appear best calculated to promote them according to their spirit."

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|---|---|
| J. Pattle, Esq. | Baboo Dwarkanauth Tagore. |
| H. M. Parker, Esq. | J. Kyd, Esq. |
| T. E. M. Turton, Esq. | Baboo Russumoy Dutt. |
| Captain W. N. Forbes, | |
| J. Prinsep, Esq. | |

And on the motion of Mr. Pattle, seconded by Mr. Clarke, Mr. J. Sutherland was added to the committee.

Dr. Corbyn fully agreed with the proposers and seconders of the two preceding resolutions, convinced as he was, that this method of commemorating the freedom of the press in this country must be highly gratifying to Sir Charles Metcalfe, who, it was evident, considered the freedom of the press as necessary to the spread of knowledge. A better measure could not have been proposed; but he wished to remind the meeting that though a Library would be an advantage to those who were educated, it did not afford an opportunity of acquiring knowledge to those who were not. He did not press his suggestion under any idea or wish to divert the attention of the meeting from the object which had been introduced and had met with the approbation of this community, but he thought it was a fit opportunity to remind the meeting that there did not exist in this community a charitable institution in which those who were at present without knowledge could receive instruction, or an institution to impart instruction in the learned professions. He had for a length of time felt desirous to see a University of India instituted in Calcutta, and as the advancement of learning was in consonance with the freedom of the press, he thought this was a fitting opportunity to agitate the subject, or at least to bring it to the notice of those who were better able to support it than he was.

Mr. Pattle would not detain the meeting, but follow the excellent example of the learned gentleman who had preceded him, for it seemed that long speeches had at length entirely gone out of fashion, and an expeditious method of doing business was to be the practice for the

future. Mr. Clarke had reminded the meeting of the reply of Beckford, and as this building in which they were assembled was the Guild Hall, or rather the Town Hall, of this community, he thought it the most appropriate place for a tablet on which Sir Charles Metcalfe's reply ought to be inscribed, and he would propose that such tablet be erected. Of course, he made his proposition under the idea that there would be a large surplus of subscription for the erection of a building for the reception of a library; for he could not anticipate that there would be small subscription to commemorate the bestowal of a benefit so extensive, universal, and gratifying to every class of the people; nay, he anticipated that there would be a surplus not only sufficient to enable them to place a mural tablet, but also a statue as noble as that of Cornwallis which now adorns the Town Hall. Mr. Pattle then proposed a resolution in substance as follows:—

"That after carrying the objects of the preceding resolutions into effect, should the funds be found insufficient for a statue, that an ornamental tablet of marble be affixed in a conspicuous part of the Town Hall, on which shall be engraved Sir Charles Metcalfe's letter, and the Act under which the Press of all India is declared free by law."

Mr. Longueville Clarke begged leave to say a few words before this resolution was put by the Sheriff. If they were to have a building for the reception of a library, that building ought to be as complete as possible; but he knew not how it could be considered complete if it were without a tablet on which the Magna Charta of the fredom of the press was inscribed. [Mr. Pattle. "We can have a tablet in both places."] To that proposition he would not object, provided it was a *sine qua non* that the building for the library was completed before any part of the funds was appropriated to another purpose. Recurring to what had fallen from Mr. Pattle with regard to this building being the Town Hall, he would admit that it bore the name of the Town Hall of this community, but so far from being their property, it was in the power of Government at any moment to put a padlock on the door and prevent any person entering it. It was a mere name for the place and nothing more. Like the Lottery Committee, the Town Hall appeared that which in reality it was not; for as the funds of the Lottery instead of being appropriated to the improvement of Calcutta were sent home in silk and indigo, so might the community be excluded at any time from the Hall which purported to be their property. He remembered the time when the community were about to meet here on the question of the Stamp Act, and were threatened to be dismissed by the bayonets of His Majesty's 14th Regiment, and he believed that but for the patriotism of one of the magistrates at the police office that threat would have been carried into execution. On that occasion they were obliged to meet in the Exchange; and he would ask, if a place from which they could be excluded by Government, when exercising the constitutional privilege of Englishmen, was one in which it is fitting to erect a tablet, inscribed with the Magna Charta of the freedom of the Press of India? While he was addressing the meeting he would take the liberty to say a few words with regard to what had fallen from another agitator, who had proposed to establish something, he did not know whether it was a school or university. But he would remind that gentleman of the homely adage, that it was necessary "to cut the coat according to the cloth," and he feared that gentleman, if he imagined this community could raise a fund to establish and maintain an university, would find that with the numerous calls upon them, the project would dwindle into an infant school. He had heard of a gentleman who informed a public meeting that some children were so favourable to the advancement of religion as to refrain from eating butter that the money might be laid out in purchasing bibles; this gentleman was afterwards known by the name of the "Bread and Butter Orator," and though he, Mr. Clarke, would not call his friend so, he must say, that the proposition savoured of A. B. C. philosophy. That his friend Dr. Corbyn had deservedly a great deal of influence in Calcutta, he, Mr. Clarke, thought all who knew him must readily admit, as well as that he gave a great deal of his time to the cause of education; but he entreated the meeting not to be diverted from commemorating the freedom of the press in the manner that had been proposed. He was also desirous to say that many years ago, he had contemplated the establishment of a public library, and he would be ready to lay before the committee the plan he had then proposed, which would prove that in ten years a library may be established containing 100,000 volumes. But his proposition did not meet with proper support in those days, indeed, he might say it was opposed. It did not suit the temper of the times ten years ago to countenance a library to be established on the principle of no exclusion—that horrible destructive principle,—and it was not tolerated for an instant. But now, thank God! that feeling had departed never to return. He might also state that ten years ago he had proposed amongst his own professional friends, a library for a particular class of books, which had succeeded so far as to contain at the present moment no less than 2,000 volumes, although the books were of the most expensive class, and were only to be purchased by paying eighty per cent. dearer for them in this country than in England. Now, if ten gentlemen in ten years could purchase 2,000 books of the most expensive class, he did not think that he was under the mark in saying that in two years a library might be formed by the united exertions of this community which would be worthy of this city.

Mr. Pattle explained. His proposition to have a tablet in this Hall was, as indeed he thought he had plainly stated before, to depend entirely on there being a surplus after the building for the library was completed. He could not agree with what had fallen from Mr. Clarke regarding the Lottery Committee, for he thought the exertions of that committee had effected a great deal not only in the formation of large squares and the effecting of other visible improvements, but in the clearing away of marshy lands, and thereby rendering the city much more salubrious. He also believed that Mr. Clarke was mistaken in stating that the committee had sent the profits of the lotteries home in silk and indigo, nor did he hear before of any intention to dismiss the stamp meeting by force; and as to the mistake in calling this building the Town Hall, it did not rest with him, Mr. Pattle, but with their worthy Sheriff, who inserted the misnomer in the advertisement. (*Laughter.*) But why this earnestness? He had submitted a simple proposition for the meeting to adopt or reject, and that was all. However, as his friend had told them a pleasant story, perhaps he, Mr. Pattle, might be permitted to remind the meeting of a tale told by Lucian:—Jupiter and a Countryman were conversing together with great freedom and familiarity upon the subject of heaven and earth. The Countryman listened with attention and acquiescence whilst Jupiter strove only to convince him, but happening to hint a doubt, Jupiter turned hastily round and threatened him with his thunder. "Ah, ah!" says the countryman, "now Jupiter I know you are wrong; you are always wrong when you appeal to your thunder." It is thus, said Mr. Pattle, with my friend Mr. Clarke, you may always tell when he is wrong, when he quits his subject to commence his thunder by referring to circumstances which have no connection with the question under discussion.—(*Much Laughter.*)

Dr. Corbyn thought Mr. Clarke must have mistaken the few observations which he had ventured to submit to the meeting, for so far from attempting to divert the attention of the meeting from the establishment of a public library, he gave the proposition his cordial support. He merely wished to bring to the notice of the meeting that there was no institution here for giving instruction to those who had no knowledge at all, and, perhaps, he might have done so more effectually had he been heard without interruption. As it was, he was quite at a loss to know why the learned gentleman thought he was an "agitator," for nothing was more foreign to his intention than to endeavour to repeal the union, happily existing between the friends of freedom and the friends of education.

Mr. Turton was quite sure that his friend Mr. Clarke intended to say that Dr. Corbyn was an agitator only of useful objects. With regard to the Lottery Committee, his friend was mistaken in saying that the funds went home in silk and indigo, as those funds, though they

were raised under false pretences, were not sent home, but were paid to Government in liquidation of a very considerable sum lent to the committee, but which loan the Court of Directors had refused to accept.

Mr. Osborne had been listening for some time to these proceedings with great attention, and would now take leave to express his unfeigned astonishment at the result, which, so far as he could understand, after much pondering, appeared to be, that the meeting in order to express their gratitude to Sir Charles Metcalfe had determined to avail themselves of his name to raise money for a public library. (*Much Laughter*) and the only advantage Sir Charles was to receive, was to be stuck up against one of the walls. He thought a better testimony of their respect might have been proposed than this, which indeed from these proceedings, did not appear likely to be carried into effect in a very warm or grateful manner.

Mr. Parker said the gentleman who was in opposition, now and ever, did not appear exactly to understand the proposal which he had submitted to the meeting. It was not to subscribe for a public library but for a building to receive one.

Some conversation took place at this time in which Mr. Pote, Mr. Turton, and Mr. Judge took part, the latter, as we understood, expressed himself strongly in favor of the proposal contained in the resolution proposed by Mr. Parker at the commencement of the proceedings. Mr. Pattle then remodelled his resolution which was seconded by Dukinamundur Mookerjee and put and carried.

The resolution is as follows:—

"That the Committee be instructed to apply to Sir Charles Metcalfe, for permission to place his Statue or Bust in the contemplated Building, with an appropriate Inscription, and that the Inscription in question shall include Sir Charles Metcalfe's Letter of the 20th June last, and the act under which the Press of all India is declared free by Law."

Mr. Pote suggested that two rooms in the building should be appropriated one for painting and the other for an exhibition room, and proposed a resolution to that effect which was seconded by Mr. Crow, but opposed by Mr. Turton and Mr. Clarke, and lost by a large majority.

Mr. James Sutherland said, there seemed to be some little diversity of opinion regarding the resolution he was about to propose, which was to celebrate the day on which the press was made free in this country, according to the good old English custom, by having a public dinner. He did not see any particular necessity of making this resolution a part of these proceedings, but it was perhaps as well to do so, in order that it might be understood that the aristocratic feeling did not pervade, and that it was the desire of the friends of freedom to see all classes join in the rejoicings. Mr. Sutherland proposed the following resolution:—

"That the following gentlemen be appointed by this meeting a committee, with power to add to their numbers for the purpose of promoting a public illumination and subscription dinner to be given on the 15th September to celebrate the freedom of the press in India.

J. Pattle, Esq.

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|---|---|
| T. E. M. Turton, Esq. | H. Torrens, Esq. |
| H. M. Parker, Esq. | Captain J. T. Taylor. |
| T. Dickens, Esq. | J. Kyd, Esq. |

Mr. J. D. M. Sinaes briefly seconded the resolution.

Mr. Turton supported the motion, because it was the mode generally adopted at home, and one too, that did not call for the sacrifice of time which should be devoted to business, and besides a public dinner was one of those occasions when men's hearts were open, and no doubt, they would rise from it with their hands open also, and afterwards make a liberal subscription. It was the mode adopted here on receiving intelligence of the French Revolution, and were the meeting more interested in that event, glorious as it was, than in an event in which they were more immediately concerned, and which came home to their own bosoms? At that time the foreigners in the neighbourhood joined in their rejoicings, and he had no doubt, but that they would, in the present instance, show the same sympathy for us that we felt for them several years ago.

Mr. L. Clarke opposed the resolution, which was supported by Mr. Pattle and Mr. Sutherland. Dwarkanauth Tagore said, that if the natives were to vote on this occasion, the resolution would be lost by a large majority.

Mr. Turton, with reference to what had fallen from Dwarkanauth Tagore, asked if he meant to call upon the natives to prevent the Europeans celebrating the event in their own peculiar manner? Did he mean to say the natives felt no interest with the Europeans, or that because they could not participate in the same mode of expressing the pleasure they felt it was a matter of total indifference to the native community? If the natives could not participate with the Christians, it would be mere becoming in them to retire and not vote at all. But let the natives halt and let Dwarkanauth Tagore halt also, for Englishmen were not backward in expressing their sympathy, or stood upon their prejudices when native feelings or native interest were concerned.

After some further discussion in which Mr. Clarke, Mr. Speed, and Dwarkanauth Tagore took part;

Mr. C. Thackeray, alluding to the national customs of Englishmen, thought they would rather honor the great object by a fast than deride it by a feast. They might rejoice with all their souls but not with all their bodies too; and with reference to the willingness expressed by one gentleman to be present, if the natives offered a sacrifice to Kali of a buffaloe, he, Mr. Thackeray, would not be present lest they should make him a *piece* offering. (*Loud Laughter.*)

The resolution was then put and carried by a large majority, and after a vote of thanks to the Sheriff, the meeting separated.—*Englishman.*

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## MEETING OF THE PROPRIETORS OF THE CHOWRINGHEE THEATRE.

The annual meeting of the Proprietors of the Theatre on the 3d August was numerously attended, but the protracted discussion, of five hours' duration, will only allow us to give a brief summary of the proceedings. Colonel Beatson was called to the chair, and after a few observations from several gentlemen, with regard to the chairman's right to vote, it was finally determined, that he did possess that right, but that, when the division was equal he had not power to give a casting vote.

The annual report of the Managers was then read.

The Report having been read, Mr. C. R. Prinsep solicited further explanation with reference to an item of the expenditure, from which it appeared there had been an increase of the Secretary's salary to the amount of Rs. 50 per month. Mr. Clarke stated, that the Secretary had formerly received Rs. 200 per mensem, and the use of the Theatre annually for a benefit, but Mr. Farmer had returned from England too late in the season to have what was considered an advantageous benefit, the managers had therefore determined to increase his salary Rs. 50 per mensem, with the understanding that he should not have the use of the house for a benefit previously to January 1836, Mr. C. R. Prinsep expressed himself satisfied with this explanation. In the course of the discussion it appeared that a considerable saving had been effected since the Secretary's return from England in the getting up of several plays. Mr. Thomas Fergusson thought that the management had not been sufficiently liberal to Mr. Farmer, but from a further explanation that followed, it appeared Mr. Fergusson had not exactly understood what had fallen from Mr. Clarke with reference to this subject,

and at a subsequent period, the report of the managers was approved and confirmed *nem. con.*

Mr. W. P. Grant then brought forward the subject of the letting of the Theatre to the Italian Opera Committee, and the resolution of the last meeting authorizing the managers to let the Theatre till the 1st of October at Rs- 100 per night was read by the Secretary. Mr. Grant proceeded to lay before the meeting the present state and prospects of the Opera Committee, distinctly disclaiming any intention to revive the bickering, and bad blood which had been displayed on a preceding occasion. He referred to the following resolution, at a meeting of four of the managers, on Thursday, the 30th October, 1834.

"The Committee of Management of the Chowringhee Dramatic Society are prepared to let the theatre for English performances from the 1st of March to the 31st of October on the terms and conditions following:

For any one night during the months of November, December, January and February 400 Rs.

For any one night in October or March 300 Rs.

For any one night during the remaining months of the year 200 Rs.

If the house be hired for any number of nights more than one and less than five, then 10 per cent. to be deducted from the nightly rent.

If the house be hired for any number of nights more than four and less than nine, then twenty per cent. to be deducted from the nightly rent."

Mr. Grant denied that the Italian Opera Committee were opposed to the legitimate English drama, or had an antipathy to the views entertained by the majority of the play going inhabitants of Calcutta; he contended that it would be breaking faith with the Opera Committee, if the Proprietary did not consider themselves bound by the proceedings of the managers in October, 1834, as above set forth, for with a knowledge of those resolutions, the Opera Committee had commenced operations. He did not think that the Italian performances would interfere with the successful and profitable representations of the English drama, and claimed as a right, on behalf of the Opera Committee, that the house should be let to them in the terms of the above resolutions, which, he said, was perfectly consistent with fairness and good faith. He also entered into an explanation of the state of the Committee's finances which exhibited a balance of Rs- 180 only on the profit side of the ledger, and after setting forth that the Committee were bound to pay the performers their salaries, strongly urged that after the Committee had got themselves up to the neck on the good faith of the resolutions of October, 1834, it would be unfair for the Proprietary to come forward and rescind them. Mr. Grant concluded by proposing a resolution of which the following is the substance:—

"That the application of the Italian Opera Committee for the use of the Theatre be accepted in the terms of the meeting of the Managers in October, 1834."

Mr. Thomas Fergusson seconded this resolution, which he hoped would be carried without any display of acrimonious feeling in a meeting of gentlemen, many of whom had been delighted with the representations of the Opera, though from the smile on the countenance of the worthy chairman, it was possible he might not be amongst the number. Colonel Beatson pleasantly replied that it was the general rule for gentlemen to smile when they were pleased, a remark the truth of which Mr. Fergusson as pleasantly admitted, and concluded with complimenting the Opera Committee on their exertions in overcoming an amazing deal of trouble, calling on the proprietary not to come to any vote which must lead to the total extinction of this delightful amusement.

This brought up Mr. Turton, who entirely disagreed with both of the preceding speakers, as to the right of the Committee to have the Theatre on the terms of the resolutions of 1834, but he was quite willing to lay aside all allusions to former proceedings and begin the fight *de novo*. However, because the Opera Committee had got into the mud, he never could allow it to be said that they had a right to the Theatre *ad infinitum* on the terms which it had been agreed to let it a year previously. But the resolutions referred to by Mr. Grant were not really the resolutions of the management. However, setting that aside, no man or set of men were bound *ad infinitum* to the terms to which they might have previously agreed. Those resolutions arose out of his own determined opposition to the letting of the Theatre at any price during the cold season, but his feelings got the better of his discretion, and he had conceded so far, on the representations of Colonel Young, as to agree that it should be let for French and Italian performances. Besides he thought it was rather strange that 250 gentlemen of Calcutta who had subscribed for a series of operas at an expense of Rs- 2,200 for each opera, should take into consideration the claims of Mrs. Atkinson, the serpents, double bass, &c., and yet have no feeling for the management. If those gentlemen liked the Italian Opera, he was sure they differed from a great number of people,—for his part he would rather have both, English and Italian, performances,—but it was not to be denied that the latter were contrary to the taste of the community generally, and that being the case he did not think it would be fair to let the house for less than Rs- 200 for each representation. Mr. Turton also entered into an examination of the financial statement put forth by Mr. W. P. Grant, and attributed the small apparent profit, to the Committee having entertained Mr. Leyding on a salary of Rs- 100 per month at a time when they might have dispensed with his services.

Mr. W. P. Grant rose to reply, and a great deal of confusion ensued, which the chairman at length put a stop to by peremptorily refusing to enter into the subject of the accounts of the Italian Committee.

After a great deal of interruption, Mr. Turton continued and called on Mr. Grant to shew by what principle of law or equity could it be shewn by any other than Italian maniacs,—Loud cries of "order," "order," prevented our hearing the remainder of the sentence; but we understood the learned gentleman contended that the resolutions of October, 1834, supposing them to be the resolutions of the management, might be rescinded at any moment by the Proprietary without a breach of good faith with the Italian Committee. He concluded by proposing an amendment that the house be let for Rs- 200 per night. After a few words from Mr. C. R. Prinsep, who thought if the Italian Opera Committee had been misled by the proceedings of the managers, they had a claim to the indulgence of the Proprietary, Mr. Osborne declared that he could not concur in Mr. Turton's amendment, which, it appeared to him, would greatly interfere with English performances at the Theatre. He understood that on former occasions the amount paid for one night's rent of the house during the cold season was Rs- 400, and why the Italians were to be placed on a better footing than the meritorious English actresses surpassed his comprehension. Was it because the Opera was more popular than the English drama?—On the last occasion there was one solitary lady in black in the pit; this, together with the admission by Mr. Grant, with regard to the amount on the credit side of the ledger, did not impress him with a very high opinion of the Opera's popularity. Perhaps the public did not possess the high and delicate taste which distinguished the Committee, and he confessed, for his own part, that the Italian Opera, as represented here, was a performance from which he did not derive any very great degree of pleasure, but that might arise from his own limited power of distinguishing the merits of the performers, to which, indeed, as yet he was stone blind or rather stone deaf. Mr. Osborne intimated that he would propose at a subsequent period, that the house should not be let under Rs- 400 per night, but afterwards he was induced to withhold this resolution.

Mr. Clarke now rose, but the cries of "divide" "divide" prevented our hearing what he said. When the uproar

had subsided, we found him referring to the accounts of the Theatre, and arguing that the yearly receipts now were much less than on former occasions, and that the Italian and French performances had greatly interfered, with the profitable representations of the English drama. As for the right of the Opera Committee, it was sheer humbug and trash, the Proprietary having clearly a right to rescind any regulation that may have been carried in the management. Only suppose, gentlemen, said Mr. Clarke, that Mr. Grant authorizes his steward to let his house for a certain period, and the steward lets it for a longer period though the other party knows he is not authorised to do so, is Mr. Grant to be bound by the agreement of his servant?

After a few words from Mr. Grant, Mr. Parker, in order to get rid of all difficulty regarding the resolution of October, 1834, proposed the following, which was seconded by Mr. O'Hanlon, and after several alterations stood as follows:—

"Resolved that the resolutions of the managers dated October, 1834, be cancelled."

Mr. W. P. Grant did not oppose this amendment, but stated his determination to take the sense of the meeting on the resolution he had previously proposed. But afterwards an irregular discussion took place, and Mr. W. P. Grant and several others determined to oppose this amendment. It was however ultimately carried by a majority of 35 to 24.

Mr. Turton then proposed that the Italians should have the house for 200 Rs. per night, during November, December, and January, and for 100 per night, during any other season of the year. Mr. James Prinsep proposed, as an amendment, that the house should be let for 100 Rs. per night. A sharp discussion followed, during which Baboo Dwarkanauth Tagore intimated his intention of proposing that the Theatre should be sold, and Mr. H. M. Parker, gove notice that he intended to move for a call of Rs. 200 on each share. Mr. Turton's motion was carried, as also was Mr. Parker's and after a long discussion it was determined by a majority of 32 to 24, that the Theatre should be put up at auction sometime previous to the 1st proximo, and sold if any offer exceeded the upset price Rs. 30,000.

Mr. Stocqueler then brought forward a motion founded on an application for the use of the Theatre, for one night, for a benefit in aid of the fund for the relief of the Cape sufferers. This application was referred to the general meeting by the management, and he now proposed that the house be let for one night for that purpose at the rent of Rs. 200.

Mr. Clarke seconded the motion, which was warmly supported by Mr. Tutton, Mr. Parker and several other gentlemen. Mr. J. P. Grant, Mr. Walker, Mr. Osborne and others thought it was a subject on which the management alone ought to determine. But on a division there appeared for the motion 13 against it 9.

A letter from Mrs. Leach was read, requesting that the amount of her remuneration, viz. Rs. 100 for each night of her performance, might be laid before the proprietary, with a request that it might be taken into consideration, and a regular monthly stipend substituted. The matter was referred to the managers.

A resolution to put a stop to all disbursements till the result of the auction be known was agreed to, and the meeting was adjourned till the 14th proximo.—*Englishman.*

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A meeting of the former proprietors of the Chowringhee Theatre was held on the 21st August at the Town Hall, according to advertisement. Mr. Longueville Clarke briefly explained the result of the sale of the property,—and shewed that, after deducting from the price of 30,100 rupees the sale charges and expenses of establishment, and those already incurred towards the repairs of the roof. there remained for each share the net sum of Rs. 289-12, which, at the suggestion of Baboo Dwarkanauth Tagore, it was resolved, should be paid on or after Monday next, on application at the office of Messrs. Carr, Tagore and Co., without charge of any kind, by draft upon the Union Bank.

The following resolution, moved by Mr. Clarke and seconded by Mr. P. A. Cavorke, was unanimously adopted:—

*Resolved*,—That the surviving trustees Trevor John Chicheley Plowden and Horace Hayman Wilson, do convey the Theatre and Premises of the Chowringhee Threatre, together with all the furniture, scenery, machinery, goods and chattels pertaining thereto, and in the preceding articles of agreement described, to Henry Meredith Parker, Dwarkanauth Tagore and Longueville Clarke, by whom the same had been purchased, which resolution was signed by all the gentlemen present.

The thanks of the old proprietary were then voted to their Managers, and the meeting broke up, those who ceased to have an interest in the house being ceremoniously bowed out of the room by the new shareholders, the latter very graciously giving them permission to use their free tickets for to-night.

The gentlemen who remained, namely, Messrs. T. Plowden, W. P. Palmer, W. Bracken, W. N. Hedger, James Young, H. M. Parker, P. A. Cavorke, M. M. Manuk, T. Holroyd, L. Clarke, Dwarkanauth Tagore, and J. A. Currie, then voted Mr. Plowden into the chair, and adopted the following resolutions, with the name of "The Calcutta Dramatic Society" for their new association:

Proposed by Mr. Cavorke, seconded by Mr. Manuk,

That the following gentlemen be appointed a Committee to prepare the draft of a deed of co-partnership for the Calcutta Dramatic Society:—Mr. Longueville Clarke, Mr. W. Carr, Mr. H. M. Parker.

That on the draft of the Deed being prepared, a Meeting be called to consider and adopt or modify the same.

*Resolved*,—That such of the late Managers as are Proprietors in the New Calcutta Dramatic Society, continue in charge of the management for the present.

That the establishment of the Theatre continue on its present footing until the next meeting of the Society.

*Resolved*,—That Messrs. Carr, Tagore and Co. be requested to receive the amount price of the shares—and that the Union Bank be the Treasurers of the Calcutta Dramatic Society.

*Resolved*,—That the proprietors of the Calcutta Dramatic Society do pay the price of their respective shares, viz. one thousand sicca rupees, into the hands of Messrs. Carr, Tagore and Co. on or before the 1st September next.

*Resolved*,—That three hundred rupees per share on account of the repairs of the Theatre be paid by 5th of October 1835. The amount to be collected by the Secretary and paid into the Union Bank,

*Resolved*,—That a circular letter be addressed to all the subscribers to the fund, for the repairs of the late Chowringhee Theatre, informing them of the formation of the Calcutta Dramatic Society, and requesting that they would not withdraw the amount of their contributions, but permit them to be applied to the purposes for which they were subscribed, it being the intention of the New Society to continue the repairs of the Theatre and to contribute among themselves 300 Rs a share for that purpose.—*Calcutta Courier.*

## MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's apartments, on the 1st of August, 1835.

G. Paton, Esq., M. D., proposed at last meeting was elected a Member of the Society.

The following Gentlemen were proposed as Members of the Society, viz.

David Trail, Esq., Assistant-Surgeon Madras Establishment, by Dr. Mouat and Mr. Hutchinson.

James Hamlyn, Esq., Assistant-Surgeon Madras Establishment, by Dr. Mouat and Dr. Wallich.

H. R. Bond, Esq., Assistant-Surgeon Bengal Establishment by Mr. Twining, and Mr. Egerton, and

H. Bousfield, Esq., Assitant-Surgeon by Dr. Corbyn and Mr. Hutchinson.

Authentic information having been received of the death of the late Major-General Hardwicke, one of the Honorary Members of the Society, the Secretary intimated to the meeting, that the committee of management had unanimously determined to recommend to the favourable notice of the Society Doctor Robert Brown, the celebrated Botanist and Naturalist, as a fit successor; Dr. Brown was accordingly balloted for, and unanimously elected an Honorary Member.

The following communications were then read.

A letter from Mr. Bell of Almorah, descriptive of two cases of urinary calculus. The first occurred in a boy 10 years of age. He had suffered from the disease for 4 years and was in consequence sallow and emaciated; a calculus weighing 117 grains was extracted by the lateral operation, the urine passed by the urethra on the following day, and in 18 days he was quite recovered. In the second case the calculus was impacted in the urethra, and in that situation was cut down upon and extracted.

A note from Mr. Beardsmore, written at the request of Mr. Hutchinson, descriptive of the beneficial effects, which he had experienced from smoaking the dried flowers of the mudar in asthma. According to Mr. Beardsmore he did not derive more than transitory relief, either from the mudar or the dhatura; but he prefers the former remedy as more manageable, and less pernicious and disagreeable in its effects. The flowers are dried in the shade, and smoaked by means of a common pipe, in the quantity of half a drachm. By a trial subsequently made, the remedy would appear to reduce the frequency of the pulse, and to occasion a degree of nausea, but so slight as scarcely to be perceptible. No narcotic effects were observed. Mr. Twining was good enough to take charge of a parcel of the dried flowers, and to promise to report on the remedy at a future opportunity. Mr. Beardsmore in his note speaks highly of the benefit which he received in the cure of his asthma from the white mustard seed, used in the same manner as for dyspeptic affections.

The following works were presented for the library.

Two tracts on the Nuth grass and the Mudar or Catropis Procera, presented by the author, Dr. Wight, of the Madras establishment to Mr. Hutchinson, and by the latter to the society.

Seale's elegant work on the Geognosy of St. Helena, by Dr. McRitchie of that Island.

FOR THE MUSEUM.

An Urinary Calculus, believed to be of the Uric Acid species, extracted from a Hindoo boy of 10 years of age, by Mr. Bell of Almorah.

The following original communicatione were presented at the Meeting.

A statistical account of St. Helena drawn up by Dr. McRitchie, Medical Staff of that Island.

An account of two cases of cholera successfully treated by Tartar Emetic, by T. Chapman Esq., Assistant-Surgeon, Purneah.

A notice of a case of cholera successfully treated in the same manner, by R. Foley, Esq., Assistant-Surgeon, Kotah.

The history of a fatal case of extensive disease of the spleen, by J. Eccles, Esq., Assistant-Surgeon.

A description of the Electro-Magnetic Hemisphere, constructed by R. Tytler, Esq., M. D., with a model of the instrument.

A printed account of the calculo-fractor of L.'Estrane. Of this instrument there are several sets now on the way out, for the use of the Medical Department of this presidency.

The three last communications were presented by the Medical Board.

The following communications were then read and discussed at the Meeting.

Case of Ranula, in which the left submaxillary gland was extirpated, by J. G. Malcolmson, Esq., Secretary to the Medical Board, Madras.

Notes on the Mishme Teeta and Pucha Pat, by N. Wallich, Esq., M. D., &c.

Memorandum on the medicinal qualities of the Mishme Teeta, by W. Twining, Esq.

Mr. Malcolmson's case of Ranula occurred in a sickly-looking Hindoo boy of 9 years of age, who was brought to Chicacole from an unhealthy hill district. The swelling was quite soft and evidently contained a fluid; it extended from ear to ear, over the angles of the jaw, and to the sternum, over the top of which it had a slightly pendulous appearance. The disease was of a year's standing, and appeared to have commenced below the jaw a little to the left of the chin. Some time before its appearance there, had been a discharge of pus, half an inch behind the mouth of the left submaxillary duct, near which situation there was a carious tooth. On the cessation of the above discharge the swelling commenced. A small quantity of saliva still passed by the duct, and there was no tumor in the inside of the mouth; hardness however could be felt below the jaw in the direction of the duct, over which there were several scars from the application of the cautery. From these circumstances Dr. Malcolmson concluded, that the duct had become inflamed from the irritation arising from the carious tooth, that the flow of the saliva had become obstructed in consequence, and finally that it had been effused into the cellular structure of the throat. A tentative puncture was made into the tumor and 20 ounces of a glairy, brownish liquid evacuated, after which a hard moveable substance could be detected within. This was removed and proved to be a portion of the fluid, which had become inspissated. Adhesion of the sides of the sac afterwards partially took place above; but the discharge of matter was not free, and it had in consequence to be pressed out daily. Mr. Malcolmson now lost sight of the patient for a month or two, after which he again made his appearance. The opening had closed; a new puncture was made in consequence, and several ounces of liquid of a lighter color were discharged; after this a tent was introduced, which caused some irritation, but it was soon manifest that little could be expected from this plan: Mr. Malcolmson accordingly determined to remove a portion of the front of the sac, to ascertain if the liquid came from the gland, and afterwards take such farther measures as might appear necessary. This was accordingly done; the throat exhibited an extraordinary appearance; from behind the ears, over the angles of the jaw, and down to the chest it seemed as if carefully dissected, the blue veins and paroted gland shining through the cellular membrane. After much careful examination a round body of the size and color of a lymphatic gland was observed partly imbedded, as it were, in the submaxillary gland, and having a minute aperture in it, through which a little glairy fluid could be pressed out. Mr. Malcolmson immediately proceeded to separate the submaxillary gland from its connexions. This at first was not difficult; but

became much more so, as the dissection became deeper. This was in some measure remedied by passing a ligature through the gland, by which it was drawn downward. The lower maxillary artery was divided, the bleeding from which was commanded by pressure on the carotid; but the vessel could not be secured until an assistant introduced his thumb into the mouth and depressed the gland, which step greatly facilitated the remainder of the operation. Afterwards by passing a curved needle several times through the parts and cutting between the gland and the ligature, the whole was removed except a small process, to which the actual cautery was applied. The operation occupied a considerable time, from the flow of blood and the intricacy of the dissection. The wound did well; but was followed by abscess which burst into the mouth, by the old cicatrix. It occasioned but temporary inconvenience and the patient was well in about a month after the operation. Mr. Malcolmson in his observations on Ranula has particular reference to the opinions of the late Baron Dupuytren, from the accuracy of several of which he is inclined to dissent. In the concluding portion of his paper he takes occasion to advert to the anomalous symptoms, occlusion of the salivary ducts, and fistulous openings, which not unfrequently take place from carious teeth, and which of course can only be expected to be cured, by the removal of the source of irritation.

Dr. Wallich in his paper states, that about a year ago, he received from Captain Jenkins the Commissioner in Assam a small supply of a Medical Root which subsequent information derived from Lieutenant Charlton of Suddeya, has enabled him to arrange and classify. The Mishme Teeta is the name by which the drug is known among the the Mishmees and Lamas; by the Chinese, to whom it is likewise well known, it is called Hong Lane, the root is of the thickness of a crow quill or somewhat larger; is dry and brittle; scabrous and grayish outside, and cellular and of a dirty yellow color internally. It is imported into Assam, packed in quantities of about an ounce each, in small rattan baskets composed of open meshes, apparently to protect the medicine, from contact with the hand The taste is intensely and almost purely bitter, having very little aroma. The root is destitute of smell and imparts to water a bright yellow or golden color in infusion. In March last, Dr. Wallich received fresh roots of the plant from Lieutenant Charlton, and these fortunately, notwithstanding the dissimilarity of the climate, promise to grow, if not to thrive, in the Hon'ble Company's Botanical Garden. According to Dr. Wallich the plant is a species of Coptis, a subdivision of the Ranunculaceæ called Helleboreæ. To the generic name abovementioned Dr. Wallich has added the trivial one of Teeta. Of the other two species of Coptis mentioned by Dr. Wallich, the Coptis Trifolia of North America would appear to have a considerable affinity in medicinal qualities to that under consideration, and is more extensively used in some parts of that country, than any other bitter.

The other vegetable production to which Dr. Wallich directed the attention of the Society is the Pucha Pat. This dried leaf is to be found in almost every bazaar throughout Hindoostan, and is used extensively for imparting its fragrance to tobacco for the hookah, likewise to the persons and apparel of the natives. About two years ago, Dr. Wallich ascertained that a large quantity of the leaf had been imported from Penang, and he in consequence addressed his correspondent at that place on the subject. Dr. Wallich not only received the information he required in reply, but several growing plants, which have since been found to thrive luxuriantly in the Botanical Garden. The Pucha Pat grows wild at Penang, and on the opposite shore of the Malayan Peninsula, in Province Wellesley. It is exported in great quantities, principally by the Arabs, and sells at Penang for somewhat upwards of a dollar per pekul, and in Calcutta at from six to 12 Rs- per maund.

The Pucha Pat is of the family of Lobiatœ, and forms a shrub in the Botanical Garden of from 2 to 3 feet in height; according to Baron Hugel a plant very similar to it, if not the same, is found growing wild at Canton. Dr. Wallich is inclined to think that the Pucha Pat, if not the Marrubuim indicum of Burman, is very closely allied to it.

Mr. Twining in his memorandum on the medicinal qualities of the Mishme Teeta states, that the powder of this root is of an intensely bitter taste accompanied with a slight degree of asoma. It would appear not to possess much astringency and is not much affected, either in tincture or infusion, by a solution of the sulphate of iron. Four hundred and eighty grains coarsely powdered lost, by maceration in proof spirit for five days, 180 grains, and the remainder when macerated for 30 hours more in distilled water, only 26 grains.

The medicine in powder and tincture was tried in seventeen persons, and appears to be highly deserving of attention. It was used principally in debilitated persons, who were recovering from acute diseases, and in one person who was greatly reduced by extensive suppuration of a strumous character.

The effects of the medicine as a bitter in restoring appetite, and in improving the digestive powers are very remarkable, and not inferior to those produced by our best bitter tonics. It has seldom appeared to p o luce constipation; but in this, and many other respects, Mr. Twining considers farther trials to be required to enable us to speak with accuracy and precision.

JAS. HUTCHINSON. *Secretary to Society.*

*Bengal Hurkaru.*]

## AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

At a geperal Meeting held in the Town Hall on Wednesday, the 12th August, the Hon'ble Sir J. P. Grant, Knight, W. P. Grant, and R. Walker, Esqrs., were duly elected Members, by ballot, and Charles Grant, Esq., Commissioner of the Soonderbunds, was proposed by Wm. Storm, Esq., and seconded by C. R. Martin, Esq.

After the usual routine of reading over the proceedings of the preceding meeting, the President called attention to a report which lay upon the table, of the certain experiments carried on by the Society at the Akra farm in the staple articles of exports, viz. cotton, tobacco, and sugar.

The report (although the matter was compressed as much as possible, occupied many pages) was read by the President, and heard by the Members present with a degree of interest which can only be felt by those who have the welfare of this country at heart.

On the motion of Sir E. Ryan, it was unanimously agreed that this report be approved, and a copy sent up to Government, so soon as Mr. Patrick, of Fort Gloster, shall have favoured the Society with his observation on the quality of yarn and cloth, which he politely offered at last Meeting to have spun from a sample bale of cotton grown at Akra, which has been sent to him for that purpose.

The following communications were read :—

A letter to the address of the Secretary from C. R. Baynes, Esq., of Madras, intimating the formation at that Presidency of an Horticultural Society, annexing a copy of the Resolutions passed on the occasion of a Meeting convened for the purpose, and requesting a copy of the Calcutta Society's Rules, &c. and such suggestions as might be of use at the commencement of their labours.

The officiating Secretary was directed to place himself in communication with Mr. Baynes, and to meet the wishes of the Madras Society, in whatever way he might consider it most likely to be acceptable.

A series of letters from Captain Sage, Secretary to the Dinapore branch of the Agricultural and Horticultural Society, was laid before the Meeting, but as these documents had reference to a question of property having no

connexion with Agricultural pursuits, and Colonel Dunlop having briefly stated to the meeting the circumstances which had led to the appeal now made by Captain Sage, it was moved and resolved, that the various official papers received from Captain Sage, should be returned to that gentleman as the Society could not interfere.

A letter from Baboo Radahkant Deb, with an abstract translation in English of a Persian work, presented at last meeting by Captain Wade through Colonel Dunlop.

Baboo Radahkant Deb entitles it "An Abridgement of the Agricultural and Horticultural work compiled by Mahommed Fazil, under the direction of Captain Claude M. Wade."

The work consists of 13 chapters, treating separately on the signs and seasons of the year; on the soil and proper time of sowing; on the art of reaping and storing grain; on planting, grafting and training fruit trees, on the removal of noxious animals, &c.; and winds up with a short account of the fruits, vegetables, &c. introduced into this country by Europeans.

As there appeared to the Society much that was interesting in these pages, the officiating Secretary was requested to make enquiry as to the probable expense of having them accurately translated.

Two letters from Mr. Piddington, dated 9th June and 3d July, urging Members to contribute whatever they can, in aid of his work on Gardening.

A letter from Mr. Pillet at the Cape to the address of Dr. Wallich, under date 26th May, advising the receipt of an indent for seeds, and his intention to furnish the order by the best favorable opportunity.

A paper on grafting by Colonel Presgrave, presented through Mr. Kyd, with an etching of the process in different stages, and a natural specimen.

A letter from John Watson, Esq., of Moorshedabad, to the officiating Secretary, acknowledging receipt of some Guinea grass seed and suggesting that the publication of a work on the diseases of horned cattle in Bengal would be of service.

Mr. Watson states that two-thirds of the ryuts' cattle die from small pox alone.

Extract of a letter from Captain Jenkins to Dr. Wallich, dated 24th June, 1835, containing some useful observations on the breed of horned cottle best suited to Bengal, and recommending attention to the carriage and wheels in use at Nagpore, of which he gives a section and front view.

Captain Jenkins further asks the Society to procure a drawing of a machine—used in the Southern States of America for separating coffee beans from the pulp,—lithographed for general information. Captain Jenkins is of opinion that coffee will *yet succeed in India*.

Colonel Dunlop drew a comparison between the soil and roads at Nagpore and those in Bengal, and expressed his opinion that this point had escaped Captain Jenkins, when he recommended the heavy iron wheel in use at Nagpore.

A letter from Captain Bogle, of Assam, to Captain Jenkins, giving a detailed list of articles imported and exported at Gowhatee, with some interesting particulars relating to the people.

The following works were presented to the Society :—

1st vol. of "Proceedings of the Society of Arts," Adelphi, received without any communication through Messrs. Thacker and Co.

The three last numbers of Bell's Annual Comparative View of the External Commerce of Bengal, from the author.

Some discussion arose on the propriety of resuming the publication of the Society's Transactions, which had been discontinued partly owing to the low state of the funds, and partly because some particular papers could not be found to complete the last number, part of which had been printed. As all the members present seemed of one mind as to the interest which would by this means be thrown into the Society's Transactions, which were now but very imperfectly recorded in a precis through a newspaper, the officiating Secretary, who tendered his services to conduct the publication of papers, under the direction of a Committee, if necessary, was requested to make a calculation of the probable expenses of publishing, and communicate the same at his earliest convenience.

The names of thirty-three non-paying members were ordered to be expunged from the books of the Society.—*Bengal Hurkaru.*

## STEAM NOTIFICATION.

*Proceedings of a Public Meeting, of the Subscribers of the New Bengal Steam Fund, held at the Town Hall, Calcutta, on the 17th August, 1835.*

CAPTAIN J. H. JOHNSTON, IN THE CHAIR.

The Secretary to the Committee having read the Committee's report as follows:—

*Report of the Committee of the New Bengal Steam Fund, to the Subscribers at a Meeting held at the Town Hall, Calcutta, on the 17th August, 1835.*

Since the date of the yearly meeting of the subscribers to the New Bengal Steam Fund held on the 17th February, the Committee have communicated to the subscribers, through the several newspapers of the Presidency, the* result of the last voyage of the *Forbes*, and the† reasons which induced them to discontinue the attempt to carry into further effect the first resolution of the general meeting held on the 7th January, 1834, viz. to run the *Forbes* three voyages between Calcutta and Suez.

2. To these reports the Committee have nothing to add. They can never cease to regret that the attempt to re-open the communication by means of the *Forbes* was not more successful, and especially that the first voyage, which otherwise bid fair to have answered the most sanguine expectations, was marred by an accident which they could not be expected to foresee, and against which it was entirely impossible that they could provide.

3. The establishment of a permanent communication was however the ulterior and principal object of their appointment; and to that object they have directed their best attention. The subscribers are aware of the scheme which they submitted to the consideration of the Governor-General for a comprehensive quarterly communication, comprising all the practicable points of junction with the means of conveyance for passengers, mails, and parcels, to the utmost extent possible under the circumstances of the case. The subscribers are also aware that this scheme had his Lordship's "decided recommendation," and hope that it might "be carried into immediate operation."

4. That this scheme was submitted to the home Government with his Lordship's strong recommendation there can be no doubt, but the Committee have had no information as to the result. That a recommendation coming from such a quarter must have great weight is certain, and although from a variety of circumstances the

* Vide Report of Sub-Committee published on the 25th March 1835.

† Vide Report of Committee dated 28th March last and published in all the papers of the presidency.

whole scheme of the Committee may not be carried into effect, yet they trust the main principle, namely, the extension of the communication to Calcutta, touching at Galle and Madras, will form the ground-work of any communication which may be established. The information however before the Committee as to what it is really intended shall be done, is so vague and indefinite that they can offer little opinion as to the probable result.

5. The subscribers are aware that by a resolution of the House of Commons it was determined to open a communication without delay for eight months in the year by way of the Red Sea, the expense to be borne equally by His Majesty's Government and the Honorable Company, leaving it to be determined by the Government and the Honorable Court of Directors whether the communication should proceed to Bombay or Calcutta or whether it should be established according to the combined plan of the Calcutta Committee."

6. The general understanding at present appears to be, that it was the purpose of the Government under Sir Robert Peel, that the communication should be maintained monthly between England and Alexandria by His Majesty's Government, and on this side either directly by the Honorable Court or through contractors, and it is said that Lord Ellenborough had declared that he was not disposed to attend to any proposition which did not extend the communication to Calcutta. In the absence however of any defined information, the Committee can only anxiously await the final determination of the authorities at home and hold themselves in readiness to take advantage of any occurrences which may arise by which the ulterior object of their appointment may be attained.

7. In the Report of the Sub-Committee published in the Calcutta papers under date 25th March last, the following passage occurs:—" Upon the enquiries we have made of all the individuals employed in this trip there appears to be nothing in the voyage either as regards winds or currents, to frustrate the permanent establishment of steam communication between Calcutta and Suez. Were the good anchorage at King's Island on the Maldives as mentioned by Mr. Woodly available, no difficulty would exist."

8. Since the date of that Report the Committee are happy to state that they have received certain information of a secure depôt for coal having been discovered in a better situation among the Maldives than that just noticed. It appears by the late survey that at the very northern extremity in a direct line between Galle and Socotra, a place has been discovered having easy ingress and egress, eastward and westward, at which coal may be located and vessels ride safely at anchor at all times. It appears further that the navigation generally among the Islands is found to be far less dangerous than has hitherto been supposed to be the case.

9. The Committee have reason to believe that the survey of the Maldives was undertaken by the Bombay Government at the suggestion of the Superintendent of the Indian Navy, Captain Sir C. Malcolm, expressly with a view to the more ready extension of the communication to Calcutta, should it be decided by the authorities at home so to do, and they consider the thanks of the friends of the comprehensive scheme to be due to that officer.

10. The accounts are laid on the table for the inspection of subscribers, and annexed is a summary statement of receipts and expenditure from the 2d February last to the 31st ultimo. The balance is shewn to be Sa. ~~Rs~~ 70,605-4. To this is to be added the sum of Sa. ~~Rs~~ 3,847-1, being the amount estimated to be receivable, making in all Sa. ~~Rs~~ 74,452-5. This however, as stated in the Report under date 28th March last, is subject to the continued salaries of the agents at Socotra and Juddah until the receipt by them of notice that their services are no longer required—and to the final adjustment of the out turn of the coal sold to Government.

By order of the Committee of the New Bengal Steam Fund,

CHAS. C. GREENLAW, *Secretary.*

*Town-Hall, Calcutta, the 4th August,* 1835.

SUMMARY STATEMENT OF RECEIPTS AND EXPENDITURE ON ACCOUNT OF THE NEW BENGAL STEAM FUND, FROM THE 2D FEBRUARY TO THE 31ST JULY, 1835.

| | | | |
|---|---|---|---|
| **RECEIPTS.** | | | |
| To Balance as per last account dated 14th February, 1835. | | | |
| Paper, .. .. .. Sa. Rs. | 28,000 0 0 | | |
| Cash, .. .. .. .. .. | 1,855 9 4 | | |
| | | 29,855 | 9 4 |
| To subscriptions realized, .. .. .. | | 1,482 | 1 3 |
| To refund premium on Insurance to the Coromandel Coast, risk not incurred, .. .. .. .. .. .. .. | | 1,250 | 0 0 |
| To amount received from Government on account of hire, &c. of Steamer *Forbes*, .. .. .. .. .. .. .. | | 34,047 | 10 4 |
| To amount received from Government on account of coal sold at the undermentioned depots: | | | |
| Juddah, tons 403, .. .. .. .. | 15,393 11 2 | | |
| Socotra, tons 310, .. .. .. .. | 11,588 14 6 | | |
| Galle, tons 232½ .. .. .. .. | 5,701 1 8 | | |
| | | 32,683 | 11 4 |
| To Assignees of Mackintosh and Co. Charter Party of the Steamer *Forbes* cancelled, .. .. .. .. .. .. | | 10,000 | 0 0 |
| To Captain Forth, balance of account received from him in part, .. .. | | 188 | 5 9 |
| To Tulloh and Co. for sale of sundry old Stores of the Steamer *Forbes*, .. .. | | 976 | 2 9 |
| To Gillanders, Arbuthnot and Co. balance of amount advanced to credit of Ceylon Government, .. .. .. .. | | 164 | 14 10 |
| To interest received on Company's paper, .. .. .. .. .. .. .. | | 2,986 | 0 0 |
| To interest received on sale of Company's paper, .. .. .. .. .. | 202 10 8 | | |
| Deduct discount allowed on ditto, .. | 121 4 5 | | |
| | | 81 | 6 3 |
| | Sicca Rupees | 1,13,502 | 4 10 |
| **DISBURSEMENTS.** | | | |
| *By interest Account.* | | | |
| For an erroneous over credit in the last account, .. .. .. .. .. .. .. | | 929 | 6 11 |
| *By expenses to be carried generally to the Steamer Forbes* | | | |
| Balance of Jessop and Co.'s bill .. .. | 867 7 0 | | |
| Jessop and Co.'s bill, attendance of Mr. Webster examining the Boilers and Engines, .. .. .. .. .. .. | 64 0 0 | | |
| Establishment for March, 1835 .. .. | 2,235 7 4 | | |
| Insurance River risk, .. .. .. .. | 930 10 8 | | |
| Sundries supplied in March, 1835 .. | 95 14 0 | | |
| | | 4,199 | 7 0 |
| *By Steamer Forbes's Second voyage.* | | | |
| Hire of the vessel, .. .. .. .. .. | 20,000 0 0 | | |
| Insurance, .. .. .. .. .. .. .. | 1,666 11 0 | | |
| Establishment, .. .. .. .. .. .. | 8,439 11 1 | | |
| Sundry Stores and Provisions, .. .. | 498 3 7 | | |
| Expenses at Madras for Coals, &c., .. | 3,718 0 1 | | |
| Further advance to Mr. Read, of Colombo, for hire of *Regia*, &c. .. .. | 1,800 0 0 | | |
| | | 36,121 | 9 9 |
| By Printing charges, .. .. .. .. | | 29 | 4 9 |
| *By Secretary's Office.* | | | |
| Salary of Assistant, Native Writer and Peon, from February to July, 1835 .. | 453 0 0 | | |
| Stationary, .. .. .. .. .. .. .. | 35 8 0 | | |
| Allowance to Accountant for making up accounts, .. .. .. .. .. .. | 250 0 0 | | |
| | | 738 | 8 0 |
| *By Charges General.* | | | |
| Present of an Alarm Watch to the Sultan of the Maldive Islands, .. .. | 150 0 0 | | |
| Report on Steam Navigation to India, by a Committee of the House of Commons, .. .. .. .. .. .. .. | 36 0 0 | | |
| | | 186 | 0 0 |
| By interest paid on the purchase of Government Paper ... ... | 1,665 6 5 | | |
| Add Brokerage on ditto | 24 14 0 | | |
| | 1,699 4 5 | | |
| Deduct discount allowed on ditto, .. .. .. | 997 1 0 | | |
| | | 692 | 12 5 |
| | Sa. Rs..... | 42,897 | 0 10 |
| By balance .. .. .. .. .. .. .. | Sa. Rs..... | 70,605 | 4 0 |
| | Sa. Rs.... | 1,13,502 | 4 10 |

BALANCE COMPOSED OF THE FOLLOWING:

| | | | |
|---|---|---|---|
| Paper .. .. Sa. Rs. | 53,800 | 0 | 0 |
| Cash in Union Bank, .. | 6,768 | 4 | 7 |
| Ditto in Secretary's hands, .. .. . | 36 | 15 | 4 |
| Fractional difference .. | 0 | 0 | 1 |
| Sa. Rs. | 70,605 | 4 | 0 |

DEPENDENCIES.

RECEIVABLE.

| | | | |
|---|---|---|---|
| Interest on Company's paper up to the 31st July, 1835, .. .. .. .. .. | 634 | 0 | 0 |
| Tulloh and Co. to sale of Sperm Oil, &c. | 202 | 10 | 3 |
| Captain Forth, to balance of his account | 780 | 1 | 2 |
| Freight of Treasure from Madras to Ceylon per *Forbes*, .. .. .. .. .. | 928 | 9 | 2 |
| Madras Government, to amount of Burdwan Coal supplied by and paid them, now subject to refund by substitution of English Coal, .. .. .. . | 2,249 | 4 | 1 |
| Chronometer esteemed, at .. .. . | 600 | 0 | 0 |
| | | 5,394 | 8 | 8 |

PAYABLE.

| | | | |
|---|---|---|---|
| Mr. J. Read of Colombo, by balance due on his account current, .. .. .. | 771 | 10 | 4 |
| Shaick Tauher Ally, by balance due ditto ditto, .. .. .. .. .. .. | 375 | 13 | 4 |
| Amount of 20 tons Coal supplied at Colombo to the Steamer *Forbes*, .. .. | 400 | 0 | 0 |
| Sa. Rs..... | 1,547 | 7 | 8 |
| By balance, .. .. .. .. Sa. Rs..... | 3,847 | 1 | 0 |
| | 5,394 | 8 | 8 |

Errors Excepted,

C. B. GREENLAW,

*Secretary to the Committee of the New Bengal Steam Fund.*

*Town-Hall, Calcutta, August* 4, 1835.

It was proposed by Captain J. H. Johnstone, seconded by James Sutherland, Esq., and

"Resolved.—That the Report now read is satisfactory, and that it be adopted and published for general information."

Proposed by Captain Johnstone, seconded by James Sutherland, Esq., and

"Resolved.—That the thanks of the friends of the comprehensive scheme for the establishment of steam communication between Great Britain and the East Indies are eminently due to Captain Sir C. Malcolm, C. B. R. N; Superintendant of the Indian Navy, for the warm interest he has ever displayed in the promotion of this great undertaking, and more particularly for originating those measures which have removed one of the principal difficulties to the extension of the scheme by the discovery of places of convenient and safe deposit for fuel in the Maldive Islands."

Proposed by T. E. M. Turton, Esq., seconded by James Kyd, Esq., and

"Resolved.—That Captain Johnston be requested to become a Member of the Committee of the New Bengal Steam Fund."

Proposed by C. B. Greenlaw, Esq., seconded by G. A. Prinsep., Esq., and

"Resolved.—That the thanks of this meeting be voted to the Chairman for his conduct in the Chair."

JAMES HENRY JOHNSTON, *Chairman.*

*Town-Hall, Calcutta, August* 17, 1835.

## INSOLVENT DEBTORS' COURT.

SATURDAY, AUGUST 18.

IN THE MATTER OF JAMES PATTON.

This insolvent was declared entitled to the benefit of the act and discharged forthwith.

IN THE MATTER OF GEORGE TETLEY.

This insolvent was remanded on the 4th ultimo, that he might have an opportunity to explain the circumstances under which he had obtained advances from Messrs. Cockerell and Co. The insolvent is an indigo planter, and in 1833 purchased the Chulteah concern from Messrs. Cockerell and Co. which he subsequently mortgaged to that firm, receiving from them at various times sums to the amount of Rs 23,000, on the faith of various letters in which he informed them that he had considerably improved the concern, having built a new factory about one mile distant from the old one. Messrs. Cockerell and Co. on the faith of this information, and believing that the new factory was erected on the concern mortgaged to them, advanced money from time to time, to carry on the manufacture. But at the time of the insolvency it not only appeared that the new factory was not included in the mortgage, but that the greater part of the advances had been expended on the erection of the new building, and that it was formed out of the materials of the Chulteah factory.

On the next Court day the insolvent's counsel, Mr. Clarke, being engaged in the Court above, he was again remanded to this day, and copies of the letters sent to Cockerell and Co. were ordered to be furnished to him.

*Mr. Clarke* now appeared on behalf of the insolvent, and explained, the building was erected subsequent to the mortgage, and that, therefore, the name of the new factory did not appear in the deed. The insolvent, however, had acted with good faith, and did not, up to the time of his insolvency, consider that the mortgage did not cover the new building which was erected on land within the boundary of the old factory. Messrs. Cockerell and Co. had been informed that the insolvent had erected a new factory, and it was their business to ascertain whether it was covered by the mortgage.

*Mr. Advocate General* replied, contending that there had been a fraudulent misapplication of the sums received, and citing several passages in the insolvent's letters to Messrs. Cockerell and Co. wherein he sets forth that the erection of the new factory had greatly improved the Chulteah concern.

*Sir Edward Ryan* said, the insolvent had had every opportunity to give an explanation of his conduct. At one time he was inclined to think that the omission had been unintentional, but after the fullest consideration it was his opinion, that the insolvent intended to deceive Messrs. Cockerell and Co. He always felt reluctant to increase the term of an insolvent's imprisonment, but under the circumstances, it was his duty to order the prisoner to be remanded for a period of six months from this day. Costs of opposition to be paid out of the estate.

IN THE MATTER OF HON. W. HAMILTON.

This matter was postponed on the last court day to ascertain the exact amount of the insolvent's pension. It was now stated that the amount was rupees 198 per mensem, and it was also mentioned that the insolvent had married a lady of some property subsequent to his insolvency.

Sir Edward Ryan directed that enquiries should be made as to the latter fact, as it would influence his decision as to what portion of the insolvent's pension should be appropriated to the liquidation of his debts.

*Mr. Clarke*, on behalf of two native creditors, applied that an adjudication of insolvency be issued against Rogerram Ghossain, formerly the banian to the late firm of Palmer and Co. and carrying on business with them in the Calcutta Bank. The petitioners applied under the 10th section of the Insolvent Act, which enacts, that departing the jurisdiction with intent to defeat or delay any creditor, shall be deemed an Act of Insolvency on which creditors may petition. The Petitioners set forth that Rogerram Ghossain had left Calcutta, and gone to reside at the foreign settlement of Serampore. *Order nisi.*

IN THE MATTERS OF CAMPBELL, MERCADO, POOL AND OTHERS.

*Mr. Clarke* applied on behalf of several insolvent uncovenanted assistants that certain debts contracted by them in consequence of, and subsequent to, their insolvency, may be discharged out of a portion of their salary before any part be set aside for the liquidation of the debts on their schedule.

*Sir Edward Ryan* refused the application, and ordered that one third of the insolvents' salary be paid over to their assignee until the whole of their debts be liquidated, or until they should receive a final discharge.—*Englishman.*

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SATURDAY, AUGUST 29.

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IN THE MATTER OF GABRIEL FRANCIS VRIGNON.

*Mr. Hudson*, the attorney, applied for leave to amend the schedule, the names of several creditors having been omitted. These creditors, however, had all had notice of the insolvent's application for relief in the Insolvent Court, and as there was no opposition, perhaps the learned judge would allow the schedule to be amended forthwith.

*Sir Edward Ryan* would not allow the schedule to be amended unless stronger grounds were put in than those contained in the affidavit, and at all events he would not allow the amendment to be made forthwith. There was not one or two names omitted but a great number, tradesmen in Calcutta, and to say that the insolvent had not remembered them at the time the schedule was filed was not sufficient.

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George Galloway and Peter Abercrombie, two uncovenanted assistants, were declared entitled to the benefit of the act and discharged. The former was ordered to pay one-third of his salary to his assignee; the latter put in a petition which his lordship said he would consider.

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IN THE MATTER OF ROBERT BROWNE.

Mr. A. Wight applied to make an order *nisi* absolute for the final discharge of this insolvent. Ordered on the Examiner putting in his certificate, that the creditors had consented in the terms of the 62d section of the act.

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IN THE MATTER OF ROGGONAUTH GOSSAIN.

An order *nisi* having been granted on a former day for an adjudication of insolvency against this person, Mr. Advocate General moved to make the rule absolute, and

*Mr. Turton* shewed cause. In the first place, he objected to the title of the petition; there was no such a man as "Ruggonauth" Gossain, and as there was no adjudication there was no "matter" before the Court. These objections may appear trivial, but they were not so, in as much as no indictment could be sustained for perjury which might appear in this proceeding.

*Sir Edward Ryan*, after looking at the petition, said he would not stop the proceeding for those inaccuracies.

*Mr. Turton* then drew the attention of the Court to the party who petitioned. The affidavit was made by Muddenmohun Dutt, of Burra Bazar, a gomastah in the service of the Banking House carried on under the style and firm of Juggomohun Sill and Annundamohun Sill, but the application had been made by Mr. Clarke on behalf of Juggomohun Sill, Kistnomohun Sill and Bissomohun Sill, surviving members of the firm of Juggomohun Sill and Annundmohun Sill. The affidavit did not set forth who are the partners in the firm; they were so described in the petition but not in the affidavit, nor was there any affidavit of debt due from Ruggoram Gossain, but it was merely set forth, that John Palmer, George Alexander Prinsep, William Prinsep, and Charles Barber Palmer, who, together with Roggoram Gossain, were the partners and proprietors of a certain establishment denominated by the name of the Calcutta Bank, are justly indebted, &c. &c. Now from this it would appear not that Roggoram Gossain is indebted but that Palmer and Co. are indebted. If it was an affidavit that Palmer and Co. were indebted he believed it to be true; but if it was an affidavit that Roggoram Gossain was indebted, he believed it to be false, and after the affidavit was read that he intended to put in, he believed the Court would be of the same opinion, but at present he submitted that there was no affidavit of debt to found this application.

*Sir Edward Ryan.*—It is here distinctly sworn Palmer and Co. who, together with Roggoram Gossain, were partners in the Calcutta Bank, are indebted.

*Mr. Turton.*—Yes, my lord, are indebted. Palmer and Co.—the nominative case,—*are* indebted.

*Sir Edward Ryan.*—Oh! Mr. Turton, that will do;—I think it sufficient, however, at present.

*Mr. Turton* thought he would be able to satisfy the Court that there was some intention in this indirect manner of swearing, because his affidavits gave a direct negative to that on which the application was founded. But first, according to the X section of the Insolvent Act, before an adjudication could issue it was necessary that the person should be a trader liable to become bankrupt, such person must depart without the limits of the Court's jurisdiction with intent to defeat or delay any creditor. Now he thought he should be able to prove that Roggoram Gossain was not such trader, and did not depart without the limits with such intent; and, consequently, that he did not come within the meaning of the X clause of the Insolvent Act. In order to do this it would be necessary to go through the affidavits on both sides.

*Sir Edward Ryan* here intimated that if the affidavits were contradictory, he would not make an adjudication at present, but appoint a day for witnesses to be examined before the Court. In this proceeding he issued an order *nisi* instead of the course hitherto adopted of making the adjudication, and allowing the party to come in to set aside, because he could not entirely divest himself of some proceedings that had taken place in the Court above.

*Mr. Turton* said, it was set forth that Roggoram Gossain was a trader at the time of the loan, which was distinctly denied. The fact was, that he had not carried on any trade for twenty-five years, though as he had been the banian for Palmer and Co. it would be impossible to deny that he was such a trader as came under the Bankrupt act at home. It was also true that Roggoram had a share in the Calcutta Bank, but his name had been inserted without his authority. In 1828, in consequence of a pressure which existed in the money market, there was a meeting of the principal agents in Calcutta, at which it was determined that the Calcutta Banks then in operation should draw in their issues, and from that period it had become merely a bank of deposit. Juggomohun Sill and Annundmohun Sill were well aware of this fact, as they were the cashiers to the house through Ramchunder Sill, the son of Juggomohun, and they must also have been aware from the same source that in April, 1829, Roggoram's interest in the bank entirely ceased. Palmer and Co. were the secretaries of the Eighth Canton Insurance Company, and some persons in whose favor policies were granted, and the loss adjusted, being desirous to obtain the money before it became due, applied to Juggomohun Sill to have the same discounted, and Juggomohun wishing to have Palmer and Co.'s endorsement applied to Mr. G. A. Prinsep for that purpose, who indorsed the policies not for the Calcutta Bank but for Palmer and Co. the affair being in fact only a plan to put two per cent into the coffers of that firm, and the transaction did not appear in the books of the bank. At the time the policies were discounted, Palmer and Co. had a large sum of money in their hands belonging to the Canton Insurance Company. The policies had not been paid as the Insurance Company contended that they were a set-off against the Assignees of Palmer and Co.'s estate.

Why did not Juggomohun go against the Canton Insurance Company? Instead of doing so, he had brought an action against Roggoram, first in the Zillah court of Hooghly where he had then appealed to the Sudder, which confirmed the decision of the Zillah court, and after suffering six years to expire, he came against him in the Insolvent Court, with an application to make him insolvent on a mere pen and ink transaction of Palmer and Co.'s. Now as to the residence of Roggoram, the affidavits stated that he was born at Serampore, where his family property and family dwelling house were situated. When sixteen he commenced proceedings against his uncle for a moiety of the property, which he recovered, and then commenced business as a banian to a number of persons, but so far from carrying on trade, he had not even entered into any of the Insurance Co-partneries. He certainly had a lodging house in Calcutta, but it was merely for his convenience and for the purpose of lodgings only, as he spent the holidays at Serampore, performed his poojahs there, and always went there on the Saturday nights, whence he did not return until Monday morning. He went to Serampore on the Saturday previous to the Monday on which Palmer and Co. stopt payment, and on the morning of the latter day he set out to return to his business as banyan, when he was met by a person who informed him that the house had stopt, he then returned to his house at Serampore, and had not again returned to Calcutta. Now as he had no idea of the house going to fail when he quitted Calcutta, he could not be said to have gone away with an intention to defeat or delay his creditors. The learned counsel then drew the Court's attention to the distinction between the Bankrupt act at home, and the Insolvent act for this country, the former making it an act of bankruptcy to remain out of the jurisdiction but the latter did not make it an act of insolvency unless the person went out of the jurisdiction with an intent to defeat or delay his creditors.

The Court ordered witnesses to attend on the 24th of October.—*Englishman.*

## MISCELLANEOUS NEWS.

### CALCUTTA.

PETITION OF THE TRADE ASSOCIATION.—The petition of the members of the Trade Association to Government against the repeal of sections II. and III. of Regulation V. of 1830, has been published. The petitioners have put their case very ably and adduced some powerful argument against the proposed repeal. They urge that the existing law has for five years been productive of important benefits, and that previous to its enactment the most serious disorders prevailed in the Mofussil which have since considerably less frequently occurred. That with regard to the principle of legislation involved, the rescinding the existing ordinance is founded on a doctrine at variance with the statute law of England, which has ever protected the employers against the employed, and that the real object of Section II. Regulation V. is to defeat conspiracy, and extend the punishment from the ryut who violates his contract to the guilty parties who instigated the offence. That as manufacturers and traders they entertain serious apprehensions when they perceive a principle of legislation adopted in the Mofussil which is equally applicable to Calcutta and which, if extended to this city, will be attended with the most ruinous consequences to their business. That the whole Trade Association will be severely affected by the proposed repeal, as on the existence and prosperty of the great body of indigo planters, a considerable portion of their business depends. They suggest that instead of repealing Sections II. and III. a new Regulation should be passed affording summary redress and remedy to both planter and ryut; and they conclude by soliciting the Governor-General to appoint a Committee to obtain evidence on the subject.

INDIGO PROSPECTS.—Accounts of the indigo crop remain unchanged: the same tale of rising of rivers and destruction of plants, pours in from all quarters. A letter from Jessore mentions that the probable out-turn of that district and Furreedpore conjointly, will be about 8,000 maunds and prospects in all the other districts are daily assuming a more gloomy aspect: the last accounts received state, that the total out-turn will not much exceed two-thirds of the anticipated crop.

THE INDIGO MEMORIALS.—The answer returned to the Indigo Memorials of the Merchants and the Trade Association is, that Government are still determined to rescind Sections II. and III. of Regulation V. of 1830; but in consideration of the interests involved in this branch of commerce, it has been determined to relieve the apprehensions of planters and agents, by substituting clauses to the following effect:—

1. "Suits for the breach of any contract for cultivating or dilivering indigo plant, or on account of money advanced for the cultivation or delivery of indigo plant, to be instituted before a magistrate or joint-magistrate.

2. "Such suits to be tried summarily without any fees or written pleading.

3. "The magistrate or joint-magistrate, to be authorized to examine both the plaintiff and the defendant, and to make his award upon such summary trial.

4. "If the award be in favor of the plaintiff, the magistrate or joint-magistrate to assign to the plaintiff such damages as he may think fit, and if in favour of the defendant, to assign to the defendant a sum which may be a compensation to him for the expense and loss of time occasioned by the proceeding.

5. "A copy of the award, signed by the magistrate, or joint-magistrate, to be delivered to the successful party, and the successful party to be entitled to take property in satisfaction of the said award, and under the same rules by which property may now be taken in satisfaction of arrears of rent."

INDIGO—BILLS UPON LONDON.—The following is extracted from a Commercial letter from Boston, dated in April:—"We shall send you the usual number of ships this season, and they will chiefly rely on bills upon London to pay for their investments. We have but little confidence in the existing prices of indigo, unless cultivation can be kept down to 90,000 or 100,000 maunds for two or three seasons more.

SHIPPING INTELLIGENCE.—The iron steamer with the *Bhagaretty* in tow, arrived off Ghazeepore on the 31st ultimo, twenty-seven days after her departure from Calcutta.

A letter received in town, states that the Directors had ordered two powerful steamers to be built for the purpose of keeping up the communication between India and Suez via Bombay.

The *Bhaguretty* arrived from Allahabad on the 21s instant, having performed the trip in less than ten days. She delivered treasure at Moorshedabad and has brought 800 boxes of copper pice to Calcutta.

The *Emily Jane* brought from China the proceeds of the *Sylph's* cargo, which have been remitted to the Bank of Bengal. The 945 chests of opium forwarded to Lintin were sold as follows:—400 chests 1st and 2d May for drs. 1,45,800; and 545 chests 15th and 26th May for drs2,27,275; averaging drs. 394-87 per chest. Two consignments of sycee silver

on account amounting to drs. 1,42,774-68; and by the *Forth* a further remittance has been received in Bills on Government, amounting to Rs 1,39,000, all addressed to the Bank of Bengal. The Government here have accepted of the underwriter's proposal to pay ⅛ of the price of the opium saved by the *Clive*, on account of the services of Captain Hawkins and crew, but it is said that the agents of Captain Hawkins, Messrs. Mackintire and Co., have refused to accept the tender on his account. The claims of the *Mavis* and other vessels, which saved 340 chests of opium, have been settled at Singapore.

Letters have been received from a passenger of the *Katherine Stewart Forbes*, stating that that vessel had sprung a leak early in June, and bore up for the Mauritius, which she reached on the 7th of that month. The vessel was examined and the leak found not to be serious, and she had again proceeded on her voyage.

The *Asia*, which left town on the 18th August, has been totally lost on Saugor beach. The vessel was in the old channel, when at 4 A. M., on swinging to the flood, she struck very hard several times, having driven during the night, and knocked her rudder off. At daylight another anchor was let go, and a signal of distress hoisted, which was answered by the *Beacon* light vessel, which rendered every possible assistance. The anchors were next slipped, and at 6-30 finding the vessel would not wear, another anchor was let go, but the chain, not being clinched round the mast, ran out end for end, and in consequence Mr. McDormand, the pilot in charge, was obliged to run her ashore on Saugor beach. During the flood the decks of the ship were burst up and the cargo began to float out of the hold. The whole crew, however, were safely landed; but the Captain, not being able to hold on in consequence of ill health, was washed off the forecastle and drowned. The crew were taken on board the *Beacon* off Middleton Point, where they had walked from the wreck. The cargo of the *Asia* consisted of indigo, silks, saltpetre, &c. and it is said, has been insured at upwards of four lakhs of rupees. A hope, however, is entertained of a considerable salvage, as the vessel had not gone to pieces when the last accounts were dispatched; and the *Enterprize*, *Asseerghur*, P. V., and several row-boats have been sent down to her. Two officers of the *Asia*, who came up in the *Forbes* have also returned to the vessel with 30 or 40 lascars.

ICE.—The *Mary and Susan* from Boston took on board about 150 tons of ice for this place, and as she has had a quick passage out it is expected that she has lost but little of it. The ice is now being retailed by Mr. Bacon, at the godowns hitherto used as a depository for ice, at 3 annas per seer. A large quantity of apples, apparently as fresh as the day they were packed, are also stored in the godowns and are for sale.

SILK FACTORIES.—An attempt has been made to sell some of the Company's silk and other factories by public auction at upset prices. Only one was bid for, the silk concern at Rungamutty, which was knocked down to Dr. McPherson for 21,000 rupees. This factory has 1,500 biggahs of land attached to it, at a low rent, which makes it a desirable acquisition. The rest are said to have been greatly overvalued.

CIVIL SERVICE.—It is said the Court of Directors are very favorably disposed towards the plan of applying a part of the Civil Annuity Fund, to reduce the bonus now to be paid down by persons retiring from the service —so long as there shall be a surplus; and that the Court has also consented to pensions on a lower scale being allowed to gentlemen in the service, who are compelled to retire on account of bad health before the full term of twenty-two years—for five years' service £250 per annum and for fifteen year's £700. It is further reported, that the Directors intend to abolish the present gradations of rank in the service, and to substitute a scale of rank according to length of service.

Fifteen members of the Civil Service have addressed the Secretary of the Civil Fund, requesting to be furnished with copies of all correspondence that may have passed, or minutes and other papers recorded, on the subject of the admission of the Rev. C. B. Elliot to the benefits of the Fund on his paying up 5,000 rupees under article 35 of the rules of the Fund; and also desiring to be furnished with the promised copies of the communications regarding the admission of Mr. Sutherland on the same terms.

HONORARY MAGISTRATES.—Baboos Dwarkanauth Tagore and Radakaunt Debb and Mr. James Kyd, were sworn in as Honorary Magistrates for the town of Calcutta on the 3d instant.

MILITARY ITEMS.—The services of the regiment of Native Infantry which was sent to Rajeshye, being no longer required in that district, it has been ordered back to its cantonments at Barrackpore.

Private letters mention the resignation in England of Lieut. T. G. Dundas, of the 72d N. I., on the 10th September last.

THE PRESS LAW.—The Press Law, which reflects the greatest honor on its enactors, is passed and was published in the *Government Gazette* on the 5th August. It does not, however, come into operation until the 15th September when it will be celebrated by illuminations and a Public Dinner.

RAPES.—Two young men, named Brooks and Marnell, were brought up on the 4th instant, by constable Goodsall, on a warrant, charged with having committed a rape on an interesting girl named Lutchman Baur, aged 13 years.

Tamas de Aquino, a Portuguese, has been tried before the Magistrates for committing a rape upon the body of an infant of about six years of age named Mary Race. The accused, it is stated, from the evidence of the child's mother and that of the surgeon who attended her, is to be committed to take his trial at the next session.

THE HON'BLE C. R. LINDSAY, died at Singapore on the 4th of July.

DEATH BY A SNAKE'S BITE.—A Brahmin girl of about ten years of age, was bitten on the finger by a cobra-capella, on the morning of the 19th August, and died within three hours after the infliction of the wound.

DR. W. TWINING.—This distinguished and worthy member of society, whose loss is severely felt by the members of the profession to which he belonged, died on the evening of the 25th instant. The useful career of the lamented Doctor was terminated by an accident. On the evening of the 19th instant, while making his usual round of visits, his carriage came in contact with a gentleman's buggy, and the concussion threw the gentleman out and his thigh-bone was broken by the fall. The Doctor, who had immediately alighted, on discovering this called a palkee, and not chusing to trust the sufferer to native hands lifted him from the ground himself and placed him in it. In doing this he strained himself, and being conscious of a severe injury, went into Mr. Thompson's dispensary, near which the accident happened, and after a little rest went home, where he expired on the 25th instant. A very good cast of the features of the deceased has been taken by Doctor Goodeve and Mr. Thompson, and is in the possession of the latter.

MURDERS.—A man of the name of Babooram, an artificial flower-maker, was shot on the night of the 20th instant, while working in his shop with some other men. He was hit in the back with two balls, and

died in about two hours after the infliction of the wounds. A C oroner's inquest was held on the body on the 22d instant, and the following verdict was returned—" Died from two wounds inflicted by two pieces of lead, but no evidence to shew how they were propelled into the body."

The murderer has not yet been detected, and no clue whatever afforded to lead to a discovery, as the friends of the deceased state that they are not aware of his being at variance with any body.

A Portuguese man was killed by a sailor, in Cyroo Mater's lane, on the 28th instant. The deceased had a dispute with the sailor and made use of some abusive language, when the latter struck him a blow on the temple with his fist and killed him on the spot.

Pearee Dausee, a respectable Hindoo widow, was found strangled to death in her own house in Ruttoo Sircar's lane, on the 3d instant. The perpetrators of this atrocious deed appear to be the woman's two servants, who resided on the premises with her, and have absconded, to Tamlook, it is supposed, with all the property they could remove. A search has been instituted for the purpose of apprehending and bringing them to trial.

ACCIDENT.—It is stated, that a letter received from Ghazeepore, mentions that a couple of *dandies* have reported the sinking of a boat off that place, in which was a *paltanka saib*, of whose name they were ignorant; and that they saved themselves by swimming to the shore, but the officer and mangee and every other person in the boat they report to be drowned.

MR. CURNIN.—It is said that Mr. Curnin, at the request of the officers at Barrackpore, has solicited and obtained permission to proceed to England, to settle the business of the Army Retiring Fund, it being conceived that his presence will very much accelerate the matter at the India House. Mr. Curnin has taken his passage in the *Roxburgh Castle*, which vessel will sail about the middle of next month.

DR. CAREY.—It is said that the Revd. Eustace Carey, nephew of the late excellent Revd. Dr. Carey, of Serampore, is now preparing for publication a Memoir of the Reverend Doctor.

THE LORD BISHOP, it is stated in the *Englishman*, refused to preach a sermon for the benefit of the Cape sufferers because the profits of a play are to be appropriated to the same benevolent purpose!! His Lordship however, has since subscribeed 200 rupees for the relief of the sufferers.

PALMYRAS LIGHT-HOUSE.—The Committee of Survey which proceeded down lately to examine the condition of the Light-house on point Palmyras, has reported that the building will very well stand out another year, although it is gradually being washed away.

FEVER HOSPITAL.—There was a meeting of the subscribers of the Fever Hospital at the Town Hall on the 12th instant, at which the Lord Bishop, Sir E. Ryan, Sir J. P. Grant and several other friends of the institution attended. Mr. C. Smith, the Chairman, read a report of the state of the subscription which exhibited an increase since the last Meeting of about 6,000 rupees subscribed in Calcutta, 7,000 rupees from the Rajah of Burdwan, and 500 rupees from the Nawab of Moorshedabad, making the whole amount subscribed rupees 27,362. A brief statement of the state of the Hospital was ordered to be circulated amongst the wealthy natives, in order to remove an impression entertained of the inutility of the institution in consequence of the interference with caste. The statement exhibits provisions by which all interference with the prejudice of any caste will be removed.

CALCUTTA RACES.—The Jockey Club has been successful in its endeavours to restore the race course and revive the Calcutta Races: upwards of 200 gold mohurs have already been subscribed for that purpose.

THE RAJAH OF BURDWAN, has been elected the first Governor of the Hindoo College, in the room of his late father.

NATIVE MEDICAL COLLEGE.—Dr. O'Shaughnessy has been appointed a Professor, and will instruct the students in the science of chemistry.

FANCY FAIR.—The Fancy Fair for the benefit of the Cape sufferers, on the 11th august, was extremely well attended and a sum of rupees 2,500 was realized.

THE AGRA PRESIDENCY.—The act authorizing the Court of Directors of the East India Company to suspend the execution of the provisions of the new Charter in respect to the Agra Presidency, has been published, and the presidency may now be considered as defunct. The North-eastern Provinces, as limited by the direction of the Governor-General, are to have a Lieutenant-Governor. The power of the Court of Directors to suspend the Councils of the different Presidencies and leave the powers of Government to be exercised by a Governor alone, is revoked and the Council of Bengal is restored; the absolute power of the Governor-General of Bengal being withdrawn.

THE AGRA ACCOUNTANT'S OFFICE.—The fleet of the Agra accountant's office reached Patna on the 20th instant, but appears to have met with some accidents. Mr. G. F. Harvey, the Civil Auditor, was taken severely ill previous to reaching Monghyr, and was left at that place under charge of a medical man; one large puttalee belonging to the fleet, with horses on board, was seen filled with water and deserted, drifting down the stream; and another boat was nearly lost on a sand bank—she had three feet water in her hold and would have been lost if one of the gentlemen on board had not cut away the sheets of the sails with a sword, as the manjee had become completely bewildered and had deserted his post at the helm.

OUTRAGE.—A native youth, about 20 years of age, has been forcibly carried off from the house of the Revd. Mr. Heberlin, and taken it is not known where. The young man, by name Ram Ruttun Mookerjee, applied to Mr. Heberlin about a year since for instruction in the Latin language, and during the course of his studies he was converted to the Christian faith, and about nine months after the commencement of his tuition, he spoke seriously to his tutor on the subject of his conversion and requested to be baptized. The family of the young man found out his intention and quarrelled with him on the subject; he therefore repaired to Mr. Heberlin on the 31st of July last, requested that he might be immediately baptized, and asked for an assylum in his house for the night, which was of course granted. The next morning the relations and friends of Ram Ruttun, about fifty in number, called at the house and endeavoured, by the promise of some thousands of rupees and persuasion, to induce the young man to go home with them and renounce his intention of being baptized; but finding him strenuously refuse, they seized and forcibly dragged him away with them, jostling and abusing Mr. Heberlin, who endeavoured to rescue his pupil. Mr. H. has since entirely lost sight of the youth, but he heard one of the men who were forcing him away say, that there was a boat waiting for him at Chandpaul Ghât.

NEW PUBLICATION.—A new publication, entitled "*The Spirit of the English Magazines*," is established. The work consists of selections from the best English Magazines and is to be issued weekly.

THE BENGAL ANNUAL.—The proprietors of the *Bengal Annual* have determined to continue it, and the Editor in consequence has called on the contributors and supporters of the work to aid him with their accustomed kindness and good will.

PUBLIC LIBRARY.—It is proposed to establish a public library here,—the inconvenience of the want of which is severely felt,—to which all classes, whatever their creed, country or station in society, shall be equally admissible. The Editor of the *Englishman*, with whom, it is said this laudable proposition originates, has drawn up a prospectus of the library, and proposes to establish two rates of admission; viz., five and three rupees per month, with an entrance-fee of two gold-mohurs to those individuals who subscribe at the former rate, in order to create a fund for the library in the beginning, granting them additional privileges to those allowed the subscribers at the latter rate. All who are favorably disposed towards the establishment of the library, are requested to send their names to either the Editor of the *Hurkaru* or *Englishman*, so that a public meeting may be called to arrange the details as soon as a sufficient number of names shall appear on the list.

POST OFFICE AND CUSTOM HOUSE.—The arrangements at the Post Office and Custom House, which were disturbed by the return of the *Sherburne*, have again been carried into effect. Mr. C. C. Hyde has again taken charge of the Custom House and Mr. G. J. Siddons has resumed the station of Post Master General. The Honorable Mr. J. Elliott re-embarked in the Sherburne on the morning of the 23d August.

THE NEW COINAGE.—The law regulating the coinage of India was promulgated on the 19th August, and comes into operation on the 1st September. One uniform gold and silver coinage is to be current all over India. The silver coins are to be a rupee, to be named the Company's rupee, a half-rupee, a quarter-rupee, and a double-rupee, the weight of the said rupee to be 180 grs. troy, and of the following standard: $\frac{11}{12}$ or 165 grs. of pure silver, $\frac{1}{12}$ or 15 grs. of alloy; the other coins to be of the same standard and of proportionate weight. The gold coins are to be a gold-mohur, or 15 rupee piece, a five rupee piece, a ten rupee piece, and a thirty rupee piece, or double gold-mohur. The weight of the gold-mohur to be 180 grs. troy, and of the following standard: $\frac{11}{12}$ or 165 grs. of pure gold, $\frac{1}{12}$ or 15grs. of alloy; and all the other coins to be of proportionate weight and standard. On the obverse of the coin the reigning King's head is to be impressed, and on the reverse, the words "East India Company" in English and the designation of the coin in English and Persian, with such embellishments as the Governor-General in Council shall direct—the gold coins always to differ with the silver in this respect. The coin will not cease to be a legal tender until it has lost two per cent. or has been clipped or filed.

CHOWRINGHEE THEATRE.—The Chowringhee Theatre was put up for sale on the 15th august and purchased by Baboo Dwarkanauth Tagore for Sa. ~~Rs~~ 30,100. The beneficial effect of the change of proprietary is already perceptible: great activity prevails in the managerial department, and arrangements are making to bring out the best class of plays in a style superior to any hitherto attempted. The ascertained receipts of the play on the 14th August for the relief of the Cape sufferers, amount to about 2,100 rupees.

THE LOTTERY.—The last day's drawing of the Lottery took place on Saturday. The grand prize of the lakh fell to No. 4,157, which was sold to Mr. C. Cardo and other persons at Backergunge. A prize of 50,000 rupees was drawn to No. 752, and one of 10,000 to No. 263.

THE RE-UNIONS, it is said, are to be given up after the next, for which there are scarcely funds sufficient.

THE REV. JAMES HILL.—The friends of the Reverend James Hill, late Pastor of the Union Chapel, will perhaps be rejoiced to learn, that his portrait has arrived from England and is suspended in the vestry of the Chapel.

THE ARCHDEACONSHIP.—The Lord Bishop has inducted the Rev. Mr. Dealtry, one of the Junior Chaplains of this Presidency into this Office.

THE DHURMA SUBAH.—A man named Omachurn Bhose, a felon lately returned from his place of exile, has been restored to his caste by the *Dhurma Subah*, on paying 749 cawhons of cowries (about 100 ~~Rs~~ worth) to the Brahmins; and the respectable Hindoos have, under the great seal of the *Subha*, been requested to receive him into their society. Baboo Radhakant Deb, a native gentleman recently appointed an Honorary Magistrate, presided at the *Subha* on the occasion.

SUPREME COURT.—The Supreme Court opened on the 24th instant, but the Chief Justice immediately after taking his seat on the bench, intimated to the bar, that he had received some information from Sir Benjamin Malkin which rendered it extremely possible that the learned Judge would arrive in Calcutta in a few days. Under those circumstances, the Chief Justice thought it better not to take the re-hearings, as proposed at the close of the last sittings, because if in any cases Mr. Justice Grant and himself should disagree, it would be difficult to deny the parties another hearing before a full bench. The Court was therefore adjourned for a fortnight, and Sir Edward Ryan intimated that they would take contested motions on the first day of the adjourned sittings, after which the re-hearings would come on in the following order, viz. *Rajah Burrodocaunt Roy* v. *another*; *Richards* v. *Bank of Bengal*; *Stephens* v. *Hume*; *Premchand Bysack* v. *Sreemuttey Dossee*, and the appeal from the decision in the Insolvent Court in the matter of James Young and others.

*Mr. Advocate-General* inquired if it was their lordships' intention to give judgment in *Jenkins, Holroyd,* and others, v. *Brightman* and others, (the action brought to recover the amount of damages sustained by the *Forbes* on her first trip hence to Madras. His lordship replied that he did no think it was likely judgment would be given before the beginning f the next term.

## BENGAL, &c.

ALLAHABAD.—Two magazine boats, bound from this station to Agra, were overtaken by a storm off Calpee and sunk. No lives were lost.

It is said that the estimate of the expense of building another Government office at Allahabad has been sanctioned; and that the building will be commenced as soon as possible.

Mr. H. B. Harrington assumed charge, as Registrar of the Courts of Sudder Dewanny and Nizamat Adawlut for the Agra presidency, on the 27th ultimo. Mr. Monckton, it is stated, has been appointed a judge of the Sudder Court for the Agra Presidency, and that Mr. R. Lowther has filled the office of Special Commissioner, vacated by Mr. Monckton. Mr. Harrington has assumed charge of the office of Acting Registrar of the Nizamut and Dewanee Adawlut.

MR. FRASER'S MURDERERS.—The proceedings on the trial of Kurreem Khan and Mogul Beg terminated on the 18th ultimo. The statement of Unnia Mea on the first day, corroborated by the train of evidence which subsequently transpired, clearly established the guilt of the Nawab and his accomplices. The trial of the Nawab commenced on the 18th utilmo. It is said that he sent to Mr. Colvin and desired a private conference, but that that gentleman very properly refused to hear any thing from him but what was communicated in open Court. The trial finally terminated on the 30th July. Mogul Beg, it is said, has been acquitted, but the sentence passed on the Nawab has not transpired. A verdict of guilty has been passed on Kureem Khan by Mr. Colvin, and confirmed by Mr. Ewer, and a warrant was issued on the 14th instant for his execution; but

in consequence of Shumsoodeen's vakeel offering to prove that the murder was committed by another man, the execution has been suspended. Colonel Skinner's services being no longer required, he departed for Hansi on the 2nd instant. Two forged *roogas* were put into the hands of Mr. Simon Fraser by one of Shumsoodeen's partizans, bearing the seal of the Nawab of Thujjur, and one of them containing a promise of 15,000 rupees and four villages, for the assassination of Mr. Fraser. The man who presented the *roogas*, as well as the person he states he received them from, has been apprehended and confined until the affair can be thoroughly investigated.

ATTEMPTED ROBBERY.—An attempt was recently made at Ajmere, by a band of armed ruffians, to plunder the house of Mr. Edmonstone, during his absence at Tounk; but the villains were repulsed by a small body of sepoys who fortunately happened to be in charge of the property.

AGRA.—On the 12th ultimo, by virtue of a Bull from Pope Gregory XVI, Julius Cæsar, Vicar Apostolic of Sirdhana, was installed Bishop of Amatunata in the Island of Cypress, by the Revd. Father Antonius Pezzoni, Bishop of Isbone and Vicar Apostolic of Hindoostan, supported by the Revd. Fathers Anthony and Gregory.

The Town Duties of the City of Agra have been disposed of for the usual triennial term for rupees 1,21,300. The expired triennial was for rupees 1,00,700, and the previous one for rupees 8,400. The late farmer is also the present one, Nonid Ram, the Bailunt-Gunjee merchant.

A robbery was committed on the night of the 18th ultimo in the house of Mr. Jack, a merchant, and 600 rupees in cash, all the clothes in the house and some papers, were carried off.

The rain has been almost incessant and considerable injury to bungalows and houses in the city has been occasioned through it. Accounts from the Doab state that several villages had been destroyed and that a large portion of the country was under water.

The ex-Vakeel of Bhurtpore, died at his house at Kandharee Bagh on the 10th July, of leprosy and in a state of great poverty brought on by his own extravagance.

MILITARY ITEMS.—Captain Burnes, in charge of a return treasure escort with a small quantity of light-weight rupees, left Agra on the 18th ultimo for Mynpoorie.

Captain McNaghten, it is said, is about to be shortly brought to trial on certain charges preferred against him by Lieutenant Lowe, on matters connected with the trial of Lieutenant Wallace.

Lieutenant Macdonell, of the 10th Light Cavalry, in charge of 15 Arab stallions for the Hauper Stud, was to leave Gwalior for Agra on the 18th July.

H. M. 13th Regiment it is said, will be relieved by the 3d Buffs.

His Majesty's 26th Regiment removes from Meerut to Ghazepoor; the 1st Light Cavalry is ordered to Neemuch, to be relieved by the 2nd; the 52nd and 69th Regiments to Nusseerabad and Saugor respectively, to be relieved by the 26th and 54th Regiments.

It is reported that a large force is to be assembled at Jeypore on the 15th November next.

THE COLES.—It is bruited that the Coles are in open insurrection again! and that Captain Wilkinson has applied for troops to subdue them.

MEERUT.—Several robberies have been committed in the cantonments recently. The house of a subador-major of the 1st cavalry was entered by three men, who compelled his wife and an old woman servant, to divest themselves of their ornaments and also to point out the spot where the subadar-major kept his treasure, threatening to bisect them on their refusal to comply with their request. They thus possessed themselves of property to the amount of 800 rupees and decamped and have hitherto escaped detection. A canteen-sergeant of His Majesty's 11th Dragoons was also robbed of a box containing 700 rupees; and several gold ornaments, &c. were stolen from the house of Captain White of the 69th Regiment.

A burglary was committed on the house of Mr. Harding, steward of the 11th Dragoon's Hospital, on the 29th ultimo, and jewels, &c., to a large amount were carried of by the thieves. On the same night a forcible entry was effected into the house of the pressman of the *Meerut Observer* office, and cash to the amount of 100 rupees, besides several other things, was taken away.

The Meerut Artillery Theatre was opened on the 30th ultimo, and the Cameronian Theatre on the 3d instant. The last performance was for the benefit of one of the soldiers of the regiment, who has for a long time been a member of the corps dramatique, and is about to return to England on his pension. The managers of the Meerut Station Theatre intend to make several important alterations in the interior of the house as soon as their funds will admit it.

Lieut. G. Hunter of the 38th N. I., while shooting under some shelving rocks, received a severe wound and had his skull fractured, by a piece of rock which got detached and fell on him. He was brought into Mussoorie, and by the last intelligence, was said to be in imminent danger.

RENT-FREE TENURES.—It is rumoured that some separate provision in the Western Provinces, for the disposal of suits for the resumption of rent-free tenures, under Regulation 2, 1819, is likely to be made by Government.

THE BAZA BAIE.—The Commissioner of Futtehghur, by orders of Government, has received under his protection the Baza Baie, over whose movements he is to exercise a strict surveillance. She has established an intrigue with her partizans at Gwalior, which will probably lead to the dismissal of some of the officers of that Court.

CAPTURE OF A THUG.—A notorious thug has been apprehended in the Cavalry lines at Meerut, where he had enlisted as a grass-cutter. He surrendered himself without the slightest resistance, and confessed that he was the individual sought for—remarking very coolly regarding his former life, that he had fulfilled his destiny.

NEW LINE IN BUNDLEKUND.—It is stated that the Customs Department intend to form a new line in Bundlekund from Calpee as far as Allahabad, which, it is expected, will be completed about the middle or latter end of September.

NOTIFICATION.—Several boxes of the size of six dozen wine chests, marked T S and variously numbered, were washed ashore near Monghyr on the 24th ultimo. The boxes were lined with cloth and carefully nailed down, but perfectly empty. It is conceived that they must have been plundered of their contents; and with a view to detect the robbers, any person who may recognize the marks is requested to give information to the Magistrate or Joint-Magistrate at Monghyr, stating all he knows respecting the property.

CAPTAIN JOHNSON.—The order re-posting Captain Johnson to a troop of Horse Artillery has appeared. With the order the Provincial Commander-in-Chief officially addressed a letter to Captain Johnson, apologizing in the most handsome manner for the conduct of his predecessor which was occasioned, by a mistake or omission.

HORTICULTURAL SOCIETY.—Measures are in progress for the formation of a Horticultural Society at Meerut. The Hon'ble General Ramsay, Sir David Ximenes, K. C. H., Messrs. Hutchinson, Glyn, Hamilton and others, are already on the list of subscribers.

DELHI.—The Resident has formally announced to the king his appointment as successor to Mr. Fraser, and has entered into a correspondence regarding the mode of his reception at the Palace.

In this city recently, within the space of a week three women swallowed opium with an intent to destroy themselves, but were saved by spontaneous vomiting—a fourth woman took arsenic and died before assistance could be procured—a man killed himself by jumping into a well—five people were killed by the falling of houses through the heavy rain—three fakeers died of exhaustion, and one man suddenly dropped down and expired.

NEEMUCH.—Grain keeps up its high price at this station, and no endeavours have yet been made to supply the necessary at moderate prices. Wheat is now selling at from 15 to 16 seers per rupee, flour at 13 to 14 seers, and gram at 15 to 16 seers.

NUSSEERABAD.—No rain had fallen in this district up to the 8th of July last, and grain was in consequence again rising in price.

LOODEEANAH.—Sooja-ool-moolk still amuses himself with concerting impracticable schemes for his restoration to the throne of Cabul. Dost Mahomed Khan has solicited the assistance of Captain Wade, in a second expedition he contemplates against the Sikhs.

## NATIVE STATES.

DOST MAHOMED KHAN AND RUNJEET SINGH.—Dost Mahomed Khan has proceeded with the main body of his army to Cabul, leaving his two sons, Mahomed Ufzul and Mahomed Uckbur, with part of his army in the vicinity of Jallalabad, to arrange the affairs of the country. Maharaja Runjeet Singh having left Kunwur Shere Singh and other officers to protect Peshawur, has returned to Lahore, accompanied by Sultan Mahomed Khan and his family.

HYDERABAD.—A private letter from Hyderabad states, that a Moonshee of the 28th has been placed in prison for sedition, and that the guards are all on the alert.

SERIOUS IRRUPTION.—A serious irruption of the disaffected Kamptees and Singphos is said to have taken place recently on our eastern frontier, a little above Suddyah. The Duffah Gaum, a chief who has never been favorably disposed towards the British Government, came down with about 400 followers to Beesa, about 30 miles from Suddyah, the capital of the chief of that name, against whom he entertained a deadly hatred, and being joined by the other chiefs or *gaums* and their followers, to about the number of 2,000, they plundered Beesa, massacred its inhabitants indiscrimately, and having set fire to the place, the Daffa Gaum and his followers located themselves in the vicinity of the ruins of the town, the rest returned to their homes. Several British subjects have suffered by the irruption, their property being carried off and their agents murdered. This attack was made with such caution that the Beesa Gaum, who has been on the *qui vive*, had scarcely time to make his escape, and, indeed, part of his family were massacred. A party of sepahees from Suddyah, and the gun-boats under Mr. Bruce had been sent to dislodge the marauders from their stockade, but the success of the expedition is not yet known.

BHURTPORE.—Two of the Company's sepoys, in endeavouring to ford the Ram Gunga at Roobas, were drowned. The rain has been so excessive this year that the intercourse in the city is carried on by water, the streets and lanes being converted into canals.

The European merchants who dispatch goods from Agra and other Military Stations to Neemuch and Nusseerabad, complain of detention and demand of transit duties by the custom officers of the Bhurtpore state, and on the other hand the Bhurtpore Rajah complains of loss, by articles being smuggled through the country along with goods consigned to British officers. The Rajah of Bhurtpore has therefore, applied to Major Alves on the subject, and suggests that some local functionary at Agra should grant rowanahs to accompany articles of consumption dispatched for European officers or Messes, to obviate the necessity of opening packages, &c., to ascertain that goods on which duties are leviable do not accompany the dispatches.

JEYPORE.—Major Alves has recovered from the effects of the wounds he received, but is still weak. Four of the principal officers of the state have been apprehended on suspicion, being known as staunch supporters of Jotaram. Their apprehension has created some dissatisfaction, and the bunneahs have refused in consequence to accommodate the Government with the usual loans. It is asserted that Europeans cannot now ride out in Jeypore without receiving abuse and curses from the natives. The authority of Rewal Beree Lal seems so completely established by the Company that several of the principal chieftans have waited on him with assurances of their most cordial support.

BARAITCH.—Nawab Fyz Mahomed Khan, the Baraitch Chief, has been levying *dund* (black mail) on his oppressed ryuts to the amount of a lakh of rupees it is said. A number of these unfortunate men had been obliged to fly from the country to escape the *dund*, which is extorted by the most cruel imprisonments, beatings and tortures.

SHAPOOR.—A Bramin recently murdered a peon belonging to the cutcherry at Shapoor, whilst he was asleep. The villian has been confined, but it is expected that he will escape capital punishment, as the native authorities are extremely averse to *Bramh-hatha* or Bramin killing.

LAHORE.—The marriage of No Nehal Singh, the Heir-apparent to the throne, is soon to take place. Runjeet Singh is very feeble, but still continues to transact business personally. It is said that he intends to send an overwhelming army with Shah Sooja-ool-moolk, to replace him on the throne of Cabul.

It is also reported that a body of Affghans, the *Ufuf-zaees*, had collected a large force and proceeded to Bajoree with a view of creating a disturbance in that part of the country and attacking Meer Alim Khan; and that the Sirdars of Dhurrah Khoybur were preparing to afford assistance to the chieftain.

SINDE.—A native agent is about to be appointed to this district to guard the interests of the Company's traders. Mohun Lal was shortly to start for Quandehar.

JUSSULMEER.—Mr. Clinger, a student of the Hindoo College, was some time since appointed English Secretary to the Rajah of Jussulmeer, and has arrived at Joudpoor on his way to his destination.

## MADRAS.

THE BREAK WATER.—The breakwater Committee are busy collecting the sums subscribed. It is asserted however, that many subscribers, including the Advocate-General, have refused to pay the amount of their subscriptions.

A WHALE.—The unusual phenomenon of a whale of considerable size has for several days been seen in the Madras Roads, and has attracted crowds of spectators to the beach. The great fish has proved a source of amusement to the denizens of Madras who are highly delighted with its "sportive gambols," and make it a practice of congregating on the beach in the evenings to observe the antics of the leviathan.

SUPREME COURT.—The Court was occupied with a trial for defamation, Faulkner *v.* Wheeler. The case arose out of an anonymous letter sent by defendent to the employer of plaintiff, Capt. Haid, aspersing the character of the plaintiff. A verdict was given for the plaintiff, damages 2,000 rupees.

INSOLVENT ESTATES.—A dividend of two annas in the rupee is now in course of payment to the creditors of the late firm of Fonceca and Crookshank.

TROTTING EXTRAORDINARY.—On the 1st August, a match against Time came off at Mole-Ali. Mr. J—e betted that he would produce a horse under 14 hands, that should trot 14 miles within the hour, and accordingly brought to the post a mare belonging to Lieut. E., and won the match and coin in 55 minutes and 52 seconds. The mare stands 13 hands 2 inches. Nothing is known of her caste, as she was bought out of the Nellore bazaar, some time back.

HORTICULTURAL SOCIETY.—The Committee of the Horticultural Society, are following out the objects whose contemplation governed their appointment. A desirable spot of ground has been selected as an experimental garden, and an application for its transfer to the Society has been made to Government. The question has been agitated of the propriety of making over to the institution the surplus funds arising from the subscription to the late Sir Thomas Munro's statue, which it is calculated at about thirty thousand rupees, a sum, which if procured, would at once set the Society on stable footing.

## BOMBAY.

MELANCHOLY EVENT.—A most melancholy event occurred at Poona on the morning of the 18th July. A Meeting took place between Dr. Malcolmson and Capt, Urquhart, which proved fatal to the latter, who expired a few moments after receiving his antagonist's fire. Dr. Malcolmson was also slightly wounded at the same time.

CONVERSION OF A CHRISTIAN.—An English sailor was converted to Mahomedism on the 10th July. It is stated that the man renounced Christianity with much pleasure. On the day of the grand ceremony the convert was clad in the dress of a Mahomedan ; a red turban was placed on his head and a garland of flowers round his neck ; and having been seated on a horse he was tom-tomed to the door of the mosque, where he went through the ceremony of repeating Kulma, after which he was cheerfully greeted by all the Mahomedans present.

MR. MARRIOT.—On the 15th July, the inhabitants of Poona presented an address to Mr. Marriot on his appointment to the office of Senior Judge of the Sudder Adawlut.

RAJAH BALLA PRUSAD, son of Chundoo Lall, the Nizam's Minister, lately visited Poona on his way to Nassick, whither he is going on a pilgrimage, hoping by bathing in the holy Gunga, to remove the epileptic fits to which he is subject. He was attended by about 1,000 men and a number of elephants, and is said to have distributed some hundreds of rupées near the Boodhwar palace, and about a lakh near Pundhurpoor.

LUXOOMUN BAPPOO KHOTAY, who, after a hard struggle between the officers of the Sudder Adawlut and the Supreme Court, was at last sent for trial to the former, by the authorities at Candish, on charges preferred against him by the Collector of Candish of peculation and fraud, has been entirely acquitted of all the charges, and has returned to Bombay.

PUBLIC DISPENSARY.—In consideration of the causes, arising from the prejudices of natives, which prevent them from applying for admission into the Native Hospital, and the heavy expense to which the poorer classes of natives are put to procure medicine, the establishment of a Public Dispensary is contemplated where the poor natives can receive medicine and medical advice gratis, without being subjected to the restrictions which attend their admission into the Native General Hospital. The following are the rules of the projected institution :—

Funds for the purchase of medicines and the maintenance of the establishment appertaining to the Dispensary, to be raised by annual subscriptions and donations from all who may be favourably disposed to the institution.

" The funds so collected to be deposited in some respectable House of business, the management of the institution to be vested in a President and 13 Directors, who shall be elected by the Members at large.

" None to be eligible for a Director, who subscribes less than——rupees per annum, or who gives a donation of less than——rupees at once.

" The Directors to appoint a Native Secretary of character and respectability, who shall collect the funds, keep an account of their receipts and disbursements, and who shall be subject in all things to their controul, connected in any way with the interests of the institution.

" Every Subscriber of——rupees as a donation, and rupees —— annually, to be entitled to send one patient monthly to the Dispensary, and the right to send a greater number, to increase in like proportion."

A sum of upwards of 8,000 rupees has already been subscribed for the establishment of this institution, and Government being petitioned on the subject, have sanctioned an allowance of 300 rupees per mensem to maintain it. The private donations amount to upwards of 7,000 rupees and the annual subscriptions are more than 2,000 rupees.

MELANCHOLY ACCIDENT.—An European sailor belonging to one of the Company's ships in the harbour, was a short time since, whilst bathing, attacked by a shark which seized him by the hip and tore off all the flesh, leaving the bone bare and indented with its teeth half way down his thigh. The poor man was taken to the Hospital and the limb amputated from the hip-joint, but he was so exhausted from pain and loss of blood, that he died shortly after the performance of the operation.

THE CROPS.—Various accounts have been received from different parts of the country regarding the state of the crops. In some places the rain had been plentiful and a rich harvest promised to crown the labors of the cultivator ; in others, the rain had barely been sufficient to keep the crops from perishing and in some the cultivation was nearly parched up and destroyed for want of a few refreshing showers, and considerable apprehensions were entertained of its total destruction if plentiful showers of rain did not soon fall to revive it. The drought had excited considerable sensation among the native inhabitants, who had in consequence been very zealous in performing the rites of their respective religions in order to propitiate the offended gods. The Government also, with laudable anxiety for the welfare of the extensive population intrusted to their care, have caused wells to be opened on the strand for their benefit.

THE EUPHRATIS EXPEDITION.—The following is an extract of a letter brought by the *Cline*, dated Aleppo, the 25th April :—

" The expedition under Colonel Chesney arrived off the Orontes about three weeks ago, and has landed the greater part of the materials and stores he brought out ; but from the roundabout way the firmans in his favor

came from Constantinople (via Bagdad) the Pasha's permission has not yet been obtained for the party to proceed, and until it is produced, no camels can be hired."

## CEYLON.

A new *Colombo Observer and Commercial Advertiser* has been established, and the first number of the journal was issued on the 24th July.

SUPREME COURT—NORTHERN CIRCUIT.—The second Session for this year was opened by the Honourable the second Puisne Judge at Jaffna, on the 1st, and closed on the 8th ultimo. There were 21 cases in the calendar, chiefly robberies and assaults—some of an aggravated character. There was one case of ear-cutting, which excited considerable interest, as the principal culprit was a young Brahmin of high caste. The charge was fully substantiated and the prisoners were convicted and sentenced to receive 150 lashes each and to be imprisoned for three years at hard labor in chains. Two Malays were tried for the supposed robbery of the unfortunate seaman, Roberts, whose body was some months ago found floating in the harbour of Trincomalee; but they were acquitted on account of the disreputable characters of the two principal witnesses for the prosecution.

SHIPPING INTELLIGENCE.—The Brig *Wilmot*, which recently arrived at Galle, has brought the intelligence that an European brig had been wrecked on an uninhabited island of the Maldives, and that the *Sultan* had dispatched a vessel to the assistance of the crew on the 11th ultimo.

## PENANG.

SIR H. B. MALKIN, remained at Penang on the 1st August, but was to proceed to Calcutta on the bark *Thetis*.

PIRACY.—A trading prow was attacked and captured by a pirate on the 24th ultimo, off Pulo Riman, and her Nacoda, who effected his escape by swimming ashore, was severely wounded with a spear.

## SINGAPORE.

DEATH OF DESERTERS.—On the 3d July the bodies of three men were found on the beach and conveyed to the Police Office. They are supposed to be part of the crew of the brig *Tarter* of Batavia, who deserted from that vessel very early on that morning, and from the nature of the wounds about them, appear to have met their deaths during their passage ashore by swimming.

COMMERCIAL SQUARE.—The long contemplated improvements to Commercial Square are at length being put in execution, and the vacant space hitherto occupied by rubbish is being cleared and enclosed by a small, neat brick parapet.

MILITARY.—The *Sir Archibald Campbell*, Robertson, arrived at Singapore on the 7th August, having on board Lieutenant and Mrs. Taylor and a detachment of the Madras Native Infantry in relief of the corps on the island, which embarked on the 11th on the *Swallow* and *Sir Archibald Campbell*, on their return to Madras.

ACTION OF TROVER.—Mr. Norris, late in command of the Schooner *Bombay*, has instituted an action of Trover, damages 6,000 dollars, against Captain Quin of His Majesty's schooner *Raleigh*, for the nine chests of opium seized and sold by that officer for his claim of salvage in having been the means of relieving the *Bombay* from her perilous condition, in consequence of the death of her commander, Beattie, while on her passage from Bombay to Penang.

BOAT RACE.—The Mallaca Yacht Club had a boat race on the 26th June for a silver cup and the Commodore's flag. The race, which lasted 5 hours, was won by the *Sri Naning*.

## BURMAH.

A correspondent of the *Harkaru* writes, that the Greek Pilot at Rangoon had been detected by the authorities in smuggling silver out of the country, and that they had proceeded against him and his servants with great rigor. The Pilot was only suspected at first of being concerned in smuggling money on board of a vessel bound to Calcutta, but during his absence his servants were seized and menaced and the fact extorted from them of their having helped their master in clandestinely sending money out of the country,—and when the Pilot returned he was imprisoned and told that his servants would be put to death unless he confessed the whole; after thus being forced to confess, he was further imprisoned until he gave security to recall from Calcutta and deliver to the Burmese Government within three months, all the money he had sent away.

FREE SCHOOL.—The examination of the children at the Free School on the 17th July, was attended by the Revd. A. Hamilton, the Brigadier commanding, and several officers from the cantonments, all of whom expressed their gratification at the progress in the English language made by the boys, and also at the system established by the master, the Revd. C. Bennett. The pupils, Chinese, Burmese, East Indians and Armenians, displayed considerable proficiency in geography, composition, arithmetic, &c., and seemed by their quickness and intelligence fully to meet the kindness and attention of their master.

## THE MALDIVES.

Private letters, dated 20th June, have been received from Lieutenant Young, one of the officers of the *Benares*, whom Captain Moresby, by the permission of Government, left with a party at Male or King's Island. The officers and men continued well, and were much pleased with their quarters, where, through the influence of the Sultan's uncle, they received every attention from the natives. Through the judicious arrangements of Captain Moresby, vessels passing through or near the Islands are likely to be visited by pilots who can guide them through the passages in safety. If the health of the party continues good they are likely to obtain one desideratum, a knowledge of the language of the Islanders.

## CHINA.

NEW PAPER.—It is stated that a new paper, supported by a body of mercantile gentleman, is shortly to be established in Canton, and that the Editor, types and other concomitants had arrived in the *Ruby*, Warden, from Calcutta.

On the 2nd of June the Military Commander-in-Chief went to the naval cantonments and reviewed the marines. At night the funeral rights of the late Mowqua were performed, one of which was to burn his residence in effigy. On the 4th, the three tribute-bearers from Siam, who arrived last year, reached Canton and embarked from Tow-lan-poo-low, the landing place of the British Counsulate. They had been treated in a very liberal manner by the Emperor, who conferred buttons, two blue and one crystal, upon them. They were accompanied by their own interpreter, holding an imperial proclamation in his hand, who had also had a golden button conferred on him. The 5th was the anniversary of the birth of the Nan-hae-heen's mother, and the usual visits, presents, &c., were made, and blessings invoked on her age.

The opium market had experienced some decline. Patna was selling at 640 dollars per chest, with very little demand; Benares at 580 dollars per chest, with great demand; and Malwa at 610 per chest, nominal valuation.

# REVIEW OF THE CALCUTTA MARKET.

*(From A. E. Kuhn's Monthly Price Current, August 31, 1835.)*

INDIGO.—The prospect of the present crop is not quite so brilliant as it was a month ago; advices of a distressing nature have since been received from some parts of the districts, and particularly from the Upper Provinces, complaining of damage received by the late heavy rains. Jessore and Tirhoot are said to have suffered particularly. Accounts from Kishnagur, Dacca, Rungpore and other eastern parts are of a more favourable nature. The crop is still expected to be an average one, which would be about 1,20,000 maunds, as the average of the last ten years is about 1,19,000 maunds, viz.

| | | |
|---|---|---|
| 1825—26 | maunds | 1,14,000 |
| 1826—27 | do. | 90,000 |
| 1827—28 | do. | 1,48,000 |
| 1828—29 | do. | 98,000 |
| 1829—30 | do. | 1,41,000 |
| 1830—31 | do. | 1,20,600 |
| 1831—32 | do. | 1,25,000 |
| 1832—33 | do. | 1,22,300 |
| 1833—34 | do. | 93,800 |
| 1834—35 | do. | 1,05,800 |
| | | 11,88,500 |

that of the ten years previous 1825-26 was on the contrary only 87,620 maunds.

The average Imports into Great Britain of the last ten years were 25,800 chests, and of the ten years previous only 16,340 chests. The mean consumption and Exports of the last ten years of Great Britain were 25,430 chests and of the ten years previous 17,940 chests. Hence it will be observed that the Imports of Indigo into Great Britain were counterbalanced during the last 20 years by its consumption and Exports.

The average stock on the 31st December of the last ten years in England, appears to be 29,496 chests, and of the ten years previous 20,110 chests.

The stock on the 31st December, 1834, was a very moderate one, comparing it with the average of the five years previously, being 29,350 against 34,602 chests.

Considering the above statements, which establishes a progressive increase, not only in the cultivation here, but also in the consumption and exports from Great Britain—the moderate prices of the late sales in London, may yet further improve the demand for continental Europe, and thus have a favourable influence in the prices of our next season.

We have no sales to report since our last number, the remaining stock of about 2000 maunds will be employed for our own consumption.

OPIUM.—Considerable activity prevailed during the month, owing to the favourable news received from China; our prices which have already improved, may go still higher should the scarcity of rain in the Malwa districts produce the customary result. Shipments to China are in full progress. The quantity in the Hon'ble Company's Godowns is about 3000 chests.

RAW SILK.—The account given in our last number of the injury done to the June bund by excessive rain, we are now enabled fully to confirm. It is ascertained that the mulberry trees have suffered much from the violent showers, and the consequent difficulty experienced by the natives in drying the wet leaves, has naturally occasioned a great destruction of the worms. The remaining bunds will be therefore not only of unusually inferior quality, but also extremely unproductive. This falling of in our anticipated supply arising from the unusual state of the weather, will become much more important, owing to the retirement of the Hon'ble Company from the trade. The discharge of the natives employed heretofore in the Government filatures, and the number of persons otherwise engaged in the cultivation, thrown out of work, have given rise to some disturbances in the neighbourhood, which however have been promptly repressed. It appears improbable that the great deficiency thus established will be made up by the enterprize of individuals in less than 2 or 3 years, if ever then.

The progress made by private cultivators during the last year may be estimated from the official returns of the imports into Calcutta (vide Mr. Bell's report.)

In 1833 34 they amounted to mds 7244.
„ 1834-35 do do do 8436.

Shewing an increase of 1192 mds. But this is a poor set off against the diminished supply from the Hon'ble Company's aurungs, being 10710 mds. in 1833-34 against 6124 in 1834-35, thus leaving a deficiency of 4586 mds., and deducting from this amount, the increase by the private trade, there results a net deficiency of 3394 mds. being nearly equal to 20÷ discount on the total exports of 1833 34.

The good silk, having been (with the exception of the Honorable Company's produce) nearly all shipped, and the June bund not having arrived, our transactions are too insignificant to require further detail.

SILK PIECE GOODS.—The causes enumerated in the above article must inevitably affect the manufacture of the Piece Goods. Notwithstanding the great efforts made by the private manufacturers in consequence of the former highly remunerative prices in England, the total production shews a slight falling off, arising from the Hon'ble Company's retirement.

| | | | |
|---|---|---|---|
| Thus in 1833-34 | private trade pcs. | 641,446. | |
| | Hon. Com. „ | 102,272. | |
| | | | pcs. 743718 |
| And in 1834-35. | Private trade pcs. | 717,236 | |
| | Hon. Com „ | 19,846 | |
| | | | „ 737082 |
| Leaving a deficiency of .... .... .... .... | | | pcs. 6636. |

The large exports to Great Britain during the past commercial year, have, from being viewed on one side only, much tended to depress our prices. We allude to due allowance not having been made for the reduced exports by American ships, and the necessity of which to form a correct estimate, is proved by recent advices from London, where a considerable portion of the very active demand for exports was stated to be for American account. If the comparison on the last two years be made, to include the United States, the excess will appear but trifling in face of the well ascertained fact of increasing consumption in these two countries.

| | | | |
|---|---|---|---|
| In 1834 35. | Exports to Great Britain | pcs | 356984 |
| | do. to America | | 62062 |
| | | | 419046 |
| In 1833-34 | do. to Great Britain | pcs. | 217865 |
| | do. to America .... „ | | 147146 |
| | | | 365031 |
| | Excess .... .... | pcs | 74015 |

If we suppose that the London Market, at the time of the latest advice, was feeling the full effect of our exports up to December 1834 inclusive, and which taken from 1st May to 31st December averaged 30484 pcs. per month, (including 34089 pcs. shipped in May by the Hon'ble Company) there can be little doubt of the home prices being at least fully maintained, as the following months, January to July last inclusive, are barely to the extent of 30000 pcs. Thus the

stock at home diminished by the increased demand for exports and local consumption will not be enlarged in an equal ratio by the supplies from hence. We may therefore, under all the circumstances, regard our market to be at the lowest, with every tendency to improve.

COTTON.—Bandah is very scarce, and consequently shipments to Great Britain are much restricted. Jalone remains neglected. On the other hand heavy shipments of Cutchra are in progress to China; the price has slightly improved, upon the late favourable advices from Canton, but as the season is drawing to a close a further rise is very improbable. Although our shipments to China have been heavy during the last quarter, they are still much under the average consumption, hence prices in China are expected to maintain, and more particularly as the supplies from Bombay are but trifling, consequent upon the failure of the crop.

SALTPETRE.—The market is bare of the best qualities; Godna is particularly wanted, but of Cawnpore and Chuprah the stock is large; should freights decline the article will doubtless improve. The sales during this month have exceeded those of the former one, principally for the English and American markets.

SUGAR.—There are no fine Benares for sale in the market, and none to arrive. Good qualities are to be had in moderate quantities, inferior is scarce. The present high rates of freight impede shipments to Europe.

LAC.—Good marks of Lac Dye are rather scarce, prices are expected to improve, the inquiry in general is not brisk. Shell Lac, stock very heavy, prices which have already declined since our last number, may experience a further depression—We are not aware of any transaction in Stick Lac.

RICE.—The appearances for the next crop continue to be favourable. There has been during the month rather more inquiry for the Canton and Mauritius markets, and shipments for these ports are in active preparation. The prices of Munghy and Bellam are expected to improve.

WHEAT.—Advices from the Upper Provinces exhibit enhanced rates, and our prices may consequently be considered susceptible of improvement. Rice and Wheat have experienced a considerable rise at Bombay, owing to the scarcity of rain. Should the drought unfortunately continue, it will no doubt tend to keep up our prices.

HIDES AND HORNS.—The low prices appear to have attracted the attention of buyers, and lately the American have appeared again in the market. The existing rates will probably advance, should freights become more abundant. Our stock is still a very heavy one. In Horns and Horntips business were limited.

HEMP AND JUTE.—No sales are come to our notice; prices may have a further decline.

LINSEED.—The prices have experienced some depression, owing to the high rates of freight to Great Britain. Our stock begins to be heavy, speculators being obliged to store.

SPICES, DRUGS, &c.—Cloves purchases to some extent are reported with improvement in prices. Coffee very little of good remaining in the bazar. Gambier prices expected to improve, stock moderate. Ginger now arriving from the interior, has experienced a decline in prices, but should freights for England become more abundant, prices may improve. Munjeet good quality, scarce; inferior, neglected. Pepper has been in some demand; prices steady. Safflower, good quality, very scarce, and much wanted, inferior abundant, and prices declining. There has been some inquiry for Fincal, with a slight improvement in prices, the sales reported are for shipments to England.

METALS.—*Copper.*—The Peruvian Copper lately arrived by the *United States*, (mds. 11,000,) has been nearly all sold. British Tile has experienced but trifling fluctuation since our last, the stock is gradually diminishing. The prices generally may be considered as safe for some time to come. Spelter no variation, the stock is steadily reduced by the customary demand for the interior. Iron, assorted flat, round and square has experienced a decline. Sheet and hoop fully maintain their previous rates, with a disposition to improve. Stock is in general heavy. Steel, Sweedish, prices expected to improve, there being but little remaining in first hands. Leads our prices have receded, owing to the large stock, they are now considered to be tolerably safe. Tin plates, looking up, supply having been of late reduced. Quicksilver, much wanted.

TWIST.—The continued small imports have influenced our market and our assortments are generally on the advance. The stock in first hands is greatly reduced. The report of sales shew the rates which were obtained during the month. Turkey red Twist is in good demand, but orange neglected. In pink and other fancy colours nothing worthy of notice has taken place.

COTTON PIECE GOODS.—Shirtings and Long cloths, the market has been well supplied, and the prices of the current qualities, although supported, do not appear likely to improve. Some few lots of fine qualities have been sold for local consumption at an advance—Cambrics in fair request. Jaconet, the fine and low qualities are now much in demand; middling remain dull of sales. Medium and Mull, improved demand on the approach of the great holydays. Book Muslin, the Burmese have appeared to some extent in the market, our buyers for other ports have been very shy. Check'd Muslin, dull of sales. Lappets, fine, much enquired after, other qualities neglected. Honey Combs in steady demand. Japan spots, finel and good are much wanted. Dimity will not improve untill the cold season. Striped Doriahs in moderate demand.

Chintz, fine, neutrals are wanted for the interior; single coloured plates steady; Bengal stripes on fine cloth enquired after. Ghinghams of steady sale. Turkey red Handkerchiefs of good colors and patterns very saleable at present, inferior neglected.

WOOLLENS.—Town Cloth scarce, and wanted—Long Ells demand expected to revive, stock also very small—Coarse Woollens have been occasionally sold during the preceding month, but were in general very dull. Flannels scarce of sales at low rates. Bombazettes, a temporary demand prevails.

FREIGHTS.—The continued absence of the London traders, and the great afflux of shipping to China, have for the present much reduced the available tonnage for Europe, and our rates continue to be high.

This state of things must, however, in the natural course of events, be speedilly altered.

# PUBLIC LIBRARY MEETING.

A public meeting took place on Monday the 31st August, at ten o'clock, to elect a committee, and arrange all such matters as may be necessary to give existence and effect to the proposed Public Library. On the motion of Mr. Turton, seconded by Mr. Plowden, Sir J. P. Grant in the Chair.

Sir J. P. Grant, in taking the chair, briefly addressed the meeting. Considering the importance of the object in view at the present meeting, and with which we are already acquainted, I have thought it so much in connection with the advancement of literature in this country as to induce me to depart from a rule I have adopted and accept the honor of taking the chair on this occasion. I think it right also to make an explanation, which under circumstances other than those that have occurred would have been unnecessary, namely, that this meeting has no connection with political questions, but is for the furtherance of a purpose purely literary. I think it the more necessary to make this explanation, as with reference to the situation which I hold, it would be for me extremely unbecoming to take the chair at a meeting where questions as to laws proposed, or as to laws passed, formed a subject for discussion. My duties are of a very different nature, but when I say so, I by no means desire to be understood as taking no interest in the advancement of liberty of thought, liberty of speech, or liberty of action. I think to do so were as inconsistent with the character of a British Judge, who, indeed, may be considered a priest of liberty, as it would be inconsistent with my life and foreign to my habits, disposition, and the course which I have hitherto pursued. (*Applause*). I make these remarks because I have learned from the newspapers, that on another occasion something was thrown out with regard to the object of this meeting, and I also happen to know, that it has, unfortunately, deprived us of some useful assistance which we might otherwise have had on this day. Therefore I am now extremely desirous it should be perfectly understood that this meeting has no other object in view besides obtaining the means to purchase a collection of books for the use of the inhabitants of Calcutta, and that it has no more connection with the recent act of Government emancipating the press, than it has with questions relating to the arts of type-founding, book-binding, or printing. Without these arts, certainly we cannot have books; but as certainly there is as little occasion at this meeting for a gentleman to rise and speak with referene to the liberty of the press, as there is for another to dwell on the law of libel, for a third to dilate on the art of type-founding, and a fourth on that of book-binding, or to shew how books may be protected from the insects that infest them in this country. I would particularly urge that gentlemen who may address the meeting would keep in mind the subject before it, and which I have endeavoured briefly to explain. (*Applause.*) I believe this is the only society of the same extent which has not a library of some description: at the Cape, at Bombay, they are better provided, and Madras has its Literary Society; but here, in Calcutta, we are without the means of reading, except by purchasing books, from Humphrey Clinker up to Hume's History of England. This, I think, is a very great inconvenience, and we even have no means, except the expensive one I have just mentioned, of procuring books of light literature which form the main reading of the greater part of the community; or of those books which no man would purchase, or refer to except for the purpose of seeking out some particular information or referring to some particular point. But the particular object we have in view will be better developed by the resolutions, which I hope will meet with general approbation. They have been drawn up to meet the convenience of all classes of the community, by no means excepting those young men, natives of this country, who are most meritoriously pursuing their studies and whose means do not afford them opportunities of purchasing books. Sir John Grant then apologized for the time he had occupied the attention of the meeting, and concluded by strongly recommending the gentlemen to abstain from making remarks that did not bear on the subject they were met to consider. (*Loud applause.*)

Mr. C. W. Smyth.—After all that has been said, written, and especially after what has fallen from the chairman on this subject, I will not detain you by speaking generally, as to the advantages held forth by this proposition; and indeed it is the more unnecessasy, since, whatever difference there may be as to details, all are agreed that it will be highly advantageous to the inhabitants of Calcutta. However it is as well to call your attention to the liberality of the principle which opens the library to all ranks of society, and renders intelligence available to all. This is an extensive, liberal principle, worthy of the era that has produced the Emancipation of the Press, the greatest blessing ever bestowed on British India. The resolution I have the honor to propose is as follows:

*Resolved*,—"That it is expedient and necessary to establish in Calcutta a Public Library of Reference and Circulation, that shall be open to all ranks and classes without distinction, and sufficiently extensive to supply the wants of the entire community in every department of literature."

It has been suggested that the library should not be one for the circulation of books; but this would deprive it of its usefulness, and render it quite inadequate to the purpose; it has therefore been proposed to make it a circulating library, to meet the wants of all, and indeed were it otherwise, I for one would withold my support. In conclusion I would earnestly press on the attention of the committee the necessity of having a good managing committee, for the error of committees, is the rock on which former libraries in Calcutta have been wrecked and destroyed, and I trust the meeting will not separate without paying some tribute to the gentleman (and here Mr. Stocqueler) to whom we are indebted for the excellent proposition we are here to consider. (*Applause.*)

Mr. H. M. Parker.—I take the opportunity, in seconding this resolution, to say a few words with reference to a subject, which has been very properly taken notice of by our worthy and distinguished chairman, though indeed I cannot see by what strange confusion in men's minds the building to commemorate the emancipation of the press has been mixed up with a public library. Perhaps, however, the public being a body with many eyes, has on this occasion seen obliquely, or possibly I was unable on a recent occasion to make the public comprehend my meaning. However, this I must say, that the proposals for a building and for a library are entirely distinct, and though in ten or fifteen years, the proposers of the former may have a very handsome and commodious building to offer for the reception of the latter, it is still quite possible that its acceptance may be refused. Refused? Yes for I hope the library may be in a condition not to require it, and before that time there may be several libraries in Calcutta, and that the spread of knowledge may be as rapid as the spread of intelligence.

The resolution was then put from the chair and carried *nem. con.*

Mr. Pattle.—It devolves on me to propose for your adoption the second resolution, and to which I shall make but a short preface, for on these occasions I hold it best to say as little as possible; and luckily for me who cannot boast of being able to say much, and much to the purpose, the necessity of doing so has been completely superseded, by what has fallen from our distinguished chairman, and my worthy colleague. Indeed they have so well explained the object we have in view, and so completely cleared up any confusion which may have been occasioned by the recent meeting for carrying into effect another object, that I have nothing to say on those subjects; but I may however mention, that this proposal presents some peculiar features that I cannot reconcile myself to look over. The advantages it presents to our native fellow subjects cannot be too strongly dwelt upon

for it is a peculiar feature, a principal recommendation, that it will aid their enlightenment, and teach them to place a proper estimate on the blessings of British rule. When they do once properly appreciate the advantages resulting from that Government, they will be convinced that there is none other under which they could derive the same degree of happiness and prosperity. I for one would rather the British rule should cease in this country if it can only continue by means other than the affection of the people; but I am convinced that rule only requires to be known to be appreciated. Let but knowledge find its way to the minds of the natives of this country, and they will require no other proof of the superiority of the present Government to the Mahomedan one that preceded it. This is one of my motives for supporting this proposal, and fortunately, the proposers intend that it shall be a library of circulation, hereby extending its benefits, and making it more deserving of our support. Mr. Pattle concluded by moving the following resolution:—

*Resolved*,—That a Provisional Committee be appointed to consider of the best means of accomplishing the objects stated in the first Resolution—to frame a set of Rules and Regulations for the management and use of the Library, and the conduct generally of its affairs, and to report the same, together with their opinion, to a subsequent meeting, to be called by public advertisement in the newspapers by the Committee as soon as they shall be prepared with the report.

Rev. Mr. Dealtry said, the resolution had his most hearty concurrence, and in seconding it he was convinced he was humbly but earnestly contributing towards the means of circulating knowledge not only through this city but through this great empire.

Sir J. P. Grant then moved the first resolution from the chair and it was carried unanimously.

Mr. Prowden briefly proposed the third resolution, which was seconded by Mr. James Kyd, and adopted by the meeting. It is as follows:—

*Resolved*,—That the Committee be empowered to apply for the temporary use of apartments in the Town Hall; and in case these cannot be obtained, then to hire apartments for the reception of the books in an airy and central situation, upon as reasonable terms as dry and elevated apartments can be procured for; and to purchase suitable book shelves and furniture of a plain and not costly description. Further, that the Committee be empowered to engage such persons as may be necessary to take charge of the books, rooms and furniture; and to make catalogues, keep accounts and copy correspondence, and generally to assist them in the duties they undertake, a strict regard being paid to economy, to the state of the funds and amount of the subscription.

Before the resolution was put from the chair, Mr. Kyd took the opportunity to mention, that he had just received a letter from Dr. Strong, of which the following is an extract:—

"The Rev. Dr. Marshman is now at my house and will attend the meeting. He says he is willing should it be thought desirable, to be one of a Committee for the object of arranging the matter,—*you are aware how valuable a man he would be.* He does not like to propose the thing *himself* but has sanctioned me to write as much to you. I had intended being myself at the meeting but my complaint does not allow me. Will you kindly put his name down for any sum that you may subscribe yourself, and if I had been there and an opportunity had offered I meant to have offered the lower part of my house for any books that might accumulate until a proper place was ready for them: you may, if you please, make the offer for me. There is a separate entrance and the rooms are, high, airy and large."

Dr. Marshman stated to the meeting that the apartments offered by Dr. Strong were in his opinion admirably adapted for the purpose. But, as will be seen, the matter was left to the committee, and a suitable acknowledgment given to Dr. Strong for his kindness. The resolution was then put from the chair and carried.

Mr. W. P. Grant.—The resolution which I have to propose, is merely one of detail, and does not occasion a necessity for detaining the meeting with any lengthy remarks. I shall, therefore, briefly express my hearty concurrence with a plan which goes to establish a library on an extensive plan; not of books for reference only, but of books for circulation also. In Calcutta, where almost every man is engaged in business, to make the library one for reference only, would be circumscribing its utility; indeed it would render it almost useless, for under those circumstances the books are the more required for perusal at home. The following is the resolution, which I hope may meet with as much approbation as those that have preceded it:—

*Resolved*.—That it be recommended to the Provisional Committee to enquire in to the means of procuring books in Calcutta, which may serve as a foundation to commence upon; and to make application to the Government for such assistance in this respect as the Committee shall judge proper in the name of the subscribers. And that the Committee be empowered to receive subscriptions, and such donations of books, as the patrons of the institution may be disposed to make to it, the result of such enquiry and application and the amount of such subscriptions and donations to be in their report.

Mr. Grant, in conclusion, drew the attention of the meeting to the libraries in Edinburgh, where, he said, there are no less than three accessible to strangers, viz. that for the Faculty of Advocates, for the Writers of the Signet, and the College Library. These, said Mr. Grant, are perfectly at the disposal of persons be they residing in Edinburgh, or be they only sojourners there for a week or a fortnight, and many persons, in the latter case, who, perhaps, had entered the city with a single volume in their portmanteau, could declare the degree of pleasure experienced by them in cosequence of this facility.

Mr. A. Rogers briefly seconded the resolution.

Mr. G. T. Speed here suggested that there ought to be a call on the friends of the library to send in the names of such books of reference as might be obtainable in Calcutta. Mr. Rogers thought details ought to be left to the committee, and the meeting coincided with the latter gentleman. The resolution was then put and carried.

Mr. Minchin, after a few prefatory remarks, moved the following reolution.

*Resolved*.—That the Provisional Committee, or such of their number as they shall appoint, in writing, for this purpose, be at liberty to draw from the Treasurer, from time to time, such sums as may be necessary for current expenses, not exceeding the amount in his hands, and to call upon the Treasurer, from time to time, for an account of receipts and disbursements.

I hail, said Mr. Minchin, the institution of this library, not only so far as the community of Calcutta concerned are but as a society likely to benefit the natives of this country generally. For by extending to them the literature of England, we induce then to cultivate the knowledge of our language, and afford them the means both of improving their literature and their morals.

Colonel Dunlop second the resolution, which was put from the chair and carried without opposition.

Mr. H. Torrens proposed the sixth resolution, being merely for the formation of a Provisional Committee and which with subsequent alterations stood as follows—the names in italics being added to the original motion:—

*Resolved*.—That the following gentlemen be requested to form the Provisional Committee:—

| | |
|---|---|
| Sir Edward Ryan. | Mr. W. P. Grant. |
| Sir J. P. Grant. | The Rev. Dr. St Leger. |
| Mr. W. H. Macnaghten. | Mr James Kyd. |
| Mr. C. W. Smith. | Capt. D. L. Richardson. |
| Colonel Dunlop. | Capt. Thomson. |
| The Rev. H. Fisher. | Mr. James Prinsep. |
| Mr. Dickens. | *Mr. W. M. Woollaston.* |
| Dr. Ranken. | *Mr. Wale Byrn.* |
| The Rev. James Charles. | *Mr. Scott Thomson.* |
| Mr. J. C. Marshman. | *Mr. B. Harding.* |
| Mr. John Bell. | *Mr. Carr.* |
| Russeekrishen Mullick. | Russoomoy Dutt. |

The number of names on the list, Mr. Torrens observed, might appear unwarranted, but they were to be divided into sub-committees of four or five, each sub-committee taking different sections. As to the gentlemen themselves

he need not enter into any panegyric because the simple utterance of each name conveyed its own panegyric.

Mr. Leith seconded the resolution, and did so with greater pleasure, because it contained the names of gentlemen whose experience and attachment to literature and science would secure for their constituents the most important services, and enable each particular section to have its own representative, in this, as it might be considered, congress of the republic of letters—gentlemen who are acquainted, and familiar with each section, and from whom we may hope that the institution will derive the most beneficial results. The term "provisional" had been adopted to distinguish it from the other committee whose duty it would be to propose rules, fill up details; and though last not least, to purchase books, collect subscriptions, and organize the construction of the library. The united efforts of these gentlemen he, Mr. Leith, felt confident would raise a structure which would merit the support of the whole community.

Mr. Pattle said, the gentleman who has just sat down has spoken of a committee intended to represent the different classes of society, but he, Mr. Pattle, observed that in the formation of the committee, the mercantile class appear to be wholly unnoticed. Perhaps this had arisen from a conjecture that mercantile gentlemen had not time to attend to the details, but still, as there was to be a sub-committee, he thought the meeting ought not to omit a compliment to gentlemen of so much importance. He would, therefore, propose, that the names of Mr. Carr and Mr. Harding be added to the number. As to their distinguished chairman, he was sure the meeting were aware of the deep interest Sir John Grant took in the proposed institution; there was no one more anxious, no one more able to further their views, and he trusted that the meeting would not allow him to depart from this hall, without requesting permission to place him on the committee.

Sir John Grant was fully sensible of the very flattering proposal, but would rather decline the honor; not from any disinclination to the office, but from a dislike to take upon himself duties to which he had not sufficient time to attend. If the meeting were of opinion that the duties were not so arduous but that he had leisure to attend to them, he would bow to their decision, premising, however, that it must not be considered as a compliment. No one was more able to bestow a compliment than his friend Mr. Pattle, but the making choice of a committee was a matter of business of which compliment should form no part; and rich as they were in names on the committee, they could not afford to have one inactive member.

Mr. Turton entirely concurred with Sir John Grant, and would put matters of compliment out of the question. But notwithstanding the number of the committee, he would propose that it should be increased by the addition of Mr. R. S. Thomson, a gentleman with whom he, Mr. Turton, had the pleasure of acting on one committee, and to whose usefulness and ability he could give ample testimony.

Mr. Sinaes admitted the correctness of the remarks made by Mr. Turton, but regretted that amongst the gentelemen whose names were contained in the resolution proposed by Mr. Torrens, there was only one who could be said to represent the class to which he, Mr. Sinaes, belonged. He thought the committee ought to be more general and under this impression he begged to suggest that the names of Mr. Woollaston, and Mr. Wale Byrn be added to the number.

Mr. P. S. D'Rozario and Mr. Crow rose at the same time and seconded this proposition. The latter said, he could scarcely hope that the resolution would meet with success, for he perceived that the feeling of the meeting was decidedly against it, (cries of no, no.) He would however do his duty, and offer a few remarks in support of the two gentlemen named by Mr. Sinaes, with both of whom he, Mr. Crow, was personally acquainted. He believed there was an impression on the mind of several gentlemen who had taken an active part in these proceedings, that the number on the list of the committee was already too great, but he thought otherwise, and begged of the meeting to consider whether the large number was not a circumstance in favor of Mr. Sinaes's proposition. The proportion which the East Indian bore to the European community, would point out that one East Indian was not a fair number to represent that class; and therefore he would submit for the favourable consideration of the meeting the proposition of Mr. Sinaes.

Mr. R. S. Thomson was sensible of the honor it was proposed to confer on him, and deeply indebted for the flattering compliment from Mr. Turton, but he would rather decline the honor, and for this reason—he believed the list of the committee, as it stood originally, was calculated to impart confidence to every friend of the proposed institution, and its enlargement might destroy that feeling. However if the meeting were of opinion that he could be of any service to the committee, he would cheerfully accede to their request.

Mr. A. Rogers supported the original resolution, and reminded the meeting that it was a classification of books, and not a classification of persons to which they had to attend.

Mr. L. Fraser spoke in favor of the original resolution, and urged that if it were departed from, the native community which stands in proportion of three hundred to one to the East Indian, had also a claim to be represented in the committee; so had the Jews, the Parsees, and indeed every other section of this diversified community.

Mr. Pattle suggested that the question should be referred to the committee, who no doubt would receive it with becoming attention; and he trusted that the proposer had that confidence in the committee which would induce him to withdraw his amendment.

Mr. Crow would again beg to be heard before the amendment was put from the chair. He was ready to grant that the proportion of Natives to East Indians, was more than three hundred to one; but it was not the mass of the people that ought to be taken into consideration. Those who were likely to appreciate the proposed institution and to benefit by it in either class should alone be taken into consideration, and then he was sure that the proportion would not be so great as it otherwise appeared to be. The question of qualification, he thought, was one of a very delicate description, particularly when a comparison had to be instituted. He would, therefore, not enter upon it in detail. However he might observe that the names proposed by Mr. Sineas were of gentlemen who stood high in the opinion of the East Indian community and in the opinion of those who knew them for the performance of duties that were likely to devolve on them as members of the committee. He said it was not only those who would devote their time, but also those who had influence in the class to which they belonged who ought to be selected; and for that purpose those who were connected with public institutions, and known as the promoters of public and liberal measures, were most likely to benefit such an institution as was now proposed. On the contrary, those who led a secluded life, it was not likely would be so successful in that respect. With these considerations, he begged to press the proposal of Mr. Sinaes on the attention of the meeting.

Mr. Turton was anxious to state the grounds on which he supported the amendment. He thought there was a great deal in what had been advanced by Mr. Crow, not only with regard to the literary qualifications of the gentlemen alluded to, but for other reasons. Was it nothing, that there should be on a committee who were to draw up rules and regulations, persons who are acquainted with the habits and taste of a large portion of that community for whose benefit the institution was intended? It had been said that the committee were to be the literary representatives of this community, but how can this community be represented by persons who have no knowledge of their wants? As to the number of the committee it mattered little, since there was to be a sub-division, which would enable them to divide their labours, whether there were twenty-one or twenty-four, or any other reasonable number; and as there was but one native on the committee, he thought if he had a coadjutor it would greatly increase his efficiency. Therefore, he would prefer the committee to be unlimitted and he would propose that Baboo Russomoy Dutt be added to the number.

Mr. J. R. Colvin begged to add his testimony of the utility of Mr. Woollaston. No man, said Mr. Colvin,

is capable of giving more solid information to the committee, or will be a more useful member of it.

Mr. Sinaes's amendment was then put, and carried by a large majority. The amendment is embodied in the resolution above.

Mr. TURTON.—When his friends prepared the resolution, he believed that they must have had Mr. Pattle's opinion before them as to the propriety of short speeches, for they had assigned to him the driest resolution in the whole lot. It was one merely relating to finance. However, though he, Mr. Turton, did not excel as Chancellor of the Exchequer, he would endeavour to explain the principle on which it was proposed the institution should be founded. Mr. Turton then explained the substance of the resolution, which, with an alteration suggested by Mr. Greenlaw, stands as follows :—

*Resolved.*—That the property of the Library be vested in trustees for the benefit and use of shareholders, and that the following payments do constitute persons proprietors and subscribers.

PROPRIETORS.—Every person subscribing 300 rupees in one payment, or in three payments of 100 rupees each —100 rupees being paid down, and the remaining instalments at intervals of six and twelve months, to be considered proprietors.

The shares of original proprietors subscribing within the period of one twelve-month, to be transferrable on such fine or conditions as the Privisional Committee shall determine. The question of transfer of future shares to be left open to the Committee.

SUBSCRIBERS.—The subscription to the Library to be as follows :

*1st Class.*—Entrance 20 rupees, and 6 rupees per mensem, for every month subsequent to the first. Such subscribers of 2 years standing, or upwards, to be entitled to become shareholders, by an additional payment of 200 rupees.

*2d Class.*—Entrance 16 rupees, and 4 rupees per mensem, for every month subsequent to the first. Subscribers of this class of 4 years standing to be entitled to become shareholders by an additional payment of 200 rupees.

*3rd Class.*—No entrance. A subscription of 2 rupees per mensem payable from the commencement of the first month.

Donors of books and others, on the recommendation of the committee, may be nominated honorary members by a general meeting of proprietors.

No books to be taken out of the Library, without a deposit being made ; the amount to be regulated by a committee to be appointed annually by the proprietors out of their own body in such manner as shall be hereafter decided.

No books or periodicals to be taken out of the Library, until they shall have lain ten days upon the table ; after which period proprietors or suscribers of the 1st and 2d classes, will have the privilege of taking them out and reading them in circulation, preference being given to the proprietors and subscribers of the 1st class who may apply within a month after the arrival or purchase of such books.

All books to be delivered out in the order of application, subject to the above preference.

No other class to be permitted to take any books out of the Library without the permission in writing of the Annual Committee.

Mr. TURTON continued. He thought he had in his eye some trifling opposition to this resolution, for ruin had been predicted to the institution, if they were to adopt the first part of it. But he could not foresee the ruin that others apprehended ; on the contrary, he thought that the plan was admirably adapted to give permanence to the library. The part of the resolution which it was said would have a ruinous effect, was that which proposed persons subscribing Rs. 300 should become proprietors. He thought no injurious consequences would ensue from this, and he would inform the meeting why he thought so. In four years, subscribers of the first class, at six rupees per month, would pay Rs 303, and he put it to the meeting whether it was not a very good compromise to obtain 300 Rs immediately available for the purposes of the library, by making those who pay three years in advance free of all subscriptions afterwards. Taking into consideration who were likely to become subscribers, he did not think that the average time each individual would remain in Calcutta, would be more than four years, and possibly, of these the majority would become proprietors not so much with a desire to benefit themselves as to benefit the library. Taking the number of proprietors to be 100, this would raise a fund of Rs 30,000 to commence with. Without funds there could not be a library ; and though this might not be the best plan, he was quite satisfied that it was the best plan that had been as yet proposed.

Mr. PATTLE here suggested that donors of books that may be thought by the committee Rs 300 in value ought to be considered subscribers.

Mr. TURTON said, that point had not escaped the attention of the framers of the resolutions, but it must be borne in mind that a great number may wish to become proprietors on those terms. It was a consideration, he thought, that ought to be left entirely to the committee, for it could not be supposed that they would be so indifferent to the interests of the institution, that if they thought the proposal adapted to advance it, they would not propose its adoption.

Mr. W. P. GRANT said, it was a great object with the committee to raise a sufficient fund to purchase books in England.

Mr. H. M. PARKER thought that books to the value of Rs 300 was too small an amount to entitle persons to become proprietors, he would rather it should be fixed at Rs 1,000.

Mr. PATTLE reminded the meeting that there were many scrace and valuable books in this country which were out of print, and could not be obtained in England. But after some further conversation, the suggestion was left to the committee.

Mr. L. CLARKE said his friend Mr. Turton was correct when he anticipated opposition to the resolution just proposed. He, Mr. Clarke, had been one of the party who had met on a previous day to consider the resolution preparatory to this meeting, and he had declined to propose that resolution which his friend Mr. Turton had just moved, because he thought it was not founded on calculation, and that it defined rules which it were better at present to leave for more mature consideration in committee. He thought it would be necessary for the committee, before they come to the result contained in the resolution, to have a calculation as to the expenses of establishment, binding of books, stationery, and then the amount of surplus which might be applied to the purchase of periodicals, for without these there could be no library. This, in his opinion, ought to be the duty of the committee, before any such propositions as those contained in the resolution was brought forward, and he, Mr. Clarke, was quite certain, that if the minimum of that surplus was not the base for the committee to go on, it would lead the society into great difficulties. He knew the resolution had been formed without any calculation whatever. In fact, it originated with himself, for it was him from whom the idea fell at the preparatory meeting regarding shareholders, and he was quite sure it was a crude proposition without the slightest calculation for a base. For this reason he opposed the resolution. He contended that it would be fatal to the interests of the institution, and ought not to be adopted unless after mature consideration. But the rules were decidedly bad, for his friend proposed that on the payment of Rs 300, a proprietor should be free from all subscription for ever, whereas, the subscription of a subscriber of the second class in four years, would amount to more than that sum. Here then by the payment of Rs 300 a proprietor not only escapes all future payment but his heirs and assigns also. (Mr. Turton expressed his dissent from the statement.) Well, said Mr. Clarke, we shall see about that presently. A proprietor may transfer his share to whom he chooses by the payment of a fine of Rs 100 ; thus he has all the privileges of a proprietor for four years by the payment not of Rs 300, but of Rs 200, and he would appeal to many persons now near

him, if a similar scheme for a proprietary had not ruined the Chowringhee Theatre, where an enormous debt was entirely occasioned by giving the benefit of the theatre without requiring the proprietors to pay any thing, and thus while the public paid eight rupees for an admission by purchasing a share, admittance was obtained at the rate of one rupee one anna for each performance. It was this very same principle his friend was now advising the meeting to adopt,—allowing the proprietors to have the benefit of the institution at too cheap a rate. There were other parts of the resolution which he, Mr. Clarke, objected to, but this he thought would be sufficient to induce the meeting to refer details to the committee, whose object ought not to be to make a great beginning to come to a poor end. But he, Mr. Clarke, had doubts as to the prudence in making it a share Library at all. He thought it ought to be a Public Library to remain here for ever, or if it were necessary to provide in the trust deed for its distribution, it might be so arranged that in the event of a distribution being necessary, the books should be given to Bishop's College, the Asiatic Society's Library, or the Martiniere. He called on the publilc not to make a share Library but a public Library. Let the friends of such an institution actively solicit support, and he had no doubt but that Rs 15,000 might be immediately raised for the purpose. He would not, however, come forward with a proposition to that effect at present, but merely propose an amendment as follows :—

"That it be referred to a section of the Provisional Committee, consisting of Messrs. Bell, W. P. Grant and James Prinsep, to prepare a draft of a Trust Deed for the constitution of the society and to prepare the rates of subscription and admission."

Mr. PLOWDEN seconded the amendment. He declared that previous to entering the room he had entertained a very different opinion, but Mr. Clarke's eloquence had convinced him that the Library ought to be strictly a public one.

Mr. TURTON begged leave to say a few words on this part of the subject, for Mr. Clarke's eloquence had not satisfied him that he was wrong, and if he was not greatly mistaken Mr. Clarke had but recently entertained these opinions. But possibly Mr. Clarke's mental eloquence may have had the same effect on Mr. Clarke himself as his oral eloquence had had on Mr. Plowden. He, Mr. Turton, happened to have a different opinion and was not quite so sanguine of raising Rs 15,000 as Mr. Clarke, for he thought that the public,—and he was sure he might place himself amongst the number,—did not like to advance their money in entire ignorance of the benefit to accrue from the gift. He for one would not countenance an object by giving his money to a crude undertaking, in which a committee who had been agitating the subject for two months were to come before a general meeting without a plan. In fact, he was not so willing, like his friend Mr. Plowden, as it was vulgarly said, to buy a pig in a poke. He was perfectly satisfied that the plan must precede the subscription, and that if the subject were referred to a committee of twenty-four, there would not be less than a dozen plans brought forward by as many members of the committee at the next general meeting.

Considerable discussion followed, in which Mr. Clarke, Mr. W. P. Grant, Mr. Plowden, Mr. Greenlaw, and Mr. James Sutherland took part. At the suggestion of Mr. Dobbs, the amendment was remodelled, and stood as we have given it above. Mr. Torrens spoke in favor of the amendment, and Mr. Leith opposed it.

Mr. TURTON would use his right of having the last word by asking Mr. Greenlaw what he meant by saying that the Library would not be a public one, for was it not as public when vested in proprietors as when vested in the public? But was the latter the most desirable plan to be adopted? Let the meeting look to the Bombay theatre and to the Ochterlony Monument. As to the former, the public in 1783 determined to build a place of amusement at Bombay, and Government gave a piece of ground for the purpose. There were no proprietors, no one to look after the interests of the building. Time passed on, a large debt accumulated, and at last, when it was discovered that the building could neither be sold nor mortgaged, Government took it under their charge, and appropriated it for a public office. As to the Ochterlony monument the evil of a want of proprietory was too apparent to require comment, and in God's name, gentlemen, said Mr. Turton, if you desire to avoid a similar neglect, vest your Library in those who will not be inattentive to their own interests. The amendment was then put and negatived.

Mr. GREENLAW then proposed another amendment, taking away the right of transfer from proprietors, but this after some further discussion was withdrawn, Mr. Turton limitting that right to proprietors who should become so during the first twelve months. The original motion, thus amended, was then put from the chair and adopted by the meeting.

The following resolutions were then put and carried without discussion :—

Moved by Mr. Sutherland, seconded by Russicklall Mullick.

*Resolved*,—That the Annual Committee be at liberty to issue tickets to poor students and others for temporary admission to the Library under such regulations as they may think fit.

Moved by Mr. Stocqueler, in the absence of Sir C. D'Oyly, seconded by Dwarkanauth Tagore.

*Resolved*,—That the foregoing resolutions relating to entrance subscriptions and privileges be considered only as a general outline, *subject* to such modifications as may be recommended by the Committee now appointed and adopted by a General Meeting to be called by the Committee.

Moved by Mr. Holroyd, seconded by Baboo Russomoy Dutt.

*Resolved*,—That the Union Bank be the Treasurers to the Institution.

Moved by Mr. H. Torrens, seconded by Captain D. L. Richardson.

*Resolved*,—That Mr. J. H. Stocqueler be requested to officiate as Honorary Secretary to the Institution.

Moved by Mr. Sutherland, seconded by ———.

*Resolved*,—That the thanks of the Meeting be conveyed to Dr. Strong for his liberal offer of rooms in his house for the temporary use of the Library.

Mr. STOCQUELER then rose to move what he believed would really be the *last* resolution. Previous to doing so, however, he begged to say a few words for himself. He begged to return his best thanks to Mr. Torrens for proposing that he should fill the office of Secretary to the Provisional Commiteee, and to the meeting for the manner in which the proposal had been received. He only hoped that such assistance as he might be able to afford the Committee in the prosecution of their labors would not be found altogether unavailing. Much had been kindly said about his claims to the merits of having originated the proposition for the formation of a Public Library. He believed that he had no just claim to any such merit. Indeed it was a reproach to the city to say that such a scheme was *original*. The project, it appears, had been brought forward before and failed, and it was merely his, Mr Stocqueler's, good fortune to have revived it at a time when society better understood its true interests, and when the rights of men were more readily recognized and better appreciated. He would now move that Sir J. P. Grant do leave the chair.

Sir J. P. GRANT in rising said, he could not vacate the chair without expressing how much the public were indebted to Mr. Stocqueler for his exertions. He was quite sure that without his energy and perseverance there would have been no meeting to-day.

Thanks were then unanimously voted to the chair, and the meeting separated.

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### MEETING OF THE GENERAL COMMITTEE.

The following Resolutions, passed at a Meeting of the General Committee, on the 3d September, are published for general information :—

1st. *Resolved*.—That Mr. William Carr, Mr. John Bell, and Mr. James Kyd, do form themselves into a

Sub-Committee, to consider whether the shares of future Proprietors or Shareholders in the Public Library shall be transferable, and, if so, upon what conditions; and also to settle the rates of entrance and subscription, as mentioned in the Seventh Resolution of the General Meeting.

2d. *Resolved*.—That the following gentlemen do form a Sub-Committee to consider and report upon the description of books, necessary, in the first instance, to be procured, and the probable expense of the same, including Periodical Works, and to carry into effect the several matters contained in the Fourth Resolution of the General Meeting:—

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|---|---|
| Sir Edward Ryan. | Capt. D. L. Richardson. |
| Revd. James Charles. | Mr. T. Dickens. |
| Mr. James Prinsep. | Mr. W. P. Grant. |
| Mr. Woollaston. | Revd. Dr. St. Ledger. |

3d. *Resolved*.—That the following gentlemen do form themselves into a Sub-Committee, to determine what place shall be engaged for the reception of the Library; for the purchase of Book Shelves and Furniture of every necessary description; and to apply, if necessary, for apartments in the Town Hall, or the centre apartments of the College; and likewise attend to all other matters mentioned in the Third Resolution of the General Meeting:—

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|---|---|
| Sir J. P. Grant. | Mr. C. W. Smith. |
| Captain Thomson. | Russomoy Dutt. |
| Mr. R. Scott Thomson. | Mr. Wale Byrn. |

4th. *Resolved*.—That the property of the Library be vested in Trustees for the benefit and use of shareholders, and that every person subscribing within the period of one twelvemonth from the 31st August last, to the amount of three hundred rupees, to be paid in one payment, or in three payments of one hundred rupees each, —one hundred rupees being paid down, and the remaining instalments at intervals of six and twelve months, be considered a shareholder.

5th. *Resolved*.—That all payments on account of shares, or instalments of shares, be made to the Union Bank, to the credit of the four following gentlemen, as Provisional Trustees for the Calcutta Public Library:—

| | |
|---|---|
| Sir Edward Ryan. | Sir J. P. Grant. |
| Mr. C. W. Smith. | Colonel Dunlop. |

6th. *Resolved*.—That the Secretary do circulate books for the reception of the names of persons desirous of becoming shareholders, inserting the foregoing Resolutions in a fly leaf in each book.

7th. *Resolved*.—That the Sub-Committee do communicate with each other, and also with the Chairman, and with the Secretary, who will call a General Meeting of the Committee, at four o'clock, P. M. on such days as the Chairman may determine upon.

8th. *Resolved*.—That Sir Edward Ryan be permanent Chairman.

9th. *Resolved*.—That the foregoing Resolutions be published.

(Signed) E. RYAN, *Chairman.*

By order of the Committee,

J. H. STOCQUELER, *Honorary Secretary.*

*Englishman.*]

# FREE PRESS DINNER.

## CALCUTTA, TOWN HALL, TUESDAY, SEPTEMBER 15, 1835.

The dinner to celebrate the act whereby the Press in this country is rendered free, took place at the Town Hall, on the 15th September.

T. E. M. TURTON, ESQ., *in the Chair.*

H. M. PARKER, ESQ., *Deputy Chairman.*

After the first toast, "THE KING," had been drank, the company standing, and the band playing the national air.

Mr. TURTON.—In rising to propose "the Liberty of the Press," I cannot but commence by expressing my regret for your sakes, and the sake of the cause—not for my own, that the chair should not have been taken by some of those talented and influential persons who were invited to it. (*Hear, hear, hear!*) I would rather that this duty had devolved upon some one more capable of doing it justice than myself—upon some one whose station should have added weight to the cause, and whose eloquence should have impressed more deeply on your minds the importance of the subject. But, gentlemen, this much I may say, that whatever I may yield in weight and influence—however inferior I may be to those to whom I have alluded in the powers of eloquence, I yield to none in the warmest feelings of the heart, in the deepest sincerity of attachment towards the cause we are met here to celebrate. From the time I could first lisp in politics, my great and guiding stars, the chief objects of my political aspirations have been three great questions. First, that measure of justice to a large portion of our oppressed fellow subjects, which at last has been conceded to them—Catholic Emancipation. Secondly, that essentially great object, which, I scarce dared to hope for, but have at last happily seen triumph—a Reform in Parliament—and last, not least, I have ever felt the paramount importance of the Liberty of the Press. (*Applause.*) Gentlemen, it was ably said by Sheridan, "I fear no corruption, either in the State, or in the Government, while the Press exists. Against venal Lords, Commons, or Juries; against despotism of any kind, or in any shape let me but array a Free Press and the liberties of England will stand unshaken." (*Applause.*) Gentlemen, I believe it. This was the observation of a firm assertor of the people's rights, not in the best of times, or governments, when his attention was naturally and chiefly directed to the protection of the people. But he might have gone a step further. He might, I think, have successfully maintained that a good government is equally interested in the maintenance of the Press—that while a Free Press protects the people from despotism, it also protects the government from sedition. If ever there was a country in the world in which a Free Press is essential, it is in this country, where it is said we have no public; and where we certainly have no representation. It is the misfortune of those in power, whether Kings or Governors, that they are usually surrounded by persons who imbibe their sentiments and their prejudices, who move in the same sphere, who breathe only the same atmosphere, frequently by those whose interest it is to conceal the sentiments of the public. To meet this, to allow the voice of truth access to them, there are only two modes. A free representation, or a Free Press. (*Applause.*) Without these we must live dependent on the personal habits, the soundness of understanding, and the sense of justice of the person who may happen to govern India. If he possesses all these qualities, he may indeed make despotism the best of governments; but where is the security for it? There is no security for ordinary and common justice but in free institutions; and one of the first, if not the first, of these is a Free Press. I give it therefore to your acceptance as a toast, which comes home to the hearts and understandings of all. I give it not only as the best protection of the people, but the best instrument of good government.

"THE FREEDOM OF THE PRESS!" *See the conquering Hero comes.*

Mr. TURTON.—Gentlemen, I will thank you to fill another and an overflowing bumper. It is the misfortune, gentlemen, of most persons called to temporary command in this country that they are so soon removed from it as to be unable to leave any distinguishing mark by which the character of their administration shall be handed down to posterity. To this however, gentlemen, there have been two remarkable exceptions in the persons of two individuals, who in a few short months created for themselves an imperishable fame, though of a

very different nature. Each of them was equally distinguished in private life by every amiable and generous quality, by all those qualities, both of the head and heart which endear men to their friends, and make friends of all within the circle in which they move. One of these within three short months from the time when he was invested with power, distinguished himself by shewing that early education, early associations, and liberal connections were insufficient to guard him against the prejudices which he imbibed from those by whom he was surrounded in this country. In three months from his accession to the Government his political character was fixed for ever, and he stood marked as the oppressor of the people he was called upon to govern. The other in the same short time stood forward as the friend of their liberty; their liberator from the thraldom which the other had imposed. Gentlemen, one split upon the rock on which was laid the foundation stone of the temple to the other's fame. (*Applause.*) Need I say that I allude to two men as like in personal character, and as dissimilar in political conduct as any two men can be, Mr. Adam and Sir Charles Metcalfe. (*Applause.*) Gentlemen, it is not from any wish to say any thing offensive of Mr. Adam that I have introduced his name. Personally, as an individual, I had the greatest esteem for him—indeed, I may say that many of his friends are mine: and if I blame, I cannot at the same time withhold the expression of my regret at the course he took. I will not speak more of him—but before I dismiss him altogether, I may be permitted to say of him in the words of Falstaff "He misused the King's press most damnably." (*Laughter.*) Of Sir Charles Metcalfe, what is his private character? But I will venture to say, that his private virtues, his princely generosity, his open-handed charity and benevolence, his boundless hospitality will all be forgotten and unheard of, when this one act in favour of the liberties of mankind shall have united him to the history of the country which he governed—the history of British India, and handed him down to posterity as one of its noblest benefactors—as he

> "Who gave the Charter, by which life indeed
> Becomes of price—a 'glory to *be* man." (*Applause.*)

Long may he who restored to us a Free Press receive the greatest praise that a Free Press can bestow. I say "restored," gentlemen, because, though it may not be known to all of you, a Free Press existed in India during the time of some of the ablest, and during the time of perhaps the best Governor which India ever knew. I am not going to enter into a history of the Press in India; but I may be permitted to observe that at least from the moment you had a Supreme Court established in this country, probably before, you had a Free Press. And you will find on reference to *Hickey's Gazette*, formerly published in Calcutta, some early numbers of which I have seen, that in the time of Warren Hastings, and during some of the most critical part of it, during the rebellion of Cheyt Sing, for instance, in which the conduct of the Governor-General was most freely canvassed, that the spirit of discussion was, to say the least of it, as rife as it is at this moment. And so it remained for a long time. In Lord Cornwallis's first administration, India remained without press laws. But when Lord Wellesley came out to this country, shortly after he had distinguished himself by a memorable speech against Lord Grey's motion for Reform, imbued with all the terrors of the French Revolution, and dread of the struggles of the people for liberty, shackles were imposed upon the press by the establishment in the year 1800 of the censorship, which were never removed until another Hastings came to free it. And though he had not the boldness to free it as completely as Metcalfe has done, let it be remembered that he was not backed by the overpowering sentiment of freedom in Europe, which we now see, or by a home administration as feelingly alive to it as that which will now second the efforts of Sir Charles. But let not this detract from his merit; rather let it be remembered, that he came to India about the time, I believe in the very year, in which Lord Wellesley imposed the censorship, that he has seen its workings throughout, that he has seen every part of British India, its remotest provinces, its native courts, that being intimately acquainted with the habits and character of its people, the result of his experience has been to discover, that the best mode of Government is to remove the shackles which his predecessors imposed, and to give to India a Free Press. (*Applause*). Gentlemen, I consider this the more glorious for Sir Charles, because it has been asserted that he is, in all things, wedded to the Court of Directors, and subservient to their wishes. He has belied the assertion by his acts, and shewn that he is unawed by their wishes when satisfied that they are opposed to the well being of the country. Gentlemen, it is perfectly well known that there are many in the Court of Directors, I know not whether a majority or not, who are not yet satisfied that free institutions, and above all, a Free Press are fitted for India—who may make it a reproach to him, in the words of Jack Cade, "That whereas, before, our forefathers had no other books, but the score, and the tally, thou hast caused printing to be used:" (*Laughter.*) Nay, I dare say, some of these venerable worthies would denounce my friend Rustomjee, who sits opposite to me, as a traitor, "for that he, against the King, his crown and dignity, has built a paper mill! (*Laughter*). Gentlemen, it is possible that this act of Sir Charles Metcalfe, like that of the Roman Consul, who won the hearts of a whole people by giving freedom to the states of Greece, may not be confirmed by the senate. But I for one, do not believe it. Gentlemen, the Court of Directors dare not annul this act. They dare not so stultify themselves in the eyes of all England—of all Europe. But if so, whatever may be the case with us, Sir Charles will have a noble consolation. Like Flaminius, he will live for ever in the gratitude of the people whom he would have freed, and like him, he will have proved himself a better, a bolder, a more just and noble-minded legislator than his employers. Gentlemen, I make you no apology for the time I have been detaining you, for the subject is sufficient. You require none. (*Applause.*) Let us now toast.

"Sir Charles Metcalfe, the liberator of the Indian Press."—*Charlie is my darling.*

The toast was drank with tumultuous applause and "one cheer more."

Captain Higginson.—I rise to thank you for the toast which you have just so enthusiastically drank. However proud I may be of my connection with Sir Charles Metcalfe, I lament the task has not fallen into other hands, especially after hearing the eloquence of the gentleman who has just sat down. But it is fortunate that Mr. Turton has just preceded me, for you have now less occasion for the eloquence of another, and still less that I should inflict on you the heavy task of a maiden speech. Allow me, therefore, as briefly as possible, to return you thanks for the kind manner with which you have drank Sir Charles's health.

Mr. H. M. Parker.—I rise to propose a toast which for your sakes I am sorry it has devolved upon me to give, for you must exchange the eloquence of our excellent chairman for such poor words as are at my command, the regret on my own part is only lessened because I spare my friend opposite a portion of the fatigue which he would otherwise have to undergo. Gentlemen, the toast I rise to propose is "The Legislative Council of India who supported the Act for the liberation of the "Press." Gentlemen, according to every man's own reading there may be more discovered in this simple sentence than meets the ear, for much depends upon the placing of a comma or the introduction of an emphasis. I leave every one to modulate his voice on the occasion, to place his stops as he sees most fit—for my own part I will drink the toast in sincerity and good faith without either comma, emphasis, or note of interrogation. We know, and I hope we can allow for this, namely, that with other relics of the wisdom of our ancestors there lingers about in high places a notion of danger connected with the emancipation of the Indian Press. Gentlemen, there are a class of men to whom a *little* alarm, a *little* apprehension of evil is pleasant, let us conciliate them if possible by an admission that there *is* danger in the freedom of the Indian Press. Yes, there *is* danger; but where is the act of greatness, of glory, hardly of goodness on an extensive scale, which is not attended by danger? Yet in the council room of British India, I hope this word, where a great public benefit is in view, or where there is a great public duty to perform, is the very last we shall hear. Gentlemen, if we are afraid of danger we have no business here at all. But to

produce unanimity as much as possible on this great question, to conciliate the gentle alarmists of the land, let us admit that there is danger. Yes, gentlemen, and there is danger in the employment of steam, there is danger in using a printing press (it is only a few days ago that we heard of a poor fellow losing his arm while engaged in throwing off a proof.) There is danger in going on ship board. But, gentlemen, because steam *will* explode shall we relinquish the mighty, the civilizing benefits of the steam engine? because the printing press *will* maim shall we abandon *its* use? because men are certain to be drowned at sea shall Britannia cease henceforth to have "Her march upon the mountain waves, "her home upon the deep?" I need *not* pause for a reply. But to revert to the Free Press in India. There is danger in it, but, gentlemen, "Out of this nettle "danger we pluck the flower safety"—safety to our internal Government, safety against foreign aggression. Of the people of this country can we not say as of others; they are not stocks, they are not stones but men. Yes! and being men think you that they can be so blind, so besotted, as not to appreciate a rule which voluntarily subjects its acts, and the acts of its functionaries, from the highest to the lowest, to a scrutiny, to a power of check so enormous, that say what we may, the most potent despot upon earth dares not run wholly counter to it. It is a remark and a true one that there is at this day more freedom of discussion in the court of Russia than there was in the court of Louis the Fourteenth. Yet the two despotisms are not comparable for a moment. Again the Ottoman, the descendant of Amurath and Bajazet, appeals to the people in vindication of his measures and for their support to his authority through the press. Gentlemen, I repeat, this people "are not stocks, they are not stones "but men;" but they would be worse than the brutes which perish did they fail to appreciate the power of controul, of controul over their rulers, which the British Indian government has now placed in their hands, nobly, freely, placed in their hands, to an extent which the brightest dreams of the wisest philosophers of modern Asia never ventured to contemplate—so much for the internal safety conferred by this great measure. As for the external, which mainly depends upon our internal strength, let the barbarian hordes who slaked the burning ruins of Praga with the blood of those heroic martyrs whose glorious lives, whose glorious deaths I cannot think upon without emotion, let those bloody cohorts come to our frontier; we will meet them there with a hundred thousand British bayonets; we will find for them on the banks of the Indus or the Sutledge another Austerlitz, another Ostralenka. But behind the broad shield of British valor we have another and a mighty power of national defence. It is the Free Press.—Through the Press we will ask the people of India to choose. To choose between falling down and worshipping the colossus of clay and of iron, with one foot trampling on the ruins of glorious, noble, heroic Warsaw, with the other planted amidst sighs, and groans, and tears in the gloomy deserts of Siberia.—We will ask this people I say, whether they will adore this monstrous image, whether they will become the slaves of an autocrat of slaves, within whose vast rule no man's words, hardly his thoughts, are free, or whether they will rally round the free flag of England, and secure rights already conceded to *them*, but which the Russian serf will not even dream of for centuries. Again, I say, gentlemen, these people "are not stocks, they are not stones but men." Ah, but, replies the wily Muscovite, who, like another gentleman nameless in this polite assembly, has been "a liar from the beginning." Ah, but I come not to assume the empire of India, but to relieve you from the dominion of the English, to restore the ancient princes of the land. This, supposing it really intended, would be kind, most kind. The Russian would make over the people of India to the tender mercies of the Chout and the Durrah—to the bloody Patan mercenary and to the Mahratta horseman. To the sabre of the Mahommedan and the Lion of the Punjab. Yet how could a Government, a government *merely*, answer such a declaration. All it could say of Russian perfidy would be considered but as a stratagem of state, a declaration rendered imperative by common policy, and one usually made on such occasions; but what further weight would it have than that which the declaration of one strange Government opposing its enemy, another strange Government, is entitled to? But the powerful voice of a Free Press could not be mistaken or misconstrued—it would challenge contradiction, and challenge without fear of refutation, when it exposed not only to the people, but to the princes of India, the undeviating perfidy of Muscovite policy—when it shewed to the people what would be the consequences to *them*, the Pindarry spear and the Moosulmaun sabre, ages of anarchy and misrule, if Russia spoke the truth—when it called upon the princes to demand form Russia what she had done with glorious, miserable Poland? what she had done with the Khans of the Crimea? what she had done with the Georgian Chiefs? what she had done with the Greek Patriots of Lambro and Riga?—all flattered, all cajoled, all soothed, till the ends of Russia were obtained, then betrayed, trampled on, destroyed. Gentlemen, I pretend to no more than the common sense which ordinarily falls to the lot of ordinary men. Yet I see these great things, as yet far off, and as in a glass darkly; they will not come to pass in our days, nor could the Press in its present state render such aid; but not the less am I assured, that when the hour of trial *does* come, such things must be born of a Free Press and of the good government of British India, which that free Press is so powerfully calculated to promote—shall I not then give credit for equal prescience, which is after all but a common calculation of common sense, to statesmen as much my superiors in judgment and experience as in station? I will, and therefore in perfect good faith without any marking emphasis, without comma, without note of interrogation, I give my pledge and call upon you heartily to honor it. Gentlemen, I give you "The Members of Legislative Council of India who supported the act for the liberation of the Press.

"THE MEMBERS OF THE LEGISLATIVE COUNCIL OF INDIA WHO SUPPORTED THE ACT FOR THE LIBERATION OF THE PRESS.

Mr. PATTLE—It is has been said by the gentlemen who as just sat down, that he felt less regret at proposing the toast you have just drank, because it has lessened the fatigue your chairman would otherwise have had to undergo. But I think, gentlemen, I have much more need of your indulgence to give effect to this toast, than your chairman who has appointed me to propose it. (*Applause.*) It may be said, gentlemen, that at the present time this country is not ripe for a representative system; that we are not to expect the greatest and most beneficial changes in these days. But if our hopes are now considered visionary, let us appeal to the original of this noble statue, and imagine if he were to start into life, what would be his feelings at seeing us assembled here in the Town Hall for this purpose? Yes, even though five centuries had passed, Cornwallis would be astonished at the movement, and would cry "Dispurse, dispurse, gentlemen immediately." (*Laughter.*) Our talented chairman has already commented on the advantages of a representative system, and it would be in vain for me to attempt to say anything with reference to a subject on which he has spoken; but a representative system is not all that comes within the scope of the toast, and though legislation with open doors will happen, God knows when in India, let us rejoice that we are excited by the principle which is now producing so much good effect in our own country, and remember that the progress of liberal opinions at home has been quickened by the opposition they have prostrated. Nor do I despair of seeing the same principle brought to bear in this country, and the less so, should we continue to be governed by a man whose wisdom has moved with the wisdom of the age he lives in, and who has seen with his eyes what the world must be, let any man oppose it as he may. (*Applause.*) And now, gentlemen, as there are several more toasts, and as I intend to remain till they are all disposed of, I shall not detain you any longer.

"A REPRESENTATIVE SYSTEM AND LEGISLATION WITH OPEN DOORS."

Mr. TURTON.—The toast I am about to propose requires no preface; it comes home to the heart of every Englishman like an electric shock. It is the Navy that we always regard as our legitimate defenders: we know its value. Gentlemen, I should be unnecessarily detaining you if I prefaced further the Wooden Walls of old England. (*Cheers.*)

"THE NAVY."—*Rule Britannia.*

Mr. Turton.—I am about to propose the Indian Army, and I make no distinction between those who are generally called the King's and those who are called the Company's. I know nothing which could justify my doing so, and I would after having proposed the health of one have scorned to give the other as a second toast. (*Cheers.*) Brethren in arms—brethren in renown in the same field. (*Cheers.*) When I recollect that it was on the plains of India that the first Captain of his age first drew his unfleshed sword; that it was there he gathered his earliest laurels and laid the foundation of that after-renown, which I wish to heaven had been solely confined to arms, I know not how to separate those who are united by these deeds. But, gentlemen, be the character, or influence of that great commander what it may, he knows the Army of India well, and he has never ventured to send to command it any one but a brave and distinguished soldier,—one of his own companions in arms whom he knew that they could not but respect and esteem. (*Applause.*)

"The Indian Army."—*British Grenadiers.* (*Loud cheers and one cheer more.*)

Colonel Beatson.—It is with strong feelings of inferiority to those who have so eloquently addressed you that I rise; but it being necessary that I should return thanks, I am willing and proud to do the best I can; indeed, the task is more easy, but not less necessary, in consequence of our worthy chairman having disclaimed the absurd distinction between men who are only rivals in renown in the field, and who are brothers in arms. I am proud to say that in the opportunities which thirty years have afforded me, I have always found the most friendly feeling prevail between the two armies, increased, not diminished, in proportion to the merit of the officers who have joined H. M. troops from England. (*Much applause.*)

Mr. Henry Torrens.—It is with proud satisfaction, yet not, I trust, without a due and proper sense of my own inadequacy, that I find myself deputed to address you on a subject the most intimately and immediately connected with the cause of our meeting this evening. You have already hailed with heartfelt and enthusiastic applause the comments so ably made by our learned chairman on that essence of the spirit of independence,—Press-freedom in the abstract; whence is conceded to the governed the rightful power of comment on the acts of the governing body; whence the citizen possesses the means of exerting some degree of moral influence on the destinies of the community whereof he forms a part: whereby the injured man obtains the privilege of submitting his grievances to public opinion should they fail to meet with just arbitration from a supreme authority which may forget its duty to serve the individual while it controuls the state. Let me now speak to you of the agent to us in the distribution of these advantages—the Press of India. But a few, a very few short years ago, and who would have dared here to assert that such an agent of public opinion existed in the country? who above all could have dared do so being as myself the paid hireling of a nominally despotic government? who in those days could have imagined that the Indian Press would so soon become the acknowledged mouthpiece of the feelings of the people and be declared free? I look not, gentlemen, to the secondary agencies of the exertions of individual writers or the beneficence of individual rulers as having caused this great political revolution. No—a higher and more commanding influence has effected it,—the progress of liberal opinions,—the influx of popular feelings throughout so large a portion of civilised Europe has insensibly affected even our remote and semi-barbarous community;—those feelings, gentlemen, actuated by which men unarmed, friendless, poor, and powerless, have by combination and by union, overthrown the thrones of kings, destroyed the impiously arrogated divine right to hereditary tyranny, and demonstrated the post of chief magistrate of a people to be in truth a merely elective one, held on the tenure of the people. Well, not even despotic power in this country availed as a barrier to the moral progress of these opinions; and why?—because, thank God! the autocrat delegated to maintain that despotic power has been an Englishman himself, subject to the superior controul of elective assemblies, and compelled to admit in his policy something of the principle which regulates the acts of his nation's rulers. Other and more local causes have, of course, done much towards accelerating the operation of press freedom in India. I will not, gentlemen, again detail to you the history of the press already sketched by our chairman, nor touch on times Adamite, or pre-adamite. Such antidiluvian reminiscences have become matters of comment for the historian. I need not even make much mention of days intervening between them and our own time during the insignificant viceroyalty of the Earl of Arracan. His successor, gentlemen, is the ruler on whom of all past we may to-night look with most interest, as having been the first to acknowledge the press of India as in any way connected with the acts of the Supreme Government. Few here can, I doubt not, forget the sensation produced by Lord William Bentinck's extraordinary advertisement wherein he invited dissatisfied persons in general, and intelligent Indigo planters in particular, to supply him with what he termed information. This advertising opening for hints for legislation was a plain, straight-forward, commonsense sort of proceeding, sufficiently surprising in any head of a government, but doubly so as emanating from the Governor-General of India. Some laughed, some sneered, some condemned, and some few applauded, but the measure thus variously discussed, though certainly fraught with evil as the first sign of the secret intelligence system so much favoured by our late viceroy, had yet the beneficial effect of compromising him with regard to the press; for how could he, after appealing for aid to the agency of the public journals, deprecate with justice his subjects making the same appeal to the same power for the same purpose? Lord William's object in encouraging discussion in the public papers was two-fold;—firstly, he thereby elicited truth—that truth which he scorned, and distrusted taking openly and honestly at the fountain head. He obtained true information by the conflict of opposite opinions, and through the same means arrived at an accurate estimate of the moral character of those under his rule,—an advantage inestimable to one who like him ruled men by working on their passions and their prejudices. Secondly, Lord William favoured press discussion as a counterpoise to his own unpopular measures. He well knew the value of a safety valve for disaffection; and if in the escape of the noxious political gases something personally offensive to himself was elicited, what cared he? When contumelious paragraphs appeared, his Lordship became conveniently afflicted with Falstaff's malady of not marking, and politely placing information gained to the credit account, was content to spunge out the debtor column of disagreeable personal truths, *quoad se*, as per contra, not worth reckoning. In thus encouraging, however, such discussion, Lord William effected a singular revolution by bringing the officers of the Bengal Army in communication with the press in a manner up to his time unexampled in this country; and here, gentlemen, I approach a part of my subject which I would fain avoid were it possible. It involves a discussion of the most delicate nature, but which I feel it my duty, having been in some way compelled in proposing to you the Indian Press, to enter upon. I consider it my duty to do so in justice to many of those brave men whom you have but now enthusiastically cheered; for they have been unjustly stigmatised; and I as the son of a soldier, and one whose pride and pleasure it has always been to be the companion and the friends of soldiers, take satisfaction in rebutting the improper imputation. The officers of the Bengal Army have been termed captious cavillers at authority, insubordinate subordinates,—men who preferred writing their grievances to having them redressed—why? because they wrote in the public papers. Putting aside all question as to the rectitude of such proceeding, let me ask, were they the only body who did this or had they no precedent for such conduct? Did they not see the correspondence portion of the English United Service Journal teeming with statements of the unredressed grievances of Officers of H. M.'s Army, and H. M.'s Navy! or if they sought a nearer, a more immediate, colonial precedent—had they not before them similar expositions of injuries in the columns of the Colombo paper? They had all this, gentlemen, and they had more,—they were encouraged not only by precedent, but almost by precept. They had the example before

them of the highest authority in the country,—a military man, ultimately their Commander-in-Chief. They saw that he favoured the press—that he attempted not to repress their publicly commenting on them. It is a moral absurdity to suppose for an instant that a man would rather write publicly of his grievances than apply to have it redressed through the proper channels; but when having done so he found it unredressed, was he to blame if under such encouragement he did at last betake himself to the public prints? Nay, more, when the Mofussil papers first appeared who was the earliest, the staunchest supporter of the one peculiarly devoted to the interests of the army,—who but Lord William Bentinck? It is remarkable that military discussions he never interfered with, and that it was only on certain abstract political reasonings, and on the injury officially sustained by civilians, that he interposed and threatened punishments for their publications. Could a military man—could any man then tempted be supposed able to resist the temptation? "I have a grievance to detail at Head-Quarters. I know that the principal military authority sanctions public discussion of military questions. I know that he reads regularly and with interest such and such a publication; is it surprising that while forwarding my official complaint I should endeavour to attract his attention to it by detailing the subject in the print he favours and peruses, and thus submit it to my chief and to the public at once."—No, gentlemen, blame not the Bengal officers. If they ever acted indiscreetly, theirs was not the indiscretion but his who sanctioned the action. If any one among them can have been supposed in this matter to have done wrong, it was not his fault but that of the chief whose duty it was to set him (if he did wrong) right. The acrimony, however, with which many of those discussions were conducted begot a style the reverse of creditable to the press. The uncompromising tone, and fearless statements of the up-country papers added fire to this fuel, and induced personally hostile recrimination, which I as a friend to the press now regret should have been entertained. I do so the more, because this abuse of free speech has induced certain of the later writers to fall into the mistake of compounding strong language with strong writing. The two are not incompatible; but it should be remembered that the satire of a gentleman is like his sword sharpest and most keen when most polished. The faults of the Mofussil Press were, however, those common to all juvenile political publications: they are the more venial as having been incurred in supporting the cause of independence. Its merits were its own. The *quasi* freedom of the press existing under our late viceroy was however of such a nature as to throw all writers into an anomalous position. Men were independent only on sufferance. Thus one priding himself on his boldness aimed at a dangerous distinction by trenching on the verge of undue and unnecessary acrimony; another exasperated by personal irritation disguised the working of individual feeling under the bastard semblance of independence, deceiving even himself in what he did. The honest act of our present ruler has abolished the anomaly I trust for ever, and will, I trust, remodel the character of the whole Indian Press. The acts of government are now open to free discussion; let then the subjects of comment be measures and not men. Do you who conduct the press learn to respect the engine you govern as it has been respected by those who govern you. I scout utterly the bare imagination of its being possible to see disaffection sown by means of the Anglo-Indian Press. If indeed the Press in India could ever be employed against the stability of our Government, the native press might be the means of operation. This, however, can at present be hardly anticipated. Those of the native community capable of reading the history of passing events, of commenting rationally on the proceedings of Government, must be sensible, that the advantage of the power now conceded to them must consist in its use, not in its abuse. They will appreciate the boon accorded to them whereby they enjoy a mean of self redress by bringing the story of their wrongs before the tribunal of the governing power, and of the public at once, and at the same time. He who desires just judgment will not commence by insulting the arbitrative power; and least of all could he do so through an organ now acknowledged as an integral part of the system of social government in India. The native press may oppose hereafter the ruling power, but it will only be when the political misdeeds of that power shall have themselves armed and given energy to the agents of opposition. Gentlemen, I have now acquitted myself to the best of my ability of a task most invidious and most difficult, in some measure forced upon me. Let me have the satisfaction of the conclusion of this loose address of hearing you cheer my toast with the enthusiasm it deserves and hail with warmth and sincerity the birth of the Free Press of India.

"The Press of India." (The toast was drank with great enthusiasm.)

Mr. James Sutherland.—As I have been long connected with the Indian press, it seems expected that I should acknowledge this toast. I feel that under any circumstances I should have been unequal to the task, and in the present case I labour under many disadvantages. I am suffering from indisposition, and I am brought into marked and striking contrast with a degree of eloquence which has seldom been surpassed in these halls. If, however, my language could correspond with my sentiments, I should not have to ask your indulgence; for in feeling upon this occasion I yield to no man. I congratulate you, gentlemen, that these walls for the first time have echoed the toast the liberty of the press—I congratulate you that the Indian press has received "a local habitation and a name" among the objects and institutions which are deemed worthy of being commemorated at a political festival of British subjects. I regret to see so few assembled on such an occasion, but some of the friends of the press it seems consider this an undignified mode of celebrating its freedom. I differ from them very widely, for I see no reason why, when in our own country, men the most distinguished for talent, rank and station, countenance this mode of commemorating political measures and events, *we* should consider that mode undignified. I say if this meeting has called forth one congenial association—if the eloquence you have heard has elicited one spark of enthusiasm in your bosoms, then is this entertainment neither useless nor undignified. The gentleman opposite, my friend, if he will permit me to call him so, (Mr. Torrens) has touched on various topics which would tempt me to trespass longer on your time than I should be justified in doing. Whatever may be the merits or demerits of the press of India, it is from you it must take its tone, it can seldom do more than echo the sentiments of the community and must rely for its advancement on their support. The gentleman who spoke last has deprecated the violence of the Mofussil press, I concur with him in deprecating that violence, and if ever in the heat of discussion I have been betrayed into it, I sincerely repent it. I can, however, conscientiously declare, that if my strictures on public men have been severe, they have not been dictated by personal feeling. I trust, however, this acrimony will cease not only in the Mofussil but the Calcutta press, and that the conductors of public journals will bear in mind that a gentlemanly tone is compatible with the most perfect independence. I hope they will cordially unite in the promotion of one common object, the advancement of the people for whose benefit the press is liberated, and not for that of a handful of Europeans. If I thought the liberation of the press were for the benefit of my countrymen alone, I should be very indifferent to it. I can never advert to the Indian press without recalling a gentleman who gave it the first impulse of improvement, and on whose merits I, as his friend, should have felt bound to dwell, but that his health will be proposed to you in the course of the evening, by one so much better able to do justice to the subject—I will merely remark, that the press of India is deeply indebted to him. My friend opposite has adverted to Lord William Bentinck's policy towards the press, and in doing so has fallen into one slight error which it may be as well to correct. He has stated that Lord William Bentinck had not interfered with military discussions; but that is a mistake, for his Lordship when the final answer of the Court was received to the memorials of the army against that unjust measure, the half-batta order, prohibited all further discussion of the subject. That was a great error of his policy—an error which no man more deeply lamented than I did; but although he did in that instance interfere with the press, let it never be forgotten that it otherwise enjoyed practical freedom under his adminis-

tration. I feel bound to acknowledge this on such an occasion, although in doing so I am far from seeking to depreciate the merits of the high minded and distinguished individual who has liberated it by law, and to whom we are met to do honour. So much has been already said, and eloquently said on the subject of the press that I feel somewhat at a loss in acknowledging this toast. The Press of India, gentlemen, labours still under many disadvantages. It is often disparaged by a comparison with that of England; but while that press addresses itself to so few, you cannot expect to find it conducted by men of great talent—but you may look for integrity and firm uncompromising tone, and these I hope you will find. I will not longer trespass on your time except again to remind you that without your aid the press can do nothing; you are the breath of its nostrils, and it cannot be effective unless you respond to the sentiments it promulgates.

Mr. H. M. Parker.—Gentlemen, I have the honor to propose to you the next toast, and I do so from my heart. It is, indeed, a labor of love that has devolved upon me and proud am I to undertake it in giving the great—the gallant French nation. My friend opposite adds free, gentlemen, the addition is a matter almost superfluous, for we, for all Europe, for the whole world feels that France is and will be as free as she is great. She is and will be a beacon, a day-star to the nations of the continent, and from her fires they shall kindle those lights of liberty which are yet destined to illuminate the civilized world. I have ever loved the French people, and I am proud to make this avowal in the presence of a distinguished Frenchman. I have a touch of the old Anglo-Saxon in my composition as is fitting to one of a line of peasants, and I did ever love that gracious custom of the olden times when the bold Yeomen in merry Sherwood fought "from morn to dewy eve a summer's day," and were then, after the frank interchange of a multitude of thwacks and broad sword cuts, the best friends imaginable for the rest of their lives. Who does not venerate the gallant Anglo-Saxon spirit which lives in the fights and the friendships of Robin Hood and Little John, of Friar Tuck, Will Scarlett, Hob Miller, and the Jolly Tinker? Grant they are fables,—they are fables which reflect the mind and the feelings of the brave people who delighted in them, and "who never reckon'd him a man, who struck below the knee." Nor this alone, for the magnificent, the unconquerable chivalry of Normandy, no less did honor a custom so grateful to our own bold and stubborn Yeomen. It is a gracious thing to see how often the love for life of valiant knights had its origin in spear against spear, the din of sword-blows, and the shivering of armour. But there is after all good philosophy in this. One strong foundation for the edifice of friendship is mutual respect, and where can mutual respect exist more largely than between gallant, generous foes, such as do naught "in hate, but all in honor!" Gentlemen, if this be a good foundation for friendship, strong and enduring should be that union which happily subsists, and long may it endure between France and England. I need turn no further back than to the last great struggle and to the pages of Napier, that historian who is an honor to his age and country, that soldier worthy to record the deeds and the glory of soldiers. I need, I say, turn only to the pages of Napier for instances of those chivalric feelings in foes, which contribute to make lasting friends. I cannot deny myself the pleasure of recalling one to your recollection. It occurred during Crawfurd's retreat upon the Coa. This indomitable warrior, of whom it is hardly too strong a thing to say that battle was the breath of his nostrils, had somewhat compromised his division, for he loved to linger in the front of danger. He was falling back pressed by the whole French Army. The fiery cavalry of Montbrun, the veteran infantry who had scattered the Austrians, the Russians and the Prussians from Marengo to Jena, and from Jena to Friedland as dust is scattered by a whirlwind. It was no light task to retreat before such men, but Crawfurd retreated like a lion. His division one blaze of fire. At length he gained and passed the bridge across the Coa, and in an instant the heights on the side just gained, were lined by the undaunted troops who had no more idea than their warlike leader of retreating one inch beyond what was necessary even had Napoleon himself and the whole army of the empire been upon their track; but their martial antagonists were close upon their footsteps. Hardly had the British line formed to cover one end than the French were at the other extremity of the bridge. It was long, it was narrow, it was defended by British soldiers; but it was not a bridge, however "kept," that could daunt the conquerers of Lodi and of Arcola. Almost instantly a French officer, splendidly dressed and covered with orders, dashed out from the smoke which still hung over the end of the bridge on the French side. He waved his plumed hat, the French drums beat, and the next moment a column of grenadiers rushed with their gallant leader on the bridge. At first the British did not get their range correctly, but they soon found it, and from that moment no man passed alive beyond that "fatal fire" of the British infantry, which poured like a hail storm upon the centre of the bridge. The valiant Frenchmen fell in heaps, they still pressed on, but section after section reached the impassable line only to add to the carnage. Gentlemen, honor to these brave men! they could not conquer, but they did all men could do, they died for their honor and their country. There was a very brief lull in the fire,—at that instant a French officer plainly attired was seen climbing amidst the whistling bullets, over the ghastly pile of dead and dying on the bridge. He waved a white handkerchief and hardly pausing to see whether his signal was noticed, he was observed the next moment kneeling amongst the wounded, his instruments out, his bandages prepared, and, lost to all external circumstances, unmindful of his imminent danger while sublimely devoting himself to the Godlike task of alleviating human suffering. This noble creature was a surgeon of the French army—and now let me feel proud of my countrymen—of those rude, illiterate peasants, who formed the iron phalanxes of the British army. Nobly had the gallant Frenchman confided in their generosity, nobly did they respond to his confidence. In the heat and fury of the strife, while shot and shells were crossing and bursting beneath a canopy of sulpherous smoke which extended like a mighty arch high above the river and the bridge, while the British kept the bridge end on the French side under a shower of bullets which no man could enter and live. In the midst of this terrible scene, says the historian, every musquet in the English line was turned away, every ball was aimed wide from the spot, where the heroic Frenchman was administering to his wounded and dying countrymen; and this, too, though the French with a desperate courage, almost without parallell, were preparing for a third attempt upon the fatal bridge. Gentlemen, I have sketched feebly what the historian places before us in words of fire, yet I think I have said enough to unite you with me in the sentiment that such foes are, indeed, worthy to be friends. But it is not alone on the martial glories, the chivalric respect attending reminiscences of the past, that I would desire to see the mutual friendship of these two great nations continue. No, let that respect, that chivalrisque feeling be a foundation, but let the cement to the temple be a common love of liberty, of civilization, of the arts, of literature, of the welfare of mankind, a sense that we are united by circumstances to defend in the cause of human improvement the greatest of human blessings, against all comers—and let them come—let them come, with their fangs and their talons—the bears of the far north—the eagles "white, black and grey, with all their trumpery." I should desire no better than to put the cause of freedom to such an issue, to see the glorious British jack—the meteor flag of England, and the gallant old tri-color of Valmy and Gemappe, flying in martial union, side by side, on the battle field or the battle wave. Then "come one, come all—God, and our cause to boot, the venture we'll abide." Venture! 'tis no venture! The hearts of the free, the brave and the good all over the world will be with us,—the soldiers who ne'er, except in each other, "met foemen worthy of their steel" will stand shoulder to shoulder in the battle fields of freedom, and ten thousand to one, gentlemen—Lombard Street to a China orange but the day is ours. Gentlemen, I have already alluded to the presence of a distinguished French guest. On my right sits one who edited a liberal journal of celebrity in times when to be liberal was no passport but to loss and to danger. Assist me, gentlemen, in enabling him to convey

o his countrymen on the banks of the Seine and the Garonne, how enthusiastically Englishmen on the banks of the far Ganges responded to my call to drink with every honor and with honest hearts

"THE FRENCH NATION."—*The Marseilloise Hymn.*

Mr. RICHY.—As a Frenchman, and formerly a conductor of a French journal during the revolution of 1830, I beg to express my thanks for the manner in which the toast has been accepted, and I can assure my friends, that France is not insensible to the blessings of a free press, and will re-echo the sound of liberty which is now prograding in India, and answer to the cause of Liberty and Freedom.—France and England! England and France! (*Much cheering.*)

Mr. TURTON.—I will not allow you to wait. I have a younger brother who lives across the atlantic, an offset from the family of Englishmen, who I am always ready to acknowledge and consider as my brother. It would ill become us in celebrating the acquisition of the freedom of the Press to forget, that one of the freest nations in the world is that which was separated from England and driven to freedom by bad Government; (*applause*) and let the example of that nation be a lesson to those who seek to keep India without liberty, and would drive India as America was driven to freedom. I regret it not. I rejoice at it. I never had and never can have any feeling of jealousy towards America. Her sons are English in blood and English in feeling. Nor do I view with jealousy, or dissatisfaction the annual crowds of emigrants who leave our shores to seek in the rich and inexhaustible soil of America, that maintenance and comfort which they are unable to procure in their own over-peopled country. I would rather, I own, see the ties of parent and child remain whole—I wish never to *sever* them. I would rather see emigration point to our own yet unpeopled colonies; but if these ties are to be broken, and any of our brothers are to change their country, I would rather see the tide of emigration set towards those whose blood is the same as that which flows in our own veins, than to any foreign soil. It will tend to bind more closely together those who are sprung from the same stock. Again I say, I have no jealousy of America; I have no regret to express at her conduct in her separation from England. I think she was taxed unjustly; she was goaded and driven to resistance by unjust taxation in the first instance, and haughty and overbearing defiance subsequently. I venerate those who resisted the oppression led on by that great and good man, than whose a brighter name does not exist in history. (*Applause.*) I hope that a like success may ever attend those who resist injustice and oppression. I will not, as I intended, propose the American nation alone, after the example which has been set me. Let it be united to France and England which have just been given. I would ever wish to see them united, as the joint friends of freedom. With the regenerated sons of Spain and Portugal in their ranks, they may set at defiance the whole world led on by the Holy Alliance. They may defy, not only Nicholas of Russia, but his old namesake. (*Laughter.*)

"THE UNITED STATES OF AMERICA."—*Yankee Doodle.*

Mr. BACON rose to return thanks for the honor done to his countrymen. He was not prepared when he came to India to find Englishmen so much enamoured of liberty. He expected to find them stiff and aristocratic, but he was most agreeably disappointed. He wished that some one more competent than himself to return thanks for the American nation had been present, but this he would say that he hoped that all national animosities and differences were buried for ever, and England and America would henceforward live in harmony.

Mr. H. M. PARKER.—Gentlemen, let me remind you of what has recently fallen from our eloquent President on the subject of that true Holy Alliance which must unite Spain and Portugal with the free nations of the earth. From our President the wish fell cursorily. I will repeat it more formally, because it is intimately connected with the toast which I now have the honor to propose. Gentlemen, let us recollect that when the light of freedom was either lost amidst the thick darkness of the middle ages, or glimmered but feebly and with scattered rays in some remote portions of the European commonwealth, there was then, even at that gloomy time, a formula observed in the coronation of the Kings of Arragon, which breathes the very essence of the compact between the governors and the governed—which speaks of a degree of constitutional freedom scarcely yet regained, and which can hardly be found in an improved state in any coronation ceremony, past, present, or to come.

"Senhor Don Alonzo—we take you for our King and to reign over us, and you shall be our good Lord, IF you do preserve to us our rights, privileges and immunities, if not—NOT." Gentlemen, while our ancestors were trodden down by able and warlike but despotic Kings, or were made the tools of a ruthless Baronage in its contests with the crown—the people of Arragon felt, in all its force, the sentiment expressed in the rude, but noble lines of the old poet, which always stir my heart like the sound of a trumpet.

> "Oh! Freedom is a blessed thing,
> Freedom maketh man to have liking."

But again, gentlemen, let us never forget what modern Europe owes to Spain. When the terrible wave of Napoleon's power had swept away thrones and overwhelmed empires, it broke, it scattered in Spain against the enduring rock of popular resistance. There despotism and the people stood face to face. Despotism, clothed in the pomp and the glory of the earth. The people with their brave hearts and their good cause alone—there the death grapple began in earnest—it was no longer the battle of kings but of mankind, and the cry of defiance which Spain then sent forth, ended not until it changed into a shout of triumph over the fall of the most fearful, because the most morally, as well as physically potent despotism, that had ever threatened the civilized world. Gentlemen, the popular resistance in Spain has been proclaimed, since then, of little value. The Guerillas have been reckoned as nought—away with such unworthy thoughts. Wherever freemen congregate there be honor and the blessing of all free hearts upon the bold peasants who sprang to arms for their country, for their hearths and altars, in the very teeth of an army so terrible that the sound of its drums struck kings mute upon their thrones; of a leader so potent that from Constantinople to Stockholm scarce a sovereign held his seat, but by this man's sufferance. Surely if ever men dared to "beard the lion in his den," it was the brave people of Spain, acting on the noble impulse and feeling as with one heart, what every patriot must feel

> "That Freedom's battle once began,
> Bequeath'd from bleeding sire to son,
> Though baffled oft, is ever won."

Gentlemen, with your hearts and your voices join with me in drinking

"THE CAUSE OF CONSTITUTIONAL FREEDOM IN SPAIN AND PORTUGAL."—*Riego's Hymn (or March.)*

Colonel DE HEZETA.—It is with timidity that I rise after the eloquent manner in which the last toast has been introduced, because I feel my command of language is unequal to the intensity of my feelings, and I shall fail in conveying to you an adequate impression of the warm gratitude which at this moment glows in my heart. But I must thank you, gentlemen, for the interest and sympathy you have showed for the fate of my beloved country. Yet I must say, that I could not expect different sentiments from a re-union of men distinguished by the generosity of their feelings and the liberality of their opinions. We are right, gentlemen, in indulging and cherishing feelings of an expanded benevolence and widely extended philanthropy. The more we advance in knowledge, the more we feel convinced, that the great moral economy of the universe is not an unconnected system from which any part can be isolated without injury and mischief to the whole. (*Cheers.*) No, the evil entailed upon a part is more or less felt in the whole scheme. The abundance and cheapness which follow so closely in the footsteps of freedom are not more readily shared by the neighbouring and even distant nations, as we are taught by the laws of political economy, than the concomitant moral blessings are equally diffused. Let me exemplify one of the ways in which it acts. Let us consider the community of interests, the sympathies, the tender regard

which all the oppressors of humanity have for each other, whether they be single despots with their train of pampered minions and mercenary tools, or whether they be collective bodies of privileged nobles and parasite classes of all descriptions who share among themselves the good things of the land; they are always alive to their mutual interests. Until the use and the freedom of the press came into existence to give utterance to public feelings, and public opinions, all the advantages of close communication and well arranged combination, was on the side of the oppressors. But in proportion as the Freedom of the Press gained ground, their allegiance became closer, and their plans better arranged, until in our days it produced their unholy alliance by the sense of their common danger. It is for this reason that we find the parasite classes of England affect to show great respect for the rights of Don Miguel and Don Carlos, although in the case of the latter they can show no precedent in which in Spain the rights of a female to the throne have been set aside by those of a collateral male (*cheers*). In this case they show no respect for "the wisdom of our ancestors;"—why! because Carlos is a bigot, full of superstition, the champion of the divine rights of kings. (*Cheers.*) If we take a rapid glance over the pages of the last two centuries, we shall find the influence that the progress of freedom in one country has had on the neighbouring states. To the glorious revolution of 1688 which set British liberty upon a solid and indestructible basis, must be traced the freedom of thought and speech, and even print, which prevailed in France during the long reign of Louis the Fourteenth and the regency which followed. The American Revolution has done a great deal to impel forward liberty in its course; and was in a great measure the cause of the French Revolution, which in spite of its excesses produced the exterpation of all feudal oppressions, odious exclusions, and invidious distinctions. The glaring injustice which the leaders of the Revolution were guilty of in the prosecution of wild and sweeping theories, and in the abuse of their power, was visited upon Europe at large by the evils and misery consequent upon a bloody war of twenty years. But in vain did the despots rejoice at the advantages thus given by their opponents, and tried to recover at least a part of their lost ground. The three glorious days of July of 1830 in Paris came to nip their hopes in the bud. And who can say, that this event has had no effect, at least, in hastening the progress of reform in England? And without these two events what chance of success would have had the rights of my beloved Queen Isabella I.? It is thus, gentlemen, that all the great families of the human species partakes reciprocally of their moral improvement. Let us imitate our enemies and keep more and more close together in the bonds of sympathy, friendship, and love. In return for your interest in the welfare of the Peninsula, let me express my sincere and fervent wishes for the happy results of the great measure which has gathered us together. Let me hope that it may be one of the means of securing to this great empire a paternal government, a cheap and efficient administration. I am sure our American friend who spoke last, will agree with me that *cheapness* is one of the most essential requisites of a good government. Let the press be also one of the means to stimulate and encourage the natives to rise in the scale of civilization by drinking—eagerly drinking—deeply at the springs of our knowledge; let them try to equal their tutors in the more difficult scale of morality. While there is no national representation let the press try to supply its absence by checking lavish expenditure on the part of government, point out the errors of the administration, the abuses of power, the oversights or omission in legislation. If the press rises to the height it is called to occupy under our present circumstances, it will uphold the honor of Great Britain; it will cause that its vast power and extensive sway may be reckoned a blessing to humanity, and that wherever its glorious flag shall waive, it will be hailed as the harbinger of peace, the emblem of justice, and the beacon,—the foremost beacon,—of civilisation, and a true Briton will boast, that if he is the *freest of the free;* he is equally as *just* as he is *free? (much cheering.)*

Mr. Turton.—A bumper, Gentlemen, to a man to whom England owes much, and you also; for if it had not been for him, I am perfectly satisfied we should not have been assembled here for this purpose this day,—I mean Lord Grey, (*loud applause.*) I put it to you all here, whether the noble-minded individual at the head of this Government would have ventured on this step, could have ventured on it, if it had not been for the victory achieved by the people of England and the progress of freedom there. I know of no public man who stands on a prouder eminence than Lord Grey, who has been through the whole of his life the consistent supporter of all the rights of the people, and at all times and in all seasons the advocate of Reform. In 1792* when he had only been about five years in Parliament, he first brought forward his measure of Reform as it is generally called, but which, in point of fact, was no more than a motion to refer a petition for reform from the Friends of the people to a Committee. Unfortunately, at that period, it was not agreed to. He was opposed by even those who previously professed themselves friends to the cause. That period, he was told, was not the time for the proposed change. Gentlemen, it was the very period of all others. It was the period for just concession to put an end to just complaints, (*applause,*) and if at that time it had been granted; if the rights of the people had been considered at that time, we should not have seen the ruinous war which ensued. From that time to this, he has stood in the same position, and has ever been the unflinching advocate of the people. It has been thrown in his teeth that he has declared he was prepared to stand by his order; I know not that that can very fairly be objected to him, but I ask you, gentlemen, what man is there here who would not also stand by that order, if the whole of his order were like Lord Grey? I know no man of any order who more deserves the gratitude of the People. Gentlemen, it has been said that we ask here for too much, and there are those who would meet us with derision. I am old enough to remember when I was laughed at in England for being a reformer; when the prospect of it was thought so chimerical that he who like myself ventured to express an expectation that a reform in Parliament would ever take place, was treated as a mere visionary, fit only to wear the helmet of Mambrino. And who is there hardly who has ever started any project for the benefit of mankind who has not been laughed at, and considered as a visionary in the first instance? But you must be capable of standing against irony as you must stand against oppression; if you would gain any thing; and is it not, I ask you, cheering to all, however distant they may now fancy themselves from the attainment of what they seek, to find Lord Grey, after fighting unsuccessfully for reform for forty years, desparingly as it would have seemed at one time to all ordinary minds, at the end of that period surmount all difficulties and unfold the banner of victory? (*Applause.*) Is not this a ground for triumph? Is not this a ground for hope for those even who are bold enough to hope for a legislature with open doors in this country? and why not? why should this hope be considered extravagant? I have heard it suggested that it will only come with the Millenium; if so, then, gentlemen, is the Millenium near at hand; for the time is approaching when it will not be deemed unreasonable that thinking men should know what the Government propose to do for the benefit of the people. Take Lord Grey for your guide: the once hopeless cause of reform for your motto. He fought the good fight and won it, and let hope be your pioneer to liberty and justice. (*Applause.*)

"Lord Grey and the Reform Bill."

Mr. Turton.—Though I fear I may fatigue you with myself, I am sure I shall not with the subject; but I did expect that a gentleman would have been present who would have been able to do the toast more justice than I shall. Gentlemen, I speak of Mr. Dickens, and cannot otherwise account for his absence than that he has been prevented from attending by fatigue and ill health. I saw him at a late period this afternoon, and though he was then labouring under severe indisposition, induced by fatigue, he assured me that he would attend; I am sure necessity alone keeps him away. I lament his absence for his sake, for your sakes, and for the sake of the toast which I am about to propose; but need I use any argument to ask for your sympathy with the bravest of the brave, the most unfortunate of the oppressed. The nation whose rights Castlereagh undertook to guarantee,

* This is a mistake as to the date. The motion was in May, 1793.

for he plighted the faith of Britain to the Poles at the Congress of Vienna for the maintenance of their constitution and independence, (*cheers*) and yet, (I burn with indignation to think of it) England deserted them in the hour of need. It is a disgrace under which Englishmen yet remain. It has been said there are political reasons for our not redeeming our promise: that it was impossible for us to interfere. Are there any political reasons sufficient to excuse a breach of national faith? I fear not. I think it was the duty of Englishmen to have risked all for it. I am a plain, blunt man, who likes to speak the words of an Englishman, and I should like to discover anything sufficient to excuse England's hanging back during the Polish struggle. There was indeed a vital struggle at home for an object of vast importance which any diversion might have endangered, and it is that, if any thing can, which must form our excuse. (*Cheers.*) A war might have risked our obtaining that Reform by which alone we could hope to obtain any thing else. It has certainly been the policy at all times of the enemies of liberty; it was so in ancient Greece, and in modern England, to divert the people from the cause of liberty at home by engaging them in wars abroad. (*Applause.*) It was then perhaps wise that we did not interfere, but now, when the corner stone of our liberty is laid, when we have won the struggle, shall we be content to remain under the imputation of having broken our faith to Poland. We say no, and though our feeble voice may not reach England, it is our duty to act and speak like Englishmen in whatever part of the world we may be. (*Cheers.*)

Mr. H. M. Parker.—I am aware that it is not usual to address a meeting after a toast has been given from the chair. But on this one occasion I pray for your indulgence. I would fain inspire you ere you drank this pledge with my own deep abhorrence, my hatred, my detestation of the conduct pursued by Russia towards glorious unhappy Poland; of the bitter inhumanities inflicted upon her miserable children. Gentlemen, you, who are husbands, and fathers, and brothers, what think you of delicate females, of innocent children, publicly flogged till the blood followed the lash, in the streets of Warsaw, because their relatives had dared to aspire after the freedom, the limitted freedom, promised by the treaty of Vienna to their native land! Englishmen, what think you of a distinguished nobleman, a high spirited soldier carried from fortress to fortress—his strength supported by nourishing food, and his constitution guarded by all the skill of medicine, for what?—why, that he might be flogged weekly before the troops in garrison! What think you of another—a venerable statesman confined more than six years in a noisome dungeon, where the light of day came not, where human voice was never heard, thrice brought up to the Russian authorities and thrice remanded to his living grave, because he would not, he could not, admit that Russia had fulfilled either the letter or the spirit of a treaty guaranteed by all Europe and broken in the face of man and of heaven! Gentlemen, I wish no worse fate to Russia. Foe of Freedom as she is, treacherous and bloody and grasping as she ever has been, than the fate which she has meeted out to unhappy Poland, and with this wish I drink with all my heart the toast of our Chairman.

"The Regeneration of Poland."

Mr. Stocqueler.—It may seem extraordinary that an Englishman should rise after the toast you have so feelingly received, but this you will readily excuse when I tell you that it was my fortune to be in Poland soon after the termination of the last noble struggle for liberty. It was then I saw the most degrading punishments inflicted on some of the first persons in the land, while their children were cast into the streets bleeding and disfigured. "God bless you," the people would say, "you are an Englishman; and every single Englishman lifts up his voice and would lift up his arm in our favour." I was so far unfortunate that I did not reach Poland until the war was at an end, but wherever I went, as an Englishman I was hailed with cordiality, and people were perfectly aware that John Bull's struggle for reform at home alone prevented him from succouring them. (*Cheers.*)

Mr. Turton.—From a very exciting subject, we come to one on which we may feel a little cooler; and yet, Gentlemen, without independent Judges our hopes of Freedom and of Justice would be illusory. Sorry I am to find we have not a judge nor a judge's son present, but one of the latter must have been prevented in consequence of an accident, as Mr. Grant assured me at a very recent period that he would be here. It seems to be considered that here in Calcutta a judge is precluded by his situation from having any political opinion, but to this consideration, I, for one, cannot fully subscribe. It is impossible in a society like this that their sentiments should be unknown. Of the only two here at present I may say with truth that they entertain none which needed to have interfered with their presence here. I have known the Chief Justice for many years, and though always unostentatious in the display of them, I can truly say that a man who entertains more liberal sentiments or a more ardent love of free institutions does not exist in Calcutta; and as for Sir John Grant, he has been not only before you, but before the public at large since 1812; they can neither, wear a mask. But it would seem they think it inconsistent with their situation to give a public opinion on political matters; I admit a judge should not be a political partizan; but in England, the Lord Chancellor always—the Lord Chief Justice of the Kings bench generally—frequently the Chief Justice of the Common Pleas and Chief Baron of the Exchequer sit in the House of Peers; and the Master of the Rolls, the Vice-Chancellor, Masters in Chancery, may sit in the Commons. Then is it to be said the first judicial authorities here are not to be permitted an opinion on a political measure which has been past, while these, the highest law officers take part in the discussions at home! It may be said that it ought not to be so at home; on that I give no opinion, but while it is so I cannot see the strength of the reasoning which would establish a different state of things in this country. To Lord Chief Justice Hale, and to Lord Ellenborough, we owe the introduction of many most useful acts. I should like to know what is there to prevent a British Judge in this country saying, "If it be the pleasure of the legislature to pass such a law, it will give me pleasure to administer it." One reason for this non-attendance certainly cannot be assigned—that they think differently from us. No such thing: I assure you, gentlemen, that they are as warm friends as any man to liberty. But I shall now propose their healths without further preface to the toast, and as they are not present, we may do so with the greater sincerity, as we shall not shock their modesty, neither will they have the delicate task in their situation of returning appropriate thanks. (*Cheers and laughter.*)

"The King's Judges in India."—*The Judges are coming.*

Mr. Turton.—Gentlemen, time wears on, and the march of freedom is along with it. I will propose to you those gentlemen, who, taken as a body, are as free and independent as any men, the "Civil Service of India." I regret that there are not more of them present. Whether this arises from many of them being in Judicial situations, and consequently that it would be indecorous also in them to attend, I cant pretend to say, but certain it is we have not one Judge of the Sudder present, though we may have one Judge of the Sudder Board of Revenue, and glad am I to find he does nor partake of the judicial feeling—not judicious feeling, eh! gentlemen. (*Laughter.*) But let us acquit them all on the same terms, for I am quite sure, though there may be some in the service, who do not view the liberty of the press in the same light we do, there are none who do so from a desire to avoid publicity. I cannot, however, forbear to say that there are those who have not subscribed as liberally to the purposes of the public as they have to the flattery of individuals. If it is not so, I ask how comes it that three hundred sat around the festive board on a recent occasion. (*Cheers.*) And now there are but one hundred present. But I have heard it said that the dinner is not upon a proper footing; that we should have invited Sir Charles Metcalfe and the Members of Council to a splendid entertainment, that we should have had in that case a full attendance. I doubt it not, gentlemen. In that case we should not only have had the present friends of freedom, but the dinner would have been swelled by those large classes to which Colonel Hezeta has alluded—the parasite classes. (*Cheers.*) They would all have been present. I think, gentlemen, we have paid Sir Charles a greater compliment than would have been conveyed by the invitation.

We have celebrated his act, not invited him to oppress him with flummery to his face. (*Cheers.*) Thank God, though this band is small, yet they consist of those who are in earnest; and a small band of patriots is worth any number of hired men. But, Gentlemen, let us not forget that there are many who would have been present, were they not stationed at a distance, and those will be included in

"The Civil Service."

Mr. Pattle, after a pause. There are few of my service here it is true, but those few might have saved the old horse the trouble of going so often to the mill. (*Laughter.*) However, I will endeavour in my imperfect manner to make some answer to what Mr. Turton has just urged. And first, gentlemen, I think, you will allow that there are many in the service who object to public dinners from very honorable motives, but were I to state them, I fear a laugh only would ensue. (*Cheers and laughter.*) The Civil Service is like a stream running behind a rock, from which at first a few drops only ooze out, but at length it becomes a fruitful fertilizing river; thus though there are but a few of my service present on this occasion, I hope that next year we shall see the table crowded with them. (*Applause.*) A more talented body does not exist or a more honorable one. True it is they require a little indulgence on this occasion, and the more so, as they cannot but be aware of the advantages of a Free Press, which, as a body, they have supported and admired. (*Cheers.*) They know that it is as a tribunal of shame, one of the best, the most extensive, and the most general correctives of abuse of power, whether from corruption or ignorance which human wisdom can devise, therefore, gentlemen, as being men of acknowledged honor and talent, they are not, and I trust they never can be less than the warmest advocates of a Free Press. (*Cheers.*)

Mr Pattle again rose. Gentlemen, a bumper. The toast I have now to give to you confers honor on the proposer, for a more talented, more public spirited, or more deserving body of men does not exist. Their profession has always distinguished itself as the staunch advocate and most powerful friend of the liberty of the press. Gentlemen, I propose to you, "the Calcutta Bar."

This toast was drank with loud acclamation. Several gentlemen adding,

"Mr. Turton and the Bar of Calcutta."

Mr. J. A Lorimer.—There may be some informality in my rising to address the company before the toasts selected for the evening are disposed of, but I claim the peculiar indulgence of making a few observations intimately connected with the subject just proposed for your reception by Mr. Pattle. We have been foremost in doing ample justice to the merits of distinguished individuals who have secured to us the rights and immunities of freemen; eulogy has already exhausted itself, in commenting on the vigorous administration of a Metcalfe, and in acknowledging the invaluable boon conferred on India by the operation of a Free Press; the greater part of the evening has already been consumed in an attempt to express the extent of our gratitude and obligation to the eminent statesman who presides over the destinies of British India. But let us remember that there are other individuals whose merits are equally conspicuous, and whose exertions have been of signal service in the consummation of that glorious act which we are assembled this evening to commemorate. It would argue a culpable degree of indifference to benefits received, if we did not, in the most emphatic manner, publicly testify our gratitude to the Indian Bar. (*Cheers.*) Those who have watched the proceedings of our society must acknowledge, that all public spirited undertakings of the highest import, have, in the first instance, originated from the members of that learned body. They have given their adhesion to the good cause through good report and through evil report, regardless alike of the scowl of authority or the defection of false friends who dishonoured the cause for which Hampden bled in the field and Sydney perished on the scaffold.

With an inflexibility that disdained the slightest compromise, they kept the noiseless tenor of their way midst the obloquy and scorn of those who are wedded to a corrupt system of administration. They have endeavoured to rouse the apathy of a community proverbially dead to its own vital interest. They have at length, by dint of their eloquence and talents, kindled an enthusiasm in favour of a glorious cause, without which it would have expired at its birth. From the onset of the brunt to its close, like faithful sentinels, they vigilantly guarded the shrine of freedom and manfully resisted the encroachments of power. (*Cheers.*) During the brief dictatorship of Mr. Adam, when the thunders of despotism convulsed the political world in India,—and when the odious censorship palsied the energy of the local press, the voice of the Indian Bar was heard, pleading eloquently in behalf of the trampled rights of Britons. Within this narrow circle, stood the only sanctuary, the hallowed temple, where the vestal flame of liberty was kept alive;—till under better auspices, it has now kindled into a conflagration. (*Cheers.*) The Bar has been in all ages considered as a glorious profession to encourage the aspirations and to advance the prospects of young men of talent; and the study of the law is eminently calculated to expand the mind and to invigorate its faculties by an early investigation of abstract truths closely connected with the progress and constitution of civil society. It recognizes no distinction but that which talent alone creates. In this intellectual circus, the peasant offspring may by the exertion of his genius not only wrest from titled pedigree the highest civic honors, but rise to an equality with the hereditary counsellors of the crown. No spectacle can be more animating than to behold the conflict between minds of the greatest dimensions, each panting for the mastery over the other by the unaided resources of intellect. The unbefriended youth who looks "with the thirsty eye of enterprize," on the prospect before him is ready to embark on this profession as he beholds the avenues of all others closed for want of patronage. The warmest votaries of the arts and sciences have been contented to trace their origin from some gifted minds; but law has ever been regarded as an emanation from heaven. Truly has the eloquent Hooker observed "that her seat is the bosom of God,—her voice is the harmony of the world;—all things in heaven and earth do her homage,—the very least as feeling her care and the greatest as not exempt from her power." In order to appreciate more fully the eminent services rendered by the illustrious body to the cause of freedom, we must consult the historic page for conspicuous instances. When Cataline and his confederate band of profligates, conspired against the liberties of Rome, whose voice was heard in the Forum? Whose puissant arm wielded the thunders of outraged justice, and finally defeated their machinations by a summary expulsion of the rebels? Who protected Gavins with the ample shield of justice and denounced his relentless persecutor Verres as a tyrant who dared to trample on the right of a Roman citizen! Was it not Tully, the ornament and safeguard of the Roman bar? Let us return from the misty records of the past, and extract a moral from the events which have taken place within the memory of the last generation. Gentlemen! The advocacy of liberal principles is now, comparatively speaking, an easy task. The path has been cleared and the dangers that beset it once, are now removed by the unremitting industry of the pioneers of freedom. We have launched out on "the surface of a summer sea" and our sails are impelled by propitious gales midst sunshine and smiles. But this was not the case with those illustrious men who have preceded us, and whose names, like stars in the firmament, shine forth on the historic page. We live in brighter times, when ancient governments and powerful dynasties, are made to bow in deference to the spirit of the age, and to acknowledge the supremacy of the people. When the sagacious statesman has only to prepare for the new and bright order of things, dimly shadowed forth on the broad mirror of futurity, he must repudiate altogether those baneful notions of antiquity which represent a state of constant warfare and hostility with neighbouring countries, as the surest way of enriching the revenues of his own. He must be impressed with the conviction that nothing is left to the determination of chance; but that all the movements in the political and moral world depend on the operation of certain invariable principles from which social happiness springs. It is reserved for us to witness the realization of the fondest

and brightest dreams of our boyhood, when first we knelt like neophites at the august shrine of Freedom, and lisped with pliant tongues the vow of our allegiance. Opinions which were at first entertained by a few philosophic minds in the dim recess of cloisters, have now met with a general reception. They have become the popular creed;—it were worse than heresy to call them now into question after they have received the stamp and impress of the age. The ramparts of despotism are stormed,—the banner of freedom is unfurled, and the exultant cry of victory reverberates throughout the universe. The day of danger is over, and we can assemble in our festive halls to talk of our rights and privileges. Even at this moment when the heart is flushed with joy "a change comes over the spirit of our dream," when we reflect on the wayward lot of those who strained every nerve to bring about the regeneration of their country by constitutional means. We, it is true, have reached the gaol of our ambition without much toil, but alas! how many obscure village Hampdens and mute, inglorious Miltons have dropped by the way side. Yes, gentlemen! Reform has triumphed; but let us never forget that it was sealed with the precious blood and sanctified by the sufferings of many faithful adherents. (*Cheers.*) Standing on this vantage ground, we cannot duly estimate the dangers and sufferings which were encountered by the adherents of reform. They had to grapple with the strong arm of power; and whilst engaged in the conflict, they were not cheered with the smiles nor buoyed up with the sympathy of those who had professed to espouse the same cause. The stake, the dungeon, and the horrors of martyrdom awaited the proud uncompromising spirit, who clung with an unyielding tenacity to his opinions. Whereas the recreant apostate rose triumphant, and enjoyed all the distinctions which a corrupt government had at its disposal. In those days party spirit ran high. The ties of friendship and kindred were sacrificed, without scruple at this impious shrine. Turn your attention for a moment to Ireland, particularly in those days when the most awful vicissitudes and convulsions disorganized society by rendering life and property insecure, and we must then acknowledge the bar to be the most glorious appendage of freedom. (*Cheers.*) It is, to borrow the eloquent expression of Erskine, "another fold in the shield of the freedom of the public." In those days—the very recollection of which freezes the blood and scares the imagination, the Courts of Justice became converted into filthy shambles where whole hecatombs of human beings were immolated; for *rebellion* was synonymous with reform. The lives of the most upright and talented men were left at the mercy of spies and informers. Even English Judges whose minds were embued with English sentiments and principles, pawned the bright jewel of their reputation for paltry lucre and preferment which a venal government had the effrontery to offer. In this critical time,—in the hour of tribulation, when a moral apoplexy smote the heart of ill-fated Ireland, gentlemen, the immortal Curran was sent as a redeeming angel to snatch many a victim from the grave, and to burst asunder the manacles that fettered his ill-fated countrymen. (*Cheers.*) It was truly a spectacle of moral sublimity to see this gigantic mind, leaning on its own resources, and like Marius surveying the extent of the dismal solitude and ruin after the heat of the conflict. The time would fail me if I were to make more than a passing allusion to the unbending integrity of a Grattan, the honest patriotism of an Egan, and the uncompromising manliness of a Flood. This galaxy shone in Ireland's brightest days, ere clouds had darkened her prospect and enshrouded the last lingering beams of expiring liberty. In England, gentlemen, the bar has been fortunately exempted from performing so distinguished a part as the Irish bar; but still it has not been wanting in energy to resist the encroachment of power and to defend those noble principles which were unfolded by the Magna Charter and the Bill of Rights. After the presses of Europe had been enslaved and all the asylums of free discussion closed, the mighty despot, before whose scowl empires and principalities vanished, audaciously dared to stifle the voice of the only surviving Free Press in Europe by the prosecution of Peltier. He saw with horror one spot alone, midst the wide spreading solitude, where man was allowed to exercise his reason freely on the most important concerns of society and to censure the conduct of the proudest tyrants. He wished to lead his locust hosts and to drive the plough share of ruin over that happy island, but he was baffled in his ambitious project by the gigantic mind of Mackintosh, whose splendid exertion on that memorable occasion will be remembered by succeeding ages. The press, gentlemen, which has tended greatly to widen the circle of knowledge and civilization, and to enlarge the basis of good government by admitting many to participate in the arduous duties of legislation, even this boasted engine of civilization, this powerful lever for the effectuation of moral good, may be reduced to servitude, if there be not an independent bar and an upright jury to watch over its rights with a jealous eye. The Indian Bar, gentlemen, can claim something more substantial than the negative merit of belonging to an association which enrols the name of a Romilly, an Erskine, a Mackintosh, and a Brougham. With us, they have earned a deathless name by their uniform advocacy of liberal principles. To particularize inviduals would be a task of supererogation,—it would be to gild refined gold—to paint the lily. (*Cheers*).

Mr. Turton.—In rising to return thanks for the honor which you have done the Bar, I feel quite satisfied that I ought in the first instance to express my thanks to the gentleman who has just sat down, not only for his kind expressions towards the Calcutta Bar, but for his eloquent appeal in favor of the profession in general. I am proud of the profession to which I have the honor to belong, and I am bold enough to assert that whatever may be said of it occasionally, the Bar has ever been amongst the foremost of the defenders of the people's rights, whether in modern or former times. To few men are we more indebted for the liberties we enjoy in England than to Coke, who, great as he was as a lawyer, stands infinitely more transcendant as a politician. His reply to James, when he was applied to in common with the other Judges for his opinion unconstitutionally required by the king, that when the case came before him judicially, he would dispose of it as an English Judge ought to do, raised him above the men of those mean times, and whatever minor defects there may have been in his character, his parliamentary conduct in the after years of his life exhibits him as a true patriot. I contend that the study of the law is calculated to enlarge and liberalize the mind. It has been the case in all ages and in all countries. The British Bar is not singular in the advocacy of the rights of the people. Sir James Mackintosh, in his work on the French Revolution, if I recollect right, in replying to Burke, shows that the warmest advocates in the National Assembly, indeed the majority of that Assembly, were of the Bar of France. Burke had contemptuously described its supporters amongst others as "country Attornies." Sir James Mackintosh shews that they were advocates of the great provincial towns, amongst others, of Marseilles, Bourdeaux, and Lyons,—towns superior in population and trade, certainly in intelligence, to the capitals of Vienna, Petersburgh and Berlin. True it is that there are renegades at times; that there have been and are renegades from the cause of liberty among the Bar in England—one great example exists in the present times, one who is so enamoured of a bad cause that he would even give up the greater emoluments of a judicial situation, where his splendid talents made him universally respected, to remain for a short period in a political high station, again to retire on a political pension. He who has condescended to become the mere tool of a party espoused in latter life, which his talents more fit him to lead. But on the other hand, let us look to Romilly, to Macintosh, to Horner, to Brougham and others of our own time; and can it be said that with such a list of names which occur to me on the moment, that with such talent as these men have brought and applied in aid of the cause, it is not a profession which has produced its full share of support to the cause of liberty? For myself, I thank you sincerely for your kindness. I can with pride avow, that I have ever been, as now, on the side of liberal politics; my present opinions have not been recently formed to suit the times we live in. On this subject I might appeal to those who knew me when a boy of fifteen at Eton; I fear, indeed, that I am not a bit better now, but that my opinions are now what they were then, just thirty years ago, and I hope I ever shall be found the bold assertor of the peo-

ple's rights. *(Cheers.)* Mr. Turton concluded by proposing

"The Chamber of Commerce and the Merchants of Calcutta."—*Money in both pockets.*

Dwarkanauth Tagore believed he was the youngest merchant in the Hall, and therefore rose to return thanks. The Baboo congratulated his countrymen that no distinction had been made in the recent act between the native and the European. Indeed, he said, his countrymen ought to be deeply impressed with gratitude for the force with which the claims of the native press had been advocated, and though the English press had not been unanimous on the subject, he would, good humouredly, rather infer that the minority were actuated by a little selfishness than from any fear of political danger *(laughter.)*

Mr. H. M. Parker.—Gentlemen, our motto must be "*en avant!*"—Forward! not for this night or for this time of night alone, but I hope while an abuse remains unreformed or a political evil unremedied. I have to propose to you "success to the cause of freedom and reform," success to it I say all over the world. As for freedom can I do better than continue my quotation from the old poet, who declares that freedom is a blessed thing.

"Freedom the zest to pleasure gives,
He lives at ease who freely lives,
Grief, sickness, poor-tith, want and all,
Are summed within the name of thrall."

As for reform, when any of those ingenious persons who argue in favor of negro slavery, without at all intimating that they should like to change places with the slave, when, I say, any of these ingenious casuists, "eminent hands" in the *Quarterly Review*, shall prove to me that a Russian serf holds a higher and happier place in the scale of humanity than a citizen of the United States. That it is wrong, be it ever so practicable, to drain and cultivate a marsh whose vapors poison the surrounding country. That it is unadvisable to remove or repair an old edifice which hangs over some great thoroughfare and threatens every passer by. That it is a decided mistake to root out the poisonous weeds, to destroy the noxious virmin which impoverish the soil and injure the flowers and the fruits of your garden. When all these things are demonstrated to me, and not *till* then, I shall cease to wish with all my heart and with all my soul "success to the cause of freedom and reform," with what Rob Roy calls "my malison and the curse of Cromwell upon those, who, for base or selfish motives oppose it"—Gentlemen—

"Success to the cause of Freedom and Reform." *The Parisian.*

Mr. Turton.—During the time in which the subject of the freedom of the press has been discussed in Calcutta, I have never found any body of men more ready to come forward on all occasions than I have found the tradesmen of Calcutta. I will venture to say that a more respectable body does not any where exist, not only relatively in proportion to their number as compared with other similar bodies in London and elsewhere, but absolutely, and that they are surpassed by none in talent and integrity. I have always found them true friends to freedom, and I am sure we shall continue to find them so.

"The Trades Association."

Mr. Rogers.—As Master of the Trades Association, I return you my thanks for the honor you have done that body. I am aware that our exertions have been overrated by Mr. Turton, but I am also aware that if the exertions of all classes of the community had not been united, we should not have been assembled here for this purpose this day. I cannot omit to notice that this is the first time the Trades Association has been publicly recognized and honoured with the approbation of the Calcutta community, and I heartily rejoice that this honor has been obtained by our co-operation in a cause, the completion of which must make the bosom of every honest man swell with pride. I cannot say aught that would increase that feeling. But with reference to the great man who has conferred the blessings of a Free Press on India, I may be permitted publicly to express our hope that we may soon hail him the permanent Governor of India. *(Cheering.)*

Captain T. J. Taylor *(Madras Establishment.)*—In rising to propose the toast assigned to me, I must crave the indulgence of my hearers from two causes, that of labouring under indisposition, and that of being totally unaccustomed to address such an assembly as I now have the satisfaction to see around me. Amongst those who will most materially benefit from the event we are this day assembled to commemorate, are our native fellow subjects of all classes: for theory has induced a belief, which I doubt not experience will confirm, that no means exist for disseminating knowledge and the true principles of good government through a land just emerging from the barbaric shackles of a slavery of ages, so simple and so ready as a free and unfettered press. The natives of this country possess within themselves many great and good qualities; they are not wanting in energy when backed by self-interest, and have both intelligence and perseverance to master the difficulties of language, of literature, of science, and the arts. But however great has been the advance that has been effected at the presidencies and the principal capitals of the country, it cannot be disputed that the great mass of the people have yet much to learn; that they have a task to shake off the trammels of ages, to imbibe true principles of independence, and to learn that actions are valuable in proportion to their intrinsic goodness, and not because they are merely palatable to the powers that be! They must act from an innate spirit of honesty, and feel that there is a moral force in freedom that knows no equal. *(Cheers).* I have watched with some interest the advancement of the native mind, and it has been my good fortune to visit all the presidencies, and to have been at Bombay at the institution of the Elphinstone Professorships, erected at an expense of several lakhs by natives, and by natives only, for the encouragement of European knowledge amongst themselves, in honour of that distinguished individual, the statesman of Poonah and soldier of Assaye, who had just descended from the government of that presidency. Subsequently I assisted at the formation of the Hindoo Literary Society at Madras, and the establishment of their school, unfetered by any peculiar dogmas of religion, at which are now educated in English literatue the sons of the principal inhabitants of Madras. A few days prior to my departure from that presidency, I had the gratification of noticing the creditable progress effected by the pupils. Since I have been here, I have visited several of the institutions for education, and all of them with encreased satisfaction, for I have found the native mind here far in advance of what I have seen elsewhere, except amongst the Parsees at Bombay, to whom I must yield the palm. Still it must be admitted that the natives have much to learn; but I must candidly confess that I am not of the school of conversion, and that I care little about the natives becoming christians for this simple reason, that I think they may be very good men and very valuable subjects, without necessarily deserting their father's creed. I shall be well satisfied, if I can see the rising generation shake off the prejudices of caste, break up the system of ignorance and seclusion in which they retain their females, abandon their dark superstitions, eschew chicanery and cunning, "that low mimic of wisdom," and substitute a love of truth and a characteristic independence, engrafted on the many good qualities they now possess. These blessings will follow the dissemination of knowledge which will raise the natives of Hindoostan to a high place in the scale of mankind, but these can not be the work of a day; they must result from the silent yet steady progress of years, but will be materially forwarded by a fearless and unshackled press. This day has seen such a press established, under that power which alone is necessary for its surveilance,—the surveilance of the law; and this day is to me, what it must be to all, a day of pride and joy—a day memorable in the annals of Hindoostan, *(much cheering).* I have learned with some surprise that there are some gentlemen present who are not so sure of the advantages of a Free Press and have come to this table to have their minds fortified on this point, to hear what advantages are expected from a Free Press, and to hear why we advocate it. For my part I should as soon have expected to have been asked why two and two make four, or that two parallel lines could never meet, or any other self-evident proposition. But if the eloquence of my surrounding friends has failed to convince

the individuals, I will briefly endeavour to explain why Britons cherish free institutions, and why they wish to see rights established by law and not by sufferance. It is simply this, that although a despotism might be the best of governments with an angel for a despot, we know that angels are rather scarce individuals, and, we fear, lest the Titus of to-day may be followed by the Caligula of to-morrow (*cheers.*) Within the last few years a new era has commenced in India; the sun of enlightenment has dawned on the land, the fogs of superstitions and the mists of prejudice are fast passing away, setting like the shadow of a lost world. That sun, however, is yet far from its meridian, but let us look for its progressive ascent and trust that it will shine forth in daily increasing splendour. But whether that proud expectation be fulfilled or not, whether its beams as cheerful as hope, should lighten up the land and draw forth the latent energies of the Indian race,—or again, shrouded by the clouds of error, should decline in darkness, or should set in storms, the glory of its Orient will yet have been, and be associated with Bentinck's and Metcalfe's names (*much cheering.*) Up, therefore, all classes and drink to the toast I am about to propose. Drink it with one mind—cheer it with one voice. I give you, gentlemen,

"The enlightenment of the Indian People."

Dwarkanauth Tagore returned thanks, and with reference to what had fallen from Captain Taylor, noticed the institution of the Hindoo College which had been founded chiefly through the exertions of his friend Mr. David Hare, by natives, and had not, with one exception, received the support of a single civil servant.

Mr. H. M. Parker.—Gentlemen, when the breach is stormed, when the fortress is won, the first and noblest duty of the victors is to give the honor due to those who fell to secure the conquest. Let *us* then not forget in this hour of grateful triumph, him who led the forlorn hope—James Silk Buckingham. It is scarcely possible that any man could sacrifice what he sacrificed in struggling for that great right, the recognition of which, we are now met to celebrate. His income from the *Calcutta Journal* was immense, his prospects in every respect as brilliant as his life at the time was happy. He had but recently been joined by his family, he had recently been at a large expense in furnishing his residence in a style warranted by his apparent resources, and excusable in a man of elegant tastes. Then fell the blow which reduced him almost to beggary. It has been said Mr. Buckingham *could* have taken no other course under the circumstances of the case than the one he adopted, without greater sacrifices even in a pecuniary point of view. I deny it. I believe that large as his receipts were, he might have made them larger, much larger, if in addition to the general excellence of his paper he had offered concessions to the Tory spirit then paramount in India as in England. He might have been reproached by the little band which "few and faint, but fearless still," then fought the battle of the Indian Press; but for every grain of reproach on one side, the least powerful, he would have obtained not only "golden opinions," but ounces of gold from the other and most powerful, and all this without any Judas-like tergiversation, like that of the traitor Times, but simply if he would have consented to swerve a little from the straight forward path and occasionally to shut his eyes to public matters: moreover, I believe, that the Government of the period thought it could not, thank heaven, advance directly a sum for such a purpose as buying the good-will of a newspaper, would yet have rendered Mr. Buckingham aid and encouragement in many ways if he would have softened the tone of the *Calcutta Journal* with respect to the acts of the supreme authority; though in truth, on reading it over now it appears, as compared with a really free Press, gentle enough for the most sensitive Government on earth. I firmly believe that fortune lying on one side and poverty on the other, Mr. Buckingham manfully and frankly accepted the last rather than abandon views and opinions which he thought just and right. As for anticipating the tardy compensation which has since been decreed, but has not yet been received, it could not have entered at that time into any sane man's imagination. I was happy in the possession of Mr. Buckingham's intimate acquaintance. I did my little possible to assist him in the pursuit of that boon which has now been conceded. I was, to be sure, but the smallest of all "Tritons of the minnows" a very wren with a little voice in the boughs of the oak, a mouse gnawing at the net of the lion; but the lion is free at last, and even a mouse may rejoice in his liberation. But as for Mr. Buckingham, my own knowledge of him at the time when all his hopes were crushed, is a sufficient guarantee to me that no ignoble motives entered into the calculation which led him to embrace honorable poverty rather than wealth purchased by subserviency or the abandonment of principle. I saw him cheerful, I may say magnanimously cheerful in the midst of ruin. I was at his house on the day which always, under the happiest circumstances, is one of gloom and discomfort, it was the last day he could call it his home, and his effects were being disposed of at a miserable loss. His wife was almost sinking under the shock, but his own equanimity, his perfect good humour in which he was matched by few, never forsook him. He was, gentlemen, a martyr of the Free Press, as such I challenge for him your best sympathies in this hour of its release from thraldom. He was a man whom I knew well, whom I greatly esteemed, to me therefore it is a real pleasure that I am delegated to propose to you on such an occasion the health of

"James Silk Buckingham."

Mr. Turton.—My friend, Mr. Parker, has told you who led the forlorn hope, but he has not said who led the next in advance,—who was the first after Mr. Buckingham's hopes had been ruined. There was at that time but one paper in Calcutta, the *Hurkaru*, which fearlessly advocated liberal opinions. There was indeed another daily paper published, but it risked nothing, it was a blind and slavish supporter of the Government of the day, a most uncompromising advocate of the powers that be, supported by men of talent indeed, from whom better things might have been expected. It is not too much to say that at the time the forlorn hope was driven back, Mr. Smith alone stood forward in support of the Freedom of the Press, and risked all he had in the world as perseveringly as did his predecessor, and from that day to this, the *Hurkaru* has been the consistent advocate of the rights of the people. Gentlemen, I propose

"Mr. Samuel Smith, and the independent conductors of the Calcutta Press, whilst the Press Regulation was in operation."

Mr. S. Smith.—I feel as I ought to do, the compliment conveyed in the toast you have done me the honor to propose, and which has been so warmly received by the friends of the press who have assembled here to celebrate its emancipation, an event which dissipates the fears, and puts the seal of legal approbation to the hopes of many an anxious year.

I feel proud of the manner in which my name is associated with the Liberty of the Press and with those who have labored to support its independence and who have suffered in its defence. I allude to Mr. Buckingham and the *Calcutta Journal*; Mr. Sutherland and Mr. Wm. Adam of the *Calcutta Chronicle*. Mr. Buckingham, we have heard, is about to receive compensation for his losses, but Mr. Sutherland and Mr. Adam, although nearly ruined by the suppression of their paper, have never received any compensation. No men labored more indefatigably than they did to support the independence of the press, and no men have better deserved the thanks of this meeting and of the Indian public.

I cannot complain that I have suffered much in a pecuniary point of view—but I have, as Mr. Turton has kindly assured you, cheerfully staked my all when the support of the principles of the *Hurkaru* or the advocacy of public rights required me to do so. It would be an idle boast now that the days of peril are past to say that I shall always be ready to do so, so long as I am connected with the Calcutta Press. The future may, however, be safely judged of by the past, and in the trial, should it ever come again, I hope I shall not be found wanting. (*Applause.*) But I am too happy in having weathered the tempests that have wrecked all the free press fleet except the *Hurkaru* to dwell longer on the gloomy picture of the past. I am fortunate in having escaped both Scylla and Charibdis, and after many years of difficulty and danger and

delighted to stand here on this happy and glorious occasion—surrounded by friends of the Press—to acknowledge in the best manner I am able the gratitude I—and I presume all my brethren of the Press feel towards our present Governor-General for repealing that odious regulation under which we have groaned for many a weary year.

It is not, however, the Editors and Proprietors of Printing Presses alone that ought to feel grateful to Sir Charles Metcalfe—the whole people of India will partake as largely of its advantages as those immediately connected with the press, and will reap the full advantages of its perfect freedom.

By this liberal measure Sir Charles Metcalfe has freed Editors from harrassing and ineffectual restraint and liberated Proprietors from a law which unjustly depressed the value of their property, and might again, as heretofore, be used as an engine utterly to destroy it and reduce them from comparative affluence and honorable employment to banishment and penury after perhaps many years of incessant and anxious labor in an enervating climate, and all because they allowed their journals to publish honest opinions on public events, which happened to be unpalatable to the ruler of the day.

Although not a very ancient man, I am, I believe, the father of the Calcutta Press—the oldest press proprietor and proprietor of the oldest press in India—at all events I have for nearly fifteen years devoted all my days and half my nights to the personal management of the affairs of the *Hurkaru* press. I am able, therefore, to speak from experience of the hampering difficulties and imminent dangers both to person and property which have hitherto beset unfortunate Editors and Proprietors. I can feel in due proportion the various advantages which will attend their emancipation from the shackles imposed upon them by other men in other times—but the hour is too far advanced to enter upon such a detail so fully as I should have wished to have done. I shall therefore be brief in my retrospect.

When we escaped from the iron sway of Governor Adam, the comparative toleration of Lord Amherst, and the liberality of Lord William Bentinck had almost made us forget that we were, by law, still shackled—for some years no act of the Government reminded us of the fact—we were practically free though legally enslaved, and it was not until the rumoured approach of a new Governor, in the person of a Tory Lord, a diplomatist of the Castlereagh school, that we were reminded we were free only by sufferance and that our new master's *sic volo* was sufficient to annihilate us. (*Cheers.*) It was at this critical juncture that Sir C. Metcalfe, with a magnanimity which will reflect immortal honor on his name, divested himself of this odious and unnecessary power, and struck off the fetters that had been imposed on us by Governor Adam. (*Applause.*)

For all this we are deeply grateful, and we trust this wisely liberal measure of Sir Charles Metcalfe's will be followed by others of equal value; we are sure it will endear his respected name to our grateful memories, and remind us that if one accident bestowed upon us a Governor-General who fettered the press, another and more fortunate one blessed us with a ruler who emancipated it—both were Civil Servants of the East India Company, and in these good and in succeeding and we hope better times, we have little fear that any future Governor will attempt again to chain the freedom of opinion or venture to banish those who dare to give it honest expression. (*Cheers.*)

I should be sorry to lose this opportunity of drawing the attention of our friends here assembled, to the fact that the independence of the Calcutta press had, besides those professionally connected with it, more than one liberally disposed amateur coadjutor, as indefatigably laborious in its cause as their other avocations permitted. A cloud has passed over them (*applause*), but the conductors of the Free Press of Calcutta can never forget their labors in the good cause (*name, name*). They are not present, I believe, or if they are they need not blush at the mention I have taken the liberty, to make of the valuable support they accorded when most needed, and therefore most valued.

The foremost I shall name, and I do it with pride and satisfaction, is Colonel James Young (*cheers*) a staunch supporter of the *Calcutta Journal* and the *Bengal Hurkaru*—my early patron and friend,—to whom in times of difficulty and danger, when I was alone in the *Hurkaru* without an Editor, and with but few friends, I always applied for the aid of counsel and pen—and always successfully—the free press of India had and has no warmer friend—no more willing laborer than Colonel Young. (*Cheers.*)

Another gentleman—an old and staunch supporter also of the Calcutta Free Press and a warm advocate of liberal principles in all things—a man universally known and respected I need only name him to satisfy you of the justness of my assertions. I speak of Mr. John Palmer. (*Cheers.*) But for the powerful support of these gentlemen—a support not confined to secret and safe encouragement, but openly afforded with their pens and by their personal influence. But for them, the laborers in the vineyard of the Free Press might have failed in the struggle, and even the *Hurkaru* itself, which has this night been so much lauded, as the last remnant of the Press as it stood in the days of Governor Adam, might have ceased to exist—might have been as the *Calcutta Journal* and the *Calcutta Chronicle* now are. To these gentlemen, therefore, the thanks of this meeting are due for their liberal and disinterested support in times of peril to the Calcutta Free Press.

There is yet a third individual who has for several years been a press proprietor, and who has always battled on the liberal side, and that with the greatest disinterestedness and liberality. I mean Dwarkanath Tagore, who has spent many thousand rupees in support of liberal principles, and who has never sought profit in his connection with the Press, but who doubtless, being a merchant, would not object to receive it, were it forthcoming.

Mr. Smith concluded by apologizing for the time he had occupied the attention of the meeting, and hoped if he had failed to mention the name of any active friend of the liberal press, the Chairman would not allow the omission to pass unnoticed.

These were the toasts arranged for the evening; but several others, amongst which were Mr. Turton, Mr. Parker, Mr. Palmer, and Colonel Young, were proposed and drank at a late hour, and Mr. Pattle, at the close of the festival, called on the company to make an annual feast, by meeting next year, and every future year, to celebrate the Freedom of the Press, and to perpetuate this act of honor and justice to the noble individual the liberator of it All present greeted this proposition with enthusiastic applause. The company separated at two o'clock in the morning.

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## TUESDAY, SEPTEMBER 15, 1835.

This-day, the new press law comes into operation. THIS DAY THE PRESS OF INDIA IS FREE, and the power to annihilate every journal of Bengal by a stroke of a Secretary's pen NO LONGER EXISTS. Let every friend of a Free Press rejoice then—let him mark the event in some way suited to his own feelings and his own taste, if any conscientious scruple or imperious necessity prevents his making one of those who are THIS NIGHT to celebrate the law in the good old English fashion of a public dinner, at the Town Hall. The number of those assembled will be few—not a fifth part of those whom we have seen eagerly crowd to partake in Sir Charles Metcalfe's princely hospitality, but who shrink back from contributing to a dinner to celebrate a measure which reflects more honor upon him than any with which his name has yet been associated.—*Hurkaru.*

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The day has at length arrived from whence the Indian Press is to consider itself as free by law as the Press of our native country;—as free as the uncertain law of libel will permit it to be—as free and, as bold as may sort with those considerations for the peace and good order of society, which every rational journalist feels it imperative

upon him to cherish. We are grateful—thrice grateful, for the long-sought boon. We are grateful to Lord William Bentinck for the fair trial he gave the Press, whereby he paved the way for the more decided measure of his successor, and we are grateful to his successor that he did not think it necessary longer to hold over our heads a power which any new comer of less liberal dispositions might have exerted to our detriment. Nor let us, while offering acknowledgments to the authors of our liberty, forget the tribute due to that bold brave man who first periled his fortune in an endeavour to break through the shackles which policy and timidity had imposed upon the freedem of public writing. Let us not, we say, in this the day of our prosperity, forget that it is to James Silk Buckingham we owe not only the first blow aimed at the odious and selfish system under which the country groaned, but likewise part of the glory of victory, for it has been as much through his exertions in England, up to the period when the House of Commons recognized his claim to compensation as through the extertions of the journalists abroad, that a right view has at length been taken of the importance of completely freeing the Indian Press. We hope that Mr. Buckingham's name will not be omitted among the toasts to-night.

With regard to the new law by which the licentiousness of the press is for the future to be restrained, we have nothing to add to what we have already written. It is perhaps too indulgent to the proprietors and editors of papers, and manifests too little consideration for the public. But of this we will not take any mean advantage. We have determined that from this day forward the name of the Proprietor and Editor of this paper shall be as prominent as that of the publisher, so that if by any unhappy, chance, or in the execution of our duty, an injured or offended reader should be anxious for reparation at our hands, he will be at no loss of a fit direction to the proper and responsible quarter.—*Englishman.*

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The Free Press dinner was, if not as to the *number* of those present, in every other respect worthy of the occasion. About 100 friends of the press sat down to a splendid entertainment—and the greatest cordiality and enthusiasm prevailded throughout. The Governor-General's band, kindly lent for the occason, was in attendance.

What a change has come over us! We could not contemplate the festive scene and think of the purpose for which we are assembled without the feelings of enthusiam almost oppressive from their excess, at this evidence of the glorious triumph of light over darkness as it was happily designated by one of the guests—to think that we were assembled in that Town Hall, which until of late had never echoed a liberal political sentiment, where some twelve years since a banished Editor was not permitted to give a farewell breakfast to a few friends in one of the Committee rooms—to think that we were there assembled at a grand entertainment to celebrate the liberty of the press, in which civilians and military men of high talent and long standing in the service participated and fearlessly responded to the enthusiasm of those around them—to hear a relation of the Governor-General present assure us, that althohgh our noble minded Ruler could not of course join in celebrating his own measure, he would otherwise have rejoiced to have been present, and that he went along with us in the liberal sentiments which had been expressed, and in that ardent devotion to the cause of liberty which seemed to animate every one present—to hear these things might well excite in our minds retrospections of the past, and joyous hopes of the future, which those only can appreciate who have been enabled to mark the contrast—the vast change from darkness to light of which the festival of Tuesday night was one of the signal evidences. Bold, indeed, would that man have been who twelve years ago had dared to prophecy that at the end of that time we should see the freedom of the press celebrated by a grand entertainment in the Town Hall, with the band of the Governor-General in attendance! To some this last circumstance may seem a matter of slight importance: but to us it appears far otherwise, for the circumstance of a Ruler's lending his band for such an occasion, is in our minds by no means one of the least striking evidences of the progress of liberal opinions.

The reports of several of the most eloquent speeches, those of Mr. Turton, Mr. Parker and though last not least that of Mr. Lorimer, convey a very faint idea even of the language of the speakers, and of course their spirit must evaporate in the mere reading. Still enough is left to justify the praise which has been bestowed on this festive commemoration as one of the most brilliant which has yet taken place in India. There are many passages in the speeches which suggest important reflections. Mr. Turton sketched the history of the press from the period of *Hickey's Gazette* which was printed here in 1780. The press was then free, and no one in power seems to have dreamt that any interference with its freedom was justifiable! At the distance of FIFTX FIVE years however, we are celebrating its emancipation from shackles long subsequently imposed. Such has been the career of our Indian Government: but our "freedom, though slow to come, has came at last," and we rejoice that the event has been celebrated in a manner so worthy of British subjects and the occasions. Mr. Parker justly ridiculed the idea of danger from a free press—but there is danger—to what?—misgovernment. It is quite true that a despotism and a free press cannot be long co-existent—but that is an argument in favour of a Free Press not against it; for India wants not and will not have a despotism. We speak not now of mere *forms* of Government, but of *principles*. That Government which submits its actions to the scrutiny of the public, by the very act proclaims itself no longer a despotism—acknowledges that it exists for the paople. We maintain that the British Government should blush to acknowledge that any disclosures of the press can lower it in the estimation of the people. Our opinion is that the more they know of the motives and intentions of our Rulers the better—the more secure will be our dominion—the greater will be their happiness. It is the greatest misfortune under which our Indian administrations labour, that the press cannot yet address itself to the mass of the people, echo their sentiments, and make known their wants and wishes; but the press is the only medium by which these can in any country be effectually made known. A government then desirous of the happiness of the people will encourage the press. One great argument against the press has been that it ought to follow in the train of free institutions. In modern times the press has been the greatest instrument of political reforms which have given birth to free institutions. The able speech of Colonel de Hezeta, which is, we are glad to observe, well reported, has faithfully described the operation of the press and the progress of general freedom of which that has been the great promoter. When Sheridan paid that eloquent tribute to the power of the press which Mr. Turton quoted, we doubt whether he had very distinct views of the subject, for he did not apparently perceive that a free press was compatible with the existence of much corruption. What was the state of things in his day? yet the press was free; but no doubt that freedom was even then undermining the fortress of corruption which it has since overturned, or at least shaken to its foundation.—*Hurkaru.*

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The dinner to celebrate the Freedom of the Indian Press was, without a single exception, the most cheerful, animated, and splendid festival at which we ever had the good fortune to assist. About one hundred persons sat down to the repast, which was certainly served up by Gunter and Hooper in a highly creditable manner, and seemed to give general satistaction. Mr. Turton was in the chair, and Mr. Parker performed the duties of Vice, and when we say that we never heard those eloquent speakers to *half* so much advantage as on Tuesday night, some idea may be formed of the power of their several addresses. In fact, the cause seemed to lend an inspiration to every speaker. Mr. Henry Torrens, Captain Taylor, Mr. Sutherland, Colonel de Hezeta, Mr. Pattle, —in a word all who spoke, evinced that their hearts were filled with their subject, and loudly and warmly did the assembly respond to their noble enthusiasm. And why should it not be so? Eloquence was not on this occasion debased to the purposes of idle eulogy. There were no great guests,—no bahadurs at the table listening to the praises of their own mighty deeds, merely to rise and sputter fulsome encomiums in return. MANKIND was

the theme of the speakers. The mighty struggles for liberty which have linked Frenchmen, Englishmen, Americans, Spaniards and Poles in one common bond of brotherhood formed the pleasing topics of the chairman and his accomplished coadjutor; and when the party broke up at two in the morning, one irrepressible joy pervaded the assembly that the freedom of the press had been so happily and appropriately celebrated. We heard one say—a person who does not generally hold Calcutta public meetings in high esteem—that this was the most brilliant assembly, intellectually considered, he had ever witnessed—he had no idea that the metropolitans had it in them.—*Englishman.*

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We find that we greatly underrated the number of East Indians present at the Press Dinner. Sixteen of their names have been mentioned to us from memory, and therefore we concluded that nearly a quarter of the company must have consisted of East Indians. Considering that the Chair was kept till nearly two o'clock, it is a most creditable index of the progres of reform in the habits of society, that in so large a party there was no instance of the least indecorum from the effects of the bottle. But a few years ago it would have been out of the question to expect less than a dozen sots in so large a company, however composed, dining together upon any festive occasion. Is this moderation owing to sumptuary laws, to Temperance Society Inquisitions, or to any other restrictions? No; drunkenness has always been a crime in the eye of the law, but the law was contemned both by rich and poor: the march of good sense has alone effected that reform which legal penalties were powerless to produce. Have we not here something like an illustration of the Press question? Like that generous liquor which was given us for our good, to enliven our tables, to promote social intercourse, to warm the imagination and stimulate the sallies of wit, to make us for a time forgetful of our cares, and emancipate us from the sordid sentiments which naturally beset the man who is born to labor, to cement friendships;—but which, used in excess, produces the hot dispute, the irritating epithet, the unprovoked affront, the separation of friends, self-exposure, personal violence, and perhaps bloodshed—like that generous liquor, which, used in moderation is a blessing, and abused is a curse; so the Press may be both the one and the other at the discretion of those who conduct it. It is the *generous wine* of a more extended society, endued with more potent influences than its material prototype, more necessary to our welfare, more intensely contributing to our enjoyment. Like its prototype, its excess *may* produce evil, evil of a most serious nature; but the offenders must be few and well marked, and were there no other penalties for their offences, the good sense of society would visit them with its reprobation and contempt. A liberal Government has taken away restriction from the Press of India. Let it be the study of those who conduct it, to prove their own discretion a better safeguard than the shackles of a mistrusting Government. The advice given by Mr. Torrens at the Press Dinner, to avoid bitter expressions and coarse invective in all newspaper discussions affecting other journals,—a sentiment concurred in by Mr. Sutherland,—will, if attended to, contribute more to heighten the respectability of the Indian Press than any other reform which superior talent could introduce.—*Calcutta Courier.*

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## MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society apartments on the 5th of September 1835.

David Trail and James Hamlyn, Esqrs., Assistant-Surgeons on the Madras Establishment, and H. Bousfield and H. R. Bond, Esqrs., Assistant-Surgeons on this Establishment, proposed at the last meeting, were elected Members of the Society.

John Sawers, Esq., officiating 3rd Member of the Medical Board of Bengal, and John Scott, Esq., Secretary to the Medical Board of Bombay, were proposed as Members of the Society, the former by J. Langstaff, Esq., and Dr. Swiney, Members of the Medical Board of Bengal, and the latter by George Smyttan and James Orton, Esqrs., Members of that at Bombay.

The following communications on miscellaneous subjects were then read.

A note from G. Harding, Esq., Assistant-Surgeon Madras Establishment, requesting that his name might be withdrawn from the list of Members of the Society.

A letter from W. Burnett, Esq., Physician General, returning thanks for a series of the transactions of the Society presented for the Library of the Royal Naval Hospital at Haslar,

The following work was presented for the Library, viz:—

The first and second volumes of a descriptive and illustrated Catalogue of the Physiological series of comparative Anatomy contained in the Museum of the Royal College of Surgeons of London; presented by the Royal College.

The following original communications were presented at the meeting.

A sketch of the Progress of European Medicine in India, by H. H. Goodeve, Esq., Professor in the New Medical College.

Notes of two cases of rupture of the spleen, by A. Campbell, Esq., Assistant-Surgeon, Nipaul.

A case of snake bite successfully treated by blood letting and large doses of ammonia by T. J Smith, Esq., Assistant-Surgeon, Horse Artillery, Bangalore.

A case of indurated testicle successfully treated by Magnetism, by R. Tytler, Esq., M. D., presented by the Medical Board.

The usual miscellaneous business of the evening being concluded, the Secretary, having obtained permission of the President, proceeded to address the meeting to the following effect.

Mr. President,—In begging your premission to postpone proceeding farther with the regular business of the evening, I know that I am acting in accordance with the wishes of a great part, if not of the whole, of the gentlemen composing this assembly. There is no one among us, I believe, who is ignorant of the great loss which this Society has sustained since its last meeting, by the death of one of its brightest ornaments and most indefatigable supporters; I need not say, that I allude to the late Mr. Twining. In rising to propose that this melancholy event should not be permitted to pass unnoticed, I know that no apology is necessary; unless indeed it be, for the imperfect and unsatisfactory manner, in which I may execute the duty, which I have undertaken, I will not say reluctantly: for, although I deeply lament my own inability to do justice to the subject, I confess I cannot feel otherwise than grateful to those, who have afforded me this opportunity of endeavoring to do honor to the memory of one, for whom I entertained the most sincere esteem and regard.

I need not attempt, gentlemen, to trace an outline of the professional career of the late Mr. Twining; that duty will no doubt be performed by abler hands than mine, I shall therefore content myself with stating, that after serving his country honorably, both on the Peninsula, and on the continent of Europe, during the greatest part of one of the most gigantic and protracted struggles with a foreign enemy, in which England ever was engaged, the subject of this notice came among us, to share our fortunes, now a little more than eleven years ago.

The Indian portion of the career of the late Mr. Twining, as it embraced the period of the full maturity of his powers, was still more distinguished than that which had preceded it. His thorough knowledge of his profession, his great sagacity and his unremitting attention rapidly secured for him an extensive and valuable medical practice; this success, however, highly deserved and flattering as it was, did not constitute with us his greatest merit: that it had its share cannot be denied; for while it led us to respect and look up to him, the urbanity of his manners, and the affability of his address, insensibly secured our permanent attachment. That the community of Calcutta have had able medical practitioners among them, that they have them now, and that they will have them hereafter, cannot be denied; in this respect his loss may possibly be replaced; but gentlemen, my heart misgives me, when I endeavour to indulge the hope, that this society can ever find anotner Twining. To be what he was, how many high mental endowments, and how many of the more amiable qualities of the heart are necessary. To natural talents of a high order Mr. Twining united an ardent love of his profession, and a spirit, that led him to look to far higher objects than mere lucre, in the practice of it. In that assuredly he did well; for now that gold can no longer be of service to him, the monument to his genius, which he has left behind him in his writings, besides its eminent utility to his fellow creatures, will go far to secure for his name an immortality among the more distinguished medical writers of his country. In addition to these mental endowments Mr. Twining possessed a powerful, cool and dispassionate judgment, which enabled him to cast from him as weeds the most alluring speculations, if unsupported by sufficient premises, and consequently eminently qualified him for conducting investigations into the mysteries of disease: nor was his attention confined to these pursuits; but was extended to those branches of knowledge, which are collaterally connected with medicine, and which may be termed her sister sciences or hand-maids.

When I mention, gentlemen, that these talents and acquirements were combined with habits of industry, nay even of the most laborious application to whatever promised to increase his professional knowledge, or to extend his reputation, it will be allowed at once, that the individual so gifted could scarcely fail of commanding success, and so the result eminently showed.

Such, gentlemen, are a few of the qualities which the late Mr. Twining possessed; but there were others, which in a more especial manner endeared him to this society. To an unremitting love of professional research in himself, he united the power still more useful, if possible, of inspiring others with a portion of his zeal; to him accordingly we are indebted, not only for a series of the most masterly contributions that ever have been made to Indian Medical Science, which he himself laid before us, but for many other communications, which he was the means of encouraging other members of the profession to submit to our judgment; to him we are indebted for an interest in this Society, which I believe led him to be present at every one of its meetings, at which he could possibly have attended, during the whole of his Indian career: to him we are indebted for an interest in its welfare, that led him for many years of his life to devote to its affairs, the greater portion of the little leisure which he had, and which was to him so valuable; and to him we are indebted for a liberality of sentiment that led him freely to communicate to every member of it from his ample stock of knowledge. But, gentlemen, the catalogue of our obligations to him might be extended almost to an indefinite extent; I shall in consequence refrain form dwelling farther on the subject, where however let me ask shall we now find the cautious and experienced Physician to conduct our trials of new remedies; and where, oh where shall our young professional brethren find so kind, and so able an instructor to initiate them into the peculiarities of Indian Medical practice? Fortunately his successors in office are men of high talent who will no doubt eagerly endeavour to emulate his virtues.

I have been long enough in India, gentlemen, to remember the first institution of this Society, and likewise to remember what our service was, before that event, and I do not hesitate to say, that in my opinion this Society has done more to promote medical research in India, and consequently to elevate the professional character of our department, than could have been believed or even imagined by the most sanguine of its institutors. For a great portion of that improvement we are indebted to my predecesor, the late Dr. Adam, to whose learning, and to whose virtues no tongue could do more than adequate justice; for an equal, if not a larger share we are indebted to the late Mr. Twining. Though it was neither in his character to be vain, nor boastful, he had a just sense of the value of this society, and knowing that, he could not do otherwise than wish that it should receive the most extensive support.

I was in hopes, gentlemen, when we last met, that I shoud have been able to read to you this evening, a contribution, I need not say a valuable one, by Mr. Twining. Alas! I little thought at that time that it would prove to be a posthumous one; it will now come to us as a valued and esteemed legacy from our departed friend. Though there is every probability that it will be recovered, I have not yet recovered it, but the delay can be of little consequence; for I believe there is no one among us, at this moment, who could listen to it, or to any production of the late Mr. Twining's but with feelings of the most painful emotion. For my own part, so recent is our melancholy loss, and so accustomed was I to meet him in this place, that I can scarcely help casting my eyes around this table, in hopes of once more recognizing his well known features.

But enough of this, let us cease to deplore our own losses; for he requires not our commiseration. Let us console ourselves with the reflection that he died in the full possession of his faculties; that those who were dearest to him have been left in affluence by his own meritorious exertions; that he met his fate in a mode, which of all others may be considered honorable for a member of our profession—in the performance of an act of humanity to a person who required his assistance; and lastly that all ranks of society have been actuated but by one desire on the occasion, and that is, to do honor to his memory; and shall we then, gentlemen, who principally benefitted by his society, and some of us by his friendship, shall we be behind others in testifying our respect, our regard, our little less than veneration for his memory? I will not do myself, far less you, the injustice to harbour this suspicion, I shall therefore conclude by proposing "that besides other tributes, which will be submitted for your consideration, a biographical memoir of the late Mr. Twining be drawn up under the superintendence of the Committee of Papers, and prefixed to the volume of the Society's transactions, now passing through the press.

This resolution having been seconded by Dr. Mellis, was carried unanimously. It was then proposed by Mr. Hutchinson and seconded by Mr. Bramley, that the Medical and Physical Society do now adjourn till the first Saturday in October next, at the usual place and hour.

This resolution was unanimously agreed to, and the meeting of the Medical and Physical Society was accordingly declared to be dissolved.

During the course of the evening, many gentlemen, among whom were the President Dr. Langstaff, Dr. Mellis, Dr. Corbyn, Dr. Garden, Mr. Egerton, Mr. Bramley, Mr Goodeve and others, expressed in feeling and appropriate terms the high esteem in which they held the late Mr. Twining.

*Hurk.*] JAMES HUTCHINSON, *Secy. to the Society.*

## MEETING OF THE MEDICAL PROFESSION.

Resolutions moved and adopted, at a Meeting of the Members of the Medical Profession in India, held at the Asiatic Society's Appartments, September 5, 1835.

J. Langstaff, Esq., in the Chair.

First Resolutiotion moved by Dr. Langstaff, and seconded by Mr. Egerton.

*Resolved*—That such gentlemen now present, as may be desirous of testifying their sense of the public and private worth of the late Mr. Twining, be requested to rem ain and form themselves into a meeting of the Medical Profession, for the purpose of considering and deciding on the most suitable mark of respect to pay to the memory of that highly esteemed individual.

Second Resolution moved by Mr. Egerton and seconded by Dr. Mellis.

*Resolved*—That while this meeting is of opinion that the Medical and Physical Society of Calcutta has done much to elevate the character of the medical service throughout India, by encouraging and promoting a love of medical research, it is impressed with the conviction that to no individual is that Society more indebted than to the late Mr. Twining, not only for the valuable contributions which from time to time he made to its Transactions, but for the active and unremitting interest which from first to last he continued to take in its proceedings and welfare; and that it is accordingly fitting, and no doubt the desire of by far the greater number of the Members of the Society, and of the medical profession in India generally, to mark individually the sense they entertain of his services, of his high professional attainments, and of the unassuming private worth, which rendered him ever ready to communicate with cheerfulness to others the result of his great experience.

Third Resolution moved by Mr. Bramley and seconded by Dr. Ranken.

*Resolved*—That with the view of carrying the two foregoing resolutions into effect, a subscription list be submitted to every member of the profession in India for the purpose of collecting funds; wherewith to defray the expense of such tribute to the memory of the deceased, as may be determined on.

Fourth Resolution moved by Dr. Garden, and seconded by Mr. Goodeve.

*Resolved*—That with the funds so collected a monument, bearing a suitable inscription, be erected over the grave of the late Mr. Twining, and that with any surplus which may remain a portrait, if possible, be procured, and placed in the apartments of the Medical and Physical Society.

Fifth Resolution moved by Mr. Chapman, and seconded by Dr. Spence.

*Resolved*—That the following gentlemen be requested to form a Committee for the purpose of carrying into effect the foregoing resolutions, viz. Messrs. Langstaff, Garden, Strong, Hutchinson, Thacker, Egerton, Bramley, and Goodeve.

Sixth Resolution moved by Mr. Bramley, and seconded by Mr. Goodeve.

*Resolved*—That Mr. Hutchinson be appointed Secretary to the above Committee.

*Hurkaru.*] J. LANGSTAFF, *Chairman.*

## AGRICULTURAL AND HORTICULTURAL SOCIETY.

A general meeting of this Society took place at the Town Hall, on Wednesday morning, the 6th September, (fifteen members present), when Charles Grant, Esq., Commissioner of the Soonderbuns, proposed at the last meeting, was elected a member by ballot.

The following gentlemen were proposed, viz.

G. J. Siddons, Esq., { Proposed by Mr. Bell. Seconded by Sir Edward Ryan.

W. H. S. Rainey, Esq., of Jessore,..... { Proposed by Wm. Storm, Esq., seconded by D. Hare, Esq.

Duplicate copies of the report upon experiments at Akra, (read and approved at last meeting), where laid on the table, and the Society now only waited the report which Mr. Patrick had promised to make on a bale of Akra-grown cotton. In the absence of any communication from Mr. Patrick, Mr. C. Prinsep informed the meeting, that he had been at Fort Gloster lately, and was happy to add, had heard a very favourable opinion expressed of the quality; and further, that both the samples of yarn and cloth made from the raw material, would be forthcoming shortly.

*Resolved*—That a letter be addressed to Mr. Patrick, urging him to use his best endeavours to get the matter speedily out of hand, and thus enable the Society to annex a copy of his report to their own for the information of the Government, and the Honorable the Court of Directors.

Read the following communications:—

1.—A letter from Mr. W. H. S. Rainey, of Khoolna Factory, Jossore, expressing a desire to become a member, and soliciting a small supply of Guinea-grass and tobacco seed.

From the trial made by Mr. Rainey in feeding horses, he is sanguine of success, and that the Guinea-grass may be cultivated to such an extent as to supersede the use of corn in fattening the horned cattle.

In proof of the excellence of this grass, Mr. Rainey very politely offers to send in due time a bullock and sheep fattened exclusively upon it.

Mr. Rainey is of opinion, that the diseases (to which Mr. Watson particularly drew attention in a former paper) common to cattle in Bengal, were much aggravated, if not wholly induced, by scantiness of fodder and constant exposure.

The officiating Secretary had anticipated the Society's desire to dispense whatever was within their power, as likely to contribute to improvement, and had forwarded to Mr. Rainey a small supply of Guinea-grass seed, (no tobacco seed in store) from his own garden, not omitting to accept in the name of the Society, the promised sheep and bullock.

2.—A letter from Baboo Hullodhur Law, offering his services to translate a Persian manuscript on gardening, accompanied with a specimen which did the Baboo credit.

After some discussion as to the necessity of disbursing a large sum for this purpose, it was resolved that some Member of the Society, conversant in Persian, be solicited to give a full abstract, and Baboo Ramcomul Sen was mentioned as most likely to meet the wishes of the Society.

The officiating Secretary laid before the Meeting, estimates from the various presses in pursuance of a Resolution passed in August, to elicit information as to the terms on which the printing of the Society's transactions might be *vigorously* and *permanently* resumed. The lowest rates where those of the Baptist Mission, and Serampore establishment, between which the difference was only one anna per page in favor of the former; but

with reference to the circumstance of Mr. Marshman being a member of the Society, the decision was in favor of the work being made over to his Press, for the present.

*Resolved*—That the Hon'ble W H. L. Melville, Mr. Jas. Kyd, and the officiating Secretary, do form a Committee, for the examination and selection of papers for the Press, and commence immediately.

A letter to the officiating Secretary from Messrs. Ritchie, Stewart and Co. of Bombay, advising the shipment of some seeds per *Futil Currim*, agreeably to an indent forwarded by him in July last.

The following Resolution was submitted to the President, by Mr. Bell, and when read, seconded by Mr. Kyd:—

"That the present appears a fit opportunity for the Society to express their cordial thanks to Dr. Wallich for the valuable services which he has rendered as their Secretary since the resignation of Mr. Robison.

"It cannot be overlooked, that Dr. Wallich's acceptance of office just as an unpleasant correspondence had been agitated, bearing upon the terms on which the Society held a lease of the Alipore Garden (then under abandonment,) was productive of the most beneficial consequences, and that but for his exertions and address, during the absence of the President, at the Cape, the Society would in all probability have ceased to exist.

"The best proof of what has been effected, is the regular train in which every thing was left by Dr. Wallich, to his successor for the time being—while it reflects the highest credit on his ability and disinterested zeal.

"Although the Society have reason to regret the temporary absence of so valuable a member as Dr. Wallich, during his mission to Assam, yet the important results likely to accrue, to the Agricultural and Commercial interests of India from his scientific observations, will, in some measure, make amends for the loss of his services; and it is hardly necessary to add that in proportion to the regrets now felt at his departure, will the Society hail, with pleasure, his return."

*Calcutta, 9th September*, 1835. [*Harkaru.*

# MISCELLANEOUS NEWS.

## CALCUTTA.

SEAMEN'S HOSPITAL.—A Floating Hospital has been established, on the Howrah side of the river, opposite to the Bank's hall, by Drs. McGowan and Maxton, for the accommodation of seamen. The charges of the hospital are, for an officer, two rupees per diem; for a seaman, one rupee per diem. A number of commanders of ships have expressed their belief that the establishment will greatly benefit the shipping frequenting this port.

ACCIDENTAL DEATHS.—On the 29th August a ferry-boat was upset in crossing the river, and one of the twelve men in her was drowned. A barber was on the 1st September bitten by a cobra-capella, and expired in about twelve hours.

THE REV. T. DEALTRY was on the 1st September inducted as Archdeacon of Calcutta, to which office he was appointed by the Lord Bishop, on the resignation of the Rev. D. Corrie. Divine service was performed by the Rev. H. Fisher.

LORD WILLIAM BENTINCK.—Letters have been received in town from Lord William Bentinck by the *Duke of Sussex*, dated in June, which state that this Lordship had then completely recovered his health. Baboo Dwarkanauth Tagore has also received a letter from his Lordship, apologizing for an omission to answer a letter of the Baboo's before his Lordship's departure, and complimenting him upon having set an example to his countrymen by associating himself with the European merchants.

THE ROMANIZING SYSTEM is progressing in all parts of the country. We refer those who are interested in its advancement to the pages of the *Christian Intelligencer* for Setember for details.

MISSION TO ASSAM.—The Scientific Mission to Assam, consisting of Drs. Wallich, Griffiths and McCleland, started on the 29th August for Sylhet and Cherra-poonjee, whence they will pursue their journey immediately after the rains. It is said that the *Hooghly* steamer will be sent in November to ascend the Burhampootur in aid of the expedition.

MR. ATHANNAS, the Greek merchant whose death was announced on the 2d September, has left upwards of seven lakhs of rupees in cash and Company's paper, and landed property to a considerable amount.

ROMAN CATHOLIC MEETING.—A meeting of the Roman Catholic inhabitants of Calcutta took place on the 31st August for the purpose of electing four wardens for the Church of Nossa Senhora De Rozario. Messrs. J. Lackersteen, M. Crow, J. Rostan, Jr., and T. Gregory were the individuals elected.

MR. T. MAINWARING, of the Bengal Civil Service, died on board of the *Duke of Roxburgh*, on his passage to the Mauritius.

SIR H. FANE, the new Commander-in-chief, arrived in the *True Briton*, on the 5th September and landed at half past seven A. M. under the usual salute.

DR. TWINING.—The following resolutions were adopted at a meeting of the friends of the late Dr. Twining, held at the Town Hall on the 4th September.

Proposed by Lieut. Col Beatson, seconded by Mr. James Prinsep, and unanimously resolved:—

"That this Meeting feel deeply impressed with the loss, which they, in common with the public at large, have sustained in the death of the late W. Twining, Esq.—a loss which will ever be felt and deplored by those who had the advantage of his professional service, whose confidence, affection, and esteem he never failed to secure."

Proposed by Mr. T. Holroyd, seconded by Mr. R. S. Thomson, and unanimously resolved:—

"That the subscription already opened be extended for the purpose of collecting a sufficient sum to be laid out in some manner, which shall best perpetuate his memory, and record the grateful estimation in which his eminent professional talents, his unwearied and zealous attention, his uniform amenity and kindness, were held by his numerous patients and friends."

Proposed by Mr. H. Holroyd, seconded by Mr. C. R. Prinsep, and resolved:—

"That the following gentlemen shall be appointed a committee to receive subscriptions and to consider the best mode of applying the funds which shall be received towards the object of the preceding resolution, and to report the same to the subscribers for their confirmation at some future meeting to be called by the committee for that purpose, and that the determination of the majority of such future meeting shall be binding on the subscribers."

Proposed by Mr. T. Holroyd, and resolved:—

"That the following gentlemen be the committee: Mr. R. H. Rattray, Mr. Charles Prinsep, Lieutenant-Colonel Beatson, Mr. James Prinsep, Mr. T. E. M. Turton, Mr. R. S. Thomson, Mr. W. Thacker, Mr. T. Holroyd."

Proposed by Colonel Beatson, seconded by Mr. T. Holroyd, and resolved:—

"That Mr. R. S. Thomson be requested to act as Secretary and Treasurer to the committee, and to receive and realize the subscriptions to be paid into the Union Bank."

*Resolved*—"That this meeting do adjourn to this day three weeks. (Friday the 25th September.)"

*Resolved*—"That the thanks of this meeting be given to the chairman."

The subscription list already amounts to upwards of 3,000 rupees.

SHIPPING INTELLIGENCE.—The *Water Witch*, from China the 29th July, arrived here on the 8th September. She had a remarkably quick passage of 19days, against the monsoon, to Singapore. The vessel is to be dispatched immediately again, and she will, doubtless, make three complete voyages to China within the year. The *Water Witch* has brought 2,20,000 taels of Sycee silver, worth about eight lakhs of rupees, including the balance of the proceeds of the *Sylph's* opium. The bullion will find a good market, as the new coinage has created a brisk demand in the bazaar. Mr. Gordon, the head of the Tea Commission, arrived in the *Witch*.

The *Water Witch* has again proceeded on her voyage to China with eleven hundred chests of opium on board. Mr. G. J. Gordon has gone back in her to prosecute the objects of the Tea Commission.

The accounts of the salvage of the *Sylph* have been made up, and the loss turns out to be about 40 per cent. According to the statements, the policies at risk at the time of the wreck comprehended 980 chests of opium insured for 10,65,891 rupees, and the net proceeds have realized 7,35,604. rupees; from which is to be deducted 86,022 rupees, the salvage settled with Government: the net amount saved to the insurers is therefore 6,49,582 rupees, being rupees 662-13-2 per chest, or 60-95 per cent. upon the total amount insured.

The Committee of the Insurance Offices have deputed Mr. Wm. Carr and Rustomjee Cowasjee to receive and distribute the funds, and they paid the amount of salvage on the 25th September without waiting for the bills of lading, &c.,—which were remitted from China to the Agent of Captain Hawkins,—being delivered into their possession.

CIVIL SERVICE.—A letter on the Civil Fund, signed a CIVILAIN, appeared in the *Courier* of the 9th September. The writer declares on the authority, it would appear, of Mr. Curnin, that the Civil Fund is in a state of bankruptcy! there being a deficit of five laks of rupees, and he suggests that the following propositions should be immediately adopted to rescue the Fund from utter ruin:—

1st. That no one family, *now* on the fund, or who may hereafter come on the Fund, receive more in the aggregate annually from the Fund than £500.

2nd. That Mr. Curnin be requested to state what additional subscription will be necessary from each subscriber to maintain the Fund at its *present rates* of pension to widows and children.

3d. That as it is likely several subscribers, bachelors, or married monied men, (not likely to benefit by the Fund) may decline any additional subscription, yet continue to pay the present rate,—that Mr. Curnin be requested to frame a scale of additional subscriptions, on payment of which in future, subscribers wishing it may continue to secure the present benefits of the Fund to their families.

4th. That the Court of Directors be earnestly solicited to save a noble Fund from ruin, by a transfer to the Civil Fund of a small portion of the enormous unappropriated Annuity Fund.

5th. That the Civil Fund being a charitable one, it should be conducted upon the most economical scale, and that consequently the salary of the Secretary be reduced *immediately* from Sa. Rs. 500 per mensem to 250.

A letter from London, dated the 13th of April, gives the following as the scheme for modifying the Civil Service Annuities, submitted by the Court of Directors to the Board of Controul:—

"1.—Pensions to be granted to Civil Servants at half their value, if compelled by sickness to quit the service as follows:—

| | | |
|---|---|---|
| After 15 years service..... | £500 | per annm. |
| „ 10 and less than 15 years,..... | 250 | „ „ |
| Less than 10 years, a donation of..... | 500 | „ „ |

2.—The number of accepted annuities at the close of the year to be declared. Two-thirds of them to be appropriable to subscribers duly qualified in order of seniority, as respects applicants within three months after surplus declared, on payment of one quarter instead of half value. If the subscriptions of applicants exceeds one quarter, the excess to be returned. The remaining third, and such of the two-thirds as may not be claimed, to lapse to the Fund.

3.—Pensions may be paid in India to those wishing to reside there after resigning the service.

4.—Annuities to be paid quarterly, and up to the period of decease, on condition that the sums paid by annuitants be increased in proportion. The additional sum to be equal to the whole, not half, of the increased advantage.

5.—The Local Government to place out of employ such *inefficients* as have served twenty-two years, and *won't* take their pension.

THE PUBLIC LIBRARY.—The public library gets on famously; a great many individuals have presented books to the institution and the subscriptions already amount to upwards of 31,000 rupees.

THE METCALFE LIBRARY.—Subscriptions to the Metcalfe Library continue to be sent in, but far less zeal is evinced in its establishment than might have been expected from the attendance at the press meeting in January last.

MR. CURNIN.—The sum presented by Sir Charles Metcalfe to Mr. Curnin, to go home in order to secure the establishment of the Military Retiring Fund, is said to be 6,000 rupees, and in addition to that he has afforded him a handsome allowance for his support while in England. It is said that the individuals who suggested the voyage to Mr. Curnin, as soon as they came to the knowledge of Sir Charles's munificent bequest, proposed to consider it as a loan, and to raise a subscription in the army to discharge it.

RIVER PIRACY.—About 1 o'clock on the morning of the 10th September, a boat was plundered near Sulkeah Salt Golahs by a party of fifteen men, who pretending to be revenue officers, stopped the boat and then robbed her of merchandise to the value of 400 Rs. A hue and cry was raised, and the guard-boats gave chase to the pirates, who, after pulling about the river for some time, were at length captured in the act of leaping ashore at Hautkolla.

ASIATIC SOCIETY'S MEMORIAL.—The Memorial of the Asiatic Society of their monthly proceedings, extracted from the Journal for August, has been delivered in duplicate to the Secretary of Government in the General Department, signed by Sir E. Ryan as President of the Society, in order that it might be forwarded through the official channel to the Court of Directors.

FREE PRESS ILLUMINATION.—Many of those who intended to illuminate their dwellings on the 15th September, were prevented from so doing from the state of the weather. The *Hurkaru* office shared this fate; for although grand preparations were made, the wind from the north-east blew full upon the front of the house and baffled every attempt to light up. Some of the printing offices and private residences, which had a southern aspect, were successful in illuminating, and Mr. Turton's house in particular exhibited a blaze of light. A more successful attempt, however, was made at the *Hurkaru* office on the nights of the 19th and 21st September, when the whole face of the building sparkled brilliantly with lights beautifully arranged.

GOVERNMENT LIFE INSURANCE SOCIETY.—The Court of Directors have ordered the Government Life Insurance office here to be broken up immediately and the premiums returned to the policy-holders, and have expressed their displeasure at its establishment having been contemplated.

THE GENERAL ASSEMBLY'S SCHOOL.—The examination of the General Assembly's school took place on the 18th September and reflected great credit on both the conductors and the pupils. An essay on wealth and another on atheism, were extremely well written.

MEDICAL COLLEGE.—Several of the students of the Medical College were examined on the 21st Sept., by Drs. Bramley and Goodeve in the presence of the Bishop, Mr. Dealtry, Capt. D. L. Richardson and two gentlemen from the Madras establishment. The boys seemed to understand what they were taught in, and displayed a considerable degree of cleverness in their answers to the questions put to them.

THE ICE.—All the ice has failed in consequence of the saltpetre,—with which the godown in which it was stored was impregnated,—having reached it. The wasteage by melting was several tons per day, and the small quantity that remained, was sold to Messrs. Gunter and Hooper, who have stored it in their experimental ice-house.

The subscriptions for building an ice-house already amount to 6,000 Rs, and the Committee of the subscribers intend to erect a new building on scientific principles. A meeting of the subscribers took place on the 26th Sept., and it was resolved : —

1.—That the Committee be empowered to carry into immediate effect the sixth Resolution of the last Meeting, and to circulate books for the collection of subscriptions.

2.—That the resolutions passed at the last Meeting be so far altered as to leave it open to the Committee to make the best arrangements in their power to secure to the subscribers a regular supply of ice at the smallest charges.

3.—That Messrs. Longueville Clarke, W. P. Grant, and W. M. Woollaston be added to the Committee.

NAWAB SHUMSHOODEEN.—It is stated that orders have been forwarded to Delhi for the execution of Nawab Shumsoodeen.

RELIGIOUS PROCESSIONS.—The Sungkritan of Huree, or religious singing processions, which had been put down for the last twelve months, have been revived through the interposition of Baboo Radha Kanta Deb, who, with Baboo Dwarkanauth Tagore, succeeeded in removing the objections of the chief magistrate to the processions, and orders have been issued to permit them to parade the streets.

MURDER.—A woman named Peary was found murdered, in her house in Cotton street, on the 22d Sept. There were two wounds on her neck inflicted with a razor which was found in the bed. An inquest was held on the body, and from the evidence adduced it appears, that the horrid deed was perpetrated by her paramour, who has absconded. A verdict of "wilful murder" against some person or persons unknown, was returned.

RIVER STEAMERS.—The *Lord William Bentinck*, with the *Jellinghee* in tow, reached Bhagulpore on the 20th September, after encountering a very severe gale on the 16th and 17th. The vessels labored very much in the gale, and it was only by playing round the engine's full power that they were kept from going ashore about three miles above Sukreegully where the channel is very narrow. The current was running five knots an hour, and the vessels could hardly stem it. The river is said to be falling fast.

## NATIVE STATES.

DELHI.—Messrs. Metcalfe, Colvin and Fraser, on paying their first ceremonial visit to the King, were invested with dresses of honor.

A lady of Hindoo Rao's has been robbed of jewels to the amount of 14,000 Rs.

Two men were cut down and killed in the district while burrowing under a house with intent to rob it.

A native woman is travelling about in the vicinity of Delhi calling herself Nawab Bagum Jokoor Ul Nissa, and widow of the late Hyder Ally Khan of Delhi. She is however known to be an impostor and to have been a nautch girl.

His Majesty Ackbar Shah, being offended with Meerza Alley Ahaud Bahadur, signified to the Government at Allahabad his desire to revoke the nomination of the above named prince to the post of Heir-apparent to the throne of Delhi, and his wish to confirm the same on Meerza Selim Bahadur, but the authorities have refused to approve of this proposition. Shah Kubeer Ool-Mulk, another son of the King, has assumed the vestments of a durvesh and retired from the world.

THE BAZA BAIE.—A hurkara, sent from Gwalior to gain intelligence from the Baza Baie's camp, has been seized and imprisoned by her orders.

JEYPORE.—It is stated that Major Alves has totally acquitted the Jeypore Government of influencing the murder of Mr. Blake and the attack upon himself ;—that the Rajpoots are growing more insolent daily ;—that some of the petty Thakoors are already fortifying their strongholds, and have sent out parties into our districts to plunder and burn them ;—that Major Alves has for some time been amusing himself with shooting and nautches, in company of Byree Saul, near Ghaut and Chatewarras, and that seven persons suspected of being concerned in the murder of Mr. Blake have been apprehended.

Government have intimated to the Jeypore authorities, that unless their explanation prove satisfactory, they must make over the Government to the British power ; and troops under the command of General Watson, are to move towards the state immediately. It is said that Byree Saul had a long and secret conference with the Vakeel of Joudpore, and that he has detained all the Jeypore Jagheerdars at the Court.

Major Alves has made known the ultimatum of the British Government to the Jeypore authorities, and it therefore now remains to be seen how they will act. A civil servant, it is said, has been appointed to investigate the affair of Mr. Blake's murder.

A report is circulated, that Jotaram has just been discovered to be the instigator of the late tragedy ; and another that a plot has been concerted to criminate the Suraogees, the friends of Jotaram, and that two or three of the leaders of that sect are to be executed by Beree Saul's orders. It is further said that Beree Saul having assembled the Thakoors and Zemindars of the state, told them that a British force was coming to Jeypore, and asked them whether they were willing to give over their country to the English or determined to fight in defence of it. They replied that they would act just as they were directed by him. The reports circulated of Europeans being unable to ride out without being abused by the people, appears to be totally unfounded and false, and has created much surprise in the camp, for Europeans have not been molested or insulted in any manner.

The Jeypore mail was stopped on the 9th September, by an artilleryman named Rigby, who knocked down the hurkaru conveying it and possessed himself of a packet addressed to Captain Anderson. He was, however, soon seized by some zemindars and delivered to the kotwal of Agra and is confined in cantonments to be tried by a court-martial.

LAHORE.—At the date of the dispatch of the latest intelligence, Runjeet Singh was at Umritsur, from whence he intended to proceed after the rains, via Multan, to Peshawur. His Highness has decided on relieving his forces biennially for the future, and has called upon Shah-Soojah-Ool-Moolk for replies to some propositions he had made to him respecting his restoration to the throne of Cabul. General Ventura is to be sent in the cold season at the head of the forces to Shikarpore. The General, it is said, had put 150 men, who killed their commander, to the sword.

Maharajah Runjeet Sing recently experienced a paralytic attack which rendered him speechless for two whole days. He applied for a British medical officer, and one has been sent from Kurnaul. Considerable excitement has prevailed among the principal Sikhs ever since the attack, who contemplate the early demise of their chief, and from his age and constitution, impaired by every sensual excess, the event cannot be far distant.

OUDH.—The amorous king, it is said, has set his heart on marrying the sister of his late favourite concubine, whom in a fit of anger he had put to death ; and in spite of the lady's refusing the honor intended her, is determined to force her to comply with his wishes, for which purpose he has already separated her from her husband.

BHURTPORE.—The agricultural accounts promise a very unproductive khureef crop. The crops in the low lands had been destroyed by the heavy rains, and the seasons has been very uncongenial to those which had escaped the water. Numbers of people have therefore deserted their cultivation and taken to robbing for their subsistence.

PESHAWUR.—It is stated that as soon as the Affaghans were apprised of the Maha Rajah's return to Lahore, the leader of a faction named Russool Khan, Patan, attacked Ram Sing, the Killadar of the village called Nepra Kalla, who being overpowered, was slain with all his adherents. Maud Khan, Jageerdar, who had long been jealous of the power of Russool Khan, Patan, surprised the latter with all his troops in the said fortress; upon which an encounter ensued between the parties, in which Maud Khan succeeded in wresting the killa from the first usurper who was compelled to have recourse to flight. A party of sepoys, about 150 men, belonging to a regiment of the Seikh Chieftain, while proceeding from a village to Peshawur for the purpose of receiving their pay, were attacked by a body of Patans who cut them all to pieces. The Nazir of the Province, on receiving intelligence of this catastrophe, dispatched his troops in all directions to trace out the murderers, if possible, but they have been unable to find them out.

NEPAUL.—The Rajah and his ministers are extending their protection to the encouragement of arts and manufactures. A body of Cashmerians, who were driven from their country by the tyranny of Bysuklal Sing and Cóur Shere Sing, have arrived at Katmandoo, found protection from the Rajah, and are going on successfully with the manufacture of shawls, the wool for which is brought from Tibet.

THE EX-RAJAH OF COORG.—It is stated in the *Carnatic Chronicle*, that the ex-Rajah of Coorg, after accomplishing the assassination of the greater part of his escort, had effected his escape and taken refuge in some unknown retreat.

## BENGAL, &c.

HANSI.—The troops at Hansi are said to be suffering severely from fever. The station continues so very unhealthy, that it has been found necessary to encamp the troops in tents at some distance from the station. Colonel Skinner has been very dangerously ill.

MR. VIGNE, the traveller, reached the vale of Cashmere on the 2d August. He speaks in raptures of the scenery, and the great beauty of the women, whose teeth he compares to rows of mother-of-pearl. He intends to proceed on to Ludak.

MEERUT.—A heavy fall of rain on the night of the 12th August, completely flooded the cantonments and surrounding country, destroying verandahs and out-offices, and giving an appearance of desolation to the whole scene.

COTTON AND SALT.—One-third of the cotton crop in Agra is said to be destroyed by the incessant rain, but the Tonk and Jeypore cotton remains uninjured yet. The produce of the Balamba salt this season has fallen of nearly one-half in consequence of the early and heavy rains, and prices have risen from 1-8 to 3 Rs.

ALLAHABAD.—A leper establishment is about to be established in Allahabad.

Three prisoners effected their escape from the jail, and proceeded as far as Mow Serayha, when they were captured by the zemindar and sent back to the magistrate.

An interesting case of *crim. con.* is pending in the court at this station. The parties are a Mr. Beatson, an apothecary, and a Mr. Grant, a clerk.

A change of editorship has taken place in the *Central Free Press*, and that paper, at the suggestion of the new editor, is to be increased in size, the typographical errors are to be carefully avoided, and, should the subscription be so far increased as to warrant it, a *bi-weekly* edition of the journal will be issued.

MR. FRASER'S MURDERERS.—Kurreem Khan was hanged on the 26th August, on the spot where he shot Mr. Fraser. Three companies of infantry, a hundred sowars belonging to Nawab Fyz Mahomed Khan, and a vast concourse of the native and European population were present on the occasion. Kurreem Khan behaved with great intrepidity and firmness to the last, and died without a groan. The Mahometans have canonized the miscreant, and thousands daily resort to his tomb to offer up their prayers. The proceedings of the Nawab's trial have been translated and forwarded to the Supreme Government, and there can be no doubt he will be doomed to a similar fate as Kurreem Khan.

CAPTAIN N. CAMPBELL, it is said, has appealed to the Court of Directors against the order of his removal from the mounted branch of the artillery.

THE REV. FATHER ANTHONY.—The death of the Reverend Father Anthony, one of the missionaries of the "De Propaganda Fide" Society, is announced in the *Agra Ukhbar* of the 29th August.

MR. ROBISON.—The Deputy Post Master of Benares, the veteran Gervaise Robison, has gone the way of all flesh, after a residence in India of about 50 years. Mr. J. Palmer and he were middies and chums together on board of a man-of-war, and it will be with deep regret that the former will hear of his friend's demise. The duties of the department have been confided to Captain W. Murray of the 22nd Regt. N. I., which cancels his former appointment of assistant to the Commissioner in the Saugor and Nerbudda Territories.

AGRA.—A subscription list is in circulation in the station, for the relief of the Cape sufferers.

The crops, in consequence of the excessive rains in the begining of the seasons, are somewhat backward, but a good *joar* and *bajera* crop is still expected; the cotton, however, is not expected to yield more than two-thirds of the quantity produced last year.

Among the *on dits* circulated in the station are those of Brigadier Cartwright's removal to Kurnaul, and the station being elevated into a separate division of which Brigadier-General Duncan is to assume the command.

A meeting of the friends of a Free Press, was held on the 8th September, by permission of Brigadier Cartwright, at the house of Dr. Woodburn; at which it was resolved that the legal emancipation of the Indian Press should be celebarated by a dinner at the station. It was also proposed to open a subscription list in aid of the Metcalfe Public Library in Calcutta, a sufficient sum being reserved for a tablet with an inscription of Sir Charles Metcalfe's celebrated reply, to be placed in the Agra station rooms; but it was negatived by a majority of voices, on the ground that should any attempt be hereafter made to associate the name of Metcalfe with the emancipation of the India Press, by the erection of a monument in the Upper-Provinces, the supporters of the present meeting would be unable to join such a measure.

MOORSHEDABAD.—On the 9th August, eleven convicts sentenced to perpetual imprisonment in the Allepore Jail, and a twelfth on his way from Patna to Midnapore, rose on their guard, consisting of a duffadar, and fifteen hired burkundauzes, mastered them, and made off with the boat.

SHUMSOODEEN.—It is said that Shumsoodeen on being made acquainted with the execution of Kurreem Khan, was greatly affected and knocked his forehead so very violently against the wall of his prison, so as to inflict a considerable wound; and that orders have been issued to adopt measures to prevent his committing suicide. It is also stated that the daily allowance of the Nawab from the Government Treasury, has been decreased from five hundred to five rupees.

FUTTEHGURH.—A skirmish took place on the 12th September, between the regiment of this station and the disaffected troops of the Baie from Gwalior who were located outside the cantonments. Twelve or fourteen lives were lost in the conflict on the side of the Baie's people and a few sepoys were slightly hurt. The malcontents amounted to about four hundred, the greater number of whom fled on being charged by the sepoys; they have dispersed themselves over the country, and it is expected will be committing many outrages amongst the surrounding villages. Mr. Swetenham, the Co[illegible]

sioner, with the Assistant-Magistrate, Mr. Robinson, accompanied the sepoys and remonstrated, but ineffectually, with the Baie's followers. Mr. Robinson had a narrow escape of his life by falling into a well, and he received besides a slight wound from a sword or spear.

NEEMUTCH.—The rain has lately been incessant in this station, and sickness has prevailed among the sepoys to a considerable extent. The 28th regiment had, when the last accounts were written, upwards of 60 men in the hospital.

MHOW.—Ensign Beck and Lieut. Harwood of the 68th, while on a visit to the waterfalls, fell into one of them; Lieut. Harwood, with considerable difficulty and after being every much bruised, succeeded in extricating himself, but Ensign Beck was never seen again.

ACCIDENT ON THE RIVER.—Two young Ensigns proceeding up the country, had a narrow escape of their lives. Near Ghazepore, their budgerow upset when going on with a steady breeze on the quarter. One of the officers being outside, swam and was saved by the manjee, who laid hold of him by the arm just as he was sinking. The other officer was inside the boat, and has no knowledge how he was saved, having been for a long time under water. Both officers reached Benares in safety on the 8th Sept., but they have lost all their property.

A boat laden with chests from the Insurance office of Messrs. Holmes and Co of Calcutta, on its way to Meerut, was wrecked between Kharahabad and Shojahpore, and the whole of the property lost. The crew and passengers were all saved. Some chests were subsequently picked up and have been conveyed to the Moorutgunge thanah.

## MADRAS.

THE BREAKWATER.—By the *Frederica*, which reached Madras on the 18th August, a detachment of Sappers and Miners, under the command of Lieut. Armstrong, destined to work at the Breakwater, arrived, and another detachment was hourly expected on the *Catherine*. The Committee have since been successful in realizing many additional subscriptions.

MILITARY ITEMS.—An affair of honor recently took place at Bangalore between a Lieut. of the 27th N. I., and an Ensign doing duty with the 4th N. I. The Ensign received his adversary's fire in his head, and died a few days afterwards. The surviving principal, and the seconds in the affary, have been arrested, and at the date of the dispatch of the intelligence, a Court of Enquiry was sitting on the melancholy event, which appears to have sprung out of violent and contumelious expressions used by the deceased officer.

Lieut. Wakeman, it is also asserted, has been dismissed the service.

It is reported that Lieutenant F. O'Callaghan, Military Secretary to His Excellency the Commander-in-Chief, is seriously ill at Ootacamund, and apprehensions are entertained for his safety.

LORD WILLIAM BENTINCK.—Mr. Norton, the chairman of the meeting which voted a testimonial to Lord William Bentinck, has received an answer from his Lordship, returning his warmest acknowledgments for the testimonial. His Lordship in his reply touches on the new charter and the press in this country, and developes his views of the true policy of the future government of India,—which reflect alike honor on his understanding and feelings.

THE MADRAS LITERARY GAZETTE has ceased to exist for want of sufficient support.

THE HORTICULTURAL SOCIETY are carrying on their proceedings vigorously. There are already eighty-one subscribers. A sum of 400 Rs has been set aside to procure useful seeds from England, and a piece of ground has been selected promising every essential for a garden; and on that spot the Government have sanctioned the experiments in boring for water to be made, the result of which will finally decide the Society on taking the ground.

MURDER.—A boy about thirteen years of age, the son of the Subadar-Major of the 31st L. I, was murdered at Gooty on the 21st August, while tending some bullocks. It is supposed the assassin was tempted to the commission of the horrid deed by a few silver bangles the boy had on his person. The body of the unfortunate victim was brought in the next day, the hands and head severed from the trunk.

THE SURF.—The surf for some time past has been very violent, so much so as to retard in a great measure the intercourse with the shipping. On the 28th August it rolled with such fury that a mussullah boat, in which was the steward of H. M.'s ship *Wolf*, was crushed to pieces in its waves. The steward and the boat's crew, except the tindal who was drowned, reached the shore by swimming.

NELLORE COPPER ORE.—The celebrated Chemist Thomson, has reported from 48 to 51 per cent. of pure copper in the specimens of ore sent to him from the Nellore mines, which agrees with Mr. Kerr's statement of the result of an actual smelting of ores by the Company, and is more than the proportion contained in pure carbonate of copper. The percentage out-turn at the Calcutta Mint of an assay of pure ore from the mines is as follows:—

| | |
|---|---|
| 16.7 | Carbonic acid. |
| 60.7 | Oxide of copper, yielding 48.2 of copper. |
| 22.6 | Impurity. |
| 100. | |

ROBBERY.—The Mint has been robbed of a bar of gold weighing about sixty or seventy ounces, belonging to a native. The thief has not been detected, but the case is being investigated by the Police, and it is expected that he will not long be able to elude the vigilance of its officers.

SHIPWRECK.—On the night of the 5th Sept., the brig *Stree Ingadeswera Swamy* was wrecked about eight miles to the northward of Bimlipatam. All on board perished except one lascar, who after being two days in the water on a plank got on shore near Bimlipatam. There were forty-two persons on board the brig, including Ensign C. J. Hoseason, of the 50th M. N. I.

CUTTACK.—Accounts from Cuttack state that all the country had been flooded, and that if the water had risen two feet more a most calamitous inundation would have followed. The waters, however, were fast subsiding.

OUTRAGE ON THE BRITISH FLAG.—The ship *Boulton*, Captain William Compton, on leaving Madeira on the 3d June, duly authorized by the Portuguese authorities, had two-shotted guns fired at her from the Leo battery, without the least provocation being given. The ship was immediately hove too, and the chief officer dispatched in a boat to ascertain the reason of the outrage, but he was not allowed to land and therefore came back to the ship. Several other shots were then fired, one of which, a nine-pounder, went through the jib and passed over the poop. The land breeze preventing the possibility of the vessel returning to the anchorage, and it not being strong enough to enable her to get out of the reach of the guns, a second boat was dispatched with the third officer, who understanding French asked the people on shore in that language the cause of the firing, when they told him it was *all a mistake* and they hoped nobody on board was hurt.

## BOMBAY.

SOCOTRA.—The Island of Socotra is to be abandoned. Tenders for a vessel to bring away the troops and stores now there, have been advertized for.

The *William Ritchie* arrived at Bombay from Socotra, on the 21st August, with the remainder of the first detachment sent to the island. Since the last accounts, the mortality amongst this small body appears to have been much less than at first, though another officer—Dr. Jardine—has fallen a sacrifice to the epedimic from which they have throughout more or less suffered. The opinion now seems to be that the neighbourhood of Tamarida Bay, where the detachment at first encamped, will always be extremely unhealthy, as it is throughout the monsoon a complete swam. The high

lands in the interior, however, are regarded more favorably than at first; and to them Captain Corsellis has marched his men, so that there is reason to hope they will remain tolerably healthy during the short time they are likely to be on the island.

THE HUGH LINDSAY is to start from Bombay for Suez, for the overland mails, on the 10th of November and the 1st of February.

THE WEATHER.—The anxiety under which the inhabitants labored on account of their crops, in consequence of the unusually severe drought, has been greatly alleviated by the fall of plentiful showers of rain, which promise to continue, and the drooping and nearly parched up cultivation is again looking up.

THE CROPS.—All fears entertained on account of the crops have been dispelled by the fall of plentiful showers of rain, which have filled the wells and principal reservoirs and enabled the cultivators to proceed with the transplanting of their crops.

## ASSAM.

DISTURBANCES IN SUDDYAH.—Intelligence of a melancholy nature has just been received from the disturbed districts near Suddyah in Assam. Lieut. Charlton, accompanied by Mr. Bruce, and his detachment of lascars, having succeeded in getting one of the guns belonging to the boats attached to that post, with great difficulty, dragged up to a stockade in advance of Beesa, where the rebel Gaums had taken up a position, opened a fire of grape upon the adverse force, and gallantly drove them out of the stockade; but trusting too much to the fear which the defeat had caused, Lieutenant C. boldly pursued the enemy at a pace with which the gun could not keep up, forced them into another stockade which he immediately stormed and carried, but received in the attack a severe blow on the leg, by which the large bone was fractured, and he was necessitated to proceed for medical advice to Bishnauth, where he now remains. The sepoys behaved with the utmost gallantry though opposed to a force six times their own in numerical strength. Five or six men were severely wounded.

The province has been more than unusually unhealthy this year, scarcely any one having escaped fever who has been at all exposed, and by no means holds out much encouragement to others to enter it.

## SUMATRA.

Advices from Bencoolen to the end of June give a very gloomy account of the state of that settlement, even as to its security. It had been found expedient to send out a detachment of 100 men to Maossee to erect a mud fort under the direction of the Resident and Commandant, a small detachment having just previously been cut off and destroyed,—cash to the amount of 1,000 rupees, and all their effects, falling into the hands of the assailants, who were represented as a very numerous body.

The affairs of the Dutch in Sumatra, indeed, begin generally to assume a very desponding aspect, and factions, it is said, are forming even in some parts of Java, with a view to throw off their yoke. The troops sent against the Bonjál people were replused when within pistol shot of the town and forced to make a precipitate retreat after having eight officers killed, ten wounded and a great number of men slain. In Bencoolen things appear to be in worse state than at Bonjál: the Resident and the Commander of the forces, with one hundred men, had been decoyed into the interior, and were completely beleaguered in a mud fort which they had been obliged to erect to protect themselves, and their assailants had sworn to decapitate them all. A reinforcement of fifty men (!!) had been sent by the Dutch authorities to coerce the Bencoolenites, who have vowed never to submit to their cruel rule. The whole west coast of Sumatra, indeed, is said to be in a state of insurrection, and an attack was meditated on the settlement of Bencoolen itself,—and if the Resident failed in maintaining the mud fort, considerable loss of life and property is inevitable.

## JAVA.

SEIZURE OF COPPER COIN.—Intelligence has been received that the Dutch Government at Batavia have made an extensive seizure of copper coin, which it would appear was intended for Singapore,—and that the books and papers belonging to some gentlemen of the English establishments at Batavia, had been sealed and carried off, by order of the authorities, for examination. The coin was brought out in the *Hero*, and the information of its being on board, was given to the Custom House at Batavia by the Netherlands Council at Liverpool. The importation of copper coin to Batavia, not of Netherlands coinage, is not only strictly prohibited but punishable by death.

## BURMAH.

SHIPWRECK.—A letter from Arracan, dated 18th Aug., mentions that there is strong reason to suppose that a vessel had been wrecked on the coast, as masts, bulwarks, &c. have been washed ashore on the beach, and report has been made to the Assistant-Commissioner by the head man of a village a day's journey from Sandoway, that a vessel had been seen a week previously off the coast in a storm. No further intelligence, however, has yet been received here.

## PERSIA.

A letter from Tehran, dated 1st July, 1835, contains the following:—

"The old King's death was a glorious thing for us, and has made our fortunes. I am delighted with the service, and the young King's kindness to us all has been very great. For the taking of Teheran he gave us all our pay, which was many months in arrears, shawls, and the second class order of the Lion and Sun, and has written a very gratifying letter to the King of England, requesting His Majesty, for our services to the state, &c. &c., to grant us his permission to wear it. All the officers are employed. I am drilling some Lancers for the King; they are all dressed and properly equipped and look for Persians very well. I am well lodged and taken care of, and have every reason to be well pleased.

"The march from Tabreez to Teheran was cold work, and we suffered much from rain and afterwards from snow; however, we had the honor and satisfaction of keeping out the Russians. The plague had broken out in Tabreez and the Russian ambassador has discharged all his servants and put himself in quarantine—it is travelling downwards. We expect, I regret to say, soon to lose Sir John Campbell who retires, being relieved by a King's embassy; his loss will be severely felt by us all. Sir Henry Ellis, the new Ambassador, has the following staff:—McNeil, first secretary; Mr. Sheridan, private secretary; Captain Stoddard, military secretary; Dr. Bell, surgeon:—it is to be a very flash affair—a King's Mission—John Company have nothing to do with it. Sir John is at present at Teheran, and will not leave until he hears of the new Ambassador's approach.

"The old Quaim-Makam and his son the Vizier have been seized by the King and will be put to death.

"Captain McDonald has gone home with dispatches, the rest of us are all well and much the same as when you left us."

## CHINA.

OPIUM AND COTTON.—The prices of opium on the 24th July, were 650 drs. per chest for Patna, and 605 for Benares. Some parcels of good Bengal cotton had been sold at 13½ to 14 tales, a brisk demand being created by the report of a scanty supply from Bombay. The stock of opium at Lintin on the 1st July was reduced to 174 chests Patna, 93 Benares and 477 Malwa; the deliveries in June having been 133 Patna, 64 Benares and 540 Malwa, besides 43 chests damaged from the *Hercules*. The subsequent deliveries to the 15th July were Patna 234, Benares 76, Malwa 680, and damaged 52.

PROVINCIAL CITY.—A document from the Keun-ke, or Privy Council, has arrived from Pecking, stating that the petition of the foreign merchants at Fuh-keen, to have the harbours and rivers of that province opened to trade, had been unsuccessful.

Lee the acting treasurer, has been appointed Judge in Shense province.

On the 9th July a proclamation was issued by the Nan-hae-heen to the people to keep the streets and water courses clean, and threatening them with the utmost rigor of the law if they neglected to obey.

The plundering of the *Troughton* and the attack on her crew, which took place 100 miles from the Ladrone, have created a great emotion among the British residents in China. The thieves are fishermen, who must be partially known, and if the Chinese authorities are strongly urged on the subject they cannot escape being taken. The amount of the cargo plundered is said to be £13,000.

# REVIEW OF THE CALCUTTA MARKET.

*(From A. E. Kuhn's Monthly Price Current, September 25, 1835.)*

**THE APPROACH** of the great Hindoo Holidays (Doorgah Poojah) has not led to that active business in British Manufactures which might have been expected. The holders of Twist and Cotton Piece Goods, encouraged by the favourable advices from home, have been firm, while the native purchasers, although eager to buy, have only offered very moderate prices. There have been also many days of stormy weather, by which the transactions among the natives have been much impeded. On the other hand the scarcity of tonnage and consequent high rates of freights have opposed obstacles to the shipments of produce, and the notification of the Honorable Company of an enhanced rate of exchange on advances made on produce for England, (formerly 2*s.* 1*d.* per rupee, now 2*s.* 2*d.*) have contributed to diminish the number of transactions under this head, so that our Review of the Market will be necessarily much curtailed, and present but little matter of general interest.

INDIGO.—The continued violence of the rains has naturally prevented any improvement in our prospects, although from the advanced state of the manufacture, no serious diminution of quantity need be anticipated. In Jessore, and particularly in Tirhoot, the early estimates have been much reduced, but from Kishnaghur, Dacca, and other eastern parts, the supplies will be most abundant. The general opinion seems to fix upon 115,000 maunds as the nearest approximation to the present crop. We hear of a parcel of 96 chests Dacca Indigo (of last year's produce) sold at rupees 135, and it is said that rupees 150 per maund has been refused for the entire produce (700 maunds) of one of the Kishnaghur factories. Our present quotations apply to the transactions of June last, nothing of any extent having transpired since then, they may be therefore considered as nominal. The first sale of the new season will be hereafter described by us in due course.

OPIUM.—There has been considerable demand for the drug during nearly the whole of the month, arising from the encouraging advices from China, and Patna advanced steady from ~~Rs~~ 1165 to ~~Rs~~ 1225, and Benares from ~~Rs~~ 1050 to ~~Rs~~ 1100, but latterly the market has again declined upon the general belief in a large crop, and which is variously estimated up to chests 14,500. The accounts from Bombay describing an abundant fall of rain have also contributed to dissipate the fears previously entertained of a diminished produce.

SILK.—In addition to the explanation given in our last number, respecting the effects of unfavourable weather and the diminution of cultivation generally; we may now add, that the accounts from the silk districts lately received are so bad, as to amount almost to an announcement of total failure.

SILK PIECE GOODS.—The demand is active, but the total absence of stock confines the business doing almost entirely to orders given to the manufacturers.

COTTON.—The regular season for shipment to China having arrived at its term, our sales have been limited during the month, but within these few days a speculative demand has sprung up among the natives for Cutchora, (intended for shipment to China,) and prices have risen to ~~Rs~~ 13-12, and 14 per maund. The Cotton crop on the Bombay side is now fully ascertained to have failed considerably.

SALTPETRE.—The scarcity of available tonnage naturally renders this article very dull. Prices are nevertheless welly supported.

SUGAR.—We have nothing to offer beyond the daily transactions.

LAC DYE.—We have already observed in one of our late numbers that the genuine DT mark, has been contracted for by one house in Calcutta, at Sa. ~~Rs~~ 80. The better sorts of native marks continue scarce and the prices may be considered fully supported.

SHELL LAC.—Is very little enquired after, and our market offers at present a wide choice.

RICE has again fallen. The discouraging accounts from Europe, the scarcity of freights and the anticipated large crop have all induced this result. Ballam Rice has been sold in the bazar even under rupee a maund.

WHEAT.—A few sales have occurred during the month.

HIDES AND HORNS.—The transactions limited, and prices have experienced no change.

HEMP AND JUTE.—No sales have come to our notice.

LINSEED.—There is but very little good in the bazar, and prices are steady.

SPICES, DRUGS, &c.—Mace, Nutmegs and Cloves continue in demand; Alum is enquired after at quotation; Ginger steady at present prices but sales restrained by the high rates of freight; Coffee nothing doing.

METALS.—Tile Copper has advanced to Rs. 33, consequent upon short importation and the firmness of holders. Sheathing has likewise improved although not in the same proportion, 16 32 oz rupee 34-12 *a* 35. Peruvian Copper has gone up to Sa. ~~Rs~~ 29 8 (Sicca Rupees) for best quality. Spelter has risen to Current Rupees 7-15 *a* 8. The stock is much reduced. In Iron we have not the least alteration to notice. Lead, market steady.

TWIST.—The Stock of white is so much reduced from the almost cessation of Imports, that the business has been confined to sales to a very limited extent. In dyed yarn the demand is languid, except for Turkey red. Orange having been immoderately supplied, the market is particularly overstocked and prices are likely not to be maintained. In the other colours as pink, green &c. but little doing.

COTTON PIECE GOODS.—Although many sales have been made, the total amount sold is very insignificant, for this season of the year. There has been a remarkable reduction of Imports, it is therefore probable that in a few days after the holidays, prices may shew a further improvement.

WOOLLENS.—Remarkably dull, with the exception of a few bales of Town and Pelisse Cloths selling occasionally in very small parcels, our market is quite inactive. In three or four weeks after the holidays, the customary seasonal demand for low woollens will doubtless arise. Purpets are in demand, but the prices offering shew but little advantage to the importers. Low Flannels difficult of sale and fine only to be disposed off in small quantities and at moderate prices.

BULLION.—Our sales of Syce Silver have been considerable to provide the means of investment in Opium.

## MEETING AT THE EXCHANGE.

The Meeting held on Thursday morning the 8th October at the Exchange Rooms was not very fully attended, but there was as usual a good deal of animated discussion and a great deal of time wasted in that sort of bye play and desultory conversation which is so characteristic of all meetings here. Mr. Cockerell was unanimously called to the Chair, and after he had read the requisition opened the business of the Meeting.

Mr. ARBUTHNOT moved the first Resolution, introducing the subject by observing that the date fixed for the departure of the *Hugh Lindsay*, on her two voyages from Bombay, would not afford a sufficient interval for reply with reference to the general convenience. He then read the following resolution :—

*Resolved*,—That the proposed dates for the departure of the H. C.'s Steamer *Hugh Lindsay* from Bombay, for the purpose of conveying the Mails to and from Suez, precludes all possibility of the Merchants of Calcutta and others interested in the interchange of Letters with England replying on the second to Letters brought by her first voyage, and if carried into effect will destory much of the benefits otherwise derivable from the projected voyage of the *Hugh Lindsay* to this side of India, the Commercial Interests of which, amounting to about four crores of rupees annually, we are led to believe, are of some importance to the Government of British India.

Mr. EARLE seconded this resolution which was carried *nem. con.*

The 2d resolution proposed by Mr. John Allan, seconded by Mr. A. Rogers and carried *nem. con.* was as follows :—

*Resolved*,—That it appears to this Meeting, that the dates can be changed so as to afford every probability of time being allowed for such answers being sent from Calcutta and places adjacent, without the sacrifice of any important consideration connected with the dates as proposed from Bombay.

The third resolution moved by Mr. Bruce and seconded by Mr. John Lowe, was then put as follows :—

*Resolved*,—That a Memorial be presented to the Honourable the Governor-General of India in Council, expressive of the above sentiments, and praying, as there may be serious objections on the part of the Supreme Government to alter the date of the first departure, to the 2d November, and as such alteration would now be too late to admit of parties in Calcutta preparing their correspondence in time, that the first voyage may be postponed till December, and the second till March, viz, to the 3d December, and 11th of March.

Mr. TURTON opposed this resolution. If he had not been aware that a great many commercial persons did not agree in the view expressed in that resolution he would not have interfered. He thought that it was not right to seek to interfere with the period fixed for the first departure of the Steamer. We ought not to ask to have that date altered without considering how other interests than our own might be affected by the change. Others may have made arrangements with reference to the date fixed to whom there might not be time to communicate the alteration. Mr. Turton instanced the community of Ceylon. Would it be right to call for such an alteration when we could not to such parties give intimation in due time ? He thought not. He did not perceive any serious objection to the period fixed for the first departure, the 10th November. He had not heard any reason why that was an unfavourable time, but that neither for us nor others was there time to reply in the interval between that date and the 1st February. Mr. Turton then adverted to some calculations which had been shewn to him by Mr. Adams, derived from the *Malta Gazettes*, which shewed that if the second departure were fixed for the 15th Feb., there would be ample time for our mails to reach the Malta packet, which did not leave Malta before the 5th April, allowing the minimum of 14 days between the date of her arrival at that island and her departure from it again for England. This arrangement would suit the general interests, and he thought we ought not to represent our own particular little grievance. He was sorry therefore to disagree for once with his friend, (Mr. Greenlaw) who was so anxious a listener; but if he did not exactly assent to his views, he at least studied the general interests. He should not then propose any amendment, though he would do that if it should be necessary, but in the mean time he rather threw out what he had said for the general consideration of the Meeting.

Mr. Adam being called up, read his notes to the Meeting to the following effect :—"That the average steam passage from Falmouth to Malta, from Januray to May last inclusive, was 16 days, and from Malta to Falmouth 18 days—that the mails are generally made up in London on the first Tuesday of every month, and the Steamer leaves Falmouth within three days afterwards,—that in the above months none of the packets were detained beyond the 8th of the month, and the dates of departure from Malta for England were the 2d and 31st of January, 12th of March, 10th of April (date in May unknown), and 9th of June ; the shortest interval between the arrival of the packets from and their departure for England being 14 days and the maximum 20 days—that the *Blazer* arrived on the 4th of June, in 5 days from Alexandria—the *Confiance* on the 7th, from Corfu the 4th and Zante the 5th of June—and the *Firefly* left for England on the 9th. So that, the *Hugh Lindsay's* mails, dispatched from Bombay on the 10th of November, and reaching Suez about the 10th December, and Alexanderia on the 16th, might be at Malta by the 21st, and leave for England on the 4th of January, (allowing 14 days as the minimum interval as above) being 55 days after starting from Bombay ; and taking the above maximum of 20 days interval, they would start for England on the 10th of January, still giving sufficient time for us to get answers by the Falmouth steamer of February. Whereas, if the Bombay steamer started on the 2d of December, her mails would not go forward from Malta till about the 8th of February (mean date) after an interval of 68 days, and might possibly be detained till the 14th. Again, starting on the 15th of February, which would allow her a month at Bombay after her return under the arrangement now published, the mails would reach Malta about the 28th of March, seven days before the earliest date for the dispatch of the Malta packet for England.

Mr. GREENLAW observed that if these statements were taken to be correct, then of course there could be no doubt that the 15th of February would be the best date for the second starting of the Steamer ; but that depended on whether these statements derived from the *Malta Gazettes* could be relied on. It was for the Meeting to decide whether thoy would rely on data derived from that source or on the official correspondence of the Board of Controul and the Court of Directors. Mr. Grant's letter stated that the *Alexandria* Steamer would leave Malta on the 20th of the month and remain at Alexandria until the 15th of the succeeding month under any circumstances, even if the India mail arrived at Alexandria the day after the Steamer reached that place, but if not, then she remained until the 20th when she must start in order to reach the Malta mail. By any arrangement there must be delay one way or the other in connection with the Malta mail, and he proposed an arrangement for dividing that delay. Mr. Turton said that he had heard no good reason (Mr. Turton here observed no ! I said *no* reason—no reason whatever.") Mr. Greenlaw then explained that the reason for altering the first date of departure was to secure full time for a reply, a certainty of an interval of ninety days between the two periods of sailing, and that was his reason. Mr. Greenlaw went into some further explanation, which we did not clearly hear.

MR. TURTON. As there was some difference of opinion as to the first date of departure, he would confine his amendment to this :—

"That the arrangement for the Steamer's departure on the 10th November, having been now made and generally communicated to all parts of India, it is inexpedient to request any alteration as to the period of that departure.

He begged to observe that Mr. Greenlaw had admitted that if the actual dates of departure of the vessels are to be preferred to those fixed in the official correspondence, then the 15th February was a better date for the second departure. If there was any doubt on that point, he did not think it would be too much to ask that a request should be forwarded home by the *Hugh Lindsay* on her first voyage, to solicit that in order to give India time to

receive replies from England to the packets forwarded by that occasion the departure thence of the steamer for Malta should be delayed five days. Thus we should meet the general convenience and shew that we did not study the mere interest of Bengal—let us but shew that we were desirous of giving up something and others would be ready to concede to us—they would follow our example—let us shew that we did not forget that if there were four crores of rupees in trade here, there were some *few* crores elsewhere (Mr. Greenlaw here observed "only one crore and a half," referring we believe to Bombay.) He would urge them not to seem determined, on having it all their own way—that they would concede nothing. He would have them recollect that every hour's delay might be of importance to those at Bombay who had made their arrangements. They might be assured that if at Bombay they had deemed the 2d of December suited to their interest, they would have fixed on that day.

Mr. Greenlaw would oppose that amendment. Mr. Turton admitted that the 15th February may be too late unless a communication be made to the home Government to delay the departure of the Malta packet from England a few days: but he, Mr. T., had forgotten that the arrangement of the Alexandria packet was not made with reference to our convenience but to that of the Malta mail, and did he, Mr. T. fancy that the Government at home would disturb existing arrangements affecting the whole Mediterranean to suit our convenience. So far from it they look on the Indian branch of the communication as quite a paltry affair—and he was quite certain they would not alter the date of sailing of the Malta packets for us. The Government would act on the communication of their co-ordinate authorities. He did not speak with reference to the mere convenience of the community; but considered the question one of great importance.

Mr. Arbuthnot objected to the separation of the questions of the two periods of departure which Mr. Turton had contrived with his usual tact, to make in his amendment.

Mr. Turton explained.

The 4th Resolution was then moved by Mr. Willis and seconded by Mr. Cowie.

*Resolved*,—Moreover, that independent of the above consideration, the last named dates are greatly preferable for the Commercial interests *of every part of India and especially those** of Bengal, without being of any inconvenience that we are aware of to the other Presidencies, in as much as the despatches sent at an early date in December, will convey commercial information of infinitely greater importance from the progress then made in the most busy season, than could possibly be the case at an early date in November, at which period the busy season is but in its commencement; and also in as much as an early date in March, will serve best to convey the accounts in conclusion of all the operations and engagements of the greatest importance, which by that period will have been completed or accomplished.

Mr. Turton called on the Meeting before they carried this resolution to explain how the 10th of March was peculiarly suited to the interests of Bombay. They had there, with a full knowledge of what their interests required, fixed the dates of departure, and he persumed that they knew as well what comported with their interests although these might involve only a crore and a half of rupees, as those did who had four crores at stake. He implored the Meeting if they did not concede at least not to insult them (the Bombay community) by telling them that we knew their business better than they did themselves—he would propose therefore to omit from the Resolution the words "*of every part of India and especially those*," &c.

Mr. Greenlaw would oppose that amendment. He thought that the merchants here understood much better the mercantile interests of Madras and Bombay than Mr. Turton. He objected particularly to the amendment because it would justly subject us to that very imputaion of selfishness Mr. Turton had condemned by making it appear that we looked only at our own interests not merely in utter disregard, but in opposition to those of others.

Mr. Willis explained—Mr. Turton might possibly better understand the affairs of Madras and Bombay than they (the merchants of Calcutta) did, but they were in daily communication with both Presidencies—were continually receiving or making remittances to Bombay in particular, that they went so completely hand in hand that it was almost impossible in fixing on the 15th March as conducive to their interests that they should not embrace those of Madras and Bombay. These presidencies were so intimately connected indeed that the interests of the one was the interest of the other.

Mr. Cockerell, the Chairman, had an amendment to propose which would probably meet Mr. Turton's wishes—(it was Mr. Arbuthnot's) it was that instead of the words objected to by Mr. Turton, there should be inserted the following, "which is of some consideration to this, without any inconvenience to the other Presidencies."

Mr. G. A. Princep explained that if he were at Bombay, and there were to be only two communications he should be most desirous that the last should be fixed at the close of the fine season.

Captain Taylor (Madras service) asked what Mr. Prinsep called the close of the fine season.

Mr. G A. Prinsep. The change of the monsoon.

Captain Taylor and Mr. Prinsep explained.

Mr. Turton remarked on the observation of Mr. Willis. That gentleman's firm they were informed were in daily communication with Madras and Bombay, would they say then, which of their correspondents ever suggested that the time fixed for the departure of the Steamer was inconvenient? No, they admit that they did not—they did not refer to that; but their silence it seemed was assumed to imply that they thought the arrangement inconvenient. Mr. Greenlaw had objected to the amendment because it imputed to the Meeting, that they selfishly sought their own interests—but he, Mr. T., would maintain that they were seeking their own interests alone. It was proposed by Mr. Arbuthnot to modify the amendment by substituting the words "not inconvenient to the other Presidencies." He could not assent to that alteration. Those who did not agree to the amendment were pledging themselves to much more than their own interests—for a man's interest was his best guide. Reference had been made to Mr. G. A. Prinsep as an old merchant of Bombay. Did they suppose he, Mr. T., would trust an old soldier in military matters? No, he should suspect him of having too much of the *esprit du corps*.* He never recollected him, Mr. G. A. P., so very anxious about the interests of Bombay. Something had been thrown out about the interests of passengers. There was not a single member of the Steam Committee who did not deem it important to have a conveyance for passengers, except indeed Mr. Greenlaw, who was for poking them among the coals—while the period now fixed on, was not convenient except to the most adventurous. They would assuredly be accused for such an arrangement of studying their own interests.

Mr. Greenlaw regretted most deeply that Mr. Turton who saw that Resolution before he came to the Meeting, should be opposed to him, because he felt the full force of having him for a co-adjutor. He considered that the Requisitionists were bound to know what they came to support—to come prepared to support some resolution. He could say that he had made a point of seeing every Requisitionist before he came there. Mr. Turton said that he had no interest in the matter, but that he had expressed the opinions of the merchants, yet he would not take the advice of Mr. G. A. Prinsep, who was a merchant, because he would not take the advice of an old soldier in military matters (Mr. Turton—I did not say a merchant, I said an old merchant). Well, but he would not listen to his opinion.

After some further conversation, the Chairman read Mr. Turton's amendment which was put, and carried by a small majority.

Amendment.—That the words "of every part of India and especially those," be omitted.

Another amendment was then moved by the proposers of the original resolution which substituted for the omitted words those of Mr. Arbuthnot. This amendment was carried and the resolution then stood thus—the

* We mark these words in italics, as they were afterwards omitted.—*Reporter*.

words substituted for those omitted, being marked in italics:—

*Resolved*,—Moreover, that independent of the above consideration, the last named dates are greatly preferable for the Commercial Interests of Bengal, *without being of any inconvenience that we are aware of to the other Presidencies*, inasmuch as the despatches, sent at an early date in December, will convey commercial information of infinitely greater importance from the progress then made in the most busy season, than could possibly be the case at an early date in November, at which period the busy season is but in its commencement; and also inasmuch as an early date in March will serve best to convey the accounts in conclusion of all the operations and engagments of the greatest importance, which by that period will have been completed or accomplished.

Mr. Greenlaw then read the memorial founded on the resolutions.

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MEMORIAL.

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The Memorial of the undersigned Merchants, Traders, and other Inhabitants of Calcutta interested in the speedy interchange of Letters with England by means of the proposed Voyages of the Honorable Company's steamer *Hugh Lindsay* to Suez from Bombay.

To the Hon'ble Sir Charles Theophilus Metcalfe, *Bart., Governor-General of India in Council.*

Humbly Sheweth,—That your Memorialists perceive that the advertised days of departure of the Honorable Company's Steamer *Hugh Lindsay* will utterly preclude all possibility of their answering Letters received by her on her first voyage by her return on her second.

Your Memorialists need not point out to your Hon'ble Board the very great hardship to which such of them as are engaged in carrying on the important commercial transactions between Calcutta and Great Britain will be subject by being thus deprived of the opportunity of replying to their correspondents through the rapid medium which a due selection of dates of departure would readily afford. It is sufficient to say that independent of the private and domestic value of such an opportunity, commercial interests to the extent of above four crores of rupees annually are involved.

Your Memorialists would not thus intrude on your Hon'ble Board for the purpose of soliciting an alteration in the proposed dates of departure were they not satisfied that an alteration can be made without sacrificing any important consideration involved in the advertised dates; while among other advantages it will have the effect of allowing very nearly the whole of India time to reply to letters received on the first voyage.

Your Memorialists, refering to the dates of arrival at, and departure from, Malta, of the English steamer as communicated in the letter from the President of the Board of Control to the Hon'ble Court of Directors under date 26th August, 1834, concur in the principles on which the extreme dates of the month for the departures would appear to have been calculated at Bombay. On the one hand they consider that the 10th of a month of 30 days is well adapted for the speedy transmission to England of the mails by bringing them to Malta just prior to the date named as the departure of the Steamer for Falmouth, viz., the 24th of each month; and the 1st of a month of 28 days equally well fitted for preventing delay on the mail coming to India by bringing the Steamer to Suez at the period when the mails from England will just have arrived; but your Memorialists submit that these days of the month ought to have been substituted each for the other, viz. instead of the 10th November the 2d of that month should have been the date of the first departure and the 9th of February instead of the 1st of that month should have been the date of the second departure, which would have afforded an interval of 99 days between the dates of departure instead of 83.

Aware as your Memorialists are that there may be serious objections to your Hon'ble Board altering the date of the first departure to the 2nd November, which indeed would now be excessively inconvenient inasmuch as there would not be sufficient time to prepare letters for that date, your Memorialists therefore referring to the Letters of the President of the Board of Control above noticed, would suggest, that the dates of departure may be fixed for the 3rd December of March, each of which days has a relative respectively on the 1st February and 10th Nov. in regard to the principles on which those days we selected at Bombay.

Your Memorialists would further observe that the dates now sought to be fixed for the departure of the *Hugh Lindsay* are greatly to be preferred by the commercial correspondents of Bengal, without being of any inconvenience that your Memorialists are aware of to the other Presidencies, inasmuch as the despatches sent at an early date in December will convey commercial information of infinitely greater importance from the progress then made in the most busy season than could possibly be the case at an early date in November, at which period the busy season is but in its commencement; and also inasmuch as an early date in March will serve best to convey the accounts in conclusion of all the operations and engagements of the greatest importance which by that period will have been completed or accomplished. Your Memorialists therefore trust that under all the above circumstances their prayer will receive the concurrence of your Hon'ble Board, and that public intimation may be given thereof at the earliest possible period.

Your Memorialists deem it proper more particularly to state that the calculations on which they have concurred in the aptitude of the days of a month for departure, viz., about the 1st and 10th, as proposed from Bombay, have been made solely with reference to the dates of arrival, at, and departure from, Malta, of the Falmouth Packet as communicated in the letter of the Chairman of the Board of Control to the Hon'ble Court of Directors under date 26th August, 1834, above referred to, —which dates are said to be for the arrival from Falmouth about the 20th of a month, and for the departure to Falmouth on the 24th of each month. It appears however on reference to the Malta Gazettes that the Steamer has not up to June last left the Island for Falmouth on the above date, but from the 1st to the 10th of the month; and that the 24th is not the date of departure is further confirmed by a letter which has been received in Calcutta from the Commander of one of the Falmouth Packets to his brother dated 20th April last in which it is stated that "the Packets leave Falmouth on the 3d of each month, 17 days are allowed to Malta, the Packet for Alexandria to sail 24 hours after the arrival of the English Packet at Malta, the latter to remain at Malta for 17 days for the return mail from Alexandria." This would make the day of departure from Malta about the 7th of each month.

Should therefore your Hon'ble Board on this account, or any other, not deem it expedient to alter the dates of the departure as we have suggested above, we would earnestly solicit that the period of the 2d departure of the *Hugh Lindsay* may be delayed till the 15th day of February which would allow fifty one days for the packets to get to Malta from Bombay, and an interval of 97 days between the two departures affording time for a return of correspondence received on the first voyage.

*Calcutta, 8th October*, 1835.

R. H. Cockerell,
R. Speir,
Wm Martin,
G. C. Arbuthnot,
M. M. Joseph,
Thomas L. Kelsall,
Willis Earle,
J. Church,
Henry Mackenzie,
Edward Harding,
W. Hickey,
R. Thomas,
H. Fergusson,
Dwarkanauth Tagore,
Wm. Bruce,
G. Fraser,
Joseph Willis,
Becher, Mackintosh & Co.,
W. Carr,
John Allen,
J. W. Maclean,
W. Maclean,
Colvin, Ainslie, Cowie, and Co.,
R. Scott Thomson and Co.,
F. W. Place,
Joseph Worthington,
Samuel Smith and Co,
J. H. Stocqueler,
William Rushton,
John Jackson,
Rustomjee Cowasjee,
Robert Wallace,
J. Cowell,
K. R. Mackenzie,
A. Gouger,
E. M. Cowell,
Mackenzie, Lyall and Co.,
Jas. S. Stopford,
Geo. T. Branie,
John Lowe,
C. A. Cantor,
John Jones James,
Obeychurn Mullick,

...smith,
...Fraser,
...as. B. Greenlaw,
A. Rogers
Thos. Allardice,
Adam, Scott and Co.,
Colvin, Gilmore, and Co.,
E. W. Brightman,
R. Lyall,
Alex. Fraser,
Jenkins, Lowe and Co.,
W. Turner,
C. H. Pittar,
J. Moore,
Hamilton and Co.,
J. Elliott,
F. H. Burkinyoung,
R. Wright,
W. Duhan,
McKillop, Stewart and Co.,
Alexander Porteous,
L. A. Avietick,
A. A. Mackey,
W. P. Watson,
J. McClure,
H. Leighton,
David C. Low,
Walker, Roussac and Co.,
R. C. Jenkins,
Jas. Fergusson,
Wm. Smithson,
E. P. Roussac,
Wilson, Frith and Co.,
Wm. Storm,
C. C. Seymour,
J. N. T. Wood,
C. MacLachlan,
Presgrave and Co.,
John Brown,
D. MacIntyre,
John Palmer,
Jas. Kyd,
G. Catania,
W. Gilson,
Dykes and Co.,
Gibson, McKellar and Co.,
Wallis and Co.,
Llewellyn and Co.,
N. C. Biale,
F. B. Gonsalves,
W. Greenaway,
Joseph Adams,
D. Edmond,
Twentyman and Co.
J. J. Sim,
A. D. MacLeod,
C. Fagan,
M. Cook,
W. F. Gibbon,
B. Smith,
Geo. Jessop,
C. S. Francis,
Jas. Poulet,
Blenkin, Leach and Co.,
Livingston, Syers and Co.,
E. Thompson,
Gunter and Hooper,
Thos. DeSouza and Co.,
Josoph Agabeg,
and
P. J. Sarkies.

Mr. Church moved, seconded by Mr. Mackenzie and carried *nem. con.*

*Resolved*,—That the Memorial now read be adopted, and that it be left for signature at the Exchange Rooms from 11 a. m. to 3 p. m., every day, Sunday excepted, until Tuesday morning next, and that on that day it be forwarded by the Chairman to the Secretary to Government in the General Department, with a letter, expressive of the desire of the Memorialists, that the Memorial may have the earnest and readiest attention of the Honorable the Governor-General of India in Council.

Mr. Church here produced and read the following extract of a letter received by Mr. James, from the Commander of the *Tartarus* :—

*Tartarus, Malta, 20th April*, 1835.

"The Packets leave Falmouth on the 3d of each month; 17 days are allowed to Malta. The Packet for Alexandria to sail 24 hours after the arrival of the English Packet at Malta, the letter to remain at Malta 17 days for the return Mail from Alexandria."

Mr. Turton then moved that—

*Resolved*,—That in the event of the Government not acquiescing in the request contained in the 3d Resolution, they will be pleased to direct the second departure from Bombay to be postponed until the 15th of February, and that this amendment be embodied in the Memorial.

which was seconded by Captain Taylor, (Madras Service) and carried.

After some further desultory conversation, thanks were voted to the chair, and the Meeting broke up.

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To G. A. Bushby, Esq., *Secy. to the Govt. of India. Genl. Dept.*

Sir,—I have the honor to forward the accompanying Memorial of the Merchants, Traders and others of Calcutta interested in the speedy intercommunication by letters with England, agreed to at a meeting at the Exchange, held on the 8th instant, praying alteration in the dates of the departure of the *Hugh Lindsay* whereby a certainty may be afforded of letters received in Calcutta from England on her first voyage being answered on her second, and to request the favor of your obtaining an early reply from his Honor in Council.

I have the honor to be, Sir,

Your obedient Servant,

Oct. 13. (Signed) R. H. Cockerell.

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(No. 231.)

To R. H. Cockerell, Esq., *Chairman of a Meeting of Merchants, Traders and others of Calcutta.*

Genl. Dept.

Sir,—I am directed by the Honorable the Governor-General of India in Council to infrom you that the Memorial submitted through you on the 13th instant, on the subject of an alteration in the dates of departure of the *Hugh Lindsay*, Steamer, has been forwarded for the consideration of the Government of Bombay.

2.—In the event of its being resolved to adopt the alteration proposed by you, or to make any other change in the present arrangement for the dispatch of the *Hugh Lindsay*, immediate notice thereof will be published in the *Bombay Government Gazette* for general information.

I am, Sir, your obedient Servant,

(Signed) G. A. Bushby, *Secy. to Govt.*

*Council Chamber, the 14th October*, 1835.—*Hurkaru.*

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## THE VESTRY ELECTION MEETING.

A Meeting of the Parishioners of St. John's took place on the 12th October according to notice.

The Venerable Archdeacon took the chair *ex officio* and explained the business of the Meeting—they were assembled to elect four vestrymen and by a liberal interpretation of the order of Government he thought that all renters of pews should be entitled to vote. With regard to the gentlemen eligible to the office of vestrymen, it was not imperative that they should be members of the congregation—though perhaps the right ought to be limited to that body.

Mr. Longueville Clarke enquired what the duties of the vestrymen were.

The Venerable Archdeacon did not conceive that question to be relevant.

The Reverend Mr. Robertson observed that the duties were described in the orders of the Governor, and then proceeded to read them as they stand in the order of the 19th August.

Mr. Longueville Clarke wished to know by what authority the power of thus regulating the vestry was conferred on the Governor.

The Venerable Archdeacon did not think he was bound to answer that question.

Some further discussion arose and the venerable Archdeacon then distinctly declined answering any question of the kind.

Mr. Longueville Clarke observed that the Governor had no power whatever to make such a regulation—that an act of the Legislative Council indeed, would have the force of an Act of Parliament; but not that of the Governor of Bengal, and he would warn those present that any gentleman undertaking the duties prescribed on such authority would be liable to a Bill in Equity; and that after such warning they could not recover the costs of suit out of the Trust Funds.

The Reverend Mr. Fisher explained that all the old Vestry had asked of the Government was a Legislative enactment to liberate them from their responsibility, and that that request had been held to be disrespectful.

Mr. Longueville Clarke had been one of those who had certainly disapproved of the constitution of the old Vestry; he wished to have seen the principle of election carried further—to have had fewer clerical and

more lay members: but that was not now the question. He objected to the whole proceeding as irregular—the act of the Governor—not the Governor-General in Council.

Mr. Turton enquired to whom the whole ground, as well that on which the Church stood as that annexed, belonged. He considered it to belong to the inhabitants of Calcutta and would not admit that even if they had given part of the ground they could re-assume it at pleasure. He considered that the right of voting was not confined to the parishioners but to the whole inhabitants of Calcutta, and although he had resided long enough here to render it he hoped unnecessary to say that he would not be likely to recommend legal proceedings because he belonged to the profession, yet in so far as those rights could be established by law he would readily aid in endeavouring to secure them.

The Reverend Mr. Robertson explained the deed of trust, and observed that its provisions had been complied with all except the legal transfer of the property. In respect to Mr. Longueville Clarke's proposition for an elective body he had made that proposition two years ago, but the Bishop then objected to it. He had since come to the conclusion himself that it was not desirable; not from any objection to the principle but from his experience in the Free School of the difficulty of getting electors together to vote. At the annual meetings only a few persons had attended, five or six, perhaps ten, and he believed the number annually declined. It was thus the Vestry became select—there was no attendance on Easter Monday to elect the four lay members and so they came to re-elect themselves.

The Venerable Archdeacon objected to all this as irrelevant; if any body had any resolution to submit he would be glad to receive it.

After some further discussion Mr. Turton was about to propose the first resolution, eventually carried, when the Archdeacon stated that he certainly should object to put such a resolution. Mr. Plowden observed that in that case they must have another chairman.

Mr. Turton having proposed a resolution which the Venerable the Archdeacon refused to put, and it having been stated that he had taken the chair only by the authority of the Bishop, Mr. Turton asked him whether he had any other sanction—to which the Venerable the Archdeacon having replied that that was the sanction by which he had taken the chair, Mr. Turton stated then that he should move a preliminary resolution that the Bishop had no authority to appoint a chairman of the Vestry, and that without any objection personally to the Archdeacon he should be requested to quit the chair. Whereupon the Archdeacon said to avoid the necessity for that resolution being put, he should quit the chair, considering the Meeting had the right to choose their own chairman.

The Rev. T. Robertson and the Rev. H. Fisher, then stated that they must decline taking any part in the proceeding. Mr. Turton requested them not to leave the room that they might supply any information which might be necessary, when they consented to remain but did not interfere.

Mr. Plowden proposed the Revd. Mr. Fisher as chairman, and Mr. Robertson seconded the motion; but after some discussion Mr. Fisher was permitted to decline acceding to the proposition, as it might have placed him in an embarrassing position, and it was eventually decided that Mr. Longueville Clarke should take the chair which he did accordingly.

Mr. Llewelyn explained that the original deed provided for re-election.

The Revd. Mr. Robertson.—Mr. Llewelyn had explained that the deed provides for re-election; but he thought it would be better to refer to the deed.

Mr. Turton observed that the Government had as much right to take this property as the Dey of Algiers. It was the most gratuitous assumption of power he ever heard of.

The Venerable Archdeacon explained that there were not many connected with the trust he believed.

The Revd. Mr. Robertson observed that the rupees were vested in the funds in the Vestry.

The Revd. Mr. Fisher thought it right to observe that the Bishop did not desire to interfere with the trusts, but he, Mr. Fisher, had told his Lordship that he could not separate the duties of the Vestry.

Mr. Turton.—Oh no! I perfectly understand, he *only* desires the patronage. *Si violandum jus est, regnandi gratia violandum est—aliis rebus pietatem colas.** Mr. Turton then proposed the first resolution.

The Revd. Mr. Fisher asked if the Government which conferred the power of electing the Vestry might not take it away.

Mr. Turton explained that Government did not confer the power.

The Venerable Archdeacon, here observed that as the business was taking quite a different turn from that he contemplated, the Meeting must excuse him, he could not remain. He begged to be understood as not intending any disrespect to the Meeting.

Mr. Turton hoped Mr. Dealtry would understand also that he had not intended any disrespect or any thing personal to him or to any one at the Meeting and acted entirely on public grounds.

The Venerable Archdeacon assured Mr. Turton that he entirely so understood him.

The first resolution was then read by the Chairman.

Mr. Turton thought that the Meeting should take care not to involve those who might be liable to authority, for their acts. If Messrs. Robertson and Fisher wished not to take a part in these proceedings of course it was competent to them not to vote, and they would be considered accordingly as not taking any part on this occasion. Of course he did not mean to suggest to them that they should not vote or to question their right.

The Revd. Messrs. Robertson and Fisher explained that they would remain out of curiosity merely to witness the proceedings, but would rather not take any part in them, situated as they were.

Mr. Turton then put the 1st Resolution as follows:—

**That the inhabitants of this Parish now assembled cannot recognize as legal the present interference of the Governor of Bengal with the Vestry, or the mode in which this meeting is convened. But desirous of shewing every deference to the wishes of the Governor of Bengal, this meeting will proceed to the consideration of such matters as the present state of the church requires.**

Seconded by Mr. Andrew Wight and carried *nem. con.*

Mr. Turton then enquired in what state the property was as to Trustees.

The Reverend Mr. Robertson read over the list of the nine members of the late Vestry. The reverend gentleman observed that it had been stated that Mr. Charles Prinsep had been dragged in to oppose the Government. The statement was wholly untrue. Mr. Prinsep had been called in because he had long been professionally connected with the Vestry: and when the deeds and papers were called for by the Bishop it was thought that an objection might be raised to the number of the Vestry being incomplete, and Mr. Prinsep and Captain Ouseley were called in to complete it.

Mr. Turton enquired as to the funds and whether the late Vestry had done any thing in the way of resigning their trust.

The Reverend Mr. Fisher observed that they had offered to resign if the Government would release them from their responsibility by a Legislative enactment.

Mr. Turton could not have acquiesced in the submission to such an enactment, as the Government had no more power to take such a course than they had to take his property. It might become necessary to have recourse to legal proceedings. It is true persons had been elected to the trust by a certain course, but none of the original Trustees survived, and if there should be a defect of parties that could only be supplied by a decree

* Cicero de officiis.

Court, or meeting of inhabitants. A ...ctment was necessary to change the con... the Vestry. Mr. Turton would propose that ...ole trust should be transferred by the old Vestry ...hose now elected. If these last should refuse to transfer them they should have recourse to the Court. Mr. Turton made some further remarks in the course of which he alluded to the election of a vestry by a Meeting of inhabitants.

Mr. Daniel Ross asked a question as to the duty of Churchwardens.

Mr. Turton explained.

Mr. Andrew Wight then begged to propose a resolution; as it appeared that there was now no trustee in existence except the heir of the last survivor of the original Trustees, he would move the following resolution:—

That the following gentlemen, viz. Mr. J. Palmer, Mr. T. E. M. Turton, Mr. L. Clarke, and Mr J. S. Judge be requested to act as new trustees, and undertake the trusts vested in the old and former trustees; and that the old and former trustees and their representatives be requested to convey and assign over their interests in the Church property, land, and funds to the new trustees, the Vestry joining in all such acts as may be necessary to vest the property in the new trustees; and that in case of any difficulty the new trustees be requested on behalf of the inhabitants to have recourse to the Supreme Court in such way as they may be advised.

Seconded by Mr. Fitzgerald.

The Reverend Mr. Robertson, feared that this Resolution would be as irregular as the act of authority of which they complained, as no new trustees could be appointed until vacancies occur.

Mr. Turton.—Have vacancies then not occurred?

The Revd. Messrs. Robertson and Fisher observed that there had been a resignation conditional on indemnification by an act of the Legislative Council.

Mr. Turton observed that the late Vestry might transfer their power as requested.

The Reverend Mr. Robertson observed, that perhaps those in the service of Government might be afraid to adopt that course.

Mr. Turton said that he had provided for that by the clause in the resolution proposing that in that event the newly elected trustees should apply to the Court for a decree.

Mr. Daniel Ross asked whether that transfer of their powers would make the act legal.

Mr. Turton.—Yes.

Mr. Andrew Wight's Resolution was then put and carried *nem. con.* with exception to Mr. Plowden, who held up his hand against it.

The Gentlemen named in the Resolution were then balloted for in the usual form and unanimously elected. After which thanks were voted to the Chair and the Meeting broke up.—*Hurkaru.*

## THE CIVIL FUND MEETING.

The Civil Fund Meeting on the 26th October attracted the very unusual attendance of thirty Subscribers. Mr. Tulloh occupied the Chair. In the midst of a great deal of desultory conversation, the following matters were disposed of:

Proposed by Mr. Rattray, and seconded by Mr. Morley—That Mrs. Clarke and family be admitted to the benefits of the Fund.

Amendment proposed by Mr. J. P. Grant, and seconded by Mr. J. R. Colvin—That the question of the admission of Mrs. Clarke and family be referred to the Service at large.

The amendment was lost and the original motion carried by a large majority.

Mrs. Shakespear's admission to the Fund was unanimously approved of—also, Mrs. Sargent, G. M. Bird, and Mrs. W. T. Robertson.

Proposed by Mr. Colvin, and seconded by Mr. Rattray—That for the present the Sub-Treasurer receive subscriptions in Company's rupees equivalent to the value of the number of Sicca rupees fixed in Article VII. of the Rules, at the rate of conversion specified in Act XVII. of 1835, the question of the permanent rate of subscription and conversion being referred for the final decision of the Service at large.

Amendment proposed by Mr. Tulloh, and seconded by Mr. William Young—The Company's rupees be substituted throughout the Rules for Sicca rupees, and the contributions to the Fund be levied at the existing rate for the present.

The amendment had only three votes:—for the original proposition fourteen hands being held up, it was declared to be carried.

The following Gentlemen were elected Managers for the current year: Mr. Dorin, Mr. D. C. Smith, Mr. J. P. Grant, Mr. Walker and Mr. J. R. Colvin—the sixth vacancy for the Chief Secretary being made a subject of reference to Government, as that office has been abolished.

Mr. J. P. Grant gave notice that, at the next Quarterly Meeting, he should move the reversal of the present decision on the first Resolution above quoted. Mr. Rattray questioned the right to do so, believing the present meeting to be competent to determine the matter finally, which seemed to be the general opinion. The numbers for Mr. Grant's amendment were 8 and against it 13.

The question regarding the rate of exchange arose out of a letter addressed to the Managers by the Sub-Treasurer, who desired instructions for his guidance. The effect of Mr. Tulloh's amendment would have been to increase the immediate subscriptions of persons receiving salary in even thousands of siccas; but as, on every change of appointment, the excess in sonats now given to the incumbents is to be cut off, the subscriptions of future incumbents, as well as of all those now receiving sums of less than one or more thousand siccas per month, would be reduced about 6⅔ per cent. It is understood that, at the meeting to take place on the 14th proximo, the whole question of the rates of subscription and allowances to widows, &c. prospectively will be considered.

Mr. Rattary read a letter from Mr. Charles Barwell, in which the writer endeavoured to shew that Mr. Curnin, when he asserted the Fund to be 5 lacks deficient in the value of its assets compared with its liabilities, had overlooked the value of its current income from subscriptions amounting to about 13,000 rupees per month, which was equal to a capital of 30 lakhs, and this added to its actual capital of 13 lakhs, made the assets amount to 43 lakhs. Nevertheless Mr. Barwell suggested, that they should increase their subscriptions 5,000 rupees per month, in consequence of the additional claims that had occurred.

Few of our readers will fail to observe, that Mr. Curnin set the current income against the current prospective claims: whether it will suffice to cover them, or leave an excess thereon he probably did not think a question within the power of calculation, except so far as past experience seemed to deny the hope of a surplus.

At the conclusion of the proceedings, Mr. J. P. Grant read a string of propositions, which he intended to bring forward at the next meeting, and moved that they should be published in the meantime for the general information of the service. This was objected to by some gentlemen on the ground of expense, and it was observed that the printing and circulating the correspondence relative to Mr. Sutherland and Mr. Elliott had cost some hundred rupees. As however the matter must be interesting to our readers in the Civil Service, we subjoin a copy of Mr. Grant's propositions. On the motion of Mr. Millet, seconded by Mr. Colvin, it was resolved that the consideration of them be postponed till the next quarterly meeting, which resolution was carried unanimously.

MR. J. P. GRANT'S PROPOSITIONS.

1st.—That Gentleman who have been admitted, or who may hereafter be admitted into the Bengal Civil Service, with permission to take rank in that Service above any person that has been a Subscriber to this Fund, for a longer period than one year, are not entitled to become Subscribers to this Fund of right.

2d.—That no unmarried man so circumstanced shall hereafter be admitted to become a Member of this Fund, except upon a condition of his paying to the Treasurer, on his entrance, a sum of money equal to the average amount of the aggregate subscriptions of the Members, in what year the individual wishing to subscribe may rank, with interest thereon at the rate of ten per cent. per annum; and a further sum equal to his proportion of the profit which the Fund may have derived, up to the date of his entrance, from the subscriptions of all the former Members of the same year as that in which he may rank, whose interests may have lapsed without loss to the Fund, the same to be calculated at compound interest at the rate of five per cent. per annum. The object of this Rule being to require such applicant to pay as much as the generality of his living contemporaries may have paid, and to make good to the Fund the value of the risk which he has escaped by not having joined it at the same time with them.

3d.—That no married man so circumstanced shall hereafter be admitted to become a Member of this Fund, except upon condition of his paying to the Treasurer on his entrance, in addition to the sums th.. quired from him, if unmarried a bonus of — be under twenty-one years of age, to which . added ——— for every year which his age may e.. twenty.

4.—That an applicant giving to the Secretary to the Fund a written authority for the deduction of twenty per cent. from his future monthly allowances, until the sums due from him under the above rules, with interest at the rate of ten per cent. per annum, be paid up, be considered as having fulfilled the conditions required of him, provided always that his family shall not benefit from the Fund, if he go to England before paying up the whole amount due from him.

5th.—That, under the above Rules, the Managers be authorised to admit applicants, under the circumstances mentioned in the first Resolution, whenever they may consider it not manifestly to the disadvantage of the Fund to do so.

6th.—That the admissions of those Gentlemen of the Honorable Company's late Canton Establishment, which have already been made under the approval of the Managers or of one general meeting, be confirmed by this meeting in regard to such of them as may, within six months, fulfil the conditions required of an unmarried applicant, otherwise, that the addmissions of those Gentlemen be cancelled by this meeting, under Article XXX.—*Calcutta Courier*.

## AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A general Meeting of this Society was held in the Town Hall on Wednesday, the 14th October, 1835.

THE HON'BLE SIR E. RYAN, *in the Chair*.

*Present—Twenty Members.*

George John Siddons, Esq., and W. H. S. Rainey, Esq., were elected by ballot.

NEW MEMBERS PROPOSED.

HIS EXCELLENCY SIR H. FANE, COMMANDER-IN-CHIEF, G. C. B.—Proposed by Sir E. Ryan, seconded by Col. Dunlop.

CHARLES. HAY CAMERON, ESQ.—Proposed by Sir E. Ryan, seconded by the Hon'ble W. L. Melville.

CAPTAIN W. BELL, SUPERINTENDENT OF PUBLIC WORKS.—Proposed by Mr. John Bell, seconded by Col. Dunlop.

ARCHD. D. COUL, ESQ., OF MYMINSING.—Proposed by Mr. John Bell, seconded by Captain Leach.

WM. STEVENSON, JUN., M. D., OF LUCKNOW.—Proposed by H. M. Low, Esq., seconded by Captain Leach.

—— MCPHERSON, ESQ., SOONDERBUNS.—Proposed by H. M. Low, Esq., seconded by W. Storm, Esq.

—— TEIMROTH, ESQ., ACCOUNTANT OF THE DANISH FORT OF SERAMPORE.—Proposed by H. M. Low, Esq., seconded by Dr. Marshman.

ARCHIBALD GRANT, ESQ.—Proposed by H. M. Low, Esq., seconded by Dr. Strong.

JAMES COOK, ESQ.—Proposed by W. F. Gibbon, Esq., seconded by Captain Leach.

After reading over the proceedings of the last Meeting, the Officiating Secretary informed the Society, that he had received, and distributed to members, and to mallies, about two-thirds of the Cape seed sent to order by Mr. Villet,—which had been found on trial most excellent. It was accordingly resolved that the surplus be advertised for sale in original parcels, and that the price be fixed at 10 Sa. Rs.

Mr. Bell announced the receipt (*per Futil Curreem* from Bombay) of two boxes containing onion, carrot and brinjal seed, landed on the previous day, and now in course of distribution amongst members and native mallies.

Also the receipt of some seed potatoes ordered from Madras, and obligingly sent round by A. P. Onslow, Esq., Secretary to the Horticultural Society recently established at that Presidency.

Also the expectation of immediate supplies of bean, pea and turnip seed, commissioned from Patna, which ought to have reached Calcutta long ago; but Captain Sage, who had promised to procure this seed, having failed to comply with the Society's request, without any explanation, the Officiating Secretary had applied to Mr. Duhan, of Dinapore, who has undertaken to execute the order forthwith.

The vegetable and cotton seed ordered by Dr. Wallich, from Grant Thorburn and Co., of New York, not having arrived, the Society on the suggestion of the Officiating Secretary resolved, that a correspondence be opened at once with respectable agents at the Cape, N. America, Van Diemen's Land, and whenever seeds of a superior quality can be procured, and Mr. Bell was requested to make such arrangements as will in future prevent disappointment.

It was remarked by a member present, that the gardens of private gentlemen were frequently robbed, the night previous to the exhibition of vegetables at the Town Hall, and Dr. Marshman observed that a great many of the finest esculents were cultivated in the neighbourhood of Chandernagore and very probably brought to Calcutta to compete for the prizes, as the produce of gardens in the vicinity of Calcutta. To obviate this sort of imposition, the President suggested, that a Committee be formed to visit occasionally the grounds cultivated by mallies for the market, and three gentlemen volunteered their services for this office, viz. Messrs. Strong, Kyd and J. W. Masters: it was further proposed that J. Masters, Esq., should be solicited to add his name; and aid, to the Committee.

Sir John Peter Grant proposed, and it was resolved, that the head mallies of gentlemen's private gardens be permitted to compete for prizes (in their own names) at the next Exhibition.

Read the following Communications:—

No. 1.—From Mr. Patrick of Fort Gloster to the Officiating Secretary dated 21st September, reporting most favourably on a sample bale of Akra cotton, which

..actured into twist and cloth, for the pur-
..g forwarded to the Hon'ble the Court of
.. Mr. Patrick's letter has been embodied in
..neral Report upon Akra, which is now in the
..ess.

No. 2.—From Mr. Blundell of Moalmeyne to Mr. Patrick, dated 6th August, acknowledging the receipt from the latter of a bale of Pernambuco Cotton Seed, which owing to some unfortunate circumstance had failed to vegetate.

Mr. Blundell urges Mr. Patrick to send him some Sea Island cotton seed, under a strong impression that it will succeed in that part of the country, and asks if the Pernambuco cotton is ever grown from slips, as it is found to take root from cuttings, but he had not as yet ascertained if it yielded blossom.

Mr. Blundell is sanguine that cotton will become an article of vast importance on that Coast.

No. 3.—Extract of a letter from Capt. Dixon, Political Agent to the Governor-General at Mhairwarrah, to C. E. Trevelyan, Esq., (no date) giving a very favourable account of the result of some Indian corn seed sent to him about two years ago*.

Capt. Dixon reckons the produce from this acclimated foreign seed at 20 per cent. more than the indigenous sorts grown in that part of Ajmeer.

Capt. Dixon speaks in high terms of the superiority of the Otaheite sugar cane, of which he had procured some plants—one of these being equal to 5 or 6 of the desee cane.

Capt. Dixon expresses a great desire to introduce the foreign cotton, and in the absence of any in the Society's store, the Officiating Secretary has forwarded a package of Pernambuco seed.

With reference to the favorable report made by Captain Dixon on Indian corn, Mr. Bell intimated to the Society that he had solicited Mr. J. J. Dixwell, Supercargo of the American Ship *Fortitude*, to bring with him next voyage two barrels of American Indian Corn, of sorts, *in the husk*, which that gentleman had politely promised to do, and further offered his services on behalf of the Society in any way they might be available.

No. 4.—A letter from Capt. Low, of Penang, to the address of the Secretary dated the 12th Sept. 1835, forwarding the prospectus of a work which he contemplated publishing on the soil, climate and cultivation of Prince of Wales Island, and soliciting patronage.

*Resolved*—That the Society do encourge Capt. Low, by subscribing to ten copies of the pamphlet forthcoming.

No. 5.—From Mr. J. W. Masters, Head Gardener at the Hon'ble Company's Botanical Garden, dated 12th instant, with a box of *Cabool* seeds of sorts, received from the Secretary to the Asiatic Society. As there was not sufficient for distribution, Mr. Masters was requested to make trial of them and to save any produce for members who might desire a portion for next season.

No. 6.—From Baboo Ramcomul Sen, dated 12th instant, giving an English Index of the contents of a Persian MSS. on Gardening, &c. lately received from Capt. Wade.

No. 7.—From Capt. Ousely, dated 24th Sept., presenting to the Society two sealed quarts and one open pint of very fine fresh American Tobacco seed, for distribution.

No. 8.—From W. Lambert, Esq., of Allahabad, with a paper on the management of peach trees and sweet briar.

No. 9.—Darwin's Pyhtologia, and Dickson on Agriculture presented to the Society by the Officiating Secretary.—*Hurkaru.*

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## BENGAL MEDICAL RETIRING FUND.

The fourth Quarterly General Meeting of the Subscribers to the Fund was held on Monday the 12th October, Mr. Surgeon F. Corbyn in the chair. The report of the committee of managers for the past quarter was read, in which it was stated, that the Committee, in conformity to the resolution noticed in the last quarterly report, had submitted to the vote of the subscribers at large, the question respecting the disposal of the pecuniary contributions of members. The resolution was to the effect, that pending the application which had been made to the Hon'ble the Court of Directors for permission to pay off six annual retirements, the committee deemed that it would be injurious to the interests of the Fund to return, at present, to subscribers the amount of their contributions, and they therefore proposed that the money should remain, at interest, in the hands of Government, until the pleasure of the Hon'ble Court on the subject was known. Of those who had voted on the question, forty-six concurred, and six opposed it, giving a majority of forty in its favor.

A letter received from Colonel Casement, C. B. Secretary to the Government of India in the military department, under date the 6th of July, stated, that the desire of the officers of the medical service to be admitted to the benefits of the military retiring fund propounded by Mr. Curnin would be brought to the notice of the Honorable the Court of Directors.

The Accountant General had furnished a statement, shewing the recoveries that had been effected in the military pay department on account of the fund, from November 1834 to January 1835, both inclusive, amounting to Sa. Rs. 6,660 11 3, and another of subscriptions received in the civil department of the Bengal presidency, during the second quarter of the past official year, amounting to Sa. Rs. 1,378 13 10, total Sa. Rs. 8039 9 1.

The entire payments to the fund from its commencement in January 1833 up to January 1835, inclusive, in the military department, and to the second quarter of 1834-1835 in the civil, exhibited the sum of sicca rupees 65,729 4 9 and the total expense of office establishment up to 1st October 1835, was sicca rupees 3,921 1 4.

The number of subscribers at present borne upon the fund, was 1 member of the Medical Board, 8 superintending-surgeons, 59 surgeons, and 115 assistant-surgeons, total 183, of whom, so far as was ascertained from the accounts furnished, 135 had paid the whole, or a part of their subscriptions, and 48 none.

Upon the report being read, it was moved by Mr. Corbyn, seconded by Dr. Spens, and carried,

"That the report of the managers be confirmed."

The disbursements of the Society for the quarter were next submitted and passed, and the meeting then broke up with a vote of thanks to the chairman.

H. S. Mercer, *Secretary.*

*Calcutta, October* 13, 1835. [*Hurkaru.*

* This Seed was produced in Mr. Bell's garden from North American stock, and was the *third* generation, reaped within nine months.

# MEDICAL AND PHYSICAL SOCIETY.

*Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's apartments on the 3d of October, 1835.*

One of L'Estrange's Calculo-Fractors was exhibited to the Meeting by permission of the Medical Board and the Secretary took the opportunity to mention, that sets of the instrument had been placed at the disposal of Superintending-Surgeons of Divisions for the use of the Medical officers serving within their several circles.

John Sawers, Esq., Officiating 3d Member of the Medical Board of Bengal, and John Scott, Esq., Secretary to the Medical Board of Bombay, proposed at last meeting, were elected Members of the Society.

H. Hough, Esq., Superintending-Surgeon of the Saugor circle, and Allan Webb, Esq., Assistant-Surgeon on this establishment, were proposed as members of the Society, the former by Mr. Hutchinson and Dr. Cameron, and the latter by Dr. Stewart and Mr. Hutchinson.

R. J. Brassey, Esq., Assistant-Surgeon, requested that his name might be withdrawn from the list of members of the Society, which was accordingly done.

Mr. Corbyn called the attention to the Society to his proposal to be allowed to introduce a reporter at the meetings of the Society; the motion having been seconded by Dr. Stewart was, after some discussion, put to the vote and negatived.

The following communications were then read, viz., two cases of disease, successfully treated with magnetism, by R. Tytler, Esq., M. D.

The first occurred in a Mahummudan of 40 years of age. He was severely affected with violent pain in the shoulder, hip-joint and lower extremity of the right side, for which he received two applications from the magnetic wheel. He declared himself to be perfectly relieved, and has since continued free from pain.

The second case was one of ulcer and occurred in a sepoy of the 34th Regiment N. I. He was admitted into Hospital on the 1st of June, on account of an ulcer, on the front part of the leg above the ankle, of the size of a rupee. Four days after, Galvanism was applied by causing him to hold the copper wire in his hand, while the extremity of the zinc wire, in the manner of an escharotic, was applied to the edges and surface of the ulcer. The application of the Galvanism occasioned considerable pain; at the end of four applications however the ulcer had completely cicatrized, and the man was discharged cured, after having been from the first, only 13 days in hospital. Throughout, simple dressing was employed, with the view of covering or protecting the sore, and nothing farther. Dr. Tytler is of opinion that, by the usual means, he would not have succeeded in healing this ulcer in less than two months.

An account of a case of Osthexia, by R. Tytler, Esq., M. D. The subject of this case was a Hindoo about 25 years of age. The bones of the cranium and the cervical vertebræ are described as emitting—when struck, an extraordinary hollow or ringing sound, as if the upper part of an empty puncheon were struck with a stick; sometimes the sound was sharper, as if a brass vessel or glass shade were filliped with the finger nail. The trachea, when struck, emits a remarkable sound, as if a loose body were shaken within a tube of wood or metal. The cartilaginous rings appear to be very rigid, and towards the upper part crepitate, on being rubbed against each other. The bones of the other parts of the body appear natural. The man states the scalp to be insensible, and allows his hair to be plucked out, without evincing pain; he complains of a burning sensation on the surface of the body, and likewise in the stomach after taking food; he likewise asserts that he cannot sleep, and has not slept for two years. There is some degree of wildness in his looks, but he is perfectly intelligent and answers questions readily. His symptoms he ascribes to witchcraft.

The following work was presented for the Library, viz.,

Hutchinson's Report on the Medical Management of Indian Jails, by the author.

The following original communications were presented at the Meeting, viz.:—

Observations on some diseases of European seamen in Bengal, by D. Stewart, Esq., M. D.

A case of extensive contused wound of the integuments of the head, by R. H. Irvine, Esq.

A case of dislocation of the lower jaw, of forty days standing, successfully treated, by R. H. Irvine, Esq.

The following papers were then read and discussed, viz.:—

A case of snake bite successfully treated by blood letting and large doses of ammonia, by T. J. Smith, Esq., Assistant-Surgeon, Horse Artillery, Bangalore.

Memorandum of a post mortem examination of a case of extra-uterine pregnancy, by J. S. Login, Esq., Assistant-Surgeon.

Case of abscess of the liver, by W. Gordon, Esq., Assistant-Surgeon.

At half past one o'clock, P. M., on the 30th of June last, Mr. Smith was called to see the subject of his case, a robust cooly, who had been bitten, about a quarter of an hour before, in the hand, by a cobra-de-capella. The man was quite insensible, and frothing at the mouth, the breathing quick and hurried, the pulse small and irregular, beating 30, the skin cold and the pupils contracted; a ligature was tightly applied above the elbow, the wound cauterized, and two drachms of liquor ammoniæ exhibited in an ounce of water. At twenty minutes to 2 o'clock, there was no improvement, the hand and arm were swelling, and the liquor ammoniæ was repeated. At 15 minutes to 2 o'clock, the man was totally insensible, torpid and heavy; a vein was opened. At 5 minutes to 2 o'clock, about fourty ounces of blood had been abstracted, on which the circulation seemed to be relieved—pulse 60, softer and fuller, skin warm, had vomited twice, there was no decided improvement however; the liquor ammoniæ was repeated with half an ounce of brandy. At 2 o'clock appeared sinking, the liquor ammoniæ and brandy repeated. At 2-5 improving, great irritability of stomach, the draught repeated with the addition of a few drops of laudanum—nitric acid applied to the wounds. At 2-15 the pulse intermitted but was of tolerable strength; slight appearance of stertor; as several gurrahs of water were dashed over the head, which seemed to rouse the patient. At 2-20 sinking, skin cold, pulse small hurried and intermitting. A stimulating liniment to the head and the following draught given; liquor ammoniæ four drachms in four ounces of brandy very slightly diluted. At 2-30 appeared inclined to rally, draught repeated as above, and sinapisms applied to the extremities. At 2-35 vomitted the draught, to have half a drachm of ammonia in an ounce of water. At 2-45 hand greatly swollen, draught repeated. At 2-55 slightly convulsed—pulse again compressed, intermitting and small, draught repeated. At 3 o'clock vein again opened, blood at first dark and venous, but after the abstraction of ten ounces it became of natural appearance; is slightly sensible. At 3-15 is quite insensible, but there is no stertor. At 3-25 pulse again hurried and compressed—draught repeated, and nitric acid blister applied to the nape. At 3-30 appeared sensible of the pain of the blister and the rawness of the fauces. At 3-40 pulse again becoming small and compressed. Vein re-opened and eight ounces of dark venous blood withdrawn, which seemed to relieve him. Is now able to speak. At 4 P. M. pupils becoming sensible, complains of giddiness and pain in his arm. From this time he continued to improve; he suffered somewhat from headache, giddiness, and inclination to sleep, but the symptoms soon gave way to mercurial purgatives. The wounds in the hand were followed by extensive swelling and sloughing of the integuments, but ultimately did well, and the man was in a fit state to proceed to

..e 3d of August. The accident in this ..ace under circumstances, which would seem . the particular nature of the reptile beyond the ..bility of doubt.

The subject of Mr. Login's memorandum was a woman who was found dead in the lines of a native Regiment, under circumstances that seemed to call for a medico-legal examination of the body. As far as could be ascertained, the poor woman had been exposed to considerable mental distress and anxiety for some time before death, and in addition to this she had been subject to occasional attacks of severe abdominal pain, generally referred to the right hypogastric and inguinial regions. During the last three or four days these paroxysms of pain had been accompanied by attacks of syncope, on the subsidence of which, she was able to resume her usual occupations; on the day on which she died, these symptoms were said to have recurred with unusual violence. Externally there were no marks of violence, and with the exception of slight serous effusion within the cranium and some old pleuritic adhesions, no morbid appearances were observed, either in the head or in the thoraic cavity. On laying open the abdomen the seat of the disease was at once apparent. A large coagulum of blood covered the whole of the anterior surface of the intestines. On removing this, the source of the hemorrhage was discovered, in what appeared at first to be the uterus, but which on closer examination proved to be a collapsed sac, having no communication with the cavity of that viscus, but with the right fallopian tube, the uterine extremity of which was obstructed. The tunics of the sac adhered anteriorly to the abdominal parietes, over a small extent; while on the posterior aspect, a fissure of about two inches in length, exposed to view the ruptured membranes, which had contained a fœtus, of about ten weeks old, subsequently found among the coagula in the cavity of the pelvis. The uterus was enlarged to the usual dismensions, in the second month of pregnancy, having its cavity lined with a *membrana decidua*.

Mr. Gordon's case of abscess of the liver occurred in a gunner of artillery, 30 years of age. The man was admitted into hospital on the 2d of February complaining of severe pain of the right side increased on pressure, coughing, or turning in bed. He had no fever, the pulse was moderate and tongue clean. He had been discharged on the 25th of the previous month, cured of an attack of acute hepatitis. He was ordered mercurial purgatives internally, and leeches and fomentations to the side; on the 25th the pain was not better, and he was bled to sixteen ounces. This diminished the pain; but a degree of fulness, redness, and tenderness of the side became manifest. Mercurial alteratives with an occasional dose of house medicine were continued. On the 3d of March the pain was still severe on moving, the redness had extended, and fluctuation was perceptible; there was no fever or thirst. A caustic issue was inserted. On the 5th the slough had separated, and there was a copious discharge of red serum mixed with pieces of thick pus. On the 10th the sore had an unhealthy appearance, the inflammation was extending around it, the discharge was more copious, thin, and reddish, and contained pieces of coagulated blood, and a little pus. A charcoal poultice and nitric acid lotion were applied locally. On the 16th the sloughing continued to spread, two of the leech bites had ulcerated, and the discharge was much as before, but attended with great fetor. On the 24th sloughing continued, the discharge was as before, and the patient began to be wasted by hectic fever These symptoms continued to increase, and the patient died on the 4th of April. On dissection the body appeared a good deal emaciated; the opening opposite the 7th and 8th ribs, at their cartilages, was about 2 inches in diameter, with the liver appearing at the bottom of it. The gangrene was about four inches and a half in diameter, extending upwards on the ribs. The cellular substance underneath was infiltrated with pus, and a pouch or bag which would have contained the hand, was formed by the adhesion of the liver to the draphragm. The upper surface of the right lobe was ulcerated superficially, for a space of about two inches, and there was an infiltration of pus into a small portion of its edge. The liver was otherwise healthy; perhaps rather pale and hard. The pericardium was distended with serum, and the whole of it whitish, thickened, and exhibiting traces of coagulable lymph on its surface.

The above would appear to have a considerable affinity to those cases recorded by Mr. Hawkins in vol. 18, part 1 of the transactions of the Medico-Chirurgical Society of London.

JAS. HUTCHINSON, *Secretary to the Society.*
*Hurkaru.*

## SUPREME COURT.

THURSDAY, OCTOBER 22, 1835.

This being the first day of the Term, the Supreme Court met at eleven o'clock.

*The Forbes's Case.*

JENKINS *versus* FRASER.

The Chief Justice proceeded to deliver the judgment of the Court upon this case.

His Lordship briefly recapitulated the facts and circumstances of this case; (which have already appeared at length before our readers,) and then stated the points arising thereout. There were questions upon which the decision of this case must depend; by the one of which the judgment must be wholly, by the other partially governed.

The first question was whether the loss sustained under so peculiar an accident as the destruction of steam machinery, occasioned directly by the effect of fire, but remotely by the action of sea water, could be considered such a risk as fell within the policy. He was of opinion that clearly it could, and ought so to be considered. It is evident that the accident could not have happened but at sea; and as no defect of machinery, or incompetency of the engineer who superintended it, was proved to have existed when the vessel sailed, in his opinion the risk was clearly covered by the policy, and was such as the parties contemplated. His Lordship fortified his opinion with references to several cases, none of which however were perfectly analogous, the accident and the action being altogether of a novel destruction.

The second question to be considered was the amount of the damages.

Sir J. P. GRANT expressed his entire concurrence with the Chief Justice. There were many other sources of danger and loss, which must be classed under the term "perils of the sea" than those which are occasioned by the winds and the waves, the rock and the shoal. The loss in question, clearly originated in one of those numerous sources, too numerous indeed, to be recapitulated in a policy of Insurance. The extraordinary nature of the accident has been dwelt upon; but that circumstance, instead of tending to exonerate the insurers, has quite a contrary tendency; inasmuch as the more uncommon were the accident, and therefore the less likely to occur; so much less was the risk which the insurers undertook, and therefore so much the more strong and binding was their responsibility to make it good, when it did occur.

Judgment for the Plaintiff for Sa. Rs 1,400.

IN THE MATTER OF TRICKETT.

Mr. TURTON applied for a commission to Colonel Lowe, the Company's Resident at Lucknow, to swear an executor residing within the territories of the King of Oude.

Had this been an application for letters of administration, said the learned counsel, some difficulty might arise; as securities would in that case be required by the Court, and such security could not be taken out of their jurisdiction. But an executor derives his authority under the will, and not from the Court; and if a testator has sufficient confidence in a party not resident within the

jurisdiction, the Court will sustain that confidence by granting the commission to swear him to his trust wheresoever residing. Such has been the practice of this Court. The learned counsel cited a case 1 Haggard's Reports 116 where a similar application was made to swear in a party residing at Bordeaux, when the only condition was that the securities on the bond should be parties within the jurisdiction.

There was another case, Camberoso and Rigordi, Adams, 433, where administration was granted with the will where the only question was whether the committee should not give security of a resident within the jurisdiction of the British Court.

The situation of the parties might be compared to the circumstance of bankruptcy as affecting the office of executor A Court of Equity will not refuse probate nor require security for that cause, inasmuch as the confidence reposed by the testator was paramount to the caution of the Court.

Sir J. P. GRANT referred to the Stat. 38 G. 3. C. 37, and mentioned a case in Adam's Reports when an executor having gone to Scotland administration was granted *durante absentiâ*. Supposing such to be the practice, the commission at present sued for, would be of rather anomalous character.

Mr. TURTON explained the act referred to, to mean, that if the executor did not in such case himself apply, administration *durante absentiâ* might be granted for the purpose of supplying a necessary party to a suit in equity. After some consultation upon the bench, the Court signified its intention to postpone its decision.—*Hurkaru.*

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RONALD M'DONALD *versus* WILLIAM SMOULT.

The *Advocate-General* moved for a rule *nisi* calling on Mr. William Smoult, to shew cause why he ought not to be restrained from selling two-ninths of the Doorgapore factory in the district of Nuddea, which, it is alleged, he has agreed to sell at a price considerably under the value. The learned counsel stated, that in the month of April last, an application was made to this Court by the complainant for a probate to what appeared to be the will of his brother, and for which the complainant was appointed executor. The Court did not grant probate, but directed the will to the proved in solemn form, and a caveat being put in, the will appeared too defective to allow it to be proved. On the 22nd of September a notice was filed of appeal from the decision of the Court to the Privy Council, but previous to this Mr. Smoult had the administration of the estate committed to him. The family of the deceased consisted of his mother, who resides in the Isle of Skye; his brother Charles, now in New South Wales; Ronald McDonald in this country, and complainant in this suit; and his sister Martha Macleod. These were the parties interested in the will; and the question is whether the indigo factory goes to the executor for the benefit of the next of kin, or for the heir-at-law. The Doorgapore factory was a partnership concern, in which Alexander Donald MacDonald held two-ninths, James William Macleod two-ninths; Ronald McDonald, the complainant, two-ninths; the deceased two-ninths; and Thomas Mackenzie Cripps one-ninth. The business was chiefly conducted by the deceased during his life time, but it was afterwards taken up and conducted by the complainant. In July last Mr. Smoult entered into communication with a gentleman named Hills, the proprietor of some factories in the Nuddea district, and agreed to sell to him the deceased's two-ninths of the Doorgapore concern for Rs. 85,000. That Mr. Hills was well acquainted with the value of the factory might be surmissed from the facts that he was not only an indigo planter in the neighbourhood, but he had also recently purchased from Mr. Macleod what was called two-ninths of the same factory for a sum more than double, apparently, but what he (the learned counsel) was prepared to show, was more than four times the amount he now proposed to give for each share, for the shares were purchased from Mr. Macleod at a season when there was nothing on the factory but the bare walls and machinery, but in the month of July, when Mr. Hills offered to purchase deceased's two shares from Mr. Smoult, the coming crop was ascertained, and it was enough of indigo to manufacture 1,[illegible] product of which would be for the two sh[illegible] 40,000; so that Mr. Hills, in July would realize more than Rs. 45,000 for the two-ninths of the fac[illegible] though a few months before he had paid Rs. 1,67,200 for two similar shares belonging to Mr. Macleod. It could not be urged that there was any necessity for an immediate sale, for the debts of the deceased, if any, were trifling. Again the sale was private; there was no advertisement; every thing was silent. That Mr. Smoult was ignorant of the value of the shares might readily be admitted, but to use an expression in one of the communications, that he had been "done" was quite evident; and under these circumstances there was sufficient to induce the court to grant an injunction restraining him from completing the sale. *Rule Nisi.—Englishman.*

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FRIDAY, OCTOBER 23.

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RICHARDS *versus* BANK OF BENGAL.

This was a re-hearing upon a decree passed by Sir John Franks in favour of the Bank of Bengal in a suit instituted against them by Major Richards, under the following circumstances.

In the year 1821, Messrs. Palmer and Company purchased two bank shares with the funds, and for the benefit of Major Richards, but which were registered in the names of the gentlemen constituting the then firm of Palmer and Co. Major Richards also then and before that time held a share or shares in the Bank duly registered in the Bank books in his own name.

Upon the failure of the firm of Palmer and Co., the certificate of the two shares in the Bengal Bank registered in the names of Palmer and Co., were endorsed by the Insolvent members of that firm to the actual proprietor Major Richards, and an assignment of the same shares was made in his favour by the Assignees of the Insolvent firm, which Assignees at the same time made a declaration renunciatory of all claim, right or title to or in the said shares, in their said capacity of Assignees of Palmer and Co.

Notice of this endorsement and assignment was given to the Bank, and they were also called upon to transfer the two above-mentioned shares into the name of the actual proprietor Major Richards. The Bank of Bengal however, refused to do this and moreover claimed a right to the accruing dividends upon those shares inasmuch as the firm of Palmer and Co., was considerably in their debt, and they were authorized and empowered by the 21st section of their Charter to retain all dividends due and accruing upon shares entered in their books in the name of their debtors.

The clause of the Charter under which the Bank advanced this right and upon the construction of which mainly depends the defence to the suit of Major Richards, is as follows:—"If any proprietor registered as such in his own name, in the books of the said Bank, and not as executor or administrator, or otherwise in trust for any other person or persons shall have become indebted to the said Bank, and shall in any manner have made default in the payment of the said debt, it shall be lawful for the said directors, if they shall think fit, to appropriate to the payment of the said debt, any dividends which at the time of such default may be due, or which may thereafter and before such debt is paid become due to such proprietor instead of paying them to him."

Under this clause of their Charter the Bank claimed to set off the dividends accruing on the two above-mentioned shares against the debt owing to them by the firm of Palmer and Co., at the time of their insolvency, and consequently resisted the requisition of Major Richards to transfer the two shares into his own name and to pay him the dividends due and arising thereupon.

In consequence of such refusal a suit was instituted by Major Richards, and a decree was pronounced in favour of the Bank which was now sought to be set aside.

Mr. TURTON for Major Richards contended that the Bank Charter conveyed no such power to that body as

a refusal to transfer these shares into
e client or to withhold the dividends aris-
on from him the *bonâ fide* proprietor. He
mit that if any false credit had been raised out of,
pon these shares, and that if any money or value
had been advanced to Messrs. Palmer and Co. upon
them as security for the repayment of such advances,
the claim of Major Richards must yield to the prior
claim of the Bank; but no such false credit had been
raised, and what was conclusive on this point, no such
false credit could be raised upon these shares, as by the
15th section of the Charter, the Bank are expressly pro-
hibited from making advances or granting loans upon the
security of shares. The credit therefore given to Palmer
and Co. must have been altogether independent of these
shares, and their debt must have accrued upon other
sources of credit than the security of the shares in ques-
tion. It would be strange therefore if the Bank could
claim a lien upon that which for the purposes of such
lien, could never by the terms of their Charter come
into their possession.

But the Bank claim the dividends upon these shares due to the *bonâ fide* proprietor as a set off against a debt owing to them by the trustee of these shares. Now the law of lien recognises trusts as well as direct property.

The 21st clause must not be taken by itself, but in connection with the other clauses of the Charter, and with this construction it will bear, taken in connection with the whole Charter. Now the 21st section is clearly modified and qualified by the 15th, which declares that no credit shall be raised upon shares. The Bank must either recognise the trust or they must not. If they do, then from the time they receive notice of such trust, they hold the dividends in trust themselves, for the *bonâ fide* proprietor; if they do not then, they hold them for the whole of the creditors of Palmer and Co. But we have not only the endorsement of Messrs. Palmer and Co. upon the certificate—the evidence of these shares, but we have the assignment of the Assignees of Messrs. Palmer and Co. But the Bank contend that they have a right to set off all the accruing dividends, both as against the *bonâ fide* proprietor of these shares, and as against the creditors of Palmer and Co., the trustees of such shares.

Palmer and Co. were trustees of their shares for Richards. It is contended on the other side that they ought to have been registered as such. I deny this grammatical construction of the 21st section; let us put the case of an executor:—he need not so describe himself, he may purchase a stock in his own name, he knows that the Bank cannot trust him on the credit of such stock, he becomes insolvent and indebted to the Bank; are the dividends due to the estate of which he is executor to be stopped by persons who never gain credit upon them? This question is to be taken on the broad and acknowledged principle of equity and justice, in a case where no fraud could have been contemplated, and where no fraud can be imputed.

There is another point material to state. Subsequent to the purchase of these shares in the year 1821, in the names of the then members of the firm of Palmer and Co., that firm had changed many of its partners,—Mr. George Prinsep had come in and others had gone out. Now it is clear that Mr. George Prinsep could have no manner of interest in their shares, either directly or as a trustee; how then could it be contended the Bank had a right to set off the dividends due upon their shares, against the debt due to the Bank by Mr. George Prinsep?

Mr. Justice Ryan.—The better way will be, divesting the question of the circumstances of trust and insolvency, to consider the simple point whether supposing a *bonâ fide* proprietor of Bank stock, becomes indebted to the Bank, can he assign over to another his right and title to such shares and compel the Bank to transfer them into the name of his Assignee and pay him the dividends.

Mr. Pearson, *for the Bank.*—The solution of that question my Lord must depend upon the proper construction of the charter, its real intent and meaning, and the scope and tendency of the whole of its clauses.

Now in the first place by certain of those clauses provision is made, that a certain limited number of shares only—that is to say ten, shall be held by any one individual. This in contemplation of the possibility of fraud, is a consideration of some moment; for if the construction now attempted to be given to the Charter were valid a party might hold twenty or fifty shares.

With respect to the 21st clause and the grammatical construction it will bear, to me it conveys a meaning as clear as words can express. But I am told to look to clause 15th by which that meaning is defined and limited, the Bank being thereby prohibited from advancing loans upon the security of shares. What other meaning can be put upon this restriction, but that it is a provision against the security of the Bank being weakened by covering the shares into pledges for additional sums? Is it not reasonable and perfectly consistent that the corporation should say "we will not allow a party to pledge his share for advances, but we will nevertheless come down upon such share and stop the dividends thereupon growing provided such party become our debtor, and our other securities fail?" There is a very material distinction between making advances by way of loan on the security of a share, and having a claim on such share for other debts provided other securities fail. The sense and meaning of the clause is as clear as words can make it.

Mr. Prinsep argued on the same side and contended that the view taken of this question by the opposite side was unsound and untenable. Major Richards besides the shares in question had a share in his own name, and must have been conversant of the Charter, and as under such circumstances he permitted the said two shares to remain in Palmer and Co. and to stand in their names in the books of the Bank from 1821 to 1829, is this not to be regarded, as far as the relation of Palmer and Co. with the Bank are concerned, as vesting the property in Palmer and Co.?

Chief Justice.—I am satisfied that as Mr. Turton stated, if any false credit had been raised out of these shares, the dividends thereupon would have been liable; but I am equally satisfied that no such false credit was raised.

The simple question is whether a shareholder indebted to the Bank can make a valid assignment of his share, and whether the Bank are bound to recognise such assignment and make a transfer in their books of such share, to such Assignee. I am of opinion that he can, and that they will be bound thereby. The 15th section prohibiting advances upon shares, applies equally to dividends upon such shares. This construction of the Charter must affect the whole of the decree given in this suit.

Mr. Justice Grant.—I do not think it necessary to go into the points of this case at length, having fully expresed my opinion on a former occasion.

Mr. Justice Malkin concurred in the opinion of the Chief Justice.

Mr. Justice Grant.—The decree of the Court therefore was, that the Bank should make the transfer of the shares demanded by the bill and account for the dividends accruing since the time of their receiving notice of such transfer.

A long argument or rather conversation ensued involving a point of law of some importance, viz., whether Mr. G. Prinsep standing in the two-fold capacity of member of the firm of Palmer and Co. and a governor of the Bank of Bengal, a notice to him in the one capacity could be deemed notice to him in the other, and thus constructively a notice to the Bank corporation. The decision of this point was however at length waived.

Two other questions were also discussed at great length, one of which was as to the period from which the dividends should be calculated; the other as to the costs—this last embracing the question of who was to pay the costs of Mr. Udny, the Secretary to the Bank. The former point was left open to be settled upon further consideration, as to the latter it was determined that the costs of the complaint should be paid by the Bank; and that Mr. Udny should pay his own costs.

## Monday, October 26.

IN THE MATTER OF MELVILLE, LATE SHERIFF OF CALCUT.

Mr. Turton made an application to the Court, rather for its directions as to the mode of proceeding to be adopted under peculiar circumstances, than for any specific rule or order. The circumstances he alluded to were these. By the 3d G. 1. it is provided that in case of the demise of the Sheriff the under Sheriff shall notwithstanding continue in his office and execute the same in the name of the deceased.

Whether that act extend to this country or no, he would not now consider, as if it did, it would not be applicable in the present case.

The practice here has been that when a Sheriff going out of office has writs in his hands partially executed, any further process arising out of such writs was directed to him, and was by him put in execution, subsequently to the expiration of his Shrievalty.

Mr. Bird, the under Sheriff of Mr. Melville's year, continued to execute the remaining writs of that Shrievalty till Mr. Melville was taken ill and proceeded to the Cape, and died at sea on or about the 19th of May last. Although no directly authentic statement of his death has been obtained, there is that which is tantamount to reasonable proof, though no probate has been taken out in consequence of the insolvency of the party. Under these circumstances it cannot be deemed safe either to purchasers, or to the under Sheriff in question, to make sales, under writs directed to the late Sheriff Mr. Melville, and his under Sheriff therefore makes his present application for the direction of the Court, under circumstances of singular peculiarity; it so happening that no Sheriff of Calcutta has hitherto died whilst in office or during the interval that unexecuted writs remained in his hands.

There is however, a provision in the charter of justice, for the contingencies of death or absence, during the continuance of the office, but not for the present peculiarity.

When a Sheriff goes out of office, the establishment remains in every respect the same, with the exception that his under Sheriff continues to have the management of such writs as have only been partially executed.

After a discussion of some length, the Chief Justice intimated that as this was a matter of importance, the Court were desirous that it should stand over till a further investigation of the practice, and precedent, if any there were bearing on the subject, should be made.

The Court was occupied during the remainder of the day in hearing motions involving no questions of public interest.

## Tuesday, October 27.

PUNCHANUND BYSACK *versus* SREEBOOSOONDRY DOSSEE.

This was a cause that came on upon re-hearing. The whole case turned upon the circumstance of the will of one Kissenchunder being so drawn up as to contain various bequests and legacies written in the margin, and which the one party alleged to be interpolations inserted subsequent to the execution of the will by the testator. An issue had been prayed to determine the validity of these alleged interpolations, but after considerable discussion, a decree was taken by consent, and the will with its marginal additions was admitted to be valid.

## Friday, October 30.

*The Petition of* W. Cobb Hurry, *in the matter of* James Young, *and others.*

This was an appeal from a decree of the Insolvent Court. The cause came on upon demurer and the argument had occupied the Court during the whole of the three previous days. To-day the hearing was concluded, and we give our report of the whole together.

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would very seriously affect Mr. Hurry,
seriously Mr. Burkinyoung. This latte
indeed, had been so much affected by anxiety
connected with this case, that had he not obtai
to go to Sea, he would in all human probabilit
sunk under it and died. A heavier imputation canno
cast upon his character than the refusal of his costs to trustee out of the estate—and such an imputation Mr. Burkinyoung felt to be cast upon his conduct by the order of the Insolvent Court in this case by the order made respecting the costs.

Mr. Justice Grant.—I think it right to state the impression under which I have made that order. I did think it a violation of the duty of trustees and such a one as must be marked by the signal disapprobation of the Court, but I did not attribute the misconduct in question to any dishonest motive or wrong feeling but to a gross neglect and want of consideration of the proper duty of a trustee.

Mr. Pearson.—I imputed nothing but great negligence and departure from their duty as trustees.

Mr. Turton.—I will show that they were not guilty of negligence but that on the contrary they did what they thought best for the estate—if they acted according to the best of their judgment and opinion, it would be altogether new to visit them with the reprehension of the Court. What has fallen from your Lordship will be most gratifying to Mr. Burkinyoung. He was above any temptation to act wrongfully. He was selected to fill a burthensome duty to which he gave his whole care and utmost attention, he therefore felt it particularly mortifying to have a mark thus set upon him by being deprived of his costs.

I do not mean to object to the order as a matter of form, but to make an order effectual all necessary parties must be before the Court; now there are three French gentlemen, Messrs. Saupin, Terraneau and Albert who ought to be made parties. But to come to the merits, Alexander and Co.'s interest consisted in an izarah which it was necessary to renew at an expense of 10,000 rupees; for this Mr. Saupin had made arrangements with the zemindar. To set aside the sale on principles of equity, all parties must be before the Court which was not the case here. Again it was agreed that the Assigness had received half the purchase money, and they could not compel the payment of the remainder without confirming the sale. Saupin was a Frenchman residing in the Mofussil and consequently not subject to British law. What is a deed of sale of an indigo factory but a transfer of personal property for a mere term of years. It was admitted that without the izarah that factory was not worth 3,000 rupees. The contract was as good in equity the moment the agreements were completed as if the deeds had been executed. In equity a contract to sell is equally binding whether deeds be executed or not—deeds are the evidences only of a contract. But the point of law determined against us is, that he, Saupin, was the agent of the party and as such could not contract in his own name. I deny that position.

Mr. Justice Grant.—If I recollect right the order *nisi* was improperly drawn—it was drawn to cancel the

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al object of these proceedings is to obtain the
in favor of Greig and Co. *versus* Saupin. There
reports abroad which attracted the attention of
any persons—of Messrs. Cockerell, Mr. Plowden and
others, and they upon investigation of the matter were
fully satisfied. Grieg thus binds Mr. Lingham who
makes an express stipulation that Grieg should bind him
harmless, and pay the whole of the costs. This was sufficient evidence of some extraordinary motion – that
motion could not be to benefit the estate of Alexander
and Co. Lingham lent his name and no more. Greig
stated by swearing that all this was done by Hurry for
the purpose of selling to a party with whom he was in
partnership. This is a grave and serious charge against
an Assignee. But it appears that neither Saupin nor
Bell were in partnership with Hurry. He indeed had
no manner of interest in the sale and did not even know
of it. They then charge collusion with Rogers. I will
put it on the evidence in point of law: suppose that the
law did not allow a purchase on the part of Saupin from
Burkinyoung, but that Burkinyoung swears that he
considered he was doing the best that could be done
for the estate, is he thereupon to be visited with the
costs of the whole proceedings! But I contend the sale
is not illegal. I contend that if Mr. Saupin made his
claim this Court must decree a specific performance
But it is said there is an offer by Greig of twenty thousand rupees. Well suppose there was an offer to the
Bank, it was never communicated to the Assignees. If
Saupin's offer had been refused would they not have
turned round and said "is not this the value fixed on the
factory by Ballard?" It is said that this factory should
have been put up to auction. In this case such a mode
of proceeding would have been most injudicious. They
have an opportunity of selling this little factory at the
price set upon it. Suppose they had said no we will
put it up to auction. In the mean time Greig goes and
renews the izarah in his own name—the factory would
have been at Mr. Greig's feet. His money was as good
to the zemindar as another's, and it was worth Greig's
while to give three thousand rupees more. Saupin stated that this factory was his only means of livelihood—he
had no other means of living—he might have retained it
for two years in his own hands without purchase. I say
that it was incumbent on Burkinyoung to sell if he could.
The object of this proceeding was solely and purely the
gratification of the spite of Greig against Burkinyoung
and to ruin Saupin. One of the things that appeared
was that he said Saupin was a damned little Frenchman
and he would ruin him. Is this evidence to strengthen
the accusation of corruption against the Assignees?

The correspondence relating to the sale in question,
the several affidavits made by the different parties, and
other documents, were read at great length, the substance of which has already appeared in the *Journal* in
our report of the proceedings in this matter in the Insolvent Court.—See pp. 22 to 27.

Mr. COCHRANE addressed the Court on behalf of the
appellants and after briefly alluding to the numerous

s connected with the proceeding now before
ırt, he assured their Lordships that his clients had
clination to throw difficulties in the way of investi-
tion; but in this Court, as in the Court below, they
gladly gave their aid and assistance in promoting any
enquiry conducive to the interests of the estate. They
appealed however against this order, and he (the learned
Counsel) would be able to shew that they had good
grounds whereon to rest their opposition. Independent
of any legal question or doctrine of law, what the Court
had to decide was simply whether the Assignees at the
time of the sale were acting for the real interests of the
estate, and whether they did that which any other prudent persons would have done acting in the same character. If he could prove, and he apprehended it would
be an easy task, that what his clients had done was to
the best of their judgment and for the benefit of the
estate, then he could anticipate their lordships' decision
in their favour. But what was the main charge? It is
this, that with the knowledge of an offer of 20,000 Rs
for that part of the factory called the Neeschunderpore
and Hautparah factories, and of a previous offer of Rs
70,000 for the large concern—that when a larger offer
could have been obtained they agreed to dispose of the
Neeschunderpore concern to Mr. Saupin for a smaller
sum. This however is not all, there are other accusations of neglect in the management of the estate and
secrecy in the disposal of a portion of it. He would
answer the principal charge first, and what, he asked,
was there in support of it? The only practicles of evidence were two letters, the first said to have been written
in December, 1833, by Greig, but there is not the slightest
evidence to shew that his clients were acquainted with
its existence, on the contrary there is every thing to contradict that supposition. But first what is the question
for consideration? No matter if it is alleged the Assignees have committed a breach of trust to any extent?
the question is whether they were legally right—whether
the sale can be supported, and not whether they did
wrong in refusing a larger sum six months previously
offered; for the rule is to shew cause why the sale
should not be rescinded; and he was not there to
defend the conduct of the Assignees though indeed
he should find no difficulty in doing so. Taking that
into consideration there was no evidence impugning
the conduct of his clients. All that was put forth
consisted of two letters dated December, 1833, and
January, 1834, the last of which he acknowledged, if it
had been traced to the Assignees, would leave them no
ground on which to rest a defence in this Court. Then
came the question what evidence is there that the letter
was received by the Assignees? Simply this: Greig
says it was sent to them by the post, but there is not a
particle of evidence to shew that it ever came to hand;
and with a knowledge that letters touching purchases to
the extent of 20,000 Rs do not often miscarry, there is
no attempt to prove that it was ever received at the post
office or sent out from thence. Indeed their lordships,
when he came to touch upon other acts of the party alluded to, would have no difficulty in judging how far the
assertion was likely to be true. But it did not even rest
there; both Mr. Burkinyoung and his co-Assignee denied having received the letter dated the 13th January,
nor had they any knowledge whatever of the offer it was
alleged to contain. Here then so far is no evidence in
the case which fixed the Assignee with a knowledge of a
better offer for the factory; if however he was mistaken he must leave it to his friends to prove the contrary. Before he came to argue in support of the legality of the sale and the propriety of the Assignees disposing of the factory, it would perhaps be the better
course to draw their lordships attention to the nature of
the charges which in the letter of the 4th October are
distinctly levelled against his clients; and here he
thought it would not be unimportant to show the anxiety
manifested by Mr. Greig not only to impugn the character of the Assignees but to destroy the factory itself. If
he could satisfy their lordships on these two points, he
thought it would not be unimportant, and that he could
do so was beyond the possibility of doubt. First what
appears in the petition? Greig at the commencement
alleged that there has been no valuation of the factory
whatever. Now what turns out to be the fact? On the
11th January, 1833, the Insolvent Court issues an order

for the valuation of the factories, a month a
they are valued at Rs. 60,000 which is afterwa.
creased to 70,000. So much for the allegation th.
valuation whatever is made. Had the valuation remain
without alteration at Rs. 60,000 for the whole concern,
then he apprehended that Rs. 16,000 would be a larger
sum than the valuation which would be fixed upon the
Neeschundpore portion of it; and as it is with an in-
crease of Rs. 11,000 to the amount at first considered
equivalent to the whole. It must be remembered that
the other portions were profitable, and that Neeschun-
derpore was alone the loosing concern, and that Saupin,
the lease being on the point of expiry, bought the inter-
est liable to a contingency; for had Saupin not closed
with the zemindar, Greig might, as he certainly would,
have obtained a renewal of the izarah and left the Assig-
nees with the bare walls of their factory surrounded by
lands cultivated for the profit of another individual. But
Greig's malevolence had been Saupin's protection. The
Court would find that intelligence of Greig's endeav-
ours to procure a renewal of the izarah had been con-
veyed to Saupin, and if the latter had not pursued the
course which he had done, the Assignees instead of re-
ceiving Rs. 15,000 for the factory would have been left
without an izarah with the bare walls of a factory not
worth 4,000 Rs. He would now call their lordships'
attention to another part of Greig's conduct. That per-
son in his correspondence with the Assignees alleged that
Saupin had deceived them with a false statement regard-
ing the sum of Rs. 10,000 demanded for the renewal
of the lease. The Assignees without placing reli-
ance on Greig's assertion wrote to Saupin calling
on him to prove what he has alleged. Saupin is advised
of Greig's offers to the zemindar and closes at once with
the latter for that sum. So much for the charge that
Saupin had deceived the Assignees. Again their lord-
ships had been saved from hearing a repetition of Greig's
expressions alluding to Saupin, but he (the learned
Council) would put it to any man to say whether they
did not show hatred of the man, animosity of the party,
and an object to attain. As to the question of a partner-
ship between Mr. Hurry and Mr. Bell, which Mr. Justice
Grant in his decision in the Insolvent Court pronounced
to have terminated beyond all doubt before the sale of
the factory to Saupin, and with reference to costs and to
the opinion expressed by that learned Judge that the As-
signees had expected or courted the moving of the credi-
tors' parties to the letter of Cockerell and Co. in the In-
solvent Court." *Exparte Aberdeen Graham*, and *Toogood*
in the matter of *Howard* and *Gibbs* v. Deacon and Chel-
ty, wherein it was decided that Assignees are bound to
furnish a creditor, who has proved, with a copy of their
account, it he offers to pay the expense of making such
copy, and the Lord Chancellor ordered the petitioners to
pay the costs of the petition and the Assignees to be paid
their costs out of the Estate. *Exparte Montgomerie and*
*others in the matter of Russell and others* v. *Glyn and*
*Jameson* was also in point, which was an application by
creditors to restrain the Assignee from a sale of the Bank-
rupt's stock in trade and lease. The Chancellor on
consideration stayed the order as regarded the sale and
was clearly of opinion that the Court ought not to inter-
fere to stay the sale because the Assignees act at their own
risk and upon their own responsibility; and they and not
the Court are to be Judges of the propriety and expe-
diency of sale. As to the property not having been put
up at auction it was decided in *exparte Herley in the mat-*
*ter of Ramsay* v. *Deacon and Chelty* that the Court will
make an order on a petition of the Assignees to sell any
part of the Bankrupt's property by private contract, it
being a matter in which they must use their own discre-
tion.

Now let us come to the broad question of whether it
was a sale at all. Let us see what is the actual evidence
of sale. That must be derived either from parties pre-
sent at the transaction, or immediately connected there-
with. Now, who were they?—Burkinyoung, Alexan-
der, and Saupin. It is admitted on all hands that Sau-
pin should buy with the understanding that he was to
sell a part to a third party. What motive or inducement
was there then for the imputed secrecy? If secrecy
were really the object, where would be the object in
taking every means to inform the whole world? Bur-
kinyoung's account of the transaction is perfectly clear,

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Saupin and Rogers before he saw St.
saction was concluded for one if not for
purchase money was paid on the part of
words of Burkinyoung coincide with the na.
of business and the strong probabilities of fa.
so the evidence of Storm, which independently
recrimination contained in his correspondence with A
ander, is at variance alike with consistency and p.
bability. Storm cannot recollect the particulars of his
conversation with Alexander; he goes running about the
town all day, making his enquiries, and at length gets
the plain truth from Burkinyoung; he knew that Rogers
was to have the one factory, and knowing all this he
notwithstanding has the effrontery to say that he does not
believe Mr. Saupin.

As to another point, a party who is desirous of opening
the biddings must bring the money to Court. According
to Mr. Sugden, in his work upon venders, it is the aim
of the Court to enhance the value of the estate, and
parties seeking to open the sale must bring in the money.
Again notice of such application must be given to the
party purchasing; we say we have no such notice, and
however ready we may be to abide by the decision of this
Court, still no decree made behind our backs can or
ought to affect us.

To revert to the questions of agency. Is it asserted
that that relation arises out of the circumstance of being
manager of the Neeschunderpore factory; I ask if there
is any principle of law or equity which goes to prevent
one partner selling to another his share of the mutual
property? Had Alexander and Co. continued solvent
what was to prevent their selling to Saupin? If his
situation as manager vitiated the contract, probably half
the transactions by which indigo factories are and have
been transferred in this country would be void and nuga-
tory. But it is said because he was managing partner he
was an agent and therefore incapable of buying for him
self. In support of this position Lord Harris's case, as it
is called, has been cited. But in that case the objection
was that the party was attorney for the commission of
Bankruptcy as well as agent for Lord Harris. If the
objection of agency would apply to Saupin, it would
equally apply to a Captain of a ship, a sleeping
partner in a firm, who would be precluded from
buying out the co-partners. A ship's Captain must be
more intimately and minutely acquainted with the real
value and worth of the vessel he commands than the
owners, and yet would it be said that he was therefore
incapable of purchasing? The grand distinction which
separates one case from the whole class of cases of pur-
chase by agent, is the perfect *bonâ fide*, the absence of all
fraud in the transaction.

In reference to the power of this Court to rescind the
sale under the 49th section of the Insolvent Act, I would
urge that by that section the Court is empowered to con-
trol, to delay or postpone an intended sale, but that no
power is thereby given to rescind a sale already conclud-
ed; at least so far concluded that a specific performance
of the contract could be compelled.

Now as to that part of the order which directs the costs
are not to come out of the estate, this is equivalent to
granting costs against us, which conveys a direct imputa-
tion upon the character of the trustees, which neither these

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…ely,
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…ey have no power to proceed in this mat-
…ause all necessary parties are not before the
secondly, because the sale is complete and
…gh the Act gives authority to control or prevent a
, it does not convey a power of rescinding a sale al-
…ady completed. As to the first objection no doubt there were other co-lessees—Saupin, Terraneau and Albert, but what was put up to sale? why the interest of Alexander and Co. alone.

As to the objection that the sale is complete, and therefore cannot be interfered with whether it be complete or no, must depend upon the construction of the Act of Parliament. By the 49th section of the Insolvent Act, the Assignees are empowered to sell under the control of the Court. Whether this control is to be confined to antecedent measures I cannot say; all I can say is that there is no limitation expressed, and in the common sense and meaning of language, the Court may interpose its control any period of time whilst the sale is going on, and forbid the conveyance. I say this contract in question is not complete nor such as a Court of Equity would compel a specific performance of, and therefore that the power of controlling and rescinding it is fully and clearly given by the Act of Parliament. Suppose a collusive sale be hurried through and the deeds hastily executed before such control can be exerted; shall it be said that there shall be no redress or compensation for the loss sustained by the estate?

I now come to the material grounds of my objection to the validity of the sale of these factories to Saupin, and the points I chiefly rely upon are these.

1st. The great negligence and betrayal of their duty by the Assignees.

2dly. That Saupin was an agent and sold to himself.

3dly. That there were frauds in the transaction which of themselves are sufficient to vitiate the contract.

Now I will not dispute the right of the Assignees to select such mode of sale—public or private—as they might deem most advantageous to the estate; I will not with or without a case in point, or a Chancellor's dictum to support the position, deny that Assigness are left free to exercise their own judgment, and use their own discretion; but then let it be understood that they do so upon their own responsibility also. There can be no man less inclined than myself to advance or maintain that trustees who act for the best, and do all that they think most beneficial to the estate, should be liable for the consequences of a mere error in judgment. If it can be shewn that these or any other trustees have exerted themselves as well as they were able, and have done their utmost to fulfil their duty according to their honest notion of that duty, a mistake in law, or an erroneous exercise of the discretion entrusted to them, might and indeed ought to be overlooked.

But where, to use the softest terms, I perceive gross indifference and carelessness in the fulfilment of a trust—why I necessarily say indifference and carelessness are no errors of judgment, arise not out of want of discretion—they are direct direlictions of duty, and such as the …st be made responsible for. Moreover, it is to …e in mind that the trustee in question derived a …derable income from this office; it is therefore a …n corollary of law, that at least they were bound to …ake as much care of the estate they had to manage as of their own. Had they however paid as much regard to the interests of their employers, as they would to their own or as any man of ordinary prudence would exercise in his own affairs, they surely would have taken some pains to effect a sale in the most beneficial manner. Which of us who should happily terminate his pilgrimage to the east, and be enabled to return to Europe if we had estates to sell before we left, would not take at least the common and ordinary means of making known that such a sale was to take place, of inviting public attention and of stimulating the competition of purchasers? I will venture to say not one, the most careless of us all. Surely any man of less than ordinary prudence would at least advertise what he wished to dispose of; but what were the exertions made to inform the public that their factories were to be sold? What says Mr. Alexander? Your lordships will recollect the sale took place on the 25th August, 1834. Mr. Alexander says the sale was advertised up to October, 1833. During all that interval there was no advertisements. Is that the line of conduct a man would adopt when seeking a purchaser for property of his own?

Another material consideration to be attended to is that Saupin in the month of January, 1834, comes down and gives intimation that the izarah which they pretend was the cause of the hasty private sale without advertising, must be renewed; and after all that has been said of the pressing emergency of the case, the izarah was not then renewed, nor in fact till subsequent to the sale in the month of August.

In 1833, an application was made to the Insolvent Court for a sale on the part of the Bank of Bengal, who were mortgagees of the property. At that time Greig had offered 20,000 rupees for the factories in question; but the Bank applied for a sale of the whole. In reference to that order Alexander says "when the order was known we made no effort to sell." Let us now look to Burkinyoung's conduct, as respects negligence. He says "we are not in the habit of enquiring for purchasers"—the next sentence is in exculpation, "we are ourselves daily enquired of"; on being asked however by whom, he mentions only Captain Vint, and can recollect no one else—would he have acted thus in respect to his own property? He says there were no advertisements of Hautparah from January to the time of sale. I can shew that as it was, the property might have been sold at a better price. Towards the end of the year 1833, Greig offered 20,000 Rs.; but my friend says this does not bear on the negligence alleged in the present sale of 1834. Now I protest against the doctrine that in the investigation by a Court of Equity into the conduct of their officers they must not take the whole of that conduct as affecting the trust into their consideration. In such a case this Court sitting as a Court of Equity is not bound or confined by technical niceties. In reference to Greig's offer however, my friends allege that it was made to ruin Saupin, and that it matters little what an angry man may say. My friends have certainly not been sparing of the character of Mr. Greig; but whatever they say of his conduct, he was ready at that time to pay down 20,000 rupees for the factory; it is quite clear therefore that it was worth more than it was sold for.

Burkinyoung says, "I have heard that an offer was made to the Bank of 70,000 rupees for all their factories. The Bank requested our concurrence, but we did not consider this an offer that we were bound to accede to, it being coupled with other observations." In giving evidence on the letter he says "I cannot speak precisely—the general contents were to this effect, that there were three factories for the sale of all which application would be made to the Court, we did not therefore think proper to sell one separately. Why? it is not difficult to infer; their functions had then ceased, Othello's occupation then were gone and his salary would cease. Again he says we gave the Bank no answer for the reason abovementioned,—that must be the reason I have just specified and the

meaning of their language is this, "the Bank have offended us, they won't give us our own time, they talk of applying to the Court so we won't sell till we get the order." Now I ask when such an offer is made to the Bank and communicated to the Assignees they take no notice of it nor make any reply, is not this full evidence of gross negligence without going any further! Now Alexander says he had no direction to refer parties to the Bank, so here we have a set of Assignees who give their Secretary no direction to refer parties to the Bank in a matter of such importance—was not this great negligence!

Another point to be attended to is this: Saupin had applied the year previous to the Bank for these two factories for which he offered 10,000 rupees—the Bank refused on the score of inadequacy of price: this was communicated to the Assignees and yet in the following July they ask him, Saupin, to renew his former offer. It is said that they knew nothing of Donaldson and Greig having offered 20,000 rupees. We certainly cannot bring home to them direct knowledge, but if I will concede to my friend Mr. Cochrane that when a letter is put into the post the general inference may be drawn that its communications have reached their destination, I think I may demand a similar concession in respect of the inference to be drawn from the circumstances affecting this knowledge. Alexander says "I have an indistinct recollection of Donaldson calling, and I referred him to the Bank." Now can any man doubt that he did go to the Assignees—that he made his proposal and then went to the Bank. If he did not so refer him the Assignees are answerable for the conduct of their servant; now what are the grounds that they set up! First, that the Bank got a general order and by some strange obliquity of construction they infer they could not make a partial sale—now I ask if Burkinyoung's statement be not a mere excuse!

We now come to the izarah. The izarah is nothing more than a lease for years paying rent to the zemindars—in some cases the zemindar requires an advance—this has been made much of, but let us see how the matter stands when stated accurately. My friend has read a letter from the zemindar or his manager dated in September, 1834, stating that he the zemindar had a disposition to grant the izarah, the ground rent being 3,500 rupees, without any advance—now this is a fortnight after the sale and yet they say the sale was precipitated lest the izarah should be denied. Now what is the izarah! It is a lease or rent:—sometimes an advance is made upon its renewal, not by way of fine as is sometimes the case in England on the renewal of a lease, but a sum to be deducted from the future rent.

The next material point is, that Saupin was an agent, and not only an agent but a manager of the concern as appears by Alexander's evidence—Saupin says so himself in his own deposition. Now it needs no elaboration of legal argument to shew that the Steward of an estate is not exactly the party to purchase nor to establish a something more, that is to say that a Court of Chancery would not recognize him as a purchaser. Now we find that Greig had a factory contiguous to those in question—and it may be said, and indeed has been said, that Greig would offer more than these last were worth in order to injure Saupin. If it were so what had Alexander and Co.'s Assignees to do with Greig's motives! It was their business to encourage competition; whether Greig's offer proceeded from malignity or no it was their duty to do the best for the estate. If Saupin did not inform them that Greig, Storm and Bell were likely to become purchasers he did not do his duty as agent; if he did inform them they neglected theirs as Assignees. We will revert once more to the Agency question. We have a communication from Alexander, seen and authorized by Burkinyoung, constituting Saupin their agent—they now say he was not their agent, but before they saw the bearing and effect of his agency they insited that he was so. Mr. Cochrane says that Storm was running about the town from place to place and came late in the evening to Burkinyoung's; why, what does this evidence prove but his zeal to make the purchase. But let us look to the terms of Alexander's communication. "I am directed by the Assignees to inform you that yesterday they gave Mr. Saupin the power to sell Neeschunderpore and Hatpaurah, and that he has secured a purchaser at 15,000 rupees. Mr. Storm did think himself ill used and well he might. My friend Mr. Cochrane says that there was a difference between these parties and so truly there was. The learned Advocate-General here read several passages from the correspondence of a recriminatory nature and proceeded—Storm says "I wanted to purchase this factory because it adjoins my own and in some degree interferes therewith. Alexander told me it was not sold, it was still open to me. I ask'd for a slip of paper upon which to write my tender, he said to-morrow will be time enough." Storm could not wait, he went to Rogers and wrote an offer of 5,500 rupees; and not finding Alexander at the office, he sent him his offer with his card. At half past 5 o'clock he goes to Burkinyoung and asks if more were offered could he amend his tender; he is told that he will receive an answer to his tender the next morning but not a word is said of its having been sold or bargained for.

Saupin is shewn to have been the agent by Alexander, by Burkinyoung and by his own statement,—and I maintain that his conduct and that of the Assignees, however morally right or wrong, amounted to a legal fraud. Burkinyoung says, that Saupin said Bell would take one part and Rogers the other; but what says Rogers! why, that he bought it for François Saupin. If no fraud or deceit was contemplated where was the necessity for all this manœuvering and circuity of proceeding! Do men ever use a fictitious name but for some sinister purpose, or when two parties combine to deceive a third! No. According to every principle of human nature a man acts openly unless he has an underhand design.

In this case the ordinary rule of law respecting agents is not applicable. What is our charge! It is that the Assignee allowed Saupin to buy, at an under price, an estate of which he must have known the full value. Saupin states that 5 or 6 months before he and Bell agreed to take the factory, and that he (Saupin) was to be Bell's manager. If then he became agent to the Assignees he became agent for two parties of opposite interests. Mr. Greig states in his affidavit that the day before Saupin came down to Calcutta he saw Saupin at his own house. His account of that interview is no doubt contradicted by Saupin; but his statement is that Saupin represented Neeschunderpore as of little value, and always a losing concern. Now Saupin denies that he deteriorated the property but admits that he saw Greig. He never tells the latter he is going to buy. We have Greig's offer to Saupin to take him to manage under Greig if he bought; yet Saupin conceals his intention from Greig. Again does he communicate to the Assignees Greig's wish to purchase! If he did not he betrayed his duty as agent; if he did what shall we say of the Assignees.

Your Lordships have heard a great deal about the renewal of the izarah. Alexander, in his letter and evidence, states that Saupin said there must be ten thousand rupees in advance; the same is asserted by Burkinyoung. I attach, I must say, no very great weight to affidavits got up under such circumstances. But they state that ten thousand was the sum required to be advanced by the zemindar as first stated by Saupin. But what says Saupin now? He says from 8 to 10 thousand.

I would avoid as much as possible any lengthened argumentation on the point at law, but as the question of agency and the power of an agent to purchase for himself has been so much dwelt upon, your lordships will permit me to say a few words on that head. In the case of Brooke and Rothschild, J. Symond's report, a broker was employed to effect a sale of foreign stock by Rothschild; the broker took the shares for himself and partners. Here the question was whether such sale would stand good. The Court expressed itself that the least that could be said was that as Rothschild constituted the party agent to sell he was bound to sell to a third party. Had Rothschild been satisfied, the contract would have been concluded. A ratification might have been, in that case, in ours it could not.

In Mr. Sugden's book on venders, under the head of purchases by agents, trustees, &c., it is said that it may be laid down as a rule that agents, commissioners of bankrupts, assignees under commission, and other persons similarly situated and having better means than others of accurately knowing the value of estates, are incapable of

becoming purchasers; for if persons confidentially employed, were allowed to purchase they would have a strong inducement to conceal whatever would tend to enchance the value. A person cannot be both agent and principal. He cannot serve two masters. From the common frailty of human nature one who has the power, will be induced to use it at the expense of his employers.

I think, my lords, I have therefore shwewn in this transaction at least that which is denominated legal fraud; I think that I have at least shewn that negligence exists far beyond that which any man of ordinary prudence manifests in the conduct of his own affairs; and I think I have clearly shewn that that property has been disposed of for fifteen thousand rupees which at the least was worth twenty thousand.

Mr. Prinsep.—The first point to be considered is whether your Lordships have the power to rescind, as it is called, the sale in question. By the 49th section of the Insolvent Act, the Assignees are directed to make sales subject to the control of the Court, in case application be made by the Insolvent's creditors, in which case the Court has power to control the sale or make such order as they shall see fit. This in fact is a greater authority than is given under the Baukrupt Act. I apprehend under this authority the duty of the Court to be, if the sale contemplated be shewn to be injurious to the estate, to interfere in whatever stage the contract may be, and set it aside. All parties must be considered to have notice of the power of the Court, to control and put a stop to an improper contract for the purchase of property belonging to the estate.

In reference to the question of agency, in Lord Harris's case not only that an agent for the seller cannot buy for himself, but cannot buy for a friend or another employer. General Harris was a stranger to the transaction, and no manner of fraud was imputable to him. Yet the property was ordered to be put up again at the accumulated price, so that if it did not fetch more it should stand good for what had been offered—so it is always in such circumstances; the contract stands good as against the purchaser; not in his favor.

The next question is whether this sale was not effected under circumstances of great negligence on the part of the Assignees, and of concealment on the part of Saupin.

This was the situation in which the concern stood.

The Assignees were advancing the whole, or $\frac{16}{16}$ with an interest of only $\frac{5}{16}$; it was therefore advantageous for the estate to sell as soon as possible. But what do the Assignees? They neglect to advertize; they neglect to take the usual and ordinary methods for making known to purchasers that the factories were for sale? they neglect the offer of 70,000 rupees for the whole, to the proposal of which they did not condescend to make a reply.

Saupin says that the first demand from the zemindar was in April, and that he would not let him cultivate without an advance. No enquiries are made as to the desire of purchasing in the proprietors of the surrounding factories: such is the urgency of the case, the Assignees say at once—"If you can get 15,000 rupees we will take it." When he said 10,000 must be advanced on account of the renewal of the izarah they said they would rather sell than make advances, and recommended him to purchase or rather to renew his former offer. Almost before Saupin leaves the office comes Storm with an offer of 5,500 for Hautparah. Saupin says that he only intended to buy part for himself and part for another party; he therefore acknowledges that he was agent to sell, with a knowledge of a higher price being offered. This is precisely the case of Lord Harris's agent in exparte Bennett so often referred to. He sees Mr. Storm, who offers 5,500, he never informs the parties but goes and buys for a less sum. I say that all this exhibits nothing but a long series of gross negligence.

The parties seem to have been aware that there were plenty of competitors ready to come into the market, if they had notice of the intended sale; but no attempt whatever was made to communicate such notice.

There is a great disparity between written depositions and *viva voce* examinations; the latter carry with them, for very many reasons, infinitely more weight, and tend far more strongly to produce a well founded conviction. Now what do all *say* in their evidence? That on the 25th of August Saupin came to Burkinyoung—Alexander was there. Saupin urges the necessity of renewing the izarah; that 10,000 rupees advance was necessary to get it: that Greig would get it if they did not. What was the fact! The lease expired in March, it was not till June following that the zemindar said you shall not cultivate without renewal. Again the month of August is just the very worst time for effecting a sale of this kind of property; but even then there might have been competition if it had been looked after. There were Rogers, Storm, and Cockerell close at hand; but none of them are applied to, nor is it ever enquired of Mr. Udny, the Secretary of the Bank, where were the parties to be found who made the former offer. I give them their choice of these two suppositions: either Saupin was an agent or he was not. If they knew he was not an agent why did they deceive the creditors and state that he had found a purchaser? But if they knew him to be a principal, can there be a doubt who under such circumstances is to blame and who ought to pay the costs?

Much stress has been laid upon the advance demanded by the zemindar. This is nothing more than a payment of rent before hand, and is in some instances demanded; but we have other evidence than the assertion of Saupin that in this case no such demand could have been insisted on, as six months subsequently are found the zemindar or his agent pressing for a renewal without any mention of an advance; what blame can attach either to Mr. Greig or to the zemindar that upon the approach of the season for cultivation the one should seek for a lessee, and the other for the izarah?

Mr. Turton rose to reply. My learned friend has stated that at the commencement of this argument I promised to expatiate largely upon the question under discussion. I do not remember having made that promise, but if such were the case I shall do my utmost to avoid keeping my word.

There is one preliminary observation respecting the order as is stands which ought to be brought under notice, that is to say that it has been altered from the original terms in which it was drawn without our being called upon to show cause against such alteration. I may observe that upon the face of this order the contract is treated as subsisting and conclusive upon the parties entering into it, but an objection at once presents itself that this order had been altered subsequently to its being drawn up and deliverd upon a petition presented by the solicitor to the original petition. The order as it orginally stood was that the Assignees should be restrained from concluding the sale in question and from effecting a sale—a subsequent petition was presented to alter the terms of this order.

Mr. Justice Grant.—One party petitioned thinking it not the order intended by the Court; I persued it and altered it as it now stands.

Mr. Turton.—As this objection would only lead to a question of another hearing I shall wave it for the purpose of forwarding the objects of all parties. The order is that the Assignees be restrained from selling or proceeding further in the sale of the factories of Neeschunderpore and Hautparah to Saupin until they had been put up to public auction. It is not my intention to draw nice distinctions regarding the jurisdiction of the Court, but I must deduce from the very words of this order an admission that the contract was a subsisting and conclusive one, as otherwise it would be impossible to say that the parties should not execute the deeds until the properties had been put up to auction. It must have been considered a valid contract. I dispute the right of this Court to make an order affecting Saupin who is not before it, but the interests of three persons were to be affected by this order—Saupin, Terraneau and Bell. So that the Court direct that the Assignees of parties holding only five-sixteenths of the state, as my learned friend Mr. Prinsep has repeatedly impressed upon us—and without the assent of other partners or the person to whom the property has been sold, to put up the whole to public auction. If I put up my friend's property to sale I must convey though I have no actual right; the Assignees therefore, though they have but five sixteenths and that encumbered with the rights of others are directed to convey the whole. Supposing Saupin to have acted in any manner they choose to allege, it could not

convert his joint property into the sole property of the assignees. The order further says that if Saupin is not recognized as the purchaser after such resale and should reconvey the property than that Hurry and Burkinyoung should refund what he had advanced in part payment, he accounting for the mean profits. Now there is another case very possible; suppose that there was a loss or expenditure on the part of Saupin, the Court would have provided for that; but no, not a word upon such contingency. But let us suppose they had put up to sale and desired Saupin to reconvey, supposing that he should say "no"—he actually does say so—in what a situation are we then? we cannot convey. If he has incurred loss or undergone expense there is no provision in the order for such contingency, and if we barely refund the money he has paid in, he will not of course reconvey upon such terms: no the order says that if no person overbids the 10,000 rupees he should be the purchaser. There is no such compulsion in similar cases in the Court of Chancery except as affecting agents to the commission—there is no pretence in Lord Harris's case to bind him by such terms. I contend that neither an insolvent Court nor a Court of Star Chamber could make this order upon persons not even summoned before them; yet this order tells two persons not brought before them to do acts involving their own interests without bringing them before it. If this decision were attempted to be used before the Supreme Court they would there say we could not listen to such an order—by the English Law no party can be affected by it who are not before the Court.

Mr. Justice Grant.—The Insolvent Court did not consider itself as deciding upon the rights of Saupin and Bell, it acted merely as superintending the conduct of its own officers.

Mr. Turton.—I submit that the order is inconsistent with the ordinary proceedings in such cases. Saupin is restricted from purchasing whilst he is obliged to give up the purchase already made.

Mr. Justice Grant.—It was the opinion of the Court that the Assignees could not sell to Saupin at all.

Mr. Turton.—Saupin might surely purchase at public auction. If it were not for this order he not only could have bought at public auction but might have commenced by bidding 5,000 Rs- instead of 10,000, but I contend that the Assigness might compel him to a specific performance of his contract. But when one party pays half the purchase money and gets possession he will naturally rest on his oars and leave the other party to take the first step. The parties here had the consent of creditors to sell by private or public sale, but I ask if it is not the very worst way that could be adopted to consult those interested either in holding off or hastening on the sale. Every purchaser here has a great interest one way or the other. An Assignee had better rely on his own judgment than rely on the advice of one party or the other. In nine cases out of ten his judgment would be warped, he could not call together a meeting of the creditors without many of them having a direct interest in the properties being bought or sold. In such cases the Assignee should consult neither side, having the general consent of all. The question here is, it is true, whether the Assignees should pay out of his own pocket 5,000 Rs-, but it involves a question of a far more serious nature, that of character. They would far rather have paid the five thousand rupees themselves and have done with the matter. But it is my duty here to shew that this order ought never to have been made. In respect of the case exparte Bennett I cannot see the equity that governs that case or that a person is bound to puff a sale. It is elsewhere said by the same authority that such puffing is a fraud upon the purchaser. He, the agent, says the Lord Chancellor, was bound to do the most. He knew that more could have been got. Now supposing that Lord Harris had come in and said "he had altered his mind and would not give more than 10,000," what was to be done then?

Mr. Justice Grant.—I do not suppose that Lord Eldon meant that he was to get more by puffing, but that having an interest he put himself in such a situation that he could not become a purchaser.

Mr. Turton.—Now as to the question of agency my learned friend has scarcely touched upon that. He has read two or three detached passages from letters without the context. Here questions of agency, fraud, negligence, partnership all came under discussion upon the motion. I ask if it is a fit and proper course to bring these on a motion exparte? Montgomery 3rd Glyn and Comyn 338—that was an application on the ground that the interest of creditors required a sale not to take place suddenly and that it was the intention of the Assignees to suffer a covered purchase in favour of friends—the Chancellor thought that he could not interfere unless upon a guarantee of indemnification to the Assignees: this brought to his recollection that in the present case the party opening the biddings will advance on the price. In this case no security was given to indemnify the Assignees; as I understand your lordship the Insolvent Court can exercise a more extensive jurisdiction than the Bankruptcy Court.

Mr. Justice Ryan.—The question as to power and jurisdiction is confined to the 49th section of the Insolvent Act.

Mr. Turton.—I admit as respects Assignees but not as affecting third parties; the Court here have not the power of doing more than delay or control the contract previous to actual sale.

Mr. Justice Grant.—I may say that my opinion was that the Insolvent Court had this power—a power distinguished from the Bankruptcy provisions.

Mr. Turton.—I admit a distinction but maintain that all acts of Parliament must be looked at as only having relation to parties within the jurisdiction. I maintain, moreover, that this clause does not extend to sales actually completed, and concluded. The clause conveys a power to delay or to postpone and make such orders regulating such sales as the Court shall think fit. There is no power to control parties out of the Court's jurisdiction. The Court may order to sell by private contract or to sell by public auction—these and such as these are within the competency of the Court's authority; but the Court have not power to say such and such a party shall not bid. The legislative would not pretend to give a power to the Court which it was not possible for it to enforce. But how could the Court proceed against Saupin, Terraneau and Albert! Again it is directed that the lease granted by the zemindar should be transferred to a third party, but the Court does not know if it is capable of such assignment. Suppose the zemindar would not accept of the party—hated him—would not be troubled with him—and says "would turn him out instanter" —can this Court or any other Court force the zemindar to take him as his tenant? Besides on every transfer on this nature there is a salamee fee and other disbursements not provided for by the order.

My learned friends have dwelt much upon the superiority of oral testimony to written affidavits, what then becomes of the affidavit of Greig which is flatly contradicted by such testimony! In defiance of his own maxim, my learned friend maintains that the affidavit of Greig is to be taken rather than the oath of two witnesses. It is clear that Greig is the client in this cause and not the parties nominally appearing; for if there had been negligence such as is imputed and the object were to serve the creditors not to harrass and ruin Saupin, the obvious method to be adopted would have been to have had the matter referred to the Examiner to ascertain for how much more the estate might have been sold, and then to have compelled the Assignees to make good the difference, and if they thought proper to have them turned out. The proceedings that have been adopted clearly show that Greig is my learned friend's client, not the creditors; that they are advocating his malignity, not their benefit. And now with respect to the outcry for not selling at an earlier period. Without the Bank's concurrence they could not sell at all. In the September previous they accepted 15,000 rupees from Saupin, they communicated this offer to the Bank, who say no, that the price is not adequate—indigo had risen;—did that rise continue? Was such a precarious estimate a ground to refuse an offer for a concern which, according to Alexander's statement, was not only unprofitable but losing? Moreover than this, they were constantly pressed to sell. They never refused to sell at an adequate price; but when an adequate, or what approached to an adequate, price was offered they would not have been justified in refusing it. This, as I have said before, is a question of character. It has been asserted that the Assignees,

when they closed with Saupin, knew that there was a better offer in the market. If they knew that, let their characters be stigmatized as it ought ; but this cannot be shewn, and who shall say that there is a particle of credible evidence to shew this. Then let not the conduct of the Assignees any longer labour under imputations—imputations deriving force and influence as proceeding from the bench, of doing one thing and contriving another ; of acting ostensibly to the world in a manner directly at variance with their secret and clandestine transactions. Such imputations, falling from a counsel in the heat of argument are nothing ; but proceeding from the deliberation of the judgment seat, they are fatal and blasting. Had such imputations influenced the full bench, the Assignees must have been removed. But that could not be without fraud or gross misconduct, and surely no man or men are ever guilty of fraund or gross misconduct without a motive. No man is ever wicked for wickedness' sake ; or evil from shere love of evil. Greig indeed insinuates that Hurry was his partner and so sells to himself. What was the truth ? Hurry at the time was not even in Calcutta. We at first thought that he had been here though confined to his bed with a fever ; but the real fact was that he had gone down the river for his recovery : during his absence that transaction takes place, and he finds himself saddled with costs, or rather muleted in a fine, for matter of which he had not the remotest knowledge or suspicion.

With respect to my learned friend's doctrine of probabilities, he would establish that an inference deduced from what a man might do in the ordinary or usual course of business, is stronger evidence to substantiate a fact, than the positive and direct oath of two disinterested witnesses ; or in other words that it is more likely that two respectable witnesses should swear falsely than that a man should do that which he probably might do. I speak in reference to the knowlede of the Assignees of the higher offer to the Bank.

Saupin swears that at the time he purchased he did not know of Donaldson's offer—Cockerell swears he does not believe it was communicated—Mr. Udny swears the same ; and yet against this testimony a man's character is to be taken away by a probability.

As to the manner of sale I contend that not only had the Assignees a right to sell by private sale, but that if they had put it up to auction they would have done injury to the estate. In the case of Glass and Wine the order was not to put up to auction, but to have the value ascertained by estimate." My learned friends lay great stress on Mr. Burkinyoung's expression, " we don't look out for purchasers." Why, what could or need they do ? It was a matter perfectly well known to every body interested in purchases of this kind or engaged in indigo.

Once more as to the question of agency. I deny that Saupin was an agent to sell. A man who has been an agent when that character ceases, may become a principal. In Lowther *v.* Lowther, 13 Vesy's Reports, the agent was employed for the express purpose of selling a picture for his principal ; the painting, the value of which was not previously known, was subsequently to its coming to the agent's hands discovered to be a Titian of great value. The objection to the agent's capacity to purchase for himself in that instance arose from his concealment of the recently discovered and unsuspected value of the article. But in Saupin's case where was the recently discovered or unsuspected value, and where the concealment ?

The same doctrine is held in the case of Coles *versus* Trecothick, 9 Ves. 234.

I conclude by confiding my case to your lordships' hands trusting that you will not see fit, upon consideration, to confirm this order—that your will not, where parties acting in the character of Assignees have persued the advice given them from the Bench, to sell the estate to the best advantage, visit them with costs ; more especially when such costs do in fact constitute not merely a pecuniary mulct, but convey an imputation against the character of parties, who, in the severest view of the matter, can only be charged with an error in judgment ; and who, in the fair and reasonable construction of their conduct, must be regarded as having done their best, to enhance the value of the estate with the management of which they were entrusted.

The Court took time to consider its determination.—*Hurkaru.*

## INSOLVENT COURT.

SATURDAY, OCTOBER 24, 1835.

The discharge of James Johnson was opposed by Mr. Longueville Clarke, by whom he was cross-examined. The Insolvent denied that he had ever stated to Mr. Gray, the builder, that a house in Cossitollah was his own property, but he admitted, that either he, or persons acting for him, had always received the rents. He said, that he had promised to pay the rents to Messrs. Tulloh and Co., in liquidation of a debt of 1,544 Rs, which money had been borrowed for him from Tulloh and Co. through Mr. Nathaniel Alexander ;—that the promise was only a verbal one, and that he had not paid any of the rent, as the house had been empty ever since. The house had been left to the Insolvent's wife, by her father Mr. Evans ; he could not tell whether the will had been proved, or where it was, or who were the Executors or Trustees ; he had no property of his own whatsoever. Mr. Prinsep, who appeared for the Insolvent, here interposed, and stated, that the will had been proved and was filed in Court ; and after some further questions by Mr. Clarke, the Insolvent was eventually discharged.

The case of Rugooram Gossain, the Banian of the late Firm of Palmer and Co., came next before the Court. On the 8th of August last, an order *nisi* had been obtained by Mr. Clarke for an adjudication of insolvency against this individual. The proceedings had commenced by an action in the Supreme Court brought by Juggomohun Seal and others, Bankers in the Burra Bazaar, against Ruggooram to recover a sum of 50,651 Rs on five Policies of the Canton Insurance Office, which had been discounted by the plaintiffs for the Calcutta Bank, of which firm Ruggooram was a member. A similar action having been brought by other parties, but the plaintiffs having failed to prove that Rugooram was subjected to the jurisdiction were nonsuited ; upon this the Seals did not proceed in their action, but applied to the Insolvent Court to adjudge that Ruggooram was an Insolvent, under the 10th Section of the Act, on the ground of his being engaged in business as a partner of the Bank, and having absconded to avoid the jurisdiction. On the 29th of August, the Advocate-General and Mr. Clarke applied to make the rule absolute, which was opposed by Mr. Turton on behalf of Ruggooram, when the Court directed that it should stand over till this day, and that witnesses should be examined, the Seals to maintain the affirmative of the issue, that Ruggooram is a person liable to be adjudged to have committed an act of insolvency, and the policies of insurance were ordered to be deposited in Court. The Advocate-General and Mr. Clarke appeared to-day on behalf of the Seals and Mr. Turton and Mr. Sandes on behalf of Ruggooram. A great number of witnesses were in attendance ; the matter however ended in a compromise between the parties, the particulars of which we could not learn ; and rule was discharged, and an order made to deliver up the policies. As great interest was excited respecting this case, we have given this full account, although there has been no public result.

Mr. Smith, the Attorney, made a rule absolute to discharge Alfred Madge, an Insolvent, from all future liability of his debts, on the consent of more than one-half of his creditors in number and amount. He then applied to rescind an order directing the Insolvent to pay to his Assignee one-third of the salary which he received as Uncovenanted Assistant. Mr. Justice Malkin stated, that as this was a novel application, he should take the papers home for consideration. Mr. Clarke having requested to be heard on the point, as he had to make a similar application for other parties, called the attention of the Judge to these words of the 63d Section : " the Court is authorized to order that the insolvent shall be

for ever discharged from all liability whatsoever, for, or in respect of such debts so established as aforesaid." Now this order had been made, and the question was, what was to be the extent of its effect? It in all respects resembled a certificate of bankruptcy, and the Insolvent was to be exempt from making payments which he might hereafter acquire. If a sum of money was left to him by will, or given to him by a friend, or he acquired it in trade, it was clearly exempt, and the assignee could not touch it; how then could it be said, that there was a distinction between his future salary, and money obtained in this manner? A salary was the reward of his exertion, and devoting his time to a particular object, so was profit obtained in trade; and if the profits of trade could not be touched, because he was entitled to the full benefits, from employing his time and exertions in business, no more could his salary, or any portion of it, be claimed, which he earned in a similar manner. Mr. Clarke stated, that he could deduce many other arguments, but he did not now wish to go into the question, but merely to put the Court in possession of the view which he entertained on the subject.

James Johnson, Benjamin Richards, Joseph Savigny, Pierre Douchez, Nittoye Cormodar were declared entitled to the benefit of the act and discharged. Alfred E. G. Madge and John Mercado were finally discharged from all liability. An order *nisi* was obtained for the final discharge of Major Mosley; and in the matter of Clovin and Co., the certificate of bankruptcy issued against the insolvents in London was filed in this Court.—*Oriental Observer.*

## MISCELLANEOUS NEWS.

### CALCUTTA.

NEW PUBLICATIONS.—A periodical, called the *Hindu Pioneer*, closely resembling in exterior the *Literary Gazette* and entirely the production of the students of the Hindoo College, has been published. The first number of the work was issued on the 27th August and on the whole reflects great credit on the contributors and editors.

A weekly paper, published in English and Bengalee, and entitled the *Satya Badee* or *Speaker of Truth*, is about to be established. The publication will be printed on two sheets of Serampore paper, and will be issued every Monday. The rate of subscription is fixed at one rupee per month.

Mr. Scott, the proprietor and publisher of the *Compendium*, has put forth a prospectus intimating his intention to issue a daily newspaper on Conservative principles, from the first January next, under the title of "*Scott's Gazette and Daily Messenger of British India*"—provided a sufficient number of subscribers offer, which we think very doubtful.

SHIPPING INTELLIGENCE.—Information has been received that the ship *Coromandel*, which left this port for Bordeaux in the middle of August last, put into Pondicherry on the 19th September in a leaky state, after having been obliged to throw a portion of her cargo over board.

A private letter from Singapore mentions that the highest bid made for the *Sylph* is 6,400 dollars, but that the agents are limited to 9,000.

The timbers of the *Sherborne*, on her being opened, were found to be in such a very unsound state, that the insurance offices have been induced to cancel their policies, and declare that they will not recognize any claims under them. The following resolution was agreed to at a meeting held on the 13th October, at the invitation and in the office of Rustomjee Cowasjee:—

"That in consequence of the ascertained unseaworthiness of the *Sherborne* at the period of her departure from this Port in July, 1835, the Insurers in Calcutta do not recognize any claim against the policies granted by them; and that the premiums paid be returned to the policy holders if required."

On the night of the 18th October it blew a perfect hurricane from the South-East. An Arab ship, the *Fattle Main*, was totally wrecked of Coverdale's Bluff, and 50 lives, including Mr. Birch, the pilot, were lost. Several other vessels received considerable injury and many boats have been stranded.

Captain Land, of the American Ship *Edward*, on the 5th September, met in the Straits of Gasper the Steamer *Jardine*, from Aberdeen bound to China. She was rigged as an hermaphrodite brig and had performed her voyage as such, having all her machinery below. She belonged to Mr. Jardine of Canton and was to remain at and ply about that place.

THE COORG RAJAH.—The report published in the *Carnatic Chronicle* of the Coorg Rajah having effected the massacre of the greatest part of his escort and escaped to some unknown retreat, is totally unfounded. The Rajah is still at Ganjam where he passed the rains, and will proceed to Benares in December or January.

ECCLESIASTICAL.—Accounts have been received from our late venerable Archdeacon, dated in May, stating that although no day had been fixed for his consecration, the patents were nearly ready, and that he had engaged his passage to return to India by the *Exmouth*.

The Lord Bishop took his departure for Bombay, in the *Hattrass* pilot vessel, on the 13th October.

The Select Vestry have been summarily dismissed by Government, for resisting the assumption of power by the Lord Bishop over their properties and trusts, and their functions have been vested in the Bishop and the Archdeacon.

The re-building of the Fort Church having been completed on the 10th October, an ordination was held there by the Lord Bishop on the 11th. The service commenced at ten o'clock and was attended by the Governor-General, and the Commander-in-Chief, with their respective staffs, the whole Garrison staff, and a great number of persons from Calcutta. The Bishop preached a sermon, and after the service the ordination took place, for which there were two candidates.

It is stated that the Vicar Apostolic of Madras, Bishop O'Connor, has requested to know what portion of the Indian revenues the Supreme Government is disposed to assign to the Catholic Church, under the clause which Mr. O'Connell procured to be inserted in the Charter, giving a discretionary power to provide for other Christian pastors besides those of the Established Church.

The Court of Rome has annulled the authority hitherto exercised by the Diocesan of Goa over the Roman Catholics in Ceylon, and has appointed Don Françisco Xavier, one of the most distinguished brethren of the Priests of St. Philip of Neri, or Fathers of the Oratory,—who have hitherto administered to the spiritual wants of the Roman Catholics in Ceylon,—Bishop of Thamnacensis and Vicar Apostolic of the Island of Ceylon. The bull of appointment and other credentials, are in the possession of the Vicar Apostolic of Calcutta, the Revd. Dr. St. Leger.

INDIAN TIMBER.—A property has been accidentally discovered in the jarrool timber which will tend greatly to enhance its value. The ship *Thalia*, Captain Byden, some months ago performed a voyage to Penang without her copper. On the vessel arriving at that port, Captain Byden found that the worms had lodged themselves in her bottom and had attacked and greatly destroyed every species of wood except the jarrool, which was in a perfect state, and untouched by the insects.

MURDER.—An inquest was held on the 1st October on the body of a manjee named Ameer, a native of Chittagong, which was found dreadfully mangled on the plain near Elliott's Tank, on the 30th September. The inquest has been adjourned until Monday next; but it is said that the mooktear of a person with whom the deceased was engaged in a lawsuit, has been arrested, and that circumstances lead to a belief that the perpetrator of the murder will not escape detection.

CORONER'S INQUEST.—The Coroner's inquest which sat on the body of the manjee who was found murdered near Elliott's tank on the 29th September, has returned a verdict of "wilful murder against some person or persons unknown." The mooktear of the man with whom the deceased was engaged in a law suit, has been the

leased on security, and a warrant has been taken out for the apprehension of his employer, who has absconded since the perpetration of the murder.

ALLEGED MURDER.—It is stated that another murder has been perpetrated at the Collieries at Omptah; that the police were beaten off twice in attempting to capture the supposed murderer; that the Thanna Jemadar was nearly drowned in effecting his escape from the hands of the friends of the accused party; and that he has, with several others implicated, it is supposed, managed to escape to, and is now secreted in Calcutta.

Mr. C. Betts, proprietor of the collieries at Omptah, has most positively contradicted the above report of the murders at Omptah, and states that it was invented with a view to injure and annoy him, by causing the cessation of his business for a time by the apprehension of his assistants and servants.

THE NEW COINAGE.—The services are about to be clipped about two per cent. more under the pretext of the necessity of uniformity. The new rupee, it appears, is to be considered as representing at par of the sonat rupee all claims upon Government in sonat rupees—i. e. 104-8 for a 100 siccas; but those who have to pay the Government, will have to give 106-10-8 for every hundred siccas.

DR. T. SPENS has been appointed Surgeon to the Upper Orphan School, in the room of the late Dr. W. Twining.

LECTURES ON LAW.—Mr. Cameron, it is stated, has intimated his intention to give a course of lectures on Law at the Hindu College.

THE AGRA PRESIDENCY.—It is now reported, on pretty good authority, that Lord Ellenborough's bill for the extinction of the Agra Presidency, will be suffered to drop.

PUBLIC LIBRARY.—The subdivisions of the Committee are actively proceeding with their labours. Two have sent in their reports to the General Committee, embracing every arrangement connected with the question of shares, the rates of subscription, &c. &c. The other Sub-committee await a reply from Government with reference to the College Library, and must, moreover, shape its proceedings in respect to the purchase of books by the result of the other Sub-committee's enquiries, and by the adoption of their suggestions.

It is stated that Government has liberally consented to transfer to the Public Library the works in the European languages belonging to the library of the College of Fort William.

THE LIBRARIES.—It is said that the Library Building Committee, have addressed or will shortly address the Committee of the Books on the subject of co-operation.

DHURMA SUBHA.—A Dhurma Subha has been established at Nudeea, the directors of which have styled themselves the Ten Thakoors—the Decemviri of Nudeea—and have assumed to themselves judicial functions of a very serious nature. They are reported to hold sittings nearly every morning; at which all offenders of the town and neighbourhood are brought up for trial, for all offences of religious non-conformity, and violation of good morals. Numbers, it is said, have already been subjected to the jurisdiction of this new court. The offenders against morality have been forwarded by the Ten to the Magistrate of Kishnaghur, who has punished them for their several offences, and issued a purwannah to the Thakoors to apprehend all similar transgressors and send them to the thana, to be punished by himself. The offenders against religion the Ten punish themselves, by expelling them from society, separating them from their relatives, and prohibiting the barbers and washermen from rendering them their services: in cases in which the families of the denounced cleave to them, they are deprived of the attendance of the midwives.

SIR BENJAMIN MALKIN arrived at Saugor from Singapore in the *Baretto Junior* on the 4th October. He landed in Calcutta on the 6th, and was sworn in by Sir John Grant the same day at three o'clock, when a salute was fired.

RAJAH KALEEKISSEN has been elected a member of the Royal Asiatic Society!

PICTURE OF SIR C. METCALFE.—The portrait of Sir C. Metcalfe, a full length one, is nearly finished. Mr. Swain, the East Indian artist who is painting it, has been very successful in catching the expression of placid benignity of the countenance of Sir Charles, and has altogether sketched a very admirable likeness.

INFANT SCHOOL.—A meeting of the Infant School Committee was held on the 6th October at the Bishop's palace, and was attended by Sir Benjamin Malkin and several other influential gentlemen. It appeared by the report which was read that the funds of the institution were very insufficient for meeting the necessary expenditure, and therefore precluded the possibility of affording assistance in the formation of branch schools. Five masters and four mistresses, it was stated, are being instructed to become teachers in other parts of the country and one of the former is reported qualified. A letter from Vizagapatam was read. The residents there, having raised a sum of 600 rupees and a monthly subscription of 70 rupees, for the purpose of forming an Infant School, applied for a suitable master. The Committee nominated Mr. Chick (the master repoited by Mr. Perkins as qualified) to the situation, made a grant of the necessary apparatus for carrying on the school, and offered to bear a portion of the expenses of the passage of Mr. Chick to Vizagapatam. The native school has been completed for the sum of 490 rupees, was opened in July last, and had 40 native infant scholars. The original school consists of 50 children, and another shool is about to be established. Some discussion took place respecting the establishment of a school at Garden Reach, Calcutta, for the children of the higher classes, which it is expected will be attended with very beneficial consequences. Mr. Bateman resigned the Secretaryship, in consequence of his contemplated absence from the presidency, and the Revd. H. Fisher and Captain Marshall were elected joint secretaries and accepted office.

ASIATIC SOCIETY.—At the usual monthly meeting of the Asiatic Society, W. McLeod, Esq., Madras C. S., G. Loch, Esq., Bengal C. S., Lieut. Durand, Engineers, and Lieut. Bacon, Engineers, were ballotted for and elected members. Mr. Stephenson was elected an associate member. Several works in the Malay and Chinese languages and a part of a translation of the Shah Nafmah, were presented, and the secretary read a paper giving a description of a new fossil discovered in the Himalayan mountains. From the drawings which accompanied the sketch, it appeared to be an animal which united many of the properties, as it does the craniological developments, of the elephant, the deer, and the rhinoceros. Some interesting experiments were tried with a new machine recently received from England, for the purpose of illustrating the electric power of the magnet. Sir Benjamin Malkin and Mr. Cameron were proposed as members.

SILK.—The Company, it is said, in violation of the Charter, have sent out orders to their agents, that if the silk factories are not sold at the valuation now advertised, they are to be carried on to the extent of 6,000 maunds during the approaching season.

MILITARY RETIRING FUND.—The following is an extract of a letter from an officer of the Madras Army, dated in London the 1st June, regarding the Military Retiring Fund:—

"An order has passed the Court of Directors, and been unanimously agreed to by them, for a plan respecting the Retiring Pensions of Officers of the three Presidencies. I have not been let into the secret of the measure, but have been led to believe it will be most beneficial to the Army at large. The proposed plan of the Directors, and *agreed to*, is now before the Board of Control, and is expected to meet with the approval of that Board. I understand there is to be a schedule of incomes for retired Officers of 22, 26, 30, and 35 years, and that the incomes will be such as to induce Officers who have served those different periods, to retire from the Service. This will be settled shortly, so you will soon hear of it."

MELANCHOLY ACCIDENT.—A Portuguese while bathing in the river, was seized either by a shark or alligator, and dragged beneath the waves. Some boatmen attempted to rescue the man, and even seized his hands for that purpose, but the ferocious animal tugged with such force that it tore him from them and bore him away.

INSOLVENTS.—It is said that at the suggestion of the Master of the Supreme Court, a portion of the Martiniere

property, set aside to fulfil one of the bequests of the testator, viz. Rs. 5,000 a year, "for the liberation of debtors to a certain amount who could compromise with their creditors," is be appropriated to the relief of pauper insolvents now confined in the Calcutta Jail, and who are not fraudulent.

DEPUTY COLLECTORSHIPS.—Government have decided against the Sudder Board of Revenue, in regard to the admission of candidates, for the Deputy Collectorships, who do not know the Persian language, and a nomination has taken place in pursuance and practical confirmation of his resolution.

SHUMSOODEEN.—The following account of the execution of Shumsoodeen appeared the *Courier* :—

"FOUR O'CLOCK.—We have just seen a letter from Delhi, announcing the execution of Shumsoodeen, at half-past seven in the morning of the 8th October. The gates of the City having been shut, few persons were present except a large military force, and there was no appearance of popular excitement any where."

Letters from Delhi state that much dissatisfaction prevails there regarding the manner in which Shumsoodeen was dismissed to his long account, and that the inhabitants are "ashamed and disgusted" at the means taken to prevent their witnessing the execution.

LORD AND LADY WILLIAM BENTINCK.—Letters have been received in town, from the *Curacoa*, dated 2d June, which state that Lord and Lady William Bentinck had greatly improved in health. Five hundred rupees have been remitted by Lord William from St. Helena, to the Treasurer of the Serampore College, for that institution.

LORD HEYTESBURY.—A rumour has for some days past prevailed in the city, that Lord Heytesbury is likely to come out to India after all, and that Mr. W. H. MacNaghten is to be a provisional member of Council.

SCHOOL AT POORIE.—An English school is about to be established at Poorie under the auspices of the Committee of Public Instruction.

DR. BRAMLEY'S LECTURE.—Dr. Bramley delivered a splendid lecture to the students of the Medical College on the 12th October, on the structure of the human frame. His language was plain and impressive and every way suited to the capacity of his juvenile au lience.

LA MARTINIERE.—The Secretary of this institution has issued an advertisement, inviting applications for appointments in it. The candidates must address the Secretary before the 1st December next; and within the first week of that month they will be called upon to undergo an examination at Calcutta, by a committee of the Governors appointed for that purpose. The situation thus open for general competion, are those of Head Master, with a salary of 600 rupees per mensem and apartments; Second Master, with a salary of 350 rupees per mensem and an apartment; Assistant Master, with a salary of 150 rupees per month and an apartment; Head Mistress, with a monthly salary of 250 rupees and apartments; and Assistant Mistress, with a salary of 70 rupees per month and an apartment. The Masters must all be laymen.

ROBBERY.—An European named Brooks, and another young man of respectable appearance named Shields, formerly second officer of a ship, have both been committed to take their trial at the next sessions, on a charge of feloniously stealing from the house of Flora Sanchez, alias Mrs. Crockett, a box containing a pair of bangles valued at 200 rupees, 5 gold earings worth 20 rupees, and a chintz bag containing 300 Rs.

On the night of the 18th October, during a gale of wind, an attempt was made by some thieves to rob the Treasury. They were, however, overheard by the sentry concerting their plan, which was to surprize and murder him and then to break into the building. The sentry hearing this, loaded his musket with ball, and perceiving one of the gang getting over the gate, fired at the fellow but missed him, upon which the whole party fled, carrying off their ladder. The sentry loaded and fired a second time, without effect. The thieves effected their escape by the narrow lane which goes round the Town Hall.

ATTORNIES.—A circular has been sent to the candidates for admission as attornies in the Supreme Court, calling upon them to appear to be examined before the judges as to the probability of their getting respectable employment in case of their admission.

ARTESIAN WELLS.—The committee of officers appointed by government have commenced their operations in Fort William. They have resolved, we understand, to commence boring in an enclosed compound near the Chowringhee Gate, and close to the wells in which Colonel Garstin bored in 1804 and in which he left the rods. On the occasion of a fire happening in the Fort, the Colonel reported that the wells had been pumped dry, but that this particular well had continued to afford water, which he supposed arose from deep seated springs which his broken borer had pricked. He considered this as a very favourable omen.

THE SEMAPHORE.—The semaphore communication is again complete to Middleton Point.

THE RAJAH OF BURDWAN.—It is bruited among the natives, that Maharaj Purtab Chunder, son of the late Rajah of Burdwan, has made his appearance to claim the titles and estates of his father. He was universally believed to have died long ago and the present Rajah was in consequence adopted.

COURT-MARTIAL.—A court-martial assembled in Fort William on the 17th September, for the trial of Capt. P. O'Hanlon, of the 1st Light Cavalry, on a charge preferred by Col. S. Reid, of scandalous and infamous conduct, unbecoming a gentleman and officer, and subversive of military subordination, in having published in the *Meerut Observer* of the 23rd April last, a letter containing false and unwarrantable imputations, deeply injurious to his character and that of Capt. J. A. Scott, of the 1st Light Cavalry.

Col. Reid closed the prosecution on the 17th October, and the court adjourned until the 19th, at the request of Capt. O'Hanlon, when the defence commenced and closed. The court-martial acquitted Captain O'Hanlon of the charges preferred by Colonel Reid; but he is, however, to be tried again at the instance of the Commander-in-Chief, for not having disavowed the authorship of the letter against Colonel Reid and Captain Scott, which was signed with his name, when officially made aware of it.

DEATH BY LIGHTNING.—At 5 o'clock on the 18th October, a moody's house in the Durrumtollah was struck with lightning and the owner killed, besides two other men being severely injured.

INDIGO REGULATION.—A deputation of merchants waited upon the Governor-General on the 20th September, to present the memorial from the indigo planters of Tirhoot and Sarun, relative to a legislative act in substitution for the rescinded clauses of the regulation of 1830.

The deputation was most kindly received by Sir Charles Metcalfe, who discussed the different points in the memorial with them and promised they should have due consideration from the Legislative Council.

CIVIL SERVICE ANNUITIES.—It is stated that the order for carrying into effect the modification in the Civil Service Annuity Fund, has come out, and that two-thirds of the amount of all unclaimed pensions, shall be applicable to the new system of allowances. The operation of the new plan, however, is limitted experimentally to three years.

MALWA OPIUM.—A letter from Bombay, dated the 3d October, mentions that the Malwa Opium next season is expected to reach 24,000 chests, and that parties are already offering to contract to deliver in March at Bombay for 865 rupees per chest and even less.

HON. MR. ROSS.—This gentleman set out for Allahabad on the 30th October. It is expected that the *London* will have brought out news of the abolition of the presidency of Agra, and that Mr. Ross will assume the title of Lieut.-Governor of Bengal.

RE-UNIONS.—At a meeting held at the Town Hall on the 27th October, it was resolved to get up a series of eight Re-unions, at the rate of sixty-four rupees for a family ticket, which may admit a gentleman and the ladies of his family, or persons who may be staying with him; and forty rupees for a single ticket, which will only admit a gentleman resident.

## BENGAL, &c.

AGRA—THE CROPS.—The weather has been for some time very favorable to the grain crops, and has brought them forward wonderfully. The bajirah crop has already been gathered in and the jowar one is being cut. The ear is full and the kurbee good. Very little cot-

ton has been brought in. The wheat and pulse sowings are commencing.

It is said that the criminal proceedings of Mr. Davidson, the Magistrate of Allyghur, in respect to the parties concerned in the riot at Hattras, on the idol Parasnath being paraded through the town, have been upheld in appeal in the Nizamut Adawlut at Allahabad.

The losses of the insurance-brokers this year, owing to the sudden and heavy falls of rain in June, have extended to a ruinous degree. One Agra native house alone, it is said, has lost risks to near the amount of 1,50,000 Rs out of 10,000 or 12,000 boats insured.

On the 10th September, Kullian Singh, the sepahee of the 9th N. I., who was convicted of the murder of Deenah Missur Havildar of the same corps, was hung in the presence of the native troops assembled on the parade for the occasion. The rope by which the prisoner was suspended, although new and of the same kind and thickness as what has heretofore been used by the executioner, gave way twice on the drop falling. The third time it was doubled and the man launched successfully. The prisoner was very calm and resigned to his fate, and confessed that Gunosh, the King's evidence, and Chundree Deen, Leyak Singh, and Heera Singh, the three parties sentenced to perpetual imprisonment in the Allypore jail, were privy to the murder; but he denied to to the last that any attempt on the lives of the officers of the regiment was contemplated.

At a public meeting of the Agra Society held on the 12th October, it was resolved to engage a suitable house for the public rooms of that station, to embrace a ball-room, a billiard room with two tables, and a reading-room, and that the members of the Society be requested to come forward with monthly subscriptions to secure the above object.

On the 15th September, twenty gentlemen sat down to an elegant dinner, given in commemoration of the emancipation of the press. Dr. Baker, Superintending-Surgeon, took the office of President and Mr. Mansel that of Vice-President. The arrangements, &c. reflected great credit on the Stewards, and the spirit which pervaded the whole party was worthy of the occasion it was assembled to celebrate.

On the 16th September, the Magistrate of Agra, attended by a *posee commitatus*, proceeded to the Hou e of Hookmun Chaund, brother of Jotarum, ex-Dewan of Jeypore, and having surrounded it with his party, proceeded to search for papers, and after five hours carried off a bundle of papers and books weighing several maunds to the Magistracy, where they were sealed up before two followers of Hookmun Chund. On the same day a similar search was instituted in the house of Jotaram, in Jeypore, by Captains Ludlow and Conolley, who seized all the papers they could find. These measures have been adopted in consequence of some suspicions entertained of Jotaram having influenced the assassination of Mr. Blake, and is a preliminary step to the investigation which Government have peremptorily ordered to take place.

Lieutenant Conolly, Assistant to the Governor-General's Agent in Rajpootana, arrived at Agra on the 2nd October, having been deputed by Major Alves to inspect the papers lately seized in the house of Sunghee Hookmunchund, the brother of Jotaram, in the city.

DELHI.—The allowance due to the Prince Mirza Babur has been divided by the queen among his twe ty-two children.

Ramdial, the man who recently murdered a bunyah in the city, has been apprehended and put in irons, and will he tried without delay.

A strike for wages recently took place among the followers of the Gwalior exile, Hindu Rao; but they were appeased through the interference of the Magistrate, who induced the Rao to part with some of his jewels to pay them.

It is stated that the Gwalior Governwent having offered Hindu Rao a monthly allowance of only 10,000 rupees, he intends to proceed to Calcutta, and lay his case before the Supreme Government. It is also said, that Governmant have ordered the Baza Baie to quit the British territories.

Meerza Seekunder, a nephew of the King of Delhi, recently died at Moorshedabad.

The following rewards are to be given to the parties who have been instrumental in the apprehension of Mr. Fraser's murderers:—Khoosiat Goojur, for detecting Kurreem Khan, 8,000 rupees cash from the King of Delhi and a monthly allowance of 100 rupees for life. Bolakee, jemadar, 700 rupees as a donation and a monthly allowance of 75 rupees for life. Sungee Beg, kotwal, 4,000 rupees and his son-in-law Syed Beg, 3,000. Moonshee Rungnoo, 2,500 rupees. Unnia Mewattys 2,000 rupees. Munnoolha and Agah Jan, 500 rupee, each. 2,000 rupees to be distributed among all the thanadars and burkandauzes. 2 burkandauzes 100 rupees each, 4 ditto 50 rupees each. Mirza Khan, kotwal of Agra, and Uzmutte, thandar, being proved guilty of aiding Mr. Fraser's murderers in their attempts to escape, they were deprived of their situations and sentenced each to six months' imprisonment.

Conformably to the instructions sent from Delhi to the political agent at Umbalah, the latter has caused the ellakah of the Rajah of Jhend to be confiscated.

ALLAHARAD.—The case of *crim. con.*, Grant *versus* Beatson, has terminated in the Sessions Court. The plaintiff was nonsuited and has entered his appeal in the Sudder Court. It appears that the plaintiff and defendant married two sisters and that the most disgraceful circumstances have rendered these proceedings absolutely necessary.

It is stated that a proposition has been made to abolish the custom-house at Allahabad, and to make Mirzapore a grand station.

The Central Free Press is threatened with a prosecution for libel in the Supreme Court. The prosecuting party is Mr. E. G. Fraser, the late editor of that paper.

Pauperism at Allahabad has lately increased to a fearful extent. The *Free Press* is advocating the establishment of a District Charitable Society.

FURRUCKABAD.—There has been a great deal of stir and confusion in the Post Office of this station, in consequence of the disappearance from the post-bag of a letter from Calcutta, addressed to a Banker named Shah Beeharie Lall, said to contain Government promissory notes to the extent of 1,80,000 rupees. The dâk said to contain the missing letter does not appear to have been opened before the Deputy Post Master, but the deficiency of a letter was reported to him.

NEEMUTCH.—This station still continues very unhealthy. Some of the regiments stationed in it, have upwards of a hundred men in hospital. The cold weather has not at all diminished the sickness, which prevails to as deplorable a degree as ever, both at this station and Nusseerabad.

A great sensation has been created in this station by an affair of honor between a Major and a Lieutenant. The Major, it appears, addressed a letter to the Lieutenant which the latter conceived to be of an offensive nature and demanded an explanation. An explanation was sent by the Major with an intimation that if it was not deemed satisfactory by the Lieutenant, he had better apply to a friend; the latter course was adopted and the matter placed in the hands of another Lieut., who put himself in communication with the Major, who appointed a Captain to act as his friend; and the last individual, to the surprize of the whole station, laid the proceedings in an official shape before the Brigadier.

A native was recently, for a slight offence, paraded, by order of the Brigadier, on an ass,—from which degradation his sensitive mind so recoiled, that he flung himself into a well and was drowned. An order has been issued to the officers by the same authority, prohibiting them from shooting peafowls, in consequence of the holy character of the bird.

GORUCKPORE.—An English shool is about to be established at Goruckpore, independent of the Mission school, for the purpose of teaching the elements of general literature and science to the natives. A school room, capable of containing 200 scholars, has been provided, and subscriptions to the amount of 180 rupees monthly, have been promised.

SAUGOR.—The Saugor mint has been abolished, and Lieutenant-Colonel Presgrave, the acting Mint-Master, placed at the disposal of the Cammander-in-Chief.

JHEEND.—It is said that Mr. Clerk, British agent at Umbalah, sent a requisition to Hansi on the 16th September, for troops to proceed to Jheend, where the people are

refractory and offering resistance to him in assuming charge of the lapsed Jheend territory. No troops could be spared from Hansi—save some of the Begum's Horsemen—in concequence of the great sickness prevailing among the military, the N. I. corps not having more than seventy men under arms.

MILITARY ITEMS—Col. Childers, of the 11th Dragoons, it is said, is about to retire on half pay.

It s reported that the Gwalior Government have been called on to have a force in readiness to act with our troops against Jeypore if necessary. By the treaty of the 5th of November 1817, the Gwalior Government are bound to furnish a contingent of 5,000 horse.

The cause of the arrest of Lieuts. Goad and Irving, is for refusing on insufficient grounds to make an adequate apology to Lieut. Martin of the 52d when he had acknowledged himself the author of a letter signed Vindex, published in the *Meerut Observer* of the 2d July, Cornet Irving having in his answer to that letter designated Lieut. Martin as "a coward, who sheltering himself under the imagined bulwark of a false signature, hesitates not to launch forth his venomed falsehood." Lieut. Martin is to be tried for conduct subversive of good order and military discipline, in having signed a paper, wherein Cornet Irving of the 1st Cavalry was desired to conceive himself horsewhipped.

Captain Kennedy, it is said, has relinquished all idea of proceeding to England, the state of Runjeet Singh's health holding out a prospect of employment in that quarter.

The nine sepoys concerned in the murder of the Havildar of the 9th Regt. N. I. on the 3rd July last, have been delivered over by Brigadier Cartwright to the Magistrate of Agra for trial.

It is reported that Brigadier-General Smith will shortly resign the service in consequence of his increasing infirmities, and that the vacant command of the Saugor Division will be assumed by Colonel Hopper of the Artillery.

Lieuts. Irving and Goad of the 1st Light Cavy., and Lieut. Martin of the 52nd N. I., it is said, have been put in arrest and ordered to proceed to the Presidency to be tried on charges preferred by the late Commander of the Forces.

The court-martial on Captain Macnaghten is not likely to assemble before the 15th November next, Lieut. Low being prevented from leaving the Hills by his medical attendant.

MURDER.—A boy of about five years of age was, on the 17th August, murdered at Karailly. The child had been suddenly missed and a search was institued for it but to no effect. After a short time however, a girl informed the parents that her father had murdered the child for the sake of its ornaments, and had thrown the body into a well and buried the trinkets. She pointed out the well into which the body had been thrown and the place where the ornaments had been secreted, and both were recovered. The assassin has been secured and made over for trial, but he persists in denying that he perpetrated the crime.

ROBBERY.—On the night of the 2d October, some boats belonging to the fleet of the Accountant's Office, in which were some of the native writers, were plundered near Ghazeepore. They had put to for the night at the mouth of the creek between Buxar and Ghazeepore, in the district of the Bhojepore Rajah, when some cow-herds came and cautioned them to go over on the opposite side saying that the people of the district were notorious villains, and they would certainly be robbed if they remained where they were. The wind, however, prevented the Baboos from availing themselves of this warning. Near midnight about 50 armed men came down to the boats, boarded them, severely beat and wounded all who came in their way and took away all the property they could lay hands on. Several boats containing the office jemadar and some burkendauzes were in company of the writers, but they made off to some distance in the stream at the commencement of the attack and would render no assistance.

BARON HUGEL.—Baron Hugel was at Simlah on the 19th September, and, if he obtained Runjeet Sing's permission to travel over the Punjab, was to proceed to Cashmere. He speaks in raptures of the fossil remains recently discovered in the Himalya, and says they are the most interesting objects he has seen in his travels. The Baron made a very excellent collection of birds and insects at Mussourie.

NEW CUSTOMS' LINE.—It is generally supposed that Mr. Blunt will be appointed to form a New Customs' Line in Bundlecund in the early part of this month.

BRIDGE OVER THE HINDUN.—It is stated that the bridge building over the river Hindun near Gazodeennuggur, has, by that river changing its course, been rendered useless, as the stream now sets longitudinally on the foundations of the piers of the bridge instead of at right angles with them.

INDIGO PLANTERS' MEETING.—A meeting of Indigo planters was held on the 8th October, at Doudpore Factory, Tirhoot, to memorialize Government and to state their objections or suggestions to the draft of the proposed law in lieu of regulation V. 1831.

## NATIVE STATES, &c.

LAHORE.—Runjeet Sing, it is reported, has so much recovered from the effects of the paralitic attack as to be able to ride out on horseback. Shortly before his Highness was attacked he went to bathe at the holy tank at Umritsir, and on his return he was struck by an unknown hand with a stone, on the side, which seemed to give him great pain. Search was immediately made and the delinquent apprehended and taken to Rambaug, where he remained under restraint to be dealt with according to the opinion of the sirdars.

It was reported to his Highness that Pandah Khan, Patan, ruler of Durbund, had recommenced his predatory career, and that Meah Sing had engaged and routed him, killing about a hundred of his followers; but that nothing short of seizing the person of the Khan could restrain him from his plundering excursions. His Highness said that measures would be taken for the apprehension of the vagrant after the termination of the rains.

CABUL.—Dost Mahomed Khan has lately contracted great intimacy with Morad Beg, the ruler of Candahar, by getting his son married to the daughter of the latter; and these sirdars have entered into a mutual agreement to assist each other with troops and to consider the enemy of the one as a common one.

Shazadah Cumran, the ruler of Herat, hearing that Dost Mahomed Khan had been defeated by the Sikhs, ordered out two detachments of horse to seize him on his return to his capital, and also to subjugate Cabul. On learning his mistake however, and that Dost Mahomed Khan was returning for the purpose of reconnoitring his troops, he recalled the horsemen; but he has not relinquished his intention of taking Cabul and punishing Dost Mahomed Khan for his haughty behaviour towards him.

Mr. Campbell recently informed Dost Mahomed Khan, that seven regiments of infantry and four of horse were in fine order, and ready for battle. Dost Mahomed Khan thereupon assembled all his troops—thirty thousand horsemen and twelve thousand foot—and reviewed them. He expresesd himself well satisfied, and promised to lead them against Peshawur in the cold season.

INDORE.—A private letter from Mhow, dated the 16th September, says there was a serious disturbance at Indore two days before, some two or three hundred Arabs having attempted to "spifficate" Hurry Holkar, but he contrived to escape, and having collected two or three thousand of his troops, a fierce contest took place in which the Arabs were defeated with great slaughter.

It is stated that two jageerdars, who had been turned out of their jagheers by Holkar, collected a large body of soldiers of fortune, in Oojein, and took possession of several villages; they were soon attacked, and all but one or two slain, by a body of troops dispatched by Hurry Holkar. The bodies of the leaders, after being dragged round the capital, were hung on gibbets.

JEYPORE.—It is said that the papers recently seized at Jeypore, contain incontestable proof that Jotaram instigated the attack on the Political Agent, and the murder of Mr. Blake. It is also stated that when the Jeypore Palace was undergoing a search for Jotaram's papers, our authorities discovered several bodies, male and female, preserved in dubbers of oil.

GWALIOR.—A letter from Gwalior states, that the young Rajah is constantly engaged in every kind of de-

bauchery and dissipation, and that the Royal power is virtually vested in the Mamajee, who has pensioned Jean Baptist, the Commander-in-chief of the Gwalior forces, and appointed 2,000 infantry and 500 horse as his own body-guard.

The Maha Rajah and his uncle, however, appear to conduct the affairs of the realm very steadily, and from the absence of all intrigue against the Government, they appear to be popular with all parties.

A military expedition against a band of robbers which infests the Chunderic district, is in preparation by the Government.

GOOMSOOR.—The Goomsoor Rajah has revolted, and a body of troops were sent against him from Vizianagram on the 8th October.

FEROZEPORE.—The Seicknee of Ferozepore has departed this life, leaving a territory to be divided between the Company and Runjeet Singh.

BHURTPORE.—The zemindars and their followers have already commenced their "settlements" throughout this district. Two people have been killed and four wounded in one of the first cases.

BAIRAITCH.—Fyz Mahomed Khan, the Bairaitch Nawab, died at Jhujjur on the 15th, and his remains were interred at the Kootub on the 16th October. He has been succeeded by his son Fyz Allie Khan.

## MADRAS.

COORG PRIZE MONEY.—The Coorg Prize Money is ordered to be paid to the Troops. Col. Lindsay gets one-sixteenth of the whole and the other Brigadiers only share according to their army rank. Majors get 12,000, Captains six, and the Jolly Subs 3,500.

THE CROPS.—The fears entertained of a dearth consequent on a want of rain, are entirely dispelled. Accounts from the interior represent monsoons as being most plentiful, and promising a very abundant harvest.

SUPREME COURT.—On the 19th Sept. the editor of the *Carnatic Chronicle* brought an action against the proprietors of the paper for arrears of salary from the 15th April 1834 to the 30th April 1835. Some objections were urged on the part of the proprietors, which were overruled by the Court, and a verdict given for the plaintiff—damages 660 rupees.

THE BREAKWATER.—It is stated that the quarrying of the stones to be used in the Breakwater, is found to be, from the hardness of the rock, a more difficult task than it was at first supposed, and that the expense for powder alone for blasting, is calculated at double the entire estimate: with boats, rafts, land carriage and coolies, the total sum required is by a subsequent calculation fixed at three lacks and a half of rupees.

The first stones of the breakwater were dropped on the 3rd October. The size of the stones is represented as being such as two men could move without much difficulty.

EXCHANGE ROOMS.—It is intended to establish Exchange Rooms for the use of the Mercantile Society in the present Sessions House, on the removal of the Supreme Court, and to furnish them with maps, charts, public papers, and items of commercial utility, the expenses being defrayed by subscription.

OBSCENE CORRESPONDENCE.—The writer of a most obscene letter, which through some remissness was inserted in the *Standard*, has been discovered to be a Capt. in the Cavalry, and he is in consequence to be tried by a court-martial for this offence against decency.

MR. CURNIN'S RETIRING FUND PLAN.—A meeting took place on the 2nd October, at the College Hall, sanctioned by the Governor and the Commander-in-Chief, of the officers who take an interest in Mr. Curnin's Retiring Fund Plan. With one exception the meeting were unanimous in favor of the Plan.

BEACH-MASTER'S ARBITRARY PROCEEDINGS.—A very arbitrary punishment was recently levied on Captain Yates, of the Ship *Sesostris*, by the Beach-Master. It appears that the Police regulations of the port impose a fine of 100 rupees on such commanders of vessels as do not, on arrival, furnish the names of all persons then on board of their vessel: and of this law Captain Yates has been made the victim in a somewhat novel fashion.

On the voyage of the *Sesostris* in 1834, Captain Yates delivered his lists to the Master-Attendant's office, on arrival, in the usual form; at the foot of that for passengers there being added "a native ayah" On the departure of the vessel to return to England, the official port clearance was furnished to the Captain, and a certificate that he had fulfilled all the regulations of the Port. The vessel returns to Madras in August, 1835, and after remaining in the roads above a month, and being on the eve of departure, her Captain is hauled up for infringing the regulations on that preceding voyage, and punished "according to law."

MILITARY ITEMS.—Sir R. W. O'Callaghan was to leave Madras on the 5th October, on a tour of inspection to Trichinopoly, Palamcottah, and other places in the Southern division.

Lieut. F. O'Callaghan, Military Secretary to the Commander-in-Chief, still continues in a hopeless state at Bangalore.

MILITARY ITEMS.—The Court-martial at Bangalore, on the parties concerned in the fatal duel which took place there, has terminated and the following is the result:—Lieutenant Joys is sentenced to twelve months imprisonment in the Common Jail of Madras; Lieutenant Morland second to Lieutenant Joys, was sentenced to the same imprisonment, but is pardoned; and Lieutenant Powis, second to Ensign Davis, is sentenced to imprisonment in the same place, for the term of six months.

MILITARY FUND.—The clause in the Regulations of the Military Fund which excluded East Indian widows and orphans, has at length been expunged. The following resolution has been adopted by the subscribers:—

"That the Fund be hereafter open to widows or orphans under the rule that governs admission of Cadets to the Army, and that all existing marriages (hitherto excluded under the old) be recognized and admitted under the new rule by paying up all arrears of subscription, &c. according to the existing rates from the date of marriage, with interest at eight per cent. accumulated half yearly."

SIR RALPH PALMER, the Chief Justice of the Madras Supreme Court, took leave of the Grand Jury on the 8th October. He is succeeded by Sir Robert Comyn, at present the puisne judge of the court.

DEPUTY SHERIFF.—James Thoy Baillie, Esq., has succeeded the late W. Paulin, Esq., as Deputy-Sheriff.

SIR F. ADAM, it is said, intends shortly to proceed to the Hills.

## BOMBAY.

THE LATE DUEL AT POONAH.—Dr. Malcolmson of the 19th B. N. I., was tried on the 30th September, as principal, for the murder of Captain Urquhart, and Major Stalker and Lieutenant McDermot as accessaries. Mr. Roper, Clerk of the Crown, acted as Counsel for the accused. The verdict of the inquest held by Colonel Wiltshire on the body of Captain Urquhart, returned a verdict of "killed by a pistol-ball fired by some person unknown;" and considerable anxiety prevailed among the friends of the parties as to the result of the trial. The parties were acquitted.

SIR J. AWDRY.—Sir J. Awdry had a narrow escape last July. The punkah over his head fell on him, and knocked his head on the desk with such force that his forehead became quite black with the concussion. He retired for an hour and afterwards returned to finish the trial pending at the time.

SHIPWRICK.—The *Anne* of the Mauritius, bound from Bushier to that port, to touch at Muscat in the passage down the Gulph, was wrecked on the Persian coast in latitude 26°-13' N. and longitude 57°3' E. about 6 leagues to the northward of Mubarrack rock. She was discovered by the H. C.'s cutter *Nerbudah* on the 29th of August, and Lieut. Powell, the Commander, went on board and found the vessel deserted. There was a bungalow anchored alongside, the naquedah of which told Capt. Powell that he had been sent by the Commander of the *Anne*, who was, with the officers and crew, living at Mennow, under the protection of the Shaik—to save what he could of her cargo, consisting of wheat, horses, &c.; and that some horses and asses had been landed, but many others had died and the whole of the wheat had been spoiled.

RAMMOHUN ROY.—A letter has been received from Hangel in Middlesex, dated the 21st April, by a friend of the late Rajah Rammohun Roy, stating that the Rajah's adopted son was at school there and appeared particularly clever and interesting, and that he was shortly to come out to India to teach the languages to young civilians.

THE HUGH LINDSAY is announced to sail on her first trip to the Red Sea on the 10th of November, and on the

second on the 15th February. Several of her cabins are already engaged, and among the passengers are three ladies.

THE STEAMER INDUS, which has been purchased by a native, it is said, was to be dispatched in charge of an officer of the Indian Navy to the Indus, where coals have already been provided for her passage up the river.

IRON STEAM BOATS.—It is understood that the Iron Steam Boats built for the Euphrates, have been sold to the East India Company for their Bombay Establishment for £5,000. A want of funds for completing Col. Chesney's enterprise, it is supposed, has induced this transaction.

SUTTEE.—Another suttee is said to have taken place at Sattara on the 16th September. The woman who ascended the pile, was about 80 years of age, and the wife of the priest of Appa Sahib's Dewan.

THE INDIAN NAVY.—Dispatches have been received from the Court of Directers, rejecting the proposition for doing away with the Indian Navy, and it is therefore to be maintained on its present footing.

MUTILATION FOR WITCHCRAFT.—A Parsee woman recently brought a complaint against one of her countrymen, for having conspired with others, and through false charges, caused her to be severely whipped, and her nose to be cut off, by the Guicowar authorities. The man stated in his defence, that his brother having lost three wives successively by witchcraft, he and his friends consulted some conjurors regarding the matter, who declared that the woman had destroyed them by magic, and that she was a witch; that some of his neighbours mentioned this to the police officers, who took them before the officers of justice and they caused the punishment to be inflicted.

As both parties are subjects of the Guicowar and the mutilation occurred in his territories, the Magistrate could not take cognizance of the outrage on the unfortunate woman; but he promised to consult the Senior Magistrate on the subject.

TRIAL FOR LIBEL.—The prosecution against Nowrojee Dorabjee, proprietor of the late *Hulkaru* and *Free Press* and Editor of the *Chabook*, has been abandoned, on the condition of the defendant's publishing an apology for the offensive observations on which the action was brought.

SUPREME COURT.—On the 30th of September the Murwaries, who had been found guilty of a conspiracy to charge the native establishment of the Sheriff's office with bribery, were sentenced to one year's imprisonment, and fined 500 rupees.

NATIVE JUSTICES.—It is said that one of the Native Justices of the Peace has received a very grave admonition from the bench, with respect to some magisterial act which he had performed without any communication with a European magistrate.

NAVIGATION.—It is stated in the *Bombay Durpun* of the 3rd October, that a Parsee named Cowasjee, who was several years in Rangoon under a British Captain, has learned so much of practical navigation as to be able to command his own brig the *Robert Spankie*, in charge of which vessel he has sailed from Bombay.

## PENANG.

PIRACY.—Piracy has increased to such a degree in the vicinity of Province Wellesley, that the fishermen are afraid to venture out to the fishing stakes,—several of their comrades who slept at them having suddenly disappeared. Captain Low, the Superintendent of Province Wellesley, while proceeding in an open boat to the southward, accompanied by the gun-boat *Hawk*, fell in with a piratical prahu, manned by about twenty men, on her way to join a fleet of pirates laying at Tanjong Penang, and engaged her. After resisting some time the prahu filled and her crew deserted her and took shelter in the mangrove jungle close at hand, leaving behind their small arms and other implements, besides a bundle of papers which proved the prahu to belong to a large gang of pirates living on the banks of the Kream River. Late accounts from the Pedier Coast also, state that three prahus laden with betelnut were attacked off Pulo Riman by a fleet of small pirate boats. One of them was captured and its crew massacred, one sunk in the engagement, and the third made off and returned to the coast.

EARTHQUAKE.—Three smart shocks of Earthquake were felt on the 27th of August in George Town. The concussions were from north to south.

## SUMATRA.

AFFAIRS OF ACHEEN.—Acheen is in a very disturbed state in consequence of the frequent ruptures between the Heir-Apparent and the reigning sovereign. On the 29th July, while the *Isabella*, *Lee Goan*, *Cecilia* and *Helen*, were at Giggian and Pukan Baru, the Heir-Apparent, in his armed barque Baggiana, anchored at the latter place and sent to demand duties from the inhabitants, who refusing to pay it, he proceeded to seize all cargo-boats venturing out of the river. Only two, however, were captured, belonging to the *Lee Goan*, the supercargo of which paying the duties they were released. On the following day some of the Heir-Apparent's people, having an altercation with a fisherman about some fish murdered the man. A few hours after this occurrence, as Capt. Macalister of the *Helen*, was proceeding on shore, several armed Acheenese met him half way down the river and charged him with having murdered their countrymen, and on landing took away his hat and money, divested the lascars of their knives, searched the boat, and then marched the whole party about two miles inland under a guard of spearmen; but on arriving at the Rajah's house they were released, and informed that they had been captured upon wrong information. Trade was at a complete stand, and not a single prow would venture out, the Heir-Apparent having declared his determination to remain at the ports above mentioned, until the duties demanded were paid. The *Cecilia* had made large advances but had only received three or four hundred piculs of betelnut on board.

## BURMAH.

The Resident arrived at Ava on the 27th July and was most kindly received by the Burmese authorities, notwithstanding a mischievous report had preceded him, that he was going up to Ava to demand from the Court a passage for a British army to march into China through the Burmese dominions. The Chinese in Yenan had sent down intelligence of a war between their nation and the English, and of their having captured or destroyed thirty of our large ships at Canton. The king of Ava still continues shut up in his palace, and Menusager, his brother-in-law, governs the kingdom. The Resident is promised an audience of his Majesty as soon as he can be persuaded to exert himself sufficiently for such a ceremony.

Trade is said to be flourishing and population and cultivation increasing on every side,—the British dominions in Burmah influencing the conduct of the Burmese officers and tending to save the inhabitants of the country from oppression and extortion.

A letter from Rangoon, dated the 3d September, states that the Woongyee of Rangoon, a liberal and intelligent man, who had filled that office ever since the late war, had died; and that the Court of Ava had selected as his successor, the Ngarane Woongyee, Moung Wa, a remarkably large Burmese, who has the character of being mild and not rapacious; but having lived quitely at Ava all his life, he is a true Burmese in pride, ignorance and obstinacy.

## PERSIA.

Accounts to the 27th of July have been received from Theran. Sir Henry Ellis had not reached his destination, though his arrival was anxiously looked for. The Prime Minister had been executed and no one had been appointed to succeed him. The Russian Ambassador had retired from the Court, in consequence of the execution of the Minister, and had sent an angry message to the Shah on the subject: a serious misunderstanding between the two states is apprehended. The country was still in a very disturbed state, and the plague and cholera had been raging though not to a very alarming degree. Sir H. Bethune had left Persia with many tomauns—the plunder of Busheer.

## CHINA.

PLUNDER OF THE TROUGHTON.—The following are the particulars of the piracy committed on the bark *Troughton*, Thompson. It appears she was dismasted in a gale of wind on the 6th of July, about 100 miles S. W. of Macao, and on the gale abating anchored near Mandarin's rock to repair damages, &c. The Chinese fishermen, who fre-

quent the place, visited the vessel several times and behaved unusually civil; but in the evening while all on board, except the Captain and mate, were asleep, the ship was surrounded by twenty five or thirty large fishing boats, from which about three hundred men boarded the vessel, seized the officers and crew and lashed them to the deck. The Captain and mate, however, kept the Chinese at bay for sometime, until they were wounded with long bamboos with spiked heads, when they retreated to the cabin, and the Chinese then commenced plundering the vessel, and took from her 50,000 dollars in specie and the same amount in goods. The mate and the Captain attempted to blow the vessel up,—crew, Chinese and all together,—but the cask of powder prepared for the occasion, though it blew up part of the deck, injured some of the crew and drove the Chinese out of the ship, fell short of the desired effect. The mate and Captain jumped from the cabin window into the sea, whence they were picked up by the Chinese and replaced on the deck of the vessel. A few pistol shots were ineffectually fired by the Captain at the commencement of the attack.

The vessel got underweigh after this and reached Macao roads two days after; when the particulars of the affair were dispatched to the Governor of Canton, who has sworn to secure the miscreants and restore the property: and through his instrumentality, several of the boats concerned in the piracy have been seized, with a quantity of specie found on board belonging to the *Troughton*. The discovery has been made by some of the fishermen impeaching their accomplices.

BANDITTI.—A Peking Gazette mentions, that the Government troops had penetrated into and engaged the barbarous banditti at Ya-cha, and entirely dispersed them.

# REVIEW OF THE CALCUTTA MARKET.

*(From A. E. Kuhn's Monthly Price Current, October* 31, 1835.)

The transactions in business, which re commenced on the 16th instant, and which were again interrupted by native holydays, have been in general upon a very limited scale during the whole month. Freights have however become more abundant, and as the supplies from the Coast, the Gulphs and from the interior are increasing rapidly, as usual at this season, we expect our next number will be of more general interest than the present.

INDIGO.—The last accounts from England are rather unfavorable. The prices at the first two days of July sale experienced a still further decline of 4d. on the finer qualities, and 6d. to 8d. on inferior, as compared with those of the April sale. There has been, however, a full attendance of buyers, particularly from the Continent, and holders of the finer qualities were pretty firm; many lots having been bought in.

Several estimates of the present crop continue to be made up, they still repeat the quantity will be about what we stated in our last number, namely, 115,000 maunds. It is impossible to give any positive statement in that respect, as the cultivation has been considerably increased by many small native manufactories very little known. Nothing is remaining in the market of the last crop. About 500 maunds of the new crop are come in the market. We have not heard of any sale.

OPIUM.—Transaction in this drug have been very limited since our last, arising from the regular season for shipments to China having past until next quarter. The accounts from Bombay state the expectation of a very abundant crop, of about 24,000 chests, to which are to be added about 11,000 chests, which our districts are likely to furnish. The prices are at present well supported, as the drug, and particularly Patna, is getting scarce, but should the expected large supplies be realized, the present rather high prices must be affected by it. The stock in the Hon'ble Company's Godowns is reduced at 250 chests Benares.

RAW SILK.—We have only one transaction worthy of notice to report. Our stock in private hand is very limited, as the Jaun band has been almost a total failure. The importation by the Hon'ble Company from the Interior, since 1st May last, is about 2,300 maunds

SILK PIECE GOODS.—The few transactions transpired are described under this head. The demand continues active chiefly for Corahs for the English market, but sales are restrained consequent of short supplies. The home consumption is greatly on the increase, 36,000 pieces having been delivered monthly from 1st March to 1st July in 1835, whilst the deliveries of the same months in '834 were only 24,000 pieces per month. Comparing this increase with the diminution of our produce here, the exposition given under this head in our August number is fully confirmed, and prices of course will be fully supported.

COTTON.—Shipments to China have been almost totally interrupted, owing to the season of the year. The quantity shipped in that direction since 1st May last, amounts to 321,698 maunds. Sales are now confined to a few parcels for shipment to England. Bandah is very scarce, and for a parcel of superior 17 Rs have been paid. The latest accounts from London state the market to be dull, but orders to some extent have been received for the supply of Liverpool.

SALTPETRE has been enquired after during the whole month for English and American markets, and prices of the assortments are well supported. Tonnage having become more available, the present quotation is likely to be maintained. Our Stock is still a large one; importation from the interior, exceeding the exportation by sea, by about 40,000 maunds since 1st May last.

SUGAR.—Our hopes for equalization of the duties of Sugar in England have received a new support by the latest advices from home. Transactions have been more extensive during month than the last, they are, however, on a limited scale, and our stock is still heavy. Importation from the interior having exceeded the exportation by sea since 1st May by about 170,000 maunds. Fine white Benares is scarce, and superior, none to be had; prices of all descriptions are likely to improve.

Accounts from London (July 14th,) state this article to be in general demand, and prices well supported. At Liverpool (July 10th,) Sugar continued also in good request, and an advance has been obtained in the prices.

LAC DYE.—The finer sorts of European make continue scarce, and are enquired after, native make is more abundant. The demand is steady for English and American markets, and prices are likely to maintain.

SHELL LAC.—There has been some enquiry particularly for the English markets. Our stock is still a large one.

STICK LAC.—A supply of 999 chests has animated somewhat our market.

RICE has been in limited demand. The late favourable accounts received from the Mauritius, may however affect our prices. Purchases to some extent are setting in.

WHEAT.—A few transactions have come to our notice.

HIDES AND HORNS.—Hides continue in demand for England and America. Our stock is rapidly decreasing, 452,294 pieces having been shipped during the last five months against an importation of only 350,670. The prices have experienced some improvement since our last number, and are likely to go higher should tonnage become more available. On Horns very limited transactions.

LINSEED.—Our market begins to be well supplied, the sales are however restrained as holders are shipping it on their own account for the home markets, where this seed continues in good request.

SPICES, DRUGS, &c.—We have received new supplies of these articles by the ten Arab vessels, which arrived since our last.

METALS.—The copper market has not been very animated during this month, and prices have experienced some decline. Our stock is not very heavy, the exports to the Interior having been rather large since 1st May. Hoop and sheet iron being scarce, prices have improved, for other descriptions there is no variation worthy of notice. Spelter has declined in consequence of unfavourable advices from the interior. The stock, however, is still very small. Lead is well supported.

TWIST.—Our stock of white Mule is very much reduced, and sales confined to small parcels. Orange has been enquired after at steady prices, but the stock still continues to be heavy.

COTTON PIECE GOODS.—The Imports of white Cotton Piece Goods have been considerably diminished since 1st May, 1835, only 373,927 pieces having been imported, whilst the importation for the same period in 1834 was 604,064 pieces, leaving thus a deficiency in the Imports on the last five months of 230,137 pieces. The re exportation has on the contrary increased, being 262,389 pieces against 218,957 pieces last year.—A similar fact exists in regard to coloured Cotton Piece Goods, 95,505 pieces having only been imported during the last five months, whilst the importation was 143,378 pieces for the same months last year, and the re-exports of this year have also increased to 95,290 against 56,547 last year. The market is in general well supported, Longcloths, Madapolams and Cambrics are particularly enquired after, Chintz and Ginghams are also in steady demand as usual at this season.

WOOLLENS.—Demand is increasing in consequence of the ensuing cold season, the stock in first hands, with the exception of flannels is rather small. A large parcel of coarse Woollens is still existing in the hands of natives. The re-exports during the last five months were heavy, viz., 5,805 pieces Woollens and Flannels against 2,384 pieces for the same months last year. The Imports on the contrary fell considerably short, being 4,006 against 7228.

# CALCUTTA PUBLIC LIBRARY MEETING.

Resolutions adopted at a general meeting held at the Town Hall on the 31st August, 1835.

"That it is expedient and necessary to establish in Calcutta a Public Library of Reference and Circulation, that shall be open to all ranks and classes without distinction, and sufficiently extensive to supply the wants of the entire community in every department of literature."

"That a Provisional Committee be appointed to consider of the best means of accomplishing the objects stated in the first Resolution—to frame a set of Rules and Regulations for the management and use of the Library, and the conduct generally of its affairs, and to report the same, together with their opinion, to a subsequent meeting to be called by public advertisement in the newspapers by the Committee as soon as they shall be prepared with the report."

The Provisional Committee appointed by the second of the foregoing resolutions, having considered the various matters referred to them, have in pursuance of the directions given to them, called together a public meeting at the Town Hall, for Saturday the 31st October, at which meeting they will present the following

## REPORT.

In answer to an application for the temporary use of apartments in the Town Hall, the Town Hall committee obligingly assigned a room to the library, but the situation of Dr. Strong's house and the extent of the apartments which he has kindly consented to appropriate to the use of the library, induce the Committee to recommend that his offer be accepted.

The Committee have obtained estimates of the probable cost of book-shelves and such other furniture as appear to them immediately necessary to be procured for the use of the library, and they recommend, as the result of their enquiries, that the sum of Sicca Rs 1,000 be applied to these purposes. In the meanwhile the Secretary has kindly offered the use of his own book-shelves, of which the Committee have gladly availed themselves.

The subject of the *Establishment* necessary for doing the duties and taking charge of the books and other things enumerated in the 3d resolution of the public meeting, has engaged the particular attention of the Committee, and they recommend that a Librarian be appointed on such a salary as will secure the continual and exclusive services of a competent person: and they have ascertained by inquiry that such a person would cheerfully undertake these duties for a salary of Rs 200 by the month.

The Committee recommend also that, for the purpose of insuring attendance at the Library from an early hour in the morning until a late hour at night, two Under-Librarians be appointed: and they think it would be satifactory to those who will resort to the Library if one were an East Indian and the other a Hindoo. The Committee are satisfied that highly respectable and well qualified young men of these classes will readily give their services for Rs 50 each by the month.

The Committee recommend that the rest of the establishment should consist of

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| A Sircar at Rs | 16 | by the | month. |
| Two Dhuftries,.. | 12 | ,, | ,, |
| A Bearer, ..... | 5 | ,, | ,, |
| A Peon,..... | 5 | ,, | ,, |
| A Durwan,..... | 5 | ,, | ,, |
| | Rs 43. | | |

making a total for the establishment of servants, including Librarians, Rs 343 monthly.

The Committee, in the month of September, applied to Government to allow under such rules as it might approve of, the Subscribers to the Public Library to enjoy the use of the books belonging to Fort William College: understanding that a large part of these consists of Oriental works which the Asiatic Society are desirous of procuring, and are likely to apply for, the Committee restricted their application to those books which do not relate to the particular objects of that Society's care; and they have received a communication from the Secretary to Government, announcing generally, that Government is disposed to comply with their application and to place, under the care of a Committee, the works in European lauguages belonging to the College Library.

Regarding any reservation which Government may think it right to make of works required for the public service, and regarding the rule under which the use of the books will be allowed, the Committee are informed that a further communication will be made.

The printed catalogue of these books gives a list of 1,912 works: of these 190, at most, may be deemed to come under the description of those which the Asiatic Society may lay claim to, leaving 1,722 works of which the subscribers to the Calcutta Public Library are likely to enjoy the use. The Public Library had also at the time the list was sent to the Committee, received donations of 397 works comprising 1,356 volumes and about 150 volumes have been received since. Taking the proportion of volumes to works given by the books presented to the Library, and applying it to the 1,772 works lent it by Government, the collection of books at starting would consist of about 5,000 volumes from Government, 1,500 volumes of donations; together 6,500 volumes, which the Committee have reason to believe is a larger number than is to be found in the Cape Library.

However, a very large proportion, perhaps five-sixths, of the Cape Library consists of works published in the present century. In *all works* of this modern date, the Library of which the subscribers may now have the use is very deficient, as it is also in older works in the particular departments of

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| Poetry and the Drama. | Biography. |
| Prose Works of Imagination. | Politics. |
| Miscellaneous Works. | Jurisprudence. |
| History. | Science and the Arts. |

There is a very good foundation of a Library in the departments of Works of Philosophers, and Philology, that is Grammars and Dictionaries, a fair foundation of Classic and Italian works, hardly any French, and no German.

The Committee in giving the result of their investigation of the books available as a nucleus of a Public Library, have no wish to depreciate the value of these books; on the contrary they wish to state it as their opinion that few collections of the same extent would be found to contain so many useful books, and so few which any makers of a Library would be disposed to reject, as that belonging to Fort William College. But they think it right to point out the deficiencies which occur to them; not in any hope that sufficient funds can be obtained at once to supply them all, but to shew that, in addition to the important assistance already afforded by public and private liberality, a large sum of money, and great attention in laying it out are necessary in order "to provide a library sufficiently extensive to supply the wants of the entire community of Calcutta in every department of literature."

The Committee are of opinion that a sum of not less than Rs 20,000 should be placed at the disposal of a Committee, for the purpose of purchasing such standard works as they may think advisable, in addition to those now available to the Subscribers, in order to supply the deficiencies, herein before mentioned, in those departments of literature which are most likely to be appreciated by the Subscribers generally.

In addition to this sum Rs 1,000 are recommended to be laid out in book-cases and furniture.

And your Committee recommend that Rs 9,000 more be placed at the disposal of a Committee for the purpose of procuring in the first place one set of the most approved periodical publications which shall not be allowed to circulate among the Subscribers, and of laying out, at their discretion, the balance in purchases of periodical and other popular literature for circulation.

The Committee are of opinion that the above sums, amounting together to Rs 30,000, are necessary to be provided in the first instance, to cover the expense

attendant on forming such a Library as the public Meeting of the 31st August appear to have contemplated: and, with this sum judiciously laid out, they think a Library might be formed so generally useful as to ensure a large number of monthly Subscribers, and enable the Committee on whom the management might devolve, to lay out a large portion of the periodical receipt in the purchase of new and popular works.

With regard to the means of procuring books in Calcutta, there appear to be occasional opportunities here of purchasing valuable and useful standard works, and the Committee think it would be useful to keep a part of the Library funds so as to be available for such opportunities when they occur. But the Committee are of opinion that in a Public Library the procuring quickly, at the fair market rate, works which are found wanting, should be more attended to than the wanting for casual opportunities of supplying desiderata at a lower rate. And they are also of opinion that the best library will be formed at the least cost, when scrupulous attention is paid to the choice of books purchased and ordinary prudence employed in buying them.

The number of subscribers of Rs 330 each who have already come forward is 55, and about Rs 500 more has been subscribed in donations, making in all a capital of Rs 17,000.

The Committee have thought it right, in this state of the funds, which prevents the plan they have suggested from being immediately acted upon to call a public Meeting and lay before them their views upon the subject, before proceeding to consider that part of the matters referred to them which regard the formations of rules for the use of the library. If the meeting should be of opinion that the projected institution should be set on foot, the committee recommend that the management of the library be committed to a small committee of gentlemen, who should be desired to frame such rules for the use of the books in the first instance as they think advisable, and that a stated annual meeting of suscribers be appointed at some convenient time of year, the first of which might take place at no distant period, when the rules might be appoved of or altered as may seem best to the subscribers generally. The Committee beg also to suggest that the rules of the Cape Library afford an easy means of framing these rules, such attention being paid to such modifications as the different circumstances of this place require.

The Committee recommend that the payment of 300 Rs in one payment or in three payments of 100 Rs each, 100 being paid down and the remaining 200 Rs in two equal instalments, at 6 and 12 months, shall constitute parties proprietors of the Library, entitle them to all the privileges of 1st class subscribers.

That 1st class subscribers pay an entrance fee of 20 Rs and a subscription of 6 Rs for every month subsequent to the first.

That 2d class subscribers pay an entrance fee of 16 Rs and a subscription of 4 Rs for every month subsequent to the first.

That 3d class subscribers pay an entrance fee of 10 Rs and a subscription of 2 Rs for every month subsequent to the first.

That any subscriber be at liberty at any time to become a proprietor upon making up his contributions to the sum of 300 Rs, with interest at the rate of 10 per cent. per annum from the time of his commencing his subscription.

That subscription be collected in advance from the 1st and 2d class of subscribers monthly, and from the 3d class quarterly.

That subscribers who choose to pay a year's subscription in advance, be allowed a deduction of 10 per cent. on such advance.

That no subscriber failing for one month to pay his subscription shall be allowed to make use of the Library, until he receive permission to do so from the Committee of Management.

That subscriptions be not received for broken parts of a month, and that they be held to run as from the 1st of the month in which they are enrolled.

That proprietors shall not have more than ten shares each.

That all shares be transferable on payment by the purchaser of a fine of 100 Rs per each share transferred, and this share whether he be already a proprietor or not.

That persons who have not paid up the full amount which entitles them to a share be not allowed to transfer such anticipated share.

That subscribers quitting Calcutta without communicating in writing to the managing Committee their intention, be required to pay their subscriptions until such intention is so communicated by them; and, failing so to pay, shall cease to be subscribers, and shall not be re-admitted without special reference to the Committee.

That proprietors who leave India without due notice to the managing Committee and who do not return within eighteen months, from the time of their departure, shall at the expiry of such eighteen months, forfeit all claim to any share or shares they may hold, and such share or shares shall revert to the library: and that proprietors who leave India with such notice to the managing Committee, and who do not return within five years from the time of their departure, shall at the expiry of such five years, in like manner, forfeit all claim to any share or shares, and such share or shares shall revert to the library.

That proprietors and subscribers be convened annually for the examination of accounts and for general business.

That accounts be made up yearly, and be audited and approved by the managing Committee, and submitted to the yearly meeting of proprietors and subscribers.

That upon all pecuniary questions each share shall have one vote, on all other matters each proprietor to have only one vote. And upon all such other matters, each subscriber shall have a vote.

That the Committee of Management have power to issue to poor students and others tickets of admission to the Library, for such periods as may be thought advisable, such tickets not to be transferable.

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## RESOLUTIONS

ADOPTED AT THE LIBRARY MEETING ON THE 7TH OF NOV.

Moved by Dr. Jackson, seconded by Mr. Garden, and carried *nem. con.*

*Resolved* 1st.—That it is the opinion of this meeting, that the support already afforded to the scheme is sufficient to enable a public Library to be established in Calcutta upon the principles embodied in the Resolution of the meeting of the 31st August last.

Moved by Mr. W. P. Grant, seconded by Col. Dunlop, and carried *nem. con.*

*Resolved* 2d.—That it be an instruction to the Committee to engage only one Under Librarian in the first instance, at such salary as they can procure a competent person for, with power to engage another when it appears to them necessary.

Moved by Mr. Holroyd, seconded by Mr. Leith, and carried *nem. con.*

*Resolved* 3d.—That the recommendations contained in the report of the provisional Committee now read, with the above amendment, be adopted by this meeting.

Moved by Colonel Dunlop, seconded by Dr. Jackson, and carried *nem. con.*

*Resolved* 4th.—That the management of the Library be entrusted to seven Curators to be chosen by the Proprietors, and first class Subscribers of one year's standing at an annual meeting in the month of February in each year, to be called by advertisement by the Curators for the time being.

Moved by Colonel Beatson, seconded by Mr. Turton, and carried *nem. con.*

*Resolved* 5th.—That the Curators be requested to frame such rules for the collection, and circulation of books and

in the management of the Library, as in their discretion shall seem fit, to establish such a Library upon the principles agreed on by this meeting, and to publish the rules as soon as may be for general information previous to the general meeting in February next; that they be also empowered to appoint a Librarian, and such other establishment as may be necessary to open the Library if practicable, on the 1st December.

Moved by Mr. Pattle, seconded by Mr. Grant, and carried as a distinct Resolution.—

*Resolved 6th.*—That no Resolution of the Curators disposing of the Funds of the Society exceeding in amount one thousand rupees, be carried into effect until the accounts shall have been on the table for the space of one week.

Moved by Mr. Leith, seconded by Mr. Turton, and carried.—

*Resolved 7th.*—That the proceedings of the Curators shall be entered in a book, which shall always be on the table of the Library for the inspection of Proprietors and Subscribers.

Moved by Mr. Turton, seconded by Mr. Kyd, and carried *nem. con.*

*Resolved 8th.*—That the present Rules be considered the Fundamental Rules of the Institution—and that they can only be altered at the General Annual Meetings, or at a special meeting called for that purpose by Public advertisement in some one or more of the daily newspapers in Calcutta, with not less than seven days' notice, and in which shall be expressed the object of the proposed alterations.

Moved by Mr. Turton, seconded by Mr. W. P. Grant, and carried *nem. con.*

*Resolved, 9th.*—That it shall be open to the Curators to call a Special Meeting at any time that they may think fit, giving such notice as provided in the last resolution—and that they shall be bound to call such meeting to be held within one month from the receipt of a requisition signed by any five proprietors, or any ten proprietors and subscribers of the 1st class of one year's standing, expressing the object for which the requisitionists desire such meeting—and if notice of such meeting shall not be given by such Curators within one fortnight of the receipt of such requisition, any three proprietors may call the same, giving not less than seven days' notice thereof.

Moved by Dr. Marshman, seconded by Col. Dunlop, and carried unanimously.

*Resolved 10th.*—That the following gentlemen be requested to accept the office of Curators, until the first general meeting:

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| Sir Edward Ryan, | W. P. Grant, Esq., |
| Charles Cameron, Esq., | J. C. Marshman, Esq., |
| T. Dickens, Esq., | and |
| H. M. Parker, Esq., | J. R. Colvin, Esq. |

Moved by Mr. W. P. Grant, seconded by Mr. G. T. F. Speed, and carried *nem. con.*

*Resolved 11th.*—That J. H. Stocqueler, Esq., be requested to act as Honorary Secretary to the institution until the next general meeting.

Moved by Mr. Pote, seconded by Mr. Sinaes and carried unanimously.

*Resolved 12th.*—That the thanks of this meeting be offered through the Curators to the Honorable the Governor of Bengal, for the liberal transfer of the College Library to this institution.

Moved by Mr. Sinaes, seconded by Mr. Pote, and carried unanimously.

*Resolved 13th.*—That the thanks of this meeting be given to those private individuals who have, by donations of books or otherwise, contributed so liberally to advance the interests of the Library.

Moved by Lieutenant-Colonel Beatson, seconded by Mr. Leith and carried unanimously.

*Resolved 14th.*—That the thanks of this meeting be offered to the provisional Committee for the pains they have taken and the ability and judgment they have shown in framing their report and drawing up the original plan for establishing the Public Library.—*Hurkaru.*

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## CIVIL FUND MEETING.

A meeting of the members of the Civil Fund took place on Saturday morning, the 14th November, pursuant to advertisement, to take into consideration the state of the Fund, and the recent admissions of Mr. J. C. C. Sutherland and Mr. C. B. Elliott to the benefits thereof. There were thirty-two members present.

H. T. PRINSEP, ESQ., IN THE CHAIR.

Mr. Tulloh called attention to a string of rules he had framed with a view to avert, if possible, the bankruptcy of the fund. Mr. Tulloh's propositions, amongst other suggestions, contained the following:

"That each married subscriber or widower having children, immediately contribute to the fund double his present subscription.

"That each bachelor on his marriage contribute to the fund in the above proportion.

"That married subscribers and widowers on having realized a sufficient fortune to render them independent of the fund, be allowed the option of reverting to the original scale of contributions. Those subscribers who are independent of the fund at present to continue their subscription as heretofore."

Mr. Rattray, as we understood, concurred with Mr. Tulloh, but thought it were better to appoint a committee out of the members present, to take the proposition. This suggestion did not meet with approval, and the the following amendment, moved by Mr. Morley and seconded by Mr. Rattray, was carried *nem. con.*

"*Resolved.*— 1. That Mr. Tulloh's proposition, and all other propositions which have been already received, or which may be now or hereafter brought forward for any alteration in the rules of the Civil Fund, be referred to a Committee, to be appointed as below prescribed, who shall be empowered and requested to report thereon to a Special General Meeting, to be called by them for that purpose, revising all the existing rules, and generally submitting their suggestions for such measures as they may think it most expedient to adopt in the present state of the assets and liabilities of the Fund.

2. That the Committee consist of sixteen members, being Subscribers to the Fund, resident in Calcutta, one to be elected by the Subscribers resident in each division of Revenue and Circuit, viz. Jessore, Cuttack, Moorshedabad, Bauleah, Dacca, Chittagong, Bhaugulpore, Patna, Banares, Delhi, Sagur, Allahbad, Bareilly, Meerut, and Agra, including all Political Officers, and two to be elected by those in Calcutta, and members not included in any of the above divisions.

3. That each Commissioner be requested to collect the votes of the Subscribers entitled to vote in the division, reporting to the Secretary the gentleman elected, on or before the 15th of January next, and that the Secretary to the Fund be requested to collect the votes of the members in Calcutta, on or before the same date.

4. That a Committee man elected, by more than one division, shall choose which division he may wish to represent, and that the other division or divisions that elected him may elect each a substitute for him."

That the Managers take the necessary steps to carry the above Resolutions in to effect.

The meeting then proceeded to the second purpose for which it was convened, viz. to re-consider a resolution "said to have been passed" at a general quarterly meeting, under which Mr. J. C. C. Suthereland was considered a retired civilian, and subject to payments due under Rule XXXV.

The Hon. Mr. Melville briefly proposed the following Resolutions, which were seconded by Mr. J. P. Grant:

"*Resolved, 1st.*—That the case of Mr. Sutherland involves an essential addition to the rules and principles of the institution, and that all Subscribers in India ought to have been allowed to deliver their sentiments and votes by a written communication.

*Resolved, 2d.*—That under Article XXX. it being competent for a second general meeting to reconsider any resolutions passed at a former general meeting, it is now expedient to hold in suspence the resolution of the meeting of the 27th April, 1835, relative to Mr. Sutherland.

*Resolved*, 3*d*.—And that the papers connected with the case of that gentleman be submitted to any Subscriber, to whom they have not already been transmitted, with an invitation to them to transmit through the Secretary to the Chairman of a meeting to be held on the ..... their votes for or against the resolution, "that Mr. Sutherland be considered a retired civilian, and subject to payments under Rule XXXV."

Mr. Rattray considered the proposed resolution unwarranted, illegal, and in direct contravention to Rule XXX., there having been a general meeting held subsequent to that of the 27th of April, which, as it did not disturb the resolution of the preceding meeting, must be considered as confirming it. The rule is as follows :

"It is further hereby declared, that the resolution of a second general meeting of the subscribers to the fund, regularly held under the rules now established, or which may be hereafter established for it, and confirming the resolution of a former general meeting, shall be final and conclusive."

Mr. Rattray contend that the meeting could not rescind the resolution of the 27th of April, which must now be considered "final and conclusive" as the subsequent meeting on the 26th of July had not ejected Mr. Sutherland. This was alone sufficient for the purpose ; but the subject had not been brought forward in the shape of a proposition during the subsequent October meeting. If it had, he would then, as now, have protested against a discussion on a question which resolves into this :—are the proceedings of a meeting, competent to carry any proposition which may be brought before it, subject to reversal by a subsequent meeting !

The Hon. Mr. Melville observed that he did not understand the meaning of section XXX. if what had just fallen from Mr. Rattray was the correct construction of it. If the proceedings of a second meeting were "final and conclusive," surely the proceeding of a first meeting could not be considered so.

Much conversation followed, during which Mr. Millet remarked that the matter must ultimately be referred to the service at large. At the suggestion of Mr. J. P. Grant, Mr. Rattray reduced his amendment into writing, premising he was desirous that the opinion of the Advocate-General should be taken as to the legality of rescinding the Resolution. The amendment, seconded by Mr. Morley, with several subsequent alterations, stood as follows :—

"*Resolved*,—That this meeting is not competent to take into consideration the question of Mr. Sutherland's admission as a subscriber to the Fund, the same having been determined at a General Meeting duly convened and fully comptent to decide finally upon the case."

The Hon. Mr. Melville, Mr. R. D. Mangles, and several other gentlemen disputed the assertion that any meeting competent to discuss the subject had taken place, after that which voted Mr. Sutherland's admission. The quarterly meeting of the 27th of July was "counted out," a quorum of members not being present, and at the meeting of the 26th October it was specifically agreed to let the matter lie over until to-day, in consequence of the call of a special meeting on this day for the purpose of its consideration. Mr. Rattray however, maintained that the meeting could not discuss the question, and observed with reference to Mr. Sutherland, that "this poor man had been very ill-used." Several gentlemen here remarked that Mr. Rattray was neither appealing to equity nor justice but to the *misericordia* argument. At length (we believe) Mr. Rattray gave up his amendment to make way for one proposed by Mr. D. C. Smyth, but, as we understood, he offered the following protest which was refused on the ground of irregularity :

"I protest against the agitation of the question as altogether unwarrantable and illegal. Mr. Sutherland was admitted as a subscriber to the Fund by a competent General Meeting, after having been rejected by a majority of the Managers. It is true the election was carried by a majority of nine only against one dissentient ; but nine are declared by the rules competent to all that was done, and consequently, on the score of numbers, no exception can be taken. Rule XXX. allows of the Resolution of any meeting being *confirmed* at a second meeting : but surely it will not be argued that every thing done at the present meeting, for instance, where thirty Subscribers to the Fund are present, may be set aside and nullified to-morrow by any nine that may choose to assemble for the purpose of then carrying, what they had failed to-day. An intervening General Meeting has taken place too, since Mr. Sutherland was admitted, and if the question regarding him be open as now assumed, I maintain that there is not a widow or orphan on the Fund's list that may not be arbitrarily declared no longer entitled to its benefits."

Mr. D. C. Smyth now drew attention to the following letter from the Court of Directors, to the Governor of Bengal, dated 8th July, 1835 :—

"*Para.* 1.—With reference to our despatches dated 4th April, 1834, (No. 26) and 3d June, 1835, (No. 40) we think it right to acquaint you that Mr. J. C. C. Sutherland has not, by the loss of our covenanted service, forfeited any of his rights as a subscriber to the Bengal Civil Fund, in respect of which he is to be considered as if at the date when he ceased to subscribe to the fund he had voluntarily relinquished the service.

*Para.* 2.—We desire that you will communicate this opinion to the managers of the fund.

We are, &c.

(Signed by thirteen Directors.)

Mr. D. C. Smyth concluded by proposing the following amendment, which was seconed by Mr. Braddon :—

"*Resolved*.—That this Meeting, having duly considered the papers connected with Mr. Sutherland's case, are of opinion, that it would have been more satisfactory to the subscribers, had the question of the admission of that gentleman to the benefits of the fund been submitted by the late managers for the decision of the service at large. Adverting however to the opinion expressed in the letter lately received from the Honorable Court of Directors, under date the 8th July, 1835, and considering moreover the proceedings of the Quarterly General Meeting of the Subscribers held at the Town Hall on the 27th April last, form which it appears that Mr. Sutherland was considered by that meeting as a retired Civilian, and made subject to the payments due under Rule XXXV—it is resolved, that the proceedings of the Quarterly General Meeting held on the 27th April, 1835, be upheld."

The Hon. Mr. Melville now withdrew his resolution, substituting the following :—

"*Resolved*.—That the resolution of the subscribers of the 27th April, 1835, admitting Mr. Sutherland to the benefits of the institution, be reversed."

Mr. J. P. Grant, in seconding the resolution, commented on what had fallen from Mr. Rattray, which, he said, was in effect, that the proceedings of a Quarterly Meeting were irrevocable, even if nine gentlemen,—nine conspirators he would call them,—for he was aware no members of the fund would attempt to do what he was putting on supposition,—were to assemble and vote that thirteen lakhs should be divided amongst them. This was a strong case he would allow, yet according to Mr. Rattray's construction of Rule XXX. the protests of the remainder of the service would be of no avail, and the resolution of the nine must be carried into effect.

Mr. D. C. Smyth reminded Mr. Grant that by Rule X. all monies belonging to the fund in India, are kept in the Public Treasury, and subject only to the direction and controul of the trustess and managers of the fund. Mr. Grant complained of the interruption, and thought the meeting would have better understood his argument had they heard it. He contended that the view taken by Mr. Rattray, if acted upon, would tie up the hands of the whole service.

Mr. J. W. Alexander did not think the whole service was a fair tribunal for the consideration of this question, irritated as they now were, and influenced as he feared they would be, by the manner in which the subject had been discussed in the Mofussil papers. In his opinion, as the admission of Mr. Sutherland had not been brought under the cognizance of the subsequent meetings, the service had virtually confirmed the resolution.

Mr. H. Torrens said Mr. Alexander's argument was of the most extraordinary description that it had been his lot to hear. What! Because a man is angry, has he no claim to vote on questions concerning his own money ?

A good deal of conversation ensued, of which the reporter cannot give an outline. At length the discussion turned on the right of proxies to vote on the resolution and the amendment. The Secretary then reported that the letters received from the Mofussil stood as follows :—

| | |
|---|---|
| Against Mr. Sutherland's admission ..... | 75 |
| For his admission ..... | 4 |
| Majority..... | 71 |

Considerable discussion followed, in which Mr. J. P. Grant, Mr. Colvin, and Mr. Melville took part, chiefly regarding the construction to be put upon the Court's two letters which, it was urged, merely contained the court's opinion, and were not imperative. Mr. Grant declared that he had the highest respect for Mr. Sutherland, with whom he was on terms of personal intimacy, but the service must not consider individual interests but that which is proper and right. He was decidedly of opinion that Mr. Sutherland had ceased to have any claim to the benefit of the fund, and, though he had the highest respect for the Court of Directors, were they to send a special order cancelling their own former decision, the course he would suggest was to respectfully ask them to consider their order. The Hon. Mr. Melville observed that it was highly improbable that the Court's former order should have been unknown to Mr. Sutherland, which defined the date of his retirement to be in April, 1828, when he ceased to subscribe to the fund. So, having discontinued his subscription before paying up the complement stipulated in the rules, he had necessarily forfeited all claim. The Chairman observed that the fact of Mr. Sutherland's retirement had been a matter of reference to the Court form this Government, and it could not be expected that he would pay up his subscription pending the reference. It was not fair to "trip him up" upon a hard construction of the rules. Mr. Grant could not allow the discussion to close without "one little word about tripping up." God forbid that he should be justly accused of tripping any man up, especially where his family was concerned. But in this case he thought Mr. Sutherland was "tripping up" the service, in asmuch as he offered £500 as an equivalent for £10,000. He could not believe that the founders of the fund ever contemplated that a member having quitted the service to engage in a mercantile establishment where he had the chance of making an enormous fortune, should, in the event of failure, fall back upon the resources of his humble brethren. Mr. Millet warmly supported Mr. Grant. Mr. R. D. Mangles called attention to the vast majority of votes (proxies included) against Mr. Sutherland, if Mr. Melville's resolution was pressed to a division, and recommended that Mr. Sutherland's friends should concede that the matter be referred *de novo* to the whole service. To this Mr. Rattray would not accede, on the ground, as we understood, that the question had been formally decided by a competent meeting, and that the whole service had not heard the arguments during the present discussion. He thought the votes of proxies ought not to be taken on the question. Mr. R. D. Mangles expressed his astonishment that it should be advanced in Calcutta that a meeting held here ought not to receive the votes of the whole service. Mr. Colvin said such a course would be most extraordinary indeed; to shut out the whole service by one of the most unreasonable quibbles ever devised.

The discussion ended in the adoption of the following Resolution by a majority of 28 to 5.—Messrs. Rattray, Braddon, J. W. Alexander, Wm. Young, and Wm. Bracken being the only dissentients:

"*Resolved*,—That the motion submitted to the Meeting by Mr. Melville, and the amendment proposed by Mr. Smyth, be forwarded with a letter to each subscriber to the Fund, requesting him to forward his vote for the original motion, or for the amendment, direct to the Secretary, and that the result of the votes be reported by the managers to the next General Quarterly Meeting"

Mr. Elliott's case was next brought forward and soon disposed of by the adoption of a similar course, upon the motion of Mr. Morley, seconded by Mr. Millet.—

"*Resolved*,—That the question of the admission of Mr. Elliot, be referred to the service at large."

Which resolution was carried *nem. con.*, and the meeting then broke up, after the usual vote of thanks to the chair.—*Englishman*.

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## ST. ANDREW'S DAY.

The dinner on St. Andrew's Day was not so numerously attended as on the last occasion. About one hundred and fifty persons sat down, amongst whom, as guests, were the Governor-General, the Chief Justice, and the Commander-in-Chief and party, Col. Morrieson and Mr. Robertson were prevented by indisposition from attending, J. F. Leith, Esq. presided, and Dr. Mellis acted as Croupier. After the cloth was drawn, the following toasts were proposed from the chair, and drank with the usual honors.

The King.—"*God save the King.*"

The Queen and Royal Family.—"*She is a winsome wee thing.*"

Mr. Leith.—The next toast is a national one, and according to usage is to be drank in solemn silence.

Pious Memory of St. Andrew.—"*Caledonia.*"

Mr. Leith.—On a night like the present, the anniversary of our tutelar saint, we may be excused, if we separate ourselves for a moment from our English and Irish brethren by indulging in nationality of feeling. To them I would say, they may rest assured that the Scotchman who most loves his country will be the most solicitous to uphold the union of the three kingdoms. Gentlemen, the present toast is the Land of Cakes, and so far we carry with us the sympathies of our guests that they, like ourselves, are exiles from their native land and looking towards home—where

> 'None are so desolate but something dear,
> Dearer than self, possess or possessed
> A thought.

This toast conjures up before us those scenes and places which are connected in our minds with some of the dearest ties and warmest associations of kindred and of country. Time and place are as nothing; we are carried back in imagination to the haunts of our boyhood, to the sunny spot where the noisy game, or the feats of daring, drew us when released from school; or to the more secluded spot—to us almost classic ground—where doggedly we sat to con our daily task. Pride of country is a characteristic of our countrymen; and this has at times been described as a weakness, while at others it has been named as a virtue. It is certainly not a mere instinct—a reason may be well assigned. Is it not the romance and poetry of our early history—the chivalrous struggles of our ancestors against fearful odds to achieve our national independence and civil liberty, and their heroism and noble daring which draw forth our sympathy towards them and towards our country, and which form the subject of an honest pride? Scotland, for nearly a thousand years, was torn and distracted by sanguinary conflicts and cruel wars—and it is but as yesterday that she has beaten her claymores into ploughshares, and her spears into pruning hooks. Each mountain top has its cairn,—a monument to fallen heroes; each glen is hollowed by its own traditional story; not a spot of earth but has its legend—"where at each step imagination burns." A new day has dawned on Scotland. She has now taken her place among the nations of civilized Europe—her once deadliest foes are now her most cherished friends—the fiery cross of war has given place to the green olive tree of peace, while the arts and sciences which adorn and advance man in the social scale, are cultivated by her sons, so as to encrease her wealth and promote her happiness. No other nation has made such rapid strides from barbarism to civilization: may we not, therefore, as Scotchmen well be proud? We are accused, and with truth, of a love of wandering; but, if I may judge of your feeling by my own, there is not a man among you who does not wish to revisit the scenes, and to embrace the friends, of his earliest years, and who does not sometimes breathe a hope that, at last, he may sleep with his fathers in his native land.

The Land of Cakes.—"*Auld lang-syne.*"

Mr. Leith.—In proposing the next toast I fulfil one of the most pleasing duties of the evening, as I can calculate on your feelings, towards the subject of it, being in unison with my own. It is not the first time, and I sin-

cerely hope it may not be the last, that this toast will be proposed from this chair, and received by you with warmth and acclamation. The distinguished guest who is the subject of it, has now for several years past honored us with his company at the returning anniversaries of this our national festival. The esteem and respect, which you entertained for him as member of council, or governor of a now subordinate presidency, cannot I am sure be encreased by his coming among us this evening—although we all estimate the condescension—as Governor-General of India (*cheers.*) It would be unbecoming in me as your chairman to throw the apple of discord into this assembly by any allusion to past or passing political events; these, at a convivial meeting like the present, ought to be carefully eschewed, as harmony of sentiment and feeling cannot exist where speculative opinions on politics are propounded or canvassed. The political acts of the Governor-General of India I shall not therefore dwell upon, some of them will form prominent features in the history of Brisish India. But thus much I must say, that the historian, whoever he may be, "if he writes his annals true," will ascribe to the originat r of those acts a single eye to the happiness and prosperity of the people over whom he has been called to rule. I know not a more gratifying spectacle than the exhibition in a great man of the kindlier emotions, and more ennobling feelings of our common nature in all their freshness, unblunted and unobscured by the state and circumstance of his rank; and it has appeared to me one of the most beautiful and touching traits in the character of Cæsar, as pourtrayed by Shakespear, where he makes Anthony say, of him, "When that the poor have cried Cæsar hath wept." Gentlemen our civil ruler has not been chary of like sympathies to like objects while at the same time he has proved the sincerity of his feelings by a ready hand and an open purse (*cheers*).

The Governor-General of India.—"*Charlie is my darling.*"

Sir Charles Metcalfe begged the party to accept his warmest thanks in return for their kindness. The last time he had the honor to meet the party, he had had stated that he was afraid it would be some time before he had that pleasure again, and now he anticipated that this would be the last time he should meet them. But he would never forget their kindness, and the frequent opportunities they had sought to manifest it. (*Cheers.*)

The Croupier, in a neat address, adverted to the talent and integrity which had distinguished the Judges of the Supreme Court since its institution. He concluded by proposing,

The Chief Justice, and the Judges of the Supreme Court.—"*The Judges are met.*"

Sir Edward Ryan.—For the honor you have conferred I return you my sincere thanks, but I do not do so for my colleague who can speak much better for himself than I can for him. I can only express my own gratitude. My colleague, can express his, I dare say—in his own tongue, if he likes to do so.

Sir John Grant was extremely happy to employ his "own tongue" in addressing the party, and in thanking them for the honor they had done his colleagues and himself. This had in part been already done by his learned friend, who, he supposed, had also thrown out a hint as to the duty of his junior (*laughter.*)

Mr. Leith.—The next toast is connected with the name of a distinguished guest who has honored us with his presence this evening. Gentlemen, he is a tried and veteran soldier, who reaped laurels on those glorious fields of British valour, by which a check was put to the unbounded ambition of that man, "whose game was empires, and whose stakes were thrones" and who menaced the very existence of our native isle as an independant state. By those victories, dearly purchased by British blood, and British lives, the rights of Europe have been secured, and Britain enjoys a lasting peace.

The Commander-in-Chief.—"*See the Conquering Hero comes.*"

Sir Henry Fane.—I thank you, gentlemen, most heartily for the honor you have conferred. After hearing the talented civilians near me, you may be led to expect too much from a poor soldier; (*cheers*) but I can only say, gentlemen, that in the early part of my military career I spent a good deal of my time in the "Land o'Cakes," and that to what little fame I may have acquired the 79th Highlanders mainly contributed.

Colonel Beatson.—It has fallen to my lot to propose the next toast, and I might have lamented my inability to do it justice were Colonel Morrieson and the Members of the Supreme Council less known or less respected. But, fortunately, all who know them, revere them not less in the character of private gentlemen than in their official capacity colleagued with the Governor-General, and assisting him in ruling the destinies of this country. Pardon me, gentlemen, if I first allude to Colonel Morrieson, and as a soldier, express my happiness of seeing a brother officer admitted to that board from which, until lately, my profession, the red coats, were unfortunately excluded. Permit me also to allude to the distinguished and eloquent individual who when in England was one of the brightest ornaments of the House of Commons, and who though not a Scotchman by birth, is one, however, by descent. It has been said, that in India merit finds its way to high places,—a remark, the truth of which I am disposed to admit, at least, so far as regards the members of Council appointed by the Court of Directors. I confess, gentlemen, that I look at the Supreme Council of India with feelings of national pride, for,—bearing in mind that one gentleman claims to be a Scotchman by descent,—a majority of the members are countrymen. Gentlemen, fill a bumper to

Colonel Morrieson, and the Supreme Council of India.—"*The Gatherin.*"

Sir Henry Fane.—I must necessarily, very much regret, that the absence on account of indisposition of the other Members of Council obliges me to rise and offer thanks for the toast. I do so, however, briefly but sincerely, and in a manner very inferior to what they would have done had they been present.

Colonel Dunlop rose and proposed the health of the Ladies of the Presidency.—Tune, "*Green Grow the rushes O.*"

Sir John P. Grant.—Gentlemen, I request you will fill a bumper. I rise with particular pleasure to propose to you a toast which I am sure you will drink with kindness. I rise as a member of this meeting to express my sense of the services of the gentleman whose health I am about to propose, and as a private friend to bear my humble testimony to his worth and talent. I think, I need not tell you the toast is that of the chairman (*cheers.*) To you who have known him from his exertions in the capacity of a member of this community, I need say nothing; and of the many qualities which distinguish him in private life, I will say nothing, for he is present; but, I will say the remark may be applied to him, to which, in our country, is attached some credit,—that he comes from a good stock. I have been connected with some of his friends in political and in private life, and I am quite sure he will never show himself unworthy of his connexions, while I can assure him that his best exertions will not be more than adequate to equal their merit (*cheers*). And now, gentlemen, as our chairman cannot very consistently inform the huzzurs that we are about to drink his own health I will thank you to give them a hint or perhaps you will take one from me (*cheers*).

The Chairman.—"*Within a mile of Edinburgh Town.*"

Mr. Leith.—I rise to return thanks for the honor which has been just conferred upon me,—to Sir John Grant for the very kind expressions he has used towards me, and beyond my deserts, and to you for the very gratifying manner in which you have responded to his toast. Much as I estimate the honor of being called to preside at a meeting of my countrymen such as this, I cannot but regret for your sakes that one more conversant with the duties of the chair and better able to fulfil them had not been your chairman.—I could have wished that Sir John Grant himself had been your chairman; at the same time, that I am most sensible of my own deficiency in this respect I yield to none in the *amor patria*,—that love of country which warms the heart of every true Scot. Before sitting down allow me to propose another toast, which, although not one of the regular toasts of the evening, is one truly Scottish in sense and sound, and will fall on

your ears like music and warm your hearts. It is the name of a highland laird—and I will venture to say, that it is the proudest title in the estimation of the distinguished guest to whom it belongs. Gentlemen, it is a name associated with my earliest recollections, and connected in my mind with all that is independent and honest, and with public and private worth, accompanied at the same time with a warmth of feeling towards his and our native land which is not one of the least of his virtues in our eyes. I could have wished, that when translated to a higher office, the duties of which he considers incompatible with the humbler duties of this chair to which I am his unworthy successor, that he had dropped the mantle of his inspiration upon me so that I might have spoken with his eloquence and been embued with his enthusiasm. Gentlemen, I have the honor to propose the health of

*Rothimurcus* with all the honors. Tune "*Rothimurcus" rant.*

Sir JOHN GRANT rose to return his best thanks to the company and to the chairman for the kindness the former had shewn in doing what the latter had proposed. There were no words in which his health could have been proposed so well calculated to call forth his feelings, for he willingly acknowledged that the title was the dearest to his mind of all others. It was that which connected him to a country to which they all belonged, and which bound him to every man, who, like himself, gloried in the name of Scotsman. It was not to be supposed that his feelings were at all distinct from those which ought and separate Scotland from the rest of the world. He did not profess to be citizen of the world; he was a Scotchman, and had Scottish feelings. Those feelings he could readily extend to others, but believe him, the meeting would never be worse men for recollecting they were Scotchmen, and that to Scotland they owed their first feelings (*cheers.*)

Mr. COCHRANE.—We now approach, Mr. Chairman, the ancient and time honored names of William Wallace and Robert Bruce. Many and noble monuments have been erected in our land to the defenders of their country. No sumptuous marble shafts, no columned trophies, no splendid memorial of well earned greatness mark the spots where the mortal remains of these gallant men lie buried. Hundreds of years have rolled over their sepulchres, but the memory of the great and glorious actions they performed in defence of the liberties of Scotland, is still as firmly fixed in the grateful remembrance of their countrymen, as that very liberty which their great deeds established. Let it not be considered that meetings such as these are unimportant. Such meetings, and the commemoration of such acts keep alive the spirit of freedom in the word. Dying, as Wallace did, for all that is ennobling or dignifying in human nature,—that one great cause,—his memory can never die, and his laurels will ever bloom. Such names require no illustrative elegance of beautiful language to heighten—not the purest or most classical expressions to embellish or adorn. It is not only because your ancestors entertained such sentiments and venerated such men in times long before our days, but because such sentiments are not merely true but are properly your own, that I now call on you to fill your glasses to

"The memory of Sir William Wallace and Robert Bruce."—"*Scot's wha hae,*" and song by Mr. R. S. Thomson.

Mr. W. P. GRANT.—I must interrupt for a short time longer the conviviality of this meeting, whilst I ask of them to devote a glass to the memory of an illustrious Scotsman, and I know no fitter opportunity than immediately after you have paid homage to the names which were so eloquently brought to your notice by my friend who has just sat down, to introduce the name of one who has done more than any one I am acquainted with to make those great names known to the world at large. We Scotsman must feel that to him we owe that others have become acquainted with the beauties of our country, and the manners, feelings, and worth of our countrymen. We feel that to him we owe that even here amid the palaces and swamps of Bengal, we can, in our imagination, smell our native heath and see our native hills and woods around us; while there is no one, be he English, or French, European, or American, who will not willingly join us in devoting one glass to the memory of the man, to whom they owe more true enjoyment than to any one I know.

The memory of Sir Walter Scott.—"*Lochaber no more.*"

Mr. LEITH.—The wooden walls of old England have formed the theme of many a song and many a story, and the honor and interests of Britain are so identified with the honor and prosperity of her Navy, that I at once and without further preface propose the next toast.

Lord Auckland and the British Navy.—"*Rule Britannia.*"

Mr. LEITH.—As the son of a soldier, and connected by other and near ties with the army, I have peculiar pleasure in proposing the next toast, and I am sure you will drink to it with equal pleasure when I inform you that it is to do honor to the men who peril their lives in defence of our altars and our hearths.

Lord Hill and the British Army.—"*British Grenadiers.* Song "British Bayonets," by Mr. R. J. R. Campbell.

Sir Henry Fane returned thanks.

Mr. LEITH.—Gentlemen I have already given the British Army, and I have now the pleasure of giving the Indian Army, which has signalized itself in so many brilliant engagements from Plasseye down to Bhurtpore, and which can number among its heroes such names as Clive, Ochterlony, Gillespie, Lake and Combermere. This is said truly to be a government of opinion, but I for one feel more personal security from the conviction that we have it in our power, in case of need, to supply and enforce that opinion by the strongest of all arguments, the last argument of kings, the sword.

The Commander-in-Chief, and the Indian Army.—"*Go where glory waits thee.*"

Sir HENRY FANE.—Gentlemen, I have been in this country much too short a time to deserve the honor you have just conferred on me, and I would rather that it were given to my friend on my right, to whom indeed it is due, who has contributed to the honor of the Indian Army in every possible way, and whose experience and long services point him out as the proper person to return thanks on their behalf.

Brigadier BROWN.—It is very true, gentlemen, and very happy I am to be here to tell it to you (*laughter,*) I have had some experience, about fifty-two years in the Indian Army, during which period I have seen a little service; nevertheless I am not yet satisfied, and would be happy to see as much more under our present Commander-in-Chief (*much applause.*)

The Croupier then proposed the health of the Secretary to the party, but our seat unfortunately was at the head of the table, and we were unable to hear Dr. Mellis distinctly. The toast was drank with loud applause.

Mr. J. C. Wilson returned thanks.

Mr. LEITH.—To Scotchmen the next toast calls up hallowed and endearing recollections, as her persecutions are a part of the history of our country, and to her we are indebted much, in the early struggles of our ancestors, to secure their infant liberties. The Church of Scotland read a lesson to the whole world, how a few devoted men, by moral force, with determined perseverance, and a righteous cause, could withstand and overcome tyranny and oppression. Gentlemen, that persecuted Church, which was contained in the hollows of the rocks, and was driven to nestle with the eagle in the fastnesses of their native mountains, is now spreading her communion to the furthest portions of the earth. In India we find her taking a prominent part in the emancipating mind from the trammels of ignorance and superstition, and assisting to carry the electric chain of knowledge to the remotest corners of the globe, and on to remotest ages.

The Kirk of Scotland.—"*My ain kind dearie.*"

Mr. ANDEW WIGHT proposed a toast—he did so with some hesitation, for he confessed he was not able to do justice to the subject; however he yielded to none in drinking it with enthuiasm.

The Lassies of Scotland.—"*Lassie wie the lint white locks.*"

Mr. Cochrane briefly proposed the health of the Croupier. Certainly we have not heard from our worthy Croupier the eloquence which mingled "the roar of the cataract with the clang of machinery," but we have what is better, a worthy, straight-forward, and warm-hearted Scotchman who is not ashamed of his country.

The Croupier.—"*There's cald kail inAberdeen.*"

The Croupier returned thanks in his peculiar and forcible manner, warmly congratulating his countrymen and the guests on the return of the annual festival. In conclusion the Croupier proposed.

The Memory of Burns.—"*The flower of the Forset.*"

Mr. Leith.—This next toast was early associated in my mind, with the wonders and enchantments in the tales of "The Arabian Nights." The Civil Servant of India was the Alladin of my fancy who was surrounded, by the aid of his good Genii, with groves of golden and silver fruit, a source of inexhaustible wealth. These early dreams have not turned out quite so extravagant or imaginative, as some other of my youthful fancies. Personal intercourse with many members of the Civil Service has, however, convinced me, that they are well worthy of their good fortune, and that a more upright, high principled, and honorable body does not exist than the Civil Service of India.

The Civil Service in India.—"*Todlin hame.*"

Sir Charles Metcalfe, returned thanks as the oldest member of the civil service present.

The Croupier proposed,

The Bar of India.—"*Groves of Blarney.*"

Mr. Osborne.—I return thanks in the absence of other members of the bar more eminent and better known to you. They have usually attended this meeting on former occasions; their absence from the present I am unable to account for. Of course, they have received invitations, and I can only attribute their absence to indisposition (*laughter.*) What is the nature of their malady I do not know,—perhaps it is connected with the inclemency of the season,—they have been paying too little attention to the *res vestryaria*.—I mean the *res vestiaria*, (*much laughter.*) However, be their indisposition physical or mental, I can but regret their absence. If physical, they should have attended, for I have always heard, and it has become a proverb, "you ought to stuff a cold," and they would have had plenty of opportunities of performing that operation this evening. If mental, why then, I regret their absence, as they would, in the hilarity, good fellowship, and spirit of conviviality which has been evinced to night, have found where withal to dissipate those crude and misty vapours of the brain which exist at present, and you, gentlemen, would have had the thanks for this toast returned in a more appropriate manner that I can pretend to (*cheers.*) Mr. Osborne in conclusion proposed,

The Stewards.—"*The glasses sparkle on the board.*"

Colonel Beatson returned thanks.

Mr. Leith.—Johnson has said that the most pleasing prospect to a Scotchman's eye is the road to London! Be that as it may, I travelled that road, and spent in the metropolis of England a considerable portion of not a long life. The hospitality I there met with, and the friendship I there formed, I shall ever recur to, in whatever portion of the globe my lot may be cast, with gratitude and delight. England is our elder sister, graced with the ornaments of learning, decked with the wealth of industry, lovely in the rich profusion of the gifts of nature, and well entitled to boast that the bravest and the fairest are among her children. If any proof were required, independently of natural boundaries, that nature intended that England and Scotland should be united in one common interest, and form one people, it is to be found in the fact of the perfect amalgamation that now exists between the two nations. Gentlemen, may our only rivalry be, who shall best serve our common king, and best promote our common weal. I have now the honor to propose

Old England, and our English guests who have favored us with their Company.—"*Roast beef of Old England.*"

Sir Charles Metcalfe, on behalf of the English guests expressed their thanks, and after alluding to the union subsisting between England and Scotland, and the beneficial results therefrom, gave,

The Emerald Isle and our Irish guests.—"*Patrick's day in the morning.*"

Mr. Leith.—Gentlemen, I am not given to antiquarian research, and I confess that I have never yet satisfied myself of the legitimate right of Ireland to claim the honor of colonizing Scotland (*laughter.*) I have much pleasure, however, in claiming her as a sister, and I most sincerely wish her prosperity and happiness. Gentlemen, our brethern of the Emerald Isle are warm and leal hearted, and to them I am sure you will right willingly hold out the hand of fellowship. At the same time, let me express a hope, that the Rose, the Shamrock and the Thistle, may never be seperated, as united they will always be a match for all the world. (*cheers.*)

Mr. Leith.—If it be true that what is most useful is most honorable, there is nobody more respectable or entitled to more respect than the mercantile community. Commerce is the fly wheel which regulates and keeps in motion the whole machinery of society: any injury which commerce may sustain will be felt by the whole body of the people, while her prosperity will make all else prosperous. The mercantile community, contains much of the wealth and enterprise of India—and to them we look for the means—when restrictive duties are removed by the British Legislature and the local governments—of developing and working the vast resources of this great country, so as to improve the moral and physical condition of her people and increase the wealth of Great Britain. The mercantile community of Calcutta are not exceeded in intelligence, liberality and independence by any body of men—and I hope that India may still and long continue to boast that her merchants are princes.

The Mercantile Community of Calcutta.—"*Money in both pockets.*"

The last toast having been disposed of, Sir Charles Metcalfe, Sir Edward Ryan, Sir J. P. Grant, and the Commander-in-Chief rose, the latter, on behalf of the guests, returning thanks for the hospitality and kindness they had received. Three cheers were then given by the company, and, at the suggestion of Brigadier Brown, half a dozen more. The company then congregated round the chairman and, as we are informed, the mirth and conviviality continued till an early hour in the morning. —*Englishman.*

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## AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A general Meeting of this Society was held in the Town Hall, on Wednesday, the 11th November, 1835.

In the absence of Sir E. Ryan, the Chair was occupied by Colonel Dunlop, Vice-President.

The following Gentlemen proposed last month, were duly elected by ballot, viz.:

His Excellency Sir H. Fane; Captain W. Bell; Messrs. C. H. Cameron, A. D. Coull, W. Stevenson, Jun., M. D., D. McPherson, C. Teimroth, A. Grant, and J. Cock.

NEW MEMBERS PROPOSED.

Mr. J. C. Wilson, proposed by Mr. Kyd, seconded by Colonel Dunlop.

Captain W. Speirs of Rangoon, proposed by Mr. Kyd, seconded by Mr. John Bell.

Mr. John Allan, proposed by Mr. Storm, seconded by Mr. Gibbon.

Mr. D. B. Syers, proposed by Captain Leach, seconded by Mr. Gibbon.

Baboo Mutty Loll Seal, proposed by Captain Leach, seconded by Mr. Gibbon.

After the usual routine of reading the proceedings of the last meeting --the officiating Secretary laid upon the table a few copies of the report upon experiments at Akra—printed at the Serampore Press in a style of neatness which reflects credit on *that* establishment.

The following communications were then read :—

1.—From J. W. Grant, Esq., Deputy Secretary to the Governor of Bengal, dated 6th October, acknowledging the receipt of two manuscript copies of the Society's report on Akra, and intimating that the duplicate would be forwarded to the Honorable Court of Directors by the *True Briton*.

2.—From Messrs. Willis and Earle, under date the 17th October, advising the shipment per *Bussorah Merchant* of some sample bales of Akra grown cotton, and samples of twist and cloth spun from a portion of the same, in accordance with the wishes of the Society.

3.—Copy of a letter from the Officiating Secretary to Peter Auber, Esq., dated the 19th ultimo, forwading bill of lading and invoice of the samples alluded to in Messrs. Willis and Earle's advice, for the information of the Honorable Court of Directors.*

4.—From Raja Kalikrishuna Bahadur, dated 15th October, presenting a fruit which he assumes to be a *lemon*, measuring 28 inches in circumference, and with "a strange double division in the kernel."

As the fruit was cut at one end, and could not be preserved, the Officiating Secretary examined the inside, but could discover nothing beyond a double *pulp*, which is not at all uncommon in the Orange tribe. It was both externally and internally to all appearance a pumplenose, without the flavor peculiar to the West India shaddock—which the Raja terms it in a separate paper. On receipt of this communication, the Raja was solicited to send an *entire* specimen from the same tree, that it might be laid before the November Meeting, and to inform the Society where the fruit was reared, that any member might gratify his curiosity by ocular demonstration ; but a note from the Raja under date the 9th instant, intimates that the tree has ceased to bear.

5.—A note from Mr. Villet of the Cape, dated 12th September, presenting to the Society some "*Bucca*" plants, which have arrived in the *Bland*, in a very weak state. The Officiating Secretary was directed to make them over to Mr. Masters, at the Botanical Garden.

6.—From Mr. J. J. Dixwell, presenting a box of American maize seed, which Mr. Bell will be happy to distribute to any persons desirous of cultivating this superior corn.

7.—From Mr. Halhed, (C. S.,) presenting plants of the horse-raddish, hottentot-fig and moss-rose, brought by him from the Cape of Good Hope, which were likewise ordered to be given to Mr. Masters for propagation in the Botanical Garden.

8.—From Mr. Rainey, presenting a bottle of Sandoway tobacco seed.

9.—From Mr. P. A. Shaw, Rungpore, with a parcel of turnip seed, produced at Buxadawar.

10.—From Mr. G. F. Hodgkinson, with a cannister of *madder seed*, received from Smyrna viâ England, and directions for its cultivation.

10.—From Mr. Piddington, with a small packet of Bourbon cotton seed.

11.—From Mr. C. K. Robison, with a plan and description of a a continuous still invented by him.

Owing to the advanced hour, and the study requisite to understand the principle upon which Mr. Robison had constructed this still, his letter and description of it were not read ; but Mr. Kyd had heard from an Engineer in Calcutta of great experience, that it reflected the greatest credit on Mr. Robison's perseverance and ingenuity, and gave it as his opinion, that it would supercede the use of all other stills in India—when perfectly understood.

Mr. Robison appears to have had two objects in view, when he gave his attention to this subject ; first, "to construct a still better adapted to this country, than any of those hitherto introduced ;" and next, whether he "could not, in an improved apparatus, manufacture from the arrowroot plant, a spirit perfectly free from smell, taste and flavor, for the purpose of transmission to London and Paris, where such a spirit is in great demand by the perfume distillers, and is always certain of commanding a high price."

Mr. Robison although he has not perfectly succeeded in his last object, yet persuades himself, that by a selection of parts from the apparatus of the most celebrated distillers in England and France, and by a combination and new arrangement of these, with additions suggested by his own experience, he has completed a still for the temperature and climate of India on the principle of continuous distillation (the only one which Mr. Robison thinks will pay), which excels the English still of Winter and Gorty, as well as those of Boglioni and D'Rosne, the most celebrated in France not only in the quality and quantity of spirit produced, from given materials, but in the economy of fuel and superintendance, and without being so liable as any of those mentioned to get out of order.

13.—Specimens of very fine West India ginger and turmeric were presented to the Society by Mr. Kyd.

Mr. Kyd drew the attention of the Meeting to the vast importance of securing by every possible means abundant supplies of cotton seed contrasting the small extent of cultivation necessary for the production of sugar, with the unbounded demand for the meterial which is now required by the inhabitants of every part of the globe. Mr. Palmer had very kindly offered his services and influence to procure supplies of cotton for the Society ; and in addition to the orders already sent, Mr. Kyd proposed, and it was resolved, that a further sum he set aside for this purpose, and that the Officiating Secretary be requested to accept Mr. Palmer's very obliging offer.

Mr. Kyd further brought to the notice of the Meeting the heavy charge of duty made at Madras on Cape seed, transhipped at that port on their way to Calcutta, and after pointing out the consideration and liberality that had been at all times conceded to the Society by Government, it was resolved that the Officiating Secretary should address himself to Government, soliciting a remission of duties on all seeds imported either here or at the sister presidencies on account of the Agricultural Society.

Mr. Bell offered a similar suggestion in regard to the transmission of the Society's transactions, now publishing in rapid succession, which must tend more than any thing else to keep alive that degree of active interest which has lately been felt. The last resolution embraced the concurrence of the Meeting on this point

The thanks of the Society were voted for all the valuable contributions detailed above.

JOHN BELL, *Offg. Secy.*

*Town-Hall, Calcutta, 11th Nov., 1835.—Hurkaru.*

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## PROCEEDINGS OF THE ASIATIC SOCIETY.

WEDNESDAY EVENING, THE 4TH NOVEMBER, 1835.

Captain PEMBERTON, Senior Member present, in the chair.

The Hon'ble Sir BENJAMIN MALKIN, Kt., and CHARLES HAY CAMERON, Esq., proposed at the last meeting, were ballotted for, and unanimously elected Members of the Society.

Read a letter from Lieut. W. C. BAKER, acknowledging his election as a member.

Read a letter from THOMAS DICKENSON, Esq., Secretary Bombay Branch of the Royal Asiatic Society, acknowledging the receipit of a copy of the Index to the Asiatic Researches.

Read a letter from CHARLES KONIG, Esq., Foreign Secretary to the Royal Society of London, acknowledg-

* This letter as well as all others having reference to the subjects of Akra produce, will be found in the appendix to the report—now printed.

ing the receipt of a copy M. Csoma de Koros's Tibetan Grammar and Dictionary.

*Library.*

The following books were presented :

Proceedings of the Geological Society of London, No. 39—*by the Society.*

Madras journal of Literature and Science, No. 9, October 1835—*by the Madras Literary Society.*

A Treatise on the manufacture of Saltpetre, descriptive of the operations and proper plans to be used for the manufacture of Culnee and Cooteah *by Mr. J. Stephenson, and presented by him.*

The India Journal of Medical Science, No. 23—*by the Editors.*

Meteorological Register for September, 1835—*by the Surveyor-General.*

The following books were received from the Oriental Translation Fund :

The Chronicles of Rabbi Joseph Ben Joshua Ben Meir, the Sphardi. Translated from the Hebrew *by* C. *H. F. Bialloblotzky*, vol. I.

Miscellaneous Translations from Oriental languages, vol. 2nd.

Les Aventures De Kamrup, par M. Garcin De Tassy.

Harivansa, or Histoire de la Famille de Hari, part 1st—*by M. A. Longlois.*

Ethiopic Didascalia, or the Ethiopic version of the Apostolic Constitutions received in the Church of Abyssinia, with an English translation.—*by Thomas Pell Plat, Esq., F. A. S.*

Nipon o Dai itsi Ran, ou Annales des Empereurs du Japan, 1 vol.—*by M. J. Klaproth.*

Lardner's Cabinet Cyclopedia, Swainson's Animals.

A piece of ancient Hindu Sculpture, representing a female (goddess,) with a child, walking, dug up in the ruins of Canouj, was presented by Colonel Stacy.

*Literary.*

Read a letter from W. H. Macnaghten, Esq., Secretary to Government, Political Department, forwarding on behalf of the Honourable the Governor-General of India in Council a copy of notes taken by Captain Wade, relative to the territory of Iskardoh, and of his correspondence with the ruler of that country.

A memoir on the mountain tribes, on the extreme N E. frontier of Bengal, by J. McCosh, Civil Assistant Surgeon at Goalparah—*presented by the Author.*

Extracts from both these papers were read.

*Physical.*

The following extract of a private letter from Captain Cautley to the Secretary was read, noticing the discovery of further fossils in vast quantity in the Sewalik range.

"A trip to the Sewaliks near the Pinjore valley, lately, has introduced us to the *Anoplotherium ?** in a perfect line of six molars on one side, and four ditto in the other side of upper jaw. I say *Anoplotherium*, for the rear molars have the distinguishing mark in the insulated mamilla pointed out by Cuvier †, as that which distinguishes the Anoplotherium from the Palæotherium, although the position of the molar bone, part of which is distinguishable, appears to differ from that of the former animal, and gives it a greater resemblance to the Palæotherium ; this is a beautiful fossil, and *dug out* : but I must give you a history of the last week.

"I had to visit Dádupur on canal matters, and found both Baker and Durand as eager as myself for a short excursion into the Sewaliks ; and as all our parties were out, we determined on visiting those most westerly, who were working at a village called Moginund (a common name apparently) in the Ramgurh district, about 50 miles W. of Dádupur ; our route took us through Sidara, Naraingurh, Mir ká Gurhi, Ramgurh, to the village of Móginund, which lies in a nook of these little hills, open only on the west : here we remained three days, returning to Dádupur by regular marches, and visiting Khet Purali, another little village close under the hills on our way, as near this village is a stratum of a clay conglomerate, or marl full of testaceous remains chiefly Bivalves (varieties or Unio,) reptiles, and fish ; of the former, you have already specimens, and with the latter, you shall be provided in due course. The country on this route was open and well cultivated, rice in great abundance, and cultivation of all sorts up to the foot of the hills. These hills differ much in appearance from those between the Jumna and Ganges ; the abruptly scarped precipices, and mural cliffs, with the huge strata of shingle. are here replaced by a comparatively low series of undulating hills, consisting of an eternal succession of sands and clays, with here and there beds of a coarse sandstone, or fine shingle conglomerate, accessible at all points excepting those where slips have taken place, and free from jungle and high vegetation, excepting in hollows, and the lines of ravines skirting the tributaries to the main outlets of drainage.

"The hills were covered with fossils like all the others (how they could have escaped observation before, must remain a source of wonder.) Mastodons and hippopotamus's remains looking one in the face at every step ! Amongst the remains collected were those of the *rat* and *porcupine*, too perfect to admit of any doubt. The specimens of each consisting of the *palate*, with the two lines of *molars ! ! ?* Although three days at this place, and superintending my digging parties, I must confess my inability to decide strictly whether we were working in a *stratum* or in *debris :* this may appear strange to a person who has been unaccustomed to examine and decide on the position of strata, but will be understood and appreciated I imagine, by any one who has had his attention strictly brought to bear upon the point. Shrubs, inequalities of surface, ravines, *et hoc genus omne*, all and each of them battling every inch ! I am, however, inclined to consider that we had both, and that we were working in both a soft sandstone stratum, and also in a superficial coating of debris. A great number of perfect bones, the whole series of a leg for instance, jaw bones, and other remains were fairly found and dug out from the rock ; and other places, huge masses of hard rock were found imbedded in the softer rock or soil, the said masses consisting in most cases of agglutinated bones : the shape of these masses give an appearance of their having fallen *formerly* from some parent rock, and being *now* found as debris ; but the circumstance of finding the connected joints of animals is altogether in favour of the excavation being in the stratum in which they were originally deposited. The question does not appear to me of much consequence, as the bones are not rounded by attrition, and are as sharp and perfect in their form and outline, as when belonging to the living animal, although frequently broken, and jammed together, as would be the case in a skeleton or a mass of bones being forced together in an upheavement of the country upon which or in which they were collected.

"I may remark that our excavation was not on the outcrop of the strata, but in the slope, and the working parties were successful in their operations at many points on the whole surface of that side of the mountain. This deposit appears to be altogether wanting in the mastodons, reptiles, and hippotami : the remains at present dug out consist of portions of anoplotherium or palæotherium, rhinoceros, hog, horse, ruminants of the most gigantic dimensions, with those of the smaller classes, carnivora, hyæna, canis, tiger (or lion), and a small species of a feline animal, a very perfect cranium of which is in the possession of Lieuts. Durand and Baker. Many of the bones of these animals are coming out perfect, and some have been found, as I before mentioned, in connected joints !

"With reverence to the Sivatherium, I regretted much my inability to obtain the dimensions of one of the mos superb fossils I suppose that ever was found ; it was unfortunately discovered and excavated by a party of work

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* This fossil is either the Anoplotherium, or a new variety of the Palæotherium, and if it was not for the insulated mamilla, referred to, its classification amongst the latter genera would, I suspect, be undoubtedly correct. The discovery of more perfect remains of the head, will settle this point at once.

† Volume iii. p. 21. Ossemens fossiles.

people employed by a gentleman with whom I was unacquainted, and although I saw the fossil when in the rock, I was prevented from getting the measurements afterwards. This specimen consisted of the femur and tibia, with the tarsal, metatarsal, and phalanges of one of these gigantic ruminants that time and patience will and must introduce us to! In the bones of all the animals discovered, there are differences from those of their existing congeners that will be pointed out hereafter; it may be sufficient here to advert to the fact. The teeth that are found at this spot are beautifully perfect, and from the softness of the matrix or rock in which they are imbedded, easily cleared and exhibited. There is an evident grouping of animals throughout! The hippopotami, mastodons, &c. which in some localities are in such abundance, are in others wanting; their place being occupied by carnivora, ruminants, &c. The testaceous remains as yet found have been accompanied by reptiles and fish. We have in fact an extended tract of country upheaved and the different groups as might be expected in their natural habitats!! It is hardly a month since I attempted, in a note on the Garial of these hills, to enumerate the probable proportions of animals that existed on this tract! During this short period, we have added another family, Rodentia, to our catalogue, and another genus of the Pachydermata, besides the splendid additions to our former list in the further elucidation of those already found, in the discovery of more perfect specimens of bone, especially of the horse, rhinoceros, and the larger ruminants!! You will join with me in an exclamation, which has been upon my lips, day after day, since the discovery of the first fragment of bone—'*What shall we have next?*'"

1. A small, but splendid, collection of stuffed birds, presented by Captain Pemberton.

As they were received only the same morning, the Curator deferred his report until the next meeting.

2. A species of *Pteromys*, presented by Captain Davidson, from Goalparah, Assam.

3. A collection of Mammalia and Birds from Goalparah, Assam, presented by Dr. McCosh.—*Journal of the Asiatic Society for October.*

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## MEDICAL AND PHYSICAL SOCIETY.

*Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's Apartments on the 7th November*, 1835.

H. Hough, Esq., Superintending Surgeon of the Saugor Circle, and Allen Webb, Esq., Assistant-Surgeon, proposed at last meeting, were elected Members of the Society.

The following Gentlemen were proposed as Members of the Society, viz.

Donald Stewart, Esq., M. D., Assistant-Surgeon on the Bombay Establishment, by Mr. Hutchinson and Dr. Goodeve.

Wm. Brydon, Esq., Assistant-Surgeon, on this Establishment, by Dr. Stewart and Dr. J. Jackson.

Dr. Cantor, by Mr. Egerton and Mr. Hutchinson; and Dr. Hughes, Surgeon on the Madras Establishment, by Mr. Mercer and Mr. Egerton.

The name of R. J. Brassey, Esq., having been removed from the list of Members of the Society, at the previous meeting through a misunderstanding, was replaced at the request of that Gentleman.

J. MacGavestone, Esq., Assistant-Surgeon, requested that his name might be withdrawn from the list of Members of the Society, which was accordingly done.

A communication was then read from R. H. Irvine, Esq., Assistant-Surgeon, descriptive of two cases which had come under his notice.

The subject of Mr. Irvine's first case was a Hindoo female, 40 years of age, whose husband had beaten her on the head with a bludgeon till the cranium was laid bare and had then rubbed the end of the weapon forcibly against the bone. The integuments were lacerated in a star-like form, the different portions, covered with short stiff hair, were curled up with the hair inwards resting on the pericranium, mixed with coagulated blood and dirt. The whole superior portion of the parietal part of the frontal and occipital bones was laid bare and in the centre of the wound, about 4 square inches of the pericranium was separated from the bone, the external table of which in that situation appeared dead; there was no fracture. The wound was cleansed, the lacerated parts of the scalp brought in contact as nearly as possible, and kept there by adhesive straps; no inflammation or cerebral irritation ensued, the injured portion of the parietal bone exfoliated, notwithstanding the woman recovered entirely in about three months.

The subject of the second case was a Brahmin who was crossing the Nerbuddah in a boat; he sat with his head leaning over the gunwale, resting backwards on his neck; in this position he yawned, and the condyles of the lower jaw slipped under the zygomatic arches; his jaw had once before been dislocated. Forty days after the accident he came to Mr. Irvine. The lower jaw was at that time immoveably depressed about 2½ fingers depth, and the man could only swallow a little liquid nourishment by throwing his head backwards. Mr. Irvine endeavoured to reduce the dislocation with his hands and thumb, but ineffectually; another attempt was made with the help of powerful levers of bamboo. After much labor, and one of the levers breaking in the effort, the right condyle was forced into its place; but the left one continued immovable; the following day a stupifying does of Belladonna was given to the patient, and whilst under its influence, by using a stronger lever than before, with much violence the jaw was wrenched into its place.

*Presented for the Library.*

The elements of the Theory and Practice of Medicine, by George Gregory, M. D., by the author.

*For the Museum.*

A morbid preparation of a portion of the Illium of a tiger, in a state of ulceration, by P. M. Benza, Esq., M. D.

Original Communications presented at the meeting:

An account of two cases of tumor successfully removed by operation, by William Bell, Esq., Assistant-Surgeon, Almorah.

Farther cases of cholera treated by tartar emetic and other remedies, by T. Chapman, Esq., Assistant-Surgeon, Purneah.

Memorandum of a post mortem examination of a tiger, which died of inflammation and subsequent ulceration of the intestines, by P. M. Benza, Esq., M. D.

An account of an instrument constructed by him and denominated the Electro-magnetic Rotator, by R. Tytler, Esq.

The following Communications were then read and discussed, viz.:

Observations on some diseases of European seamen in Bengal, by D. Stuart, Esq., M. D.

Cases of cholera treated by tartar emetic and other remedies, by T. Chapman, Esq., Assistant-Surgeon.

The history of a fatal case of extensive disease of the spleen, by J. Eccles, Esq., Assistant-Surgeon.

Dr. Stuart states that having had his attention directed during the past ten months to the effect of tropical diseases upon European sailors, he was so forcibly struck with many of the peculiarities attendant upon

them, that he was anxious to derive the advantage of the opinion of his medical brethren upon the subject. The number of cases treated by Dr. Stewart from 1st of Nov. 1834 to the 1st of Sept. 1835 were 244, of which all except 3, were white men recently arrived, and the majority of them suffering under acute diseases. The numbers of deaths was 14.

The diseases which Dr. Stewart made the subject of his remarks were chiefly fever and dysentery. In the first place he stated that he had observed a striking difference in the susceptibility of disease and the capability of bearing depletion existing between their officers and common seamen. This he attributes to difference of diet, and to the mode of life, which these two classes of seamen follow during a long voyage. The advantage being of course much in favor of the officers; they are consequently much less liable to severe tropical diseases; but when attacked by them they both require, and will bear bloodletting to a much greater extent than the common sailor. With the former, Dr. Stewart inculcates the employment of a very bold and unsparing antiplogistic treatment, whilst in the latter, he states that it must be used with singular caution; for the effect upon them is frequently most injurious, although at first sight they would appear imperatively to require venesection to a large extent. Their powers of life are week, and the shock is soften too great for them to bear; in these cases an opiate with the usual calomel pills should be given on the first night, before any purgative is administered, the latter being detered till the following morning, when a good night's rest will have enabled the patient to bear it with safety. In the cases of common sailors, venesection cannot with propriety be performed after the 3d day of fever, nor with safety even on that day, if it has been already once used; a very few ounces of blood taken late on that day or on the decline of the paroxysm, will be highly dangerous and not unfrequently prove fatal. In addition to the other bad consequences of these untimely bleedings, it sometimes happens that purgative medicines which have been given during the day, and which have hitherto produced little or no effect, now begin to act with violence, and destroy the patient. In such unfavourable circumstances the strength must be supported by spiced sago or some other light nourishment. When depletion is absolutely necessary at this stage of the fever, leeches are much safer than general blood letting. Dr. Stewart thinks blisters occasionally do mischief by being employed too early, before active congestion has been relieved, and the *primæ viæ* thoroughly cleared.

He conceives blistering to be useful in promoting the action of the capillaries, stimulating the absorbents round the great cæliac centre, to carry off serous effusion, which he considers always to take place in every paroxysm of fever. The crackling feel and crepitus, which may be perceived by placing the hand flat on the abdomen during the decline of a long paroxysm, Dr. Stewart considers to depend upon this serous effusion; this sensation is said to disappear entirely under the stimulus of a large mustard plaster, minute doses of calomel and colocynth. Blisters and calomel are decidedly injurious, if used before the action which they are intended to replace has subsided. Dr. Stewart has seen them highly deleterious in dysentery, when sufficiently vigorous antiphlogistic measures have not been premised, and the practitioner has trusted entirely to salivation and blistering. The periodicity which is remarkable in the cases of the older inhabitants of Bengal does not characterise the diseases of seamen as far as Dr. Stewart's observation goes. Seamen newly arrived in Bengal are free from fevers which may be called essential, and suffer always from those which are symtomatic of, or which are accompanied by distinct local inflammation. The cases of intermittent fever in the Howrah Hospital were old standing agues, and not fevers of recent date.

The seat of congestion in fever is, of course, liable to variation. The worst cases of fever are those which arise from exposure to the sun, continual fatigue, wet and cold combined, as was the case with some of the ships which left this port in the wet, sultry and stormy months of July and August last, and returned leaky. In the cases admitted from these vessels, the head was the organ principally affected, but though the cerebral symptoms were severe, the skin was cool and moist; and the pulse not quick or hard; and weakness and headache were all that the sufferers complained of. The lancet was, of course, inadmissible in such cases, and the treatment consisted in instantly shaving the head, giving a scrupel dose of calomel, and after a tepid bath, leaving the patient undisturbed for for six or eight hours; he could then bear twelve or sixteen leeches to the temples, and a purgative of pulv. jalap comp.; after which one grain of calomel and $\frac{1}{8}$ of a grain of antimon. and tart. and 5 or 6 grs. cathartic ext. was usually given every 3 hours, until it was time to purge again. In such cases continued and copicus catharsis is to be avoided at first, the exhausted powers of life will not stand it. The second day is the critical one, either a marked re-action takes place, and if so the case may be considered comparatively safe, while leeches, calomel and colocynth are at hand, or the collapse continues, a low delirium comes on, and the case makes a very close approach to typhus fever in its worst stages.

The question to be decided is, whether the cerebral disturbance arises from arterial action, venous congestion or serous effusion on the surface of the brain, a point, which it is often extremely difficult to determine. Dr. Stewart points out the distinguishing marks of these separate states, and proceeds to speak of the appropriate treatment. When the serous effusion is clearly established, blisters large and general, are necessary. Calomel and colocynth in repeated doses, mercurial frictions to promote absorption, and quinine to support the strength. By proper treatment he has seen more than one case to recover, in which effusion had actually taken place. Opiates are rarely of use. The only admissible sedatives are hyosciamus and camphor.

Dr. Stewart next points out the distinction between the constitution of different classes of seamen. He states that there is a certain class of men, chiefly Swedes and Danes; men with flaxen hair, light eyes and pale skin, of an encolic temperament who are very bad subjects for tropical diseases. In the fever the congestion is short and violent, the determination greatest to the head, there is also congestion of the glandular system and inflammation of the mucous follicles. In dysentery these people have an early proclivity to humorrhages and the ulcers on the colon are found on post mortem examination to be large and flat, not small, round, and deep, like those in firmer habits. In inflammation of the liver the tendency is to deep abscess, and in that of the spleen to soft enlargement and dropsical effusion. The nervous system is always disturbed from the commencement, whatever the ailment may be. They don't bear V. S. well; mercury has a very powerful, and sometimes unmanageable effect on them.

Mr. Chapman's cases of Cholera were reported at two periods, some of them in May last, and the rest in October. The first case was that of a prisoner in the Purneah jail, 21 years of age, of delicate habit, suffering from a pleuritic affection. At 10 P. M. he was seized with purging and vomiting of watery fluid, pulse weak, skin cold, eyes sunk, slight spasms of the lower extremities and great prostration of strength: half an ounce of the following mixture was administ red every two hours; tartarized antimony 10 grs. spirit of wine half an oz. water 8 oz. The first doze produced a good deal of nausea, increased prostration of strength and excessive thirst. At 12 P. M. the pulse was scarcely perceptible He was then allowed toast and water *ad libitum* and from this time the purging abated much; he improved fast, and by 8 o'clock the following morning he was free from all unpleasant symptoms, except a little debility; even the original pleuritic affection was entirely removed. He took in six doses of the solution and after the first 2 hours the patient drank as much toast and water as he desired, but no urine was passed, notwithstanding the quantity of fluid which he swallowed. Mr. Chapman considers that this case affords strong proofs in favor of the tartar emetic plan, and he is astonished that this simple remedy has fallen into disuse in this country. He then proceeds to offer a theory of the action of the tartar emetic in this disease. He states that the principal object in the treatment of cholera is to restore fluidity to the inspissated blood, and he conceives that the tartar emetic tends to effect this desideratum by producing a state of the body

highly favourable to absorption, viz. a degree of nausea in which the lost constitutents of the blood are rapidly taken up, by which it is thereby restored to its original fluidity. To aid this effect it is necessary to present some liquid to the absorbents, upon which they can act; this liquid may either be water alone or combined with some saline ingredient. He is the more inclined to entertain this opinion from observing that in the foregoing case the tartar emetic was inefficacious, until the patient was allowed to drink as much fluid as he wished. He admits however that *a priori* this theory of the action of tartarized antimony is not borne out by the effects usually observed in the employment of that medicine.

Mr. Chapman was confirmed in these views by the occurrence of another case somewhat similar to the one detailed above: in the case alluded to vomiting took place only once after the antimony had been administered. Toast and water *ad libitum* was again given; no urine passed, and the patient recovered without the aid of any other remedies.

In Mr. Chapman's second communication he states that the total number of cases which were treated on the tartar emetic plan were 30, of whom 12 recovered. They appear to have been, upon the whole, rather of a slight character, and none of them were marked by any great severity of symptoms. He says that the nausea produced by the tartar emetic had the effect of checking both purging and vomiting, and of allaying the irritability of the stomach to such a degree, that the patients were enabled to drink water to any extent with exciting vomiting or retching. Urine was not passed till at least 8 hours, and frequently not untill 24 had elapsed after the urgent symptoms of the disease had subsided.

The weak and emaciated require a weaker does. To the feeble ℥ ss of Mr. Longford's mixture should be given every two hours, and to the stronger patients the same quantity may be safely administered every hour, and repeated in each to the 3d or 4th time From the total number of fatal cases which occurred, Mr. Chapman is disposed to feel less confidence in the tartar emetic plan than he did, when making his former report; yet he considers it may be still worthy of a trial in certain modifications of the complaint; what those modifications are, he cannot pretend to say. At any rate, the only state in which it can be given with safety is the first stage, if delayed beyond the first 2 hours, it is useless.

Mr. Chapman then relates, that he found temporary benefit to ensue from the use of common salt in solution in a case which had resisted the tartar emetic and although the man eventually died, he was induced to make trial of it in several other instances, apparently with considerable advantage. In administering the saline solution, he found it advisable to limit the quantity of fluid taken by the patient to a very small portion, as it appeared to interfere with the action of the salt; this being the reverse of what took place in the administration of tartar emetic

The subject of Mr. Eccles's case was a Gunner of Artillery, aged 23 years, admitted on the 3d December 1834; he had been subjeet to intermittent fever, and the spleen was much enlarged, but could not be distinctly felt; there was great tension of the right hypochondriac region, and of the lower part of the abdomen; oppressed breathing, dull pain in the region of the spleen, pulse natural, tongue brown. He was purged, twenty leeches were applied to the left side, and pills of pil-hydrag. Ferri Selph. Aloes, and Ext. of Colocynth were given night and morning. On the 2d the leeches were repeated and again on the 3d; 10 drops of tincture of iodine and of hyosciamus were ordered to be taken 3 times a day. On the 5th the swelling and tension were diminished. On the 7th he had a slight paroxysm of intermittent fever, and the pain in his side increased; twenty leeches were again applied, but these not affording relief, and his pulse being hard and frequent, and his respiration oppressed 58 oz. of blood were drawn from his arm with considerable relief, and afterwards 30 more leeches were applied, and 2 grains of calomel with half a grain of ante. tart. given every hour.

On the 8th he was much relieved, and able to take a full respiration, was well purged and had a soft pulse, the abdomen was much swollen. The calomel and ante. tart. were continued, and a blister was applied in the evening.

On the 9th he was worse, the respiration oppressed, and the countenance pale and anxious, he complained of great exhaustion; mouth slightly affected by the calomel; he grew worse during the next day, and expired on the 11th On opening the abdomen a reddish fluid, mixed with pus, escaped, adhesions of long standing were found between the spleen and the viscera. The spleen weighed 5lbs. 8oz. Its organization was much altered; when cut it presented innumerable small tubercles The liver had no lobes aparent; was of a light color, and was of the consistence of cartilage.

JAS. HUTCHINSON, *Secy. to the Society.*

*Hurkaru.*]

## CHOWRINGHEE THEATRE.

ITALIAN OPERA.—The AGNESE was repeated on the 6th November in substitution for the EDOARDO E CRISTINA which it was found impossible to get up with finished effect by that day, although under preparation for some weeks, we believe. A contemporary assigns as the cause of this disappointment, the lamented indisposition of Mrs. Goodall Atkinson, but whatever the cause may have been, if its effect was to mar perfection in rehearsals, we consider the Committee of Directors of these performances to have done no more than their duty towards the public that came forward so largely and liberally to support the establishment of a regular Opera, in withdrawing an imperfectly prepared piece, even at the eleventh hour. Indeed, if we have a complaint to prefer against that illustrious senate of Dillettanti, it is that they should have thought it necessary to announce the repetition of AGNESE apologetically, instead of giving us this beautiful Opera twice in succession as a matter of course, if not three or four times in like manner with the previous performances of the series. We did suppose that a better taste had been of late established under the influence of the *new administration*, and that even our pensive public at length arrived at the satisfactory conviction, that Operas are not things intended to be seen only, but also to be heard? now *heard* they cannot possibly be—in any degree approaching to correct exposition of the composer's meaning—until repeated and successive representations in public have drilled some forty or fifty actors, choristers, and unruly instrumentalists into the wonder—for such it almost seems—of separately and accurately contributing each their single notes to that combination of sound which comes forth a perfect and pleasing whole. Even in Europe, where Operas are performed every day or alternate day during the season or the entire year, and where the orchestra and singers are in constant practice, a new Opera, or one revived after a long interval, is repeated several times successively before it is considered to be justly obnoxious to severity of criticism. Here with a scant Company and a raw Band, an Opera is played twice and then left to be forgotten perhaps a year!

It is but just to bear this in mind before yielding to the inclination generally felt—and by none more than ourselves—to vent critical anathemas on the Chowringhee Orchestra. In the present case, an additional reason for indulgent consideration is to be found in the circumstance that this second performance of AGNESE was got up unavoidably in a very great hurry, and with only a single rehearsal as we understand, the very night before it was produced. The instrumentalists were accordingly as usual noisy—a besetting sin even in London—and more than usually careless and inattentive to the singers

and to the business of the Stage. We would fain say they will do better the next time, but that we fear there is no chance of their having the opportunity to improve in their accompaniment of AGNESE at least, which piece we presume is to be consigned to the customary oblivion after these two representations.

The performance on Friday was in all other respects save that of the offending Band, superior to that of the former night. We certainly never heard Schieroni to greater advantage than in her beautiful Duo with Bettali, in the harp romanza, and above all in the concluding Rondo. She was in excellent voice which enabled her to give full scope to her charming talent for dramatic musical expression. Pizzoni's personation of UBERTO we have always considered a performance of a very high order, though to some ultra fastidious and artificial tastes its very truth to nature may make it occasionally painful rather than pleasant Bettali was as usual the best possible Gentleman Buffo, and his part in the serious Duo with AGNESE was given with great skill and his customary precision of intonation. Our worthy friend the Doctor delivered his pleasant philosophizings about the evils of the tender passion and the unavailing endeavours of Socrates and Galen with the same effect and the same results as before—a hearty encore. The subordinate female parts were not perhaps quite so effective as on the last occasion, owing to the hurry with which the piece had been got up and the comparative inexperience of the performers who cheerfully came forward at such short notice. A similar slight deficiency was observable, and from similar causes in the chorus, from which censure, however, if censure it be, we must except the beautiful and simple movement which opens the second act. In what we have said disapprovingly of the accompaniments to AGNESE it is hardly necessary to observe that we do *not* by any possibility include the talented amateurs who so kindly lent their accustommed aid. Nothing could possibly be more effective and beautiful than the harp and flute of Friday evening, as the audience sufficiently testified by profound attention followed by rapturous applause, nor must we omit to add that the celebrated Horn Solo in the second act was exceedingly well played, though abounding in difficulties of no common kind. We cannot conclude without expressing our obligations to Mr. Linton, who did not scruple to contribute his utmost to the evening's performances though still labouring under severe and distressing cold, owing to which he was again compelled to deprive us of the aria and duetto which would otherwise have made the second representation of AGNESE complete and effective.

EDOARDO E CRISTINA is, we learn, already in full rehearsal for Friday se'nnight; and we anticipate a performance of no ordinary degree, as the music with the judicious interpolations and curtailments that have been effected, is of the highest order of merit.

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EDUARDO E CRISTINA.—This Opera was one of the most successful of the last series, and we anticipated extraordinary gratification from its repitition on the 20th November. It must however be confessed that our anticipations were but moderately realized. The piece certainly went off upon the whole tamely, and it was received by the audience, excepting in some parts which met with warm and well merited applause, quiescently. We know not exactly to what to attribute this negative success which attended the performance. The cast of the piece was on this occasion at least as strong as it was when the Opera was last played, and we have reason to believe that there was no lack of labor and no parsimony or negligence in the preparatory doings. There were indeed some departures from the former score which were unavoidably, partly owing to the *roles* of *Eduardo* and *Cristina* being restored, and partly owing to the want of some of the music which belonged to Monsieur Planel, and which we suppose followed the fortunes of that gentleman. These changes, however, were not of sufficient importance to influence public favor to any extent. Without speculating further upon a point which after all is referable to taste about which the proverb says we must not dispute, but about which nevertheless at least half of the time of man is consumed in contending—we will proceed to a brief notice of the Opera.

*Eduardo e Christina* has never taken rank as one of Rossini's *chef d'œuvres*, and it is not much known out of Italy. It has nevertheless many pieces of great beauty, and some of an high order of excellence. It is needless to say that fashion is not a whit less tyrannical in the matter of music than in other things, and the run and renown of an Opera will often depend upon its association with the name and fame of some singer of celebrity, far more than on its merit as a composition. The mere circumstance of the principal part in an Opera having been written for a *Mariani*, a *David*, a *Pisaroni* or a *Galli*, and having afforded a favorite star the opportunity of gathering fresh laurels, would ensure an *eclatante* reception throughout musical Europe to Melodramas like "*Semiramide*," "*Ricciardo e Zoraide*," "*La Donna del Lago*" and "*La Gazza Ladra*," even if they had not one tythe of the merit which distinguishes these works, and even if they were not shielded from all danger of neglect by the notoriety of their emanation from the genius of the greatest composer of the age. "*Eduardo e Cristina*" had not the advantage of coming out under the auspices of any singer of gigantic reputation and to this may probably be attributed its being less generally known than many Operas of far less claim to celebrity. It is right however to observe that Rossin's merit as the author of "*Eduardo e Cristina*" must not be measured by the music of Friday evening. It would have been quite impossible, with the voices which constitute the capital of our company, to produce the Opera in integrity,—transpositions are invariably injurious and seldom fail to obliterate or obscure some of the more delicate shades of composition—unless indeed it be assumed that a transposer can have a more accurate perception of what is appropriate to the sentiment to be conveyed than he who originally "endowed his purposes" with music, possessed. But bad as transpositions are, excisions and intrusions are infinitely worse, for the process here is not one of simple addition and substraction, and unless much skill is possessed by the operator the spirit of the composition is apt to evaporate and what is left may wear the appearance of a creation "*undique collatis membris.*" We do not by any means say that this was the result of the alterations in "*Eduardo e Cristina*," although we do not think that some of the selections were particularly happy. The first air of *Eduardo* for instance appears to us ill-chosen both in reference to the quality of the composition, and to its adaptation to Signora Schieroni's voice and manner. The duett in the second act between *Cristina and Carlo* we are still more disposed to take exception to, as we think it deficient in character and coloring, and meagre in melody. These two pieces as well as the Trio in the first act are productions of Mercadante, a composer of acknowledged eminence, but in professing to give an Opera of Rossini's, it appears to us hardly proper to introdue so great a portion of music of another author, especially when the selection is of such a sort as to impart a character of heaviness to the whole performance. We except the Trio which is a truly beautiful piece and would enrich any Opera,—but unfortunately it was somewhat marred in the execution.

The Overture is not remarkable—the opening movement is good—but the rest is a *quodlibet*, lively and spirited enough but not possessing any striking excellence. Throughout the whole Opera we meet with passages which may be recognized as the elements of some of the most highly wrought pieces in "*Ricciardo e Zoraide*" and "*Semiramide.*" The transcendant piece in the Opera, as it seems to us, is the prison *scena* in the second act—the Chorus preparatory to *Eduardo's* recitative has great originality and character,—the subsequent *Preghiera* is of surpassing beauty, and the concluding *Allegretto* movement which is introduced by a spirit stirring chorus is a gem. Of the concerted pieces the Finale to the First Act is we think the most remarkable—it has many pleasing melodies and some passages of fine instrumental effect—the *Quintetto* movement is impressive, and as a whole, this Finale will bear comparison with any we know.

Mrs. Atkinson's performance of *Cristina* seemed to us eminently successful, and we are inclined to consider it as her best. Both in her first *Cavatina* and in her *rondeau* in the second Act she sang with great effect and in a manner which shows that she must have studied her author with assiduity. The music of "*Eduardo*" does

not appear to us suited to Signora Schieroni's style. She performed and sang in it, as she always does, with grace, taste and expression, but with the exception of the prison scence which we have already noticed, and which brought out in full force all her excellences—the Opera affords no scope for those talents which found such ample field for display in "*Tancredi*" and "*Arsace:*" *Carlo* is not an interesting part, but Bettali did his best for it, and he sang his air with great delicacy and sweetness. There was no show-piece for Pizzoni, and in the concerted pieces there was some appearance of carelessness on his part which is scarcely excusable and which after his late success in *Uberto* he ought to be very jealous of exhibiting - no one will believe that he cannot learn his part if he tries to do so. It is not often that we have to remark on imperfections in the dialogue part of Italian Operas, but on this occasion the Recitative limped sadly at times, and there were several awkward pauses and repetitions. This should be carefully looked to for the credit of the Opera.

As we have not failed to offer occasionally a friendly admonition to the Orchestra when we thought them in fault, it is no less an act of justice than a satisfaction to ourselves to give them praise for the very creditable way in which the Instrumental Department was conducted on this occasion. We do not of course mean that there were not at times lapses, but as a whole we are not sure that this Opera has not been better accompanied than any of the series. In the Finale there was far more of precision and *ensemble* than we have been accustomed to observe, and the *stretta*—the *coups de fouet* as the French term these perorations, was really good.

The spectacle was well got up, some of the grouping at the end of the first Act, and the battering, and blue lightning at the conclusion were well designed and executed. Of the dresses, it is not our intention to say any thing in the controversial way—it may be admitted that the Princes and Warriors of Sweden did *not* wear Grecian dresses. So far good—but what *did* they wear? We will endeavour to answer this question when we have concluded a laborious investigation into which we mean some day to enter with the view of discovering whether Rossini's *Carlo*, is Charles the first or Charles the twelfth, or whether he is a "soft intermediate degree." In the meantime we have only to say that the dresses proper or improper are very magnificent and seemly. Mrs. Atkinson's is probably the nearest approach to the costume of the Northerns, but it did not assort over well with the others.

The house was tolerably filled,—Sir Henry Fane honoring the performance with his presence.

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[From a Correspondent.]

The Merchant of Venice.—A mutilation of Shakespear's beautiful play of the *Merchant of Venice* was presented to rather a numerous audience on the 13th November: by some extraordinary mistake every one appeared more than usually out of his place and the failure was consequently complete with some trifling exceptions of certain passages, of which Mrs. Leach's "It droppeth like the gentle dew from Heaven," ranks first.

*Shylock* was enacted by the favorite Amateur known under the *soubriquet* we believe of "our Kean;" but we could trace no just cause for the title deed in the performance of the arduous character of the Jew, the "*chef d'œuvre*" of that wonderful little man. The *Shylock* of Shakespeare is, we conceive, a man of strong passions and sensitive feelings, stung and goaded by the prejudice of the time, his loss upon loss, the taunts of the unworthy and the ingratitude of his own flesh and blood,—at one period of the play, into a passionate outpouring of anguish, one of these magnificent bursts of feelings that have been smouldering like the heaving fires of a volcano, gushing forth at last in one terrific sweep of destruction. After years of patient endurance,—"for sufferance is the badge of all his tribe,—" after daily kicks and spittings they steal his child, his money, the staff and prop of his house, and leave him "*no satisfaction*" but revenge. The spirit of his religion pompts him to it, the whole current of his blood sets to it like to "the Pontic Sea that knows no ebb," and another of the tribe comes to allay the tumult of his sorrows with the news of *Antonio's* losses and bankruptcy.

"I *thank God!* I thank God!"

He *has* a Christian upon the hip. From that moment he lives upon his bond,—the lesser passion of avarice is absorved in a thirst of revenge,—thousands of ducats are as the mud of the Lagunes to him; he fees him his officer,—he consults the men learned in the laws of Venice, they can find no flaw, "no loop or hinge to hang a doubt upon,"—they *must* give him his pound of flesh; he buys his knife, and goes to the Synagogue to return thanks.

He comes into Court assured, *conscientiously* urged to his great revenge; the sufferings of years are to be washed away in the Christian's death—"a pound of flesh, nearest his heart, so says the bond;—his reasoning is just, his bond is good, he stands triumphant. *Bassanio* entreats him to be merciful, presents him the former idol of his soul, he quietly rejects it. *Gratiano* abuses him, he is silenced by a sarcasm; there is no charm to bring down the elevation of his nature--but revenge.

*Portia* addresses him in a strain of divine eloquence—he smiles at it, grimly, terribly;—he does not understand *the doctrine*, and requests him to proceed to judgment: he poses the court till the fatal quibble annihilates him, the bond is not worth a straw. His ordinary passion for money-bags returns—he glances at the tray and wishes to walk out of court with it, but this is not allowed him; he feels unwell and requests permission to retire, but is obliged to remain a little longer to hear the *jugdment* he has urged. "The gad-fly *Gratiano* twits him about his Daniel" and has him fairly on the hip. The Jew gives him one look, one glare, and totters out of court. Edmund Kean threw so much of the basilisk, of the *Evil-eye*, into this parting *coup d'œuil*, that it is said the actor who played *Gratiano* never dared to encounter it.

His identification with *Shylock*, was the result of intense study during years of probation, before appearing at Drury Lane, and still further brightened by the judicious hints of Hazlitt and a few other men whose judgment he valued. It would be ungenerous to weigh the efforts of our highly talented Amateur by so incomparable a standard. We do not think his conception of the part so accurate as some others we have had the pleasure of witnessing; at the same time calling over the muster roll of professionals at home, we do not recollect many who would play it better.

*Bassanio* was gentlemanly and distinct in his declamation, but we have seen him to much greater advantage. *Antonio* was a failure; the dress assisted to drive away the notion that he was the *Merchant of Venice*. There is a picture of the late Captain Alsopp and Colonel Doyle, we think, as *Bassanio* and *Antonio*, that would have served for an excellent model of the costume: it was for a long time in the dressing room of the Theatre, and is now, we believe, in the possession of Dr. Atkinson. *Launcelot Gobbo* was very amusing in the scene with his father and *Bassanio*; but the amateur who sustained this part evidently laboured under indisposition; his opening logic did not tell so successfully as usual. *Gratiano* should study his author; he was wide away from the text frequently but made his points tell.

Mrs. Leach was successful as *Portia* and the *debutante* promises right well. There was a wearisome pause between the third and fourth acts. In other respects the stage business was better than usual.

The new scene of the Rialto is an amateur "*chef d'œuvre*," and highly creditable to the talents of the artist—the arrangement in the Court of Justice *supremely* good. We could not stay for the after-piece it was so late. The German fashion of playing one half of a long entertainment one evening, and the other part the next, might be introduced successfully we think here, leaving it optional for those who have taken tickets to come or not. The Orchestra played God save the King most disloyally, and their symphonies between the acts were painfully doleful—why not some lively national airs of the country in which the scene of the play is laid?

[From another Correspondent.]

On Friday the 13th November was performed at the Chowringhee Theatre "*The Merchant of Venice*" and "*He Lies Like Truth*" to a very crowded house. The comedy went off somewhat heavily. Most persons are aware that "*The Merchant of Venice*" acted, is very different from "*The Merchant of Venice*" as originally written, and in the present instance it was still further cut down, in order to gain time for the farce. We have seen the "*Merchant of Venice*" performed several times, but never with any great satisfaction, for although one of Shakespeare's very best productions when viewed as a chamber comedy, it can hardly be considered a good acting play. At least we have never viewed it in that light, and we have seen Kean in his best days as *Shylock*. *Master Walter*, on the present occasion, played the Jew with effect certainly. It was in many respects a striking performance—but it was not the *Shylock* of Shakespeare, it was not the voice of a Jew, it was not the the quiet, demoniac cunning of the Jew, the knavery of the low villian. It was too boisterous, too heroic. Mrs. Leach played *Portia* exceedinly well—and as the gentle advocate, delivered the memorable address to *Shylock*, on "the attributes of mercy," with great feeling and judgment. *Master Modus* well personated *Gratiano*, *Antonio's* friend, and his "O be thou damned inexorable dog." "Now, Infidel, I have thee on the hip"

**"A Daniel still I say: a second Daniel.**
**I thank thee Jew for teaching me that word."**

—And the rejoinder to *Portia's*, "What mercy can you render him, *Antonio?*"

**"A halter gratis? nothing else for God's sake!"**

were delivered with striking effect, as was well testified by the audience's cheer. *Acres*, the merry *Acres*, played *Launcelot Gobbo* with great humour, but we thought the scene with his father and *Bassanio* was somewhat over-acted.

The part of *Antonio* was played in a very gentlemanly style, but we did not much like the costume, which is that rather of a legal advocate than one beseeming the character of "a Royal Merchant." In figure, too, he is not sufficiently portly. The mind does not readily associate wealth with thinness! We wondered where the pound of flesh was to come from. *Bassanio* found no indifferent representative in *Capt. Absolute*—His delivery were generally good, but occasionally marred by a wrong emphasis:—our friend should attend to this, and if ever he plays that part again, let him select a more appropriate and becoming attire than he wore during his earlier portion of the performance, more especially as respects the head dress. Mrs. Francis played *Nerissa* as usual. The pretty *Jelica* fell to the lot of a debutante. We trust this young lady will persevere. Her voice is good, her appearance prepossessing, and when she has shaken off the very natural timidity of appearing before so crowded an audience, we have no doubt she will do very well. Until she feels herself quite "at home" on the stage, it is of course impossible to expect any great display of action or of grace. We must observe that on this occasion the performers were not quite so perfect in their parts, as we could have wished—and Actors should remember how often the sense—the whole spirit of the finest sentence is marred, by the substitution of some unlucky word. We trust this will not occur again.

The lively farce "*He lies like Truth*" went off with great spirit, and was well acted throughout. We trust it will be repeated at no distant date, for we literally laughed till we cried again. Our favorite Amateur played the Hero of the Piece, *Rattler*, the Liar, in excellent spirit, while nothing could have exceeded the humour with which *Master Modus*, in the character of *Clincker* the valet of *Sir C. Manley* personated the several characters conjured up by *Rattler's* prolific brain. His personation of *M. Cannasier*, the Frenchman, was indeed most remarkable—in dress, in look, in language, and his pronunciation of English so exactly resembling in tone the English of a foreigner: then again as the blustering Irish Hussar coming to demand satisfaction: and lastly as Sir *Robert Manley* where he is brought face to face with the real *Sir Charles Manley* were all most rich. Nor was the amazement of *Rattler*, at these successive personations of the several creations of his imaginative mind less amusing! "I see how it is—I can't lie to day—for all my lies seem truth?" *Acres* played old *True-penny* the father of *Rattler's* intended *Harriet* with much humour, and the little Leach played the bride-elect *Harriet* as prettily as we could have wished. The piece was received with peals of laughter throughout, and the curtain fell amid loud cheers.—*Hurkaru.*

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## SUPREME COURT.

### Monday, Novemver 2, 1835.

CALDER *versus* HALKETT.

This was an action, as our readers will recollect, against a Mofussil Magistrate in his official capacity for arrest and false imprisonment, upon the trial of which, a verdict was taken for the plaintiff for 500 rupees, with leave to move for a new trial or to enter a nonsuit.

The Avocate-General now moved accordingly. He stated that the plaintiff was an Indigo Planter, the defendant a Magistrate in the Honorable Company's Civil Service. There was a disturbance and riot in consequence of which, the Darogah of the station took the depositions of praties and witnesses and made his report to the defendant. In consequence of this, the defendant issued his purwannah for the arrest of the plaintiff. It was unnecessary on the present application, to comment upon the conduct of etheir plaintiff or defendent on occasion of the arrest, but one point was raised at the trial founded on the non-production of the purwannah itself. The plaintiff to establish the purwannah called on Mr. Reid the Registrar of the Sudder Dewanny, to which Court all the papers and documentary proceedings were removed. Reid says in his evidence, the judgment and proceedings are brought down to the Sudder Dewanny where the case is appealed; that he believes there was a purwannah for the arrest of the plaintiff; that he had a conversation with the defendant, and he thinks, he, the defendent, said that there was a purwannah on cross examination he was quite confident of it. This objection was taken directly after the case was closed.

Mr. Justice Ryan.—The point was reserved and you will have a right to argue it now.

Mr. Turton.—The purwannah was put in.

The Advocate-General stated, the other point upon which he moved was upon the law of the case. He contended under the 21 Geo. 3, C. 70 that this case is not cognisable by the Supreme Court—that although that act cannot be considered as contemplating all subsequent provisions, yet that it must be taken as embracing an act done under authority of the Company's regulations. The defendant in this case acted consistently with those regulations, and from and under them he derived his authority. The regulations to which he adverted were Reg. 9 of 1793, clause 4th Reg. 9 of 1807, clauses 4 and 6, Reg. 20 of 1817, clauses 13, 24, 25 and Reg. 2 of 1796.

By the Court.—Take an order nisi.

### Tuesday, November 3.

JOHANNES STEPHANOS *versus* EDWARD KENT HUME.

This cause, which came on upon a rehearing, and had been reserved for argument before a full bench, was partially heard on the 30th and 31st ultimo, and to-day Mr. Turton was heard for the defendant. We give a

summary of the case, and an abstract of the arrangements raised on either side.

This is a case, the decision of which involves a question of very considerable importance, and very necessary to be set at rest. That question is, whether an Armenian woman, a Christian, who is possessed of lands in the Mofussil in her own sole right, and who marries a subject of Great Britain, can make an effectual devise by her will, of such real property so situate. The argument which on the two previous days had been gone into at great length, and in a manner somewhat desultory, we shall endeavour to condense, concisely stating the grounds and reasoning upon which the opposite parties endeavoured to sustain their several cases.

Mr. Prinsep and Mr. Cochrane appeared for the complainant.

Mr. Turton and Mr. Clarke for the defendant.

The grounds upon which the plaintiff's counsel chiefly relied, were

That the Armenian people had setttled within the British territories in India upon the faith of a treaty or compact entered into above a century and a half ago between that nation and the then representatives of the British Government in the East. That a negociation was opened and a treaty contract, or compact, was effected between the above named parties, Sir J. Childs acting in that transaction as the representative of the East India Company. That by that treaty it was stipulated that there should be mutual amity and concord between the contracting parties, for the mutual advantage of trade and commerce, and that the Armenians should be admitted to all and every the rights, privileges and protection enjoyed by British subjects. That they should have liberty to live in any garrison, to buy and to sell, and merchandize in the same manner as an Englishman born.

That under the faith of this treaty Armenians have for very many years been settled at Dacca, where they have long been holders of large zemindaries. That no Armenian law of inheritance has been produced shewing that this estate should or could be devised by the wife.

That the case of Emin *versus* Emin determined in this Court was decisive of the case; that then an Armenian widow was decreed her dower out of Mofussil Lands which decision clearly recognised the application of British Law. That unless English Law were to prevail, there was no law existing that could be applicable. That the only laws recognised in the Mofusil are the Mahomedan and Hindu, neither of which could be applicable here; that it was true there was a solitary case reported in Mr. Macnaughten's Sudder Dewanee Reports, where in the case of an Armenian, a reference was made to the Armenian Bishop, for the information of the Sudder, as to Armenian Law, but that it distinctly appears from the learned Editor's note that the case in question was not determined upon any application of Armenian Law, but on an admission of one of the parties. That this case therefore afforded no precedent—that a decision opposed to that sought by the complainants, would lead to great uncertainty of title, and would shake the tenures of a large porportion of property in the East.

That the case of Gardiner *versus* Pell reported in the 1st Jacob and Walker was conclusive.

Here are the principal grounds upon which the claim of the complainant was sought to be established; on the other hand it was argued that if the complainant's claim was as brother and heir at law of the deceased possessor of this land in his own sole right, it must be shewn clearly that not only that his right was recognized by English Law, but that English Law was applicable to the Lands in question. That the Law of England recognises the right of a married woman to act as a *féme sole*, whatever and in all cases when the necessity of the thing requires it. This is clearly established and the principal cases laid down in Coke, Littleton 132, 133, in the case of the Countess of Portland *versus* Podger, there the capacity of a married woman whose husband was out of the kingdom was recognized in the execution of deeds,—so in the case of the wife of Sir R. Belkrapt who was in exile and still alive. Many other cases were cited to establish this point of Law, which in its application, on the ground of necessity, had effect in the case in question; for it was clear that during the life of Mrs. Hume her husband was as regarded these lands and all conveyance that could be made of them, as utterly without authority or power as a husband *civititer mortuus* by the law of England. She had the power to transfer, to convey by deed, in short the whole and entire control over these lands whilst alive, in which mode of transfer he could not even join; now by every legal analogy were the power of conveying by deed is possessed, the power of divining by will is recognised as equally inherent in the proprietor of real property. That if every right as a *feme sole* be recognised and admitted to have been in Mrs. Hume as is admitted, why should the making of a will be a method of disposing of her sole and separate estate which alone is not recognised! That great stress had been laid upon Mr. McNaughten's note in the case reported from the Sudder; but the truth was that in either way that case and the dictum of the annotation was strongly in favor of the defendant, inasmuch as it recognizes the Armenian law affecting contracts made by an Armenian woman whilst under coverture. That the English laws regulating the transfer of real estate, founded upon the doctrine of feudal tenures has never been introduced into the Mofussil; that when we conquered or acquired the country we found not the Hindus, but the Mahomedans administering the law of the land, and in such manner that their own laws should be administered to every different class of inhabitants. That the counsel for the complainant had represented the words "British subjects" as used in Mr. Fergusson's act (the act making real estates of British subjects, assets for debts, in the hands of Executors) as bearing a general construction, and comprehending the subjects of the Crown of the England, without limitation or restriction, put upon the words by this Court hitherto. That the case of Gardener *versus* Fell was the case of or belonging to a British subject, and which it appears clear the master of the Rolls considered to be within the limits and jurisdiction of Calcutta. That supposing the deviser had been a Mahomedan woman, instead of an Armenian, it would not be contended for a moment that this Court would interfere with her right to alienate or dispose of Moofussil Lands according to the Mahomedan Law; and that unless some regulation of the Company's Government can be produced affecting the Lands in question, the Sudder Dewanee would recognise the right of Armenians possessing property in the Mofussil to dispose of their property according to the laws, usages and customs of the Armenians. These were the principal arguments advanced upon the point of law. There was also a discussion at some length involving a technical question, as to whether the complaint had applied to the proper side of the Court, and whether if instead of seeking relieve by Bill in equity, he should not have had recourse to the common Law jurisdiction of the Court and sought his remedy by ejectment; this discussion however, not going to the merits of the case, and being of little interest to our readers in general, we omit.

The Court took time to consider its decision.

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WEDNESDAY, NOVEMBER 4.

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IN THE MATTER OF TRICKETT.

Mr. Turton on the first day of Term had moved for a Commission to swear in an executor resident at Lucknow in the territories of the King of Oude, and consequently without the jurisdiction of the Supreme Court. The Chief Justice to-day delivered the decision of the Court. The Court must reject this application, entertaining very strong doubts upon two important questions bearing upon it, the one applicable to the present occasion; the other of a more general and extensive character.

The former was, whether it lie within the authority of this Court, to swear in an executor, residing out of its jurisdiction; the other, whether this Court have authority to empower a Commission to administer an oath without the limits of that jurisdiction. Whilst an executor is beyond those limits administration *durante abstentid* may be granted; not so, if, having taken out probate, he quit the jurisdiction.—Motion refused.

THURSDAY, NOVEMBR 5.

FOLLINS *versus* WATKINS AND CLIFFE.

A rule *nisi* had been obtained calling upon the defendants to produce the counter-part of a charter party of affreightment. The Advocate-General now shewed cause against the rule. The affidavits upon which the application was founded stated that in the month of July last the plaintiff was Commander of the Ship *Eliza*, and that a charter party was entered into between him and the defendant, of four parts, two of which were retained in custody of the plaintiff, the other two remained with the defendants. That after making a voyage to China the vessel was wrecked, the Captain and crew escaping in the boat; they found a trunk containing the two charter parties; they were subsequently boarded by pirates and deprived of them, and the plaintiff now applied for the assistance of the Court to obtain a copy or inspection of one or other of the two parts remaining with the defendants. In answer to this the plaintiff states that application had been made to Watkins, one of the defendants, who said that he could not then enter into an arrangement for the settlement of this demand, as his partner Cliffe was absent in China, where he had made considerable disbursements on account of the ship; that when he came back they were willing either to refer the matter to arbitration or to the decision of the Chamber of Commerce. This application ought to have been made to the defendant's Attorney, but none was made; and when the Attorney asked what was the nature of the application they refused to tell. The fact is they have no right whatever for the production they demand. Where only one instrument is executed between two contracting parties, and which is left in the hands of one, he becomes as regards such instrument a Trustee for the other. This was not the case here; on the contrary the charter party was executed in quadrupartite, two of which parts remained in the possession of the plaintiff. That the case of Street *versus* Brown, 6 Taunton 302 was decisive; that that was a case where two parts of an indenture of charter party were stated to have been interchangeably executed and the part which was in the custody of the Master of the chartered vessel was lost at Sea with the ship. The Court of Common Pleas would not compel the charters to grant inspection and a copy of the other part for the purpose of enabling the plaintiff to declare with certainty.

Mr. TURTON on the other side argued that the execution of the charter party was admitted, and that they had possession of the two counter-parts. That they have been keeping the plaintiffs at arms length by stating the absence of one of the partners and the necessity of his presence, in order to the arrangement of the mutual accounts, whilst at the very same time the partner who is here says, he is willing to refer the matter to arbitration or the Chamber of Commerce. It is not apparent what can be meant by saying that no application was made to the Attorney—we moved affidavit of service on him in August last to give us a copy. Here is a Captain of a ship to whom freight is due, is it an answer to his demand to say "my partner is abroad, wait till he returns?" He trusted the Court would not force the Captain of a ship into a Court of Equity for freight. There is indeed one case in the Common Pleas where there is a *dictum* that where there are two parts, the Court will not order the one to be delivered up. But the principle upon which inspection is allowed in a case where only one deed has been executed, must be equally strong and operative in a case where there has been two, but where by inevitable misfortune there come to be but one.

Mr. Justice RYAN.—The authorities are too strong the other way; they are decisive, and we must abide by them. Rule refused.

FRIDAY, NOVEMBER 6.

HASTIE *versus* STEWART.

An order *nisi* had been obtained by Mr. Clarke, on the previous day, to show cause why the defendant in this suit, who was in custody, should not be discharged on putting in common bail, on the ground that defendant was a prisoner, and that no proceedings had been taken by the plaintiff for three terms last past. This application was grounded upon the 64th Rule of this Court on the common law side, by which it is provided, that where any defendant shall be in custody at the suit of any plaintiff, and the defendant shall have pleaded therein, and such plaintiff shall neglect to proceed in his cause against the said defendant, for one whole term, the defendant shall, having given four days notice to the plaintiff, or his attorney, of his intended motion, be, on motion made in Court on the last day of the term in which the plaintiff shall have been so neglectful, discharged from the custody of the Sheriff as to that suit upon filing common bail, or in vacation after the said term, on application to the Chief Justice or any Justice of the Court, the like notice having been given to the plaintiff or this Attorney.

Mr. TURTON to-day shewed cause against this order, and the grounds he took were founded upon the practice of this Court, and the practice of the Courts at home. With respect to this practice here, it was to be remarked, that there was this difference between the course of proceeding at home, and in this Court; that in England a party was arrested previous to filing a declaration against him; here the filing the plaint was the first step; the next was to enter an appearance, which in case of the defendant failing to do so, the plaintiff was at liberty to do himself. Here he had so done, and had obtained an *exparte* rule for the trail of the cause; but as it was absolutely necessary at the trial to obtain the evidence of a Mr. Berry, the only attesting witness, who was at Allahabad, the plaintiff had been induced from time to time, to refrain from incurring the expense of bringing him down to Calcutta, upon the representation of the defendant, that it was his intention to have recourse to the insolvent act; beside this, there had been a negotiation for a compromise, set on foot by the defendant, who offered to the plaintiff what he had offered to his other creditors.

These circumstances it was contended were more than sufficient to take the case out of the 64th rule of this Court, and out of the practice under which a supercidius for a prisoner's discharge upon similiar grounds, prevails at home.

Mr. CLARK endeavoured to shew, that the plaintiff did not abstain from proceeding in consequence of the intimation of the defendant's intention to take the benefit of the insolvent act, inasmuch as he received such intimation on the 5th of January last, and obtained his *exparte* order on the 13th of the same month. Mr. Clarke proceeded to draw a further distinction between the circumstances of this case, and such cases as were supersidable for want of proceeding at home, but was stopt by the Court.

The CHIEF JUTICE said, that it was distinctly laid down, that a regular treaty of accommodation or agreement for a compromise, is sufficient to prevent a *supercidius* in any stage of the proceedings; and that it is a rule in the King's Bench and Common Pleas, for preventing unnecessary expense to plaintiffs, in case of notice given by prisoners of their intention to apply for their discharge under any act made for the relief of insolvent debtors, that after such notice given to any plaintiffs, no prisoner shall be superseded or discharged out of custody at the suit of such plaintiff, by reason of such plaintiff's forbearing to proceed against him, according to the rules and practice of the Court from the time of such notice given, until some rule or order shall be made in the cause in that behalf by the Court or one of the Judges thereof.

Looking to the express object of this rule, which is to prevent unnecessary expense, the Court cannot but regard the suspension of proceedings in this case, as such a forbearance as was contemplated by the rule prevailing in the Courts of King's Bench and Common Pleas. Such being the rule at home, in the absence of direct precedent in this Court, the rule above adverted to must govern the present case. Order discharged with costs.

MONDAY, NOVEMBER 9.

DOE ON THE DEMISE OF E. MACNAGHTEN *versus* ADICHURN ADDEY.

Mr. TURTON moved in this case for a substitution of service of process under rather peculiar circumstances.

A rule *nisi* had been served upon the durwan of the defendant, which was afterwards made absolute. When this latter rule was attempted to be served, it was found that the defendant had absconded, carrying away with him the whole of his servants, so that there was no durwan upon whom to serve the process. The present application therefore was that service might be substituted by affixing the process upon the premises.

By the Court. The better plan will be to take the order in the alternative, either to serve the process upon the durwan, or in case there be no durwan, by affixing it on the premises.

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TUESDAY, NOVEMBER 10.

*Common Law Side.*

SHEDDEN *versus* MAXWELL.

This was a motion to set aside proceedings for irregularity in entering up judgment upon a warrant of Attorney.

Mr. TURTON had obtained a rule *nisi* on a previous day, and Mr. Clark now shewed cause against such rule being made absolute.

By the affidavit of the late Mr. Ronald, an Attorney of the Court, it appeared that the warrant of Attorney in question was prepared by that gentleman in the year 1829; that it was duly forwarded by dawk to the defendant who was then at Cawnpore; and that in due course of post it was received back again at Calcutta; that in the deponent's belief the signature he found attached to it on its return was in the hand writing of the defendant.

These were affidavits of Mr. Shedden of the house of Shedden and Company and of Mr. Maclean of the same house, the former deposing to the transmission of the warrant by dawk to Cawnpore, its return executed, and the belief of the deponent of the authenticity of the hand writing; the latter deposing to the fact of the warrant in question having been sent from Mr. Ronald to Shedden and Company.

These were the grounds to establish the due execution of the warrant of Attorney by the defendant, and it was contended by Mr. Clarke that this was sufficient at the least to throw the onus of disproof upon the opposite side.

Upon this warrant, judgment was almost immediately entered up, and upon that judgment it was now sought to issue execution.

The only question therefore is whether the execution of the warrant is sufficiently established by the affidavits above stated according to the rules of practice obtaining in this Court or in the Courts at home. It is true that there are attesting witnesses to the instrument, who have not been called upon to establish its execution; but according to the practice at home, as laid down in Mr. Archbold's work, it was not generally necessary to produce the evidence of an attesting witness unless under peculiar circumstances. That an attesting witness is not necessary to the validity of the instrument; and that within a year and a day next after the date of the warrant, judgment may be entered up of course, without applying to the Court or a Judge. Mr. Turton, with whom was Mr. Grant, contended on the broad principles of practice and evidence, that there was no sufficient proof of the execution of the warrant of attorney upon which the Court would feel itself warranted in directing execution to issue thereupon. Here was the affidavit of Mr. Ronald, that the warrant was forwarded to the defendant at Cawnpore. Now without throwing the least shadow of an imputation upon Mr Ronald, it was clear there must have been some mistake or oversight, as the affidavit of Maclean proves that it was sent to Shedden and Compony, and the affidavit of Mr. Shedden proves that it was forwarded by the latter gentleman. With respect to the hand writing of the signature, the utmost attempt at proof amounts to the belief of the deponents, such belief not being strengthened or corroborated by any statement, that the parties were acquainted with the defendant's hand writing, had ever corresponded with him, or had ever seen him write. Here were two attesting witnesses to the instrument. It is true that such attestation may not be necessary to its validity, but they are the best evidence of its execution, and either their testimony ought to be produced to prove it, or the want of their testimony satisfactorily accounted for; and the Court must be satisfied by affidavit of the endeavours which have been made to find such attesting witness, before they will admit secondary evidence.

*By the Court.*—The question is of considerable importance and the Court will rather take time to consider its decision.

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*Ecclesiastical Side.*

IN THE GOODS OF KRISTINE BANG, DECEASED.

Mr. Minchin moved the Court for letters of administration under the following peculiar circumstances:—

The deseased was formerly resident in Calcutta, but died at Copenhagen, in the kingdom of Denamrk, leaving assets both at the place of her death, and within the jurisdiction of this Court. She made a will by which she constituted her sister Caroline Bang, residing at Copenhagen, her residuary legatee, but appointed no Executors.

Caroline Bang duly took out administration to her deceased sister according to the forms and proceedings of the Court of Administration of Copenhagen; the present application was made on behalf of Mr. John Maclean of the firm of Shedden and Company, as her constituted attorney, upon the following grounds: By the petition and affidavit of John Shedden abovementioned, facts were established, and that the Royal Court of Administration of Copenhagen had granted to him their duly authenticated Power of Attorney to act under their authority, and do all and every thing necessary to the execution of the said will, and that the said Caroline Bang had also constituted him her true and lawful Attorney, giving him full power and authority to act in her behalf on all matters touching the said administration.

The affidavit of Frederick Ecnil Elberling, Secretary, &c. to the Danish Government at Serampore, stated that he is a native of Denmark and well acquainted with the laws of that country, having studied six years at Copenhagen, and having been some time a Notary public; that by the laws of Denmark it is necessary to the validity of last wills and testaments that they be ratified and confirmed by the testator in the presence of a Notary public of Copenhagen, and two witnesses, and certified and approved by the King of Denmark. Whenever such will contains a claim out of the ordinary Court of instruction of Denmark, such will so certified is filed in the Court of Administration, and when required a true copy, is taken by a duly appointed Notary public. That deponent being in his capacity of Notary public and Secretary to Government, &c. at Serampore conversant in such matters, is competent to determine the validity of the instrument purporting to be a copy of the will of the deceased, and to have been duly established in the Court of Administration of Denmark; and that being well acquainted with the Danish Notary public attesting the copy, he can speak to his hand writing which he deposed to be that of the said Notary; and that the seal attached to the same instrument was the seal of the Court of Administration of Copenhagen. That the last mentioned Court was the proper, and duly empowered authority to grant administration to the effects of deceased persons; that it is the practice of that Court to grant powers of Attorney as in the present instance; that the power produced is duly authenticatad by the signature of the proper officers; and that the seal attached to the power of Attorney is the seal of the Court.

Upon these grounds Mr Minchin moved upon the petition of Mr. Maclean for an order that letter of administration to all and singular the goods and chattles, rights and credits, of the said deceased within the jurisdiction of the Supreme Court, with the notarial copy of the said last will and testament of the deceased annexed, be granted to the said Maclean as the constituted Attorney of and for the Royal Court of Administration at Copenhagen in Denmark; or that such letters of Administrations with the said notarial copy of the last will and testament of the deceased, as the duly constituted

Attorney of Caroline Bang, or as the duly constituted Attorney both of the Court of Administration of Copenhagen and of Caroline Bang. Security was proffered according to the charter and the practice of the Court.

*By the Court.* As this is an application unusual in its character, and important in its consequences, the Court will take time to consider of its decision.

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WEDNESDAY, NOVEMBER 11.

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*Ecclesiastical Side.*

IN THE GOODS OF KRISTINE BANG, DECEASED.

The Court this day pronounced its decision on the motion made yesterday by Mr. Minchin in this case, and granted the administration prayed for to the constituted Attorney of the residuary legatee.

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CASE OF THE "LADY MUNRO."

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*Plea Side.*

SCOTT EXECUTOR OF AIKEN *versus* ALLAN.

This was an action brought to recover the sum of Rs 35,000 being the amount of an Insurance effected at the Ganges Insurance Office, upon the ship *Lady Munro*, which was totally lost on the island of Amsterdam; being Rs 30,000 upon the block, and 5,000 upon the cargo. The policy had been effected by Captain Aiken the owner and commander of the vessel insured, who, having perished with the ship, the present action was brought by his executor.

Mr. CLARKE opened the pleadings.

Mr. TORTON stated the plaintiff's case. The vessel, and the cargo on which the policy upon which this action was brought was effected, sailed from Calcutta in the year 1833, on a voyage to Madras and New South Wales. She was wrecked on the island of Amsterdam, on the morning of the 12th October, in the same year, under circumstances which it would appear by the evidence to be adduced before the Court. The only ground upon which it could be possible to anticipate the defence that would be attempted to this action would be that of the negligence of the Commander of the ship, previously to and at the time of the accident. As far as presumption could be raised from human motives as operating upon human actions, the Captain of the ship in question, was one of the last persons to whom a suspicion of negligence or indifference could attach; for not only was his own life and fortune at stake, but his wife and family were in the ship with him, his brother being one of his officers, and who together with himself perished in the wreck. But independently of conjecture from motive, ample evidence would be produced to the Court that the ship was well manned, well officered, and navigated with the greatest vigilance and caution. It was a fact well established, that in many parts of the Ocean prevailed strong and variable currents, whose force and effect could be reduced to no rule, and however capable of being partially ascertained during a calm, admitted of no measurement during a strong, or what is called a fresh breeze. With one of these currents in all human probability the *Lady Munro* fell in, when about 140 miles from the island of Amsterdam. The testimony of seamen would be adduced to prove that the course she then held would have kept her clear and wide of the island, but for such current. The watch was kept on the night upon which the accident happened, by the Eurobean officer till twelve; the Serang's watch then commenced and the ship struck about one o'clock in the morning. This Serang, as to whose competency a question would probably be raised in support of the charge of negligence, is at this moment employed in the command of a vessel which has hitherto only been commanded by a European. That there was no negligence, will be most satisfactorily established; but even if there were, that it is held by modern decisions will not exonerate the Insurers, whose engagement includes the care and diligence of the Captain and crew. The loss in the present instance, were the Insurers held not to be liable, would in fact fall, not upon the Insurer or his representative, but upon those who had advanced money on the ship, and for whose benefit the policy was effected.

The jurisdiction of the Court; the execution of the policy; the liability of the defendants as members of the Ganges Insurance Company, were admitted—as were also the ownership of the *Lady Munro*, in Aiken, and due notice of the loss to the Insurers, and that the plaintiff is executor of the late Captain Aiken.

To establish the case the plaintiff's Council called

ROBERT WILLIAM EVATT.—I was chief officer of the *Lady Munro* when she last left Calcutta. She went to Madras, from thence to the Isle of France, from whence she sailed for new South Wales and Van Dieman's Land. The Isle of France is not in the road to New South Wales—we called to take in water and provisions. After we left the Isle of France, the ship was run ashore on the Island of Amsterdam on the 12th October, 1833. On the day previous at 12 o'clock, our latitude was 37° 29'. —the longitude 74° 50'. This was on the eleventh, by nautical time twelve at noon. There was a mistake about the longitude. Doctor MacCosh published it 75° 40'. The accident occurred abont a quarter to one on the morning of the 12th. I was below; I went down at eight. I left the 2d Officer in charge of the vessel. His name was Mr. Aiken, the Captain's brother. His watch was from 8 till 12. There was a fresh breeze. It was heavy weather and a very dark night. There was no moon. We were going about nine knots, steering east-by-south-a-quarter-south. The observations were taken by Captain Aiken, his brother and myself; we calculated to go at least 30 miles north of the island We calculated the longitude 74° 50'. Doctor MacCosh was a passenger on board. He took no observation: I should think he did not understand taking one. I account for the accident by a very strong current to the southward. The Serang took charge of the vessel when Mr. Aiken's watch ended. The Serang bad served in the vessel five years. He had served in her before Captain Aiken had the command. I had sailed off and on with the Captain six years. In the *Lady Munro* 18 months. I had sailed in her as second mate before the 18 months, in all about 3 years. During all that time the Serang was on board acting as Serang. The Serang had had charge of the vessel all along from the time the Captain purchased the ship. In my opinion he was a person competent to take charge of the watch—very much so. I have been 15 years at sea altogether. The tonnage of the *Lady Munro* was 254 tons. I have sailed in a vessel much smaller where the Serang was always allowed to take charge of the watch—a different Serang from the *Lady Munro's*. I mean a vessel of 100 or 110 tons. It is customary in small class vessels for the Serang to keep the watch—that is in vessels of from 250 to 100 tons. The ship went all to pieces on Amsterdam; a great many lives were lost. The Captain, his wife and children were drowned. There were two and twenty saved. The number on board was 97. Some of the cargo was saved. A great deal of silver plate and jewellery was saved. I don't know what became of it ultimately. Some of it belonged to a Mrs. Lardner. All I brought off was a sextant and a night spy glass.

*Cross-examined by the Advocate-General.*—Our crew were lascars and a few Portuguese people of this country. We had two officers besides myself. I have known the Captain's brother three years at sea. I think he was an experienced man, and yet the Captain, though his brother, did not appoint him chief officer. I was with the Captain before his brother came. The night of the accident was dark. The Captain was down below. I have known a Serang at midnight to keep watch in the neighbourhood of Amsterdam. When English Captains are near that Island they will be upon deck all night if they cannot trust their officers. I believe the Serang had been in those parts before. He told me so himself. He did not tell me he had seen the Island. It was a night that required more than ordinary care and attention. Amsterdam is a very high Island I don't think it is dangerous except approaching at night. It is usual when you are approaching rocks to guard against danger. I don't know that the Captain was on deck but he might have been. We two officers could have kept watch the whole voyage. It was the particular order of the Cap-

tain that the Serang should keep watch. We expected to be 30 miles North of the Island It is not unusual to be out in your calculation in respect to longitude. Chronometers are very often out. If we were right in our longitude we must have steered clear of the Island. We take the longtitude as it is of consequence to our knowledge of where we are. We thus calculated whether we were nearer or further from Amsterdam. Chronometers are often out, and then of course the longitude is wrongly taken. I have sailed in other vessels in the coasting trade. I have sailed in the Bay of Bengal on board the brig *Frederick* where a Serang kept charge of the watch. In country vessels it is not customary to have an English Boatswain with a native crew. My deposition was taken at Madras. I spoke as to the longitude there. I said 75° 40', but I think it ought to have been 74° 50'. I forget whether I told Mr. Paulin about the longitude If I told him 75° 40' I told him wrong The ship struck upon a sunken rock, 30 or 40 yards from the island. It was very dark when I came on deck, misty with a fresh breeze. I speak from memory. I believe I told Mr. Paulin that the longitude was 75° 40'; I now say it was 74° 50' by a later calculation I have made; 75° 40' would bring us just 30 miles westward of the island The island is laid down 30 or 32 miles too far east. I found that I was wrong in my recollection not in my former calculation. If the longitude had been 75° 40' on the course we were, we should have gone further to the northward. It was hazy, drizling weather The country traders go to the Isle of France, New South Wales and Van-Deiman's Land. I have known a Serang in charge in the Bay of Bengal. That requires as much attention as the open sea, perhaps more—so do the Sandheads—the coast of Madras as well as to the eastward In steering east-by south-a-quarter-south we allowed for variation—east-by-south-a-quarter-south was by compass. The latitude of the island is 37° 29'. The longitude corrected is 77° 24'. We were going 8½ knots the first two hours; 9 when she struck. She struck about one o'clock. [To Mr. Justice Malkin.] She would have run about 115 miles in 13 hours. Fifty or fifty-two miles go to a degree of longitude in that latitude. We struck on the north-west. [To the Court.] The island is about ten miles in circumference. The wind was due north at the time she struck. From two in the afternoon due north by compass. In Horsburgh's last edition there is a difference of about 30 miles from the position of the island of St. Paul in the old charts, and Amsterdam is the same meridian. We did not then know the difference between the correct longitude and the charts.

*Dadoo sworn.*—I was Serang on board the *Lady Munro*. I had been Serang on board from the time she was built about 7 or 8 years ago. I kept watch all along from the time I first went on board. I went on her first voyage to Moulmein, Singapoor and Malacca. I have been a seaman 30 or 40 years. I have been to England four voyages. I sailed from Bombay with Captain John Gower. I am from Bombay. My watch commenced at twelve on the night of the accident. It was a very dark night. It had been raining for three days. I got on my watch at twelve o'clock. After I got on my watch and was calling the people to come to me, the Doctor came to me and wanted to know the hour. I told him the ship was going east-by-south-a-quarter-south. The Doctor said it was raining he would go down. I desired one of the clashies to clue in the sail—the fore-top gallant sail. I went to the Captain's cabin and told him it was so very dark that I could not see. The ship soon after struck and made a noise, *khut-khut*. The Captain came and looked out. The Captain was going down the ladder when the ship struck violently. I said what are we to do the ship is aground? He desired the main sail to be clued. There was a violent impelling of water, and when she struck every body awoke. The Doctor and mate came to me. I went to the Captain and asked "what am I to do?" he was unable to utter a word. The ship was driven forward and went to pieces. I was standing on the quarter-deck and that was driven ashore. I hold a situation now in a Company's schooner at Madras. I am Captain, Serang, every thing. An Englishman was Captain of her before. I have kept watch in other ships besides the *Lady Munro*. I was on board the *Lady Malcolm*—there I kept watch. She was 200 tons, commanded by Captain Conwell, afterwards by Captain Roberts—under both I kept watch.

*Cross-examined by the Advocate-General.*—I had never been before to New South Wales. I had been several voyages to the Isle of France. It had been raining slightly for three days before the accident. I don't know about taking an observation on that day. The sun did appear but not brightly. I cannot tell whether they could take an observation or not. I took in the foretop-gallant sail because the rain increased and it was very dark. The wind had not increased. I took in sail and went and informed the Captain of the state of the weather. I did not remark a storm coming on. It was so very cloudy I could not see a person standing close by. It was not blowing. We could have put the ship about or worked her. She struck about 10 or 15 minutes after I came on watch. I cannot tell with greater exactness—did not look at my watch although I had one with me. There was an elderly person who would not suffer the ladies to come up saying there was no danger. There were no Europeans on deck when she struck.

*Mr.* Pearson *for the defence.*—I cannot avoid feeling surprised that my learned friend should in order to establish his case rely upon the evidence, and upon the evidence alone, of parties who are so very deeply interested in the character that the disaster which is the subject of this action may wear when coloured by their account of it. Both my learned friend's witnesses must be powerfully influenced by a desire to make the best of the matter. As officers of the ship both are concerned, and more espesially the Serang, he being in charge of the watch at the time of the accident. But divested of the partial representations of those interested witnesses, let us look to what are the actual circumstances of the case. I care not that this Serang has made voyages to England, he never kept watch on those voyages. I care not for his having kept watch in the *Lady Malcolm* or any other country vessel: I will prove that no one conversant in the business of insurance would underwrite a policy upon a vessel which was known to be navigated on such a system as permitted the middle watch to be kept by a Serang. It is said that the underwriter insures against the misconduct or neglect of the Captain. For my own part I never could nor ever did understand upon what principle such a decison could be made, nor can it be intelligible without we trace it back to its origin, and through its progress, which has been very gradual during the last 25 or 30 years. If we trace its history we shall find that it has been only by slow degrees that it has reached its present height. But however the general principle may have gained ground, that principle can have no application here. I never before heard of a Captain coming and saying I will insure against my own misconduct. It is stated that these policies are entered into for the benefit of other parties, of whom the Captain borrowed money. If so they, as well as his executors, can only claim though him, and the claim must stand upon the same grounds with his own. If he was guilty of misconduct, they no more than himself, can take advantage of his own wrongful act.

Now with respect to the question of negligence. It is said that when they were 100 miles from the island they took an observation. Let us see under what circumstances. The Serang at fist says it rained for three days previous; but when he preceived the tendency of the question and catches the inference to which it leads, he says the sun did appear at intervals. Now let us look at the conduct of the Captain on the evening previous to the accident; how do we find him employed? We find him sitting talking with his passengers, laughing and drinking, going to bed at his usual hour, never appearing upon deck nor visiting the watch to see that the Serang was vigilant in his duty. Is that sufficient watchfulness in a Captain? If your Lordships have ever sailed near Amsterdam, which perhaps you may, you will not fail to recollect that the Captain of an English crew is always up and upon deck whilst in that dangerous neighbourhood. In this case a native of this country with a lascar crew is left to keep the middle watch. I do not blame the incorrectness of an observation nor impute the errors of a chronometer as a fault of the Captain; but I do blame him that when aware of the frequent occurrence of mistakes in respect of the

longitude, and that the island of Amsterdam must at the utmost be near at hand, that he did not employ more than usual vigilance and watchfulness. A common seaman on ordinary nights may be equal to take the watch, but such a night as that described and in such a situation, the Captain should have committed the charge to none but his best officers acting under his own inspection. The Captain, however, does not appear to have come once upon deck. It is immaterial whether his cabin was above or below; he himself was not upon deck, but the Serang was. Now this Serang appears from the whole of his evidence to have been utterly incompetent to the duty he was put upon. He loses his presence of mind, runs to the Captain and cries what are we to do? he is totally bewildered, he had kept no look out, he does not see the land till he is upon it, and he then runs to call the Captain. Now this negligence is the negligence of the Captain who so incautiously trusted such a duty to him. The ship was lost in consequence of that negligence and the Captain who occasioned the disaster and all who claim under him must upon every principle of reason and of law sustain the consequences.

Let us suppose that Captain Aiken had survived the wreck of his vessel, with what face could he have come into this Court, and asked at your Lordships' hands reparation for a loss the consequences of his own negligence? But they who claim under and through him, must incur at the same time his responsibilities.

I will now call the witnesses whom in my view of the case, my learned friend ought to have called, and who will, I think, put the question beyond doubt.

*John MacCosh sworn.*—I belong to the Campany's medical establishment. I was a passenger on board the *Lady Munro* when she was wrecked. I remember the day before the accident—an observation was taken that day. The weather on the day preceding was rather fair. There was a strong breeze, and about noon it was fair. I do not understand navigation and do not recollect what was our longitude. I remember a conversation with the Captain about the situation of the ship. The Captain said we were then so near the Islands of St. Paul and Amsterdam as to render it probable we should pass about two in the morning. This conversation passed in the evening. The Captain was moving about between 8 and 9. I was on deck a little after midnight. There was a poop and the Captain's cabin was in the poop. I retired to my cabin about nine or ten. It was a dark night with drizzling rain and a strong breeze. After retiring to rest, after midnight I came on deck. I saw the Serang then in charge of the watch. I saw no European on deck. I exchanged a few words with the Serang and went below. That night we had some toddy—all the passengers were present. The Captain must have gone on deck to go to his cabin. I asked the Serang whether he had seen the Island. One of the passengers sent me word that land was in sight, that was why I went up. I did not see any land. I expected to see land from the Captain having told me we should probably pass it about two in the morning. Seeing land was the general subject of conversation; the Captain observed that we should pass land before the morning. The Captain as near as I can recollect said he expected to pass about 13 miles from the Island. It was from 20 minutes to half an hour from my going on deck that the ship struck—it was about one o'clock. I state that time from conjecture. When the ship struck I ran on deck and found there the Serang. The only European that I saw was the Chiefmate. The first was a very violent shock. I heard the Captain's voice a few minutes after I came up. The weather was very dark with drizzling rain. I was a good deal alarmed and in some confusion. I saw the land about forty or fifty yards off. She struck more than twenty yards from the shore. The land we struck upon was upon the north-west coast. The land was on the larboard side but the ship was on her beam ends. I could not be mistaken in taking the land for a cloud—the shore shelved down.

*Cross-examined by Mr. Turton.*—I should say, you could see the land from one to four hundred years. I was sent up once upon a hoax to look for the land. I did not see the land when I first came out from the light of the cuddy. It was a cloudy, dark night with drizzling rain. I cannot say who usually keeps watch nor whom they send to the mast-head. I have been frequently on deck and have seen the Serang keeping watch. I did not remonstrate. The glow of the phosphoric light of the water might have dazzled me had it shone in front of the ship. As near as I can recollect, it was thirteen miles the Captain mentioned as the distance at which we were likely to pass. The distance was a subject of general conversation. The Captain's wife and family and brother were on board—they must have had some regard for their own lives. Not keeping on deck was perhaps one of Captain's failings—another might have continued on deck. Cannot individualize any one instance of the Serang's negligence, but there was a general dissatisfaction at his keeping the watch. I am not aware of any other person having been played a trick about the land.

*Richard Howe Cockerel sworn.*—I am in his Majesty's Navy, and have been four years on the Indian Station. I have never found a Serang in charge of a vessel—never to my knowledge. I have sailed to the Mauritius in a country trading vessel, the *Duke of Roxburgh* of 800-tons: no Serang was ever left in charge of that ship. I should say from what I have heard in Court that proper care was not manifested in this instance. The Captain ought to have been on deck.

*To Mr. Turton.*—I have no interest in the Ganges Insurance Company.

*In continuation.*—I have no presonal knowledge of the Island of Amsterdam; if the Captain had seen the land he might have luffed. I think he ought to have seen the land if he had kept a proper look out. You cannot try currents except in a calm. Currents are not well laid down in charts The strength of currents depends much on the wind. I have had some experience of Insurance Companies. I don't know whether they would insure a vessel with the knowledge that a Serang was entrusted with the watch.

*Cross-examined.*—I never commanded a merchant vessel. I have been on board of other merchant vessels but in no other with a native crew. I have had a Serang in my own schooner; I never trust him with charge of the vessel when afloat. She has never been to the Sand heads except with myself. You might luff a ship in her own length. I should think a sailor after thirty years should be competent. It must depend upon the weather how far you can see the land. I cannot judge from a description of the state of the weather at night.

*R. Wallace sworn.*—I have sailed in several ships in the country service. I have been 20 years at sea, and have commanded a ship ten years. I have been for the greatest part in the country service. I have never left a Serang in charge at midnight. I never left a Serang in command. I have not known it done in any vessel I have sailed in, but I believe it is customary in the country service. In the country service they generally take the same kind of crew—lascars and Europeans. When they go to New South Wales they usually take two European officers. I have attended to the present trial. At the distance of 13 miles fsom Amsterdam a Serang ought not to be left in charge. An European has more presence of mind in danger. A native is more likely than a European to take a cloud for a island. A European would most decidedly be more likely to extricate himself from danger if he got into it. I should think a Captain would not take a proper degree of care if he was not out, and on the alert, at the distance of 13 miles from Amsterdam. He should have been on deck From the circumstance of the Serang being in charge I think proper precaution was not taken.

*Cross-examined.*—There are many things that will alter the course of a ship. When near the shore the Captain should be on deck and on his guard. Currents will however sometimes deceive him. It was my own case—I lost the *Sylph* from that cause. I had been at the spot where she was lost not less than 20 times before. I was on deck at the time. With two European officers in a place where I had been twenty times before I lost the *Sylph*. I commanded a clipper of 250 tons at one time. Those ships are not particularly well manned. We find the native seacunnies answer as well as Europeans betweeen this and China. I went up the north-east coast. We had much cold weather. I took a native crew and had Europeans. I got on shore then in my own watch. I have twice been on shore whilst I commanded the

*Sylph.* That vessel was lost at 8 o'clock at night. In the channel, vessels I believe use bells in foggy weather; they are notwithstanding sometimes run down. You may be within 20 yards of a ship and not see it. I recollect the circumstance of the three times going ashore off Beechy head. I don't know whether Amsterdam is as high as Beechy head. High land would not be so easily seen in the night as low when near, as it is generally enveloped in clouds.

*To the Court* —When I went to the north-east coast I took more Europeans than usual. Lascars do very well there if supplied with warm clothing. If the Captain was convinced of his reckoning and could depend on his officers he need not be on deck. I was brought up as a ship builder, but have been 17 years in the country service

*Captains Edwards, Oakes, Eales, and Thompson were examined* as to their opinion, who severally expressed their opinion to be, having heard the evidence, that the Captain ought to have been on deck, and that an European officer was more efficient than a Serang.

*Mr. Lemond.*—It was formerly a stipulation that Arab vessels should be officered by Europeans, nor would he effect an insurance with the knowledge that the vessel would be left in charge of a Serang during the mid-watch. He would however have adjusted this policy for reasons which did not bear upon the point at issue.

*Mr. S. R. Crawford* confirmed the statement that it would be an objection to underwrite a policy if the ship was known to be entrusted to the charge of a Serang.

*Mr. Turton* rising to reply was stopt by the Court. The Chief Justice declared that in this case there must be a verdict for the plaintiff. There might have been, and indeed it was in proof that there was, some degree of negligence on the part of the Captain, in being absent from the deck; but it is not shewn either that the accident occurred in consequence of such absence, or that if he had been present on deck he could have averted the disaster. The Court would not assume as a fact that the Serang was incompetent, in opposition to evidence of his competency.

Verdict for the Plaintiff, ~~Rs~~ 35,000.

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THURSDAY, NOVEMBER 12.

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*Ecclesiastical side.*

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IN THE GOODS OF STEPHANOS DECEASED.

MR. TURTON to-day recalled to the notice of the Court the application which he had made on a former day in the term, in this matter. There were difficulties as to the mode of proceeding in that case. He had obtained a rule *nisi* which was not strictly in accordance with the practice of the Ecclesiastical Court; independently of which there were other obstacles arising out of the will itself, and the manner in which executors were thereby appointed. It was desirable to avoid the expense of a commission to swear in the executor, and it would be difficult to ascertain who were the actual parties to whom the oath should be administered. The will nominates as executors the churchwardens for the time being of the Armenian church of St. Aratoon at Dacca. Now there were at present no such persons, as the late churchwardens had very recently resigned, and thus renounced their office and executorship at the same time. The will now sought to be established gave certain bequests to the church abovementioned and named as executors the churchwardens and overseers during the continuance of their office.

After some further discussion relative to the course of practice on the Ecclesiastical side of the Court, it appearing that it was not clearly before the Court whether the bequests in the will now sought to be established, corresponded with those given by a certain other will, a revocation of the probate of which to the Registrar of the Court was now sought, the Court thought the better course would be before proceeding further, to ascertain by comparing the two wills, who were the parties actually entitled and intended to be constituted executors.

FRIDAY, NOVEMBER 13.

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*Ecclesiastical side.*

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IN THE GOODS OF STEPHANOS DECEASED.

MR. TURTON again brought this matter before the notice of the Court. By an abstract of the two wills, it would appear that by the former will the preference was given to the Church in the latter to the son. By the former the testator directed a Church to be built on a magnificent scale; by the latter provision was only made for a steeple. By the first 20,000 rupees were appropriated to Church buildings; by the latter 300 rupees. There were some other comparatively trifling differences between the two wills. The main difficulty, however, was as to how were the parties to whom execution should be granted, and how the necessary oath should be administered to them.

The Court intimated that as it had been brought to the notice of the Court that there was another will than that sought to be established, it would be fit that all parties interested under either should be served with notice, for which as such parties were resident at Dacca a period of ten days would be allowed.—*Hurkaru.*

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SATURDAY, NOVEMBER 14.

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IN THE MATTER OF WILLIAM HOLLOWAY.

Mr. Turton applied for a writ of *habeas corpus.* The party on whose behalf he was instructed had been discharged from H. M. 38th Regiment, and his certificate of discharge had been signed by the Commander-in-Chief, and sent to him, enclosed in a letter to his address by the Adjutant of the regiment. The affidavit on which the learned counsel moved, set forth, that the deponent, before he enlisted, was by trade a founder, and was induced to proceed from Berhampore, where his regiment was stationed, to the arsenal in Fort William, and there place himself under the orders of Major Hutchinson, on trial as a founder:—that he was from that time employed in the foundry in Fort William, until April or May last, when he was ordered by Major Hutchinson to proceed to Cossipore and work at the foundry there, whither he went, and was subsequently appointed head founder on a salary of sixty rupees per mensem. Subsequently, the affidavit sets forth, Major Hutchinson recommended deponent to purchase his discharge from H. M service, and to enter into that of the East India Company Deponent replied that it was his wish to purchase his discharge from H. M. Service, but that he would not again enlist as a soldier. About the begining of June last, deponent deposited with Major Hutchinson rupees 137, the amount required, and applied to Colonel Piper, the officer in command of H M. 38th Regiment, for his discharge. Deponent believes that in consequence thereof, an application was made by Colonel Piper to Major-General Watson, then commander of the forces, who forwarded it to Sir Robert O'Callaghan, and received from that officer the usual reply which was forwarded to Colonel Piper, and an official copy sent through a sergeant to the deponent. Major Hutchinson then, on behalf of the deponent, made the draft of a letter which he gave to a writer to engross, and afterwards forwarded the engrossed copy to the Adjutant of the regiment, the deponent not being aware of the contents until the following day, when he obtained the original draft from the writer, and, to his surprize, discovered that the Major had written in deponent's name, and pledged deponent to remain in the Company's foundry at Cossipore for three years. Deponent kept the draft of the letter, but from fear that Major Hutchinson would subject him to persecution, and being uncertain what course to pursue, remained silent on the subject of the letter. On the 28th September last deponent attended a regimental board of H. M. 38th, at Chinsurah, of which Major Hopper was president, and Captain Blennerhasset and Lieutenant Green were members, and was duly discharged. The deponent then returned to Cossipore, but on the 8th of October, not having received the certificate of his discharge, he wrote to Lieutenant and Adjutant Green, and again on

the 21st ultimo. Concluding from the replies that the certificate of discharge had been intercepted deponent wrote to Major Hutchinson, who, thereupon, sent for him and read over a bond or agreement, which he required deponent to sign, binding himself to serve the East India Company, in their foundry at Cossipore, at a salary of Rs 60 per mensem. Deponent declined to sign the agreement, and was ordered by the Major to go to his quarters and consider himself a prisoner, and subsequently he was ordered to Chinsurah, where he reported his arrival to Colonel Piper. The Colonel stated to deponent that he had received a letter from Major Hutchinson concerning deponent, but that he had no power to detain deponent who was discharged from H. M. service. Deponent then returned to Cossipore, where he saw Major Hutchinson, who ordered him to be put out of the compound, and subsequently, while residing in Calcutta, he received a letter from Adjutant Green, from the tenor of which he was apprehensive of being treated as a deserter, and induced to join H. M. 38th at Chinsurah, at the same time informing Adjutant Green that he was determined to apply to the civil power for protection and redress.

The *Chief Justice*, being alone on the bench, said that Mr. Turton had better apply on Monday when the bench would be full; and in case the court should grant an order *nisi* only, it should be to show cause on the first day of term.—*Englishman.*

## Monday, November 16.

*Common Law side.*

### SHEDDEN *versus* MAXWELL.

This, it will be recollected, came on on a former day, during this term, involving the question of the validity of a judgment and execution thereon sued out upon a warrant of Attorney, of the due execution of which by the defendant who resided at Cawnpore, at the time it was made, there was no other evidence that the affidavit of the late Mr Ronald, of Mr Maclean and of Mr. Shedden, of belief as to the hand writing of the defendant's signature, their being attesting witnesses to the instrument the affidavit of neither of whom was put, nor evidence as to the hand writing.

The *Chief Justice* now delivered the decision of the Court, which was, that the judgment in this case and the execution were entirely null and void to all intents and purposes; but as there was a difference of opinion on the Bench, he thought it necessary to state expressly the grounds of his decision. The question here must depend upon the construction of the 69th section of the Insolvent Act. By that section, it is required that every warrant of Attorney with an affidavit of its due execution, shall be filed within six weeks after its being executed. In this case there is no direct affidavit at all as to the party's signature. If proved to be executed at all, it must be proved to have been executed within the time specified by the act. There is a case in 2 Moore and Payne which however depends rather upon the construction of 3d G. 4. The statutes according to the marginal note specifies twenty-one days as the time within which the affidavit should be filed. The affidavit in that case stated, that he saw the party sign the instrument without specifying the date. This was held not to be sufficient. There is no direct affidavit that this was executed at all.

*Mr. Justice Grant* concurred with the opinion expressed by the Chief Justice. It appeared to him, that the affidavit which establishes the execution of a warrant of Attorney, ought to shew that it was executed within the time required. Here it is not distinctly proved that it was executed at all. Ronald swears, that he believes the signature to be that of the defendant; why not that he knows it to be so? The object of the act was to give protection to the rights of creditors, and the affidavit to prove the execution of the warrant ought to be direct and positive

*Mr. Justice Malkin* differed from the other learned judges. The difficulty in this case arises out of what shall be deemed a sufficient proof, according to the provisions of the Act of Parliament.—Whether the Prothonotary ought to have admitted such affidavits as those put in was another question; he might have refused to receive them, and had he done so, the Court might have been applied to, and the question raised, probably more expediently in that manner Having, however, received their affidavits, the question to be determined is, whether the judgment shall now be pronounced null and void. The object of the statute in question was two-fold—first, the publicity of the transaction—secondly, the date of its execution, to prevent the danger of judgment being entered upon false warrants; now there might be cases, especially in this country, where it would not be possible to get down the necessary documents and go through the strict formalities within the time limitted; it would therefore appear a reasonable compliance with the statute if all that was possible were done, and reasonable evidence afforded of the fact of the one execution of their instrument upon which the judgment was founded.

Judgment set aside with costs.

There was another case precisely similar in all points with the above, and which it was admitted must abide the same decision.

### RAM BEBEE *v.* ONE OF THE ATTORNIES OF THE COURT.

Mr Marnell moved upon the affidavit of one Ram Bebee, that the Attorney of the Supreme Court therein complained of, should be ordered to answer the matters of the same.

The affidavit stated, that the deponent was possessed of houses, one in Hautparah and another elsewere; the former purchased in her own name; the latter in the name of herself and her son. The latter fell into dissipation, got into debt and applied to one Muckur Doss, who agreed to advance him money provided he would assign over his interest in the house above mentioned. During her absence from home, he obtained the title deeds by means of false keys and gave them to Muckur Doss. By collusion and fraud Muckur Doss obtained judgment, and took out execution under which her house was seized by the Sheriff.

Ram Bebee hereupon applied to the Attorney in question, who told her that execution might be stayed by filing a Bill in Equity, and obtaining an injunction on the ground of fraud. That by mortgaging her property she contrived to raise the money amounting to Sa Rs 2,125, which she paid into the hands of the Attorney, on receipt of which, he gave an engagement for 400 rupees to file the requisite Bill with other stipulations in case of further expenses being necessary. The Bill was filed, and answer put in thereto, and the Bill subsequently dismissed for want of prevention; in consequence of which the said Ram Bebee had to pay the costs of the Equity suit, and remains liable to the fraudulent judgment obtained by Muckur Doss, and is entirely ruined.

The Court gave the order applied for.

### IN THE MATTER OF MELVILLE, LATE SHERIFF OF CALCUTTA.

The Court asked *Mr Turton* if he had any thing further to sate to the Court on the subject of his application (see, Monthly Journal page 319) and desired to know what was the distinct nature of his application.

Mr Turton stated, that he applied under the peculiar circumstances, for the direction of the Court, as to how the under Sheriff was to act; he would, however, suggest, that some person might be appointed to carry into full execution the unexecuted writs of the Shrievalty of *Mr. Melville* now in the hands of the under Sheriff of that year. The Court were however of opinion, that they possessed not the power to make such an appointment—until some specific line of proceeding were brought to their notice, they could pass no order in the matter.

## Tuesday, November 17.

*Common Law side.*

### GOOL MAHOMED KHAN *v.* HADGE IBRAHIM JAMAL.

The Court was occupied during the day by this case which was an issue directed by the Court of Equity to

try whether Hadge Ibrahim Jamal had carried on trade at Bussorah with Hadge Abdoolah Jamal in partnership on trade generally. There was a crowd of witnesses to examine, the *onus* of proving the partnership lying with the plaintiff, and the proof depending upon the establishment of a variety of acts of partnership as between the two alleged partners, and third persons.

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FRIDAY, NOVEMBER 20.

*Ecclesiastical side.*

IN THE GOODS OF TAPLEY, BELIEVED TO BE DECEASED.

*Mr. Turton* moved to swear in an Executor and to obtain probate of this Testator's last will and testament upon an affidavit stating that the testator sailed from this port in the *Edina*, on the 2d of November, 1833, on a voyage to Singapore and China, that the vessel had never been since heard of, and that it was supposed she had perished with all on board. Under these circumstances the affidavit of a survivor was of course not procurable; but the underwriters had already settled for losses on the ship.

*The Chief Justice* intimated that a question would arise, whether the Court would require a bond on security, to be entered into by the executor under these circumstances; and Mr. Justice Grant stated his impression to be, according to the recollection he had of the practice at home, to which his attention had been lately called, that it was generally laid down, that under similar circumstances, it was the practice to take a bond from the party applying for probate. The practice was directed to be ascertained, the party applying, avowing his readiness to give security if required.

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MONDAY, NOVEMBER 23.

## FULL REPORT OF THE JUDGMENT IN THE MATTER OF ALEXANDER AND CO.

SIR B. MALKIN.—This is an appeal from an order made on the 3d of January last, by Mr. Justice Grant in the Insolvent Court. It is necessarily with some hesitation that I come to a conclusion, especially on a question principally of fact, at variance with that formed by the Judge who heard the evidence in the case; but after having had the advantage of a full communication of the reasons given by the learned judge for the opinion he entertained, and of hearing the case argued with the utmost force and ability in support of that opinion, I cannot feel that the order ought to be supported. In its present shape it does not appear to me to have been one which the Insolvent Court had power to make; and I cannot collect from the evidence any state of facts which calls for the substitution of any other.

The first question in the case is whether the order made was one which the Insolvent Court had jurisdiction to make. And this must turn entirely on the construction of the 49th section of the Statute, Geo. 4. c. 73; for except under the special provisions of that act, the Court could have no such power. The order originally applied for, or rather that part of the application which was in substance granted, was to set aside a sale, treated as actually made, on the ground of negligence or fraud: the order made departed in form from that applied for, and corresponds with that made in ex-parte Bennett, 10 Ves. J. 381. But that case is an express authority to shew that such an order could not be made, unless by consent, by the Lord Chancellor *sitting in Bankruptcy*: and of course it could not be made by the Insolvent Court here, except under the express provisions of the Insolvent Act. The same principle is further recognized by the other cases cited in argument on the subject. The principal authority* which seems at all opposed to it is ex-parte Partington, 1 Ball and Beatt. 209, where Lord Manners appears to have thought, that he might, in a proper case, open the biddings, sitting in bankruptcy. This however is a mere *dictum*, and not a decision: and does not appear to have been generally approved or acted on. But whatever may be its weight, it clearly does not apply to a case like the present, or like ex-parte Bennett because it is necessary on an application to open the biddings that an advance should be offered: and here, though it is alleged that at the time a better price might have been obtained, it is not pretended that the parties then willing to purchase are willing now to bind themselves to advance on the price actually given, nor could they be so bound by any order made on these proceedings to which they are no parties. The application therefore as far as this portion of it is concerned, resolves itself completely into an application to set aside the sale, or render it inoperative, on the ground of legal or actual misconduct, and such an application, on the authority of ex-parte Bennett ought independently of the special provisions of the Insolvent Act here, to be made to a Court of Equity.

It appears to me that the Insolvent Act does not give the Court the power which it has exercised. The only sections which materially bear on the question are the 49th, the 50th, and the 56th; the last is only so far important on this point, that by giving other relief in cases of improper or improvident sales, when any actual damage has accrued, it makes it unnecessary for the purpose of justice to attempt to extend the operation of the other sections by any strained construction. And on the most obvious and natural construction both of the 49th and 50th Sections, I think that they contemplate future sales only: that they are merely prospective in their operation. This distinctly appears in the recital of the 50th section as far as the provisions of that section are concerned, and I think it may be collected with equal certainty from the wording and the general tenor of the 49th section, in which the object of the provisions relied on is to prevent mischief from the necessity originally imposed on the Assignee to sell from time to time with all convenient speed as he obtains possession, and the authority given to "delay or postpone the sale," and to make such other order regulating it as the Court shall think fit; a power which, on the ordinary principles of the interpretation of more general words annexed to particular ones, must, I apprehend, also refer, as the preceding provisions clearly do, to the regulation of sales yet to come. In the present case it is clear, whatever doubt may exist as to the exact time when it took place and the person to whom it was made, that a sale had in point of fact been effected; subject indeed to certain objections as to its validity, but binding according to the express terms of the order made, on the purchaser, unless he were entitled to disobey the order of the Court as not being a party to the proceedings, or as not being subject to the jurisdiction.

The power however of this Court is not merely to confirm or dismiss the order of the Insolvent Court, but to enquire into the matter of the petition and of the proceedings petitioned against, and "to make such order thereon as to the same Court shall seem meet and just." Now the original petition was not merely to set aside the sale, or to restrain a conveyance, but it prayed that, if the Court could not cancel the sale, it should be referred to the Examiner of the Court to enquire and report whether the factories could have been sold to any and what greater advantage had they been duly advertised for sale, and exposed to sale by public auction, or that the Court should grant such other order as the circumstances of the case might require. The Insolvent Court therefore was at liberty under that petition to proceed under the 56th section of the Statute: and if the circumstances of the case would warrant such a proceeding, it would be the duty of this Court to adopt it.

It is therefore necessary, to inquire into the circumstances of the case and it would indeed be material to do so, even if it were not required for the actual decision of the cause, because the character of the Assignees has been attacked, and they are officers whom it would be our duty, as we have the power, immediately to remove if some of the imputations cast on them were supported. With respect to Mr. Hurry, indeed, as far as personal conduct

* Something of the kind seems, indeed, to have been done *without opposition* ex-parte Gould 1 Glyn and J. 231, but in ex-parte Ashly 3. Deac. and Chitt. 510 it was taken for granted that there must be special circumstances as in that case there were, to bring the purchaser within the Jurisdiction of the Court.

and character are concerned, he is out of the question: having had nothing to do with the sale, he cannot have incurred any censure with respect to it. He may indeed be implicated with Mr. Burkinyoung in the charge of negligence in not advertising and looking out for purchasers in the early part of the year 1834; but any such negligence in a single instance can furnish no imputation on his character, though it might render him liable to make good any loss sustained by reason of it. With respect to *such* negligence, however, I think that no charge can be supported: that the disputes existing between the Bank of Bengal and the Assignees, and the proceedings pending in the Court, with respect to the general principle on which the mortgaged property was to be disposed of, were abundantly sufficient to justify the Assignees in not incurring any expense by advertisements, and in waiting to see the result of the controversy. And if so there can be no remedy on that account under the 56th section, which only makes them liable in cases where there is both *injury and fault*. It has been suggested, indeed, that the Assignees ought to have accepted the offer of 70,000 rupees made in January for the three factories constituting the Moisurah concern, notwithstanding the pending disputes, which had reference to the general management of the estates, but would not have affected a single transaction of this kind. I am far from being convinced that even on this single point, the conduct of the Assignees was censurable; but on this, at all events, no claim of remedy can be supposed, for there is nothing to shew injury, nothing to raise any presumption that the Assignees who still retain the Moisurah and Gungadhurpore factories in their own hands, and who have sold Neischundurpore for the full value at which they estimated it in making the aggregate value of 70,000 rupees for the whole, have subjected the estate to any loss by not complying with that offer.

The question, therefore, resolves itself entirely into that which has always been treated as the main question in the case, the character of the transaction of the 25th of August; and it becomes necessary for me, as there is some variation in the evidence on that subject, to state distinctly the view which I entertain of the facts of the case. I need not for this purpose enter fully into the details of the evidence; but may state shortly the conclusions of fact which I collect from it: the inferences of law resulting from them are plain and simple when the facts are once ascertained.

It appears then that long before the date of this transaction, the factories had been valued by persons very competent to the office, who raised a former valuation of the three factories at 60,000 rupees to the sum of 70,000, and who in that enhanced value rated Neischunderpore at 15,000 rupees, and no more. On this valuation, Saupin was then willing to purchase Neischunderpore, and the Assignees to sell; but the Bank refused their consent. An argument was raised from this refusal, that the price was inadequate. I do not see, however, why the opinion of the Bank is to be taken as conclusive, and that of the valuers rejected: and the opinion of the Bank may have rested, as it is alledged that it did, chiefly on a temporary fluctuation in the value of indigo, and it seems at all events to have been so far renounced shortly afterwards that in January they were willing to accept for the three factories that sum of 70,000 rupees, of which, according to the estimate of the Assignees, the fair proportion of Neischunderpore was only 15,000. I see nothing therefore in this transacton to hinder the Assignees from fairly considering this a reasonable price for Neischunderpore even at that time.

At the period of the actual sale, however, the circumstances, where considerably altered. The lease or izara had expired, and a considerable advance was demanded for the renewal. The circumstances connected with this izara require careful consideration, because a great deal of erroneous argument has, in my opinion, been founded on them on each side. On the one side it has been treated as if the advance required was equivalent to an addition to the price, so that the sale for 15,000 Rs. and the transferring the necessity of making the advance from the Assignees to Saupin, was a transaction as beneficial to the estate as a sale for 15,000 would have been, if the Assignees still had to secure the izara themselves. On the other hand it is contended that the advance for the izara being a mere loan, to be deducted out of the rent, and bearing interest, was no prejudice at all to the estate, and deserves no consideration whatever, except as to the minor exactions of the *salammie* fees, and the small additional sums finally advanced on less favorable terms than the principal sum of 8,000 Rs. The truth, as in most cases, lies between the two extreme statements. The advance required undoubtedly cannot be treated as any material enhancement of the price, or diminution of the value of the lands. On the other hand, the Assignees appear to me to have formed a just opinion that it would be very undesirable for them, situated as they were, to make such an advance, and that probably the Court would not sanction it. Their duty is to sell with all reasonable expedition, to sell unless there is good cause for delay; and I cannot think it would have been desirable for them to encumber themselves with a transaction of advance, from which the estate, whether it continued in their own hands or was transferred by them to others, could not be completely extricated in less than three years. It is also material to observe that the bargain for the izara was not completed: in fact, it was not finally concluded exactly on the terms then expected. And it is admitted that the value of the factory almost entirely depended on the obtaining the izara. Under these circumstances, if the Assignees could sell the factory, they cast the risk of failure in obtaining the izara of the purchaser, and they delivered themselves from the necessity of making advances, undesirable in their situation, though perhaps immaterial to more independent speculators. The *value* of the factory might not be seriously affected by these considerations; but they would furnish good reason why the Assignees should be peculiarly ready to accept any thing which they considered as a fair offer. They would furnish some reason also for *private* sale; for on the announcement of a public one, any speculator in the neighbourhood might have been induced to secure the izara on unreasonable terms, in the confidence that he would have the means of finally reimbursing himself the sum lent to the zemindar by stopping it out of the rents, so that the magnitude of the advance would produce temporary inconvenience only, and not final loss: and in the expectation that the Neischunderpore factory would fall into his hands at a very low price, when he had secured the only means of rendering it valuable to a purchaser.

In this state of things, Mr. Burkinyoung proposed to Mr. Saupin that he should renew his former offer, and become the purchaser at the valuation price of 15,000 rupees. This offer Mr. Saupin accepted, on condition that he should be allowed to divide his purchase, and with a stipulation for liberty to consult Mr. Rogers, by whom he expected to be supplied with the means of completing it. Mr. Rogers agreed to the proposal, and the bargain was made. The bargain however is sought to be impeached on three grounds:—that Saupin was an agent for sale, and not a buyer, and that a purchase by Rogers for him, he being such agent, was fraudulent and void in law: that the purchase was actually fraudulent on Saupin's part, from suppression of knowledge which he possessed as to the likelihood that other parties would purchase: and that there was great negligence on the part of the Assignees in concluding a sale without making farther inquiries. It is further said that loss has accrued in consequence of that negligence, for that Messrs. Gregg and Donaldson were willing to give 20,000 rupees for the factories at that time: that they even offered 22,000 to Saupin shortly afterwards: and that at all events there was great neglect at the very time of the sale, for that the Assignees knew that Mr. Storm would have purchased Autpara at an advance on the price for which Mr. Bell was to have it.

With respect to the question of agency I have already intimated my opinion that the transaction was one between Burkinyoung and Saupin, and a purchase by the latter. If so the objection as to the agency falls to the ground. There is undoubtedly some confusion in the evidence, arising both out of varying statements as to what passed at the time, and out of some expressions contained in the subsequent letters. If those only are to be dwelt on, the transaction looks like an agency for sale: but the evidence of Mr. Burkinyoung and of Mr. Saupin is distinct that it was a bargain made with Saupin for a sale either directly to him, or directly from the

Assignees to Rogers for Saupin's benefit. In either case it is substantially a dealing with Saupin as the purchaser, and if so is immaterial whether the conveyance was to be made directly to him, or for any reason unexplained to us, but understood among the parties, to Rogers for his benefit. One fact seems to me conclusively to shew that this was the real understanding of the transaction: I mean the circumstance that the sale was a mere renewal of a former negotiation in which it is not even suggested that Saupin was not dealing completely and directly for himself; though at that time also Rogers was expected to furnish him with the means of fulfilling his contract. If it were so,—if the sale were notoriously for Saupin's benefit, I cannot see that it is void on any ground of agency: if it were, all sales would be void in which the bargain was made by a person who preferred having his conveyances made to a trustee for him, and himself arranged with the trustee that he should become so.

It is true that there are expressions in Mr. Alexander's letters (hardly in his evidence, for while he speaks of considering Rogers as the purchaser, he speaks also of considering the bargain as concluded with Saupin, and clearly under circumstances which, if they made Saupin an agent at all, made him the agent for Rogers as the purchaser, not for the Assignees as the sellers, a relation of which the legal consequences would be widely different) which seem rather to represent Saupin as the agent for sale of the Assignees. Thus he talks of the "power of selling being given to Saupin, and that he has secured purchasers;" (Alexander's letter to Storm, August 26) and generally in his correspondence uses similar phrases. And it would seem that Mr. Burkinyoung himself thought it necessary to be satisfied by Mr. Rogers that he was willing to take the factory at the price stipulated, and that he thought it likely (though there is some confusion on this subject) that Mr. Storm would be in time with his amended offer. It is always perplexing and unfortunate when facts are *at all* loosely dealt with, or carelessly stated; I cannot however see in these circumstances, especially when viewed with reference to the rather complicated and confused nature of the transaction, any thing to make me discredit the positive assertion of Burkinyoung and Saupin that they considered their dealing as a bargain made: and the question of fact is, what was *their* understanding? Mr. Alexander's is only material as evidence, even if it differed more substantially from their statement than I think it does. Even the intimation to Storm, assuming it too to be correctly represented, might almost as well correspond to a belief that he would be in time to get his offer accepted by Saupin, as that the Assignees still had the power of interfering. On the whole, therefore, it seems to me that the transaction is not void on any ground connected with Saupin's agency for sale: that the fact is not made out in proof. It is not necessary therefore to discuss any questions of law arising on it.

The next objection is that fraud was actually practised by Saupin, and that a sale to him, obtained by his fraud, cannot be allowed to stand. I have already said that the Insolvent Court has not in my opinion the power of interfering with a sale actually made to a stranger. It is therefore unnecessary to inquire into Mr. Saupin's conduct for the purpose of fixing him, unconnectedly with the Assignees, with any imputation of fraud; and it would be improper, if unnecessary, as he has not had the opportunity of proving his own case in answer to any such charge. Without pretending to say whether there are not circumstances which it would be desirable in another proceeding that Mr. Saupin should account for, it is quite clear that there are none which might not very well admit of explanation. But at all events, if Mr. Saupin was not the agent of the Assigness in this matter, it is impossible that they should be responsible for any frauds committed by him, unless it were by reason of their own negligence that such frauds were successful.

Now with reference to the last question of negligence, I have already expressed my opinion, that the Assignees were fully justified under the circumstances in making a private and sudden sale, if they could obtain a fair price for the property; and I am not aware of any thing in the evidence to shew that *they* had any reason to be dissatisfied with the price of 15,000 rupees. It was the price at which their valuers had appraised it: it was the price, as far as they could understand at the time, at which Gregg and Donaldson estimated it. It is true, that those gentlemen had made an offer of 20,000 rupees for the factory to the Bank; but that is distinctly shewn never to have been communicated to the Assignees, nor was it likely that it should, as the Bank at that time would not consent to a sale, except of the whole Moisurah concern. The offer of 70,000 rupees *was* communicated, but that aggregate corresponded with their own valuation, and in considering it, the Assigneess would, of course, suppose that the portions would be estimated as they had estimated them; for no explanation was given of the manner in which Donaldson and Gregg computed their value. Even if the letter of the 13th January from Gregg and Donaldson ever reached the Assignees, of which there is no proof at all, but a denial, it would have conveyed no farther information; for it communicated the offer of the 70,000 only, and although it refers to Saupin's offer of 15,000, and the refusal of it by the Bank, on the ground that the price was too small and ought to be raised to 20,000, it does not give any intimation that the parties had ever proposed to give 20,000, or even that they thought it a fair value; unless, indeed, this is to be concluded by a speculative inference from the words, that in making the price 70,000, "the Bank had added in the same ratio" to the other two divisions. But it is not merely that the Assignees had no reason to *think* the price of 15,000 rupees inadequate; there is, in fact, no evidence that it really was so. There are offers, undoubtedly, of higher prices; but with the single exception of the temporary opinion of the Bank, there is nothing to shew a higher estiamate of value. Gregg distinctly declares, and so does Storm, that they offered *above the value*; that there were local and personal circumstances which made them willing to give more than it was worth. If the Assignees knew this, they ought to have used the knowledge for the benefit of the estate; but as they did not, it seems impossible to hold them culpable (and if not culpable they are not responsible) for selling the estate *bonâ fide* for as much as it was really and generally worth.

This brings me to the only remaining part of the case —the question whether Burkinyoung was not guilty of negligence in not communicating to Saupin the offer of Storm, to advance on the price to be given by Bell. I have felt more doubt on this part of the case than on any other; and perhaps in this particular there was some little want of that diligence which is due from the assignee of an insolvent estate, to do every thing in his power for the benefit of the creditors. Still I am of opinion, that no order can be made on this ground. If I am right in thinking that there was a sale to Saupin, he, and not the Assignees, would have had the benefit of Storm's advance, for it is clear, that the sale to him was of the whole property. Or even if this were otherwise, he had at all events so far the disposition of Autpara, that the Assignees could not refuse to carry into effect the sale to Bell unless he could do so himself. And he was bound to Bell even before the sale to himself; having fully contracted with him to allow him to have Autpara at 5,000 rupees, if he himself obtained the whole Neischunderpore concern at 15,000. On both grounds, therefore, if Storm's offer had been communicated to him, the estate would not have been benefited; and thus, even if there were some slight neglect, in this one particular, there has been no loss in consequence of it; and no remedy therefore is required.

It follows that the order obtained must, in my opinion, be discharged: and with whatever regret I may come to such a conclusion in a case of sufficient difficulty to have produced conflicting decisions, and still to divide the opinion of the Court, it seems to me that it ought to be discharged with costs. If it is sought to be supported on the ground that the original order was correct, the majority of the Court being of opinion that such an application was made to an incompetent jurisdiction, the order would be discharged with costs of course: and the same result seems to me to follow on the other part of the case also. The application proceeds entirely on the imputation of grave charges of fraud and misconduct; and a party who prefers such, not merely without being able

completely to prove their truth, but when they are in point of fact unfounded, as they appear to me to be in the present case, must in my opinion abide by the consequences of his rashness. It would obviously be impossible with the view which I entertain of the case, to allow the Assignees to bear personally the expense of defending themselves against unfounded charges; and it certainly would not be a proper result of a proceeding, brought ostensibly for the benefit of the estate, that the estate should be prejudiced by having to bear the costs opposing an application which ought not, if my view of the facts is correct, ever to have been made.

Mr. Justice Grant.—I should have been glad to have been saved the necessity of deciding on this appeal, it being from my own judgment. But the appeal being by the Statute to this Court generally, I am compelled again to consider, and to deliver my opinion upon the case. But I have thought it right to consider it alone, and have therefore not had the advantage of knowing the grounds upon which the learned Judges, my brethern, differ from me, expect from what I have now heard, and that it has been intimated to me that their opinions are that Saupin was not an agent of the Assignees.

The case is an important one, not from the sum in question, which is inconsiderable compared to the vast mass of debt in this insolvency, nor merely from the degree of censure which the judgment infers that these Assignees, persons I understand of very respectable character, are in my opinion liable to, although this imposes the duty of a very careful consideration: but from the great principles which in my view of it, it involves—principles on which depends the safety of every Insolvent estate in India, and the interests of every creditor, and of every unfortunate man the pressure of whose affairs compels him to take the benefit of the Act, which interest of the creditors and the insolvents, the Insolvent Court is established for the sole purpose of protecting—principles which I had understood to be firmly established in Bankruptcy and in Equity in the Court of the Lord Chancellor and the Baukrupt Court in England, the law of which Courts is binding upon us, which principle I much fear the reversal of this decision will shake in the practice of the Insolvent Court here.

The reasons of repeal are not very acurately set forth, but as I make them out, are 10 in number.

1. That Saupin, Albert, Terraneau, and Bell are interested in the three factories, the three former as proprietors, the latter as a purchaser of one of the factories, and were not before the Court or subject to its order.

2. That the applicants acted *bonâ fide*, and with the best intentions, and the price coupled with the necessity of purchasing the izara, was as good as could be expected and more than was ever offered.

3. That no order ought to have been made disturbing the sale without undertaking on the part of the person making the application to advance the price already obtained and to pay the costs and so forth.

4. That the order when once passed ought not to have been altered on any Petition without notice to the appellants.

5. That the Court exceeded its jurisdiction—gave orders which the appellants have no means of acting upon—directed references as to matters and accounts, which cannot be enforced and respecting persons not before the Court and so not subject to its jurisdiction.

6. That the order proceeded on the ground that Saupin was an agent of the appellants for the sale, &c. whereas he was a mere purchaser on his own account, with liberty to transfer part, which he had a right to do without such permission.

7. That the order does not provide for the reimbursement of the expense of cultivation incurred by the purchasers since their purchase.

8. That it does not notice that the appellants without the assent of Terraneau, Albert and Saupin, who are joint lessees for another season, cannot put a purchaser in possession till after another season; and that the consent of the two former to the sale was coupled with the condition that Saupin should relinquish his interest in the other factories, and that Saupin's assent to a sale *with* such condition would deprive him of the means of livelihood. I may here observe that I see no evidence of such a condition as is here mentioned in the consent of Albert and Terraneau to the sale of these factories.

9. That the directions in the said order are contrary to the principles which govern the Courts of Law and Equity as to assignees of bankrupt and insolvent estates.

10. That the order interferes with the management of the assignees of Insolvent Estates in a manner unusual, if not unprecedented, *in the English Courts.*

Of these reasons, and of the arguments in support of them, some go to the jurisdiction of the Court, which it is alledged the Court exceeded in the order made. It is necessary to dispose of these in the first place. The 1st reason of Appeal and the 5th are of this description, and with these the 10th may be included as an allegation of the Court's having exceeded its powers rightly considered. One main ground in the argument in the Insolvent Court and on appeal was that the *sale was complete* and could not be cancelled by the Court under the words of the Act,—and it was argued that assignees under the Act, make sales, and act in the affairs of the estate, on their own responsibility, and the case *exparte Montgomery*, Glyn and Jamieson 338., was cited by Mr. Cochrane.

In that case Lord Eldon states that assignees of bankrupt estates in England, act on their own responsibility, and that they and not the Court are to be judges of the propriety and expediency of a sale, and he refused to interefre to stop a sale. There was another reason in that case, that the petitioners had no title to make the application, not being creditors of the estate in question. I have no doubt but the first ground would have been sufficient and that that is the law under the Bankrupt Law of England.

But this is not so under the Indian Insolvent Act, which is framed upon very different principles.

By 9 G. 4. c. 73. § 46., power is given to compound and submit to arbitration only with the approbation of the Court.

By § 47, there is the like enactment with regard to the power to prosecute and defend actions.

I will advert to this clause more particularly presently.

By § 50. the power of ordering and directing the postponement of sales, the management of property, the sale or disposition of it, the raising money upon it by way of mortgage, *and generally all the detail,* is given *to the Court.*

These clauses were introduced for the very purpose of conferring on Insolvent Courts in India powers not possessed by the Court in Bankruptcy in England, for the express purpose, as it appears to me, of meeting the case which arose in *exparte Montgomery*, and similar cases to confer the power which could not there be exercised, and to limit the authority of assignees there recognised.

By the bankrupt Act for England [6. G. 4. c. 16, 11. § 863-64.] the whole real and personal estate of the bankrupt is vested in the assignees with the exception of copy or customary hold lands, and the assignees have the complete and entire disposition of all such estates upon their own responsibility. But the power to sell estates, conferred by the act, is given not to assignees, but to the *commissioners*, so likewise to sell copy hold estates, real or personal, extended in aid, and goods of others in his possession and under his controul. Every thing else that is to be done with the estate is left to the assignees, in some cases subject to the controul of the commissioners or Lord Chancellor but in most subject only to their own responsibility.

There is nothing in the English Bankrupt Act similar to § 846, 47,48 and 50 of the Indian Insolvent Act, and in many respects the powers of assignees under this Act are more limited than by the *English Insolvent Act.* By the English Insolvent act, power to sell estates by public auction is vested in the assignees in the manner and at the place approved by the majority in value of a *meeting of creditors:* but the power of sueing, except in Equity, is left to the assignees. By § 43 of the Indian Act of the

power of selling goods in the bankrupt's possession and under his controul the property of another is *reserved to the Court.*

By § 30 of the English Insolvent Act the property and disposal of such goods are vested in *the assignees.*

The power conferred and duly imposed on Insolvent Courts in India of directing and controuling the management of the insolvent estate, are greater than those conferred and imposed on the English Insolvent Court, and much greater than those conferred and imposed on commissioners or on the Court of Bankruptcy by the laws in force in England; and the independent powers of the assignees, acting on their own responsibility merely, are greatly less in India than in England. Whether it was desirable to make this difference, and especially in the case of those subject to the Bankruptcy law in England,—whether a deviation from the law which prevails there has insured better results in mercantile cases than would have followed the introduction of the Bankrupt law of England, it is not for me to decide. I am certainly not for extending the principle of relieving the Assignees from responsibility, and have always resisted the so doing where the Act did not clearly impose on the Court that necessity when I have sat as Judge in the Insolvent Court. But I was, and am very clearly of opinion, that in the case of the sale in question this necessity was imposed upon the Court; that from the moment this petition complaining of the sale was presented by a creditor it was no longer a question of the just exercise of discretion on the part of the assigness, and of their responsibility, but of the discretion of the Court, upon its own responsibility, unshared with any one. The questions for the Court to consider were—

1st. Was the sale completed?

2nd. If it was not, was it set about with such careful consideration for the interests of the creditors, and the estate,—with such publicity, and offered at such a price, as that the Court ought to order it to be so made?

I was, and am, clearly of opinion in the negative in answer to both questions. The words of the 49th sec. of the Act. are these:—

"And be it further enacted, that from time to time as possession is obtained of any of the estate or effects of any insolvent or insolvents, the assignee or assigness shall, with all convenient speed, make sale of the same, subject nevertheless to the direction and controul of the Court, by authority of which he or they shall have been appointed; in case any application shall be made to such Court by any insolvent, or any creditor or mortgagee, in all which cases such Court shall have full power and authority to delay or postpone the sale of any property, and to make such other order regulating the same as to such Court shall seem meet."

With these words of the Act, every person dealing with the assignees of insolvent estates, for the purchase of any part thereof, was bound to be acquainted.

The power of the assignees, to make sale of the estate and effects is rendered subject to the direction and control of the Court, in case any application shall be made to the Court by the insolvent or any creditor, or mortgagee, and the Court is authorized to do two things, to delay the sale, and to make such other order regulating the sale as to it shall seem meet. These latter words are very large.

There is no time mentioned within which such application may be made.

But the Act must receive a reasonable construction; either such notice must be given, or there must be such publicity, and in either case due time being permitted to elapse between the offer to sell at a price and upon conditions made known, and the completion of the sale, so that those interested may have an opportunity of applying to the Court if they think fit; otherwise this provision of the Act, and in my opinion a most wholesome and wise provision, may be readily and wholly defeated. A sale without public advertisement recently preceding, or meeting of creditors, or notice to creditors of the mode of sale to be adopted, and the price proposed to be taken, concluded in a private room with no one present, but the purchaser and the assignee, and closed in a few hours with equal privacy, is a *fraud upon the Act of Parliament,* of which no person concerned can take advantage. All those circumstances attended the sale in question.

Mr. Alexander, the Secretary to the Assignees, swore that the factories were advertized for sale, from time to time, *till October* 1833, the sale being made in August, 1834, 10 months afterwards; that after the Bank of Bengal gave notice they would apply for an order for a general sale, all communications for sale ceased on all sides; that this was before an offer which was made in Jan. 1834; that Jan. 1834, up to 25th August the day of the transaction which is now rested on as a private sale, the Assignees made no effort to sell this property, either by public or private; that they thought while the order of the Court for a general sale was pending, they could do nothing, and when the order was made known there was no advertisement, nor did they make any private offer or inquiry, *i. e.* during 7 months immediately preceding the private sale; that when the Assignee had agreed with the purchaser, a letter was directed to be written to the other persons who had appeared, acquainting them, i. e. when it was all over and the communication was no longer of any importance.

There was no notice to the creditors, nor were any of them consulted when the resolution was taken immediately to sell this property.

The transaction, whether sale as is now insisted on, or authority given to sell at a certain price, was concluded at once in Mr. Burkinyoung's private chamber, no person being present but Mr. Burkinyoung, Mr. Saupin, the alleged purchaser and Mr. Alexander the Secretary to the Assignees—no person but they and those connected with Mr. Saupin, knowing any thing of the immediate intention of the Assignees to sell at all, and the sale being made at ⅔ths of what had been offered for it to the Bank of Bengal, the mortgage on 28th December, 1833 (see Gregg and Donaldson's letter to Udny,) and might have been obtained at the time of the sale if it had been made known, or less than ⅔ths—it being proved, that a purchaser was ready to give 20,000 ~~Rs~~ for what was sold for 15,000, that he offered that sum on the 1st of September 1834, 7 days after the private sale, and had asked Mr. Rogers the nominal purchaser in trust for Saupin, whether he would take 22,000 ~~Rs~~ for his bargain after the purchase was made, and that another intending purchaser has on the very day the sale was privately made to Saupin offered the Assignees for a part sold at 5,000 ~~Rs~~—5,000 ~~Rs~~ only stipulating for leave to increase his offer if that was not sufficient. [Gregg's Affidavit, Cockerell's deposition, Storm's deposition, Alexander's deposition.]

I held, and I still hold, that this transaction, if a sale, was a *fraud upon the Statute,* and that, if such transactions are sustained, it is a repeal of the provision carefully made by the legislature for the protection of the interests of creditors. Secondly, I held, and I still hold, that the sale was not legally completed, or legal property transferred, for that he had not been put in possession, nor had the deeds been executed or delivered. What he had obtained, if he had acquired any right at all, was a right to sue in Equity to compel a completion of the sale, and I thought, and still think that he had acquired no such equitable right, and had no such equity.

Then as to the jurisdiction of the Court, it exercised no jurisdiction except over its own officers, whom it restrained from doing an act in the doing which they were placed under its control, and it decided and directed nothing regarding the rights of any person, except that it refused to do that which it considered they had not a right to enforce, and in so refusing necessarily expressed and acted upon its opinion regarding their rights in this respect. As to Saupin, he would not pretend that he was not an agent acting under the Assignees, and consequently under the Court in the affairs of the insolvency, if this made any difference.

But further, I held that this was a void sale upon two grounds personal to Saupin, the alleged purchaser, my reasons for which will, I think, cover all that is material in the other reasons of appeal. The sale was made to Mr. Rogers of part in trust for Saupin, and to Mr. Bell with whom Saupin had previously come to a private agreement that they should buy the shares between them of another part.

In the first place Saupin was the confidential managing agent of the Assignees in the conduct and concerns of the factory to be sold, bound to instruct them faithfully in regard to its utmost value, and the means of obtaining for it the highest price, and restrained by the law from accquiring any interest which might countervail these his paramount duties; and from this restraint such agent cannot be freed, so long as he continues in truth and in fact in any manner invested with this character, except by the express and advised assent of his employer and principal in person.

This assent the assignees of an insolvent have no power to give, being not the principals, but the creditors and the insolvent only, all and each individually agreeing to it.

I have reconsidered the case and I cannot see how the doctrine clearly, and as I think most justly, laid down by Lord Eldon in Wren v. Kirtor [8 Ves. 502] can be shaken, nor how this sale can be maintained consistently with that doctrine.

The interest of the insolvents and then that of the creditors, in these factories, was two-fold.

1. As proprietors, in which they were sold.

2. As joint lessees under themselves with Saupin and two others in a lease of which a year was to run when the sale was made.

Saupin was the sole managing agent of the other parties.

The two other co-lessees were managers of other factories, that had belonged to the insolvent firm, leased in like manner.

Saupin was in debt to the firm at the time of the insolvency, which debt was afterwards paid by his share of profits then in dependency. He had brought some money into the concern but had drawn it out and more.

The whole funds necessary for the outlay on the growth and manufacture of the plant and management of the concern were furnished by the insolvent estate, the other partners not being expected, and not having the means of making any advance. [Alexander's deposition. Saupin's deposition.]

Saupin therefore was an agent of the creditors, the proprietors in the management of this property and manufactory, or trade, paid for his services by being admitted a partner, sharing a certain proportion of the profits, $\frac{3}{10}$th for a certain number of years of which one remained.

I cannot see how his services being thus remunerated, and his being a partner to this extent, could vary his position from that of any other agent and manager of a factory, mine, or other property of the like nature.

The peculiar knowledge of its advantages and its value which his management gave him was equally the property of the proprietors and other partners, his employers. It was equally contrary to good faith and to the trusts of his situation he should employ that knowledge to obtain an advantageous bargain in dealing with those proprietors for the purchase of their estate, and equally contrary to the wise and necessary policy of the Law to permit him to place himself in a situation to obtain from his employers an advantage, which could only be obtained at the expense of that good faith and those trusts.

Alexander swears Saupin was manager of these factories; that he had been in the management of them, had charge of them, and that he was manager and had charge of them, on the 25th August the day of the alleged sale to him, so also Burkinyoung and Saupin himself.

The whole knowledge the Assignees had of the circumstances of the factories and the supposed necessity of a large advance to purchase an izara, and the essentiality of this izara to the concern, was derived from Saupin, on whose information they entirely relied and acted. [Burkinyoung's deposition. Alexander's deposition. Saupin's deposition exh. L. letter 13th September 1834 Assigneess to Gregg.]

Nay, that he actually did take advantage of the knowledge he had so acquired is certain, for he himself swears that he thought Mr. Gregg capable of giving a greater price for the factory than he could; that he had reason to believe he was to give a price for the factory, and would give a greater price to get him turned out of it; that he knew that Gregg was an offerer in November or December last year [at which time it is to be observed Gregg offered 20,000] and in pressing upon the Assigness the necessity of a large advance by way of loan to the zemindar to obtain a renewal of the izara or lease of the lands wanted, he did not acquaint them that the rent was to be reduced, so that he led the Assignees to believe the estate was to get only 4½ and a fraction per cent. on the loan to be advanced, whearas it was truly 6¼ per cent.

But I rested my judgment in the Insolvent Court, so far as regarded Saupin's being the manager and agent of this factory, upon the plain and broad principle of equity, and of justice founded in good faith, received in Courts of Equity and Bankruptcy in England, and binding as I think in Equity and Insolvency under the statute here, viz.:—

That where the agent and manager of a concern, be it manufactory, colliery, mine, indigo factory, or the like, purchases that concern, the sale must be set aside, unless it clearly appear that the price was the utmost that could or can be obtained.

In the second place Saupin was not only the confidential managing agent of the concerns of these factories, but he was the person commissioned and authorized to sell them, and being so commissioned and authorized was under an absolute and legal disability to buy them, had the transaction been the fairest, and honestest, and most public in the world.

That Saupin was employed by Burkinyoung the Assignee as agent to sell these factories, is manifest upon the evidence.

Alexander swears "There were two transactions took place on the 25th August, first in consequence of Mr. Burkinyoung and I assuring Saupin we were certain the Court would not authorize so large an advance. He then made his former offer which had been accepted before (i. e. Rs. 15,000 which he had offered in Sept. 1833). Previous to his leaving the office he asked whether it made any difference if two parties became purchasers instead of one, paying Rs. 15,000. Mr. Burkinyoung said it was of no moment. Saupin then declared the purchasers were Mr. Rogers and Mr. Bell. I considered the sale then as made." The witness adds that "when Saupin declared Rogers and Bell were the purchasers and Mr. Burkinyoung said very well, I considered it a sale *on authority to Saupin to sell to these parties.*"

The *two transactions* which Mr. Alexander refers to as having taken place on this occasion where therefore 1st, Suapin's repeating his own former offers, and 2dly, his explaining that it was the offer of two other persons, Rogers and Bell, and his receiving authority to sell to them at that price. If this did not constitute him an agent of the Assignee to sell for them this property, I do not know what would. Mr. Alexander proceeds to say after being shewn exhibit C., letter of the 1st September (to which I shall again advert presently) "that letter, expect a part of it relating to Mr. Storm, was written by authority of the Assignees. The communication refered to in the letter was on the 24th August after Saupin had *received authority to sell to Bell and Rogers*, when I found there was a person who would give ~~Rs~~ 500 more; *I refered him to Saupin hoping he had not closed with Bell. This was written by order of Burkinyoung.* Storm came on the evening of the day *after the direction to sell.*" Mr. Alexander was Secretary to the Assignees. He was present at all that passed between Burkinyoung and Saupin, and he considered it as constituting the latter the agent of the Assignees to sell these factories to two persons named, at a price named.

Saupin was very naturally so employed. He was already the agent of the Assignees in the management of these factories.

That which passed in Alexander's presence between Burkinyoung and Saupin amounted to no more than the giving Saupin a commission to dispose of these factories is further manifest from the representation of Alexander to Storm, who called upon him that evening soon after Saupin had left the office. He expressed to Alexander his desire to purchase the smaller factory and renewed his offer of the year before. He says "I asked him (I told him) if it was not sold I would make him an offer. He said it *was not sold but was open to an offer from me.* I then said if he would give me a slip of paper I would write my offer. He said *it would be time enough to-morrow morning.* In course of conversation I asked him if Mr. Saupin was here. He has but just left me, I understood from him there had been some conversation with Mr. Saupin about the factories but no price fixed." (Storm's evidence.)

Of any private understanding that Saupin was himself to purchase in the name of Rogers existing between him and Mr. Burkinyoung, Alexander was entirely ignorant, for he swears that he came to the knowledge of Saupin's having sold to himself in the name of Rogers afterwards.

In a subsequent part of his deposition he swears "I *now* know Mr. Rogers bought for Saupin, I *have so heard from Mr. Rogers*; and again afterwards, I have understood Rogers *paid* on behalf of Saupin. *I think Mr. Burkinyoung has told me so.*"

Than what is Burkinyoung's own account of what passed with Saupin in Alexander's presence? He swears "Saupin told me he would purchase. He then corrects himself. He would *get for the Assignees* ~~Rs~~ 15,000. *Rogers*, would pay 10,000 and Bell 5,000."

He adds "I was aware Saupin was buying Neischinderpore for himself through Rogers as his agent," but of this presently. He proceeds being shown exhibits A, B, C. "I authorized what these relates to the sale. *I authorised the part* that *speaks of giving authority to Saupin to sell.*" A. is a letter from Alexander to Mr. Storm an intending purchaser of the part sold to Mr. Bell, [Exhibited A. letter 26th Aug. 1834, Alexander to Storm.] It contains these words "*the Assignees have authorized Saupin to sell. He has obtained Rs.* 15,000." He is here distinctly affirmed by the Secretary by the Assignee's directions and authority, to have been employed as their agent to sell, not a part, but the whole, and to have fulfilled his commission by selling the whole. But Burkinyoung himself saw Storm in the evening of the 25th August, after Saupin was gone and upon Storm's offering an advance of 500 ~~Rs~~ upon Autpara, Bell's purchase, he swears "I desired him to call in the morning *when he would see Saupin.* I gave him to understand it was out of my hands." Was not this declaring it to be in Saupin's hands as agent to sell? He says further, "I had a conversation that day with Rogers on the subject of Neischinderpore Factory. I agreed with Rogers and Saupin for 10,000 ~~Rs~~ for Neischinderpore and with Saupin for 5,000 ~~Rs~~ for Autpara to Mr. Bell *or any body else.* I did not consider the agreement complete unless I got the money *for both.*" Even on the 26th August, therefore, according to the account given by Mr. Burkinyoung's deposition, there was no sale to any body but a commission given to Saupin to sell both factories together for ~~Rs~~ 15,000, with an understanding on the part of the Assignee that the person so commissioned was to keep one to himself and sell the other so as to obtain 15,000 ~~Rs~~ for both, being at liberty to sell to whomsoever he chose, a strange enough commission when he had been in communication with Storm the evening before, knew he would advance ~~Rs~~ 500 upon the bargain, "had told him he should hear him in the morning and had agreed with him to allow him to amend his offer (of course in the morning) if any body made higher offer." These are the words of Storm's deposition.

The next thing to be noticed is, the letter written by the Secretary by Mr. Burkinyoung's directions to Mr. Terraneau for the information of himself and Mr. Allan and the co-lessees of the factories without whose consent there could be no sale till the year was out, or at least no possession given.

This letter bears date the 25th August 1834, the day of the transaction with Saupin. It appears from Alexander's deposition that the communication be made to the other lessees was after the transaction with Saupin.

It states that the Assignees "*had offered his,* Saupin's, *division of the concern for sale* not that they *had sold it.*" It proceeds "I am directed to add, that should suitable offers be made the Assignees *will dispose,* &c., &c. I am directed therefore to request your concurrence in the sale *in case an opportunity for disposing of the concern offers.*"

I would desire to know how the Assignee who directed the writing of that letter, who made the representation to Mr. Storm which I mentioned, who directed the letter to be written to Storm which I had mentioned, the terms of whose communication with Saupin in the presence of the Secretary amounted distinctly in that Secretary's apprehension, as he has sworn, to the giving Saupin a commission to sell, and to no more, to be heard now to say, when he wishes to support a sale to Saupin, that he did *not* constitute him an agent to sell, but treated with him as a purchaser from the first?

Saupin himself says that what passed between him, Mr. Alexander and Mr. Burkinyoung, amounted to the giving him a commission to sell for the Assignees.

He says they recommended me *to endeavor to obtain* the price that had been offered the preceding year by Mr. Rogers. I then called on Mr. Rogers and related this part of the conversation to him. Mr. Rogers sent me back to the Assignees (i. e. to Burkinyoung) to tell them that if they would make him (Rogers) an offer he would accept it at the price of 10,000 ~~Rs~~. Then I told he Assignees that I would take the Neischunderpore facory on my own account, &c.

This was a communication to Burkinyoung alone, for it is clear Alexander knew nothing of this, and the letter containing the offer was addressed to Rogers, and the answer accepting received from him, all in Roger's name as if he were the real purchaser through the medium of Saupin the messenger and proposer, and negociator of the sale on the part of the Assignees.

To qualify all this we have the present declaration upon oath of the Assignee who desires to support the sale, "that he was aware Saupin was buying one factory for himself through Rogers as his agent."

Why this is the case of *exparte James,* [8 Ves. 337] except that there the sale was by auction for what was considered by all parties a good price, and as much as could be got and the whole transaction public. Whereas here it was entirely private, and the sale at ⅓ths of what might have been got. There a solicitor in Bankruptcy bid for the estate with the knowledge and approbation of the sole surviving Assignee, and of several of the creditors and their agents, who were pleased with the sale. It was resisted by *one creditor,* the petitioner, and the sale was set aside upon the general principles. The Lord Chancellor "The doctrine as to purchases by trustees, assignees, and persons having a confidential character stands much more upon general principle than upon the circumstances of any individual case. It rests upon this, that the purchase is not permitted in any case, however honest the circumstances, the general interests of juctice requiring it to be destroyed in every instance; as no Court is equal to the examination and ascertainment of the truth in much the greater number of cases." As to assignees under a Bankruptcy there have been many fair cases, but it is obvious that in many instances where the commission is to be taken out, schemes are laid for all the benefits to be made by assignees, solicitors, &c. making the thing beneficial for themselves; and considering, that in the Assignees is vested the whole property, that the conduct of bringing it to sale, the time, and manner of the sale, are very much in their power, the creditors seldom having so large an interest as to make it an object to dispute the difference of a sale to A. or B., the bankrupt, with perhaps no interest in the surplus, but for the present at the mercy of the assignees, his whole property in their hand, his person not free, considering the opportunity of the assignees to deal for their own benefit, more amply afforded and more out of the reach of investigation, those trustees are more especially within the general principles. My opinion is, that, if there is any species of trustee or agent, against whom the principle

ought to be strictly held, it is the assignee in Bankruptcy, and the agents for him.

"The order declared, that Jones, as the Acting Solicitor under the Commission, is not entitled to hold the purchase of the estate against the consent of any of the creditors or the person entitled to the surplus of the bankrupt's estate, if any."

The rule is universal and absolute, and well stated by Lord Rosslyn in Whichcote v. Laurence [3 Ves. 750] "It is," says he, "a proposition very plain in point of equity and a principle of clear reasoning, that he who undertakes to act for another shall not in the same matter act for himself;" and this is a principle established from the earliest times in the Court of Chancery borrowed like many other of its principles from the Roman Law in ages before the Court of Chancery existed. *Nemo polestesse auctor in rem suam.* No one invested with any authority to do an act can exercise it in any matter in which he has an interest.

If Saupin instead of selling to Rogers, or bargaining with him as trustee for himself, had sold to Rogers out-and-out on Rogers's own account, could it be doubted upon this evidence, that the sale would have been good as made by one having authority to sale for the creditors? If Saupin, when he first quitted Burkinyoung and Alexander had met one who offered him 20,500 Rs for the two factories would he not have been bound in conscience by the commission he had undertaken to have closed with the offer, or at least to have reported the offer instantly to the Assignees?

Then he stood in a situation, and had accepted an employment, which placed conscientious discharge of his duty in opposition to his interest, and shall he be permitted to take advantage of that situation by selling in effect to himself?—or shall the Assignee, himself a trustee, be permitted to throw over the transaction as a protection that which was only the partaking in the blame—namely, his own private knowledge of what was intended?

Nor is it merely the being formally appointed a solicitor to the trust or bankruptcy, or an agent directly to make the sale that is necessary to vest a person with such a character of trust and confidence as renders him incapable of becoming the purchaser of trust or bankrupt property.

In exparte Hughes [6 Ves. 617,] a creditor being consulted as to the sum at which an estate should be put up to sale, and making himself acquainted with the circumstances affecting its value, and assisting in deciding upon the upset price, and purchasing at that sale, the sale was set aside by Lord Rosslyn, and a petition being presented against that order to Lord Eldon, it was confirmed.

This was in Bankruptcy and the Lord Chancellor held clearly that on the other hand he might, if he thought fit, hold him to his purchase.

Certain mills were to be exposed for sale. "The solicitor and those concerned for the joint creditors, and also for several of the separate creditors of Dumbell, were satisfied, that they were not worth much, if any thing more, than £2,000; and proposed, that they should be put up at that sum. Pending this discussion in a private room, a little previous to the hour of sale, Mr. Hughes, the principal joint-creditor of the *Stockport* bank, viz. to the amount of above £19,000, went into the room, and being informed of the difference, and being asked his opinion, said he would abide by what *Mr. Dyke* thought right; who having heard both sides was of opinion, that the premises ought to be put up at £2,000; and *Hughes* assented." The cotton mills were accordingly put up at £2,000, with a declaration that if any one advanced upon that sum, they would be knocked down to him. Several persons were in the room, and *Lyon* and *Mayor* among them. After a considerable time, no one bidding, Hughes advanced £10, and was declared the purchaser. No objection was then taken by *Lyon* and *Mayor*; but they afterwards signified that they would not acquiesce in the sale. Though they both live at Worrington, they permitted *Hughes* to take possession of the mills without interruption; and to lay out large sums in repairs and lasting improvements. In September following *Mangles* was appointed receiver of *Dumbell's* separate property; and he approved the sale to Hughes, and was satisfied that £2,000 was as much as the property was worth. The assignees refusing to deliver an abstract to *Hughes*, to enable him to complete his purchase, he in December 180: applied in the cause for an abstract. The Lord Chancellor directed that motion to stand over, in order that the assignees might present a petition in the Bankruptcy Court. A petition was accordingly presented by Lyon, the acting assignee, the object of which was to set aside the sale and to have the cotton mill re-sold before a Master; suggesting collusion between *Hughes* and the solicitor for the joint creditors, who were concerned in the sale. (It appears from the judgment of the Lord Chancellor Eldon that no fraudulent collusion was established.) The Lord Chancellor Rosslyn ordered that the sale should be set aside, and that a re-sale should take place before the Master, and made no order upon an application of the counsel for Hughes for an allowance for repairs and improvement. A petition was presented by Hughes to Lord Chancellor Eldon to set aside that order, or otherwise to be allowed for repairs and lasting improvements. The Lord Chancellor Eldon said upon part of the case, I do not impute fraud to Hughes even in the view of this Court; but it is impossible to permit him under the circumstances to hold his purchase. On the other hand the Court is at liberty to hold him to the purchase as against himself. The sale took place under the circumstances now stated. Hughes making himself a party in the conversation that was to determine the upset price. He had a considerable interest, and I agree his advice would have been very aptly and properly given if he had not become a bidder. The result of the account was that Hughes had expended upwards of £6,000 in repairs and improvements. The premises were accordingly put up before the Master at the aggregate sum above, £2000—no one advanced upon it, and Hughes was therefore held to his purchase, and upon the 21st of December 180:, the Master's report was confirmed upon petition.

There are two things established by this case, first, that in Bankruptcy, as in Equity, the merely being consulted upon the price at which the property shall be set up, vests the person with such a confidential character, and lets him so much into the knowledge of the circumstances as that if he purchases even at a public sale by auction his purchase shall be set aside, and the estate sold over again; secondly, that if no greater price can be got he shall be held to his bargain.

These things are what the Insolvent Court did in this case, humbly following the rule in Bankruptcy in England, which in my opinion it is bound to do, where those rules will apply.

In *exparte Bennett* [10 Ves. 381.) the principle was extended to the incapacitating every person connected, with the sale, as commissioner, assignee, solicitor, or agent under the assignee who cannot buy, or even employ any one to buy for another.

"Then if the principle be that the solicitor," (and it is the same of every agent employed by an assignee and of every person in a situation of trust and confidence empowering him to acquire a greater knowledge of the estate and the circumstances under which it is sold than other people, or consulted regarding the sale, so as to acquire such knowledge and to influence the resolution taken as to the price to be accepted) "if the principle be," says Lord Eldon, 10 Ves. 399, "that the solicitor cannot buy for his own benefit I agree, where he buys for another, the temptation to act wrong is less; yet, if he could not use the information he has for his own benefit, it is too delicate to hold, that the temptation to misuse that information for another person is so much weaker, that he should be at liberty to bid for another, and so he might bid for his son, his relation, or his employer. That distinction is too thin to form a safe rule of justice.

I might quote cases without end in Equity and Bankruptcy to show the strictness with which this principle is enforced, and the amplitude with which it is extended to embrace every situation of trust and of confidential means of obtaining information. But I have said enough to show the grounds upon which I pronounced the judg-

ment in question, and I now adhere to my opinion. As that judgment I understand is about to be reversed upon its principle, it is unnecessary that I should enter into any question regarding the directions contained in the order for the purpose of carrying the judgment into effect.

There are *three* things, however, which I am desirous of adverting to, mentioned in the petition of appeal.

1.—That the Assignees, or rather Mr. Burkinyoung the only Assignee at time capable of acting, acted *bonâ fide*, and with the best intentions.

It will be recollected that in my former judgment I stated that sales in such circumstances might be invalid either in respect of the relation the purchaser stood in to the seller, or upon the ground of fraud, and that the whole of my argument proceeded upon the first consideration only. I did not, nor do I now impute to this gentleman whom I believe from what I have heard of him to be a very respectable person, any fraudulent or unfair intention. I did and I do impute to him a negligence and want of due consideration in making the sale of these factories, which has brought loss upon the estate. Nor can I see that I was wrong in saying that that, which it is now alledged was done, was a different thing from that which from the terms in which the transaction was concluded, was to appear to have been done. That this was meant and fraudulently by the Assignees I did not say, nor do I believe.

2. That the order after being passed was altered upon the petition of one of the parties which ought not to have been. This was not so, a verbal intimation of the judgment was given from the Bench. From notes of this the clerk drew up a draft of an order, and furnished a copy to the parties, on which they might have submitted observations on points within the general scope of the judgment if they chose, through the clerk. I believe one of the parties did so. I am informed by way of petition. But there was no order, and no terms of any order settled or authorised by me, but they were appealed from.

3. It was said in support of the allegation that the judgment contains orders which the appellants had no means to enforce; that the parties concerned are subject to another jurisdiction, before whom the appellants may be unable to succeed in recovering possession of the estate. But I for one cannot listen to a suggestion that the jurisdiction will not enforce justice and right, and will not take the same view of justice and right with this Court. I entertain no suspicion of the kind, and if I did it would not relieve me from the necessity of deciding in the case before me according to what I believe to be the law of the Court in which I sit, whether of Common law, or Equity, or of Insolvency.

I have given great attention to this case and I have taken up a considerable time in delivering my judgments upon it, but I have not given it more attention or taken up more time than its importance has deserved. Upon the best consideration I can give it, and with every deference and respect for the opinions of those who differ from me, I cannot conscientiously depart from the conclusion which I originally came to regarding it.

Sir E. Ryan.—It is now necessary that I should express my opinion on this appeal from the decision of the learned Judge in the Insolvent Court; and I shall do so as briefly as I am able. I regret that there should be a difference of opinion on the bench, but after the best consideration I can give to this case, and after listening to the able argument of the Advocate-General, and reading the judgment of the learned Judge, I cannot concur in the order which he has made.

The first question in this case is whether the Insolvent Court under the 49th section of the 9th G. 4 c. 74 has the power to delay and prostpone a sale on the application of a creditor where the Assignees have entered into a contract to sell, and have received a moiety of the purchase money, on the ground of the contract being void for fraud or that the price agreed on was inadequate to the value of the property. The purchaser, it should also be observed, not being any party to the proceedings in the Insolvent Court or shewn to be subject to its jurisdiction.

If the Court has not this power then in no view of the facts of the present case can *this* order be supported.

I am clearly of opinion that the 49th section does not confer this power on the Insolvent Court, and that where an actual sale has taken place with whatever circumstances its validity may be effected, such circumstances cannot be a ground for *that* Court making any order under *this* clause of the Act of Parliament, and that if the creditors desire to question the validity of the sale they must do so in some Court that has the power to try that question. It has been contended at the bar that this Court has a power analogous to that exercised by the Chancellor when sitting in bankruptcy, and that the Chancellor would, in a case of fraud or negligence in a sale by an Assignee, on petition declare such sale to be void. Exparte Benett 10 Ves. Junior, has been cited as an authority to support this position; but when that case is examined it will be found to have expressly decided that in bankruptcy the Chancellor has no jurisdiction, and that the order which he did make in that case for a re-sale was only because the purchaser appeared and consented to abide by the decision of the Chancellor who even then doubted whether he should accept the offer of the parties. Lord Manners, certainly stated in exparte Partington, 1 Ball and Beaty's reports, that he was not "aware of any decided case where a bidding had been opened in Bankruptcy, but that he could see no reason why the Court should not do so;" and in a more recent case, exparte Gould, 1 Glyn and Jameson's reports p. 281, The Vice Chancellor on petition in Bankrupicy ordered a purchaser (who was not before the Court) of a bankrupt's mortgaged estate sold before the Commissioners under the general order, *to complete* his purchase. But this was a decision in affirmance of a contract, though certainly made on an absent party, but made without argument or counsel appearing for any one but the petitioner. But in the last case I have been able to find bearing on this question, exparte Ashley, 3 Deacon and Chitty's reports, p. 510.—which was an application by Assignees to rescind the sale of certain mortgaged property of a bankrupt which had been bought by the mortgagee without leave of the Court,—the Court dismissed the petition, and it seems to have been conceded that their jurisdiction to entertain the question rested on the mortgagee having come in under the commission, by substantiating his claim before the Commissioners, and procuring an order for the sale of the mortgaged premises: the fact however as stated by Mr. Sugden in his book of Vendors and Purchasers, that the Chancellor has never exercised this jurisdiction with the expres decision of Lord Eldon, are in my mind ample authority to shew that the Chancellor in Bankruptcy has no such jurisdiction. It should be observed that in Bankrutcy the Chancellor rarely interferes even *to postpone* or *delay* a sale, and in exparte Montgomery, 1 Glyn and Jameson's reports, the Chancellor said the Court ought not to interfere to stay the sale because the Assignees act at their own risk and upon their own responsibility, and they and not the Court are to be judges of the propriety and expediency of the sale. The question therefore reverts to the construction that is to be put on this 49th clause, and that I am satisfied applies only to delaying and postponing of sales about to take place. The first part of the section provides that with all convenient speed the assignees shall dispose of the insolvent's estate. This is his first duty and similar to that of the assignees of a bankrupt at home, where any creditor can cancel an immediate sale on application to the Court: but this Court under this section has a discretionary power of postponing and delaying a sale if application shall be made for that purpose by the insolvent or creditor or mortgagee, or under the 50th section the Court may without such application defer the sale of property and make any special order according to the provisions of that section. I am the more confirmed in this view of these sections by the ample provisions contained in the 56 section against the misconduct, mismanagement or negligence of the assignees. Under that section it is quite clear that if the insolvent or his creditor have suffered any "*injury*" by the "*fault*" of the assignees, the Court may order the assignees to make such compensation as to the Court may seem just and in default of their not obeying the order of

the Court they may be committed to gaol until they conform to the order, or their goods may be sold to compensate for any loss sustained.

What I have already stated is sufficient to dispose of the present order, but the validity of that order is not the only matter before the Court; the 4th section of the Insolvent Act which allows an appeal, directs that this Court shall enquire into all the matters of the petition and of the proceedings and evidence, and make such order as to them may seem meet and just. It is necessary therefore to consider whether the proceedings and evidence before us would justify our making an order under the 56th section of the Act; and independent of this duty which the Act imposes upon us, I think as the character of persons who may be considered in the light of officers of the Insolvent Court has been attacked, and to whom conduct has been imputed that would in my opinion if substantiated, make it incumbent upon us to remove them from their office, it is necessary that the whole of the case should be looked into, to see if these charges rest upon any foundation. I am prepared to go into the facts, but I think it unnecessary as they have been entered into so fully by Mr. Justice Malkin; and I so entirely agree with him in the view he has taken of them and in the conclusions he has drawn, that it would be but a needless repition if I were to go over the same ground. One or two matters however I think it necessary to notice.—The imputation of fraud, or as it has been termed legal fraud, has been applied to that part of the transaction in which it is alleged that Saupin was held out to the world as the agent of the Assignees and as employed in that capacity to act for them, and consequently if a purchaser himself the sale would be vitiated on the common principle which is so well established that it requires no authority to be cited in support of it, that an agent employed by a vender to sell cannot become a purchaser himself. I need hardly observe that in this sale Mr. Hurry is in no way implicated, he was absent and ill at the time. It appears from Mr. Alexander's evidence that he supposed Rogers and Bell to be purchasers and was not aware for some time after the sale that Rogers purchased for Saupin; and the letters which were subsequently written by him, and as he states approved of by Mr. Burkinyoung, might induce those who were ignorant of the facts to draw the same conclusion. This inaccuracy and looseness of expressions in the letters, was probably sanctioned by Burkinyoung from the understanding that existed as to Rogers advancing the money for Saupin. But where is the fraud? and what could be the motive or inducement to Mr. Burkinyoung for any concealment or contrivance? It is indisputable on the evidence and not disputed on either side, that Saupin bought and Burkinyoung sold with a full knowledge that Rogers as the agent of Saupin was to advance the money for Neischunderpore, and that Bell was to purchase Autparra. It was in fact only the renewal of an offer that had been made by Saupin in September 1833. How then can Saupin be considered as an agent, and how can the principle upon which all the cases of purchase by agent are founded apply here?

But besides the ground of fraud upon which I have observed, the conduct of the Assignees is complained of as culpably negligent in allowing of a private sale without having duly advertised the property, and in selling one of the divisions of the Neischunderpore factory for a less sum than they could with proper deligence and enquiry have obtained for it. These questions have been so fully considered by Mr. Justice Malkin that I shall not enter upon them at length; but as to advertising, it is clear that from the October preceding, when they were repeatedly advertised, all persons possessing factories in the neighbourhood and in any way likely to become purchasers, must have been aware that they were for sale, and the disputes between the Bank and Assignees fully account for their not incurring an useless expense when there was little probability that they could effect a satisfactory sale. This would account for their not advertising before the order of 26th of July was obtained. But it is alledged that they refused in January an offer of 70,000 rupees for the whole of the Neischunderpore concern, and that neglecting to advertise after the order of 26th of July was obtained, they consented to a private sale of a portion of this concern at a less price than could have been obtained. The rejection of the offer of the 70,000 rupees is accounted for by the pending disputes between the Bank. Mr. Udny did not communicate to the Assignees the offer of Donaldson and Gregg until the 18th of January, the order of the Insolvent Court was obtained on the 1st February, and at the time of Mr. Udny's communication the Assignees were aware of the intention of the Bank to apply to the Court. As to the offer of 20,000 rupees by Donaldson and Gregg for the Neischunderpore concern on the 28th of December 1834, and which the Bank rejected, it is clear that the Assignees had no notice of it. In the private sale without further advertisement on the 24th of August to Saupin, the culpable negligence of the Assignees it is contended is apparent. Mr. Alexander states that after the order of the 26th of July he had frequent conversations with Mr. Burkinyoung on the necessity of something being done with reference to the advance for renewing the izara to prevent the factory from going to ruin, and the conclusion that Burkinyoung and Alexander came to *prior to Saupin's arrival at Calcutta*, was that it was better to sell the factory at once than to go to the Court to ask for liberty to make so large an advance, which they thought the Court would not sanction: with this impression on the mind of Burkinyoung, Saupin renews his offer to purchase at the value fixed upon Neischunderpore by those most competent to form an opinion on the subject and up to which time no offer had been made to the Assignees of an advance upon this estimated value; for the offer of 70,000 rupees by Donaldson and Gregg in January for the whole concern was only the sum which the Assignees had fixed, estimating the Neischunderpore division at the sum at which Saupin purchased it for 15 000: a sale then is effected and Mr. Alexander swears that at that time neither the Assignees or he had any reason to expect they could have obtained a better price, and when it was doubtful as to the terms on which the izara could be renewed, when publicity might have thrown difficulties in the way of the renewal, and when this risk was thrown upon the purchaser, it being clear that without renewal of the izara, the property would have been worthless. I cannot therefore say that a private sale at the estimated value under such circumstances proves negligence. The only remaining matter that I think it necessary to notice after the full discussion this case has received, is the question of costs. I entirely agree with Mr. Justice Malkin in thinking that this order must be discharged with costs, I regret, that there should be a difference of opinion on the Bench, and that owing to the different views which have been taken on this subject the costs will be enhanced. But with every deference and respect for the learned Judge who originally made this order, I am bound in the view I have taken of this case to think that the creditor who originally made the application to the Insolvent Court should have well considered whether in the result the insolvents' estate was likely to reap any advantage by the application which he made. As the estate is not benefited by the proceedings which have been had I think it would not be just to the creditors generally to oblige them to pay the costs of a particular creditor who has been mistaken in his views—certain I am that it would not be right to charge the Assignees personally with these costs when they are acquitted by the Court of all misconduct and negligence; upon the party therefore who has unadvisedly caused all these proceedings the expense must fall, and under the powers which this Court possesses under the 4th section of the act and which the Insolvent Court at present has not—we direct that Mr. Lingham shall pay the costs of all the proceedings both in the Insolvent and the Supreme Court.

Ordered—That the order of the 3d of January, 1835, be discharged, and that Alfred Lingham do pay to Frederick Handel Burginyoung and William Cobb Hurry, the Assignees, &c., the costs of all the proceedings in the Insolvent and of the proceedings in the Supreme Court on the petition of the Assignees.

When the Chief Justice had delivered the Judgment of the Court, Sir John Grant said—

Being not of opinion that this judgment ought to be reversed, I need not say that I do not concur as to the costs. But I desire to say that even if I were of opinion that the judgment ought to be reversed, I should not concur in giving costs.

TUESDAY, NOVEMBER 24.

*Common Law side.*

CALDER *versus* HALKETT.

The Court to-day delivered its judgment in this case.

Mr. JUSTICE RYAN.—The general points of this case the Court will now determine; one question, and that the main question upon which the case depends, we will reserve for further consideration: the other points are: First, as regards the motion for nonsuit, on the ground that of the connection between the defendant and the perwannah, there was no evidence to go to a jury. Mr. Justice Grant and myself, at the trial, were of opinion that there was evidence, and I remain of the same opinion. Looking at all the circumstances of the case we must conclude, that the arrest was caused by the defendant, and that the perwannah which was produced in the course of the trial was issued by him, and that it was under that instrument that the arrest took place. In respect to the pleas of justification, if the arrest was effected under the seal of the Fouzdary Court, and not by the defendant in his capacity of Magistrate or Justice of the Peace, such pleas of justification could not be maintained, as the plaintiff was a British subject and not liable to the jurisdiction of the zillah Court. Now, notice was given to the defendant to produce the perwannah at the trial. Mr. Reid, the Registrar of the Sudder Dewanny, was served with a subpœna *duces tecum* and then out comes Reid's declaration that the defendant had acknowledged, that there was such a perwannah, and that he issued it. I see, therefore, no grounds for a nonsuit on account of absence of sufficient evidence to go to a jury, nor do I think the pleas of justification an answer to the action. The only and main question that remains is, whether this Court is, or is not, precluded from jurisdiction in such cases as the present, by the 24th section of the statute 21st of George the third, Chapter 70, which is as follows:—"And whereas it is reasonable to render the Provincial Magistrates, as well natives as British subjects, more safe in the execution of their office, be it enacted that no action for wrong in injury shall lie in the Supreme Court against any person whatsoever exercising a judicial office in the country Courts for any judgment, decree, or order of the said Court, nor against any person for any act done by, or in virtue of the order of the said Court." On this point the Court will take time to consider.

Mr. Justice GRANT and Mr. Justice MALKIN concurred generally in the opinion delivered by the Chief Justice.

MONDAY, NOVEMBER 30.

*Common Law side.*

CALDER *versus* HALKETT.

The Court this-day gave judgment in this case.

There being a difference of opinion on the Bench, the Judges severally delivered their judgments.

Mr. JUSTICE MALKIN.—This question mainly depends upon the construction of the statute 21, Geo. 3. c. 70 section 24,—and whether under the provisions of that enactment this Court is, or is not, precluded from exercising jurisdiction in this and similar cases. I am of opinion that if a perwanah be an order of the Court out of which it issues, this Court is so precluded. The words of the Act are:—

XXIV. AND WHEREAS it is reasonable to render the Provincial Magistrates, as well Natives as British subjects, more safe in the execution of their office, be it enacted, that no action for wrong or injury shall lie in the Supreme Court against any person whatsoever, exercising a judicial office *in the country Courts* for any judgment, decree, or order of *the said Court*, nor against any person for any act done by, or in virtue of, the order of the said Court.

In regarding this provision we are to look to the history of the period at which it was enacted. The object which the legislature contemplated at that period was to restrain and set limits to the jurisdiction of the Supreme Court. This act was passed with that view, and must receive an interpretation consistent therewith. It appears to me therefore that we are excluded by the terms of this Section of the 21 Geo. 3. c. 70. from entertaining an action grounded upon an order issuing out of the Court wherein the defendant sat in a judicial capacity, and consequently that the verdict in this case ought to be set aside and a verdict entered up for the defendant.

Mr JUSTICE GRANT expressed great regret that a difference of opinion should subsist upon the Bench, the more especially on a question of such magnitude, affecting the due and right construction of a most important act of Parliament; and of the greatest consequence to the happiness and well being of a considerable body of inhabitants in the Mofussil.

Previously to the act of 21 Geo. 3. c. 70, this Court constantly entertained actions for damages, brought against persons acting in a judicial character in the country Courts. It was to remedy this mischief that that was passed, and the object of it was to afford these Magistrates in respect to such actions, the same protection as is afforded to Magistrates at home. That law was very necessary to those judicial officers, but it cannot be construed to extend beyond the mischief calling for correction, far less to convey immunities not possessed by the judges of the highest Courts of record. An Act to fall under the protection or exclusion of this clause of the Statute must be done judiciously; must be done in the exercise of a judicial office in the country Court; or the order in question must be an order of the said Court. But because an illegal act is done by one who is a Magistrate, it is not therefore an act done officially. An act to become an order of the Court must be done officially; but in order to this there must be a judge, and in order to give his actions a judicial character, he must be acting in a matter judicially before him, which cannot be unless there be accuser, accused, and a cause before him to be determined. Where there are no parties there can be no judge, and there it is a manifest contradiction to say that this purwannah is an order of the country Court. It is a mere illegal act, emanating from a party who happens be a judge of a country court. I therefore am of opinion that this verdict ought to stand.

Mr. JUSTICE RYAN.—This is an action of trespass and false imprisonment. The only question remaining now to be determined is whether under the 21 Geo. 3, c. 70, the Court is precluded from jurisdiction in this case. We have already expressed our opinion as to the defendant being at liberty to take advantage under the general issue, of giving matter of justification in evidence. I am of opinion that this Court is entirely and completely precluded from taking cognizance of the subject matter of this suit. The words of the Statute are expressly to that effect; and the only jurisdiction intended to be left to this Court in such cases, was a criminal jurisdiction upon occasions of corruption or malicious abuse of the process of the country Court.

The order of the Court therefore is that a verdict be entered for the defendant with costs.—*Hurkaru.*

# MISCELLANEOUS NEWS.

## CALCUTTA.

SHIPPING INTELLIGENCE.—The *Hattras*, pilot vessel, was spoken in latitude 14° N. and longtitude 88° 44' E., on the 21st October, the Bishop and all on board well. The vessel had encountered bad weather for three days after leaving the Pilot.

The date of the second departure of the *Hugh Linday* has been changed from the 1st to the 9th February.

Mr. Blunt has detained the Steamer, which reached Allahabad on the 27th October, until the 10th Nov., intending to embark for Calcutta on the morning of that day.

Accounts have reached town of the loss of H. M. S. *Challenger* on the coast of South America, in latitude 37° 39' a little to the southward of Conception. The accident is supposed to have occurred in consequence of a sufficient allowance not having been made for the currents. An opinion generally prevails that the great earthquake in March last, has affected the depth of water in some places on the coast to a considerable extent.

ICE HOUSE.—Government have lent a piece of ground for the purpose of erecting on it an ice-house. The terms of the loan of the ground are, that the possession of the ground is so far guaranteed for five years, that if before the expiration of that time the Government resume it, they will pay for the building erected on it. If after that time, they will be at liberty to resume it in four months' notice without paying for the building, the Ice Committee being permitted to remove the materials.

MEDICAL AND PHYSICAL SOCIETY.—The question of admiting a reporter to take down the proceedings of the Society for publication, has been decided. It was negatived by a majority of ONE.

SIGNORA CARAVAGLIA.—Private letters have announced the death of Signora Caravaglia, on board the *Theresa*, on the 1st of June last.

SILK FILATURES.—A public sale of the Company's Silk Factories took place on the 2nd November—the following lots were sold; for the rest there were no bidders:—

| | *Price.* | *Purchaser.* |
|---|---|---|
| Jungypore,..... | 50,100 | M. Larruleta, Esq. |
| Bulludgatchy,..... | 7,000 | J. Watson, Esq. |
| Boorsoot,..... | 6,100 | Ditto. |
| Khadnahcool, ..... | 1,250 | Cossinauth Bhose. |
| Dunnacolly,..... | 2,550 | Ditto. |
| Omphtah,..... | 4,050 | Ditto. |

RAIN.—It rained all night on the 6th of November unusually hard for the season, producing a fall of nearly three inches, which makes the whole quantity of rain this year 83¾ inches—one third more than the average, and nearly double the whole quantity of rain which fell in 1833.

SIR HENERY FANE.—Sir Henry Fane, who has been elected a member of the Bengal Club, took his seat at that board on the evening of the 3rd Nov. There was a dinner party of about sixty gentlemen and the Governor-General, as President of the Club, took the Chair.

MR. ROBERTSON was sworn in a Provisional Member of Council, on the 11th November, in the room of Mr. Ross.

SULPHURIC-ACID MANUFACTORY.—The sulphuric-acid manufactory erecting at Howrah, under the direction of Mr. Stephenson, has been abandoned by orders from the Court of Directors.

MILITARY PAY OFFICE.—The Committee of Concentration have arranged that the Militaty Pay Office shall be removed on the 1st of January to the premises recently occupied by the Board of Trade and immediately opposite the Audit Office.

PILOT SERVICE.—Government having proposed to allow the members of the Pilot Service a furlough after *sixteen* years service—and a pension after *thirty-five*, the pilots have drawn up a memorial against the injustice of the measure.

OPPRESSION.—It is stated that a gross case of oppression has been exercised in the Mofussil by an indigo planter who employs an armed band of *latheals* amounting in number upwards of 200. Some people said to be in his service and employed in making collections resorted to the extraordinary mode of extorting money from one individual by suspending him in a well, occasionally dipping him until he consented to pay a certain sum. It is said, that while thus cruelly suspended, the rope broke and the unfortunate sufferer was drowned.

ORIENTAL LIFE INSURANCE SOCIETY.—The Half-yearly Meeting of the Oriental Life Insurance Society was held on the 11th November. The statements laid upon the table presented a state of things very different from the ill luck of the first few months of this regenerated institution. Instead of lapses amounting to many lakhs of rupees, the accounts exhibit claims to the extent of only 65,900 rupees upon 10 lives lapsed during the last six months, being only about one-third of the amount of the premiums in the same period. The report states that, notwithstanding the recent competition of a third office, (the Universal, which has already issued 210 policies) the Oriental has issued 53 new policies in the last half year, covering 4,83,300 rupees and there is no diminution of the total number of policies on the register.

ROBBERY AND VIOLATION.—On the night of the 6th November a gang of about fifteen men in disguise, entered the dwelling of a confectioner in the 24-purgunnahs during his absence, and having plundered the house, seized two females who were in it, and after scorching them dreadfully with hot tobacco-bowls and torches, violated their persons in a most brutal manner. They then conveyed and left one of the females, more dead than alive, at the door of a neighbour. Six or seven of the offenders have been apprehended by the Darogah, and a strict search is being made for the apprehension of the rest of the villians.

SALT SALE.—There was a *strike* on the 16th Nov. at the salt sale. The trade attempted to bully the Board by refusing to make any bid whatever, and in consequence the sale was postponed until the 17th, when it opened with the usual clamour, and after a few lots, exhibited as much eager competition as ever. The first eight or ten lots were knocked down at a little more than the upset price of 300 rupees per 100 maunds, but before long the price rose to 350 rupees.

CORONER'S INQUEST.—An inquest was held on the 18th Nov., on the body of a native woman named Surtee Raur. From the evidence adduced it appeared that the woman was killed by her husband in consequence of her incontinency in leaving him and living with another man. The jury returned a verdict of "wilfull murder" against the husband.

MEMORIAL OF THE OWNER'S OF THE BURDWAN COLLIERIES.—It is said that Messrs. Jessop and Co. and the Assignees of Alexander and Co., have sent up a memorial to Government, with a view to prevent a private tender for a term of years for the supply of coals at the three extreme stations for the river steamers—Allahabad, Mirzapore and Ghazeepore.

THE VESTRY.—The Governor of Bengal has, in a letter directed to the Archdeacon, dated the 4th Nov., in violation of the orders of the 19th of August by the Governor-General in Council, directed that the monthly payments made from the Treasury, on account of the Cathedral to the Presidency Chaplains and Vestry, shall for the future be paid to the receipt of the Bishop, or in his absence to the Archdeacon, to be by him distributed according to usage. The allowances oppropriated to the Free School is made payable to the directors of that institution. The Presidency Chaplains attached to the Cathedral are to perform its duties as ministerial officers subject to the orders of the Lord Bishop and Archdeacon who are to determine as to the making of collections in the church. The Advocate-General is directed to apply to the Supreme Court with respect to the trust charities of St. John's, to provide for such of these trusts as are paid under the authority and orders of the Court, that due provision may be made for their distribution. The question of the trusts the Govenor leaves to the Supreme Court to decide, but should the Court be unable to dispose of it, it is to be referred to the Legislative Council; and the Clergy have been prohibited from meeting the lay members of the Vestry either at the Cathedral or elsewhere.

The lay members have, in a letter addressed to Mr. Llewelyn, dated the 24th Nov., expressed their surprise at the letter of the Governor, and desired him, as Vestry Clerk, not to call any meeting of the Vestry without including them in the notice.

THE PUBLIC LIBRARY.—The number of Proprietors of the Library is rapidly increasing. Mr. Hough has been appointed temporary Librarian, and a permanent one will be appointed as soon as circumstances justify such an application of the funds.

GOVERNOR-GENERAL OF INDIA.—Lord Auckland has been appointed Governor-General of India.

PALMYRAS LIGHT HOUSE.—A party of scientific and professional gentlemen, left town on the 26th Nov. in the *Asseerghur*, for the purpose of surveying the Light House on Point Palmyras, which is in a tottering condition. It is now proposed to transfer the light to False Point, where some of the most intelligent Pilots originally suggested that it should be placed.

BOAT ACCIDENT.—On Saturday morning last the 21st November a capsized boat was observed and stopped by some of the crew of an Arab ship near Jackson's Ghaut, and when righted a dead body was found in the cabin; but who the deceased was, or where the boat was upset, is not known.

## BENGAL, &c.

RIOT AT FUTTEGHUR.—Mr. F. H. Robinson, Magistrate at Futteghur, has addressed a letter to the Editor of the *Agra Ukhbar*, contradicting the statement of a correspondent of that paper, regarding the affray with the Baie's followers, and fully justifying the line of conduct pursued by himself on that occasion.

JANSI.—A disturbance of a somewhat serious nature is said to have broken out at this place. The rioters are 2,000 Boondelás.

BUGWUNGOLAH.—A letter from Bugwungolah mentions that the mortality at that place prevailed to an awful extent. The disease the people are attacked with is an epidemic fever preceded by indigestion; and the native quacks help to accelerate the dissolution of those attacked with it, by administering doses of arsenic to the sufferers.

NEEMUTCH.—Sickness still prevails in this station to an unprecedented degree. The mortality produced by it has extended to the officers, several of whom are dangerously ill.

BUITTESUR.—The fair is said to have been unusually brisk this year. About 8,000 horses and as many camels were exhibited for sale, and among the former was a large number of Sheik horses, but in consequence of their owners steadily adhering to their prices, very few sales were effected.

DINAPORE.—Shortly before the march of the European Regiment from Dinapore, a chest containing the mess plate of the regiment, including several cups presented to the corps on different occasions, was stolen from the room in which the Mess Sergeant slept. One or two natives have been apprehended on suspicion, but notwithstanding every search, the empty chest alone has been recovered.

ALLAHABAD. THE LAHORE MISSION.—Runjeet Sing's Mission, which passed down to the Bengal Presidency a year ago, reached this station on its return to Lahore, on Saturday last, the 14th Nov. The suit under charge of Lieutenant Benson, is composed of 1,000 men and 100 horses. It is stated that it remains here for a couple of months, to benefit by frequent lavations in the holy junction of the two rivers, while it awaits some political message from the Supreme Government.

The Honorable Alexander Ross, Esq., Governor of Agra, landed at Allahabad on the morning of the 10th November and took charge of the Government.

A subscription ball was given by the Civil and Military of the station to Mr. Blunt on the 9th November which closed his administration.

The great Frontier Line is to extend to a short distance beyond Mirzapore, where it will terminate in the Banda Hills. It has already been completed as far as the junction of the Jumna and Jumbul. When it is completed a chain of posts will be established, extending from the Sutledge to the Mirzapore Hills.

SHUMSHODEEN.—There are rumours abroad that the relations of the late Shumshodeen intend to prosecute Government, and the officers concerned in bringing to trial and convicting him, and that some Christians are instigating the family on to adopt this course.

BEGUM SUMROO.—Her Highness Begum Sumroo is said to be very unwell. Her Highness has invested the following sums in trust for religious purposes; 100,000 rupees for the support of the Cathedral at Sirdhanah (her own Church;) 50,000 rupees for the poor of Sirdhapah; 100,000 rupees for the endowment of a Roman Catholic College, and 12,000 rupees for the support of Her Highness's Chapel, at Meerut.

MR. BLAKE'S FAMILY.—Mr. Trevelyan and other friends of Mr. Blake, have written to his family in Ireland, with the view to secure some permanent provision for his orphans—a boy and a girl. If unsuccessful, they propose to raise a subscription to place them beyond want.

DELHI.—Mr. Cowley, the artist, is again at work on a picture representing the execution of Shumshodeen Khan at that moment when, after having asked the executioner if he was a *hullal-khore*, he quietly turned round and submitted to have his arms pinioned.

AGRA.—Hindu Rao has come to the determination of parting with all his servants, whom he can no longer support, if he gets himself enrolled on the Gwalior pension list. Pending his application for a pension, he goes to Hansi, where he will reside with Colonel Skinner.

At the requesition of Lieut.-Col. Alves, Sunge Hookman Chund, brother, and Futty Lall, son, of Jotaram, were arrested at Agra on the 9th November, on the charge of being accomplices in the acts of treason and violence committed at Jeypoor on the 4th June last. Three domestics of Hookman Chund have also been apprehended and warrants are out against several other followers of the ex-minister.

MEERUT.—A great deal of robbery in dwelling houses has lately taken place. The house of a Dragoon Office was recently entered while he was on guard and the whole of the property abstracted. An immediate search, however, led to the detection of a gun in the possession of a private of one of the regiments, who has confessed a systematic arrangement for similar depredations, and pointed out several wells and tanks, used as depositories for stolen goods, from whence several articles have been recovered.

The Horticulture Society is commencing proceedings, the Secretary having obtained several loads of trees from Shëarunpore.

A most successful fraud has been practised on a shroff of the Artillery Bazaar. A native who occasionally came to the shop to exchange a few *charyaree* or four cornered rupees, and had given out that he possessed an ample store of them, took advantage of the absence of the head of the house and persuaded a lad left in charge to exchange 600, which the elder partner on his return discovered to be base and manufactured for the occasion.

## NATIVE STATES.

INDORE.—An attempt was recently made at Indore to assassinate Hurry Holkar Row. The man who made this attempt by suddenly getting upon the Royal elephant, declared himself, when examined afterwards, to be a *sawar* in the *paga*. He was knocked down by the Row's attendants when on the point of firing his matchlock and received many severe wounds which he only survived a short time.

JEYPORE.—It is stated in the native papers, that the Jeypore Ranee has sent to all the Thakoors of Jeypore, Oodeypore and Kotah, bracelets and turbands, and written saying that if they be men they will put on the turbands and assist her against the English—but that if women they will wear the bracelets and stay in their zennanahs. The several Thakoors are said to have accepted both the bracelets and turbands.

It has now been sufficiently proved, by the examination of Hukman Chund's papers, and those seized at Deosa, that Jotaram instigated the murder of Mr. Blake.

The Jeyporeans have placed the effigy of a tiger, as large as life, under the gallows where Mr. Blake's murderers were hung, and they exhibit busts of Jotaram in their houses and sell them in the bazaars.

An attempt at a suttee took place outside the walls of the town. The woman placed herself on the pile and it was ignited, but no sooner had the fire reached her than she sprang from the pyre, but was thrown back: she escaped a second time and the people again threw her in: she got out a third time, and the Jeypore police then interposed, and referred the matter to the Rawal, who ordered them not to use further violence. The widow was accordingly released and took refuge in the British Hospital.

The Jeypore Ranee, it is stated among the natives, has sent a dagger, a sabre, a turban and a petticoat to Runjeet Singh, and written him, saying that the English are about to take possession of the Jeypore state, and that under one pretence or another they will possess themselves of all the native states on this side the Sutledge and Indus, and then pay a visit to Lahore—that understanding this he will either put on the dress of a man and aid her, or that of a woman and remain at home.

The latest accounts from Jeypore affirm confidently that "the affair" there will be finished by the end of the cold season at farthest, and perhaps by the end of the year. A report was current at Deosa, that the assassin Futteh Sing, had effected his escape, but the remour appears to be groundless.

LAHORE.—Runjeet Singh is said to have recovered wonderfully, and held on the grand day of the Dusserah, a court at which 50,000 chiefs and soldiers were present. After receiving the gifts they presented to him, he honored several of them with dresses of distinction.

A military party of the Ukalees, have recently successfully mutinied and obtained, in defiance of the Maharajah's guns, the payment of the arrears of wages due them.

JOLOUNE.—The Kamdar or Minister of the Rajah of Joloune, was murdered in the cutchery by four sepoys who had lately been dismissed from the Joloune service, and who coming to demand the arrears of their pay, took the opportunity of murdering the Minister. The assassins were immediately attacked by the guards in attendance and three of their number killed on the spot—the fourth made his escape. Several of the guards were wounded in the affray.

PESHAWUR.—Runjeet Singh has deputed Colonel Ventura to settle the affairs of this district, which the Colonel finds himself unable to do, as the Patans display the most inveterate hostility towards the Seikhs, laying wait for and cutting them off whenever they venture abroad in small parties, and destroying or carrying off their supplies. One night recently the Patans attacked the camp of Sirdar Lahunna Singh, plundered it completely, slaughtered a great number of the Sheiks, and escaped without losing a single man. This spirit has inspired Dost Mahomed with fresh hopes of recovering the country, and he has therefore sent his forces towards it.

Colonel Ventura wrote and apprised Runjeet Singh of the arrival of Dost Mahomed's son in command of 15,000 horse at Jullalabad, and the Maharajah thereupon ordered Sirdar Taiz Singh, with ten regiments of infantry, two regiments of Cavalry, and thiry guns, to march upon Peshawur.

GOOMSUR.—The Goomsur Rajah, after having manifested a desire to come to amicable terms, giving up a rebel whom the British authorities had long been in quest of, and making an assignment to meet the Collector, indicated hostile intentions by sending off his women and treasure to a hill fort and refusing to keep his appointment. Preparations were accordingly made for to coerce him, and he has been driven by the troops sent against him to the western extremity of his estate. Slight skirmishing has taken place between the Goomsureans and our troops, but the former have invariably been put to flight by a few discharges of grape from the howitzers. Five sepoys and three gun-coolies have been wounded and one cooly killed on the part of the British.

LUCKNOW.—The favourite of the King, Durshun Singh, has been disgraced, in consequence of some valuable trinkets of the Royal jewels, which were entrusted to his care, having disappeared.

LUDAKH.—The Rája Goolab Singh has met with a defeat. In his attempt to pick a quarrel with the Ludakh Rajah, he invaded the country with ten or twelve thousand men. The natural obstacles of the place were, however, converted into strong barricades by the Ludakh people, sufficient to arrest the progress of the invaders until a reinforcement arrived from the Yarkund ruler, when they gave battle to Goolab Singh and entirely defeated him. The policy of the Chinese is opposed to the approach of the Sikhs, which explains the cause of the assistance afforded by the Yarkund ruler, who pays a nominal or real allegiance to the Chinese Emperor.

HYDERABAD.—The *ukhbars* from Hyderabad up to the 16th October, state that Rajah Chundoo Lall commanded every thing there, the Nawab Asif Jan being a mere tool in his hands. Serajah Doulah had been greatly reduced in circumstances and his followers were bullying him for their arrears of pay. A strike had also taken

place in the zenana of the Nawab, the "moonfaced" inmates threatening to leave their apartments and go before the Huzzoor Blund Eckball to represent their grievances if the arrears of their allowances were not paid up. To prevent the disgrace attendant on such a proceeding, the arrears were forthwith discharged by the Nawab.

The police of this place is still as inefficient as ever, and scarcely a day passes without the occurrence of some robberies and murders.

ULWAR.—The Rajah of this principality having given himself up entirely to the pleasures of his zenanna, the zemindars had taken advantage of the circumstance and had withheld their revenues, which had reduced the Rajah to great distress. A wealthy banker seeing this state of affairs, volunteered to defray all the expenses of the state and moreover let the Rajah have eighty thousand rupees per annum, if he would let him have the farm of his territories. The proposal was gladly acceeded to by the Rajah, and the country consigned to the charge of the banker.

HERAT.—It is said that the brother of the King of Persia took with him 40,000 men and proceeded to Herat, as he intended to invest that province and Candahar. A considerable body of Usbucks, who had attacked and plundered Mushed, hearing that the Prince was encamped in the town of Coom-Coom proceeded thither and invested the place. The Persians who were in the city, without orders from their Prince, (who was some four coss distant) sallied out and attacked the invaders with great impetuosity and the Prince coming up and assailing them in the rear simultaneously, the Usbucks were put to flight with great slaughter, and about a thousand were made captives.

Yar Mahummud having succeeded in extorting about 40,000 rupees from the merchants by threats, &c., has distributed the sum amongst the soldiers intended for the expedition to Kandahar.

Camran Shah has, to please one of his ladies, raised her brother to high rank and given him the government of the fort of Furrah, and degraded his own eldest son, which has created a factious spirit among the people.

The Persian Prince Kev Khsru Meerza, has removed his camp to the vicinty of Herat, and Camran Shah has waited on him in his camp and been received with every external demonstration of friendship. After parting with the Prince, Camran Shah proceeded by forced marches to Seistan, and having treacherously captured the governor of that place, took possession of it. The same system, it is said, he intends to adopt in order to obtain possession of the neighbouring forts, &c. of the minor chiefs.

CABUL.—Dost Mahomed Khan assembled the Affgan chiefs in September last, and informed them that seven battalions of Affgan troops and four squadrons of horse, had been well trained and disciplined according to European tractics by Mr. Campbell," and that the total amount of his troops aggregated 30,000 horse and 12,000 foot. That with this force he could make a very great impression on the Sheik at Pesahwur, but he was unable to equip the army to attack that place for want of money. Attah Khan, an Affgan chief, represented that he had taken measures to raise the required supplies to defray the expenses of the expedition from Moosah Khan Buddukshanee, a rich banker; who accordingly was brought forward and introduced to Dost Mahomed, and entered into an arrangement for supplying the necessary loans for the expedition. By way of indemnifying the banker against loss, Dost Mahomed formally mortgaged to him the revenues of his territories, which were entirely left to the banker's management until the loan was repaid.

It is stated in the *Luhore Ukhbar*, that the Vakeel of the Russians and the brother of the King of Persia are marching with a large force on Cabul.

It is also stated in the *ukhbars* from this quarter, of 2d September, that great numbers of Patans are daily coming into Cabul, with the design of aiding Dost Mahomed in his projected expedition against Peshawar; and that Dost Mahomed has sent his son, Azzal Beg Khan, with 15,000 horse and a much larger body of infantry, against Peshawur. Azzal Beg is to encamp with his troops at Jallalabad, where Dost Mahomed will join him with all practical expedition.

BHOWALPORE.—A skirmish recently took place between the Scindians and the troops of Bhowal Khan, ruler of Bhawalpore, on account of a fugitive who had taken shelter with the Scindians from the oppression of Bhowal Khan. The Scindians refused to yield up the man on the ground of its being contrary to the existing treaty, which stipulated that neither party should think it imperative to give up the fugitives who take refuge in their territories. The Bhowalporeans were worsted in the conflict, lost several of their men, and were forced to retreat.

KUTCH.—Intelligence was received at the Camp of Maha Raja Runjeet Singh, that the Meelkeeah Patans, having assembled in considerable numbers, were committing their usual outrages, and had already surprised and taken the fort of Shukoorabad, at a distance of fifteen coss from Peshawur, massacred the whole garrison and thrown their bodies into the surrounding ditches. Runjeet Singh became greatly exasperated at this intelligence and declared his determination to extirpate the whole tribe of the Meelkeeah Patans by any means in his power.

Misser Rooplall, in obedience to Runjeet's orders, had attacked the Patans in the fort Sumundra, but was repulsed by the garrison, and forced to retreat. The Misser applied to the Maharajah for a reinforcement without which he said he could not face the enemy again, but his request was denied and he was re-called to court.

SCINDE.—Runjeet Singh having repeatedly requested Noor Mahomed Khan, the ruler of Scinde, in communications directed to him, to have the goodness to let him have Shekarpore as it was contiguous to his territories, and intimated that unless he complied with his request, he would possess himself of the place *vi et armis*, the Khan became alarmed and held a consultation with his ministers, who unanimously advised him to offer the principality of Shekarpore to Shah Soojah-ool Moolk as the legitimate sovereign of the province. A communication was accordingly addressed to Shah Soojah to the above effect, inviting him to come over to Shekarpore for the purpose of governing it; but the Shah declined the government, stating that he had once endeavoured to regain the kingdom of his ancestors, but the troubles and difficulties he experienced in the experiment, had taken away from him all further desire to attempt the obtainment of them.

MULTAN.—No Nehal Singh, it is said, is endeavouring to extend the Sheik conquests beyond the Indus, and has fixed on Shikarpore as his first conquest. The Scindians are, however, active in opposing him, and have seized all the craft on the river within their neighbourhood to prevent the Sheiks using them as passage boats; and fifteen thousand horsemen have been placed on the right bank to oppose their passage.

## MADRAS.

CAPT. RICHARDSON, Paymaster at Vizagapatam, having acknowledged himself to be the writer of a letter which appeared in the *Male Asylum Herald*, and which was characterised by the Governor as a misrepresentation of a disgraceful nature, under the unmanly safe-guard of an anonymous signature, has been removed from his appointment and placed at the disposal of the Commander-in-Chief for regimental duty.

LIFE BOAT FAILURE.—On the 19th Oct., the life-boat built under the superintendence of the late Mr. Atkinson,

was tried in the surf, with a full crew, under the conduct of the Deputy Master Attendant. The boat bowed two or three seas pretty well, but on being put broadside on, the very first surf knocked her over. No lives, however, were lost.

COURT-MARTIAL.—The court-martial on Captain Byng is proceeding. Major Sandys has given evidence to his belief of the letter being in the prisoner's hand writing—Lieut. Marriott and Cornet Mudie the same—Capt. Litchfield had borne testimony to the identity of inverted commas—and the tappal writers of Trichinopoly and Cuddalore, were to appear with the register-books as evidence to prove the receipt and transmission of a letter from the party at the particular periods that would correspond with it.

The court-martial resumed its sittings on the 29th October when the rejoinder of Captain Brown to Captain Byng's defence was read. The proceeding closed on the 31st, but the award is not yet known ; it is however the general opinion that it is a full acquittal.

NEW PAPER.—A new bi-weekly paper entitled the *Conservative*, and professing Conservative principles, has been published. This paper has been started with the materials of a recently defunct ultra-Radical paper called the *Freeman's Journal*.

COTTON.—The cultivation of cotton over this presidency has been this year increased to a very considerable extent.

CASE OF SOOBAROYAH.—The Supreme Court has granted a writ of *habeas corpus* in the matter of Soobaroyah, who has been in confinement at Bangalore since the 11th of June, without having any specific charge laid at his door, and without being brought before any tribunal to answer for the cause of his confinement.

It is said, however, that the Government are about to resist the Judges' writ, in this matter.

THE BISHOP OF MADRAS and family arrived on the 24th October on the *Exmouth*.

INSTALLATION OF THE BISHOP.—The installation of the Reverend Dr. Corrie as Bishop of Madras, took place on the 28th October in St. George's Church.

THE MADRAS CLUB.—In the revised rules of the Madras Club, a rather important alteration has been made with respect to eligibility. According to the old rule, the test was being "on the Government House list"; in the new rules the words "gentlemen received into general society" have been substituted for the foregoing.

THE BREAKWATER.—It is said that a diver lately sent down to look at the stones laid for the Breakwater, reported them as being nearly level with the bottom ; and that the Supreme Government have ordered the abandonment of the work altogether.

PRESENT TO SIR C. METCALFE.—It is stated that the Madras Army intend to purchase a piece of plate, value 1,000 guineas, to present to Sir Charles Metcalfe, as a token of his liberality in providing Mr. Curnin with the means of going to England, in order to secure to the military services of the Company the benefit of the Retiring Fund.

COORG PRIZE COMMITTEE.—The following gentlemen have been appointed a Committee for the distribution of the Coorg prize money :

President.—Colonel Sir P. Lindesay.—Members.—The Acting-Deputy-Adjutant-General, the Acting-Deputy-Quarter-Master-General, the Acting-Brigade-Major King's Troops, Captain Cortland Taylor, and Captain Forbes, 39th Foot, Secretary.

SEVERE GALE.—A very severe gale has been experienced at Massulapatam : it commenced on the night of the 4th Nov. and lasted throughout the 5th. The tide rose to an unusual height and overflowed the causeway. Several vessels have sustained severe injury from the storm. On the morning of the 13th Nov. a boat and raft, containing eighteen men, the crew of a foundered dohny, were picked up in Madras roads.

MELANCHOLY ACCIDENT.—The purser of the ship *Marquess of Hastings*, was killed by the cuddy table having, in in a heavy lurch during a gale, fetched away and come in contact with his chest, which it stove in.

## BOMBAY.

GEOGRAPHICAL SOCIETY.—It is said that Government have assigned over for the use of the Geographical Society, one of the rooms in the Town Hall, and have granted them the privilege of copying the valuable geographical and statistical documents in the Government archives. The Society has recently received another communication from Lieut. Burnes on the maritime communications of India, a paper on the sea coast of Cutch, and a description of one of the mouths of the Indus.

THE STEAMER INDUS.—The Steamer *Indus* left on the 20th October for Hyderabad with Dr. Heddle as a passenger. This gentleman, it appears, has been ordered by Government to proceed there in consequence of an application from one of the Ameers for a medical attendant.

On the same day the H. C. Sloop *Nerbudda* sailed for Karatchee, and it is reported, is to be employed in surveying the mouths of the Indus.

SHIPWRECK.—The *Futtey Roumee*, bound to the Malay Coast from Bombay, foundered on the morning of the 25th October, about one hundred miles from Mangalore, in consequence of having started a plank. The crew were all saved in the long-boat, and arrived at Mangalore on the 27th. The cargo consisted of salt, iron, Europe piece-goods, dates, and some specie.

THE HUGH LINDSAY was to have departed on her trip to Suez on the 18th November.

ESCAPE FROM PRISON.—On the 25th October, a Negro prisoner, who was accused of having assassinated a woman, made his escape from the jail in the Poonah cantonments by breaking open one of the windows. The sentries who were on guard, have been confined on suspicion of having aided the escape of the prisoner.

EARTHQUAKES.—A letter from the Malabar Coast mentions, that several shocks of earthquake have been felt at Palghaut and Trichoor.

ASYLUM FOR THE POOR.—Cursetjee Cowasjee, Esq., one of the Parsee Justices of the Peace, has assigned over to the Punchayet of his caste, a plot of ground belonging to him, for the purpose of erecting buildings thereon as an asylum to the poor, infirm, &c. of the Parsees. The Punchayet have resolved to carry this plan into effect, by appropriating to it a portion of the fund collected by fines, fees, &c. from among the Parsees ; and the inmates of the asylum are to be supplied with provisions from the same source. The monthly expenditure of the establishment will amount to about five hundred rupees.

## CEYLON.

On the 31st of October, the tiles of the roof of the King's house fell in with a loud noise. The accident was caused by some tiles being removed for the purpose of repair at the lower part, when all those above gave way and a considerable quantity of tiles went through the rafters to the first ceiling, the strong beams of which checked further destruction.

His Excellency the Governor and Lady Horton, and the rest who were in the house at the time of the accident, fled in great alarm from it, but soon returned on discovering the extent of the accident.

## PERSIA.

A letter from Sheraz, dated 20th August, states, that the affairs of that country have not at all improved, and that the presence of Capt. Shee, who was military Governor of the city, alone maintained the public peace. The notorious robber Wallie Khan has been chased from hill to hill, but baffled all his pursuers; owing, however, to having suffered considerable loss and many of his followers deserting him, he has sent in his youngest son and daughter to the Governor as a peace offering, and has released the men of rank whom he took prisoner after giving up the White Fort. There has been much sickness to the northward and upwards of 7,000 people died of cholera at Theran. The King and his friends took advantage of the season and poisoned the Firman Firma and others, and gave out that they died of cholera.

## SINGAPORE.

THE SHIP HERO.—The *Hero*, which had been seized by the Dutch Government in consequence of having brought out some copper doits manufactured in England bearing the Dutch impress, has been liberated, the Dutch Government having declined to carry the matter to extremities; and not only have they liberated the vessel but have, it is stated, sanctioned the re-delivery of the seized coin to the Commander of the *Hero*.

PIRACY.—Piracy appears to be greatly increasing in the straights. Several vessels have been attacked and numerous boats captured by the pirates, who have been selling their cargoes in the surrounding markets at prices ruinous to the merchants. A piratical fleet from Boorong Island, have taken up a station between Pulo Aor and Pulo Tingie, and by the depredations they have committed have filled the native traders to Singapore with such consternation as greatly to retard the trade.

CHINESE ROBBERS.—A gang of armed Chinese, about fifty or sixty in number, entered the house of Mr. McMicking, of the firm of Messrs. Syme and Co. of this settlement, and having wounded him severely on the back of the head and neck, plundered the house of all the property. Elated with their success the gang, on the 11th October, made an attack on the residence of a Bengallee cow-keeper in Buffalo Village; but they experienced an obstinate resistance from the inhabitants and were put to flight after losing two of their gang. An inquest was held on the bodies on the following day, and a verdict of "justifiable homicide" was returned.

OUTRAGEOUS ATTACK.—A very outrageous attack was made by Count Van Ranzow, his son and servants, on the person of Mr. De Wind of Malacca, who was dangerously wounded with bludgeons and left on the public road near that town. Strong provocation seems to have caused the assault. The assailants are in confinement and likely to be committed to take their trial at the next sessions.

## CHINA.

On the 5th and 6th of August a typhoon swept over the city of Canton. Several ships and Chinese boats have been totally dismasted or otherwise sustained severe damages by the hurricane, and hundreds of boats and the Danish bark *Maria*, have been totally wrecked, the latter losing nine of her crew.

AUGUST 10.—An official proclamation was issued directing all vessels to anchor near Whampoa, where they may easily be overlooked and examined; and threatening to stop immediately the delivery of the cargo of any ships not complying with the proclamation.

AUGUST 14.—A string of preventive regulations were issued, approved and confirmed by the Emperor, confining the foreigners to the narrow and confined spot called *San Hang*, the Thirteen Factories, in the western suburb of the provincial city of the province of *Kwang-taing*.

AUGUST 17.—Five men who were concerned in the robbery, attended with violence, of the family of a comprador, were executed. An order was also issued for strangling an offending wife, of middle age, and for slowly cutting to pieces another of more tender years. The last had murdered her husband and is said to have been of great beauty.

AUGUST 19.—Eleven persons, who had been concerned in the plunder of the *Troughton*, and six others, who had robbed a Cochin-China vessel, were apprehended and delivered over for examination by the Governor.

AUGUST 24.—This morning the chamber over the East gate of the city was destroyed by lightning.

H. M. S. RALEIGH arrived on the 11th of August at Macao under jury-masts, having experienced a very heavy typhoon on the 4th and 6th, by which she was compelled to throw 13 of her guns overboard and cut away her quarter-boats to relieve the ship.

DARING OFFENDERS.—On the 30th August a fictitious Yang-keang-hean, with his secretaries and retainers, numbering upwards of ninety persons, were seized in the district of Yang-keang and brought under guard to the provincial city on the 5th Sept. and delivered to the authorities for trial. These villains had, under the disguise of officials, got themselves invited to *drink* with the true Hean when on his way to commence the duties of his office, and having poisoned him and his attendants, assumed their names and duties, and had actually managed the affairs for some months without discovery. They were, however, accidentally detected and ultimately brought to justice, by the brother of the wife of the murdered Hean.

NEW PAPER.—A new journal, called the *Canton Press and Commercial Price Current*, was published on the 12th Sept. The paper, printed on two quarto sheets, is to be issued weekly, and the price will be Sp. Dls. 12 per annum, or Sp. Dls. 7 half yearly, and Sp. Dls. 5 per quarter; and the Price Current Sp. Dls. 4 per annum; all payable in advance.

TRAIL OF SAILING.—An account has been received of a trial of sailing which took place in August last between the *Water Witch* and the *Fairy*: the *Fairy* beat the *Witch* on a wind, but was beaten when going free. Another account states that the *Witch* was never beaten but gained upwards of half a mile on the *Fairy* in the race of 40 miles besides getting to windward of her.

LOCUSTS.—The Non-hae-heen had issued an edict, directing the people to assist the military and police in exterpating a large swarm of locusts which had settled outside the south gate and had spread to the northward and eastward. It is said that two peculs of locusts had been caught and presented to the Kwang-chow-foo, for which rewards were to be granted.

SHIP TROUGHTON.—It is said that the plunderers of the ship *Troughton*, have been examined, and that they stated in their defence that the ship had been dismasted in a gale of wind and was in the most eminent danger. That they went to her assistance, and the Captain had promised them a gratuity of Sp. Dlrs. 20,000 for helping him; but that when the vessel was taken to a place of safety the Captain had broken his word and dismissed them unrewarded; and that they therefore had become enraged and forcibly taken from him the 20,000 Sp. Drls. promised, but had not touched any thing more.

EDICTS.—An edict has been issued by the Emperor against the printing of books from Chinese blocks and directing Loo, the Governor of Canton, to seize and

punish with "grinding tortures" all those concerned in printing books from them.

An exhortatory edict has been issued by Loo and his colleagues, to the people of the coast against attacking mariners in distress.

A robbery has been committed by three pirate boats containing about one hundred men, who landed off the east gate of the city and attacking a money-changer's shop, took from it several thousand dollars.

Since the arrival of the Criminal Judge, he has been exercising his vocation most vigorously and has punished a great many defaulters and greatly alarmed the rest. The police runners have been so intimidated by his severe justice that they have discontinued the practice of accusing persons for the purpose of extortion.

On the 11th September a man who had been in the habits of smoking opium and gambling, having lost seven mace came home to his wife and demanded the money from her, and on her refusing to give it, stabbed her with a knife in the stomach and killed her on the spot. The murderer was apprehended and confined.

In the middle of the spring ten thousand piculs of rice were distributed by order of a royal edict, to the inhabitants of five districts which had been afflicted with famine in consequence of the severe drought.

Loo, the Governor, died on the 24th September, at 1 o'clock in the morning. The immediate cause of his death was constipation. He has left three sons, a widow and three concubines.

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# REVIEW OF THE CALCUTTA MARKET.

*(From A. E. Kuhn's Monthly Price Current, November 30, 1835.)*

In our last number we expressed the belief in a future encreased activity in the market, but contrary to the general state of things at this season of the year, the transactions have been during the whole of the month on an extremely limited scale.—Freights which had in the early part of the month declined somewhat have again advanced and become extremely scarce, the holders of linseed having engaged a great portion of the available tonage, and the rice crop being unusually large with every prospect of low prices, the necessity of disposing of these grains will, added to the usual sugar and saltpetre shipments, no doubt, occasion a further rise. £ 4-10, per 20 cwt., has been refused for rice to London.

INDIGO.—The importation up to the present date is about 10,000 maunds. The estimate of the total crop continues to be what we stated in August last. The market is not likely to be fairly open till the middle of next month, as further news from England is expected, and several French vessels have still to arrive. The first public sale of the season is advertised by Messrs. Hickey, Thomas and Co. for the 2d proximo, which will consist of about 200 chests of different marks, namely 92 chests F S Tirhoot Indigo, and 44 E W J Purneah, and a few lots of Jessore.

OPIUM.—The prices of this drug have considerably advanced since our last, in consequence of the favourable news from China, where great activity continued to prevail. Our sales are, however, confined to few parcels, as the remaining stock is small. The prospects of the next crop continue to be very favourable.

RAW SILK.—Sales are restrained by the absence of good qualities; the few transactions we have to notice, are chiefly for Bombay and the Gulphs. The importation by the Honorable Company, since 1st May last, is about 2,400 maunds, which are not yet shipped.

SILK PIECE GOODS.—The few transactions reported are upon a very limited scale; corahs continue in good demand; handanas and choppahs less enquiry after.

COTTON.—The shipments of this article have been confined to the English markets. Baudah continues scarce, and enquired after, Cutchurah neglected.

SALTPETRE.—Although the supplies from the interior during the last six months have been much less than those of the previous year, during the same period, the present rates of freight and the probability of their augmentation operate much to discourage purchases in this article. Our Stock is not very heavy and may be computed at about 50,000 maunds of all sorts. At present our prices are well supported.

SUGAR.—Exportation to England is greatly on the increase, some transactions are also reported for Bombay. Prices are in general well supported, our stock is still very large. Advices from home are favourable.

LAC DYE AND SHELL LAC.—Transactions are limited to a few parcels for England and America; prices firm.—A public sale of 183 chests of shell lac is advertised for the 2d proximo.—Stick lac in moderate demand.

RICE.—The appearances for the ensuing crop continue to be very favourable, and the prices of all sorts are expected to experience a further decline.

WHEAT.—A few purchases have come to our notice intended for shipments to the Mauritius. Prices firm.

HIDES are in moderate enquiry. The exportation of cow hides has been considerably diminished since our last, and prices are declining, our stock being still very heavy and on the increase.

LINSEED.—Shipments for England (on account of holders of large quantities) are in active progress. The sales in the bazaar are confined to small parcels.

GINGER.—The Americans are buying very freely, and prices have advanced.

METALS.—Transactions of the several articles under this head were in general on a limited scale.—The prices of copper experienced a further decline since our last, and are to be considered nominal at present: sales to some extent have on the contrary been reported of assorted iron bars and prices are now firm. Spelter continues declining, in consequence of some supply from home, and very limited demand for the interior, the stock, however, continues to be very small.—Prices of lead are well supported.—Quicksilver in demand at steady prices.

TWIST.—The sales of white mule twist, are limited by the absence of fresh supplies, and by our reduced stock. The demand firm, and prices steady.

COTTON PIECE GOODS.—Shirtings, longcloths, cambrics and chintz continue in good demand; book muslin, lappets and jaconets are less enquired after. Some extensive sales at round sums for various articles are however reported.

WOOLLENS.—Shipments to some extents have been made to the Coast. Sales are regular as usual at this season, without any particular alteration in our prices.

# THE
# CALCUTTA MONTHLY JOURNAL.

## PART. III.—GENERAL REGISTER.

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## JANUARY 1835.

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## CIVIL APPOINTMENTS, &c.

JUDICIAL AND REVENUE DEPARTMENT, 8D NOV. 1834.

The Hon'ble the Vice President in Council is pleased to make the following appointments:

Mr. H. C. Metcalfe, Assistant under the Commissioner of Revenue and Circuit of the 14th or Moorshedabad Division.

Mr. R. Alexander, ditto under the Commissioner of Dehly.

Mr. H. S. Boulderson to officiate as Commissioner of Revenue and Circuit of the 2d or Agra Division.

Mr. H. Pidcock ditto as Magistrate and Collector of the Northern Division of Bundlekund.

Mr. J. C. Grant ditto as Magistrate and Collector of Furruckabad.

Mr. J. G. B. Lawrell, ditto as ditto and ditto of Moorshedabad.

The following Officers have obtained leave of absence from their stations:

Mr. J. C. Brown, ditto ditto of Cuttack, for one month, on ditto.

Mr. W. Crawford, officiating Magistrate and Collector of Banda, for five months, on medical certificate. Mr. H. B. Marlington will officiate for Mr. Crawford.

Mr. R. Houstoun, Assistant to the Joint Magistrate and Deputy Collector of Furreedpore, for one month, on medical certificate.

Mr. H. Atherton, Assistant under the Commissioner of the 5th or Bareilly Division, for three months, on medical certificate, in extension of the leave granted to him on the 12th May last.

Mr. J. Willie, Assistant-Surgeon, attached to the Civil station of Dinagepore, for one month, on medical certificate.

The leave of absence, for one month, granted on the 18th ultimo, to Mr. C. G. Udny, officiating Civil and Session Judge of Dinagepore, is cancelled at his own request.

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The Hon. the Vice-President in Council is pleased to make the following appointment:

Mr. T. B. P. Biscoe to officiate as Civil and Session Judge of Seharunpore.

10TH NOVEMBER, 1834.

The Hon. the Vice President in Council is pleased to make the following appointments:—

Mr. J. Maberly, Assistant under the Commissioner of Revenue and Circuit of the 1st or Meerut Division.

Mr. J. K. Lloyd, ditto under ditto ditto of the 7th or Humeerpore Division.

Mr. F. H. Robinson to officiate as Magistrate and Collector of Furruckabad. Mr. Robinson will make over charge of the office of Magistrate and Collector of Shahjehanpore to Mr. H. Rose.

Mr. T. E. Colebrooke to exercise the powers of Joint Magistrate and Deputy Collector of Allahabad.

The following Officers have obtained leave of absence from their stations:—

Mr. C. T. Sealy, a Judge of the Court of Sudder Dewanny and Nizamut Adawlut at Allahabad, to proceed to the Presidency, on medical certificate, with a view to obtain permission to proceed to Europe on furlough.

Mr. M. Ainslie, Civil and Session Judge of Bundlecund, for two months, on medical certificate, in extension of the leave granted to him on the 15th January last, to enable him to proceed to the Presidency for the purpose of applying for furlough.

Mr. T. J. Dashwood, ditto and ditto of Tirhoot, for one month, on private affairs.

Mr. H. Nisbet, Civil and Session Judge of Purneah, for one month, on private affairs, in extension of the leave granted to him on the 22d September last.

Mr. T. P. Marten, Acting Magistrate of Rungpore, for two months, on private affairs. Mr. H. F. James has been appointed to officiate as Magistrate of Rungpore during Mr. Marten's absence.

Mr. W. L. M. Toone, Assistant to the Magistrate and Collector of Patna, for two months on medical certificate, to proceed to the Presidency.

The leave of absence granted to the following Officers have been cancelled at their request:

Mr. H. S. Boulderson, Civil and Session Judge of Seharunpore, for one month, on private affairs, granted on the 6th ultimo.

Captain J. Bedford, Deputy Surveyor General, for two months on private affairs, granted ditto.

The Order of Mr. A. W. Begbie, officiating Commissioner of the 7th or Humeerpore Division, directing Mr. F. Lowth to take charge of the office of Joint Magistrate and Deputy Collector of Humeerpore, is approved.

24TH NOVEMBER, 1834.

The following Officers have obtained leave of absence from their stations:

Mr. John French, Acting Collector of Dinapore, for six weeks, on medical certificate.

Mr. B. J. Colvin, officiating Joint Magistrate and Deputy Collector of the Southern Division of Cuttack, for one month, on private affairs, in extension of the leave granted to him by the Commissioner.

Mr. G. C. Plowden, officiating ditto and ditto of Chittagong, for one month, on private affairs.

Moulavee Ubdoollah, a Principal Sudder Ameen in Chittagong, for one month, on medical certificate.

The leave of absence, for two months, granted on the 27th ultimo, to Mr. T. Chapman, Assistant-Surgeon of the Civil station of Purneah, is cancelled as requested by him.

The Order of Mr. J. Master, officiating Commissioner of the 19th or Cuttack Division, directing Mr C. J. Graham to conduct the current duties of the office of Civil and Session Judge of Cuttack, during the absence of Mr. J. C. Brown, is approved.

27TH NOVEMBER, 1834.

The Hon. the Governor of Agra is pleased to make the following appointments:

Mr. G. A. Bushby, Secretary to the Government of Agra, in the Political and General Departments.

Mirza Kulub Hossein Khan, Deputy Collector under Regulation IX. 1833, in Zillah Ghazeepore.

The following Officers have obtained leave of absence from their stations:

Mr. R. H. Boddam, Commissioner of Revenue and Circuit of the 2d or Agra Division, for six months, on medical certificate.

Mr. T. B. Beale, Joint Magistrate and Deputy Collector of Goruckpore, for two months, on private affairs, in extension of the leave granted to him on the 22d September last.

Mr. R. Alexander, Assistant under the Commissioner of Dehly, for one month, on private affairs.

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FORT WILLIAM, GENERAL DEPARTMENT, 8D NOV. 1834.

The Hon. the Vice-President in Council has complied with the applications of the undermentioned gentlemen for leave to proceed to Europe, on furlough, in the present season:

Messrs. George Saunders, William Wilberforce Bird, David Scott, John Petty Ward, Charles John Middleton, Thomas Barbot Beale, and Henry Pidcock.

10TH NOVEMBER, 1834.

Mr. Thomas Kirkman Lloyd having passed an examination on the 6th instant, and being reported qualified for the Public Service by proficiency in two of the Native Languages, the Orders which were issued on the 29th September last, for that gentleman's return to Europe, are revoked.

# GENERAL REGISTER.

Mr. J. G. B. Laurell is appointed to officiate as Collector of Government Customs at Moorshedabad during Mr. C. C. Jackson's absence, or until further orders. The appointment is to take effect from the 3d instant.

21st November, 1834.

Mr. William Trevor Taylor, late in charge of the office of Civil and Session Judge of Midnapore, was permitted on the 24th ultimo, to proceed to Europe on sick certificate, and embarked on board the private ship *Prince George*. The vessel was left by the Pilot at Sea on the 7th instant.

Mr. William Levie Malone Tone, Assistant under the Magistrate and Collector of Patna, was permitted on the 20th instant to proceed to Europe for the benefit of his health.

Mr. William Bell, a Writer on the Bengal Establishment, reported his return to the Presidency from Europe on the 3d instant.

Mr. Evelyn M. Gordon, of the Civil Service, reported his return from furlough on the 7th instant.

Mr. Thomas Pakenham has been permitted to proceed to Europe on furlough in the present season.

Mr. Thomas Mainwaring, Commercial Resident at Cossimbazar, has been permitted to be absent from his station for one month, from the 27th instant, for the purpose of visiting the Presidency, on private affairs.

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Political Department, Fort William, 6th Nov. 1834.

The leave of absence granted by His Excellency the Right Honorable the Governor General in Council on the 16th ultimo to Mr. Loughnan, the officiating Principal Assistant to the Commissioner in the Saugor and Nerbudda Territories, for two months, on private affairs, has been cancelled at his request.

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Mr. Mordaunt Ricketts has been dismissed from the Hon. Company's Civil Service, by order of the Hon'ble the Court of Directors, for his misconduct while holding the office of Resident at Lucknow.

20th November, 1834.

The Governor General in Council is pleased to make the following Appointments:

Mr. H. T. Prinsep to be Secretary to the Government of India in the General, Foreign, and Financial Departments.

Mr. H. Alexander to be Deputy to ditto.

Mr. W. H. Macnaghten to be Secretary to the Government of India in the Secret and Political, and Revenue and Judicial Departments.

Mr. C. E. Trevelyan to be Deputy to ditto in the Secret and Political Departments, and

Mr. J. R. Colvin to be Deputy to ditto in the Revenue and Judicial Departments.

Colonel W. Casement, C. B., to be Secretary to the Government of India in the Military Department.

Major J. Stuart to be Deputy to ditto

Captain W. Cubitt to be Assistant to ditto.

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His Excellency the Right Honorable the Governor General of India in Council has been pleased to resolve, that the undermentioned Officers holding Political situations, shall correspond with, and be subjected to, the direct Orders of the Government of India.

Envoy in Persia; Political Agent in Turkish Arabia; Resident at Bushire; Agent to the Governor General for the affairs of Sinde; Resident at Travancore and Cochin; Commissioner in Mysore; Resident in Mysore and Commissioner for the affairs of Coorg; Resident at Hydrabad; ditto at Nagpore; ditto at Catmandhoo; ditto at Ava; ditto at Lucknow; ditto at Gwalior; ditto at Indore; Agent to the Governor General for the States of Rajpootana; Political Agent at Loodhiana (as regards the British relations beyond the Sutledge and Indus.)

The Officers above specified, however, are desired to furnish the local Governments within or adjacent to whose jurisdictions they may be situated with copies of all the communications of importance which they may have occasion to make to the Government of India.

All other Officers who are employed in the Political Department will apply for instructions and receive their orders from the Governments within the sphere of whose jurisdictions they may be respectively situated.

As regards the subordinate Governments of Fort St. George, Bombay and Agra, it is, however, hereby provided and declared that it shall at all times be competent to the Governor General of India in Council to enlarge, modify, or revoke altogether the Political powers with which those Governments are invested by the above resolution, and that the distribution of Political authority now promulgated, must be considered as a special arrangement only.

By Order of His Excellency the Right Honorable the Governor General of India in Council.

W. H. MACNAGHTEN, Secy. to Govt. of India.

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Fort William, 21st November, 1834.

The appointment of Mr. Macsween, by His Excellency the Right Honorable the Governor General of India in Council, to be Secretary to the Government of Agra, in the Revenue and Judicial Departments, is notified for general information.

By Order of the Hon'ble the Governor of Agra.

C. MACSWEEN, Secy. to the Govt. Revenue & Judicial Depts.

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Fort William, Ecclesiastical Department, 3d Nov. 1834.

The Revd. John Vaughan reported his arrival as a Chaplain on this establishment on the 28d ultimo—Mr. Vaughan has this day been appointed Garrison Chaplain of Fort William.

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# MILITARY APPOINTMENTS, &c.

## GENERAL ORDERS BY THE VICE-PRESIDENT.

*Fort William; 6th November*, 1834.

No. 204 of 1834.—The Hon. the Vice-President in Council is pleased to make the following promotions and alteration of rank;

Infantry.—Major Philip Brewer to be Lieut.-Colonel, vice Lieut.-Colonel S. Land retired, with rank from the 29th July, 1834, vice Lieut.-Colonel J. Aubert deceased.

9th Regt. L. C.—Lieut. John Hamilton to be Captain of a Troop, vice Captain T. Sanderson retired, with rank from the 4th December, 1832, vice Captain A. M. Key deceased.

Cornet William Baker to be Lieut. from the 4th December, 1832, vice Lieut. J. Hamilton promoted.

64th Regt. N. I.—Captain Thomas Robinson to be Major, Lieut. Kenneth Francis McKenzie to be Captain of a Company, and Ensign Birt Wyndham Rous Jenner to be Lieut. from the 29th July, 1834, in succession to Major P. Brewer promoted.

Medical Department.—Assistant Surgeon Andrew Simson, M. D., to be Surgeon, vice Surgeon T. S. Child retired, with rank from the 16th September, 1831, vice Surgeon J. Nicoll deceased.

Assistant-Surgeon Robert Bransby Francis (deceased,) to be Surgeon, from the 20th September, 1833, vice Surgeon G. Waddell, M. D., deceased.

Alteration of Rank.

63d N. I.—Lieut.-Colonel J. Harris, Major T. Reynolds, invalided, Captain W. Hoggan, and Lieut. R. Troup, to rank from 23d April, 1834, vice Lieut.-Colonel S. Land retired.

26th N. I.—Lieut.-Colonel R. Seymour, Major D. Bruce, Captain J. H. Handscomb, and Lieut. J. Millar, ditto 30th ditto, vice Lieut. Colonel T. C. Watson deceased.

43d N. I.—Lieut.-Colonel J. Tulloch, Major E. Jeffreys, Captain R. Campbell, and Lieut. J. Godfrey, ditto 10th May, 1834, vice Lieut.-Colonel A. Lockett deceased.

9th L. C.—Captain P. E. Story, and Lieut. S. Smith, ditto 28th April, 1832, vice Captain T. Sanderson retired.

9th L. C.—Captain C. Garrett, and Lieut. W. V. Midford, ditto 23d July, 1832, vice Captain J. Milner invalided.

Medical Department.—Surgeons W. Glass, M. D., retired, ditto 6th May, 1833, vice Surgeon T. S. Child retired; C. Mackinnon, ditto 23d July, 1833, vice J. Browne deceased; B. Burt, M. D. ditto 5th August, 1833, vice J. Savage retired; J. Dalrymple, ditto 28th August, 1833, vice W. Glass, M. D., retired; D. Butter, M. D., ditto 7th October, 1833, vice R. B. Francis deceased; J. Duncan, ditto 28th January, 1834, vice H. H. Wilson retired; W. E. Carte, A. B., ditto 1st February, 1834, vice C. Robinson retired; E. T. Harpur, ditto 25th February, 1834, vice J. McDowell retired.

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No. 205 of 1834.—The Vice-President in Council is pleased to make the following promotions and appointments:

81st Regt. N. I.—Lieut. Peregrine Powell Turner to be Captain of a Company, and Ensign Charles Edward Steel, to be Lieut., from the 13th October 1834, in succession to Captain George Cumine deceased.

65th Regt. N. I.—Ensign Frederick Alfred Close to be Lieut. from the 15th October 1834, vice Lieut. D. Robinson deceased.

Medical Department.—Superintending Surgeon George Skipton to be 3rd Member of the Medical Board, from the 23d October 1834, in succession to J. McDowell retired.

Surgeon Henry Francis Hough to be Superintending Surgeon on the establisment, from the 23d October 1834, vice G. Skipton promoted.

Surgeon William Findon to be a Superintending Surgeon on the Establishment, from the 23d October 1834, vice W. P Muston, whose appointment is cancelled.

The undermentioned Officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Captain Robert Adair McNaghten, of the 61st Regt. N. I. date of arrival at Fort William, 1st November, 1834.

Lieut. George Burd Reddie, of the 29th Regt. N. I. 24th October, 1834.

Assistant Surgeon Henry Taylor is appointed to officiate in medical charge of the civil station of Guyah.

Assistant Surgeon W. B. O'Shaughnessy, M. D. officiating in medical charge of the civil station of Cuttack, is, at his own request, placed at the disposal of the Major General in Command of the Forces.

Lieut. P. Nicolson, principal assistant to the Governor General's Agent under Regulation XIII. 1833, has been permitted in the Judicial and Revenue Department, under date the 27th ultimo, to resume charge of his office under Captain Wilson.

Assistant Surgeon John Jackson, attached to the Civil Station of Ghazeepore, has been appointed in the General Department, under date the 27th ultimo, to officiate as Opium Examiner to the Benares Agency in the room of Dr. Butter, until further orders.

Assistant Surgeon Thomas Chapman, M. D., attached to the Civil Station of Purneah, has obtained leave of absence in the Judicial and Revenue Department, under date the 27th ultimo, for two months, for the benefit of his health.

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No. 206 of 1834.—The undermentioned gentlemen are admitted to the service, in conformity with their appointment by the Hon'ble the Court of Directors as Cadets of Infantry on this establishment, and promoted to the rank of Ensign, leaving the dates of their commissions for future adjustment:

Infantry.—Mr. Samuel John Becher, date of arrival at Fort William, 3d November, 1834.

Mr. Sulivan Harington Steer, ditto 4th ditto ditto.

Sub-Lieut. Peter Allen, Deputy Commissary of Ordnance, is permitted to proceed to Van Dieman's Land, viâ the Mauritius, on medical certificate, for two years.

The following promotions are made in the Subordinate Ordnance Commissariat and Medical Departments:

Ordnance Commissariat Department.—Acting Conductor Thomas Carr to be Conductor, and Serjeant William Hill, Bazar Serjeant at Mhow, to be Sub-Conductor, from the 10th Sept. 1834, in succession to Conductor J. Millard promoted.

Serjeant Major Jeremiah Leary, of the 24th Regt. N. I. to be Sub Conductor, from the 17th Oct. 1834, vice Sub Conductor William Bryan deceased.

Medical Department—Assistant Apothecary John Williams to be Apothecary, and hospital Apprentice William Togman to be Assistant Apothecary, from the 23d October 1834, in succession to Apothecary James Dick discharged from the service.

Sergeant Major John Leech, of the Garrison Staff of Fort William, is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January 1797, and General Orders dated the 5th February 1820, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his stipend in Calcutta.

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*Fort William; 11th November, 1834.*

No. 209 of 1834.—Assist.-Surg. John Smith, of the Medical Department, is permitted to proceed to Europe, on furlough, on medical certificate.

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*Fort William; 13th November, 1834.*

No. 210 of 1834.—2d Lieut. Charles Hogge, of the Artillery on this Establishment, is brought on the effective strength of the Regiment, from the 9th Oct. 1834, in succession to 1st Lieut. G. R. Birch, retired.

Mr. Edmund Walter Chicheley Plowden is admitted to the service as a Cadet of Cavalry on this Establishment, in conformity with his appointment by the Hon'ble the Court of Directors, and promoted to the rank of Cornet, leaving the date of his commission for future adjustment: date of arrival at Fort William, 8th Nov. 1834.

The undermentioned officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Captain William Murray, of the 22d Regt. N. I. date of arrival at Fort William, 10th Nov. 1831; Lieuts. Brownlow Cole Bourdillon, of the 2d Regt. L. C., ditto 10th ditto; John Christie, of the 3d Regt. L. C. ditto 6th ditto, and Alexander Cumming Dewar, of the 38th Regt. N. I. ditto 10th ditto; Cornet George Murray, of the 8th Regt. L. C. ditto 10th ditto; and Surg. George Baillie, of the Medical Department, ditto 7th ditto.

Major George Jenkins, of the 63d Regt. N. I. is permitted at his own request, to retire from the service of the Hon'ble Company on the pension of his rank, from the date of the sailing of the ship on which he may embark for Europe.

Surgeon Alexander Halliday, M. D. is permitted to proceed to the Sand Heads, on medical certificate, and to be absent on that account for six weeks.

Asst. Surg. John Wilkie, M. D. officiating in medical charge of the Civil Station of Dinagepore, has obtained in the Judicial and Revenue Department, under date the 3d instant, leave of absence for one month, on medical certificate.

Mr. James Lloyd Obrien is appointed an Assistant Overseer in the Department of Public Works, on the salary allowed for that rank, and placed under the orders of Captain W. Sage, Executive Officer 3d Division, to superintend the making of the road between Bhaugulpore and Monghyr.

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## GENERAL ORDERS BY THE GOVERNOR GENERAL.

*Fort William; 18th November, 1834.*

No. 212 of 1834.—Surgeon John Turner is directed to resume the duties of the General Hospital.

*Fort William; 21st November, 1834.*

No. 215 of 1834.—His Majesty's 62d Regt. of Foot is to be considered as attached to the Bengal Presidency, from the date of its embarkation at Masulipatam for Moulmein.

No. 216 of 1834.—The Right Hon'ble the Governor General of India in Council is pleased to make the following promotions:

53d Regt. N. I.—Ensign James Hunter to be Lieut. from the 13th November 1834, vice Lieut. George Walter Adams Nares discharged from the Service by the sentence of a General Court Martial.

Lieut. Charles Hebert White, of the 8th Regt. L. C., promoted to the rank of Captain, by Brevet, from the 14th November 1834.

2d Lieut. Frank Turner, of Artillery, is brought on the effective strength of the Regt. on this establishment, from the 15th October 1831, in succesion to Captain P. G. Matheson deceased.

The undermentioned Officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Honorable the Court of Directors:

Lieut. Robert Beavan, of the 31st Regt. N. I. date of arrival at Fort William 13th November 1834.

Assistant Surgeon Andrew Henderson, of the medical department, ditto 2d ditto.

The undermentioned Officers are permitted to proceed to Europe on furlough, on medical certificate:

Colonel Harry Thomson, of the 6th Regt. L. C.
Lieut.-Colonel Patrick Martin Hay, of the 24th Regt. N. I.

The leave of absence granted to Captain Edward Simeon Hawkins, of the 38th Regt. N. I., in General Orders No. 145, of the 17th September 1832, is extended to the 4th instant.

The leave of absence granted to Lieut. Henry Charles Gilmore, of the 59th Regt. N. I., in General Orders No. 87, of the 9th March 1833, is extended to the 10th instant.

Serjeant John Browne, of the 1st Battalion Regt. of Artillery, is admitted to the benefits of the pension sanctioned by Minutes of Council of the 11th January 1797, and General Orders dated 5th February 1820, subject to the confirmation of the Hon. the Court of Directors, with permission to receive his stipend in Calcutta.

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No. 217 of 1834.—The following appointment made by the Right Hon. the Governor General of India, is published in General Orders:

Captain W. M. N. Sturt, of the 10th Regt. N. I., to officiate as Fort Adjutant of Fort William, so long as his Corps may form a part of the Troops furnishing the Garrison Guards, or until further Orders, vice Bird permitted, at his own request, to rejoin his Regt.

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No. 218 of 1834.—The nomination of Captain P. L. Pew, of the Regiment of Artillery, in General Orders by the Major General Commanding the Forces, dated the 14th instant, to the charge of the Dehly Magazine, is confirmed as a temporary arrangement.

# GENERAL REGISTER.

*Fort William; 25th November*, 1834.

No. 219 of 1834.—The Right Hon'ble the Governor General of India in Council is pleased to make the following promotion:

41st Regt. N. I.—Lieut. and Brevet-Capt. John Martin to be Captain of a Company, from the 18th Nov. 1834, vice Capt. G. Watson retired on the pension of his rank.

Supernumerary Lieut. John Kingston Phibbs is brought on the effective strength of the Regiment.

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No. 222 of 1834.—From the Proceedings of a Court of Enquiry which have been submitted to Government by His Excellency the Commander in Chief, it is evident to the Right Hon'ble the Governor General of India in Council, that Deputy Assistant Commissary J. Millard, of the Ordnance Commissariat Department, who was promoted to that rank in General Orders dated the 18th of September last, is not deserving of the situation to which he has been advanced.

The Warrant of Mr. Millard as Deputy Assistant Commissary is accordingly cancelled, and he will revert to his former grade of Conductor, from the date of the receipt of this Order at Allahabad.

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No. 223 of 1834.—The following arrangement sanctioned by the Right Hon'ble the Governor of Fort William, is published in General Orders.

Hospital Apprentice J. Healy, appointed to the Dispensary in Fort William as an Acting Assistant-Apothecary, vice Francis O'Sullivan about to proceed with a Detachment of King's Troops to the Upper Provinces.

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## GENERAL ORDERS BY MAJOR-GENERAL WATSON.

*Head-Quarters, Calcutta, 1st November*, 1834.

The Eastern Frontier Order of the 23d ultimo, directing Assistant-Surgeon W. A. Green, doing duty with the 53d, to join and afford medical aid to the 35th Regiment N. I. during the absence on duty, of Asst.-Surg. Llewelyn, is confirmed as a temporary arrangement.

Capt. F. G. Lister's Battalion Order dated the 20th ultimo, appointing Lieut. P. Mainwaring, attached to the Sylhet Light Infantry, to act as Adjutant to that Corps, during the absence, on duty, of Ensign and Adjt. T Brodie, is confirmed.

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The Major General in Command of the Forces is pleased to make the following removals and postings of Medical Officers:

Surgeons J. Allen, (on furlough) from the 69th to the 29th Regt. N. I.; K. Macqueen, from the 71st to the 69th Regt. N. I.; C. Mackinnon, from the 15th to the 32d Regt. N. I. Surgeon Mackinnon will proceed to Allygurh and afford medical aid to the Right Wing of the 45th N. I., until the arrival at that Station of the 32d Regt.; A. Scott, (on furlough) from the 7th to the 31st Regt. N. I.; W. Derby, from the 30th to the 7th Regt. N. I. Surgeon Darby will continue in medical charge of the 30th N. I. at Almorah, until the arrival at that Station of the 7th Regt.; J. Watson, M. D., (on furlough) from the 67th to the 70th Regt. N. I.; J. Johnstone, M. D., from the 64th to the 67th Regt. N. I. Surgeon Johnstone will continue in medical charge of the 64th N. I. till relieved by Assistant-Surgeon Dickon; A. Murray, M. D., from the 49th to the 55th Regt. N. I.; J. J. Paterson, from the 55th to the 41st Regt. N. I. Surgeon Paterson will continue in medical charge of the 55th Regt. until further orders; H. Guthrie, M. D., from the 41st to the 65th Regt. N. I. Surgeon Guthrie will continue at Pertaubghur and afford medical aid to the Troops at that Post until they are relieved by the 72d N. I., when he will proceed to Allahabad and await the arrival of the 65th Regt.; J. Henderson, from 65th to the 49th Regt. N. I.; and I. Jackson, from the 68th to the 17th Regt. N. I.

Assistant Surgeons J. S. Sullivan, (on furlough) from the 39th to the 33d Regt. N. I.; J. Greig, from the 32d to the 39th Regt. N. I. Assistant-Surgeon Greig will continue with the 32d N. I., until his services can be dispensed with; H. Donaldson, M. D., (on furlough) from the 15th the 47th Regt. N. I.; S. Lightfoot, from the 59th to the 15th Regt. N. I.; F. Hartt, (on furlough) from the 55th to the 48d Regt. N. I.; H. Chapman, lately attached to the Convalescent Depôt at Cherra Poonjee, to the 55th Regt. N. I.; A. McK. Clark, (on furlough) to the 73d Regt. N. I.; R. Shaw, (on furlough) to the 1st Regt. N. I.; J. B. Dickson, from the 67th to the 64th Regt. N. I; H. H. Spry (on furlough) to the 74th Regt. N. I., vice Hardie deceased; and A. Henderson, of the 41st Regt., is directed to join and do duty with the 55th Regt. N. I. at Barrackpore.

The following Ensigns are removed to the Corps specified opposite to their respective names and directed to join:

Ensigns J. McC. Morgan, from the 55th to the 63d Regt. N. I. at Sultanpore, Oude; J. Clarke, from the 69th to the 25th Regt. N. I., ordered to Mirzapore; and T. F. Patterson, from the 4th to the 2d Regt. N. I. at Saugor.

*Head-Quarters, Calcutta, 3d November*, 1834.

Serjt. Wm. Tully, of the Veteran Company, is permitted to reside and draw his stipend at Meerut.

Bombardier W. Pritchard, of the Pension Establishment, is permitted to reside and draw his stipend at the Presidency instead of Dinapore.

The undermentioned Officers have leave of absence:

17th Regt. N. I.—Maj. J. Oliver, from 15th Oct. to 15th Nov. in extension, to enable him to rejoin his Regiment at Nusseerabad.

68th Regt. N. I.—Lieut., Interpr. and Quarter-Master W. Alston, from 1st Nov. to 15th Feb. 1835, to visit Cawnpore, on private affairs.

66th Regt. N. I.—Ensign S. W. Buller, from 20th Dec. to 20th Jan., 1835, in extension, to enable him to join his Regiment at Benares.

23d Regt. N. I.—Capt. J. Holmes, from 15th Oct. to 1st March, 1835, to visit the Presidency, on medical certificate.

1st Com. 2d Batt. Arty.—2d Lieut. L. Smith, from 15th Oct. to 15th Oct. 1835, to visit the Hills in the vicinity of Almorah, on medical certificate.

54th Regt. N. I.—Ensign N. Palmer, from 10th Dec. to 10th Feb. 1835, in extension, to remain at Simla, on medical certificate.

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*Head-Quarters, Calcutta, 5th November*, 1834.

The Benares Division Order of the 24th ultimo, appointing Assistant-Surgeon D. Campbell, attached to the Civil Station of Mirzapore, to afford medical aid to the Left Wing of the 66th Regt. N. I, so long as it may remain at that post, or until further orders, is confirmed.

Captain T. D'Oyly, Commissary of Ordnance, now on leave of absence, is removed from the Agra to the Delhi Magazine, vice Captain P. G. Mathison deceased.

Lieut. the Hon'ble H. B. Dalzell, Deputy Commissary of Ordnance, at present in charge, is posted to the Agra Magazine.

The undermentioned unposted Ensigns are appointed to the Regiments noted opposite their respective names, and directed to join:

Ensigns W. Y. Siddons to the 68d Regt. N. I. at Sultanpore, Oude; J. Thompson to the 19th Regt. N. I. at Barrackpore; C. M. Rees to the 65th Regt. N. I., ordered to Allahabad and Juanpore; C. Scott to the 27th Regt. N. I. at Kurnaul; W. Egerton to the 2d Regt. N. I. at Saugor; W. Morrison to the 25th Regt. N. I., ordered to Mirzapore; C. Corsar to the 64th Regt. N. I., ordered to Saugor; J. W. Carnegie to the 15th Regt. N. I. at Cawnpore; J. Chambers to the 21st Regt. N. I., ordered to Hansi; C. Hasell to the 48th Regt. N. I. at Seetapore; S. T. A. Goard to the 69th Regt. N. I. at Meerut; E. P. Grimes to the 58th Regt. N. I. at Mhow; P. W. Luard to the 55th Regt. N. I., ordered to Chittagong; W. K. Wollen to the 19th Regt. N. I. at Barrackpore; W. C. Lloyd to the 53d Regt. N. I., ordered to Banda; R. T. Daniell to the 29th Regt. N. I. at Jubbulpore; the Hon'ble R. B. P. Byng to the 62d Regt. N. I. at Loodianah; H. J. C. Shakespear to the 4th Regt. N. I., ordered to Berhampore; E. N. Croft to the 65th Regt. N. I., ordered to Allahabad; A. C. Boswell to the 59th Regt. N. I. at Lucknow; W. S. Dodgson to the 31st Regt. N. I. at Bancoorah; R. A. Trotter to the 27th Regt. N. I. at Kurnaul.

Private Edward Dewberry, of the European Regt. at Dinapore, having been duly examined and pronounced unfit for field duty, is to be sent to join the Invalid Companies at Chunar.

The undermentioned Officers have leave of absence:

30th Regt. N. I.—Lieut.-Colonel H. Cock, from 15th November 1833 to 27th November 1834, in extension, to enable him to join his Regt. at Almorah.

1st Regt. Local Horse—Local Lieut. J. Skinner, Jr., from 31st October 1834 to 20th November 1834, in extension, to remain at Simla, on medical certificate.

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*Head-Quarters, Calcutta, 6th November*, 1834.

The following Division Orders by Brigadier-General R. Stevenson, C. B., Commanding the Troops assembled for Service in Rajwara, dated the 21st ulimo, are confirmed:

Appointing Sergeants Buttress and McMurray, of the Corps of Sappers and Miners, Park Sergeants.

The Meerut Division Order dated the 22d May last, appointing Captain W. Caine, of His Majesty's 26th Regt. of Foot to to act as Aide de Camp to Major General the Hon'ble John, Ramsay, from the 11th April, and during the absence of Lieut. D. Ramsay, is confirmed.

The Mhow Station Order of the 1st ultimo, appointing Lieut. Interpreter and Quarter Master J. Whiteford, of the 65th Regt. N. I., to the charge of the Sudder Bazar at that Station, during the absence, on duty, of Brevet Captain H. R. Osborn, Deputy Assistant Commissary-General is confirmed.

Captain T. Des Voeux's Regimental Order under date the 21st ultimo, appointing Lieut. and Brevet Captain M. Hughes

to act as Adjutant to the Left Wing of the 44th N. I., during its separation from Regimental Head Quarters, is confirmed.

Purgun Singh and Muthoora Singh, lately admitted into the Service as Native Doctors, from the native medical institution, are directed to do duty under the Superintending Surgeon at Barrackpore, until further orders.

Nohur Tewarry, Sepoy, of the 74th Regt. N. I., having been pronounced unfit for further service, is, as a special case, transferred to the Pension Establishment, on a stipend of 3 Rupees per mensem.

The undermentioned Officers have leave of absence:

Division Staff—Captain J. D. Douglas, Deputy Assistant Adjutant General, Saugor Division, from 1st December to 15th January 1835, in extension, to enable him to rejoin.

16th Regiment N. I.—Ensign T. J. Gardiner, from 1st November 1833 to 3d January 1834, to enable him to join his Corps.

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*Head-Quarters, Calcutta, 7th November*, 1834.

The following Division Orders by Brigadier General W. Richards, C. B., Commanding the Dinapore Division, dated the 26th ultimo, are confirmed:

Appointing Ensign C. D. Bailey, of the 56th Regt. N. I., to act as Aid-de-Camp to the Brigadier General, vice Capt. Wilson of the 64th N. I. Acting Aid-de Camp, about to proceed with his Corps towards Saugor.

Appointing Surgeon O. Wray, of the European Regt. to the medical charge of the Staff, from the 27th ultimo, in the room of Surgeon J. Johnstone, M. D. of the 64th Regt. N. I. about to proceed with his Corps to Saugor.

Major W. Stirling's Regimental Order dated the 25th ultimo, appointing Lieut. H. N. Worsley to act as Adjutant to the Left Wing of the 74th N. I. during its separation from the Head-Quarters of the Regiment, is confirmed.

The undermentioned Officers have leave of absence:

31st Regt. N. I.—Major J. Thomson, from 25th October to 25th January 1835, to visit the Presidency, viâ Dinapore, preparatory to applying for furlough to Europe, on medical certificate.

Invalid Establishment—Captain H. Tanner, from 15th November to 15th February 1835, to proceed on the River, and to visit the presidency, on private affairs.

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*Head-Quarters, Calcutta, 8th November*, 1834,

The Agra Garrison and Station Orders by Colonel R. H. Sale, C. B., under date the 21st ultimo, appointing Assistant Surgeon C. McCurdy to the medical charge of the Detachment of Artillery under the command of Captain O. Baker, and to afford medical aid to the women, children and sick of the 5th Battalion remaining in Cantonments, in addition to his duties with His Majesty's 13th Light Infantry; and appointing Surgeon K. Macqueen, of the 71st, to the medical charge of the Left Wing 44th Regt. N. I., are confirmed as temporary arrangements.

The undermentioned Officers have leave of absence:

2d Regt. N. I.—Lieut. G. Dysart, from 1st December to 31st March 1835, to visit Agra, on private affairs.

12th Regt. N. I.—Lieut. J. R. Abbott, from 20th November to 20th December, in extension, to remain at the Presidency, on medical certificate.

Artillery—Supernumerary 2d Lieut. T. J. W. Hungerford, doing duty with 2d Co. 4th Battn., from 1st November to 1st August 1835, in extension to remain at Agra, on medical certificate.

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The Division Order by Brigadier General R. Stevenson, C. B., Commanding the Troops proceeding on Service, dated the 23d ultimo, authorizing Colonel C. Parker to appoint an Acting Park Sergeant and 10 Laboratory Men, as a temporary arrangement, pending the junction of the whole of the Artillery assembling for Service, is confirmed.

The Rajpootanah Artillery Division Order by Captain G. Pennington, under date the 20th ultimo, appointing Gunner Conn, of the 1st Company 2d Battalion, to act as Camp Colorman to the Division proceeding on Service, is confirmed.

The following removals and postings will take place in the Regiment of Artillery:

Captain W. R. Maidman (new promotion) to the 2d Company 4th Battalion; Lieutenants J. Trower, (on furlough) from the 5d Troop 1st Brigade to the 3d Company 4th Batt.; T. H. Sissmore, (new promotion) to the 3d Troop 1st Brigade Horse Artillery; K. J. White (new promotion) to the 1st Company 4th Batt.; and F. B. Boileau, from the 4th Troop 3d Brigade to the 1st Troop 2d Brigade; 2d Lieuts. C. Hogge to the 1st Troop 3d Brigade and F. Turner to the 2d Troop 2d Brigade.

With the sanction of Government, the 3d and 4th Companies of the 5th Battalion of Artillery will proceed by water to the destinations assigned to them in General Orders of the 30th August last, as soon as boats can be provided by the Commissariat Department.

Assistant Surgeon C. J. Davidson is appointed to the medical charge of the Detachment, and the following Subordinate Medical attendants are directed to do duty with it:

Assistant Apothecary J. H. Peter and Hospital Apprentices M. R. Crawford and R. Norris.

Apprentice Crawford is appointed to act as Assistant Steward to the Detachment.

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*Head Quarters, Calcutta, 8th November*, 1834.

The Major General in Command of the Forces is pleased to make the following appointment:

61st Regt. N. I.—Lieut. Henry Le Mesurier to be Adjutant, vice Lieut. P. P. Turner promoted.

Assistant-Surgeon K. M. Scott, now at the General Hospital, is under instructions from Government, directed to proceed to Purneah, and perform the civil medical duties at that station, during the absence, on medical certificate, of Assistant Surgeon T. Chapman, M. D. or until further orders.

The undermentioned Officers have leave of absence:

5th Regt. Light Cavalry—Captain C. W. Hodges, from 16th January 1834 to 28th January 1834, in extension, to enable him to join.

55th Regt. N. I.—Lieut. J. Graham, from 1st December to 1st April 1835, in extension, to remain in the Hills North of Deyrah on medical certificate, and to enable him to rejoin his Regt.

56th Regt. N. I.—Lieut. and Adjutant H. Foquett, from 25th November to 25th February 1835, to visit the presidency, on private affairs.

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*Head-Quarters, Calcutta, 10th November*, 1834.

The Detachment Orders by Colonel J. Kennedy, under date the 20th ultimo, appointing Lieut. and Adjutant R. A. Master, of the 7th Regt. Light Cavalry, to act as Staff to a Detachment proceeding towards Nusseerabad under his command, is confirmed.

Superintending-Surgeon J. Marshall is removed from the Saugor to the Dinapore circle of medical superintendence.

Superintending-Surgeon H. F. Hough (new promotion) is posted to the Saugor circle of medical superintendence.

Superintending-Surgeon W. Findon (new promotion) is posted to the Berhampore circle of medical superintendence.

The undermentioned Ensigns, lately admitted into the service, are appointed to do duty with the Corps specified opposite to their respective names, at their own request, and directed to join:

Ensign Samuel John Becher, 55th Regt. N. I. at Chittagong.

Ensign Sulivan Harington Steer, 56th Regt. N. I. at Dinapore.

The undermentioned Officer has leave of absence:

8th Regt. Light Cavalry.—Assistant-Surgeon J. Davenport, M. D., (officiating Medical Store-keeper, Cawnpore,) from 20th November to 20th February 1835, to visit the presidency, on medical certificate, preparatory to submitting an application for permission to proceed to Europe on furlough.

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*Head-Quarters, Calcutta, 11th November*, 1834.

The Meerut Division Order of the 27th September last directing Assistant Surgeon J. F. Bacon, attached to the Civil Station of Moradabad, to afford medical aid to the Right Wing 14th Regt. N. I., during the absence, on duty, of Assistant-Surgeon Spencer, is confirmed.

The Agra Artillery Division Order of the 24th ultimo, appointing 2d Lieut. R. Walker to act as Adjutant and Quarter-Master, and Staff Sergeant Terence Shiel to act as Sergeant-Major and Quarter-Master-Sergeant to the Detachment, is confirmed.

Apothecary John Williams and Assistant Apothecary William Togman, lately promoted, are directed to continue doing duty, the former under the orders of the Superintending Surgeon of the Agra circle, and the latter under the orders of the Superintending-Surgeon at Cawnpore.

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*Head-Quarters, Calcutta, 12th November*, 1834.

The Major General in Command of the Forces is pleased to make the following removal and posting:

Lieut.-Colonel Sir J. Bryant, Knight, (Judge Advocate-General) from the 64th to the 72d Regt. N. I.

Lieut.-Colonel P. Brewer (lately promoted) to the 64th Regt. N. I.

The undermentioned Officers have leave of absence:

2d Battalion Artillery—Major T. Chadwick, from 1st January 1835 to 1st April 1835, in extension, to remain at Simla, on medical certificate.

64th Regt. N. I.—Captain the Hon. W. Hamilton, from 1st November to 1st March 1835, in extension to enable him to rejoin his Regt.

50th Regt. N. I.—Captain J. Graham, from 20th November to 20th February 1835, to remain at the presidency, on private affairs.

Infantry—Ensign S. J. Becher, doing duty with 55th N. I., from 7th November to 22d December, to visit Keerpoy on private affairs.

2d Troop 3d Brigade Horse Artillery—1st Lieut. W. S. Pillans, from 28th October to 28th January 1835, to visit the presidency, on private affairs, preparatory to applying for furlough to Europe.

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*Head-Quarters, Calcutta, 13th November, 1834.*

The extension of the leave of absence granted to Lieut. D Ramsay, of the 37th Regt. N. I., and Acting Aide de-Camp to Major-General the Hon. J. Ramsay Commanding the Meerut Division, in General Orders of the 10th ultimo, is, at his own request, cancelled.

Sergeant John Ives, Laboratory-man of the Allahabad Magazine, is appointed Sergeant-Major to the Garrison of Allahabad, vice Keck deceased.

Sergeant Robert Berrill, of the 6th Division Department of Public Works, is appointed Laboratory man in the Allahabad Magazine, vice Ives.

Sergeant William Dodd now attached to the Department of the Executive Engineer at Allahabad, is directed to join and do duty in the Allahabad Magazine, until further orders.

The undermentioned Officers have leave of absence:

6th Regt. N. I.—Captain J. Stevens, from 1st November to 1st February 1835, to proceed on the river, on medical certificate.

11th Regt. N. I.—Lieutenant J. E. Cheetham, from 9th November to 9th December, in extension, to remain at the Presidency, on private affairs.

Medical Department—Assistant Surgeon E. Mitchell, from 15th November to 20th March 1835, in extension, to enable him to visit the Presidency, on medical certificate, preparatory to applying for leave to Sea.

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Major T. S. Oliver's Regimental Order dated the 27th ultimo, appointing Ensign A. H. Corfield, Acting Adjutant to the Right Wing, to act as Adjutant to the Left Wing of the 21st N. I., is confirmed.

Major W. A. Yate's Regimental Order dated the 30th ultimo, appointing Lieut. E. A. Cumberlege to act as Adjutant to the Left Wing 73d N. I., during its separation from the Head-Quarters of the Regt., is confirmed.

Assistant-Surgeon W. B. O'Shaughnessy, M. D., who was placed at the disposal of the Major General in Command of the Forces, in Government General Orders of the 6th instant, is directed to join and do duty with the Artillery at Dum-Dum, until further orders.

Private Thomas Bradshaw, who was discharged from His Majesty's 11th Light Dragoons, and enlisted into the Service of the Honorable Company on the 1st ultimo, is promoted to Sergeant from that date, transferred to the Town Major's List, and appointed Quarter Master Sergeant to the 9th Regt. Light Cavalry at Kurnaul, vice Hughes.

The undermentioned Officers have leave of absence:

26th Regt. N. I.—Lieutenant, Interpreter and Quarter Master H. Johnson, from 15th November to 15th November 1835, to visit the Hill Provinces North of Deyrah Dhoon, on medical certificate.

33d Regt. N. I.—Lieutenant C. F. Trower, from 31st December to 30th June 1835, in extension, to proceed to the Hills North of Deyrah Dhoon, on medical certificate.

40th Regt. N. I.—Lieutenant A. De Fountain, from 10th November to 10th February 1835, to remain at the Presidency, on private affairs.

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*Head-Quarters, Calcutta, 14th November, 1834.*

The Meerut Division Order by Major General the Honorable J. Ramsay, under date the 25th ultimo, directing Assistant Surgeon D. Gullan to return to Shahjehanpore, and resume medical charge of the Left Wing of the 14th Regt. N. I.; Assistant Surgeon J. Murray, M. D., to rejoin the 1st Brigade of Horse Artillery, and the subordinate medical servants to resume the places they occupied previous to the march of His Majesty's 11th Light Dragoons and 26th Regt. of Foot, are confirmed.

The Cawnpore Division Order of the 28th ultimo, appointing Captain J. R. Talbot, of the 59th Regt. N. I., to officiate as Deputy Judge Advocate at a Native General Court Martial ordered to assemble at Lucknow, for the trial of Sewdeen Doobey and Tajee Doobey, Sepoys, of the 22d Regt. N. I., is confirmed.

The following Agra Garrison and Station Orders by Colonel R. H. Sale, dated the 25th and 26th October, are confirmed:

*25th October.*—Appointing Apothecary John Douglas to the Medical charge of the Artillery Recruits under orders to proceed to Mhow.

*26th October.*—Appointing Assistant Apothecary John Robison to act as Apothecary, and Assistant Steward John Hennessy to act as Steward to the Artillery at Agra.

Brigadier General A. Duncan is appointed President of the General Court Martial directed in General Orders of the 6th August last, to assemble at Cawnpore, for the trial of Lieutenant Colonel W. H. Dennie, C. B., of His Majesty's 13th Light Infantry, instead of Brigadier General R. Stevenson, C. B., who is specially employed on another duty.

Captain P. L. Pew, of the 7th Company 6th Battalion Artillery, is appointed to the temporary charge of the Delhi Magazine, during the absence, on leave, of Captain T. D'Oyly.

The leave of absence granted to Lieut. A. W. W. Fraser, of the Invalid Establishment, in General Orders of the 23d ultimo, is cancelled at his own request.

The undermentioned Officers have leave of absence:

District Staff.—Brigadier E. Cartwright, from 1st December to 30th December, to visit the Presidency, on private affairs.

68th Regt. N. I.—Captain C. Marshall, from 1st November to 15th February 1835, to visit Agra and Cawnpore, on private affairs.

4th Troop 1st Brigade Horse Artillery.—2d Lieut. A. Broome, from 1st December to 1st March 1835, in extension, to remain in the Hills North of Deyrah, on medical certificate.

Ordnance Department.—Conductor M. Turvey, from 1st November to 1st August 1835, to visit the Presidency on private affairs.

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The Benares Division Orders issued by Brigadier F. J. T. Johnston, under dates the 13th ultimo and 5th instant, directing Assistant Surgeon R. Christie, doing duty with His Majesty's 3d Buffs, to proceed to Juanpore and afford medical aid to the Left Wing of the 6th Regt. N. I., and to join and afford medical aid to the Left Wing of the 73d Regt. N. I., until relieved by Assistant Surgeon A. Colquhoun, is confirmed.

The Dinapore Division Order by Brigadier General W. Richards, C. B., under date the 5th instant, directing Surgeon O. Wray, of the European Regt., to assume charge of the Superintending Surgeon's office, is confirmed.

Superintending Surgeon Thomas Smith is permanently appointed to the Cawnpore circle of medical superintendence.

Superintending Surgeon Thomas Tweedie is removed from the Cawnpore and appointed to the Allahabad circle of medical superintendence, vice Smith.

The undermentioned Officers have leave of absence:

49th Regt. N. I.—Lieut. H. Stone, from 18th November to 18th February 1835, in extension, to visit the Presidency, on medical certificate, preparatory to submitting an application for furlough to Europe.

44th Regt. N. I.—Captain R. Newton, from 20th October to 20th April 1835, to visit the Presidency, on medical certificate, preparatory to submitting an application for furlough to Europe.

Engineers.—Supernumerary 2d Lieut. J. Spens, from 15th November to 15th December, to visit the Presidency, on private affairs.

19th Regt. N. I.—Lieut. F. Lloyd, from 20th November to 20th February 1835, to proceed on the river, on private affairs.

50th Regt. N. I.—Lieut. J. H. Hampton, from 20th November to 1st January 1835, to remain at the presidency, on private affairs.

40th Regt. N. I.—Ensign C. E. Burton, from 10th November to 10th January 1835, to remain at the presidency, on private affairs.

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The Agra and Muttra Frontier Order of the 22d September last, directing the hire of 50 Bildars for the purpose of repairing the road between Agra and Futtypore Sikree, is confirmed.

Quarter-Master-Sergeant Henry Hogg, of the 53d N. I., is appointed Serjeant-Major to the Regiment, vice Cranshaw admitted to the benefits of the Pension Establishment.

Gabriel Barrow, Drum-Major of the 74th Regt. N. I., is, at his own request, transferred to the European Regiment as a Drummer, and directed to join.

The undermentioned Officers have leave of absence:

1st Regt. L. C.—Lieut.-Col. J. Skinner, C. B. from 15th Nov. to 15th Dec., to visit Delhi, on private affairs.

Left Wing European Regt.—Lieut. A. Stewart, (doing duty with a Detachment at Cherra Poonjee), from 20th Nov. to 20th Feb. 1835, to visit the Presidency, preparatory to submitting an application for permission to proceed to Europe, on furlough, on private affairs.

44th Regt. N. I.—Lieut. T. W. Hill, from 1st Dec. to 1st June, 1835, to visit Cawnpore and its vicinity, on private affairs.

29th Regt. N. I.—Capt. P. Brown, from 10th Nov. to 10th April, 1835, to visit the Presidency, on medical certificate, preparatory to applying for furlough.

55th Regt. N. I.—Capt. J. Scott, from 20th Nov. to 5th Jan. 1835, to visit the Presidency, on private affairs.

4th Regt. N. I.—Ensign R. Hill, (late Acting Adjutant 4th Local Horse,) from 1st Nov. to 1st May, 1835, to visit Delhi and Agra, on private affairs, and to enable him to rejoin his Regiment at Berhampore.

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## GENERAL ORDERS BY THE COMMANDER-IN-CHIEF.

*Head Quarters, Calcutta, 15th November, 1834.*

The Right Hon'ble the Commander in Chief having returned to this Presidency, all reports of the Army are to be addressed, as usual, for His Lordship's information.

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The Eastern Frontier Orders by Brigadier H. Bowen, under date the 7th instant, directing Assistant Surgeon W. A. Green, doing duty with the 35th N. I., to repair to Dacca, and join and do duty with the Detachment of the European Regiment proceeding from that Station to Dinapore, and Assistant Surgeon H. Chapman, on being relieved by Assistant Surgeon Green, to join the 55th Regt. N. I., to which he stands posted, are confirmed.

The Right Honourable the Commander-in-Chief is placed to make the following Appointment:

63th Regt. N. I.—Lieut. J. H. Tilson to be Adjutant, vice Davidson appointed Aide-de-Camp to the Right Honourable the Governor General.

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*Head-Quarters, Calcutta, 17th November, 1834.*

The Right Honourable the Commander-in-Chief is pleased to make the following appointment:

63d Regt. N. I.—Lieut. W. F. Grant to be Adjutant, vice Houghton promoted.

Supernumerary Cornet Henry Brougham, doing duty with the 3d Regt. L. C., is appointed to do duty with the 8th L. C., on the arrival of that Corps at Sultanpore, (Benares) in the course of the relief.

Conductor Thomas Carr, lately promoted, is posted to the Delhi Magazine.

Sub-Conductor William Hill, lately promoted, is posted to the Magazine at Ajmere.

Sub-Conductor Jeremiah Leary, lately promoted, is posted to the Arsenal of Fort William.

The undermentioned Officers have leave of absence:

40th Regt. N. I.—Major W. H. Hewitt, from 11th November to 11th February 1835, to remain at the Presidency, on private affairs.

1st Company 3d Battalion Artillery—1st Lieut. H. Sanders, from 1st November to 1st March 1835, to visit the Presidency, on medical certificate, preparatory to submitting an application for permission to proceed to Europe on furlough.

59th Regt. N. I.—Lieut., Interpreter and Quarter Master M. Hyslop, from 1st April to 28th April, in extension, to enable him to rejoin his Regt. at Lucknow.

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*Head-Quarters, Calcutta, 19th November, 1834.*

The undermentioned Officers have leave of absence:

6th Regt. N. I.—Lieut. M. Littoe, from 1st November to 21st December, in extension, to remain at Agra, on private affairs, and to enable him to rejoin his Corps.

48th Regt. N. I.—Captain W. T. Savary, from 1st November 1834 to 12th December 1884, to enable him to rejoin his Corps.

37th Regt. N. I.—Ensign W. W. Steer, from 1st October to 15th November, to remain at Nusseerabad, on medical certificate, and to enable him to rejoin his Corps at Neemuch.

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Sergeant John Barker, attached to the Expense Magazine at Dum Dum, is appointed Sergeant Major to the 24th Regt. N. I. at Barrackpore, vice Leary promoted to Sub-Conductor.

Gunner John Taylor, of the 3d Company 4th Battalion of Artillery, is transferred to the Town Major's List and appointed Overseer Cooper in the Expense Magazine at Dum Dum, from the 15th instant, vice Zeitler deceased.

The undermentioned Officers have leave of absence:

District Staff—Brigadier H. Bowen, Commanding Eastern Frontier, from 12th November to 31st December to visit the Presidency, on urgent private affairs.

Engineers—2d Lieut. J. Trail, attached to the Sappers and Miners, from 1st November to 1st March 1885, to remain at Agra, on medical certificate.

1st Regt. N. I.—Ensign H. G. Mainwaring, from 30th November to 15th January 1885, in extension, to visit the presidency, on private affairs.

*Head-Quarters, Calcutta, 21st November, 1834.*

The Presidency Division Order by Major-General J. Watson, C. B., under date the 17th instant, directing, Mutboora Singh, Native Doctor, to proceed to Midnapore and do duty with the 54th Regt. N. I., during the indisposition of Meer Furhut Allee, of that Corps, is confirmed.

The Cawnpore Division Order of the 7th instant appointing Shahab ood Deen, supernumerary Native Doctor, to do duty with the establishment of the Grand Trigonometrical Survey under Lieut. Waugh, and directing the discharge of the Native Doctor entertained under the authorities of General Orders of the 27th ultimo, is confirmed.

The Division Order issued by Brigadier F. J. T. Johnston, Commanding the Benares Division, under date the 10th instant, approving of the appointment of Assistant-Surgeon J. C. Smith to join and to afford medical aid to the 64th Regt. N. I., on its march to Saugor, is confirmed as a temporary arrangement.

The Meerut Division Order of the 7th instant, directing Assistant Surgeon F. H. Brett to proceed in medical charge of the recovered men of His Majesty's and the Hon. Company's Service, from Landour to Cawnpore, is confirmed.

Assistant Surgeon Breel, after performing this duty, will proceed to Saugor, the destination assigned to him in General Orders of the 10th July last.

The Commander-in-Chief is pleased to make the following appointment:

53d Regt. N. I.—Lieut. E. Talbot to be Adjutant, vice Span, who has proceeded on furlough.

Assistant Surgeon F. C. Henderson, M. D. of the Sappers and Miners, is appointed from the 1st instant, to afford medical aid to the Engineer Officers and establishments employed with the Force under Brigadier General R. Stevenson, C. B.

Assistant Surgeon W. A. Green, who has been directed to afford medical aid to a Detachment of European Convalescents under orders for Dinapore, will await the arrival of the 53d N. I. at that Station, when he will join the Corps and assume medical charge of the Left Wing on its separation from the Head Quarters of the Regt.

The undermentioned Officers have leave of absence:

1st Regt. L. C.—Captain G. R. Crommelin, from 30th November to 30th November, 1835, in extension, to remain in the Hills North of Deyrah, on medical certificate.

7th Regt. N. I.—Lieut. H. J. McGeorge, officiating Interpreter and Quarter-Master, from 27th November to 27th March 1835, to remain at Goruckpore, on private affairs, and to enable him to rejoin his Corps at Almorah.

15th Regt. N. I.—Lieut., Interpreter and Quarter-Master W. Hunter, from 20th December to 15th March 1835, in extension to remain at Simla, on medical certificate and to enable him to rejoin his Corps at Cawnpore.

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*Head-Quarters, Calcutta, 22d November, 1834.*

Drummer Henry Hall is transferred from the 50th N. I. to the European Regt., and directed to be sent to join.

The undermentioned Officer has leave of absence:

6th Regt. L. C.—Colonel H. Thomson, from 8th October to 8th February, 1835, to visit the Presidency, on medical certificate.

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*Head Quarters, Calcutta, 24th November, 1834.*

The Commander-in-Chief is pleased to make the following removals and postings:

Colonel H. Thomson, (on furlough) from the 6th to the 1st Regt. L. C.

Colonel S. Reid, from the 1st to the 6th Regt. L. C.

Lieutenant-Colonel T. D. Steuart, from the 10th to the 1st Regt. L. C.

Lieutenant-Colonel Arthur Warde, (on furlough) from the 1st to the 10th Regt. L. C.

The following removal is made in the Regt. of Artillery:

Captain G. Pennington, from the 1st Company 2d Battalion to the 3d Troop 1st Brigade Horse Artillery.

Captain Pennington will proceed forthwith to join his Troop at Dum Dum.

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The Cawnpore Division Order of the 11th instant, directing Surgeon B. Bell, of the 60th Regt. N. I., to act as Medical Store keeper at Cawnpore, and afford medical aid to the Staff and Public Establishments, is confirmed as a temporary arrangement.

The appointment of Assistant Surgeon C. McKinnon, M. D., in Division Orders of the same date, from the 2d Brigade Horse Artillery, to the medical charge of the 60th N. I., vice Bell, is also confirmed.

The Shajehanpore Station Order of the 1st ultimo, directing Civil Assistant Surgeon F. Fleming to afford medical aid to the Left Wing 14th N. I., on the departure for Meerut of Assistant-Surgeon D. Gullan, is confirmed.

# GENERAL REGISTER.

The undermentioned Officers have leave of absence:

55th Regt. N. I.—Lieut. J. Ewart, from 17th November to 31st December, to remain at the Presidency, on private affairs, and to enable him to rejoin.

Infantry—Ensign S. H. Steer, doing duty with 56th N. I., from 21st November to 21st January 1835, to remain in Calcutta, on private affairs.

25th Regt N. I.—Ensign J. Clarke, from 5th January 1835 to 31st December 1835, in extension, to remain at Simla and its vicinity, on medical certificate.

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*Head-Quarters, Calcutta, 26th November*, 1834.

Ensign A. Macdonald, of the 40th N. I., will join the Detachment of that Regt. now at the presidency, and proceed with it to the Head Quarters of the Corps in Arracan.

Private Michael Pepper, of the European Regt and lately a patient in the Eye Infirmary, having been pronounced by a Medical Committee unfit for Regimental duty, is to be sent to Europe, not recommended for Pension.

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*Head-Quarters, Calcutta, 28th November*, 1834.

Gunner John Prussia, who was temporarily attached as Overseer to the Foundery of Fort William, in General Orders of the 7th ultimo, is promoted to the rank of Sergeant, and confirmed in his appointment.

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*Head Quarters, Calcutta, 29th November*, 1834.

The Station Order by Lieut.-Colonel H. Piper, Commanding at Berhampore, under date the 16th instant, directing Assistant Surgeon R. Phillipson, of the 72d Regt. N. I., to receive charge of the Records of the Superintending Surgeon's Office, consequent on Mr. Skipton's appointment to the Medical Board, is confirmed.

The Detachment Order of the 12th ultimo, by Captain J. Tomlinson, (of His Majesty's 11th Light Dragoons,) in Command of Invalids and time expired men proceeding by water to the presidency, appointing Sergeant Craddock, of the 3d Troop 1st Brigade of Horse Artillery, to act as Provost Sergeant to the Detachment, in the room of Jenkins left at Chunar, is confirmed.

The following removals and postings are made:

Surgeons J. Watson, M. D., on furlough, from the 70th to the 53d Regt. N. I.; W. E. Carte, A. B. from the 1st Local Horse to the 70th Regt. N. I.; W. S. Charters, on furlough, from the 40th to the 71st Regt. N. I.; and E. T. Harpur, (new promotion) from the Ramghur Battalion to the 40th Regt. N. I.—Surgeons Carte and Harpur will continue in charge of the Corps with which they are now employed, until the arrival of the Officers who may hereafter be appointed to succeed them.

Lieut.-Colonel M. C. Webber, of the 53d Regt. N. I., now on leave of absence, on medical certificate; is permitted to proceed to Benares, and await the arrival of his Corps from Dacca, in progress to Baudah and Etawah.

Lieut. C. Wyndham, of the 35th Regt. N. I., at present acting as Interpreter and Quarter Master to the 11th Native Infantry, is permitted, at his own request, to resign that appointment, and to rejoin the Corps to which he belongs.

Ensign R. G. George, of the 11th Regt. N. I., is appointed to act as Interpreter and Quarter Master to the Corps.

The leave of absence, on medical certificate, granted to Supernumerary 2d Lieut. T. J. W. Hungerford, doing duty with the 2d Company 4th Battalion of Artillery, in General Orders of the 8th ultimo, is commuted to leave to the Presidency on the same account, preparatory to submitting an application for permission to proceed to Europe, for the benefit of his health.

Gunner James Keirman, of the 3d Company 4th Battalion of Artillery, is promoted to the rank of Sergeant, and transferred to the Town Major's List, for the purpose of filling a vacancy in the Non-Commissioned Staff of the Garrison of Fort William.

The undermentioned Officers have leave of absence:

31st Regt. N. I.—Captain J. M. Heptinstall, from 30th November to 30th December, to visit the Presidency, on private affairs.

17th Regt. N. I.—Surgeon I. Jackson, from 1st Dec. to 31st Dec. to remain at the Presidency, on private affairs.

17th Regt. N. I.—Surgeon J. Johnstone, M. D., from 8th Nov. to 21st Dec. to proceed on the river, on medical certificate.

2d Brigade Horse Artillery.—Capt. G. G. Dennis, from 30th Nov. to 28th Feb. 1835, in extension, to remain on the Hills, on medical certificate.

65th Regt. N. I.—Lieut. R. L. R. Charteris, from 15th Dec. to 1st May, 1835, to visit the Presidency, on medical certificate.

25th Regt. N. I.—Ensign W. Morrieson, from 5th Nov. to ———, to remain at Benares until the arrival of the 25th N. I. at Mirzapore.

51st Regt. N. I.—Lieut. C. Griffin, from 25th November to 25th February 1835, in extension, to proceed to the Presidency, on medical certificate, preparatory to submitting an application to proceed to Europe on furlough. N. B. This cancels the unexpired portion of the leave of absence granted to him in General Orders of the 18th September last.

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# SHIPPING REGISTER.

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ARRIVALS.

*Nov.* 29 Ship *Lord Hungerford*, C. Farquharson, from London 2d July, and Cape 21st September.

— H. C. C. ship *London*, C. Wimble, from London 26th July.

— Ship *Duke of Bedford*, W. A. Bowen, from London (no date), and Portsmouth 2d August.

30 Barque *Sylph*, R. Wallace, from China 4th, and Singapore 14th November.

— Barque *Donna Carmelita*, C. Gray, from China 17th October.

*Dec.* 1 French ship *La Belle Poule*, Gero Droux, from Bordeaux 30th July.

— French ship *Indien*, A. Morin, from Havre 11th August.

2 Ship *Orontes*, J. Currie, from Khyouk Phyoo 28th November.

3 Ship *Bland*, Thos. Callan, from Liverpool 12th August, and Cape of Good Hope 10th October.

5 Barque *Resolution*, G. Jellicoe, from Khyouk Phyoo 30th November.

6 Barque *Fairy Queen*, J. Snipe, from Liverpool 1st August, and the Mauritius 1st November.

— Ship *Duke of Northumberland*, W. L. Pope, from London (no date), Portsmouth 12th and Madeira 22d August.

*Dec.* 6 Barque *Water Witch*, A. Henderson, from Singapore 20th November.

7 Ship *Asia*, J. Biddle, from London 13th August.

— Barque *Golden Fleece*, J. Baker, from Liverpool 5th August.

— Schooner *Syed Khan*, J. McKinnon, from China 12th and Singapore 20th November.

8 Barque *Virginia*, J. Hullock, from China 16th October, and Singapore 21st November.

9 Ship *Albion*, N. McLeod, from Liverpool 27th July, and Madeira 13th August.

— Ship *City of Edinburgh*, D. Frazer, from Madras 30th October, and Marcanum 9th November.

— Ship *Allalevie*, G. Andree, from China 31st October, and Singapore 12th November.

— Schooner *Thistle*, J. Jones, from Rangoon 26th November.

— Dutch ship *L'Esperance*, J. Worthington, from Batavia 27th October, and Singapore 12th November.

13 Barque *Clairmont*, T. Boulton, from Sandoway 2d December.

14 Schooner *Elizabeth*, H. Spooner, from Penang 22d November.

— Barque *Arab*, C. Sparks, from Bombay 2d November.

— American ship *William Gray*, C. Greene, from Boston 2d July.

*Dec.* 15 Brig *Cecelia*, P. Roy, from Singapore 6th and Penang 19th November.

16 Barque *Haidee*, C. Randle, from Singapore 13th and Penang 25th November.

19 H. C. steamer *Enterprize*, C. H. West, from Madras 11th December.

26 Ship *Cestrean*, A. Kellock, from Bombay 14th November.

28 French ship *Irma*, H. Benord, from Havre de Grace 26th August.

— Barque *Magnet*, J. McMine, from Rio de Janeiro 1st October.

30 Barque *Falcon*, D. Ovenstone, from Singapore 7th December, Malacca (no date), and Penang 16th December.

## DEPARTURES.

*Nov.* 29 Ship *Juliana*, C. B. Tarbutt, for London.

— Barque *Vesper*, J. T. Attwood, for the Isle of France.

— Barque *Skimmer*, J. R. Gillon, for Rangoon and Moulmein.

*Dec.* 8 Ship *Hashmy*, John Harfield, for London.

10 Barque *Cornwallis*, P. Key, for Bombay.

13 Barque *Soobrow*, W. Poole, for Bombay.

15 Ship *James Pattison*, R. D. Middleton, for London.

— Barque *Guiana*, M. Tait, for Liverpool.

— Ship *Neptune*, A. Broadhurst, for London viâ Cape.

— Brig *Lawrence*, H. Gill, for the Mauritius.

18 Ship *Colonel Newal*, C. Kail, for Madras and Bombay.

20 H. M. ship *Curaçoa*, Captain D. Dunn, for Moulmein.

21 Ship *St. Leonard*, J. W. Gurr, for Liverpool.

30 Arab ship *Fyzel Curreem*, J. Beattie, for Bombay.

## ARRIVAL OF PASSENGERS.

*Per Duke of Bedford:*—Mrs. Tucker, Mrs. H. Nesbit, Mrs. Brandon, Mrs. Scott; Misses Tucker, H. Tucker, Reid, Fry, Warde, Tulloch, Beaumont, Foley, Montgomery, Robson and Nesbit; Charles Tucker, Esq, C. S.; Alexander Larpent, Esq.; Mr. Samuel Holmes and Mr. Hunter, Assistant-Surgeons; Messrs. Braddon, Mainwaring, Chapman and Sherman; Masters Cuthbert Gale, Samuel Gale and H. Nesbit; Mrs. Pitts and child; 5 native females and 1 male.

*Per London, from London.*—Mrs. Woodward, Mrs. Prole, Mrs. Barbor, Mrs. Dyson, Mrs. Burt, Mrs. Dunlop, Mrs Campbell, Mrs. Kean, Mrs. Voss; Miss Hall; Richard Woodward, Esq, C. S.; Captain Edward Jeffrey, 43d N. I.; Captain G. N. Prole, 3d N. I.; Captain G. A. Barbor, 8th Light Cavalry; Lieut. John Dyson, 21st N. I.; Mr. Andrew Vance Dunlop, M. D, Company's Service; Lieut. W. F. Campbell, 64th N. I.; Matthew Malcolm, Esq., C. S.; A. Birch, Esq., Merchant; Mr. Harris, Engineer, Company's Service; Messrs. William Harvey, James Gibbon, A. Vogle, Fred. Rich, N. Wright and H Wright; Mrs. Naylen and Mrs. Cleghorn, servants; 2 men and 5 female native servants.

*Per Lord Hungerford, from London.*—Mrs. McClintock, Mrs. Grant, Mrs. Moore and Mrs. Gordon; Misses McClintock, S. McClintock, Dick, Turnbull and D'Aguilar; Hon'ble H. Devereaux, Civil Service; M. Hotham, Bengal Horse Artillery; H. Crommeline, B. N. I.; H. Gordon, Madras N. I.; Master Moore. *From the Cape of Good Hope:* Misses Ross and H. Morton; Hon'ble A. Ross, Member of Council; T. Wheatly and H. Morris, Esqrs., Madras Civil Service; Dr. Grant, B. A.; and Captain Moore, N. I.

*Per Sylph, from China.*—E. W. Brightman, Esq. *From Singapore:* Alex. Fraser and W. D. Shaw, Esqrs.

*Per Dona Carmelita, from Penang.*—Ensign F. Aldous, 24th B. N. I.; Mr. B. Biale; and 8 native pilgrims.

*Per La Belle Poule.*—Messrs. M. M. Roguet and H. Martin, Merchants,

*Per Indien.*—Messrs. N. Tandeu, C. Mathew and N. Ravinet, Merchants.

*Per Orontes.*—Captain Miller, and a Detachment of the 25th Regiment N. I.

*Per ship Bland, from London.*—Mrs. Hart; Miss Wilkinson; Captain Trafford, 10th Bengal Cavalry; Dr. Hart, Bengal Establishment; Mr. Richardson, Cadet Madras Establishment; Messrs. Porteous, Oswald, Rawson, Porter and Benjamin, Merchants. *From the Cape:* Mrs. Lawler and children; and Mr. Lawler.

*Per Resolution.*—Mrs. Dickson and 2 children; Lieutenant Hone, in Command of a Detachment of 230 Sepoys and Followers of the 25th Regiment B. N. I.

*Per Duke of Northumberland.*—Mrs. James Pattle, Mrs. Grote, Mrs. Lindsay and infant daughter, Mrs. Timmins, Mrs. S. Beadle; Misses Pattle, Sarah Pattle, Maria Pattle, Louisa Pattle, Virginia Pattle and Sophia Pattle; Miss Keat, Governess to Mrs. Pattle's family; Mrs. Piffard; A. Grote, Esq., B. C. S.; G. Lindsay, Esq., B. C. S.; Captain Timmins, Artillery; Lieut. Staff, H. M. 26th Regiment; Lieut. Dick, B. N. I.; R. W. Ramsay, Esq., Writer; Robert Thomas, Esq., Merchant; Revd. D. Ewart; Messrs. Edmond Sissmore, H. J. Piercy, A. G. Reid and F. H. Becher, Cadets; Messrs. Piffard and Boaz, Missionaries; Messrs. Mackie and Wollaston; Miss Piffard; Master Piffard; Miss Scotney; Miss Adeline Julia Beadle, infant daughter of Mrs. Beadle, died at Sea, 24th Sept.; 12 Steerage Passengers; 6 female European servants, 1 Native male ditto.

*Per Asia.*—Mrs. Spence, Mrs. Higgins, Mrs. Watkins, Mrs. Dalton and child, and Mrs. Crickett; Misses Spence, Higgins and Watkins; Captain Spence, H. M. 31st Regiment; Lieut. Dalton, H. M. 3d or Buffs; Lieut. McGregor, European Regiment; Ensigns Crickett and Carter, 44th Regiment; Ensigns Johnson and Daniels, 26th Regiment; Ensigns Turner and Britzecke, 49th Regiment; Messrs. McGregor and Simpson; Dr. McLellan; and Detachments of H. M. or 3d Buffs and 49th Regiment.

*Per Golden Fleece.*—Mr. J. L. Newton.

*Per Water Witch.*—Manuel Pereira, Esq.

*Per Virginia.*—Mr. J. Dixon, H. C. Marine; Mr. Hood, Merchant.

*Per Albion.*—Mrs. Benson; Lieutenant Benson, 4th Cavalry, and 3 children.

*Per City of Edinburgh, from Madras.*—Mrs. Breen; Lieutenant Ommaney; Messrs. Breen and C. A. Gordon, Merchants; Mr. A. Sime and Mr. J. A. Calla, Greek Merchant.

*Per Elizabeth, from Penang.*—W. R. Lackersteen, Esq.

*Per Clairmont, from Sandoway.*—Lieutenants Ramsay and O'Brenne.

*Per Arab.*—Mrs. Borradaile and 2 children, Mrs. Gordon, Mrs. Sutherland and child; Miss Gordon; H. Borradaile, Esq., Bombay Civil Service; and Captain W. C. Grant, Bombay Engineers.

*Per William Gray, from Boston.*—Messrs. T. W. Everett, Supercargo; and T. T. Burt, Clerk.

*Per H. C. steamer Enterprize, from Madras.*—Major Hodges, Private Secretary to the Governor of Madras; Major Limond, Military Secretary to ditto; Captains McLeod and Airey, A. D. C. to ditto; Revd. Dr. Mill; Mrs. Mill and child; and Dr. Selling's child.

*Per Irma.*—S. Thiault, and C. Thiault, Esqrs., Merchants.

*Per Falcon, from Singapore.*—John Clark, Esq.; and Alexander Frazer, Esq. *From Penang:* Major Sutherland and Lieutenant Bowers, Madras Infantry.

## DEPARTURE OF PASSENGERS.

*Per Hashmy, for London.*—Miss Goodeve; Captain Croke, H. M 49th, Lieut. Montgomery, ditto; and Lieut. J. Dewend, H. M. 44th.

*Per Neptune, for the Cape, St. Helena and London.*—Lady Knox and child, Mrs. Hickey and 4 children, Mrs. Brae and 5 children, Mrs. Edmond; — Beale, Esq., Civil Service; T. Brae, Esq.; Major Hyde, Bengal Artillery; Lieuts. P. Bonham and D. Pratt, H. M. 16th Lancers; Masters McDermond and Cobb.

*Per Ann, for Ceylon.*—George Howard, Esq.

*Per Duke of Buccleugh, for Madras.*—Mrs. Cunningham; Captain Cunningham; J. Scott, Esq.; W. Scott, Esq.; J. Young, Esq., M. C. S.; W. H. Tyler, Esq., B. C. S.; E. F. Tyler, Esq., B. C. S.; and Mr. Richardson. *From Madras to London:* Lieutenant General Sir John Dalrymple, Bart.; Lady Dalrymple; Miss Dalrymple; Lieutenant-General Foulis; Colonel Yates; Major Clarke; Captain W. Campbell; Mr. Gardner, M. C. S.; two Masters Vansomeron.

*Per Cornwall.*—Mrs. Colonel Simpson and family; Mrs. Captain Wood and children; Mrs Browne; Mrs. Reynolds; Mrs. Jackson; Colonel Simpson; Captain D. Wood; Dr. Turnbull and 5 children; Captain Tomlinson; Captain Warrington; John Glasgow, Esq.; Captain Houghton.

*Per Lord Hungerford for London.*—Mrs. General O'Halloran; Mrs. Steer and 5 children; Mr. Twining and child; Mrs. Woodin and child; Mrs. Landz and 4 children; Misses Watson, Ross, and Elliot; Lieutenant Stone; Master Sherer; Miss Sherer; Masters Bushby and Louis. *For the Cape*—Mrs. Brown and 3 children; and Mr. Brown, Civil Service.

*Per Hibernia, for London.*—Mrs. Corrie; Mrs. Baker; Captain Samon; Messrs. Lovewell, Baker and Corrie.

# DOMESTIC OCCURRENCES.

## MARRIAGES.

*Nov.* 17 At Jaunpore, by the Revd. H. Pratt, C. Lindsay, Esq. B. C. S., to Emma, second daughter of Horace Watson, Esq. of Mill Hill Harden, Middlesex.

— At Azimgurh, by the Revd. H. Pratt, Robert Montgomery, Esq., of the Civil Service, to Frances Mary, third daughter of the late Revd. T. T. Thomason.

29 At the Principal Catholic Church, by the Most Revd. the Vicar Apostolic, Mr. Cheri N. M. Latour, to Miss Caroline S. M. Heberlet.

— At the Principal Roman Catholic Church, by the Right Revd. Doctor St. Leger, and afterwards at the Cathedral, by the Revd. T. Robertson, Henry Lewis Christiana, Esq. to Miss Anna Maria Gonsalves.

— At the Cathedral, by the Revd. Henry Fisher, Mr. J. Atkinson, of Cuttack, to Miss Clementina Eliza Linton.

— At the Cathedral, by the Revd. H. Fisher, Mr. Frederick Henry Mathews, to Miss Caroline Shelgerton.

— Mr. L. J. Ballantine, to Charlotte, second daughter of the late Capt. Ramsay, of the Country Service.

*Dec.* 1 At St. John's Cathedral, by the Revd. T. Robertson, Arthur Grote, Esq. B. C. S., to Helen Anne, sixth daughter of Charles Mackenzie, Esq. of the same service.

3 At the Catheral, by the Revd. T. Dealtry, L. L. B., Mr. John Jacob Louis Hoff, to Miss Caroline Framingham.

— At St. John's Cathedral, by the Revd. T. Robertson, M. A., Captain W. R. Maidman, Artillery, to Charlotte Eliza, third daughter of the late Major W. McQuhae, of the same Regiment.

5 At the Cathedral, by the Revd. T. Robertson, Senior Chaplain, Mr. William Webb West, to Miss Harriett Horsburgh.

8 At Benares, by the Revd. H. Pratt, Captain C. Davidson, A. D. C. to the Right Hon'ble the Governor General of India, to Anna Maria Mainwaring, second daughter of George Mainwaring, Esq., of the Civil Service.

10 At St. Andrew's Kirk, by the Revd. J. Bryce, D. D., Captain J. Hindmarsh, to Miss Caroline Jones.

— At Seebpore, Miss Fanny Dabcky, to Mr. Joe Anderson.

16 Cornet R. J. Hawthorne, of the 7th Light Cavalry, to Miss D'Oliver, eldest daughter of Captain D'Oliver, of H. M. S.

17 At the Principal Roman Catholic Church, by the Revd. Pere Hippolyte Moré, Peter Duverger, Esq. Commander of the ship *Samdanny*, of Bombay, to Rose Eleanor, eldest daughter of Andre Arson, Esq., of Calcutta.

19 C. McLeod, Esq, late Deputy Assistant to the Botanical Gardens at Penang, to Sarah, only daughter of the late Colonel Higgott, of the Bengal Army.

23 At the Cathedral, by the Revd. R. Boswell, Charles Edward Trevelyan, Esq. to Hannah More Macaulay, daughter of Zachary Macaulay, Esq.

25 At St. John's Cathedral, by the Revd. Henry Fisher, Presidency Chaplain, Frederick James Halliday, Esq. Civil Service, to Eliza, 2d daughter of Colonel J. A. Paul Macgregor, Military Auditor General.

*No date* At Serampore, C. Lindsay, Esq., C. S., to Miss Emma Watson.

## BIRTHS.

*Oct.* 19 At Cawnpore, the lady of H. T. Owen, Esq., H. C. Civil Service, of a son.

21 In Camp, at Papper Ghaut, the lady of Lieut. N. A. Parker, 58th Regt. N. I., of a daughter.

*Nov.* 4 At Macao, the lady of J. Seffler, Esq., of a son.

— — At Seetapore, the lady of Captain D. Sherriff, 48th Regt. N. I. of a daughter, still born.

9 At Neemuch, the lady of Capt. W. B. Girdlestone, 46th Regt. N. I., of a daughter.

12 At Sehore, the lady of Capt. Jas. Winfield, 47th Regt. N. I., of a daughter.

13 At Dinapore, Mrs. James Hosmer, of a son.

15 At Kirkee, the lady of Captain Heymon, Paymaster H. M.'s 4th Light Dragoons, of a son.

*Nov.* 18 At Neemuch, the lady of Captain Henry Doveton, of a daughter.

19 At Allahabad, the lady of T. Louis, Esq., C. S., of a son.

— At Benares, Mrs. W. R. Hill, of a son.

22 At Saugor, the lady of Brevet Captain Vanzetti, 5th Regt. N. I., of a son.

28 At Agra, the lady of Lieut. W. H. Nicholetts, 28th Regt. N. I., of a son.

26 At Noacolly, the lady of Dr. J. Baker, of a son.

— Mrs. George Galloway, of a son.

27 The lady of Lieut. A. D. Fountain, 40th Regt. of a son.

— At Futtehghur, Mrs. Thomas Lithgow, of a daughter.

29 At Chatuk, in Sylhet, Mrs. Henry Inglis, of a daughter.

— At Barrackpore, the lady of Capt. W. Turner, Pay-Master, of a son.

*Dec.* 1 Harriet, the wife of H. J. Leighton, Esq., of two daughters and a son.

2 Mrs. William Ryland, of a daughter.

3 Chatuk, Sylhet, Mrs. D. R. Shuttleworth, of a son.

4 At Meerut, the lady of Major D. Crichton, 69th Regiment N. I., of a daughter.

5 At Elambazar, the lady of John Erskine, Esq., of a son.

— Mrs. William Byrn, of a son.

— Mrs. C. W. Lewis, junior, of a daughter.

6 At Dacca, the lady of Lieut. Hamilton, 53d N. I., of a daughter.

8 The lady of Henry Holroyd, Esq., of a daughter.

9 At Kotah, the lady of Major R. Ross, Political Agent in Harowtee, of a daughter.

10 The lady of Thomas Holroyd, Esq., of a daughter.

— The lady of John Bightman, Esq., of a daughter.

11 The lady of Captain Joseph Graham, 50th Regt. N. I., of a daughter.

— Mrs. Saupin, of a daughter.

— Mrs. Charles Wilkinson, of a son and heir.

— Mrs. Cox, wife of Conductor William Cox, of a son.

13 Mrs. Robert Wood, of a son.

— The lady of Revd. Henry Sanderson Fisher, of a daughter.

14 Mrs. C. J. Pittar, of a son.

15 Mrs. C. Owen, of a son and heir.

17 The wife of T. Barfoot, Esq. of a daughter, being her 27th child.

18 Mrs. W. Harper, of a son.

21 Mrs. J. Ravenscroft, of a son.

23 The lady of John Lowe, Esq., of a daughter.

— At Syllinah, Commercolly, Mrs. Samuel Frederick Rice, of a daughter.

24 At Intally, the lady of the Revd. Mr. Robinson, of a daughter.

— The wife of Mr. A. F. Smith, of the Department of Public Works, of a son.

— At Balasore, the lady of E. Repton, Esq, Civil Service, of a son.

— At Hazareebaug, the lady of Captain Thomson, Engineer, of a son.

28 Mrs. John Heberlet, of a daughter.

29 The lady of Captain Richard Home, of a son.

— Mrs. Peter Henry Thomas, of a daughter.

## DEATHS.

*In July.* At Toulouse, Surgeon George Ogle Jacob, late of the Bengal Establishment.

*Oct.* 14 At Simlah, Thomas Barstow Leslie, the infant son of Captain H. L. McGhie, H. M. 31st Regt. aged 6 weeks.

*Nov.* 12 At Landour, Major Blundell, H. M.'s 11th Light Dragoons.

21 At Saugor, the infant son of Captain Chapman, aged 2 years and 7 months.

— At Meerut, Samuel Martin, son of Lieut. Martin, 2d Regiment N. I.

27 At Cawnpore, of pulmonary consumption, Sophia Rees, the beloved wife of H. T. Owen, Esq. H. C. C. S., leaving her husband and six young children to lament the loss of a firm friend, an affectionate wife, and a devoted mother.

— At Neemuch, Boyce, the infant son of Major and Mrs. Gowan, Bengal Artillery.

*Dec.* 1 Eliza Laforey, Jane Griffiths, and James Graham, infant children of J. H. Leighton, Esq.

— At Hazareebaugh, Julia, daughter of Mr. Edward Townsend, Conductor of Public Works, aged 3 years and 8 months.

2 Mr. Alexander Gordon Lorimer, aged 28 years.

— At Mirzapore, William Haynes, Esq.

3 Cassimir Alonzo, the son of Mr. Mark D'Cruze, aged 7 months and 18 days.

7 Joseph Benet, son of Joseph Marley, Esq., aged 6 years and 15 days.

9 On board the *Hashmy*, off Balloo Ghaut, Brevet Captain J. C. Croke, H. M.'s 49th Regt., most sincerely lamented by this brother officers.

10 At Serampore, Mrs. Sophia Gibson, aged 47 years.

— 13 Mr. Peter Hypher, aged 78 years.

*Dec.* 17 Mr. John Brown, of the Presidency Executive Commissariat Office, aged 36 years.

— Mrs. Anna Maria Joseph, aged 74 years.

19 At the Sand Heads, J. J. McLachlan, Esq., of the Firm of Mackenzie, Lyall and Co., aged 35 years and 10 months.

— Mr. James Grimsdick, aged 45 years.

20 After an illness of only a few hours, Mrs. Elizabeth Moore, relict of the late Captain William Moore, of the 4th Royal Veteran Battalion, aged 50 years.

24 Mr. John Vallente, aged 41 years, 6 months and 8 days.

25 Madame Marie Rigordie, senior, relict of the late Augustin Rigordie, Esq. aged 75 years and 6 months.

27 Miss Angelina Sinaes, aged 15 years and 5 days.

# ADMINISTRATIONS TO ESTATES.

| ESTATES OF | EXECUTORS, ADMINISTRATORS, &c. |
|---|---|
| Aiken, J., *Commander of the Lady Munro* | Jas. Scott, of Madras, Executor. Binny and Co. Madras, and Adam, Scott and Co Calcutta, his Agents. |
| Alldin, J. J., *Lieutenant-Colonel Invalids* | Registrar Supreme Court, Administrator. |
| Belletty, C. J., *of Calcutta* | Ditto ditto, ditto. |
| Betts, T., *of Ballasore* | T. Holroyd, Administrator. |
| Brodie, W., *of Calcutta* | Registrar Supreme Court, Administrator, (with Will annexed.) |
| Claxton, W., *Deputy Commissary of Ordnance* | Mrs. Claxton, the widow, Executrix. |
| Cumine, G., *Captain 61st N. I.* | H. M. Low, Administrator. |
| Dale, D., *Civil Service,* | Registrar Supreme Court, Administrator. |
| Fewell, W., *of Great Britain* | Ditto ditto, ditto, (with Will annexed.) |
| Forbes, A., *Ensign 59th N. I.* | Ditto ditto, ditto. |
| Hypher, P., *of Calcutta* | C. Gomes, and J. Hypher, Executors. |
| Jebb, F. J., *of Calcutta, Widow* | Registrar Supreme Court, Administrator. |
| Jennings, J. F., *of Mynpoorie* | Ditto ditto, ditto, (with Will annexed.) |
| Jullah, Paul, *of Calcutta* | Ditto ditto, ditto. |
| Kindersley, N. E., *of Great Britain* | Ditto ditto, ditto, (with Will annexed.) |
| Lafontaine, *alias* Filos, Margaritta Baptiste, *of Calcutta* | Ditto ditto, ditto. |
| Nelly, John, *Lieutenant-Colonel E. I. C. S.* | Ditto ditto, ditto, (with Will annexed) |
| Raban, G. H. *Lieutenant-Colonel E. I. C. S.* | Ditto ditto, ditto, (with Will annexed.) |
| Ray, C. *Surgeon* | Ditto ditto, ditto, (with Will annexed.) |
| Seton, Archd., *formerly of Calcutta* | Ditto ditto, ditto, (with Will annexed.) |
| Shadwell, H., *Lieut. E. I. C. S.* | Bindabun Mullick, Executor. |
| Shurfore, Nessa, *of Calcutta* | A. T. Smith, Administrator. |
| Smith, J. F., *of Kedgeree* | Rammohun Mullick, Executor. |
| Sookmoy Dossee, *of Calcutta* | J. Cowie, Administrator, as constituted attorney of Colonel F. V. Raper, the Executor in England. |
| Stewart, Mrs. C. U. *of England, Widow* | W. Bruce, Administrator, as constituted attorney of W. F. Stirling, the Executor in England. |
| Stirling, C. *Vice-Admiral* | Registrar Supreme Court, Administrator. |
| Templeton, Chas., *of Great Britain* | R. C. Jenkins, Executor. |
| Walpole, R., *Civil Service,* | Captain J. S. Marshall, Executor. |
| Warden, G., *Lieutenant-Colonel 71st N. I.* | C. Birch, Executor. J. and H. Cowie, his Agents. |
| Wilkinson, Jas., *late of Calcutta* | Radamadub Bonnerjee, Administrator. |
| Wintour, C. H., *Captain 53d N. I.* | Registrar Supreme Court, Administrator. |
| Young, M., *of Great Britain* | |

# GENERAL REGISTER.

## CIVIL APPOINTMENTS, &c.

### ORDERS BY THE RIGHT HON. THE GOV. OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT, 6TH DEC., 1834.

The following Officer has obtained leave of absence from his station:

Mr. C. R. Barwell, Special Commissioner for the Moorsheda bad Division and officiating Special Commissioner for the Division of Calcutta, for one month, on medical certificate, to commence from the 10th instant

THE 10TH DECEMBER, 1834.

The following Officers have obtained leave of absence from their stations:

Mr. C. R. Martin, Civil and Session Judge of Sylhet, for one month, in extension of the leave granted to him on the 29th September last.

Mr. B. J. Colvin, officiating Joint Magistrate and Deputy Collector of the Southern Division of Cuttack, for one month, on medical certificate, from the 9th instant.

Mr. A. Wilson, Assistant Surgeon, attached to the Civil Station of Rajeshahye, for one month, on private affairs.

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The Right Honorable the Governor of Bengal is pleased to make the following Appointment:

Captain Louis Bird, of the 24th Regiment N. I., to be an Assistant under Captain T Wilkinson, Agent to the Governor General, under the Provisions of Regulation XIII. 1833.

THE 13TH DECEMBER, 1834.

The following Officers have obtained leave of absence from their stations:

Mr. P. E. Patton, Commissioner of Revenue and Circuit of the 13th or Bauleah Division, for one month, preparatory to his departure for Europe.

Mr. F. J. Haliday, Joint Magistrate and Deputy Collector of Noacolly, for one month, on private affairs, in extension of the leave granted to him on the 3d instant.

THE 17TH DECEMBER, 1834.

Sir Jas. Harington, Bart., Civil and Session Judge of Patna, for one month, on private affairs.

THE 19TH DECEMBER, 1834.

Mr. W. D. Fraser, Assistant Collector of Pilgrim Tax at Gyah, for one month, on private affairs.

THE 20TH DECEMBER, 1834

The Right Honorable the Governor of Bengal is pleased to make the following Appointment:

Mr. T. Sandys to be Head Assistant to the Magistrate and Collector of Shahabad.

The following Officers have obtained leave of absence from their stations:

Mr. C. W. Sleer, late officiating Commissioner of the 12th or Monghyr Division, to remain at Bhaugulpore until the 26th instant.

Mr. R. B. Garrett, Assistant to the Magistrate and Collector of Tipperah, for one month, on private affairs.

THE 24TH DECEMBER, 1834.

The Right Honorable the Governor of Bengal is pleased to make the following Appointments:

Mr. Thomas Hoseason to be a Magistrate of the Town of Calcutta.

Mr. R. Houston to be an Assistant under the Commissioner of Revenue and Circuit of the 18th or Allypore Division.

The following Officers have obtained leave of absence from their stations:

Mr. D. Scott, Collector of Burdwan, for one month, from the 9th instant, preparatory to his departure for Europe on furlough.

THE 27TH DECEMBER, 1834.

The following Officers have obtained leave of absence from their Stations:

Mr. E. V. Irwin, Head Assistant to the Magistrate and Collector of Purneah, for two months, on medical certificate

Moulavee Abdoollah, a Principal Sudder Ameen at Chittagong, until the state of his health may admit of his resuming the discharge of the duties of his office.

THE 31ST DECEMBER, 1834.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. W. St. Quintin Quintin to be Deputy Collector of Shahabad.

Mr. B. J. Colvin to officiate as Deputy Collector of Sarun.

Sheikh Obedoollah to be Deputy Collector in Zillah Chittagong.

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FORT WILLIAM, GENERAL DEPARTMENT, 8TH DEC., 1834.

The Honorable T. B. Macaulay, Esq. has taken his Seat as President of the General Committee of Public Instruction.

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The following Gentlemen of the Civil Service have reported their return from furlough:

Mr. Charles Tucker, on the 4th instant.

Mr. Richard Woodward, on the 3d instant.

Mr. George Lindsay, on the 4th instant.

The Honorable Humphrey Bohun Devereux and Mr. Matthew Malcolm, Writers on the Bengal Establishment, reported their return to the Presidency from Europe; the former on the 2d and the latter on the 3d instant.

Mr. William Lavie Malone Toone embarked for Europe on board the Private Ship *Juliana*, which vessel was left by the Pilot at Sea on 4th instant.

The following Gentlemen, late of the Honorable Company's Establishment at Canton, have been admitted to the Civil Service of the Bengal Presidency:

Mr. Henry Mathew Clarke, to rank as a Writer of the year 1825.

Mr. Frederick John Morris, to rank as a Writer of the year 1827.

Mr. Henry Robert Alexander, to rank as a Writer of the year 1829.

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The Right Honorable the Governor General of India in Council has complied with the applications of the undermentioned Gentlemen, submitted through the Honorable the Governor of Agra, for furloughs of this year:

Mr. Edward Currie and Mr. William Ogilvy.

THE 15TH DECEMBER, 1834.

Mr. Andrew Grote, of the Civil Service, reported his return from furlough on the 10th instant.

Mr. R. W. Ramsay reported his arrival as a Writer on this establishment on the 12th instant.

THE 17TH DECEMBER, 1834.

Mr. Charles Frederick Young, late of the Honorable Company's Establishment at Canton, has been admitted to the Civil Service of the Bengal Presidency, to rank as a Writer of the year 1830.

THE 19TH DECEMBER, 1834.

Mr. George Thomas Lushington is permitted to proceed to Europe, for the benefit of his health.

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POLITICAL DEPARTMENT, CALCUTTA, 10TH DEC. 1834.

Mr. Blake, Assistant to the Agent to the Governor General at Delhi, is placed, temporarily, at the disposal of the Supreme Government.

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His Excellency the Right Honorable the Governor-General of India in Council has been pleased to grant to Lieut.-Colonel H. Hall, the Superintendant at Mhairwarah, leave of absence, on sick certificate, from the 5th February, 1835, to the 5th of February 1836, with permission to reside in the Hills North of Deyrah Dhoon.

THE 31ST DECEMBER, 1834.

Captain A. Davidson, in charge of the Division of N. E. Rungpore, has obtained leave of absence for two months, from the 15th instant, to proceed to the Presidency, on urgent private affairs.

Ensign Brodie is appointed to take charge of Captain Davidson's Division during his absence.

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ECCLESIASTICAL DEPARTMENT, THE 8TH DECEMBER, 1834.

The leave of absence granted under the Orders of Government dated the 14th July last, to the Reverend Richard Arnold, District Chaplain at Bareilly; for six months, under medical certificate, to proceed to Almorah, has been cancelled from the 25th ultimo, the date on which he resumed charge of his duties.

The Reverend M. J. Jennings, Joint District Chaplain at Cawnpore, is permitted to be absent from his station for one month, from the 1st proximo.

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LAW DEPARTMENT, THE 8TH DECEMBER, 1834.

The Right Honorable the Governor General of India in Council has been pleased to appoint William Hickey, Esq. one of the Gentlemen nominated by His Majesty's Judges of the Supreme Court, to be Sheriff of Calcutta during the ensuing year.

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### ORDERS BY THE HON'BLE THE GOVERNOR OF AGRA.

JUDICIAL AND REVENUE DEPARTMENT, THE 2D DEC. 1834.

The following Officers have obtained leave of absence from their stations:

The Honorable F. J. Shore, Civil and Session Judge of Furruckabad, for one month, from the 28th January, 1835, on private affairs.

Mr. E. Currie, Magistrate and Collector of Humeerpore, for one month, on private affairs, in extension of the leave granted to him on the 15th September last.

THE 3D DECEMBER, 1834.

Mr. E. F. Tyler, officiating Joint Magistrate and Deputy Collector of Allyghur, for four months, on private affairs, to visit Calcutta and Madras.

The Honorable the Governor of Agra has been pleased to make the following Appointments:

Mr. J. S. Clarke to officiate as Magistrate and Collector of Shahjehanpore.

Mr. J. P. Gubbins to officiate as Joint Magistrate and Deputy Collector of Etawah.

Mr. J. Lean, ditto ditto of Mynpooree.

Mr. A. U. C. Plowden ditto ditto of Allyghur.

The Honorable the Governor of Agra has, at the request of the Right Honorable the Governor of Bengal, placed the services of Mr. R. D. Mangles, Magistrate and Collector of Agra, at the disposal of the Government of Bengal.

THE 6TH DECEMBER, 1831.

The following Officers have obtained leave of absence from their stations:

Mr. J. T. Rivaz, Civil and Session Judge of Futtehpoor, for twelve months, from the 1st March next, on medical certificate, to proceed to Simla.

THE 11TH DECEMBER, 1834.

Mr. H. Pidcock, officiating Magistrate and Collector of Furruckabad, for one month, on private affairs.

THE 12TH DECEMBER, 1834.

Mr. H. T. Owen appointed to be Magistrate and Collector of Agra. Mr. Owen will continue to officiate as Civil and Session Judge of Cawnpore, until further orders.

Mr. James Davidson appointed to be Magistrate and Collector of Allighur.

THE 18TH DECEMBER, 1834.

The following Officers have obtained leave of absence from their stations:

Mr. H. Torrens, officiating Deputy Collector and Joint Magistrate of Meerut, for four months, from the 25th ultimo, to visit Calcutta, on private affairs.

Mr. F. R. Davidson, Assistant to the Collector and Magistrate of Benares, for eight months, on urgent private affairs, from the 1st February next, to visit Bombay.

THE 19TH DECEMBER, 1834.

The following Officers have obtained leave of absence from their stations:

Mr. F. Stainforth, officiating Deputy Collector and Joint Magistrate of Goruckpore, for one month, from the 11th instant, on medical certificate.

THE 20TH DECEMBER, 1834.

Mr. D. B. Morrieson, Magistrate and Collector of Benares, for ten months, on medical certificate, from the 1st Feb. next, to proceed to the Hills, for the benefit of his health. Mr. Morrieson has been directed to make over charge of the Office of Magistrate and Collector to Mr. C. La Touche, who will retain charge till further orders.

THE 22D DECEMBER, 1834.

Mr. G. F. Brown, Magistrate and Collector of Juanpore, for eighteen months, to proceed to the Cape of Good Hope, on medical certificate.

THE 23D DECEMBER, 1834.

Mr. A. Chalmers, Civil Surgeon of Cawnpore, is, at his own request, placed at the disposal of His Excellency the Commander-in-Chief.

THE 24TH DECEMBER, 1834.

The leave of absence granted to Mr. J. T. Rivaz, Civil and Session Judge of Futtehpore, on the 6th instant, is to commence from the 1st of April instead of the 1st March next.

THE 26TH DECEMBER, 1834.

Mr. W. R. Timins has been appointed to be Joint Magistrate and Deputy Collector of Pillibheet.

Mr. E. Wilmot has been authorized to exercise the powers of Joint Magistrate and Deputy Collector of Meerut till the return of Mr. Torrens.

THE 29TH DECEMBER, 1834.

The following temporary arrangement made by the Commissioner of Delhi has been approved:

Mr. W. F. Thompson deputed to officiate as Magistrate and Collector of Delhi, and Mr. M. R. Gubbins to officiate as Joint Magistrate and Deputy Collector of the Hurriannah Division.

Mr. A. Fraser, Joint Magistrate and Deputy Collector of the Rohtuck Division of the Delhi Territory, has obtained leave of absence for twelve months, to enable him to visit the N. W. Hills, on medical certificate; and the deputation by the Commissioner of Mr. C. Gubbins to officiate in the above capacities until further orders, has been approved.

Mr. J. C. Grant has been appointed to officiate as Magistrate and Collector of Delhi.

THE 30TH DECEMBER, 1834.

Mr. R. W. Barlow, officiating Civil and Session Judge of Ghazeepore, has obtained leave of absence from his station, for ten months, on medical certificate, to visit the Hills for the benefit of his health.

Mr. E. P. Smith has been appointed to officiate as Civil and Session Judge, and Mr. W. R. Kennaway to officiate as Magistrate and Collector of Ghazeepore.

Mr. C. Madden, Civil Assistant Surgeon of Futtehpore, has obtained one month's leave of absence, on private affairs, from the 10th January to the 10th February next.

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GENERAL DEPARTMENT, CAMP BERINCHEE, 19TH DEC. 1834.

No. 11 of 1834.—Captain J. M. Higginson to be Military Secretary and Aid-de-Camp to the Governor, from the 14th November, and to officiate as Private Secretary from the same date.

Lieut. J. H. Smyth, of the Artillery, to officiate as Aid-de-Camp from the 14th November.

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POLITICAL AND GENERAL DEPARTMENTS, CAMP BURDWAN, 23D DECEMBER, 1834.

Mr. Bushby, Secretary to the Government of Agra in the Political and General Departments, is allowed to be absent from his Office for one month, on private affairs, from the 24th instant.

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# MILITARY APPOINTMENTS, &c.

## GENERAL ORDERS BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, 2D DECEMBER, 1834.

No. 225 of 1834.—The Right Hon. the Governor General of India in Council is pleased to make the following Promotion and Appointment:

Army Commissariat Department.—Captain Alexander Watt, Sub-Assistant, to be a Deputy Assistant Commissary General of the 2d class, vice Captain Oldfield, deceased.

Lieut. William Thomas Briggs, of the 74th Regt. N. I., to be Sub-Assistant Commissary General, to fill a vacancy in the Department, leaving his place in the list of Sub-Assistants for future adjustment.

The undermentioned Officers are permitted to proceed to Europe on furlough:

Lieut. Col. John Cheape, of the Corps of Engineers, and Superintending Engineer in the Department of Public Works, Cuttack, on medical certificate.

Lieut. Col. William White Moore, of the 41st Regt. N. I., and Ensign Thomas Goddard, of the 44th Regt. N. I. on medical certificate.

Major James Chichely Hyde, of the Regt. of Artillery, on account of his private affairs.

The unexpired portion of the leave of absence to the Cape of Good Hope, granted to Major R. W. Smith, of the 6th Regt. L. C., in General Orders, No. 2, of the 7th January, 1833, is cancelled from the 10th ultimo.

Native Doctors Chedi Ghir and Hurdeo Ditchet are placed at the disposal of His Excellency the Commander-in-Chief; and Pursun Singh and Hurrie Bullub Missur are appointed Vaccinators, the former to Subathoo and the latter to Bhaugulpore.

The admission of Serjeant Major John Cranshaw, late of the 63d Regt. N. I., to the Pension Establishment in General Orders, No. 201, of the 30th October last, is cancelled at his own request.

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No. 228 of 1834.—The undermentioned Gentlemen are admitted to the Service in conformity with their appointment by the Hon. the Court of Directors as Cadets of Infantry on this establishment, and promoted to the rank of Ensign, leaving the dates of their Commissions for future adjustment:

Infantry.—Messrs. James Lumsdaine Walker, Gordon Mainwaring and Richard Charles Lawrence; date of arrival at Fort William, 1st December, 1834.

Major Charles Graham, of the Regiment of Artillery, has returned to his duty on this establishment, without prejudice to his rank, by permission of the Hon. the Court of Directors; date of arrival at Fort William, 1st December, 1834.

Supernumerary Cornet, Charles Grant Becher, is brought on the effective strength of the Cavalry on this establishment, from the 30th October, 1834, in succession to Captain T. Sanderson retired from the service.

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No. 231 of 1834.—The Right Hon. the Governor General of India in Council has been pleased, in compliance with a request to that effect by the Hon. the Governor of Agra, to resolve, that Lieut. J. M. Higginson, Presidency Pay-Master at Fort William, be placed at his disposal from the 15th instant, for temporary employment in the Agra Presidency.

Captain G. D. Stoddart, of the 8th L. C., Second Assistant Adjutant General of the Army, is appointed to officiate as Pay Master at the Presidency and to the King's Troops, during the temporary absence of Lieut. Higginson, or until further order.

FORT WILLIAM, 10TH DECEMBER, 1834.

No. 232 of 1834.—The Right Hon. the Governor General of India in Council is pleased to make the following Appointments:

Capt. George Thomson, of the 40th N. I. to be Sub-Assistant Commissary General, to fill a vacancy in the Department. Capt. Thomson is placed in the list of Sub-Assistants, next below Ensign Newbolt.

Asst.-Surg. Charles Wray Fuller, to the medical duties of the Civil Station of Kishenaghur, vice Barker placed at the disposal of His Excellency the Commander-in-Chief.

54th N. I.—Supernumerary Lieut. David Shaw is brought on the effective strength of the Regiment, in the room of Lieut. A. Learmouth, retired on Lord Clive's Fund, from the 17th January, 1833.

Mr. Thomas Christopher Hunter is admitted to the service, in conformity with his appointment by the Hon. the Court of Directors, as an Assistant Surgeon on this Establishment; date of arrival at Fort William, 3d Dec. 1834.

The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Honorable the Court of Directors:

Major Edward Jeffreys, of the 43d N. I.; date of arrival at Fort William, 2d Dec. 1834

Captains George Leigh Trafford, of the 10th L. C. ditto 4th ditto; George Newton Prole, of the 3d N. I. ditto 2d ditto; and John Jervis, of the 5th N. I. ditto 1st ditto.

1st Lieut. John Hotham, of the Regt. of Arty. ditto 3d ditto.

Lieutenants George Alexander Barbor, of the 8th L. C. ditto 1st ditto; John Dyson, of the 21st N. I. ditto 4th ditto, and William Frederick Campbell, of the 64th N. I ditto 4th ditto.

Assistant-Surgeons Samuel Holmes, of the Medical Department, ditto 3d ditto, and Falls Hartt, ditto ditto 3d ditto.

Captain Edmund Emilius Ludlow of the 20th N. I. is permitted to proceed to Europe on furlough, on account of his private affairs.

The undermentioned Officers have leave of absence from their stations to visit the Presidency:

Capt. George Anderson Vetch of the 54th N. I., Superintendent of the Burdwan Road, for four months, from the 15th instant, preparatory to applying for furlough to Europe, on medical certificate.

Captain John Hailes, of the 4th N. I., 2d-Assistant Stud Department Central Provinces, for one month and half from the 20th instant, preparatory to applying for leave to proceed to the Cape of Good Hope, on medical certificate.

The unexpired portion of the leave of absence granted to Capt. Peter La Touche, of the 7th N. I. Major of Brigade Rajpootana Field Force, in General Orders No. 203, of the 24th Dec. 1832, is cancelled from the 10th ultimo.

The following Promotions are made in the Subordinate Medical Department:

Assistant-Apothy. John Bond to be Hospital Steward, from the 19th Nov. 1834, vice Hospital Steward T. C. Gale deceased.

Hospital Apprentice George Oliver to be Assistant Apothecary, from the 19th November, 1834, vice Assistant Apothecary, J. Bond, promoted to Hospital Steward.

Conductor James Gilbert, of the Invalid Pension Establishment, is permitted to proceed to Europe on furlough, on medical certificate.

The following Students of the Native Medical Institution are admitted to the service as Native Doctors, and placed at the disposal of His Excellency the Commander in Chief:

Krishn Singh.
Shaikh Fakeer Bukhsh.

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No. 233 of 1834. The services of Lieut. William Mathew Smyth, of the Corps of Engineers, are placed at the disposal of the Hon. the Governor of Agra, for employment under that Government.

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No. 235 of 1834.—Mr. Edmund Sissmore is admitted to the service, in conformity with his appointment by the Hon. the Court of Directors, as a Cadet of Infantry on this establishment, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment; date of arrival at Fort William, 8th Dec. 1834.

Lieut. Charles Commeline, of the 13th Regt. N. I., has returned to his duty on this establishment, without prejudice to his rank, by permission of the Hon. the Court of Directors; date of arrival at Fort William, 4th Dec. 1834.

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No. 239 of 1834.—Assistant Surgeon H. Clark, First Assistant to the Behar Opium Agency, has been permitted, in the General Department, under date the 1st instant, to be absent from his duties for six month, from the 1st Feb. next, to enable him to proceed to Simlah, for the recovery of his health.

In consideration of the long and faithful services of the undermentioned Subadar Majors the Right Honorable the Governor-General of India in Council is pleased to sanction the Brevet and additional Invalid Pay of their rank from the date of their transfer to the Invalid Establishment; viz. the 1st May last:

Subadar Major Coonjul Sing, of the 8th Regt. N. I.
Subadar Major Madras Sing, of the 18th Regt. N. I.
Subadar-Major Meer Shere Ally, of the 35th Regt. N. I.

FORT WILLIAM, 19TH DECEMBER, 1834.

No. 240 of 1834.—Major General J. W. Sleigh, C. B., of His Majesty's Service, is appointed to the Staff of the Bombay Army, pending the nomination of an Officer from England, or the intimation of His Majesty's pleasure on the subject, vice Major General Sir J. S. Barns, K. C. B., who has obtained permission from the Right Hon. the Commander in Chief to return to Europe.

The appointment of Major-General Sleigh will have effect from the date of his landing at Bombay, should Major-General Barns have previously quitted that Presidency.

The Commander in Chief has been pleased to appoint Major-General Sir Samford Whittingham, K. C. B. and K. C. H., to be His Excellency's Military Secretary, in succession to Major-General Sleigh, and from the date of sailing of the ship on which the latter officer may embark for Bombay.

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No. 241 of 1834.—The Eastern Fontier will cease to be a Brigadier's Command from the 1st proximo.

Brigadier H. Bowen is appointed as a Brigadier of the 1st class, to the Command of the Malwah Field Force.

Captain Grant, of the 59th N. I., the last appointed Major of Brigade, will be at the disposal of the Commander-in-Chief for Regimental duty, from the date on which he may be relieved by Captain Cooper, or such other Brigade Major as His Excellency may post to Oude.

Brigadier W. Burgh is appointed as a Brigadier of the 1st class, to the Command of the Rajpootana Field Force, and Brigadier J. Tombs is removed as a Brigadier of the 2d class, to Rohilkhund.

His Excellency the Commander in-Chief is requested to issue such Subsidiary Orders as may be necessary in consequence of the abolition of the Dacca Brigadiership.

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No. 242 of 1834.—The Right Hon. the Governor General of India in Council is pleased to make the following Promotion and Appointment:

Quarter Master-General's Department.—Deputy Assistant Quarter-Master-General Captain John Paton, from the 2d to the 1st class, from the 19th Dec. 1833, vice Captain Robb proceeded to Europe.

Assistant Surgeon W. A. Green to the medical duties of the Civil Station of Moradabad, in the room of Assistant-Surgeon Brett, who has been placed at the disposal of the Commander-in-Chief.

The undermentioned Gentlemen are admitted to the Service in conformity with their appointment by the Hon. the Court of Directors as Cadets of Infantry on this establishment, and promoted to the rank of Ensign, leaving the dates of their Commissions for future adjustment:

Infantry.—Mr. Andrew Gildart Reid; date of arrival at Fort William, 8th December, 1834.

Mr. Henry James Piercy, ditto 11th ditto.

The undermentioned Commissioned and Warrant Officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Hon. the Court of Directors:

Captain Henry Timings, of the Regiment of Artillery; date of arrival at Fort William, 10th December, 1834

Lieut. T. A. K. MacGregor, of the European Regiment, ditto 11th ditto ditto.

Lieut. William Benson, of the 4th Regt. L. C.; and Lieut. Peter Dick, of the 47th Regt. N. I., ditto 15th ditto ditto.

Ensign George John Brietzcke, of the 49th Regt. N. I., ditto 11th ditto ditto.

Assistant Surgeon Andrew Vans Dunlop, M. D., of the Medical Department, ditto 2d ditto ditto.

Conductor Joseph Hamilton, of the Ordnance Commissariat Department; and Conductor Henry Richardson, of the Corps of Sappers and Miners, ditto 10th ditto ditto.

The following Officers are permitted to proceed to Europe on furlough:

Captain Richmond Houghton, of the 63d Regt. N. I.; Lieut. Colin Campbell Jackson Scott, of the 32d Regt. N. I.; and Lieut. Henry Stone, of the 49th Regt. N. I., on medical certificate.

Surgeon Andrew Murray, M. D., of the Medical Department; and Surgeon William Dyer, of ditto, on account of private affairs.

Major Edward Jeffreys, of the 43d Regt. N. I., is permitted, at his own request, to retire from the service of the Honorable Company on the Pension of his rank, from the 10th instant.

The Right Hon. the Governor of Bengal was pleased in the Judicial and Revenue Department, under date the 10th instant, to make the following appointment:

Captain Louis Bird, of the 24th Regt. N. I. to be an Assistant under Captain T. Wilkinson, Agent to the Governor-General, under the Provisions of Regulation XIII. 1833.

The services of an Assistant-Surgeon being no longer required with the Jungypore Residency, Assistant Surgeon G. J. Berwick, M. D., is placed at the disposal of His Excellency the Commander in Chief.

The following Promotion is made in the Subordinate Ordnance Commissariat Department:

Conductor John Sperrin to be a Deputy Assistant Commissary, from the 5th December 1834, in the room of J. Millard, whose Warrant in that grade has been cancelled.

No. 244 of 1834.—The Right Hon. the Governor-General of India in Council is pleased to make the following Promotions and alterations of rank:

Regiment of Artillery.—1st Lieut. and Brevet Captain Henry Rutherford to be Captain, and 2d Lieut. Robert Raikes Kinleside to be 1st Lieutenant, in succession to Captain Samuel Coulthard struck off, with rank from the 15th October 1834, in succession to Captain Patrick Grant Matheson deceased.

Infantry.—Major Thomas Samuel Oliver to be Lieutenant Colonel, vice Lieut.-Col. Thomas Barron retired, with rank from the 29th July 1834, vice Lieut.-Col Jeremiah Aubert deceased.

21st Regt. N. I.—Captain William Whitting Foord, to be Major, Lieut. Owen Lomer to be Captain of a Company, Ensign Alfred Henry Corfield to be Lieutenant, from the 29th July 1834, in succession to Major Thomas Samuel Oliver promoted.

ALTERATION OF RANK.

Regiment of Artillery.—Captains O. Baker, to rank from 24th May, 1831, vice S. Coulthard struck off; G. H. Robinson, ditto 25th July 1831, vice W. Counsell deceased; Burroughs, ditto 30th July 1831, vice R. B. Wilson struck off; T. Nicholl, ditto 20th August 1831, vice J. Pereira promoted; G. Pennington, ditto 9th Oct. 1831, vice J. Brodhurst deceased; G. Emly, ditto 18th Jan. 1832, (this cancels his rank as Captain by Brevet) vice J. Scott promoted; E. R. Watts, ditto 19th May 1832, vice C. Graham promoted; B. Browne, ditto 25th July 1832, vice G. Everest promoted; H. Timings, ditto 2d Sept. 1832, (this cancels his rank as Captain by Brevet) vice R. C. Dickson deceased; J. Paton, ditto 17th May 1833, vice G. R. Scott retired; R. G. Roberts, ditto 31st May 1833, (this cancels his rank as Captain by Brevet) vice R. B. Fulton promoted; W. J. Symons, ditto 29th July 1833, (this cancels his rank as Captain by Brevet) vice T. Marshall deceased; T. Dickman, ditto 15th Oct. 1833, vice S. B. Morland deceased; W. J. Macvitie, ditto 21st Oct. 1833, vice T. Chadwick promoted; and W. R. Maidman, ditto 10th February 1834, (this cancels his rank as Captain by Brevet) vice J. C. Hyde promoted; 1st Lieutenants H. Sturrock, ditto 23d Feb. 1832, vice S. W. Bennett deceased; F. G. Mackenzie, ditto 19th May 1832, vice A. Campbell struck off; A. Fitzgerald, ditto 25th July 1832, vice B. Browne promoted; G. F. C. Fitzgerald, ditto 19th August 1832, vice J. H. Jarvis deceased; G. Larkins, ditto 2d Sept. 1832, vice H. Timings promoted; W. O. Young, ditto 28th Jan. 1833, vice J. W. Scott pensioned; C. E. Mills ditto 17th May 1833, J. Paton promoted; J. F. Egerton, ditto 31st May 1833, vice R. G. Roberts promoted; G. H. MacGregor, ditto 24th June 1833, vice G. R. Birch retired; J. Whitefoord, ditto 25th July 1833, vice W. T. Garrett deceased; R. Waller, ditto, 29th July 1833, vice W. J. Symons promoted; J. Brind, ditto 15th Oct. 1833, vice T. Hickman promoted; Z. M. Mallock, ditto 21st Oct. 1833, vice W. J. Macvitie promoted; E. Christie, ditto 30th Nov. 1833, vice W. C. J. Lewin invalided; K. J. White, ditto 10th Feb. 1834, vice W. R. Maidman promoted; T. H. Sissmore, ditto 7th June 1834, vice T. E. Sage, deceased.

3d N. I.—Lieut.-Col. T. Oliver, Major S. D. Riley, and Captain D. Downing, ditto 3d July 1832, vice T. Barron retired.

39th N. I.—Lieut.-Col. T. Palmer, Major F. Grant, Captain W. Clifford, and Lieut. G. Pengree, ditto 1st Oct. 1832, vice C. J. Doveton deceased.

17th N. I.—Lieut.-Col. S. Hawthorne, Major J. W. Jones, (deceased), Captain D. P. Wood, and Lieut. R. McKean, ditto 15th Oct. 1832, vice T. P. Smith promoted.

11th N. I.—Lieut.-Col. D. G. Scott, Major R. Benson, and Captain J. R. Birrell, ditto 29th Oct. 1832, vice A. T. Watson, deceased.

1st N. I.—Lieut.-Col. B. Sissmore, Major P. Tenlon, (retired), and Captain J. Corfield, ditto 14th Nov. 1832, vice G. Eagleheart retired.

18th N. I.—Lieut.-Col. T. A. Cobbe, Major R. Ross, Captain C. Gale, and Lieut. W. Hore, ditto 1st Dec. 1832, vice J. C. B. Parke retired.

33d N. I.—Lieut.-Col. H. Hall, Major C. D'O. Aplin, (deceased), Captain J. Irvine, and Lieut. J. Macadam, ditto 9th Jan. 1833, vice J. Ward retired.

10th N. I.—Lieut.-Col. T. Maddock, Major D. Pringle, Captain W. Foley, and Lieut. F. Sampler, ditto 10th Jan. 1833, vice J. Robertson promoted.

52d N. I.—Lieut.-Col. D. Presgrave, Major G. Kingston, and Captain T. P. Ellis, ditto 4th Feb. 1833, vice R. L. Dickson retired.

44th N. I.—Lieut.-Col. T. J. Auquetil, Major O. Stubbs, Captain T. Des Voeux, and Lieut. H. Abbott, ditto 14th March 1833, vice W. H. Wood promoted.

47th N. I.—Lieut.-Col. T. Dundas, Major R. W. Pogson, Captain J. S. Windfield, and Lieut. P. Dick, ditto 20th April 1833, vice R. T. Seyer deceased.

Lieut. D. Pott, ditto 6th June 1833, vice C. H. S. Freeman, deceased.

36th N. I.—Lieut.-Col. H. L. White, Major C. Godby, Captain H. Lloyd, and Lieut. C. U. Tripp, ditto 14th June 1833, vice W. C. Baddely, C. B., promoted.

46th N. I.—Lieut.-Col. A. Speirs, Major A. Horsburgh, Captain W. Brownlow, and Lieut. H. S. Grimes, ditto 29th August 1833, vice E. H. Simpson, promoted.

9th N. I.—Lieut.-Col. M. C. Paul, Major J. Fagan, Captain J. Woodburn, and Lieut. L. P. D. Eld, ditto 15th Sept. 1833, vice W. W. Davis, deceased.

24th N. I.—Lieut. Col. C. F. Wild, Major M. Ramsay, Captain A. S. Singer, and Lieut. A. Q. Hopper, ditto 19th Sept. 1833, vice C. Frye, deceased.

61st N. I.—Lieut. Col. G. P. Wymer, Major W. Gregory, Captain J. Macdonald, and Lieut. J. C. Innes, ditto 26th Sept. 1833, vice S. P. Bishop, deceased.

12th N. I.—Lieut.-Col. W. W. Moore, Major J. Campbell, Captain W. A. Ludlow, and Lieut. J. R. Abbott, ditto 19th Oct. 1833, vice T. Newton, promoted.

57th N. I.—Lieut.-Col. H. Morrison, Major W. Martin, Captain W. A. Smith, and Lieut. H. Henchman, ditto 19th Jan. 1834, vice W. Nott, promoted.

25th N. I.—Lieut.-Col. H. Burney, Major H. D. Coxe, Captain F. B. R. Oldfield (deceased,) and Lieut. A. C. Raley, ditto 17th Jan. 1834, vice T. Taylor, retired.

35th N. I.—Lieut.-Col. T. Monteath, Major W. H. Marshall, Captain T. Seaton, and Lieut. H. Carter, ditto 2d April 1834, vice G. Cooper, promoted.

53d N. I.—Lieut.-Col. J. Harris, Major T. Reynolds, (invalided), Captain W. Hoggan, and Lieut. R. Troup, ditto 5th April 1834, vice S. H. Tod, promoted.

28th N. I.—Lieut. Col. R. Seymour, Major D. Bruce, Captain J. H. Handscomb, and Lieut. J. Millar, ditto 23d April 1834, vice S. Land, retired.

43d N. I.—Lieut.-Col. J. Tulloch, Major E. Jeffreys, Captain R. Campbell, and Lieut. J. Godfrey, ditto 30th April 1834, vice T. C. Watson, deceased.

64th N. I.—Lieut.-Col. P. Brewer, Major T. Robinson, Captain K. F. McKenzie, and Lieut. B. W. R. Jenner, ditto 10th May 1834, vice A. Lockell, deceased.

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No 245 of 1834.—The Right Hon. the Governor-General of India in Council is pleased to restore Captain Barberie, of the 16th Regt. N. I., to his situation in the Stud Department, and to appoint him to the Central Stud, which he is directed to join without delay.

Mr. Veterinary Surgeon Hulse, temporarily attached to the Hanper Stud, is removed from that situation, and placed at the disposal of His Excellency the Commander-in-Chief.

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No. 246 of 1834.—The undermentioned Students of the Native Medical Institution are admitted to the Service as Native Doctors, and disposed of in the manner stated opposite to their names:

Juggernauth Tewaree placed at the disposal of the Medical Board at the Presidency.

Kurn Ally Khaun, appointed to the Civil Station at Hooghly, to fill a vacancy occasioned by the resignation of one of the Native Doctors at that place.

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FORT WILLIAM, 24TH DECEMBER, 1834.

No. 248 of 1834.—The Right Hon. the Governor General of India in Council is pleased to make the following Promotions:

43d Regt. N. I.—Captain James Bourdieu to be Major, Lieut. Alexander Webster to be Captain of a Company, and Ensign William Gilbert Don to be Lieut., from the 10th December 1834, in succession to Major Edward Jeffreys, retired on the Pension of his rank.

Mr. Septimus Harding Becher is admitted to the service, in conformity with his appointment by the Hon. the Court of Directors, as a Cadet of Infantry on this establishment, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment; date of arrival at Fort William, 11th December, 1834.

The undermentioned Officers are permitted to proceed to Europe on furlough:

Lieut. Colonel John Simpson, of the 69th Regt. N. I., on medical certificate.

Lieut. John Bott, of the 5th Regt. L. C., on account of his private affairs.

Lieut.-Colonel H. Hall, Commanding the Mhairwarrah Local Corps, and Superintendent at Mhairwarrah, has obtained, in the Political Department, under date the 10th instant, leave of absence, on medical certificate, from the 5th Feb. 1835 to the 5th Feb. 1836, with permission to reside in the Hills North of Deyra Dhoon.

The services of Assistant Surgeon R. Laughton, attached to the Political Agency at Umballa, are, at the request of the Commander in Chief, placed at His Excellency's disposal.

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No. 249 of 1834.—Captain William Saurin, of the 31st Regt. N. I., is permitted to proceed to Europe on furlough, on account of his private affairs.

Captain Saurin is appointed to the charge of the Invalids, &c. of the Hon. Company's Service, under orders of embarkation for Europe on the ship "*Hibernia.*" The Military Auditor General is authorized to pass to Captain Saurin the rate of Passage Money prescribed by the Regulation.

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FORT WILLIAM, 31ST DECEMBER, 1834.

No. 250 of 1834.—The Right Hon. the Governor-General of India in Council is pleased to make the following Promotion and Appointment:

30th Regt. N. I.—Ensign John Liptrott to be Lieutenant from the 25th Feb. 1834, vice Lieut. M. J. Laurence, deceased.

Assistant Surgeon Henry Chapman to the medical duties of the Civil Station at Cuttack.

The undermentioned Officers are permitted to proceed to Europe on furlough:

Lieut.-Col John Anderson, of the 8th Regt. N. I.; Major John Thomson, of the 31st Regt. N. I.; Captain David Peibles Wood, of the 17th Regt. N. I.; Ensign Frederick Adams, of the 24th Regt. N. I.; and Superintending Surgeon William Thomas, of the Medical Department, on medical certificate.

Lieut. Mark Huish, of the 71th Regt. N. I.; Assistant Surgeon Gavin Turnbull, of the Medical Department; and Major John Grant, of the Invalid Establishment, on account of private affairs.

Lieut. Frederick Corner, of the 1st Regt. N I, is permitted to proceed to Europe on furlough, from Mhow viâ Bombay, on account of his private affairs The furlough to commence from the date of his quitting Mhow.

2d Lieut Robert Walker, of the Regiment of Artillery, is permitted to proceed to Bombay, on his private affairs, and to be absent from Bengal on that account, for four months.

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No. 251 of 1834.—The following Promotions are made in the undermentioned Corps of the Native Army:

6th Battalion Artillery.—Havildar Rampersaud Misser to be Jemadar, from 1st May 1834, vice Ramzaunee invalided.

2d Light Cavalry.—Havildar Doorjun Sing to be Jemadar, from ditto ditto, vice Meer Nazuf Ali ditto; Havildar Meer Nujbee Buksh to be Jemadar from ditto ditto, vice Shaik Chand ditto.

5th Ditto.—Jemadar Cullean Sing to be Subadar, from ditto ditto vice Nuseer Ali ditto; Havildar Shaik Jaffer Ali to be Jemadar, from ditto ditto, vice Cullean Sing, promoted.

7th Ditto.—Jemadar Mirza Amy Beg to be Subadar, from ditto ditto, vice Minah Beg, invalided.

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No. 253 of 1834.—The Right Hon. the Governor General of India in Council is pleased to promote Lieut. Edward Altham Cumberlege, of the 73d Regt. N. I., to the rank of Captain by Brevet, from the 31st December 1834

The leave of absence obtained by Lieut.-Col. John Cheape, of the Corps of Engineers, Superintending Engineer Cuttack Province, in General Orders No. 173, dated the 13th September last, is extended to the 2d instant.

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## BY THE RIGHT HON. THE COMMANDER-IN CHIEF.

*Head-Quarters, Calcutta, 1st December*, 1834.

The following Orders by 1st Lieut. C. E. Mills, of the Artillery, commanding a Detachment, under date the 18th October last, are confirmed:

Appointing Sergeant George Butter, of His Majesty's 11th Light Dragoons, to act as Sergeant Major; Corporal James Aylfield, of His Majesty's 11th Light Dragoons, to act as Provost Sergeant; Corporals James Perkins, of the 2d Troop, and Murphy, of the 1st Troop 2d Brigade Horse Artillery, to act as Sergeants; Gunners Robert Campbell Mullett and Charles Worrall, of the 3d Troop 2d Brigade Horse Artillery, and Private John Heans, of His Majesty's 11th Light Dragoons, to act as Corporals, to the Detachment.

Assistant Surgeon W. B. O'Shaughnessy, M. D., is appointed to the medical charge of a Detachment of the 72d Regt. N I., proceeding to the Upper Provinces on Escort duty with the Camp of the Honorable the Governor of Agra.

Dr. O'Shaughnessy will join the Detachment at Barrackpore on the 12th instant.

The leave of absence, for twelve months, granted to Ensign C. H. Wake, of the 34th Regt. N. I., in General Orders of the 23d October last, is to commence from the 1st December instead of the date therein specified

Barrack Sergeant Peter Kent, attached to the Kemaoon Division of Public Works, is transferred to the Agra Magazine, as a supernumerary Magazine Sergeant.

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*Head-Quarters, Calcutta, 2d December*, 1834.

The following District Orders by Brigadier J. Tombs, Commanding the Rajpootanah Field Force, under date the 11th ultimo, are confirmed:

Directing Assistant Surgeon J. Greig to receive medical charge of the European Artillery proceeding on Service; Assistant Surgeon W. H. Rogers, of the 4th L. C., to afford medical aid to the sick of the 1st Company 2d Battalion of Artillery left at Nusseerabad; and appointing Hospital Apprentice Edward Smith to act as Assistant Apothecary and Assistant Steward with the Artillery proceeding on Service, vice Bond remaining in Cantonments.

Directing Captain G. Pennington to make over charge of two six-Pounders of No. 1 Light Field Battery, with a detail of Europeans and Establishments, to the Major of Brigade.

Nominating Assistant Surgeon G. E. Christopher, of 2d Regt L. C., to the medical charge of the sick of Colonel Kennedy's Detachment, and those of the 3d, 32d and 26th Regts. N. I. and 4th Regt. L. C. remaining at Nusseerabad and directing the Native Doctor attached to the Native Artillery, and the Native Doctor and that portion of the Establishment of the 4th L. C., who are in the Cantonment, to place themselves under the orders of Assistant Surgeon Christopher.

The appointment of Lieut. and Brevet Captain M. Hughes to act as Adjutant to the Left Wing 44th N. I., as notified in General Orders of the 6th ultimo, is cancelled.

Private Edward Dewberry, who was directed to be sent to Chunar by General Orders of the 5th ultimo, is to be enrolled on the strength of the Invalid Companies, from the 14th September last, the date on which he was struck off the strength of the European Regiment.

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*Head-Quarters, Calcutta, 3d December*, 1834.

The Meerut Division Order by Major General the Honorable J. Ramsay, under date the 18th ultimo, directing Assistant Surgeon J. Murray, M. D., of the 1st Brigade Horse Artillery, to afford medical aid to the 69th Regt. N. I., on the departure of Assistant Surgeon S. Lightfoot to join the 15th N. I., is confirmed.

The Station Order by Major R. Hornby, Commanding at Jubbulpore, under date the 11th ultimo, directing Assistant Surgeon C. J. Macdonald, of the 20th Regt. N I, to afford medical aid to the Prisoners in the Jail and to the Nujeeb Corps, during the absence, on duty, of Surgeon G. G. Spilsbury, is confirmed.

The Right Honorable the Commander-in-Chief is pleased to direct the following removals of Division Staff Officers:

Captain J. H. Mackinlay, Assistant Adjutant General, from the Cawnpore to the Meerut Division.

Captain L. N. Hull, Deputy Assistant Adjutant General, from the Meerut to the Cawnpore Division.

Captain Hull will make over charge of the Division Office at Meerut to Captain H. Norton, of the 69th Regt. N. I, and proceed to Cawnpore to relieve Captain Mackinlay. Captain Norton will act as Deputy Assistant Adjutant General to the Meerut Division, until the arrival at Division Head Quarters of Captain Mackinlay.

Captain J. Rawlins is removed from the 1st Company 4th to the 1st Company 2d Battalion of Artillery.

The General Order of the 18th October last, permitting Lieut. T. F. Tait, acting second in command of the 4th Local Horse, to join his own Corps, the 28th Regt. N. I., is cancelled.

The leave of absence, on medical certificate, granted to Lieut. J. R. Oldfield, of Engineers, attached to the 13th Division of Public Works, in General Orders of the 5th April last, is cancelled from the 3d ultimo, the date on which he rejoined his appointment.

Supernumerary Cornet E. W. C. Plowden is, at his own request, appointed to do duty with the 10th Regt. L. C. at Muttra.

Corporal John Doyle, of the 4th Company 4th Battalion of Artillery, is transferred to the Town Major's List and appointed a Laboratory Man in the Expense Magazine at Dum-Dum, from the 21st ultimo, vice Barker, appointed Sergeant Major to the 20th Regt. N I.

The undermentioned Officer has leave of absence:

11th Regt. N. I.—Lieut. A. Mackenzie, from 1st December to ——, to visit Moorshedabad, on private affairs, and to join his Regt. on its arrival at Bogwangolah.

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Major G. R. Pemberton's Regimental Order under date the 24th ultimo, appointing Ensign M. T. Blake to act as Adjutant to the 56th N. I., during the absence, on leave, of Lieut. and Adjutant H. Foquett, is confirmed.

The leave of absence granted to Lieut., Interpreter and Quarter Master P. Goldney, of the 4th Regt. N. I., in General Orders of the 1st October last, is cancelled at his request.

The undermentioned Officers have leave of absence:

District Staff Brigadier R. Patton, C. B., from 15th November to 31st December, in extension, on medical certificate, and to enable him to rejoin his command in Oude.

15th Regt. N. I.—Major R. Mackenzie, from 10th December to 10th February 1835, in extension, to remain at the Presidency, preparatory to submitting an application for permission to retire from the Service.

2d Company 3d Battalion Artillery—2d Lieut. C. Boulton, from 15th November to 30th November, in extension, to enable him to rejoin his Company.

12th Regt. N. I.—Lieut. J. S. Hodgson from 15th November to 28th February 1835, in extension, to remain at Lucknow, on medical certificate, and to enable him to rejoin his Corps.

54th Regt. N. I.—Lieut. H. Vetch from 14th November to 14th March 1835, to visit the Presidency, preparatory to submitting an application for permission to proceed to Europe on furlough, on private affairs.

The undermentioned Officers have leave of absence:

41st Regt. N. I.—Captain J. Martin, from 1st October to 31st December, in extension, to remain in the Hills in the vicinity of Simla, on medical certificate.

74th Regt. N. I.—Ensign D. T. Pollock, from 1st December to 1st April 1835, in extension, to remain at the Presidency on private affairs.

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*Head Quarters, Calcutta, 4th December*, 1834.

The Sirhind Division Order of the 15th ultimo, directing Assistant Surgeon M. Lovell, of the 9th Regt. L. C., to proceed to Subathoo and afford medical aid to the Nusseree Battalion, during the indisposition of Surgeon J. G. Gerard, and the Kurnaul Station Order of the 22d ultimo, directing Surgeon E. Macdonald, of the 9th Regt. L. C., to afford medical aid to the 39th Native Infantry, vice Surgeon W. Findon promoted to Superintending Surgeon, are confirmed.

The undermentioned Ensigns, lately admitted into the Service, are appointed to do duty with the Corps specified opposite to their respective names, at their own request, and directed to join.

Ensign Richard Charles Lawrence, 11th Regt. N. I. at Goruckpore.

Ensign James Lumsdaine Walker, 33d Regt. N. I. at Cuttack.

Ensign Gordon Mainwaring, 4th Regt. N. I. at Berhampore.

*Head-Quarters, Calcutta, 5th December*, 1834.

With the sanction of Government, the following movements of Troops of Horse Artillery are directed to take place; viz.

3d Troop 1st Brigade, from Dum-Dum to Cawnpore, to march as soon as the requisite carriage can be provided.

1st Troop 2d Brigade, from Cawnpore to Dum-Dum, ditto ditto.

The Cawnpore Division Order by Brigadier C. H. Churchill, under date the 22d ultimo, directing Assistant Surgeon A. Crighton, M. D., of the 5th Regt. L. C., and Assistant Surgeon W. Rait, doing duty with the 48th Native Infantry, to proceed, the former to Mynpoorie, and the latter to Etawah, and afford medical aid to the Civil and Military establishments at those posts respectively, is confirmed.

The Order by Brigadier General R. Stevenson, C. B., commanding the Force assembled for Service in Rajwarra, under date the 19th ultimo, appointing Assistant-Surgeon M. S. Kent, of the 7th Regt. L. C., to the charge of the medical depôt attached to the force, is confirmed.

The Agra Garrison and Station Order dated the 15th ultimo, appointing Purgun Singh, Native Doctor, from the Native Medical Institution, to do duty in the Hospital of the 9th Regt. N. I. at Agra, is confirmed.

Assistant Surgeon C. Llewellyn is removed from the 35th and posted to the 73d Regt. N. I.

Assistant-Surgeon W. A. Bruce, M. D., now doing duty with the 35th Native Infantry, is posted to that Regiment, vice Llewellyn.

The undermentioned Officers have leave of absence:

26th Regt. N. I.—Major D. Bruce from 1st December to 28th February 1835, to remain at Delhi, on private affairs.

60th Regt. N. I.—Major J. Home, from 20th December to 20th April 1835, to visit the Presidency, on medical certificate, preparatory to submitting an application for furlough to Europe.

Cavalry.—Supernumerary Cornet E. W. C. Plowden, doing duty with 10th Regt. L. C., from 2d December to 15th January 1835, to remain at the Presidency on private affairs.

Medical Staff.—Superintending Surgeon T. Tweedie, Allahabad Circle, from 16th December to 16th May 1835, to visit the Presidency, on medical certificate, preparatory to applying for furlough to Europe.

*Head-Quarters, Calcutta, 6th December*, 1834.

Lieut.-Colonel R. C. Andree's Regimental Order of the 26th ultimo, appointing Lieut. S. C. Starkey to act as Interpreter and Quarter Master to the 7th Regt. N. I., during the absence of Lieut. (officiating Interpreter and Quarter Master) H. J. McGeorge, permitted to remain at Goruckpore on general leave, is confirmed.

The Detachment Order by 2d-Lieut W. H. Delamain, Commanding a Detachment of Artillery Drafts proceeding from Cawnpore to Agra, under date the 29th September last, appointing Sergeant Tracey, of the 2d Company 3d Battalion of Artillery, to act as Sergeant Major, Sergeant McDonald, of the 2d Troop 2d Brigade Horse Artillery, to act as Provost Sergeant, and Gunner Bales, of the 4th Company 2d Battalion of Artillery, to act as Quarter Master Sergeant, to the Detachment, is confirmed.

The Right Honorable the Commander in Chief is pleased to make the following removals and postings of Field Officers:

Lieut.-Colonel J. Tulloch, from the 70th to the 60th Regt. N. I. at Cawnpore.

Lieut.-Colonel H. Burney, (Resident at Ava) from the 60th to the 70th Regt. N. I.

The leave of absence granted to supernumerary 2d Lieut. J. Spens, of the Engineers, attached to the Corps of Sappers and Miners, in General Orders of the 14th ultimo is, at his own request, cancelled.

Hospital Apprentice David Smith, now doing duty under the Superintending Surgeon at Cawnpore, is discharged the service at his own request.

The undermentioned Officer has leave of absence:

28th Regt. N. I.—Captain J. Aitchison, from 29th November to 31st January 1835, to visit Agra, on private affairs.

*Head-Quarters, Calcutta, 8th December*, 1834.

The Nusseerabad Station Orders of the 22d ultimo, directing Assistant Surgeon J. Duncan, M. D., to join and assume medical charge of the 54th Regt. N. I., and to afford medical aid to the Staff Detachment of European Artillery and Rissaitah 5th Local Horse, during the absence of Assistant Surgeon W. H. Rogers; also appointing Assistant Surgeon W. O. H. McCheyne to the medical charge of the 17th Regt. N. I., vice Assistant Surgeon Rogers proceeding on service, are confirmed.

Assistant-Surgeon James Duncan, M. D., now doing duty with the 54th Native Infantry, is posted to that Regiment, vice McCheyne.

Captain E. S. Hawkins, of the 38th Regt. N. I., is appointed to the Command of the Troops proceeding on Escort duty with the Honorable the Governor of Agra.

The undermentioned Officers have leave of absence:

8th Regt. N. I.—Captain G. F. F. Vincent, from 25th December to 10th March 1835, to visit Kurnaul, on private affairs.

8th Regt. N. I.—Lieut. and Brevet Captain and Adjutant G. R. Talbot, from 20th December to 25th February 1835, to visit Hansie, on private affairs.

8th Regt. N. I.—Lieut. C. H. Naylor, from 1st January 1835 to 10th March 1835, to visit Delhi, on private affairs.

*Head Quarters, Calcutta, 9th December*, 1834.

Brigadier C. Parker's Artillery Division Order of the 19th ultimo, appointing the following individuals to act in the situations specified, during the employment of the Troops in Rajwarra, is confirmed:

Sergeant William Stubbs, of the 1st Company 5th Battalion Artillery, to be Park Sergeant.

Sergeant John Diey, of the 3d Company 2d Battalion Artillery, to be Bullock Sergeant.

Bombardier Richard Conn, 2d Battalion Artillery,
Gunner Dennis Clifford, ditto,
" Alexander Dowe, ditto,
" James Crook, ditto,
" James Stewart, ditto,
" Patrick Keys, ditto,
Bombardier Henry Poulson, 5th Battalion Artillery,
Gunner Charles Garner, ditto,
" Thomas Clarke, ditto,
" George Payne, ditto,
} To be Laboratory men

The temporary arrangements made in General Orders of the 8th ultimo, are cancelled from the above date.

Captain E. Marshall's Regimental Order of the 21st ultimo, appointing Lieutenant W. J. Rind, to act as Adjutant to the Left Wing 71st N. I., during its separation from Regimental Head-Quarters, is confirmed.

Conductor J. Stewart is removed from the Chunar Magazine to the Arsenal, vice J. Thomson, (senior), from the latter to the former.

The undermentioned Officer has leave of absence:

33d Regt. N. I.—Lieut. and Adjutant T. M. Bremer, from 5th December to 15th December, to enable him to join.

*Head-Quarters, Calcutta, 10th December*, 1834.

Major G. B. Bell's Regimental Order under date the 20th ultimo, appointing Lieut. R. M. Gurnell to act as Interpreter and Quarter-Master to the 68th N. I. during the absence, on leave, of Lieut., Interpreter and Quarter-Master W. Alston, is confirmed.

Major Jonathan Scott, of the Invalid Establishment, is permitted to reside and draw his allowances at the Presidency, pending an application to retire from the service.

2d Lieut. A. Broome is removed from the 4th Troop 1st Brigade to the 1st Company 2d Battalion Artillery.

The following individuals of the Subordinate Medical Establishment are appointed to the Detachment of H. M.'s Troops now in Fort William, and under orders to proceed to the Upper Provinces:

Assistant Apothecary Francis O'Sullivan.

Apprentice John Hornby, as Acting Assistant Steward.

Hospital Apprentice Jonas Leach.

Baudul Khan, Subadar, on the Pension Establishment, is permitted to reside and draw his stipend at Barrackpore instead of Benares.

The undermentioned officer has leave of absence:

60th Regt. N. I.—Lieut. T. Riddell, from 10th Dec. to 10th Dec. 1835, in extension, to visit Simla, on medical certificate.

*Head Quarters, Calcutta, 11th December*, 1834.

The Artillery Field Division Order of the 14th ultimo, by Brigadier C. Parker, authorizing Capt. T. Sanders, Commissary of Ordnance, to entertain, from the 19th of Oct. last, Artificers and Store Lascars for the Train with the force under the command of Brigadier General R. Stevenson, C. B., in the proportion laid down in Government General Orders of the 26th Feb. 1820, is, with the sanction of Government, confirmed.

The Commander in Chief is also pleased, under authority from Government, to confirm the Artillery Division Order by Brigadier C. Parker, of the same date, directing the Commissary of Ordnance in charge of the Park to entertain, from the 19th of Oct. last, the following Office Establishment; viz.

| | *Sonat Rupees.* |
|---|---|
| One Writer,..... | 50 per month. |
| One ditto,..... | 30 " |
| Office Tent and Candles,..... | 50 " |

The undermentioned Officers have leave of absence:

European Regt.—Lieut. and Adjt. T. Laysaght, from 20th Oct. to 23d Nov. in extension, to enable him to rejoin his Regiment.

15th N. I.—Lieut. J. T. Gordon, from 20th Feb 1835 to 20th June 1835, to visit the Presidency, on private affairs, preparatory to applying for furlough to Europe.

35th N. I.—Lieut. Interpreter and Quarter-Master A. Fisher, from 15th Dec. to ———, in extension, to enable him to join his Regiment on its arrival at Bogwangolah.

2d N. I.—Ensign T. F. Pattenson, from 4th Nov. to 4th Dec., to remain at Hutta and its vicinity, on medical certificate.

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*Head-Quarters, Calcutta, 12th December, 1834.*

The Cawnpore Division Order of the 29th ultimo, appointing Veterinary Surgeon D. Cullimore, of the 2d Brigade Horse Artillery, to the charge of the Horses of the 5th Regt. L. C., is confirmed.

The Station Order issued by Lieut. Col. J Harris, Commanding at Goruckpore, under date the 27th ultimo, directing Assistant Surgeon J. Steel, M. D., (Civil Assistant Surgeon) to receive medical charge of the Artillery Detachment and Left Wing 63d Regt. N. I., during its stay at that Station, is confirmed.

George Beckley, Bugler of the Hon. Company's European Regt., is at his own request, transferred as a Trumpeter to the 3d L. C.

The undermentioned Officers have leave of absence:

61st Regt. N. I.—Major W. Gregory, from 31st October to 4th November, in extension, to enable him to rejoin his Regt.

16th Regt. N. I.—Assistant Surgeon T. C. Elliot, from 25th January 1835 to 25th March 1835, to visit Rajpootanah, on private affairs.

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*Head-Quarters, Calcutta, 13th December, 1834.*

The Order by Brigadier General R. Stevenson, C. B., under date the 21st ultimo, nominating Captain W. Burnett, Assistant Commissary General, to the charge of the Treasure accompanying the Force employed in Rajwarra, is confirmed, under the authority of Government.

The Arracan District Order by Captain W. Simonds, under date the 16th ultimo, appointing Lieut. J. R. Flower, Acting Adjutant to the 25th Regt. N. I, and District Staff in Arracan, to the temporary charge of the Arracan Local Battalion, in consequence of the departure of Captain Simonds for the Presidency, on medical certificate, and directing Ensign W. Hore, of the 27th N. I., to act as District Staff in Arracan, in the room of Lieut. Flower, is confirmed.

Col. R. Hampton's Station Order of the 27th ultimo, appointing Sergeant William Kiely, of the 2d Troop 3d Brigade Horse Artillery, to act as Bazar Sergeant at Mhow in the room of Hill, promoted to Sub Conductor, is confirmed as a temporary arrangement.

Krishn Singh and Shaikh Fakeer Buksh, lately admitted into the Service as Native Doctors, from the Native Medical Institution, are posted to the 43d Regt. N. I. at Barrackpore, in the room of Pursun Sing and Hurree Bullub Missre, placed at the disposal of the Medical Board for employment as Vaccinators, the former at Subathoo, and the latter at Bhauglepore.

The undermentioned Officer has leave of absence:

7Ist Regt. N. I.—Lieut and Brevet Captain E. Wintle, from 15th September to 20th November 1835, to visit the Hills North of Deyrah, on medical certificate.—N. B. This cancels the leave granted in General Orders of the 6th September and 1st October last.

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Deputy Commissary C. Bowman is, at his own request, removed from the Cawnpore to the Agra Magazine.

Sergeant Major John Cranshaw, of the 53d Regt. N. I, having been duly examined and pronounced unfit for further duty, is to be sent to Europe, recommended for Pension.

The undermentioned Officers have leave of absence:

33d Regt. N. I.—Ensign J. H. Fergusson, from 20th December to 31st January 1835, to visit the Presidency, on private affairs.

Arracan Local Battalion—Captain W. Simonds, from 21st November to 21st May 1835, to visit the Presidency, on medical certificate.

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*Head Quarters, Calcutta, 16th December, 1834.*

The Meerut Division Order of the 3d instant, directing Veterinary Surgeon J. Ford, of the 1st Light Cavalry, to take charge of the Horses of the Artillery at Meerut, during the absence of Veterinary Surgeon Griffith, or until further orders, is confirmed.

Lieut.-Colonel W. Vincent's Regimental Order of the 19th ultimo, appointing Ensign R. Spencer to act as Interpreter and Quarter-Master to the 26th N. I., during the absence, on leave, of Lieut. Johnson, is confirmed.

Assistant Surgeon W. Dunbar, M. D., is directed to do duty with the Artillery at Dum-Dum.

Shaik Dewan Ully, Sepoy, of the 25th Regt. N. I., having been declared by a medical committee unfit for further service, from incurable blindness, is transferred to the Pension Establishment from this date, on the full rate of Pension.

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*Head-Quarters, Calcutta, 17th December, 1834.*

Ensign E. Sissmore, lately admitted into the service, is, at his own request, appointed to do duty with the 12th Regt. N. I. at Allahabad.

The undermentioned Officer has leave of absence:

27th Regt. N. I.—Lieut. M. Wilson, from 6th November to 6th January 1835, in extension, to remain at the Presidency, on medical certificate.

*Head-Quarters, Calcutta, 18th December, 1834.*

The Right Hon. the Commander-in-Chief is pleased to make the following removals:

Colonels E. H. Simpson, from the 25th to the 24th Regt. N. I.; (Brigadier) J. W. Fast, from the 24th to the 40th Regt. N. I.; and T. Newton, from the 40th to the 25th Regt. N. I.

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*Head-Quarters, Calcutta, 19th December, 1834.*

With the sanction of Government, the Commander in-Chief is pleased to confirm the following appointments, made by Brigadier-General R. Stevenson, C. B., Commanding the Forces assembled for service in Rajwarra, from the 18th ultimo:

To be Brigadiers of the 2d class.—Colonel J. Kennedy, 7th Regt. L. C., Lieut. Colonels E. Wyatt, 22d Regt. N. I; and G. Hawes, 51st Regt. N. I.

To be Brigade Majors.—Captain S. Nash, 4th Regt. L. C.

Captains J. G. Burns, 3d Regt. N. I.; S. P. C. Humfrays, 36th Regt. N. I.; and E. J. Smith, of Engineers, to the Engineers.

Lieut. C. Baseley, 51st Regt. N. I., to be Baggage Master.

Surgeon T. Stoddart, 22d Regt. N. I., to be Field Surgeon.

The appointments of Officers to command Brigades, and of the Staff duties of the Force, as noticed in General Orders of the 27th September and 14th October last, have not taken place with the exception of those of Brigadier C. Parker to the Command of the Artillery. Major A. Irvin, C. B., to the charge of the Engineer Department, and Captain E. Huthwaite to the office of Brigade-Major of Artillery, which are to have effect from the 18th ultimo.

The appointment of Captain T. Sanders, in General Orders of the 27th September last, to the situation of Commissary of Ordance, is to have effect from the date on which he received charge of the Train at Agra.

The following Orders by Brigadier General R. Stevenson, C. B. Commanding the Troops employed in Rajwarra, under dates the 20th October, and 19th, 21st, 22d, 24th and 25th November, are confirmed.

28th Oct.—Nominating Surgeon Thomas Stoddart, of the 22d Regt. N. I., to afford medical aid to the officers of the General Staff with the Force.

19th Nov.—Nominating Assistant-Surgeon J. McRae, of the 3d Troop 3d Brigade Horse Artillery, to the medical charge of the officers of the General Staff, vice Surgeon T. Stoddart appointed Field Surgeon to the Force.

21st Nov.—Directing Surgeon G. T. Urquhart, of the 7th Regt. L. C., to receive medical charge of the 22d N. I. from Surgeon Stoddart.

22d Nov.—Appointing Ensign Thomas Ramsay, of the 22d Regt. N. I., to act as Adjutant to six Companies of the 1st Infantry Brigade left at Sambhur on duty.

24th Nov.—Appointing Quarter-Master Sergeant Peter H. Sheehan, of the 4th Regt. L. C., to act as Assistant Baggage Master, and Sergeant Williamson, of the 4th Company 2d Battalion of Artillery, to act as Provost Sargeant to the Force.

25th Nov.—Authorising the Deputy Quarter-Master General to entertain a Tindal and a Classie for the conveyance of the Camp Colors with the Head Quarters of the Force.

The Artillery Division Order by Captain O. Baker, dated the 1st instant, appointing 1st Lieut. F. R. Bazely, of the 2d Company 3d Battalion, to act as Adjutant and Quarter-Master to the Artillery at Agra, in the room of 2d Lieut. R. Walker permitted to resign that appointment, is confirmed.

Lieut.-Colonel J. Harris's Regimental Order of the 27th ult., appointing Lieut. E. T. Erskine to act as Adjutant to the Left Wing 63d N. I., during its separation from the Head-Quarters of the Regt., is confirmed.

The Commander in-Chief is pleased to make the following appointment:

2d Regt. L. C.—Cornet E. K. Money to be Interpreter and Quarter-Master.

Surgeon Andrew Simson, M. D., new promotion, is posted to the 46th Regt. N. I. at Neemuch.

Assistant-Surgeon William Thomson is removed from the 46th to the 10th Regt. N. I. at Barrackpore.

Assistant-Surgeon John James Boswell, (on furlough) is posted to the 32d Regt. N. I.

The undermentioned Officers have leave of absence:

24th Regt. N. I.—Major M. Ramsay, from 15th November to 15th March 1835, in extension, to enable him to rejoin.

6th Regt. L. C.—Cornet G. Scott, from 1st January 1835 to 1st April 1835, in extension, to remain at Simla, on medical certificate.

72d Regt. N. I.—Ensign G. H. Davidson, from 15th December to 1st January 1835, in extension, to enable him to rejoin his Regt. at Berhampore.

10th Regt. N. I.—Assistant Surgeon W. Thomson, from 1st January 1835 to 1st October 1835, to visit Hazareebaugh and the Presidency, on private affairs.

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*Head-Quarters, Calcutta, 20th December, 1834.*

Major W. H. Hewitt, of the 40th N. I., will join the Detachment of that Corps now at the Presidency, and proceed with it to Arracan.

*Head-Quarters, Calcutta, 22d December*, 1834.

The following movements of His Majesty's Regiments having been sanctioned by Government, will with the permission of the Right Honorable the Governor of Fort William, take effect as follows:

His Majesty's 44th Regiment.—From Chinsurah to Fort William by water, on the 6th January 1835

His Majesty's 49th Regiment.—From Fort William to Hazareebaug, to move on the 5th January 1835, by a route that will be furnished.

Two Captains of His Majesty's 44th Foot will proceed from Chinsurah by water immediately to Fort William, for the purpose of relieving from special duty two Officers of the same rank of His Majesty's 49th Foot.

The undermentioned Ensigns, recently admitted into the service, are, at their own request, appointed to do duty with the corps specified opposite their names:

Ensigns A. G. Reid and H. J. Piercy, 10th N. I., at Barrackpore.

Corporal Edward Duffield of the Veteran Company at Chunar is, with the sanction of Government, permitted to reside and draw his stipend at the Presidency.

The undermentioned Officers have leave of absence:

**2d Company 3d Battalion Artillery.—Captain W. J. Macvitie, from 1st Nov. to 1st March 1835, to remain at Cawnpore, on private affairs.**

**46th Regt. N. I.—Assistant Surgeon Andrew Vans Dunlop, M. D., from 13th January 1835 to 13th February 1835, to remain at the Presidency, on private affairs.**

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*Head-Quarters, Calcutta, 23d December*, 1834.

Assistant-Surgeon S. Holmes, of the 3d Regt. N. I., recently returned from Europe, is directed to proceed to Cawnpore and do duty under the Superintending Surgeon at that station.

With the sanction of Government, the additional Invalid Pay of their rank is granted to the undermentioned Subadars, from the date of their transfer to the Pension Establishment, from the following Corps:

| *Names.* | *Late Corps.* |
|---|---|
| Ramjie Sing,..... | 3d Native Infantry. |
| Cheebenauth,..... | 3d ditto. |
| Bisram Tewary,..... | 3d ditto, |
| Merwan Sing,..... | 9th ditto. |
| Rambux Sing,..... | 35th ditto. |
| Peer Bux,..... | 42d ditto. |
| Ramdeen Tewaree, ..... | 67th ditto. |
| Kullundar Sing,..... | 74th ditto. |

The undermentioned Officers have leave of absence:

20th Regt. N. I.—Lieut. Colonel T. H. Paul, from 15th Jan. 1835 to 20th March 1835, to visit Allahabad, on private affairs.

2d Battalion Artillery.—2d Lieut. R. Walker, from 1st Dec. to 1st Jan. 1835, to visit the Presidency, on private affairs.

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*Head-Quarters, Calcutta, 24th December*, 1834.

The Right Hon. the Commander-in-Chief is pleased to make the following removal and posting of Field Officers:

Lieut.-Col. Thomas Dundas, (on furlough) from the 21st to the 5th Regt. N. I.

Lieut.-Col. Thomas Samuel Oliver (new promotion) to the 21st Regt. N. I.

Assistant-Surgeon W. Dunbar, M. D., now doing duty with the Artillery at Dum Dum, is posted to the Ramghur Battalion, vice Harper promoted.

The undermentioned Officer has leave of absence:

60th Regt. N. I.—Lieut. Col. J. Tulloch, from 6th Dec. to 6th March 1835, to enable him to join.

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The Chittagong Station Order of the 14th instant, appointing Civil Assistant Surgeon J. O'Dwyer to the medical charge of the 55th Regt. N. I. and Artillery Details is confirmed as a temporary arrangement, during the absence of Assistant Surgeon H. Chapman.

Major S. D. Riley's Regimental Order of the 6th instant, appointing Lieut. W. Lyford to act as Adjutant to a Detachment of 4 Companies of the 3d N. I., is confirmed.

Captain W. G. Cooper, Major of Brigade at Dacca, is removed to Lucknow, and directed to join on the breaking up of the Eastern Frontier Command.

All public records belonging to the Eastern Frontier are to be forwarded to the Office of the Assistant Adjutant-General of the Presidency Division, for deposit.

The undermentioned Officers have leave of absence.

2d Battalion Artillery—Captain J. Rawlins, from 3d December to 25th January 1835, to remain at the Presidency, on private affairs.

72d Regt. N. I.—Lieut. C. H. Boisragon, from 12th January 1835 to 12th June 1835, to remain at Moorshedabad on private, affairs.

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*Head-Quarters, Calcutta, 26th December*, 1834.

The Presidency Division Order of the 14th instant, appointing Lieut. G. E. Van Heythuysen, of the 24th Regt. N. I., to act as Interpreter to a Detachment of His Majesty's Troops now in Fort William, under orders of march for the Upper Provinces, is confirmed.

The Kemaoon District Order of the 13th ultimo, appointing Ensign J. H. Garrett, of the 30th Regt. N. I., to act as Adjutant to the Kemaoon Local Battalion, during the absence, on leave, of Lieut. and Adjutant C. Campbell, is confirmed.

Lieut.-Colonel C. W. Brooke's Regimental Order of the 11th instant, appointing Lieut. and Brevet Captain H. T. Raban to act as Adjutant to the 47th N. I., during the absence, on duty, of Lieut and Adjutant C. Corfield, is confirmed.

The Detachment Order of the 1st instant, by Captain George Hogarth, (of His Majesty's 26th Regt. of Foot,) Commanding a Detachment of His Majesty's and the Hon. Company's Troops proceeding from Landour to Meerutt, appointing Sergeant Barnes, of His Majesty's 11th Light Dragoons, to act as Sergeant Major, Sergeant Creed, of the Horse Artillery, to act as Quarter Master Sergeant, and Corporal Strafford, of His Majesty's 16th Lancers, to act as Provost Sergeant to the Detachment, is confirmed.

Ensign C. E. Burton, of the 40th N. I., on leave at the Presidency, is directed to join the Detachment of his Regt. now at Baloo Ghaut, and proceed with it to Arracan.

The Commander in-Chief is pleased to post Assistant Surgeon R. Laughton to the Nusseree Battalion, vice Gerard removed.

The following Men having been examined by a special Medical Committee in Fort William, and pronounced fit for further duty, they are accordingly remanded to their Corps:

Sergeant Isaac Holt, Artillery.
Gunner Richard Brownlow, Artillery.
Private Patrick Hackett, European Regiment.

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*Head-Quarters, Calcutta, 29th December*, 1834.

The Order by Brigadier-General R. Stevenson, C. B., Commanding the Troops on Service in Rajwarra, dated the 10th instant, directing Assistant Surgeon W. H. Rogers, of the 4th L. C., to receive medical charge of the 22d Regt. N. I. from Surgeon G. T. Urquhart, who proceeds with Brigadier J. Kennedy's Detachment, is confirmed.

The Allahabad Garrison Order of the 15th instant, appointing Surgeon J. Eckford, of the 12th Regt. N. I., to officiate as Superintending Surgeon, on the departure of Superintending Surgeon T. Tweedie, and directing officiating Garrison Assistant Surgeon R. J. Brasses to receive medical charge of the 12th Regt. N. I., is confirmed as a temporary arrangement.

The appointment on the 8th instant, by Brigadier C. S. Fagan, C. B. of Lieut. and Adjutant H. W. Burt, of the 46th Regt. N. I. to officiate as Deputy Judge Advocate at the Native General Court Martial directed to assemble at Neemuch by General Orders of the 25th ultimo, is confirmed.

The Sirhind Artillery Division Order of the 14th instant, appointing Sergeant A. Owen and Gunner D. McCarthy to act as Laboratory men during the ensuing practice season, is confirmed.

The Kurnaul Station Order of the 15th instant, directing Sergeant George Faichne, of the Delhi Magazine Establishment to remain, during the practice season, in charge of the Ordnance Stores at Kurnaul, is confirmed.

The Mhow Station Order of the 27th ultimo, appointing Gunner Edward Smyth, of the 2d Troop 3d Brigade Horse Artillery, to officiate in the Department of Public Works, during the absence, on duty of Sergeant Stubbs, is confirmed.

Lieut-Col. J. F. Dundas's Battalion Order of the 19th ultimo, appointing Bombardier Lazenby to act as Camp Color-man to the detachment of the 2d Battalion Artillery with Brigadier General Stevenson's Force, is confirmed.

The Right Honorable the Commander-in-Chief is pleased to make the following removals and postings in the Regt. of Artillery:

Captain W. J. Macvitie, from the 2d Company 3d Battalion to the 4th Company 3d Battalion.

Captain H. Rutherford, (new promotion) to the 2d Company 3d Battalion.

1st Lieut. E. F. Day, from the 1st Company 5th Battalion to the 1st Company 2d Battalion.

1st Lieutenant R. R. Kinleside (new promotion) to the 1st Company 3d Battalion.

2d Lieut. H. A. Carleton to the 3d Company 5th Battalion.

Conductor J. Hamilton, of the Ordnance Department, recently returned from furlough, is posted to the Arsenal of Fort William.

The undermentioned Officers have leave of absence:

25th Regt. N. I.—Lieut. G. Ramsay, from 18th December to 28th February 1835, to remain at Calcutta, on medical certificate.

2d Regt. N. I.—Ensign T. F. Pattenson, from 20th Dec. to 20th Dec. 1835, to proceed to Almorah, on medical certificate.

Subordinate Medical Department—Assistant Apothecary J. G. Scott, from 1st Jan. 1835 to 28th Feb. 1835, to remain at Dinapore, on private affairs.

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*Head Quarters, Calcutta, 30th December*, 1834.

The following Orders issued by Major General the Honorable J. Ramsay, Commanding the Meerut Division, under dates the 11th, 16th, 17th and 18th instant, are confirmed:

*11th December*—Approving of the Landour Depôt Order of the 30th Nov., appointing Sergeant William Ennis, of His Majesty's 11th Light Dragoons, to act as Sergeant Major, Cor-

poral William Humphries, of His Majesty's 11th Light Dragoons, to act as Hav Sergeant, King's Troops, and Hospital Apprentice James Brown to act as Assistant Steward to the Detachment of recovered Men proceeding to the plains.

Re-appointing Hospital Apprentice Charles Krefting, on his return from Cawnpore, to do duty with the Artillery at Meerut.

*16th December*—Appointing Hospital Apprentice (now Assistant Apothecary) George Oliver to act as Steward to the Hospital of His Majesty's 11th Light Dragoons, in the room of Gale deceased.

*17th December*—Directing Apprentice James Brown, who accompanied the Detachment of recovered Men from Lundour, in the capacity of Assistant Steward, to return to the Convalescent Depôt, and Appointing Assistant Apothecary Thomas Absalom to do duty with the Detachment as far as Cawnpore.

*18th December*—Directing Sub-Conductor Richard Killien to join and do duty in the Magazine at Agra.

The following removals are made;
Col. J. Youngs from the 3d to the 8th Regiment Light Cavalry.
Col. F. J. Johnston from the 8th to the 3d Regt. L. C.

*Head-Quarters, Calcutta, 31st December*, 1834.

Brigadier J Kennedy's Division Order of the 12th instant, directing Surgeon G. T. Urquhart, of the 7th Regt. L. C. to afford medical aid to the detachment of Sappers and Miners, and to the Engineer Establishment, during their separation from Brigadier General Stevenson's Head Quarters, is confirmed.

Major W. Stirling's Regimental Order of the 16th instant, appointing Lieut. J. Chilcott to act as Interpreter and Quarter Master to the 74th Native Infantry, in the room of Lieut. and Officiating Interpreter and Quarter Master W. T. Briggs, appointed Sub Assistant Commissary General, is confirmed as a temporary arrangement.

Lieut. A. DeFountain, of the 40th Native Infantry, now on leave at the Presidency, is directed to join and do duty with the Detachment of his Regiment now encamped at Balloo Ghaut.

Lieut. J. Ewart, of the 55th Regt. N. I., having been declared by the Examiners of the College of Fort William to be qualified for the duties of an Interpreter, is exempted from further examination in the Native languages.

The undermentioned Officers have leave of absence;

District Staff—Brigadier H. Bowen, from 31st Dec. to 31st Jan. 1835, in extension, to remain at the Presidency, on private affairs.

District Staff—Captain W. Parker, Major of Brigade, Mhow, from 25th Jan. 1835, to 25th April 1835, in extension, to remain in the Hills west of the Jumna, on medical certificate.

# SHIPPING REGISTER.

## ARRIVALS.

Jan. 2 Ship *Euphrates*, A. Hannay, from Liverpool 25th August.
— Brig *Sir Archibald Campbell*, C. Robertson, from Marcanum 30th October, and Chedduba 21st Dec.
— Brig *Corsair*, R. Richardson, from Moulmein 20th December.
7 Brig *Marinus*, G. Patterson, from London 8th February, Port Jackson 6th October, and Singapore 10th December.
15 Brig *Frank* E. Searight, from Liverpool 14th July, and Port Louis 19th October.
16 Ship *Indiana*, J. Webster, from Hobart Town and Sydney 7th October, and Singapore 17th December.
— Ship *Lucretia*, J. Minshead, from Sydney 18th September, and Singapore 18th December.
— Burmese schooner *Charles Stuart*, D. Davis, from Rangoon 30th December.
19 Ship *Forth*, C. Robinson, from China 4th, Singapore 17th, and Penang 28th December.
20 H. M. ship *Curaçoa*, D. Dunn, from Moulmein and Juggernath (no date.)
— H. C. steamer *Enterprize*, C. West, from Masulipatam 6th January.
24 Ship *Childe Harold*, R. Lancaster, from London 1st September.
25 Barque *Thetis*, C. Clarke, from China 10th and Singapore 25th December.
26 Ship *Malcolm*, J. Eyles, from London 23d August, and Plymouth 1st September.
— Barque *Fanny*, R. Edwards, from Marcanum 29th December.
27 Portuguese barque *Snr. Francisco de Paula*, J. F. de Sena from Macao 7th December and Penang 8th January.
28 Ship *Susan*, S. Addison, from Sydney 9th September, and Hobart Town 3d November.
Jan. 28 Barque *Africaine*, J. Duff, from Marcanum 25th December.
— Brig *Jessy*, J. Auld, from Penang 19th December.
29 Ship *Catherine*, B. Fenn, from London (Downs) 4th, and Lands-End 9th September, and Table Bay 22d November.
30 Ship *Fergus*, Geo. Mason, from Greenock 24th August.

## DEPARTURES.

Jan. 3 Ship *Hibernia*, R. Gillies, for London.
— Ship *Coromandel*, Thomas Boyes, for London.
— American ship *Mount Vernon*, T. M. Saunders, for Boston.
5 Barque *Derrea Dowlut*, Nacoda, for Bombay.
7 Ship *Resolution*, G. Jellicoe, for Arracan.
8 Ship *Lord Hungerford*, C. Farquharson, for London.
— Ship *Macqueen*, H. Thompson, for London.
11 Barque *Water Witch*, A. Henderson, for China.
12 Arab ship *Mellekel Bahar*, Haijee Almass, for Mocha and Judda.
— Arab ship *Fattlemoin*, Syed Mahomed, for Judda.
18 H. C. C. ship *London*, J. Wimble, for London.
20 Barque *Donna Carmelita*, Charles Edwards, for Kyouk Phyoo.
— Barque *Arab*, J. S. Sparks, for Kyouk Phyoo.
21 Ship *Hashmy*, A. Stuart, for London.
27 Arab ship *Futta Salem*, Shaik Hajee Farrass, for Judda.

## ARRIVAL OF PASSENGERS.

*Per Euphrates, from Liverpool.*—Mrs. Allen, Mrs. McKinnon, Mrs. Hore; Misses Church, Emma, and Anna Hunter; Doctor John Allan, Bengal Establishment; Lieut. W. Hore, 18th Regt. N. I.; Messrs. R. H. Brown and K. McIver, Merchants.

*Per Sir Archibald Campbell, from Madras.*—P. J. Philipez, Esq. and Mr. John Harrold.

*Per Corsair, from Moulmein.*—Mrs. Tingate; Messrs. J. Darwood, Tingate, and Hardee.

*Per Lucretia, from Sydney.*—Captain P. Hopkins, Bengal Army.

*Per Forth, from Singapore.*—Mrs. Apear and 4 children and Mr. Apear. *From Penang*—Mrs. Sykes; Miss Lawson; and Mr. Sykes.

*Per Childe Harold.*—Mrs. Minchin, Mrs. Smithson, Mrs. Brightman, Mrs. Blenkin; Misses Blenkin and A. Blenkin; Miss Brightman (an infant); Jas. Minchin, Esq., Barrister at Law; W. Smithson, H. G. Brightman, Thos. Blenkin, H. Carne, and C. Rawson, Esquires, Merchants; Lieut. W. P. Robins, 15th B. N. I.; D. H. Crawfurd, Esq., Writer; Mrs. Silver, Steerage Passenger.

*Per Thetis, from China.*—Messrs. Morrison and Henderson, Merchants.

*Per Malcolm, from London.*—Mrs. Benson, Mrs. O'Neil, Mrs. McNair; Misses Bury, Dixon, Scott and Clarkson; John Griffith Cook, and W. H. Benson, Esqrs., Civil Service; Captain O'Neil, H. M. 44th Regt.; Captain White, 50th B. N. I.; Lieut. McNair, 73d B N. I.; Lieut. D. Cooke, 56th B. N. I.; Lieut. Hatton, H. M. 62d; Messrs. Anderson and Allen; Detachment of H. M. Regiment 58 men and 3 women.

*Per Snr. Francisco de Paula, from Macao.*—A. A. de Mello, Esq., Merchant; and T. V. Bainbridge, Esq. *From Penang*—Mrs. Abbott and child; W. H. Abbott, Esq; and L. J. Lucas, Esq., Merchant.

*Per Susan, from Sydney.*—Lieut.-Col. Gough, Capt. R. Butler, Madras Army; Lieut. Bullock, Nizam's Service, Cornet Loughnan, Fort Adjutant; W. C. Ross, Esq. Surgeon; Messrs. Smyth, Bakerton, Ross, and Antrig: and Mrs. Ross.

*Per Jessy, from Penang.*—Five liberated Convicts.

*Per Catherine, from London.*—Mrs. White, Mrs. Mackay, Mrs. Betts, and Mrs. Gibson; Misses Perret, Nicholson, and Betts; Capt. Gibson, B. N. I.; Ensign Chamberlain, H. M. 3d Regt. or Buffs; Alfred Betts, Esq. Merchant; Mr. Henry Weaver, Cadet; Mr. James Read, Masters Betts, and Wm. Lord, returning to India.

*Per Africaine, from Madras.*—Mr. F. McGregor, R. N.

## DEPARTURE OF PASSENGERS.

*Per Duke of Bedford, for London*—Mrs. Ward, Mrs. Mainwaring, Mrs. Col. Frith, Mrs. Erskine, Mrs. Batten; Misses Frith, Erskine, Marshall and Beaumont; Mr. J. P. Ward, C. S.; Lieut.-Col. Cheape; Lieut.-Col. Frith, Artillery; Lieut.-Col. Hay, B. N. I. *Children*—Misses Frances Ward, Henrietta Ward, Ellen Etison, Amelia Batten, and Catherine Batten; Masters George Ward, George Batten, Ralph Etison, Francis Etison, La Marchand, La Marchand, Sherman, Sherman, J. Frith, and R. Mainwaring.

*Per Coromandel, for London.*—Mrs. Moore, Mrs. Thomson and 2 children, Mrs. Taylor and 3 children, Mrs. Mansel and 2 children, Mrs. Browne and 4 children, Mrs. Gray and 2 children; Miss Sievwright; Lieut.-Col. Moore; Major Thomson; Captain H. P. Brown; Captain Gray; Mr. Lackersteen; Mr. DeMello; 2 Masters Richmond; 2 Masters Steel; Masters Davidson, and Sievwright.

*Per Cornwall, for London.*—Mrs. Col. Simpson, Mrs. Jackson, Mrs. Wood, Mrs. Brown, Mrs. Reynolds; Miss Imlach; Colonel Simpson; Captains Houghton, Tomlinson, and Wood; Lieuts. Waddington, Sluish, and Bott; Messrs. Brown and Glasgow; Doctor Turnbull. *Children*—Misses Simpson and Brown; 3 Misses Turnbull; 2 Misses Low; Misses King, Wood, and DeBret; 2 Masters Jackson; Masters Newmarch and Brooke; 2 Masters Turnbull; Masters Bell, Simpson, and Brown.

*Per Elphinstone, for London.*—Captain Donald Stewart, H. M. 3d Buffs, in charge of troops. *For Madras*—Mrs. Gordon; Captain Gordon; Mr. Morris, Civil Service; Captain Fitzgerald, A. D. C. to Sir Frederick Adam; Lieut. Blagrave; and the French Company, consisting of 2 Ladies and 4 Gentlemen.

*Per Andromache, for Bombay.*—Mrs. Sleigh and family; Mrs. Davidson; General Sleigh; Captain Davidson; Lieutenant Walker; and — Bates, Esq.

*Per H. C. steamer Enterprize, for Masulipatam.*—Sir Frederick Adam, K. C. B.; Major Hodges, Private Secretary; Major Limond, Military Secretary; Captains Maclean and Airey, A. D. C.s; Captain J. A. Moore, lady and child; Mr. Wheatly and lady.

*Per Water Witch.*—Messrs. Braine, Shaw and Richmond.

*Per St. George.*—Mrs. Campbell, Mrs. Dyer, Mrs. C. K. Robison, Mrs. Garrett; Major Jenkins; Dr. Dyer; R. B. Garrett, Esq., Civil Service; Robert Syme, Esq.; Dr. Davenport; Lieut. Sanders, Artillery; Lieut. Adams, 24th N. I.; Mr. Kenderdine, B. P.; Misses J. and M. Bean; Masters J. Bean, C. Bean, Campbell, M. Campbell, J. Dyer, W. Dyer, J. Robison, H. Robison, Hy. Robison, H. Guthrie and D. C. S. Oman.

*Per Orontes, for London.*—Mrs. E. Currie, Mrs. Brunoe; Misses F. Taylor, H. Tilghman and G. Currie; E. Currie, Esq., Civil Service; G. T. Lushington, Esq., Civil Service; Messrs. Brunoe, Hunter and Wright; Masters W. Taylor, R. Tilghman, and J. Garainer. *For Madras*—Mrs. Colonel Grant; Lieuts. Bower and Steer.

*Per Asia, for Madras.*—Rev. Mr. Teixera and Doctor Berwick, H. C. Service.

*Per Albion, for London.*—Mrs. Newton, Mrs. Monteith and 2 children; Miss Kent; Capt. Newton, 44th Regt. N. I.; Capt. Ludlow, 20th Regt. N. I.; Lieut. Monteith, 69th Regt. N. I.; Lieut. Steuart, 2d H. C. European Regiment; Lieut. Goddard, 44th Regt. N. I.; Lieut. Wilson, 27th Regt. N. I.; and Captain Peach Brown, 29th Regt. N. I.

*Per London.*—Mesdames Anderson, Matheson, Gibbon, Anderson, Barnes, Cleghorn, and Darlington; Colonel Aderson, H. C. S.; Major E. Jeffery, 43d N. I.; Andre Anderson, Esq.; Robert Barnes, Esq.; Misses Grace Matheson, Mary Gibbon, Lucy Gibbon, Emily Barnes, and Ellen Barnes; Masters Thomas Matheson, John Matheson, Thomas Gibbon, James Gibbon, John Fulton, James Fulton, Robert Fulton, Parker, Peard, Twentyman, Huttman, and Servants.

*Per City of Edinburgh.*—Colonel Hawthorn, lady and family; Revd. H. S. Fisher, lady and family; the lady and family of F. Lloyd, Esq. H. C. S.

*Per ship Macqueen for London.*—Mrs. Boddam; Mrs. Williamson; Mrs. Hogg; Mrs. Littler; Mrs. Hunter; Mrs. Pigot; Mrs. Boyd; Miss Bridgman; R. H Boddam, Esq.; Charles Hogg, Esq.; Lieut.-Colonels Hodgson, Littler and Oliver; Captain Holmes; Lieuts. Innes and Hungerford. *Children*—3 Misses Hunter; 2 Misses Dennil; 2 Misses Littler; Miss Hogg; Miss O'Dowda; 2 Misses Pigot; 2 Masters Boddam; Masters Hunter and Dickens.

*Per Nancy.*—Theodore Petera, Esq.; Charles Murphy, Esq.; Mr. Spence and child; — Peychere, Esq. and child.

*Per Casimir Perrier.*—Misses Martin and Gervain; Master C. Gervain; and Monrs. C. Gerand.

*Per Fergusson, for London.*—Lady Bryant, Mrs. Tytler, Mrs. Jackson; Mrs. Malim; Sir J. Bryant; Dr. Tytler; P. E. Patton and W. Ogilvie, Esqrs., Civil Service; J. Goldsworthy, Esq.; Captain Hailes, N. I.; Lieut. Pillans, and Mr. Griffiths, Artillery; 3 Misses Bryant and Tytler; Masters Bryant and 2 Goldsworthys.

*Per Philanthrope, for Bordeaux.*—General Allard and family; Monsr. Meffredi; and Monsr. Fabre.

*Per Broxbornebury for London.*—Mrs. Henry Middleton, Mrs. Montegue Ainslie, Mrs. Charles Campbell, and Mrs. Laws; George Saunders, Montegue Ainslie, and David Scott, Esqrs., B. C. S.; Major John Grant; Lieut. Charles Darby; Mr. Roberts. *Children*—Misses M. B. Middleton, C. M. Dougal, and C. Campbell; Masters G. Ainslie, C. F. Middleton, H. Doyly Torrens, J. G. Dougal, J. W. Campbell, and — Laws. *Steerage Passengers*—Mrs. Hay, Mrs. Molloy, Mrs. Brown, and Johannah; Francis Gomez, Jas. Anderson, and John Jones.

*Per Bland, for Liverpool.*—Mrs. Thomas; His Highness Prince Jameh-ood-deen; Dr. Thomas, Superintending Surgeon; Dr. A. Murray, M. D.; Captain McNab, H. M. 3d Buffs; Lieut. Stubbs, 49th N. I.; W. B. Mosley, Esq., 10th Light Cavalry; Wm. Turner, Esq.; J. Findlay, Esq.; J. Humphreys, Esq.; and 6 children.

*Per Golden Fleece, for Liverpool.*—Mrs. G. Pearson; Messrs. G. Pearson and J. L. Newton.

# DOMESTIC OCCURRENCES.

## MARRIAGES.

*Dec.* 15 At Chittoor, H. A. Brett, Esq., C. S., to Jane Maria, second daughter of Chas. Roberts, Esq , C. S.

23 At Cawnpore, by a special license, by the Revd. M. J. Jennings, Mr. J. A. B. Campbell, Head Assistant Commissariat Office, Benares, to Charlotte, eldest daughter of Mr. Thos. Fullor, Cawnpore.

24 At Benares, P. G. Cornish, Esq., 38th Regt. N. I., to Mary Ann, third daughter of the late Colonel J. Meiselbach.

*Jan.* 1 At the Cathedral, by the Revd. T. Robertson, C. A. Cantor, Esq., to Miss Charlotte Catherine Wilkinson, youngest daughter of the late Lieut. Col. H. W. Wilkinson and Lady Carlotte Hesilrige.

— At Burdwan, R. H. Scott, Esq., of the Civil Service, to Elizabeth Ann, eldest daughter of James Curtis, Esq., of the same Service.

— At the Cathedral, by the Revd. T. Dealtry, Thomas R. Wheatley, Esq., of the Madras Civil Service, to Eliza, eldest daughter of the late William Moxton, Esq.: Lord and Lady William Bentinck and Sir Frederick Adam honored the ceremony with their presence.

2 At the Cathedral, by the Revd. T. Robertson, Mr. J. B. Livesay, indigo planter, to Miss Caroline Kerr.

— At Sirdhanah, in St. Maria's Cathedral, by the Revd. Father Julius Cæsar, M. A., Vicar of Sirdhanah, Captain Robert Walter Dubignon de Talbot, Commanding Her Highness the Begum Sumroo's Body Guard, to Miss Helen Moses, sister-in-law of General Ventura, His Highness Maharaja Runjeet Singh's Service.

3 At St. John's Cathedral, by the Revd. T. Robertson, Mr. G. Clermont, to Miss Julia Marriott, youngest daughter of the late Mr. Thomas Marriott, of Tirhoot, indigo planter.

5 At the Cathedral, by the Revd. Mr. Dealtry, G. Delabat, Esq., indigo planter, of the Hareah Coseree, Kishenaghur, to Miss E. S. D'Rozario.

— At Muzzufferpore, John Waler, Esq., Civil Service, to Jane Elizabeth, eldest daughter of C. R. Richardson, Esq., Tirhoot.

10 Mr. William Frenshan, to Miss Eliza Braham.

17 At Chinsurah, Lieut. G. H. Smith, H. M. 44th, to Miss Bland.

21 Mr. Charles Jackson Sutherland, to Miss Harriet Sutherland.

22 At the Cathedral, Lieut. Patrick Nicolson, of the 28th Regiment N. I., to Mary, youngest daughter of the late Major William Mitchell.

— By the Revd. Mr. Hill, in the Mission Chapel at Berhampore, Mr. Thomas Cussons, of the London Missionary Society, to Miss Sarah Jones.

— At the Cathedral, by the Revd. T. Robertson, Mr. George Martin, to Eliza Maria, eldest daughter of Mr. Henry Babonau.

24 W. H. Twentyman, Esq., to Miss Eleanor Black.

27 At the house of the Revd. William Moore, by the Revd. A. Leslie, (Baptist Missionary), C. C. Russell, Esq. of Daudnagur Factory, zillah Gya, to Sarah, second daughter of Revd. William Moore.

31 At the Cathedral, by the Revd. T. Robertson, Mr. John Babonau, to Miss Anne Gibson, eldest daughter of the late Doctor Gibson, of the H. C. Service.

*No date.* At St. John's Cathedral, by the Revd. T. Robertson, Mr. Charles Ellison Methold, to Mrs. Margaret Dashwood.

## BIRTHS.

*Dec.* 6 At Moulmein, the lady of Captain Stockwell, Paymaster to the Troops in the Tenasserim Provinces, of a son.

9 At Neemuch, the lady of Major John Herriog, of the 37th Regt. N. I., of a son, still-born.

12 At Juggernaikpootam, the wife of Mr. Francis Lloyd, of a daughter.

14 At Cawnpore, the lady of Captain L. H. Smith, 6th Light Cavalry, of a daughter.

21 At Lucknow, the lady of Lieut. and Adjutant William Blackwood, 59th N. I., of a daughter.

— At Chittagong, Mrs. William Kennedy, of a son.

— At Mynpoory, Mrs. A. Smith, the wife of Mr. George Fortunatus Smith, Head Assistant Collector's Office, of a son.

23 Mrs. J. E. Gomes, of a daughter.

25 At Bangalore, the lady of Captain Willoughby Osborne, Deputy Judge Advocate General, of a daughter.

26 At Juggernaikpooram, the wife of Mr. John Paulies, of a son and heir.

30 At Cawnpore, the lady of J. S. Chapman, Esq., 16th Queen's Lancers, of a son.

31 Mrs. Geo. Cattell, of a daughter.

— At Goruckpore, the lady of Lieut. Henry MacGeorge, of the 7th Regt. N. I., of a son.

*Jan.* 1 At Intally, Mrs. J. Raban, of a son.

— At Serampore, Mrs. J. D'Cruze, of a son.

2 Mrs. G. Smith, of a daughter.

— The wife of Mr. Howitson, of a son.

— Mrs. Michael D'Rozario, of a son.

5 At Kidderpore, Mrs. William Trotter, of a daughter.

— The wife of Conductor G. Forrest, of the Ordnance Commissariat, of a son.

6 At Serampore, the lady of Edward Sauford, Esq., of a daughter.

— At Chinsurah, Mrs. Philip Barber, of a son.

7 Mrs. C. Kiernan, of a son.

— At Kurnaul, the lady of Lieut. Col Wymer, Commanding 61st Regt., of a daughter.

8 Mrs. F. H. Peterson, of a son.

9 Mrs. J. Carter, of a son.

— At Berhampore, the lady of G. W. Battye, Esq., C. S., of a son.

— At Bangalore, the lady of Captain J. C. Coffin, Paymaster Mysore Division, of a daughter.

10 At Dum-Dum, the lady of Captain T. A. Vanrenen, Artillery, of a daughter.

12 Mrs. E. Chalcraft, of a son.

— At Jeetwarpore, Tirhoot, the lady of J. Thomson, Esq., of a son.

13 Mrs. Richard Evans, of a son.

— At Lucknow, the lady of Captain Grant, Major of Brigade, of a son.

14 At Chinsurah, the lady of the Revd. W. Morton, of a daughter.

15 At Futtehghur, the wife of Mr. Thomas Lambert, Station Clerk, and Schoolmaster, of a son.

— At Mynpoorie, the lady of Dr. Andrew, of a son, still born.

16 The wife of Mr. George Brown, of a daughter.

— At Jeetwarpore, Tirhoot, the lady of T. Sherman, Esq., of a daughter.

17 At Chandernagore, the lady of F. Courjon, Esq., of a daughter.

— At Patna, the lady of S. Davies, Esq., Civil Assistant-Surgeon, Patna, of a son.

— At Futtehghur, the lady of James Thornhill Mellis, Esq., C. S., of a daughter.

*Jan.* 18 The lady of G. S. Dick, Esq., of a son.
— The wife of P. Durand, Esq., of Nessinpoor Factory, Jessore, of a daughter.
— The wife of Mr. Joseph Dessa, of a daughter.
20 Mrs. J. B. Gardener, of a son.
— At Arrah, Mrs. J. P. Dessa, of a son.
21 The lady of J. F. M. Reid, Esq., Civil Service, of a son.
22 Mrs. G. H. Stapleton, of a daughter.
— At Dacca, Mrs. George Kallonas, of a son.
23 At Kurnaul, the lady of Major Wallace, of a daughter.
24 Mrs. J. Haulon, of a son.
26 At Ghazeepore, the lady of Captain G. R. Carmac H. M. 3d Regiment or Buffs, of a daughter.
28 At Banjetty, Moorshedabad, the lady of C. H. Boisragon, Esq. of a daughter.
29 The lady of Captain J. Randle, of a daughter.
30 The lady of W. M. Dirom, Esq., C. S. of a daughter.

DEATHS.

*Aug.* 14 At Elwick, near Hobart Town, Van Diemen's Land, Elinor Howell, the lady of Captain William Bell. Bengal Horse Artillery, aged 29 years and 8 months
*Nov.* 17 On board the *Experiment* Flat, at Revelgunge, Master Charles Oakes, aged 16 years.
*Dec.* 14 At Mynpoorie, William Patrick, the only son of Dr. W. P. Andrews, aged 4 years.
18 At Neemuch, Colonel J. Robertson, of the 46th Regt. N. I.
21 At Gowahutti, in Assam, Captain H. J. G. B. Calhcart, Junior Assistant to the Governor-General's Agent.
24 At Ootacamund, William Bathie, Esq., Barrister at Law.
31 At Cawnpore, the infant son of J. S. Chapman, Esq, 16th Queen's Lancers.
*Jan.* 1 At Midnapore, the son of J. H. D'Oyly, Esq., Civil Service, aged 16 months and 27 days.
2 At Dacca, the wife of Major R. Blackall, Commanding 50th Regt. N. I.
— Captain Charles Gray, of the barque *Dona Carmelita*, aged 50 years.
3 At Futtehghur, Lieut. James Fisher, Interpreter and Quarter-Master 1st Regt. N. I.
*Jan.* 7 Mrs. M. T. Pelling, aged 67 years
8 Lieut. George Borradaile, Brigade Major, Barrackpore, aged 29 years.
9 At Neembarah, George Davidson, the infant son of William Thomson, Esq., Assistant Surgeon, aged five months.
10 On board the *Lord Hungerford*, Alfred Plane, Esq., 2d Officer and Purser of the Ship.
— At Meerut, Mr. Richard Sidley, of the Horse Artillery, aged 38 years.
12 John Bagot Lawler, son of Mr. Robert Lawler, aged 16 months.
— At Berhampore, Isabella, the wife of Mr. Sub-Conductor Ablett, D. P. W., aged 39 years
— Colour Serjeant J. S. Dickson, of H. M.'s 44th Regt., aged 49 years.
13 At Culpee, on board the brig *London*, whilst proceeding on his passage to England, William Sutton, Esq., Merchant, and late of Liverpool.
14 At Mynpoorie, the infant son of Anna and George Fortunatus Smith, aged 23 days.
18 Miss Anna Chaffin, aged 67 years and 7 months.
20 Miss Martha Oldknow, of the Upper Orphan School, aged 12 years.
21 On board the *Albion*, Captain Richard Newton, 44th Regt. N. I.
23 Mrs. Fanny O'Halloran, the lady of Colonel J. O'Halloran. C. B
25 Samuel Richard, the son Mr. Francis Harvey, aged 20 years, 9 months and 6 days.
29 Mrs. C. M. Desaa, wife of Mr. Joseph Dessa, of the Marine Board Office, aged 24 years, 2 months and 24 days.
— At Dum-Dum, Helen Henrietta, third daughter of Bazar Sergeant Chaunce, aged 9 years, 8 months and 15 days.
30 Mr. John Tanner Rotton, aged 19 years and 6 months.
31 Mrs. Louisa Maria Heberlet, wife of Mr. John Heberlet, aged 20 years, 8 months and 15 days.
*No date* At Allipore, Captain Joseph Hatfield, of the ship *Hashmy*, aged 44 years.

# ADMINISTRATIONS TO ESTATES.

| ESTATES OF | EXECUTORS, ADMINISTRATORS, &c. |
|---|---|
| Bagram, S. P., *of Calcutta* | Registrar Supreme Court, Administrator, (with Will annexed.) |
| Borradaile, G., *Lieutenant 49th N. I.* | A. Muller, Executor. |
| Brown, John, *of Calcutta* | Registrar Supreme Court, Administrator. |
| Haynes, W., *of Mirzapore* | J. S. Pelletreau, and R. C. Paton, Executors. |
| Hore, W., *Major H. M.'s 67th Foot* | Registrar Supreme Court, Administrator, (with Will annexed.) |
| Leake, T., *Surgeon* | Lieutenant Colonel A. Galloway, Executor. |
| Lidiard, Rozetta Cecelia, *of Calcutta* | T. W. Lidiard, Administrator. Cockerell and Co. his Agents. |
| Mackenzie, G., *Captain H. M.'s 14th Foot* | Registrar Supreme Court, Administrator, (with Will annexed.) |
| Maclachlan, J. J., *Firm of Mackenzie, Lyall and Co.* | J. N. Lyall, Executor. |
| Matheson, P. G., *Captain Artillery* | Mrs. M. Matheson, the Widow, Executrix. |
| Mathews, B., *Captain Royal Navy* | Registrar Supreme Court, Administrator. |
| Maver, G., *Captain 19th N. I.* | Ditto ditto ditto. |
| Maxwell, John, *of Cawnpore* | Captain J. Tritton, and Mrs. F. Tritton, his wife, Administrator and Administratrix. Shedden and Co. their Agents. |
| Nicoll, J., *Serjent 17th N. I.* | Lieutenant-Colonel S. Hawthorne, Executor. |
| Parr, Thos., *formerly of Bencoolen, Civil Service* | Registrar Supreme Court, Administrator, (with Will annexed.) |
| Ramkissen Mitter, *of Calcutta* | Rajkissore Mitter, Administrator. |
| Sutton, W., *of Calcutta, Merchant* | W. Storm, and J. Crooke, Executors. |
| Thomas, O. B., *Lieutenant 19th N. I.* | Registrar Supreme Court, Administrator. |
| Thompson, Jas., *of Dacca* | J. L. Wilkie, and C. Butcher, Executors. |

# GENERAL REGISTER.

## CIVIL APPOINTMENTS, &c.

### ORDERS BY THE RIGHT HONORABLE THE GOVERNOR OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments:

DECEMBER 27, 1834.

The Honorable R. Forbes to be Joint Magistrate as well as Deputy Collector of Burdwan.

JANUARY 6, 1835.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. C. K. Martin to officiate as Civil and Session Judge of Midnapore.

Mr. C. W. Steer to officiate as Commissioner of Revenue and Circuit of the 13th or Bauleah Division.

Mr. C. Tottenham to officiate as an Assistant under the Joint Magistrate and Deputy Collector of Noacolly.

Ram Mohun Rai to officiate as Principal Sudder Ameen in Zillah Dacca.

The following Officers have obtained leave of absence from their Stations:

Mr. H. J. Middleton, Commissioner of the 15th or Dacca Division, for twenty days, on private affairs, in extension of the leave granted to him on the 27th October last.

Mr. A. Dick, Civil and Session Judge of Midnapore, for five months, on medical certificate.

Mr. T. W. Burt, Assistant Surgeon at Furreedpore, for a fortnight, in extension of the leave granted to him on the 20th October last.

The following Officers have obtained leave of absence from their Stations:

Moulavee Ahmud Yakoob, Principal Sudder Ameen at Dacca, for three months, on medical certificate.

JANUARY 10.

Mr. W. Cracroft, Civil and Session Judge of Dacca, and officiating Commissioner of the 15th or Dacca Division, for one month, on medical certificate. Mr. C. J. Middleton is appointed to receive charge of the Commissionership and to officiate as Commissioner until the return of Mr. H. J. Middleton to his station. Mr. T. Scott will receive charge of the current duties of the office of Civil and Session Judge of Dacca from Mr. Cracroft, which he will discharge in addition to the duties of his own office. On Mr. H. J. Middleton's resuming charge of his own office, Mr. C. J. Middleton will relieve Mr. Scott, and will officiate as Civil and Session Judge of Dacca during the absence of Mr. Cracroft, or until further orders.

Mr. K. Mackinnon, M. D., Assistant Surgeon of Tirhoot, for two months, on private affairs, in extension of the leave granted to him on the 15th September last.

Moulavee Izzut Ulee, Principal Sudder Ameen at Nuddeah, for fifteen days.

JANUARY 12.

Mr. D. Scott, Collector of Burdwan, for one month, from the 8th instant, in extension of the leave granted to him on the 24th ultimo.

JANUARY 13.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. Charles Tucker to officiate as Commissioner of Revenue and Circuit of the 11th or Patna Division.

Mr. C. C. Jackson to officiate as Magistrate and Collector of Bhaugulpore.

The following Officers have obtained leave of absence from their Stations.

Mr. J. French, officiating Collector of Dinapore, for one month, in extension of the leave granted to him on the 24th November last.

Mr. C. R. Martin, Civil and Session Judge of Sylhet, for seventeen days, in extension of the leave granted to him on the 10th ultimo.

Lieutenant P. Nicolson, Principal Assistant to the Agent to the Governor-General under Regulation XIII, 1833, for twenty-two days, on private affairs.

JANUARY 16.

His Excellency the Right Honorable the Governor-General of India in Council has been pleased to make the following appointments:

Lieut. J. R. Lumsden, 63d Regt. N. I., to do duty with the Arracan Local Battalion.

Lieut. C. R. Browne, 60th Regt. N. I., ditto ditto.

Ensign C. M. Shairp, 61st ditto ditto, ditto ditto.

Lieut. F. G. Backhouse, 68th ditto ditto, to do duty with the Assam Local Battalion.

Lieut. W. Shortreed, Left Wing European Regt. ditto ditto.

Ensign J. H. Garrett, 30th Regt. N. I., ditto ditto.

The Right Honorable the Governor of Bengal has been pleased to make the following appointment:

Moulavee Sadaqutoollah to be a Principal Sudder Ameen in Zillah Chittagong, in the room of Moulavee Abdoollah deceased.

JANUARY 17.

The following Officers have obtained leave of absence from their Stations:

Mr. C. C. Jackson, Joint Magistrate and Deputy Collector of Moorshedabad, in extension of the leave granted to him on the 27th October last, to the date of his appointment to officiate as Magistrate and Collector of Bhaugulpore.

JANUARY 22.

Mr. W. Money, Commissioner of Revenue and Circuit of the 14th or Moorshedabad Division, for five days, on private affairs.

Mr. J. H. Patton, Acting Civil and Session Judge of Beerbhoom, for one month, on private affairs. Mr. W. J. H. Money will discharge the current duties of the Civil and Session Judge's Office during Mr. Patton's absence, or until further orders.

Mr. J. W. Macleod, Second Commissioner of the Court of Requests, for one month, on private affairs.

Mr. A. Wilson, Assistant Surgeon of Bauleah, for seven days, on private affairs, extension of the leave granted to him on the 10th ultimo.

His Excellency the Right Honorable the Governor General of India in Council is pleased to make the following appointments:

Lieut. F. Makeson, of the 4th Regt. N. I., to be British Agent for the navigation of the Indus and Sutlej stationed at Mithenkote.

Syud Azeem-oo-deen to the Native British Agent for the Navigation of the Indus, to be stationed at such month of the River as may be determined by the Governor General's Agent for the affairs of Sindh.

Jeth Anund to be ditto, ditto stationed at Hydrabad.

Sher Ali Khan to be ditto, ditto stationed at Herreekee.

JANUARY 26.

His Excellency the Right Honorable the Governor General of India in Council has been pleased to appoint Lieut. John Miller, 26th Regt. N. I., to do duty with the Assam L. I. Battalion.

The following Officers has obtained leave of absence from his Station.

Mr. R. Torrens, Joint Magistrate and Deputy Collector of Maldah, for one month, on private affairs.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. W. M. Dirom to officiate as Joint Magistrate and Deputy Collector of Maldah, during the absence of Mr. Torrens.

JANUARY 27.

Mr. S. T. Cuthbert to be Civil and Session Judge of Behar.

Mr. W. Dent to be ditto ditto of Shahabad.

Mr. G. J. Morris to be ditto ditto of Patna.

Mr. T. R. Davidson to officiate as Civil and Session Judge of Shahabad until the arrival of Mr. Dent, or until further orders.

The following Officers have obtained leave of absence from their Stations:

Mr. P. E. Patton, Commissioner of Revenue and Circuit of the 13th or Bauleah Division, in extension of the leave granted to him on the 23th ultimo, till the sailing of the Ship *Fergusson*, on which he has taken his passage to Europe.

Mr. A. Smith, Assistant Surgeon of the Civil Station of Jessore for a fortnight, on private affairs.

The following Officers have obtained leave of absence from their Stations.

JANUARY 31.

Mr. C. G. Udny, officiating Civil and Session Judge of Dinapore, for four months, on medical certificate Mr. G. U. Yule will conduct the current duties of these offices during Mr. Udny's absence, or until further orders.

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FORT WILLIAM, GENERAL DEPARTMENT, JAN. 5, 1835.

Mr. Robert Birch Garrett, Assistant to the Magistrate and Collector of Tippeyah, is permitted to proceed to England for one year, from the date of his embarkation, on urgent private affairs.

Mr. Rawson Hart Boddam, Commissioner of Revenue and Circuit of the 2d or Agra Division, is permitted to proceed for Europe on furlough, under sick certificate.

Mr. H. Palmer, Second Assistant to the Board of Customs, Salt and Opium, is appointed to take charge of the current duties of the Salt Agency and Superintendency of the 24-Pergunnahs during Mr. Plowden's absence on a tour of inspection of the Aurungs and Chowkies belonging to his jurisdiction.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. R. Walker to the First Deputy Collector of Government Customs at Calcutta.

Mr. W. Bracken to be Second Deputy Collector of ditto ditto

Mr. A. F. Donnelly to be First Assistant of ditto ditto.

JANUARY 12.

The leave granted under the Orders of Government of 3d November last, to Mr. Henry Pidock to proceed to Europe on furlough, in the present season, has been cancelled at his own request.

Mr. John Petty Ward embarked for Europe on board the private ship *Duke of Redford*, which vessel was left by the Pilot at Sea on the 6th instant.

Mr. Joseph Montgomery Hamilton is admitted to the Pilot Service as a Volunteer, from the 26th September last, under orders of the Honorable Court of Directors, dated 27th May, 1834.

Mr. R. Walker, First Deputy Collector of Customs at Calcutta, is permitted to be absent from his office, for a period of one month, on account of ill health.

JANUARY 16.

The Honourable C. R. Lindsay, the Salt Agent of Tumlook, has obtained leave of absence for a period of six months on account of ill health.

Mr. T. P. Marten is appointed to officiate as Salt Agent at Tumlook until further orders.

JANUARY 22.

Mr. Philip Eyles Patton, of the Civil Service, has been permitted to return to England in order to retire upon an Annuity of the year 1835.

Mr. Montague Ainslie, of the Civil Service, is permitted to proceed to Europe on furlough in the present season.

Mr. Robert Birch Garrett embarked for Europe on board the private ship *St. George*, which vessel was left by the Pilot at sea on the 20th instant.

Mr. W. R. Young, Secretary to the Board of Customs, Salt and Opium, has obtained the permission of Government to be absent from his duties for a period of one month, making over charge of his office to his Head Assistant Mr. S. G. Palmer.

Mr. A. C. Bidwell is appointed to officiate as Junior Assistant to the Secretary to the Board of Customs, Salt and Opium, until further orders.

The Right Honorable the Governor of Bengal is pleased to make the following appointments:

Mr. J. H. Barlow to be Salt Agent at Hijellee.

Mr. T. Plowden to be Salt Agent of the United Agencies of 24 Pergunnahs and Jessore.

Mr. J. Donnithorne to be Collector of Land Revenue of the 24-Pergunnahs.

Capt. T. T. Harrington, First Assistant to the Master Attendant, is permitted to proceed to Europe, with two years' leave, on account of private affairs.

JANUARY 26.

Mr. H. D. Crawford has this day reported his arrival as a Writer on this Establishment.

Mr. Mathew Malcolm has been permitted to proceed to Kishnagurh, and prosecute his study of the Oriental languages under the superintendence of the Magistrate of that District.

The following Civil Servants returned from furlough, are assigned to the Presidencies set against their names respectively:

Bengal—Mr. Charles Tucker.
Mr. Henry Moore.
Mr. Richard Macan.
Agra—Mr. Andrew Grote.
Mr. Richard Woodward.
Mr. George Lindsay.

Mr. Andrew Ross Bell, Assistant to the Resident at Katmandoo, has been transferred to the Agra Presidency, and will proceed to Allahabad to place himself under the Orders of the Governor of Agra.

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POLITICAL DEPARTMENT, FORT WILLIAM, JAN. 7, 1835.

Resolution.—It being necessary for the entire suppression of the horrible system of assassination called Thuggee, which has recently been ascertained to prevail to a most lamentable extent over the greatest part of India, that additional means should be employed in tracing and apprehending individuals charged with these crimes; and it being essentially requisite also for the protection of innocent persons to add to the number of European Superintendents employed in directing the operations of informers, so as to obviate the practices of oppression or extortion by the subordinate Agents employed in this Department, the Governor General in Council has been pleased to make the following arrangements:

Mr. F. C. Smith, the Agent to the Governor General in the Saugor and Nerbudda Territories, will exercise as heretofore, a general control over the Officers employed in the suppression of Thuggee, and he will conduct the trials of all Individuals charged with having committed this crime, excepting where the offence is charged to have been committed within the Company's Provinces, or the Kingdom of Oude.

In the former cause, the Individuals accused will be made over to the constituted authorities, and in the latter the trials will be conducted by the Resident at Lucknow. Trials which may be conducted in the Regulation Provinces will be referred to the Nizamut Adawlut, or otherwise disposed of, as the Regulations may direct. All other trials will be referred through the Secretary in the Political Department, for the final orders of the Governor General of India in Council.

Mr. D. F. Macleod to be Personal Assistant to Mr. F. C. Smith in this Department.

Captain Sleeman to be Superintendent under ditto ditto, stationed at Jubbulpore.

Lieutenant Briggs, 74th Regt. N. I., to be Assistant under ditto ditto in Rajpootana.

Mr J. C. Wilson to be Assistant to ditto ditto in the Lower and Upper Dooab, and in Rohilcund and to exercise the powers of Joint Magistrate in the Districts to which he may be deputed.

Captain Reynolds to be Superintendent under Mr. F. C. Smith in the Deccan, in communication with the Resident at Hyderabad.

Lieutenant Elwall, 49th Regt. N. I., to be Assistant to Captain Reynolds in the above capacity.

Captain Paton, Assistant to the Resident of Lucknow, will also officiate as Assistant to the Officer, in Superintending the apprehension and committment of Individuals charged with Thuggee in the Oude Dominions.

Lieutenant J. D. Shakespear, of the Artillery, is appointed an extra Assistant to the Resident at Lucknow, in the general duties of his office.

Officers will be hereafter appointed for the suppression of Thuggee in the Provinces of Behar and Malwa.

His Excellency the Right Honorable the Governor General of India in Council has been pleased to permit Mr. Assistant Surgeon J. Corbet, of the Political Agency in Harrowty, to remain in the Hills, in the vicinity of Simlah, and to be absent from his station from the expiration of his present leave, (the 1st December, 1834) till the 31st December 1835, on account of ill health.

The Honorable Richard Cavendish to be Resident at Nagpoor.

Major John Sutherland, 3d Bombay L. C., to be Resident at Gwalior.

JANUARY 15.

Captain W. Waide of the 5th Regt. L. C., to be Assistant to the Resident at Nagpoor.

JANUARY 21.

The Services of Mr. W. B. Davies, Assistant Surgeon, attached to the Civil Station of Gowahutty, are, at his own request, placed at the disposal of His Excellency the Commander-in-Chief.

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FORT WILLIAM, FINANCIAL DEPARTMENT, JAN. 12, 1835.

Mr. F. McClintock is appointed Assistant in the office of the Accountant General and to the Sub Treasurer.

JANUARY 19.

Mr. F. J. Morris is appointed to officiate as Second Assistant to the Secretary to the Board of Customs, Salt and Opium, during Mr. H. Palmer's employment on other duties.

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ECCLESIASTICAL DEPARTMENT, JAN. 5, 1835.

The Reverend R. B. Boyes, Joint Chaplain at the Old Church, is permitted to be absent from the Presidency, for one month, commencing from the 7th proximo.

JANUARY 22.

The Right Honorable the Governor-General of India in Council has been pleased to sanction the Reverend R. Ewing, District Chaplain at Futtehgur, having been absent from his station from the 21st Nov. to the 4th Dec. last.

The Reverend Robert Everest, District Chaplain at Delhi, is permitted to be absent from his station for one month, from the 15th May next, to enable him to visit the hills, on private affairs.

The Reverend Henry Sanderson Fisher, A. B., Chaplain at Barrackpore, is permitted to proceed to Europe on furlough, under medical certificate.

The Reverend Thomas Newte Stevens, A. B. officiating District Chaplain at Dinapore, has obtained an extension of the leave granted to him under the orders of the Honorable the Vice President in Council, dated the 13th October last, for a further period of one month.

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## ORDERS BY THE HONORABLE THE GOVERNOR OF AGRA.

JUDICIAL AND REVENUE DEPARTMENT, JAN. 2, 1835.

The Honorable the Governor of Agra is pleased to make the following appointment:

Mr. A. P. Currie to be Joint Magistrate and Deputy Collector of Goruckpore.

JANUARY 5.

The Honorable the Governor is pleased to make the following appointments:

Mr. C. F. Edmonstone to be an Assistant under the Commissioner of the 4th or Moradabad Division.

The following Officers have obtained leave of absence from their Stations:

Mr. H. M. Pigou, officiating Judge of Goruckpore, for fifteen days, on urgent private affairs.

Mr. C. Todd, Assistant to the Magistrate and Collector of Moradabad, a further extension of his leave for twenty days from the 15th ultimo, to enable him to join his Station.

# GENERAL REGISTER.

JANUARY 14.

The following Officers have obtained leave of absence from their Stations:

Mr. W. J. Conolly, Magistrate and Collector of Bareilly, for six months, on medical certificate, from the 15th March next, to enable him to proceed to Simlah, for the benefit of his health. Mr. Conolly has been directed to make over charge of the office of Magistrate and Collector to Mr. S. G. Smith, who will retain charge until further orders.

Mr. E. Currie, Magistrate and Collector of Humeerpore, in extension, from the 15th instant, until the sailing of the Ship *Orontes*, on which he intends to embark for England.

JANUARY 15.

Mr. A. Campbell, Commissioner of the 5th or Bareilly Division, has obtained five months' leave of absence from his Station, on medical certificate, to proceed to the Presidency, preparatory to his embarking for Europe.

The Honorable the Governor is pleased to make the following appointments:

Mr. H. S. Boulderson, to officiate as Commissioner of Revenue and Circuit of the 5th or Bareilly Division.

Mr. T. J. Turner, ditto ditto of the 2d or Agra Division. Mr. Turner has been directed to make over charge of the office of Magistrate and Collector of Seharunpore to Mr. T. J. C. Plowden, who will officiate until the arrival of Mr. J. C. Grant.

Mr. J. C. Grant to officiate as Magistrate and Collector of Seharunpore.

JANUARY 16.

Mr. W. P. Goad has been authorized to exercise the powers of Joint Magistrate and Deputy Collector of Benares.

Mr. H. Fraser, the Magistrate and Collector of Mynpooree, has obtained leave of absence from his Station, for seven days, on urgent private affairs.

JANUARY 19.

The following Officers have obtained leave of absence from their stations:

Mr. J. W. Laing, Collector of Government Customs at Agra for eight months, from the 2d March next, on medical certificate.

Mr. B. Tayler, Judge of Jaunpore, for six weeks, on private affairs.

Mr. T. P. Woodcock, Joint Magistrate and Deputy Collector of the Northern Division of Bundlecund, for one month, on private affairs.

JANUARY 20.

Mr. W. Gorton, the Commissioner of the 8th or Benares Division, obtained extension of leave of absence, on medical certificate, to the 15th Sept. next, to enable him to re-visit the hills for the benefit of his health.

JANUARY 22.

Mr. W. F. Thompson, the officiating Magistrate and Collector of Dehly, has obtained two months' leave of absence from his Station, on medical certificate, to proceed to Calcutta.

JANUARY 23.

Doctor J. Stokes, Civil Assistant Surgeon at Humeerpore, has obtained three weeks' leave of absence from his Station, on urgent private affairs, from the 3d proximo.

JANUARY 21.

The Honorable the Governor is pleased to make the following appointments:

Mr. T. P. Woodcok to officiate as Joint Magistrate and Deputy Collector of Ghazeepore.

Mr. G. F. Edmonstone to be an Assistant under the Commissioner of the 9th or Goruckpore Division.

Mr. F. P. Butler authorized to exercise the powers of Joint Magistrate and Deputy Collector in the Northern Division of Moradabad.

JANUARY 26.

The Honorable the Governor is placed to grant to Mr. J. Armstrong, Magistrate and Collector of Goruckpore, leave of absence for two months, on private affairs.

The following arrangements made by the officiating Commissioner of the 9th or Goruckpore Division, are confirmed:

Mr. A. P. Currie to officiate as Magistrate and Collector of Goruckpoor during the absence of Mr. Armstrong.

Mr. Shank to officiate as Joint Magistrate and Deputy Collector of Goruckpoor during the same period.

Mr. E. Thornton to take charge of the Settlement Duties of the Collectorate of Goruckpoor.

Mr. J. C. Wilson is vested with the powers of Joint Magistrate in the Districts of the Upper and Lower Doab and in Rohilcund.

The leave of absence granted on the 11th August last, to Mr. T. P. B. Biscoe, Civil and Session Judge of Bareilly, for one month, on private affairs, is cancelled at his request.

JANUARY 27.

Mr. H. Roe appointed to officiate as Joint Magistrate and Deputy Collector of Furruckabad.

The leave of absence granted on the 30th ultimo, to Mr. C. Madden, the Civil Assistant Surgeon of Futtehpore, for one month, on private affairs, is cancelled at his request.

JANUARY 28.

Mr. A. W. Begbie, the Magistrate and Collector of Banda, has obtained one month's leave of absence from his Station, from the 5th proximo, on his private affairs. Mr. Begbie has been authorized to make over charge of the office of Magistrate and Collector of Banda to Mr. H. B. Harington, and to direct Mr. S. Bowring to officiate as Joint Magistrate and Deputy Collector during the period of his absence.

Mr. C. Mackenzie, the Joint Magistrate and Deputy Collector of Cawnpore, has obtained an extension of leave for one month, from the 1st instant.

JANUARY 31.

The Honorable the Governor is pleased to make the following appointments:

Mr. W. Crawford to officiate as Magistrate and Collector of Benares.

Mr. H. Pidcock to be Magistrate and Collector of Humeerpore.

Mr. J. C. Grant to be Joint Magistrate and Deputy Collector of Furruckabad. Mr. Grant will continue to officiate as Magistrate and Collector of Seharunpore under the orders of the 15th instant.

Mr. T. B. C. Bayley is authorized to exercise the powers of Joint Magistrate and Deputy Collector at Meerut.

# MILITARY APPOINTMENTS, &c.

## GENERAL ORDERS BY HIS EXCELLENCY THE RIGHT HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, 7TH JAN. 1835.

No. 2 of 1835.—The Right Honorable the Governor General of India in Council is pleased to make the following promotions:

Infantry.—Lieut. Col. Benjamin Roope to be Col., from the 18th December, 1834, vice Col. J. Robertson deceased.

Major William Broome Salmon to be Lieut. Col., from the 18th December, 1834, vice Lieut. Col. B. Roope promoted.

5th Regt. N. I.—Lieut. and Brevet Captain George Lewis Vanzetti to be Captain of a Company, and Ensign Joseph Carleton Salkeld to be Lieut. from the 21st December 1834, in succession to Captain H. J. G. B. Cathcart deceased.

72nd Regt. N. I.—Captain John Graham to be Major, Lieut. and Brevet Captain Robert Wedderburn Beatson to be Captain of a Company, and Ensign Edward William Ravenscroft to be Lieut., from the 18th December 1834, in succession to Major W. B. Salmon, promoted.

The undermentioned Officers are permitted to proceed to Europe on furlough:

Lieut. Malcolmson Willson, of the 27th Regt. N. I.; Lieut. John Stubbs, of the 49th Regt. N. I.; and Assistant Surgeon James Davenport, M. D., of the Medical Department, on medical certificate.

Lieut. William Stuart Menteah, of the 69th Regt N. I. on private affairs.

In consideration of the long and faithful services of Subadar Major Rampersaud Sing, late of the 37th Regt. N. I., His Lordship in Council is pleased to sanction the Brevet Pay of his rank being continued to him, from the date of his transfer to the Invalid Establishment.

No. 5 of 1835.—The Right Honorable the Governor-General of India in Council is pleased to make the following appointments:

Lieut. Thomas Francis Blois, of the 11th Regt. N. I., to be Deputy Pay Master at Nusseerabad, in succession to Fagan promoted to a Regimental Majority.

Ensign E. G. J. Champneys, of the 33d Regt. N. I., to be a Sub-Assistant in the Stud Department, vice Blois.

No. 6. of 1835.—The Right Honorable the Governor General of India in Council having resolved to unite the Forces now stationed at Agra and Muttra, the latter place will cease to be a Military Cantonment, and the troops will be removed thence to Agra, agreeably to instructions which will be communicated to His Excellency the Commander in Chief.

The appointments of Brigadier and Major of Brigade at Muttra are abolished, and Brigadier Cartwright is removed to Agra, of which Fortress and Garrison he is appointed Commandant.

No. 8 of 1835.—The Right Honorable the Governor General of India in Council is pleased to make the following promotions:

5th Regt N. I.—Lieut. William Mackintosh to be Captain of a Company, and Ensign Frederick White Burkinyoung to be Lieut. from the 25th December, 1834, in succession to Captain G. L. Vanzetti, deceased.

Rank is assigned to the undermentioned Cornets and Assistant Surgeons from the dates expressed opposite to their respective names:

Cavalry.—Cornet Frederick Wiltshire Steer Chapman, 25th September, 1834.

Cornet Edmund Walter Chicheley Plowden, 8th November, 1834.

Medical Department.—Assistant Surgeon Keith Macalister Scott, 25th April, 1834,

Assistant Surgeon Thomas Leckie, 25th April 1834.

The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Honorable the Court of Directors:

Lieutenant William Hore, of the 18th Regt. N. I., and Surgeon John Allan, M. D., of the Medical Department; date of arrival at Fort William, 5th January 1835.

The undermentioned Officers are permitted to proceed to Europe on furlough:

Captain Joseph Holmes, of the 23d Regt. N. I., Captain Richard Newton, of the 43th Regt. N. I., 1st Lieut. Henry Sanders, of the Regiment of Artillery, and Assistant Surgeon Andrew Henderson, of the Medical Department, on medical certificate.

1st Lieut. William Saltan Pillans, of the Regt. of Artillery, on account of his private affairs.

Cornet William Bayley Mosley, of the 10th Regt. L. C., on account of urgent private affairs, for one year, without pay.

Captain Arthur Cole Spottiswoode, of the 37th Regt. N. I. is permitted to proceed to Bombay from Neemuch, on private affairs, and to be absent from Bengal on that account, from the 15th December 1834 to the 15th March, 1835.

Surgeon John Tytler, of the Medical Department, and Superintendent of the Native Medical Institution, is permitted to proceed to the Cape of Good Hope, on medical certificate, for two years.

The Right Honorable the Governor of Bengal has been pleased, in the Political Department, under date the 5th instant, to appoint Ensign T Brodie, of the 45th Regt. N. I., to be a Junior Assistant to the Agent to the Governor-General on the North East Frontier, in the room of Captain Cathcart, deceased.

The following officers are placed at the disposal of His Excellency the Commander in Chief:

Lieut. James Awdry, of the 55th Regt. N. I, officiating Assistant to Captain Wilkinson, Agent to the Governor-General, under Regulation XIII of 1833.

Surgeon George King, in medical charge of the Civil Station of Patna.

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FORT WILLIAM, 9TH JANUARY.

No. 9 of 1835.—The following appointment made by the Right Honorable the Governor-General of India, is published in General Orders:

Lieut. Richard Angelo, of the 34th Regt. N. I., to be an Aide-de Camp on his Lordship's Personal Staff, vice Lieut. Blois appointed Deputy Pay Master at Nusscerabad.

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FORT WILLIAM, 13TH JANUARY.

No. 10 of 1835.—The undermentioned Officers are permitted to proceed to Europe on furlough:

Lieutenant Alister Stewart, of the Left Wing European Regiment, on account of his private affairs.

Assistant-Surgeon George Jackson Berwick, M. D., of the Medical Department, on medical certificate.

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FORT WILLIAM, 15TH JANUARY.

No. 11 of 1835.—The Right Honorable the Governor General of India in Council is pleased to make the following promotions:

1st Regt. N. I.—Ensign Thomas Gifford to be Lieutenant, from the 3d Jan. 1835, vice Lieut. J. Fisher, deceased

4th Regt. N. I.—Ensign Robert Stein, to be Lieutenant from the 8th Jan. 1835, vice Lieut. George Borradaile, deceased.

The undermentioned Officers of Infantry are promoted to the rank of Captain by Brevet, from the dates specified opposite to their respective names.

74th Regt. N. I.—Lieut. Nathaniel Joseph Cumberlege, 7th Jan. 1835.

13th Regt. N. I.—Lieut. John Peter Wade, 10th ditto.

9th Regt. N. I.—Lieut. John Edmondstone Landers, 10th ditto.

38th Regt. N. I.—Lieut. Thomas Collins Wilton, 10th ditto.

4th Regt. N. I.—Lieut. Charles James Oldfield, 10th ditto.

41st Regt. N. I.—Lieut. John Cumberlege, 10th ditto.

2d Lieut. Henry Alexander Carleton, of the Regt. of Artv. is brought on the effective strength of the Regt. from the 10th Dec 1834, in succession to Capt. S. Coulthard struck off

The undermentioned Officer is permitted to proceed to Europe on furlough:

Lieut. Col. John Anthony Hodgson, of the 6th Regt. N. I. on medical certificate.

Serjt. Thomas Becket, attached to the Arsenal, is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th Jan., 1727, and General Orders, dated 5th Feb. 1820, subject to the confirmation of the Honorable the Court of Directors, and permitted to receive his stipend in Calcutta.

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No. 12 of 1835.—Assistant Surgeon A. A. McAnally, in medical charge of the establishment at Hissar, is appointed an Assistant to the Hissar Stud, with a salary of Sonat Rupees (200) two hundred per mensem, in addition to the allowance at present drawn by him.

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No. 14 of 1835.—The Right Honorable the Governor General of India in Council is pleased to make the following appointments:

Capt. William Bell, of Artillery, to be Superintendent of Public Works in the Cuttack Province, in succession to Lieut. Col. J. Cheape, proceeded to Europe.

Lieut William Matthew Smyth, of the Corps of Engineers, to be Executive Engineer of the 17th or Burdwan Division of Public Works, vice, Bell.

The undermentioned Officers are permitted to proceed to Europe on furlough.

Captain Peach Brown, of the 29th Regt. N. I. on medical certificate.

Lieut. William Innes, of the 15th Regt. N. I. on account of private affairs.

Serjt. Reid, of the Corps of Sappers and Miners, is appointed an Assistant Overseer to the Department of Public Works, on the Salary allowed for that rank, and placed under the orders of Captain Fitzgerald, Garrison Engineer of Fort William.

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No. 15 of 1835.—The following appointments are made in the Political Department, under date the 7th instant, connected with the arrangements adopted for the suppression of Thuggee.

Lieut. W. T. Briggs, of the 74th Regt. N. I. to be Assistant to Mr. C. F. Smith, the Agent to the Governor General in the Saugor and Nerbudda Territories in Rajpootana.

Lieut. F. C. Elwall, of the 49th Regt. N. I. to be Assistant to Capt. Reynolds, the Superintendent under Mr. F. C. Smith in the Deccan.

Capt. A. Davidson, in charge of the Division of North east Rungpore, has obtained, in the Political Department, under date the 31st ultimo, leave of absence for two months, from the 15th ultimo, to visit the Presidency, on private affairs.

Assistant Surgeon J. Corbet, of the Political Agency in Harowty, was permitted, in the Political Department, under date the 7th instant, to remain in the Hills in the vicinity of Simla, and to be absent from his Station from the expiration of his present leave, (the 1st December, 1834,) till the 31st December, 1835, on account of ill health.

Lieut. J. D. Shakespear, of the Regt. of Artillery, was appointed, in the Political Department, under date the 7th instant, an Extra Assistant to the Resident at Lucknow, in the general duties of his office.

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FORT WILLIAM, 23D JANUARY.

No. 17 of 1835.—The undermentioned officers are permitted to proceed to Europe on furlough:

Lieut.-Col. George Swiney, of the Regt. of Arty. Principal Commissary of Ordnance; Lieut.-Col. Thomas Oliver, of the 3d N. I.; Lieut.-Col. Steele Hawthorne, of the 52d N. I.; Lieut.-Col. John Hunter Littler, of the 54th N. I.; Capt. Sir Robt. Colquhoun, Bart., of the 44th N. I., Town and Fort Major of Fort William; 2d Lieut. Townsend James William Hungerford, of the Regt. of Arty. and Veterinary Surgeon, George Griffith, of the 1st Brigade Horse Artillery, on medical certificate.

The Right Honorable the Governor General of India in Council is pleased to make the following appointments:

Lieut.-Col. William Battine, of the Regt. of Artillery, to be Principal Commissary of Ordnance, vice Lieut.-Col. Swiney permitted to proceed to Europe on furlough. This appointment to have effect from the date of the sailing of the ship on which Lieut.-Col. Swiney may embark.

Capt. John Henry Simmonds, of the 55th N. I. now employed as a Revenue Surveyor, to be Deputy Assistant Quarter Master General of the 2d Class, to fill a vacancy in the Department, and to officiate in the 1st Class for Capt. J. G. Drummond, employed as a Superintendent of Roads in Central India and the Dooab.

2d Lieut. Richard Maule, of the Regt. of Artillery, is permitted to proceed to Singapore, on medical certificate, and to be absent from Bengal on that account for six months.

2d Lieut. Percival Bridgman, of the Regt. of Artillery, 2d Assistant Great Trigonometrical Survey, has leave of absence for one month, from the 20th instant, on medical certificate, to visit the Presidency, preparatory to applying for furlough to Europe.

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No. 21, of 1835.—The following Appointment made by the Right Honorable the Governor-General of India, is published in General Orders:

Captain Thomas Mathew Taylor of the 5th Regt. L. C. to be Town and Fort William, vice Capt. Sir R. Colquhoun, Bart, permitted to proceed to Europe on furlough. This appointment is to take effect from the date of sailing of the vessel on which Capt. Sir R. Colquhoun, Bart, may embark.

Captain John Hailes of the 4th Regt. N. I., 2d Assistant in the Stud Department, is permitted to proceed to the Cape of Good Hope, on medical certificate, and to be absent from Bengal on that account for two years.

Assistant Surgeon K. Mackinnon, M. D. attached to the Civil Station of Tirhoot, has obtained, in the Judicial and Revenue Department, under date the 10th instant, leave of absence for two months, on private affairs, in extension of the leave of granted to him on the 15th september last.

The following persons are appointed Assistant Overseers in the Department of Public Works on the Salaries allowed for that rank :

Serjeant Charles Douglas, of the Corps of Sappers and Miners, to the Ramghur Division.

Serjeant Thomas O'Callaghan, of the Corps of Sappers and Miners, to the 6th or Allahabad Division, vice Serjeant Bigley, removed.

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No. 21 of 1835.—The Right Honorable the Governor-General of India in Council is pleased to direct that, in the Material Equipment of a troop of Horse Artillery, 12 pounder Brass howitzers be substituted for the 24-pounder howitzers, sanctioned in General Orders of the 25th March, 1834.

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FORT-WILLIAM, 26TH JANUARY.

No. 22 of 1835 —The Right Honorable the Governor-General of India in Council is pleased to permit Lieut-Col. Sir Jeremiah Bryant, Kt., of the 19th Regt. N. I., Judge Advocate General, to proceed to the Cape of Good Hope, for six months, on urgent private affairs.

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FORT WILLIAM, 28TH JANUARY.

No. 23 of 1835.—The Right Honorable the Governor General of India in Council is pleased to make the following promotions and appointments :

63d Regiment Native Infantry.—Captain Joseph Barnard Smith to be Major, and Lieutenant William Charleton Ormsby to be Captain of a Company, from the 20th January, 1835, in succession to Major George Jenkins retired on the pension of his rank

Assistant Surgeon Samuel Davies to succeed to the medical charge of the Civil Station of Patna, under the provisions of the 3d clause of General Orders No. 129, dated the 13th September, 1833, in the room of Surgeon King, placed at the disposal of His Excellency the Commander-in-Chief.

The following appointments were made in the Political, Judicial and Revenue Departments, under the dates specified :

*Political Department*, 15*th January*, 1835 — Capt William Warde, of the 5th Regt L. C. to be Assistant to the Resident at Nagpore.

*Judicial and Revenue Department*, 16*th Jan*, 1835 — Lieut J. R. Lumsden, of the 63d Regt. N. I. to do duty with the Arracan Local Battalion.

Lieut C. R. Browne, of the 60th Regt. N. I. ditto ditto.

Ensign C. O. Shairo, of the 51st Regt. N. I. ditto ditto.

Lieut. F. G. Backhouse, of the 68th Regt. N. I. to do duty with the Assam Local Battalion.

Lieut W. Shortreed, Left Wing European Regt. ditto ditto

Ensign I. H. Garrett, of the 30th Regt. N. I. ditto ditto.

The services of Assistant Surgeon W. B. Davies, attached to the Civil Station of Gowahutty, were, in the Political Department, under date the 21st instant, at his own request, placed at the disposal of His Excellency the Commander in Chief.

The leave of absence obtained by Captain P. Hopkins, of the 27th Regiment N. I. in General Orders No. 130 dated the 20th August, 1832, is extended from the 26th September last, four months.

The undermentioned Students of the Native Medical Institution are admitted to the Service as Native Doctors, and disposed of in the manner stated opposite to their names :

Kureem Buksh Khan, placed at the disposal of the Medical Board for employment in the Civil Department.

Shaik Nubhee Buksh, placed at the disposal of His Excellency the Commander in Chief.

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No. 24 of 1835.—Lieutenant William Pitt Robbins, of the 15th Regt. N. I. has returned to his duty on this Establishment, without prejudice to his rank, by permission of the Honorable the Court of Directors ; date of arrival at Fort William, 27th January, 1835.

The appointment of Serjeant Reid, of the Corps of Sappers and Miners, as an Assistant Overseer in the Department of Public Works, in General Orders, No. 14, of the 15th instant, is cancelled.

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## GENERAL ORDERS BY THE RIGHT HONORABLE THE COMMANDER IN-CHIEF.

*Head-Quarters, Calcutta, 1st January*, 1835.

Acting Steward J. Gibson, at present at Dum Dum, will proceed and join His Majesty's 62d Regt., to which he stands appointed, by the earliest opportunity. Mr. Gibson will report himself to the Quarter Master General of the Army, who will be pleased to take measures for providing him with a passage to Moulmein.

Assistant Apothecary, H. Shinks, who proceeded to Moulmein under orders from the Medical Board, is appointed to act as Hospital Steward to His Majesty's 62d Regiment, from the date on which he joined that Corps. Mr. Shinks will return to Calcutta on being relieved by Mr. Gibson.

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*Head-Quarters, Calcutta, 2d January.*

The Benares Division Orders of the 22d ultimo, directing Quarter Master Sergeant Robert Ross, of the 11th Regt. N. I., to proceed to Gorruckpore, and do duty with the Left Wing of the 63d N. I., until the arrival of his Corps at that Post, is confirmed.

Col. H. Faithful's Artillery Division Order of the 18th ultimo, appointing Bombardier Robert Geary, and Gunner Patrick Farrell, of the 1st Company, 3d Battalion of Artillery, to act as Laboratory men during the Practice Season, is confirmed.

The Meywar Artillery Division Order of the 15th ultimo, appointing Sergeant Major John Rennick and Farrier Sergeant James Mansfield, of the 4th Troop, 3d Brigade Horse Artillery, to act as Laboratory men during the Practice Season, is confirmed.

Ensign S. J. Becher, attached to the 55th Regt. is appointed to do duty with the 19th N. I. at Barrackpore.

The undermentioned Officers have leave of absence :

Infantry—Ensign E. Sissmore, doing duty with 12th N. I., from 1st Jan. to 31st Jan., to remain at the Presidency on private affairs.

71st Regt. N. I —Lieut. H. Barry, from 15th Jan. to 15th May, to visit the Presidency, on medical certificate, preparatory to applying for furlough to Europe.

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*Head-Quarters, Calcutta, 3d January.*

Surgeon A. Wood is removed from the 28th to the 25th Regt. N. I.

Surgeon A. Murray, M. D., (on furlough) from the 55th to the 44th Regt. N. I.

Surgeon E. T. Harnor, from the 40th to the 55th Regt. N. I.

Assistant Surgeon F. Hartt is removed from the 43d to the 40th Regt. N. I., and directed to join the Detachment of that Corps at the Presidency.

Unposted Cornet C. G. Becher, at present attached to the 10th L. C., is appointed to do duty with the 5th Regt. L. C., until further orders.

Conductor J. Millard, now at Allahabad, will rejoin the Arsenal of Fort William.

Sergeant Nicholas O'Brien, of the Arsenal Establishment, is placed at the disposal of the Governor of Fort William, for employment in the Town Guards.

Sergeant Robert Thompson, Barrack Overseer, Fort William, is appointed a Laboratory-man in the Arsenal, vice O'Brien.

The Transfer of George Beckley, Bugler, of the Honorable Company's European Regt as a Trumpeter to the 3d L. C., in General Orders of the 12th ultimo, is cancelled.

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*Head-Quarters, Calcutta, 5th January.*

The Right Honorable the Commander in Chief is pleased to make the following removals and postings in the Regt. of Artillery :

1st Lieut. W. E. J. Hodgson, from the 1st Troop 1st Brigade to the 1st Company 1st Battalion.

2d Lieut. P. Bridgman, (on Staff employ) from the 4th Company 6th Battalion to the 3d Troop 1st Brigade Horse Artillery.

The following appointment is made :

Ramghur Local Battalion.—Lieut. J. R. Lumley, of the 21h Regt. N. I., to be Adjutant, vice, Hoggan, promoted.

Hospital Apprentice Henry Gawke, now at the General Hospital, is appointed to the Hospital of His Majesty's 49th Regiment of Foot.

The undermentioned Officer has leave of absence :

54th Regt. N. I.—Captain A. J. Anstruther, from 1st Jan. to 1st Jan. 1836, to visit Simlah, on medical certificate.

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The Cawnpore Division Order of the 6th ultimo, directing Assistant-Surgeon W. P. Andrew, M. D., officiating Civil Assistant-Surgeon at Mynpoorie, to afford Medical aid to the Head Quarters and Right Wing 71st Regt. N. I. at that Station, is confirmed.

Lieut-Col A. Dick's Regimental Order of the 22d ultimo, appointing Ensign C. M. Bristow to act as Adjutant to the 71st N. I. during the absence of Ensign and Adjutant G. W. G. Bristow, who has been summoned to attend a Court-Martial at Cawnpore, is confirmed.

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*Head-Quarters, Calcutta, 6th January.*

With the sanction of Government, the following movements will take effect on the dates that will be specified by the Officer Commanding the Cawnpore Division of the Army :

1st Regt. N. I.—From Futtehgur to Cawnpore, on the arrival of a Wing of the 60th Regt.

60th Regt. N. I.—From Cawnpore to Futtehgur as soon after the receipt of this Order as practicable, a Wing of the Regt. will proceed for the relief of the 1st Regt. at Futtehgurh, agreeably to the instructions furnished to the Officer Commanding the Cawnpore Division.

The leave of absence granted to Capt. C. Marshall, of the 68th Regt. N. I., in General Orders of the 14th Nov. last, is to commence from the 21st Nov. 1834 and extended to the 1st March next, instead of the dates therein specified.

The leave of absence granted to Lieut., Interpreter and Quarter-Master W. Alston, of the 68th Regt. N. I., in General Orders of the 3d Nov. 1834, is to commence from the 21st of that month and extend to the 1st March next, instead of the dates therein specified.

Hospital Steward George William Harding, now doing duty with the Artillery at Agra, is appointed to the Hospital of His Majesty's 11th Light Dragoons at Meerut, vice, Gale, deceased.

The undermentioned Officers have leave of absence:

Brigade Staff—Capt. G. Borradaile, Major of Brigade, Barrackpore, from 20th Dec. 1834, to 20th March, to visit Calcutta, and eventually to proceed to the Sand Heads, on medical certificate.

73d Regt. N. I.—Lieut. and Brevet Captain H. Patch, from 1st Feb. to 15th March, in extension, to remain at Bethampore, on private affairs.

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*Head-Quarters, Calcutta, 7th January.*

Lieut. Col. A. Dick's Regimental Order of the 25th ultimo, appointing Ensign H. A. Reid, to act as Adjutant to the 71st Regt. N. I. during the absence, on duty, of Ensign and Acting Adjutant C. M. Bristow, is confirmed.

Major J. L. Day's Regimental Order of the 22d ultimo, appointing Lieut. C. J. F. Burnett to act as Adjutant to the 8th Regt. N. I., during the absence, on leave, of Lieut. and Adjutant G. R. Talbot, is confirmed.

The following Benares Division Orders of the 29th ultimo, are confirmed:

Appointing to Capt. T. H. Pearson, of His Majesty's 16th Lancers to take charge of the Remount Horses for the 11th Light Dragoons and 16th Lancers.

Appointing Lieut. J. Christie, of the 3d Regt. L. C., to take charge of the Remount Horses for the Regiments of L. C., to Cawnpore, with the exception of those for the 8th L. C. which are to be delivered over by him to the Officer Commanding that Corps at Sultanpore, (Benares.)

Appointing Cornet C. Wollaston, of the Remount Horses for the Madras Presidency, and proceed with them to Nagpore, where they are to be delivered over to the Officer Commanding the Nagpore Field Force.

The undermentioned Officers have leave of absence:

5th Regt. L. C.—Capt. W. Buckley, from 31st Dec. 1834 to 1st April, in extension, to remain in the Hills North of Deyrah Dhoon, on medical certificate.

73d Regt. N. I.—Lieut., Interpreter and Quarter-Master J. Sleeman, from 30th June, to visit Saugor, on private affairs.

72d Regt. N. I.—Capt. R. Forster, from 25th Jan. to 25th May, to visit the Presidency, on private affairs.

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*Head-Quarters, Calcutta, 8th January.*

Assistant Surgeon W. P. Andrew, M. D., is removed from the 68th Regt. N. I., and appointed to the Medical charge of the Artillery, at Benares.

The undermentioned Officers have leave of absence:

Medical Staff. Superintending Surgeon W. A. Venour, Agra Circle, from 2d March to 2d Nov., to visit Simlah, on medical certificate.

74th Regt. N. I.—Ensign D. T. Pollock, from 1st April to 1st June, in extension, to remain at the Presidency, for the purpose of undergoing an examination at the College of Fort William.

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The Dinapore Division Order of the 1st instant, appointing Assistant Surgeon J. Macdonell to proceed to Dum Dum in medical charge of the 2d Company 1st Battalion Artillery, is confirmed.

The Right Honorable the Commander in Chief is pleased to make the following removals and posting of Field Officers:

Col. James Alexander (on furlough) from the 19th to the 46th Regt. N. I.

Col. Benjamin Roope (new promotion) to the 19th Regt. N. I.

Lieut.-Col. Sir Jeremiah Bryant, Kt., (Judge Advocate General) from the 72d to the 19th Regt. N. I.

Lieut.-Col. William Broome Salmon (new promotion) to the 72d Regt. N. I.

Lieut. and Adjutant H. W. Burt, of the 46th Regt. N. I. is appointed to act as Deputy Judge Advocate General to the Western Division, during the absence, on leave, of Lieut. C. G. Ross. This appointment to have effect from the date on which Lieut. Ross quitted Neemuch.

Assistant Surgeon T. C. Hunter, now at the General Hospital, is directed to do duty with the Artillery at Dum-Dum.

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*Head-Quarters, Calcutta, 10th January.*

The Order by Brigadier General R. Stevenson, C. B, Commanding the Rajwaria Force, under date the 18th ultimo, appointing Capt. W. Mactier, of the 4th Regt. L. C., to officiate as Deputy Judge Advocate at a General Court Martial directed to assemble for the trial of Cornet M. Lushington, of the 7th Regt L. C., is confirmed.

The undermentioned Officers have leave of absence:

District Staff—Brigadier C. S. Fagan, C. B., Commanding the Meywar Field Force, from 10th Jan. to 10th July, to visit the Presidency, on medical certificate.

68th Regt. N. I.—Capt. J. Knyvett from 10th Jan. to 15th April, to visit the Presidency, on medical certificate.

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*Head Quarters, Calcutta, 12th January.*

In pursuance of instructions from Government, His Excellency the Commander in Chief is pleased to order the following movements and change in the destination of Corps to take place at the dates specified.

3d Troop 3d Brigade Horse Artillery.—From Muttra to Agra, on the 10th October, 1835.

10th L. C.—From Muttra to Agra, on the 10th October, 1835.

45th Regt. N. I.—From Muttra to Agra, One Wing already at Agra, the other when relieved from the duties at Allygurh by the 32d Regt.

57th ditto.—From Muttra to Benares, as soon as practicable after receipt of Order.

65th ditto—From Mhow to Allahabad, already on the march to Allahabad and Jaunpore.

73d ditto.—From Benares to Barrackpore, as soon as practicable after receipt of Order.

The duties at the Post of Jaunpore to be taken by a Detachment of two Companies from the Troops stationed at Benares.

The following removals and postings are made:

Col. J. Alexander, (on furlough,) from the 46th to the 65th Regt. N. I.

Col. R. Hampton, from the 65th to the 46th Regt. N. I.

Captain and Brigade Major W. G. Cooper is removed from Lucknow to Barrackpore.

Capt. and Brigade Major C. Cheap is posted to Lucknow, vice Cooper.

Capt. R. Bayldon, Assistant Adjutant-General, is removed from the Benares to the Saugor Division of the Army, and directed to join.

Sergeant Thomas Morgan, employed as Key Sergeant in Fort William, having been examined by a Special Medical Committee, and pronounced unfit for further duty, is to be sent to Europe, recommended for Pension.

The undermentioned Officers have leave of absence:—

Division Staff.—Capt. J. H. Mackinlay, Assistant Adjutant General, Meerut Division, for two months, from the date of being relieved from the charge of the Division Office at Cawnpore to remain at Cawnpore, on private affairs.

5th Regt N. I.—Lieut. J. B. Lock, from 25th Jan. to 25th Jan. 1836, to visit the Hills North of Deyrah, on medical certificate.

3d. Brigade Horse Artillery.—Assistant Surgeon J. McRae, from 15th Jan. to 15th March, to visit Mussoorie, on private affairs.

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*Head-Quarters, Calcutta, 13th January.*

The Barrackpore Station Order of the 29th ultimo, appointing Capt. A. S. Singer, of the 24th Regt. N. I, to act as Major of Brigade to the troops at that Station, during the indisposition of Capt. Borradaile, until further orders, is confirmed.

Brigadier General R. Stevenson's Order of the 23d ultimo, directing Surgeon G. T. Urquhart, of the 7th Regt. L. C., to afford medical aid to the General Division Staff with the Force serving in Rajwara, vice McRae, is confirmed.

The Dinapore Division Order of the 5th instant, appointing Staff Sergeant John Fitzpatrick, of the 3d Company 5th Battalion Artillery, to act as Bullock Sergeant to the Artillery at Dinapore, is confirmed.

The Arracan District Order of the 24th Nov. last, appointing Lieut. and Adjutant H. C. Reynolds, of the 46th Regt. N. I., to act as District and Station Staff in that Province, is confirmed.

Major A. Horsburgh's Regimental Order of the 8th ultimo, appointing Ensign J. F. Erskine to act as Adjutant to the 46th N. I. during the absence, on duty, of Lieut. Burt, is confirmed.

Lieut.-Col. P. LeFevre's Regimental Order of the 30th ultimo, appointing Lieut. D. Ogilvy to act as Interpreter and Quarter Master to the 15th N. I., in the room of Lieut. and Officiating Interpreter and Quarter Master J. T. Gordon, who has been permitted to resign the temporary appointment, is confirmed.

The leave of absence granted to Lieut. Col. T. H. Paul, of the 20th Regt. N. I., in General Orders of the 23d ultimo, is, at his own request, cancelled.

The undermentioned Officers have leave of absence:

2d Troop 3d Brigade Horse Artillery—1st Lieut. E. Christie, from 27th Dec. 1834 to 27th Dec., to visit the Hills North of Deyrah, on medical certificate.

3d Battalion Artillery—1st Lieut. E. Sunderland, Adjutant and Quarter Master, from 15th Feb. to 15th Dec, to visit Landour, on medical certificate.

37th Regt. N. I.—Ensign W. W. Steer, from 20th Jan. to 29th Jan. 1836, to visit Simlah, on medical certificate.

57th Regt. N. I.—Lieut. T. Simpson, attached to the Ramgurh Battalion, from 22d Dec. 1834 to 22d Feb., to visit Hazareebaugh, on medical certificate.

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*Head Quarters, Calcutta, 14th January.*

The Benares Division Order of the 5th instant, appointing Assistant Surgeon T. Smith, M. D., of the 8th Regt. L. C., to the medical charge of the Troops and Civil Establishment at Mirzapore, during the absence, on leave, of Assistant Surgeon Campbell, is confirmed.

The Dinapore Station Order of the 5th instant, directing Assistant Apothecary J H. Peter to remain at that Station, and do duty with the 3d Company 5th Battalion Artillery, is confirmed.

Park Sergeant Thomas Smith, of the Saugor Magazine, is remanded to his Regt. as a Sergeant, and directed to join the 4th Company 5th Battalion of Artillery at Benares.

Sergeant Samuel Steele, Laboratory man, Saugor Magazine, is appointed Park Sergeant, vice Smith.

Sergeant Thomas Owens, of the 4th Company 5th Battalion of Artillery is transferred to the Town Major's List, and appointed a Laboratory-man in the Saugor Magazine, vice Steele.

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*Head-Quarters, Calcutta, 15th January.*

The following removals and postings are made:

Lieut. Col T. Murray, (on furlough) from the 65th to the 53d Regt. N. I.

Lieut. Col. M. C. Webber, from the 53d to the 65th Regt. N. I.

Lieut. Col. J. Dun, from the 52d to the 17th Regt. N. I.

Lieut. Col. S. Hawthorne, from the 17th to the 52d Regt. N. I.

Capt. J. Nicolson, of the 8th Regt. L. C., is appointed to act as Assistant Adjutant General to the Benares Division, until further orders.

The following Appointment is made:

*Sylhet Light Infantry.* Lieut. G. Carr, of the 21st Regt. N. I., to be Adjutant, vice Brodie, appointed Junior Assistant to the Governor General's Agent, North East Frontier.

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*Head Quarters, Calcutta, 16th January.*

Brigadier General R. Stevenson's Order of the 21st ultimo, appointing Capt. W. Mactier, of the 4th L. C., to officiate as Deputy Judge Advocate at a Native General Court Martial, is confirmed.

Sergeant John DeCourcey, Barrack Corporal in Fort William, is remanded to the Artillery, in the rank he held previous to his transfer to the Town Major's List, and directed to join the Head Quarters of the Regt. at Dum-Dum.

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*Head-Quarters, Calcutta, 17th January.*

The Detachment Orders by Major S. D. Riley, under date the 12th ultimo, directing Lieut. and Acting Adjutant T. Wallace, of the 3d Regt., to act as Detachment Staff to the 3d N. I., two Companies of Sappers and Miners and Field Hospital; and directing Assistant Surgeon D. MacNash, M. D., of the 3d Regt. N. I. to afford medical aid to the Sappers and Miners with his Detachment, are confirmed.

Bombardier William Pritchard, of the Pension Establishment, is permitted to continue at Dinapore, and draw his Stipend there, instead of at the Presidency.

The undermentioned Officers have leave of absence:

41st Regt. N. I.—Capt. J. Martin, from 31st Dec. 1831 to 30th June, in extension, to remain in the Hills in the vicinity of Simla, on medical certificate.

Subordinate Medical Department—Apothecary G. D. Wiltshire, His Majesty's 44th Foot, from 15th Jan. to 15th July, to visit Dinapore and Dacca, on urgent private affairs.

The Regimental Order of the 31st ultimo, by Capt. F. Rowcroft, Commanding the 1st N. I. appointing Lieut C. J. Mainwaring to officiate as Interpreter and Quarter Master, during the illness of Lieut. Fisher, is confirmed.

Major R. Chalmers's Regimental Order of the 11th ultimo, appointing Lieut. W. P. Jones to act as Adjutant to the 22d N. I., during the absence, on temporary leave, of Lieut. Locke, is confirmed.

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*Head-Quarters, Calcutta, 20th January.*

With the sanction of Government, the following movements of Troops of Horse Artillery are directed to take place:

3d Troop 1st Brigade, from Dum Dum to Meerut, now under orders of March to Cawnpore.

3d ditto 2d ditto, from Meerut to Cawnpore, at the close of the Practice Season.

The 2d Company 2d Battalion Artillery, now on duty at Agra, will return to Meerut at the the conclusion of the present Practice Season.

Assistant Surgeon K. M. Scott, lately attached to the Civil Station of Purneah, is directed to do duty with the Artillery at Dum-Dum.

The leave of absence granted to Assistant Apothecary J. G. Scott, of the 2d Company 1st Battalion Artillery, in General Orders of the 29th ultimo, is cancelled at his request.

Sergeant John Kinsella, Laboratory man, Delhi Magazine, lately arrived at the Presidency on duty, is directed to join and do duty in the Arsenal of Fort William.

Barrack Sergeant Mark Arthur Bigley is remanded to the Sappers and Miners, in the rank he held previous to his appointment to the Department of Public Works.

The undermentioned Officers has leave of absence:

52d Regt. N. I.—Lieut. J. R. B. Andrews from 1st Nov. 1834 to 15th Feb., in extension, to remain at the Presidency, on medical certificate, and to apply for furlough.

*Head-Quarters, Calcutta, 21st January.*

The undermentioned Officers have leave of absence:

Garrison Staff.—Lieut. General B. Marley, Commandant of Allahabad, from 1st Feb. to 1st June, to visit the Presidency, on private affairs.

6th Regt. L. C.—Col. S. Reid from 4th Dec. 1834 to 4th May, to visit the Presidency, on medical certificate.

3d Regt. N. I.—Capt. G. F Holland from 15th Feb. to 15th Nov., in extension, to remain at Almorah, on medical certificate.

Cavalry—Supernumerary Cornet E. W. C. Plowden, doing duty with 10th L. C. from 15th Jan. to 15th Feb., in extension, to remain at the Presidency, on medical certificate.

58th Regt. N. I.—Ensign G. Dalston, from 21st Dec. 1834 to 21st Feb. to visit the Presidency, preparatory to applying for furlough for one year.

45th Regt. N. I.—Lieut. A. Frazer, from 20th Feb. to 5th Sept., to visit the Presidency, on private affairs.

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*Head-Quarters, Calcutta, 22d January.*

Capt. C. H. Bell's appointment, on the 15th ultimo, of Gunners John William Booth and Barnaby Miley, of the 4th Company 1st Battalion, to act as Laboratory-men to the Saugor Division of Artillery, during the annual Practice Season, is confirmed.

The Right Honorable the Commander in Chief is pleased to make the following removals and postings of Medical Officers:

Surgeon C. B. Francis, (on furlough) from the 56th to the 57th Regt. N. I.

Surgeon G. King (late Civil Surgeon at Patna) to the 56th Regt. N. I., at Dinapore.

Ensign S. H. Becher, attached to the 19th, is, at his own request, appointed to do duty with the 1st Regt. N. I. at Cawnpore.

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*Head Quarters, Calcutta, 23d January.*

The Sirhind Division Order of the 8th instant, directing Shaik Alli Box, Native Doctor, attached to the 27th N. I., to join and do duty with the Nusseree Battalion, is confirmed.

Sergeant T. Ellis, Laboratory-man, of the Expense Magazine, is appointed Park Sergeant in that Establishment, vice Stevens, deceased.

Staff Sergeant Lowman, of the 4th Company 4th Battalion Artillery, is transferred to the Town Major's List, and appointed a Laboratory-man in the Expense Magazine, vice Ellis.

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*Head-Quarters, Calcutta, 24th January.*

The Cawnpore Division Order of the 13th instant, directing 2d Lieut. H. A. Carleton, of the 3d Company 5th Battalion, to do duty with the 3d Battalion Artillery at Cawnpore, until the termination of the Practice Season, is confirmed.

The Right Honorable the Commander in Chief is pleased to make the following appointment:

49th Regt. N. I.—Lieut. J. C. Cooper to be Interpreter and Quarter Master, from the 1st instant, vice Lieut. F. C. Elwall appointed an Assistant to Capt. Reynolds, the superintendent under Mr. Smith in the Deccan.

The undermentioned Officers have leave of absence:

18th Regt. N. I.—Lieut. Col. W. R. C. Costley, from 15th Dec. 1834 to 25th Dec. 1834, in extension, to enable him to join.

27th Regt. N. I.—Lieut. W. R. Barnes, from 24th Dec. 1831, to 3d Jan., to remain at Hansi, on medical certificate, and to enable him to rejoin his Regt. at Kurnaul.

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*Head-Quarters, Calcutta, 26th January.*

The District Orders by Col. T. Newton, Commanding in Arracan, under dates the 30th Dec. 1834 and the 1st instant, the former appointing Capt. M. A. Bunbury, of the 40th Regt. N. I., to the charge of the Arracan Local Battalion, during the absence, on leave, of Capt. W. Simonds, and the latter appointing Local Lieut. R. Malling, of the Arracan Local Battalion, to act as Adjutant to that Corps, vice Lieut. J. B. Tilson, are confirmed.

Lieut. M. T. White, of the Invalid-Establishment, is permitted to reside and draw his allowances at the Presidency, instead of Benares.

Subadar Fulteh Sing and Jemadar Mykoo Sing of the Pension Establishment, are permitted to reside and draw their stipend at Allahabad, instead of their former places of payment.

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*Head-Quarters, Calcutta, 27th January.*

With the sanction of Government, the following movements to take effect, consequent to the abolition of Secrora and Pertaubghur as Military Posts:

47th Regt. N. I. from Secrora and Pertaubghur to Lucknow, as soon after the receipt of this Order as practicable.

72d Regt. N. I. from Berhampore to Saugor, when relieved by the 4th Regt. N. I.

The undermentioned Officers have leave of absence:

District Staff—Brigadier R. Patton, C. B., from 1st Feb. to 1st June, to visit the Presidency, on medical certificate, preparatory to applying for furlough to Europe.

# GENERAL REGISTER.

72d Regt. N. I.—Lieut. E. W. Ravenscroft, from 18th Jan. to 18th April, to proceed on the River, on medical certificate.

55th Regt. N. I.—Ensign J. Butler, from 25th January to 25th February to visit the Presidency, for the purpose of appearing before the Examiners of the College of Fort William.

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*Head-Quarters, Calcutta, 28th January.*

The Presidency Division Order of the 23d instant, appointing Lieut. J. J. Grant, of His Majesty's 38th Regt. of Foot, to officiate as Deputy Judge Advocate at an European General Court Martial directed to assemble at Berhampore, for the trial of Private William Farrell, of His Majesty's 38th Foot, is confirmed.

The District Orders issued by Lieut.-Col. H. Cook, Commanding in Kemaoon, under date the 3d instant, permitting Ensign J. H. Garrett, of the 30th N. I. and acting Adjutant Kemaoon Local Battalion, to proceed towards Arracan, and appointing Ensign (now Lieut.) J. Liptrott, of the 30th Regt. N. I. to act as Adjutant to the Kemaoon Local Battalion, during the absence, on leave, of Lieut. and Adjutant C. Campbell, are confirmed.

The Cawnpore Division Order of the 15th instant, directing Assistant Surgeon H. Chalmers, M. D. late Civil Assistant Surgeon at Cawnpore, to proceed to Mynpoorie, and relieve Assistant Surgeon W. P. Andrew, M. D. who has been appointed to the Artillery at Benares, is confirmed.

The Detachment Order by E. S. Hawkins, Commanding the Escort of the Honorable the Governor of Agra, under date the 16th instant, directing Assistant Surgeon W. B. O'Shaughnessy, M. D., on duty with the Detachment, to afford medical aid to the 3d Troop 3d Regt. L. C., is confirmed.

Ensign R. A. Trotter is removed from the 27th, and posted to the 43d Regt. N. I. at Barrackpore.

Deputy Assistant Commissary of Ordnance, Edward Parsons, is removed from the Agra to the Delhi Magazine.

Deputy Assistant Commissary of Ordnance John Sperrin is posted to the Agra Magazine, vice Parsons.

Corporal John Cooke, of the European Regiment, is promoted to Sergeant, transferred to the Town Major's List, and appointed Quarter Master Sergeant to the 53d Regt. N. I. vice Hogg, appointed Sergeant Major.

The undermentioned Officers have leave of absence:

Division Staff—Capt. R. Baylon, Assistant Adjutant General, Saugor Division, from 19th January to 20th Feb., to remain at Benares, on private affairs.

40th Regt. N. I.—Capt. T. R. Fell, from 1st Feb. to 1st June, in extension to visit the Presidency, on medical certificate, preparatory to submitting an application for permission to proceed to Sea.

67th Regt. N. I.—Ensign C. E. Goad from 15th Feb. to 1st July, to visit Cawnpore, on private affairs.

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*Head-Quarters, Calcutta, 30th January.*

The Benares Division Order of the 20th instant, directing Assistant Surgeon C. J. Davidson, in medical charge of the 4th Company 5th Battalion, to return to Dum-Dum with the 1st Battalion Artillery, is confirmed.

Shaik Nubbee Buksh, who was admitted into the Service as a Native Doctor, and placed at the disposal of the Commander in Chief, in Government General Orders of the 28th instant, is directed to proceed to Cawnpore, and do duty under the Superintending Surgeon at that Station.

The undermentioned Officers has leave of absence:

60th Regt. N. I.—Ensign O. J. Younghusband, from 18th Jan. to 28th Feb., to remain at Cawnpore, on medical certificate.

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# SHIPPING REGISTER.

## ARRIVALS.

Feb. 1 Barque *Exporter*, R. Anwyle, from the Mauritius 21st October, and Colombo 13th December.
— Barque *Eamont*, N. Buttsall, from Rangoon 15th January.
2 Barque *Emily Jane*, W. Boothby, from China 2d and Singapore 16th January.
5 Ship *Dunvegan Castle*, C. Howard, from the Mauritius 24th October, and Marcanum 27th December.
— Brig *Two Brothers*, W. Deller, from Singapore 12th and Penang 27th December.
— Barque *Adelaide*, A. Steel, from Madras 7th and Covelong 16th January.
6 Ship *Orient*, T. White, from London and Portsmouth 13th September.
— Ship *Larkins*, C. Ingram, from London 14th September, Cape 18th November, and Madras 18th January.
— Barque *Dona Carmelita*, C. Edwards, from Kyouk Phyoo 31st January.
7 Barque *Addingham*, J. Sedgwick, from the Mauritius 29th October, and Kerimbe 4th January.
8 Ship *Solway*, M. Proctor, from Ceylon 3d January.
— American ship *America*, J. Lindsay, from Boston 5th October.
9 Brig *Frances Ann*, C. Hay, from Liverpool 24th September.
— Ship *Duke of Argyle*, H. Bristow, from London 5th and Portsmouth 8th September, Cape of Good Hope 16th November, and Madras 21st January.
— Ship *Zenobia*, J. F. Owen, from London 25th September, and Cape of Good Hope 7th December.
— Burmese brig *Elizabeth*, G. Baker, from Rangoon 25th January.
10 Barque *Bright Planet*, P. Sparling, from Singapore 5th and Penang 21st January.
— French ship *Velocifere*, A. Baudeu, from Bourbon 3d November.
12 French barque *Augustin*, R. de Beauford, from Nantes 16th August, and Bourbon 16th December.
— Ship *Edmonstone*, M. MacDougall, from China 4th and Singapore 18th January.
— Barque *Arab*, J. S. Sparkes, from Kyouk Phyoo 2d February.
14 Ship *Cavendish Bentinck*, R. A. J. Rose, from Colombo 27th December.
— Schooner *Thistle*, T. Jones, from Rangoon 30th January.
16 Brig *Flinn*, S. Collard, from Ceylon 26th January.
— French ship *Bengaly*, E. Gignoux, from the Mauritius 29th November, and Cheduba 5th February.
20 Barque *Isabella Robertson*, J. Hudson, from China 20th and Singapore 29th January.
21 Ship *Hindostan*, G. T. Redman, from London (Portsmouth) 21st October, Madeira (no date), and Madras 6th February.
— American ship *Pioneer*, W. Shankland, from Philadelphia 13th October.
22 Ship *Barretto Junior*, R. Saunders, from London 3d October and Madras 5th February.
— Ship *Abberton*, H. Shuttleworth, from London 1st and Madeira 22d October, and Madras 9th February.
23 Brig *Edmond Castle*, W. Fleming, from Covelong 1st February.
— American ship *Georgian*, J. Spalding, from Boston 4th November.
— Ship *John Adam*, J. Roche, from Bombay 6th and Allepee 20th January.
24 Ship *Katherine Stewart Forbes*, H. B. Fell, from Port Louis 20th December, and Madras 13th February.
— Brig *George and Mary*, J. Roberts, from the Mauritius 6th December, and Covelong 11th February.
25 Barque *Lady Clifford*, J. Masson, from Covelong 10th February.
26 Steamer *Forbes*, Forth, from the Red Sea 29th November, Socotra 16th January, Galle 14th and Madras 21st February.
28 Ship *Duke of Roxburgh*, J. Petrie, from Bombay 4th January, Tellichery (no date) and Calicut 18th January.
— Schooner *Ranger*, J. Canning, from Penang 1st February.

## DEPARTURES.

Feb. 13 Ship *Duke of Northumberland*, W. L. Pope, for London.
19 Ship *Coldstream*, P. H. Burt, for China.
— Ship *Allalevie*, G. Andre, for Bombay.
— Ship *Indien*, A. Morin, for Havre de Grace.
21 French ship *La Belle Poule*, J. Girodeux, for Bordeaux,

# GENERAL REGISTER.

## ARRIVAL OF PASSENGERS.

*Per Eamont.*—Mrs. Burney and child; Colonel Burney, Resident at Ava; Lieut. Long and the relieved Escort from Ava.

*Per Exporter.*—Mrs. Anwyle.

*Per Emily Jane, from China.*—Captain Jump and Mr. Holmes, Country Service. *From Singapore*—Captain Welland, 55th B. N. I.; and Mr. G. W. Phillips.

*Per Dunvegan Castle.*—Mrs. Mary Slooane, wife of a Private from Port Louis.

*Per Two Brothers.*—Colonel J. Hezetta.

*Per Larkins.*—Mrs. Tyler, Mrs. Lewis, Mrs. Roberts, Misses Owen and Cave; Colonel Cave; W. H. Tyler, Esq; Civil Service; John Browne, Esq.; Dr. Minto, Assistant Surgeon; Lieut. Moore, 34th Regt. N. I.; Lieut. James Cowell, 11th Dragoons; A. Turner, Esq.; Messrs. Worthington, Roberts, C. Doveton, and W. Doveton; Master E. Lewis; Misses A. Lewis, F. Lewis, and Roberts; Mrs. and Mr. Heritage, Steerage Passengers.

*Per Duke of Argyle, from London.*—R. C. McConnochee, Esq., Assistant Surgeon; Messrs. R. G. Graham, R Dawson, and N. Staples, Cadets. *From Madras*—Mrs. Babbington, Mrs. Douglas; T. H. Crawford, Esq., Bombay C. S.; W. H. Babington, Esq., Madras C. S.; Captain Douglas, 49th Regt. N. I.; Lieut. T. H. Porter, 1st Regt. M. L. C.; H. Atkinson, Esq.; and Master T. A. Crawford.

*Per Zenobia, from London.*—Mrs. Stedman; Miss Hennessy; Mr. J. H. Farmer; Mr. George Grant, Steerage Passengers. *From the Cape of Good Hope*—Lady Ryan; Misses — Ryan and Louisa Ryan; Masters — Ryan and W. Ryan; and Hon. Sir E Ryan.

*Per Elizabeth.*—Mr. J B. Hancook, Missionary; J. Manook' Esq., Merchant; Aratoon Carapit and Stephen Gabriel, children.

*Per Bright Planet, from Penang.*—Mr. W. P. Wood.

*Per Orient, from London.*—Mrs. Kemm, Mrs. Anstruther, Mrs. White, Mrs. Cromeline, Mrs. Ellis; Misses Mary Anstruther, Caroline Anstruther, Emily Anstruther, Sophia Anstruther, Ford, Fast and Charlotte Cromeline; Colonel Kemm; Captains Worman, Ellis and Armstrong; Revd. Mr. Deer; and Mr. Brewster.

*Per Edmonstone, from China.*—R. F. Lewis, Esq.

*Per Arab, from Kyouk Phyoo.*—Colonel Newton, 40th Regt. N. I.; a detachment of 125 Sepoys of the 25th Regt. N. I.

*Per Augustin.*—Mr. Simon David, Merchant.

*Per Cavendish Bentinck.*—Mrs. Butler; Miss J. Hudson; G. R. Dennison, Esq.

*Per Isabella Robertson, from China.*—Mrs. Fullarton; Misses Fullarton and Wollet; J. B. Thornhill, Esq., Civil Service; J. Fullarton, Esq.

*Per Hindostan, from Portsmouth.*—C. A. Nolt, Esq., Barrister; Mr. T. W. Knight, Assistant Surgeon; C. B. Mamett, Esq. *From Madras*—Monsr. Gaston Grollier.

*Per Pioneer.*—Messrs. Jos. S. Sloan and Edward C. Sloan Supra Cargoes.

*Per Barretto Junior, from London.*—Mrs. R. Tytler, Miss Pringle; Dr. R. Tytler, Major D. Pringle, and G. Verner, Esq, Bengal Army; Mr. C. H. Hall.

*Per Abberton, from London.*—Mrs. Shuttleworth; Miss Stone; Messrs. Vos, Barlow and Wrottesley. *From Madras*—Mrs. Byrne.

*Per John Adam, from Bombay.*—Mrs. Budwell and child, and Mrs. Roche.

*Per Georgian.*—Revd. John Brook and lady, Revd. John Newton and lady, Revd. James Wilson and lady, and Revd. A. C. Hall and lady, Missionaries; Miss Julia A. Davis; Messrs. B. C. Mars and J. L. Dutton.

*Per Duke of Roxburgh, from Bombay.*—Mrs. Crawford and child; Miss H. W. Crawford; R. F. Hodgson, Esq. Bengal C. S.

## DEPARTURE OF PASSENGERS.

*Per Duke of Northumberland, for London.*—Mrs. Brightman; Mrs. Hessing; Mrs. Anley; Capt. T. T. Harington; John Brightman, and J. A. Hessing, Esqs.; Lieuts. Hotham, Griffin, Martin, and Andrews; H. Browne, Esq., 3 Misses Anley; 1 Miss Brightman; 2 Misses Hessings; 2 Misses Daw; 1 Miss Perry; 3 Masters Anley; 2 Masters Brightman; Master Warde; 1 Master Perry, 2 Masters Bruce.

*Per Balguerie.*—Mrs. Fergusson; W. Fergusson, Esq.; Master Du Bois de Sorran.

*Per City of Edinburgh, for London.*—Mrs. Colonel Hawthorn: Mrs. Fisher; Mrs. Cox; Mrs. Lloyd; Mrs. Bridgeman; Lieutenant Colonel Hawthorn, H. C. S.; Revd. H. Fisher; Captain Elliot, Assistant Adjutant General, K. T.; W. Carey, Esq.;—Ladler, Esq.; Dr. McLellan: Dr. Taylor; Lieutenant Bridgeman, H. C. Artillery; Lieutenant Britton, H. M. S.; Misses Hawthorn, Fisher and Cox; two Misses Lloyd; Master Fisher; four Masters Cox; Master Lloyd.

*Per Euphrates, for Liverpool.*—Lady Colquhoun; Mrs. Hope; Sir Robert Colquhoun; Major Home; Captain Home; Mr. William Storm; Master Colvin.

*Per Malcolm, for London.*—Colonel and Mrs. Swiney and 2 children; Mrs. Armstrong and 2 children; Miss Jasopp. Majors Scott and Mackenzie; Messrs. McGregor and Harris.

# DOMESTIC OCCURRENCES.

## MARRIAGES.

*Jan.* 5 At Cawnpore, Captain Charles Marshall, 68th Regt. N. I., to Emma Jane, daughter of the late Colonel S. P. Bishop, of the 27th Regt. N. I., and widow of the late Lieut. James Mackay, of the same Corps.

31 Mr. E. Bowen, H. C. Marine, to Miss Helen Barber.

*Feb.* 4 At Chinsurah, by the Revd. J. H. A. Rudd, Lieut. J. D. Young, H. M. 44th Regt., to Catherine Lavinia Tisdale, the only child of the late Capt. A. T. Meredyth, B. N. I., and niece of Sir Henry Meredyth, Bart., Dublin.

— By the Revd. T. Robertson, Senior Presidency Chaplain, J. R. Lancaster, Esq., to Elizabeth, eldest daughter of John Blenkin, Esq., London.

— Mr. C. L. Smart, H. C. Marine, to Miss Charlotte Maria Tucker.

— At Agra, by the Revd. Dr. Parish, Lieut. G. Dysart, 2d Regt. N. I. to Julia Elizabeth, third daughter of Colonel Sale, C. B., Commanding H. M. 13th Light Infantry.

6 At the Principal Catholic Church of Calcutta, by the Revd. Mr. Chadwick, Mr. John Pearson Nancy, of the Police Department, to Mary Ann, second daughter of Mr. J. Mercado, of the Presidency Pay Office.

9 By the Revd. T. Robertson, A. M., Mr. John Richard Howatson, Assistant in the Commercial Accountant's Office, to Miss Angelina Skinner.

*Feb.* 11 By the Revd. T. Robertson, Capt. Chas. C. Clarke, of the barque *Thetis*, to Miss Eliza Bridge.

14 At Kurnaul, at the house of G. Cookson, Esq., by the Revd. W. Parish, Captain F. Abbott, Engineers, to Mrs. Burgh.

16 At St. John's Cathedral, by the Revd. H. Fisher, J. P. Grant, Esq., Civil Service, to Henriette Isabella, second daughter of Trevor Plowden, Esq. Civil Service.

17 At the Cathedral, by the Revd. H. Fisher, Wm. Moran, Esq., of Tirhoot, to Elizabeth Emilia, daughter of the late Superintending Surgeon James Robertson, Bengal Establishment.

— At the Cathedral, by the Revd. H. Fisher, Lieut. Fred. Samler, 10th Regt. N. I., to Jemima Haldane, youngest daughter of the late Superintending Surgeon James Robertson, Bengal Establishment.

19 At Seharunpoor, by the Revd. W. Parish, at the House of Charles Raikes, Esq., Captain W Hough, D. J. A. G. Sirhind Division, to Sophia Raikes, eldest daughter of Thomas Raikes, Esq.

24 At the Cathedral, by the Revd. T. Robertson, William Dodd, Esq., Indigo Planter, to Miss Matilda Marsh.

25 By Licence, by the Revd. Mr. Robertson, Mr. Charles Frederick Gwatkins, to Miss Julia Ann Mitchell.

28 At the Roman Catholic Chapel of Serampore, Mr. S. Gomes, to Miss Ann Marcellina D'Almeida, of Patna.

# GENERAL REGISTER.

## BIRTHS.

*Dec.* 13 At Allahabad, the wife of Sergeant Major Martin, 12th N. I., of Twins, girls.
15 At Nusseerabad, at Dr. A. Ross's, 4th Light Cavalry, the lady of M. S. Kent, Esq., Assistant Surgeon, 7th Light Cavalry, of a daughter.
*Jan.* 11 At Allyghur, Mrs. W. Connor, of a son.
17 At Allahabad, Mrs. John Turnbull, of a daughter.
21 On board the ship *Hashmy*, Louisa, wife of Lieut. and Brevet Captain H. W. Coultman, and niece of Mrs. Colonel Morrell, of a son and heir.
23 At Neemuch, the lady of Major James Blair, Commanding 3d Local Horse, of a daughter.
25 At Benares, Mrs. William Bryant, of a daughter.
28 At Havil Bagh, the lady of Captain Stuart Corbett, of a son.
29 The lady of Captain J. Randle, of a daughter.
31 Mrs. Elizabeth Maher, wife of Mr. M. Maher, Assistant Apothecary of H. M.'s 44th Regt., of a daughter.
— At Sitjam, the lady of Lieut. Cardew, Artillery, of a daughter.
*Feb.* 1 The lady of H. Shakspeare, Esq., of a daughter.
2 At Cossipore, the lady of William Jackson, Esq., Attorney at Law, of a son.
— At Banda in Bundelkhund, the lady of Robert Neave, Esq., Civil Service, of a son.
3 The lady of Captain Sewell, of a daughter.
6 At Delhie, the lady of T. T. Metcalfe, Esq., C. S., of a daughter.
11 Mrs. J. B Fraser, of a son.
12 The lady of Capt. Rd. Lloyd, Indian Navy, of a daughter.
14 The lady of N. Hutton, Esq., of a son.
17 At Kishnaghur, Mrs. Mullins, wife of Mr. Thomas E. Mullins, Head Clerk, Judge and Magistrate's Office, of a son.
— At Benares, the lady of Lieut. and Adjutant T. H. Scott, 38th Regt. N. I., of a son.
— At Beawr, the wife of Serjeant-Major James Pidgeon, Mairwarrah Local Battalion, of a son.
18 The lady of W. H. Benson, Esq., Civil Service, of a daughter.
19 The lady of E. M. Gordon, Esq, of Twins, a boy and a girl.
20 Mrs. William Thompson, of a son.
22 Mrs. James Hill, of a daughter.
23 The lady of Lieut.-Colonel Battine, Artillery, of a son.
— At Dinapore, the wife of Mr. James Purkis, Apothecary attached to the Hon'ble Company's Bengal European Regt., of a daughter.
24 At Hooghly, the lady of W. H. Belli, Esq, of the Civil Service, of a daughter.
25 At Burdwan, the lady of the Hon'ble Robert Forbes, Civil Service, of a daughter.
27 Mrs. Smalley, of a son.
28 At Kidderpore, the wife of Mr. Charles Brenner, of a daughter.

## DEATHS.

*Dec.* 27 At Allahabad, the wife of Sergeant-Major Martin.
*Jan.* 22 At Secunderabad, the lady of Lieut. J. B. Neeve, of the Madras Army, and youngest daughter of Capt. T. T. Harrington of this place, aged 20 years.
27 At Gorruckpore, Helen Clara, the infant daughter of Lieut. Henry McGeorge, of the 7th Regt. N. I., aged one year, four months and fourteen days.
29 At Dum Dum, Helen Henrietta, third daughter of Bazar Sergeant Chaunce, aged 9 years, 8 months and 15 days.
— Mrs. A. E. Smith, relict of the late Mr. Samuel Smith, aged 50 years
31 At Surreeakondy, Bagoorah, Wm. Clavering, Esq.
*Feb.* 1 At Barrackpore, Sophia, the beloved wife of Lieut. Spry, 24th Regt. N. I., deeply and sincerely lamented.
— At Neemuch, John Campbell, the son of Mr. Riding Master Bolton, 2d Light Cavalry, aged 1 year, 9 months, and 12 days.
2 At Cossipore, George, the infant son of William Jackson, Esq., Attorney at Law.
3 Henry Sparkes, the infant son of Mr. F. H. Peterson, aged 25 days.
4 Mr. Fiddes J. Galbraith, of the office of the Adjutant General H. M. Forces in India, aged 31 years.
5 At Dinapore, Robina Louisa, the daughter of Dr. James Johnstone, aged 4 years, 4 months and 10 days.
10 Mr. Thomas Andrew, aged 27 years, 11 months and 15 days.
11 Lieut.-Colonel T. Gough, 2d Regt. N. I., aged 55 years.
— At Delhie, John Robert Henry, son of Lieut. and Mrs. Halkett Craigie, 20th Regt. N. I., aged four years and eight months.
13 Michael Roberton Chopin, the infant son of Michael and Charlotte D'Rozario, aged 1 month and 11 days.
— Mrs. M A. Bathurst, aged 34 years.
19 Mr. John Smith, late an Indigo Planter, aged 49 years and 8 months.
— At Singitola, Malda, of apoplexy, John Alexander, Esq., aged 51 years.
— R. Martindell, Esq., Assistant Military Auditor General's Office, aged 39 years.
21 Jane, relict of the late Henry Swinhoe, Esq., Attorney at Law, aged 77 years and 4 months.
23 At Bancoorah, Lieut.-Colonel Arthur Shuldham, of the 31st Regt. N. I.
— At the residence of her father J. Sanbolk, Esq, Mrs. D. Motel, wife of J. Motel, Esq., Indigo Planter, aged 22 years, 4 months and 22 days.
— William Blackall, the infant son of A. Muller, Esq. aged 17 months.
25 At Digah, near Dinapore, Mrs Elizabeth Marshall, wife of John Marshall, Esq., Superintending Surgeon, aged 54 years.
27 Mr. Nicholas Gomis, youngest son of Mr. John Gomis, late Provisioner of Doomtollah, aged 19 years, 7 months and 8 days.
*No date* At Patna, Sir James Harrington, Civil and Session Judge of that Division.

# ADMINISTRATIONS TO ESTATES.

| ESTATES OF | EXECUTORS, ADMINISTRATORS, &c. |
|---|---|
| Blundell, W., *Major 11th Light Dragoons* | Dr. A. Davidson, and Captain F. H. Blundell, Executors. |
| Brookes, W., *Colonel East India Company's Service* | R. H. Cockerell, Administrator, as constituted Attorney of E. Knight and others, the Executors in England. |
| Crofton, G., *Lieutenant 16th Light Dragoons* | Dr. W. R. White, Executor. |
| Cunliffe, G., *Cornet 1st Light Cavalry* | Registrar Supreme Court, Administrator. |
| Egerton, T. L., *Captain Invalids* | Lieutenant E. D. Townshend, Executor. Cockerell and Co. his Agents. |
| Gray, C., *of Calcutta, Mariner* | J. D. Smith, Executor. |
| Harington, Sir J. Bart., *Civil Service* | E. J. Harington, Executor. |
| Melhuish, J., *of Cawnpore* | Mrs. H. O. Melhuish, the Widow, Administratrix. P. McArthur, her Agent. |
| Newton, R., *Captain 44th Native Infantry* | Registrar Supreme Court, Administrator. |
| Newton, T. V., *Indigo Planter* | Mrs. A. Newton, the Widow, Administratrix. A. Rogers, her Agent. |
| Oldfield, F. B. R., *Lieutenant 25th Native Infantry* | Captain C. J. Oldfield, Executor. |
| Patterson, J., *Civil Service* | Registrar Supreme Court, Administrator, (with Will annexed.) |
| Ridley, J. G., *Lieutenant 2d Native Infantry* | Ditto ditto ditto, (with Will annexed.) |
| Tilghman, R. M., *Civil Service* | W. W. Bird, and G. Money, Executors. |
| Tyler, P., *Madras Civil Service* | Mrs. A. Tyler, Executrix. |

# GENERAL REGISTER.

## CIVIL APPOINTMENTS, &c

### ORDERS BY THE GOVERNOR OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT.

The following officer has obtained leave of absence from his station :

JANUARY 17.

Captain M. White, Senior Assistant, stationed at Sandoway, for three months, on private affairs.

The following Officers have obtained leave of absence from their Stations :

FEBRUARY 3.

Mr. R. H. Rattray, a Judge of the Courts of Sudder Dewanny and Nizamut Adawlut at the Presidency, for one month, on medical certificate.

Mr. E. V. Irwin, Head Assistant to the Magistrate and Collector of Purneah, for eight months, on medical certificate, to proceed to the Mauritius or New South Wales, in extension of the leave granted to him on the 27th of December last.

Mr. H. B. Beresford, appointed to officiate as Joint Magistrate and Deputy Collector of Maldah, during the absence of Mr. R. Torrens, in lieu of Mr. Dirom.

His Excellency the Right Honorable the Governor General of India in Council has been pleased to appoint Lieutenant F. V. McGrath, 62d Regt. N. I., to do duty with the Arracan Local Battalion.

FEBRUARY 5.

Mr. Charles Becher, Commercial Resident at Radnagore, is permitted to be absent from his Station from the 20th instant, preparatory to his proceeding to the Cape of Good Hope, and eventually to Europe, for the benefit of his health.

Mr. John French has been appointed to take charge of the Commercial Residency at Radnagore, from the 20th instant.

Capt. R. Wilcox, of the 59th Regt N. I., is permitted to enter the service of the King of Oude, for the purpose of Superintending an Observatory in the City of Lucknow.

FEBRUARY 6.

The Orders of the officiating Commissioner of the 6th or Chittagong Division, granting leave of absence for one month, to Mr. H. Brownlow, the officiating Magistrate and Collector of Tipperah, and directing Mr. C. T. Davidson to assume charge of those offices are approved.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments :

Messrs. T. C. Robertson to be a Judge of the Courts of Sudder Dewanny and Nizamut Adawlut at Calcutta ; John Master to be Commissioner of Revenue and Circuit of the 19th or Cuttack Division ; E. R. Barwell to be Civil and Session Judge of the 24-Pergunnahs ; J. A. Pringle to be Commissioner of Revenue and Circuit of the 18th Division ; C. Phillips to assume charge of the Commissionership of the 18th Division from Mr. E. R. Barwell, and to officiate as Commissioner until further orders ; Wigram Money to officiate as Civil and Session Judge of Beerbhoom ; H. Walters to be Commissioner of Revenue and Circuit of the 14th or Moorshedabad Division ; T. G. Vibart to officiate as Commissioner of Revenue and Circuit of the 14th or Moorshedabad Division ; W. Dampier to be Commissioner of Revenue and Circuit of the 16th or Chittagong Division ; H. J. Middleton to be Civil and Session Judge of Moorshedabad ; H. Monte to be Commissioner of Revenue and Circuit of the 15th or Dacca Division ; E. Lee Warner to be Civil and Session Judge of Bhaugulpore ; C. Harding to be Commissioner of Revenue and Circuit of the 12th or Monghyr Division ; A. C. Barwell to be Collector of Beerbhoom ; J. H. Patton to be Magistrate and Collector of Dacca, and to officiate as Civil and Session Judge of Nuddeah ; T. C. Scott to officiate as Collector as well as Magistrate of Dacca until further orders ; W. J. H. Money to officiate as Magistrate of Beerbhoom ; J. Dunbar to be Magistrate and Collector of Bhaugulpore ; R. W. Maxwell to be Magistrate and Collector of Mymunsing ; J. Lowis to be Magistrate and Collector of Central Cuttack, and to officiate as at present as Civil and Session Judge of Chittagong ; C. Barry to be Magistrate and Collector of Rajeshahy ; A. J. M. Mills to officiate as Magistrate and Collector of Central Cuttack ; R. Williams to be Magistrate and Collector of Moorshedabad, and to officiate as Additional Judge of Burdwan ; R. Torrens to officiate as Magistrate and Collector of Moorshedabad ; H. Stainforth to be Magistrate and Collector of Backergunge.

In modification of the Orders of Government of the 6th January, 1834, published in the *Calcutta Gazette* of the 11th of that month, the Right Honorable the Governor of Bengal is pleased to resolve on the following arrangements :

The 18th Division of Revenue and Circuit to be hereafter denominated the 18th or Jessore Division, and to comprise the following Districts :

Nuddea, Jessore, Backergunge, 24 Pergunnahs and Baraset.

The Sudder Station of the Division to be fixed at Jessore.

The 14th and 15th Division to comprise the following Districts.

The 14th Division, Moorshedabad, Beerbhoom, Hooghly, Burdwan and Bancoorah.

The 15th Division, Dacca, Dacca Jelalpore, Mymunsing, Sherepore and Sylhet.

Messrs. Fredk. O. Wells and John Peter Grant, of the Civil Service, have been transferred to the Agra Presidency.

Messrs. George Saunders, Montague Ainslie and David Scott, embarked for Europe on board the ship *Broxbornebury*, which vessel was left by the Pilot at Sea on the 31st ultimo.

Mr. William Henry Benson, of the Civil Service, reported his return from furlough on the 23d January last.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments :

FEBRUARY 9.

Mr. C. W. Smith to officiate as Junior Member of the Sudder Board of Revenue in the Lower Provinces, during the absence of Mr. W. W. Bird, or until futher orders.

The following Officers have obtained leave of absence from their Stations :

Mr. W. W. Bird, Junior Member of the Sudder Board of Revenue in the Lower Provinces, for one month, on private affairs, to proceed to Madras.

Mr. W. Cracroft, Civil and Session Judge of Dacca, for two months, on medical certificate, in extension of the leave granted to him on the 16th ultimo.

FEBRUARY 11.

Mr. E. Lee Warner, Civil and Session Judge of Bhaugulpore, for one month on private affairs.

Doctor J. R. Vos, Police Surgeon, for one month, on medical certificate.

Mr. E. R. Barwell is permitted to retain charge of the Office of Commisioner of the 18th Division, for one month.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments :

Mr. R. Macan to be Magistrate and Collector of Burdwan.

Mr. E. M. Gordon to officiate as Civil and Session Judge of the 24 Pergunnahs, until he is relieved by Mr. E. R. Barwell.

Mr. J. Hezeta to be Assistant Secretary, Register and Examiner to the Committee for the Improvement of the Town of Calcutta, vice Mr. A. Troyer proceeding to Europe.

His Excellency the Right Honorable the Governor General of India in Council has been pleased to appoint Captain John Cameron, of the 52d Regt. Madras N. I., to be Assistant to the Resident at Hydrabad.

Lieut. F. Mackeson, of the 14th Regt. N. I., to be British Agent for the Navigation of the Indus and stationed at Mithencot.

Capt. John Ludlow, of the 6th Regt N. I., and Lieut. Arthur Conolly, of the 6th Regt. L. C., to be Assistants to the Governor General's Agent in Rajpootana.

Lieut. G. P. Thomas, of the 64th Regt. N. I., to be an Assistant in the Department under Mr. F. C. Smith, for the supression of Thuggee.

His Excellency the Right Honorable the Governor General of India in Council has been pleased to make the following Appointments.

Ensign John Smith, of the 49th Regt. N. I., to do duty with the Arracan Local Battalion.

Ensign A. P. Phayre, of the 7th Regt. N. I., with the Talain Corps, now raising for service on the Coast of Tenasserim.

Lieut. R. McNair of the 73d Regt. N. I., to do duty with Assam L. I.

Lieut. James Awdry, of the 55th Regt. N. I. to be a Junior Assistant to the Agent to the Governor General in Ramghur under Regulation XIII. of 1833.

FEBRUARY 12.

Mr. J. H. Patton to Officiate as Magistrate of the 24-Pergunnahs and Superintendent of the Allypore Jail, during the absence of Mr. Wells.

Mr. F. O. Wells, Magistrate of the 24-Pergunnahs and Superintendent of the Allypore Jail, allowed leave of absence for one month on medical certificate.

FEBRUARY 16.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments :

Mr. J. F. G. Cooke to officiate as Civil and Session Judge of Dacca, during the absence of Mr. Cracroft, or until further orders.

FEBRUARY 19.

Mr. E. V. Irwin to be Head Assistant to the Magistrate and Collector of Bhaugulpore.

Mr. F. E. Read to be Head Assistant to the Magistrate and Collector of Purneah.

The Deputation of Lieutenant A. C. Rainy, by the Commissioner of Arrakan, to officiate as Senior Assistant at Sandoway during the absence of Capt. White, is approved by Government.

Mr. S. T. Cuthbert, Civil and Session Judge of Behar, has been permitted to remain at Patna till the 21st instant, on medical certificate.

His Excellency the Right Honorable the Governor General of India in Council has been pleased to appoint Captain P. Fisher to be Superintendent of Upper and Lower Cachar.

FEBRUARY 20.

Messrs. W. Ogilby and P. E. Patton embarked for Europe on board the ship *Fergusson*, which vessel was left by the Pilot at Sea on the 7th instant.

FEBRUARY 21.

The following Officer has obtained leave of absence from his Station:

Mr. C. J. Middleton, Officiating Commissioner of Revenue and Circuit of the 15th or Dacca Division, for one month, preparatory to his proceeding to Europe on furlough, on his being relieved of the Office of Commissioner by Mr. H. Moore.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. W. J. Allen to the charge of the current duties of the Civil and Session Judge's Office at Dacca.

FEBRUARY 23.

Mr. C. G. Udny to officiate as Civil and Session Judge of Nuddeah.

Mr. J. H. Patton to be Magistrate of the 24-Pergunnahs, Superintendent of the Allypore Jail, and a Magistrate of Calcutta.

Mr. F. J. Halliday to be Magistrate and Collector of Zillah Dacca. Mr. Halliday will continue in charge of his present Office of Joint Magistrate and Deputy Collector of Noacolly, until further orders.

Mr. F. Cardew to be Joint Magistrate and Deputy Collector of Tirhoot.

Mr. J. K. Ewart to be Joint Magistrate and Deputy Collector of Midnapore, ordinarily stationed at Hidgelee.

Mr. William Tayler to be Head Assistant to the Magistrate and Collector of the Central Division of Cuttack.

Mr. W. St. Quintin Quintin to be Deputy Collector of Sarun.

Mr. B. J. Colvin to be Deputy Collector of Shahabad.

Mr. E. C. H. Repton to be Head Assistant to the Magistrate and Collector of the Southern Division of Cuttack.

Mohesh Chunder Bannerjea to be Deputy Collector of Zillah Jessore.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments:

Byjenauth Sein to be Sudder Ameen in Zillah Jessore, vice Mr. J. N. Thomas.

FEBRUARY 24.

The following Officers have obtained leave of absence from their stations:

Mr. G. D. Wilkins, Assistant under the Magistrate and Collector of Tirhoot, for three weeks, on private affairs, in extension of the leave for one month granted to him by the Commissioner of the 12th or Monghyr Division.

FEBRUARY 25.

Mr. H. B. Brownlow, Acting Magistrate and Collector of Tipperah, for one month, on private affairs, in extension of the leave granted to him by the Commissioner of the 16th Division.

Captain T. Wilkinson, Agent to the Governor General under Regulation XIII. 1833, for seven days, on private affairs.

Mr. R. C. Halkett, Joint Magistrate and Deputy Collector of Nuddeah, for two months, on medical certificate.

Mr. A. C. Bidwell is appointed to officiate, until further orders, as Joint Magistrate and Deputy Collector of Nuddeah.

His Excellency the Right Hon'ble the Governor General of India in Council has been pleased to make the following appointments:

Mr. F. C. Smith to officiate as a Judge of the Court of Sudder Dewanny Adawlut, at Calcutta, in the room of Mr. C. W. Smith.

Mr. E. J. Harington to officiate as a Judge of ditto ditto, to carry on the investigation of the cases which have been commenced by Mr. C. W Smith, and to conduct the duties of the appointment generally, until the arrival of Mr. F. C. Smith.

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FORT WILLIAM GENERAL DEPARTMENT, FEBRUARY 6, 1835.

Messrs. Edward Currie and George Thomas Lushington, embarked for Europe on board the Ship *Orontes*, which vessel was left by the Pilot at Sea on the 22d ultimo.

Mr. John Francis Griffith Cooke, of the Civil Service, reported his return from furlough on the 23d ultimo.

FEBRUARY 10.

The Right Hon'ble the Governor General of India in Council was pleased on the 23d ultimo, to appoint Mr. William Adam to conduct inquiries into the state of Native Education in Bengal.

FEBRUARY 20.

Messrs. W. Ogilvy and P. E. Patton embarked for Europe on board the ship *Fergusson*, which vessel was left by the Pilot at sea on the 7th instant.

FEBRUARY 21.

Mr. Charles Becher, Commercial Resident at Radnagore, is permitted to defer delivering over charge of his office to Mr. John French, until the 1st proximo, instead of the 20th inst.

Mr. Douglas Hadow Crawford has been permitted to proceed to Patna, and prosecute his steady of the Oriental Languages with the aid of his brother Mr. J. H. Crawford, Assistant under the Commissioner of the Patna Division.

Mr. C. Chapman having exceeded the period within which under the orders of the Honorable the Court of Directors he ought to have qualified himself for the public service by proficiency in the native languages, has been ordered to return to England.

The Right Honorable the Governor of Bengal is pleased to make the following appointments:

Mr. J. Lowis to be Salt Agent of the Central Division of Cuttack, in the room of Mr. Maxwell removed.

Mr. A. J. M. Mills to officiate in the above situation, until further orders.

Mr. H. Stainforth to take temporary charge of the Salt Chokies in the District of Backergunge, until further orders.

FEBRUARY 25.

Messrs. E. Latour and H. M. Clarke, Writers, are reported qualified for the public Service by proficiency in two of the Native languages.

Mr. H. W. Torrens was appointed on the 18th ultimo to officiate in the room of Mr. J. P. Grant for Mr. George Alexander, the Deputy Secretary in the General Department at this Presidency, until further orders.

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Erratum in the Orders from the General Department, dated the 26th January, 1835, published in the *Gazette* of the 4th instant:

For "Mr. H. D. Cravurd," read "Mr. Douglas Hadow Crawford."

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POLITICAL DEPARTMENT, FEBRUARY 5, 1835.

On the 18th instant Captain A. Davidson reported having delivered over charge of the offices of Magistrate, Register, Collector of Land Revenue and of Government Customs in the North Eastern parts of Rungpore, to Ensign T. Brodie. The leave granted to Captain Davidson on the 31st December last, will commence from the 18th ultimo instead of the 15th December.

The Right Honorable the Governor of Bengal has been pleased to permit Captain Westmacott, 37th Regt. N. I., Junior Assistant to the Agent to the Governor General in the N. E. Frontier, to proceed to the Presidency for three months, from the 20th of January last, preparatory to his applying for leave to proceed to England on account of ill health.

FEBRUARY 11.

It having been resolved that the British Superintendence over the body denominated the Munneepore Levy shall be discontinued, the services of Major F. Grant are placed at the disposal of His Excellency the Commander in Chief.

The Right Honorable the Governor General of India in Council has been pleased to make the following appointments:

Capt. Lister to be Political Agent in the Cossya Hills, and to have charge of the British relations with the Jynteea Raja. Capt. Lister will retain command of the Sylhet Light Infantry, the head-quarters of which are to be fixed at Cherrapoonjee.

Mr. Henry Inglis to be Assistant to the Political Agent in the Cossya Hills.

Lieut. Gordon, late Second in Command of the Munneepoor Levy, to be Political Agent in Munneepoor.

FEBRUARY 19.

His Excellency the Right Honorable the Governor-General of India in Council has been pleased to make the following appointment:

Captain W. Simonds, of the 21st Regt. N. I., to be Commandant of the Sebundy Corps to be organized for Lower Assam.

Mr. N. B. Edmonstone to be Superintendant of Ajmer and 1st Assistant to the Agent to the Governor General for the States of Rajpoopatana.

Cornet J. D. Macnaghten to be 2d Assistant to ditto.

Lieut. H. W. Trevelyan to be 3d Assistant to ditto.

FEBRUARY 24.

Captain Thoresby, of the 68th Regt. N. I., to be Political Agent in Shekhawatte.

Doctor Archibald Campbell, Assistant Surgeon, attached to the Catmandhoo Residency, to officiate as Assistant to the Resident at that Court.

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ECCLESIASTICAL DEPARTMENT, FEBRUARY 6, 1835.

Mr. W. H. Abbot, Registar of the Archdeaconry of Calcutta returned to this Presidency on the 24th January last. The leave granted to Mr. Abbot in the *Gazette* of the 6th of December last, expired on the 20th January, and is extended, to the date of Mr. Abbot's return.

# GENERAL REGISTER.

## ORDERS BY THE GOVERNOR OF AGRA.

JUDICIAL AND REVENUE DEPARTMNT, FEBRUARY 3, 1835.

The leave of absence granted on the 30th Dec. last, to Mr. R. W. Barlow, officiating Civil and Session Judge of Ghazeepore, for ten months, on medical certificate, to visit the Hills, is cancelled at his own request, and he is directed to return to Ghazeepore and to resume charge of his office.

Mr. E. P. Smith and Mr. W. R. Kennaway will resume charge of their respective offices of Magistrate and Collector, and Joint Magistrate and Deputy Collector of Ghazeepore.

The order of the 24th ultimo, appointing Mr. T. P. Woodcock to officiate as Joint Magistrate and Deputy Collector of Ghazeepore, is likewise cancelled.

FEBRUARY 4.

The Honorable the Governor is pleased to make the following Appointments, to take effect from the date of the sailing of the ship in which Mr. Boddam took his departure for Europe:

Mr. A. Campbell to be Commissioner of Revenue and Circuit in the 2d or Agra Division.

Mr. H. S. Boulderson to be ditto ditto in the 5th or Bareilly Division.

Mr. T. P. B. Biscoe to be Civil and Session Judge of Sharunpore.

Mr. W. Cowell to be ditto of Bareilly.

The following officers have obtained leave of absence from their stations:

Mr. W. Gorton, Commissioner of the 8th or Benares Division, in extension, from the 1st January to the 1st November, instead of the 16th September next, as notified in the orders of the 20th ultimo,

Mr. D. Robertson, Assistant under the Commissioner of the 5th or Bareily Division, for two months, from 31st January last to proceed to Calcutta, on medical certificate. The permission granted by the Commisioner to Mr. Robertson to leave his station on the 31st ultimo, in anticipation of the orders of Government, has been sanctioned.

Mr. H. Cooper, Civil Surgeon of Bareily, for nine months, on medical certificate, from the 1st of March to the 30th November next.

FEBRUARY 5.

The following Officers have obtained leave of absence from their Stations.

Mr. C. T. Sealy, Judge of the Sudder Dewanny and Nizamut Adawlut at Allahabad, for three months, on medical certificate, in extension of the leave granted to him on the 10th November last.

Mr. H. T. Owen, officiating Civil and Session Judge of Cawnpore, for one month, on urgent private affairs. Mr. Owen has been directed to make over charge of his office to Mr. J. Cutler, who will retain charge during his absence.

Zuhoor Ally, Principal Sudder Ameen in Allyghur, for one month, on urgent private affairs.

FEBRUARY 9.

The order issued by the Commissioner of the 6th or Allahabad Division, on the 3d instant, directing Mr. F. Lowth to assume charge of the office of Joint Magistrate at Hummeerpore, during the absence of Mr. Woodcock, is approved.

FEBRUARY 10.

The Honorable the Governor is pleased to make the following appointments:

Mr. G. Mainwaring to be Civil and Session Judge of Banda, vice Mr. M. Ainslie returned to Europe. Mr. Mainwaring will continue in charge of the offices of Commissioner of Revenue and Circuit, and Agent to the Governor General at Benares, until further orders.

Mr. E. A. Reade to be joint Magistrate and Deputy Collector of Belah. Mr. Reade will continue to officiate in his present office of Deputy Collector at Cawnpore, until further orders.

FEBRUARY 12.

Mr. R. W. Barlow, officiating Civil and Session Judge of Ghazeepore, has obtained leave of absence from his station until the 15th proximo, on private affairs.

FEBRUARY 14.

Mr. H. Fraser, Principal Magistrate and Collector of the Hurrianah Division of the Delhi Territory, has obtained leave of absence from his station from the 1st of March to the end of November next, on medical certificate.

The leave of absence granted by the Sudder Board of Revenue for the Agra Presidency, to Mr. C. C. Parks, Collector of Customs at Allahabad, for one month, commencing from the 1st instant, and the nomination by the Board of Mr. H. St. G. Tucker to officiate as Collector of Customs during Mr. Parks's absence, have been sanctioned.

FEBRUARY 16.

Mr. C. Mackenzie, Joint Magistrate and Deputy Collector of Cawnpoor, has obtained two months leave of absence, on medical certificate, in extension of the leave granted him on the 28th ultimo.

FEBRUARY 21.

Mr. A. Bell appointed to officiate as Principal Magistrate and Collector of the Hurrianah Division of the Delhy Territory, during the absence on leave of Mr. H. Fraser, until further orders.

FEBRUARY, 25.

The following Officers have obtained leave of absence from their stations:

Mr. W. Lampert, Judge of the Sudder Dewanny and Nizamut Adawlut, for one month, to visit Calcutta, on private affairs.

Mr. C. Mackenzie, Joint Magistrate and Deputy Collector of Cawnpore, for four months, on medical certificate, in extension of the leave granted him on the 16th instant.

Mr. J. Ranken, Civil Surgeon of Delhy, for two months, from the 1st proximo, to visit Calcutta, on account of private affairs, in extension of the leave granted him by the Commissioner of Delhy.

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GENERAL DEPARTMENT, CAMP ALLAHABAD, 6TH FEB.

*Garrision Orders by the Honorable the Governor of the Fort of Allahabad, February 6.*

The Honorable the Governor of the Presidency of Agra has this day, by virtue of His Commission from the Honorable the East India Company, bearing date the 28th of Dec. 1833, assumed the Functions of Governor and Commander in Chief of the Fort, Garrison, Town and Cantonment of Allahabad.

Lieut. General Marley will continue to exercise the Command as heretofore, subject to the Orders of the Governor.

The Honorable the Governor makes the following appointment:

Capt. J. M. Higginson to be Town and Fort Major from this date.

FEBRUARY 25.

Dr. James Graham, Surgeon, 42d Regt. N. I. is appointed to officiate, until further orders, as Civil Surgeon and Deputy Post Master at Delhi, in consequence of the absence of Dr. J. Ranken on leave.

By the desire of the Right Honorable the Governor General of India in Council, Mr. H. W. Torrens has been placed, temporarily, at the disposal of the Supreme Goverument.

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GENERAL DEPARTMENT, FINANCIAL.

The Honorable the Governor is pleased to make the following appointments:

Mr. F. O. Wells to be Accountant of the Agra Presidency.

Mr. J. P. Grant to be Deputy Accountant and Civil Auditor of ditto.

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POLITICAL DEPARTMENT, FEBRUARY 11.

Mr. W. Gorton, the Agent to the Governor General at Benares, has obtained an extension of leave from the 1st January to the 1st November next.

FEBRUARY 18.

APPOINTMENT.—Lieutenant Clement Read Browne, of the 60th Regt. N. I., to be Assistant to the Governor General's Agent and the Commissioner in the Saugur and Nurbudda Territories.

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## MILITARY APPOINTMENTS, &c.

GENERAL ORDERS BY HIS EXCELLENCY THE RIGHT HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, 2D FEBRUARY, 1835.

No. 29 of 1835.—The leave of absence granted to Surgeon John Tytler, of the Medical Department, in Genetal Orders No. 8, of the 7th instant, to proceed to the Cape of Good Hope, is commuted to furlough to Europe, on medical certificate.

FORT WILLIAM, 3D FEBRUARY.

No. 30 of 1835.—Cornet J. M. Loughnan, of the 10th Regt. L. C., Fort Adjutant of Fort William, having returned to the Presidency, is directed to resume the duties of his office.

The undermentioned Officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Honorable the Court of Directors:

Capt. Humphrey Jervis White, of the 50th Regt. N. I, Lieut. Bryan William Darwin Cooke, of the 56th Regt. N. I. and Lieut. Robert McNair, of the 73d Regt. N. I.; date of arrival at Fort William 30th January, 1835.

The undermentioned Officers are permitted to proceed to Europe on furlough:

Lieut James Richard Benson Andrews, of the 52d Regt. N. I., on medical certificate.

Ensign Bernard Cary, of the 6th Regt. N. I., for one year, without pay, on urgent private affairs.

The leave of absence granted to Lieut.-Col. Thomas Gough, of the 2d Regt. N. I., in General Orders No. 88, of the 12th March, 1833, is extended to the 30th ultimo.

FORT WILLIAM, 5TH FEBRUARY.

No. 31 of 1835.—The Right Honorable the Governor-General of India in Council is pleased to make the following promotions:

44th Regt. N. I.—Lieutenant and Brevet Captain Michael Hughes to be Captain of a Company, and Ensign Robert Henry Mockler to be Lieutenant, from the 21st January 1835, in succession to Captain Richard Newton deceased.

Lieut. Lewis William Gibson, of the 27th Regt. N. I., has returned to his duty on this establishment, without prejudice to his rank, by permission of the Honorable the Court of Directors; date of arrival at Fort William, 2d February, 1835.

Lieut. William Joseph Martin, of the 9th Regt. N. I., is permitted to proceed to Europe on furlough, on account of his private affairs.

Lieut. Charles Griffin, of the 51st Regt. N. I., is permitted to proceed to Europe on furlough, on medical certificate.

His Lordship in Council was pleased in the Judicial and Revenue Department, under date the 26th ultimo, to appoint Lieut. John Miller, of the 26th Regt. N. I., to do duty with the Assam Light Infantry Battalion.

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No. 32 of 1835.—The undermentioned Officers having been declared incapable of performing the active duties of their profession, are, at their own request, transferred to the Invalid Establishment:

Captain Ebenezer Marshall, of the 71st Regt N. I.

Lieut. Edward William Ravenscroft of the 72d Regt. N. I.

The permission granted by the Bombay Government to the undermentioned officers of the Bengal Army to proceed thence to Europe, on furlough, on medical certificate, is confirmed by the Supreme Government:

Major Ivie Campbell, of the 12th Regt. N. I.

Captain James Fraser, of the 2d Regt. L. C.

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FORT WILLIAM, 9TH FEBRUARY.

No. 34 of 1835.—Lieut. John Hotham, of the Regt. of Artillery, is permitted to proceed to Europe on furlough, on medical certificate.

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FORT WILLIAM, 11TH FEBRUARY.

No. 35 of 1835.—The Right Honorable the Governor General of India in Council is pleased to make the following Promotions and Appointments:

71st Regt. N. I.—Lieut. and Brevet Captain Edmund Wiltle to be Captain of a Company, and Ensign Thomas Septimus Jervis to be Lieutenant, from the 5th Feb. 1835, in succession to Capt. Ebenezer Marshall transferred to the invalid establishment.

72d Regt. N. I.—Ensign George Henry Rose to be Lieutenant, from the 5th Feb. 1835, vice Lieut. Edward William Ravenscroft transferred to the invalid establishment.

Col. Francis James Thomas Johnston, of the 3d Regt. L. C., to be a Brigadier on the establishment, vice Paton who has obtained leave to repair to the Presidency, preparatory to applying for furlough to Europe, on account of his health.

Col. George Hiller, of His Majesty's 62d Regt. of Foot, to the Command of the Troops stationed within the Tenasserim Provinces, upon the departure of Col. Sir. Jeremiah Dickson, K. C. B, for Bengal.

Assistant Surgeon Thomas Spens, M. D., to be Assistant Marine Surgeon, in succession to Assistant Surgeon Bramley

Assistant Surgeon Henry Chapman to the Medical duties of the Governor General's Body Gaurd, vice Spens.

Assistant Surgeon Henry Hurry Goodeve, M. D., to be Assistant to the Superintendent of the new Native Medical College.

The following Removals are made in the Pay Department:

Capt. William Turner, of the 54th Regt. N. I., from the Agra Circle, to be Agent for Family Money and Paymaster of native pensions at Barrackpore.

Lieut. Thomas Francis Binis, of the 11th Regt. N. I., from the Nusseerabad Circle, to be Deputy Pay Master at Agra, vice Turner.

The undermentioned officer is promoted to the rank of Capt. by Brevet, from the date expressed opposite to his name:

Lieut. Archibald McKean, of the 42d Regt. N. I., 2d February, 1835.

Mr. Henry Weaver is admitted to the Service, in conformity with his appointment by the Honorable the Court of Directors, as a Cadet of Infantry on this establishment, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment; date of arrival at Fort William, 4th February, 1835.

Lieut. Henry Moore, of the 34th Regt N. I, has returned to his duty on this establishment, without prejudice to his rank, by permission of the Honorable the Court of Directors; date of arrival at Fort William, 9th February, 1835.

The undermentioned officers are permitted to proceed to Europe on furlough:

Major John Horne, of the 60th Regt. N. I.,—Captain Henry Vibart Clegg, of the 32d Regt. N. I., and 2d Lieut Percival Bridgman, of the Regt. of Artillery, on medical certificate.

Capt. Richard Horne, of the 73d Regt. N. I., and Secretary to the Clothing Board, on account of private affairs.

Lieut. Hugh Augustus Boscawen, of the 54th Regt. N. I., Adjutant of the Calcutta Native Militia, is directed to take charge of the office of the Secretary to the Clothing Board, as a temporary arrangement, on the departure of Capt. Horne for Europe.

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No. 36 of 1835.—The following Garrison Orders by the Right Honorable the Governor of Fort William, dated the 8th instant, is published in General Orders by Government:—

GARRISON ORDERS BY THE RIGHT HON'BLE THE GOVERNOR.

*Fort William 8th February*, 1835.

Col. Daniell, of His Majesty's 49th Regt., will continue to Command the Troops in Garrison until further orders.

This appointment to have effect from the 5th ultimo, the date on which His Majesty's 49th Regt. marched out of Garrison.

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No. 37. of 1835.—The leave of absence granted to Cornet J. M. Loughnan, of the 10th Regt. L. C., Fort Adjutant of Fort William, in General Orders No. 46, of the 26th March 1833, is extended to the 30th ultimo.

Lieut. Frederick Vaughan McGrath, of the 62d Regt. N. I., was appointed in the Judicial and Revenue Department, under date the 3d instant, to do duty with the Arracan Local Battalion.

Captain George Edward Westmacott, of the 37th Regt. N. I., Junior Assistant to the Agent to the Governor General in the North East Frontier, was permitted, in the Political Department, under date the 5th instant, to visit the Presidency, for three months from the 20th January last, preparatory to applying for leave to proceed to Europe, on medical certificate.

The leave of absence granted in the Political Department to Capt. Alexander Davidson, of the 18th Regt. N. I., in charge of the Division of North East Rungpore, and published in General Orders No. 15, of the 15th ultimo, is to commence from the 18th January last instead of the 15th December.

Lieut. Clement Read Browne, of the 63th Regt. N. I., is placed at the disposal of the Honorable the Governor of Agra, for employment under that Presidency.

The temporary appointment of Local Lieut. Forster to the Command of the Contingent in Sheekhawatlee, has been confirmed in the Political Department under date the 23d January, 1835.

The undermentioned Assistant Teachers and Students of the late Native Medical Institution are admitted to the service as Native Doctors and disposed of in the manner stated opposite to their names:

Shaick Waris Ali, Heera Lall, placed at the disposal of His Excellency the Commander in Chief.

Ahmud Khan, Gowhur Khan, Baldeo Sing, and Gunneas Sing, placed at the disposal of the Medical Board for employment in the Civil Department.

Shaick Ibrahim, Shaick Wahid Alli, and Shaick Abdoollah, Nundlall Missur, placed at the disposal of His Excellency the Commander in Chief.

Shaick Badul, placed at the disposal of the Commissioner in Assam.

Ramdheen Sing, Meer Jaun, and Æsmuth Ali, Soopun Khan, placed at the disposal of His Excellency the Commander in Chief.

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FORT WILLIAM, 12TH FEBRUARY.

No. 39 of 1835.—The Right Honorable the Governor General of India in Council is pleased to make the following appointments:

Ensign Edward Geoffry John Champneys, of the 33d Regt. N. I, to be a Deputy Assistant Quarter Master General of the 2d class, to fill a vacancy in the Department. The appointment of Capt. Simmonds, in General Orders No. 17, of the 23d ultimo, has not taken place.

Capt. John Henry Simmonds, of the 55th Regt. N. I., to be Secretary to the Clothing Board, vice Capt. Horne permitted to proceed to Europe on furlough. This appointment to have effect from the date of sailing of the Ship on which Capt. Horne may embark.

Cornet Charles Wollaston, of the 8th Regt. L. C., to be an Assistant in the Stud Department, vice Champneys.

Ensign Robert Wright Cope Doolan, of the 12th Regt. N. I, to be a Sub Assistant Commissary General, to fill a vacancy.

Lieut. George Arthur Brownlow, of the 3d Regt. L. C., to be a Deputy Assistant Adjutant General on the establishment, vice Capt. J. D. Douglas who has vacated the appointment on promotion, in conformity with General Orders of the 17th August 1827, there being already two Captains absent on Staff employ from the 53d Regt. N. I.

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FORT WILLIAM, 16TH FEBRUARY.

No. 40 of 1835.—The undermentioned Gentlemen are admitted to the Service, in conformity with their appointment by the Honorable the Court of Directoors, as Cadets of Artillery and Infantry and as an Assistant Surgeon on this establishment. The Cadets are promoted to the rank of 2d Lieutenant and Ensign, leaving the dates of their Commissions for future adjustment:

Artillery.—Mr. Nathaniel Alexander Staples; date of arrival at Fort William, 11th February, 1835.

Infantry.—Mr. Augustus Turner, ditto, 10th February, 1835.

Messrs. Richard John Graham, Ralph Dowson, and David Edward Brewster, ditto, 11th February, 1835.

Medical Department.—Mr. Richard Campbell McConnochie, ditto, 12th February 1835.

The undermentioned Officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Honorable the Court of Directors:

Lieutenant Colonel John Henry Cave, of the 40th Regt. N. I., date of arrival at Fort William, 10th February, 1835.

Lieutenant-Colonel William Henry Kemm, of the 50th Regt. N. I., ditto, 12th February, 1835.

Captain John Robson Wornum, of the 51st Regt. N. I., ditto, 11th February, 1835.

Captain Thomas Powrie Ellis, of the 52d Regt. N. I., ditto, 10th February, 1835.

Lieutenant George Craven Armstrong, of the 47th Regt. N. I, ditto, 11th Feruary, 1835.

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FORT WILLIAM, 10TH FEBRUARY.

No. 42 of 1835.—The Right Honorable the Governor General of India in Council is pleased to make the following promotions and alteration of rank:

Infantry.—Major Walter Alexander Yates to be Lieutenant Colonel, from the 11th Feb. 1835, in the room of Lieut. Col. Thomas Gough, deceased.

1st Regt. L. C.—Capt. George Thornton (retired) to be Major from the 7th July, 1833, vice Major W. Paule, promoted. This cancels the promotion of Capt. J. Franklin, published in General Orders No. 170, of the 4th Sept. last.

Capt. Henry Lechmere Worrall to be Major, Lieut. Archibald Larne Campbell to be Captain of a Troop, and Cornet George Richard Siddons to be Lieutenant, from the 12th January, 1835, in succession to Major G. Thornton retired.

47th Regt. N. I.—Ensign James Townshend Daniell to be Lieutenant, from the 10th Feb. 1835, in the room of Lieut. Peter Dick, discharged from the service by the sentence of a General Court Martial.

73d Regt. N. I.—Capt. Richard Home to be Major, and Lieut and Brevet Capt. Henry Patch to be Captain of a Company, from the 11th Feb. 1835, in succession to Major Walter Alexander Yates promoted.

Supernumerary Lieut. James Sleeman is brought on the effective strength of the Regt.

ALTERATION OF RANK.

1st Regt. L. C.—Capt. P. O'Hanlon, (under suspension)—to rank from the 19th Sept. 1832, vice J. Franklin (deceased) struck off after the expiration of 2 years from the date of landing in England.

Capt. J. F. Bradford, ditto 7th July, 1833, vice G. Thornton (retired,) promoted.

Lieut. A. Campbell, ditto 7th July, 1833, vice J. F. Bradford promoted.

Assist.-Surg. Alexander Muir Mackenzie Minto, of the Medical Department, has returned to his duty on this establishment, without prejudice to his rank, by permission of the Honorable the Court of Directors; date of arrival at Fort William, 12th Feb. 1835.

Ensign George Dalston, of the 58th N. I. is permitted to proceed to Europe on furlough, for one year, without pay, on urgent private affairs.

Major Jonathan Scott, of the Invalid Establishment, is permitted, at his own request, to retire from the service of the Honorable Company on the pension of his rank, from the date of sailing of the ship on which he may embark for Europe.

His Lordship in Council is pleased to make the following promotions in the Subordinate Medical Department.

Assistant Apothecary George Cook to be Apothecary, and Hospital Apprentice George Cockburn to be Assistant Apothecary, from the 27th January 1835, in succession to Apothecary Hugh Carroll deceased.

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No. 44 of 1835.—The Right Honorable the Governor General of India in Council is pleased to promote the undermentioned officers of Infantry to the rank of Captain by Brevet, from the dates expressed opposite to their names:

Left Wing European Regt.—Lieut. William Shortreed, 14th Feb. 1835.

44th Regt. N. I.—Lieut. John Bartleman, ditto ditto.

70th Regt. N. I.—Lieut. Alexander Corse Scott, ditto ditto.

The following appointments were made in the departments specified.

POLITICAL DEPARTMENT, 11TH FEBRUARY.

Lieut. Frederick Mackeson, of the 14th N. I. to be a British Agent for the Navigation of the Indus, and stationed at Mithencoat.

Capt. John Ludlow, of the 6th Regt. N. I. and Lieut. Arthur Conolly, of the 6th Regt. L. C. to be Assistants to the Governor General's Agent in Rajpootanah.

Lieut. George Powell Thomas, of the 64th Regt. N. I. to be an Assistant in the Department under Mr. F. C. Smith, for the suppression of Thuggee.

JUDICIAL AND REVENUE DEPARTMENT, 11TH FEBRUARY.

Ensign John Smith, of the 49th N. I. to do duty with the Arracan Local Battalion.

Ensign Arthur Purvis Phayre, of the 7th N. I. to do duty with the Talain Corps, now raising for the service on the Coast of Tenasserim.

Lieut. Robert McNair, of the 73d N. I. to do duty with the Assam Light Infantry.

Lieut. James Awdry, of the 55th N. I. to be a Junior Assistant to the Agent to the Governor General in Ramghur under Regulation XIII of 1833.

Capt. Richard Wilcox, of the 59th N. I. was permitted in the Political Department, under date the 5th ult. to enter the service of the King of Oude, for the purpose of Superintending an Observatory in the City of Lucknow.

Surgeon Henry Cooper, attached to the civil station of Bareilly, has obtained, in the Judicial and Revenue Department, leave of absence for nine months, on medical certificate, from the 1st of March to the 30th November.

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No. 45 of 1835.—The Right Honorable the Governor General of India in Council is pleased to make the following temporary appointment:

Capt. T. A. Vanrenen, of the Regt. of Arty. to the charge of the Expence Magazine at Dum-Dum.

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FORT WILLIAM, 24TH FEBRUARY.

No. 47 of 1835.—The Right Honorable the Governor-General of India in Council is pleased to make the following promotions and alteration of rank:

47th Regt. N. I.—Ensign William Charles Hollings to be Lieutenant, from the 16th February, 1835, vice Lieutenant J. P. Walker dismissed from the Service by the Sentence of a General Court Martial.

62d Regt. N. I.—Ensign William Bridge to be Lieutenant, vice Lieut. E. Ironside resigned, with rank from the 23d May, 1834, vice Lieut. A. Horne deceased.

Alteration of Rank.—Lieut. C. E. Grant, to rank from 2d August, 1832, vice Lieut. E. Ironside resigned.

His Lordship in Council is pleased to make the following promotion in the Ordnance Commissariat Department:

Deputy Commissary Lieut. G. H. Dyke to be Commissary in succession to Captain Matheson deceased.

Lieut. Farquharson Tweedale, of the 8th Regt. L. C., is promoted to the rank of Captain by Brevet, from the 21st February, 1835.

The undermentioned Officers are placed at the disposal of the Honorable the Governor of Agra:

Ensign H. Garnett, of the 30th Regt. N. I.

Assistant Surgeon Charles Newton, of the Medical Department.

Memorandum.—As Captain H. T. Hitchins, who is included in the 2d paragrah of the Honorable Court's Military Letter No. 35, dated the 3d September, 1834, published in General Orders No. 43, of the 19th instant, is a Madras and not a Bengal Officer, his name is to be expunged therefrom, and the Order Books corrected accordingly.

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No. 48 of 1835.—The Right Honorable the Governor-General of India in Council is pleased to assign rank to the undermentioned 2d-Lieutenant and Ensigns, from the dates specified opposite to their respective names:

Artillery.—2d Lieutenant Nathaniel Alexander Staples, 11th February, 1835.

Infantry.—Ensigns Ralph Dawson, 21st August, 1834; Andrew Gildart Reid, 22d ditto ditto; Augustus Turner, 23d ditto ditto; Septimus Harding Becher, 27th ditto ditto; Richard John Graham, 28th ditto ditto; Richard Charles Lawrence, 13th September, ditto; Henry Weaver, 15th ditto ditto; Henry James Piercy 24th ditto ditto; James Lumsdaine Walker, 25th ditto ditto; Gordon Mainwaring, 29th ditto ditto; David Edward Brewster, 9th October, ditto; William Lachlan Mackintosh, 12th ditto ditto; Sullivan Harington Steer, 13th ditto ditto; John Balfour Conolly, 30th ditto ditto; Henry Ramsay, 30th ditto ditto; Samuel John Becher, 31st ditto ditto.

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No. 49 of 1835.—The following appointment made by the Right Hon'ble the Governor General, is published in General Orders:

Captain D. L. Richardson, of the Invalid Establishment, to be an Aide-de-Camp on His Lordship's Personal Staff. This appointment to have effect from the date of sailing of the ship on which Captain Troyer has embarked for Europe.

The following appointments are made in the Political Department, under date the 11th instant:

Captain F. G. Lister, of the 52d Regt. N. I., to be Political Agent in the Cossya Hills, and to have charge of the British relations with the Jynteea Rajah. Captain Lister will retain Command of the Sylhet Light Infantry, the Head-Quarters of which are to be fixed at Chirra Poonjee.

Lieutenant Gordon, of the 8th Regt. N. I., late second in Command of the Munneepoor Levy, to be Political Agent in Munneepoor.

Major Francis Grant, of the 39th Regt. N. I., commanding the late Munnepoor Levy, has been placed at the disposal of his Excellency the Commander-in Chief.

Captain M. G. White, of the 66th Regt. N. I., Senior Assistant stationed at Sandoway, has obtained in the Judicial and Revenue Department, under date the 17th ultimo, leave of absence from his station for three months, on private affairs.

No. 51 of 1835.—Captain George Anderson Vetch, of the 54th Regt. N. I., is permitted, at his own request, to retire from the service of the Hon'ble Company, from the 24th instant, on the pension of his rank.

Mr. Thomas Pennington is an appointed Assistant to the Executive Officer of the Midnapore Division Department of Public Works, on the salary of an Overseer, viz. Sonat Rupees 81 4 8.

Sergeant Major Thomas Fitzgerald, of the Hill Rangers, is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January 1797, and General Orders dated 5th February 1820, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive his Stipend at Monghyr.

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FORT WILLIAM, 28TH FEBRUARY, 1835.

No. 52 of 1835.—The undermentioned Gentlemen are admitted to the Service, in conformity with their appointment by the Honorable the Court of Directors as a Cadet of Infantry and as an Assistant Surgeon on this Establishment. The Cadet is promoted to the rank of Ensign, leaving the date of his Commission for future adjustment:

Infantry.—Mr. Robert Christopher Tytler; date of arrival at Fort William, 24th February 1835.

Medical Department.—Mr. John Williams Knight, 24th February 1835.

Surgeon Robert Tytler, M. D., has returned to his duty on this establishment, without prejudice to his rank, by permission of the Honorable the Court of Directors; date of arrival at Fort William 24th February 1835.

The undermentioned Officers are permitted to proceed to Europe on furlough on account of their private affairs:

Major James Fagan, of the 9th Regt. N. I.

Captain William George Lennox, of the 43d Regt. N. I.

Major Roderick Mackenzie, of the 15th Regt. N. I., is permitted, at his own request, to retire from the Service of the Honorable Company, from the 26th instant, on the Pension of his rank.

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## GENERAL ORDERS BY THE RIGHT HONORABLE THE COMMANDER-IN-CHIEF.

*Head-Quarters, Calcutta, 3d February, 1835.*

The Cawnpore Division Order of the 20th ultimo, directing Surgeon B. Bell, officiating Medical Store-keeper, to relieve Assistant Surgeon A. Chalmers, M. D., from the medical duties of the Civil Station of Cawnpore, is confirmed.

Lieut.-Colonel J. Holbrow's Regimental Order of the 13th ultimo, appointing Lieutenant and Brevet Captain M. Hughes to act as Adjutant to the Left Wing of the 44th N. I., from the 17th December 1834, is confirmed.

2d Lieut. R. C. Shakespear is removed from the 1st Company 5th to the 4th Company 6th Battalion of Artillery, and directed to join at Allahabad at the close of the present Service in Rajwarrah.

The undermentioned Officers have leave of absence:

4th Troop 2d Brigade Horse Artillery—2d Lieut. F. C. Burnett, from 19th January to 30th April, to visit the Presidency, on medical certificate, preparatory to applying for furlough to Europe.

4th Regt. L. C.—Captain J. Barclay from 20th February to 20th August 1836, to visit the Hills North of Deyrah Dhoon, on medical certificate.

57th Regt. N. I.—Lieut. T. Simpson, attached to the Ramgurh Battalion, from 22d February to 22d March, in extension to visit Bancoorah and the Presidency, on medical certificate.

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*Head-Quarters, Calcutta, 4th February.*

The Mhow Station Order of the 22d December, 1834, directing Apothecary J. Douglas to proceed towards Landour in medical charge of Convalescents, is confirmed.

Apothecary Douglas will, on his arrival at Meerut, do duty under the orders of the Superintending Surgeon at that Station.

Ensign W. Morrieson is removed from the 25th to the 54th Regt. N. I. at Nusseerabad.

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*Head-Quarters, Calcutta, 5th February.*

Supernumerary 2d Lieut. J. Abercrombie, at present doing duty with the 2d Company 3d, is directed to join and do duty with the 2d Company 5th Battalion of Artillery on its return to Agra.

The undermentioned Officers have leave of absence:

50th Regt. N. I.—Captain J. Graham from 20th February to 20th March, in extension, to remain at the Presidency, on private affairs, and to enable him to rejoin his Corps.

31st Regt. N. I.—Ensign S. R. Tickell, from 31st January to 31st March, to visit the Presidency, for the purpose of appearing before the Examiners of the College of Fort William.

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*Head-Quarters, Calcutta, 7th February.*

The Detachment Order by Captain G. Brooke, of the 16th ultimo, directing Lieut. and Brevet Captain A. Abbott to resume his office as Adjutant, and Staff Sergeant Molloy that of Serjeant-Major to the Left Wing of the 2d Battalion Artillery, is confirmed.

The Battalion Order by Lieut.-Colonel J. F. Dundas, of the 16th ultimo, appointing 1st Lieut. W. O. Young to act as Adjutant to the 2d Battalion Artillery in the room of Lieut. Brevet Capt. and Adjutant C. Dallas, permitted to return to his duty as Officiating Commissary of Ordnance at Chunar is confirmed.

The Commander in Chief is pleased to make the following appointments:

Lieutenant C. J. Mainwaring, of the 1st Regt. N. I., is appointed Interpreter and Quarter-Master to that Corps, vice J. Fisher deceased.

Lieutenant H. Hollings, of the 66th Regt. N. I., is appointed to act as Interpreter and Quarter-Master to the 25th Regt. N. I.

Ensign W. H. Ryves, of the 61st Regt. N. I., is appointed to act as Interpreter and Quarter-Master to the 9th Regt. L. C.

The undermentioned Officers having been pronounced qualified in the Persian and Hindoostanee languages by District Committees, are exempted from farther examination, except by the Examiners of the College of Fort William, which they are expected to undergo whenever they may visit the Presidency:

2d Lieutenant J. H. Campbell, of the Regt. of Artillery.

Lieut. J. H. Burnett, of the 16th Regt. N. I.

Lieut. D. T. Caddy, of the 70th Regt. N. I.

The undermentioned Officers have leave of absence:

5th Regt. L. C.—Cornet, Interpreter and Quarter Master C. M. Gascoyne, from 15th February to 31st March, to visit Meerut, on private affairs.

55th Regt N. I.—Surgeon E. T. Harpur from 1st Feb. to 1st March, to remain at Hazareebaugh, on paivate affairs.

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Capt. C. Fitzgerald's Detachment order of the 19th ultimo appointing Lieut. C. R. Browne to act as Adjutant to the Right Wing of the 60th N. I., during its separation from the Head-Quarters of the Regt., is confirmed.

The station order of the 19th ultimo, by Lieut.-Col. R. B. Jenkins, Commanding at Mhow, directing Assistant Surgeon E. J. Agnew, of the 6th Regt. L. C., to afford medical aid to the 16th N. I., during the absence, on leave, of Assistant Surgeon T. C. Elliot, is confirmed.

The following removals and postings will take place in the Regt. of Artillery:

Capt. G. N. C. Campbell, from the 4th Troop 3d Brigade to the 2d Company 3d Battalion Artillery, and directed to join.

Capt. T. Timbrell, (in temporary charge of the Expense Magazine) from the 2d Company 7th Battalion to the 4th Troop 3d Brigade Horse Artillery.

Capt. H. Rutherford, (Junior Assistant to the Governor General's Agent, North East Frontier) from the 2d Company 3d to the 2d Company 7th Battalion.

The Right Honorable the Commander in Chief is pleased to make the following appointments:

*Engineers.*—2d Lieut. H. Rigby to be Adjutant, vice Lieut. C. S. Guthrie appointed Assistant to Capt. G. Thompson, Superintendent of the new line of the Benares Road.

72d Regt. N. I.—Lieut C. H. Boisragon to be Adjutant, vice Beatson promoted.

Lieut. R. G. Grange, of the 10th Regt. N. I. having been declared by the Examiners of the College of Fort William, to be qualified for the duties of an Interpreter, is exempted from further examination in the native languages.

The leave of absence granted to Lieut. A. Mackenzie, of the 11th Regt. N. I., in General Orders of the 3d December last, is to commence from the 7th of that month and extended to the 25th ultimo, instead of the dates therein specified.

Assistant Surgeon M. McN. Rind, lately doing duty with the 65th Regt. N. I., is directed to join and do duty with the Artillery at Mhow.

The undermentioned officers have leave of absence:

16th Regt. N. I.—Lieut. A. Balderson, from 25th Feb. to 25th Feb. 1836, to visit the Hills North of Deyrah Dhoon, on medical certificate.

25th Regt. N. I.—Lieut. R. Long, from 6th Feb. to 15th June, to remain at the Presidency, on private affairs, and to enable him to rejoin his Regt. at Mirzapore.

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*Head-Quarters, Calcutta, 9th February.*

The Benares Division Order of the 31st ultimo, directing Assistant Surgeon T. Smith, M. D., to make over medical charge of the Civil and Military Establishments at Mirzapore to Surgeon A. Wood, of the 25th N. I., and rejoin his own Corps, the 8th Regt. L. C. at Sultanpore, is confirmed.

The order issued by Brigadier General R. Stevenson, C. B., Commanding the Force on service in Rajwarra, under date the 19th ultimo, directing Assistant Surgeon J. Greig to proceed and join the 39th Regt. N. I., to which he stands posted, making over medical charge of the 32d N. I. to Assistant Surgeon A. Keir, M. D., is confirmed.

Major J. Charter's Regimental order of the 23d ultimo, appointing Lieut. J. C. Salkeld to act as Adjutant to the 5th N. I., vice Mackintosh promoted, is confirmed as a temporary arrangement.

The Right Honorable the Commander in Chief is pleased to make the following appointment:

5th Regt. N. I.—Lieut William Charles Birch to be Adjutant, vice Mackintosh promoted.

Superintending Surgeon T. Tweedie (on leave of absence) is posted to the Barrackpore Circle of medical Superintendence, vice Thomas, who has embarked for Europe.

Surgeon D. Renton will continue to officiate as Superintending Surgeon at Barrackpore until further orders.

Surgeon T. E. Baker, of the 10th L. C., will officiate as Superintending Surgeon at Agra, during the absence, on leave, of Superintending Surgeon W. A. Venour or until further orders.

Assistant Surgeon W. B. O'Shaughnessy, M. D., on being relieved from his present charge, will join and do duty with the 10th L. C. at Muttra.

Staff Sergeant William Lamb, of the 2d Troop 2d Brigade Horse Artillery, is transferred to the Town Major's list, and appointed Quarter Master Sergeant to the 5th Regt. L. C., vice Gibbs, whose contracted period of service has expired, and who declines to renew.

Sergeant John Snow, of the European Regt. is transferred to the Town Major's List, and appointed Sergeant Major to the 72d Regt. N. I. vice Whitehead deceased.

Gunners James Clews and Peter McKay, of the Invalid Establishment, who were sent to the Presidency for the purpose of proceeding to England, are remanded to their Companies at Chunar, and directed to join.

With the sanction of the Right Honorable the Governor General the Commander in Chief is pleased to sanction an exchange of Corps between the following individuals:

Kolly Khan, Trumpeter, Governor General's Body Guard, to the 2d L. C. and Trumpeter Henry Becher, from the latter to the former Corps.

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*Head-Quarters, Calcutta, 10th February.*

The undermentioned officers have leave of abaence:

15th Regt. N. I.—Major R. Mackenzie, from 10th Feb., to 25th Feb. in extension, to remain at the Presidency, on private affairs.

5th Regt. N. I.—Ensign T. Smith, from 25th Dec. 1834 to 18th January, in extension, on medical certificate, and to enable him to rejoin his Corps.

2d Company 5th Battalion Artillery—2d Lieut. J. L. C. Richardson, from 20th March to 20th Sept. to visit Commercolly, on private affairs

7th Regt. L. C.—Cornet E. I. Robinson, (second in Command of the 3d Local Horse,) from 31st Jan. to 3st Jan. 1836, to proceed to Simla, on medical certificate.

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*Head-Quarters, Calcutta, 11th February.*

The Cawnpore Division Order of the 15th October last, appointing Assistant Surgeon C. Pine, of His Majesty's 16th Regt. of Foot, to afford medical aid to a detachment of His Majesty's and the Honorable Company's Troops proceeding to Meerut, is confirmed.

Assistant Surgeon T. C. Hunter, at present with the Artillery at Dum-Dum, is appointed to do duty with His Majesty's 62d Regt. at Moulmein.

Mr. Hunter will report himself immediately to the Quarter Master General of the Army, who is requested to take measures for providing him with a passage to his destination.

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Assistant Surgeon A. Drummond, is appointed to the medical charge of a detachment of H. M.'s 49th Foot, now under orders for Hazareebaugh, and is directed to report himself to the Brigade Major King's Troops in Fort William, from whom he will receive his instructions.

The appointment of Lieut. J. Turton, of the 5th Battalion Artillery, to act as Major of Brigade to the Artillery serving with Brigadier General Stevenson's Force, is confirmed, and is to have effect from the 18th of Nov. last.

The undermentioned officers have leave of absence:

61st N. I.—Najor W. Gregory, from 1st Feb. to 1st Aug. to visit the Presidency, preparatory to applying for furlough to Europe, on private affairs.

38th N. I.—Lieut. G. Turner, from 25th March to 25th Oct. to visit Landour, on private affairs.

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*Head Quarters, Calcutta, 12th February, 1835.*

The leave of absence, for four months, granted to Lieut. H. Yetch, of the 54th N. I. in General Orders of the 3d Dec. last, is to commence from the 21st of that month, instead of the date therein specified.

The undermentioned officers have leave of absence:

18th N. I.—Lieut. G. P. Austen, from 29th Jan. to 29th March, to remain at Saugor, on medical certificate, and to enable him to rejoin his Regiment.

25th N. I.—Lieut. G. Ramsay, from 28th Feb. to 28th April, in extension, to enable him to rejoin his Regiment at Mirzapore.

51st N. I.—Lieut. Intr. and Qr.-Mr. Y. Lamb, from 20th Jan. to 20th March, to visit Nusseerabad, on private affairs.

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*Head-Quarters, Calcutta, 13th February.*

Col. C. Parker's Detachment Order of the 25th ult., appointing Lieut. J. Turton, Adjt. and Quarter Master of the 5th Bn. of Arty., to act as Staff Officer to the detachment under his Command, is confirmed.

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Hospital Apprentice Charles Simons, now at the General Hospital, is appointed to act as Assistant Apothecary and Assistant Steward to a Detachment of H. M.'s 49th Foot, under orders of march from Fort William to Hazareebaugh.

Mr. Simons will immediately report himself to Asst. Surg. Drummond, and he will return to the General Hospital on the arrival of the detachment at its destination.

The undermentioned officer has leave of absence:

36th N. I.—Lieut.-Col. H. L. White, from 26th Jan. to 26th April, to visit the Presidency, preparatory to applying for furlough to Europe.

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*Head-Quarters, Calcutta, 14th February.*

Colonel J. Kennedy's Detachment Order of the 25th ultimo, appointing Lieutenant and Adjutant R. A. Master, of the 7th Regt. L. C., to act as Staff Officer to a Detachment, consisting of the 7th L. C. and 32d N. I., is confirmed.

Lieut.-Colonel P. Brewer's nomination, on the 5th ultimo, of Lieutenant, Interpreter and Quarter-Master G. P. Thomes, of the 64th Regt. N. I., to act as Station Staff at Saugor, during the absence, on duty of Captain A. R. Macdonald, Acting Deputy Assistant Adjutant General, is confirmed.

The Dinapore Division Order of the 6th instant, directing Assistant Steward James Parnell, arrived at that Station with a Detachment from Cherra Poonjee, to do duty in the Hospital of the European Regiment, is confirmed.

The Artillery Division Order by Brigadier C. Parker, dated the 23d ultimo, appointing Gunner David Davis, of the 1st Company 5th Battalion, to act as Laboratory-man, in the room of Bombardier Henry Poulson remanded to his Company, is confirmed.

Lieut.-Col. G. Hawes's Regimental order of the 26th ultimo, directing Ensign W. Lamb to act as Interpreter and Quarter-Master to the 51st N. I., during the absence, on leave, of Lieut. Y. Lamb, is confirmed.

Gunner Daniel Kerrigan, of the 4th Company 1st Battalion Artillery, having been sent to the Presidency in a state of mental derangement, is transferred, until further orders, to the Town Major's List, for the purpose of being placed in Mr. Beardsmore's Asylum.

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*Head-Quarters, Calcutta, 16th February.*

The Commander in-Chief is pleased to cancel that part of the Circular Letter from the Adjutant-General of the Army, under date the 2d of Nov. 1832, which empowers officers who order the assembly of inferior Courts Martial, and who confirm their proceedings, to carry sentences of Corporal punishment into effect, without the previous sanction of General Officers Commanding Divisions, or Brigadiers Commanding Field Forces, and His Excellency directs, that the General Order of the 19th March 1827, and the Circular Letters of the 9th March and 16th June, of the same year, be considered in full force.

The Meerut Division Order of the 3d instant, appointing Lieut. G. Short, of the 45th Regt. N. I., to superintend the disposal of Government Grain at Allygurh, and to conduct the duties of Lieut. W. T. Briggs, late Sub-Assistant Commissary General, who has been appointed to a Political situation, is confirmed.

Colonel F. J. T. Johnston, of the 3d Regt. L. C., who has been appointed a Brigadier on the Establishment, in Government General Orders No. 35, of the 11th instant, is appointed to the Command of the Troops in Oude.

Lieut. G. A. Brownlow, of the 3d Regt. L. C., who has been appointetd a Deputy Assistant Adjutant General on the Establishment, in Government General Orders No. 39, of the 12th instant, is posted to the Benares Division

The undermentioned Officers having been pronounced qualified in the Persian and Hindoostanee languages by District Committees, are exempted from further examination, except by the Examiners of the College of Fort William, which they are expected to undergo whenever they may visit the Presidency.

Ensign R. Hill, of the 4th Regt. N. I.
Ensign J. Smith, of the 49th Regt. N. I.
Lieut. H. Henchman, of the 57th Regt. N. I.

The undermentioned Officers have leave of absence:

2d Battalion Artillery.—Lieut. J. R. Revell, from 1st March to 1st Sept., to visit the Presidency, on private affairs, and apply for furlough

41st Regt. N. I.—Lieut. and Brevet Captain J. Cumberlege, from 10th Feb. to 10th April, to visit Hazareebaugh, on private affairs.

1st Company 3d Battalion Artillery.—2d Lieut. J. H. Campbell, from 15th Feb. to 15th Dec., to visit the Hills North of Deyrah Dhoon, on medical certificate.

European Regiment.—Lieut. T. A. K. MacGregor, from 11th Jan. to 1st March, to remain at the Presidency, on private affairs.

53d Regt. N. I.—Captain J. D. Douglas, (late Deputy Assistant Adjutant-General,) from 15th Jan. to 1st March, in extension, to remain at Agra, and enable him to join his Regiment.

60th Regt. N. I.—Ensign O. J. Younghusband, from 28th Feb. to 1st June, in extension, to proceed to the Presidency, on medical certificate.

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*Head-Quarters, Calcutta, 17th February.*

The Cawnpore Division Order of the 4th instant, by Brigadier General R. Stevenson, C. B., directing supernumerary Assistant Apothecary W. G. Carrison, doing duty with the 3d Battalion of Artillery, to proceed to the Presidency with Brigadier R. Patton, C. B., is confirmed.

Capt. A. R. Macdonald, of the 4th Regt. N. I., is appointed Aide-de-Camp to Brigadier General J. N. Smith, Commanding the Saugor Division vice Capt. Chapman, who has been permitted to resign that appointment.

John Dunn, who was struck off the list of Hospital Apprentices in General Orders of the 15th August last, is re-enrolled from the date of his original appointment, viz. the 10th March 1834.

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*Head Quarters, Calcutta, 18th February.*

The Commander-in-Chief is pleased, under authority from Government to intimate, that the Havildars and Trumpet Majors of Light Cavalry on this establishment, will, in future, be supplied with crimson and yellow girdles, of the patern in use with the Horse Artillery.

In consideration of the favorable report of the conduct of the Native Officers and Men of the 25th Regt. N. I., who have recently returned from Escort duty with the Resident at Ava, the Commander-in-Chief directs that they be indulged with six and eight months' leave of absence, according to the distance of their homes from the Head Quarters of the Regiment.

The Order by Brigadier General R. Stevenson, C. B., under date the 20th ultimo, directing Assistant Surgeon J. Magrath, of the 3d Regt. Local Horse, to receive medical charge of the Detachment of Sappers and Miners from Surgeon G. T. Urquhart and also to afford medical aid to the Artillery Detail left at Patna, is confirmed.

The Cawnpore Artillery Division Order by Colonel H. Faithfull, under date the 3d instant, appointing Lieutenant and Adjutant H. Sturrock, of the 16th Battalion, to act as Division Adjutant, during the absence of Lieutenant and Adjutant E. Sunderland, on sick leave, is confirmed.

Colonel H. Faithfull's Battalion Order of the 3d instant, appointing 2d Lieut. H. Apperley to act as Adjutant to the 3d Battalion Artillery, during the absence of Lieut and Adjutant E. Sunderland, on medical certificate, is confirmed.

The leave of absence granted to Lieut. R. Long, of the 25th Regt. N. I., in General Orders of the 7th instant, is cancelled at his request.

Sergeant Major Patrick Bentley, of the 32d Regt. N. I., is appointed Bazar Sergeant at Nusseerabad, vice Hughes deceased.

The undermentioned Officers have leave of absence:

21st Regt. N. I.—Lieut. G. Carr, (Adjutant to the Sylhet Light Infantry Battalion), from 24th December 1834 to 21st January, on private affairs.

8th Regt. L. C.—Lieut. G. Cautley, from 30th January to 30th May, in extension, to remain in the Hills North of Deyrah, on medical certificate.

46th Regt. N. I.—Captain J. Jones, from 25th February to 25th June, to visit the Presidency, preparatory to submitting an application to retire from the Service.

Right Wing European Regt.—Ensign A. E. Dick, from 26th January 1834 to 6th March 1834, to remain at Allahabad, on private affairs.

68th Regt. N. I.—Captain C. S. Maling, from 1st March to 1st May, in extension, to visit the Presidency, on medical certificate, preparatory to submitting an application for furlough to Europe.

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*Head-Quarters, Calcutta, 19th February.*

Captain E. S. Hawkins, of the 38th Regt. N. I., will act as Deputy Assistant Adjutant General to the Benares Division until the arrival of Lieut. Brownlow, vice Captain Nicolson, who is permitted to relinquish the appointment on account of his health.

Captain E. Marshall, of the Invalid Establishment is permitted to reside and draw his allowances at Kurnaul.

The undermentioned half pay Drummers of the European Regiment, are transferred, from the 10th instant, to the Corps specified opposite their names, and directed to join:

William Workman,.....25th Regiment Native Infantry.
John Sutherland,.....38th Regiment Native Infantry.
John Smith,.....
Edward Gibson,..... } 56th Regiment Native Infantry.

Bazar Sergeant Donald McKenly is removed from the station of Muttra, and appointed Bazar Sergeant at Bhow, vice Hill promoted to Sub Conductor.

The undermentioned Officers have leave of absence:

6th Regt. L. C.—Captain R. L. Anstruther, from 10th March to 10th December, to visit the Presidency, on private affairs.

Nusseree Battalion—Lieut. and Adjutant C. O'Brien, from 15th March to 15th July, in extension, to remain at the Presidency, on medical certificate.

Infantry.—Ensign E. Sissmore, doing duty with 12th N. I., from 31st January to 28th February, in extension, to remain at the Presidency, on private affairs.

Medical Department—Assistant Surgeon W. B. Davies, late Civil Surgeon at Gowahatty, for 3 months, from the date of his being relived from his duties at Gowahatty, to visit the Presidency, on urgent private affairs.

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*Head Quarters, Calcutta, 20th February.*

The following removals and postings are made in the Regt. of Artillery:

Captain H. Timings, from the 1st Company 1st Battalion to the 4th Troop 2d Brigade Horse Artillery.

Captain L. Burroughs, from the 1st Company 3d to the 1st Company 1st Battalion.

Captain T. D'Oyly, from the 1st Company 6th to the 1st Company 3d Battalion.

Captain H. Delafosse, from the 1st Company 3d to the 1st Company 6th Battalion.

Captain J. E. Debrett, from the 4th Company 2d to the 1st Company 3d Battalion.

2d Lieut. C. Boulton, from the 2d Company 3d to the 1st Company 6th Battalion.

Assistant Surgeon A. M. McK. Minto, of the 64th Regt. N. I., recently returned from furlough, is appointed to the medical charge of a Detachment of His Majesty's Troops under orders to proceed to the Upper Provinces, and will report himself to the Major of Brigade, King's Troops, Fort William.

Assistant Surgeon J. Macdonell, who has arrived at Dum Dum in medical charge of the 2d Company 1st Battalion Artillery, will return to Dinapore, and place himself under the orders of the Superintending Surgeon at that station.

The undermentioned Officer has leave of absence:

3d Regt. L. C.—Lieut. H. Marsh, from 5th December 1834 to 1st February, in extension, on private affairs.

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The leave of absence granted to Lieut.-General B. Marley, in General Orders of the 21st ultimo, is cancelled agreeable to his request.

The undermentioned Officers have leave of absence:

13th Regt. N. I.—Lieut (Brevet Captain) Interpreter and Quarter-Master J. P. Wade, from 25th April to 25th August, to visit Loodianah, on private affairs.

10th Regt. L. C. Lieut. Interpreter and Quarter-Master R. Cautley, from 31st January to 31st July, to visit Deyrah and the Hills in its vicinity, on urgent private affairs.

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*Head-Quarters, Calcutta, 21st February.*

Lieut.-Colonel W. B. Salmon's Regimental Orders of the 8th instant, directing Lieut. Interpreter and Quarter-Master H. D. Maitland to act as an Adjutant, and Ensign J. S. Davidson as Interpreter and Quarter-Master to the 72d N. I., are confirmed.

The leave of absence granted to Brigadier H. Bowen, in General Orders of the 31st December last, is cancelled at his request.

The Commander in-Chief is pleased to make the following removals and postings:

Lieut.-Colonel E. Barton, (Deputy Quarter-Master General of the Army) from the 73d to the 2d Regt. N. I.

Lieut.-Colonel W. A. Yates (new promotion) to the 73d Regt. N. I.

Lieut.-Colonel J. H. Cave, from the 40th to the 45th Regt. N. I.

Lieut.-Colonel J. H. Littler, (on furlough) from the 54th to the 40th Regt. N. I.

The undermentioned Officers have leave of absence:

17th Regt. N. I.—Ensign T. G. St. George, from 15th March to 15th July, to visit Meerut and Hauper, on private affairs.

Cavalry.—Cornet H. G. C. Plowden, doing duty with 10th L. C., from 5th March to 5th September, to visit Calcutta, on private affairs.

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*Head-Quarters, Calcutta, 23d February.*

The District Order of the 7th instant, by Lieut.-Colonel J. F. Dundas, Commanding in Rajpootanah, appointing Sergeant Doyle, of the 1st Company 2d Battalion Artillery, to act as Bullock Sergeant at Nusseerabad, from the 5th instant, is confirmed.

Assistant Apothecary George Cockburn, lately promoted, is posted to His Majesty's 62d Regt. of Foot at Moulmein.

The undermentioned Officers have leave of absence:

36th Regt. N. I.—Captain G. Chapman, from 1st March to 1st September, on urgent private affairs, to visit the Hill Provinces.

55th Regt. N. I.—Ensign J. Butler, from 25th February to 15th March, in extension, to enable him to rejoin.

1st Company 3d Battalion Artillery—Captain J. E. Debrett, from 15th February to 15th February 1836, to visit the Hill Provinces West of the Jumna, on medical certificate.

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The Division Order by Major General the Honourable J. Ramsay, Commanding the Meerut Division, the 11th instant, directing Assistant Surgeon J. Murray, M. D., to proceed in Medical charge of the 3d Troop 2d Brigade Horse Artillery to Cawnpore, and Assistant Apothecary G. Bayley, attached to the Hospital of His Majesty's 11th Dragoons, to accompany the Troop as far as Cawnpore, and to do duty under the orders of Assistant Surgeon Murray, is confirmed.

Supernumerary 2d Lieut. T. Bacon, at present doing duty with the 3d Troop 3d Brigade Horse Artillery, is permitted, on the departure of that Troop from Meerutt, to remain at that Station, and to join and do duty with the 1st Troop 1st Brigade Horse Artillery.

The undermentioned Officers have leave of absence:

3d Regt. N. I.—Lieut. and Adjutant J. Butler, Officiating Major of Brigade, Rajpootanah, from 15th March to 25th April to enable him to rejoin his Regt.

7th Regt. L. C.—Captain B. T. Phillips, from 11th February to 11th August, to visit the Presidency, on urgent private affairs.

1st Regt. N. I.—Lieut. J. S. Gifford, from 25th February to 25th December, to visit Simla, on medical certificate.

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*Head-Quarters, Calcutta, 24th February.*

The Nusseerabad Station Order of the 5th instant, by Lieut.-Colonel J. F. Dundas, appointing Assistant Surgeon J. Duncan, M.D., of the 54th Regt. N. I., to the medical charge of the Artillery at that station, is confirmed.

Lieut.-Colonel J. J. Bird, of the Invalid Establishment, is permitted to reside and draw his allowances at Hazareebaugh, instead of Berhampore.

The following Hospital Apprentices, who were appointed in General Orders by the Commander of the Forces of the 27th May and 4th September last, having failed to report themselves to the Superintending Surgeons within whose circles of Superintendence they are severally residing, are struck off the List of Subordinate Medical Servants from this date:

James Watkins; Henry Watkins; Samuel Morton; William Lowe; Richard Hollard, and James Collins.

The undermentioned Officers have leave of absence:

26th Regt. N. I.—Major D. Bruce, from 28th February to 31st May, in extension, to remain at Delhi, on private affairs.

45th Regt. N. I.—Lieut. R. W. Fraser, from 25th February to 20th November, to visit Simlah, on medical certificate.

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Sergeant John Kinsella, of the Ordnance Commissariat Department, is re-appointed to the Delhi Magazine, and directed to join and do duty with the Fleet of Boats about to be dispatched to the Upper Provinces in charge of Conductor W. Hayward.

Gunner Anthony Kelly, who was directed to be sent to Europe, in General Orders of the 24th October last, having been reported by a medical committee, to be fit for further duty, is to be sent to rejoin the Artillery at Dum Dum.

The undermentioned Officers have leave of absence:

22d Regt. N. I.—Major R. Chalmers, from 1st March to 1st June, to visit Cawnpore, on private affairs.

41st Regt. N. I.—Captain H. C. McKenly, from 21th January to 24th May, in extension, to enable him to rejoin his Regiment at Barrackpore.

Ordnance Commissariat Department.—Conductor Edward Treston, Agra Magazine, from 1st April to 1st November, to proceed to Simla, on private affairs.

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*Head-Quarters, Calcutta, 26th February.*

The following Orders, issued by Major General the Honorable J. Ramsay, Commanding the Meerut Division, are confirmed:

*8th January* 1835.—Appointing Captain Brown, of His Majesty's 11th Light Dragoons, to the charge of Remount Horses allotted from the Hauper Stud for His Majesty's 16th Lancers, Horse Artillery and 9th L. C. as far as Meerut; Lieut. W. L. L. Scott, of the 1st L. C., to the charge of the Horses allotted for the Madras and Bombay Presidencies, and proceed with them via Agra; Lieut. J. Moore, of the same Corps, to the charge of Horses for the 2d, 4th, 6th and 10th Regts. of L. C.

*21th January.*—Directing Brevet Captain Arnold, of His Majesty's 11th Light Dragoons, to proceed to Delhi, and receive charge of Horses arrived from Kurnaul for the 2d C., and proceed with them to Neemuch.

*25th January.*—Directing Lieut. R. Macdonell, of the 10th L. C., to proceed to Agra, to relieve Lieut. Scott from the charge of Remount Horses belonging to the Madras and Bombay Presidencies, and proceed with them via Gwalior to Nagpore.

The following removals and postings are made:

Lieutenant-Colonel C. W. Hamilton, from the 27th to the 61st Regt. N. I.

Lieutenant Colonel G. P. Wymer, from the 61st to the 27th Regt. N. I.

Lieutenant W. W. Davidson, of the 13th Regt. N. I., having been pronounced qualified in the Persian and Hindoostanee languages by a District Committee, is exempted from further examination, except by the Examiners of the College of Fort William, which he is expected to undergo whenever he may visit the Presidency.

Ensign D. T. Pollock, of the 71th Regt. N. I., having been declared by the Examiners of the College of Fort William, to be qualified for the duties of an Interpreter, is exempted from further examination in the Native languages.

The Commander in Chief is pleased to make the following appointments:

55th Regt. N. I.—Lieut. J. Ewart to be Interpreter and Quarter Master, vice Lieut. J. Awdry appointed to a Political situation.

74th Regt. N. I.—Ensign D. T. Pollock to be Interpreter and Quarter Master, vice Lieut. M. Huish proceeded to Europe on furlough.

The Commander in Chief is pleased to promote Bisram Sookul Sepoy, of the 27th N. I., to the rank of Naick, as a reward for his zealous exertions in discovering, and bringing to justice, the murderer of the late Thakoor Sing, Jemadar of that Corps, and with the sanction of Government, to direct, that he be borne on the rolls as a supernumerary, until a vacancy may occur, when he is to be brought on the established strength of the Regiment.

The undermentioned Officers have leave of absence:

Horse Artillery—Lieut. Col. J. P. Boileau, from 5th May to 5th Nov., to visit Mussoorie, on private affairs.

3d Brigade Horse Artillery—Lieut. Col. J. Rodber, from 4th April to 31st Oct., to visit Simla, on medical certificate.

43d Regt. N. I.—Ensign R. A. Trotter, from 14th Nov. 1834 to 15th Feb., to remain at Dinapore, on private affairs.

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*Head-Quarters, Calcutta, 27th February.*

The Station Order of the 15th instant, by Colonel G. Cooper, Commanding at Midnapore, appointing Assistant Surgeon R. B. Cumberland, of the 34th Regt. N. I., to officiate as Civil Assistant Surgeon at that Station, in the room of Assistant Surgeon H. H. Goodeve, M. D., appointed Assistant to the Superintendent of the new Medical College, is confirmed.

The undermentioned Officer has leave of absence.

10th Regt. N. I.—Lieut. F. Samler, from 5th March to 5th June, to visit Jessore and Moorshedabad, on private affairs.

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*Head-Quarters, Calcutta, 28th February.*

The Allygurh Station Orders of the 13th instant, appointing Ensign and Adjutant W. W. Davidson, of the 32d N. I., to act as Station Staff, Surgeon C. Mackinnon to the medical charge of the 32d, and Assistant Surgeon A. Keir, M. D. to that of the Right Wing 45th Regt. N. I., are confirmed.

The Commander-in-Chief is pleased to make the following removals and postings of medical Officers:

Surgeon F. S. Matthews, (on leave to the Cape) from the 34th to the 64th Regt. N. I.

Surgeon R. Tytler, M. D. from the 48th to the 34th Regt. N. I. at Midnapore.

Assistant-Surgeon T. B. Hart, from the 56th to the 48th Regt. N. I., at Seetapore.

Assistant Surgeon R. Grahame, from the 71st Regt. N. I. to the 3d Battalion of Artillery, at Cawnpore.

Assistant Surgeon A. Chalmers, M. D. to the 71st Regt. N. I.

Hospital Apprentice James Jarves, now at the General Hospital, is appointed to act as Assistant Apothecary and Assistant Steward to a Detachment of His Majesty's Troops under orders to proceed from Fort William to the Upper Provinces.

Mr. Jarves will immediately report himself to Assistant Surgeon A. M. Minto, and he will return to his duty in the General Hospital after the Detachment shall have reached its destination.

# SHIPPING REGISTER.

## ARRIVALS.

March 1 H. C. steamer *Enterprize*, C. H. West, from Madras 23d, Vizagapalam 26th, Maousur Cottah 27th, and Pooree 28th February.

2 Barque *Thomas Millar*, H. Hutchinson, from Liverpool 12th October.

3 Barque *Gentoo*, James Black, from Greenock 14th October.

— Ship *Edward*, R. Heaviside, from the Mauritius 8th December, and Ceylon 1st February.

4 Barque *Virginie*, John Wittie, from Penang 9th February.

5 Barque *Gaillardon*, J. J. R. Bowman, from the Mauritius 9th December, Kerinde (no date), and Madras 25th February.

7 Barque *Swallow*, W. Adam, from Madras 26th February, and Vizagapatam 3d March.

— American ship *Eclipse*, A. Perry, from Salem 29th October.

8 Barque *Eleanor*, T. B. Timms, from Singapore 13th February.

12 Ship *Carnatic*, D. Proodfoot, from the Isle of France 24th November, and Rangoon 20th February.

— Schooner *Louisa*, C. Derozio, from Penang 12th February.

13 Barque *Haidee*, J. Randle, from Singapore 15th and Malacca 16th February.

15 Brig *Cecelia*, P. Roy, from Penang 22d January.

17 Barque *Juliet*, Thomas Wilson, from Greenock 21st November.

18 Barque *Anne Baldwin*, H. Crawford, from Liverpool 12th November.

19 Brig *Britannia*, William Ferris, from London 25th May, Mauritius 9th December, and Kerinde 25th February.

— Ship *Marion*, James Richards, from China 10th January, and Madras 13th March.

— Ship *Fame*, J. Richardson, from the Mauritius 30th December, and Ceylon 26th February.

— Barque *Resource*, R. Smith, from Singapore 9th, and Malacca 16th October, Penang 21st November, and Madras 2d January.

20 Brig *Mavis*, Henry Reynell, from Singapore 21st, and Malacca 23d February, and Penang 1st March.

23 H. C. steamer *Enterprize*, C. H. West, from Madras 19th March.

25 Schooner *Olivia*, Wm. Roome, from the Cape of Good Hope 14th January.

— Brig *Lord Althorp*, B Sproull, from Liverpool 12th November.

27 Barque *Vesper*, J. T. Atwood, from the Mauritius 11th February, Ceylon 16th, and Madras 20th March.

28 Brig *Euphrasia*, F. Lenepven, from the Mauritius 27th January and Madras 14th March.

29 Brig *Fortitude*, J. C. Wilson, from Tondemanar 19th March.

30 Barque *Samuel Brown*, G. W. Harding, from Liverpool 20th May and Coringa 5th March.

— Barque *Dalla Merchant*, H. M. Potter from Moulmein 17th February and Rangoon 12th March.

## DEPARTURES.

March 3 Barque *Fanny*, J. Sheriff, for the Mauritius.

— Portuguese Barque *Sm. Fancisco de Paula*, J. F. de Sena, for China.

7 Ship *Childe Harold*, J. R. Lancaster, for London.

— Ship *Dona Carmelita*, C. Edwards, for the Mauritius.

March 8 Ship *Alexander*, W. Sanderson, for Moulmein.

10 Barque *Thetis*, C. C. Clarke, for China.

13 Ship *Zenobia*, J. F. Owen, for the Cape of Good Hope and London.

19 Brig *Flinn*, S. Collard, for the Mauritius.

— American ship *America*, J. Lindsay, for Boston.

22 Ship *Solway*, M. Proctor, for Liverpool.

— Barque *Arab*, J. S. Sparkes, for Bombay.

25 Ship *Sir Herbert Taylor*, Stewart, for China viâ Singapore.

## ARRIVAL OF PASSENGERS.

*Per Enterprize.*—The Right Reverend the Lord Bishop and Suit.

*Per Edward.*—Mrs. Heaviside.

*Per Virginie.*—G. Galaston, Esq., Merchant.

*Per Gaillardon.*—Mrs. Bowman and child, Mrs. Joseph; Miss McVicars; Messrs. C. Joseph and McVicars, Draftsmen of the Madras Establishment; Masters H. Joseph and J. Joseph.

*Per Swallow.*—Dr. Knox, M. D., Assistant Surgeon H. M. 62d Regt.

*Per Eleanor, from Singapore.*—Messrs. Rutlinjee Byranjee, Esakel Ezra, Eskel, Salow Saison, and H. Keraooos, Merchants.

*Per Anne Baldwin.*—H. E. Pearson, 18th Regt.; E. F. Knobles, R. N.; James Anderson, Esq., Merchant; and T. E. Thomson, Esq.

*Per Resource, from Madras and Masulipatam.*—Mrs. Burns and 2 children; Messrs. Alexander Ogilvie and J. E. Childs, Free Mariners.

*Per Marion, fram Madras.*—Mrs. D. Anselme, and Miss Broadfoot.

*Per Britania.*—Mrs. Ferris.

*Per Fame, from Colombo.*—Captain George Keir, Commandant H. H. Nizam's Cavalry.

*Per Mavis.*—Mrs. Reynell.

*Per steamer Enterprize, from Madras.*—The Austrian Baron Hügel; Mrs. Stephens; Miss Macarton; Mr. A. J. Johannes; Mr. C. McKartich; and Mr. L. Sazar.

## DEPARTURE OF PASSENGERS.

*Per Childe Harold, for London.*—Mrs. Lancaster, Mrs. Brightman and infant; Henry Brightman, Esq., Merchant; Captain Sutherland, 38th Regt.

*Per Catherine, for London.*—Mrs. Udny, Mrs. Tulloh; Misses Tulloh, Jane Tulloh, and Helen Tulloh; Master Tulloh; Mrs. Nunn; Master Daunt; two Masters Lightfoot.

*Per Zenobia, for London.*—Colonel Galloway; Captain Knyvett; W. W. Bird, Esq.; and J. Melville, Esq.

*Per Orient, for London vid St. Helena.*—Lady Harrington; Mrs. Vitch; 2 Misses Pringle; Mrs. White; Colonel Dennie, C. B., H. M. 13th; Major Mountain, H. M. 26th; Majors Vitch, and Pringle, Bengal N. I.; Captain Ross, H. M. 54th Regt.; Captain Fell; Lieut. Murray, R. N.; Mr. Mitche, Assistant Surgeon; Mr. Burkinyoung; Miss Lambert; three Masters Vitch; and Captain Westmacott.

*Per Fergus, for Greenock.*—Mr. and Mrs. Tweede; Misses Mary and Benjamina Tweede.

*Per Elizabeth, for Rangoon.*—Mrs. Burney and child; Colonel Burney, Resident at Ava; Mr. Kelly, Mariner.

*Per Africaine, for the Mauritius and Sydney.*—Mrs. Nuthall; Miss Nuthall; William Cracroft, Esq.; E. Erwin Esq.; and Mr. Nuthall.

*Per Sir Herbert Taylor.*—Mrs. Steward, Mrs. S. Smith and child; W. C. Crane, Esq.; J. Mayorga, Esq.; and Mr. J. C. Smith, Merchant.

*Per Larkins, for London.*—Mrs. Skipton and 2 children, Mrs. Lennox and 4 children, Mrs. Vanzette and 2 children, Mrs. Hart and 1 child, Mrs. Gandly; Miss Constable; George Money, Esq., Master in Equity, &c. &c.; Dr. Skipton, Member Medical Board; Captain Glegg, 32d Regt. N. I.; Captain

Lennox, 43d Regt. N. I.; Lieut. H. Hart, H. M. 40th Regt.; Lieut. Burnet, Horse Artillery; Lieut. Barry, 71st Regt. N. I.; Lieut. R. Rickey, H. M. 44th Regt. Children: 2 Sprys, Misses Eliza and Jane Hutchinson.

*Per Abberton, for London.*—Mrs. Fagan and 4 children; Mrs. Stevens and 1 child; Miss Roberts; Brigadier General Fagan; Revd. T. N. Stevens; Colonel Patton; and Major Fagan; Mrs. Shuttleworth and 2 children; Mrs. Nath and 2 children; Mrs. S. Shuttleworth. *For the Coast.*—Miss Davis and Mr. Porter.

*Per Hindostan, for London.*—Mrs. Alexander and 3 children; Mrs. Henderson and 1 child; C. Becher, Esq. Civil Service; Colonel White; Captain Broughton; N. Alexander, Esq; Henry Henderson, Esq.; G. Key, Esq. late of H. M. Lancers; 3 children of Mr. Brownlow, of the Civil Service.

# DOMESTIC OCCURRENCES.

## MARRIAGES.

Feb. 24 At Meerut, by the Revd. J. H. Proby, Charles Manners Gascoyne, Esq, 5th Light Cavalry, to Isabel Augusta, only daughter of the late Superintending Surgeon John Campbell, H. E. I. C. S.

26 At Cawnpore, by the Revd. Edward White, W. Welmer, Esq., H. M. 16th Lancers, to Margaret Jane, second daughter of W. Ramsay White, Esq., Surgeon, same Regt.

March 2 At Benares, by the Revd. H. Pratt, Richard Wellesley Barlow, Esq., C. S., to Maria, second daughter of Colonel W. Nott, Commanding the 38th Regt. N. I., at that station.

3 At the Chapel of Bishop's College, by the Principal the Revd. Dr. Mill, Captain Warner, Executive Officer, 4th Division Public Works, to Caroline, eldest daughter of Bertrand Orde, Esq., of Long Ridge House, Northumberland.

5 At the Cathedral, by the Revd. Dr. Mill, Principal of Bishop's College, R. E. Blaney, Esq., to Miss Eliza Leigh.

— At Saugor, by the Revd. J. J. Tucker, Amelia Mary, second daughter of Captain George Chapman, to W. Anderson, Esq., Adjutant 2d Local Horse.

13 At the Cathedral, by the Revd. T. Dealtry, Mr. Josiah Rowe, to Eliza, eldest daughter of the late J. U. Sherriff, Esq.

14 At Cawnpore, Lieut. C. Corfield, Adjutant 47th Regt. N. I., third son of Charles Corfield, Esq., of Knowle Lodge, Taunton, Somerset House, to Mary Jane, eldest daughter of the late S. Lightfoot, Esq

16 By the Revd. T. Robertson, Captain P. A. Torckler, Artillery, to Mary Georgiana, second daughter of the late Major W. McQuhae, of the Bengal Artillery.

— By the Rev. T. Robertson, J. W. C. Chalmers, Esq. 43d Regt. N. I. to Louisa, youngest daughter of the late Major W. M. Quhae, of the B. A.

17 At the Scotch Kirk, by the Revd. Dr. Bryce, Captain Malcolm McDougall, of the ship *Edmonstone*, to Miss Janet Aiken.

— At Cawnpore, by the Revd. J. J. Carshore, Lieut. David Ogilvy, 15th Regt N. I., fifth son of the late Rear Admiral Sir William Ogilvy, Bart, to Caroline Helena, eldest daughter of Major Carter, H. M. 16th Foot.

23 At the Cathedral, by the Revd. H. Fisher, Presidency Chaplain, George Frederick Harvey, Esq., of the Bengal C. S., to Katherine Mary, only daughter of Henry Paulin, Esq., Hon. Company's Solicitor.

March 23 At St. John's Cathedral, by the Revd. T. Robertson Mr. M. R. Crawford, to Mrs. C. E. Fowler.

26 At St. John's Cathedral, by the Revd. T. Robertson, Mr. George Dick, to Miss Louisa Hamilton.

27 At Hazareebagh, by the Revd. P. G. Allen, District Chaplain, Captain John Cumberlege, 41st Regt. N. I., to Mary Sophia, third daughter of the late, Colonel Sir Henry Maturin Farrington, Bart., of Exeter, Devon.

28 At St. John's Cathedral, by the Revd. T. Robertson, Captain H. Jervis White, of the 50th Regt. B. N. I., to Elizabeth, only daughter of the late Captain William Bury, of H. M. 35th Regt.

## BIRTHS.

Feb. 19 At Futteh Ghur, the wife of Mr. T. P. Hall, of the Belah Office, of a daughter.

21 At Allahabad, the wife of Staff Serjeant James Moffat, of a son.

26 At Burdwan, the lady of the Revd. J. Weitbreche, of a daughter.

— At Agra, the wife of Lieutenant Russell, of the Pension Establishment, of a son.

28 At Saugor, the lady of Captain Hearsey, Commanding 2d Local Horse, of a daughter.

March 1 At the Botanic Garden, the lady of Dr. Wallich, of a daughter.

2 At Kidderpore, Mrs. M. Todd, of a son.

— At Jessore, the lady of H. P. Russell, Esq., C. S., of a son.

5 At Delhi, the lady of George Henry Smith, Esq, C. S., of a son.

6 At Cananore, the lady of Captain Minchin, 47th Regt. M. N. I., of twin daughters.

8 Mrs. K. C. Kemp, of a son.

— The lady of Captain J. W. Ouseley, of a son.

— The lady of James Minchin, Esq. of a daughter.

9 At Gya, the wife of David P. Dacosta, Esq., of a daughter.

— At the Duckinsore Magazine, Mrs. Mary Fensley, of a daughter.

10 At Entally, the wife of Mr. James Black, Master Pilot, H. C. Marine, of a daughter, still-born.

— At Futty Ghur, the wife of Mr. Emanuel Anthony, of a daughter.

— At the house of Captain Stewart, Chunar, the lady of Captain W. Murray, 22d Regt. N. I., of a son.

12 Mrs. C. P. Fisson, of a son.

14 Mrs. Gent. Aviet, of a daughter.

— At Entally, Mrs. J. J. Marquess, of a son.

March 14 At Saharunpore, the lady of Charles Raikes, Esq., C. S., of a daughter.
— At Agra, the wife of Mr. J. W. Caplain, of a son.
16 Mrs. Ann Pereira, of a daughter.
— At Saugor, the lady of Capt. Chas. R. W. Lane, 2d Regt. N. I., of a son.
18 The lady of John Moore, Esq. of a daughter.
20 The lady of J. R. Martin, Esq., of a son.
21 At Jaujemow, Cawnpore, the lady of C. E. Goad, Esq., 67th N. I., of a son and heir.
— At Bhaugulpore, the wife of Sergeant J. Burnett, Army Commissariat, of a son.
25 Mrs. A. Lingham, of a daughter.
— At Saugor, the lady of Captain K. F. Mackenzie, 64th Regt. N. I., of a son.
27 At Hazareebaugh, the wife of Mr. Edward Townsend, Conductor of Public Works, of a daughter.
31 Mrs. Frederick Bolst, of a son.

DEATHS.

Dec. 21 At Gowhattee, in Assam, of fever, occasioned by excessive fatigue and exposure whilst employed in the interior of the district, Captain H. J. G. B. Cathcart, of the 5th Regt. N. I., and Junior Assistant to the Governor General's Agent on the North East Frontier.

Feb. 28 At Delhi, Catherine, the infant daughter of Captain and Mrs. Leesor.

March 1 Mr. William Healy, of the Honorable Company's Marine, aged 26 years and 2 months.
5 At the house of Major Powney, at Ishapoor, Mary Alica, the eldest daughter of Captain Roderick Roberts, of the Horse Artillery, aged 1 year, 5 months and 16 days.
6 Master William Hull, of the Upper Orphan School, aged 15 years and 1 month.
7 At Diannpore, Mrs. Jane Louisa Smith, wife of Lieut.-Colonel Henry Tipper Smith, Commanding 67th Regt. aged 45 years.
18 Mr. Francis Harvey, aged 60 years, 1 month and 10 days.
19 At Howrah, Mr. Arnold Grose, late an Assistant in the Military Department, aged 32 years, 7 months and 19 days.
23 At Dum-Dum, Henry William, infant son of Apothecary H. Watson, aged 1 year and 27 days.
27 At Dacca, Mr. George Alexander, Merchant, aged 57 years: his loss has been sincerely regretted by a large circle of friends and relations.
— Lieut. Thomas Alexander Knox McGregor, of the European Regt.
28 Miss R. F. Bergier, aged 11 years, 3 months and 7 days.
— Master George Thomas Wood, son of Mr. George Wood, aged 1 year, 3 months and 11 days.
31 Mr. Edward Hall, Book Keeper, in the office of Messrs. R. C. Jenkins and Co., aged 40 years.

# ADMINISTRATIONS TO ESTATES.

| ESTATES OF | EXECUTORS, ADMINISTRATORS, &c. |
|---|---|
| Aitkin, J. *of Calcutta* | Registrar Supreme Court, Administrator. |
| Cathcart, H. I. G. B. *Captain 5th Native Infantry* | Major J. Charter, and Lieut. W. Mackintosh, Executors. |
| Durie, R. H. *Lieutenant 65th Native Infantry* | Registrar Supreme Court, Administrator. |
| Gale, T. C. *Hospital Steward* | Ditto ditto ditto. |
| Gordon, R. *Major Bombay Engineers* | H. Borradaile, Administrator, as constituted attorney of Captain J. C. Falconer, the Executor at Bombay. |
| Harington, Sir J., Bart, *Civil Service* | Lady S. Harington, the Widow, Executrix. |
| Hastings, Francis, *Marquis of, &c. &c.* | Registrar Supreme Court, Administrator. |
| Hay, J. *Indigo Planter* | W. Buntine, Administrator. |
| Holcroft, Villiers, *of Calcutta* | Registrar Supreme Court, Administrator. |
| Khoobchund Bhuckutt, *of Calcutta* | Seetaram Bhuckutt, Executor |
| Khoodooroololl, *of Calcutta* | Bhuwaneypersaud, Executor. |
| Maughan, Jacob, *Bombay Marine* | D. Macintyre, Administrator, with Will annexed, as constituted attorney of W. Maughan and another, the Executors in England. |
| Reid, John, *of Scotland, Lieutenant-Colonel E. I. C. S.* | W. Morison, Administrator, with Will annexed, as constituted attorney of B. Reid and others, the Executors in Scotland. |
| Robertson, James, *Colonel 46th Native Infantry* | Registrar Supreme Court, Administrator. |
| Robinson, D. *Lieutenant 65th Native Infantry* | Ditto ditto ditto. |
| Sargent, H. *Civil Service* | J. Palmer, Executor. |
| Scott, W. *Assistant Surgeon* | Registrar Supreme Court, Administrator. |
| Sreemutty Soomutty Dossee *of Burranugur* | Bulloram Biswas, Administrator. |
| Wilson, D. *Lieutenant-Colonel Bombay Establishment* | Registrar Supreme Court, Administrator. |

# CIVIL APPOINTMENTS, &c.

## ORDERS BY THE RIGHT HONORABLE THE GOVERNOR OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT, THE 23D FEB.

The Right Honorable the Governor of Bengal has been pleased to make the following appointment:

Captain H. Rutherford to be a Principal Assistant to the Commissioner of Assam, in charge of the Southern Central Division of Assam.

FEBRUARY 27.

Mr. E. F. Tyler, the officiating Joint Magistrate and Deputy Collector of Allyghur, has obtained leave of absence from his Station to the 27th of June next, in extension of the leave granted to him on the 2d Dec. last, on private affairs.

MARCH 2.

Mr. W. A. Law to officiate, until further orders, as Joint Magistrate and Deputy Collector of Dacca.

MARCH 6.

Mr. C. W. Smith to officiate as a Supernumerary Member of the Sudder Board of Revenue in the Lower Provinces, until further orders.

Mr. R. W. Maxwell to officiate as Civil and Session Judge of Hoogly, during Mr. E. J. Harington's employment in the Court of Sudder Dewanny Adawlut at Calcutta.

Mr. H. B. Beresford to exercise the powers of Joint Magistrate and Deputy Collector in the District of Balasore. Mr. Beresford will continue to officiate as Joint Magistrate and Deputy Collector at Maldah till relieved by Mr. Torrens.

Mr. G. A. C. Plowden to be Deputy Collector of Chittagong.

MARCH 7.

The following Officer has obtained leave of absence from his Station.

Mr. W. Cracroft, Civil and Session Judge of Dacca, for eighteen months, for the purpose of proceeding to Sea, on medical certificate.

Mr. J. Dunbar has been authorized to deliver over charge of the office of Magistrate and Collector of Mymunsing to Mr. M. W. Carruthers, who will conduct the duties until relieved by Mr. Maxwell, or until further orders.

Captain A. Davidson, Principal Assistant to the Commissioner of Assam, has been allowed leave from the 18th instant to the 18th May, on private affairs, in extension of the leave granted to him on the 31st Dec. last.

Mr. G. Doucett, Principal Sudder Ameen in Chittagong, has obtained leave of absence for two months.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments:

Kisben Kaunt Mitter to be Deputy Collector in Zillah Balasore.

Monlavee Mahomed Nassir to officiate as a Principal Sudder Ameen in Zillah Chittagong, during the absence of Mr. Doucett.

The Right Honorable the Governor of Bengal is pleased to determine, that Tarinee Persaud Mookerjea, late Sherishtadar of the Foojdarry Court at Burdwan, who has been convicted and sentenced by the Session Judge of that District for Bribery, shall, under clause III. Section VI. Regulation XVIII, 1817, be declared incapable of serving Government in future in any public capacity.

The Right Honorable the Governor of Bengal has been pleased to appoint Captain T. Dickinson to be Commissioner of Arrakan.

MARCH 9.

The Right Honorable the Governor General has been pleased to make the following appointment:

Mr. H. M. Pigou to be Civil and Session Judge of the District of Dinagepore, and to officiate as Commissioner of Revenue and Circuit of the 18th Division. Mr. E. R. Barwell will continue in charge of the Commissionership of the 18th Division until the arrival of Mr. Pigou.

Mr. H. T. Raikes to be Joint Magistrate and Deputy Collector of Zillah Rajeshahy.

Mr. E. E. H. Repton to officiate, until further orders, as Joint Magistrate and Deputy Collector of the Southern Division of Cuttack.

Mr. E. Lautour to be an Assistant under the Commissioner of Revenue and Circuit of the 13th or Bauleah Division.

Mr. Frederick Millett, Secretary to the Indian Law Commissioners, has been allowed leave of absence for fourteen days, on private affairs.

MARCH 11.

His Excellency the Right Hon'ble the Governor General of India in Council has been pleased to appoint Ensign Robert Grange, 44th Regt. N. I., to do duty with the Assam Local Battalion.

MARCH 12.

Mr. J. C. Dick to be Joint Magistrate and Deputy Collector of Patna. The appointment to have effect from the 23rd ultimo.

Mr. W. Lake to be Head Assistant to the Magistrate and Collector of Sarun.

Mr. J. H. Crawford, to be Head Assistant to the Magistrate and Collector of Patna.

Mr. H. M. Clarke to be an Assistant under the Commissioner of Revenue and Circuit of the 11th or Patna Division.

Lieut. Hamilton Vetch, 54th Regt. N. I. to be a Junior Assistant to the Commissioner of Assam. The appointment to have effect from the sailing of the Ship on which Captain Westmacott may embark for Europe.

MARCH 13.

His Excellency the Right Honorable the Governor General of India in Council has been pleased to make the following appointments:

Mr. R. D. Mangles to be Secretary to the Government of Bengal in the Judicial and Revenue Department.

Mr. J. P. Grant to be Deputy Secretary to the Governments of India and Bengal in the Judicial and Revenue Department.

Mr. J. R. Colvin to be Secretary to the Sudder Board of Revenue for the Lower Provinces.

MARCH 14.

The following Officer has obtained leave of absence from his Station:

Mr. J. R. Colvin, Secretary to the Sudder Board of Revenue at the Presidency, for one month, on private affairs.

The Right Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. H. B. Brownlow to officiate as Secretary to the Sudder Board of Revenue at the Presidency during the absence of Mr. Colvin, or until further orders.

MARCH 16.

Mr. C. C. Jackson to be Joint Magistrate and Deputy Collector at Noacolly: Mr. Jackson will continue to officiate as Magistrate and Collector of Bhaugulpore, until he is relieved by Mr. Dunbar.

The following Officer has obtained leave of absence from his Office:

Mr. A. Dobbs, Third Commissioner of the Court of Requests, for two months, on private affairs. Mr. J. W. Alexander will officiate for Mr. Dobbs during his absence.

MARCH 17.

The services of Mr. G. F. Harvey have been placed at the disposal of the Government of Agra.

MARCH 21.

The Honorable the Governor has been pleased to make the following appointments, until further orders:

Mr. G. P. Thompson to officiate as Civil and Sessions Judge of Gorruckpore.

Mr. W. R. Renaway to Officiate as Joint Magistrate and Deputy Collector of Land Revenue and Customs at Cawnpore.

Mr. T. P. Woodcock to officiate as Joint Magistrate and Deputy Collector of Ghazeepore.

MARCH 23.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. J. G. B. Lawrell to be Joint Magistrate and Deputy Collector of Moorshedabad.

MARCH 24.

Mr. C. W. Smith to be Junior Member of the [illegible] Board of Revenue at the Presidency.

Mr. Wigram Money to be Civil and Session Judge of Zillah Beerbhoom.

Mr. C. W. Steer to be Commissioner of Revenue and Circuit of the 13th or Bauleah Division.

Mr. Charles Tucker to be Commissioner of Revenue and Circuit of the 11th or Patna Division.

Mr. T. P. Marten to officiate, until further orders, as Magistrate and Collector of Tipperah.

Mr. A. F. Donnelly to officiate, until further orders, as Deputy Register of the Courts of Sudder Dewanny and Nizamut Adawlut at the Presidency and preparer of reports.

The following Officers have obtained leave of absence from their Stations:

Mr. G. F. Harvey, Acting Deputy Register of the Court of Sudder Dewanny and Nizamut Adawlut at Calcutta, for one month, on private affairs.

MARCH 28.

Doctor J. R. Vos, Police Surgeon, for one month, in extension of the leave granted to him on the 11th ultimo. Doctor W. Graham will continue to officiate for him.

MARCH 31.

Mr. T. G. Vibart, officiating Commissioner of Revenue and Circuit of the 14th or Moorshedabad Division, for seven days, on medical certificate. Mr. R. H. Scott will officiate as Commissioner during the absence of Mr. Vibart.

Mr. J. de Hezeta, Assistant Secretary to the Lottery Committee, for two months. Mr. M. A. Bignell will act in his room.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. C. Tottenham to be an Assistant under the Commissioner of Revenue and Circuit of the 16th or Chittagong Division.

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FORT WILLIAM, FINANCIAL DEPARTMENT, MARCH 7, 1835.

Mr. R. H. Tolloh, the Civil Auditor, is permitted to be absent from his Office, for a further period of ten days in addition to the leave granted to him under date the 22d January last, and of which he availed himself on the 23d ultimo.

MARCH 17.

The Right Hon'ble the Governor General of India in Council has been pleased to make the following appointments:

Mr. John Curnin to be Actuary to the Government Insurance Office.

Mr. J. B. Plumb to be Secretary to the Government Insurance Office.

Mr. Surgeon J. R. Martin to be a Medical Officer to that Institution.

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FORT WILLIAM, GENERAL DEPARTMENT, MARCH 7, 1835.

Mr. John Bensley Thornhill, late of the Hon'ble Company's Establishment at Canton, has been admitted to the Civil Service of the Bengal Presidency; to rank as a Writer of the year 1825.

Mr. W. Bracken, the Second Deputy Collector of Customs at Calcutta, is permitted to be absent from his Office, for a period of one month, from the 17th instant, on account of private affairs.

Mr. R. F. Hodgson, of the Civil Service, reported his return from England on board the ship *Duke of Roxburgh*, which vessel arrived at Saugor on the 26th ultimo.

Dr. H. Clarke First Assistant to the Behar Opium Agency, has obtained an extension of the leave granted to him under date the 1st. Dec. last, from six to twelve months.

Mr. J. Davidson, Assistant to the Governor General's Agent, stationed at Lohardugga, is appointed ex officio a Deputy Opium Agent of the Behar Division.

MARCH 17.

Mr. Charles Chapman having passed an examination on the 9th instant, and being reported qualified for the Public Service by proficiency in two of the Native Languages, the orders issued on the 21st ultimo for that gentleman's return to Europe, are cancelled.

Capt. T. T. Harington, 1st Assistant to the Master Attendant, embarked for Europe on board the Ship *Duke of Northumberland*, which vessel was left by the Pilot at Sea on the 19th ultimo.

The Right Hon'ble the Governor of Bengal has been pleased to make the following temporary appointments, consequent on the departure of Captain Harington:

Capt. A. B. Clapperton to officiate as 1st Assistant to the Master Attendant.

Capt. J. Robinson to officiate as 2d Assistant to the Master Attendant.

Mr. Mathew Rousseau to officiate as Superintendent of Semaphores.

Mr. J. B. Thornhill to officiate as Assistant in the Calcutta Custom House, until the expiration of Mr. Bracken's leave of absence.

Mr. Henry Alexander to officiate as Assistant to the Secretary to the Board of Customs, Salt and Opium.

MARCH 20.

The Governor General in Council has been pleased to make the following appointments:

G. A. Bushby, Esq., to be Secretary to Government in the General Department.

H. W. Torrens, Esq, officiating Deputy Secretary to Government in the General Department, will conduct the duties of this department until the arrival of Mr. Bushby.

The Governor General notifies that he has made the following appointments:

Capt. J. M. Higginson, N. I., to be Private Secretary.

Lieut. W. M. Smyth, Engineers, Military Secretary.

*Aids de-Camp.*

Major Honywood.

Captain Byrne.

Captain J. M. Higginson.

Lieut. W. M. Smyth.

Cornet C. G. Fagan, L. C.

Lieut. J. H. Smyth, Artillery.

Surgeon J. Ranken, M. D, to be Surgeon to the Governor General.

MARCH 25.

Mr. William Wilberforce Bird embarked for Europe on board the Ship *Zenobia*, which vessel was left by the Pilot at Sea on the 18th instant.

Mr. Thomas Pakenham embarked for Europe on board His Majesty's Ship *Curacoa*, which vessel the Pilot was on the point of leaving on the 21st instant.

Mr. C. C. Jackson, of the Civil Service, has been temporarily transferred to the Agra Presidency.

Mr. J. B. Thornhill is appointed to take charge of Mr. Donnelly's situation of First Assistant to the Collector of Government Customs at Calcutta, until further orders.

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POLITICAL DEPARTMENT, MARCH 5, 1835.

Captain Sleeman to be General Superintendent of the Operations for the Suppression of Thuggee.

Captain P. C. Anderson received charge of the Mhairwara Local Battalion and District of Mhairwara from Lieut. Col. Hall on the 5th Feb.

MARCH 11.

The Right Hon'ble the Governor of Bengal has been pleased to cancel the Order of the 21st January last, placing Mr. Assistant Surgeon W. B. Davies, attached to the Civil Station of Gowahutty, at the disposal of His Excellency the Commander-in-Chief.

MARCH 12.

His Excellency the Right Hon'ble the Governor General in Council has been pleased to appoint Major James Blair, of the 30th Regt. N. I., to the Command of His Highness the Nizam's Cavalry Brigade, in the room of Major Sutherland.

MARCH 13.

Captain Wm. Minto, of the 18th Regt. N. I., is confirmed in the appointment of Second in Command of the Contingent maintained by the Gwalior Government.

His Excellency the Right Honorable the Governor General of India in Council has been pleased to appoint Mr. Bayfield, an Assistant Surgeon on the Establishment of Fort Saint George, to be Assistant to the Resident at Ava, in addition to his medical duties.

MARCH 20.

Major F. J. Grant reported on the 11th instant, his having made over charge of the Political Duties at Munneepoor to Capt. G. Gordon.

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ECCLESIASTICAL DEPARTMENT, MARCH 7, 1835.

The Revd. Henry Sanderson Fisher embarked for Europe on board the ship *City of Edinburgh*, which vessel was left by the Pilot at Sea on the 27th ultimo.

The Revd. James Charles, Junior Chaplain of St. Andrew's Church, has been permitted to be absent from the Presidency, for one month, from the 14th instant, for the purpose of proceeding to the Sand Heads for the benefit of his health.

The Right Honorable the Governor General of India in Council has been pleased to grant to the Revd. R. B. Boyes, Joint Chaplain at the Old Church, four days leave of absence, in extension of that granted to him on the 5th Jan. last.

The Revd. T. N. Stevens, District Chaplain at Dinapore, is permitted to proceed to Europe on furlough on account of his health, and the leave of absence from his Station granted on the 22d Jan. last, is extended to the period of the departure of the ship on which he may take his passage.

The Revd. R. Chambers has this day been appointed Chaplain at Barrackpore and to the Governor General.

MARCH 25.

The Revd. Henry Parish, District Chaplain at Agra, is permitted to be absent from his station for two months, from the 10th April next, to enable him to visit Simlah, on private affair.

The leave of absence granted on the 7th instant to the Revd. R. B. Boyes, Joint Chaplain at the Old Church, for four days, in extension of that granted to him on the 5th January last is cancelled.

## ORDERS BY THE HONORABLE THE GOVERNOR OF AGRA.

JUDICIAL AND REVENUE DEPARTMENT, ALLAHABAD, MARCH 9.

Mr. J. S. Boldero, Civil and Session Judge of Agra, has obtained leave of absence from his station, on private affairs, from the 9th to the 16th instant.

ALLAHABAD, MARCH 11.

The following Officers have obtained leave of absence from their stations:

Mr. F. H. Robinson, the acting Magistrate and Collector of Furruckabad, for three months, from the 1st proximo, to visit Calcutta on his private affairs. Mr. Robinson has been authorized to make over charge of the office of Magistrate and Collector to Mr. H Rose, who will act in those capacities during Mr. Robinson's absence, or until further orders.

Mr. R. B. Morgan has been authorized to act as Joint Magistrate and Deputy Collector during the time Mr. Rose may continue to officiate as Magistrate and Collector of Furruckabad.

Mr. W. P. Okeden, the Magistrate and Collector of the Southern division of Moradabad, for one month from the 10th instant, on his private affairs. Mr. Okeden has been authorized to make over charge of the Office of Magistrate and Collector to Mr. R. K. Dick, who will conduct the duties of those offices during Mr. Okeden's absence, or until further orders.

ALLAHABAD, MARCH 12.

Mr. T. P. B. Biscoe, the Civil and Session Judge of Seharunpore, has obtained one month's leave of absence from his station, on private affairs, from the 1st proximo.

ALLAHABAD, MARCH 13.

Mr. T. P. Woodcock, Joint Magistrate and Deputy Collector of the Northern Division of Bundlecund, has obtained fifteen days leave of absence, in extention of the leave granted him on the 19th January last, to enable him to rejoin his station.

ALLAHABAD, MARCH 14.

Mr. H. M. Pigou, the officiating Civil and Session Judge of Gorackpore, has obtained fifteen days' leave of absence from his Station, on urgent private affairs. Mr. G. P. Thompson will have charge of the office of Civil and Session Judge during Mr. Pigou's absence, or until further orders.

ALLAHABAD, MARCH 17.

Mr. C. Fraser has been appointed to officiate as Commissioner of the Saugor and Nerbudda Territories until further orders.

Mr. B. Tayler, the Civil and Session Judge of Jounpore, has obtained three weeks' leave of absence, on private affairs, in extension of the leave granted him on the 19th January last.

ALLAHABAD, MARCH 20.

The Honorable the Governor is pleased to make the following appointments, until further orders:

The Honorable F. J. Shore to officiate as Commissioner of the Saugor and Nerbudda Territories.

Mr. R. Woodward to officiate as Civil and Session Judge of Furruckabad.

ALLAHABAD, MARCH 21.

The Honorable the Governor has been pleased to make the following appointments until further orders:

Mr. G. P. Thompson, to officiate as Civil and Sessions Judge of Goruckpore.

Mr. W. R. Kenaway to officiate as Joint Magistrate and Deputy Collector of Land Revenue and Customs at Cawnpore.

Mr. T. P. Woodcock to officiate as Joint Magistrate and Deputy Collector of Ghazeepore.

The Honorable the Governor is pleased to make the following appointments; viz.

Mr. P. H. Robinson to be Magistrate and Collector of Furrackabad.

Mr. J. S. Clarke ditto ditto of Shajehanpore.

Mr. A. Grote to officiate as Civil and Session Judge of Futtehpore, during the absence of Mr. Rivaz, or until further orders.

Mr. H. B. Harrington ditto, as Magistrate and Collector of Furrackabad, during the absence of Mr. F. H. Robinson, or until further orders.

Mr. R. H. P. Clarke to be officiating Joint Magistrate and Deputy Collector of Shahjehanpore.

Mr. C. Gubbins to officiate as 1st Assistant to the Commissioner in the Dehly Territory and Agent to the Governor General at Dehly.

ALLAHABAD, MARCH 25.

Mr. W. Monckton, the Civil and Session Judge of Mynpoory, appointed to officiate as Commissioner, for the purpose of deciding the suits depending in appeal before the Sudder Board of Revenue, under the provisions of Regulation I. of 1821.

ALLAHABAD, MARCH 26.

Mr. G. Lindsay has been appointed to officiate as Civil and Session Judge of Furruckabad, until further orders. Mr. Woodward appointed to officiate by orders of the 20th instant, being unable, in consequence of sickness, to proceed to that Station.

Mr. J. T. Rivaz, the Civil and Session Judge of Futtehpore, has been authorized to make over charge of the current duties of his office to Mr. H. Armstrong, who will retain charge until the arrival of Mr. Grote.

Mr. D. Campbell, the Civil Assistant Surgeon of Mirzapore, has obtained leave of absence from his Station until the 31st of the present month, in extension of the leave granted him on the 23d Dec. last on private affairs.

ALLAHABAD, MARCH 27.

The following Officers have obtained leave of absence from their Stations:—

Mr. J. Thornton, the officiating Deputy Collector of Allygurh, on medical certificate, from the 15th of April to the end of October next. Mr. Thornton has been authorized to make over charge of his office to Mr. J. Davidson the Collector of the District.

Mr. T. P. Woodcock, the officiating Joint Magistrate and Deputy Collector of Ghazeepoor, for seven days, in extension of the leave granted him on the 13th instant.

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POLITICAL DEPARTMENT, ALLAHABAD, MARCH 21.

The Hon'ble the Governor of Agra has been pleased to make the following appointment:

The Hon'ble F. J. Shore to officiate as Agent to the Governor General in the Saugor and Nerbudda Territories. Mr. C. Fraser will receive charge of the office from Mr. F. C. Smith and conduct the duties until the arrival of Mr. Shore at Jubbulpore.

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GENERAL DEPARTMENT, (MILITARY) ALLAHABAD, MARCH 21.

APPOINTMENT.—Assistant Surgeon William Peter Andrew, M. D., to be Civil Assistant Surgeon at Cawnpore.

The Honorable the Governor of Agra has been pleased to make the following Appointments:—

Captain P. Latouche, 7th Regt. N. I., to be officiating Military Secretary to the Governor, from the 20th instant.

Ensign H. Barwell, 53th Regt. N. I., to be Private Secretary and Aid de-Camp to the Governor, from the same date.

Lieut. A. Wheatley, 5th Regt. L. C., to be officiating Town and Fort Major, and Aid-de-Camp to the Governor, from the same date.

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POLITICAL AND GENERAL DEPARTMENTS, ALLAHABAD, MARCH 30.

The Honorable the Governor of Agra has been pleased to make the following temporary appointment:—

Mr. C. Macsween to assume charge and conduct the duties of the Secretary to the Government of the Agra Presidency, in the Political and General Departments, until further orders.

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GENERAL DEPARTMENT, FINANCIAL, ALLAHABAD, MARCH 20.

Mr. G. F. Harvey to be Deputy Accountant and Civil Auditor of the Agra Presidency.

# MILITARY APPOINTMENTS, &c.

## GENERAL ORDERS BY HIS EXCELLENCY THE RIGHT HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, 5TH MARCH.

No. 60 of 1835.—The Right Honorable the Governor General of India in Council is pleased to make the following Promotions and Alteration of Rank:

Infantry.—Major Henry Tipper Smith to be Lieutenant Colonel, vice Lieut. Col. A. Brown retired, with rank from the 11th Feb. 1835, vice Lieut. Col. T. Gough deceased.

4th Regt. L. C.—Supernumerary Lieut. Thomas Quin is brought on the effective strength of the Regt., in the room of Lieut. C. J. Cornish resigned from the 15th Dec. 1832.

1st Regiment Native Infantry.—Lieut. Frederick Corner to be Captain of a Company, from the 18th August 1831, vice Capt. A. Fenton retired; Ensign Henry George Mainwaring to be Lieutenant, vice Lieut. F. Corner promoted, with rank from the 3d Jan. 1835, vice Lieut. James Fisher deceased.

11th Regt. N. I.—Ensign Patrick Gordon to be Lieutenant, from the 7th August 1833, vice Lieut. A. C. Donniston retired.

5th Regt. N. I.—Capt. George Anderson Veitch (retired) to be Major, Lieutenant and Brevet Captain Henry Roche Osborn to be Captain of a Company and Ensign John Ancrum Kirby to be Lieutenant from the 18th May 1833, in succession to Major W. Cunningham retired.

N. B. The promotion of Lieut. Henry Roche Osborn to be a Captain by Brevet, published in Government General Orders No. 118, of the 5th June 1834, is cancelled.

67th Regt. N. I.—Captain William Grant to be Major, Lieutenant Henry Octavius Fiddrick to be Captain of a Company and Ensign John Delves Broughton to be Lieutenant, from the 11th Feb. 1835, in succession to Major H. T. Smith promoted.

73d Regt. N. I.—Lieut. and Brevet Capt. Edward Altham Cumberledge to be Captain of a Company, and Ensign James Nasmyth Marshall to be Lieutenant, in succession to Capt. R. Armstrong retired, with rank from the 18th Dec. 1834, vice Capt. R. Home promoted.

N. B. The promotion of Lieut. Edward Altham Cumberledge to be a Captain by Brevet, published in Government General Orders No. 253, of the 31st Dec. 1834, is cancelled.

ALTERATION OF RANK.

21st N. I.—Lieut. Col. T. S. Oliver, Major W. W. Foord, Capt. O. Lomer and Lieut. A. H. Corfield, to rank from 18th June 1834, vice Lieut. Col. A. Brown retired.

72d N. I.—Lieut. Col. W. B. Salmon, Major J. Graham, Capt. R. B. Beatson, and Lieut. E. W. Ravenscroft invalided, ditto 29th July 1834, vice Lieut. Col. J. Aubert deceased, Capt. B's promotion to be a Captain by Brevet, published in G. G. O's No. 158, of the 21st August 1834, is cancelled.

73d N. I.—Lieut. Col. W. A. Yates and Major R. Home, ditto 18th Dec. 1834, vice Lieut. Col. B. Roope promoted.

73d N. I.—Capt. H. Patch, ditto 6th August 1834, vice Capt. R. Armstrong retired.

1st N. I.—Lieut. T. Gifford, ditto 18th August, 1834, vice Lieut. F. Corner promoted.

No. 61 of 1835.—The Right Honorable the Governor General of India in Council is pleased to make the following Promotions:

Infantry.—Major David Dowie to be Lieutenant Colonel, from the 23d February 1835, vice Lieut. Col. A. Shuldham deceased.

2d Regt. N. I.—Capt. Samuel Maltby to be Major, Lieut. Richard Woodward to be Captain of a Company and Ensign John Shaw to be Lieutenant, from the 23d February 1835, in succession to Major D. Dowie promoted.

15th Regt. N. I.—Capt. Alexander Carnegy to be Major, Lieutenant William Hunter to be Captain of a Company and Ensign George James Montgomery to be Lieutenant, from the 23th February 1835, in succession to Major Roderick Mackenzie retired.

54th Regt. N. I.—Capt. William Turner to be Major, Lieutenant and Brevet Captain Anthony Albert Lambert Cottie to be Captain of a Company and Ensign Nicholas Palmer to be Lieutenant, from the 24th February 1835, in succession to Major George Anderson Veitch retired.

Lieut. Col. Archibald Galloway, of the 55th Regt. N. I. and a Member of the Military Board, is permitted to proceed to Europe, on furlough, on account of his private affairs.

Assistant Surgeon Ebenezer Mitchell, of the Medical Department, is permitted to proceed to Europe, on furlough, on medical certificate.

Capt. John Knyvett, of the 66th Regt. N. I., is permitted to proceed to Van Dieman's Land, on medical certificate, and to be absent from Bengal on that account, for two years.

Ensign George Verner, of the 9th Regt. N. I., has returned to his duty on this establishment, without prejudice to his rank, by permission of the Honorable the Court of Directors; date of arrival at Fort William, 24th February, 1835.

No. 62 of 1835—The Right Honorable the Governor General of India in Council is pleased to make the following Appointments:

Major Archibald Irvine, C. B., of the Corps of Engineers, to be a Member of the Military Board in the room of Lieut. Col. Galloway, permitted to proceed to Europe on furlough. This appointment is to have effect from the date of sailing of the ship on which the latter Officer embark for Europe.

Capt. George Douglas Stoddart, of the 8th Regt. L. C., to be Deputy Pay Master of the Cawnpore Circle of Payment vice Worrall promoted to the rank of Major Regimentally.

Capt. Edward Parry Gowan, of the Regiment of Artillery, to be Principal Deputy Commissary of Ordnance, in succession to Lieut. Col. Battine.

Capt. Stoddart will continue to officiate as Presidency Pay Master until further orders: and until he can assume the charge of his office at Cawnpore, Lieut. Charles Campbell, of the 42d Regt. N. I., is appointed to act as Deputy Pay Master at Cawnpore.

Capt. Gowan will likewise continue to officiate as Secretary to the Military Board until further orders.

Assistant Surgeon Thomas Curry Elliot, to the medical charge of the Political Agency at Mehidpore, in succession to Mr. Simson promoted. Mr. Elliot's Salary is fixed at the consolidate amount of Sonat rupees (500) five hundred per mensem for all charges, civil and military.

No. 63 of 1835.—The Right Honorable the Governor General of India in Council is pleased to promote the undermentioned Officers to the rank of Capt. by Brevet, from the dates expressed opposite to their respective names:

Lieut. John Finis, of the 51st Regt. N. I., from the 4th March 1835.

Lieut. James Saunders, of the 50th Regt. N. I., from the 4th March 1835.

Lieut. Henry Huddleston, of the 7th Regt. N. I., from the 4th March 1835.

Lieut. Colin Campbell, of the 53d Regt. N. I., from the 4th March 1835.

Surgeon John Turner, of the Medical Department, Surgeon to the Governor General and to the Presidency General Hospital, is permitted to proceed to Europe, on furlough, on account of his private affairs.

No. 65 of 1835.—Captain Thomas Robert Fell, of the 40th Regt. N. I., is permitted to proceed to Europe on furlough, on medical certificate.

No. 66 of 1835.—Major David Pringle, of the 10th Regt N. I., is permitted, at his own request, to retire from the Service of the Hon'ble Company, on the Pension of his rank, from the 5th instant.

The undermentioned Officers are permitted to proceed to Europe on furlough, on medical certificate:

Captain George Edward Westmacott, of the 37th Regt. N. I., and Junior Assistant to the Agent to the Governor General on the North East Frontier.

Superintending Surgeon Thomas Tweedie, of the Medical Department.

Surgeon George Skipton, 3d Member of the Medical Board, is permitted to proceed to the Cape of Good Hope, on medical certificate, and to be absent from Bengal on that account for two years.

FORT WILLIAM, 13TH MARCH.

No. 67 of 1835—The Right Honorable the Governor General of India in Council is pleased to make the following Promotions and Appointment:

10th Regt. N. I.—Captain George Tomkyns to be Major, Lieut. John Welchman to be Captain of a Company, and Ensign Robert Munro to be Lieut., from the 5th March 1835, in succession to Major David Pringle retired on the Pension of his rank.

Captain John Welchman, of the 10th Regt. N. I., to be 2d Assistant Adjutant General of the Army, vice Captain Stoddart appointed Deputy Pay Master at Cawnpore.

Captain George Henry Woodrooffe, of the Regiment of Artillery, to be a Deputy Commissary of Ordnance, vice Dyke promoted.

1st Lieut. George Henry Swinely, of the Regiment of Artillery to the charge of the Allahabad Magazine, during the absence of Captain L. Burroughs, Commissary of Ordnance at that Station, on leave to the Presidency, or until further orders.

Captain Gavin Young, of the 70th Regt. N. I, to officiate as Judge Advocate General, during the absence on leave of Lieut. Colonel Sir Jeremiah Bryant, Kt, or until further orders.

Captain Edward Sanders, of the Corps of Engineers, to officiate as Secretary to the Military Board, vice Gowan appointed Principal Deputy Commissary of Ordnance.

Lieut. William Beneridge Thomson, of the 67th Regt N. I., to be Sub Assistant Commissary General, to fill a vacancy.

Captain Edward John Watson, of the 59th Regt. N. I., to the Command of the Arracan Local Battalion, vice Simonds removed to the Command of the Assam Sebundy Corps.

Assistant Surgeon Robert Bakewell Cumberland, to the Medical duties of the Civil Station of Midnapore, vice Goodeve.

Assistant Surgeon Charles Newton to the medical duties of the Salt Agency at Tumlook.

Major James Blair, of the 30th Regt. N. I., is placed at the disposal of the Resident at Hydrabad, with a view to his being appointed to the Command of his Highness the Nizam's Cavalry Brigade, in the room of Captain Sutherland.

Captain Robert Hawkes, of the 9th Regt. L. C., is appointed to the Command of the 3d Local Horse, vice Blair.

Supernumerary Cornet James Alexander Duncan Fergusson is brought on the effective strength of the Cavalry, on this Establishment, from the 6th February 1835, in succession to Major J. Franklin (deceased) struck off.

Lieut. Cuthbert Davidson, of the 66th Regt. Bengal N. I., is placed at the disposal of the Bombay Government, for the purpose of being employed on the personal Staff of the Right Honorable Sir Robert Grant.

The undermentioned Medical Officers are placed at the disposal of the Honorable the Governor of Agra:

Surgeon James Graham, M. D., for temporary employment.

Assistant Surgeon William Peter Andrew, M. D.

Lieut. Charles Chester, of the 23d Regt N. I., is permitted, at his own request, to resign charge of the Lahore Mission: Lieut. Chester is accordingly placed at the disposal of the Commander in Chief from the date on which he may be relieved by another Officer.

Assistant Surgeon Henry Roe, attached to the Civil Station of Tipperah, is placed at the disposal of the Commander in Chief.

The undermentioned Officers are transferred to the Pension Establishment.

Captain the Honorable William Hamilton, of the 61th Regt. N. I.

Lieut. Thomas Alexander Knox MacGregor, of the left Wing European Regiment.

Doorgah Sing, a Student of the late Native Medical Institution, is admitted to the Service as a Native Doctor, and appointed to the Civil Station of Akyab in Arracan, vice Shaik Gholam Ghose, who has been proceeded to Kurnaul, on public duty.

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No. 68 of 1835.—The Right Hon'ble the Governor General of India in Council is pleased to resolve, that the appointment of Superintending Surgeon at Berhampore, from which Station the European Troops have been withdrawn, shall be abolished, and the duties transferred to the Superintending Surgeon of the Barrackpore Circle.

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FORT WILLIAM, 16TH MARCH.

No 71 of 1835.—The leave of absence obtained by Major David Pringle late of the 10th Regt. N. I., in General Orders No. 151, of the 21st August 1834, is extended to the 5th instant.

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FORT WILLIAM, 17TH MARCH.

No. 72 of 1835.—The following appointments were made in the Political Department under the dates specified:

19TH FEBRUARY.

Captain W. Simonds, of the 21st Regt. N. I., to be Commandant of the Sebundy Corps, to be organized for Lowe. Assam.

24TH FEBRUARY.

Captain Charles Thoresby, of the 63th Regt. N. I., to be Political Agent in Shekhawattee.

Assistant Surgeon Archibald Campbell, M. D., attached to the Catmandhoo Residency, to officiate as Assistant to the Resident at that Court.

The following appointments were made in the Judicial and Revenue Department under the dates specified.

11TH MARCH.

Ensign Robert Grange, of the 44th Regt. N. I., to do duty with the Assam Local Battalion.

12TH MARCH.

Lieut. Hamilton Vetch, of the 54th Regt. N. I., to be a Junior Assistant to the Commissioner of Assam. The appointment to have effect from the sailing of the ship on which Captain Westmacott may embark for Europe.

The appointment of Captain William Minto, of the 18th Regt. N. I., as second in Command of the Contingent maintained by the Gwalior Government, was confirmed in the Political Department under date the 13th instant.

The undermentioned Officers have obtained leave of absence from their stations in the Judicial and Revenue Department under the dates specified.

25TH FEBRUARY.

Surgeon James Ranken, M. D., attached to the Civil Station of Dehly, for two months, from the 1st prox. to visit Calcutta, on account of private affairs, in extention of the leave granted to him by the Commissioner of Dehly.

7TH MARCH.

Captain Alexander Davidson, of the 12th Regt. N. I., Principal Assistant to the Commissioner of Assam, from the 18th instant to the 18th May, on private affairs, in extention of the leave granted to him on the 31st December last.

The order passed in the Political Department under date the 21st January last, placing Assistant Surgeon W. B. Davies, attached to the Civil Station of Gowalutty, at the disposal of His Excellency the Commander in Chief, was cancelled in that Department on the 11th instant.

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No. 73 of 1835.—The Right Hon'ble the Governor General of India in Council is pleased to make the following promotions and appointment.

Left Wing European Regiment.—Ensign Bernard Kendall to be Lieut., from the 13th March 1835, vice Lieutenant T. A. K. MacGregor transfered to the Pension Establishment.

61th Regt. N. I.,—Lieut. Arthur Knyvett to be Captain of a Company, and Ensign Charles Stewart Brenner to be Lieut., from the 13th March 1835, in succession to Captain the Hon'ble Wm. Hamilton transfered to the Pension Establishment.

Ensign Henry Kewney, of the 50th Regt. N. I., to officiate as a Deputy Assistant Quarter Master General of the 2d class.

2d Lieut. Robert Walker, of the Regt. of Bengal Artillery, is placed at the disposal of the Bombay Government, with a view to his being appointed Aide de Camp to Major General J. W. Sleigh, C. B.

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No. 74 of 1835.—Sub-Conductor Arthur Reid, attached to the Gun Powder Agency, is, on the recommendation of the Military Board, promoted to the rank of Conductor, but without any claim on the Ordnance Department.

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FORT WILLIAM, 18TH MARCH.

No. 75 of 1835.—The Right Honorable the Governor General of India in Council is pleased to make the following Appointments:

Lieut. Col. William Battine, of the Regiment of Artillery, to officiate as a Member of the Military Board during the absence of Lieut. Col. Craigie from Bengal, or until further orders.

Major Richard Powney, of the Regiment of Artillery, to officiate as Principal Commissary of Ordnance, vice Lieut. Col. Battine.

Captain Charles George Dixon, of the Regiment of Artillery, to officiate as Agent for the Manufacture of Gunpowder at Ishapore, vice Powney.

Major Powney will retain charge of the Powder Works until the arrival of Captain Dixon, and in the meantime Lieut. Samuel Watson Fenning, of Artillery, is appointed to act as an Assistant under Major Powney: Lieut. Fenning will return to his Regimental duty on Captain Dixon's arrival at Ishapore.

Captain Henry De Bude, of the Corps of Engineers, to be Superintending Engineer in the Department of Public Works, Central Provinces, in succession to Major Irvine.

Captain Thomas Warlow, of the Corps of Engineers, to officiate as Garrison and Executive Engineer at Dehly, without prejudice to his present appointment.

Captain Nathaniel Jones, of the 57th Regt. N. I., to be Deputy Pay Master of the Nusseerabad Circle of Payment.

Lieut. Robert Guthrie McGregor, of the Regiment of Artillery, to be a Deputy Judge Advocate General on the Establishment, vice Jones.

The following Promotion and Appointment are made in the Ordnance Commissariat Department to fill a vacancy:

Lieut. the Hon'ble Harry Barrard Dalzell to be a Commissary, and Lieut. and Brevet Captain Charles Dallas, of the Regiment of Artillery, a Deputy Commissary of Ordnance from this date.

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FORT WILLIAM, 23D MARCH.

No. 52 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following appointments:

Captain John Marshall Heptinstall of the 31st Regiment Native Infantry, to be a Deputy Assistant Adjutant General on the Establishment, vice Mackinlay.

Lieutenant Charles Seton Guthrie, of the Corps of Engineers, to officiate as Executive Engineer of the 17th or Burdwan Division of Public Works, during the employment of Lieutenant Smyth as Military Secretary to the Governor General.

Captain Charles Guthrie, of the Invalid Establishment, was appointed on the 16th instant Superintending Officer of the Companies of Burkendaz Guards, composed of Invalid Sepoys, to be formed in the Division of Patna.

In conformity with the Resolution of Government passed in the Revenue Department, under date the 13th instant, Assistant Surgeon John McClelland is appointed an Assistant to Dr. Wallich ordered on Deputation to Upper Assam.

Lieutenant Charles Chester, of the 23d Regiment Native Infantry, late on duty with Maha Raja Runjeet Sing's Deputation, has leave of absence for six months from the date of his being placed at the disposal of the Commander-in Chief, with permission to rejoin his Regiment at Neemuch via Bombay.

Surgeon H. Clark, First Assistant to the Behar Opium Agency, has obtained, in the General Department, under date the 7th instant, an extension of leave granted to him on the 1st December last from six to twelve months.

The undermentioned Officers are placed, temporarily, at the disposal of the Honorable the Governor of Agra:

Captain Peter Latouche, of the 7th Regiment Native Infantry.

Lieutenant Arthur Wheatley, of the 5th Regiment Light Cavalry.

Ensign Henry Montague Barwell, of the 59th Regiment Native Infantry.

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FORT WILLIAM, 30TH MARCH.

No. 84 of 1835.—The Governor General of India in Council is pleased to make the following Promotion and Appointments:

20th Regt. N. I.—Ensign Charles Ratray to be Lieutenant, from the 11th Oct. 1834, vice Lieut. Thomas Gear deceased.

32d Regt. N. I.—Supernumerary Lieut. Colin Campbell Jackson Scott is brought on the effective strength of the Regiment, vice Lieut. Alexander Park Graham deceased, 25th Sept. 1834.

Surgeon Simon Nicolson to be Surgeon to the General Hospital, vice Turner proceeded to Europe.

Lieutenant Francis Dashwood, of the Regiment of Artillery, to be Assistant Secretary to the Military Board, vice Captain Gowan appointed Deputy Principal Commissary of Ordnance.

Assistant Surgeon Thomas William Burt, to the Civil Station of Tipperah, vice Roe placed at the disposal of the Commander in Chief.

The undermentioned Officers are permitted to proceed to Europe on furlough:

Col. (Brigadier) Christopher Sullivan Fagan, C. B. of the 37th Regt. N. I. and Commanding Meywar Field Force, and Lieut. Col. Henry Lewis White, of the 36th Regt. N. I., on account of private affairs.

Col. Robert Patton, C. B., of the 9th Regt. N. I., 2d Lieut. Francis Claude Burnett, of the Regt. of Artillery, and Lieut. Henry Berry, of the 71st Regt. N. I., on medical certificate.

Capt. William Tauzia Savary, of the 48th Regt N. I., is permitted to proceed from Neemuch to Bombay, on his private affairs, and to be absent on that account, from the 2nd instant to the 31st May next.

Lieut. B. Y. Reily, Executive Engineer 13th Division, is permitted to proceed to the Hills, and to be absent from his Station, from the 1st March 1835 to the 1st of January 1836, on medical certificate.

Capt. F. T. Boyd, of the 66th Regt. N. I., Depnty Assistant Commissary General, has leave of absence for one month from the 1st proximo, to visit the Presidency, on private affairs.

Capt. John Jones, of the 40th Regt. N. I., is permitted, at his own request, to resign the Service of the Hon'ble Company, from the 1st instant.

Serjeant Michael O'Grady Gorman, of the Horse Artillery, is appointed an Assistant Overseer in the Department of Public Works on the Salary allowed for that rank, and attached to the Dehly Division.

Sergeant Thomas Bloxage, of the Invalid Companies, is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January 1797, and General Orders dated 5th February 1820, subject to the confirmation of the Honorable the Court of Directors, with permission to receive his Stipend at Chunar.

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## GENERAL ORDERS BY THE RIGHT HONORABLE THE COMMANDER IN CHIEF.

*Head Quarters, Calcutta, 2d March, 1835.*

The following Ensigns are removed to the Corps specified opposite their respective names, and directed to join:

Ensign H. McMahon, from the 7th to the 1st N. I. at Cawnpore.

Ensign A. H. Dyke, from the 56th to the 25th Regt. N. I. at Mirzapore.

Ensign C. J. Richards, from the 10th to the 25th Regt. N. I. at Mirzapore.

The undermentioned unposted Ensigns are appointed to the Corps stated opposite their respective names, and directed to join:

Ensigns R. Dowson to the 5th Regt. N. I. at Saugor; A. G. Reid to the 47th Regt. N. I. at Lucknow; A. Turner to the 1st Regt. N. I. at Cawnpore; S. H. Becher to the 63d Regt. N. I. at Sultanpore, Oude; R. J. Graham to the 72d Regt. N. I. at Saugor; R. C. Lawrence to the 73d Regt. N. I. ordered to Barrackpore; H. Weaver to the 5th Regt. N. I. at Nusseerabad; H. J. Piercy to the 49th Regt. N. I. at Loodiannah; J. L. Walker to the 71st Regt. N. I. at Cawnpore; G. Mainwaring to the 53d Regt. N. I. at Banda and Etawah; D. E. Brewster to the 62d Regt. N. I. at Loodiannah; W. L. Mackintosh to the 43d Regt. N. I. at Barrackpore; S. H. Steer to the 5th Regt. N. I. at Saugor; J. B. Conolly to the 42d Regt. N. I. at Delhi; H. Ramsay to the 30th Regt. N. I. at Meerut; and S. J. Becher to the 11th Regt. N. I. at Goruckpore.

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The order issued by Brigadier General R. Stevenson, C. B., under date the 20th January last, directing all reports of the Troops, in Shekawatt to be made to Brigadier E. Wyatt, is confirmed.

Lieut. Col. Wyatt will with the sanction of Government, continue to Command these Troops, with the rank of Brigadier of the 2d class, until the 1st proximo, after which date, the Corps in Shekawatt are to be considered under the immediate orders of, and will report direct to, the Officer Commanding the Rajpootanah Field Force.

The appointment by Brigadier E. Wyatt, in his Detachment order of the 30th of January last, of Lieut. and Adjutant J. Locke, of the 22d Regt. N. I., to act as Major of Brigade to the Troops in Shekawatt, is confirmed. Lieut. Locke will continue in the situation of Major of Brigade in Shekawatt, till the 1st proximo.

The Regimental order by Major R. Chalmers, Commanding the 22d N. I., under date the 30th January last, appointing Lieut. W. P. Jones to act as Adjutant to the Regiment, during the temporary employment on the Staff of Lieut. and Adjutant Locke, is confirmed.

His Excellency the Commander in Chief is pleased to make the following removals and postings.

Lieut. Col. W. H. Kemm, from the 50th to the 31st Regt N. I.

Lieut. Col. W. Dunlop, (Quarter Master General of the Army) from the 67th to the 50th Regt. N. I.

Lieut. Col. W. A. Yates, from the 73d to the 67th Regt N. I.

Lieut. Col. J. H. Cave, from the 54th to the 73d Regt. N. I.

The undermentioned Officer has leave of absence.

2d Troop 1st Brigade Horse Artillery—Lieut. E. Buckle, from 10th April to 10th October, to visit Hurdwar and the Hills North of Deyrah Dhoon, on private affairs.

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*Head-Quarters, Calcutta, 3d March.*

The detachment order of the 29th January last, by Major J. Blair, commanding at Patan, appointing Lieut and Adjutant C. U. Tripp, of the 36th Regt. N. I., to act as staff to the detachment, consisting of half a Company of European Artillery, the 36th N. I., and 3d Regt. Local Horse, is confirmed.

Lieut. W. W. Davidson, of the 18th Regt. N. I., is appointed to act as Interpreter and Quarter Master to that Corps, from the 23d January last, the date of his passing an examination in the Persian and Hindoostanee languages by the District Committee, vice Lieut. Interpreter and Quarter Master C. Brown, placed at the disposal of the Agent to the Governor General in the Saugor and Nerbudda territories.

Conductor George Forrest is removed from the Arsenal, and posted to the Magazine at Agra.

Sergeant M. A. Bigley, of the Sappers and Miners, is removed to the European Regiment, which he is to join without delay.

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*Head-Quarters, Calcutta, 4th March.*

The Sirhind Division Order of the 16th ultimo, transfering Drummer Meer Sahadut Allie, from the 49th to the 21st Regt. N. I., at Hansi, to fill a vacancy, is confirmed.

The Mhairwarra Local Battalion order of the 5th ultimo, directing all reports of the Battalion to be made to Captain P. C. Anderson, 2d in Command of that Corps, from the 5th ultimo, is confirmed.

Major S. Watson's Regimental order of the 15th January last, directing Lieut. J. Ewart, to act as Interpreter and Quarter Master to the 55th Regt. N. I., is confirmed.

The undermentioned Officers have leave of absence.

District Staff—Captain C. Cheape, Major of Brigade, Oude, from 20th February to 20th January 1836, to visit Simla, on medical certificate.

18th Regt. N. I.—Ensign T. C. Richardson, from 1st March, 1834 to 29th April, 1834, in extention, to enable him to join his Regiment at Baitool.

59th Regt. N. I.—Ensign R. W. Elton, from 30th March to 30th July, to visit Allahabad, on private affairs.

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*Head Quarters, Calcutta, 6th March.*

The undermentioned Officers have leave of absence :

50th Regt N. I.—Capt. H. J. White, from 1st March to 30th April, to remain at the Presidency, on private affairs.

57th Regt. N. I.—Lieut. T. Simpson, attached to the Ramgurgh Battalion, from 22d March to 22d April, in extension to remain at the Presidency, on medical certificate.

Infantry—Ensign E. Sissmore, doing duty with the 12th N. I., from 23th February to 16th April, in extension, to enable him to join the 12th N. I. at Allahabad.

15th Regt. N. I.—Ensign R. Smith, from 25th Feb. to 25th Feb. 1836, to visit the Hill Provinces, North of Deyrah Dhoon, on medical certificate.

43d Regt. N. I.—Ensign W. L. Mackintosh, from 6th March to 6th May, to visit Purneah, on private affairs.

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The undermentioned Officers have leave of absence :

Artillery—Supernumerary 2d Lieut. W. H. Delamain, doing duty with 2d Company 5th Battalion, from 15th Feb. to 15th Nov., to proceed to the Hills North of Deyrah Dhoon, on medical certificate.

21st Regt. N. I.—Lieut. A. H. Corfield, from 15th March to 15th Sept., to visit Cawnpore, on urgent private affairs.

67th Regt. N. I.—Ensign R. N. Raikes, from 1st April to 1st Sept., to visit Bauleah and Calcutta, on urgent private affairs.

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*Head Quarters, Calcutta, 7th March.*

Lieut. Col. R. C. Andree's Regimental Order of the 22d ultimo, appointing Lieut. and Brevet Captain J. L. Revell to act as Adjutant to four Companies of the 7th N. I., is confirmed.

The Detachment Order by Major R. Delamain, of the 21st ultimo, appointing Lieut. J. McDonald to act as Adjutant to the Left Wing 66th Regt. N. I., vice Lieut. H. Hollings, appointed Acting Interpreter and Quarter Master to the 25th N. I., is confirmed.

Assistant Surgeon J. G. Vos, M. D., late officiating Civil Assistant Surgeon at Bandah, is directed to do duty under the Superintending Surgeon at Benares.

Sub-Conductor P. Caulfield is transferred from Fort Cornwallis to the charge of the Singapore Magazine.

Sub-Conductor George Irish, now at the Arsenal, is appointed to the charge of the Malacca Magazine.

The Service of Sergeant James Reid not being any longer required in the Garrison Engineer's Department, Fort William, he is directed to rejoin the Sappers and Miners.

The undermentioned Officers have leave of absence:—

3d Troop 2d Brigade Horse Artillery—Captain G. G. Denniss, from 17th February to 17th June, to visit the Hills North of Deyrah, on medical certificate.

4th Company 5th Battalion Artillery—Captain J. S. Kirby, from 15th March to 15th August, to visit the Presidency, on private affairs.

52d Regt. N. I.—Captain F. Auberjonois, from 16th March to 16th July, in extension, to remain at Simla, on medical certificate.

14th Regt. N. I.—Lieut. T. W. Morgan from 30th April to 30th October, to visit Almorah and its vicinity, on private affairs.

27th Regt. N. I.—Ensign S. Arden, from 15th April to 15th November, to visit the Hills North of Deyrah, on medical certificate.

Artillery—Supernumerary 2d Lieut. J. S. Phillips, doing duty with the 2d Company 3d Battalion, from 15th February to 15th November, to visit the Hills North of Deyrah, on medical certificate.

67th Regt. N. I.—Lieut. H. Cotton, from 15th November 1834 to 31st January, in extension, to remain at Mussoorie, and to enable him to join.

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*Head-Quarters, Calcutta, 9th March.*

The Commander-in-Chief is pleased to make the following removals and appointments :—

Brevet Major D. D. Anderson, Assistant Adjutant General, from the Sirhind to the Benares Division.

Captain G. A. Brownlow, Deputy Assistant Adjutant General, from the Benares to the Sirhind Division.

3d Regt. Local Horse.—Lieut. George Richard Siddons, of the 1st Regt. L. C., to be Adjutant, vice Forster appointed to the Command of the Contingent in Shekawatt.

Mohun Sing, Sepoy, of the 37th Regt. N. I., who was declared unfit for further duty by the annual Invaliding Committee assembled at Neemuch 1st April last, is transferred to the Pension Establishment, from the 1st May, 1834.

The undermentioned Officers have leave of absence :—

Ordnance Commissariat Department—Capt. L. Burroughs, Commissary of Ordnance, Allahabad, from 28th February to 28th May, to proceed to the Presidency, on medical certificate.

1st Company 2d Battalion Artillery—2d Lieut. A. Broome, from 1st March to 1st July, in extension, to remain in the Hills North of Deyrah, on medical certificate.

47th N. I.—Lieut. D. Pott, from 15th March to 15th July, to visit Benares and Mynpoorie on private affairs.

57th Regt. N. I.—Lieut. Interpreter and Quarter Master C. J. Richardson, from 1st April to 1st September, to visit Commercolly, on private affairs.

11th Regt N. I.—Ensign S. J. Becher, from 2d March to 2d May, to remain at the Presidency, on private affairs.

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*Head Quarters, Calcutta, 10th March.*

The District Order by Lieut. Col. C. W. Brooke, Commanding in Oude, dated the 14th ultimo, appointing Capt. P. Grant, of the 59th Regt. N. I, to act as Major of Brigade to the Troops in Oude, during the absence, on leave, of Capt. and Brigade Major C. Cheape, is confirmed.

The undermentioned Officers have leave of absence:—

6th Regt. L. C.—Lieut. W. H. Hall, from 23d Nov. 1834 to 16th Dec. 1834, in extension to enable him to join his Corps.

26th Regt. N. I.—Lieut. M. Nicolson, from 16th Feb. to 16th Aug., to visit the Presidency on medical certificate.

46th Regt. N. I.—Assistant Surgeon Andrew Vans Dunlop, M. D., from 13th February to 13th Aug., in extension to remain at the Presidency, preparatory to applying for permission to resign the service.

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*Head-Quarters, Calcutta, 11th March.*

The Cawnpore Division Order of the 26th ultimo, appointing Veterinary Surgeon J. Hough, of the 7th Regt. L. C., to receive charges of the Horses of the 5th L. C. from Veterinary Surgeon D. Cullimore, of the 2d Brigade Horse Artillery, who is relieved from that duty, is confirmed.

The Cawnpore Division Order of the 26th ultimo, appointing Sergeant William Allan, of the 1st Company 3d Battalion of Artillery, to do duty as Bullock Sergeant at Lucknow, and to proceed with the Detachment of Artillery under Captain H. Delafose, under orders of march to that place, is confirmed.

His Excellency the Commander in Chief is pleased to make the following removal and postings :—

Lieut. Colonel E. Barton, (Deputy Quarter Master General of the Army) from the 2d to the 25th Regt. N. I.

Lieut. Col. H. T. Smith (new promotion) to the 54th Regt. N. I,

Lieut. Col. D. Dole (new promotion) to the 2d Regt. N. I.

The undermentioned Officers are appointed to do duty at the Convalescent Depôt at Landour, until the 1st of Nov. next.

Capt. E. B. Bere, of His Majesty's 16th Lancers; 1st Lieut. T. Christie, of the 2d Troop 3d Brigade Horse Artillery. Lieut. T. Quin, of the 4th Regt. L. C.

Ensign R. C. Tytler, lately admitted into the Service, is appointed to do duty, at his own request, with the 34th Regt. N. I. at Midnapore.

Quarter Master Sergeant Frederick Dalton, of the Assam L. I, is appointed Quarter Master Sergeant to the 53d Regt. N. I. at Bandah, vice Hogg appointed Sergeant Major.

*Head-Quarters, Calcutta, 12th March.*

The following appointment is made:—

4th Regt. L. C.—Cornet M. R. Onslow to be Adjutant, vice Lieut. G. C. S. Master, who has been permitted to resign the appointment.

Koorbaun Alee, Student, from the late Native Medical Institution, is directed to do duty in the Hospital of the Artillery at Dum Dum, instead of under the Superintending Surgeon at Dinapore, as directed in General Orders of the 20th ultimo.

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*Head-Quarters, Calcutta, 13th March.*

The Cawnpore Division Order of the 2d instant, appointing Assistant Surgeon A. Mackean, late in medical charge of the 70th N. I, to do duty with the 5th Regt. L. C., and Assistant Surgeon A. Chalmers, M. D., to receive medical charge of the Magazine Hospital, until further orders, is confirmed as a temporary arrangement.

The undermentioned Officers have leave of absence:—

6th Regt. N. I.—Lieut. M. Kittoe, from 21st Dec. 1831 to 1st January, in extension to enable him to join his Corps.

17th Regt. N. I.—Ensign H. P. Budd, from 25th March to 20th July, to visit Meywar and Malwah, on private affairs.

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*Head-Quarters, Calcutta, 14th March.*

The Sirhind Division Order of the 26th ultimo, directing Assistant Apothecary G. Hardtman, attached to the Hospital of His Majesty's 31st Regt. to proceed from Kurnaul with the men selected for the Convalescent Depôt at Landour, is confirmed.

Mr. Hardtman will act as Apothecary to the Depôt, until further orders.

The Commander-in-Chief is pleased to make the following appointments:—

Arracan Local Battalion.—Lieut. J. R. Lumsden, of the 63rd Regt. N. I. to be Adjutant, vice Tilson.

Talain Corps.—Ensign T. G. St. George, of the 17th Regt. N. I. to be Adjutant.

10th Regt. N. I.—Lieut. F. St. John Sturt to be Adjutant, vice Welchman.

The General Order of the 8th Nov. last, directing Assistant Surgeon K. M. Scott to proceed to Purneah, and assume medical duties of that Station, is cancelled.

Lieutenant R. L. R. Charteris, of the 65th N. I. now at the Presidency, is directed to proceed and join his Regt. at Allahabad.

The undermentioned Officers have leave of absence:—

17th Regt. N. I.—Lieut. Interpreter and Quarter Master G. M. Hill, from 20th March to 15th July, to visit Mhow and Bhopawar, on private affairs.

33d Regt. N. I.—Capt. F. Hewitt, from 10th April to 20th June, to visit Poorie, on private affairs

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*Head Quarters, Calcutta, 16th March.*

The Commander in Chief is pleased to make the following appointments:—

3d Local Horse.—Lieut. G. R. Siddons, of the 1st Regt. L. C., to be 2d in Command.

Cornet E. I. Robinson, of the 7th Regt. L. C., to be Adjutant.

Quarter Master Sergeant Frederick Dalton, of the Assam L. I., is appointed Quarter Master Sergeant to the 5th Regt N. I. at Saugor, vice Howard, deceased, instead of the 53d N. I, as notified in General Orders of the 11th instant.

The undermentioned Officers have leave of absence:—

Invalid Establishment—Captain E. Marshall, from 20th January to 20th February, to proceed to Kurnaul, on private affairs.

Engineers—2d Lieut. J. A. Monat, from 15th February to 15th October, to visit the Presidency, on private affairs.

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*Head-Quarters, Calcutta, 17th March.*

Deputy Assistant Commissary J. Sperrin is removed from the Agra to the Saugor Magazine.

Sergeant John Diey, of the 3d Company 2d Battalion of Artillery, is transferred to the Town Major's List, and appointed Bazar Sergeant at Kurnaul, vice Bateman, deceased.

The undermentioned Officers have leave of absence:—

District Staff.—Captain H. Hay. Major of Brigade, Rohilcund, from 1st March to 1st March, 1836, to visit the Hills in the vicinity of Simla, on medical certificate.

4th Regt. L. C.—Lieut. Interpreter and Quarter Master C. Lowth, from 30th January to 30th July, to visit the Presidency, preparatory to applying for furlough to Europe.

58th Regt. N. I.—Lieut. C. Arding, from 7th March to 7th May, to visit the Presidency, on medical certificate,

Arracan Local Battalion—Local. Lieut. R. Maling, from 9th December 1834 to 9th January, to visit Khyouk Phoo, on medical certificate.

28th Regt. N. I.—Ensign S. W. Gardner, from 20th March to 20th September, to visit Khassgunge, on private affairs.

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*Head Quarters, Calcutta, 18th March.*

The Artillery Regimental Orders of the 10th instant, appointing Lieut. A. Cardew to act as Adjutant, and Staff Sergeant A. Creighton, of the 2d Company to act as Sergeant Major, to the Wing of the 1st Battalion at Dum Dum; and Assistant Surgeon A. Bryce, M. D, to receive medical charge of the Detachment, are confirmed.

The Regimental Order of the 5th instant, by Captain W. E. B. Leadbeater, appointing Lieut. J. Hunter to act as Adjutant to the Left Wing of the 53d N. I., during its separation from Regimental Head Quarters, is confirmed.

The Order by Captain T. McSherry, of the 24th ultimo, appointing Lieut. W. C. Campbell to act as Adjutant to the Left Wing 30th N. I., proceeding to join the Head Quarters of the Regt. is confirmed.

Lieut. J. H. Wakefield, of the 17th Regt. N. I., is appointed to act as Interpreter and Quarter Master to the 4th Regt. L. C. during the absence on leave of Lieut. Interpreter and Quarter Master C. Lowth.

Sergeant Major James Hawkins, of the 44th Regt. N. I, being found unfit for his situation, is remanded to the European Regt. as a Sergeant.

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The District Order by Brigadier J. Tombs, under date the 4th instant, appointing Captain S. L. Thornton of the 13th Regt. N. I, to officiate as Major of Brigade to the Troops in Rohilcund, during the absence of Capt. H. Hay, on sick certificate, is confirmed.

Major (now Lieut. Col.) D. Dowie's Regimental Order of the 1st instant, appointing Lieut. T. Young to act as Adjutant to four Companies of the 2d N. I., proceeding on detached duty under the Command of Capt. (now Major) S. Maltby, is confirmed.

Colonel C. Parker's Battalion Order of the 1st October last, directing Lieut. C. S. Reid to act as Adjutant to the 5th Battalion Artillery, during the employment of Lieut. Turton on duty, is confirmed. The appointment is to have effect from the 18th Nov. last.

Colonel C. Parker's Order of the 21st October last, appointing Lieut. C. S. Reid. of the 5th Battalion Artillery, to act as Staff Officer to a Detachment proceeding on service, consisting of the 1st and 2d Companies with Head Quarters of the 5th Battalion Artillery, 4th Companies and Head Quarters of the Sappers and Miners, 22d Regt. N. I., and Right Wing 44th Regt. N, I., is confirmed.

Half-pay Drummer Edward Beckley, of the European Regt. is transferred as a Drummer to the 48th Regt. N. I., to fill a vacancy.

The undermentioned Officers have leave of absence:—

42d Regt. N. I.—Capt. T. Polwhele, from 30th April to 1st November, to visit Simla, on private affairs.

49th Regt. N. I.—Surgeon J. Henderson, from 30th April to 1st November, to visit the Presidency, preparatory to applying for Furlough to Europe.

69th Regt. N. I.—Surgeon K. Macqueen from 15th April to 15th November, to visit the Hill Provinces North of Deyrah Dhoon, on private affairs.

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*Head-Quarters, Calcutta, 19th March.*

The undermentioned Officer has leave of absence:—

51st Regt. N. I.—Lieut. Col. G. Hawes, from 15th April to 1st November, to visit Simla, on private affairs.

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The Cawnpore Division Order of the 7th instant, appointing Hospital Apprentice J. Leach to act as Assistant Steward to a Detachment of His Majesty's Troops, in the room of Hornby, who has joined the Medical Depôt at that station, is confirmed.

Superintending Surgeon, W. Findon, on the departure from Berhampore of His Majesty's 38th Regt., will, with reference to Government General Orders of the 13th instant, repair to Barrackpore, and assume charge of the office of Superintending Surgeon at that Station.

Assistant Surgeon A. Walker (1st)) is removed from the 40th to the 42d Regt. N. I., which he is directed to join at Delhi, and assume medical charge of.

Assistant Surgeon J. H. Serrell, doing duty with the 12th, is appointed to the medical charge of the left Wing 53d Regt. N. I. proceeding to Bandah.

Thomas Condon, Half pay Drummer in the European Regt., is transferred to the 19th Regt. N. I. at Barrackpore, to fill an existing vacancy in that Corps.

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The undermentioned Officers have leave of absence:—

1st Regt. L. C.—Capt. J. F. Bradford, from 15th April to 15th October to visit Mussoorie, on private affairs.

2d Regt L. C.—Lieut. B. C. Bourdillon, from 1st March to 31st Dec., to visit the Hills North of Deyrah, on medical certificate.

1st Regt. N. I.—Ensign G. A. Fisher, from 25th March to 25th Sept., to visit Goruckpore, on private affairs.

59th Regt. N. I.—Lieut. G. W. Stokes, from 15th March to 15th July, to visit the Presidency, on medical certificate, preparatory to applying for furlough to Europe on account of his health.

74th Regt. N. I.—Lieut. H. W. Leacock, from 1st April to 1st July, to visit the Presidency, on private affairs, preparatory to applying for furlough to Europe.

Corporal Peersall, employed in the Model Department, Dum Dum, is promoted to the rank of Sergeant.

Shunkur Singh, Student, from the late native medical Institution, is appointed to do duty in the Hospital of the Artillery a Dum Dum, instead of under the Superintending Surgeon at Benares, as directed in General Orders of the 20th ultimo.

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## BY MAJOR GENERAL J. WATSON, C. B. PROVISIONAL COMMANDER-IN CHIEF.

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*Head Quarters, Calcutta, 21st March.*

Capt. Joseph Graham, of the 50th Regt. N. I., is appointed Military Secretary to the Provincial Commander in Chief.

Capt. C. Rogers, Deputy Judge Advocate General, is removed from the Saugor to the Cawnpore Division of the Army.

Lieut. R. G. McGregor, who was appointed a Deputy Judge Advocate General in Government General Orders, No. 75, of the 18th instant, is posted to the Saugor Division.

The undermentioned Officers have leave of absence:—

74th Regt. N. I.—Lieut. Brevet Captain and Adjutant N. J. Cumberlege, from 25th March to 31st October, to visit the Presidency, on private affairs.

Engineers—2d Lieut. G. H. Fagan, Assistant Executive Engineer, Neemuch, from 20th April, to proceed into the District, on private affairs.

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*Head-Quarters, Calcutta, 24th March.*

Lieut. Col. F. Palmer's Regimental Order of the 4th instant appointing Ensign H. Howorth to act as Adjutant to the 30th Regt. N. I., during the absence on leave, of Lieutenant and Adjutant G. Pengree, is confirmed.

Deputy Commissary Capt. G. H. Woodrooffe is directed to proceed and assume charge of the Delhi Magazine, until further orders.

Conductor M. Turvey is, at his own request, removed from the Magazine at Ajmere to the Arsenal of Fort William.

Ahmud Alee, Student, from the late Native Medical Institution is directed to do duty in the Hospital of the Governor General's Body Guard, instead of under the Superintending Surgeon at Dinapore, as notified in General Orders of the 20th ultimo.

The Provincial Commander in-Chief, with the sanction of Government, is pleased to grant to the Native Army, the indulgence of leave of absence, from the 1st proximo, under the following restrictions and limitations. Where circumstances may prevent this indulgence from being granted to the full extent authorized, a report is to be made to Head Quarters.

To the Troops stationed in Arracan and Assam, at Dacca and Chitagong, leave is granted to the extent of 4 Native Officers and 24 Non-Commissioned Officers per Regiment, and 15 Privates per Troop or Company—to cease on the 1st January, 1836.

To all other Corps in the Presidency Division, except those enumerated above, to Corps in the Saugor Division, in the Malwa, Meywar and Rajpootanah Field Forces, and in the Sirhind Division, leave is granted to the same number—to cease on the 15th November next.

To the Hill Corps stationed at Subathoo, Deyrah, and in Kemaoon, leave is to be granted to the same number—to cease on the 15th December next.

To the Troops of the Line stationed in Kemaoon, leave is to be granted to the same number, from the 15th October next to the 15th April, 1836.

To the Corps stationed in the Dinapore, Benares and Cawnpore Divisions, at Allahabad, and in the Meerut Division, (excepting Kemaoon) leave is granted to 3 native officers and 16 Non Commissioned Officers per Regiment, and 10 private per Troop or Company, until the 15th October next.

Commanding Officers will be careful that leave is granted with strict regard to priority of claims, and will limit the time granted to individuals, with reference to the distance of their homes and the nature of their business, so as to allow as full a participation as possible in the indulgence.

Officers and Men going on furlough, are to be reminded of the penalties attached to the overstaying of their leave, as well as the necessity of giving notice to their Regiments, if sickness should detain them at their homes.

The General Order of the 28th April 1810, containing precautionary directions to native troops when travelling to or from the Regiments, is to be particularly explained to the Officers and Men of every Regiment previous to their departure on leave.

The attention of Commanding Officers is directed to General Orders of the 19th February, 1834, regulating the mode of granting the leave now authorized, as regards Non Commissoned Officers.

The undermentioned Officers have leave of absence.

2d Regt. N. I.—Major S. Maltby, from 15th March to 15th September, to visit the Presidency, for the purpose of submitting an application to resign the service.

5th Regt L. C.—Captain W. Buckley, from 1st April to 15th October, in extention, to reside in the Hills North of Deyrah Dhoon, on medical certificate.

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*Head-Quarters, Calcutta, 25th March.*

Captain J. M. Heptinstall appointed a Deputy Assistant Adjutant General in Government General Orders of the 23d instant, is posted to the Meerut Division.

Heera Lall, Native Doctor, late an Assistant Teacher in the Native Medical Institution, and under orders to proceed to Agra, is appointed to the Hospital of the Nusseree Battalion, to fill a vacancy, and directed to join at Subathoo.

The undermentioned Officers have leave of absence:

24th Regt. N. I.—Lieut. T. Mackintosh from 1st April to 1st June, to visit Jessore, on private affairs.

29th Regt. N. I.—Lieutenant and Adjutant J. H. Craigie, from 23d February to 23d November, to visit Simla, on medical certificate.

39th Regt. N. I.—Lieutenant and Adjutant G. Pengree, from 14th March to 14th March 1836, to visit Simla, on medical certificate.

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*Head-Quarters, Calcutta, 26th March.*

The District Order by Lieutenant Colonel J. F. Dundas, Commanding the Rajpootanah Field Force, under date the 6th ultimo, directing Acting Assistant Apothecary Edward Smith to proceed with Lieutenant Christie's Detachment of Convalescents to Meerut, in the room of Apothecary John Douglas, is confirmed.

The Detachment Order of the 13th instant, by 2nd Lieut. J. H. Campbell, Commanding Convales ents proceeding to Landour, appointing Drill Sergeant Peter Wynass, of the 6th Battalion of Artillery, to act as Sergeant Major, and Lance Sergeant Thomas Turner, of His Majesty's 11th Light Dragoons, to act as Provost Sergeant to the Detachment, is confirmed.

Assistant Surgeon A Bryce, M. D., is posted to the 1st Troop 2d Brigade of Horse Artillery.

This Order to have effect from the 12th ultimo, the date on which he received charge of the Troop from Assistant Surgeon A. Crighton, M. D.

The undermentioned Officers have leave of absence:—

51st Regt. N. I.—Capt. H. C. Bernard, from 1st Sept. to 1st Dec., 1835, to enable him to rejoin his Regt. at Neemuch, on being struck off the 59th N. I.

44th Regt. N. I.—Lieutenant H. Abbott, from 25th April to 25th Oct. to visit Beawr, on private affairs.

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*Head-Quarters, Calcutta, 27th March.*

The Presidency Division Order of the 23d instant, appointing Purgun Singh, Native Doctor, doing duty with the 19th N. I., to the Hospital of the 40th Regt. N. I. in Arracan, is confirmed.

Unposted Ensign E. Sissmore is, at his own request, directed to do duty with the 41st Regt. N. I. at Barrackpore, instead of the 12th N. I. at Allahabad, as notified in General Orders of the 17th December last.

The undermentioned Officers have leave of absence:—

9th Regt. N. I.—Capt. G. A. Smith, and Ensign B. Hatcher, from 4th March to 4th June, to visit Pahargurh, on private affairs.

*Head-Quarters, Calcutta, 28th March.*

With reference to Government General Orders No. 52. of the 23d instant, placing Captain and Brigade Major P. LaTouche temporarily at the disposal of the Honourable the Governor of Agra, the Provincial Commander in-Chief is pleased to appoint Capt. John Wilson, of the 17th N. I. to act as Brigade Major to the Rajpootanah Field Force, during the period the Regt. to which he belongs may form a portion of the Rajpootanah Command, or until further orders.

Choonee Sing, Gunga Sing, Lutchman Sing, and Durson Sing, Sepoys of the Ramgurh Local Battalion, having been pronounced unfit for further service by a special Medical Committee, they are to be struck off the strength of that Corps from the 1st proximo; but in consideration of their length of service, and the circumstances under which they severally contracted the disorders which have rendered them unfit for duty, the Honorable the Governor General of India in Council has been pleased to approve of Choonee Singh being transferred to the Pension Establishment, also of a donation of eight months' Pay being disbursed to Gungah Singh, and of nine months' pay to each of the other two men.

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*Head-Quarters, Calcutta, 31st March.*

Brevet Captain G. Dallas, Deputy Commissary of Ordnance, is posted to the Chunar Magazine.

Ensign S. H Steer is removed from the 5th to the 56th Regt. N. I. at Dinapore.

The Meerut Division Order of the 20th instant, by Major General the Honorable J. Ramsay, directing Apothecary John Douglas to proceed to Landour and do duty at the Depôt there, under the orders of Assistant Surgeon Robertson, is confirmed.

Assistant Apothecary George Hardtman, on being relieved by Mr. Douglas, will rejoin the Hospital of His Majesty's 31st Regt. at Karnaul.

The following Appointments are made by the Provincial Commander in-Chief:—

2d Brigade Horse Artillery.—1st Lieut. G. Campbell to be Adjutant and Quarter Master, vice Dashwood appointed Assistant Secretary to the Military Board.

2d Battalion Artillery.—1st Lieut. E. F. Day to be Adjutant and Quarter Master, vice Dallas appointed a Deputy Commissary of Ordnance.

The Provincial Commander in Chief is pleased to make the following removals in the Regt. of Artillery:

1st Lieut. F. Dashwood from the 1st Troop 2d Brigade to the 4th Troop 1st Brigade Horse Artillery.

1st Lieut. J. H. Daniell, from the 1st Troop 2d Brigade to the 4th Troop 3d Brigade Horse Artillery.

Apothecary Charles Fox is removed from the Hospial of His Majesty's 3d Buffs, and directed to proceed to Benares, there to await further orders.

Apothecary John Williams, doing duty with the 3d Troop 8d Brigade of Horse Artillery, is appointed to the Hospital of His Majesty's 3d Buffs, vice Fox, and directed to join at Ghazeepore.

The undermentioned Officers have leave of absence:—

2d Battalion Artillery—Major T. Chadwick, from 1st April to 1st January, 1836, in extension, to remain at Simla, on medical certificate.

1st Regt. N. I.—Major J. Bell from 18th March to 18th March, 1836, to visit Simla, on medical certificate.

6th Battalion Artillery—Lieut., Interpreter and Quarter Master J. L. Mowatt, from 20th March to 20th March, 1836, to visit Simla and its vicinity, on medical certificate.

Invalid Establishment—Lieut. A. W. W. Fraser, from 1st May to 31st October, to visit the Presidency, on private affairs.

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# SHIPPING REGISTER.

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ARRIVALS.

April 1 Barque *Kyle*, Thomas Fletcher, from Mauritius 6th February, Point de Galle (no date) and Madras 24th March.

3 Barque *Will Watch*, W. Barrington, from Singapore 1st and Penang 11th March.

— Barque *Pero*, W. Rutter, from Tallaville 27th February, Colombo (no date) and Point de Galle 5th March.

6 Ship *Ruby*, W. Warden, from China 1st and Singapore 13th March.

9 American ship *Eugene*, C. H. Williams, from New York 26th November.

— Barque *Abgarus*, C. Dunbar, from Bombay 6th, and Allepee 20th March.

— H. C. Steamer *Ganges*, W. Warden, from Madras 1st April.

11 Ship *Futtay Salam*, J. Keys, from Bombay 22d February and Allepe 13th March.

— Schooner *Charles Stuart*, D. Davis, from Rangoon 26th March.

13 Barque *Discovery*, Wm. Hawes, from Bombay 25th February, Tellichery (no date), and Alleppe 12th March.

14 Barque *Red Rover*, W. Clifton, from China 16th March.

— Barque *Water Witch*, A. Henderson, from China 14th and Singapore 28th March.

— French brig *Robuste*, J. Faurel, from Marseilles (no date).

— Ship *Perfect*, William Snell, from Greenock 8th November and Madras 7th April.

15 French barque *Claudina*, D. Corre, from Rio de Janeiro 11th November.

19 Ship *Ernaad*, J. L. Gillett, from China 27th February and Madras 15th April.

21 Brig *Corsair*, E. Cooke, from Penang 10th April.

April 22 American Ship *Margaret*, W. C. Stotesbury, from Philadelphia 13th October, Monte Video 21st January, and Madras 8th April.

DEPARTURES.

April 4 *Ship Nerbudda*, F. Patrick, for China.

5 Ship *Hindostan*, G. J. Redman, for London.

6 Barque *Swallow*, W. Adam, for Madras.

8 Schooner *Olivia*, W. Roome, for Cape of Good Hope.

— Barque *Lady Clifford*, J. Masson, for Mauritius.

9 Barque *Eleanor*, T. B. Timms, for Madras.

10 Barque *Bright Planet*, R. Richardson, for Penang and Singapore.

— Ship *Barretto Junior*, R. Saunders, for Singapore and China.

16 Barque *Thereza*, J. Tullock, for London.

— Barque *Fame*, J. Richardson, for Mauritius.

23 Barque *Cashmere Merchant*, R. Edwards, for Penang and Singapore.

— Brig *Lord Althorp*, B. Sproul, for Liverpool.

— American Ship *Georgia*, J. Spalding, for Boston.

— Brig *Will Watch*, W. Barrington, for Kyouk Phyoo

ARRIVAL OF PASSENGERS.

*Per Will Watch from Singapore.*—W. R. Lackersteen, Esq. Merchant; Master W. Almeida. *From Penang*—Mrs. Coles and two children; Mr. J. D'Luz.

*Per Pero from Mauritius*—Master John Alence.

*Per Abgarus from Bombay.*—Mr. Dunbar and Captain Rice.

*Per Ruby.*—Captain Edward Follins, late Commander of the Ship *Eliza*, and Mr. J. D. Hoggerty, crew of ditto.

*Per Steamer Ganges from Madras.*—Mr. Mcleod, a Member of the New Law Commission; Captain Taylor, Madras Service; Mr. F. H. Burkinyoung, of this city; Captain O'Halloran, H. M. 38th Foot.

*Per Perfect from Scotland*—F. B. Paton, Esq; James Maseyk, Esq. Charles Maseyk, Esq. *From Madras*—Lieut. W. Dyer, H. M. 41st Regt.

*Per Red Rover from China*—A. Johnston, Esq., Merchant.

*Per Ernaad from China.*—Mr. Nicolson, B. N. I. *From Madras.*—Mrs. Colonel Taylor; Mr. Hyde, Civil Service: Messrs. Shaw and Sutherland.

*Per Corsair*—Mrs. Cooke; Mr. King; Mr. Thompson, free mariner.

### DEPARTURE OF PASSENGERS.

*Per Hindostan, for London*—Mrs. Alexander and 3 children; Mrs. Henderson and 1 child; C. Beecher, Esq. Civil Service; Colonel White; Captain Broughton; N. Alexander, Esq; Henry Henderson, Esq.; G. Key, Esq., late of H. M. Lancers; 3 children of Mr. Brownlow, of the Civil Service; and Co. J. Middleton, Esq. C. S.

*Additional Passengers per Abberton, for London*—Mrs. Shuttleworth and 2 children; Mrs. Nath and 2 children; Mr. S. Shuttleworth. *For the Coast.*—Miss Davis and Mr. Porter.

*Per Barretto Junior, for Singapore.*—Mrs. Colnet; Hon'ble C. R. Lindsay;—McKenzie, Esq.; Captain Colnet.

*Per Bright Planet, for Penang and Singapore.*—Mrs. Jellicoe, Miss Gardener, and Revd. Mr. Bateman, Acting Archdeacon.

*Per Duke of Roxburgh for the Isle of France.*—Mrs. Cockerell; T. Mainwaring, Esq., Civil Service; R. H. Cockerell, Esq.; Mr. Mainwaring.

*Per Clairmont for Bombay.*—Captain Keir, and Ensign Inglis.

*Per Isabella Robertson, for Singapore and China.*—Manuel Pereira, Esq., and Masters Anto. and Manuel de Santos.

# DOMESTIC OCCURRENCES.

### MARRIAGES.

March 5 At Macao, by the Revd. M. Vachal, H. P. Sturgis, Esq., of the Firm of Russell, Sturgis and Co. Canton, to Mary Georgiana, third daughter of the late R. Howard, Esq., Attorney at Law, Calcutta.

9 At Hansie, by the Revd. Everest, Henry Milne, Esq. 21st Regiment N. I., to Marian, daughter of the late Major R. Skinner, 1st Local Horse, and niece of Colonel Skinner, C. B., Commanding at Hansie.

27 At Allahabad, by the Rev. G. Ward, Major Irvine, C. B., Engineers, to Marianne, 4th daughter of the late John Shakespear, Esq., of the Bengal Civil Service.

April 8 By the Rev. H. Fisher, Mr. Henry W. Mitchell, to Miss Margaret Walker, of the Military Upper Orphan School.

17 By the Revd. H. Fisher, Mr. George Board, to Mrs. Mary Barrett, widow of the late Mr. James Barrett.

21 At the Cathedral, by the Revd. T. Robertson, Captain Hugh Sibald, 41st Regt. N. I. to Mary Ann Sarah Penman, widow of the late Dr. Penman, of Calcutta.

23 At the Cathedral, by the Revd. Henry Fisher, Junior Presidency Chaplain, the Revd. John McQueen, A. M., Secretary and Chaplain, Bengal Military Orphan Society, to Miss Catherine Nevile Wyatt, daughter of the late George Nevile Wyatt, Esq., Civil Surgeon, Tirhoot.

25 At the Cathedral, by the Revd. Dr. Mill, Principal of Bishop's College, James Prinsep, Esq, to Harriet Sophia, eldest daughter of the late Colonel J. Aubert.

29 At St. John's Cathedral, by the Revd. H. Fisher, John Henry Brandt, Esq., to Jane Cherry, eldest daughter of the late Joseph Thompson, Esq, of Booglah Factory, Furridpore.

— At the Cathedral, by the Revd. H. Fisher, Mr. Michel Gavin, to Mrs. Elizabeth Raban.

30 At the Principal Roman Catholic Church, by the Revd. Monsieur More, C. F. Dumaine Esq., to Marie Louise DaCosta, third daughter of the late John DaCosta, Esq.

### BIRTHS.

Mar. 21 At Benares, the lady of Captain Frederick Angelo, Deputy Judge Advocate General, of a daughter.

28 At Baitool, the lady of Lieutenant Edwards, 18th Regiment N. I., of a son.

30 At Benares, Mrs. Buyers, the wife of the Revd. W. Buyers, of a son.

April 1 At Nundeucoojah Factory, Rampore Bolea, Mrs. A. C. Monnier, of a son.

5 At Cawnpore, the lady of Captain M. Smith, H. M. 16th Foot, of a son.

7 At Hyrampore Factory, the lady of J. B. Crawford, Esq. of a son.

8 The lady of Mr. R. S. Homfray, of a son.

— At Hansi, the lady of Captain J. C. C. Gray, 2d, N. I., of a son.

9 The wife of Mr. J. S. Morton, Veterinary Surgeon, of a son.

— Mrs. Moses Simeon, of a daughter.

— At Gorruckpore, the lady of F. B. Todd, Esq. 11th Regiment Native Infantry, of a daughter.

10 At Dum-Dum, the lady of Lieutenant F. B. Boileau Horse Artillery, of a son.

11 The lady of T. C. Robertson, Esq, C. S. of a son.

14 The lady of Johannes Avdail, Esq., of a daughter.

17 The lady of Captain Henry Timings, of the Bengal Horse Artillery, of a son.

18 Mrs. John Rebeiro, of a daughter and heiress.

20 At Garden Reach, the lady of John Franks, Esq., of a daughter.

— Mrs T. Rutledge, of a son.

21 At Salgurmudea Factory, near Commercolly, Mrs. T. B. Razet, of a son.

23 Mr. A. L. Davis, of a daughter.

25 Mrs. Lewis Teyen, of a daughter.

29 At Dacca, the lady of John Lowis, Esq., of the Civil Service, of a daughter.

30 At Chinsurah, the lady of Lieutenant Leighton, H. M. 44th Regiment, of a daughter.

*No date.* At the house of Charles Trowers, Esq., Larkin's Lane, the lady of the late Captain Charles Winslow, of a son.

*No date.* The lady of J. A. Walker, Esq. of a daughter.

### DEATHS.

Dec. 12 At Sea, on board the *Exmouth*, Henry Millett, Esq. of the Civil Service, aged 39 years.

Jan. 21 At Tavoy, Lieut. J. J. M. Anderson, of the 45th Regiment Native Infantry.

Feb. 2 At the Cape of Good Hope, Mrs. Eliza Murray, wife of Dr. Murray, Deputy Inspector General of Hospitals, aged 29 years,

March 31 On her way from the Upper Provinces, between Agra and Cawnpore, Mrs. Rossa Cicil, the beloved wife of Mr. J. J. King, Trader, aged 22 years and 5 days.

— At Subattoo, Dr. James Gerard,

April 1 Mr. Edward Hall, Book Keeper, in the office of Messrs. R. C. Jenkins and Co. aged 40 years.

— Mr. George Matthew Anderson, aged 38 years.

3 At Allahabad, Frances Margaret Anne, aged 6 months and 26 days, youngest daughter of C. N. Cooke, Esq.

5 Mountford Harvey, the infant son of J. H. Stocqueler, Esq.

6 At Berhampore, Colin shakespear, Esq., Commercial Resident of Rengamutlee.

— Monsr. Jules Timon David, aged 23 years.

10 Miss Clarissa Catherine Burke, aged 7 years, 8 months and 23 days.

11 At Muttra, Emily Julia, third daughter of Lieutenant and Mrs. Free, aged 6 months.

12 At Abhera near Kota Harauti, Amelia Johnson, wife of D. A. Johnson, Esq. aged 22 years, 1 month and 12 days. She was the daughter of the late Francis Derozio and sister to the late Poet H. L. V. Derozio, of Calcutta, Esqrs.

13 At Seebpore Zillah, Backergunge, the undermentioned were accidentally drowned by the upsetting of a boat in the Caleegunge River, on which they had been out on an excursion:—Mrs. Zoitcha D'Silva, the beloved wife of Pedro D'Silva, Esq, of Sheebpore Zillah, Backergunge, aged 25 years; Miss Mary D'Silva, the only daughter of Pedro D'Silva, Esq., and the late Mrs. Zoitcha D'Silva of the above place, aged 6 years and 10 months; Mrs. Charlotte D'Silva, the beloved wife of Lawrence D'Silva, Esq., of the above place, aged 25 years; Mr. John Rodrigues, the youngest and only son of the late Philip Rodrigues, Esq., of Kisencotty Zillah, Backergunge, aged 41 years, 2 months and 28 days; Mrs. Louisa Rodrigues, wife of the late Mr. Caitano Rodrigues, of the same place, aged 37 years, 8 months and 19 days; Miss Elizabeth Mary Ann Rodrigues, the eldest daughter of the late Mr. Caitano Rodrigues and Mrs. Louisa Rodrigues, of the same place, aged 17 years, 1 month and 4 days; Miss Mary Ann Rodrigues, the second daughter of the late Mr. Caitano Rodrigues, and Mrs. Rodrigues, of the same place, aged 15 years and 14 days; Miss Jane Aurora Lucretia Rodrigues, the fourth daughter of the late Mr. Caitano Rodrigues and Mrs. Louisa Rodrigues, of the same place, aged 10 years, 4 months and 17 days; Miss Catharine Coelho, the eldest daughter of the late Mr. Domingo Coelho, junior, and of Mrs. N. Coelho, of Kisencotty Zillah, Backergunge, aged about 10 years; Miss Angelina Coelho, the youngest daughter of the late Mr. Domingo Coelho and Mrs. N. Coelho, of the above place, aged 3 years, having left a disconsolate mother to bemoan her loss.

April 13 Andrew, the infant son of Mr. Robert Wood, aged 4 months.

14 Mr. John Gadding, aged 40 years, 1 month and 5 days.

15 At Mirzapore, Georgiana Martha, the infant daughter of Mr. J. A. Lorimer.

16 At Berhampore, Charlotte, daughter of the Revd. M. Hill, aged 7 months and 1 day.

17 Mr. Thomas Alexander Brown, aged 2 years, 11 months and 9 days.

18 At Dacca, Mr. P. H. Ernest, aged 38 years.

19 At Allahabad, of the small pock, Cecelia, the youngest daughter of Mr. M. Rees, aged 13 years and 2 months.

20 At Agra, Lieut.-Colonel J. Taylor, of the Engineers, and Superintending Engineer, North Western Provinces.

21 At Meerut, Mr. Rich, Agent to Messrs. Palmer and Co.

27 At Garden Reach, Janetta, the infant daughter of John Franks, Esq., aged 7 days.

— The infant son of Mr. T. Rutledge.

30 Lucy Maria, the lady of W. H. Abbott, Esq., aged 36 years.

— Mr. Alexander D'Rozario, son of Mr. Anthony D'Rozario, aged 15 years, 6 months and 26 days.

# ADMINISTRATIONS TO ESTATES.

| ESTATES OF | EXECUTORS, ADMINISTRATORS, &c. |
|---|---|
| Alexander, John, *Indigo Planter* | R. H. Cockerell, Executor. |
| Aracket, Mrs. B. C., *of Calcutta* | Registrar Supreme Court, Administrator, (with Will annexed.) |
| Burges, E. E. | Ditto ditto ditto. |
| Campbell, T. M., *Captain 29th Regiment Native Infantry* | Ditto ditto ditto. |
| Capes, E. E., *of Java* | E. Capes, Administrator. |
| Clark, J. D., *of Bhauglepore* | W. F. Clark, and J. M. Clark, Executors. |
| Glomier, Mrs. M. S., *of Chinsurah* | Registrar Supreme Court, Administrator, (with Will annexed. |
| Hall, E., *of Calcutta* | W. Hall, Executor. |
| Hollow, J., *of Dacca* | Jas. Hollow, and Robert Hollow, Executors. |
| Lucas, G., *of Penang* | C. Golastann, Executor. |
| Lycke, G., *Surgeon* | Registrar Supreme Court, Administrator. |
| Methven, A. M., *Lieutenant 65th Regiment Native Infantry* | Ditto ditto ditto. |
| Millet, H., *Civil Service* | F. Millet, Executor. |
| Morton, A. B., *of Kedgeree* | Registrar Supreme Court, Administrator. |
| Shore, T., *Indigo Planter* | Ditto ditto ditto. |
| Smith, Honorable G., *Chief Judge of the Mauritius* | G. C. Arbuthnot, Administrator, (with Will annexed,) as constituted attorney of R. C. Scarlett, and Sarah, his wife, in England. Gillanders, Arbuthnot and Co. Agents |
| Teague, S., *of Calcutta* | Registrar Supreme Court, Administrator. |
| Vansandau, L., *Lieutenant 68th Regiment Native Infantry* | Ditto ditto ditto. |
| Watson, Joanna, *of England* | Ditto ditto ditto. |

# CIVIL APPOINTMENTS, &c.

## ORDERS BY THE RIGHT HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, GENERAL DEPARTMENT, APRIL 1, 1835.

Mr. William Cracroft embarked on board the Bark *Africaine*, which vessel the pilot left at sea on the 25th ultimo.

The Right Honorable the Governor General of India in Council was pleased, on the 13th March last, to appoint the following Gentlemen, a Committee for revising the Customs and Post Office Laws of the four Presidencies; viz.

| | | |
|---|---|---|
| Messrs. J. H. Crawford, and H. Borradaile, | Of the Bombay Civil Establishment, | Ordinary Members. |
| Mr. W. H. Babington, and Mr. William R. Young, | Of the Madras ditto, Of the Bengal ditto, | Ordinary Members. |
| Messrs. G. J. Siddons, H. M. Parker, and C. E. Trevelyan, and | Of do. do. | Honorary Members. |

Lieutenant T. J. Taylor, 7th Regt. Madras L. C., Secretary to the Committee.

APRIL 15.

Mr. G. A. Bushby assumed charge on the 13th instant, of the Office of Secretary to the Government of India in the General Department.

APRIL 22.

Messrs Charles John Middleton and David Robertson, of the Civil Service, embarked for Europe on board the ship *Hindostan*, which vessel was left by the pilot at sea on the 11th instant.

Mr. J. B. Thornhill is appointed First Assistant to the Collector of Government Customs at Calcutta, in succession to Mr. Donnelly.

APRIL 29.

Mr. C. C. Hyde, Commercial Resident at Baulealı, reported his return to the Presidency from Sea on the 19th instant.

Mr. Hyde is permitted to remain at the Presidency, on his private affairs, till the middle of June.

Mr. W. R. Young is relieved from the duties of the Secretary to the Board of Customs, Salt and Opium, during the period he may be employed as a Member of the Committee for revising the Custom Laws, and the Post Office Regulations of the Four Presidencies, and Mr. S. G. Palmer is appointed to act as Secretary for that time.

Mr. W. Bracken, Second Deputy Collector of Government Customs at Calcutta, has obtained an extension of the leave granted to him under date 7th ultimo, for a further period of one month.

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FORT WILLIAM, ECCLESIASTICAL DEPARTMENT, APRIL 22

The Honorable the Governor General of India in Council is pleased to notify, that in future no Fees whatever shall be required from the Military Service, or from the Families of Military Persons, by the Honorable Company's Chaplains in the Presidencies of Bengal and Agra, for the performance of Sacred Officees.

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## ORDERS BY THE HONORABLE THE GOVERNOR OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT, APRIL 2, 1835.

Mr. John Lowis to officiate, until further orders, as Commissioner of Revenue and Circuit of the 15th or Dacca Division.

Mr. H. Moore to officiate, until further orders, as Civil and Session Judge of Chittagong.

The following officers have obtained leave of absence from their Stations:

Mr. G. C. Cheap, Civil and Session Judge of Mymensing, for ten days, in extension of the leave granted to him on the 18th August last.

APRIL 3.

Mr. Alexander Smith, Assistant Surgeon at Jessore, for three weeks, in extension of the leave granted to him on the 27th January last, preparatory to his making application to proceed so Europe on furlough.

Mr. E. F. Read has been authorized to exercise the powers of Joint Magistrate and Deputy Collector of Purneah.

APRIL 7.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. T. Wyatt to officiate as Civil and Session Judge of Zillah Dinagepore.

Mr. James Henry Crawford to be Deputy Collector of Patna

Mr. G. F. Houlton to be Head Assistant to the Magistrate and Collector of Patna.

APRIL 8.

The following Officers have obtained leave of absence from their stations:

Mr. A. Grote, Assistant to the Magistrate and Collecter of Jessore, for ten days, in extension of the leave for one month, granted to him by the Commissioner of the 18th Division.

APRIL 10.

Mr. C. J. Middleton, late officiating Commissioner of Revenue and Circuit of the 15th or Dacca Division, has been allowed an extension of leave till the sailing of the Ship *Hindostan*, on which he has taken his passage to Europe.

APRIL 11.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. E. M. Gordon to officiate, until further orders, as Commissioner of Revenue and Circuit of the 14th or Moorshedabad Division.

Mr. W. H. Benson to officiate as Civil and Session Judge of the 24 Pergunnahs, in the room of Mr. Gordon.

APRIL 14.

The following Officer has obtained leave of absence from his Station:—

Mr. T. G. Vibart, officiating Commissioner of Revenue and Circuit of the 14th or Moorshedabad Division, for three months, to proceed to Madras, on medical certificate, in extension of the leave granted to him on the 31st ultimo.

The Order of the Commissioner of the 11th or Patna Division placing Mr. Charles Chapman, as Assistant, under the Magistrate and Collector of Patna, has been approved.

The Honorable the Governor of Bengal has been pleased to make the following appointments:—

Mr. John Strong to be a Sub-Assistant to Captain A. Davidson, the officiating Magistrate and Collector in the Division of Gowalpara.

Mr. T. Hugon was on the 13th ultimo appointed to be Sub-Assistant to the Commissioner of Assam, stationed in the Southern Division of Central Assam.

The Honorable the Governor of Bengal has been pleased to make the following Appointments:

Juggoo Ram Phookun to be Sudder Ameen in the Division of Kamroop.

APRIL 15.

Mr. J. A. Pringle to be Commissioner of Revenue and Circuit of the 15th or Dacca Division.

Mr. H. M. Pigou to be Commissioner of Revenue and Circuit of the 18th or Jessore Division.

Mr. T. Wyatt to be Civil and Session Judge of Zillah Dinagepore.

APRIL 18.

Mr. J. Curtis to officiate as Civil and Session Judge of Hooghly.

Mr. R. Macan to officiate as Civil and Session Judge of Burdwan.

The Honorable R. Forbes to officiate as Magistrate and Collector of ditto.

Mr. E. M. Gordon to be Magistrate and Collector of Nuddeah.

Mr. R. H. Mytton to officiate as Magistrate and Collector of ditto during the absence of Mr. Gordon.

Mr. R. C. Halkett to officiate as Joint Magistrate and Deputy Collector of Pubna.

Mr. G. W. Battye to officiate as Joint Magistrate and Deputy Collector of Nuddeah.

Mr. A. F. Donnelly to be Assistant to the Register of the Sudder Dewany and Nizamut Adawlut at Calcutta, and to officiate as Deputy Register of that Court until further orders.

The following Officer have obtained leave of absence from their Stations:

Mahommed Khorshed, Sudder Ameen of Moorshedabad, for fifteen days, during the ensuing Mohurrem vacation.

APRIL 21.

The Honorable the Governor of Bengal has been pleased to make the following appointment:

Mr. H. B. Brownlow to officiate as Magistrate and Collector of Sarun.

The following officer has obtained leave of absence from his station;

Moulavee Ahmud Yakoob, Principal Sudder Ameen of Dacca, for one month in extension of the leave granted to him on the 6th January last.

APRIL 22.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. James Curtis, to be Civil and Session Judge of Burdwan, in the room of Mr. H. Millet deceased.

Mr. R. Macan to be additional Judge of Burdwan.

Mr. C. G. Udny to be Magistrate and Collector of Burdwan.

The Honorable R. Forbes to officiate as Magistrate and Collector of Burdwan during the absence of Mr. Udny.

APRIL 25.

The following officers have obtained leave of absence from their stations:

Mr. C. G. Udny, for seven days, on private affairs, during the Moburrum vacation.

Hurrihurain Ghose and Moulavee Gholam Sobam, Principal Sudder Ameens, and Bijenath Sein, Sudder Ameen of Jessore, during the Moburrum vacation.

The Orders of the Commissioner of the 11th or Patna Division, granting to Mr. H. V. Hathorn, Magistrate and Collector of Behar, leave of absence for a fortnight on account of indisposition, and the nomination of Mr. J. B. Ogilvy to take charge of the same, have been approved.

APRIL 28.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. A. F. Donnelly to be Deputy Register of the Courts of Sudder Dewanny and Nizamut Adawlut at Calcutta, and Preparer of reports.

Mr. Charles Grant to officiate, until further orders, as Joint Magistrate and Deputy Collector of Baraset.

Mr. W. Travers to officiate as Head Assistant to the Magistrate and Collector of Behar.

Mr. H. C. Hamilton to officiate, until further orders, or until the arrival of Mr. Dunbar, as Magistrate and Collector of Bhaugulpore, in order to relieve Mr. C. C. Jackson from the charge of those offices.

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FORT WILLIAM, GENERAL DEPARTMENT, APRIL 1, 1835.

The Hon'ble C. R. Lindsay, Salt Agent at Tumlook, is permitted to proceed to Singapore for the benefit of his health.

Mr. Thomas Mainwaring is permitted, under medical certificate, to proceed to the Sand Heads for the benefit of his health for six weeks, commencing from this date.

Mr. C. Becher is permitted to resume his office of Resident at Radnagore.

APRIL 8.

Mr. Colin Shakespear, late Commercial Resident at Soonamookie, died on the 6th instant.

Mr. G. R. B. Berney, the Commercial Resident at Jungypore has been ordered to proceed to Soonamookie and take temporary charge of the Residency there.

APRIL 15.

Mr. G. A. Bushby assumed charge on the 13th instant, of the Office of Secretary to the Government of Bengal in the General Department.

Mr. Thomas Mainwaring has obtained leave of absence for six months, from the 1st April, on sick certificate, for the purpose of visiting the Mauritius.

The leave of absence for six weeks granted to Mr. Mainwaring on the 1st instant, is cancelled.

The Honorable the Governor of Bengal is pleased to appoint Mr. Thomas Church, Assistant to the Deputy Resident at Prince of Wales Island.

Mr. William Kenedy is appointed Superintendent of the Chittagong Salt Chokeys and ex-officio Assistant to the Salt Agent of Balloorh and Chittagong.

APRIL 22.

Mr. Merrick Arthur Gethin Shawe reported his arrival as a Writer on this Establishment, on the 19th instant.

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POLITICAL DEPARTMENT, FORT WILLIAM, 6TH APRIL.

The Honorable R. Cavendish reported his having received charge of the Nagpore Residency from Lieut. Col. Briggs on the 16th ultimo.

APRIL 20.

Captain James Briggs, of the 13th Regiment Madras Native Infantry, is appointed Assistant to the Commissioner for the Government of the Territories of the Raja of Mysore.

APRIL 27.

The Honorable H. B. Devereux is appointed to officiate as an Assistant to the Commissioner for the Government of the Territories of the Rajah of Mysoor.

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FORT WILLIAM, ECCLESIASTICAL DEPARTMENT, APRIL 8.

The Reverend Robert Everest, A. M., District Chaplain at Delhi, has been permitted to be absent from his station on Sick Certificate, from the 1st of May to the 1st of August next.

APRIL 29.

The Hon'ble the Governor of Bengal is pleased to make the following Appointments:

The Reverend John Vaughan to officiate as District Chaplain at Dinapore for six months, from the present date.

The Reverend Charles Wimberley to officiate as Garrison Chaplain of Fort William for ditto.

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## ORDERS BY THE HONORABLE THE GOVERNOR OF AGRA.

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JUDICIAL AND REVENUE DEPARTMENT, ALLAHABAD, MARCH 30, 1835.

Mr. E. H. C. Monkton, the Assistant to the Collector and Magistrate of Suheswan, has obtained leave of absence from his station, on medical certificate, from the 5th instant to the 1st of January 1836.

The Honorable the Governor has been pleased to appoint Mr. T. T. Metcalfe to officiate as Commissioner of Delhi, and to continue to perform the duties of that office until further orders.

ALLAHABAD, APRIL 2.

Mr. T. P. B. Biscoe, Civil and Session Judge of Sebarunpore, has obtained leave of absence from his station, on medical certificate, from the 1st of May to the 15th November next, and Mr. G. W. Bacon has been appointed to officiate in those capacities.

Futteh-oollah Khan appointed to be Deputy Collector of Cawnpore.

ALLAHABAD, APRIL 3.

Mr. C. C. Jackson has been appointed to officiate as Magistrate and Collector of Benares, during the absence of Mr. D. B. Morrieson, or until further orders.

The Order of 31st January last, appointing Mr. W. Crawford to officiate as Magistrate and Collector of Benares is cancelled.

ALLAHABAD, APRIL 7.

Mr. W. R. Kennaway has obtained one month's leave of absence from his station, in extension of the leave granted to him by the officiating Commissioner of the 9th or Goruckpore Division, on his private affairs.

ALLAHABAD, APRIL 8.

The leave of absence granted by the officiating Judge of Bundlecund, to Mahomed Ally Nucky Yawur Khan Bebadur, the Principal Sudder Ameen at Banda, for 20 days, on private affairs, is sanctioned.

ALLAHABAD, APRIL 10.

Mr. S. Bowring is appointed to be an Assistant under the Collector and Magistrate of Allahabad.

ALLAHABAD, APRIL 11.

The services of Mr. C. Tottenham, the Assistant under the Commissioner of the 3d or Furruckabad Division, have been placed at the disposal of the Government of Bengal.

ALLAHABAD, APRIL 13.

The Honorable the Governor is pleased is appoint Mr. C. Fraser to officiate as Civil and Session Judge of Mynpoorie

ALLAHABAD, APRIL 16.

The Honorable the Governor is pleased to make the following appointments:

Mr. T. T. Metcalfe to be Commissioner of Revenue and Circuit in the Delhy Territory.

Mr. H. Fraser to be Civil and Session Judge of the City and Territory of Delhy.

The Honorable the Governor has been pleased to appoint Mokund Sing Puchoree to be Principal Sudder Ameen at Agra, vice Mohomed Daood Khan resigned.

Mr. H. Atherton, Assistant under the Commissioner of the 5th or Bareilly Division, has obtained three months' leave of absence from his station, to visit Calcutta, on medical certificate, preparatory to making an application to proceed to Europe.

The permission granted by the Commissioner to Mr. Atherton to leave his station on the 20th instant, in anticipation of the Orders of Government, is approved.

ALLAHABAD, APRIL 18.

The Hon'ble the Governor is pleased to appoint Mr. H. B. Harington to officiate as Joint Magistrate and Deputy Collector of Land Revenue and Customs, at Cawnpore. The Orders of the 21st ultimo, appointing that gentleman to officiate as Magistrate and Collector of Furruckabad, have been cancelled.

The Orders of the 21st March last, appointing Mr. W. R. Kennaway to officiate as Joint Magistrate and Deputy Collector of Land Revenue and Customs at Cawnpore, have also been cancelled.

ALLAHABAD, APRIL 21.

The Honorable the Governor has been pleased to make the following Appointments until further orders:

Mr. C. Gubbins to officiate as Magistrate and Collector of the Southern Division of the Delhi Territory.

Mr. W. P. Masson to assume charge of the offices of Joint Magistrate and Deputy Collector at Rothuk.

The Honorable the Governor has been pleased to approve of Mr. C. W. Kinloch having been directed by the Commissioner of the 5th or Bareilly Division, to officiate as Joint Magistrate and Deputy Collector of Bareilly, in consequence of Mr. S. G. Smith's assumption of the office of Magistrate and Collector of that District under the orders of 14th January last.

ALLAHABAD, APRIL 22.

The following Officers have obtained leave of absence from their stations, on their private affairs:

Mr. W. R. Kennaway, Joint Magistrate and Deputy Collector of Ghazeepore, for one month, from the 17th instant, in extension of the leave granted to him on the 7th instant.

Mr. J. Campier, Principal Sudder Ameen of Zillah Gorruckpore, for one month.

ALLAHABAD, APRIL 23.

Mr. R. Neave has been directed to make over charge of the Office of Civil and Sessions Judge of Bundelkund to Mr. A. W. Begbie; and Mr. Begbie to make over charge of the Office of Magistrate and Collector of Banda to Mr. W. Crawford the Joint Magistrate and Deputy Collector, until further orders.

ALLAHABAD, APRIL 25.

The following Officers have obtained leave of absence from their Stations:

Mr. W. F. Thompson, officiating Joint Magistrate and Deputy Collector of the Hurrianah Division of the Delhi Territory for 18 months, from the date of his embarkation for New South Wales, on medical certificate.

Moulvee Khadim Hosein Khan, Sudder Ameen of Zillah Jounpore, for 4 days, on his private affairs.

ALLAHABAD, APRIL 27.

The Honorable the Governor has been pleased to appoint Mr. T. Funnochy to be Deputy Collector in Zillah Boolundshehur.

Mr. O. T. Sealy, Judge of the Sudder Dewany and Nizamut Adawlut, has obtained six months leave of absence, on medical certificate, in extension of the leave granted to him on the 5th February last.

ALLAHABAD, APRIL 30.

The Honorable the Governor has been pleased to approve the leave of absence granted by the officiating Commissioner of the 2d or Agra Division, to Mr. J. Davidson, the Magistrate and Collector of Ally Ghur, for one month on medical certificate, and of his having directed Mr. A. U. C. Plowden, the officiating Joint Magistrate and Deputy Collector, to relieve Mr. Davidson from the duties of his Office of Magistrate and Collector.

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POLITICAL DEPARTMENT, ALLAHABAD, APRIL 8, 1835.

The Hon'ble the Governor of Agra has been pleased to make the following appointment:

Mr. T. T. Metcalfe to officiate, until further orders, as Acting Agent to the Governor General at Delhi.

ALLAHABAD, APRIL 15.

By the desire of the Honorable the Governor General of India, Ensign J. H. Garrett, 30th Regt. N. I., an Assistant under the Governor General's Agent and Commissioner in the Saugor Nerbudda Territories, has been placed at the disposal of the Supreme Government.

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POLITICAL AND GENERAL DEPARTMENT, ALLAHABAD, APRIL 15, 1835.

The Honorable the Governor of Agra has been pleased to make the folowing appointment:

Mr. R. H. Scott to officiate as Secretary to the Government of Agra in the Political and General Department.

ALLAHABAD, APRIL 28.

Mr. R. H. Stott assumed charge this-day of the Office of Secretary to the Government of Agra in the Political and General Department.

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GENERAL DEPARTMENT, ALLAHABAD, APRIL 1, 1835.

By the desire of the Right Honorable the Governor General of India in Council, Mr. J. P. Grant has been placed at the disposal of the Government of Bengal.

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# MILITARY APPOINTMENTS, &c.

## GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, 3D APRIL, 1835.

No. 87 of 1835.—The undermentioned Officers are permitted to proceed to Europe on furlough, on medical certificate.

Lieut. Cecil Arding, of the 58th Regt. N. I.
Ensign Oswald John Younghusband, of the 60th Regt. N. I.

FORT WILLIAM, 4TH APRIL.

No. 88 of 1835.—Assistant Surgeon Alexander Smith, of the Medical Department, and attached to the Civil Station of Jessore, is permitted to proceed to Europe on furlough, on medical certificate.

FORT WILLIAM, 6TH APRIL.

No. 90 of 1835.—The Governor General of India in Council is pleased to make the following Promotions and Alteration of Rank:

46th Regt. N. I.—Lieut. Thomas John Nuthall to be Captain of a Company, and Ensign John Francis Erskine to be Lieutenant, from the 1st March, 1835, in succession to Captain John Jones resigned.

68th Regt. N. I.—Ensign William Jennings to be Lieutenant, vice Lieut. William James retired, with rank from the 23d May, 1834, vice Lieut. Christopher Simson Maling promoted.

ALTERATION OF RANK.

68th N. I.—Lieut. G. P. Brooke, to rank from 27th August 1832, vice Lieut. W. James retired.

Ditto.—Lieut. F. G. Backhouse, ditto 6th October 1832, vice Lieut. G. H. M. Dalby promoted.

Ditto.—Lieut R. M. Gurnell, ditto 25th April 1833, vice Lieut. A. Barclay deceased.

Ditto.—Lieut. S. Nation, ditto 12th May 1834, vice Lieut E. Jackson promoted.

The following Arrangement and Appointments are made:

Captain W. H. Terrauean, Executive officer, 18th or Dacca Division, transferred to the 5th or Benares Division Department of Public Works vice Major Grant, of the 67th Regt. N. I., who vacates on promotion.

2d Lieut. James Spens of the Corps of Engineers, to officiate for Lieut. C. S. Guthrie, of Engineers, as Assistant to Captain J. Thomson, Superintendent Beneras Road.

Assistant Surgeon Allan Gilmore, M. D., to the Medical duties of the civil Station of Shahabad.

Major James Fagan, of the 9th Regt. N. I. is permitted, at his own request, to retire from the service of the Honorable Company, on the Pension of his rank, from the 31st ultimo. The furlough to Europe on account of his private affairs granted to that officer in General Orders No. 52 of the 28th Feb. last, is cancelled.

Captain Henry Christopher McKenly, of the 41st Regt. N. I., having been declared incapable of performing the active duties of his profession, is, at his own request, transferred to the Invalid Establishment.

Lieut Robert McNair, of the 73d N. I., who at present stands attached to the Assam L. I., is permitted to rejoin his own Regiment.

Ensign Henry Edward Pearson, of the 18th Regt. N. I. has returned to his duty, on this establishment, without prejudice to his rank, by permission of the Honorable Court of Directors: date of arrival at Fort William, 21st March, 1835.

The permission granted to Conductor James Gilbert, of the Invalid Pension establishment, in Government General Orders, No. 232, of the 10th Dec. last, to proceed to Europe on furlough, on medical certificate, is cancelled.

Native Doctor Sadick Allee, attached to the 24th Regt. N. I., is appointed to do duty at the Ishapore Gun-Powder Agency, in the room of Meer Rojab Ally removed.

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No 93 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following Promotions:

9th Regt. N. I.—Captain John Lucas Earle to be Major, Lieut. and Brevet Captain John Edmonstone Landers to be Captain of a Company, and Ensign George Cruickshank to be Lieutenant, from the 31st March 1835, in succession to Major James Fagan retired.

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FORT WILLIAM, 6TH APRIL.

No. 94 of 1835.—The Governor General of India in Council has been pleased, in the General Department, under date the 1st instant, to make the following appointment:

Lieut. George Arthur Brownlow, of the 3rd Regt. L. C., and Deputy Assistant Adjutant General to the Sirhind Division of the Army, to be Deputy Post Master at Kurnaul.

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No. 95 of 1835.—Captain Lewis Burroughs, of the Regt. of Artillrey and Commissary of Ordnance, is permitted to proceed to Europe on furlough, on medical certificate.

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FORT WILLIAM, 9TH APRIL.

No. 96 of 1835.—Captain J. R. Colnett, of the 17th N. I., Barrack Master of Fort William, is permitted to proceed to Singapore and China on private affairs, and to be absent on that account for six months.

The Hon'ble the Governor of Fort William has been pleased to appoint Lieut. Grange, 10th N. I., to officiate as Barrack Master during the absence of Captain Colnett, or until further orders.

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FORT WILLIAM, 13TH APRIL.

No. 97 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following promotions and appointments:

41st Regt. N. I.—Lieut. and Brevet Captain William Hamilton Halford to be Captain of a Company, and Ensign Frederick Regent Ellis to be Lieut. from the 6th April, 1835, in succession to Captain Henry Christopher Mckenly transferred to the Invalid Establishment.

66th Regt. N. I.—Ensign Alexander Nugent Murray MacGregor to be Lieut. from the 2d of April 1835, vice Lieut. William Henry Eastfield Colebrooke deceased.

Medical Department.—Assistant Surgeon James Barker to be Surgeon from the 31st March, 1835, vice Surgeon James Gilbert Gerard deceased.

Lieut. Richard George Grange, of the 10th Regt. N. I., whose appointment to officiate as Barrack Master of Fort William was announced in General Orders No. 96, of the 9th instant, will also act as Superintendent of Cadets during the absence of Captain Colnett, or until further Orders.

Ensign William Henry Ryves, of the 61st Regt. N. I., is appointed to do duty with the Arracan Local Battalion, in lieu of Ensign C. M. Shairp, of the same Corps, who declines the situation.

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No. 98 of 1835.—It having been resolved in the Political Department, that the Four Companies of Sebundees and other irregular Troops now maintained in Assam, shall be formed into a Corps for Civil purposes, to be denominated the "Assam Sebundee Corps," the Honorable the Governor General of India in Council is pleased to direct, that this Corps shall consist of Eight Companies, and be of the following strength and establishment; viz.

1 Captain, Commanding; 8 Subadars; 8 Jemadars; 40 Havildars; 40 Naicks; 8 Drummers 640 Privates.

STAFF.—1 Adjutant, Effective, 1 Native Doctor, ditto; Drill Havildar, non effective; 1 Drill Naick, ditto ditto; 8 Pay Havildars, ditto ditto.

Exclusive of Regimental Pay and Allowances the officer Commanding the Corps will draw a monthly allowance of 200 rupees Command Money, and 25 rupees per Company for the repair of Arms and Accoutrements and for writers and stationary.

The Staff and other Allowances of the Adjutant will correspond with those formerly received by Adjutants of Provincial Battalions.

The Native Commissioned and Non-Commissioned Officers and Privates will receive the scale of Pay hitherto drawn for same grades in the Assam Sebundee Companies.

The Corps will be armed with the Fuzils, and have black leather appointments.

Camp Equipage and a Quarter Master's Establishment are not allowed to the Corps.

It has also been resolved, that the Assam Light Infantry Corps shall be reduced from twelve to ten Companies of the present strength, from the 1st proximo.

To complete the Assam Sebundee Corps, a detail to the following extent will be permitted to Volunteer from the Assam L. I:

2 Jemadars as Subadars; 2 Havildars as Jemadars: 10 Naicks as Havildars; 10 Privates as Naicks; 105 Privates as Privates and 4 Drummers.

Such men as may remain above the complement of ten Companies in the Assam L. I. will be borne as Supernumerary on the rolls of the Corps until absorbed by Casualties.

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FORT WILLIAM, 20TH APRIL.

No. 101 of 1835.—The Governor General of India in Council is pleased to make the following appointment:

Assist.-Surg. Alexander Muir McKenzie Minto, to be Civil Assistant Surgeon at Cuttack.

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No. 104 of 1835.—The Governor General of India in Council is pleased to make the following promotion in the Ordnance Commissariat Department;

Capt. George Henry Woodrooffe, of the Regt. of Arty. and Deputy Commissary, to be a Commissary of Ordnance, vice Capt. L. Burroughs who has proceeded to Europe.

Lieut. Robert St. John Lucas, of the 9th N. I. is, at his own request, transferred to the Pension Establishment.

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No. 106 of 1835.—The promotion of Havildars Sewdeen Chowbay and Phall Tewary, of the 43d N. I. to the rank of Jemadars, in General Orders No. 69 of 13th March, 1835, is hereby cancelled, and the following Havildars are promoted in that Regiment.

Sewdial Tewary to be Jemadar, from the 2d August, 1834, vice Ajaib Sing discharged the service, and

Bostee Sing to be Jemadar, from the same date, in succession to Bowany Sing promoted.

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FORT WILLIAM, 27TH APRIL.

No. 107 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following Promotions:

9th Regt. N. I.—Ensign Robert Thatcher to be Lieut. from the 20th April 1825, vice Lieut. Robert St. John Lucas transferred to the Pension Establishment.

25th Regt. N. I.—Lieut. Bristow Marshall to be Capt. of a Company, and Ensign Walter Hore to be Lieut. in succession to Capt. Robert Rush Margrave deceased. The date of rank to be adjusted hereafter.

The undermentioned Officers of Infantry are promoted to the rank of Captain by Brevet, from the dates expressed opposite to their respective names:

Lieutenant Simon Fraser Hannay, of the 40th Regt N. I. 3d April 1835.

Lieut. Fryer Bowes Todd, of the 11th Regt. N. I 5th April 1835.

Lieut. Joseph Hendy Smith, of the 62d Regt. N. I. 17th April 1835.

Mr. John Steward Sutherland is admitted to the Service, in conformity with his appointment by the Honorable the Court of Directors, as an Assistant Surgeon on this Establishment; date of arrival at Fort William, 21st April 1835.

Major George Tomkyns, of the 10th Regt. N. I., who vacated his appointment in the Nizam's Service on promotion to that rank, is placed at the disposal of the Commander in Chief.

Ensign Robert Wright Cope Doolan, of the 12th Regt. N. I., a Sub Assistant Commissary General, is placed at the disposal of the Governor of Agra, for employment under that Presidency.

The leave of absence granted to 2d Lieut. Frederick Wall, of the Regt. of Artillery, in General Orders No. 151 dated the 19th October 1833, to proceed to Van Dieman's Land, via the Mauritius, on medical certificate, for two years, is commuted to furlough to Europe, on the same account.

The leave of absence, on medical certificate, obtained by Lieut. Col. Thomas Shubrick, of the 7th Regt. L. C., in General Orders No. 184, of the 19th December 1833, is extended for six months, on the same account.

Captain Arthur Cole Spottswoode, of the 37th Regt. N. I., has leave of absence for fifteen days in extension to that granted him General Orders No. 8, of the 7th January last.

Conductor Joseph Millard, of the Ordnance Commissariat Department, being declared incapable of performing the active duties of his profession, is transferred to the Invalid Pension Establishment.

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No. 103 of 1835.—The transfer from the 1st proximo, of the undermentioned Men of the Governor General's Body Guard, to the Invalid Pension, on the ordinary Pension of their Rank is published in General Orders:

Troopers Dhoomun Khan, Luchmun Sing, Ramzan Khan, Meer Ashruff Ally, and Shaick Ally Box.

The officer Commanding the Body Guard is directed to adjust all arrears due to the individuals abovementioned to the date specified, and to pay them an advance for six months Invalid Pay for which he will forward a Bill to the officiating Presidency Pay Master.

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No. 109 of 1835.—The Governor General of India in Council is pleased to make the following Appointments:

Col. Robert Hampton, of the 46th Regt. N. I. to the Command of the Meywar Field Force, as a Brigadier of the 1st Class, vice Brigadier Fagan, who has proceeded to Europe.

Major James Tennant, of the Regt. of Artillery, to officiate as Agent for the Manufacture of Gun Powder at Ishapore, vice Capt. Dixon, who has declined the acting Appointment.

Superintending Surgeon John Sawers to act as 3d Member of the Medical Board, during the absence at the Cape of Good Hope, of Surgeon George Skipton, or until further orders.

Surgeon David Renton to officiate as Superintending Surgeon, vice Superintending Surgeon Sawers.

The Appointments and Arrangements hereinafter specified, are made in the Departments of Public Works:

Capt. T. Warlow to be Garrison and Executive Engineer at Delhi, and to officiate as Executive Engineer of the Agra Division, till further orders.

Lieut. W. B. Graham, Executive Engineer at Mhow, to be Executive Engineer at Balasore.

Lieut. C. B. P. Alcock to be Executive Engineer at Mhow, and to officiate as Executive Engineer at Delhi, until relieved.

Lieut. C. S. Guthrie, officiating Executive Engineer, Burdwan Division, to be Executive Engineer of the 8th or Dacca Division vice Capt. Terrancau.

2d Lieut. W. Abercrombie to officiate as Executive Engineer in the Burdwan Division vice Lieut. Guthrie.

2d Lieut. H. Rigby to officiate as Executive Engineer at Balasore, until relieved by Lieut. Graham, or until further Orders.

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No. 110 of 1835.—Lieut. William Baker, of the 9th Regt. L. C. and Adjutant to the Governor General's Body Guard, has leave of absence from the 28th instant to the 10th proximo, to proceed to the Sand Heads, on medical certificate.

Apothecary Charles Fox, of the Subordinate branch of the Medical Department, being from habits of intemperance totally disqualified for the duties of his situation, he is hereby discharged from the Service, and his Warrant cancelled.

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No. 113 of 1835.—Captains A. Hodges, of the 29th and R. Wroughton of the 69th N. I., employed as Revenue Surveyors, being each a third Captain on detached duty from his Regt. a circumstance which appears to have been overlooked, those Officers are now placed at the disposal of the Commander in Chief, conformably to existing Regulations.

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## GENERAL ORDERS BY MAJOR GENERAL J. WATSON, C. B., PROVINCIAL COMMANDER-IN-CHIEF.

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*Head-Quarters, Calcutta, 1st April, 1835.*

The Artillery Regimental Order of the 26th ultimo, by Brigadier C. Brown, C. B. Commandant of Artillery, appointing 1st Lieutenant G. Ellis to act as Adjutant to the 7th Battalion, during the employment of 1st Lieutenant and Adjutant S. W. Fenning at the Powder Works at Ishapore, is confirmed.

The Station Order issued by Colonel R. Bartley, under date the 17th February last, directing Surgeon French, of His Majesty's 49th Regt., to afford medical aid to the Staff and to the public Establishments at Hazareebaugh, is confirmed as a temporary arrangement.

Assistant Surgeon A. Drummond having returned to Hazareebaugh, will resume medical charge of the Staff and public Establishments at that Station.

The undermentioned Officer has leave of absence:

9th Regt. N. I.—Major J. Fagan, from 15th March to 31st March, to remain at the Presidency, on private affairs.

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*Head-Quarters, Calcutta, 2d April.*

The Meerut Division Order of the 13th ultimo, appointing Assistant Surgeon C. McCurdy to the medical charge of a Detachment of Convalescents proceeding to Landour, and directing him to afford professional aid to the Officers of the Civil and Military Services residing at Mussoorie for the benefit of their health, during the present season, is confirmed.

The Meerut Division Order of the 15th instant, directing Hospital Apprentice Charles Krefting to accompany the Detachment of Convalescents proceeding to Landour is confirmed.

The Dinapore Division Order of the 26th ultimo, directing Maudhow Laul, Native Doctor, doing duty with the 56th Regt. N. I., to proceed and join the Ramgurh Battalion at Dorundah is confirmed.

Captain R. T. Greene, of His Majesty's 31st Regt. of Foot, is appointed to do duty at the Convalescent Depôt at Landour, until the 1st November next.

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*Head Quarters, Calcutta, 3d April.*

The Berhampore Station Order of the 7th ultimo, by Lieut. Colonel H. Piper, appointing Hospital Apprentice John Richard Boezalt to act as Assistant Apothecary, and Assistant Steward to the Left Wing of His Majesty's 38th Regt. of Foot, during its march to Chinsurah.

The undermentioned Officer has leave of absence:

57th Regt. N. I.—Lieut. F. Simpson, attached to the Ramgurh Battalion, from 22d April to 22d May, in extension, to remain at the Presidency, on medical certificate.

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*Head-Quarters, Calcutta, 4th April.*

The undermentioned officer have leave of absence:

Medical Department—Assistant Surgeon H. Roe, from 13th March to 13th Sept., to remain at Tipperah, on private affairs.

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*Head-Quarters, Calcutta, 6th April.*

The Cawnpore Artillery Division Order of the 19th ultimo, appointing supernumerary 2d Lieut. R. Warburton, to act as Quarter Master to the 6th Battalion of Artillery, during the absence, on medical certificate, of Lieut. Mowatt, is confirmed.

The undermentioned Officers have leave of absence:

53d Regt. N. I.—Capt. J. D. Douglas, from 1st March to 24th March, in extension, to await the arrival of the Head Quarters of the Corps at Etawah.

70th Regt. N. I.—Lieut. D. T. Caddy, from 15th March to 15th March 1836 to proceed to the Hills North of Deyrah Dhoon, on medical certificate.

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*Head-Quarters, Calcutta, 7th April.*

The Cawnpore Division Order of the 19th ultimo, directing Assistant Surgeon S. Winbolt to assume medical charge of the Left Wing 53d Regt. N. I., and Assistant Surgeon J. Hervey, of the 70th N. I., to officiate as Civil Assistant Surgeon at Banda, vice Winbolt is confirmed as a temporary arrangement, until the arrival at Banda of Assistant Surgeon J. H. Serrell.

The Cawnpore Division Order of the 24th ultimo, directing Assistant Surgeon W. P. Andrew, M. D., to relieve Surgeon B. Bell from the medical charge of the Civil Station of Cawnpore, and Assistant Surgeon J. W. Grant, medical Storekeeper, to afford medical aid to the Staff and public Establishments, from the date of Surgeon Bell's departure from Cawnpore, is confirmed as a temporary arrangement.

The Provincial Commander in Chief is pleased to make the following removals and postings:

Colonel Archibald Watson, from the 10th to the 6th Regt. L. C.

Colonel Stephen Reid, from the 6th to the 10th Regt. L. C.

Lieut.-Col. John Dun, from the 17th to the 54th Regt. N. I.

Lieut.-Col. Henry Tipper Smith, from the 54th to the 17th Regt. N. I.

Ensign Samuel Thomas Alexander Goad is removed from the 69th to the 20th Regt. N. I.

The Provincial Commander in Chief is pleased to make the following Appointments:

Ensign E. C. F. Beaumont, of the 32d Regt. N. I. to be Interpreter and Quarter Master to the Corps.

Lieut. R. S. Tickell, of the 72d to act as Interpreter and Quarter Master to the 64th Regt. N. I.

Ensign C. D. Bailey, of the 56th, to act as Interpreter and Quarter Master to the 67th Regt. N. I.

Lieut. A. Grant, of the 36th, to act as Interpreter and Quarter Master to the 10th Regt. L. C.

The undermentioned Officers have leave of absence:

District Staff—Capt. W. Parker, Major of Brigade, Malwah Field Force, from 25th April to 25th October, in extension, to remain in the Hills West of the Jumna, on medical certificate, and to enable him to rejoin.

68th Regt. N. I.—Ensign W. Jennings, from 20th March to 20th January 1836, to visit the Hill Provinces North of Deyrah Dhoon, on medical certificate.

22d Regt. N. I.—Assistant Surgeon W. M. Buchanan, M. D., from 24th February to 24th August, in extension to remain in the Hills North of Deyrah Dhoon, on medical certificate.

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The Cawnpore Division Order of the 27th ultimo, directing Assistant Surgeon S. Lightfoot, of the 15th N. I., to afford medical aid to the Staff and public Establishments at Cawnpore, during the indisposition of Assistant Surgeon Grant, is confirmed.

The Mydnapore Station Order of the 17th ultimo, appointing Ensign G. Pott, Interpreter and Quarter-Master 3d Regt. N. I. to act as Station Staff, is confirmed.

Lieut. and Adjutant E. Sunderland, of the 3d Battalion Artillery, is appointed to do duty at the Depôt at Landour, from the 1st of March to the 1st November next. This cancels the leave of absence granted to Lieut. Sunderland in General Order of the 13th January last.

Quarter-Master Sergeant James Hind, of the 34th Regt. N. I., is appointed Sergeant Major of the Hill Rangers, vice Fitzgerald transferred to the Pension Establishment.

The undermentioned Officers has leave of absence:

17th Regt. N. I.—Lieut. Col. H. T. Smith, from 19th March to 19th September, to visit Serampore and the Presidency, on private affairs.

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*Head Quarters, Calcutta, 8th April.*

The following appointment is made on the Staff of the Provincial Commander-in-Chief:

Captain E. J. Watson, of the 59th Regt. N. I., and Commandant of the Arracan Local Battalion, to be an Aide-de Camp.

The leave of absence granted in General Orders of the 7th ultimo, to Captain J. S. Kirby, of the 4th Company 5th Battalion Artillery, is cancelled at his request.

The Provincial Commander-in-Chief is pleased to make the following appointment:

51st Regt. N. I.—Ensign W. Lamb to be Interpreter and Quarter-Master, vice Y. Lamb, who is permitted to resign the appointment.

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*Head-Quarters, Calcutta, 9th April.*

The Cawnpore Division Order of the 28th ultimo, directing Assistant Surgeon A. Mackean to repair to Seetapore, and receive medical charge of the 48th Regt. N. I. from Assistant Surgeon C. Newton, who has been appointed to the medical duties of the Salt Agency at Tumlook, is confirmed as a temporary arrangement.

Assistant Surgeon S Holmes is removed from the 3d, and posted to the 69th Regt. N. I. at Meerut.

Lieut. F. Lloyd, of the 19th Regt. N. I., is exempted from further examination in the Native languages, having been declared by the Examiners of the College of Fort William, to be fully qualified for the appointment of Interpreter.

Lieut. Robert McNair, of the 73d Regt. N. I., is appointed to act as Interpreter and Quarter-Master to the corps, during the absence, on leave, of Lieutenant, Interpreter and Quarter-Master J. Sleeman.

The undermentioned Officers have leave of absence:

2d Battalion Artillery—Captain J. Johnson, from 25th April to 25th October, to visit the Presidency, and apply for furlough.

9th Regt. L. C.—Captain C. Garrett, from 30th April to 31st October, to visit Simla, on private affairs.

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*Head-Quarters, Calcutta, 10th April.*

Lieut. F. Lloyd, of the 19th Regt. N. I., is appointed Interpreter and Quarter-Master to the corps.

Ensign P. D. Warren, of the 19th Regt. N. I., is exempted from further examination in the Native languages, having been declared by the Examiners of the College of Fort William to be fully qualified for the appointment of Interpreter.

The leave of absence granted to Lieut. A. W. W. Fraser, of the Invalid Establishment, in General Orders of the 31st ult., is cancelled.

Meer Rujub-Allee, Native Doctor, who was removed from the Gunpowder Agency at Ishapore in Government General Orders of the 6th instant, is directed to proceed to Benares, and do duty under the Superintending Surgeon of that Division.

Shaik Abdoollah, Native Doctor, who was directed to do duty under the orders of the Superintending Surgeon at Benares, in General Orders of the 20th February last, is appointed to the Hospital of the 24th Regt. N. I. at Barrackpore, vice Sadick Allee appointed to the Gunpowder Agency at Ishapore.

The undermentioned Officers have leave of absence:

27th Regt. N. I.—Lieut W. R. Barnes, from 1st April to 1st November, to visit the Hills West of the Jumna, on medical certificate.

11th Regt. N. I.—Ensign S. J. Becher, from 2d May to 20th June, in extension, to remain at the Presidency, on private affairs.

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*Head-Quarters, Calcutta, 11th April.*

The Regimental Order of the 3d instant, appointing Lieut. H. Henchman to act as Interpreter and Quarter to the 57th Regt. N. I., during the absence on leave of Lieut. Interpreter and Quarter Master C. J. Richardson, is confirmed.

The Provincial Commander in Chief is pleased to make the following appointments:

Lieut. R. Ramsay, of the 10th Regt. N. I., to act as Interpreter and Quarter Master to the Corps, during the absence on duty of Lieut. Interpreter and Quarter Master R. G. Grange.

Ensign P. D. Warren, of the 19th to act as Interpreter and Quarter Master to the 43d Regt. N. I.

The undermentioned Officers have leave of absence:

18th Regt. N. I.—Ensign G. Parker, from 7th May 1835 to 3d June 1835 to enable him to join his Regt.

Cavalry Supernumerary Cornet A. W. C. Plowden, doing duty with the 5th L. C. from 20th April to 20th Sept., to visit the Presidency on private affairs.

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*Head Quarters, Calcutta, 12th April.*

The Provincial Commander-in-Chief is pleased to make the following Appointment:

6th Regt. N I.—Lieut. John William Hicks to be Adjutant vice Frederick promoted.

Assistant Surgeon Thomas Russel, lately in attendance on the Right Revd. the Lord Bishop of Calcutta, is directed to proceed to Midnapore, and do duty with the 34th Regt. N. I. until further order.

The undermentioned officers have leave of absence:

General Staff—Brevet Major D. D. Anderson, Assistant Adjutant General, Benares Division, from 1st April to 1st Feb. 1836, to reside at Simla, on medical certificate, and to enable him to join his Division

42d Regt. N. I.—Lieut. J. H. Phillips, from 15th March to 1st March 1836, to reside at Mussoorie, on medical certificate.

27th Regt. N. I.—Ensign S. Arden, from 15th April to 15th Nov, to visit Simla, on medical certificate. This cancels the leave to visit the Hills North of Deyrah, granted to Ensign Arden, in General Orders of the 7th ultimo.

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*Head-Quarters, Calcutta, 14th April.*

The Provincial Commander-in-Chief is pleased to make the following Appointment:

41st Regt. N. I.—Lieut. and Brevet Capt. John Cumberlege to be Adjutant, vice Halford promoted.

The undermentioned Officers have leave of absence:

25th Regt. N. I.—Col. T. Newton, from 13th April to 10th June, on private affairs, to remain at the Presidency, and to enable him to rejoin his Regiment by water.

66th Regt. N. I.—Lieut. and Adjutant J. H. Tilson, from 3d February to 3d August, to remain at the Presidency, on urgent private affairs.

43d Regt. N. I.—Ensign R. A. Trotter, from 15th Feb. to 15th March, in extension, to enable him to join.

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*Head-Quarters, Calcutta, 15th April.*

Lieut. Col. T. H. Paul's Regimental Order of the 24th February last, appointing Ensign J. K. Spence to act as Adjutant to the 20th N. I., during the absence of Lieut. and Adjutant J. H. Craigie, on sick leave is confirmed.

The Provincial Commander in Chief is pleased to make the following removals:

Lieut. Col. William Kennedy (Deputy Military Auditor General) from the 46th to the 16th Regt. N. I.

Lieut. Col. R. B. Jenkins, from the 16th to the 46th Regt. N. I.

Lieut. J. H. Burnett, of the 16th, is appointed to act as Interpreter and Quarter Master to the 44th Regt. N. I., vice Grange appointed to do duty with the Assam Local Battalion.

The leave of absence granted to Ensign T. G. St. George, of the 17th N. I., Adjutant Talain Corps, in General Orders of the 21st February last, is cancelled.

Surgeon William Dyer (on Furlough) is removed from the 50th to the 59th Regt. N. I.

Surgeon James Barker (new promotion) is posted to the 50th Regt. N. I.

Ramdeen, Sepoy, of the 21th Regt. N. I., having been declared by a Medical Committee to be a malingerer is to be paid up and discharged the service.

The undermentioned Officers have leave of absence:

2d Brigade Horse Artillery.—Surgeon H. Newmarch, from 2d April to 2d December, to visit Mussorie, on medical certificate.

71st Regt. N. I.—Lieut. W. J. Rind, from 30th March to 6th April, to enable him to rejoin his Regt.

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*Head-Quarters, Calcutta, 16th April.*

Assistant Surgeon A. M. McK. Minto having been appointed to the Civil Station of Cuttack, Assistant Surgeon R. C. McConnochie, at present at the General Hospital is directed to relieve him from the medicca charge of the Detachment of His Majesty's Troops, to which he was nominated in General Orders of the 20th February last.

Assistant Surgeon McConnochie will report himself immediately to the Officiating Brigade Major of King's Troops in Fort William.

The undermentioned Officers have leave of absence:

22d N. I.—Major R. Chalmers, from 3d March to 3d Sept. to visit the Presidency, for the purpose of applying for furlough to Europe.—N. B. This cancels the leave granted to him in General Orders of the 25th Feb. last.

20th N. I.—Capt. G. H. Johnstone, from 15th April to 15th Nov. in extension, to remain in the Hills North of Deyrah, on medical certificate, and to enable him to rejoin.

Brigade Staff.—Captain W. Ramsay, Major of Brigade, Delhi, from 1st April to 30th Nov. to visit Simla, on medical certificate.

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*Head-Quarters, Calcutta, 17th April.*

The Garrison Order issued by Brigadier J. W. Fast, under date the 3d inst. appointing Capt. J. Leeson, of the 42d N. I. to act as Brigade Major at Delhi, during the absence on leave of Brigade Major Ramsay, is confirmed as a temporary arrangement.

Assistant Surgeon J. W. Knight is appointed to the medical charge of a Detachment of H. M.'s Troops proceeding to the Upper Provinces, vice Assistant Surgeon McConnochie reported sick.

The undermentioned Officers have leave of absence:

3d Com. 2d Bn. Arty.—2d Lieut. A. C. Hutchinson, from 1st April to 30th Nov. to visit Simla, on medical certificate.

3d Brigade Horse Arty.—Surg. J. Coulter, from 15th April to 15th Nov. to visit Simla, on medical certificate.

Subordinate Med. Dept.—Hospital Steward Charles Hyde, 5th Bn. Arty. from 24th March to 24th June, to visit Cawnpore and Lucknow, on private affairs.

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*Head-Quarters, Calcutta, 18th April.*

The leave of absence, for 4 months, granted to Lieut. D. Pott of the 47th N. I. in General Orders of the 9th ultimo, is to commence from the 2d instant, instead of the date therein specified.

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*Head-Quarters, Calcutta, 20th April.*

The Brigade Orders by Lieut.-Col. E. Wyatt, Commanding in Shekawutt, under dates the 1st and 2d instant, the former directing Lieutenant and Adjt. J. Locke, of the 22d Regt. N. I. to act as Detachment Staff, and Lieut. R. E. Battley, of the same Regiment, to act as 2d in Command to the 3d Local Horse, and the latter directing Major J. Blair to make over Command of the 3d Local Horse to Capt. T. E. Sampson, of the 22d N. I. are confirmed as temporary arrangement.

The undermentioned Officers have leave of absence:

Engineers—Lieutenant R. S. Master, Assistant Executive Engineer 10th Division, from 30th March to 6th June, to visit Cawnpore, on private affairs.

65th Regt. N. I.—Lieutenant R. H. De Montmorency, from 30th June to 31st December, to visit Jubbulpore and the Presidency, on private affairs, preparatory to applying for furlough to Europe.

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*Head-Quarters, Calcutta, 21st April.*

With the sanction of Government, the Provincial Commander-in-Chief is pleased to promote Budloo Opudeah, Naick of the Light Company 64th Regt. N. I., to the rank of Havildar, for his good conduct in repelling, with a party of four Sepoys, an attack made on the Village of Bagrode, by a gang of Dacoits. The Havildar will continue a supernumerary on the strength of his Regiment, until a vacancy occurs.

The undermentioned Officers have leave of absence:

62d Regt. N. I.—Lieut. J. A. Smith, from 1st May to 1st November, to visit Simlah, on private affairs.

25th Regt. N. I.—Lieut. G. Ramsay, from 10th April to 10th June, to visit the Presidency, on sick certificate, for the purpose of submitting an application to proceed to Sea, on medical certificate.

The unexpired portion of the leave of absence granted to Lieut. G. Ramsay, of the 25th Regt. N. I., in General Orders of the 12th February last, is cancelled.

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*Head Quarters, Calcutta, 22d April.*

The Agra Garrison and Station Order of the 2d instant, appointing Conductor Edward Evans to act as permanent Conductor, during the absence on leave of Conductor Edward Treston, is confirmed.

Major W. Stirling's Regimental Order of the 5th instant, appointing Lieutenant H. N. Wordsely to act as Adjutant to the 74th Regt. N. I., during the absence on leave of Brevet Captain and Adjutant N. J. Cumberlege, is confirmed.

The Detachment Order issued on the 2d ultimo, by Captain G. D. Roebuck, appointing Lieut. J. Bell to act as Adjutant to the Left Wing of the 71st Regt N. I., in the room of Lieut. Rind, who has proceeded on leave of absence, is confirmed.

The Provincial Commander-in-Chief is pleased to make the following removals:

Colonel A. Watson, from the 6th to the 1st Regt. L. C.

Colonel H. Thomson, from the 1st to the 6th Regt. L. C.

The leave of absence granted in General Orders of the 13th and 14th ultimo, to Lieut. Interpreter and Quarter Master G. M. Hill and Ensign H. P. Budd, of the 17th Regt. N. I., so to commence from the 4th instant, and to extend to the 1st of August, instead of the dates therein stated.

Gunner T. Johnson, of the 3d Company 4th Battalion of Artillery, is promoted to Sergeant, and transferred to the Town Major's List for the purpose of filling a vacancy in the Non-Commissioned Staff of the Garrison of Fort William.

The undermentioned Officers have leave of absence:

3d Regt. L. C.—Cornet G. R. Budd, from 15th November 1834 to 7th January, in extension, to enable him to rejoin his Regiment.

6th Regt. L. C.—Cornet G. Scott, from 1st April to 1st August, in extension, to remain at Simla, on medical certificate.

52d Regt. N. I.—Lieut. R. Morrieson, from 15th May to 15th November, to visit Simla, on private affairs.

56th Regt. N. I.—Lieut. J. DeFountain, from 2d May to 2d August, to visit Calcutta, to answer a summons from the Supreme Court.

62d Regt. N. I.—Lieut. C. E. Davis from 6th April to 6th December, to visit Simla, on medical certificate.

74th Regt. N. I.—Ensign W. L. Trafford from 1st May to 30th June, to visit Muttra, on private affairs.

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*Head-Quarters, Calcutta, 23d April.*

The Agra Garrisson and Station Orders by Brigadier E. Cartwright, under date the 10th instant, appointing Captain W. Beckett, of the 9th Regt. N. I. to perform the duties of Major of Brigade during the absence of Brigade Major W. E. Hay, summoned as a witness at a General Court Martial ordered to assemble at Meerutt, is confirmed.

Lieut. G. H. Dyke, Commissary of Ordance, is posted to the Allahabad Magazine.

Lieut. H. Clerk, of Artillery, is appointed, until further orders, to the charge of the Magazine at Saugor.

Lieut. J. B. Lock, of the 5th Regt. N. I. is permitted to visit Simla, instead of the Hills North of Deyrah, for the period specified in General Orders of the 12th January last.

Ensign Henry Ramsay is removed from the 30th to the 7th Regt. N. I. at Almora.

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*Head Quarters, Calcutta, 24th April.*

Colonel G. Becher's Regimental Order of the 23d February last appointing Lieut. P. S. Hamilton to act as Adjutant to the 5th Regt. L. C., in the room of Lieut. and Adjutant A. Wheatley, who has been placed temporarily under the orders of the Agra Government, is confirmed.

The undermentioned Officer has leave of absence:

48th Regt. N. I.—Ensign H. J. Blunt, from 28th April to 28th June, to proceed to Benares, on urgent private affairs.

# GENERAL REGISTER.

*Head Quarters, Calcutta, 25th April.*

The Benares Division Order of the 15th instant, by Brigadier General M. White, appointing Assistant Apothecary George Simmonds to act as Apothecary, and Hospital Apprentice Henry McMullen to act as Assistant Apothecary in the Hospital of His Majesty's 3d Buffs, until the arrival of Apothecary John Williams, is confirmed.

The Saugor Division Order of the 13th instant, by Brigadier General J. N. Smith, directing Captain A. R. Macdonald, of the 4th Regt. N. I., and Aide de Camp to the Brigadier General, to receive charge of the Deputy Judge Advocate General's Office from Captain C. Rogers, is confirmed.

Captain Macdonald will act as Deputy Judge Advocate General to the Saugor Division, until the arrival of Lieut. R. G. McGregor. This Order to have effect from the date on which Captain Rogers quitted Saugor.

Ensign J. S. D. Tulloch, of the 17th Regt. N. I., having been pronounced qualified in the Persian and Hindoostanee languages, by a District Committee, is exempted from further examination, except by the Examiners of the College of Fort William, which he will be expected to undergo whenever he may visit the Presidency.

Ensign Tulloch, of the 17th N. I., is appointed to officiate as Interpreter and Quarter Master to the Regt., during the absence, on leave, of Lieut. Interpreter and Quarter Master G. M. Hill.

The undermentioned Officer has leave of absence:

65th Regt. N. I.—Lieut F. A. Close, from 1st May to 30th June, to visit Goruckpore and Benares, on private affairs

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*Head-Quarters, Calcutta, 28th April.*

The undermentioned Officer has leave of absence:

27th Regt N. I.—Lieut., Interpreter and Quarter Master T. Plumbe, from 17th April to 1st November, to visit Simla and its vicinity, on medical certificate.

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*Head-Quarters, Calcutta, 29th April.*

The Neemuch Station Order of the 25th July 1834, appointing Sergeant Major John Pocock, of the 46th N. I., to act as Bazar Sergeant, is confirmed as a temporary arrangement.

The Neemuch Station Order of the 10th ultimo, appointing Ramrutton Lall, Native Doctor, to do duty with the 46th Regt. N. I., from the date he joined that Hospital, is confirmed.

The Mhow Station Order of the 19th ultimo, directing Gunner Edward Smith, of the 2d Troop 3d Brigade Horse Artillery, to continue his services in the Department of Public Works, is confirmed as a temporary arrangement.

The undermentioned Officers have leave of absence:

73d Regt. N. I.—Ensign R. C. Lawrence, from 14th March to 14th June, to remain at Gorruckpore.

72d Regt. N. I.—Lieut. and Adjutant C. H. Boisragon, from 12th June to 30th June, in extension, to enable him to rejoin his Corps.

67th Regt. N. I.—Ensign R. Price, from 1st May to 31st July, for the purpose of undergoing an examination in the Native languages at the College of Fort William.

The following Meerut Division Orders are confirmed:

2d April 1835.—Directing Assistant Steward John Benseley to act as Steward to 5th Battalion Artillery, during the absence on leave of Steward C. Hyde.

3d April 1835.—Directing Assistant Apothecary Francis O'Sullivan, arrived with a Detachment of Europeans, to do duty 1st Brigade Horse Artillery.

8th April 1835.—Directing Assistant Steward William Sylvester, returned from Landour, to do duty with His Majesty's 26th Foot, and Assistant Apothecary John Robison to do duty with the 3d Troop 3d Brigade Horse Artillery at Muttra.

Quarter Master Sergeant Robert Hunter, of the 65th, is appointed Sergeant Major to the 25th Regt. N. I., vice Flannigan deceased, and directed to join at Mirzapore.

Quarter Master Sergeant Thomas Baxter, of the 9th, is appointed Sergeant Major to the 32d Regt. N. I. at Allygurh, vice Bentely appointed Bazar Sergeant at Nusseerabad.

Quarter Master Sergeant Nicholas Reilly, of the 16th, is appointed Sergeant Major to the 44th Regt. N. I. at Mhow, vice Hawkins remanded to the European Regiment.

The undermentioned Officer has leave of absence:

European Regt.—Ensign A. E. Dick, from the 30th Dec. 1833 to 6th March 1834, in extension, to remain at Allahabad, on private affairs, and to enable him to join. N. B. This cancels the leave granted to Ensign Dick, in General Orders of the 18th February last.

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*Head-Quarters, Calcutta, 30th April.*

The Cawnpore Division Order of the 11th instant, directing Kunheia Lall Doobeh, supernumerary Native Doctor with the 15th Regt. N. I., to repair to Lucknow and do duty at the Residency there, is confirmed.

The Meerut Division Order of the 14th instant, directing Assistant Surgeon G. Anderson, of the 1st Regt. L. C., to assume medical charge of the 69th Regt. N. I., during the absence on leave, of Surgeon K. Macqueen, is confirmed as a temporary arrangement.

The Sirhind Division Order of the 13th instant, directing Assistant Surgeon J. B. Macdonald, of the 3d Regt. L. C., to proceed to Simla, for the purpose of affording medical aid to the Civil and Military Officers and their families residing there for the benefit of their health, during the present season, is confirmed.

The Saugor Division Order of the 16th instant, appointing supernumerary Native Doctor Shaick Imam Bux to the 2d Regt. N. I., vice Shaik Ahmud, Native Doctor, deceased, is confirmed.

Lieut. T. Young's Detachment Order of the 18th ultimo, appointing Lieut. R. D. Kay to act as Adjutant to 4 Companies of the 2d Regt. N. I. under his Command, is confirmed.

The appointment of Capt. W. R. Beatson to continue acting as Adjutant to the 72d Regt. N. I. after his promotion, and until the nomination of his successor, is confirmed.

The leave of absence granted to Lieut. A. H. Corfield, of the 21st Regt. N. I. in General Orders of the 6th ultimo, is cancelled at his own request.

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# SHIPPING REGISTER.

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## ARRIVALS.

May 8 American ship *Gentoo*, A. Coffin, from Boston 3d November, Bencoolen 1st February and Paddang 2d March.

— Schoonor *Susan*, T. Jones, from Rangoon 15th April.

9 Ship *William Wilson*, J. H. Miller, from China 28th February and Covelong 1st May.

10 Ship *Tamerlane*, E. McKellar, from Greenock 7th January.

— American Ship *Dover*, J. Austin, from Boston 20th January.

— Brig *Elizabeth*, G. Baker, from Rangoon 2d May.

May 11 Barque *Psyche*, A. Lambert, from Moulmein 17th April.

13 Brig *Magnet*, J. McMinn, from the Mauritius 16th March and Covelong 5th May.

14 Ship *Sultana*, E. Evans, from Bombay 6th April, Tellicherry (no date) and Allepee 29th April.

— Ship *Royal Saxon*, R. Renner, from Port Jackson, 5th March and Madras 3d May.

— Barque *Gunga*, J. Mackinney, from Liverpool 26th December.

15 Barque *Hind*, J. Lowthorn, from the Mauritius 16th March and Covelong 9th May.

— Brig *Jessy*, J. Auld, from Penang 8th April.

May 15 French ship *Coromandel*, A. G. Conciel, from Bordeaux 14th October.
18 Ship *David Clark*, R. Rayne, from Portsmouth 23d November, Cape of Good Hope 9th February and Madras 13th May.
19 French Barque *Constant*, J. Chaigneau, from Bourbon 25th March.
— H. M. ship *Wolf*, E. Stanley, from Trincomalie 13th May.
23 Brig *Duke of Clarence*, Peter Sanford, from the Mauritius 20th March and Covelong 17th May.
— Brig *Peter Proctor*, John Terry, from the Mauritius 22d March, and Covelong 17th May.
— Brig *Superior*, Wm. Solmon, from Covelong 17th May.
— Barque *Ashmony*, John Young, from Madras 15th, and Coringa 19th May.
24 American ship *Merchant*, B. Lombard, from Boston 29th January.
26 Barque *Navarino*, W. C. Prentice, from Moulmein 12th May.
27 American brig *Apthorp*, G. W. Stetson, from Boston 20th December.
— Brig *Esther*, R. M. Nicholson, from the Mauritius 7th April, and Covelong 20th May.
29 Ship *Ann Lockerby*, J. Johnson, from Liverpool 12th January.
— French ship *Mascarin*, C. Grangier, from the Mauritius 18th April, and Pondicherry 22d May.
— American ship *Stieglitz*, A. Eldridge, from Boston 1st February.
— Barque *Edward Barnett*, H. Rose, from Singapore 17th April and Penang 1st May.

DEPARTURES.

May 3 Barque *Adelaide*, A. Steel, for Hobart Town.
12 American ship *Eclipse*, A. Perry, for Salem.
15 Barque *Vesper*, J. T. Atwood, for the Mauritius.
20 Barque *Water Witch*, A. Henderson, for China.

ARRIVAL OF PASSENGERS.

*Per William Wilson, from Covelong.*—Mrs. Punel; Messrs. Punel, Black and Robertson.

*Per Magnet, from the Mauritius.*—Mr. Athers.

*Per Ganga, from Liverpool.*—Mrs. Wm. Haworth; Mrs. Hardman; Edward Haworth, Esq., Wm. Haworth, Esq. and Lawrence Hardman, Esq., Merchants.

*Per Sultana, from Bombay.*—Mrs. Anderson; Miss Anderson; G. W. Anderson, Esq.; and Master Anderson.

*Per Royal Saxon, from Sydney.*—Mrs. Thomson and Miss Smeaton.

*Per David Clark, from England*—Mrs. Hayette; Mrs. Rayane; Misses Rayne, Hayette and Julia Hayette; Mr. G. Weavers, Cadet; Mr. Hayette, Printer; Mr. Adams and Mr. Cosserat, Steerage Passengers. *From the Cape*—Mr. W. H. L. Bird, Ensign N. I.

*Per Ashmony, from Madras.*—Mr. Bourne.

*Per Navarino.*—Mrs. Davidson; Mr. B. L. Davidson, Surgeon, Madras Artillery, Mr. W. Griffith, Assistant Surgeon Madras Service; Mr. J. Finton, Assistant Apothecary, ditto; and Mr. William Fergusson.

*Per Edward Barnett, from Penang.*—Mrs. Bateman; Mrs. Montgomerie; and Capt. Montgomerie, Madras Cavalry.

DEPARTURE OF PASSENGERS.

*Per Indiana, for Hobart Town and Sydney.*—W. F. Thompson, Esq., Civil Service; and John Penkerton and Joseph Sutherland, Esqrs.; Mrs. Lewis and 3 childern; R. F. Lewis, Esq; and Lieutenant-Colonel Cave.

# DOMESTIC OCCURRENCES.

## MARRIAGES.

April 29 At the Cathedral, by the Revd. H. Fisher, Mr. Michael Gavin, to Mrs. Elizabeth Raban.
— At Chinsurah, by the Revd. J. H. A. Rudd, A. B., Mr. P. T. Letellier, Chargé de la Voirée, Chandernagore, to Mrs. Frances Pinnetz, widow of the late Mr. C. F. Pinnetz, of the same place.
May 1 At the Cathedral, by the Revd. H. Fisher, Mr. James Stark, to Miss Alvira Henrietta Smith.
5 At the Scotch Kirk, by the Revd. James Charles, Junior Minister St. Andrew's Church, Mr. J. W. Linton, of the Naval Sanatarium at Howrah, to Miss Mary Ann McMahon, a ward of the Bengal Military Orphan Institution at Kidderpore.
11 At the Principal Roman Catholic Church, by the Revd Monsr. Maure, and at the Cathedral, by the Revd. T. Robertson, Mr. James Eede, to Mademoiselle Marie Simonnin.
12 At the Cathedral, by the Revd. H. Fisher, Mr. James Dearden, School Master Serjeant, Dum-Dum, to Mrs. Mary Augusta Abbott.
13 At St. John's Cathedral, by the Rev. T. Robertson, Senior Presidency Chaplain, and afterwards at Howrah Catholic Church, by the Revd. Mr. Sumner, Mr. Joseph Poirel, to Miss Caroline Glassup, a ward of the Military Upper Orphan Institution of Kidderpore.
14 At the Cathedral, by the Revd. T. Dealtry, the Hon'ble H. T. Prinsep, Esq., to Sarah Monckton, third daughter of James Pattle, Esq.
15 At Meerut, Lieutenant B. A. E. S. Hutchinson, His Majesty's 26th Regiment of Foot, to Helen Lucy, the second daughter of Mr. H. Martindell, Secretary Military Fund.
19 At St. Andrew's Kirk, by the Revd. Mr. Charles, Robert James Roy Campbell, Esq., to Anna, second daughter of C. E. Eweler, Esq. of Jessore.
20 At the Cathedral, by the Revd. H. Fisher, John Swiney, Esq., M. D. second Member of the Medical Board, to Harriet Meredith, widow of the late Captain J. W. Row, 31st Regiment N. I.
— At Mhow, by the Revd. J. Bell, Lieut. E. P. E. Bryant, 68th N. I., to Miss Sarah Anne Johnson.
21 At Meerut, R. B. Pennington, Esq. 1st Brigade Horse Artillery, to Ellen, the youngest daughter of T. Nopall, Esq., of Watford, Hertfordshire.
23 At the Cathedral, by the Revd. T. Robertson, Mr. Christopher Thomas Johnson, Gunner of Artillery, to Miss Elizabeth Kelly.

## BIRTHS.

April 7 The lady of Captain Henry Timings, of the Bengal Horse Artillery, of a son.
15 At Meerut, Mrs. Sievwright, of a daughter.
25 Mrs. W. Stormer, of a daughter.
29 At Dacca, the lady of John Lowis, Esq., of the Civil Service, of a daughter.
30 At Chinsurah, the lady of Lieutenant Leighton, H. M. 44th Regiment, of a daughter.
— At Secrole, Benares, Mrs. George Nicholls, of a daughter.
May 1 At Hatnrie Factory, Tirhoot, the lady of James Cosserat, Esq., of a son.
2 Mrs. T. J. Phillips, of a son.
— The lady of John Lackersteen, Esq., of a daughter.
— The lady of E. Wilkinson, Esq., of a son.
5 At Mymunsing, the lady of G. Adams, Esq., Civil Service, of a son.
— Mrs. Joseph Adams, of a daughter.
6 At Meerut, the lady of Lieutenant Frederick Russell Moore, of a daughter.
7 At Chittagong, Mrs. H. Turner, of a son.
— Mrs. Augustin Pereira, of a daughter.
11 At Benares, the lady of George Mainwaring, Esq., of the Civil Service, of a daughter.
14 The lady of Captain Steel, Superintendent of Police, of a daughter.
— Mrs. C. C. Berkeley, wife of W. D. Berkeley, Barrack Serjeant, of a daughter.
16 At Muttra, the lady of Captain J. Moore, 10th Regt. Light Cavalry, of a son.
18 The lady of Robert Swinhoe, Esq., of a daughter.
— At Jellasore, the lady of Thomas Campbell, Esq., of a son.
19 The lady of Francis Macnaghten, Esq., of the Civil Service, of a son.
— At Kurnaul, the lady of Captain John Angelo, of the 3d Light Cavalry, of a daughter.
23 The wife of Mr. J. Jahans, of the Agra Accountant's Office, of a son.
— At Saugor, the lady of Lieut. Willis, Engineers, of a son.
25 Mrs. M. A. Lackersteen, of a son.
31 Mrs. C. Davenport, of a daughter.

# GENERAL REGISTER.

## DEATHS.

Feb. 6 In Camp, at Socotra, Ensign F. Goggin, aged 26 years.

March 11 At the Cape, Mr. Daniel Kenderdine, of the Bengal Pilot Establishment.

31 At Port Louis, Mauritius, the Hon'ble J. Gaillardon, Esq., Member of the Legislative Council and Principal of the firm of Messrs. Gaillardon and Co., deeply regretted by the whole community of that Island.

April 18 At Cawnpore, Margaret, the infant daughter of H. B. Harington, Esq., of the Civil Service, aged 1 year and 11 months.

26 At Landour, Emmeline D'Oyly, only child of Captain Morse Cooper, 11th Light Dragoons, in her second year.

30 At Baitool, the infant son of Lieuten ant and Mrs. Edwards, aged 1 month and 2 days.

— Mr. Alexander D'Rozario, son of Mr. Anthony D'Rozario, aged 15 years, 6 months and 26 days.

May 1 Mr. William Barradge, aged 35 years.

3 Eliza Eiten, the eldest daughter of Mr. Thomas Black, of the *Asiatic Lithographic Press*, aged 5 years, 4 months and 4 days.

— At Bancoora, Mary, the wife of Lieut. P. Nicolson.

— At Monghyr, James Ford, Esq., many years a Commander in the Country Service, aged 43 years.

4 At Mussoorie, Emily Elizabeth, daughter of Captain E. Wintle, 71st N. I., aged 1 year, 6 months and 15 days.

5 Thomas Hoseason, Esq., aged 70 years.

6 At Gyah, Charles, the infant son of J. W. Ricketts, Esq., aged 1 month and 24 days.

— At Hissar, Humphrey, the infant son of Captain Lomer, 21st Regiment, aged 7 months and 13 days.

7 Mr. Robert Ruff, aged 27 years.

10 At Simla, Capt. J. E. Debrett of the Artillery.

11 Mr. Edward Chalcraft, aged 20 years, 6 months and 8 days.

— At Hoogly, Louisa Campbell, wife of Mr. C. Campbell, Provisioner, aged 19 years, 4 months and 23 days.

— Drowned at Barrackpore, from a supposed attack of cramp whilst bathing in a Tank, Colin White Turner, Esq., aged 24 years.

May 12 At Chandernagore, of dropsy, Mr. F. M. Denis de Sejourné, formerly an Indigo Planter, in the 83d year of his age.

13 Master Charles Mackey, the son of Mrs. James Mackey, aged 10 years, 11 months and 10 days.

— Mrs. Eliza Chalcraft, aged 51 years.

14 Mrs. Elizabeth Adams, the wife of Mr. Joseph Adams, of the firm of Gunter and Hooper, aged 36 years, 5 months, and 13 days.

15 At Hazareebaugh, of cholera, after an illness of a few hours, Francis Bird, Esq. Deputy Post Master of that Station, aged 19: a young man of considerable promise, deeply and sincerely regretted by a large circle of friends.

17 At Goruckpore, Anne Casabon, wife of Mr. J. F. Casabon, aged about 23 years.

18 Elizabeth, the only child of Mr. J. Patten, aged 13 months and 19 days.

— At Kotah, Harauti, Ellen Amelia Mary, the infant daughter of A. D. Johnson, Esq., aged 7 months.

23 Mrs. E. C. Greenrough, widow of the late Mr. James Greenrough, aged 22 years.

— At Saugor, the infant son of Lieut. Willis, of Engineers.

24 Mrs. Anna Coles, the wife of J. R. Coles, Esq., aged 35 years.

— Charles, the third son of Mr. R. Arrowsmith, Bengal Marine.

25 Mr. John Hardliss, of the Salt Golah, aged 32 years.

— Mr. Wm. Crawford, Constable in the Calcutta Police, aged 27 years.

29 Mr. H. G. Howe, aged 23 years.

— Charlotte Margaret, eldest daughter of Mr. W. R. Russell, aged 4 years and 5 days.

30 James Alexander, the infant son of Mr. J. A. Lorimer, aged 1 year and 9 months.

31 At Bancoorah, Lieut. James Awdry, of the 55th N. I., Junior Assistant to the Governor-General in Ramghur.

*No date.* At Sea, on board the *St. George*, Lieut. Sanders, Bengal Artillery.

*No date.* Ann, the infant daughter of Mary and Henry Finlay, of the Ordnance Department, aged 2 months and 12 days.

# ADMINISTRATIONS TO ESTATES.

| ESTATES OF | EXECUTORS, ADMINISTRATORS, &c. |
|---|---|
| Bannerman, D., *Madras Civil Service* | Registrar Supreme Court, Administrator. |
| Clemishaw, T., *Assistant Surgeon* | Ditto ditto ditto |
| Eyton, Rev. H. W., *of Wales* | W. Martin, Administrator, with Will annexed, as constituted Attorney of the Executrixes in Wales. |
| Featherston, J., *of England* | D. Macintyre, Administrator, with Will annexed, as constituted Attorney of the Executrix and Executors in England. |
| Fraser, W., *Civil Service* | Registrar Supreme Court, Administrator. |
| Gerard, J. G., *Surgeon* | Captain P. Gerard, Executor. |
| Gough, T., *Lieut.-Colonel 2d Regiment Native Infantry* | J. Palmer, Executor. |
| Hodges, W., *Conductor* | R. McClintock, Executor. |
| Hoome, Miss Mary, *of Calcutta* | W. H. Smoult, Administrator. |
| Keith, W., *Serjeant* | Registrar Supreme Court Administrator. |
| Kennedy, D., *Serjeant, H. M.'s 49th Foot* | Ditto ditto ditto. |
| Mills, J., *of Calcutta* | Ditto ditto ditto. |
| Mills, Mrs. E., *of Calcutta, Widow* | Ditto ditto ditto. |
| Mitchell, J., *Lieutenant Bombay Establishment* | Ditto ditto ditto. |
| Shuldham, A., *Lieut.-Colonel 31st Regt. Native Infantry* | Mrs. C. Shuldham, the Widow, Administratrix. R. C. Jenkins and Co. her Agents. |
| Suddanauth Pundit, *of Calcutta* | Byjeenauth, Executor. |
| Taylor, J., *Lieutenant-Colonel, Engineers* | Mrs. F. H. Taylor, the Widow, Executrix. |
| Webster, J. A., *of Calcutta* | D. Andrew, Executor. |

# CIVIL APPOINTMENTS, &c.

## ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, GENERAL DEPARTMENT, APRIL 28, 1835.

The Governor General of India in Council has been pleased to appoint Major Morison, 2d Regiment Light Cavalry, Madras Establishment, to be Resident at Bushire.

MAY 6.

Mr. H. M. Parker, is relieved, at his own request, from the situation of Honorary Member of the Committee for revising the Custom Laws and the Post Office Regulations of the Four Presidencies.

MAY 18.

The Honorable the Governor General of India in Council has been pleased to confer upon Baboo Raj Narain Roy, Zemindar of Undole, the Dignity and Title of Rajah and Behadoor.

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POLITICAL DEPARTMENT, FORT WILLIAM, MAY 11, 1835.

Captain A. C. Spottiswoode, of the 37th Regt. N. I. has been appointed Assistant to the General Superintendent of the Operations for the Suppression of Thuggee.

MAY 25.

Lieut. Charles Brown, of the 18th Regt. N. I., has been appointed an Assistant to the General Superintendant of the Operations for the Suppression of Thuggee.

The Honorable F. J. Shore received charge of the Agency in the Saugor and Nerbudda Territories, from Mr. F. C. Smith, on the 9th instant.

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## ORDERS BY THE HONORABLE THE GOVERNOR OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

MAY 2, 1835.

Mr. A. Lang, to officiate until further orders, as Joint Magistrate and Deputy Collector of Maldah.

MAY 5.

Mr. H. C. Metcalfe, to officiate until further orders, as Head Assistant to the Magistrate and Collector of Jessore.

Mr. A. C. Bidwell, to officiate as Head Assistant to the Magistrate and Collector of Sylhet. Mr. Bidwell has been authorized to exercise the powers of Joint Magistrate and Deputy Collector of that District.

The following officers have obtained leave of absence from their stations:

Mr. R. C. Halkett, officiating Joint Magistrate and Deputy Collector of Pubna, for one month, in extension of the leave granted to him on the 25th February last.

Mr. R. W. Hughes, Assistant to the Magistrate and Collector of Backergunge, for six weeks, on medical certificate.

MAY 8.

Mr. James Curtis, Civil and Session Judge of Burdwan, for seven days, on private affairs, during the Moharrem vacation.

MAY 18.

The following officers have obtained leave of absence from their stations:

Mr. A. Dobbs, Third Commissioner of the Court of Requests, has been allowed leave of absence on private affairs, until the 15th July next, in extension of the leave granted to him on the 16th March last.

MAY 19.

Mr. J. Donnithorne, Collector of the 24 Pergunnahs for three months, from the 17th March last, on medical certificate.

Mr. E. R. Barwell, officiating Commisioner of Revenue and Circuit of the 18th or Jessore Division, for one month, on private affairs, on delivering over charge of the Commissionership to Mr. H. M. Pigou.

MAY 23.

The following officers have obtained leave of absence from their Stations.

Capt. H. Rutherford, officiating Magistrate of the Division of Now Gong, in Assam, on medical certificate, from the 15th instant to the 1st August next.

MAY 26.

Mr. C. G. Udny, officiating Judge of Nuddeah, to the 12th instant, on private affairs, in extension of the leave granted to him on the 25th ultimo.

The following officer has obtained leave of absence from his station:

Mr. G. N. Clerk, Assistant Surgeon, attached to the Civil Station of Burdwan, for six months, on private affairs from the 15th proximo.

MAY 28.

Mr. C. B. Trevor, Assistant under the Commissioner of Revenue and Circuit of the 19th or Cuttack Division, for six weeks, on medical certificate.

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FORT WILLIAM, GENERAL DEPARTMENT, 6TH MAY, 1835.

Mr C. H. Lushington is appointed to officiate as Deputy Opium Agent at Sarun until further orders.

Assistant Surgeon W. B. O'Shaughnessy, M. D., is appointed to officiate as First Assistant to the Opium Agent of Behar until further orders.

Mr. F. J. Morris is appointed to officiate as First Assistant to the Secretary to the Board of Customs, Salt and Opium, during Mr H. Palmer's employment on other duties, and Mr. Henry Alexander to act as Second Assistant in the room of Mr. Morris.

MAY 20.

The Honorable the Governor of Bengal is pleased to grant to Mr. Kenneth Murchison, Governor of Prince of Wales Island, Singapore and Malacca, leave of absence for one month, in extention of the leave granted to him under the Orders of Government, dated 21st November 1833.

Mr. Assistant Surgeon G. Temple is appointed Superintendent of the Baugundee Salt Chokeys, and ex officio Principal Assistant to the Salt Agent of the 24-Pergunnahs, in the Jessore Division, to take effect from the 6th instant.

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## ORDERS BY THE HONORABLE THE GOVERNOR OF AGRA.

JUDICIAL AND REVENUE DEPARTMENT, ALLAHABAD, APRIL 15, 1835.

The leave of absence granted on the 11th ultimo to Mr. T. H. Robinson, the Magistrate and Collector of Furruckabad for three months, to visit Calcutta, on his private affairs, is cancelled from the 1st proximo.

ALLAHABAD, MAY 2.

Mr. W. H. Tyler, the Magistrate and Collector of Muttra, has obtained leave of absence to the 18th instant, in extension of the leave granted to him on the 29th September, 1834, to enable him to rejoin his station.

ALLAHABAD, MAY 4.

Mr. R. Neave, the officiating Civil and Session Judge of Bundlekund, has obtained leave of absence for six weeks, on medical certificate, from the 17th ultimo.

ALLAHABAD, MAY 7.

Mr. S. Bowring, the Assistant to the Magistrate and Collector of Allahabad, has obtained fifteen days leave of absence, on medical certificate, and has been appointed to officiate as Joint Magistrate and Deputy Collector at Banda, during the time Mr. W. Crawford may continue to officiate as Magistrate and Collector of that station.

ALLAHABAD, MAY 8.

Mr. R. Hampton, Assistant to the Magistrate and Collector of Ghazeepore, has obtained leave of absence for six days, in extension of the leave granted him on the 6th October 1834.

ALLAHABAD, MAY 12.

Mr. G. P. Thompson, additional Judge of Gorruckpore, is appointed to officiate as Commissioner for the purpose of deciding the Suits pending before the Commissioner of the 9th or Gorruckpore Divisions, under the provisions of Regulations I. of 1821 and I. of 1823.

Mr. J. Carter has been appointed to officiate as Civil and Session Judge of Goruckpore.

The order of the officiating Commissioner of the 9th or Goruckpore Division, to Mr. A. Shank, directing him to assume charge of the offices of Civil and Session Judge at Goruckpore, on the 13th April last, is approved.

ALLAHABAD, MAY 14.

Mr. J. Campier, Principal Sudder Ameen of Goruckpore, has obtained leave of absence from his Station for one month, on medical certificate, in extension of the leave granted to him on the 22d ultimo.

ALLAHABAD, MAY 16.

Mr. S. Bowring, officiating Joint Magistrate and Deputy Collector of Banda, has obtained leave of absence for fourteen days, on medical certificate, in extension of the leave granted to him on the 7th instant.

# GENERAL REGISTER.

ALLAHABAD, MAY 20.

The Honorable the Governor is pleased to grant to Mr. C. Raikes, an Assistant under the Commissioner of the 1st or Meerut Division, leave of absence from his station, for one month, from the 11th instant, on his private affairs.

ALLAHABAD, MAY 21.

The Honorable the Governor is pleased to make the following appointments:

Mr. R. J. Taylor, to officiate as additional Judge at Jaunpore.

Mr. W. B. Jackson, to officiate as additional Judge at Ghazeepore.

Mr. C. Raikes to be a Junior Assistant under the Commissioner of Delhie.

The leave of absence granted by the officiating Judge of Futtehpore to Tussuddook Hossein, Principal Sudder Ameen at that station, for fifteen days, from the 15th instant, on his private affairs, in extension of the leave granted to him by the officiating Judge during the Moburrum vacation, is confirmed.

ALLAHABAD, MAY 26.

Mr. A. U. C. Plowden, officiating Collector and Magistrate of Allyghur, has obtained leave of absence from his station for six months, on medical certificate, to proceed to the Hills.

The permission granted by the Commissioner to Mr. Plowden to leave the station on the 20th instant, and to make over temporary charge of the offices of Collector and Magistrate to Mr. Stuart, is approved.

ALLAHABAD, MAY 27.

The Honorable the Governor is pleased to make the following appointments:

Mr. J. S. Boldero to officiate as a Judge of the Sudder Dewanny and Nizamut Adawlut, under the Agra Presidency. Mr. Boldero is authorized to make over charge of the current duties of the Civil and Sessions Judge's Office at Agra to Mr. W. S. Donnithorne.

Mr. J. Davidson to officiate as Civil and Sessions Judge of Agra.

Mr. W. R. Kennaway to officiate as Magistrate and Collector of Ally Ghur.

Mr. H. W. Deane to officiate as Joint Magistrate and Collector of Ally Ghur.

ALLAHABAD, MAY 28.

The Honorable the Governor is pleased to grant to Lieut. G. J. Fraser, Revenue Surveyor in Suheswan, leave of absence for one month, on private affairs, commencing from the 1st proximo.

ALLAHABAD, MAY 29.

The following Officers have obtained leave of absence from their stations:

Mr. R. Neave, officiating Magistrate and Collector of Suheswon for one month, on medical certificate, in extension of the leave granted to him on the 4th instant.

Dr. J. Esdaile, Civil Assistant Surgeon at Azimgurh, on medical certificate, for two months, from the 16th instant.

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GENERAL DEPARTMENT, MILITARY, ALLAHABAD, MAY 2, 1835.

The Honorable the Governor of Agra has been pleased to make the following appointments:

Assistant Surgeon A. Beatie to be Surgeon to the Governor of Agra, from the 24th of March last

W. Watson, Esqr. Garrison Surgeon at Allahabad, to be Deputy Post Master at Allahabad.

ALLAHABAD, MAY 11.

Ensign H. M. Barwell, Private Secretary and Aid de Camp to the Honorable the Governor of Agra, having been permitted at his own request, to resign the latter appointment: Capt. W. Murray, of the 22d N. I. is appointed an acting Aid-de Camp to the Governor of Agra, until further orders. This appointment to take effect from the 4th instant.

ALLAHABAD, MAY 16.

Doctor James Graham, officiating Civil Surgeon at Delhi, is at his own request, placed at the disposal of the Provincial Commander in Chief.

The Honorable the Governor of Agra has been pleased to make the following appointment:—

Assistant Surgeon Mark Richardson, M. D. to officiate, until further orders, as Civil Surgeon at Delhi, vice Doctor Graham.

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POLITICAL DEPARTMENT, ALLAHABAD, MAY 13, 1835.

The Honorable the Governor has been pleased to appoint Ensign R. W. C. Doolan, 12th Regt. N. I., Assistant to the Commissioner, to be also an Assistant to the Agent to the Governor General in the Saugor and Nerbudda Territories.

ALLAHABAD, MAY 16.

The Hon'ble F. J. Shore reported his having received charge of the Office of Agent to the Governor General in the Saugor and Nerbudda Territories from Mr. F. C. Smith on the 9th inst.

ALLAHABAD, MAY 30.

The leave of absence, for one month, from the 3d proximo, to visit the hills, granted by the Officiating Agent to the Governor General at Delhie, to Mr. M. P. Edgworth, Assistant to the Political Agent at Umballah, is approved.

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# MILITARY APPOINTMENTS, &c.

## GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, 4TH MAY, 1835.

No. 114 of 1835.—The Hon'ble the Governor General of India in Council is pleased to make the following promotions:

Engineers.—Major John Colvin to be Lieut.-Col., Captain Edward Garstin to be Major, 1st-Lieut. Bradshaw Yorke Reilly to be Captain, and 2d-Lieut. Henry Marion Durand to be 1st Lieut., from the 20th April 1835, in succession to Lieut.-Col. J. Taylor deceased.

Subordinate Branch of the Medical Department.—Assistant Apothecary John Butler to be Apothecary, and Hospital Apprentice Michael R. Crawford to be Assistant Apothecary, from the 27th April 1835, in succession to Apothecary Charles Fox discharged.

Lieut. George Warren Stokes, of the 59th Regt. N. I., is permitted to proceed to Europe on furlough, on medical certificate.

The unexpired portion of the leave of absence, on medical certificate, to proceed to China for twelve months, granted to Ensign Simon John Nicolson, of the 50th Regt. N. I., in General Orders No. 185, of the 2d October 1834, is cancelled from the 21st ultimo.

Ensign Robert Grange, of the 44th Regt. N. I., is permitted to decline his appointment to the Assam Local Battalion, which was announced in General Orders No. 72, of the 17th March last.

Sergeant Dean, of the Corps of Sappers and Miners, is appointed temporarily an Assistant Overseer in the Department of Public Works on the salary allowed for that rank, and placed under the orders of Captain Cautley, Superintendent of Doab Canals.

No. 115 of 1835.—The Governor General of India in Council is pleased to permit Major Samuel Maltby, of the 2d Regt. N. I., to retire from the service of the Honorable Company, on the Pension of his rank from the 30th ultimo, and to make the following promotions consequent thereto:

2d Regt. N. I.—Captain Charles Richard William Lane to be Major, Lieut. Thomas William Bolton to be Captain of a Company, and Ensign William Augustus Cooke to be Lieut., in succession to Major Samuel Maltby retired, from the 30th April 1835.

The undermentioned temporary appointments are made by the Governor General of India in Council:

Captain John Cartwright, of Artillery, and Commissary of Ordnance, to officiate as Assistant Adjutant General of Artillery, during the employment of Major James Tenant, in temporary charge of the Powder Works at Ishapore, or until further orders.

Captain Tuvens Augustus Vanrenen, of Artillery, to act as Commissary of Ordnance, vice Captain Cartwright.

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No. 116 of 1835.—The Hon'ble the Governor General of India in Council is pleased to make the following appointments:

Lieut. E. Buckle, of the Regt. of Artillery, to be a Deputy Commissary of Ordnance, in succession to Captain Woodrooffe.

Ensign J. H. Garrett, of the 30th Regt. N. I., and Assistant to the Governor General's Agent in the Saugor and Nerbudda Territories, to be a Sub-Assistant Commissary General, vice Ensign Doolan.

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No. 117 of 1835.—The Honorable the Governor General of India in Council is pleased to appoint 2d-Lieut. William Jones, of the Corps of Engineers, a 2d-Assistant in the Great Trigo-

nometrical Survey, on the usual salary of 250 Rupees per month.

Captain William Murray, of the 22d Regt. N. I., is placed at the disposal of the Honorable the Governor of Agra, for employment on his personal Staff.

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FORT WILLIAM, 11TH MAY.

No. 119 of 1835.—The Hon'ble the Governor General of India in Council is pleased to promote Lieutenant Charles Fowle, of the 65th Regiment Native Infantry, to the rank of Captain by Brevet, from the 1st instant.

Lieutenant Robert Mackellar Hunter, of the 73d Regiment Native Infantry, is appointed to do duty with the Assam Sebundie Corps.

The Honorable the Governor of Bengal was pleased, in the General Department, under date the 6th instant, to appoine Assistant Surgeon W. B. O'Shaughnessy, M. D., to officiate as first Assistant to the Opium Agent of Behar, until further Orders.

Lieutenant Colonel John Henry Cave, of the 73d Regiment Native Infantry, is permitted to proceed to Van Dieman's Land, on medical certificate, and to be absent from Bengal on that account for two years.

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No. 121 of 1835.—The Governor General of India in Council is pleased to make the following appointments and arrangements in the Department of Public Works:

Major E. Garstin, Executive Engineer of the 2d or Berhampore Division, to be Superintending Engineer North Western Provinces, in succession to Lieutenant Colonel Taylor deceased.

Captain T. Warlow, Garrison and Executive Engineer at Delhi and officiating Executive Engineer of the Agra Division, to take charge of the office of the Superintending Engineer North Western Provinces, until the arrival of Major Garstin.

Lieut. Henry Goodwyn, Executive Engineer at Neemuch, to be Executive Engineer of the 2d or Berhampore Division, vice Garstin.

Lieut H. Fraser, Executive Engineer in Kemaon, to be Executive Engineer at Neemuch, vice Goodwyn.

Lieut. J. Glasford to be Executive Engineer in Kemaon, vice H. Fraser.

Lieut. J. W. Fraser to relieve Major Garstin from the Berhampore Division, and to officiate as Executive Engineer of that Division, until the arrival of Lieut. Goodwyn.

Assistant Surgeon Henry Taylor, who was appointed in General Orders No. 205, of the 6th November 1834, to officiate in medical charge of the Civil Station of Gyah, is confirmed in that appointment.

Native Doctor Yasseen Khan, attached to the Civil Station of Gowalparah in Assam, is placed at the disposal of the Provincial Commander-in Chief.

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FORT WILLIAM, 18TH MAY.

No. 123 of 1835.—The following appointments made by the Honorable the Governor of Agra, under dates the 2d and 6th instant, are published in General Orders:

*2d May*, 1835.

Surgeon W. Watson, Garrison Surgeon at Allahabad, to be Deputy Post Master at Allahabad.

Assistant Surgeon A. Beattie to be Surgeon to the Governor of Agra, from the 20th March last.

*6th May*, 1835.

Ensign R. W. C. Doolan, of the 12th Regt. N. I., to be an Assistant to the Commissioner in the Saugor and Nerbudda Territories, vice Ensign Garrett placed at the disposal of the Supreme Government.

The Honorable the Governor General of India in Council is pleased to appoint Lieut. Henry Abbott, of the 44th Regt. N. I., to do duty with the Assam Sebundie Corps.

The undermentioned Officers are permitted to proceed to Europe on furlough, on medical certificate:

Captain Christopher Simson Maling, of the 68th Regt N. I.
Lieut. George Ramsay, of the 25th Regt. N. I.

Lieut. P. Nicolson, Principal Assistant to the Agent to the Governor General under Regulation XIII. 1833, stationed at Manbhoom, has obtained in the Judicial and Revenue Department, under date the 11th instant, leave of absence for one month, on medical certificate.

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No. 125 of 1835.—The Governor General of India in Council is pleased to make the following appointment:

Assistant Surgeon William Thomas, to the medical duties of the Civil Station of Jessore.

Assistant Surgeon Archibald Kean, M. D., is removed from Moorshedabad and appointed to the Civil Station of Furreedpoor.

No. 127 of 1835.—Second Lieutenant J. A. Mouat, of Engineers, attached to the 12th or Kurnaul Division of Public Works, is appointed to officiate as Assistant to the Garrison Engineer and Civil Architect at the Presidency, during the absence of Lieutenant Rigby, on duty at Balasore.

In consideration of the long, faithful and distinguished services of the undermentioned Subadar Majors, the Honorable the Governor General of India in Council is pleased to sanction the grant to them of the Brevet Pay of their Rank, from the date of their transfer to the Invalid Establishment:

Subadar Major Munourut Pandy, of the 33d Regt, N. I.
Subadar Major Thaun Sing, of the 50th Regt. N. I.
Subadar Major Heerah Ram, of the 56th Regt. N. I.

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FORT WILLIAM, 25TH MAY.

No. 129 of 1835.—The Governor General of India in Council is pleased to make the following promotions:

Regiment of Artillery.—Lieutenant Colonel George Swiney to be Colonel: Major and Brevet Lieutenant Colonel William Battine to be Lieutenant Colonel; Captain Edward Biddulph to be Major; 1st Lieutenant and Brevet Captain Archdale Wilson to be Captain, and 2d Lieutenant Francis Claude Bornett to be 1st-Lieutenant, from the 1st December 1834, in succession to Colonel Robert Hetzler, C. B., deceased.

1st Lieutenant and Brevet Captain Phillip Jackson to be Captain, and 2d-Lieutenant George Girdwood Chauner to be 1st-Lieutenant, from the 10th May 1835, in succession to Captain John Edward Debrett deceased.

Ordnance Commissariat Department.—Sub-Conductor C. Reynolds to be Conductor, and Serjeant-Major Daniel Kelly, of the Ramgurh Battalion to be Sub-Conductor, from the 27th of April 1835, in succession to Conductor Joseph Millard, transferred to the Invalid pension establishment.

Governor General's Body Guard.—Havildar Edeen Khan to be Jemadar in succession to Akber Khan deceased, from 30th April 1835.

The undermentioned Officers are promoted to the Rank of Captain by Brevet, from the dates expressed opposite to their names:

Cavalry.—2d Regt. Light Cavalry—Lieut. George Connolly Ponsonby, 19th May, 1835.

8th Regt. Light Cavalry—Lieut. Edward Cook Archbold, 20th May, 1835.

Mr. George Richard James Meares is admitted to the service, in conformity with his appointment by the Honorable the Court of Directors, as a Cadet of Infantry on this establishment, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment; date of arrival at Fort William, 20th May, 1835.

Supernumerary 2d-Lieut. Henry Siddons, of the Corps of Engineers, on this Establishment, is brought on the effective strength of the Corps, from the 20th April, 1835, in succession to Lieutenant Colonel Joseph Taylor deceased.

Ensign Edward Samuel Capel, of the 53d Regt. N. I., has returned to his duty on this establishment, without prejudice to his rank, by permission of the Honorable the Court of Directors; date of arrival at Fort William, 21st May, 1835.

Lieut. W. Baker, of the 9th Regt Light Cavalry, and Adjutant to the Governor General's Body Guard, has leave of absence from the 10th to the 15th instant, in extension to that granted him in General Orders, No. 110, of the 27th April last.

Assistant Surgeon Mark Richardson, M. D., is placed, temporarily, at the disposal of the Honorable the Governor of Agra, for employment under that Government.

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No 130 of 1835.—In order to give effect to instructions received from the Hon'ble the Court of Directors, consequent on an arrangement sanctioned by His Majesty, the following Officers of the Bengal Army are promoted to the rank of Colonel, by Brevet, from the dates specified opposite to their respective names:

John Trnscott, 45th N. I., Henry Faithfull, Artillery, Charles Parker, Artillery, Henry Huthwhite, 29th N. I. William Conrad Faithful, C. B., 49th N. I. John Delamain, C. B., 45d N. I. Thomas Wilson, C. B., 2d N. I. Felix Vincent Raper, 42d N. I., George Swiney, Artillery, George Pollock, C. B., Artillery, Alexander Lindsay, C. B., Artillery, James Alexander, 65th N. I., Alexander Stewart, 58th N. I., Walter Raleigh Gilber 35th N. I., Thomas Paterson Smith, European Regt., William Clinton Baddeley, C. B., 15th N. I., James Fallarton Dundas, Artillery, Edward Henry Simpson, 24th N. I., Thomas Newton, 25th N. I. John Andrew Biggs, Artillery, William Nott, 36th N. I., George Cooper, 34th N. I. and Suetonius Henry Tod, 41st N. I., from the 1st December, 1829, and to stand above Col. Harry Thomson, of the 6th Regt. L. C.

James Kennedy, 7th Light Cavalry, Stephen Reid, 10th Light Cavalry, Benjamin Roope, 19th N. I., Phillip Le Fevre, 15th N. I., John Simpson, 69th N. I., Sir Jeremiah Bryant, Knight, 19th N. I., Charles William Hamilton, 61st N. I., Thomas Murray, 53d N. I., Edmund Frederick Waters, 29th N. I., Joseph Nesbitt, 6th N. I., John Henry Cave, 73d N. I.,

Richard Collyer Andree, 7th N. I, Archibald Galloway, 58th N. I., Edger Wyatt, 22d N. I., Horatio Thomas Tapp, 1st N. I., Thomas Shubrick, 7th Light Cavalry, William Henry Kemm, 31st N. I., John Peter Boilean, Artillery, and William Samson Whish, Artillery, from the 18th June, 1831, and to stand above Colonal Duncan McLeod, of the Engineers.

John Dun, 54th N. I., William Dunlop, 50th N. I. Charles William Brooke, 47th N. I., John Hunter Littler, 40th N. I., William Vincent, 26th N. I., John Anthony Hodgson 68th N. I., Samuel Smith, 8th Light Cavalry, Thomas Henry Paul, 20th N. I., George Hunter, C. B. 74th N. I.; Ezekiel Barton, 25th N. I., Henry Tuffnel Roberts, C. B. 5th Light Cavalry, Forster Walker, 33d N. I., James Caulfield, C. B. 9th L. C., and Thomas David Stuart, 1st L. C from the 22d Jan., 1834 and to stand above Col. Richard Tickell, C. B., of the Engineers.

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No. 132 of 1835.—The services of Captain H. Inglis, of the 2d Regt. Madras L. C. are temporarily replaced at the disposal of the Government of Fort St. George, without prejudice to his present employment, under the Orders of the Resident at Hyderabad.

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No. 134 of 1835.—With reference to General Orders, No. 133, of this date, the undermentioned Officers of the Bengal Army, recently remanded to their Corps, in conformity with the rule laid down in Clause 4 of the General Orders No. 103, of 17th August 1827, are restored to the Department or Appointment from which they were removed.

Captain R. Wroughton, of the 69th, and Captain A. Hodges, of the 29th Regt. N. I., to the Revenue Survey Department.

Captain J. D. Douglas, of the 53d Regt. N. I., to the Appointment of Deputy Assistant Adjutant General of Division.

Captain J. M. Heptinstall, of the 31st Regt. N. I., the Junior Deputy Assistant Adjutant General of Division, will remain a supernumerary until a vacancy occurs.

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## GENERAL ORDERS BY MAJOR GENERAL J. WATSON, C. B., PROVINCIAL COMMANDER-IN-CHIEF.

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*Head-Quarters, Calcutta, 1st May, 1835.*

Assistant Surgeon K. M. Scott, at present attached to the Artillery at Dum-Dum, is directed to proceed to Berhampore, and to do duty with the 4th N. I. at that station, until further orders.

The Station Order by Major S. Speck, under date 24th ultimo, directing Surgeon G. G. McPherson to afford medical aid to the troops at Berhampore, is confirmed as a temporary arrangement, and until the arrival of Assistant Surgeon Scott.

Guzadhur Bajpaee, Sepoy, of the 5th Company 5th Regt. N. I., is directed to be sent to the Eye Infirmary at the Presidency, for Surgical treatment, agreeably to the recommendation of the annual Invalid Committee assembled at Saugor.

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*Head-Quarters, Calcutta, 2d May.*

Major G. Kingston's Regimental Order of the 11th ultimo, appointing Lieut. R. Morrieson to act as Adjutant to the 52d N. I., during the absence of Lieut. and Adjutant W. Martin on Court Martial duty to Cawnpore, is confirmed.

The leave of absence granted to Lieut. J. De Fountain, of of the 56th Regt N. I., by General Orders of the 22d ultimo, is cancelled at that Officer's request.

Assistant Apothecary John Robison, doing duty with the 3d troop 3d Brigade Horse Artillery, is posted to that troop.

Sergeant Rodger Dodd, of the 4th Company 4th, and Bombardier N. Medgeley, of the 1st Company 1st Battalion of Artillery, are transferred to the Town Major's List, for employment in the Barrack Department of the Garrison of Fort William.

The undermentioned Officers have leave of absence:

4th Regt. N. I.—Ensign H. J. C. Shakespear, from 1st May to 30th June, to visit the Presidency, on private affairs.

40th Regt. N. I.—Ensign A. Macdonald, from 9th April to 9th July, to visit the Presidency, to appear before the Medical Board.

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*Head-Quarters, Calcutta, 4th May.*

The District Order of the 16th ultimo, by Brigadier W. Burgh, Commanding the Rajpootanah Field Force, directing Lieut. W. O. Young, of the 3d Company, to remain and do duty with the 1st Company 2d Battalion of Artillery at Nusseerabad, is confirmed.

Lieut. Young will proceed and join his own Company at Karnaul, on the 1st of Nov. next.

Surgeon D. Renton, of the 6th Regt. N. I., who was nominated to officiate as Superintending Surgeon in Government General Orders of the 27th ultimo, is appointed to the Benares circle of medical superintendence.

Deputy Assistant Commissary John Sperrin, of the Saugor Magazine, is permitted to do duty in the Magazine at Ara, until the 15th of Oct. next.

The undermentioned Officers have leave of absence:

9th Regt. L. C.—Lieut. A. Tucker, from 25th April to 25th Oct. to visit Simla, on medical certificate.

2d Company 2d Battalion Artillery—2d Lieut. W. Barr, from 10th May to 10th Nov., to visit Simla, on private affairs.

62d Regt. N. I.—Capt. G. H. Cox., from 25th April to 25th April 1836, to visit Simlah, and its vicinity, on medical certificate.

3d Regt. N. I.—Lieut. and Adjutant J. Butler, late Acting Major of Brigade at Nusseerabad, from 15th April to 28th May, to enable him to rejoin his Regt. at Mynpoorie. N. B This cancels the leave granted to him in General Orders of the 23d February last.

27th Regt. N. I.—Lieut. D. Lumsden, from 20th April to 20th Nov., to visit Simla, on medical certificate.

42d Regt. N. I.—Ensign J. B. Conolly, from 20th May to 20th Nov., to visit Simla, on private affairs.

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*Head-Quarters, Calcutta, 6th May.*

The Provincial Commander in Chief is pleased to authorize Officers Commanding Corps in which Messes may be established to grant a night Guard of one Naick and four Sepoys for the protection of the Mess property.

The Provincial Commander in Chief is pleased to make the following removals and postings of Medical Officers:

Surgeon James Duncan, on furlough, from the 4th to the 15th Regt. N. I.

Surgeon Benjamin Burt, M. D., from the 38th to the 4th Regt. N. I, at Berhampore.

Surgeon David Renton, (officiating Superintending Surgeon Benares circle of medical superintendence) from the 6th to the 35th Regt. N. I. at Secrole, Benares.

Surgeon George Bailie, from the 5th to the 72d Regt. N. I. at Saugor.

Assistant Surgeon Archibald Colquhoon, (officiating Civil Assistant Surgeon, Jaunpore) from the 6th to the 38th Regt. N. I. at Secrole, Benares.

Assistant Surgeon Richard Phillipson, from the 72d to the 16th Regt. N. I. at Mhow.

The undermentioned Officers have leave of absence:

10th Regt. L. C.—Col. S. Reid from 4th May to 1st June, in extension, to remain at the Presidency, on sick certificate.

57th Regt. N. I.—Lieut. T. Simpson, attached to the Ramgurh Battalion, from 22d June, in extension, to remain at the Presidency, on sick certificate.

11th Regt. N. I.—Lieut. J. E. Cheetham, from 2d April to 10th June, to enable him to rejoin.

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The Dinapore Station Order under date the 28th ultimo, appointing Lieut. Interpreter and Quarter Master J. G. Gerrard, of the European Regt., to act as Station Staff, during the absence, on duty, of Captain D. Thompson, Deputy Assistant Adjutant General of the Division, is confirmed.

The Regimental Order of the 18th ultimo, by Major H. L. Worrall, Commanding the 1st L. C., appointing supernumerary Cornet E. Harvey, doing duty with the Regt., to act as Adjutant during the absence, on duty of Lieut. and Adjutant A. Campbell, is confirmed.

Ensign R. Grange, of the 44th Regt. N. I., having been permitted to decline the nomination, by the Honorable the Governor General of India in Council, to duty with the Assam L. I., is re appointed Interpreter and Quarter Master to the 44th Regt. N. I.

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*Head Quarters, Calcutta, 7th May.*

The following Orders issued by Major General the Honorable J. Ramsay, Commanding the Meerut Division, are confirmed:

22d April.—Directing 2d-Lieut. C. L. Spilla, attached to the Sappers and Miners, to proceed from the Head Quarters of the Corps at Delhi to Hazareebaugh, and do duty with the 1st Company there in the room of Lieut. J. Spens appointed an Assistant Superintendent of Roads under Captain G. Thomson; Sergeant John Gordon Crotch to proceed by water and join the same Company, in the room of Sergeants Charles Douglas and Thomas O'Callagan transferred to the Department of Public Works; and Veterinary Surgeon J. Ford, of the 1st Regt. Light Cavalry, to make over charge of the Horses of the 1st Brigade of Horse Artillary to Veterinary Surgeon P. B. F. Green, arrived at Meerut with the 3d Troop of that Brigade.

23d April.—Directing Assistant Surgeon W. E. Watson, of the Horse Artillery, to assume medical charge of the 30th Regiment Native Infantry, vice McClelland removed to the civil branch of the service.

The General Order under date the 18th March last, appointing Edward Beckley, half-pay Drummer of the European Regiment to the 58th Regt. N. I., is cancelled.

The undermentioned Officers have leave of absence:

3d Regt. L. C.—Lieut. H. Marsh from 30th May to 30th November, to visit Etawah, on urgent private affairs.

35th Regt. N. I.—Surgeon J. M. Todd, from 1st June to 1st December, in extention, to remain in the Lower Provinces, on medical certificate.

4th Regt. N. I.—Assistant Surgeon J. V. Leese from 2d May to 30th June, to visit the Presidency, on medical certificate.

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*Head Quarters, Calcutta, 8th May.*

The Agra Garrison and Station Order of the 20th ultimo, directing Captain E. Sanders, Executive Engineer of the 10th Division, to take charge of the office of Superintending Engineer, North Western Provinces, in consequence of the death of Lieut. Col. J. Taylor, is confirmed.

Major H. O'Donell's Regimental Order of 25th ultimo, appointing Lieut. and Brevet Capt. J. E. Bruere to act as Interpreter and Quarter Master to the 13th N. I., during the absence on leave of Lieut. and Brevet Capt. J. P. Wade, Interpreter and Quarter Master of the Corps, is confirmed.

Gunner Michael Landers, of the 3d Company 1st Battalion Artillery, having been duly examined and pronounced unfit for further duty, is to be transferred to the Veteran Company at Chunar.

The undermentioned Officers have leave of absence:

4th Troop 2d Brigade Horse Artillery—Capt. H. Timings from 15th June to 15th October, to visit Lucknow, on private affairs.

11th Regt. N. I.—Captain J. R. Birrell, from 15th June to 10th October, to visit Dinapore, on private affairs.

20th Regt. N. I.—Lieut. R. Steuart, from 1st May to 1st November, to visit the Presidency preparatory to submitting an application for furlough to Europe.

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*Head-Quarters, Calcutta, 19th May.*

The Engineer Order by Col. Sir T. Anburey, Kt., C. B., Chief Engineer, dated the 13th instant, appointing 2d Lieut. J. A. Monat, on leave at the Presidency, to act as Adjutant to the Corps of Engineer, during the absence of Lieut. H. Rigby, appointed to officiate in the Department of Public Works, or until further Orders, is conformed.

Conductor Joseph Millard, of the Invalid Establishment, is permitted to reside and draw his stipend at Dinapore.

The undermentioned Officers have leave of absence:

26th Regt. N. I—Captain J. B. D. Gahan, from 15th June to 15th Nov., to visit the Presidency, preparatory to submitting an application for furlough to Europe.

27th Regt. N. I.—Captain A. Gerard, from 15th January to 16th April, in extention, to remain at Subathoo, on medical certificate, and to enable him to rejoin his Corps at Curnaul,

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The Regimental Order issued by the Officer Commanding the 69th N. I., dated the 27th ultimo, appointing Lieut. A. G. Miller to officiate as Adjutant, during the absence of Ensign and Acting Adjutant H. Howorth, on duty, is confirmed.

The leave of absence, for six months, obtained by Major W Gregory, of the 61st Regt. N. I., is to commence from the 1st March last, instead of the 1st Feb., as directed by General Orders of the 11th Feb. 1835.

The Provincial Commander-in-Chief is pleased to make the following appointment;

Assam Sebundy Corps—Lieut. H. W. Matthews, of the 43d Regt. N. I., to be Adjutant.

The undermentioned Officer has leave of absence:

European Regt.—Ensign D. Seaton, from 1st June to 1st Oct., to visit Lucknow, on private affairs.

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*Head-Quarters, Calcutta, 20th May.*

The Division Order by Brigadier General R. Stevenson, C. B., Commanding the Cawnpore Division of the Army, under date the 7th instant, appointing Lieut. W. Macgeorge, of the 71st Regt. N. I., to officiate as Deputy Judge Advocate General of the Division, until the arrival of Captain C. Rogers, Deputy Judge Advocate General, is confirmed.

The Benares Division Order of the 8th instant, appointing Surgeon W. Jackson, of the 8th Regt. Light Cavalry, to act as Superintending Surgeon to the Division, until the arrival of officiating Superintending Surgeon D. Renton, is confirmed.

The Saugor Division Order of the 5th instant, appointing supernumerary Native Doctor Hosnin Bukhsh to the 5th Regt. N. I., in the room of Bennee Tewaree, Native Doctor, transferred to the Pension Establishment, is confirmed.

The Loodianah Station Order of 1st instant, appointing Assistant Surgeon W. L. McGregor, M. D., of 4th Troop 2d Brigade Horse Artillery, to the medical charge of the 49th Regt. N. I., during the absence, on leave, of Surgeon J. Henderson, or until further orders, is confirmed.

Lieut. W. Jennings, of the 68th Regt. N. I., who obtained leave of absence, on medical certificate, in General Orders of the 7th ultimo, is permitted to visit Cawnpore, instead of the Hill Province North of Deyrah Dhoon.

The Provincial Commander-in-Chief is pleased to remove Ensign H. J. C. Shakespear from the 4th to the 25th Regt. N. I., as junior of his rank.

The undermentioned Officers have leave of absence:

Brigade Staff—Brevet Major E. A. Campbell, Major of Brigade at Meerut, from 1st July to 31st Dec., to visit the Presidency, on private affairs, preparatory to making application for furlough to Europe.

32d Regt. N. I.—Ensign and Adjutant W. W. Davidson, from 25th May to 25th August, to visit Aarah, on private affairs.

Engineers.—Supernumerary 2d Lieut. J. Trial, doing duty with Sappers and miners, from 30th April to 31st Oct., to proceed to Simla, on medical certificate.

Subordinate Medical Department.—Assistant Apothecary M. Hayes, attached to the European Regiment, from 4th May to 4th Nov., to visit the Presidency, on medical certificate.

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*Head-Quarters, Calcutta, 22d May.*

Surgeon J. Coulter is removed from the 3d Brigade of Horse Artillery to the 42d Regt. N. I. at Delhi.

Surgeon J. Graham, M. D., is removed from the 42d Regt. N. I. to the 3d Brigade Horse Artillery, vice Coulter.

Lieut. W. E. J. Hodgson is removed from the 1st Company 1st Battalion to the 2d Troop 1st Brigade Horse Artillery.

Lieut. E. Buckle, (Deputy Commissary of Ordnance) is removed from the 2d Troop 1st Brigade Horse Artillery to the 1st Company 1st Battalion.

Hussien Khan, Native Doctor, lately attached to the Civil Station of Gowalparah, and placed at the disposal of the provincial Commander in-Chief in Government General Orders of the 11th instant, is appointed to the Assam Sebundy Corps.

The undermentioned Officers have leave of absence:

1st Regt. L. C.—Major H. L. Worrall, from 1st July to 31st December, to visit the Presidency, prepatory to applying for furlough to Europe.

36th Regt. N. I.—Capt. H. Lloyd, from 26th May to 31st July, to visit Cawnpore, on private affairs.

13th Regt. N. I.—Assistant Surgeon C. Finch, M. D., from 25th May to the 25th November, to visit the Hills North of Deyrah, on private affairs.

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*Head Quarters, Calcutta, 23d May.*

Lieut. E. Buckle, Deputy Commissary of Ordnance, is posted to the Saugor Magazine, in the room of Lieut. G. H. Dyke appointed to the Allahabad Magazine.

The undermentioned Officers have leave of absence:

72d Regt. N. I.—Captain R. Forster, from 25th May to 25th April 1836, in extention, to visit Cherra Poonjee, on sick certificate, and to enable him to rejoin his Regiment at Saugor.

2d Regt. N. I.—Lieut. J. Gifford, from 5th June to 5th September, to visit Cawnpore, on private affairs.

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*Head Quarters, Calcutta, 25th May.*

The undermentioned Officer has leave of absence:

41st Regt N. I.—Captain H. C. McKenly, (now on the Invalid Establishment) from 24th January to 6th April, to remain at Almorah, on medical certificate.—N. B. This cancels the leave granted to Captain McKenly, in General Orders of the 25th February last.

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*Head-Quarters, Calcutta, 26th May.*

Unposted Ensign G. R. J. Meares is appointed to do duty with the 10th Regt. N. I. at Barrackpore.

Apothecary John Butler, lately promoted, on being relieved from his employment in the Honorable Company's Dispensary, will do duty under the directions of the Acting Superintending Surgeon at the Presidency, until further orders.

Assistant Apothecary Michael R. Crawford, lately promoted, is directed to do duty in the General Hospital.

The undermentioned Officers have leave of absence:

9th Regt. L. C.—Lieut. W. B. Wemyss, from 5th June to 31st Oct., to visit Simla, on private affairs.

38th Regt. N. I.—Captain G. Burney from 25th July to 25th Jan. 1836, to visit the Presidency, on private affairs.

23d Regt. N. I.—Lieut. J. Sissmore, from 15th June to 15th March 1836, to visit Calcutta, on private affairs.

51st Regt. N. I.—Ensign J. Turner, from 10th May 1834 to 18th June 1834, to enable him to join his Regiment.

*Head-Quarters, Calcutta, 27th May.*

The Cawnpore Division Order of the 16th instant, appointing Captain T. Bolton, of the 47th Regt. N. I., to officiate as Deputy Judge Advocate at a Native General Court Martial ordered to assemble at Lucknow, is confirmed.

The Benares Division Orders of the 18th instant, appointing Assistant Surgeon R. Christie to perform the medical duties, Military and Civil, at Azimgurh, in the room of Assistant Surgeon J. Esdaile, M. D., obliged to leave that Station from ill health, and Assistant Surgeon J. G. Vos, M. D., to perform the medical duties, Military and Civil, of Jaunpore, are confirmed.

The Sirhind Division Order of the 13th instant, directing Shaik Golam Ghous, Native Doctor, doing duty with the 3d Regt. L. C., to proceed to Simla, and place himself under the orders of Assistant Surgeon J. B. Macdonald, is confirmed.

The undermentioned Officers have leave of absence:

31st Regt. N. I.—Ensign S. R. Tickell, from 1st June to 31st July, to appear before the Examiners of the College of Fort William.

The undermentioned Officers have leave of absence:

21st Regt. N. I.—Captain O. Lomer, from 1st June to 1st Nov., to visit the Presidency, preparatory to applying for furlough to Europe.

27th Regt. N. I.—Ensign H. Laing, from 15th May to 1st Dec., to visit the Hills in the vicinity of Simla, on medical certificate.

*Head Quarters, Calcutta, 28th May.*

The Provincial Commander in Chief is pleased to make the following Appointment:

2d Regt. N. I.—Lieut. Robert Duncan Kay to be Adjutant, vice T. W. Bolton promoted.

Hospital Apprentice George Frederick Gore, attached to His Majesty's 62d Regt., is discharged the service.

The Order to have effect from the date of the publication to the Troops at Moulmein.

Drum Major Thomas Harris, of the 65th N. I., is promoted to Sergeant, transferred to the Town Major's List, and appointed Quarter Master Sergeant to the Regt. vice Hunter appointed Sergeant Major to the 25th Regt. N. I.

Sergeant Major Peter Lockhart, of the 15th N. I., having been found unfit for his situation, is remanded to the European Regt.

*Head-Quarters, Calcutta, 29th May.*

Captain T. A. Vanrenen is removed from the 4th Company 4th Battalion Artillery to the 4th Troop 1st Brigade Horse Artillery, vice E. Biddulph promoted.

1st Lieut. J. H. Daniell, of the 4th Troop 3d Brigade Horse Artillery, is appointed Adjutant to the Neemuch Division of Artillery, vice A. Wilson promoted.

The leave of absence granted to Lieutenant R. S. Master, of the Corps of Engineers, by General Orders of the 20th ultimo, is cancelled at that Officer's request.

The undermentioned Officers have leave of absence:

65th Regt. N. I.—Captain R. Taylor, from 15th May to 15th September, to visit the Presidency, on medical certificate, preparatory to applying for furlough.

71st Regt. N. I.—Ensign H. A. Reid, from 2d June to 2d October, to visit the Presidency, on private affairs.

*Head-Quarters, Calcutta, 30th May.*

The Provincial Commander in Chief, with the sanction of the Governor General in Council, is pleased to direct, that Adjutants and Interpreters and Quarter Masters of Infantry Regiments provide themselves with steel scabbards, and sling belts. The shoulder belt to be worn with the Dress Uniform, and the black leather waist belt with the Undress.

The Meerut Division Order of the 17th instant, directing Lieut. G. Short, of the 45th N. I., to rejoin his Regiment at Agra, his services being no longer required at Allygurh, is confirmed.

The suspension from rank and pay, for six months, to which Assistant Surgeon Alexander Storm, of the 51st Regt. N. I., was sentenced by a General Court Martial, having expired, he is directed to return to his duty.

The Provincial Commander-in-Chief is pleased to make the following Appointment:

15th Regt. N. I.—Lieut. D. Ogilvy to be Interpreter and Quarter Master, vice W. Hunter promoted.

Captain H. C. McKenley, of the Invalid Establishment, is permitted to reside in the vicinity of Almorah, and to receive his pay and allowances from the Meerut Pay office.

Conductor J. Gilbert, of the Invalid Pension Establishment, is permitted to reside and draw his stipend at Monghyr.

Gunner Robert Homan, of the 3d Company 4th Battalion of Artillery, is transferred to the Town Major's List and appointed a laboratory man in the Arsenal of Fort William, from the 25th ultimo, vice Stewart, who has been transferred to the Calcutta Town Guards.

Robert Bower, a half-pay Drummer in the European Regiment, is transferred to the 51st Regt. N. I. at Agra, to fill an existing vacancy in that Corps.

The undermentioned Officers have leave of absence:

65th Regt. N. I.—Lieut. R. L. R. Charteris, from 1st May to 10th May, in extension, to enable him to rejoin his Regt.

Artillery—Supernumerary 2d Lieutenant E. R. E. Wilmot, (doing duty with the 2d Company 3d Battalion,) from 20th May to 20th November, to visit the Presidency, on medical certificate, preparatory to applying for furlough to Europe.

# SHIPPING REGISTER.

ARRIVALS.

June 1 Brig *Warwick*, J. Brewer, from Liverpool 18th January.

— Barque *Capricorn*, J. Smith, from Liverpool 4th September and Covelong 19th May.

2 Barque *Eleanor*, T. B. Timms, from Covelong 24th, and Madras 26th May.

3 H. C. steamer *Ganges*, W. Warden, from Chittagong 30th May.

4 Barque *Strath Eden*, A. Cheape, from Portsmouth 24th December, Cape of Good Hope (no date) and Madras 30th May.

6 Ship *General Kyd*, R. Aplin, from London 22d January, Portsmouth (no date) and Madras 31st May.

— Ship *Sherburne*, T. J. Warren,, from London 20th November, Cape of Good Hope (no date) and Bombay 18th May.

9 Ship *Intrinsic*, J. Chambers, from Liverpool 23d January.

11 Ship *Alexander*, W. Sanderson, from Rangoon 27th May.

13 Barque *Agnes*, R. Swan, from China 26th April, and Singapore 27th May.

— Barque *Betsey*, G. S. Jones, from Madras 5th June.

June 14 Ship *Ruparell*, John Wilson, from Bombay 28th April, and Madras 7th June.

— Ship *Allalevie*, A. R. Clark, from Bombay 7th, and Allepee 28th May.

15 Barque *Hindoo*, J. Askew, from Liverpool 12th February.

— Barque *Avoca*, Jas Boadle, from Madras (no date) and Ennore 7th June.

17 Ship *Warrior*, John Stone, from Sydney 25th April.

— Barque *Scotia*, W. Randolph, from Bombay 21st May.

— Brig *Claremont*, C. R. Stephens, from Liverpool 28th January.

— Brig *Demerara*, G. R. Tham, from London 16th August, Madras 27th May, and Ennore 7th June.

— Ship *Fort William*, Neish, from Bombay 26th May.

19 French barque *Aline*, Pichaud, from Bourbon 18th May.

— Barque *Drummore*, J. Z. McCullum, from Madras 9th June.

20 Barque *Northumbrian*, R. Taitt, from Liverpool 15th September, Mauritius 20th April and Ennore 12th June.

— Barque *Falcon*, D. Ovenstone, from China 7th and Singapore 31st May.

June 20 Ship *Lord Castlereagh*, J. Tonks, from Bombay 20th May and Madras 12th June.
— Ship *Drongan*, J. Mackenzie, from Madras 2d and Bimlipatam 15th June.
— Ship *Pascoa*, W. Morgan, from Bombay 27th May.
24 Ship *Emma*, J. Peckett, from Liverpool 24th January and Isle of France 18th May.
25 Barque *Lonach*, W. H. Driscoll, from Port Jackson 25th April and Madras 20th June.
26 Brig *May*, C. Peel, from Bombay 31st May.
29 Brig *Thames*, Thos. Arnold, from London 16th November, Isle of France and Batavia (no date), and Singapore 1st June.
— Ship *Golconda*, W. H. Bell, from Bombay 11th June.
— Barque *Fanny*, J. Sheriffe, from the Isle of France 15th May, and Madras 23d June.
— Ship *Asia*, E. Heselton, from Bombay 6th June.
30 French barque *Beaumouvir*, D. Martin, from Nantes 2d October, and Coringa 24th June.

### DEPARTURES.

June 7 Ship *John Adam*, J. Roche, for Bombay.
8 Barque *Hinda*, J. Lowthian, for London.
11 American ship *Margaret*, W. C. Stotesbury, for Philadelphia.
— Barque *Resource*, R. H. Scott, for Madras.
13 Barque *Gunga*, J. Mackinney, for Liverpool.
14 Ship *Ruby*, Wm. Warden, for China.
23 Brig *Jessy*, J. Auld, for Penang.
25 Brig *Duke of Clarence*, P. Sanford, for London.
— Ship *Ernaad*, Thomas Hill, for China.
— Brig *Elizabeth*, G. Baker, for Moulmein and Rangoon.
26 Ship *William Wilson*, J. H. Miller, for China.

### ARRIVAL OF PASSENGERS.

*Per Eleanor, from Madras.*—Captain Evert.

*Per Strath Eden, from London.*—Wilkinson Dent, Esq., Mr. Chas. Horsburgh, Mr. Henry Bishop, and Mr. J. C. Johnstone, Cadets. *From Cape of Good Hope.*—Mrs. Alexander; Major McDowal, H. M. 44th Regt.; William Alexander, Esq., Bengal Civil Service. *From Madras.*—Mr. Camuro and Mr. White.

*Per General Kyd.*—Mrs. Stokes; Mrs. Douglas; Captain J. Stokes, 4th Regt. M. N. I.; Capt. C. Douglas, 14th Regt. B. N. I.; Ensign Menzies, H. M. 3d Regt.; Ensign Seymour, H. M. 49th ditto; Cornet Jackson 4th Regt. B. N. I.; Assistant Surgeon Paton; Cadets Brook, Boyd, Ar. Boyd, Davidson, Travers, Mercer, Treton, Showers, Fenwick, Alexander Hepburne and Harvey; Mr. Mirs and Mr. McDowell, Merchants.

*Per Sherburne, from Bombay.*—Mrs. Scott, Miss Scott, and George Scott, Esq.

*Per Betsey.*—Mr. C. Noyes, Merchant.

*Per Raparel, from Madras.*—Mr. Chas. Davis, Mariner.

*Per Allalevie, from Allepee.*—T. B. Rinpell, Esq. Madras Civil Service.

*Per Agnes.*—Mrs. Palmer, Mrs. Howard; Miss Howard; Mr. Palmer; Captain Wallace; Mr. Francis; Mr. Nisbet, and Mr. Saunders, came on board from the *Haidee* at Sea.

*Per Hindoo.*—Mr. M. Bell, Merchant.

*Per Fort William.*—Mrs Neish and child.

*Per Lonach, from New South Wales.*—Lieut. J. G. Lawson, Cavalry.

*Per Thames, from Singapore.*—Mr. J. W. Lee.

### DEPARTURE OF PASSENGERS.

*Per Futta Salam.*—Mr. and Mrs. Thompson.

*Per Gaillardon, for the Straits and China.*—Mrs. Scott, Mrs. Stone, Miss Scott; G. E. Scott, Esq.; E. Stone, Esq.; B. S. Barnes, Esq.

*Per Ernaad, for China.*—William Dent, R. Betts and A. Vos, Esqrs.

*Per Perfect, for Liverpool.*—Mrs. Parker: Mrs. Dempster and child; Mrs. Jervis and child; Mrs. Gilbert and child; Captains Parker and Mailing; Lieut. Guinne; Dr. Dyce; Mr. Abel, and Lieut. Ramsay.

# DOMESTIC OCCURRENCES.

### MARRIAGES.

May 27 At Loodianah, by the Revd. W. Parish, A. B., W. L. McGregor, Esq., M. D., Assistant-Surgeon, Horse Artillery, to Anna Caroline, eldest daughter of Lieut.-Colonel and Mrs. Skardon.

28 At Sylhet, by special licence, at the house of B. Golding, Esq. Officiating Judge, by J. Stainforth, Esq., Magistrate, Alexander Grant Glass, Esq., youngest son of the late Colonel A. Glass, of Abbey Park, N. B., and late of the Bengal Artillery, to Margaret Ashley, third daughter of Captain William Bruce, I. N. of Ballygunge, Calcutta.

June 1 At St. John's Cathedral, by the Revd. Thomas Robertson, Henry Beetson, Esq. Government contractor for export of Salt, Cuttack, to Miss Mary Raily.

2 At the Cathedral, by the Revd. T. Robertson, Mr. John Harris, Pensioner, to Miss Elizabeth Leopold.

8 At the Cathedral, by the Revd. T. Dealtry, Lieut. C. W. Montrion, J N., to Miss Eliza Fergusson.

— At St. John's Cathedral, by the Revd. H. Fisher, Mr. G. Crane, to Miss F. B. Mansel, the only daughter of Mr. H. Mansel, of Calcutta.

12 At Cawnpore, John Syme Toke, Esq. Surgeon 1st Regt. N. I., to Miss Fanny Fraser Bishop, fourth daughter of the late Colonel Samuel Pidding Bishop, of this Establishment.

13 At the Cathedral, by the Revd. H. Fisher, Mr. John Maitheas D'Souza, to Miss Jane Olivia Bird.

14 At Dinapore, at St. Luke's Church, by the Revd. J. Vaughan, J. W. Hicks, Esq., Adjutant, 67th Regt. N. I., to Mary Roza, eldest daughter of the late Capt. Richards Clements Walker, Bengal N. I.

15 At St. George's Church, Agra, Capt. W. E. Hay, Major of Brigade, to Elizabeth Margaret, eldest daughther of the late Colonel Taylor, Engineers.

— At the Cathedral, by the Rev. H. Fisher, George C. Plowden, Esq. Civil Service, to Miss Elizabeth Anne Routledge.

June 22 At Benares, Alfred Peter Currie, Esq., of the Civil Service, to Jane Latham, eldest daughter of George Mainwaring, Esq., of the Civil Service.

— Capt. Wm. Bell, Superintendent of Public Works, Cuttuck Provinces, to Mary, only daughter of the late James Stuart, Esquire.

— At the Principal Roman Catholic Church, by the Revd. Mr. Moré, and afterwards at the Greek Church, by the Revd. Father Annanias, Pedro D'Silva, Esq., of Sibpoor, to Irene, second daughter of Mr. George John Esaw.

29 At St. Stephen's Church, Dum-Dum, by the Revd. Mr. Hutton, Chaplain, Bombardier D. Henderson, of Artillery, to Miss Helen Robertson.

— At the Cathedral, by the Revd. T. Robertson, Mr. B. P. Signer, to Miss Sophia DaCosta.

30 At the Boitacannah Church, by the Revd. Fre Joakim de Virgem Maria, Mr. Nicus Joseph Alves Dacosta, to Miss Thereza Mary Elloy.

### BIRTHS.

May 21 At Nusseerabad, the wife of Mr. Collins, Writer in the Brigade Office, of twin daughters.

28 At Nusseerabad, the lady of Capt. Henry W. Bellew, D. A. Q. M. Gl., of a daughter.

30 At Nusseerabad, the lady of Capt. John Hall, 8th N. I., of a daughter.

31 At Challah Factory, Mrs. Catherine Anna Lloyd, of a son.

June 1 At Sea, on board the *General Kyd*, the day after sailing from Madras, the lady of Captain Claud Douglas, 14th Regt. Bengal Native Infantry, of a daughter.

— At Muttra, the lady of Assistant-Surgeon James McRae, of the Horse Artillery, of a daughter.

2 At Bhaugulpore, the lady of W. H. Urquhart, Esq., of a son.

3 At Cawnpore, the lady of Major A. Carnegy, 15th Regiment Native Infantry, of a daughter.

— At Neemuch, the lady of Capt. A. C. Spottiswoode, of a daughter.

June 4 The lady of Lieut. Rouse, (Buffs,) of a daughter.
— At Dacca, the lady of Lieut. J. H. Hampton, 50th N. I., of a daughter.
— The lady of Capt. George Thomson, Sub-Assistant Commissary General, of a daughter.
5 At Cawnpore, the lady of Godfrey T. Greene, Esq., of the Engineers, of a daughter.
— At Cuttack, the lady of William Taylor, Esq., Civil Service, of a daughter.
6 Mrs. C. Shelverton, of a son.
— Mrs. Von Lintzgy, of a son.
10 Mrs. Dunnett, wife of Mr. J. L. Dunnet, Veterinary Surgeon, of a son.
12 Mrs. Donald Mercado, of a son.
— Mrs. W. B. Carbery, of a daughter.
14 At Chandernagore, Mrs. Ontaet, of a son.
15 Mrs. John Mendes, of a daughter.
16 Emily, the wife of Mr. Charles Brownlow, of a son.
20 At Patna, the lady of J. H. Crawford, Esq. C. S., of a son.
21 At Sultanpore, Oude, the lady of Captain N. Lowis, 63d Regiment N. I., of a son.
22 At Dum Dum, the lady of Surgeon T. E. Demptster, 4th Battalion Artillery, of a daughter.
— Mrs. P S. D'Rozario, of a daughter.
23 Mrs. W. Philipe, of a daughter.
26 At Kidderpore, the wife of Mr. G. T. F. Speed, Pleader of the Sudder Dewanee Adawlut, of a daughter.
28 At Serampore, the lady of Captain William Phillott, of the Bengal Military Service, of a daughter.
27 Mrs. Daniel Robinson, of a son.
29 Mrs. George Hill, of a son.
30 The lady of J. D. Dow, Esq., of a son.
— Mrs. John Guilleron, of a son.

## DEATHS.

Jan. 21 At Sea, on board the ship *Morley*, Major J. Glass, of the 33d Regiment N. I.
Feb. 21 At Sea, on board the *Asia*, Lieutenant Chiders.
April 2 At Secrole, Benares, Lieut. W. H. E. Colebrooke, of the 66th Regt. N. I.
8 At Patna, Mrs. Juliana Neville, aged about 45 years.
14 In the Martaban River, on board the barque *Psyche*, on his passage to Calcutta, Lieut. H. Jervis, H M.'s 62d Regt.
May 19 At Arrah, the infant son of Mr. J. W. Gray, aged 6 months and 22 days.
24 At Simlah, Lieut. Charles Edward Davis, 62d N. I., aged 29 years.
28 At Sabathu, John Poulter, Esq., Surgeon, 3d Batt., Horse Artillery.
— At Mussoorie, Amelia Rattray, aged 1 year and 3 months.
— At Neemuch, William Gilbert, son of Lieut. W. H. Nicholetts, 28th Regt. N. I., aged 6 months.
31 At Sultanpore, Benares, Capt. John Nicolson, of the 8th Light Cavalry.
June 1 At Baitool, the infant daughter of Lieutenant Pigott, 18th Regiment, aged 3 months and 26 days.
2 Miss Eliza Keitch, a ward of the European Orphan Asylum, aged 20 years.
4 At Serampore, Charlotte Caroline, the infant daughter of W. W. Baker, Esq., aged 1 year, 3 months and 3 days.
5 Mrs. Smyth, the lady of D. Carmichael Smyth, Esq. of the H. C. Civil Service.
— Miss Matilda Brown, aged 25 years and 3 months.
7 At Ahmedabad, Emily Jane, the much beloved wife of Henry T. Chatterton, Esq., Civil Surgeon, of Kaira, aged 25 years.
11 Peter Dick, late a Lieutenant in the 47th Regiment Native Infantry.
13 Amelia Adelaide, the beloved daughter of Mr. and Mrs. A. T. Smith, aged 2 years and 16 days.
14 At Monghyr, Murtough, the infant son of Mr O'Brien, Department Public Works, aged 8 months and 6 days.
15 At the Free School, Mrs. Gertrude Thomas, wife of Mr. George Thomas, Inspector of St. John's Cathedral District Charitable Society, aged 32 years and 10 days.
— Martha Margaret, the beloved wife of Mr. Peter Palmer, and only daughter of the late Capt W. Moore, of H. M. 4th Royal Veteran Battalion, aged 32 years.
16 Lieut-Colonel J. H. Cave, Bengal Army, aged 54 years.
— At Dessa, Mary Catherine, wife of William Parsons, Esq., Surgeon, 3d Light Cavalry.
17 Mr. Gentloom Aviet, senior, aged 62 years, 5 months and 25 days.
20 At Cawnpore, Isabella, the lady of Major Alexander Carnegy, 15th Regt. N. I.—most deeply and sincerely regretted.
— At Berhampore, Master J. G. V. Herklots, the son of V. D. Herklots, Esq., aged 6 years and 8 months.
22 Miss Bridget Gilmore, aged 33 years.
— Mr. James Gilbert, for many years head assistant in the office of the Hon'ble Company's Attorney, aged 56 years.
— Percival Greenlaw Duimus Warden, aged 2 years and 1 day.
25 Mrs. Squire, aged 36 years and 5 months.
— Mrs. Elizabeth Bain, aged 67 years; deeply regretted.
28 Isabella, the beloved wife of Mr. George DeSouza, of the Secret and Political Department, aged 25 years.
*No date* At the Conductor's Department, Coolie Bazar, Ann, the infant daughter of Mary and Henry Finlay, of the Ordnance Department, aged 2 months and 12 days.

# ADMINISTRATIONS TO ESTATES.

| ESTATES OF | EXECUTORS, ADMINISTRATORS, &c. |
|---|---|
| Aviet, Thakoohy, *of Moorshedabad, Widow* | V. M. Vardon, and S. M. Vardon, Executors. |
| Aviet, G, Senior, *of Calcutta* | O. Moses, Executor. |
| Beadle, S. *Mariner* | Mrs. V. Beadle, the Widow, Executrix. |
| Chalcraft, Mrs. E. *of Calcutta, Widow* | B. Valle, and R. Kerr, Executors. |
| Healey, W. F. *Pilot Service* | Registrar Supreme Court, Administrator. |
| Lycke, G. *of London* | J. Richards, Administrator, with Will annexed, as constituted Attorney of the Executor in England. |
| Mouat, Col. Sir Jas., Bart., *Engineers* | Lieutenant Sir J. A. Mouat, Administrator, with Will annexed. |
| Shakespear, Colin, *Civil Service* | Mrs. H. Shakespear, the Widow, Executrix. Dr. G. G. McPherson, her Agent. |
| Sumbhoochundro Mookhopadhya | Seebchundro Mookhopadhya, and Horomohun Mookhopadhya, Executors. |
| Vanzetti, G. L. *Captain 5th N. I.* | Registrar Supreme Court, Administrator. |

# CIVIL APPOINTMENTS, &c.

## ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, GENERAL DEPARTMENT, JUNE 24, 1835.

Mr. David Robertson, of the Civil Service, was permitted on the 25th March last to proceed to Europe, on furlough, under medical certificate.

## ORDERS BY THE HONORABLE THE GOVERNOR OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT, JUNE 2, 1835.

The following Officers have obtained leave of absence from their Stations:

Mr. N. J. Halhed, special Commissioner under Regulation III 1828, and officiating Judge of the Courts of Sudder Dewanny and Nizamut Adawlut, for two months, in extention of the leave granted to him on the 28th April 1834.

Mr. G. A. C. Plowden, Deputy Collector of Chittagong, for one month, on private affairs.

Lieutenant P Nicolson, principal Assistant to the Agent to the Governor General under Regulation XIII. 1833, to proceed to the Sand Heads, on medical certificate, in extention of the leave granted to him on the 11th ultimo.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. W. Luke, the Head Assistant at Saran, has been vested with powers of Joint Magistrate and Deputy Collector in that District.

The Honorable the Governor of Bengal has been pleased to make the following appointment.

Mr. A. Lang, to officiate, until further orders, as Joint Magistrate and Deputy Collector of Monghyr.

JUNE 4.

Mr. H. Moore to be additional Judge of Zillah Chittagong, and to continue to officiate as Civil and Session Judge of that District until further Orders.

Mr. R. Williams to officiate as additional Judge of Zillah Chittagong, during the time of Mr. Moore's employment as Judge.

Mr. H. T. Raikes to officiate as Joint Magistrate and Deputy Collector of Pulna, in the stead of Mr. H. C. Halket.

Mr. W. M. Dirom to officiate as Joint Magistrate and Deputy Collector of Rajeshahy, during the absence of Mr. Raikes, or until further orders.

The following Officer has obtained leave of absence from his Station.

Mr. J. de Hezeta, Assistant Secretary to the Lottery Committee, for a fortnight, in extension of leave granted to him on the 31st March last.

JUNE 6.

The following Officers have obtained leave of absence from their Stations:

Mr. T. Chapman Assistant Surgeon, attached to the Civil Station of Purneah, for one month, on private affairs.

JUNE 9.

The leave of absence granted by the Commissioner of the 16th or Chittagong Division, to Mr. R. M. Skinner, officiating Deputy Collector of Chittagong, for one month, from the 30th ultimo, has been sanctioned.

Mr. W. S. Alexander Joint Magistrate and Deputy Collector of Midnapore, has reported his return from Sea on the ship *Strath Eden*, on the 3d instant.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. R. W. Maxwell to be additional Judge of Zillah Behar.

Lieut. R. S. Master to be an Assistant to Captain G. Thomson, Superintendent of Roads from Bancoorah to Benares, in the room of Lieut. Abercrombie.

Baboo Huru Chunder Ghose to be a Sudder Ameen of Zillah Burdwan, ordinarily stationed at Bancoorah.

JUNE 12.

The following Officer has obtained leave of absence from his Station.

Mr. R. C. Halkett, Joint Magistrate and Deputy Collector of Nuddeah, for one month, on medical certificate, in extension of the leave granted to him on the 5th ultimo.

JUNE 13.

The Hon'ble the Governor of Bengal has been pleased to make the following appointment:

Mr. W. H. Elliott to officiate, until further orders, as Joint Magistrate and Deputy Collector of Bancoorah, in the stead of Mr. H. M. Clarke.

JUNE 16.

The following Officers have obtained leave of absence from their Stations:

Mr. W. Money, Civil and Session Judge of Beerbhoom, for three weeks, on private affairs. Mr. W. J. H. Money will conduct the current duties of the Civil Court during the absence of Mr. W. Money.

Mr. E. R. Barwell, Civil and Session Judge of the 24-Perguunahs, for one month, on medical certificate, in extension of the leave granted to him on the 19th ultimo.

Mr. J. Staniforth, Magistrate and Collector of Sylhet, for one month, on medical certificate. Mr. A. C. Bidwell will take charge of the Magistracy and Collectorship from Mr. Staniforth during his absence.

Mr. G. W. Battye, officiating Joint Magistrate and Deputy Collector of Nuddeah, for one week, on private affairs.

Mr. G. T. Shakespear, officiating Magistrate and Collector of Dinagepore, for one month, on private affairs. Mr. G. U. Yule will officiate as Magistrate and Collector during the absence of Mr. Shakespear.

Mr. H. C. Metcalfe, officiating Head Assistant to the Magistrate and Collector of Jessore, for three weeks, to proceed to the Presidency for medical aid.

JUNE 18.

The Honorable the Governor of Bengal has been pleased to make the following appointment, with the sanction of the Honorable the Governor-General of India in Council:

Mr. G. Stockwell to be a temporary Judge of the Courts of Sudder Dewanny and Nizamut Adawlut.

The Hon'ble the Governor of Bengal has been pleased to make the following appointments:

Mr. J. J. Jordon to be Sudder Ameen in the Zillah of Backergunge.

Muneerooddeen Mahomed to be ditto in the Zillah of Dacca.

Hadaet Ally Khan to be ditto in the Zillah of Shahabad.

Lackheenarrayn Nylunkur Pundit to be ditto in the Zillah of Purneah.

Moulavee Syud Mahomed Nassir to be ditto in the Zillah of Chittagong.

JUNE 23.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. David Pringle to be Magistrate and Collector of Zillah Mymunsing.

Sheik Alee Buksh to be an additional Principal Sudder Ameen in Zillah Shahabad.

The following Officer has obtained leave of absence from his Station:

Mr. R. W. Hughes, Asst. to the Magistrate and Collector of Backergunge, for two months, on medical certificate, in extension of the leave granted to him on the 5th ultimo.

JUNE 27.

The following Officers have obtained leave of absence from their stations:

Mr. H. C. Metcalfe, officiating head Assistant to the Magistrate and Collector of Jessore, for one week, in extension of the leave granted to him on the 16th instant.

Mr. G. W. Battye, officiating Joint Magistrate and Deputy Collector of Nuddeah, for one week, on private affairs, in extension of the leave granted to him on the 16th instant.

The Honorable the Governor of Bengal has been pleased to make the following appointment:

Syud Sudderul Hussen to be Sudder Ameen in Zillah Sylhet.

JUNE 30.

Mr. James Grant to be Joint Magistrate and Deputy Collector of the Central Division of Cuttack.

Mr. W. S. Alexander to officiate, until further orders, as Joint Magistrate and Deputy Collector of Maldah.

Syud Wajid Hossein to be Deputy Collector in Zillah Shahabad.

Mr. James Reily to be Principal Sudder Ameen in Zillah Rungpore.

Ramcoomar Chowdry to be Sudder Ameen in Zillah Rajeshahye.

The following Officers have obtained leave of absence from their Stations:

Mr. G. A. C. Plowden, Deputy Collector of Chittagong, for fifteen days, on private affairs, in extension of the leave granted to him by the Commissioner on the 30th ultimo.

Kazee Jullaludeen, the Principal Sudder Ameen of Mymensing, leave of absence to the 15th ultimo, in extension of the leave granted to him on the 15th September last.

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FORT WILLIAM, GENERAL DEPARTMENT, JUNE 1.

Messrs. C. F. Trower and J. B. Plumb are appointed Assistants in the office of the Superintendent of Stamps for the purpose of authenticating Stamp Papers.

JUNE 10.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. J. Peacock to be Superintendent of Salt Chokies at Dacca.

Mr. M. McLeod ditto at Burdwan.

Mr. R. Ince ditto at Backergunge.

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The Honorable the Governor of Bengal is pleased to grant to Mr. C. C. Hyde, the Commercial Resident of Bauleah, two months' leave of absence from the 15th instant, in extension of the leave granted to him under the Orders of Government, dated the 20th April last.

JUNE 13.

Mr. T. Plowden, Salt Agent of the 24 Pergunnahs and Jessore, has obtained an extension of the leave granted to him under date the 13th ultimo, for a further period of two weeks.

JUNE 17.

The Hon'ble the Governor is pleased to make the following temporary appointments:

Mr. G. J. Siddons to officiate as post Master General, and to relieve the Hon'ble J. E. Elliot on the 22d instant.

Mr. C. C. Hyde to officiate as Collector of Customs in Calcutta, and to relieve Mr. G. J. Siddons on the 22d instant.

Mr. Elliot is permitted to be absent from his appointment for one month, from the 22d instant, preparatory to his applying for leave to return to England on furlough.

JUNE 21.

Dr. John Jackson, Civil Surgeon, officiating as Opium Examiner at the Benares Agency, is confirmed in that situation.

Mr. Frederick John Morris reported qualified for the Public Service by proficiency in two of the Native Languages.

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POLITICAL DEPARTMENT, FORT WILLIAM, JUNE 15.

Mr. Assistant Surgeon Ginders, attached to Sindiah's Contingent, has obtained leave of absence for six months, from the 1st of the current month, to proceed to the Presidency, on urgent private affairs.

JUNE 22.

Ensign Henry Russell, of the 20th Regt. N. I., has been appointed an assistant to the General Superintendant of the Operations for the suppression of Thuggee, in succession to Captain Spottiswoode, transferred to the Stud Department.

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## ORDERS BY THE HONORABLE THE GOVERNOR OF AGRA.

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JUDICIAL AND REVENUE DEPARTMENT, ALLAHABAD, JUNE 1, 1835.

The following Officers have obtained leave of absence from their Stations.

Mr. E. F. Tyler, officiating Joint Magistrate and Deputy Collector of Allyghur, for three months, on private affairs, in extention of the leave granted to him on the 27th Feb last.

ALLAHABAD, JUNE 2.

The Honorable the Governor is pleased to make the following appointments:

Mr. R. Neave to officiate as additional Judge at Cawnpore.

Mr. W. P. Masson to be an Assistant under the Commissioner of Deblee.

ALLAHABAD, JUNE 4.

Mr. W. T. Thompson, officiating Joint Magistrate and Deputy Collector of the Hurriannah Division of the Deblee Territory, has obtained leave of absence from his station for one month, in extension of the leave granted to him on the 2nd January last.

ALLAHABAD, JUNE 8.

Mr. J. H. Batten Assistant to the Magistrate and Collector of Seharunpore, has obtained leave of absence from his Station, for six months, on medical certificate, from the 24th ultimo.

ALLAHABAD, JUNE 16.

Mr. A. Campbell, late Commissioner of the Bareilly Division, has obtained leave of absence for four months, on private affairs, in extention of the leave granted him on the 15th January last.

ALLAHABAD, JUNE 17.

Mr. T. E. Colebroke, Assistant to the Magistrate and Collector of Allahabad, has obtained leave of absence from his Station for two months, to proceed to Calcutta, on his private affairs.

The Hon'ble the Governor is pleased to make the following appointments:

Amaunut Hossein and Ahmud Hossein, to be additional Sudder Ameens of Zillah Bareilly.

ALLAHABAD, JUNE 18.

Mr. C. W. Fagan, officiating Principal Assistant at Seonee, has obtained leave of absence from his station for six months, on medical certificate, to proceed to the Hills.

Mr. T. J. C. Plowden has been appointed to officiate as Magistrate and Collector of South Moradabad, in consequence of the absence of Mr. Dick, on medical certificate.

ALLAHABAD, JUNE 27.

Mr. R. K. Dick, officiating Magistrate and Collector of South Moradabad, has obtained leave of absence from his Station to the 15th November next on medical certificate.

The permission granted by the Commissioner to Mr. Dick, to proceed to the Hills in anticipation of the compliance of Government with his application, is approved.

ALLAHABAD, JUNE 29.

The Honorable the Governor of Agra has, at the request of the Honorable the Governor of Bengal, placed the services of Mr. F. Lowth at the disposal of that Government.

ALLAHABAD, JUNE 30.

The appointment of Mr. J. S. Boldero to officiate as a Judge of the Sudder Dewanny and Nizamut Adawlut at Allahabad, has been cancelled from this date.

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GENERAL DEPARTMENT, ECCLESIASTICAL, ALLAHABAD, JUNE 10.

The Honorable the Governor of Agra has been pleased to grant to the Revd. Robert Everest, A. M., District Chaplain at Delhi, an extension of the leave of absence obtained by him from the Supreme Government, under date the 8th April last, for a period of three months, viz. from the 1st August to the 1st of November next.

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POLITICAL DEPARTMENT, ALLAHABAD, JUNE 17.

The Honorable the Governor of Agra has been pleased to appoint Mr. T. T. Metcalfe to be Agent to the Governor at Delhie.

ALLAHABAD, JUNE 24.

The Honorable the Governor of Agra has been pleased to appoint Lieut. J. H. Phillips, of the 42d Regt. N. I., to be an Assistant to the Agent to the Governor at Delhie.

The Honorable the Governor of Agra has been pleased to appoint Mr. C. Gubbins to be First Assistant to the Agent to the Governor at Delhie, vice the late Mr. M. Blake.

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# MILITARY APPOINTMENTS, &c.

## GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

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FORT WILLIAM, 1st JUNE, 1835.

No. 136 of 1835.—With reference to General Orders No. 39 of 1st February 1834, the amount of Security to be furnished by the Pay Master at the Presidency, is limited to (40,000) Forty Thousand rupees.

No. 137 of 1835.—The Governor-General of India in Council is pleased to make the following Promotions and Appointments:

*6th Regiment Light Cavalry.*—Lieut. Robert Aitkin, to be Capt. of a Troop, and Cornet Edward Tayler to be Lieut., from the 8th May 1833, in succession to Capt. G. Forster deceased, struck off after the expiration of 2 years from the date of landing in England.

Cornet William John Edward Boys to be Lieutenant, from the 18th August, 1834, vice Lieut. Edward Taylor deceased.

*26th Regiment Native Infantry.* Ensign Robert Spencer to be Lieut. from the 7th May, 1835, vice Lieut. Malcolm Nicolson deceased.

The undermentioned Officers, of the Infantry and Cavalry are promoted to the rank of Captain, by Brevet, from the dates specified oppposite to their respective names:

*Infantry.*—36th Regt. N. I.—Lieut. William Cossart Carleton, 24th May, 1835.

*Cavalry.*—5th Regt. L. C.—Lieut. Edward Macleod Blair, 24th May, 1835.

Lieutenant Hugh Boyd, of the 15th Regt. N. I., to be Agent for Family Money and Pay Master of Native Pensioners at Barrackpore, in succession to Major Turner who vacates the appointment on promotion to that rank.

Assistant Surgeon Charles Griffiths to the medical charge of the Civil station of Sylhet.

Rank is assigned to the undermentioned Officers of Infantry and Assistant Surgeons, from the dates specified opposite to their respective names:

*25th Regiment Native Infantry.*—Captain Bristow Marshall, and Lieut. Walter Hore, to rank from the 5th Sept. 1834, in succession to Capt. Robert Rush Margrave deceased.

*Infantry.*—Ensign Edmund Sissmore, 1st November, 1834.

*Medical Department.*—Assistant Surgeons Thomas Christopher Hunter, 24th July, 1834; Richard Campbel M'Connochie, 3d Sept., 1834; John Williams Knight, 5th October, 1834; and John Stewart Sutherland, 16th November 1834.

Lieutenant C. G. Ross, Deputy Judge Advocate General of the Western division, has leave of absence, on medical certificate, to visit Bombay, from the 15th December 1834 to the 30th April last.

Cornet C. Wollaston, of the 8th Regt. L. C., and a Sub Assistant in the Stud Department, is permitted to remain at Jubbulpore, on medical certificate, for three months, viz. from the 1st May to the 31st July next.

Assistant Surgeon John Vaux Leese, of the medical department, is permitted to proceed to Sea, on medical certificate, and to be absent from Bengal on that account for six months.

In consideration of the long and faithful services of Subadar Major Dhonnah Pandy, late of the 67th Regt. N. I., the Honorable the Governor General of India in Council is pleased to sanction the grant, to that Native Officer, of the Brevet Pay of his rank, from the date of his transfer to the Invalid Establishment.

Native Doctor, Meer Nizabut Allee, attached to Zillah Burdwan, is placed at the disposal of the Provincial Commander-in-Chief.

The undermentioned Officers were appointed, in the Political Department, Assistants to the General Superintendent of the Operations for the Suppression of Thuggie, under the dates specified:

*11th May*, 1835.

Captain A. C. Spottiswoode, of the 37th Regt. N. I.

25th *May*, 1835.

Lieutenant Charles Brown, of the 18th Regt. N. I.

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No. 139 of 1835.—The Governor General has been pleased to accept the resignation of the Command of the Calcutta Native Militia, tendered by Major A. F. Richmond, and to nominate Lieut. and Brevet Capt. Nathaniel J. Cumberlege, of the 74th Regt. N. I., to that appointment.

Assistant Surgeon R. C. McConnochie is appointed temporarily to the medical charge of the Civil Station of Burdwan, in the room of Assistant Surgeon Cheek, who has obtained, in the Judicial Department, under date the 26th ultimo, leave of absence, on private affairs, for six months, commencing from the 15th instant.

The following Promotion made by the Hon'ble the Governor General, is published in General Orders:

*Calcutta Native Militia.*—Havildar Bhenick Rhaout to be Jemadar, from the 15th November, 1831, vice Ummer Sing struck off, for over staying his leave of absence.

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FORT WILLIAM, 5TH JUNE.

No. 140 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following Promotions and Alteration of Rank:

Infantry.—Lieut.-Col. and Brevet Col. Philip Le Fevre to be Colonel, vice Colonel (Lieutenant General) A. Fergusson deceased, with rank from the 18th Dec. 1831, vice Col. James Robertson deceased.

Major Lewis Robert Stacy to be Lieutenant Colonel, vice Lieut Col. and Brevet Col. Philip Le Fevre promoted, with rank from the 23d Feb. 1835, vice Lieut.-Col. Arthur Shuldham deceased.

32d Regt. N. I.—Captain William Chercher Oriel to be Major, Lieut. and Brevet Captain Charles Haldane to be Captain of a Company, and Ensign Earnest Charles Francis Beaumont to be Lieutenant, from the 23d Feb. 1835, in succession to Major Lewis Robert Stacy promoted.

55th Regt. N. I.—Ensign Samuel David Agar to be Lieutenant, from the 31st May, 1835, vice Lieutenant James Awdry deceased.

Alteration of rank.—Infantry.—Colonel B. Roope, to rank from 29th Nov. 1834, vice Col. (Lieut.-Gen.) A. Fergusson deceased.

73d Native Infantry.—Lieut.-Col. W. A. Yates, Major R. Home, Captain R. A. Cumberlege, and Lieut. J. N. Marshall to rank from 29th Nov. 1834, vice Lieut. Col. B. Roope promoted.

67th Native Infantry.—Lieut. Col. H. T. Smith, Major W. Grant, Captain H. O. Frederick, and Lieut. J. D. Broughton, to rank from 18th Dec. 1834 vice Lieut. Col. and Brevet Col. P. Le Fevre promoted.

2d Native Infantry.—Lieut. Col. D. Dowie, Major S. Maltby (retired), Captain R. Woodward, and Lieut. J. Shaw, to rank from 11th Feb. 1835, vice Lieut. Col. F. Gough deceased.

The undermentioned Officers of the Infantry are promoted to the rank of Captain, by Brevet, from the dates specified opposite to their respective names:

Left Wing European Regt.—Lieut. Thomas Lysaght, 3d June 1835

32d Regt N. I.—Lieut. Alfred Lewis, 5th June 1835.

34th Regt. N. I.—Lieut. Richard Angelo, 5th June 1835.

Captain Edward Sanders, of Engineers, and officiating Secretary to the Military Board, having reported his arrival at the Presidency, is directed to assume the duties of his office.

Lieutenant James Thomas Gordon, of the 15th Regt. N. I., is permitted to proceed to Europe, on furlough, on account of his private affairs.

Ensign W. H. L. Bird, of the 12th Regt. N. I., has further extension of leave from the 21st March last to the 20th ultimo in addition to that granted him in General Orders No. 154, of the 31st July 1834.

Acting Assistant Apothecary James Healy is appointed an Assistant to the Honorable Company's Dispensary, vice Butler promoted to the rank of Apothecary.

Gunner Edward Smith, of the 3d Battalion of Horse Artillery is appointed an Assistant Overseer in the Department of Public Works, on the salary allowed for that rank, and attached to the Mhow Division.

Captain G. C. Dixon, of the Artillery, was appointed in the Political Department, under date the 1st instant, to officiate as Political Agent in Mhairwarrah, during the absence of Lieut. Col. Hall, or until further orders.

Assistant Surgeon G. N. Cheek, attached to the Civil Station of Burdwan, has obtained, in the Judicial and Revenue Department, under date the 26th ultimo, leave of absence, from his station, on private affairs, for six months, from the 15th instant.

Lieutenant P. Nicolson, Principal Assistant to the Agent to the Governor General under Regulation XIII. has obtained, in the Judicial and Revenue Department, under date the 2d instant, leave of absence, on medical certificate, to proceed to the Sand Heads, in extension to that granted him on the 14th ultimo.

The Honorable the Governor of Agra was pleased, under date the 28th ultimo, to grant to Lieut. G. J. Fraser, Revenue Surveyor in Sutheswan, leave of absence for one month, on private affairs, commencing from the 1st instant.

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No. 142 of 1835.—The Honorable the Governor-General of India in Council is pleased to make the following promotion, alteration of rank, and appointments:

Regiment of Artillery.—2d Lieut. John Davidson Bell to be 1st Lieutenant, vice H. Sanders deceased, with rank from the 10th May, 1835, vice P. Jackson promoted.

Alteration of rank.—1st Lieut. G. G. Chauner to rank from the 1st Feb., 1835, vice H. Sanders deceased.

1st Lieut. F. R. Bazely, of the Regiment of Artillery, to officiate as a Commissary of Ordnance, during the absence of Captain Dixon appointed Acting Political Agent in Mhairwarrah, or until further orders.

Lieut. H. T. Tucker, of the 8th Regt. N. I. to do duty with the Assam Sebundie Corps.

Asst. Surgeon J. S. Sutherland to the temporary medical charge of the Civil Station of Furreedpore, in the room of Assistant Surgeon Kean, whose appointment to that Station is cancelled.

The undermentioned gentlemen are admitted to the Service, in conformity with thier appointment by the Honorable the Court of Directors, as Cadets of Infantry on this establishment, and promoted to the rank of Ensign, leaving the dates of their Commission for future adjustment.

Infantry.—Messrs. Charles Bell Horsburgh, Henry Bishop, and John Campbell Johnston; date of arrival at Fort William, 5th June 1835.

No. 144 of 1835.—Ensign W. H. Ryves, of the 61st Regt. N. I., is permitted to decline his appointment to the Arracan Local Battalion, which was announced in General Orders No. 97, of the 23d April last.

The undermentioned Gentlemen are admitted to the Service, in conformity with their appointment by the Honorable the Court of Directors, as Cadets of Cavalry and Infantry, and an Assistant Surgeon, on this Establishment. The Cadets are promoted to the rank of Cornet and Ensign respectively, leaving the dates of their Commissions for future adjustment:

Cavalry.—Mr. William Charles Alexander; date of arrival at Fort William, 7th June, 1835.

Infantry.—Messrs. Collingwood Foster Fenwick, Alexander Boyd, Brooke Boyd, William Henry Davidson, Cosmo Alexander Hepburne, Gerald Augustus Frederick Hervey and William Remington Mercer, ditto, 7th June, 1835.

Joseph Hennessy Fulton, Charles Lionel Showers, and Henry Millet Travers, ditto, 8th June, 1835.

Medical Department.—Mr. George Paton, M. D., ditto, 7th June, 1835.

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FORT WILLIAM 11TH JUNE.

No. 145 of 1835.—The following appointment made by the Honorable the Governor General, is published in General Orders:

Captain J. D. Stokes, of the 4th Regiment Madras Nat. Inf., to be an Aide-de-Camp, on the Personal Staff of the Governor General, vice Captain W. M. Smyth who has resigned that appointment.

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FORT WILLIAM, 15TH JUNE.

No. 146 of 1835.—The Honorable the Governor-General of India in Council is pleased to make the following promotions and appointments:

8th Regt. L. C.—Lieut. and Brevet Captain Charles Herbert White to be Captain of a Troop, from the 31st May 1835, vice Captain John Nicolson deceased.

Supernumerary Lieutenant George Cautley is brought on the effective strength of the Regiment.

62d Regt. N. I.—Ensign Kenward Wallace Elmslie to be Lieut., from the 23d May 1835, vice C. E. Davis deceased.

Medical Department.—Assistant Surgeon Richard Nossiter Burnard to be Surgeon, from the 28th May 1835, vice Surgeon John Coulter deceased.

Lieut. E. R. Lyons, of the 37th Regt. N. I., to do duty with the Assam Light Infantry.

Lieut. J. Wemyss, of the 44th Regt. N. I., to do duty with the Talain Corps.

Lieut. H. C. Baddeley, of the 61st Regt. N. I., to do duty with the Arracan Local Battalion.

The undermentioned Officer is brought on the effective strength of the Regt. of Artillery on the Establishment, from the date specified opposite to his name:

Supernumerary 2d Lieut. Frederick Lumley Goodwin, from the 10th May 1835, in succession to Captain John Edward Debrett deceased.

Cornet George Jackson, of the 4th Regt. L. C., has returned to his duty on this Establishment, by permission of the Honorable the Court of Directors, without prejudice to his rank; date of arrival at Fort William, 8th June, 1835.

Lieut. J. H. Phillips, of the 42d Regt. N. I., is placed at the disposal of the Hon'ble the Governor of Agra, for employment under that Government.

The Honorable the Governor of Bengal was pleased in the Judicial Department, under date the 9th instant, to appoint Lieut. R. S. Master, of Engineers, to be an assistant to Captain G. Thomson, Superintendent of Roads, from Bancoorah to Benares, in the room of Lieut. Abercrombie.

The Honorable the Governor of Agra was pleased, under date the 29th ultimo, to grant to Assistant Surgeon J. Esdaile, M. D., attached to the Civil Station of Azimgurh, leave of absence, for two months, on medical certificate, from the 16th May 1835.

Farrier Serjeant William Geering, of the 4th Troop 1st Brigade Horse Artillery, is admitted to the benefits of the Pension, sanctioned by Minutes of Council of the 11th Feb., 1797 and Government General Orders, dated the 5th Feb., 1820, and permitted to draw his stipend at Monghyr.

In consideration of the long and faithful services of Subadar Major Sonbah Sing, late of the 51st Regt. N. I., the Hon'ble the Governor General of India in Council is pleased to sanction the grant of the Brevet Pay of his rank to that Native Officer, commencing from the date of his transfer to the Pension Establishment.

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No. 117 of 1835.—The Governor General of India in Council is pleased to make the following promotions and alteration of rank:

Regiment of Artillery.—1st Lieut. and Brevet Captain David Ewart to be Captain, and 2d-Lieut. Alworth Merewether Seppings to be 1st Lieut., vice T. D'Oyly deceased, with rank from the 10th May 1835, vice J. E. Debrett deceased.

Alteration of Rank.—Captain H. Rutherford to rank from 25th Sept., 1834, vice T. D'Oyly deceased.

Captain A. Wilson to rank from 5th Oct., 1834, vice P. G. Matheson deceased.

Captain P. Jackson to rank from 1st Dec., 1834, vice E. Biddulph promoted.

1st Lieutenant R. R. Kinleside to rank from 25th Sept., 1834, vice H. Rutherford promoted.

1st Lieut. F. C. Barnett to rank from 15th Oct., 1834, vice A. Wilson promoted.

1st Lieut. G. G. Channer to rank from 1st Dec., 1834, vice P. Jackson promoted.

1st Lieut. J. D. Bell to rank from 1st Feb., 1835, vice H Sanders deceased.

Ensign J. Smith, of the 49th Regt. N. I., is permitted to decline his appointment to the Arracan Local Battalion, which was announced in General Orders No. 44, of the 19th Feb. last

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FORT WILLIAM, 24TH JUNE.

No. 150 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following promotions and appointments:

Infantry.—Major Richard Coventry Faithful to be Lieutenant Colonel, from the 16th June, 1835, vice Lieut. Col. and Brevet Col. John Henry Cave deceased.

14th Regt. N. I.—Captain William John Gairdner to be Major, and Lieutenant Edward John Dickey to be Captain of a Company, from the 16th June 1835, in succession to Major Richard Coventry Faithful promoted.

Supernumerary Lieut. John French is brought on the effective strength of the Regiment.

Captain Arthur Cole Spottiswoode of the 37th Regt. N. I. to be a Sub-Assistant in the Stud Department, in succession to Lieut. H. Boyd.

Captain Browne Wood, of the 10th Regt. N. I., to relieve Major Turner, late Agent for Family Money and Pay Master of Native Pensioners at Barrackpore from the charge of that office, pending the arrival of Lieut. Boyd, or until further orders.

Lieutenant and Brevet Captain E. F. Day, of the Regt. of Artillery, to act for Captain Cartwright in the Ordnance Commissariat at the Artillery Laboratory School at Dum Dum. Lieut. and Brevet Captain Peter Arnold Torckler, of Artillery, to remain in charge of the above situations until relieved by Brevet Captain Day.

Assistant Surgeon Charles Llewellyn is confirmed in his temporary appointment to the medical duties of the Civil Station of Mymensing.

The undermentioned officers are brought on the effective strength of the Artillery and Cavalry on this establishment from the dates expressed opposite to their names:

Artillery.—Supernumerary 2d Lieut. Edward Revel Eardly Wilmot, from the 19th May 1835, in succession to Col. Robert Hetzler, C. B., deceased.

Cavalry.—Supernumerary Cornet Henry Young Bazett, from the 23d May 1835, in succession to Captain George Forster deceased.

Supernumerary Cornet Edward Harvey, from the 28th May 1835, in succession to Lieut. Edward Tayler deceased.

Captain Cland Douglas, of the 14th Regt. N. I., has returned to his rank, by permission of the Honorable the Court of Directors. The date of Captain Douglas' arrival at Fort William is to be considered as having taken place on the 8th instant.

The undermentioned Officers are permitted to proceed to Europe on furlough:

Major William Turner, of the 54th Regt. N. I., and Ensign Archibald Macdonald; of the 40th Regt. N. I. on medical certificate.

Lieut. Henry William Leacock, of the 74th Regt. N. I., on account of private affairs.

Assistant Surgeon Thomas Ginders, attached to Scindiah's Contingent, has obtained in the Political Department, under date the 15th instant, leave of absence for six months, from the 1st of the current month, to visit the Presidency, on private affairs.

In consideration of the long and faithful services of Subadar Major Baldie Sing, late of the 48th Regt. N. I., the Honorable the Governor General of India in Council is pleased to sanction the grant of the Brevet Pay of his rank to that Native Officer, from the date of his transfer to the Invalid Establishment.

Quarter Master Serjeant Francis Gibs, of the 5th Regt. L. C., is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th Jan. 1797, and General Orders

Bated 5th Feb. 1820, subject to the confirmation of the Honorable the Court of Directors, with permission to receive his stipend in England.

The undermentioned Officers are promoted to the rank of Captain by Brevet from the date expressed opposite to their names:

*Regiment of Artillery.*—1st Lieutenants James Alexander, Edward Cumberland Thomas Bostock Hughes, Henry Clerk, Edward Fitzgerald Day, Henry Humfrey, William Anderson, Joseph Turton, Frederick Brind, and John Lealand Mowatt, 16th June 1835.

Mr. A. Torrick is permitted to resign his situation as a third class Sub Assistant of the Great Trigonometrical Survey.

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No. 152 of 1835.—The Honorable the Governor-General of India in Council is pleased to make the following appointment:

Captain Cortland Skinner Barberie, of the 16th Regiment N. I., to be 2d in Command of the Assam Sebundie Corps.

Assistant Surgeon P. H. Brett is placed at the disposal of the Honorable the Governor of Agra, for employment under that Government.

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FORT WILLIAM, 29TH JUNE.

No. 153 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following promotion in the Army Commissariat Department:

Lieut. James Ramsay, Senior Sub-Assistant, to be a Deputy Assistant Commissary General of the 2d Class, in succession to Major W. J. Gairdener who vacates his appointment in the department on promotion to that rank.

Supernumerary 2d Lieut. William Henry Delamain is brought on the effective strength of the Regiment of Artillery, on this Establishment, from the 6th June 1835, in succession to 1st Lieut. Henry Sanders deceased.

Captain Robert Taylor, of the 65th Regt. N. I., is permitted to proceed to Europe, on furlough on medical certificate.

Ensign Henry Russell, of the 20th Regt. N. I., was appointed in the Political Department, under date the 22d instant, an Assistant to the General Superintendent of the Operations for the Suppression of Thuggee, in succession to Captain Spottiswoode transferred to the Stud Department.

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No. 154 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following appointments:

Captain Edward John Dickey, of the 14th Regt. N. I., to be a Sub Assistant in the Stud Department, in the room of Captain Barberie, appointed 2d in Command of the Assam Sebundy Corps.

Lieut. Frederic Lloyd, of the 19th Regt. N. I., to be a Sub-Assistant Commissary General, vice Lieut. Ramsay promoted in the Department.

Supernumerary 2d Lieut. Henry Robert Æneas Trevor is brought on the effective strength of the Regiment of Artillery, on this Establishment, from the 8th June, 1835, in succession to Capt. Thomas D'Oyly deceased.

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No. 156 of 1835.—His Majesty's 62d Regt. of Foot will be retransferred to the Presidency of Fort Saint George, from the 1st November next.

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## GENERAL ORDERS BY THE PROVINCIAL COMMANDER-IN-CHIEF.

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*Head-Quarters, Calcutta, 2d June, 1835.*

The Regimental Order by Lieut. G. B. Tremenheere, in charge of the Sappers and Miners, dated the 20th ultimo, appointing 2d Lieut. E. J. Brown to act as Adjt., during Lieut Tremenheere's temporary charge of the Corps, is confirmed.

Ensign Septimus Harding Becher is removed from the 63d to the 61st Regt. N. I., as junior of his rank.

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*Head-Quarters, Calcutta, 3d June.*

The following removals and postings will take place in the Regiment of Artillery:—

Colonel G. Swiney, new promotion, (on furlough) to the 2d Battalion; Lieut. Col. W. Battine, new promotion, (Principal Commissary of Ordnance) to the 3d Battalion; Majors J. Tennant, (Assistant Adjutant General of Artillery) from the 6th to the 7th Battalion; E. Biddulph, new promotion, to the 3d Brigade Horse Artillery, and J. C. Hyde, (on furlough) from the 3d Brigade Horse Artillery to the 6th Battalion; Captains G. H. Woodroffe, (Commissary of Ordnance) from the 3d Company 1st Battalion to the 4th Company 4th Battalion; J. Johnson, from the 4th Company 2d Battalion to the 3d Company 1st Battalion; A. Wilson, new promotion, to the 4th Company 2d Battalion, and P. Jackson, new promotion, to the 1st Company 3d Battalion; 1st Lieutenant and Brevet Captain C. Dallas, (Deputy Commissary of Ordnance) from the 1st Company 2d Battalion to the 3d Company 1st Battalion; 1st Lieutenants J. Whitefoord, (on furlough) from the 3d Company 3d Battalion to 2d Company 4th Battalion; F. C. Burnett, new promotion, (on furlough) to the 1st Troop 1st Brigade Horse Artillery, and G. G. Channer, new promotion, to the 1st Company 5th Battalion: 2d Lieutenants F. Wall, (on furlough) from the 1st Company 3d Battalion to the 1st Company 5th Battalion; M. Mackenzie, from the 2d Troop 1st Brigade to the 4th Troop 1st Brigade Horse Artillery; F. L. Goodin to the 2d Troop 3d Brigade Horse Artillery; E. R. E. Wilmot to the 2d Company 3d Battalion.

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The Cawnpore Division Order of the 20th ultimo, by Brigadier General R. Stevenson, C. B., directing Assistant Surgeon J. Fender, of the 53d Regt. N. I., to receive medical charge of the Civil Station of Etawah from Assistant Surgeon W. Rait, and the latter gentleman, on being relieved, to repair to Cawnpore, and do duty with his Majesty's 16th Foot, is confirmed.

Lieutenant R. Cautley, Interpreter and Quarter Master of the 10th Regt. L. C., is permitted, at the expiration of his present leave, to join and do duty at the Landour Depôt, until the 1st November next.

The undermentioned Officers have leave of absence:

8th Regt L. C.—Lieut. G. Cautley, from 30th May to 30th May 1836, in extension, to remain in the Hills North of Deyrah, on medical certificate.

5th Battalion Artillery—Brevet Col. J. A. Biggs, from 5th July to 5th Oct. to visit Cawnpore and Lucknow, on private affairs.

4th Troop 1st Brigade Horse Artillery—Lieut. and Brevet Captain C. Grant, from 20th May to 20th Nov. to visit the Hills North of Deyrah Dhoon, on medical certificate.

3d Regt. Local Horse—Lieut G. R. Siddons, 2d in Command, from 15th July to 15th Jan. 1836, to visit the Presidency, on private affairs.

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*Head-Quarters, Calcutta, 4th June.*

The Brigade Order issued by Brigadier E. Wyatt, Commanding the Shekawait Force, under date the 2d March last, appointing Lieut. D. Ramsay, of the 37th Regt. N. I., to act as Adjutant to the 3d Local Horse, during the absence of Local Lieut. and Adjutant H. Forster, is confirmed.

The undermentioned Officers have leave of absence:

12th Regt. N. I.—Ensign and Adjutant J. H. Ferris, from 15th June to 15th Oct., to visit the Presidency, on private affairs.

73d Regt. N. I.—Brevet Colonel J. H. Cave, from 11th May to 11th July, to remain at the Presidency, preparatory to embarking for Van Dieman's Land.

5th Regt. L. C.—Cornet W. H. Hepburne, from 27th May to 15th July, to enable him to rejoin his Regt.

39th Regt. N. I.—Major F. Grant, from 11th March to 1st February 1836, to remain in Munnipore, on medical certificate, and to enable him to join his Regt.

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*Head Quarters, Calcutta, 5th June.*

The Provincial Commander in Chief is pleased to confirm, as a temporary arrangement, the Station order issued by Brigadier C. Brown, C. B., Commandant of Artillery, under date the 1st instant, appointing Lieut. and Brevet Captain P. A. Forckler, of the Artillery, to the charge of the Expense Magazine and Laboratory School consequent on the appointment of Captain T. A. Vaurenen to the Command of the 4th Troop 1st Brigade Horse Artillery, and also to officiate as Commissary of Ordnance, during the period Captain J. Cartwright may officiate as Assistant Adjutant General of Artillery.

Captain J. D. Douglas, Deputy Assistant Adjutant General is directed to do duty in the Benares Division, during the absence on leave of Brevet Major D. D. Anderson, Assistant Adjutant General of that Division.

Lieutenant R. Ramsay, of the 10th Regt. N. I., is exempted from further examination in the Native languages, having been declared by the Examiners of the College of Fort William to be fully qualified for the appointment of Interpreter.

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*Head Quarters, Calcutta, 8th June.*

The Provincial Commander in Chief is pleased to make the following removals:

Brevet Colonel J. H. Cave, from the 73d to 38th Regt. N. I at Secrole, Benares.

Lieutenant Colonel G. Williamson, (on furlough) from the 38th to the 56th Regt. N. I.

Lieutenant Colonel J. Hunter, from the 56th to the 17th Regt. N. I. at Nusseerabad.

Lieutenant Colonel H. T. Smith, from the 17th to the 73d Regt. N. I. at Barrackpore.

Assistant Surgeon J. Innes, M. D., attached to the Civil Station of Bhauggulpore, is appointed to the medical charge of the Corps of Hill Rangers, during the absence, on leave, of Assistant Surgeon W. B. Webster.

Assistant Surgeon T. Leckie, now doing duty with the Artillery at Dum-Dum, is posted to the 4th Battalion.

The undermentioned Officers have leave of absence:

30th Regt. N. I.—Captain E. T. Milner, from 1st July to 31st December, to visit the Presidency, on private affairs.

8th Regt. N. I.—Lieut. H. T. Tucker, from 24th June to 30th October, to visit Kurnaul, on private affairs.

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*Head-Quarters, Calcutta, 9th June.*

The Meerut Division Order of the 23d ultimo, by Major General the Hon'ble J. Ramsay, directing Peer Buckus, Native Doctor, doing duty with the Sirmoor Battalion, to proceed to Mussoorie, and to place himself under the orders of Assistant Surgeon C. McCurdy, is confirmed.

The Provincial Commander in Chief is pleased to confirm the Regimental Order by Lieut.-Colonel H. T. Smith, Commanding the 67th N. I., under date the 15th March last, directing Captain H. O. Frederick to act as Adjutant, until further orders.

The Provincial Commander-in-Chief is pleased to make the following removals and postings:

Colonel William Clinton Baddeley, C. B., (in the Nizam's Service) from the 15th to the 74th Regt. N. I.

Colonel Philip LeFevre (new promotion) to the 15th Regt. N. I.

Lieut.-Colonel William Gordon Mackenzie, (on furlough) from the 32d to the 15th Regt. N. I.

Lieut.-Colonel Lewis Robert Stacy (new promotion) to the 43d Regt. N. I.

Nundlall Missur, Native Doctor, who was directed to do duty under the Superintending Surgeon at Benaras, in General orders of the 20th February last, is posted to the 11th Regt. N. I. at Goruckpore, in the room of Meer Reeaz Allee deceased.

Davey Sing, Sepoy, 1st Company 7th Regt. N. I., having been duly examined and pronounced unfit for further duty is to be transferred to the Pension Establishment from the 1st ultimo.

The undermentioned officers have leave of absence:

1st Regiment Light Cavalry—Captain A. L. Campbell, from 1st September to 1st January 1836, to visit the Presidency, preparatory to submitting an application for furlough to Europe.

1st Regt. L. C.—Lieut. W. L. L. Scott, from 1st October to 31st January 1836, to visit the Presidency, preparatory to submitting an application for furlough to Europe.

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*Head-Quarters, Calcutta, 11th June.*

The following Cawnpore Division Orders are confirmed:

*8d May.*—Directing Assistant Surgeon S. Winbolt to do duty in the Foot Artillery Hospital at Cawnpore, until further orders.

*31st May.*—Directing Assistant Surgeon J. W. Knight to do duty with the 3d Battalion of Artillery, until further orders.

The leave of absence granted to Lieut. R. Steuart, of the 20th Regt. N. I., in General Orders of the 8th ultimo, is cancelled at his own request.

The undermentioned Officers have leave of absence:

Invalid Establishment.—Captain H. Tanner, from 1st June to 1st September, to visit the Presidency, on medical certificate, preparatory to applying for leave to proceed to sea.

Hill Rangers.—Assistant Surgeon W. B. Webster, from 15th June to 31st August, to visit Calcutta, on urgent private affairs.

57th Regt. N. I.—Major A. Harvey, from 15th June to 15th October, to visit the Presidency, on private affairs.

4th Troop 3d Brigade Horse Artillery.—1st Lieut. J. H. Daniel, Adjutant to the Neemuch Division of Artillery, from 25th May to 15th July, to remain at Cawnpore.

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*Head Quarters, Calcutta, 12th June.*

With reference to Government General Orders No. 130, of the 25th ultimo, the Provincial Commander-in Chief is pleased to direct, under instructions from the Hon'ble the Governor General of India in Council, that, when the number of Field Officers may be too small in Camp or Quaters, Colonels not Commanding Brigades shall be placed on the Field Officers' Roster.

Ensigns A. Boyd, B. Boyd and J. H. Fulton, recently admitted to the Service, are at their own request, appointed to do duty with the 57th Regt. N. I. at Benares, and directed to join.

The undermentioned Officers have leave of absence:

5th Battalion Artillery—Lieut. J. Turton, Adjutant and Quarter Master, from 25th June to 25th December, to visit Simla and the Presidency, on private affairs.

20th Regt. N. I.—Lieut. C. Rattray, from 28th May to 28th November, to visit Simla, on medical certificate.

*Head-Quarters, Calcutta, 13th June*

The Dinapore Division Order of the 1st instant, appointing Lieut. Interpreter and Quarter Master J. R. Younger, of the 56th Regt. N. I., to officiate as Deputy Judge Advocate at an European General Court Martial ordered to assemble at Dinapore, for the trial of private Edward Setchfield, of the European Regt., is confirmed.

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*Head-Quarters, Calcutta, 15th June.*

The Agra Garrison and Station Order of the 25th ultimo, placing, on the requisition of the Resident at Gwalior, Assistant Surgeon A. Keir, M. D., doing duty with His Majesty's 13th Regt. of Foot, at his disposal, from the 1st June, is confirmed.

Neemuch Station Order of the 27th ultimo, directing 1st Lieut. H. Goodwyn, Executive Officer at Neemuch, (who has been removed to the Berhampore division) to make over charge of his office to 2d Lieut. G. H. Fagan, is confirmed.

The Provincial Commander in-Chief is pleased to confirm the following Regimental and Station Orders issued by Major (now Lieutenant Colonel) L. R. Stacy, under date the 28th ultimo:

Appointing Lieut. A. Lewis, of the 32d Regt. N. I., to act as Adjutant to that Corps, and as Station Staff at Allygurh, during the absence, on leave, of Ensign and Adjutant W. W. Davidson.

The undermentioned unposted Ensigns, lately admitted into the Service, are appointed to do duty with the Regiments stated opposite to their respective names, and directed to join:

Ensigns Charles Bell Horsburgh, with the 32d Regt. N. I. at Allygurh, at his own request; Henry Bishop, with the 71st Regt. N. I. at Cawnpore, at his own request; John Campbell Johnstone, with the 57th Regt. N. I. at Secrole, Benares; Collingwood Foster Fenwick, with the 34th Regt. N. I. at Midnapore; Cosmo Alexander Hepburne, with the 34th Regt. N. I. at Midnapore; William Remington Mercer, with the 70th Regt. N. I. at Bandah, at his own request; and Henry Millett Travers, with the 57th Regt. N. I. at Secrole, Benares.

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*Head Quarters, Calcutta, 16th June.*

The District Order by Major W. H. Hewitt, Commanding in Arracan, dated Khyouk Phyoo, 20th ultimo, placing Lieut. J. R. Lumsden of the 63d Regt. N. I., and Adjutant of the Arracan Local Battalion, at the disposal of the Civil Commissioner, and appointing Lieut. H. A. Shuckburgh, of the 40th Regt. N. I., to act as Adjutant to the Arracan Local Battalion, vice Lieut. Lumsden, is confirmed.

The Regimental Order of the 1st instant, by Lieut. G. B. Fremenheere, in charge of the Corps of Sappers and Miners, directing 2d Lieut. L. Hill to proceed to Cawnpore, and carry on the Survey of that Cantonment, in the room of 2d Lieut. W. Jones appointed to the Grand Trigonometrical Survey, is confirmed.

Supernumerary Cornet Edmund Walter Chicheley Plowden is appointed to do duty with the 5th Regt. L. C. at Cawnpore, instead of the 10th L. C., as directed in General Orders of the 3d Dec. last.

Conductor Charles Reynolds, lately promoted, is pointed to the Magazine at Saugor.

Sub-Conductor Daniel Kelly, lately promoted, is appointed to the Arsenal of Fort William.

The undermentioned Officers have leave of absence:

25th Regt. N. I.—Captain B. Marshall, from 1st Aug. to 1st Feb., 1836, to visit the Presidency, preparatory to submitting an application for permission to proceed to Europe on furlough.

15th Regt. N. I.—Captain W. Hunter, from 1st Aug. to 1st Jan. 1836, to visit the Presidency, preparatory to submitting an application for permission to proceed to Europe on furlough.

12th Regt. N. I.—Lieut. J. R. Abbott, from 20th Dec. 1834 to 20th Feb. 1835, in extension, to enable him to rejoin his Corps.

10th Regt. L. C.—Lieut. D. G. A. F. H. S. Mellish, from 1st Oct. to 1st April 1836, to visit the Presidency, preparatory to applying for furlough to Europe.

56th Regt. N. I.—Lieut B. W. D. Cooke, from 1st July to 1st Oct., to visit the Presidency, on urgent private affairs.

25th Regt. N. I.—Ensign H. J. C. Shakespear, from 30th June to 30th July, in extention, to remain at the Presidency.

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*Head-Quarters, Calcutta, 19th June.*

The undermentioned supernumerary Cornet and unposted Ensigns, lately admitted into the service, are appointed to do duty with the Regts. stated opposite to their respective names, and directed to join:

Cornet William Charles Alexander, with the 10th Regt. L. C. at Mutra, at his own request.

Ensign Gerald Augustus Frederic Hervey, with the 65th Regt. N. I. at Allahabad, at his own request.

Ensign Charles Lionel Showers, with 38th Regt. N. I. at Secrole, Benares.

# GENERAL REGISTER.

The undermentioned Officers have leave of absence:

47th Regt. N. I.—Brevet Col. C. W. Brooke, from 20th July to 20th Jan. 1836, to visit the Presidency, on private affairs.

51st Regt. N. I.—Capt. J. R. Wornum, from 4th May to 15th June, to remain at Benares, on medical certificate, and to enable him to join his Regt.

*Head-Quarters, Calcutta, 20th June.*

The leave of absence granted to Lieut J. Gifford, of the 2d Regt. N. I., in General Orders of the 23d ultimo, is cancelled at his own request.

Assistant Surgeon J. W. Knight, now supernumerary at Cawnpore, is directed to proceed to Dinapore, and do duty in the Hospital of the European Regt.

Ensign W. H. Davidson, recently admitted to the service, is appointed to do duty with the 56th Regt. N. I. at Dinapore, and directed to join.

Samuel Hottinger, a half-pay Drummer in the European Regt., is transferred to the 24th Regt. N. I., to fill a vacancy.

The undermentioned Officers have leave of absence:

38th Regt. N. I.—Capt. W. Aldous, from 1st August to 31st December, to visit the Presidency, on medical certificate, preparatory to submitting an application for permission to proceed to Europe on furlough.

11th Regt. N. I.—Ensign S. J. Becher, from 20th June to 28th August, in extention, to enable him to join his Corps at Gorruckpore.

42d Regt. N. I.—Lieut. W. Jervis, from 1st August to 30th January 1836, to visit Cawnpore and the Presidency, preparatory to applying for furlough to Europe.

*Head-Quarters, Calcutta, 24th June.*

Lieut. Colonel B. Sissmore's Regimental order of the 15th instant, appointing Lieut. A. Barclay to act as adjutant to the 12th Regt. N. I., during the absence on leave of Ensign J. H. Ferris, Adjutant of the Corps, is confirmed.

The following removals and postings are made in the Regiment of Artillery:

Captain G. H. Woodrooffe, (Commissary of Ordnance) from the 4th Company 4th Battalion to the 1st Company 3d Battalion.

Captain E. R. Watts, (on furlough) from the 2d Company 5th Battalion to the 4th Company 4th Battalion.

Captain D. Ewart (new promotion) to the 2d Company 5th Battalion.

1st Lieut. J. Fordyce, (Assistant Revenue Surveyor) from the 1st Company 4th Battalion to the 4th Company 5th Battalion.

1st Lieut. J. D. Bell (new promotion) to the 3d Company 4th Battalion.

1st Lieut. A. M. Seppings (new promotion) to the 1st Company 4th Battalion.

2d Lieut. T. Wall, (on furlough) from the 1st Company 5th Battalion to the 1st Company 1st Battalion.

2d Lieut. C. Hogge from the 1st Troop 3d Brigade to the 2d Troop 1st Brigade.

2d Lieut. W. H. Delamain to the 1st Company 5th Battalion.

2d Lieut. H. R. Æ. Trevor to the 1st Troop 3d Brigade.

Supernumerary 2d Lieut. J. S. Phillips, doing duty with the 2d Company 3d Battalion, to do duty with the 2d Company 2d Battalion.

Supernumerary 2d Lieut. W. Maxwell, doing duty with the 3d Company 5th Battalion, to do duty with the 4th Company 5th Battalion at Secrole, Benares.

Assistant Surgeon C. Anderson, at present on the strength of the 1st Light Cavalry, is posted to the 30th Regt. N. I.

Assistant Surgeon T. Russel, now with the 34th Regt. N. I., is posted to the 1st Light Cavalry at Meerut, vice Anderson, and directed to join.

Assistant Surgeon K. M. Scott, now doing duty with the 4th Regt. N. I. at Berhampore, is directed to proceed forthwith to Bancoorah, and afford medical aid to the 31st N. I.

The undermentioned Officers have leave of absence:

Artillery—1st Lieut. G. Campbell, Adjutant and Quarter Master 2d Brigade Horse Artillery, from 15th July to 15th January 1836, to visit the Presidency, preparatory to submitting an application for permission to proceed to Europe on furlough.

54th Regt. N. I.—Ensign H. Weaver, from 13th June to 1st July, to remain at Benares, on medical certificate.

*Head-Quarters, Calcutta, 25th June.*

The leave of absence granted in General Orders of the 3d instant to Lieut. G. R. Siddons, 2d in Command 3d Regt. Local Horse, is cancelled at that officer's request.

Unposted Ensign George Richard James Meares is appointed to do duty with the 30th Regt. N. I. at Meerut, at his own request, instead of the 10th N. I., as notified in General Orders of the 26th ultimo.

Charles and William Jackson, half pay Drummers of the European Regiment, are transferred as Drummers to the 63d Regt. N. I., to fill vancancies, and directed to join.

The undermentioned Officers have leave of absence:

31st Regt N. I.—Lieut. and Adjutant H. J. Guyon, from 31st July to 31st August, to visit the Presidency, preparatory to making an application for furlough to Europe.

31st Regt. N. I.—Assistant Surgeon B. Wilson, from 1st July to 31st August, to visit the Presidency, preparatory to making an application for furlough to Europe, on account of his health.

*Head-Quarters, Calcutta, 25th June.*

The Cawnpore Division Order of the 12th instant, by Brigadier General R. Stevenson, C. B., directing supernumerary Native Doctors Shahab-ood-Deen, doing duty with the 5th Regt. L. C., and Sattim, lately attached to the Civil Station of Calpee, to proceed to Saugor, and report themselves to the Superintending Surgeon at the Station, is confirmed.

The Nusseerabad Station Orders of the 6th instant, by Brigadier W. Burgh, directing Asst. Surg. W. H. Rogers, of the 4th L. C., to assume medical charge of the Squadron of that Regt. left in Cantonments, and of the Hospital and Recruits of the 17th Regt. N. I., and Asst. Surg. W. O. H. McCheyne, of the 17th Regt. N. I., to receive medical charge of the Details of Artillery proceeding towards Jeypore, is confirmed.

The Detachment Order of the 7th instant, by Captain J. Rawlins, appointing Sergeant J. Best to be Bullock Sergeant, and Bombardier R. Conn to be Camp Colorman, to the Detachment of the 2d Battalion of Artillery proceeding towards Jeypore, is confirmed.

The Provincial Commander in Chief is pleased to make the following removal of the posting:

Lieut. Col. Alexander Speirs, (Political Agent at Neemuch) from the 14th to the 38th Regt. N. I.

Lieut. Col. Richard Coventry Faithfull (new promotion) to the 14th Regt. N. I.

*Head Quarters, Calcutta, 27th June.*

Lieut. Col. C. P. King's Detachment Order of the 11th instant, appointing Lieut. and Adjutant F. B. Burroughs, of the 17th Regt. N. I., to act as Staff to a Detachment, consisting of two Squadrons of the 4th L. C., a Detail of the 2d Battalion Artillery, and the 17th Regt. N. I., on duty at Jeypore, is confirmed.

The leave of absence granted to Captain H. Lloyd, of the 56th Regt. N. I., in General Orders of the 22d ultimo, is to commence from the 15th proximo, and extend to the 15th Oct. instead of the dates therein specified.

Boodh Ram, Native Doctor, is removed from the Nusseree Battalion, and directed to proceed to Kurnaul, and do duty under the orders of the Superintending Surgeon of the Sirhind Division.

Alli Bux, Native Doctor, now doing duty with the Nusseree Battalion, is posted to that Corps, vice Boodh Ram removed.

The undermentioned Officers have leave of absence:

16th Regt. N. I.—Captain F. E. Manning, officiating Major of Brigade, Mhow, from 2d Nov. to 2d March 1836, to visit the Presidency, preparatory, to applying for furlough to Europe.

52d Regt. N. I.—Captain F. Auberjonois, from 16th July to 15th Dec., in extension to remain at Simla, on medical certificate.

49th Regt. N. I.—Ensign J. T. Wilcox, from 1st June to 1st Sept., to remain at Futtehgurh, on medical certificate.

Subordinate Medical Department.—Asst. Apothecary J. H. Peter, attached to the 3d Company 5th Battalion Artillery, from 16th June to 16th Aug., to visit Dum-Dum, on medical certificate.

*Head Quarters, Calcutta, 29th June.*

Unposted Ensign Charles Lionel Showers is appointed to do duty with the 56th N. I. at Dinapore, instead of the 38th Regt. as directed in General Orders of the 19th instant.

Meer Mizahet Ali, Native Doctor, lately employed in Zillah Burdwan, is directed to do duty under the Superintending Surgeon, of the Cawnpore Division.

The undermentioned Officers have leave of absence:

3d Regt. N. I.—Major A. F. Richmond, from 4th June to 4th Oct., to remain at the Presidency, preparatory to applying for furlough to Europe.

64th Regt. N. I.—Lieut. B. W. R. Jenner, attached to the Ramgurh Battalion from 28th June to 28th July, to visit the Presidency on private affairs.

33d Regt. N. I.—Lieut. C. F. Trower, from 30th June to 25th Oct., in extension, to remain at Simla, on medical certificate.

8th Regt. L. C.—Lieut. R. W. Hogg, from 15th July to 30th Nov., to visit the Presidency on private affairs.

# SHIPPING REGISTER.

## ARRIVALS.

July 2 Barque *Cumbrian*, Wm. Latimer, from London 19th October, Mauritius 14th May, and Covelong 25th June.
— American barque *United States*, Joseph Webb, from Valparaiso 29th March.
3 Ship *Glenelg*, R. Lungley, from Bombay 17th June.
4 Barque *Crown*, J. Cowman, from Bombay 18th June.
5 Barque *Sophia*, J. Rapson, from China 6th May, Singapore (no date), and Penang 18th June.
8 Ship *Indian Oak*, E. Worthington, from the Mauritius 17th May and Ennore 2d July.
9 Ship *Mermaid*, P. M. Stavers, from China 23d March and Moulmein 16th June.
— Barque *Exporter*, R. Anwyle, from the Mauritius 28d May.
— Barque *Virgenie*, J. Wellie, from Penang 21st June.
11 Barque *Donna Carmelita*, C. Edwards, from the Mauritius 26th May, Madras (no date) and Ennore 3d July.
— Ship *Haymoody*, A. W. Marshall, from Bombay 23d June.
12 French barque *Jeane Edward*, S. Vallais, from Bourbon 1st May and Coringa 4th July.
— French barque *Clarisse*, M. Poupard, from Marseilles 17th January, and Bourbon 10th June.
— Ship *Colonel Newall*, C. Kail, from Bombay 15th May and Ennore 3d July.
— Ship *John Bannerman*, C. Daly, from Bombay 25th June.
13 Ship *Alice*, J. Scales, from Liverpool 18th March.
— French barque *Globe*, A. Bouncly, from Bourbon 31st May and Mauritius 6th June.
— Ship *Severn*, G. M. Braithwaite, from London 20th January, Cape, Madras, and Ennore, (no date), and Vizagapatam 9th July.
15 Ship *Mary Somerville*, Thomas Jackson, from Liverpool 21st March.
— Ship *Duke of Lancaster*, James Hargraves, from Liverpool 18th March.
16 Ship *Khusrovie*, W. H. Marter, from Sumatra 26th June.
— Ship *Salimany*, A. J. McFarlane, from Bombay 29th June.
— Brig *Anna*, J. King, from Penang 17th June.
— French barque *Bonne Nouvelle*, Cannelier, from Bourbon 31st May.
18 Ship *John MacLellan*, D. MacDonald, from Greenock 22d March.
— Brig *Collingwood*, J. Hookey, from Liverpool 10th November and Madras 2d July.
20 Barque *George the Fourth*, G. Waugh, from London 4th March and Madras 14th July.
— Barque *Abercrombie Robinson*, R. Scott, from Portsmouth 15th March and Madras 15th July.
— Barque *Isabella Cooper*, A. P. Currie, from Greenock 7th March.
— Barque *Bright Planet*, R. Richardson, from Singapore and Penang, (no date.)
22 Barque *London*, C. Lamb, from the Mauritius 7th June and Madras 14th July.
— Barque *Ararat*, W. Wyatt, from Penang 26th May and Pedier Coast 8d July.
23 Brig *Will Watch*, Wm. Barrington, from Sumatra 10th July.
24 Barque *Resolution*, G. Jellicoe, from Penang 9th July.
26 Ship *Roxburgh Castle*, C. W. Francken, from London 22d March, Portsmouth 29th ditto, and Madras 21st July.
— Barque *Dalla Merchant*, H. Potter, from Rangoon 5th July.
28 Ship *Fatima*, G. Fithers, from Liverpool 12th April.
— Barque *Virginia*, J. Smith, from Penang 13th July.
31 Brig *Corsair*, Edward Cooke, from Prince of Wales Island, 17th July.

## DEPARTURES.

July 1 Ship *Perfect*, Wm. Snell, for Liverpool.
2 Brig *Rebecca*, R. A. J. Roe, for China.
— Ship *Sultana*, E. Evans, for China.
2 French ship *Mascarin*, C. Grangler, for Marseilles.
5 Barque *Magnet*, J. McMinn, for Liverpool.
8 American ship *Dover*, J. Austin, for Boston.
9 Brig *Esther*, Nicholson, for the Mauritius.
11 Ship *Sherburne*, T. J. Warren, for London.
— Barque *Baboo*, J. Terry, for London.
12 Barque *Warwick*, J. Brewer, for Liverpool.
— American ship *Eugene*, C. H. Williams, for Boston.
15 Ship *Ann Lockerby*, J. Johnson, for China.
— French ship *Aline*, Pichaud, for Bourbon.
17 Barque *Capricorn*, J. Smith, for the Mauritius.
— Barque *Avoca*, J. Boadle, for Mauritius.
— Barque *Eleanor*, T. B. Timins, for Madras.
19 Barque *Strath Eden*, A. Cheape, for London.
— Barque *Agnes*, R. Swan, for Singapore and China.
23 Ship *Lord Castlereagh*, P. Touks, for China.
24 Ship *Pascoa*, W. Morgan, for China.
26 Ship *Warrior*, J. Stone, for Sydney and New South Wales.
30 Ship *Intrinsic*, J. Chambers, for Liverpool.
31 Ship *Carnatic*, D. Proodfoot, for China.
— Brig *Thames*, Thos. Arnold, for the Mauritius.
— Brig *Demerara*, G. R. Thom, for the Mauritius.
— Bark *Betsey*, G. S. Jones, for Singapore.

## ARRIVAL OF PASSENGERS.

*Per Thames, from Singapore.*—Mr. J. W. Lee.

*Per Sophia, from Singapore.*—J. J. Nicholson, Esq. Merchant, and Mr. T. Turner, Mariner. *From Penang:*—Revd. Mr. J. Bateman and C. Thowse, Esq. Merchant.

*Per Indian Oak, from the Mauritius.*—Monsieur Thiers; Madame Thiers; Mademoiselle Thiers.

*Per Exporter.*—Mrs Anwyle, and Madam Gurney.

*Per Virgenie.*—John Warren, Esq.

*Per Warwick, from Liverpool.*—A. Wilson, Esq.

*Per Abercrombie Robinson, from Portsmouth.*—Mrs. McNaghten; Mrs. Vibart and child; Mrs. Robson and infant; Miss Arene; J. Pattullo, Esq. Penang C. S.; Cornet S. Paull, H. M. 16th Lancers; Ensign Stuart, H. M. 44th Regt.; L. J. H. Grey, Esq. Writer; Messrs. H. Bond, Assistant Surgeon; and C. Robson, Pilot Service; Messrs. G. Elliot, D. Stansbury, C. Baker, T. Peterson, S. B. Saddy, W. J. Carter, E. J. Touply, Cadets; Mr. G. P. Payne; Mr. G. Mackintosh, returning to India; and Mr. Jas. Toole, Volunteer Pilot Service.

*Per George the Fourth, from London.*—Mrs. Mitchell; Mrs. Codrington; Mrs. McDonald; Mrs. Smith; Mrs. Woolen; Mrs. Smoult; and Mrs. Bristow; Misses Bristow, S. Bristow, Fenis, and Davis; Captain Mitchell, Bengal N. I.; Captain Codrington; Lieut. McDonald, Bengal Artillery; Messrs. Bristow, and Wm. Bristow; Mr. Clarke, Surgeon; Messrs. Ball and Reynell; Mr. Kemp, H. M. 16th Lancers; Mr. Torrens, Civilian; Messrs. Edward Bristow, McCulloch, McMullen, and Michell, Cadets; Mr. Ferriman, H. M. 44th Regt.; Messrs. Perry, Rawlings, Bond, Birch, Mr. and Mrs. Platt, Miss S. Platt, Mr. R. Platt, Master T. Platt, and Master John Platt, Steerage Passengers—142 H. C. Recruits; 9 women; and 8 children. *From Madras:*—His Excellency Col. Rebling, Governor of Serampore; Mrs. Rebling; Messrs. Rebling, H. Rebling, F. Rebling, and J. Rebling; Misses J. Rebling and A. Rebling; Mrs. Fyellcrup; Misses Fyellcrup and Soelmann; E. T. Elbering and A. Rowsted, Esqrs. Secretaries to the Government at Serampore; F. Halst and C. Bierring, Esqrs.

*Per John Bannerman.*—Mrs. Daly and 2 children, and Mr. C. Higgs.

*Per Colonel Newall, from Madras.*—Mr. E. D. McBean, Cabinet-maker, and Mr. F. DeSilva, Clerk.

*Per Alice.*—Messrs. M. Montefiore Joseph, Thomas Kelsall, and J. Joseph, Merchants.

*Per Severn, from London.*—Mrs. W. R. White; Lieut-Col. L. Walker, C. B; Capt. W. Clifford, 39th B. N. I.; Messrs. W. Boulton and R. Wm. Bird, Cadets; Messrs Wm. Holbrow, T. Lamb, Wm. Golligher and Wm. Jones. *From Cape.*—Mrs. Descandt; Mrs. Wigot; Miss Mahon. *From Madras.*—Mrs. Collin Mackenzie.

*Per Anna from Penang:*—J. W. Aiken, Esq.

*Per Resolution.*—Mrs. Jellicoe; Miss Gardiner; C. Lawes, Esq., died at Sea on the 22d July.

*Per Roxburgh Castle, from London.*—Mrs. G. C. Armstrong and 2 children; Mrs. F. L. Marshall; Mrs. M. Annand; A. S. Annand, Esq., Civil Service; Captain G. C. Marshall, H. M.'s 31st Regt.; Revd. F. A. Dawson; Capt. J. M. Baird; Messrs. J. D. Lander, H. C. Hastings, C. Caulfield, J. Murray, C. A. Jackson, C. F. M. Mundy, and W. F. Dunsford, Cadets. *Steerage Passengers.*—Messrs. G. F. Railey, E. P. Collis, and A. Dyer, coming out to their relations; Messrs. H. Lang, G. T. Clark, and T. Langden, Pilot service.

### DEPARTURE OF PASSENGERS.

*Per Sherburne, for London.*—Mrs. Elliott; Mrs. Bateman; Mrs. Turner; Mrs. Hogg; Miss Hogg; Miss Turner; the Honorable John Elliott; Archibald Campbell, Esq., C. S.; Majors Turner and Maltby; P. Watson, Esq.; T. B. Roupell, Esq., Madras C. S.; W. Harvey, Esq., and six children; Lieutenant McDonald and Captains Impey and Mackenzie.

*Per Baboo, for London.*—Lieut. Lealock, N. I., and Mr. J. Blackburn.

*Per Fort William.*—Mrs. Neish, Mrs. Barclay and Mr. Barclay.

*Per Strath Eden, for London.*—Mrs. Phillips, Mrs. Watson, F. C. Smith, Esq: Captains Taylor and Phillips, and J. Cooke, Esq.

*Per Royal Saxon.*—H. Atherton, Esq, Civil Service; Richard Hallifax, Esq., Hindu College; Lieut. Wilmot, Artillery; Lieut. H. J. Guyon, 31st Regt. N. I.; Lieut. Lowth, 4th L. C.; Assistant Surgeon Benjamin Wilson, 31st N. I.; Assistant Surgeon Alexander Knox, M. D., H. M.'s Service; Geo. Earle, Esq., Merchant.

# DOMESTIC OCCURRENCES.

### MARRIAGES.

July 2 At Agra, J. H. Fenwick, Esq., 13th L. I., to Louisa, third daughter of M. Sheridan, Esq., of the same corps.

— At the Cathedral, by the Revd. T. Robertson, Lieut. F. W. Cornish, Bengal Horse Artillery, to Margaret Olympia, youngest daughter of the late T. E. Mansell, Esq., Bengal Civil Service.

11 At Mozufferpore, by the Revd. J. Vaughan, Frederick Cardew, Esq., C. S. to Caroline Louisa, second daughter of Robert Anstruther, Esq., Capt. 6th Light Cavalry.

— At Allahabad, by the Revd. G. Ward, M. A., Mr. Daniel Iben Permien, Assistant Sudder Dewannee office, third son of Conductor J. E. Permien, to Miss Arabella Eliza Beatson, second daughter of the late Conductor John Beatson, Ordnance Department.

20 At the Cathedral, by the Revd. T. Robertson, Mr. T. Benton, Wine Merchant, to Mrs. Mary Crockford.

— At Soory, in Beerbhoom, Mr. William Hodges, Department of Public Works, to Miss Mary Anne Ward.

— Drummer William Williams, of the 31st Regt. N. I., to Eliza Webster, a ward of the Lower Orphan School.

21 At St John's Cathedral, by the Revd. Dr. Mill, Lieut. B. W. Darwin Cooke, 56th Regt., to Harriette, youngest daughter of Charles Scott, Esq., of Trewardreva, Cornwall.

— At Dinapore, by the Rev. J. Vaughan, and afterwards at the Roman Catholic Church, Patna, by the Rev. F. Joakim, Mr. Michael Hinton, to Miss Angelica D'Camera.

23 At Kurnaul, by the Revd. W. Parish, A. B., at the house of Capt. Spence, H. M. 31st Regt., Capt. Hogarth, H. M. 26th Regt., to Miss Spence.

27 At Delhi, by the Revd J. Proby, W. Baring Gould, Esq, Lieut. and Adjutant, 42d Regt. N. I., to Maria Anne, eldest daughter of Capt. J. Leeson, 42d Regt. N. I.

— Mr. F. J. Le Estrange, to Elizabeth, daughter of the late Captain E. Wetherall.

28 At Chittagong, Mr. John Smith, to Miss Grace Ann Craven.

29 Mr. J. Castello, Senior, to Mrs. Lousia Colebroke, widow of the late Lieut. W. Colebroke.

30 At the Roman Catholic Church, at Howrah, by the Revd. Paul Gradoli, Mr. E. P. Harvey, to Miss J. E. S. Landman, eldest daughter of J. W. Landman, Esq.

*No date* At the Union Chapel, by the Rev. G. Gogerly, Mr. Augustine Jones, to Miss Jane Caroline Harris.

### BIRTHS.

May 8 At the Cape Town, the lady of William Hickey, Esq. of a daughter.

30 At Muttra, the wife of Overseer C. Woods, Department of Public Works, of a daughter.

— At Dobah Sugar Works, the lady of Charles Blake, Esq., of a son.

June 1 At Rangoon, the lady of Isaiah Manuk, Esq., of a son.

4 At Futtehgurh, at the house of Capt. J. T. Boileau, the lady of A. H. E. Boileau, of the Engineers of a daughter.

5 At Kurnaul, the lady of Capt. R. Stewart, 61st Regt. N. I., of a daughter.

30 At Pultah, the lady of W. C. Breen, Esq. of a son.

July 1 Mrs. Charles Herd, of a daughter.

— At Gowahuttee, the wife of Mr. J. Rae, Missionary, of a son.

3 The lady of Lieut. R. J. H. Birch, Deputy Judge Advocate General, of a son.

— At Bareilly, the lady of D. T. Pollock, Esq., 74th N. I., of a son.

— The wife of Mr. C. L. Vaillant, Overseer of the H. C. Botanic Garden, of a daughter.

4 At Gorruckpore, the lady of Frederick Currie, Esq, Civil Service, of a son.

6 Mrs. John Biss, of a daughter.

— Mrs. C. Henriques, wife of Mr. F. X. Henriques, Assistant General Post Office, of a son.

7 Mrs. James Bolst, of a son.

— At Cawnpore, the lady of Capt. Alexander, of the 5th Regt. Light Cavalry, of a daughter.

9 At Mhow, in Malwa, the wife of Sergt. Robert Brookes, Chaplain's Clerk, of a son.

12 On board the ship *Mermaid*, off Moyapore, Mrs. P. M. Stavers, of a son.

13 At Meerut, the lady of G. P. Rickets, Esq., 1st Regiment Light Cavalry, of a son.

15 At Khasgunge, the wife of S. W. Gradner, Esq. 28th N. I., of a daughter.

17 The lady of J. F. Leith, Esq., of a daughter.

— At Bareilly, the lady of Capt. G. H. Edwards, of the 13th N. I., of a son.

— At Monghyr, Mrs. L. Burgess, of a son.

18 Mrs. J. Ridley, Junior, of a daughter.

— Mrs. J. R. Hayes, of a son.

19 The lady of C. L. Pinto, Esq., of a son.

20 Mrs. Gillespie Skinner, of a son.

— At Simla, the lady of Brevet Captain J. H. Smith, 62d Regt. N. I., of a son.

21 In Fort William, the lady of Lieut. Rigby, Engineers, of a son.

23 The lady of H. T. Raikes, Esq., of the Civil Service, of a son.

24 Mrs C. C. Greenway, of a son.

— At Futtehpore, the lady of Andrew Grote, Esq. of the Bengal Civil Service, of a son.

25 At Dinapore, the lady of Lieut. John De Fountain, 56th Regt. N. I., of a son.

28 The lady of S. H. Boileau, Esq, Registrar in the office of the Governor-General's Native Correspondence attached to the Political Department, of a son.

29 Mrs. S. M. Gaspar, of a son.

31 Mrs. M. Payne, of a son.

### DEATHS.

June 17 In the Bay of Bengal, R. Barron, Esq., Purser of H. M. S. *Wolf*, aged 42 years.

20 At Culpee, Mrs. Catherine Mayhoo, wife of Sergeant George Mayhoo, aged 34 years.

28 Drowned, when bathing in the river, near Monghyr, M. H. Jenkins, Esq., aged 22 years.

July 1 At Malda, Miss Harriet Leith.

2 At Cawnpore, Miss Sarah Maria Martindell, daughter of the late Lieut. General Sir Gabriel Martindell, K. C. B., aged 19 years and 1 month.

3 Master Alfred Adolphus Kenderdine, son of the late Mr. Daniel Kenderdine, Branch Pilot, aged 5 years and 9 months.

— At Meerut, Edward Leigh Hodson, Esq., of the Civil Service, Assistant to the Magistrate and Collector at that station, aged 22 years and 6 months.

# GENERAL REGISTER.

July 3 Mr. James Hewson, of the ship *Emma*, aged about 23 years.

4 At Serampore, the beloved wife of Capt. William Philliott, Military Service, aged 20 years, 9 months and 11 days.

6 At Entally, the infant son of Mr. and Mrs. I. J. Marques, aged 3 months and 20 days.

7 Captain John Foote, formerly Harbour Master, Batavia, and late Deputy Marine Surveyor, aged 70 years.

— At Chandernagore, at the house of her son, Mr. C. Duval Le Chapellier, of a dreadful cancer on the left side of her breast, Mrs. M. Le Chapellier, aged about 55 years.

— At the residence of Mrs. Rede, Mahalah Adelaide, the beloved daughter of Mrs. Geo. Johnson, aged 4 years, 2 months and 20 days.

8 At Almorah, at the house of Capt. Templer, 7th Regt. N. I., Miss Eliza Faithfull, in the 35th year of her age.

9 Mr. John Campell, late an Assistant in the Verulam Academy.

10 At Dinapore, Mr. Richard Watkins, aged 67 years.

— Sergt. R. Ross, of the Cawnpore Magazine, aged 31 years.

— At Gowahuttee, Assam, Hannah, the beloved wife of Mr. J. Rae, Missionary.

— At Dinapore, Mr. Richard Watkins, formerly of the Budge Budge and Deegah Farms, aged 66 years, 4 months and 16 days.

11 W. B. Smith, Esq., Attorney at Law, aged 41 years.

— At the Sand Heads, on board the *Jane* P. V. where he had gone for the recovery of his health, Mr. E. De LaCombe, late paper manufacturer of Calcutta.

14 At Kedgeree, on board the ship *Sherburne*, Capt. H. R. Impey, 50th Regt. N. I.

17 At Serampore, Henry, the infant son of G. S. Dick, Esq., aged 6 months.

18 At Barrackpore, Caroline Amelia, daughter of Quarter Master Sergeant R. Tilbury.

19 The infant son of Mr. J. R. Hayes.

20 Henry Morgan, the infant son of Mr. T. Black, of the Asiatic Lithographic Press, aged 1 year and 12 days.

July 21 At Dinapore, at the house of Capt. Lysaght, European Regt., Teignmouth Melville, son of Teignmouth Sandys, Esq., C. S., aged 1 year and 7 months.

— Louisa Vaillant, the infant daughter of Mr. C. L. Vaillant, aged 10 days.

— At Bhaugulpore, F. C. Crowe, Esq.

22 At Serampore, Mrs. G. Carey, relict of the late Revd. Dr. Carey, aged 59 years.

— At Sea, on board the *Resolution*, V. Lawes, Esq.

— On board the steamer *Forbes*, on her return to Calcutta, William Richard Gordon, the infant son of Major William Turner, of the 54th Regt. N. I. aged 8 months.

— At Patna, Douglas Nugent, the infant son of S. Davies, Esq., Civil Surgeon, aged 6 months and 5 days.

— At Agra, Olivia Jemmima, the infant daughter of Mr. E. G. Pool, of the Subordinate Medical Department, aged 1 year, 1 month and 21 days.

23 At the residence of Mrs. Eede, Master John Henry, the infant son of the late Mr. John Thomas Bagley, of the H. C. Marine, aged 1 year, 1 month and 23 days.

— Mr. John Florence, Mariner, aged 58 years.

— At Madras, Major Sir J. Gordon, Bart., H. M. 18th Light Dragoons, and Commanding a division of the Nizam's Army.

24 Miss Mary Clarissa Wells, daughter of Mr. Joseph Wells, Hon'ble Company's Marine, aged 1 year, 8 months and 7 days.

25 J. M. DaSilva, Esq., of Lisbon, aged 35 years.

— At Rynagur, near Commercolly, the infant son of James Cockburn, Esq.

— At Goruckpore, Lucy Elizabeth, wife of F. Currie, Esq. C. S., aged 23 years.

26 Eliza, daughter of W. C. Blaquiere, Esq., aged 40 years.

— At Cawnpore, (his birth-day) in the 30th year of his age, Lieut. and Adjutant W. P. Foley, H. M. 16th Infantry.

28 At Sangor, Lieut. W. Nisbett, of the 64th Regt. N. I.

— At Sangor Point, Mr. John Fleming, Chief Officer of the Ship *Fort William*.

— At Gyah, Zillah Behar, John William Ricketts, Esq., Additional Principal Sudder Ameen, aged 43 years.

# ADMINISTRATIONS TO ESTATES.

| ESTATES OF | EXECUTORS, ADMINISTRATORS, &c. |
|---|---|
| Barrett, R., *of Calcutta* | Registrar Supreme Court, Administrator. |
| Brampton, Martha, *of Calcutta* | E. L. L. Nile, Executor. |
| Coulter, J., *Surgeon* | James Erskine, Executor. |
| Cowle, C., *of Diamond Harbour* | W. Thacker, Executor. |
| Foote, John, *of Calcutta* | Registrar Supreme Court, Administrator. |
| Gilbert, James, *of Calcutta* | Ditto ditto ditto, (with Will annexed.) |
| Gillespie, Miss Mary, *of Calcutta* | W. H. Smoult, Administrator, on behalf of G. Maule, Solicitor for His Majesty's Treasury, and Nominee of His Majesty by Royal Warrant. |
| Gilmore, Miss B., *of Calcutta* | H. Fergusson, Executor. |
| Gomes, *alias* Gowdie, Lucy, *of Calcutta* | Registrar Supreme Court, Administrator. |
| Guyer, Mary Ann, *of Calcutta* | D. Proudfoot, Executor. W. W. West, his Agent, |
| Hodgson, E. L., *Civil Service* | Registrar, Supreme Court, Administrator. |
| Jervis, H., *Lieutenant, H. M.'s 62d Foot* | Ditto ditto ditto, (with Will annexed.) |
| Kenderdine, D., *Branch Pilot* | Ditto ditto ditto, (with Will annexed.) |
| Lang, James, *of Fort Gloucester* | Ditto ditto ditto. |
| Moore, J. B., *of Calcutta, Pensioner* | Ditto ditto ditto, (with Will annexed.) |
| Nicolson, John, *Captain, 8th Light Cavalry* | Mrs. E. H. M. J. Nicolson, the Widow, Executrix. |
| Nicolson, James, *Captain, Invalids* | Dr. T. Drever, Executor. |
| Ruttunjee Dhaursee, *of Calcutta* | Culleanjee Manickchund, Executor. |
| Shore, F., *of London* | R. J. Bagshaw, Administrator, with Will annexed, as Constituted Attorney of the Executors in England. |

# CIVIL APPOINTMENTS, &c.

## ORDERS BY THE HONORABLE THE GOVERNOR OF BENGAL.

FORT WILLIAM, GENERAL DEPARTMENT, JULY 1, 1835.

The Governor-General of India in Council is pleased to attach Mr. F. J. Morris, reported qualified for the Public Service, to the Bengal Presidency.

JULY 8.

The Hon. J. E. Elliot, of the Bengal Service, has been permitted to proceed to England on furlough.

Mr. Archibald Campbell has been permitted to return to England on the Annuity of the Civil Service.

Mr. Henry Atherton, a Civil Servant of the Agra Presidency, has been permitted to proceed to England on furlough, under medical certificate.

The Hon'ble the Governor of Bengal has been pleased to appoint Mr. James William Grant to officiate as Superintendent of the Hon'ble Company's Botanic Garden at Calcutta, during the absence of Dr. N. Wallich, on deputation to Upper Assam.

JULY 15.

The Honorable the Governor-General of India in Council is pleased to extend the leave of absence granted to Mr. George Alexander, Deputy Secretary to Government in the General Department, under date the 12th May, 1834, to two years, to take effect from the 17th June following the date on which he quitted the Sand Heads.

JULY 29.

Mr. John Samuel Torrens, of the Civil Service, reported his return from furlough on the 24th instant. The Governor General of India in Council is pleased to attach Mr. J. S. Torrens to the Bengal Presidency.

Mr K. Murchison reported his return to Prince of Wales' Island on the 31st May. He resumed charge at Singapore of the Office of Governor of Prince of Wales' Island, Singapore and Malacca, on the 16th of June last.

Mr. James Grant is appointed to officiate as Salt Agent of Balasore, to take effect from the 23d instant.

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JUDICIAL AND REVENUE DEPARTMENT, JULY 4, 1835.

The following Officers have obtained leave of absence from their Stations:

Mr. J. Donnithorne, Collector of the 24-Pergunnahs, for one year, to proceed to Sea, on medical certificate for the benefit of his health.

Mr. D. J. Money, officiating Joint Magistrate and Deputy Collector of Midnapore, to remain at the Presidency until the 25th of July, in extention of the leave of ten days granted to him by the Commissioner of Cuttack on the 25th ultimo on private affairs.

JULY 7.

Mr. E. Jo Harington, late officiating Judge of the Court of Sudder Dewanny Adawlut at the Presidency, for fifteen days, on private affairs.

Mr. W. S. Alexander, the officiating Joint Magistrate and Deputy Collector of Maldah, for one month, from the 10th ultimo, to enable him to join his Station.

Mr. W. H Elliot, officiating ditto ditto at Bancoorah, until the 17th instant, to remain at the Presidency, preperatory to his joining his Station.

Mr. R. M. Skinner in extension, from the 30th May last to the date on which he may take charge of the Joint Magistracy and Deputy Collectorship of Hidgellee at Midnapore.

The Honorable the Governor of Bengal has been pleased to make the following appointment:

Kumber Ullee to be Sudder Ameen in Zillah Midnapore.

JULY 11.

The following Officers have obtained leave of absence from their stations:

Mr. F. C. Smith, officiating Judge of the Courts of Sudder Dewanny add Nizamut Adawlut, for two years, to proceed to the Cape of Good Hope, on medical certificate.

Mr. G. A. C. Plowden, Deputy Collector of Chittagong, for fifteen days, on medical certificate, in extension of the leave granted to him on the 30th ultimo, on private affairs.

Mr. F. B. Kemp, Assistant to the Joint Magistrate and Deputy Collector of Noally, for one month to visit Calcutta, on private affairs, from the 25th ultimo.

JULY 17.

Mr. H. Walters, Commissioner of Revenue and Circuit of the 14th or Moorshedabad Division, for six months, to remain at the Cape of Good Hope on medical certificate, in extension of the leave granted to him on the 28th April, 1834.

Mr. E. A. Blundell, Commissioner in the Tenasserim Provinces, for three months, on private affairs.

Mr. T. G. Vibart, Civil and Sessions Judge of Nuddeah, for one month, on medical certificate, in extension of the leave granted to him on the 14th April last.

Mr. R. C. Halkett, Joint Magistrate and Deputy Collector of Nuddeah, for fifteen days, on private affairs, in extension of the leave granted to him on the 12th ultimo, on medical certificate.

Mr. H. T. Raikes, officiating Joint Magistrate and Deputy Collector of Pubna, to visit the Presidency, on private affairs.

Mr. G. T. Shakespear, officiating Magistrate and Collector of Dinapore, for two months, on private affairs, in extension of the leave granted to him on the 16th ultimo.

The Honorable the Governor of Bengal has been pleased ot make the following appointment:

Mr. F. J. Morris, to be an Assistant under the Magistrate and Collector of Sarun.

JULY 18.

The following Officers have obtained leave of absence from their stations:

Mr. R. R. Barwell, Civil and Session Judge of the 24-Pergunnahs, for six weeks, on medical certificate, in extension of the leave granted to him on the 16th ultimo.

Mr. C. J. H. Graham, Assistant under the Commissioner of the 19th or Cuttack Division, for ten days, to remain in Calcutta, on private affairs, in extension of the leave granted to him by the Commissioner.

Mr. C. B. Trevor, Assistant to the Magistrate and Collector of Ballasore, for one month, on private affairs, in extension of the leave granted to him on the 28th May last.

JULY 21.

The Honorable the Governor of Bengal is pleased to determine, that Toolsee Ram, late Treasurer, Umrit Loll, Mohurrir, and Kashee Ram, Purkeah, of the Deputy Collectorship of Monghyr, who have been convicted and sentenced to imprisonment for embezzlement of the public money, shall, under Sec. IV. Reg. II. 1823, be declared incapable of serving Government in future in any public capacity.

JULY 23.

Mr. F. B. Kemp, Assistant to the Joint Magistrate and Deputy Collector of Noacolly, for a fortnight, to remain in Calcutta, on private affairs, in extension of the leave granted to him from the 25th ultimo.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. John Master to officiate as a Judge of the Court of Sudder Dewanny Adawlut.

Mr. H. Ricketts to officiate as Commissioner of Revenue and Circuit of the 19th or Cuttack Division.

Mr. Jemas Grant to officiate as Magistrate and Collector of Ballasore.

Lieut. J. C. Hannyngton, 24th Regt. N. I. to be Junior Assistant to the Agent to the Governor General under Regulation XIII. 1833, vice the late Lieutenant James Awdry.

Mr. W. J. Allen to officiate as Joint Magistrate and Deputy Collector of Pubna, during the absence of Mr. H. T. Raikes.

JULY 25.

The following Officer has obtained leave of absence from his Station:

Mr. R. Trotter, Joint Magistrate and Deputy Collector of Behar, for six months, on medical certificate, in extension of the leave granted to him on the 21st July, 1834.

The Honorable the Governor of Bengal has been to pleased to make the following appointments:

Mr. David Philip DaCosta to be a temporary Principal Sudder Ameen in Zillah Sarun.

The services of Mr. S. J. Becher have been placed at the disposal of the Government of Agra.

JULY 28.

Mr. C. R. Martin to officiate, until further orders, as Civil and Session Judge of the 24th Pergunnahs.

Mr. W. S. Alexander to officiate as Magistrate and Collector of Tipperah.

Mr. C. T. Davidson to exercise the power of a Joint Magistrate and Deputy Collector in Zillah Chittagong.

JULY 29.

The follwing Officers have obtained leave of absence from their Stations:

Mr. R. W. Maxwell, officiating Civil and Session Judge of Hooghly for one month, on private affairs, on delivering over charge to Mr. E. J. Harington.

Mr. G. G. McPherson, Surgeon of the Civil Station of Moorshedabad, for one month, to proceed to Calcutta, on private affairs.

Mr. J. S. Sotherland, Assistant Surgeon of Furreedpore, to visit the Presidency, on medical certificate.

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POLITICAL DEPARTMENT, FORT WILLIAM, JULY 20, 1835.

Lieut. D. A. Malcolm, of the 3d Regt. Bombay N. I., has been placed at the disposal of the Resident at Hyderabad, for employment in the Nizam's Reformed Horse.

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## ORDERS BY THE HONORABLE THE GOVERNOR OF AGRA.

JUDICIAL AND REVENUE DEPARTMENT, ALLAHABAD, JULY 2, 1835.

The leave of absence granted to Lieut. G. J. Fraser, Revenue Surveyor in Subeswan, on the 28th May last, is cancelled; and he has been allowed a month's leave, on private affairs, from the 15th June.

# GENERAL REGISTER.

ALLAHABAD, JULY 6.

The Honorable the Governor has been pleased to cancel the leave of absence granted on the 29th May last, to Dr. J. Esdaile, Civil Assistant Surgeon of Azimghur, from the 1st instant, at his own request.

Mr. H. Atherton, assistant under the Commissioner of the 3d or Bareilly Division, has obtained permission to proceed to Europe on medical certificate, for the recovery of his health.

ALLAHABAD, JULY 7.

Mr. W. F. Thompson has been appointed to be Joint Magistrate and Deputy Collector of Hissar, in the Delhee Territory.

The Honorable the Governor of Agra is pleased to make the following appointments:

Mr. C. La Touche to be Joint Magistrate and Deputy Collector of Benares.

Mr. C. R. Tulloh to be ditto ditto of Jaunpore.

Mr. H. Rose to be ditto ditto of Shajehanpore.

Mr. D. Home to be ditto ditto of Allyghur.

Mr. R. H. P. Clarke to officiate as ditto ditto of Belah.

Mr. John Muir ditto ditto of Furruckabad.

The Honorable the Governor is pleased to make the following appointments:

Mr. R. Neave to be Magistrate and Collector in the Hurriana Division of the Delhee Territory.

Mr. C. W. Truscott to be Magistrate and Collecter of Land Revenue, Customs and Town Duties, in the Central Division of ditto.

ALLAHABAD, JULY 15.

The Hon'ble the Governor is pleased to make the following appointments:

Mr. G. H. Smith to be Collector of Government Customs North West Frontier.

Mr. T. J. C. Plowden, Junior, to be Joint Magistrate and Deputy Collector of Meerut.

ALLAHABAD, JULY 16.

The Hon'ble the Governor is pleased to make the following appointments:

Mr. R. Woodward to officiate as Additional Judge of Futtehpore.

Mr. H. B. Harrington ditto as Registrar of the Sudder Dewanny and Nizamut Adawlut of the Agra Presidency.

ALLAHABAD, JULY 20.

The following officers have obtained leave of absence from their stations:

Mr. R. J. Tayler, officiating Additional Judge of Jaunpore, from the 10th August to the 10th September next, on urgent private affairs.

Mr. E. Thornton, Assistant to the Collector and Magistrate of Gorruckpore, for four months, on medical certificate

The permission granted by the officiating Commissioner to Mr. Thornton, to proceed on the river in anticipation of his leave being sanctioned, is approved.

ALLAHABAD, JULY 22.

The Honorable the Governor has been pleased to appoint Mr. J. S. Boldero to officiate as Commissioner under Act. III. of 1835 at Agra, for the decision of suits instituted under Regulation I of 1821 and Regulation I. of 1828.

ALLAHABAD, JULY 24.

Mr. H. Atherton, assistant under the Commissioner of the Bareilly division, has obtained leave of absence until the departure of the Ship *Royal Saxon*, in extension of the leave granted him on the 16th April last, on medical certificate.

Mr. F. Flemming, Civil Assistant Surgeon of Shahjehanpore, has obtained leave of absence from his station, from the 15th July 1835 to the 15th January 1836 to proceed to Calcutta, on private affairs. Mr. Fleming has been authorized to make over charge of the medical duties to Mr. Assistant-Surgeon D. Gullan, of the 14th N. I., stationed at Shahjehanpore.

ALLAHABAD, JULY 28.

The Honorable the Governor is pleased to make the following appointments:

Mr. T. J. Turner to be Commissioner of Revenue and Circuit of the 4th or Allahabad division.

Mr. F. Currie to be ditto ditto of the 5th or Benares ditto.

Mr. R. J. Tayler to be Civil and Session Judge of Bundlecund. Mr. Tayler will continue, till further orders, to act as additional Judge of Jaunpore.

Mr. W. Gorton to be ditto ditto of Benares.

Mr. G. Mainwaring ditto ditto of Gorruckpore. Mr. Mainwaring will continue to officiate in those capacities at Benares until further orders.

Mr. C. M. Caldecott to be Magistrate and Collector of Seharunpore. Mr. Caldecott will continue in his present office of Magistrate of Cawnpore until further orders.

Mr. J. C. Grant to be Joint Magistrate and Deputy Collector of Allyghur. Mr. Grant will continue to act as Magistrate and Collector of Seharunpore until further orders.

Mr. H. Hose to be Joint Magistrate and Deputy Collector of Furruckabad.

Mr. D. Home ditto ditto of Shahjehanpore.

Mr. J. Cumine to officiate as ditto ditto at Humeerpore.

Mr. J. C. Wilson ditto ditto at Cawnpore.

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POLITICAL DEPARTMENT, JULY 22, 1835.

Capt. Kennedy, Political Agent at Sebathoo, has obtained six month's leave of absence, commencing from the 1st of October ensuing, to visit the Presidency, on private affairs; Captain McCausland to conduct the duties of the Agency until further orders.

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GENERAL DEPARTMENT, MILITARY, ALLAHABAD, JULY 15, 1835.

The Hon'ble the Governor of Agra has been pleased to make the following appointments:

Assistant Surgeon A. C. Gordon to the medical duties of the Umballah Agency.

Assistant-Surgeon W. M. Buchanan, M. D., to the medical duties of the Civil Station of Mozuffernugur.

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# MILITARY APPOINTMENTS, &c.

## GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, 6TH JULY, 1835.

No 157 of 1835.—The undermentioned medical officers are placed at the disposal of the Hon'ble the Governor of Agra, for employment under that Government:

Assistant Surgeon Archibald Campbell Gordon.

Assistant Surgeon William Miller Buchanan, M. D.

The following officers are permitted to proceed to the Cape of Good-Hope, on medical certificate, for two years.

Captain Benjamin Frarell Phillips, of the 7th Regt. L. C.

Lieut. Peter Nicolson, of the 28th Regt. N. I., and senior Assistant to the Governor-General's Agent under Regulation 13 of 1833.

The leave of absence granted to Lieut. James George Lawson, of the 2d Regt. L. C., in General Orders No. 59 of the 30th April, 1833 is extended to the 26th ultimo.

Mr. Edwin Wiggens, having satisfied Government on the points of qualification prescribed by existing Regulations, is admitted to the service, as a Cadet of Infantry on this establishment, agreeably to instructions from the Hon'ble the Court of Directors in their letter No. 9, of the 28th January last, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment.

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FORT WILLIAM, 7TH JULY.

No. 159 of 1835.—Capt. Henry Raleigh Impey, of the 50th Regt. N. I., is permitted to proceed to Europe on furlough on medical certificate.

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FORT WILLIAM, 8TH JULY.

No. 160 of 1835.—Assistant Apothecary Marshall Hayes, of the subordinate medical department, is permitted to proceed to Europe on furlough, on medical certificate.

FORT WILLIAM, 13TH JULY.

No. 161 of 1835—Lieut. Thomas Fraser, of the 7th Regt. L. C., has returned to his duty on this Establishment, without prejudice to his rank, by permission of the Honorable the Court of Directors; date of arrival at Fort William, 2d July, 1835.

The undermentioned Officers are permitted to proceed to Europe on furlough:

2d Lieut. Edward Revel Eardly Wilmot, of the Regt. of Artillery, and Assistant Surgeon Benjamin Wilson, of the Medical Department, on medical certificate.

Lieut. Henry Joseph Guyon of the 31st Regt. N. I. on account of private affairs.

Mr. Henry Lewis Bird having satisfied Government on the points of qualification prescribed by existing Regulations, is admitted to the service as a Cadet of Infantry on this Establishment, agreeably to instructions from the Honorable the Court of Directors in their Letter No. 2, of the 2d Jan. last, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment.

Serjeant John Buttress, of the Corps of Sappers and Miners, is appointed an Assistant Overseer in the Department of Public Works on the salary allowed for that rank, and attached to the 1st Division.

Juggernauth Teware, Native Doctor lately employed in the Civil Department, is placed at the disposal of the Provincial Commander-in-Chief.

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FORT WILLIAM, 20TH JULY.

No. 163.—The Honorable the Governor-General of India in Council is pleased to make the following promotions and alteration of rank:

Regt. of Artillery.—Lieut. Col. and Brevet Col. George Pollock, C. B., to be Colonel, Major Richard Powney to be Lieutenant Colonel, and Captain Charles Pratt Kennedy to be Major

from the 3d March, 1835, in succession to Col. (Major General) Thomas Hardwick deceased.

1st Lieut. and Brevet Capt. Augustus Abbot to be Capt. vice Capt. Charles Pratt Kennedy promoted, with rank from the 10th May, 1885, vice Capt. John Edward Debrett deceased.

2d Lieut. James Hunter Campbell to be 1st Lieutenant, from the 10th May, 1835, vice 1st Lieutenant and Brevet Capt. Augustus Abbott promoted.

Supernumerary 2d Lieut. Gravenor Kirby is brought on the effective strength of the Artillery.

50th Regt. N. I.—Lieut. and Brevet Capt. Charles James Lewes to be Captain of a Company, and Ensign Simon John Nicolson to be Lieutenant, from the 14th July, 1835, in succession to Capt. Henry Raleigh Impey deceased.

### Alteration of Rank.

Regt. of Artillery.—Capt. D. Ewart, and 1st Lieut. A. M. Seppings, to rank from 8d March 1885, in succession to Capt. C. P. Kennedy promoted.

The undermentioned Officers of Infantry are promoted to the rank of Captain by Brevet, from the dates expressed opposite to their respective names:

22d Regt. N. I.,—Lieut. Richard Edmond Battley, 8th July 1835.
8th ditto—Lieut. Christopher Henry Naylor, 13th ditto.
54th ditto—Lieut. William Ferguson Beatson, 18th ditto.
48th ditto—Lieut. Colin Troup, 16th ditto.
58th ditto—Lieut. William Green James Robe, 16th ditto.
71st ditto—Lieut. William George Cooper, ditto ditto.

Lieut. David Lumsden, of the 27th Regt. N. I., is appointed to do duty with the Arracan Local Battalion.

The undermentioned gentlemen are admitted to the Service in conformity with their appointment by the Hon'ble the Court of Directors as Cadets of Cavalry and Infantry on this Establishment, and promoted to the rank of Cornet and Ensign respectively, leaving the dates of their Commissions for future adjustment:

Cavalry.—Mr. Richard Boulton; date of arrival at Fort William, 16th July, 1835.

Infantry.—Mr. Robert Wilberfore Bird, ditto 16th July, 1885.

The leave of absence granted by the Hon'ble the Governor of Agra to Lieut. G. J. Frazer, Revenue Surveyor in Saheswan, on the 29th May last, has been cancelled, and that Officer has been allowed a month's leave on private affairs, from the 15th ultimo.

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### Fort William, 27th July.

No 168 of 1835.—The Hon'ble the Governor-General of India in Council is pleased to make the following promotions and appointments:

12th Regt. N. I.—Lieut John Studholme Hodgson to be Capt. of a Company, and Ensign James Henry Ferris, to be Lieut., from the 21st June 1834, in succession to Capt. Thomas Lamb retired.

60th Regt. N. I.—Ensign Oswald John Young husband to be Lieut., from the 18th June 1834, vice Lieut. James Oldham resigned.

Major James Tennant, of the Regt. of Artillery, to be Agent for Gun Powder at Ishapore, in succession to Lieut.-Col. R. Powney who vacates his appointment on promotion to that rank.

The undermentioned Gentlemen are admitted to the Service in conformity with their appointment by the Hon'ble the Court of Directors as Cadets of Infantry and an Assistant-Surgeon on this Establishment. The Cadets are promoted to the rank of Ensign, leaving the dates of their Commissions to be adjusted hereafter;

*Infantry.*—Messrs. Daniel Stansbury, William McCulloch, Samuel Brougham Faddy, Charles Louis Napier Raiks, Henry Nicoll, John William Carter, and Francis Stuart Paterson; date of arrival at Fort William, 21st July, 1835.

Mr. George Donnithorne Elliott, ditto 23d ditto; Messrs. Edward Wynne Bristow and Frederick Summers Macmullen, ditto 24th ditto.

*Medical Department.*—Mr. Harman Read Bond; ditto 21st July 1835.

The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors.

Capt. William Clifford of the 39th Regt. N. I., date of arrival at Fort William, 17th July 1835; Capt. Robert Codrington, of the 49th Regt. N. I., 24th ditto; Capt. John Woodmore Michell, of the 49th Regt. N. I., ditto; 1st Lieut. James Horsburgh McDonald, of the Regt of Artillery, and Assistant Surgeon Alexander McKenzie Clark, of the Medical Department, ditto 24th ditto.

The undermentioned Officers are permitted to proceed to Europe on furlough:

Capt. Gabriel Napier Christie Campbell, of the Regt. of Artillery, on medical certificate.

Lieut. Charles Lowth, of the 4th Regt. Light Cavalry, on account of private affairs.

Lieut. J. C. Hannyngton, of the 24th Regt. N. I., was appointed in the Judicial and Revenue Department under date the 23d instant, to be Junior Assistant to the Agent to the Governor-General under Regulation XIII. 1833, vice the late Lieut. James Awdry.

### General Orders by the Provincial Commander-in-Chief.

*Head-Quarters, Calcutta, 1st July, 1835.*

The Dinapore station Order by Brigadier General W. Richards, C. B. of the 6th ultimo, directing Assistant Surgeon J. Macdonell to take medical charge of the Artillery at that Station, is confirmed.

The Provincial Commander in Chief is pleased to make the following appointment:

74th Regiment Native Infantry.—Lieutenant H. N. Worsley to be Adjutant, vice Lieutenant and Brevet Captain N. J. Cumberlege appointed to command the Calcutta Native Militia.

The undermentioned Officer have leave of absence:

73d Regiment Native Infantry.—Lieutenant Colonel H. T. Smith, from 26th June to 12th September, to remain at the Presidency, and to proceed to the Sand Heads, on medical certificate. N. B. The leave of absence on private affairs, granted to Lieutenant Colonel Smith, in General Orders of the 8th April last, is cancelled from the 25th ultimo.

1st Regiment Light Cavalry—Lieutenant S. B. Goad, from 15th October to 15th March, 1836, to visit the presidency on private affairs.

Subordinate Medical Department—Assistant Apothecary H. Shinks, from 1st July to 31st December, to proceed on the river and eventually to Meerut, on medical certificate.

Assistant Apothecary Shinks, on the expiration of his leave, will do duty under the orders of the Superintending Surgeon at Meerut.

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*Head-Quarters, Calcutta, 3d July.*

The Dinapore Division Order of the 22d ultimo, by Brigadier General W. Richards, C. B. directing Shahab Khan, supernumerary Native Doctor, doing duty at Dinapore, to proceed to Dorundah, and join the Hospital of the Ramgurh Battalion, is confirmed.

The Neemuch Artillery Division Order of the 10th ultimo, by Major G. E. Gowan, appointing Lieutenant A. Fitzgerald, of the 4th Troop 3d Brigade of Horse Artillery, to act as Adjutant to the Meywar Division of Artillery, in the room of Lieut. and Brevet Capt. A. Wilson promoted, is confirmed as a temporary arrangement.

The Dinapore Station Orders of the 22d ultimo, by Brigadier General W. Richards, C. B. appointing Assistant Steward James Parnell, doing duty with the European Regt. to act as Assistant Apothecary and Assistant Steward to the 3d Company 5th Battalion of Artillery, during the absence, on sick certificate, of Assistant Apothecary John Harris Peter, and Hospital Appentice Edward Ensor, of the European Regt. to act as Assistant Apothecary in the Hospital of that Corps, during the absence of Assistant Apothecary Marshall Hayes, on sick certificate, or until further orders, are confirmed.

The undermentioned Officers have leave of absence;

Left Wing European Regt.—Capt. D. Birrell, from 25th October to 25th February 1836, to visit the Presidency, on private affairs.

Right Wing European Regt.—Lieut. C. Clark, from 15th July to 1st October, to visit Tirhoot and Korumtah Dhee, on private affairs.

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*Head Quarters, Calcutta, 4th July.*

Corporal Dennis Roughan, of the 1st Company 2d Battalion of Artillery, acting Laboratory-man in the Rajpootanah Magazine, is transferred to the Town Major's List, and permanently appointed to the situation, to complete the establishment of that Magazine.

The undermentioned Officers have leave of absence:

62d Regt. N. I.—Captain R. R. Hughes, from 1st July to 15th March 1836, to visit the Presidency, preparatory to applying for furlough.

8th Regt. L. C.—Lieut. and Brevet Captain F. Tweedale, from 20th July to 31st October, to visit the Presidency, preparatory to applying sor furlough to Europe.

8th Regt. L. C.—Lieut. T. B. Studdy, from 1st July to 1st November, to visit the Presidency, on medical certificate, preparatory to applying for furlough to Europe, on account of his health.

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*Head-Quarters, Calcutta, 7th July.*

Surgeon B. Burt, M. D., now of the 4th Regt. N. I., has an extension of leave from the 1st to the 24th of June 1834, to enable him to join the 38th Regt. N. I. at Benares, to which he was posted in General Orders of the 20th May 1834.

Unposted Ensign E. Wiggens, lately admitted into the service, is appointed to do duty with the 19th Regt. N. I. at Barrackpore, and directed to join.

The undermentioned officers have leave of absence;

Arracan Local Battalion—Local Lieut. R. Maling, from 25th June to 25th October, to visit the Presidency, on medical certificate.

67th Regt. N. I.—Ensign R. Price, from 31st July to 31st October, in extension, to remain at the Presidency, to prosecute his studies in the native languages, and undergo an examination.

6th Regt. N. I.—Capt. T. Birkett, from 15th October to 1st March 1836, in extension, to enable him to rejoin.

*Head-Quarters, Calcutta, 8th July.*

The leave of absence granted to 2d Lieut. J. A. Mouat, of Engineers, by General Orders of the 16th March last, to visit the Presidency, on private affairs, has been limited to the 13th May 1835, the date of his nomination to the Acting Adjutancy of the Corps of Engineers.

The undermentioned Officers have leave of absence:

15th Regt. N. I.—Major A. Carnegy, from 20th July to 20th October, to visit Bhaugulpore, on private affairs.

12th Regt. N. I.—Lieut. Interpreter and Quarter Master the Hon'ble R. V. Powys, from 1st Aug. to 31st Jan. 1836, to visit the Presidency, via Cawnpore and Agra preparatory to submitting an application for permission to proceed to Europe on furlough, on private affairs.

47th Regt. N. I.—Lieut. G. C. Armstrong, from 20th July to 11th Oct., to visit the Presidency, on private affairs.

*Head Quarters, Calcutta, 9th July.*

The undermentioned Officers have leave of absence:

3d Troop 2d Brigade Horse Artillery—Capt. G. G. Dennis, from 17th June to 15th Dec., in extension, to remain in the Hills North of Deyrah Dhoon, on medical certificate, and to enable him to rejoin his troop.

27th Regt. N. I.—Capt. A. Gerard, from 15th Aug. to 15th Jan. 1836, to visit the Presidency, preparatory to applying of permission to retire from the service.

*Head Quarters, Calcutta, 10th July.*

Assistant Surgeon G. Paton, M. D., at present at the General Hospital, is directed to proceed to Dinapore, and to join duty with the European Regt.

The undermentioned Officers have leave of absence:

4th Regt. N. I.—Lieut. P. Goldney, from 16th July to 16th September to appear before the College Examiners of Fort William.

4th Regt. N. I.—Ensign R. Hill, from 16th July to 16th September, to appear before the College Examiners of Fort William.

*Head-Quarters, Calcutta, 11th July.*

Brevet Col. W. H. Kenah's Regimental Order of the 12th instant, appointing Lieut. P. Meik to act as Adjutant to the 31st N. I. during the absence, on leave, of Lieut. and Adjutant H. J. Guyon, is confirmed.

The Provincial Commander in-Chief is pleased to make the following appointment:

18th Regt. N. I.—Lieut. William Walter Davidson to be Interpreter and Quarter Master, vice Lieut. C. Brown appointed Assistant to the General Superintendent of the Operations for the Suppression of Thuggee.

The undermentioned Officer has leave of absence:

50th Regt. N. I.—Capt. H. R. Impey, from 6th July to 6th August, to remain at the Presidency on medical certificate.

*Head Quarters, Calcutta, 13th July.*

Col. C. Parker's Battalion Order of the 27th ultimo, appointing 1st Lieut. C. S. Ried to act as Adjutant and Quarter Master to the 5th Battalion of Artillery, during the absence, on leave, of Lieut and Brevet Capt. J. Turton, is confirmed.

The Provincial Commander-in Chief is pleased to make the following removal:

Cornet Edward Kyrle Money, from the 2d to the 7th Regt. L. C.

The undermentioned Officers have leave of absence:

53d Regt. N. I.—Capt. W. E. B. Leadbeater, from 1st July to 1st Nov., to proceed on the river, on medical certificate.

15th Regt. N. I.—Lieut. G. J. Montgomery, from 16th July to 1st Nov., to visit the Presidency, on private affairs.

29th Regt. N. I.—Lieut. Interpreter and Quarter Master F. C. Marsden, from 31st Oct. to 1st Feb. 1836, to visit the Presidency, preparatory to submitting on application for permission to proceed to Europe on furlough, on his private affairs.

*Head-Quarters, Calcutta, 14th July.*

With the sanction of Government, the following European and Native Corps will move on the dates specified, to effect the Relief for 1835-36.

Artillery.—1st Battalion Head Quarters—From Mhow to Dum Dum—on being relieved by the Head Quarters of the 3d Battalion and arrival of the 1st Company 3d Battalion.

1st Battalion 3d Company—From Mhow to Dum Dum—on being relieved by the Head-Quarters of the 3d Battalion and arrival of the 1st Company 3d Battalion.

1st Battalion 4th Company—From Saugor to Dum-Dum—on arrival of the 2d Company 3d Battalion.

3d Battalion Head Quarters—From Cawnpore to Mhow—on the 15th Oct.

3d Battalion 1st Company—From Cawnpore to Mhow—on the 15th Oct., with the Head Quarters of the 3d Battalion.

3d Battalion 2d Company—From Cawnpore to Saugor—on the 15th Oct., with the Head Quarters of the 3d Battalion.

3d Battalion 3d Company—From Cawnpore to Dinapore—when relieved by the 1st and 2d Companies of the 5th Battalion.

3d Battalion 4th Company—From Cawnpore to Benares—when relieved by the 1st and 2d Companies of the 5th Battalion.

4th Battalion Head Quarters—From Dum-Dum to Agra—on the 5th of November, or as soon after as the state of the Roads will permit.

4th Battalion 3d Company—From Dum-Dum to Agra on the 5th of Nov., or as soon after as the state of the Roads will permit.

4th Battalion 4th Company—From Dum-Dum to Agra—on the 5th of November, or as soon after as the state of the Roads will permit.

5th Battalion Head Quarters—From Agra to Cawnpore—when relieved by the Head Quarters, and the 3d and 4th Companies of the 4th Battalion.

5th Battalion 1st Company—From Agra to Cawnpore—when relieved by the Head Quarters, and the 3d and 4th Companies of the 4th Battalion.

5th Battalion 2d Company—From Agra to Cawnpore—when relieved by the Head-Quarters, and the 3d and 4th Companies of the 4th Battalion.

4th Battalion 3d Company—From Dinapore to Cawnpore—when relieved by the 3d Company 3d Battalion.

5th Battalion 4th Company—From Benares to Cawnpore—when relieved by the 4th Company 3d Battalion.

6th Battalion 2d Company—From Neemuch to Delhi—when relieved by the 5th Company.

6th Battalion 5th Company—From Cawnpore to Neemuch—on the 15th October.

6th Battalion 7th Company—From Delhi to Cawnpore—when relieved by the 2d Company.

7th Battalion 1st Company From Cawnpore to Dum-Dum—when relieved by the 2d Company.

7th Battalion 2d Company—From Dum-Dum to Cawnpore—with the Head Quarters of the 4th Battalion as far as Cawnpore.

1st L. C.—From Meerut to Neemuch—on the 2d Nov.

2d L. C.—From Neemuch to Meerut—on the arival of the 1st L. C.

4th L. C.—From Nusseerabad to Kurnaul—on the arrival of the 9th L. C.

9th L. C.—From Kurnaul to Nusseerabad on the 20th of Nov.

His Majesty's 3d Regt. or Buffs—From Ghazeepore to Agra—on the 2d Nov.

His Majesty's 13th L. I.—From Agra to Kurnaul—on the arrival of the 3d Buffs.

His Majesty's 26th Regt. or Cameonions—From Meerut to Ghazeepore on the arrival of the European Regt.

His Majesty's 31st Regt.—From Kurnaul to Dinapore—on the arrival of the 13th L. I.

Honorable Company's European Regt.—From Dinapore to Meerut—on the 16th Nov.

5th Regt. N. I.—From Sangor to Benares—on the 20th Nov.

9th Regt. N. I.—From Agra to Barrackpore—on the 20th October.

13th Regt. N. I.—From Bareilly to Nusseerabad—on the 20th Oct.

16th Regt. N. I.—From Mhow to Delhi—on arrival of the 60th Regt.

17th Regt. N. I.—From Nusseerabad to Loodianah—on arrival of the 52d Regt.

18th Regt. N. I.—From Baitool to Benares—on arrival of the 66th Regt.

19th Regt. N. I.—From Barrackpore to Cuttack—on the 2d Nov.

24th Regt. N. I.—From Barrackpore to Midnapore—on the 5th Nov.

26th Regt. N. I.—From Gurrawarrah to Meerut—on arrival of the 46th Regt.

29th Regt. N. I.—From Jubbulpore to Bandah—on arrival of the 33d Regt.

33d Regt. N. I.—From Cuttack to Jubbulpore—on arrival of the 19th Regt.

34th Regt. N. I.—From Midnapore to Futtehgurh—on arrival of the 24th Regt.

37th Regt. N. I.—From Neemuch to Agra—on arrival of the 39th Regt.

38th Regt. N. I.—From Benares to Delhi—on arrival of the 5th Regt.

39th Regt. N. I.—From Delhi to Neemuch—on arrival of the 6th Regt.

42d Regt. N. I.—From Delhi to Bareilly—on arrival of the 38th Regt.

46th Regt. N. I.—From Neemuch to Gurrawarrah—on arrival of the 49th Regt.

49th Regt. N. I.—From Loodianah to Neemuch—on the 15th Oct.

52d Regt. N. I.—From Meerut to Nusseerabad—on the 20th Oct.

54th Regt. N. I.—From Nusserabad to Meerut—on arrival of the 18th Regt.

60th Regt. N. I.—From Futtegurh to Mhow—on the 20th Oct., to be relieved by a detachment from Mynpoorie.

66th Regt. N. I.—From Benares to Baitool—on the 2d Nov.

69th Regt. N. I.—From Meerut to Saugor—on arrival of the 54th Regt.

70th Regt. N. I.—From Bandah to Barrackpore—on being relieved by a wing from Cawnpore, which will be detached for that purpose on the 2d Nov.

*Head Quarters, Calcutta, 15th July.*

Brigadier General A. Duncan's Station Order of the 30th ultimo, directing Ensign W. H. Ryves, of the 61st Regt. N. I., to resume his duty as Acting Interpreter and Quarter Master to the 9th Regt. L. C., is confirmed.

Juggernauth Tewaree, Native Doctor, who was placed at the disposal of the Provincial Commander in Chief, in Government General Orders of the 13th instant, is directed to proceed to Benares, and do duty under the Superintending Surgeon.

The undermentioned officers have leave of absence :

54th Regt. N. I.—Lieut. and Brevet Capt. R. Angelo, from 1st Aug. to 1st Feb. 1836, to proceed on the River towards Futtehgurh on urgent private affairs.

50th Regt. N. I.—Lieut. J. Macdonald, from the 31st July to 30th Oct., to visit Midnapore and Calcutta, on urgent private affairs.

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*Head-Quarters, Calcutta, 18th July.*

The leave of absence granted to Capt. O'Lomer, of the 21st Regt. N. I., in General Orders of the 27th May last, cancelled at his request.

The undermentioned Officers have leave of absence :

29th Regt. N. I.—Ensign C. A. Morris, from 1st July to 31st Oct., for visit the Presidency, on medical certificate, preparatory to submitting as application for permission to proceed to Europe on furlough on account of his health.

7th Regt. L. C. Lieut. D. Wiggens, from 1st. July to 1st July 1836, to visit Simlah, on medical certificate.

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*Head-Quarters, Calcutta, 19th July.*

The Meerut Division Order of the 1st instant, by Major General the Honorable John Ramsay, appointing Captain James Hewett, of the 52d Regt. N. I., to act as Major of Brigade during the absence, on leave of Brevet Major E. A. Campbell, is confirmed as a temporary arrangement.

The undermentioned Officers have leave of absence :

32d Regt. N. I.—Lieut. J. S. Davies, from 15th Aug. to 15th Feb. 1836, to visit the Presidency, preparatory to applying for furlough to Europe.

1st Company 2d Battalion Artillery—2d Lieut. A. Broome, from 1st July to 1st March 1836, in extension, to remain in the Hills North of Deyrah Dhoon, on medical certificate.

European Regt.—Capt. G. Warren from 1st Nov. to 28th Feb 1836, to visit the Presidency, on private affairs.

63d Regt. N. I.—Major J. B. Smith, from 8th Aug. 1834 to 13th Sept. 1834, in extension, to enable him to rejoin his Regt

Nusseree Battalion—Lieut. and Adjt. C. O'Brien, from 15th July to 15th ct, in extension, to remain at the Presidency, on sick certificate.

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*Head-Quarters, Calcutta, 20th July.*

The undermentioned Officers have leave of absence :

7th Regt. L. C.—Lieut. D. Wiggens, from 1st July 1834 to 17th Nov. 1834, in extention to enable him to join his Regt.

46th Regt. N. I.—Lieut. J. Grissell, from 1st Oct. to 30th March 1836, to visit the Presidency, preparatory to applying for furlough to Europe.

54th Regt. N. I.—Ensign H. Weaver, from 1st July to 1st Aug., in extension, to remain at Benares, on medical certificate.

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*Head Quarters, Calcutta, 21st July.*

The Provincial Commander-in-Chief is pleased to make the following appointments :

Lieut. J. H. Daniell, from the 3d, to be Adjutant and Quarter-Master of the 2d Brigade Horse Artillery, vice Lieut G. Campbell, who is permitted to resign the appointment.

Lieut. W. O. Young of the 3d Company 2d Battalion, to be Adjutant and Quarter-Master to the Neemuch Division of Artillery vice Daniell.

The following removals and postings are to take place in the Regt. of Artillery :

Capt. W Bell, (Superintendent of Public Works, Cuttack Province) from the 1st Troop 2d Brigade to the 3d Company 1st Battalion.

Capt. J. Johnson, from the 3d Company 1st Battalion to the 1st Troop 2d Brigade.

Capt. Johnson will proceed and assume the temporary Command of the 2d Troop 2d Brigade, during the absence, on leave, of Captain G. G. Dennis.

Lieut. G. Campbell, from the 2d Brigade to the 4th Troop 3d Brigade Horse Artillery.

The undermentioned unposted Officers are appointed to do duty with the Regiments, viz.

Cornet Richard Boulton, with the 8th Regt. L. C. at Sultanpore, Benares.

Ensign Robert Wilberforce Bird, with the 12th Regt. N. I. at Allahabad, at his own request.

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*Head Quarters, Calcutta, 22d July.*

The Provincial Commander in Chief is pleased to make the following removals and postings :

Col. G. Carpenter, (on furlough) from the 17th to the 49th Regt. N. I.

Colonel W. C. Faithfull, from the 49th to the 17th Regt. N. I

The undermentioned officers have leave of absence :

17th Regt. N. I.—Col. W. C. Faithful, C B., from 1st July to 1st Dec., to visit the Hills in the vicinity of Simlah on medical certificate.

30th N. I.—Lieut.-Col. H. Cock, from 7th July to 1st Nov. 1836, to proceed to the Hills North of Deyrah, on medical certificate.

51st N. I.—Surgeon R. M. M. Thomson, from 1st Oct. to 15th March 1836, to visit the Presidency, on private affairs.

32d N. I.—Capt. W. F. Steer, from 15th Aug. to 15th Dec. to visit the Presidency, preparatory to submitting an application to resign the service.

3d L. C.—Cornet G. R. Budd, from 1st Sept. to 31st Oct. to visit the Hills North of Deyrah, on private affairs.

55th N. I.—Lieut. Interpreter and Quarter Master J. Ewart, from 12th July to 12th Aug, to visit Hidgelee, on urgent private affairs.

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*Head Quarters, Calcutta, 24th July.*

The Provincial Commander-in Chief is pleased to make the following removals :

Lieut. Colonel Thomas Palmer, from the 39th to the 21st Regt. Native Infantry.

Lieut. Colonel Thomas Samuel Oliver, form 21st to the 39th Regt. Native Infantry.

The undermentioned Officers have leave of absence :

4th Regt Light Cavalry—Lieut. G. C. S. Master, from 1st August to 1st February, 1836, to visit the Presidency, and apply for furlough.

4th Regt. Light Cavalry—Lieut. G. W. Master, from 1st August to 1st February, 1836 to visit the Presidency and apply for furlough.

6th Regt. Light Cavalry—Cornet G. Scott, from 1st August to 30th October, in extension, to remain at Simla, on medical certificate.

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*Head Quarters, Calcutta, 25th July.*

The leave of absence granted by General Orders of the 29th ultimo, to Lieutenant B. W. R. Jenner, of the 64th Regt. N. I. and attached to the Ramgurh L. I. Battalion, is cancelled at that Officer's request.

The Provincial Commander-in Chief is pleased to confirm, as a temporary arrangement, the following Brigade Order of the 15th instant, by Brevet Colonel W. S. Wish, Commanding the 2d Brigade Horse Artillery :

Appointing 1st Lieut. W. M. Shakespeare to act as Adjutant and Quarter Master to the Brigade.

The undermentioned Officer has leave of absence :

70th Regt. N. I.—Lieut. and Adjutant P. Harris, from 15th August to the 15th November, to visit Mussoorie, on private affairs.

*Head-Quarters, Calcutta, 27th July.*

The undermentioned Officers have leave of absence.

12th Regt. N. I.—Lieut.-Col. B. Sissmore from 15th August to 15th January, 1836, to visit the Presidency, on private affairs.

11th Regt. N. I.—Lieut. C. H. Thomas, from 25th September to 25th March, 1836, to visit the Presidency, on private affairs, preparatory to applying for furlough to Europe.

Medical Department—Assistant Surgeon H. M. Green, doing duty with 25th N. I. from 1st September to 1st January 1836, to visit Chinsurah and the Presidency, on private affairs.

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*Head Quarters, Calcutta, 28th July.*

The following individuals are appointed Hospital Apprentices, to fill existing vacancies in the Subordinate Medical Department, and directed to report themselves to the nearest Superintending Surgeons, who will order them to do duty with the Hospitals in which their services may be most required, and include them in their next Monthly Returns. Such of the Apprentices as do not report themselves, within three months from this date, wil be struck off.

James Stenson, George Thomas, J. W. Shearman, William Ingram Priest. Willim Kinder, George Lavellette, George Lyons, William Baker, James Hyland, Alexander Gibson, James Henry Ballard, George David Browne, Thomas Coleman, Charles Bath, William Simpson.

The undermentioned Officers have leave of absence :

66th Regt. N. I.—Lieut. and Adjutant J. H. Tilson, from 3d August to 3d October, in extention, to enable him to rejoin his Corps.

41st Regt. N. I.—Capt. J. Martin, from 30th June to 15th September, in extention, to enable him to rejoin his Corps.

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The Provincial Commander-in Chief is pleased to make the following removals and postings of medical officers :

Surgeons W. Thomas (on furlough) to the 5th Regt. N. I; T. Tweedie (on furlough) to the 6th Regt. N. I.; D. Renton, (officiating Superintending Surgeon, Benares) from the 38th to the 18th Regt N. I.; W. Duff, from the 19th to the 38th Regt. N. I.; at Secrole, Benares; W. S. Stiven, from the 33d to the 19th Regt. N. I; Surgeon Stiven, will continue in medical charge of the 33d N. I., until the Regt. to which he is now posted arrives at Cuttack; J. Tytler (on furlough) to the 14th Regt N. I.; J. Turner (on furlough) to the 28th Regt. N. I.

Assistant Surgeons A. McK. Clark, from the 73d to 51st Regt. N. I. at Agra; B. Wilson, (on furlough) from the 31st to the 67th Regt. N. I; A. Smith (on furlough) to the 22d Regt. N. I.; S. Holmes, from the 69th to the 62d Regt. N. I. at Loodianah; G. J. Berwick, M. D. (on furlough) to the 43d Regt. N. I.; A. Colquhoun, from the 38th to the 12th Regt. N. I. at Allahabad; S. Winbolt, from the Artillery at Cawnpore to the 49th Regt. N. I. at Loodianah; E. Mitchell (on furlough) to the 72d N. I.; E. W. Clarributt (on furlough) to the 55th Regt. N. I.; C. J. Davidson, at present with the Artillery at

Dum Dum, is appointed to do duty with the 19th Regt. N. I. at Barrackpore, until further orders.

The undermentioned Officers have leave of absence:

10th Regt. N. I.—Lieut. F. Sauler, from 5th June to 19th July, in extension, to proceed to Kishnaghur, on medical certificate.

73d Regt. N. I.—Ensign R. C. Lawrence, from 14th June to 4th July, in extension to enable him to rejoin his Regt. at Barrackpore.

*Head-Quarters, Calcutta, 29th July.*

The Provincial Commander-in-Chief is pleased to make the following appointments:

19th Regt. N. I.—Ensign P. D. Warren to be Interpreter and Quarter Master, vice Lloyd appointed Sub-Assistant Commissary General.

43d Regt. N. I.—Lieut. J. W. V. Stephen, of the 41st Regt. to officiate as Interpreter and Quarter Masert.

# SHIPPING REGISTER.

## ARRIVALS.

Aug. 1 Ship *Robert*, H. Blyth, from Liverpool 14th April.
2 French ship *Messager des Indes*. T. Terspecke. from Havre de Grace 13th February and Rio de Janeiro 23d May.
3 Brig *Ripley*, R. Lloyd, from Liverpool 20th March.
8 Ship *Winscales*, George Fisher, from Liverpool 1st and Falmouth 28th March.
9 Ship *Bussorah Merchant*, L. W. Moncrief, from Portsmouth 4th April, Point de Galle 28d July and Madras 2d August.
10 Brig *Marja*, G. Robson, from Moulmein 13th July.
11 Ship *Sophia*, Wm. McNair, from Portsmouth 15th March and Madras 5th August.
13 Brig *Ayr*, A Nicol, from Moulmein 28th July.
14 Brig *Elizabeth*, G. Baker, from Rangoon 31st July.
15 American ship *Solon*, B L. Allen, from Boston 26th May.
— American ship *Star*, M. Griffing, from Philadelphia 7th April and Madras 7th August
— Barque *Haidee*, J. Randle, from Singapore 19th July, Malacca 21st July and Pedier 4th August.
16 Ship *Mary Ann Webb*, W. Viner, from Liverpool 18th March and Rio de Janeiro 5th June.
— Ship *Bombay Castle*, R. Wemyss, from Bombay 26th July.
— American ship *Mary and Susan*, F. Parrett, from Boston 14th April.
20 Barque *Bahamian*, J. Pearce, from Liverpool 2d May.
— Barque *Forth*, C Robinson, from China 23d June and Singapore 5th July.
21 Barque *Emily Jane*, W. Boothby, from China 11th May and Singapore 4th August.
— American brig *Cornelia*, J. Beard, from Baltimore 17th April.
— Brig *Arethusa*, J. Canning, from Penang, (no date.)
— Barque *Phœnix*, A. Bane, from Rangoon 5th August.
22 Ship *John Bagshaw*, Jame Hardy, from Liverpool 27th April and Madras 12th August.
— Brig *Cecilia*, P. Roy, from Pedier Coast 8th August.
— French ship *Alexandre*, Vives, from Bourbon 19th and Mauritius 23d July.
28 Barque *Cashmere Merchant*, P. Edwards, from Moulmein 12th August.
29 Brig *Edmond-Castle*, Wm. Fleming, from Mauritius 3d July, Covelong 11th and Madras 18th Aug.
— French brig *Tropique*, Roy, from Bordeaux 20th April, Bourbon 24th July, Pondicherry 18th and Madras 20th August.
— Brig *Jessy*, J. Auld, from Penang 4th August.

## DEPARTURES.

Aug. 1 Ship *Allalevie*, A. R. Clarke, for China.
— Ship *Royal Saxon*, R. Renner, for Liverpool.
3 Barque *Drummore*, J. Z. McCallum, for the Mauritius.
4 Ship *Pascoa*, W. Morgan, for China.
5 Ship *Alice*, J. Sceales, for China.
— Ship *Golconda*, W. H. Bell, for China.
12 Ship *David Clark*, R. Rayne, for China.
13 Barque *Fanny*, J. Sheriff, for Singapore.
— Barque *Exporter*, R. Anwyle, for the Mauritius.
15 Barque *Northumbrian*, R. Taitt, for the Mauritius.
— American ship *Merchant*, B. Lombard, for Boston.
— Ship *Mary Somerville*, Thos. Jackson, for China.
16 Barque *Crown*, J. Cowman, for Liverpool.
— Barque *Arrarat*, W. M. Wyatt, for Penang.
— Ship *Indian Oak*, E. Worthington, for the Mauritius.
— French ship *Coromandel*, A. G. Conseil, for Bordeaux.
— Ship *Glenelg*, R. Langley, for China.
— Barque *Virginie*, J. Wellie, for Moulmein and Rangoon.
Aug. 17 Barque *Lonach*, W. H. O'Driscoll, for China.
— Brig *May*, A. Peel, for Liverpool.
— Brig *Collingwood*, J. Hookey, for China.
— Ship *Hamoody*, A. W. Marshall, for China.
— Ship *Asia*, E. Heselton, for London.
— Brig *Peter Proctor*, J. Terry, for London.
— Ship *Sulimany*, A. J. McFarlane, for China.
— French barque *Beaumanoir*, D. Martin, for Bourbon.
23 Ship *Sherburne*, T. J. Warren, for London.
27 Barque *Bonne Nanette*, L. Cannellier, for Bourbon.
29 Barque *Abgarus*, C. Dunbar, for Bombay.
— Brig *Corsair*, W. W. Hughes, for Penang.
30 Barque *Red Rover*, W. Clifton, for China.
— French ship *Messager des Indes*, T. M. Terspecke, for Bourbon.
31 Brig *Fatima*, G. Fethers, for China.
— Barque *London*, C. Lamb, for London.

## ARRIVAL OF PASSENGERS.

*Per Bussorah Merchant, from London.*—Messrs. J. Homfray, Henry Hume, Thomas Maclagan, and James Scott. *Steerage Passengers.*—Charles Dereuzet, George Dereuzet, and Thomas Milne.

*Per Sophia, from London.*—Mrs. Jenkins; Miss Jenkins; Mr. Cameron; Mr. Coull, Free Merchant; Messrs. Prendergast, Hasell, Harris, and Nesbett, Cadets; Mr. John Keane, Clerk to Mr. Cameron. *From Madras.*—Messrs. Murdock and Manuel.

*Per Ayr, from Moulmein.*—R. Powers, Esq; Lieut. H. Jackson, 45th Regt. M. N. I.; 1 Corporal and 3 Privates, in charge of a prisoner of H. M.'s 62d Regt.; 1 Medical Apprentice.

*Per Mary Ann Webb.*—Mrs. Wemyss.

*Per Mary and Susan.*—Mr. J. B. Briggs, Merchant.

*Per Forth.*—Mrs. Robinson; Mrs. Ogilvie and child; Captain Ogilvie, M. N. I.; Mr. Smith, Merchant; Mr. Lee, Country Service.

*Per Emily Jane, from China.*—Mrs. Thomson; Mrs. Boothby; Mr. Thomson.

*Per Cornelia, from Baltimore.*—Geo. J. Beaty, Esq.

*Per Alexandre, from Mauritius.*—Mr. W. Henley, Merchant.

*Per John Bagshaw, from Liverpool.*—Reverend J. X. Mascarenhas, Missionary.

*Per Cashmere Merchant, from Moulmein.*—Mrs. Browne; Miss Sophia Browne; Mrs. Cuttie; Mr. Browne, American Missionary; Mr. Cuttie; Lieut. McLear, H. M.'s 62d Regt.

*Per Edmond Castle, from Madras.*—Lieut. R. Jenkins, H. M. 41st Regt., and Mr. Smith, Mariner.

## DEPARTURE OF PASSENGERS.

*Per General Kyd, for the Straits.*—Mrs. Mangles and 2 children; R. D. Mangles, Esq.; Captain Steel; Captain Smyth; 2 Misses Skyring.

*Per David Clark, for Singapore and China.*—Mrs. J. Sutherland and Mrs. Rayne.

*Per Duke of Lancaster, for China.*—Miss Vos; Dr. Vos; J. K. Ewart, Esq; J. A. Duran, Esq.;——Lyon, Esq.

*Per Mermaid, for Singapore.*—Miss Hasleby.

*Per Sherburne, for London.*—Honorable Mrs. Elliot; Mrs. Bateman; Mrs. Turner; Mrs. Hogg; Miss Turner; Miss Hogg; Hon'ble J. E. Elliot; Majors Turner and Maltby; Archibald Campbell, Esq., C. S; T. Roupell, Esq., C. S; Robert Spier, Esq., W. P. Watson, Esq; H. Mackenzie, Esq; W. Harvey, Esq. A. Macdonad, Esq., and 4 children.

*Per Isabella Cooper, for London.*—Mrs Dayus; Mrs. Major Chalmers, Major Chalmers; and H. Dayus, Esq.

*Per John Maclellan, for London.*—Major Richmond and lady; Mrs. Capt. Ouseley; Mr. Colebroke; and five children.

# DOMESTIC OCCURRENCES.

## MARRIAGES.

July 10 At Chunar, by the Revd. R. Eteson, Lieut. A. N. M. Macgregor, 66th Regt. N. I., to Eleanor Hopper, niece of Major Hopper, H. M. 38th Foot.

23 At Kurnaul, by the Revd. W. Parish, A. B., at the house of Capt. Spence, H. M. 31st Regt., Capt Hogarth, H. M. 26th Regt., to Miss Spence.

27 At Burdwan, by the Revd. J. Weitbrecht, Mr. Simon Thadeus, to Miss Maria Ross.

— At Delhi, by the Revd. J. Proby, W. Baring Gould, Esq., Lieut. and Adjutant, 42d Regt. N. I., to Maria Anne, eldest daughter of Capt. J. Leeson, 42d Regt. N. I.

Aug. 11 At the Cathedral, by the Revd. T. Robertson, Mr. Charles Samuel Starling, Assistant at the General Post Office, to Miss Caroline L. Arson.

13 By the Revd. Mr. Moré, of the Moorgheebata Church, Mr. William Andrew, 2d Teacher of the Catholic Free School, to Miss Sarah Gill.

— At the Cathedral, by the Revd. Henry Fisher, Lieut. A. Q. Hopper, 24th Regt. N. I., to Louisa, youngest daughter of the late Lieut. Cunningham, Bengal Army.

17 At Mozufferpore, by the Revd. J. Vaughan, John William Yule, Esq., of Tirhoot, to Mary Henrietta, eldest daughter of Robert Anstruther, Esq., Captain, Light Cavalry.

— At Saugor, at the house of Dr. Pringle, Robert Foley, Esq., M. D., to Miss Isabella Pringle.

19 At the Cathedral, by the Bishop of Calcutta, James Henry Chowne, Esq., 66th Regt. N. I., to Mary Maynard, eldest daughter of W. Braddon, Esq. Civil Service.

— At Allahabad, by the Rev. G. Ward, Brian Hodgson, Esq., to Christian Anne, second daughter of the late Alexander Macleod, Esq., Penefiler, Isle of Skye, Inverneesshire.

20 Mr. Thomas Clarke, Branch Pilot, to Mary Ann, daughter of the late Mr. Malachi Lyons, Livery Stable Keeper.

26 At the Principal Roman Catholic Church, by the Revd. Fré Antonio de St. Maria, F. B. Gonsalves, Esq., to Miss Maria Margaret Eyoob.

27 R. S. Maling, 1st Lieutenant, Arracan Local Battalion, to Miss Ellen Barons Dove.

31 At Deega, by the Rev. J. Vaughan, Samuel Denton, Esq., to Charlotte Frances, second daughter of the late Rev. R. Noyes, Ruspar, Sussex.

## BIRTHS.

June 1 At Rangoon, the lady of Isaiah Manuk, Esq., of a son

29 At Allahabad, the lady of Captain Wheatley, A. D. C., of a daughter.

July 1 At Gowahatty, Assam, Mrs. Rae, of a son.

17 At Bareilly, the lady of Capt. G. H. Edwardes, of the 13th N. I., of a son.

27 At Mussoorie, the lady of George Fairplay, Esq., of a son.

— At Ghazeepore, the lady of Lieut. Desborough, of H. M. Buffs, of a daughter.

29 At Burisaul, the lady of H. Stainforth, Esq. of a son.

Aug. 1 At Hazareebaugh, the lady of Captain J. R. Campbell, H. M. 49th Regt. of a daughter.

2 Mrs. J. Gonsalves, of a son.

— At Mhow, the lady of Capt. A. G. Ward, 68th Regt. N. I., of a daughter.

3 At Allahabad, the lady of Captain Latouche, Military Secretary to the Hon'ble the Governor, of a son.

4 Mrs. S. L. Webb, of a son.

5 The lady of Doctor Daunt, of the 41th Regt. of a daughter.

— The lady of J. Smith, Esq., of a son.

— At Serampore, the lady of Capt. W. Glasegow, of a daughter.

— Mrs. Edward Goodall, junior, of a daughter.

— At Landour, the lady of A. U. C. Plowden Esq., C. S., of a son.

Aug. 6 In Fort William, the wife of Garrison Sergeant Major Gray, of a daughter.

— At Saugor, the lady of Captain Stephen Swayne, of the 5th Regt. N. I., of a daughter.

— At Mhow, the lady of Captain Osborn, D. A. C. General, of a son.

8 The lady of R. William, Esq. of a daughter.

— Mrs. Felix Queiros, of a daughter.

9 Mrs. John Chalcraft, of a daughter.

— At Monghyr, the lady of J. F. D'Oyly, Esq. of a son.

— At Cawnpore, the lady of Lieutenant J. Bruce, H. M. 16th Foot, of a daughter.

10 Mrs. P. Robam, of a son.

— Mrs. T. Linton, of a daughter.

11 At Chinsurah, the lady of F. M. Wade, Esq., 44th Foot, of a son and heir.

— At Moradabad, the lady of Capt. Birnie Browne, of the Artillery, Revenue Surveyor, of a son.

12 At Seetapore, Oude, the wife of Ensign Henry Palmer, of a son.

13 Mrs. John Francis Swaine, of a daughter.

— Mrs. William Bason, of a son.

14 At Lucknow, the lady of John D. Loch, Esq. of a daughter.

15 Mrs. William Godfrey Smith, of a daughter.

— Mrs. E. C. Bolst, of a daughter.

— In the H. C. Dispensary, Mrs. R. H. Watling, of a daughter.

— Mrs. Samuel Smith, of a daughter.

— At Kurnaul, the lady of G. A. Brownlow, Esq., of a son.

16 At Futtehpore, the wife of Mr. M. McCarthy, Sub-Conductor of the Department of Public Works, of a son.

18 At Lucknow, Mrs. Margaret Bonny, wife of Mr. J. T. Bonny, junior, of a daughter.

21 At Gya, the lady of D. W. Fraser, Esquire, of a daughter.

22 At Comillah, the lady of T. Bruce, Esq., Civil Service, of a son.

24 Mrs. John Brown, of a still born child.

— The lady of J. H. Grant, Esq., of a son.

26 The wife of James Galloway, Esq. of a daughter.

— At Cawnpore, the wife of Lieut. and Adjt. Bristow, of a son.

— At Baugundee, the lady of G. Temple, Es., of a daughter.

## DEATHS.

Feb. 17 At St. Helena, the lady of Lieut.-Col. Wright, of the St. Helena Establishment, aged 50 years.

April 7 At Sea, on board the ship *Coromandel*, Captain Boyes, Lucius Fullerton, the eldest son of Major and Mrs. Richmond.

May 5 At Sea, on board the *Symmetry*, Capt. James Harris, H. M. 61st Regt. His name as a gallant and distinguished soldier in many a hard fought field in the Peninsula, stands conspicuous in the records of his Regt., and his private worth as a man will cause his memory to be cherished in the recollections of his comrades.

July 1 At Malda, Miss Harriet Leith, sincerely regretted by her relatives and friends.

3 At Cawnpore, Edward Samuel, the infant son of Mr. E. F. Greenway, aged 1 year and 7 days.

10 At Dinapore, Mr. Richard Watkins, formerly of the Budge-Budge and Deegah Farms, aged 66 years, 4 months and 16 days.

12 At Berhampore, Mr. Thomas Shepherd, Assistant Overseer 2d Division of the Department of Public Works, aged 35 years.

21 At Dinapore, at the house of Capt. Lysaght, European Regt., Teignmouth Melville, son of Teignmouth Sandys, Esq., C. S., aged 1 year and 7 months.

— At Baugulpore, F. C. Crowe, Esq.

25 At Goruckpore, Lucy Elizabeth, wife of F. Currie, Esq, C. S., aged 23 years.

28 At Saugor, Lieut. W. Nisbett, of the 64th Regt. N. I

29 At Khassgunge, Col. W. L. Gardner, late Commander of Gardner's Horse.

31 At Seharunpore, on his way to the Hills, where he was proceeding on medical certificate, Arthur Heywood Trench, Esq., C. S., aged 26 years.

Aug. 1 At Janjemow, Cawnpore, William Trickett, Esq, aged 47 years.

5 At Mahim, Revd. Mr. Camelo de Silva, vicar of St. Miguel's Church.

7 Mr. Cadwallader O'Brien, aged 83 years, 6 months and 6 days.

— At Fort William, Mrs. Margaret McRitchie, wife of Mr. D. B. McRitchie, aged 53 years.

9 Luis Joseph Barretto, Esq., the youngest son of the late Joseph Barretto, Esq., senior, aged 39 years, 5 months and 14 days.

— Stephen Laprimaudye, Esq, aged 74 years, and 10 months.

10 At Agra, Edward Colquhoun, second son of J. O Beckett, Esq., aged 6 years and 2 months.

— At Neemuch, after a few days' illness, Augusta, the beloved wife of Capt. Henry Doveton, aged 21 years, 8 months and 15 days.

11 At Bauleah, John Bute Crawford, Esq.

13 At Moradabad, Lieut.-Col. Richard Coventry Faithful, Commanding the 14th Regt. N. I.—sincerely and deeply regretted by the Officers under his Command, aged 48 years.

15 At Dinapore, Frances, the beloved wife of St. John De Fountain, 56th Regt. N. I.

16 The infant son of Mr. and Mrs. P. Robam, aged 7 days.

— At Saugor, on board the *Jane*, Pilot Vessel, Mr. William Porteous, aged 24 years.

Aug. 16 At Ghazeepore, Lieutenant J. H. Isaac, H. M.'s 3d Regiment or Buffs.

— At Benares, Gervaise Robinson, Esq., Deputy Post Master at that station for nearly 30 years.

20 Henry Duncan, the infant son of Mr. and Mrs. H. B. Gardener, aged 7 months.

— Alexander Fraser, Esq., of the Firm of Messrs. Bruce, Shand and Co., aged 30 years and 16 days.

22 At Kurnaul, the Revd. Father Anthony, of Cork Apostolic Missionary; much and sincerely regretted.

23 At Chinsurah, Edward Brady, son of Captain Thomas Brady, aged 1 year, 1 month and 24 days.

24 At Ghazeepore, Mrs. Jane Kirwan, wife of Mr. David Kirwan, Conductor of Public Works at Ghazeepore.

25 At his residence, General Hospital, William Twining, Esq., Assistant Surgeon, H. C. Service, aged 45 years.

— At Podopooker, Intally, Caroline Aurora, the infant daughter of Mr. John Lopis, aged 18 months.

— At Dinapore, Assistant Surgeon James Macdonell. This unfortunate gentleman died by his own hand, during the excitement attendant on a fit of *delirium tremens*.

27 At Podopooker, Intally, Mr. John Lopis, aged 80 years.

28 Eliza Clara, the youngest daughter of Capt. Wm. Souter, aged 6 years and 5 months.

— At Dinapore, Francis James Thomas Johnson, the beloved child of Napier Louisa and James Mackenzie, of the 8th Light Cavalry, aged 11 months.

29 George Albert Sheppard, Esq., aged 43 years.

— Rebecca, the infant child of Mr. and Mrs. Joseph Richardson, aged 1 month and 11 days.

— At Barrackpore, in the 36th year of his age, Capt Browne Wood, of the 10th Regt. N. I. He died the death all would wish to die: mourned by man accepted of God. In him the Service has lost a good servant, and his brother officers a valued member and esteemed friend.

30 At Fort William, Jane, the beloved wife of George Craigie, Esq. M. D., Garrison Assistant Surgeon.

31 The infant son of Mr. and Mrs. J. H. Grant.

# ADMINISTRATIONS TO ESTATES.

| ESTATES OF | EXECUTORS, ADMINISTRATORS, &c. |
|---|---|
| Athanass, John, *of Calcutta* | Registrar Supreme Court, Executor. |
| Blake, M. *Civil Service* | Registrar Supreme Court, Administrator. |
| Colebrooke, W. H. E. *Lieut. 66th N. I.* | Ditto ditto ditto. |
| D'Auvergne, P. *Col. 20th N. I.* | Ditto ditto ditto, (with Will annexed.) |
| De La Combe, J. B. E. M. *of Calcutta* | Ditto ditto ditto. |
| Fraser, A. *Firm of Bruce, Shand and Co* | G. W. W. Fraser, Executor. |
| Impey, H. R. *Capt. 50th N. I.* | Capt. J. Saunders, Executor. |
| Laprimaudaye, S. *of Calcutta* | J Dougal, and Dr. A. R. Jackson, Executors. |
| Lawes, V. *of Penang* | Registrar Supreme Court, Administrator. |
| Lindsay, Hon. C. R. *Civil Service* | G. C. Arbuthnot, Executor. |
| Pasley, Mrs. Ann, *Widow* | Capt. J. Pasley, 49th Foot, Executor, Cantor and Co. his Agents. |
| Robinson, G. *of Benares* | J. Palmer, Executor. |
| Sheppard, G. A. *of Calcutta* | Mrs. E. Sheppard, the Widow, Executrix. Becher, Mackintosh and Co. her Agents. |
| Stubenvoll, J. V. *Capt. Lieut. Pens. Est.* | Registrar Supreme Court, Administrator, (will Will annexed.) |
| Taylor, Joseph, *Lieut. Col. Engineers* | G. J. Morris, and Mrs. F. H. Taylor, the Widow, Executor and Executrix. |
| Trench, A. H. *Civil Service* | Registrar Supreme Court, Administrator. |
| Twining, W. *Assist. Surgeon* | J. Franks and R. Molloy, Executors. |
| Wilson, David, *Lieut.-Col. E. I. C. S.* | J. Cowie, Administrator, with Will annexed, as constituted Attorney of the Executors in England. |

# CIVIL APPOINTMENTS, &c.

## ORDERS BY THE HONORABLE THE GOVERNOR OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT, AUGUST 1, 1835.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. J. S. Torrens, to be an Assistant under the Magistrate and Collector of Moorshedabad.

AUGUST 4.

Mr. C. Trower to officiate as Collector of the 24th Pergunnahas, in the room of Mr. Donnithorne, retaining also charge of his office of Collector of Calcutta.

The office hitherto held by Mr. C. Trower of a Magistrate of Calcutta, has been abolished from this day.

The following officers have obtained leave of absence from their stations:

Mr. Ross D. Mangles, Secretary to the Government of Bengal, in the Judicial and Revenue Department, for three months, to proceed to Penang and Singapore, on medical certificate, from the date on which the *General Kyd* may leave the pilot.

Mr R. C. Halkett, Joint Magistrate and Deputy Collector of Nuddeah, for seven days, on private affairs, in extension of the leave granted to him on the 17th ultimo.

AUGUST 6.

Mr. H. J. Middleton, Civil and Session Judge of Moorshedabad, for one month, on private affairs, during the ensuing Dusserah vacation.

Doctor J. R. Vos, Police Surgeon, for six months, on medical certificate.

Syud Izzut Ali, the Principal Sudder Ameen at Nuddeah, for four months, on medical certificate.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. W. Tayler to officiate as Joint Magistrate and Deputy Collector of the Central Division of Cuttack in the room of Mr. James Grant.

Seetonauth Bose, to officiate as Principal Sudder Ameen in Zillah Nuddeah, and Sumboonath Rai as Sudder Ameen in ditto, during the absence of Izzut Ali.

AUGUST 8.

The Honorable the Governor of Bengal has been pleased to make the following appointment:

Mr. R. Stuart, M. D., to officiate as Police Surgeon during Doctor Vos's absence, or until further orders.

AUGUST 11.

The following officer has obtained leave of absence from his station:

Captain J. Steel, Superintendent of Police of Calcutta for two months, to proceed to Penang and Singapore, on medical certificate, from the date on which the *General Kyd* may leave the pilot.

The Honorable the Governor of Bengal has been pleased to make the following appointment:

Lieut. F. W. Birch, 41st Regt. N. I., to officiate as Superintendent of Police in the Town of Calcutta, during the absence of Captain Steel, or until further orders.

The arrangements made by the Commissioner of Patna for the discharge of Mr. J. H. Crawford's duties as Deputy Collector of Patna, during his leave for one month, on account of sickness, by the nomination of Mr. G. F. Houlton to conduct the current duties, are approved.

AUGUST 14.

The following officer has obtained leave of absence from his station:

Mr. W. H. Elliot, officiating Joint Magistrate and Deputy Collector of Bancoorah, from the 17th to the 27th ultimo on private affairs, in extension of the leave granted to him on the 7th ultimo.

AUGUST 18.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. R. H. Mytton to be Magistrate and Collector of Sylhet, vice Mr. J. Stamforth removed.

Mr. R. C. Halket to officiate, until further orders, as Magistrate and Collector of Nuddeah, vice Mr. Mytton.

Baboo Ram Mohun Rai to be additional Principal Sudder Ameen in Zillah Dacca.

The Honorable the Governor of Bengal has this day been pleased to extend the provisions of Regulation XII. of 1833, regarding the selection, appointment and remuneration of authorized pleaders to the Zillah Court of Chittagong.

The following officer has obtained leave of absence from his station:

Mr. J. K. Ewart, Joint Magistrate and Deputy Collector of Hidgelee for six months, to visit China and Bombay, on medical certificate, from the date of the sailing of the *Duke of Lancaster*.

The Orders of the officiating Commissioner of Moorshedabad, deputing Mr. J. G. B. Lawrell, the Joint Magistrate of Moorshedabad, to proceed to the Presidency, on public business, are approved.

AUGUST 19.

The following officers have obtained leave of absence from their stations:

Mr. T. G. Vibart, Civil and Session Judge of Nuddeah, for two years, to proceed to the Cape of Good Hope, on medical certificate, from the date of the sailing of the *Roxburgh Castle*.

Mr. H. Nisbet, Civil and Session Judge of Purneah, for one month, on private affairs from the 1st Oct. next, or from the day on which he may subsequently deliver over charge.

Moulavee Mahomed Asif, the Principal Sudder Ameen in Zillah Dinagepore, during the ensuing Dussurah vacation, and for one month beyond that period.

AUGUST 20.

The Honorable the Governor of Bengal has been pleased to make the following appointment:

Ensign T. Gordon St. George, 17th Regt. N. I. and Adjutant of the Talain Local Corps, to officiate as Junior Assistant to the Agent to the Governor General under Regulation XIII. of 1833.

The following Officers have obtained leave of absence from their stations:

Mr. C. Griffiths, the Assistant Surgeon attached to the Civil Station of Sylhet, for two months, on medical certificate, to visit the Presidency, commencing from the 15th of June last.

The Orders of the Commissioner of Arracan, granting leave to Mr. J. R. Brien, the officiating Assistant Surgeon of the Civil Station at Akyab, to proceed to Calcutta, viâ Chittagong, on medical certificate, are approved.

The Orders of the Commissioner of Assam, granting leave to Mr. T. Hugon, the Sub Assistant in the Division of Nowgong, for one month, on medical certificate, to proceed on the river for the benefit of his health, are approved.

AUGUST 25.

Mr. E. R. Barwell, Civil and Session Judge for the 24-Pergunnahs, for two months, on medical certificate, in extension of the leave granted to him on the 18th ultimo.

Mr. T. G. Vibart, Civil and Session Judge of Nuddeah, in extention of the leave of absence granted to him on the 14th April last, on medical certificate, till the sailing of the *Roxburgh Castle*.

Mr. J. K. Eward, Joint Magistrate and Deputy Collector of Hidgelee, leave of absence from his station, on medical certificate, from the assumption of charge of the duties of his office by Mr. Skinner, until the date of the sailing of the *Duke of Lancaster*.

Mr. C. J. H. Graham, an Assistant attached to the 19th or Cuttack Division, for two months, on private affairs.

Mahomed Khoorshed Khan, Sudder Ameen in Moorshedabad, during the approaching Dusserah Vacation.

The Honorable the Governor of Bengal has been pleased to make the following appointment:

Moulevee Neramut Alee to be Additional Principal Sudder Ameen in Zillah Behar vice Mr. J. W. Ricketts, deceased.

AUGUST 29.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. H. F. James to be Magistrate of the Zillah of Rungpore.

Mr. G. W. Battye to be Joint Magistrate and Deputy Collector of Baraset.

Mr. Charles Grant to be Commissioner in the Soonderbuns, under Regulation IX. of 1816.

The arrangement made by the Commissioner of Chittagong, in charge of the Dewanny Adawlut, directing Mahomed Nassir to officiate as Sudder Ameen and Moonsiff in Zillah Chittagong, from the 16th May last, to have effect up to the 25th of the same month, is confirmed by Government.

FORT WILLIAM, GENERAL DEPARTMENT, JULY 29, 1835.

Notice is hereby given, that the following persons have been appointed to act in execution of the Provisions of the Act of the 3d and 4th Wm. 4. Cap. 55, intituled "An Act for the Registering of British Vessels," as far as the same relate to the making of Registry and granting of Certificates for such Vessels at the Eastern Settlements, subject to this Presidency.

S. G. Bonham, Esq., or the Deputy Resident for the time being at Singapore.

S. Garling, Esq., or the Deputy Resident for the time being at Malacca.

J. W. Salmond, Esq., or the Deputy Resident for the time being at Prince of Wales' Island.

The above Officers are authorized to charge for every Certificate of Registry granted under the Provisions of the said Act a fee of 20 rupees if the vessel be of 200 tons or under, and a fee of 30 rupees if the vessel be of a burthen exceeding 200 Tons, and not exceeding 300, and so on an additional 10 rupees for every 10 tons of burthen.

AUGUST 1.

Mr. W. T. Rodgers is appointed an Assistant in the office of the Superintendent of Stamps for the purpose of Authenticating Stampt Papers.

AUGUST 5.

Mr. Adam Smith Ann, and a Writer on the Bengal Establishment, reported his return to the Presidency from Europe on the 28th ultimo.

The Honorable the Governor General in Council has been pleased to appoint Dr. W. B. O'Shaugnessy to be a Professor at the new Medical College.

With reference to General Orders in the Military Department dated the 28th Jan. and 11th Feb., 1835, the former appointing Mr. Assistant Surgeon M. J. Bramley to be Superintendent of the Medical College, and the latter Mr. Assistant Surgeon Goodeve, M. D., to be Assistant to the Superintendent; the Governor General in Council is pleased to sanction the following alteration in the designation of those appointments:

Mr. Assistant Surgeon Bramley to be Principal of the new Medical College.

Mr. Assistant Surgeon Goodeve, M. D., to be a Professor at ditto.

AUGUST 12.

The Honorable the Governor of Bengal is pleased to grant to Mr. C. C. Hyde, the Commercial Resident of Baulcah, leave of absence for a period of two months, in extension of the leave granted to him under the Orders of Government dated the 10th June last.

Mr. Henry Artherton, a Civil Servant of the Agra Presidency, embarked for Europe on board the ship *Royal Saxon*, which vessel was left by the Pilot at Sea on the 5th instant.

AUGUST 19.

Mr. Douglas Hadow Crawford has been permitted to return from Patna to the Presidency, for the purpose of prosecuting his studies in the Oriental Languages at the College of Fort William.

Lieut. F. W. Birch, of the 41st Regt., is appointed to officiate as Superintendent of the Calcutta Salt Chokeys during Captain Steel's absence.

Mr. T. P. Matten is appointed Salt Agent of Tumlook in the room of the Hon'ble C. R. Lindsay deceased.

AUGUST 26.

Mr. T. E. Colebroke, Assistant to the Collector and Magistrate of Allahabad, is permitted to proceed to England for one year, on urgent private affairs.

Messrs. E. F. Radcliffe and H. G. Astell are reported qualified for the Public Service by proficiency in two of the native languages.

Mr. L. J. H. Grey has been permitted to proceed to Midnapore, and prosecute his study of the Oriental Languages at that station.

AUGUST 29.

The Honorable the Governor is pleased to make the following temporary appointments:

Mr. G. J. Siddons to officiate as Post Master General, and to relieve the Hon'ble J. E. Elliot on the 20th instant.

Mr. C. C. Hyde to officiate as Collector of Customs in Calcutta, and to relieve Mr. G. J. Siddons on the 20th instant.

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ECCLESIASTICAL DEPARTMENT, AUGUST 5, 1835.

The Reverend Fredrick Ackers Dawson reported his arrival as a Chaplain on this Establishment on the 25th ultimo. Mr. Dawson has this day been appointed Chaplain at Lucknow.

POLITICAL DEPARTMENT, FORT WILLIAM, AUGUST 3, 1835.

Major G. Tomkyns of the 10th Regt. N. I. has been appointed to succeed to the Divisional Command in the Nizam's Army, which has become vacant by the death of Major Sir John Gordon.

AUGUST 24.

Lieut. G. P. Thomas, of the 64th Regt. N. I., and Assistant to the Superintendent of the Operations for the Suppression of Thuggee, is placed at the disposal of the Government of Agra.

AUGUST 31.

Captain E. C. Dixon assumed charge of the office of Officiating Superintendent of Mhairwaria on the 8th of August.

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## ORDERS BY THE HONORABLE THE GOVERNOR OF AGRA.

ALLAHABAD, JUDICIAL AND REVENUE DEPARTMENT, JULY 28, 1835.

The Honorable the Governor is pleased to appoint Mr. J. Muir to be a Deputy Collector, for the purpose of preparing, investigating, and determining in the first instance cases under the Rules of Regulations II. of 1819 and IX. of 1825, within the 1st or Meerut Division.

JULY 31.

Mr. N. H. E. Prowett has been authorized to exercise the powers of Joint Magistrate and Deputy Collector of Schatunpore, until further orders.

AUGUST 1.

Mr. F. R. Davidson, Assistant to the Collector and Magistrate of Benares, has obtained leave of absence from his Station for four months, in extension of the leave granted him on the 15th Dec. last, on his private affairs.

AUGUST 3.

The Honorable the Governor was pleased, on the 21st March last, to appoint Mr. R. Alexander to officiate as Assistant to the Secretary to the Sudder Board of Revenue at Allahabad, until further orders.

AUGUST 7.

The Honorable the Governor is pleased to grant to Mr. J. G. Deedes, Secretary to the Sudder Board of Revenue, one month's leave of absence, from the 8th instant, on private affairs.

In the Orders of the Honorable the Governor of Agra, under date the 7th July last, published in the *Calcutta Gazette* of the 25th idem, appointing Mr. C. W. Troscott to be Magistrate and Collector of Land Revenue, Customs and Town Duties in the Central Division of the Delhee Territory, the words "Customs and Town Duties" ought not to have been inserted.

AUGUST 11.

The Honorable the Governor has been pleased to make the following appointments:

Mr. W. Monckton to officiate as a Judge of the Sudder Dewanee and Nizamut Adawlut.

Mr. R. Lowther to officiate as commissioner under Act III of 1835, for the purpose of deciding the Suits depending in appeal under the provisions of Regulation I. of 1821.

The Honorable the Governor has been pleased to appoint Mr. W. H. Woodcock to be Joint Magistrate and Deputy Collector of Muttra.

Mr. Woodcock will continue to act as Magistrate of Mirzapore, until further orders.

AUGUST 13.

Mr. W. F. Thompson, Joint Magistrate and Deputy Collector of Hissar, has obtained leave of absence for six months in extension of the leave granted to him on the 25th April last, to proceed to New South Wales, on medical certificate. Mr. Thompson has likewise obtained leave to the sailing of the Ship on which he may embark, in extension of the leave granted him, on the 4th June last.

AUGUST 14.

The Honorable the Governor of Agra is pleased to grant to Lieut. J. N. Rind, Assistant Revenue Surveyor at Bareilly fifteen days leave of absence, on private affairs.

AUGUST 15.

The Honorable the Governor has been pleased to appoint Capt. W. Murray, of the 22d Regt. N. I., to be an Assistant to the Commissioner in the Saugor and Nerbudda Territories.

AUGUST 18.

The Hon'ble the Governor is pleased to make the following appointments:

Mr. H. W. Deane to be a Deputy Collector, for the purpose of preparing, investigating, and determining in the first instance cases under the Rules of Regulations II. of 1819 and IX. of 1825 within the 3d or Bareilly Division.

Mr. T. Louis to officiate as Joint Magistrate and Deputy Collector of Allyghur.

Mr. G. H. M. Alexander to officiate as Joint Magistrate and Deputy Collector of Suheswan.

AUGUST 21.

The Order of the 15th instant, appointing Captain W. Murray, of the 22d Regt. N I., to be an Assistant to the Commissioner in the Saugor and Nerbudda Territories, is cancelled.

The Honorable the Governor is pleased to appoint Wulleedad Khan to be a Deputy Collector in Zillah Suharunpore under the provisions of Regulation IX. of 1833.

AUGUST 22.

Mr. J. Thornton, officiating Deputy Collector of Allyghur, has obtained further leave of absence from the 1st to the 15th November next, in extension of that authorised on the 27th March last.

AUGUST 24.

Mr. W. J. Conolly, Magistrate and Collector of Bareilly, has obtained leave of absence from the 5th October to the 15th November next, in extension of the leave granted him on the 14th January last, on medical certificate.

AUGUST 26.

The Honorable the Governor is pleased to appoint the Collectors of Hameerpore and Banda, to be ex officio Deputy Opium Agents in their respective jurisdictions.

Mr. C. F. Thomson, Civil and Session Judge of Cawnpore, has obtained leave of absence for six months, in extension of the leave granted him on the 3d March, 1834, on medical certificate.

The Honorable the Governor has been pleased to appoint Mr. S. I. Becher to be an Assistant under the Commissioner of the 3d or Bareilly Division.

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GENERAL DEPARTMENT, AUGUST 19.

The order of the Acting Collector of Benares of the 18th instant, directing his Assistant, Mr. R. H. Snell, to take charge of the Benares Post Office in consequence of Mr. Robinson's indisposition, is approved.

AUGUST 21.

The Governor of Agra having received official intelligence of the demise, on the evening of the 16th instant, of Mr. Gervais Robinson, late Deputy Post Master at Benares, feels that it is due to the character and services of that respected individual to record his regret at that event.

Captain William Murray, of the 22d Regt, N. I. is appointed Deputy Post Master at Benares.

AUGUST 26.

The Honorable the Governor of Agra has this day been pleased to grant Mr. Assistant Surgeon T. H. Brett, in charge of the medical duties at Simla, leave of absence until the 15th of October next, to remain at Saugor.

Lieut. F. P. Fulcher, of the 67th Regt, N. I. to be Aide-de-Camp to the Honorable the Governor of Agra.

The appointment to take effect from the 22d instant.

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POLITICAL DEPARTMENT, AUGUST 15.

The Honorable the Governor has been pleased to grant Major C. P. Kennedy, Political Agent at Subathoo, and Commandant of the Fusseree Battalion, leave of absence for six months, from the 1st Nov. next, instead of the 1st of Oct., as sanctioned on the 25th ultimo, to visit Calcutta on private affairs.

Captain J. K. McCausland, Assistant to the Political Agent at Subathoo, and second in command of the Nusseree Battalion, will take charge of the office of Political Agent at Subathoo, and assume the Command of the Battalion during the absence of Major Kennedy, or until further orders,

Lieut. E. J. Lloyd, of the 49th Regt. N. I., now officiating as Adjt. to the Nusseree Battalion, will act for Capt. McCausland as Assistant to the Political Agent at Subathoo, and second in command of the Battalion.

The Orders issued on the subject on the 25th ultimo, are cancelled.

AUGUST 26.

The Honorable the Governor of Agra has been pleased to appoint Lieut. G. P. Thomas, of the 64th Regt. N. I. to be Assistant to the Agent to the Governor in the Saugor and Nerbudda Territories.

2d.—The appointment to take effect from the date on which Lieut. Thomas may be placed at the disposal of the Government of Agra.

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ECCLESIASTICAL; GENERAL DEPT., ALLAHABAD AUG. 5.

The Hon'ble the Governor of Agra has been pleased to grant the Reverend Richard Arnold, District Chaplain at Bareilly, leave of absence for five months, commencing from the 12th of July, to visit Almorah for the benefit of his health.

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MILITARY; ALLAHABAD, AUGUST 8.

Assistant-Surgeon F. H. Brett to the charge of the medical duties at Simlah.

The above appointment to take effect from the 24th of June last.

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# MILITARY APPOINTMENTS, &c.

## GENERAL ORDERS BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

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FORT WILLIAM, 5TH AUGUST, 1835.

No. 172 of 1835.—The Hon'ble the Governor-General of India in Council is pleased to make the following promotions and alteration of rank:

49th Regt. N. I.—Lieut. Richard Francis Macvitie to be Capt. of a Company from the 26th April, 1835, vice Capt. David Mason retired.

Ensign John Smith to be Lieut., vice Richard Francis Macvitie promoted, with rank from the 8th January 1835, vice Lieut. George Borradaile deceased.

63rd Regt. N. I.—Ensign Henry Augustus Morrieson to be Lieut. from the 25th September 1834, vice Lieut. Richmond Houghton promoted.

Ensign Samuel Toulmin to be Lieut. from the 20th January 1835, vice Lieut. William Charleton Ormsby promoted.

72d Regt. N. I.—Ensign John Stewart Davidson to be Lieut. vice Lieut. Thomas Graham Dundas resigned, with rank from the 5th February 1835, vice Lieut. Edward William Ravenscroft invalided.

*Medical Department.*—Assistant-Surgeon Gavin Turnbull to be Surgeon, vice Surgeon James Evans retired, with rank from the 28th May, 1835, vice Surgeon John Coulter, deceased.

ALTERATION OF RANK.

49th Regt. N. I.—Lieut. R. Stein, to rank from the 26th April, 1833, vice Lieut. R. F. Macvitie promoted.

72d ditto—Lieut. G. H. Rose, ditto 3d February, 1835, vice Lieut. T. G. Dundas resigned.

Medical Department.—Surgeon A. Simson, M. D., to rank from the 24th April, 1835, vice Surgeon J. Evans retired; Surgeon J. Barker, ditto 16th September, 1834, vice Surgeon J. Nicoll deceased; and Surgeon R. N. Burnard, ditto 31st March, 1835, vice Surgeon J. G. Gerard, deceased.

The undermentioned gentlemen are admitted to the service, in conformity with their appointment by the Honorable the Court of Directors, as Cadets of Infantry on this establishment, and promoted to the rank of Ensigns, leaving the dates of their Commissions for future adjustment:

Messrs. Charles Alexander Jackson, Henry Frederick Dunsford, John Dick Lauder, Charles Fitzroy Miller Mundy, Henry Cadogan Hastings, Gordon Caulfield, and James Murray; date of arrival at Fort William 28th July, 1835.

The undermentioned Officers are permitted to proceed to Europe on furlough, on account of private affairs:

Major Robert Chalmers, of the 22d Regt. N I.

Captain Cortland Skinner Barberie, of the 16th Regt. N. I., and 2d in command Assam Sebundy Corps.

The undermentioned Medical Officers have obtained leave of absence from their stations in the Judicial and Revenue Department, under date the 29th ultimo:

Surgeon George Gordon McPherson, attached to the Civil Station of Moorshedabad, for one month, to visit the Presidency, on private affairs.

Assistant-Surgeon J. S. Sutherland, attached to the Civil Station of Futreedpore, to visit the Presidency, on medical certificate.

The Governor-General of India in Council is pleased to make the following appointments:

Captain John Cartwright, of the Regiment of Artillery, to be Assistant Adjutant General of Artillery, vice Major J. Tenant appointed Agent for Gun Powder at Ishapore.

Lieut. Richard Long, of the 25th Regt. N. I., to do duty with the Sylhet L. I.

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No. 173 of 1835—The following arrangement sanctioned by the Honorable the Governor of Fort William, is published in General Orders:

Hospital Apprentice J. E. Dun to officiate as an Assistant Apothecary in the Garrison Dispensary, vice Healy removed to the Honorable Company's Dispensary.

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No. 174 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following appointments in the Department of Public Works:

2d Lieut. John Nixon Sharp, of the Corps of Engineers, attached to the 6th, to be an Assistant in the 7th Division, for the especial purpose of superintending the construction of a Bridge on the Road between Cawnpore and Allahabad. Lieut Sharp will draw a Staff Salary of Rs. (150) One Hundred and Fifty per mensem, while employed on this duty.

2nd Lieut. Thomas Henry Sale, of the Corps of Engineers, to be an Assistant in the 6th or Allahabad Division, vice Lieut. Sharp.

2nd Lieut Stephen Pott, of the Corps of Engineers, to be an Assistant in Ramghur Division.

Mr. J. Duncan to be an Assistant Overseer in the Department of Public Works, on the salary allowed for that rank, and placed under the orders of the Executive Engineer of the 7th, or Cawnpore Division.

Assistant Surgeon Frederick Fleming, attached to the Civil Station of Shahjehanpore, has obtained in the Judicial and Revenue Department, under date the 24th ultimo, leave of absence from the 15th July 1835, to the 15th January 1836, to visit the Presidency, on private affairs. Mr. Fleming has been authorized to make over charge of his medical duties to Asst.-Surg. David Gullan, of the 14th Regt. N. I., stationed at Shahjehanpore.

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FORT WILLIAM, 10TH AUGUST.

No. 175 of 1835.—The Hon'ble the Governor General of India in Council is pleased to make the following promotions and appointments.

Ordnance Commissariat Department.—Lieut. and Brevet Capt. Charles Dallas, Deputy Commissary, to be a Commissary of Ordance, vice Capt. Cartwright appointed Assistant Adjutant General of Artillery.

Lieut. Francis Ruddle Bazely, of the Regt. of Artillery, to be a Deputy Commissary of Ordnance, vice Lieut. and Brevet Capt. Dallas.

Lieut. and Brevet Capt. Edward Fitzgerald Day, of the Regt. of Artillery, to officiate as a Commissary of Ordnance for Capt. Dixon at Ajmere, until further orders.

Department of Public Works—Lieut. Robert Samuel Master, of the Corps of Engineers, to be Exective Engineer in Arracan.

Lieut. Robert Martin, of the Corps of Engineers, to be Assistant to Capt. Thomson, Superintendent of the New Road to Benares, vice Lieut. Master.

Lieut.-Colonel William Kennedy, Deputy Military Auditor General, has three months' leave of absence from the Presidency, with permission to proceed on the River for the benefit of his health.

Mr. Elijah Pattle Impey is admitted to the Service, in conformity with his appointment by the Hon'ble the Court of Directors, as a Cadet of Infantry on this Establishment, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment; date of arrival at Fort William, 21st July, 1835.

Mr. John Fagan having satisfied Government on the points of qualification prescribed by existing regulation, is admitted to the Service, as a Cadet of Infantry on this Establishment, agreebly to instructions from the Hon'ble the Court of Directors in their Letter No 56, of the 25th Nov. last, and promoted to the rank of Ensign, leaving the date of his Commisssion for future adjustment.

The leave of absence to the Cape of Good Hope for six months on urgent private affairs, obtained by Lieut.-Colonel Sir Jeremiah Bryant, Kt., of the 19th Regt. N. I. Judge Advocate General, in General Orders No. 22. of the 23d January last, is commuted to furlough to Europe, on private affairs.

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No. 178 of 1835.—The Hon'ble the Governor-General of India in Council is pleased to make the following temporary appointments:

Capt. H. B. Henderson, 1st Assistant Military Auditor General, to officiate as Deputy Military Auditor General, and Lieut. R. G. McGregor, of the Regt. of Artillery, as an Assistant Military Auditor General, during the absence of Lieut.-Colonel Kennedy, from the Presidency on medical certificate.

Major C. P. Kennedy, of the Regt. of Artillery, Political Agent at Sahathoo, has obtained from the Government of Agra, six months leave of absence from the 1st Oct. ensuing, to visit the Presidency, on private affairs.

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FORT WILLIAM, 12TH AUGUST.

No. 179 of 1835.—2d Lieut. John Hall Smyth, of the Regt. of Artillery, and Aide-de-Camp to the Honorable the Governor-General of India, is permitted to proceed to Singapore, on medical certificate, and to be absent from Bengal on that account for four months.

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FORT WILLIAM, 17TH AUGUST.

No. 180 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following promotion:

61th Regt. N. I.—Ensign James Flyter to be Lieut., from the 28th July 1835, vice Lieut. William Nisbett deceased.

Capt. James Steel, of the 41st Regt. N. I., Superintendent of Police in the Town of Calcutta, has obtained, in the Judicial Department, under date the 11th instant, leave of absence for two months, to proceed to Penang and Singapore on medical certificate.

Lieut. Frederick William Birch, of the 41st Regt. N. I. was appointed, in the Judicial Department, under date the 11th instant to officiate as Superintendent of Police in the Town of Calcutta during the absence of Capt. J. Steel, on medical certificate, or until further Orders.

Capt. Henry Rutherford, of the Regt. of Artillery, and Principal Assistant to the Governor General's Agent North-Eastern Frontier, is permitted to proceed to the Cape of Good Hope, on medical certificate, and to be absent from Bengal on that account for two years.

The undermentioned Gentlemen are admitted to the Service in conformitty with their appointment by the Hon'ble the Court of Directors as Cadets of Cavalry and Infantry on this Establishment, and promoted to the rank of Cornet and Ensign, leaving the dates of their Commissions for future adjustment:

*Cavalry.*—Mr. William Grant Prendergast; date of arrival at Fort William, 13th August, 1835.

*Infantry.*—Mr. Charles Harries, ditto 13th August, 1835; and Mr. George Queiras Nesbitt, ditto 14th August, 1835.

Major Archibald Fullarton Richmond, of the 33d Regt. N. I. is permitted to proceed to Europe on furlough, on account of his private affairs.

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No. 181 of 1835.—The Governor General of India in Council is pleased to assign back rank to Ensign J. H. Garrett, of the 50th N. I. from the 5th June 1829, in succession to Lieut. James Brooke struck off, to complete the Establishment as it then stood.

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No. 183 of the 1835.—The following temporary appointment made by the Hon'ble the Governor General of India, is published in General Orders:

Lieut. W. M. Smyth, of Engineers, to officiate from the 10th instant as an Aid-de-Camp on the Personal Staff of the Governor General, in the room of 2d Lieut. J. H. Smyth, of Artillery, who has proceeded to Singapore, on medical certificate.

The Governor General of India in Council, in compliance with an application from Lieut. James Henry Tilson, of the 66th Regt. N. I. is pleased to direct that that Officer shall hereafter appear on the strength of the Army, under the name of James Henry Chowne.

Mr. Charles William Duffin is admitted to the Service, in conformity with his appointment by the Hon'ble the Court of Directors, as a Cadat of Infantry on this Establishment.

and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment; date of arrival at Mundlaisir, 29th July, 1835.

Lieut. Henry Jackson, of the 45th Regt. Madras N. I. is permitted to proceed hence to Europe on furlough, on medical certificate.

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FORT WILLIAM, 24TH AUGUST.

No. 186 of 1835.—Major George Tomkyns of the 10th Regt. N. I., has been appointed in the Political Department, under date the 3d instant, to succeed to the Divisional Command in the Nizam's Army which has become vacant by the death of Major Sir John Gordon.

Ensign Thomas Gordon Saint George, of the 17th Regt. N. I. and Adjt. of the Talain Local Corps, has been appointed in the Judicial and Revenue Department, under date the 20th instant, to officiate as Junior Assistant to the Agent to the Governor General under Regulation XIII. of 1833.

Assistant Surgeon R. H. Bond is appointed temporarily to the medical charge of the Civil Station of Furreedpore, in the room of Assistant Surgeon J. S. Sutherland, permitted to return to the Military branch of the Service. Assistant Surgeon Sutherland is accordingly placed at the disposal of the Provincial Commander-in-Chief.

Mr. William Lowther Hasell is admitted to the Service in conformity with his appointment by Hon'ble the Court of Directors, as a Cadet of Infantry on this Establishment, and promoted to the rank of Ensign, leaving the date of his commission for future adjustment; date of arrival at Fort William, 13th August 1835.

Native Doctor Mahomed Ibrahim, attached to the Commissioner's Establishment at Chittagong, is placed at the disposal of the Provincial Commander in Chief.

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No. 189 of 1835.—Lieut. Frederick Page Fulcher, of the 67th Regt. N. I., is placed at the disposal of the Agra Government for civil employment.

The undermentioned Officers are permitted to proceed to Europe on furlough:

Capt. John Platt, of the 23d Regt. N. I., from Neemuch via Bombay, on account of his private affairs. The furlough to commence from the date of his quitting Neemuch.

Assistant Surgeon Charles Griffiths, attached to the Civil Station of Sylhet, on medical certificate.

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FORT WILLIAM, 31ST AUGUST.

No. 191 of 1835.—The Hon'ble the Governor-General of India in Council is pleased to make the following promotions and appointments:

Infantry.—Major William Stirling, to be Lieut.-Colonel from the 13th August 1835, vice Lieut.-Colonel Richard Coventry Faithfull deceased.

74th Regt. N. I.—Capt. Charles Adolphus Munro to be Major, Lieut. and Brevet Capt. Nathaniel Joseph Cumberlege to be Capt. of a Company, and Ensign David Taylor Pollock to be Lieut. from the 13th August, 1835, in succession to Major William Stirling promoted.

Assistant Surgeon E. W. W. Raleigh to be First Assistant to the Presidency General Hospital, vice Assistant Surgeon William Twining deceased.

Assistant Surgeon D. Stewart, M. D. to be 2d Assistant to the Presidency General Hospital, vice Raleigh.

Lieut. Francis Carleton Reeves of the 9th Regt. N. I., is promoted to the rank of Capt. by Brevet from the 23d August 1835.

Mr. George Jenkins having satisfied Government on the points of qualification prescribed by existing Regulation, is admitted to the Service as a Cadet of Infantry on this Establishment, agreeably to instructions from the Hon'ble the Court of Directors in their Letter No. 17 of the 18th February 1835, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment.

Lieut. Thomas Bradridge Studdy, of the 8th Regt. Light Cavalry, is permitted to proceed to Europe on furlough, on medical certificate.

Cornet William Grant Prendergast of the Cavalry, is permitted to proceed to Madras on account of his private affairs, and to be absent for that purpose for six months.

The leave of absence for six months obtained by Major C. P. Kennedy, of the Regiment of Artillery, Political Agent of Subathoo, and Commandant of the Nusseree Battalion, from the Government of Agra, is to commence from the 1st of November next, instead of the 1st October as previously sanctioned.

The following arrangements have been made by the Government of Agra, in the Political Department, under date the 15th instant:

Capt. J. K. McCauslaud, Assistant to the Political Agent at Subathoo, and second in Command of the Nusseree Battalion, to take charge of the Office of Political Agent at Subathoo, and assume Command of the Battalion during the absence of Major Kennedy, or until further orders.

Lieut. Edward Salusbury Lloyd, of the 49th Regt. N. I. and Officiating Adjutant to the Nusseree Battalion, to act for Capt. McCausland, as Assistant to the Political Agent at Subathoo, and second in command of the Battalion.

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## GENERAL ORDERS BY THE PROVINCIAL COMMANDER-IN CHIEF.

*Head-Quarters, Calcutta, 1st August, 1835.*

The following removals and postings will take place in the Regt. of Artillery:

Colonels J. Abmuty, (on furlough) from the 6th to the 1st Battalion, and G. Pollock, C. B., new promotion, to the 6th

Lieut.-Col. R. Powney, new promotion, (officiating Principal Commissary of Ordnance) to the 6th Battalion.

Majors Pereira, from the 3d to the 6th Battalion, and C. P. Kennedy, new promotion, (Political Agent at Subathoo, and Commanding Nusseree Battalion) to the 3d Battalion.

Captains G. Twemlow, (Nizam's Service) from the 6th Company 6th Battalion to the 5th Company 7th Battalion; P. Jackson, from the 1st Company 3d Battalion to the 6th Company 6th Battalion; D. Ewart, from the 2d Company 5th Battalion to the 1st Company 3d Battalion; and A. Abbott, new promotion, to the 2d Company 5th Battalion.

1st Lieutenants Z. M. Mallock, from the 3d Company 7th Battalion to the 2d Company 7th Battalion; and J. H. Campbell, now promotion, to the 1st Company 3d Battalion.

2d-Lieutenants A. Broome, from 1st Company 2d Battalion to the 4th Company 3d Battalion; F. Wall, (on furlough) from the 1st Company 1st Battalion to the 3d Company 7th Battalion; E. G. Austin, from the 3d Company 7th Battalion to the 1st Company 1st Battalion; H. Apperley, (Acting Adjt. and Quarter Master to the 3d Battalion) from the 4th Company 3d Battalion to the 1st Company 3d Battalion; J. D. B. Ellis, from the 3d Company 3d Battalion to the 4th Company 3d Battalion; and G. Kirby, brought on the strength, to the 1st Company 2d Battalion.

Assistant Apothecary Michael R. Crawford, now doing duty at the General Hospital, is placed at the disposal of the officiating Superintending Surgeon at the Presidency, for employment in the Police Hospital under the direction of the Magistracy of Calcutta.

The undermentioned officers have leave of absence:

49th N. I.—Capt. R. Codrington, from 20th Aug. to 15th Nov. to remain at the Presidency, on private affairs.

31st N. I.—Ensign S. R. Tickle from 1st Aug. to 1st Oct. in extension, to remain at the Presidency, to pass an examination at the College of Fort William.

46th Regt. N. I.—Assistant Surgeon A. Vans Dunlop, M. D., from 13th Aug.——, in extension, to enable him to join his Regt. at Neemuch.

32d Regt. N. I.—Ensign and Adjt. W. W. Davidson, from 25th Aug. to 25th Oct., in extension, to remain at Arrah on private affairs.

22d Regt. N. I.—Ensign H. J. Michell, from 1st May to 26th June on private affairs.

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*Head-Quarters, Calcutta, 3d August.*

The Rajpootannah District Order of the 12th ultimo, appointing Capt. H. W. Bellew, Deputy Assistant Quarter Master General, to officiate as Deputy Judge Advocate, and conduct the Proceedings of an European General Court Martial, is confirmed.

The undermentioned Officer has leave of absence:

Invalid Establishment.—Lieut.-Col. W. C. L. Bird, Commandant of Buxar, from 1st November to 1st February 1836, to visit the Presidency, and apply for furlough.

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*Head-Quarters, Calcutta, 4th August.*

With reference to General Orders by the Commander-in-Chief, of the 8th August, 1796, the Provincial Commander-in-Chief directs that no recruiting parties be sent from any Regt. of the Line, without the sanction and authority of the Commander-in-Chief.

Major S. Speck's Regimental Order of the 24th ultimo, appointing Lieutenant D. Wilkie to act as Interpreter and Quarter Master to the 4th Native Infantry, during the absence, on leave of Lieutenant, Interpreter and Quarter Master P. Goldney, is confirmed.

Colonel E. H Simpson's Regimental Order of the 1st instant appointing Lieutenant G. E. Van Heythuysen to act as Adjutant to the 24th Native Infantry, vice Hannyngton appointed to a Civil situation, is confirmed.

Bombardier John Crowly, of the Veteran Company, is permitted to reside and draw his allowance at the Presidency.

The undermentioned Officers have leave of absence: 8th Regt. N. I.—Surgeon R. Brown, from 16th Oct. to 10th April 1836, to visit the Presidency on private affairs.

1st Brigade Horse Artillery—Assistant-Surgeon J. Murray, M. D., from 31st July to 31st Oct., to visit Simlah, on medical certificate.

34th Regt. N. I.—Ensign P. J. Chine, from 10th Aug. to 10th Oct., to visit the Presidency, on private affairs.

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*Head Quarters, Calcutta, 7th August.*

The Station Order issued by Lieut. Col. H. Piper, Commanding at Berhampore, dated the 16th November last, appointing Serjeant Bibby, of His Majesty's 38th Regt., Librarian to the Station Library, vice Jones deceased, is confirmed.

Unposted Ensign Henry Lewis Bird is appointed to do duty with 12th Regt. N. I. at Allahabad, at his own request.

The undermentioned Officers have leave of absence:

6th Battalion Artillery.—Capt. P. Jackson, from 1st November to 1st March 1836, in extension, to visit the Presidency, preparatory to soliciting permission to retire from the Service.

10th Regt. Light Cavalry.—Veterinary Surgeon H. C. Hulse, from 1st October to 1st April 1836, to visit Calcutta, on private affairs.

12th Regt. N. I.—Surgeon J. Eckford, from 20th August to 20th February 1836, to visit the presidency, on medical certificate, preparatory to applying for furlough to Europe.

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*Head-Quarters, Calcutta, 8th August.*

The undermentioned unposted Ensigns, lately admitted into the service, are appointed to do duty with the Regiments specified opposite to their respectvie names, and directed to join:

Ensigns Daniel Stansbury, with the 57th Regt. N. I. at Secrole, Benares; William McCulloch, with the 56th Regt. N. I. at Dinapore; Samuel Brougham Faddy, with the 43rd Regt. N. I. at Barrackpore; Charles Louis Napier Raikes, with the 67th Regt. N. I. at Dinapore; Henry Nicoll, with the 67th Regt. N. I. at Dinapore; John William Carter, with the 43rd Regt. N. I. at Barrackpore; Francis Stuart Paterson, with the 66th Regt. N. I. at Secrole, Benares; George Douthorne Elliott with the 35th Regt. N. I. at Lucknow, at his own request; Edward Wynne Bristow, with the 66th Regt. N. I. at Secrole, Benares; Frederick Summers Macmullen, with the 51st Regt N. I. at Agra, at his own request; Charles Alexander Jackson, with the 30th Regt. N. I. at Meerut, at his own request; Henry Fredick Dansford, with the 34th Regt. N. I. at Midnapore; Charles Fitzroy Miller Mundy, with the 34th Regt. N. I. at Midnapore; and Gordon Caulfield, with the 34th Regt. N. I. at Midnapore.

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*Head Quarters, Calcutta, 10th August.*

Assistant Surgeon T. Russel, of the 1st Regt. L. C., is appointed to do duty with H. M's 3d Buffs, until the arrival of the Corps at Agra, when he will proceed and join the Regt. to which he belongs.

Quarter Master Sergeant Henry Teal, of the 10th, is appointed Sergeant Major to the 5th Regt. L. C. at Cawnpore, vice Fitzgerald deceased.

The undermentioned Officers have leave of absence:

74th Regt. N. I.—Major W. Stirling, from 10th October to 1st January 1836, to visit the presidency, and apply for furlough.

25th Regt. N. I.—Ensign H. J. C. Shakespear, from 30th July to 7th October, in extention, to enable him to join his Corps at Mirzapore.

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*Head-Quarters, Calcutta, 11th August.*

The Provincial Commander-in-Chief is pleased to make the following removals and postings of medical officers:

Surgeon Ewen Macdonald, from the 9th Regt. L. C. to the 20th Regt. N. I. at Delhi,

Surgeon John Dalrymple, from the 20th Regt. N. I. to the 9th Regt L. C. at Kurnaul.

Surgeon Gavin Turnbull, (on furlough) lately promoted, to the 68th Regt. N. I.

The suspension from rank, pay and allowances, for six month to which Cornet Mathew Lushington, of the 7th Regt. Light Cavalry, was sentenced by a General Court Martial, having expired, he is directed to return to his duty.

The Provincial Commander-in-Chief is pleased to make the following appointment:

24th Regt. N. I.—Lieut. Gerard Edward Van Heythueysen to be Adjutant, vice Hannyngton appointed Assistant to the Governor-General's Agent under Regulation XIII. of 1833.

The undermentioned officer has leave of absence:

Cavalry—Supernumerary Cornet A. W. C. Plowden, attached to the 5th L. C., from 20th September to 1st November, in extension, to remain at the presidency, on private affairs.

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Brevet Captain C. Dallas, Commissary of Ordnance, (lately promoted) is removed from the charge of the Chunar Magazine, and appointed to the Expense Magazine and Laboratory school at Dum-Dum.

Lieutenant F. R. Bazely, who was appointed a Deputy Commissary of ordnance in Government General Orders of the 10th inst., is posted to the Chunar Magazine.

The leave of absence granted to Lieutenant, Interpreter and Quarter Master J. Ewart, of the 55th Regt. N. I., in General Orders of the 22d ult., is cancelled at his own request.

The undermentioned officer has leave of absence:

31st Regt. N. I.—Lieutenant, Interpreter and Quarter Master W. P. Milner, from 15th August to 15th October, to visit the presidency, on private affairs.

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*Head Quarters, Calcutta, 12th August.*

The undermentioned unposted Ensigns, lately admitted into the service, are appointed to do duty with the Regiments stated opposite to their respective names, and directed to join:

Ensign Elijah Pattle Impey, with the 38th Regt. N. I. at Benares.

Ensign John Fagan, with the 23d Regt. N. I. at Neemuch.

Unposted Ensigns William McCulloch and Henry Nicoll, appointed by General Orders of the 8th inst., to do duty with the 56th and 67th Regt. N. I. at Dinapore, are directed to proceed to Benares, and do duty with the 38th Regt. N. I. at that station.

The Provincial Commander-in-Chief, with the sanction of Government, is pleased to appoint Captain J. W. H. Turner, of the Invalid Establishment, to the charge of the Sudder Bazar at Barrackpore.

The undermentioned officers have leave of absence:

25th Regt. N. I.—Colonel T. Newton, from 10th June to 1st September, in extension, to enable him to rejoin his corps.

Infantry—Unposted Ensign C. A. Heburne, doing duty with the 54th Regt. N. I., from 8th August to 8th October, to visit the presidecy on medical certificate.

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The Sirhind Division Order of the 28th ult., directing the undermentioned medical arrangements, are confirmed:

The following pupils from the late Medical Institution to do duty as follows:

Ram Prasaud Singh and Meer Mohammad, with the 3rd Regt. L. C.

Moohib Alee and Meer Haidur Alee, with the 27th Regt. N. I.

Mookurrim Alee and Wuzeer Alee, with the 61st Regt. N. I.

Assistant Surgeon W. Shirriff, of the Horse Artillery, Hingun Khan, Native Doctor of the 61st Regt., and Meer Haidur Alee, a medical pupil, to do duty temporarily with the 21st N. I. at Hansi.

The undermentioned officers have leave of absence:

8th Regt. L. C.—Lieutenant and Adjutant J. Mackenzie, from 18th November 1834 to 1st December 1834, in extension, to enable him to rejoin.

8th Regt L. C.—Cornet, Interpreter and Quarter Master C. G. Fagan, from 1st November 1834 to 10th November 1834, in extension, to enable him to rejoin.

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*Head-Quarters, Calcutta, 13th August.*

The Dinapore Division Order of the 3d instant, appointing Lieut. J. R. Younger, Interpreter and Quarter Master of the

56th Regt. N. I., to act as Deputy Judge Advocate to a European General Court Martial assembled at that station, is confirmed.

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*Head-Quarters, Calcutta, 14th August.*

The Provincial Commander-in-Chief is pleased to make the following appointment:

31st Regt. N. I.—Lieut Patrick Meik, to be Adjt., vice Guyon who has proceeded on furlough.

The leave of absence, for six months, granted to Assistant Surgeon Henry Roe, in General Orders of the 4th of April last is to be calculated from the 1st of June, instead of the date therein specified.

Sergeant William Geering, of the Pension Establishment, is permitted to reside and draw his stipend at Meerut.

The undermentioned Officers have leave of absence:

74th Regt. N. I.—Captain C. A. Munro, from 20th Sept. to 20th Jan. 1836, to visit the Presidency, preparatory to applying for permission to retire from the Service.

12th Regt. N. I.—Lieut. and Adjt. J. H. Ferris, from 15th Oct. to 15th Nov., in extension, to enable him to rejoin his Regt. at Allahabad.

61st Regt. N. I.—Ensign C. M. Shairp, from 5th July 1836, to visit Simla, on medical certificate.

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*Head-Quarters, Calcutta, 17th August.*

The Division Order issued by Brigadier General R. Stevenson, C. B., Commanding the Cawnpore Division, under date the 3d instant, appointing Lieut. W. Macgeorge, of the 71st Regt. N. I., to the charge of the Deputy Judge Advocate General's office, during the indisposition of Captain C. Rogers, Deputy Judge Advocate General, is confirmed.

The leave of absence, for six months, granted to Lieut. R. Buckle, of the 2d Troop 1st Brigade Horse Artillery, in General Orders of the 2d March last, is cancelled from the 1st instant, the date on which he assumed charge of his appointment of Deputy Commissary of Ordnance, Saugor Magazine.

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*Head-Quarters, Calcutta, 18th August.*

The leave of absence, for four months, on medical certificate, granted to Captain W. E. B. Leadbeater, of the 53d Regt. N. I., in General Orders of the 13th ultimo, is cancelled at his own request.

1st Lieut. C. S. Reid is removed from the 2d Company 5th Battalion to the 3d Company 2d Battalion of Artillery, and appointed Adjt. to the Left Wing of that Battalion at Kurnaul, vice A. Abbott promoted.

Assistant Surgeon H. R. Bond, now at the General Hospital, is directed to proceed to Dum Dum, and to do duty with the Artillery at that Station, until further orders.

The undermentioned Officer have leave of absence:

8th Regt. Light Cavalry—Lieut. and Adjutant J. Mackenzie, from 20th August to 20th February 1836, to visit the Presidency, on medical certificate, preparatory to applying for furlough to Europe.

29th Regt. N. I.—Ensign G. H. Venables, from 10th August to 10th February 1836, to visit the Presidency, on private affairs.

49th Regt. N. I.—Ensign J. T. Wilcox, from 1st September to 25th October, in extention, to enable him to join his Regt.

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*Head-Quarters, Calcutta, 19th August.*

The Neemuch Station Order of the 28th ultimo, directing Ramrutton Lall, Native Doctor, attached to the 46th, to join and do duty in the Hospital of the 37th Regt. N. I. in the room of Elawall Khan invalided, is confirmed.

The Sirhind Division Order of the 2d instant, directing Noor Mahammad, a Pupil from the late Native Medical Institution, to do duty with the 27th Regt. N. I., is confirmed.

Unposted Ensign Charles Alexander Jackson is appointed to do duty with the 12th N. I. at Allahabad, at his own request, instead of the 30th Regt. N. I. as published in General Orders of the 8th instant.

Unposted Ensign Charles William Duffin is appointed to do duty with the 37th Regt. N. I. at Neemuch, at his own request.

The undermentioned Officers have leave of absence:

Assam L. I.—Lieutenant and Adjutant H. L. Bigge, from 31st July, to 31st September, to visit the presidency, on medical certificate.

20th Regt. N. I.—Ensign S. T. A. Goad, from 2d August to 2d November, to visit Agra, on medical certificate.

*Head-Quarters, Calcutta, 20th August.*

The Division Order by Brigadier General W. Richards, C. B. under date the 7th instant, appointing Lieut. J. R. Younger, Interpreter and Quarter Master of the 56th Regt. N. I. to officiate as Deputy Judge Advocate to a Native General Court Martial assembled at Dinapore is confirmed.

The Regimental Order, under date the 31st ultimo, by Major A. White, Commanding the Assam L. I. appointing Lieut. F. G. Backhouse to officiate as Adjutant to that Corps, during the absence of Lieut. and Adjutant H. L. Bigge, is confirmed.

Major G. Kingston's Regimental Order of the 2d instant, appointing Lieut. R. Morrieson to act as Adjutant to the 52d N. I. during the absence of Lieut. and Adjutant W. Martin, on duty, is confirmed.

1st Lieut. W. M. Shakespear is appointed Adjutant and Quarter Master to the 3d Brigade Horse Artillery, vice Lawrenson, who has been permitted to resign that situation.

Lieut. and Brevet Capt. G. S. Lawrenson is removed from the 3d Troop 3d to the 3d Troop 2d Brigade Horse Artillery.

Lieut. R. McNair, of the 73d N. I. is appointed to act as Interpreter and Quarter Master to the 43d Regt. during the absence, on leave, of Ensign, Interpreter and Quarter Master E. K. Elliot, until further orders.

Lieut. J. W. V. Stephen, of the 41st N. I is appointed to act as Interpreter and Quarter Master to that Regt. during the absence, on detached employment, of Lieut., Interpreter and Quarter Master F. W. Birch.

Hospital Apprentice Charles Krefting, attached to the 1st Brigade Horse Artillery, having proved himself unworthy of being permitted to remain in the Service, he is to be paid up and discharged, from the date of the publication of this Order at Meerut.

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*Head Quarters, Calcutta, 21st August.*

The Provincial Commander in Chief is pleased to make the following removals:

Colonel George Becher, from 5th to the 7th Regt. L. C.

Colonel James Kennedy, from the 7th to the 5th Regt. L. C.

The leave of absence, for four months, granted to Capt. D. Birrell, of the Left Wing European Regt. in General Orders of the 3d ultimo, is to commence from the 10th Nov. next, and to terminate on the 10th March 1836, on the same account.

The undermentioned Officer has leave of absence:

5th Regt. L. C.—Col. J. Kennedy, from 20th Oct. to 20th April 1836, to visit the Presidency, on private affairs.

The undermentioned Officers have leave of absence:

21st Regt. N. I.—Capt. N. Campbell, from 15th Sept. to 1st June 1836, to visit the Presidency, on private affairs.

42d Regt N. I.—Capt. J. Liptrap, from 20th Oct. to 20th April 1836, to visit the Presidency, on private affairs.

46th Regt. N. I.—Lieut. Interpreter and Quarter Master J. M. Drake, from 20th Nov. to 20th May 1836, to visit the Presidency, preparatory to applying for furlough to Europe, on private affairs.

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*Head-Quarters, Calcutta, 22d August.*

The Loodianah Station Order by Lieut.-Col. C. R. Skardon, of the 3d instant, directing Assistant Surgeon W. L. McGregor, M. D., of the Horse Artillery, to assume medical charge of the 62d Regt. N. I. on the departure of Assistant Surgeon A. C. Gordon to Umballah, is confirmed.

The undermentioned Officers have leave of absence:

59th Regt. N. I.—Ensign R. W. Elton, from 30th July to 6th August, in extension, to enable him to join his corps.

4th Company 6th Battalion Artillery.—2d Lieut. R. C. Shakespear, from 10th August to 30th Sept. to visit Patna, on urgent private affairs.

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*Head-Quarters, Calcutta, 24th August.*

The Neemuch Station Order of the 2d instant, appointing Lieut. G. Johnston, of the 46th N. I. to act as Interpreter and Quarter Master to the 2d Regt. Light Cavalry, is confirmed,

Ensign Robert Wilberforce Bird, appointed by General Orders of the 21st ultimo to do duty with the 12th Regt. N. I. will, on his arrival at Allahabad, join and do duty with the 65th N. I. at that Station.

Sergeant Richard Molloy, of the Regt. of Artillery, is transferred to the Town Major's List, and appointed Quarter Master Sergeant to the Convalescent Depot at Landour.

*Head-Quarters, Calcutta, 25th August.*

The undermentioned unposted Ensigns lately admitted into the Service, are appointed to do duty with the Regt. stated opposite to their respective names, and directed to join :

Ensign Charles Harris, with the 66th Regt. N. I. at Secrole, Benares.

Ensign George Queiros Nesbitt, with the 50th Regt. N. I. at Dacca.

Ensign William Lowther Hasell, with the 34th Regt. N. I. at Midnapore.

The undermentioned Officers have leave of absence :

47th Regt. N. I.--Surgeon J. Duncan, from 25th Sept. to 25th Jan. 1836, to visit the Presidency, and apply for furlough.

Regt. of Artillery—Capt. R. G. Roberts, Commissary of Ordnance, from 15th Sept. to 1st Jan. 1836, to visit the Presidency, on medical certificate, and apply for leave to proceed to the Cape of Good Hope.

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*Head Quarters, Calcutta, 26th August.*

The Meerut Division Order of the 13th instant, appointing Ensign S. A. Abbott, of the 51st N. I. to act as Interpreter and Quarter Master to the 1st Regt. L. C. during the absence, on Court Martial duty, of Lieut. Interpreter and Quarter Master G. Ried, is confirmed as a temporary arrangement.

Lieut. J. Smith, of the 49th N. I. is appointed to act as Interpreter and Quarter Master to the 1st Regt. L. C. during the absence, on Court Martial duty, of Lieut., Interpreter and Quater Master G. Reid.

The undermentioned Officers have leave of absence :

Invalid Establishment—Lieut. Col. J. Gibbs, from 1st Sept. to 1st Dec. to proceed on the River, for change of air.

56th Regt. N. I.—Capt. A. J. Fraser, from 1st Nov. to 1st Feb. 1836, to visit the Presidency, and apply for furlough.

56th Regt. N. I.—Capt. H. Dick, from 15th November to 15th March 1836, to visit the Presidency, on private affairs.

67th Regt. N. I.—Capt. H. O. Frederick, from 15th October to 31st January 1836, to visit the Presidency, and apply for furlough.

33d Regt. N. I. —Lieut. J. Mathias, from 1st Dec. to 1st March 1836, to visit the Presideney, and apply for furlough

Cavalry—Supernumerary Cornet H. G. C. Plowden, attached to the 10th Regt. Light Cavalry, from 5th Sept. to 5th Nov. in extension, to remain at the Presidency, on private affairs.

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*Head Quarters, Calcutta, 27th August.*

The Meerut Division Order of the 13th ultimo, by Major-General the Honorable J. Ramsay, directing the undermentioned Native Doctors and students from the late Native Medical Institution, to do duty with the Corps specified opposite to their names, is confirmed :

Shaikh Wauris Alee, Native Doctor, with the 52d Regt. N. I.

Asmut Ali, Native Doctor, with the 69th Regt. N. I.

Seopun Khan, Native Doctor, with the 52d Regt. N. I.

Juggunnauth Mishr, Student, Imaum Khaun, ditto, and Peer Khaun, ditto, with the 1st Regt. L. C.

Ameen Khaun, ditto, Wilayut Hosain, ditto, and Bhawanee Deen Pathak, ditto with the 30th Regt. N. I.

Danish Alee, ditto, and Gholaum Alee, ditto, with the 69th Regt. N. I.

The Mhow Station Order of the 8th instant, appointed Lieut. Interpreter and Quarter Master W. Alson, of the 68th Regt. N. I., to officiate as Deputy Judge Advocate to a Native General Court Martial ordered to assemble at that Station for the trial of Soophin Khan, camp follower, is confirmed.

The Cawnpore Division Order of the 12th instant, appointing Assistant Surgeon A. Mackeau, doing duty with His Majesty's 16th Foot, to perform the medical duties of the Civil Station, during the indisposition of Civil Assistant Surgeon W. P. Andrew, M. D is confirmed.

Assistant Surgeon J. S. Sutherland, who was placed at the disposal of the Provincial Commander-in-Chief, in Government General Orders No. 186, of the 24th instant, is directed to join and do duty with the Arracan Local Battalion at Akyab.

Lieut. P. Goldney, Interpreter and Quarter Master of the 4th Regt. N. I., is exempted from further examination in the Native languages, having been declared by the Examiners of the College of Fort William to be fully qualified for the appointment of Interpreter.

The Provincial Commander in Chief is pleased to sanction an exchange of situations between Sergeants John Courtney and F. Volkers, the former is accordingly appointed to the Cawnpore Magazine, and the latter to the Arsenal of Fort William.

Sergeant Courtney is directed to place himself under the orders of Captain F. S. Hawkins, Deputy Assistant Commissary General at the Presidency.

The undermentioned Officers have leave of absence :

5th Battalion Artillery—1st Lieut. G. G. Channer, from 2d Sept. to 28th Feb. 1836, to visit the Presidency, on medical certificate, and to apply for furlough.

39th Regt. N. I.—Captain H. Monke, from 1st October to 1st March 1836, to visit the Presidency.

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*Head-Quarters, Calcutta, 29th August.*

The following removals and postings to take place to the Regt. of Artillery :

Major J. C. Hyde, (on furlough) from the 6th to the 4th Battalion.

Captains P. L. Pew, from the 7th to the 2d Company 6th Battalion and to do duty with the 7th Company until the arrival of the 2d Company at Delhi ; C. H. Bell, from the 4th Company 1st to the 2d Company 3d Battalion, and to do duty with the 4th Company 1st Battalion until the arrival of the 2d Company 3d Battalion at Saugor ; G. N. C. Campbell (on furlough) from the 2d Company 2d to the 4th Company 1st Battalion ; E. Huthwaite, from the 2d to the 5th Company 6th Battalion, and to do duty with the 2d Company until the arrival of the 5th Company at Neemuch ; H. P. Hughes, from the 3d to the 1st Company 4th Battalion ; O. Baker, from the 2d Company 2d to the 3d Company 4th Battalion, and to do duty at Agra till the arrival of the latter Company at that Station ; R. G. Roberts, (Commissary of Ordnance) from the 1st Company 4th to the 2d Company 5th Battalion ; and A. Abbot, from the 2d Company 5th to the 2d Company 2d Battalion.

1st Lieutenant and Brevet Captain H. Clerk, from the 4th Company 1st to the 2d Company 3d Battalion, and to do duty at Saugor till the arrival of the latter Company at that station ; J. B. Backhouse, (on furlough) from the 2d Company 3d to the 2d Company 5th Battalion ; E. H. Ludlow, (on furlough) from the 1st Company 7th to the 2d Company 2d Battalion ; W. S. Pillans, (on furlough) from the 2d Troop 3d Brigade to the 3d Company 6th Battalion ; F. R. Bazely, (Deputy Commissary of Ordnance) from the 2d to the 1st Company 3d Battalion ; E. P. Master, from the 4th Company 3d to the 1st Company 2d Battalion ; W. O. Young, (Adjutant and Quarter Master to the Neemuch division) from the 3d Company 2d to the 5th Company 6th Battalion ; and R. R. Kinleside, from the 1st to the 2d Company 3d Battalion.

2d Lieutenants L. Smith, from the 1st Company 2d to the 4th Company 4th Battalion, and to do duty (at the expiration of his present leave) at Agra till the arrival of the latter Company at that station ; R. Walker, (Aide de-Camp to Major General J. W. Sleigh, C. B., at Bombay) from the 2d Company 2d to the 1st Company 7th Battalion ; P. Bridgman, (on furlough) from the 3d Troop 1st to the 4th Troop 2d Brigade ; G. P. Salmont from the 4th Company 4th to the 2d Company 3d Battalion, and to do duty with 4th Battalion till its arrival at Benares, when he will proceed and join the Company to which he is now posted at Saugor ; W. Paley, from the 3d to the 5th Company 6th Battalion ; and E. R. E. Wilmot, (on furlough) from the 2d Company 3d to the 2d Company 4th Battalion.

Supernumerary 2d Lieut. A. W. Hawkins will do duty with the 4th Company 4th Battalion.

The Sithind Artillery Division Order by Major R. Biddulph, under date the 7th instant appointing 1st Lieut. G. J. Cookson, of the 4th Company 2d Battalion, to act as Adjutant to the Left Wing 2d Battalion Artillery, vice Abbott promoted, is confirmed as a temporary arrangement.

Capt. J. Cowslade's Regimental Order of the 15th instant, appointing Ensign J. Henessy to act as Adjutant to the 70th Regt. N. I., during the absence, on leave, of Lieut. and Adjutant P. Harris, or until further orders, is confirmed.

The leave of absence granted to Surgeon R. M. M. Thomson, of the 51st Regt. N. I in General Orders of the 22d ultimo, is cancelled at his own request.

The undermentioned Officers have leave of absence :

38th Regt. N. I.—Major G. W. Moseley, from 15th October to 15th March 1836, to visit the Presidency, on private affairs.

37th Regt. N. I.—Capt. C. Griffiths, from 20th Sept. to 20th Jan 1836, to visit the Presidency and apply for furlough, for one year, on private affairs.

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*Head-Quarters, Calcutta, 31st August.*

There being no qualified officer present with the 12th Regt. N. I., Lieut. J. T. Daniell, of the 47th N. I., is appointed to act as Interpreter and Quarter Master to that Regt., during the absence, on leave, of Lieut., Interpreter and Quarter Master the Honorable R. V. Powys.

Unposted Ensign George Jenkins is appointed to do duty with the 67th Regt. N. I. at Dinapore.

# SHIPPING REGISTER.

## ARRIVALS.

Sept. 2 Brig *Fortitude*, J. C. Wilson, from Mauritius 11th July and Madras 24th August.

— Barque *Britannia*, S. Leith, from Mauritius 9th July and Ennore 23d August.

— Brig *Eleanor*, R. Mann, from Mauritius 12th July and Madras 25th August.

— Sloop *Nomdumder*, Nacoda, from Madras 13th August.

3 Ship *True Briton*, Edward Foord, from London 2d May, Cowes (no date), and Madras 29th August.

6 Barque *Bengal*, D. Ritchie, from London 10th May.

7 French ship *Jason*, A. J. Legrand, from Mauritius 3d and Pondicherry 30th August.

— Ship *Samuel Brown*, G. W. Harding, from Cove long 30th August and Madras 1st September.

8 H. M.'s sloop *Victor*, Capt. R. Crozier, from Trincomalee 27th August and Madras 3d September.

— Barque *Water Witch*, A. Henderson, from China 29th July and Singapore 20th August.

12 Ship *Thomas Grenville*, R. Thornhill, from London (no date), Portsmouth 6th and Madeira 30th May, and Madras 5th September.

17 American ship *Fortitude*, Wm. Lambert, from Boston 16th May and Madras 10th September.

— Barque *Deriah Doulet*, Nacoda, from Judda 4th June and Allepee 29th August.

18 Ship *Protector*, Thos. Buttenshaw, from London 14th May and Madras 9th September.

— Barque *William Barras*, J. Norie, from London 21st April, Algoa Bay (no date,) and Cape of Good Hope 25th July.

— Barque *Elcanor*, T. B. Timms, from Madras (no date,) and Ennore 10th September.

— French barque *Indus*, C. Balais, from Bourbon 5th August and Madras 6th September.

19 French ship *Petite Nancy*, C. Trelo, from Bordeaux 16th June.

— French barque *Claudine*, D. Corrie, from Bourbon 14th August.

— Brig *Sir Archibald Campbell*, C. Robertson, from Madras 3d September.

— Brig *Allison*, W. Edwards, from Jaffna 18th August and Kericol 3d September.

21 Brig *Hamido*, E. Daviot, from Madras 12th Sept.

22 American ship *Mount Vernon*, J. J. Scobie, from Boston 20th May.

25 Brig *Thomas Snook*, G. W. Brown, from the Mauritius 13th August, and Masulipatam 18th September.

— Ship *Mountstuart Elphinstone*, Wm. Toller, from Portsmouth 6th June and Madras 20th September.

— Barque *Trial*, J. D. Shreeve, from Madras 31st August and Vizagapatam 19th September.

— Ship *Bolton*, William Compton, from London 12th May, Madeira (no date,) and Madras 19th September.

— Arab ship *Mellekel Bahar*, Hadjee Almas, from Mocha 20th August.

28 Ship *Allerton*, J. Evans, from Bombay 10th Sept.

29 Brig *Mohidan Buxar*, Nacoda, from Colombo 8th September.

## DEPARTURES.

Sept. 1 Barque *Bright Planet*, R. Richardson, for China.

— Ship *Emma*, J. Pecket, for Liverpool.

— French barque *Jeune Edouard*, C. Vallois, for Bourbon.

2 French brig *Robuste*, C. Taurel, for Marseilles.

4 Ship *John MacLellan*, D. McDonald, for London.

7 Ship *Severn*, G. M. Braithwaite, for China.

— Brig *Will Watch*, W. Barrington, for Khyouk Phyoo and Moulmein.

10 French ship *Globe*, A. Bouncly, for Marseilles.

— Barque *Resolution*, S. Seager, for Padang.

12 Ship *Emily Jane*, Wm. Boothby, for China.

— Barque *Haidee*, J. Randle, for Singapore.

13 Barque *Virginia*, J. Smith, for Madras.

— French barque *Clarisse*, M. Poupard, for Marseilles.

— American brig *Apthorp*, G. W. Stetson, for Boston.

14 Ship *Robert*, H. Blyth, for Liverpool.

15 American ship *Steiglitz*, A. Eldrige, for Boston.

17 Ship *Roxburgh Castle*, C. W. Francken, for London.

22 Barque *Water Witch*, A. Henderson, for Singapore and China.

24 Brig *Elizabeth*, G. Baker, for Moulmein and Rangoon.

26 Ship *Ruparell*, J. Wilson, for Bombay.

— Ship *Forth*, C. Robinson, for China.

27 Brig *Elizabeth*, G. Baker, for Rangoon.

— Ship *Bombay Castle*, R. Wemyss, for China.

29 American ship *Star*, M. Griffing, for Philadelphia.

30 Ship *John Bagshaw*, Jas. Hardy, for London.

— Barque *Britannia*, S. Leith, for Mauritius.

## ARRIVAL OF PASSENGERS.

*Per Britannia from Madras.*—W. E. Jellicoe, Esq., Civil Service, Madras Establishment.

*Per True Briton from London.*—Mrs. Beresford, Mrs. Fane, Mrs. Anson, Mrs. Roberts, Miss Fane, Miss J. M. Beresford, Genl. Sir Henry Fane, Commander-in-Chief; Lieut. Col. Beresford, Military Secy.; Lieut.-Col. Seymour, B. N. I.; Hon. W. L. Melville, Civil Service; Major MacCann, Persian Secretary; Major Fane, Aid de-Camp; Capt. Watts, Bengal Artillery; Captain Anson, 18th N. I.; Captain Roberts, 51st N. I.; Lieut. Colebroke, 13th N. I.; Lieut. Gabbett, Madras Artillery; Mr. Wood, Surgeon; Mr. Thomson, Assistant Surgeon; Ensign Doubney, H. M.'s 55th Regiment; Cornet Downel, H. M.'s 16th Lancers; Mr. George Allan; 1 Sergeant and 11 Privates of H. M.'s 9th Foot. *From Madras.*—Mrs. Torrens, Col. Torrens, Adjutant Genl. H. M.'s Forces; Dr. Hughes, Madras Establishment; Master Torrens.

*Per Bengal, from Glasgow.*—G. Jameson, Esq. Merchant.

*Per H. M. S. Victor, from Madras.*—Rear Admiral the Hon'ble Sir J. Bladen Capel, K. C. B., Commander-in-Chief, and the Hon'ble J. D. Drummond, Flag Lieutenant.

*Per Water Witch, from China.*—G. J. Gordon, Esq. *From Singapore*—Lieut. Gardner, Madras N. I.

*Per Thomas Grenville from London.*—H. Levan, Esq., Merchant; Lieut. Pigott, H. M. 31st; Mr. Blake; Mr. Newcoman; Messrs. Allerdyce, Chartress and Brett, Cadets; Steerage Passengers. *From Madras.*—Mrs. Cockerell; Mrs. Bridgman; Mrs. Younghusband; Captains Cockerell, Younghusband, and Kerr; J. Moral, Esq.

*Per Protector from London.*—Mrs. McKenzie; Mrs. Rutherford; Mrs. Buttanshaw; Mrs. McDonald; Mrs. Litster; Misses Brown, Shum and E. Shum: Major Watkins; Captains McKenzie, Rutherford and McDonald; Mr. Lyall, Merchant; Mr. Havieson, Writer; Messrs Rennie and Houseton, Cadets.

*Per William Barras from London*—Mrs. Ginders; Mr. Allan Webb, Surgeon; Mr. William Llewllyn. *From Algoa Bay.*—Mrs. Horsburgh and child.

*Per Eleanor from Madras.*—Mr. Francis Bonynge.

*Per Sir Archibald Campbell.*—Samuel Hawkins, Esq., Merchant; Messrs. Wm. Hogan and W. M. Hamilton, Assistants; R. MacLaughlin, Fiddler.

*Per Thomas Snook, from the Mauritius.*—Mr. and Mrs. Beckley and child.

*Per M. S. Elphinstone, from Portsmouth.*—Mrs. Law, Misses Law, Crawford, and Wilkie, Messrs. Colvin, Lushington, Littledale, Bailey, and Littledale; Lieutenant Gilmore, 50 troops, 4 women, 3 children and 4 servants.

*Per Trial.*—Mrs. Shreeve and Mrs. J. Cooke.

*Per Bolton from London.*—Mrs. Horace Churchill; Mrs. Shaw; Mrs. Prole; Misses Hoseason, J. Hoseason, Shaw, Dennys, Churchill, C. Shaw, Bond, and Kennedy; Captain Prole, 37th B. N. I.; Messrs. Hoseason and Shaw; Monsieur Gelot. *From Madras.*—Lieut. W. J. Darling, H. M. 58d Regt. *From Vizagapatam.*—Mrs. Mackenzie and 2 children; Miss Lascellas.

*Per Mohiden Buxar, from Ceylon.*—Misses White and Dribey; Master Dribey.

### DEPARTURE OF PASSENGERS.

*Per George the Fourth, for China.*—Lieut. Bigge, 66th N. I.; C. Reynell, Esq.; J. Nicholson, Esq.

*Per Sophia for China.*—C. Berry, Esq.

*Per Robert, for Liverpool.*—F. Twerdie and —Williamson, Esquires.

*Per Roxburgh Castle, for London.*—Mesdames Bateman, Cameron, Crawford and 2 children, Adair and Vibart; Colonel Cameron; Captain Vibart; J. H. Crawford, Esq., C. S.; T. G. Vibart, Esq., C. S.; Captains Campbell and Alders; Lieutenants Jenkins, Hawker, and Jackson; Captain Webster; J. Curnin, Esq., and C. Dearie, Esq. *Steerage Passengers.*—Mr. J. Butler, and Mr. and Mrs. Donovan and 3 children.

*Per John Bagshaw, for London.*—Mr. Young; Dr. Brown, Monsr. Bricourt, and Mr. Spawfourth.

# DOMESTIC OCCURRENCES.

### MARRIAGES.

Aug. 31 At Deega, by the Revd. J. Vaughan, Samuel Denton, Esq., to Charlotte Frances, second daughter of the late Revd. R. Noyes, Ruspar, Sussex.

Sept. 3 At St. John's Cathedral, by the Revd. T. Robertson, the Revd. Theophilus Reichardt, to Miss Rebecca La Mathe, only daughter of the late John La Mathe, Esq., M. D., Isle of Man, Great Britain.

14 At the Cathedral, by the Revd. T. Robertson, Serjeant Marter Lahey, to Mrs. Sarah Croker.

15 At Agra, by the Revd. Dr. Parish, at St. George's Church, George Short, Lieut. 45th N. I., to Lucy, second and youngest daughter of Col. Parker, commanding the Artillery at Agra.

17 At the Cathedral, by the Venerable Archdeacon T. Dealtry, Mr. John George Crowe, Assistant Judical Department, to Miss Esther Frances Chapin.

21 At Agra, by the Rev. Dr. Parish, D. D., J. Boutein, Esq., 51st N. I., to Elizabeth Mary, second daughter of Captain H. C. Barnard, of the same Regt.

22 At the Cathedral, by the Revd. T. Robertson, Mr. Arthur Warde, to Miss Nancy Juliana Chaves.

23 At the Cathedral, by the Revd. T. Robertson, Mr. John Mills, to Mrs. Sophia Dunkley.

26 At the Principal Roman Catholic Church, by the Revd. Mr. H. Moré, Mr. Domingo D'Cruz, to Miss Mary D'Silva.

— By the Revd. Mr. H. Moré, Mr. Richard Bagnal, junior, to Mrs. Maria Joseph.

— At the Cathedral, by the Venerable Archdeacon T. Dealtry, Mr. Samuel Chill to Mrs. Mary Babonau.

*No date* At Dobree Ghat Factory, Azimghur, by the Rev. H. Pratt, G. H. Stonehouse, Esq. to Miss Emma Clark.

### BIRTHS.

Aug. 1 At Cawnpore, the lady of Captain E. M. Blair, 5th Light Cavalry, of a son.

2 At Benares, the lady of the Revd. J. A. Schurmann, of a daughter.

11 At Port Louis, Mauritius, the lady of William Ainslie, junior, Esq., of a daughter.

13 At Futtehghur, the wife of Mr. W. H. De Graythor, 2d Assistant Clothing Agency Department, of a daughter.

19 At Rajcote, the wife of Mr. J. Taut, Riding Master, 1st Light Cavalry, of a daughter.

22 At Mussoorie, the lady of Major R. E. Chambers, 9th Light Cavalry, of a daughter.

23 At Benares, the lady of W. H. Valpy, Esq., Civil Service, of a daughter.

25 At Futteyghur, Mrs. J. C. Pyle, of a son.

26 At Baugundee, the lady of G. Temple, Esq., of a daughter.

27 At Sohoo Ghaut, the lady of Captain Nevill, 7th Regt. of a daughter.

Sept. 1 Mrs. F. T. Fergusson, of a son.

2 The lady of G. W. Anderson, Esq. of a son.

— At Allipore, the wife of Sergt. Bowie, of a son.

3 At Hoogly, the lady of T. A. Wise, Esq. M. D., of a daughter.

Sept. 3 At Dum-Dum, the lady of Lieut. G. Ellis, Artillery, of a daughter.
— Mrs. P. Victor, of a son.
— The lady of Captain Richard Angelo, of a son.
— The wife of Mr. T. Beckett, of a son.
4 At Intally, Mrs. M. E. Grant, wife of Mr. H. N. P. Grant, of a son.
6 The lady of W. Warden, Esq., of a son.
— Mrs. J. R. Campe, of a son.
8 The lady of Capt. R. Codrington, 49th N. I., of a daughter.
— At Dinapore, the lady of Lieut. Gerard, European Regt., of a daughter.
— The wife of Mr. R. Glassup, assistant in the Military Department, of a daughter.
10 At Dinapore, the lady of Lieut. Lumsdaine, Aide-de-Camp, of a daughter.
— The lady of F. Harris, Esq., of a son.
— Mrs. James Ogilvie, of a daughter.
11 At Shahjeehanpore, the lady of John Stanley Clarke, Esq., C. S., of a son.
12 The wife of Mr. H. Hughes, of a son.
— Mrs. G. F. Bowbear, of a daughter.
— At Kurnaul, the lady of J. Dalrymple, Esq., Surgeon 9th Light Cavalry, of a daughter.
13 At Cawnpore, Mrs. R. B. Wrixon, of a son.
14 Mrs. Lawrence DeSouza, of a daughter.
— Mrs. Thomas Brown, of a son.
— At Azimgurh, the lady of J. Thomason, Esq., of the Civil Service, of a son.
— At Moorshedabad, the lady of A. Keen, Esq., M. D., of a daughter.
15 Mrs. J. Harris, of a son.
17 At Benares, the lady of Major W. Martin, 57th Regt., of a daughter.
18 Mr. Chery M. Latour, of a daughter.
— The lady of the Revd. D. Jones, of a daughter.
— At Mussoorie, the lady of Lieut. Ommaney, Engineers, of a son.
19 At Jubulpore, the lady of R. H. De Montmorency, Esq. 65th Volunteers, of a son.
20 At Berhampore, the lady of H. S. Lambrick, Esq. of a son.
21 At Bareilly, the lady of Geo. H. M. Alexander, Esq., C. S., of a daughter.
22 Mrs. R. B. Richardson, of a son.
— At Barrackpore, the lady of Capt. J. Swetenham, 10th N. I., of a daughter.
23 At Barrackpore, the lady of Lieut. J. C. Hannyngton, 24th Regt. N. I., of a son.
— At Surdah, the lady of J. M. De Verinne, Esq., of a daughter.
24 The lady of B. Reilly, Esq., of a son.
25 The wife of Mr. Thomas Allen, of the Police Establishment, of a son.
— Mrs. Andrew Culloden, of a daughter.
— The lady of P. Perrot, Esq., of a daughter.
26 Mrs. J. Fountain, of a daughter.
— Mrs. William Rushton, of a son.
— The lady of G. Wood, Esq., of a daughter.
— The wife of Serjeant Thomas O'Connor, Engineer Department, of a son.
27 At Cossipore, the wife of G. H. Harding, Esq., Foundery Overseer, of a son.
Sept. 28 The lady of Capt. G. T. Marshall, Examiner in the College of Fort William, of a daughter.
29 The wife of Mr. H. A. Poulson, Indigo Planter of Nundunpore, of a daughter.
— At Patna, Mrs. E. E. Woodcock, of a son.
30 The Lady of A. Miller, Esq. of a Daughter.
— Mrs. C. Sealy, of a daughter.
*No date* At Kishnaghur, the lady of James Hills, Esq., of a son.

## DEATHS.

Dec. 21 At Sea, Lieut. A. Patterson, of the 59th Regt. N. I.
July 8 On board the *Superior*, during her passage to England, Mr. Robert Henry Auld, aged 83, the son of the Revd. Dr. R. Auld, Airshire.
Aug. 8 At Deesa, James, the infant son of J. Bowstead, Esq. 13th Regt. N. I.
12 At Benares, Juliana Camerot, daughter of the Revd. J. A. Schurmann, aged 19 months.
19 At Monghyr, Capt. Ralph Forster, of the 72d N. I. Accidentally drowned at the Great Waterfall, in the vicinity at Mhow, on the 24th August, Ensign David Septemus Beck, 68th N. I.
22 At Kurnaul, the Revd. Father Anthony, of Cork, Apostolic Missionary—much and sincerely regretted.
26 At Neemuch, the infant daughter of Lieut. Moir, 28th Regt. N. I., aged 7 months and 19 days.
— At Mhow, Lieut. Frederick Lumley Goodwin, 2d Troop 3d Brigade Horse Artillery, aged 23 years.
27 At Kurnaul, Emily, the infant daughter of Quarter Master Sergt. C. Bickerton, of the 61st Regt. N. I.
28 At Chunar, Matilda Margaret, wife of W. R. White, Esq., Surgeon, 16th Lancers.
29 At Barrackpore, in the 36th year of his age, Capt. Browne Wood, of the 10th Regt. N. I.
31 At her residence, at Khassgunge, Her Highness Furzund Azezu Zubdod tool Arrakeen Umdehtool, Assteen Newab Mub Munzil ool Nissa, Begum Dehlmi, relict of the late Col. William Linæus Gardner.
Sept. 1 Capt. Charles John Slatter, aged 41 years, 9 months, and 21 days.
— Master Frederick Edmond Armstrong, aged 2 years and 1 month.
2 At Barrackpore, the lady of Captain Graham, Military Secretary to the Provincial Commander in-Chief.
— John Athanas, Esq. aged 82 years.
3 At Mow, Raymond Alves Fitzherbert, the infant son of Lieut. and Adjt. D. F. Evans, 16th Regt. N. I., aged 1 year, 7 months and 23 days.
— At Allahabad, Miss Johnston, daughter of Captain Johnston, 65th N. I. from the effects of a ruptured blood vessel.
4 At Chandernagore, at the house of her father, M. Razet, Esq., Mrs. Jane Verploegh, relict of the late J. G. Verploegh, Esq.
— At Neemuch, Lieut. M. N. Ogilvy, of the 2d L. C.
5 Mrs. Elizabeth Marshall, wife of Mr. T. Marshall, of the firm of Messrs. Ranken and Co., aged 48 years.
— Mrs. Sarah Andrew, wife of Mr. William Andrew.

Sept. 5 Mr. Joseph Jones, aged 31 years, 1 month and 3 days.

— At Allahabad, Surgeon John Eckford, of the 12th N. I.

— At Futtehghur, Agnes Richards, daughter of Mr. George Heron, Band Master, 60th Regt. N. I. aged 7 months and 20 days.

— At Futtehpore, Isabella, the wife of Andrew Grote, Esq., Civil Service.

— At Sea, near Bimlipatam, Ensign C. J. Hoseason, 50th N. I.

6 At Barrackpore, Mrs. Col. Innes Delamain, aged 59 years—deeply regretted.

7 Mr. John Parsons, an Assistant in the Adjutant General's office, aged 42 years.

8 The infant son of Mr. and Mrs. Peter Victor, aged 6 days.

— At Dinapore, of fever, Capt. William Howard, of the European Regt.

9 At Mirzapore, Ensign G. H. Venables, of the 29th Regt. N. I., immediately after his arrival there by dawk.

— At Chittagong, at the house of Dr. O'Dwyer, George Augustus, the second son of Charles Smith, Esq., B. C. S., aged 5 years.

10 James Armstrong, Esq, Collector of Gorruckpore.

11 At Chandernagore, Mr. Julien Nicholas, aged 43 years and 5 months.

— At Nusseerabad, Lieut. W. W. Jones, 3d N. I., Sub Assistant Commissary General.

13 Mrs. Charlotte Kitchener, widow of the late Capt David Kitchener, aged 37 years.

— Miss Mary Ann Gracia, aged 18 years.

14 At Purneah, L. C. D. Assis, Esq., of Neelgunge, aged 65 years.

— Miss Eliza Eglantine Kellner, aged 10 years, 8 months and 21 days.

— At Chupprah, of choleara, Mr. James Perry, Head Writer in the Commissioner's Office of Patna, and eldest son of the late Thomas Perry, Esq, of the Hon'ble Company's Civil Service on their Bengal Establishment.

15 Miss Mary Ann Watkinson, aged 16 years, 1 month and 27 days.

Sept. 16 Mr. J. W. Blaney, Teacher at the School of the General Assembly, aged 20 years and 9 months.

17 Adeline Isabella, the infant daughter of Lawrence DeSouza, Esq.

— Mr. Andrew Bowie, (Shipwright) aged 45 years.

— Mr. George Norman, aged 80 years.

— At Agra, Robert Bell, Esq., of the Mahratta Service, aged 39 years.

20 Miss Isabella Evans, aged 40 years.

— At Batool, Ensign Geffrey Eliot, of the 18th Regt. N. I., aged 20 years.

21 Mrs. Anne Voss, wife of Mr. John Voss, aged 38 years.

23 Sophy Caroline, the infant daughter of Mr. H. J. Fredetick, aged 1 year, 6 months and 17 days.

— At Rajcote, Frances, the wife of Riding Master J. Tant, 1st Regt. L. C.—deeply lamented.

24 William Fairle Clark, Esq aged 47 years, 5 months and 26 days.

— Delia Emeline, third daughter of Mr. Thomas Black, of the Asiatic Lithographic Press, aged 2 years, 6 months and 1 day.

25 The infant daughter of P. Perrot, Esq.

26 Duncan Ingraham, Esq., Merchant, aged 67 years.

28 At Futtyghur, David Home, Esq., C. S.

— At Lucknow, Lieut. W. M. Shakespear, Adjutant and Quarter-Master to the 3d Brigade of Horse Artillery—an honorable, upright, amiable young man, whose early death will be sincerely regretted by his brother officers, and a large circle of personal friends.

— Mr. John Dunning, of the ship *Thomas Grenville*, aged 40 years.

— Mr. J. S. Musgrove, aged 40 years.

30 George Page, Esq., of the firm of Messrs. Andrew and Co., aged 40 years.

*No date* At Serampore, in September, Mr. Henry Ward, son of the late Mr. William Ward, of the Benevolent Institution, aged 83 years.

At Neemuch, Euphemia, daughter of Mr. J. Campbell, Band Master of the 40th Regt. N. I.

At Neemuch, the lady of Capt. Doveton, of the Commissariat Dept.

# ADMINISTRATIONS TO ESTATES.

| ESTATES OF | EXECUTORS, ADMINISTRATORS, &c. |
|---|---|
| Armstrong, Jas. *Civil Service* | G. A. Bushby, and F. Currie, Executors. |
| Hill, T. *Lieut.-Col. Artillery* | Registrar Supreme Court, Administrator, (with Will annexed.) |
| Hurropersaud Chuckerbutty, *of Chatrah* | Nubokissen Bonnerjee, Executor. |
| Jones, Joseph, *of Calcutta* | J. N. Vant Hart, and W. J. Bampton, Executors. |
| Mackenzie, W. *formerly of Calcutta* | G. C. Arbuthnot, Administrator, (with copy Will annexed) as constituted Attorney of the Executor in Scotland. |
| Rowjee, Jacoran, *of Calcutta* | Jugjeebun Dasah, and Jeebun Hurjee, Executor. |
| Sealy Mrs. E. *of England, Widow* | Registrar Supreme Court, Administrator, (with Will annexed.) |
| Slatter, C. J. *of Calcutta, Mariner* | Ditto ditto ditto (with Will annexed.) |
| Trafford, W. L. *Ensign 74th N. I.* | Ditto ditto ditto. |
| Tuttle, G. *formerly of Benares* | W. Charles, and W. Turner, Executors. |

# CIVIL APPOINTMENTS, &c.

## ORDERS BY THE HONORABLE THE GOVERNOR GENERAL IN COUNCIL.

FORT WILLIAM, FINANCIAL DEPARTMENT, SEPT. 9, 1835.

Mr. E. Deedes, acting Resident at Bauleah is permitted to be absent from his station for the purpose of visiting the presidency on urgent private affairs, for a period of one month, from the date of the receipt of the orders of Government, making over charge of his office to his assistant Mr. J. M. Deveriune.

SEPTEMBER. 23.

The Hon'ble the Governor General of India in Council is pleased to make the following appointments:

Mr. John Jackson to be Senior Member of the Honorable Company's Financial Agency at Canton.

Mr. J. H. Astell to be Second Member of ditto.

Mr. H. M. Clarke to be Third Member and Secretary of ditto.

Messrs. Astell and Clarke to officiate as Senior and Second Members respectively during the absence of Mr. John Jackson.

Mr. J. B Thornhill to officiate as Third Member and Secretary during the same period.

The above appointments to take effect on the departure of Messrs. Daniell and Smith from China, in pursuance of the permission granted to them to proceed to England on furlough early in the ensuing season.

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FORT WILLIAM, POLITICAL DEPARTMENT, SEPTEMBER 14.

The Honorable H. B Devereux, officiating Assistant to the Commissioner in Mysore, has obtained additional leave of absence for two months, from the 27th of August last.

SEPTEMBER 21.

The Governor-General has been pleased to appoint Lieut. C. H. Thomas of the 11th Regt. Bengal N. I., to be an Assistant to the General Superintendent of the Operations for the Suppression of Thuggee.

Lieut. W. Halsted, 2d Assistant to the Commissioner in Mysore, resumed charge of the duties of his office on the 28th ultimo.

The Governor-General has been pleased to place Lieut. Charles Trower, of the 33d Regt. Bengal N. I., at the disposal of the Resident at Hyderabad.

SEPTEMBER 28.

In modification of the Order issued under date the 20th November last, agreeably to which the Resident at Travancore and Cochin was placed under the direct controul of the Supreme Government, it is hereby notified that that Officer has been placed under the Orders of the Government of Fort St. George from that date.

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FORT WILLIAM, ECCLESIASTICAL DEPARTMENT, 23D SEPT.

The Hon'ble the Governor-General of India in Council is pleased to grant to the Rev. Frederick Ackers Dawson, one month, in extension of the time allowed to him by the Regulations, to enable him to join the Station to which he is appointed.

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FORT WILLIAM, GENERAL DEPARTMENT, SEPTEMBER 2

The Honorable the Governor-General of India in Council is pleased to attach Messrs. E. F. Radcliffe and H. G. Astell, writers, reported qualified for the public service, to the Agra Presidency.

SEPTEMBER 5.

The Honorable the Court of Directors having appointed His Excellency General Sir Henry Fane, G. C. B., to be an Extraordinary Member of the Council of India, His Excellency has accordingly this day taken the oaths and his seat as an Extraordinary Member of the Council of India, under a salute from the ramparts of Fort William.

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## ORDERS BY THE HONORABLE THE GOVERNOR OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT, SEPTEMBER 8, 1835.

The following officers have obtained leave of absence from their stations:

Mr. C. Bury, the Magistrate and Collector of Rajeshahy, for six weeks, on medical certificate. Mr. W. M. Dirom will officiate in those capacities, until further orders.

The Orders of the Commissioner of the 16th division, granting to Mr. C. T. Davidson, leave of absence for one month, on private affairs, on his being relieved from the offices of Magistrate and Collector of Tipperah by Mr. W. Alexander, are approved.

Ensign T. G. St. George, Junior Assistant to the Agent of the Governor-General on the south-western frontier, for one month, to enable him to join his station.

Mr. G. Meyer, the principal Sudder Ameen in the City Court of Moorshedabad, during the ensuing Dusserah vacation.

SEPTEMBER 5.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. H. T. Raikes to officiate as Magistrate and Collector of Zillah Rajeshahy, during the absence of Mr. C. Bury, or until further orders.

Mr. G. Adams to officiate as Joint Magistrate and Deputy Collector of Nuddeah, during the employment of Mr. Halkett as officiating Magistrate and Collector of that District.

SEPTEMBER 8.

The following officers have obtained leave of absence from their stations:

Mr. J. B. Elliott, Special Commissioner at Patna, for one month on medical certificate, from the commencement of the Dusserah vacation.

Mr. C. Bury, Magistrate and Collector of Rajeshahy, for six months for the purpose of proceeding to Sea, on medical certificate, to take effect from the sailing of the ship *Sophia*.

Raee Parusnath Bose Bahadoor, the Principal Sudder Ameen in Zillah Backergunge, during the ensuing Dusserah vacation.

Mr. J. J. Jardon, the Sudder Ameen in Zillah Backergunge, during ditto.

SEPTEMBER 10.

The Honorable the Governor of Bengal has been pleased to make the following appointment:

Moulavee Mahommed Kulleem to be a Sudder Ameen in Zillah Beerbhoom, in addition to his office as Law officer.

The following Officers have obtained leave of absence from their Stations:

Mr. R. W. Maxwell, additional Judge of Behar, for one month, on medical certificate, in extension of the leave granted to him on the 29th July last.

Mr. R. Macan, additional Judge of Burdwan, for one week, on private affairs, during the ensuing Dusserah vacation.

Mr. H P. Russell, Magistrate and Collector of Jessore, for two months, on private affairs.

Mr. B. Golding, officiating Civil and Session Judge of Sylhet, for twenty days, during the ensuing Dusserah vacation.

Mr. A. Laing, officiating Joint Magistrate and Deputy Collector of Monghyr, for fifteen days, to enable him to join his Station.

Mr. R. H. Mytton, Magistrate and Collector of Sylhet, for one month, on private affairs, from the date of his present appointment.

The leave of absence, for one month, on medical certificate, granted to Mr. T. Hugon, the Sub Assistant in the Division of Now Gong, in Assam, to commence from the 10th instead of the 1st ultimo.

Mr. C. Griffiths, Assistant Surgeon of Sylhet, an extension of leave of absence, on medical certificate, from the 15th of Aug. up to the sailing of the Ship *Mary Anne Webb*.

Mr. G. Herklots, Sudder Ameen in Zillah Hooghly, during the Dusserah vacation, and twelve days in addition from the 19th to the 31st of Oct. next, on private affairs.

Moulavee Sadaqutoollah, a Principal Sudder Ameen in Zillah Chittagong, for fifteen days, in addition to the Dusserah vacation.

Mirza Ubdoolla Beg, Principal Sudder Ameen in Zillah Tirhoot, from the 1st of Oct. to the 15th Nov. next.

Moulavee Rooknooddeen, Principal Sudder Ameen in Zillah Purneah, during the ensuing Dusserah vacation.

Lukkeenarain Nylunkar, the Sudder Ameen in Zilla Purneah, during the Dusserah vacation, and for two weeks in addition to that period.

The Honorable the Governor of Bengal has been pleased to make the following appointment:

Mr. Assistant Surgeon J. McCosh to perform the medical duties of the Civil Station of Gowahatee, in the room of Mr. W. B. Davies removed. The latter gentleman will perform the medical duties of both the stations of Gowahatee and Gowalparah during the absence of Mr. McCosh, who has been authorized to be absent from his station from the 20th instant to the 20th December next.

SEPTEMBER 14.

The Honorable W. H. L. Melville to officiate as Special Commissioner under Regulation III, 1828, of the Calcutta Division, during the absence of Mr. N. J. Halhed, or until further orders.

Mr W. Travers to be Deputy Collector of Monghyr.

Mr. C. B. Quintin to officiate as Head Assistant to the Magistrate and Collector of Behar, vice Mr. Travers.

Mr. G. F. Houlton to officiate until further orders, as Deputy Collector of Patna in the room of Mr. Crawford.

Mr F. Lowth to be an Assistant to the Magistrate and Collector of the Central Division of Cuttack.

The following officer has obtained leave of absence from his station:

Mr. J. H. Crawford, Deputy Collector of Patna for two years, to proceed to the Cape of Good Hope on medical certificate; to take effect from the date of the sailing of the ship *Roxburgh Castle*.

SEPTEMBER 15.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. James Dewar to officiate until further orders, as additional Judge of Zillah Behar, in the room of Mr. Maxwell.

Mr. R. W. Maxwell to officiate, until further Orders, as Civil and Session Judge of the Zillah Backergunge, in the room of Mr. C. Cardew.

Moitanond Chatterjea to be Deputy Collector in Zillah Chittagong.

Kalachand Ghose to be ditto ditto in ditto.

Moulavee Mahomed Tyuboollah to be ditto ditto in ditto

Pran Kissen Race Chowdry to be ditto ditto in ditto.

Moulavee Rookoodeen to be Principal Sudder Ameen in Zillah Purneah, vice Mr. C. Glass removed.

The following Officers have obtained leave of absence from their Stations:

Mr. Charles Grant, Commissioner of the Soonderbunns, for three months, for the purpose of proceeding to Sea on medical certificate. Mr. G. W. Bative, the Deputy Collector of Barasset, will take charge of the current duties of the office of Commissioner of the Soonderbunns during the absence of Mr. Grant.

Hurinarain Ghose and Moulavee Gholaun Sobhan Principal Sudder Ameens, and Brejnath Sein, Sudder Ameen Zillah Jessore, during the ensuing Dusserah vacation.

SEPTEMBER 22.

The following Officers have obtained leave of absence from their Stations:

Mr. G. J. Morris, Civil and Session Judge of Patna, for one month, on medical certificate.

Mr J. B. Ogilvy, Joint Magistrate and Deputy Collector of Behar, for one month, on private affairs, in extension of the leave granted to him by the Commissioner on the 18th ultimo.

Mr. G. T. Shakespear, Assistant to the Magistrate and Collector of Moorshedabad, for one month, on private affairs, in extension of leave granted to him on the 17th July last.

Mr. F. B. Kemp, Assistant to the Joint Magistrate and Deputy Collector of Noacolly, for six weeks, on medical certificate, to have effect from the date on which he left his Station.

Ram Mohun Rae, the additional Principal Sudder Ameen in Zillah Dacca, during the Dusserah vacation.

The Honorable the Governor of Bengal has been pleased to make the following appointments.

Mr. A. F. Donnelly to officiate as Magistrate and Collector of Jessore, during the absence of Mr. H. P. Russell, or until further Orders.

The Honorable the Governor of Bengal has been pleased to make the following appointment:

Hurnarain Rae to be Deputy Collector of Bullooah.

SEPTEMBER 24.

Mr. H. P. Russell to officate, until further Orders, as additional Judge of Zillah Tirhoot.

SEPTEMBER 29.

Moulavee Ashruff Hussain to be Sudder Ameen and Moonsiff in Zillah Behar.

The following officers have obtained leave of absence from their stations:

The leave granted to Mr. J. Donnithorne, Collector of the 24 Pergunnahs, on the 4th July last, to have effect from the 8th inst., the date of the sailing of the ship *Warrior*.

Mr. R. Macan, additional Judge of Burdwan, for ten days, on private affairs, in extension of the leave granted to him on the 10th inst.

Mr R. W. Hughes, Assistant to the Magistrate and Collector of Backergunge, for three months, to proceed to Allahabad, on medical certificate, in extension of the leave granted to him on the 23d June last.

Mr. J. de Hezeta, Assistant Secretary to the Lottery Committee, for three months, from the 1st proximo. Mr. M. A. Bignell will act in his room.

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FORT WILLIAM, GENERAL DEPARTMENT, SEPTEMBER 9

The Honorable J. E. Elliot, of the Civil Service, embarked for Europe on board the ship *Sherburne*, which vessel was left by the Pilot at sea on the 29th ultimo.

The Honorable W. H. L. Melville, of the Civil Service, reported his return from furlough on the 4th instant.

SEPTEMBER 10.

The Honorable J. E. Elliot reported his return from sea under date the 7th instant, the ship *Sherburne* on which he was embarked having put back leaky.

The Honorable the Governor is pleased to re-appoint Mr. Elliot to the office of Post Master General.

SEPTEMBER 23.

Mr. Richard Pryce Harrison reported his arrival as a Writer on this establishment, on the 19th instant.

SEPTEMBER 30.

Messrs. Henry Vincent Bayley and Frederick A. Lushington reported their arrival as Writers on this Establishment, the former on the 25th and the latter on the 26th inst.

## ORDERS BY THE HONORABLE THE GOVERNOR OF AGRA.

GENERAL DEPT., MILITARY, ALLAHABAD, SEPT. 2, 1835.

The appointment of Mr. Assistant Surgeon Brett to the charge of the medical duties at Simlah, notified in the Orders of the Government of Agra, under date the 8th ultimo, to take effect from the 24th of June last, is cancelled.

SEPTEMBER 19.

The Hon'ble the Governor of Agra has this day been pleased to remove Captain W. Murray, of the 22d Regt. N. I., from the Office of Deputy Post Master at Benares, to which he was nominated by the Orders of the 21st ultimo, and to appoint Captain J. D. Douglas, 53d Regt. N. I., Deputy Assistant Adjutant General at Benares, to that situation.

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JUDICIAL AND REVENUE DEPT., ALLAHABAD, SEPT. 4, 1835.

The Hon'ble the Governor is pleased to grant to Lieut. H. M. Lawrence, Revenue Surveyor in Goruckpore, leave of absence, on private affairs, from the 10th November to the 10th December next.

ALLAHABAD, SEPTEMBER 5.

Mr. C. Madden, Civil Assistant Surgeon of Futtehpore, has obtained leave of absence from his Station, for three months, on medical certificate.

The Hon'ble the Governor has been pleased to appoint Mr. G. Blunt to be Deputy Collector of Customs at Agra.

ALLAHABAD, SEPTEMBER 8.

The Hon'ble the Governor is pleased to appoint Lieut. G. P. Thomas of the 64th Regt. N. I., to be an Assistant to the Commissioner of the Saugor and Nerbudda Territories.

The following Officers have obtained leave of absence:

Mr. W. Gorton, Civil and Session Judge of Benares, for one month, in extension of the leave granted him on the 4th February last, to enable him to rejoin his station.

Mr. H. H. Thomas, Civil and Session Judge of Mirzapore, for three months, on private affairs. Mr. Thomas has been authorized to make over charge of the current duties of his office to Mr. W. H. Woodcock who will conduct the same until further orders.

ALLAHABAD, SEPTEMBER 10.

The Hon'ble the Governor is pleased to make the following appointments:

Mr. S. J. Becher to be an Assistant under the Commissioner of the 4th or Allahabad Division.

Mr. H. G. Astell to be ditto to the Register of the Courts of Sudder Dewanny and Nizamut Adawlut of the Agra Presidency.

Mr. E. F. Radcliffe to be ditto under the Commissioner of the 3d or Bareilly Division.

Mr. R. S. Boulderson, Commissioner of the 2d or Agra Division, has obtained leave of absence from his station for three months, from the 10th November next, to proceed to Calcutta, on private affairs: and Mr. C. Fraser is appointed to officiate in that capacity during his absence, or until further orders.

ALLAHABAD, SEPTEMBER 12.

The Hon'ble the Governor has been pleased to grant to Mr. S. M. Boulderson, Commissioner of the 3d or Bareilly Division, leave of absence for one month, from the 1st proximo, on private affairs.—Mr. E. J. Smith will retain charge of the Commissioner's office during Mr. Boulderson's absence.

Mr. R. M. Bird, Member of the Sudder Board of Revenue, has obtained leave of absence for fourteen days, from the 14th instant, on his private affairs.

ALLAHABAD, SEPTEMBER 18.

The Hon'ble the Governor has been pleased to appoint Mr. S. Fraser to officiate as Civil and Session Judge of the City and Territory of Delhi, till the return of Mr. H. Fraser, or until further orders.

ALLAHABAD, SEPTEMBER 21.

The Orders issued by the Commissioner of the 5th or Benares Division, in consequence of the demise of Mr. J. Armstrong Collector and Magistrate of Goruckpore, on the 10th instant directing Mr. A. P. Currie to continue in charge of the Office of Magistrate and Collector of Goruckpore, Mr. A. Shank to officiate as Deputy Collector and Joint Magistrate, and Mr. F. Stainforth to take charge of the Settlement Duties of the Collectorate of that District, until further orders, are approved.

The following Officers have obtained leave of absence from their Stations:

Mr. R. Neave, officiating additional Judge of Cawnpore, for ten days, during the ensuing Dusserah vacation.

Mr. W. M. Buchanan, Civil Assistant Surgeon of Mozuffernuggur, from the 24th August to the 1st Nov. next, on medical certificate.

The leave of absence granted to Mr. C. Madden, Civil Assistant Surgeon of Futtehpore, on the 5th, will commence from the 8th instant, the date on which he made over charge of the medical duties to Mr. Assistant Surgeon Kent.

ALLAHABAD, SEPTEMBER 28.

Doctor W. P. Andrew, Civil Assistant Surgeon of Cawnpore, has obtained leave of absence from his Station, from the 24th

instant to the 9th March 1836, to visit Calcutta preparatory to applying for permission to proceed to Europe, on medical certificate.

Mr. Assistant Surgeon Mackean is authorized to continue in charge of the medical duties of the Station during Dr. Andrew's absence, or until further orders.

The Honorable the Governor of Agra is pleased to determine that Munnoo Lall, late Stamp Darogha of the Ghazeepore Collectorship, who has been convicted and sentenced to imprisonment for embezzlement of the public money, shall be declared incapable of serving Government in future in any public capacity.

ALLAHABAD, SEPTEMBER 20.

Mr. W. Fane, Member of the Sudder Board of Revenue, has obtained leave of absence, for one month, on his private affairs.

ALLAHABAD, SEPTEMBER 20.

Mr. H. W. Deane, Deputy Collector under Regulations II. of 1819 and IX. of 1825 in the 3d or Bareilly Division, has obtained leave of absence for one month, from the 12th instant, on medical certificate.

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POLITICAL DEPARTMENT, ALLAHABAD, SEPT. 19, 1835.

Captain W. Murray, of the 32d Regt. N. I., to be Assistant to the Agent to the Governor General in the Saugor and Nerbudda Territories.

ALLAHABAD, SEPTEMBER 26.

The Honorable the Governor of Agra has been pleased to appoint Lieut. T. W. Cornish, of the Horse Artillery, to be an Assistant to the Agent to the Governor in the Saugor and Nerbudda Territories. The appointment to take effect from the 7th instant.

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# MILITARY APPOINTMENTS, &c.

## GENERAL ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, SEPTEMBER 5, 1835.

No. 195 of 1835.—The Hon'ble the Governor-General of India in Council is pleased to make the following promotions:

10th Regt. N. I.—Lieut. Frederick St. John Sturt to be Captain of a Company, and Ensign John Coke to be Lieut. from the 29th August 1835, in succession to Captain Browne Wood deceased.

Major William Gregory, of the 61st Regt. N. I., is permitted to proceed to the Cape of Good Hope, via China and Van Dieman's Land on medical certificate; and to be absent from Bengal on that account for two years.

Lieut. Henry Lancelot Bigge, of the 66th Regt. N. I., and Adjutant of the Assam Light Infantry, is permitted to proceed to China and eventually to New South Wales, on medical certificate, and to be absent from Bengal on that account for two years.

Ensign T. G. St. George, of the 47th Regt. N. I., and Junior Assistant to the Agent to the Governor-General on the South Western Frontier, has obtained leave of absence in the Judicial and Revenue Department, under date the 3d instant, for one month, to enable him to join his Station.

Lieut.-Col. George D'Aguilar, Regulating Officer of Invalid Thannas in the Districts of Bhaugulpore and Tirhoot, is permitted to visit the Presidency on urgent private affairs, and to be absent from his Station from the 20th November 1835 to the 1st February 1836.

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No. 196 of 1835.—The Hon'ble the Governor-General of India in Council is pleased to assign rank to the undermentioned Cornets, Ensigns, and Assistant Surgeons, from the dates expressed opposite to their respective names:

Cavalry.—Cornets Richard Boulton, 7th June, William Charles Alexander, ditto, and William Grant Prendergast, 13th August, 1835.

Infantry.—Ensigns Gerard Augustus Frederick Hervey, 12th Dec.; William McCullock, ditto; Charles William Dublin, 18th Dec., George-Queiros Nesbitt, 21st Dec., Daniel Stansbury, 15th Dec., Edward Wynne Bristow, 19th Dec 1834; Charles Louis Napier Raikes, 3d Jan., Henry Nicoll, 8th Jan, Brooke Boyd, 20th Jan., Elijah Pattle Impey, 21st Jan., Francis Stuart Paterson, 5th Feb., Frederick Summers McMullen, ditto, William Remington Mercer, 20th Feb., Robert Christopher Tytler, 18th Feb., George Richard James Meares, 19th Feb., John Campbell Johnston, 23d Feb., Henry Bishop, Charles Bell Horsburgh, John Fagan, Henry Lewis Bird, Robert Wilberforce Bird, and Cosmo Alexander Hepsburne, 24th Feb., Collingwood Foster Fenwick, 26th Feb., Charles Lionel Showers, 1st March, Joseph Hennessy Fulton, 5th March, Henry Millett Travers, 13th March, Alexander Boyd, 13th ditto, William Henry Davidson, (deceased) 17th March, Edwin Wiggens, 30th March, Charles Harris, 31st March, William Sowther Hasell, 2d April, George Jenkins, 6th April, John William Carter, 30th April, George Donnithorne Elliott, 24th April, Samuel Brougham Foddy, 30th April, Henry Cadogan Hastings, 7th May, Charles Fitzroy Miller Mundy, 23d May, James Murray, ditto, and Gordon Caulfield, 31st May, 1835.

Medical Department.—Assistant Surgeons George Paton, M. D. 21st Jan, Harmon Read Bond, 24th Feb., and Allan Webb, (not arrived) 20th March 1935.

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No. 197 of 1835.—The undermentioned Officers have returned to their duty, on this Establishment, without prejudice to their rank, by permission of the Honorable the Court of Directors:

Lieut.-Col. Robert Seymour, of the 34th Regt. N. I., Captain Edward Raphael Watts, of the Regiment of Artillery, Captain Frederick Walpole Anson, of the 18th Regt. N. I., and Assistant Surgeon Adam Thomson, of the Medical Department; date of arrival at Fort William, 5th September, 1835.

Lieut. Frederick Cornish, of the Horse Artillery, is placed at the disposal of the Honorable the Governor of Agra, for employment under that Government.

Assistant Surgeon Robert Power, of the Madras Medical Department, is permitted to proceed hence to the Cape of Good Hope, on medical certificate, and to be absent on that account for two years.

Captain F. T. Boyd, Deputy Assistant Commissary General, has one month's leave of absence for the purpose of visiting the presidency, on urgent private affairs.

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FORT WILLIAM, SEPTEMBER 14.

No. 199 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following appointments:

Captain David Ewart, of the Regiment of Artillery, to officiate as a Commissary of Ordnance at Cawnpore, during the absence of Captain Roberts, or until further orders.

Assistant Surgeon Edward Ward Walter Raleigh, to the medical charge of the Calcutta Jail.

Assistant Surgeon George Craige, M. D., to the medical charge of the Calcutta Native Militia.

Supernumerary Lieut. William St. Leger Mitchell, of the 13th Regt. N. I., is brought on the effective strength of the Regt., vice Lieut. James Campbell resigned, 14th June 1834.

The undermentioned Officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Honorable the Court of Directors:

Captain Thomas Roberts of the 51st Regt. N. I., and Ensign Thomas Elliot Colebrooke, of the 13th Regt. N. I., date of arrival at Fort William, 5th Sept. 1835.

Captain William Aldous, of the 38th Regt. N. I., is permitted to proceed to Europe on furlough on medical certificate.

The services of Assistant Surgeon W. B. Davies, attached to the Civil Station of Gowahatee, are placed, as requested by him, at the disposal of His Excellency the Commander in Chief on Mr. Davis's being relieved by Assistant Surgeon McCosh after the latter officer's return from the Presidency, wither he is about to proceed on leave obtained in the Judicial Department, under date the 10th instant, from the 20th of this month to the 20th Dec. next.

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No. 200 of 1835.—The Honorable the Governor-General of India in Council is pleased to appoint Captain Gavin Young, of the 70th Regt. N. I., Judge Advocate-General, in succession to Col. Sir Jeremiah Bryant, Kt., who has resigned his situation.

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FORT WILLIAM, SEPTEMBER 21.

No. 203 of 1835.—The Honorable the Governor-General of India in Council is pleased to make the following promotions and appointments:

Right Wing European Regt.—Lieut. James Mattie to be Captain of a Company, and Ensign William James Parker to be Lieut., from the 8th Sept. 1835, in succession to Capt. W. Henry Howard deceased.

72d Regt. N. I.—Lieut. Charles Henry Boisragon to be Captain of a Company, and Ensign George Henry Davidson to be Lieutenant, from the 19th Aug. 1835, in succession to Captain Ralph Foster deceased.

Medical Department.—Assistant Surgeon Alexander Kyd Lindsay to be Surgeon, from the 5th Sept. 1835, vice Surgeon John Eckford deceased.

2d Lieut. Laurence Hill, of the Corps of Engineers, to be an Assistant in the 8th Division Department of Public Works.

Supernumerary 2d Lieut. David Reid, of the Regiment of Artillery, is brought on the effective strength of the Regiment vice 2d Lieut. Frederick Lumley Goodwin, deceased, 26th Aug. 1835.

The undermentioned Gentlemen are admitted to the service, in conformity with their appointment by the Honorable the Court of Directors as Cadets of Engineers and Infantry on this Establishment, and promoted to the rank of 2d Lieutenant and Ensign, leaving the dates of their Commissions for future adjustment:

Engineers.—Mr. James George Allardyce; date of arrival at Fort William, 15th Sept 1835.

Infantry.—Mr. Wm. Johnstone Hope Charteris; date of arrival at Fort William, ditto ditto.

Mr. George Augustus Brett, ditto ditto.

The following arrangement, sanctioned by the Honorable the Governor of Fort William, is published in General Orders:

Lieut. A. Q. Hopper, of the 24th Regt. N. I., to officiate as Fort Adjutant of Fort William, during the temporary absence on leave of Cornet Loughnan.

Captain John William Ingram, of the 19th Regt. N. I., is permitted, at his own request to retire from the Service of the East India Company, on the pension of his rank.

Captain B. Reilly, Executive Engineer of the 13th Division Department of Public Works, has leave of absence from 1st January 1836 to 1st April following, to visit the Presidency, preparatory to applying for furlough to Europe.

The Government having resolved to abolish the Saugor Mint, Lieut. Col. D. Presgrave, late Assay Master and Acting Mint Master, is placed at the disposal of His Excellency the Commander in Chief.

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No. 204 of 1835.—His Majesty having been pleased to nominate Major Generals J. W. Sleigh, C. B., and Sir John F. Fitzgerald, K. C. B., to the Staff of the Army serving in the East Indies, the Governor General of India in Council appoints the former Officer to the Presidency of Bombay, and the latter to that of Fort Saint George, until further Orders.

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No. 205 of 1835.—The Honorable the Governor General of India in Council is pleased to appoint Captain Edward Sanders, of the corps of Engineers, Secretary to the Military Board, in succession to Captain G. Young.

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No. 208 of 1835.—It having been reported to Government, that Cornet Hepburne, of the 5th L. C., has absented himself from his Regt. without leave, since the 16th July last, and neglected to obey a positive injunction requiring him forthwith to quit the Presidency and proceed to join his Corps at Cawnpore, the Governor-General of India in Council is pleased, at the recommendation of His Excellency the Commander-in-Chief, to suspend that Officer from the exercise of his Military Functions, and from Pay and Allowances, until the pleasure of the Honorable the Court of Directors shall be made known on his conduct.

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FORT WILLIAM, SEPTEMBER 28.

No. 209 of 1835.—The Hon'ble the Governor General of India in Council is pleased to make the following Promotions and Alteration of Rank:

2d Regt. L. C.—Cornet John Sheffield Gilbert Ryley to be Lieut., from the 4th Sept. 1835, vice Lieut. Mark Napier Ogilvy deceased.

Supernumerary Cornet William Douglas Spalding Hannay is brought on the effective strength of the Cavalry.

19th Regt. N. I.—Lieut. Charles George Ross to be Captain of a Company, and Ensign Henry Virtue Stephen to be Lieut., from the 21st Sept. 1835, in succession to Capt. John William Ingram retired on the Pension of his Rank.

71st Regt. N. I.—Ensign Hugh Atkins Reid to be Lieut., vice Lieut. William Douglas Littlejohn retired, with rank from the 5th Feb. 1835, vice Lieut. and Brevet Capt. Edmund Wintle promoted.

Lieut. Thomas Septimes Jervis, of the 71st Regt. N. I., is to rank from the 31st January 1835, vice Lieut. William Douglas Littlejohn retired.

The undermentioned Gentlemen are admitted to the Service as Cadets of Infantry, and as Assistant Surgeon, on this Establishment, in conformity with their appointment by the Honorable the Court of Directors. The Cadets are promoted to the rank of Ensign, leaving the dates of their Commissions for future adjustment:

Infantry.—Messrs. Robert Renny and Hugh John Houstoun; date of arrival at Fort William, 19th Sept. 1835.

Medical Department.—Mr. Allan Webb, ditto 21st ditto.

The following Officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Major James Watkins, of the 62d Regt. N. I.; Capt. Hector Mackenzie, of the 74th Regt. N. I., and Capt. Walter Rutherford, of the 28th Regt. N. I., ditto 19th ditto.

Capt. John Macdonald, of the 61st Regt. N. I. ditto 20th ditto.

Lieut. and Brevet Captain W. Shortreed, of the European Regt. is permitted to resign his appointment to the Assam Local Battalion, which was announced in General Orders, No. 23, of the 28th January last.

Veterinary Surgeon Robert Burgess Parry, at present officiating at the Central Stud, is permanently appointed thereto, in succession to Veterinary Surgeon W. Lindsay deceased.

The undermentioned officers are permitted to proceed to Europe on furlough:

Capt. William Hunter, of the 15th Regt. N. I., on account of private affairs.

Lieut. James Mackenzie of the 8th Regt. Light Cavalry; Ensign Charles Arthur Morris, of the 29th Regt. N. I.; and Assistant Surgeon James Richard Ateen, of the Medical Dept. on medical certificate.

Conductor J. Bourke, of the Department of Public Works, has leave of absence from the 1st proximo to the 1st April, 1836, to visit the Presidency, on urgent private affairs.

His Honor in Council is pleased to accept the resignation tendered by Mr. R. C. Tulloh, of his situation of 2nd class Sub-Assistant Great Trigonometrical Survey, from the 10th ultimo.

The Governor-General of India in Council was pleased in the Political Department, under date the 21st instant to appoint Lieut. C. H. Thomas, of the 11th Regt. N. I., to be an Assistant to the General Superintendent of the Operations for the Suppression of Thuggee.

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No. 210 of 1835.—The Governor-General of India in Council is pleased to make the following promotion.

3d Regt. N. I.—Ensign Charles Ralfe to be Lieut. from the 11th Sept., 1835, vice Lieut. William Wynne Jones deceased.

Capt. Henry Doveton, Deputy Assistant Commissary General, has six months' leave of absence, to commence from the 1st November next, for the purpose of visiting the Presidency, on private affairs.

Lieut. D. Lumsden, of the 27th Regt. N. I., is permitted to resign his appointment to do duty in the Arracan Local Battalion, which was announced in General Order, No. 163, of the 20th July last.

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FORT WILLIAM, 5TH OCTOBER.

No. 212 of 1835.—The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Honorable the Court of Directors:

Captain William Sandys Prole, of the 37th Regt. N. I.; date of arrival at Fort William, 30th September 1835.

1st Lieut. John Gilmore, of the Corps of Engineer; date of arrival at Fort William 29th September 1835.

Lieut. H. C. Baddeley, of the 61st Regt. N. I., is permitted to resign his appointment to do duty in the Arracan Local Battalion, which was announced in General Orders No. 146, of the 15th June last.

Lieut. R. Macdonald, 1st Assistant Great Trigonometrical Survey, has leave of absence for three months, to proceed to the Presidency, on medical certificate.

The following promotion is made in the subordinate branch of the Medical Department:

Hospital Apprentice John William Franks to be Assistant Steward, from the 31st July, 1835, vice Assistant Steward William Sylvester dismissed by the Sentence of a General Court Martial.

The Governor General was pleased, in the Political Department, under date the 21st ultimo, to place Lieut. Charles Trower, of the 33d Regt. N. I., at the disposal of the Resident at Hydrabad.

The Honorable the Governor of Agra was pleased, in the Judicial and Revenue Department, under date the 15th ultimo, to appoint Lieut. F. W. Cornish, of the Horse Artillery, to be an Assistant to the Commissioner of the Saugor and Nerbudda Territories.

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No. 213 of 1835.—The Governor General of India in Council is pleased to make the undermentioned appointments:

Assistant Surgeon John Spence Login, M. D., to be Civil Assistant Surgeon at Howrah, vice Dr. Stewart appointed to the Presidency General Hospital.

Assistant Surgeon William Thomson to the service of His Highness the Nizam vice Login.

Assistant Surgeon Allan Webb to the temporary medical charge of the Civil Station of Sylhet.

At the recommendation of His Excellency the Commander in Chief, Captain Thomas Bennet Penwarne Festing, of the 33d Regt. N. I., is transfered to the Invalid Establishment.

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FORT WILLIAM, 8TH OCTOBER.

No. 215 of 1835.—The appointment of Assistant Surgeon Allan Webb to the temporary medical charge of the Civil Station of Sylhet, announced in General Orders No. 213, of the 5th instant is cancelled, and that medical officer is directed to attend on the Lord Bishop of Calcutta, during the Visitation about to be undertaken by His Lordship.

FORT WILLIAM, OCTOBER 12.

No. 216 of 1835.—The Honorable the Governor-General of India in Council is pleased to make the following promotions:

Regiment of Artillery.—2d Lieut. Frederick William Cornish to be Lieutenant, from the 28th of September 1835, vice 1st Lieut. William Makepeace Shakespear deceased.

Supernumerary 2d Lieut. Townsend James William Hungerford is brought on the effective strength of the Regt.

33d Regt. N. I.—Lieut John Dixon Nash to be Captain of a Company, and Ensign Edward Geoffry John Chamneys to be Lieutenant from the 5th of Oct. 1835, in succession to Capt. Thomas Bennet Penwarne Festing transferred to the Invalid Establishment.

Rank is assigned to the undermentioned officer, from the date specified opposite to his name.

Corps of Engineers.—Supernumerary 2d Lieutenant James George Allardyce, from the 16th June 1834.

The following officers permitted to proceed to Europe on furlough, on medical certificate:

Lieut. Charles John Hainwaring, of the 1st Regt. N. I.

Ensign Frederick Maitland, of the 4th Regt. N. I.

Lieut. Henry Tod Tucker, of the 8th Regt. N. I., is placed at the disposal of the Governor of Bengal.

Lieut. James Abbott, of the Regt. of Artillery, is placed at the disposal of the Hon'ble the Governor of Agra, for employment in the Revenue Survey Dept.

Invalid privates Joseph Woods and Thomas Racey, of His Majesty's 16th Lancers, are permitted to reside and draw their stipends in India, the former at Cawnpore and the latter at Meerut.

Assistant Surgeon W. M. Buchanan, attached to the Civil Station of Mozuffernuggur, has been granted by the Agra Government, under date the 21st ult., leave of absence from the 24th Aug. to the 1st Nov. next.

The leave of absence granted by Honorable the Governor of Agra to Assistant Surgeon C. Madden, of the Civil Station of Futtehpore on the 5th, is to commence from the 8th ult. the date on which he made over charge of the medical duties, to Mr. Assistant Surgeon Kent.

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No. 217 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following transfers in the department of Public Works:

Captain W. Sage, from the 3d or Dinapore, to the 5th or Benares Division.

Captain W. H. Terraneau, from the 5th, to the 19th or Agra Division.

Lieut. P. W. Willis, from the 14th or Saugor, to the 3d or Dinapore Division.

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No. 218 of 1835.—The Governor General of India in Council is pleased to make the following Promotions:

15th Regt. N. I.—Lieut. John Villiers Forbes to be Captain of a Company, and Ensign Thomas Smith to be Lieutenant, from the 25th September, 1835, in succession to Captain Zouch Henry Turton, deceased.

His Honor in Council is pleased to assign back rank by Brevet, to the undermentioned Officers, cancelling that which was assigned to them in General Orders No. 180, of the 25th May last;

Col. John Truscott, 45th Regt. N. I., and Col. Henry Faithful, Artillery, to rank from the 5th June 1829, and to stand above Col. J. Tombs, of the 8th Regt. L. C.

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FORT WILLIAM, 19TH OCTOBER.

No. 221 of 1835.—Lieut. and Brevet Captain Farquharson Tweedale, of the 8th Regt. L. C., is permitted to proceed to Europe on furlough, on medical certificate.

The furlough to Europe from Neemuch, via Bombay, granted to Captain John Platt, of the 23d Regt. N. I., in General Orders No. 189, of the 24th Aug. last, on account of his private affairs, is cancelled.

The leave of absence, on medical certificate, to proceed to Van Dieman's Land, viâ the Mauritius, obtained by Lieut. A. G. F. J. Younghusband of the 35th Regt. N. I., in General Orders No. 121, of the 30th Aug. 1833, is extended for a period of six months on that account.

The Governor General of India in Council accepts the resignation tendered by Mr. Richard Loane, of his situation of Sub Assistant Great Trigonometrical Survey, from the 1st ultimo.

The Honorable the Governor of Bengal was pleased in the General Dept., under date the 14th instant, to grant to Assistant Surgeon H. J. Thornton, attached to the Commercial Residency at Commercolly leave of absence for one month.

The following Appointment made in the Judicial and Revenue Dept., under date the 15th instant, is published in General Orders:

Lieut. Henry Tod Tucker, of the 8th Regt. N. I., to officiate as a Junior Assistant under the Commissioner of Assam, during the absence of Captain Rutherford, or until further orders.

Leave of Absence has been granted by the Honorable the Governor of Agra, to the undermentioned Officers:

OCTOBER 8.

Captain J. Bedford, Deputy Surveyor General, for two months, from the 10th November next on private affairs.

OCTOBER 7.

Lieut. Col. F. Young, Political Agent at Deyra Dhoon and Commandant of the Sirmoor Battalion, for one month, from the 20th Oct. to 20th Nov. next, on private affairs.

Captain J. Fisher, Assistant to the Political Agent and 2d in Command of the Sirmoor Battalion, has been directed by the Agra Government under date the 7th, to take charge of the office of Political Agent at Deyra Dhoon and assume the Command of the Battalion during the absence of Lieut. Col. Young.

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## GENERAL ORDERS BY THE PROVINCIAL COMMANDER-IN CHIEF.

*Head-Quarters, Calcutta, 1st. Sept.* 1835.

Brevet Col. S. Smith's Regimental Order of 20th ultimo, appointing Cornet G. Murray to act as Adjt. to the 8th L. C. during the absence of Lieut. and Adjt. J. Mackenzie, on sick certificate, is confirmed.

Surgeon A. Wood is removed from the 35th N. I., and posted to the 5th Battalion of Artillery. Surgeon Wood will continue in medical charge of his present Regt. till the 1st of March next, when he will proceed and join his new Corps at Cawnpore.

Gunner Edward McAleer, of the 3d Troop 3d Brigade Horse Artillery, is directed to rejoin the European Regt. as a private, being the rank he held when he was transferred to the Artillery, in General Orders of the 7th March 1834.

Corporal William Richardson, of the Veteran Company, is permitted to reside and draw his stipend at Chunar.

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*Head Quarters, Calcutta, 2d September.*

The Provincial Commander in Chief is pleased to make the following removals:

Captain W. Parker, Major of Brigade of the Malwa Field Force, is appointed to the District of Oude, vice Captain C. Cheape, removed to the former situation.

Lieut. Col. J. Gibbs, of the Invalid Establishment, is directed to proceed towards Buxar, and to assume the temporary Command of that Fortress, on the departure, on leave, of Lieut.-Col. W. C. L. Bird.

Unposted Ensign Henry Cadogan Hastings is appointed to do duty with the 43d Regt. N. I. at Barrackpore.

The undermentioned officers have leave of absence:

40th Regt. N. I.—Lieut. A. DeFountain, from 20th Sept. to 20th Jan. 1836, to visit Jessore and the Presidency, on very urgent private affairs.

10th Regt. L. C.—Col. S. Reid, from 1st Sept. to 1st Nov., in extension, to remain at the Presidency, on duty.

61st Regt. N. I.—Major W. Gregory, from 1st Sept. to 1st Dec., in extension, to remain at the Presidency, and to apply for leave to the Cape of Good Hope.

55th Regt. N. I.—Captain F. J. Simpson, from 1st Nov. to 1st Jan. 1836, to visit the Presidency, and apply for furlough.

24th Regt. N. I.—Lieut. A. Q. Hoppet, from 1st Sept. to 4th Nov., to visit Midnapore, on private affairs.

67th Regt. N. I.—Ensign R. N. Raikes, from 1st. Sept. to 15th Sept., in extension.

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*Head-Quarters, Calcutta, 3d September.*

The Meerut Division Order of the 16th ultimo, directing Assistant Surgeon W. E. Watson, of the 1st Brigade Horse Artillery, to assume medical charge of the 69th Regt. N. I., on the departure of Assistant Surgeon S. Holmes, is confirmed as a temporary arrangement.

The Sirhind Division Order of the 15th ultimo, directing Boodh Ram, native doctor, late attached to the Nusseree Battalion, to proceed to Hansi, and relieve Hingun Khan, native doctor, of the 61st, at present doing duty with the 31st N. I. is confirmed:

The Meerut Division Order of the 17th ultimo, appointing Hospital Apprentice Thomas Coleman to do duty with the 1st Brigade Horse Artillery, is confirmed.

The Regimental Order by Brevet Col. F. D. Stenart, dated the 18th ultimo, appointing unposted Cornet E. Harvey doing duty with the 1st L. C., to act as Adjt. to that Corps, during the absence, on duty, of Lieut. and Adjt. A. Campbell is confirmed.

Laboratory man Sergeant George Gatehouse, of the Allahabad Magazine, is appointed Overseer of Gunsmiths in that establishment, vice Reid, deceased.

Quarter Master Sergeant Samuel Tydd is removed from the 10th, and posted to the 34th Regt. N. I.

The undermentioned Officers have leave of absence:

3d Brigade Horse Artillery Captain J. J. Farrington, from 15th Oct. to 30th May 1836, to visit the Presidency, on private affairs.

28th Regt. N. I.—Ensign S. W. Gardner, from 20th Sept. to 20th Oct., in extension, to enable him to rejoin his Regt.

5th Battalion Artillery.—Lieut. and Brevet Captain H. Humfrey, from 1st Oct. to 1st March 1836, to visit the Presidency, and apply for furlough.

27th Regt. N. I.—Lieut. R. S. Simpson, from 24th Aug. to 24th Dec., to visit Simla, on medical certificate.

## BY HIS EXCELLENCY THE COMMANDER-IN-CHIEF.

*Head-Quarters, Calcutta, 8th September.*

Brigadier General W. Richard's Order of the 25th ultimo, directing Assistant Surgeon J. W. Knight to assume medical charge of the Artillery at Dinapore, consequent to the death of Assistant Surgeon J. Macdonell is confirmed.

The Battalion Order of the 27th ultimo, by Col. C. Parker, appointing Lieut. J. T. Lane to act as Adjutant and Quarter Master to the 5th Battalion of Artillery, during the absence, on leave of Lieut. and Brevet Captain J. Turton vice Lieut. C. S. Reid, who has been appointed Adjutant to the Left Wing of the 2d Battalion, is confirmed.

His Excellency the Commander in Chief is pleased to make the following removals and postings:

Lieut. Col. (Brevet Col.) George Hunter, C. B., on furlough, from the 74th to the 47th Regt. N. I. Lieut. Col. (Brevet Col.) Charles William Brooke, from the 47th to the 14th Regt. N. I.

Lieut. Col. Robert Seymour, from the 34th to the 74th Regt. N. I.

Lieut. Col. William Stirling (new promotion) to the 34th Regt. N. I.

Col. William Robinson of the Veteran Company, is permitted, with the sanction of Government, to reside and draw his allowances at Cawnpore instead of at Allahabad.

Mahomed Ibrahim, Native Doctor, who was placed at the disposal of the Provincial Commander in Chief in Government General Orders No. 186 of the 24th ultimo, is directed to proceed to Benares, and to duty under the Superintending Surgeon at that Station.

The undermentioned Officers have leave of absence:

17th Regt. N. I.—Lieut. Col J. Hunter, from the 24th August to 14th February 1836, to visit the Presidency, and apply for furlough.

General Staff.—Captain C. Rogers, Deputy Judge Advocate General, Cawnpore Division, from 1st September to 1st January 1836, to visit the presidency, on medical certificate, and to apply for leave to proceed to Sea, for the recovery of his health.

1st Company 2d Battalion Artillery.—1st Lieut. J. R. Revell, from 1st September to 1st February 1836, in extension, to remain in the Hills North of Deyrah, and to visit the presidency, on medical certificate.

7th Battalion Artillery.—1st Lieut. G. T. Graham, from 15th October to 15th November, to visit the presidency, on private affairs.

Cavalry.—Unposted Cornet C. G. Becher, doing duty with 5th Regt. L. C., from 15th September to 15th November, to visit Dinapore, on private affairs.

*Head-Quarters, Calcutta, 9th September.*

The Cawnpore Division Order of the 26th ultimo, directing Assistant Surgeon W. Ralt, doing duty with His Majesty's 16th Foot, to proceed to Bareilly, and assume medical charge of the 13th Regt. N. I. is confirmed.

The Regimental Orders by Major J. Herring, Commanding the 37th N. I. of the following dates, are confirmed:

*26th November*, 1834.—Appointing Lieut. and Adjutant W. Loveday to act as Interpreter and Quarter Master to the Regiment, during the indisposition of Lieutenant, Interpreter and Quarter Master J. G. W. Curtis.

*21st December*, 1834.—Appointing Lieut. E. R. Lyons to act as Interpreter and Quarter Master to the Regiment, during the indisposition of Lieutenant, Interpreter and Quarter Master J. G. W. Curtis.

His Excellency the Commander in Chief is pleased to make the following Appointments:

*10th Regt. N. I.*—Lieut. J. Coke to be Adjutant, vice Stott promoted.

*Ramghur Light Infantry Battalion.*—Lieut. B. W. R. Jenner, to be Adjutant, vice Lieutenant J. R. Lumley, who has been permitted to resign that situation, and to rejoin the 9th Regt. N. I., to which he belongs.

Quarter Master Sergeant David Richmond, of the 46th N. I., is appointed Sergeant Major to the Regiment, in the room of Pocock deceased.

The undermentioned officers have leave of absence:

46th Regt. N. I.—Major A. Horsburgh, from 15th October to 15th April 1836, to visit the presidency, on private affairs.

9th Regt. N. I.—Captain W. Beckett, from 1st October to 31st January 1835, to visit the presidency, on private affairs.

13th Regt. N. I.—Lieut. and Brevet Captain G. Griffiths, from 15th September to 15th January 1836, to visit the presidency, on Medical certificate.

*Head-Quarters, Calcutta, 10th September.*

Assistant Surgeon Alexander McKenzie Clark is removed from the 51st to the 36th Regt. N. I. at Agra, and directed to join.

Assistant Surgeon Adam Thomson is removed from the 21st N. I., and posted to the European Regiment at Dinapore.

The undermentioned Officers have leave of absence;

General Staff—Brigadier C. H. Churchill, Commanding at Cawnpore, from 1st Sept. to 1st Oct., to visit the Presidency, on private affairs.

4th Company 5th Battalion Artillery—2d Lieut. E. W. S. Scott from 1st Sept. to 1st Dec., to visit the Presidency, on medical certificate, and apply for furlough.

5th Regt. L. C.—Captain W. Buckley, from 15th Oct. to 1st March 1836, in extension, to visit the Presidency, on private affairs, and apply to retire from the Service.

1st Regt. N. I.—Lieut Interpreter and Quarter Master C. J. Mainwaring, from 1st Sept. to 1st Jan. 1836, to visit the Presidency, on medical certificate, and apply for furlough.

*Head-Quarters, Calcutta, 11th September.*

The Cawnpore Division Order of the 28th ultimo, directing Assistant Surgeon M. S. Kent, of the 7th Regt. L. C., to repair to Futtehpore, and assume medical charge of the Civil duties of that station, during the absence, on sick leave, of Assistant Surgeon C. Madden, is confirmed.

The undermentioned Officers have leave of absence:

2d Company 2d Battalion Artillery.—Captain A. Abbott, from 19th Aug. to 30th Nov., to remain at Kurnaul, on private affairs.

1st Troop 3d Brigade Horse Artillery.—Assistant Surgeon W. Shirreff, doing duty with the 21st Regt. N. I., from 15th Oct. to 15th Feb. 1836, to visit the Presidency, and apply for furlough, for one year, on private affairs.

*Head-Quarters, Calcutta, 15th September.*

The undermentioned Officers have leave of absence:

59th Regt. N. I.—Captain E. J. Watson, Commandant of the Arracan Local Battalion, from 5th Sept. to 5th March 1836, to remain at the Presidency, on private affairs.

63d Regt. N. I.—Lieut. J. R. Lumsden, Adjutant, Arracan Local Battalion, from 18th Aug. to 31st Dec., to visit the Presidency, on medical certificate.

*Head-Quarters, Calcutta, 16th September.*

The Agra Garrison and Station Orders of the 23d Jan. last, directing Assistant Steward John Hennessy to join the Artillery Hospital, and Steward George William Harding to proceed to Meerut, and join the Hospital of His Majesty's 17th Light Dragoons, to which he stands appointed, are confirmed.

The undermentioned Officers have leave of absence:

65th Regt. N. I.—Lieut. Col. M. C. Webber, from 20th Sept. to 20th Dec., to visit Simla on private affairs.

3d Regt. N. I.—Lieut. W. Little, from 15th Nov. to 15th March 1836, to visit the Presidency, and apply for furlough.

63d Regt. N. I.—Lieut. J. H. Blanshard, from 1st Nov. to 1st Feb, 1836, to visit the Presidency, and apply for furlough.

71st Regt. N. I.—Lieut. W. J. Rind, from 3d Sept. to 28th Oct. 1836, to visit Mussoorie, on medical certificate.

Arracan District Orders under date the 22d ultimo, appointing Lieut. H. A. Shuckburgh, of the 40th Regt. N. I., to act as Adjutant to the Arracan Local Battalion, during the absence of Lieut. and Adjutant J. R. Lumsden, on sick leave, are confirmed.

The leave of absence, for nine months, to visit the Presidency, on private affairs, granted to Captain R. L. Anstruther, of the 6th Regt. L. C., in General Orders of the 19th of Feb. last, is commuted to leave to visit Dinapore, for six months, from the same date and on the same account.

The undermentioned Officers have leave of absence:

6th Regt. L. C.—Captain R. L. Anstruther, from 19th Sept. to 10th March 1836, in extension, to visit the Presidency, on medical certificate.

4th Company 4th Battalion Artillery—2d Lieut L. Smith, from 15th Oct. to 15th Oct. 1836, in extension, to visit the Hills in the vicinity of Simla, on medical certificate.

*Head-Quarters, Calcutta, 18th September.*

The Battalion Order issued on the 1st instant, by Brevet Col. J. F. Dundas, Commanding the 2d Battalion Artillery, appointing 2d Lieut. G. Kirby to act as Adjutant and Quarter Master to the 2d Battalion Artillery, vice Lieut. and Brevet Capt. E. F. Day, appointed to officiate as Commissary of Ordnance at Ajmere, is confirmed.

The following removals and postings will take place in the Regt. of Artillery:

Capt. D. Ewart, from the 1st Company 3d Battalion to the 3d Company 3d Battalion.

Capt. W. J. Symons, from the 3d Company 3d Battalion to the 1st Company 3d Battalion.

2d Lieut. D. Reid (brought on the strength) is posted to the 4th Company 5th Battalion, and directed to join.

Supernumerary 2d Lieut. T. Bacon, doing duty with the 1st Brigade Horse Artillery, will proceed and join the 2d Troop 3d Brigade at Mhow.

The undermentioned Officer has leave of absence:

50th Regt. N. I.—Capt. J. Graham, from 5th Sept. to 5th Nov., to remain at the Presidency, and rejoin his Regt.

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*Head-Quarters, Calcutta, 19th September.*

The Agra Garrison Order under date the 24th ultimo, directing Debee Deen, Native Doctor, to proceed to the Civil Station of Boolandshaher, is confirmed.

Kurnaul Station Order of the 4th instant, directing Apothecary James Winn to proceed to Meerut in charge of the Invalids of the Season, is confirmed.

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*Head-Quarters, Calcutta, 21st September.*

The undermentioned Officers having been declared by the Examiners of the College of Fort William to be qualified for the duties of Interpreter, are exempted from further examination in the Native languages:

Lieut. H. W. J. Wilkinson, of the 6th Regt. N. I.
Ensign R. Hill, of the 4th Regt. N. I.
Ensign S. R. Tickell, of the 31st Regt. N. I.

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*Head Quarters, Calcutta, 23d September.*

The following Meerut Division Orders of the 29th August and 8th Sept., by Major General the Honorable John Ramsay, are confirmed:

*29th August.*—Directing Assistant Surgeon W. E. Watson, of the 1st Brigade Horse Artillery, to join and afford medical aid to the Detachment of Invalids under the Command of Captain H. Bond, of His Majesty's 11th Light Dragoons, as far as Cawnpore, and Assistant Apothecary Francis O'Sullivan to do duty with the Detachment under the orders of Assistant Surgeon Watson.

*8th September.*—Directing Shaikh Wazris Alee, supernumerary Native Doctor, to proceed to the Presidency with the Detachment of Invalids, and to place himself under the orders of Assistant Surgeon Watson; and appointing Surgeon A. Davidson, M. D., of the 1st Light Cavalry, to the medical charge of the 69th Regt. N. I., on the departure of Assistant Surgeon Watson.

His Excellency the Commander in Chief is pleased to make the following appointments.

72d Regt. N. I.—Lieut. H. D. Maitland (Interpreter and Quarter Master) to be Adjutant, vice Boisragon promoted.

Lieut. R. S. Tickell to be Interpreter and Quarter Master, vice Maitland.

Shaik Nubbee Buksh, a supernumerary Native Doctor in the Cawnpre Circle, is appointed to the Political Agency at Ajmere, in succession to Shaik Peer Mahomed, whose health renders him unfit for the situation.

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*Head-Quarters, Calcutta, 24th September.*

The Commander in-Chief is pleased to make the following removals and postings of Ensigns.

REMOVALS.

Ensigns Charles Lloyd Edwards, 3d Ensign, from the 70th to the 64th Regt. N. I. at Saugor, as 2d Ensign; George Rankeu, 3d Ensign, from the 69th to the 72d Regt. N. I. at Saugor, as 2d Ensign; Thomas Brodie, (Junior Assistant to the Governor General's Agent, North East Frontier) 3d Ensign, from the 45th to the 10th Regt. N. I., as 2d Ensign; Frederick Bayly Wardroper, 4th Ensign from the 6th to the 69th Regt. N. I. at Meerut, as 3d Ensign; Robert Thompson, 4th Ensign, from the 34th to the 68th Regt. N. I. at Mhow, as 3d Ensign; Lowther Thomas Forrest, 4th Ensign from the 40th to the 41st Regt. N. I. at Barrackpore, as 3d Ensign; George Dalston, (on Furlough) from the 58th to the 66th Regt. N. I. as 3d Ensign; James Gaudy Gaitskell, 4th Ensign from the 8th to the 26th Regt N. I. at Gurrawarrah, as 3d Ensign; Markham Eeles Sherwill, 4th Ensign from the 3d to the 64th Regt. N. I. at Saugor, as 3d Ensign; Henry James Michell, 4th Ensign from the 22d to the 72d Regt. N. I. at Saugor, as 3d Ensign; John Hutcheson Fergusson, 4th Ensign, from the 33d to the 63d Regt N I at Sultanpore, Oude, as 3d Ensign; Philip George Cornish, 4th Ensign from the 38th to the 10th Regt. N. I. at Barrackpore, as 3d Ensign; James Murray, 4th Ensign, from the 36th to the 9th Regt. N. I. at Agra, as 3d Ensign: John Turner, 4th Ensign, from the 51st to the 2d Regt. N. I. at Saugor, as 3d Ensign; and George Parker, 4th Ensign, from the 18th to the 74th Regt. N. I. at Bareilly, as 3d Ensign.

POSTINGS.

Ensigns Edmund Sissmore to the 69th Regt. N. I. at Meerut; Gerald Augustus Frederick Hervey to the 34th Regt. N. I. at Midnapore; William McCulloch to the 13th Regt. N. I. at Bareilly; Charles William Duffin to the 40th Regt. N. I. at Khyook Phyoo, Arracan; George Queiros Nesbitt to the 49th Regt. N. I. at Loodianah; Daniel Stansbury to the 60th Regt. N. I. at Futtehgurgh; Edward Wynne Bristow to the 71st Regt. N. I. at Cawnpore; Charles Louis Napier Raikes to the 70th Regt. N. I. at Bandah; Henry Nicoll to the 50th Regt. N. I at Dacca; Brooke Boyd to the 68th Regt. N. I. at Mhow; Elijah Pattle Impey to the 22d Regt. N. I. at Nusseerabad; Francis Stuart Paterson to the 55th Regt. N. I. at Chittagong; Frederick Summers Macmullen to the Right Wing European Regt. at Dinapore; William Remington Mercer to the 58th Regt. N. I. at Jumaulpore; Robert Christopher Tytler to the 38th Regt. N. I. at Secrole, Benares; George Richard James Meares to the 19th Regt. N. I. at Barrackpore; John Campbell Johnston to the 29th Regt. N. I. at Jubbulpore; Henry Bishop to the 62d Regt. N. I. at Loodianah; Charles Bell Horsbrugh to the 5th Regt. N. I. at Saugor; John Fagan to the Left Wing European Regt. at Dinapore; Henry Lewis Bird to the 6th Regt. N. I. at Barrackpore; Robert Wilberfore Bird to the 4th Regt. N. I. at Berhampore: Cosmo Alexander Hepburne to the 51st Regt. N. I. at Agra; Collingwood Foster Fenwick to the 30th Regt. N. I. at Meerut; Charles Lionel Showers to the 45th Regt. N. I. at Agra; Joseph Hennessy Fulton to the 3d Regt. N. I. at Mynpoorie; Henry Millett Travers to the 8th Regt. N. I. at Nusseerabad; Alexander Boyd to the 18th Regt. N. I. at Baitool; Edwin Wiggens to the 52d Regt. N. I. at Meerut; Charles Harris to the 27th Regt N. I. at Kurnaul; William Lowther Hasell to the 44th Regt. N. I at Mhow; George Jenkins to the 47th Regt N. I. at Lucknow; John William Carter to the 16th Regt. N. I. at Mhow; George Dunithorne Elliott to the 33d Regt. N. I. at Cuttack; Samuel Brougham Faddy to the 36th Regt N. I. at Agra; Henry Cadogan Hastings to the 41st Regt N. I. at Barrackpore; Charles Fitzroy Miller Mundy, to the 1st Regt. N. I. at Cawnpore; James Murray to the 28th Regt. N. I at Neemuch, and Gordon Caulfield to the 46th Regt. N. I. at Neemuch.

The undermentioned Officer has leave of absence:

1st Regt. N. I.—Ensign G. A. Fisher, from 1st November to 1st January 1836, to visit the Presidency, on private affairs.

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*Head-Quarters, Calcutta, 25th September, 1835.*

Supernumerary 2d Lieut. James Allardyce, of the Corps of Engineers, is appointed to the Sappers and Miners, and directed to proceed by water to Delhi, and join the Head-Quarters of the Corps.

The undermentioned Officer has leave of absence:

61st Regt. N. I.—Major W. Gregory, from 1st September to 1st December, in extension, to remain at the Presidency on medical certificate, and to apply for leave to proceed to the Cape of Good Hope.—N. B. This cancels the leave of absence granted to him, on private affairs, in General Orders of the 2d instant.

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*Head-Quarters, Calcutta, 26th September.*

The leave of absence, for four months, granted in General Orders of the 22d July last, to Captain W. F. Steer, of the 32d Regt. N. I., is to commence from the 10th instant, and terminate on the 10th of January next, instead of the dates therein specified.

The undermentioned Officers have leave of absence:

23th Regt. N. I.—Surgeon E. Macdonald, from 1st November to 1st March, 1836, to visit the presidency, and apply for furlough.

23d Regt. N. I.—Surgeon T. Stoddart, from 15th October to 15th February 1836, to visit the presidency, on medical certificate, and apply for furloogh.

21st Regt. N. I.—Lieut. W. H. Lomer, from 1st November to 1st April 1836, to visit Sultanpore, Benares, on private affairs.

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*Head Quarters Calcutta, 28th September.*

The Artillery Division Order by Major E. Biddolph, commanding the 3d Brigade Horse Artillery, dated Kurnaul the 7th instant, appointing Lieutenant and Brevet Captain H. Garbett, to act as Adjutant to the Brigade, during the absence of 1st Lieutenant W. M. Shakespear, is confirmed.

The leave of absence granted in General Orders of the 20th ultimo, to Major G. W. Moseley, of the 38th Regt. N. I., is cancelled at his request.

The undermentioned Officers have leave of absence:

*Medical Department*—Assistant Surgeon G. C. Rankin, attached to the 3d Battalion Artillery, from 15th October to 15th April 1836, to visit the Presidency, on private affairs.

*11th Regt. N. I.*—Lieut. A. Mackenzie, from 15th October to 25th March, 1836, to visit the Presidency, and apply for furlough.

*48th Regt. N. I.*—Lieut. (Brevet Captain) and Adjutant F. C. Smith, from 1st October to 1st May, 1836, to visit Presidency, and apply for furlough.

*66th Regt. N. I.*—Major R. Delamain, from 20th October to 1st March 1836, to visit the Presidency, on private affairs.

*Head-Quarters, Calcutta, 29th September.*

The suspension from rank and pay, for six months, to which Captain John Samuel Marshall, of the 71st Regt. N. I., was sentenced by a General Court Martial, having expired, he is directed to return to his duty.

Captain F. W. Anson, of the 16th Regt. N. I., is directed to proceed to Benares, where he is permitted to await the arrival of his Regiment ordered to that station, in course of the ensuing relief.

The undermentioned Officers have leave of absence.

27th Regt. N. I.—Captain W. Grant, from 15th September to 15th February 1836, to visit the presidency, on medical certificate, and apply for furlough.

52d Regt. N. I.—Major G. Kingston, from 20th Oct. to 20th January 1836, to visit the Presidency, and apply for furlough.

42d Regt. N. I.—Lieut. W. P. Meares, from 11th Sept. to 11th Nov. 1836, to visit Simla, on medical certificate.

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*Head-Quarters, Calcutta, 1st October.*

The undermentioned Officers have leave of absence:

70th Regt. N. I.—Surgeon W. E. Carte, A. B., in medical charge of the 1st Regiment Local Horse, from 20th September to 20th November, to visit Delhi and to proceed on the River, on medical certificate.

5th Regt. L. C.—Lieut. and Brevet Captain E. M. Blair, from 20th October to 20th April 1836, to visit the Presidency, on private affairs.

59th Regt. N. I.—Captain J. R. Talbot, from 15th October to 30th April 1836, to visit the Presidency, on private affairs.

70th Regt. N. I.—Captain T. Williams, from 25th September to 25th January 1836, to visit the Presidency, on medical certificate, and apply for furlough.

4th Regt. N. I.—Ensign R. Hill, from 16th Sept. to 16th Oct. in extension, to enable him to rejoin his Regt.

Ordnance Department—Sub-Conductor T. Litugow, from 1st Nov. to 1st Nov. 1836, in extension, to remain at Simla, on medical certificate.

11th Regt. N. I.—Captain J. R. Birrell, from 16th Sept. to 1st Dec., to proceed on the river, on medical certificate.

N. B. This cancels the unexpired portion of leave granted to Captain Birrell, by General Orders of the 8th May last, from the 16th ultimo.

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*Head-Quarters, Calcutta, 2d October.*

The Agra Garrison and Station Order of the 11th July last, appointing the following Students from the late Native Medical Institution, to do duty with the Regt. specified opposite their respective names, are confirmed:

Yaur Mohammad, with the 9th Regt. N. I.
Khwajah Buksh, with the 36th Regt. N. I.
Heera Singh, } with the 45th Regt. N. I.
Imaum Oodeen, }
Modaur Buksh, with the 51st Regt. N. I.
Hutee Churn Sing, with the 10th Regt. L. C.

The Division Order by Brigadier General W. Richards, C. B., Commanding the Dinapore Division dated the 22d ultimo, appointing Lieut. J. R. Younger, Interpreter and Quarter Master of the 56th Regt. N. I., to officiate as Deputy Judge Advocate at a General Court Martial, is confirmed.

The Commander in Chief is pleased to make the following removal:

2d Lieut. R. E. Knatchbull, from the 3d Troop 3d Brigade to the 1st Troop 2d Brigade Horse Artillery.

The Commander in Chief is pleased to sanction an exchange of situations between Native Doctors Akbur Alle and Bhoala Dikshit, the former is accordingly appointed to do duty under the Garrison Surgeon at Agra, and the latter to the Hospital of the 51st Regt. N. I.

The undermentioned Officers have leave of absence:

35th Regt. N. I.—Captain T. Seaton, from 20th March 1836, to visit the Presidency, and apply for furlough.

70th Regt. N. I.—Captain G. W. J. Hickman, from 15th Oct. to 15th April 1836 to visit the Presidency, on privat affairs.

71st Regt. N. I.—Assistant Surgeon A. Chalmers, M. D., from 20th October to 20th February 1836, to visit the Presidency, on private affairs.

The Meerut Division Order of the 15th ultimo, by Major General the Honorable J. Ramsay, directing Assistant Surgeon H. M. Tweddell, of the 23d Regt N. I., to proceed in medical charge of the detachment of Invalids under the command of Captain H. Bond, of His Majesty's 11th Light Dragoons, vice Assistant Surgeon W. E. Watson, of the 1st Brigade Horse Artillery, who is required to resume medical charge of the 69th N. I.; and appointing Surgeon A. Davidson, M. D., of the 1st Light Cavalry, to the medical duties of the 22d Regt. N. I., are confirmed.

Assistant Surgeon J. W. Knight is posted to the European Regiment, with which he is now doing duty.

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*Head-Quarters, Calcutta, 3d October.*

The Regimental order by Major S. D Riley, commanding the 3d N. I., under date the 12th ultimo, appointing Lieut. T. Wallace to act as Adjutant to the Left Wing, during its separation from the Head Quarters of the Regiment, is confirmed.

The Regimental Order by Lieut. Col. A. Dick Commanding the 71st N. I., dated the 16th ultimo, appointing Lieut. J. Bell to act as Adjutant to the Left Wing during its separation from the Head Quarters of the Regt, is confirmed.

Ensign R. Renny, recently admitted into the Service, is appointed to do duty with the 34th Regt. N. I. at Midnapore, and directed to join.

The undermentioned Officers have leave of absence:

25th Regt N. I.—Ensign H. J. C. Shakespear, from 23d Sept. to 8th Nov., on medical certificate. N. B. This cancels the unexpired portion of leave granted to this Officer, by General Orders of the 10th August last.

55th Regt. N. I.—Ensign J. Butler from 15th October to 15th Dec, to visit the Presidency, for the purpose of undergoing an examination at the College of Fort William.

Invalid Establishment—Captain R. P. Field, from 5th October to 5th April 1836, to visit the Presidency, on private affairs.

3d Regt. N. I.—Captain G. F. Holland, from 15th Nov. to 1st January 1836 in extension, to visit Futtehgurh, on private affairs, and to enable him to rejoin his Regiment.

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*Head Quarters, Calcutta, 6th October.*

The undermentioned officers have leave of absence:

15th Regt. N. I.—Col. P. LeFever, from 15th Nov. to 15th Feb. 1836, to visit the Presidency, and apply for furlough.

26th Regt. N. I.—Lieut. R. Wright, from 15th Oct. to 15th March 1836, to visit the Presidency, and apply for furlough for one year, on urgent private affairs.

The undermentioned unposted Ensigns, lately admitted into the service, are appointed to do duty with the Regts. specified opposite their respective names, and directed to join:

Ensign W. J. H. Charteris, with the 65th Regt. N. I. at Allahabad.

Ensign R. J. Honstoun, with the 4th Regt. N. I. at Berhampore.

Gunners James Burgess and Patrick Ryan, of the 4th Company 5th Battalion Artillery at Benares, having been pronounced by the late annual Invaliding Committee assembled there, to be unfit for further field duty, are to be transferred to the Invaliding Companies at Chunar.

The undermentioned Officers have leave of absence:

55th Regt. N. I.—Lieut. J. Graham, from 1st. Nov. to 1st Feb. 1836, to visit the Presidency, on medical certificate, preparatory to applying for furlough.

55th Regt. N. I.—Lieut. C. Graham, from 1st Nov. to 1st Feb. 1836 to visit the Presidency, on private affairs.

51st Regt. N. I.—Captain T. Roberts from 29th Sept. to 29th Oct., to remain at the Presidency.

4th Regt. N. I.—Ensign F. Maitland, from 1st Oct. to 1st Dec, to visit the Presidency, on medical certificate.

Arracan Local Battalion—Local Lieut. R. Maling, from 24th Oct. to 8th Nov, in extention, to enable him to rejoin.

Nusseree Battalion—Lieutenant and Adjutant C. O'Brien, from 15th Feb. 1836, in extension, to remain at the Presidency, on medical certificate.

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*Head Quarters, Calcutta, 8th October.*

Lieut. H. C. Baddely, of the 61st Regt. N. I., having been permitted by the Honourable the Governor General of India in Council to resign the appointment to do duty with the Arracan Local Battalion, that officer is directed to rejoin his Regiment forthwith.

The undermentioned officer has leave of absence:

3d Regt. L. C.—Lieut. and Adjt. H. P. Voules, from 1st Oct. to 31st March 1836, to visit the Presidency, on medical certificate, and apply for furlough, on account of his health.

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*Head-Quarters, Calcutta, 9th October.*

Unposted Ensign J. D. Lander, lately admitted into the Service, is appointed to do Duty with the 5th Regt. N. I. at Benares, and directed to join.

The undermentioned Officers have leave of absence:

67th Regt. N. I.—Lieut. F. C. Minchin, from 7th Oct. to 31st Dec, to visit the Presidency, on medical certificate, and apply for furlough to Europe.

Invalid Establishment.—Lieut. A. W. W. Fraser, from 1st Nov. to 30th April 1836, in extension, to enable him to return to the Hills North of Deyrah.

24th Regt. N. I.—Captain J. Griffin, from 5th Nov. to 1st Feb. 1836, to visit the Presidency, on private affairs.

51st Regt. N. I.—Ensign C. A. Hepburne, from 9th Oct. to 8th Nov, in extension, to remain at the Presidency on medical certificate.

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*Head Quarters, Calcutta, 10th October.*

Major General the Honorable J. Ramsay, Commanding the Meerut Division, will be pleased to direct the assembly of a Committee of Officers at Hauper on the 2d proximo, to admit such Horses fit for the Service, as may be presented to it by the Superintendent of the Stud.

The proceedings are to be forwarded by the President to the Adjutant General of the Army, after which the Committee is to be considered as dissolved.

The Division Order by Brigadier General R. Stevenson, C. B. of the 27th ultimo, directing all reports of the station of Cawnpore to be made to Colonel G. Becher, of the 7th Regt. L. C., during the absence of Brigadier C. H. Churchill, is confirmed.

The Meerut Division Order of the 23d ultimo, by Major General the Honorable J. Ramsay, appointing Captain K. Campbell of the 45th Regt. N. I., to officiate as Deputy Judge Advocate at a General Court Martial sitting at Agra, vice Lieut. C. S. Reid, of Artillery, relieved from that duty, is confirmed.

The Meerut Division Order of the 27th ultimo, by Major General the Honorable J. Ramsay, directing Asmut Ali, Native Doctor, attached to the 69th Regt. N. I., to join and do duty with a party proceeding on the Grand Trigonometrical Survey under the Command of supernumerary 2d Lieut. W. Jones, of Engineers, is confirmed.

The Loodianah Station Order of the 24th ultimo, by Lieut. Col. C. R. Skardon, directing Assistant Surgeon M. Lovell, of the 9th L. C. on returning to Kurnaul, to make over medical charge of the 4th Troop 2d Brigade Horse Artillery, and 49th Regt. N. I. to Assistant Surgeon S. Holmes, of the 62d N. I., is confirmed.

The leave of absence, for six months, on medical certificate, granted to 1st Lieut. G. G. Channer, of the 5th Battalion of Artillery, in General Orders of the 27th August last, is to commence the 21st of August, instead of the 2d September.

Bombardier Francis Moore, of the 1st Company 4th Battalion of Artillery, is transferred to the Town Major's List, and appointed to the Army Commissariat Dept., in the room of Sergeant Timothy Neil, deceased.

The undermentioned Officers have leave of absence:

1st Troop 2d Brigade Horse Artillery—Captain J. Johnson, (in temporary Command of the 3d Troop 2d Brigade,) from 26th Oct. to 26th Feb. 1836, to visit the Presidency, and apply for furlough.

District Staff.—Captain W. Parker, Brigade Major Lucknow from 25th Oct. to 15th Nov. in extension, to enable him to join his Station.

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*Head Quarters, Calcutta, 13th October.*

The undermentioned Officers have leave of absence:

74th Regt. N. I.—Lieut. J. Chillcott, from 10th Oct. to 10th Jan. 1836, to visit the Presidency, on medical certificate, preparatory to applying for furlough to Europe.

2d Regt. N. I.—Ensign T. F. Patteson, from 20th Dec. to 20th Dec. 1836, in extension, to visit the Hills in the vicinity of Simla, on medical certificate.

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*Head Quarters, Calcutta, 14th October.*

The Futtehgurh Station Order of the 30th ultimo, by Lieut. Col. J. Tulloch, appointing Lieut. and Adjutant W. Riddel, of the 60th Regt. N. I., to act as Detachment Staff, from the 21st of September, to the left Wing 31 N. I., the 60th Regt., Left Wing 71st N. I., and a Squadron of the 5th Regt. L. C., is confirmed.

The Regimental Order by Brevet Col. W. H. Kemm, under date the 3d instant, appointing Ensign S. R. Tickell to act as Interpreter and Quarter Master to the 31st N. I., during the absence on leave of Lieut. Interpreter and Quarter Master W. P. Mifner, is confirmed.

The Commander in Chief is pleased to make the following removals:

Surgeon R. Brown, from the 8th to the 38th Regt. N. I. at Agra.

Surgeon J. Griffiths, from the 36th to the 8th Regt. N. I. at Nusseerabad.

Assistant Surgeon R. Fullerton, M. D., (on furlough) from the 20th to the 73d Regt. N. I.

Assistant Surgeon T. Stott, from the 68th to the 20th Regt. N. I. at Delhi.

Assistant Surgeon M. McN. Rind, from the Artillery at Mhow to the 68th Regt. N. I. at that Station.

The undermentioned Officers have leave of absence:

Garrison Staff—Lieut. General B. Mareley, Commandant of Allahabad, from 5th Nov. to 1st March 1836, to visit the Presidency, on private affairs.

8th Regt. N. I.—Ensign H. M. Travers, from 20th Oct. to 20th Dec., to visit Monghyr, on private affairs.

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*Head-Quarters, Calcutta, 15th October.*

Lieut. J. Campbell, of the 38th Regt. Madras N. I, now at Cawnpore, has leave to the 1st of January 1836, with permission to visit the Presidency, on medical certificate, and to appear before the Medical Board.

The leave to visit the Presidency, preparatory to applying for furlough to Europe, granted to Assistant Surgeon W. Shirreff, of the 1st Troop 3d Brigade Horse Artillery, in General Orders of the 11th instant, is cancelled at his request.

The Commander in Chief is pleased to direct, that Apprentice Robert Blewitt, attached to the Hospital of His M.'s 31st Regt., be discharged the service, from the expiration of the period of Imprisonment to which he has been sentenced by a Detachment Court Martial.

Ahmud Khan, Native Doctor, lately doing duty in the Civil Department under the orders of the Medical Board, having been placed at the disposal of the Commander in-Chief, is directed to proceed to Benares, and do duty under the orders of the Superintending Surgeon of that circle.

The undermentioned officers have leave of absence:

4th Troop 3d Brigade Horse Artillery—1st Lieut. G. Campbell, from 15th July to 15th January 1836, to visit the Presidency, on medical certificate, preparatory to applying for furlough to Europe.

N B This cancels the leave granted to him in General Orders of the 21th June last.

General Staff—Captain C. G. Ross, Deputy Judge Advocate General Western Division, from 15th December 1836, to visit the Hills in the vicinity of Simla, on medical certificate.

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*Head-Quarters, Calcutta, 16th October.*

The Commander in Chief is pleased to make the following removals in the Regt. of Artillery:

1st Lieutenant A. Cardew from the 2d Company 1st, to the 1st Company 4th Battalion.

1st Lieut. A. Cardew, is appointed to act as Adjutant to the Wing of the 4th Battalion of Artillery remaining at Dum-Dum.

1st Lieut. G. Ellis, of the 1st Company 1st Battalion is appointed to act as Adjutant to the Detachment of the 1st Battalion of Artillery, vice Cardew.

The undermentioned Non-Commissioned Officers and Privates, of the Sappers and Miners, are placed at the disposal of the Chief Engineer until further orders, for the purpose of being employed on duty in Fort William:

Sergeant T. Longhurst, Privates F. D. Vivian, R. G. Smith, J. Barey, and J. Dixie

Bombardier Michael Kealy, of the 3d Battalion Artillery at Cawnpore, having been pronounced unfit for further service from the loss of his right hand, consequent on an injury received in the performance of his duty, is to be sent to Europe, recommended for pension.

The undermentioned Officers have leave of absence:

8th Regt. L. C.—Lieut. R. W. Hogg, from 30th Nov. to 15th Jan. 1837, in extension, to remain at the Presidency, on private affairs.

33d Regt. N. I.—Ensign G. D. Elliot, from 9th Oct. to [redacted] to visit Bancoorah, on private affairs, and to join his Regiment on its arrival at that Station:

56th Regt. N. I.—Captain O. Philips, from 5th November to 1st March 1836, to visit the Presidency, on private affairs,

Invalid Establishment.—Major T. Reynolds, from 1st December to 1st March 1836, to visit the presidency, preparatory to applying for furlough to Europe.

Invalid Establishment.—Lieut. W. C. J. Lewin, from 1st October to 31st January 1836, to visit the presidency on private affairs.

4th Regt. N. I.—Ensign R. W. Bird, from 1st October to 14th November, to remain at Allahabad, on private affairs.

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*Head Quarters, Calcutta, 17th October.*

The detachment order of the 15th ultimo, by Captain H. Bond, of His Majesty's 11th Light Dragoons, in command of time expired men, Invalids, &c. proceeding from Madras to Chunar and the presidency, appointing Sergeant Robert Mills, of His Majesty's 31st Foot, to act as Sergeant Major, and Lance Sergeant Henry Bryan, of His Majesty's 11th Light Dragoons, to act as Provost Sergeant to the detachment, is confirmed.

The Dinapore Division Order of the 8th instant, by Brigadier General W. Richards, C. B., directing Shaik Futteh Mahommed, native doctor, of the 56th Regt. N. I., to proceed to Sherghotty and join the 1st Company of Sappers and Miners, and proceed with it to Delhi, is confirmed.

His Excellency the Commander in Chief is pleased to make the following removals and postings of medical Officers:

Surgeon C. S. Curling, from the 3d to the 1st Battalion of Artillery at Dum-Dum. Mr. Curling will continue to do duty with the 3d and 4th Companies of the 3d Battalion at Cawnpore till they are relieved by the Wing of the 5th Battalion, when he will accompany them to the destination assigned to them in the relief, and afterwards join the Companies of the 1st Battalion in their progress to Dum Dum.

Assistant Surgeon J. Sullivan (on furlough) from the 33d to the 51st Regt. N. I.

Assistant Surgeon G. Smith, from the 12th to the 33d Regt. N. I. Assistant Surgeon Smith will join the 19th Regt. at Barrackpore, and proceed in medical charge of it to Cuttack, where he will join the Corps to which he is now posted, and march with it to Jubbulpore.

Assistant Surgeon C. J. Davidson will join and do duty with the 10th N. I. at Barrackpore, on being relieved from the medical charge of the 19th Regt. by Assistant Surgeon Smith.

Gunner Henry Morris, of the 1st Battalion Artillery, who was directed to be sent to Europe, recommended for Pension, in General Orders of the 16th ultimo, is to be sent to join the Veteran Company at Chunar.

Gunner Robert Butterworth, of the 4th Company 2d Battalion Artillery, who is proceeding with the Invalids from Kurnaul to the Presidency, is to be ordered to join and to do duty with the Company of Artillery at Benares.

# GENERAL REGISTER.

The undermentioned Officers have leave of absence:

Cavalry—Unposted Cornet C. G. Becher, (doing duty with the 5th L. C. from 15th Feb. to 15th January 1836, in extension, to visit the Presidency, on private affairs.

70th Regt. N. I.—Ensign J. Hennessy, from 15th Nov. to 20th January 1836, to visit Cawnpore and Barrackpore, on private affairs.

*Head-Quarters, Calcutta, 19th October.*

The Regimental Order of the 1st instant, by Capt. J. Angelo, Commanding the 3d L. C., appointing Cornet H. Lindesay to act as Adjutant to the Regt., during the absence, on sick certificate, of Lieut. and Adjutant H. P. Voules, is confirmed.

The Commander in Chief is pleased to sanction an exchange of situations between Sergeant Major James Lamb and Sergeant Major John Foley, the former is accordingly appointed to the Sirmoor Battalion, and the latter to the 27th Regt. N. I.

The undermentioned Officers have leave of absence:

21st Regt. N. I.—Capt. C. Farmer, from 15th Oct. to 15th Dec., to proceed on the River, on medical certificate.

Infantry—Unposted Ensign W. J. B. Chatteris (doing duty with 65th N. I.,) from 15th Oct. to 10th Nov. to remain at the Presidency, on private affairs.

*Head-Quarters, Calcutta, 20th October.*

Gunner Noble Cluff, of the 1st Company 5th Battalion of Artillery, is promoted to the rank of Sergeant, and transferred to the Town Major's List, for the purpose of filling a vacancy in the Non-Commissioned Staff of the Garrison of Fort William.

The undermentioned Officers have leave of absence:

69th Regt. N. I.—Ensign E. Sissmore, from 4th Oct. to 15th Nov., to remain at the Presidency, on private affairs

74th Regt. N. I.—Captain H. Mackenzie, from 19th Oct. to 19th Dec., to remain at the Presidency, on private affairs.

*Head Quarters, Calcutta, 21st October.*

His Excellency the Commander in Chief is pleased to make the following appointment.

15th Regt. N. I.—Lieut. D. Ogilvy to be Adjutant, vice Forbes promoted.

Assistant Surgeon J. S. Sutherland is directed to proceed to Cawnpore, and to do duty under the orders of the Superintending Surgeon at that Station.

This cancels his appointment to the Arracan Local Battalion, notified in General Orders of the 27th August last.

The undermentioned Officers have leave of absence:

Engineers.—Supernumerary 2d Lieut. J. Trail, attached to the Sappers and Miners from 31st Oct. to 1st April 1836, in extension, to remain at Simla, on medical certificate.

5th Battalion Artillery.—Assistant Surgeon W. Gordon, M. D. from 4th Oct. to 4th March 1836, to visit Calcutta, on urgent private affairs.

4th Troop 3d Brigade Horse Artillery.—Assistant Surgeon P. F. H. Baddeley, from 15th Nov. to 15th March 1836, to visit Lucknow, on private affairs.

26th Regt. N. I.—Capt. C. H. Johnstone, from 15th Nov. to 15th March 1836, in extension, to remain in the Hills North of Deyrah, on medical certificate, and to enable him to rejoin his Corps.

26th Regt. N. I.—Lieut. Interpreter and Quarter Master H. Johnson, from 15th Nov. to 25th March 1836, in extension, to remain in the Hills North of Deyrah, on medical certificate, and to enable him to rejoin his Corps.

38th Regt. N. I.—Lieut. G. Turner, from 25th Sept. to 25th January 1836, in extension, to visit the Presidency, on medical certificate.

2d Company 5th Battalion Artillery.—2d Lieut. J. L. C. Richardson, from 20th Sept. to 4th Oct. in extension, to enable him to rejoin his Company.

# SHIPPING REGISTER.

## ARRIVALS.

Oct. 2 Arab ship *Futtel Curreem*, Nacoda, from Mocha 5th July, Bombay and Allepee 15th Sept.

3 Arab ship *Mustapha*, Nacoda, from Muscat 29th August.

4 Ship *Barretto Junior*, R. Saunders, from China 21st July and Singapore 8th August.

5 Ship *William the Fourth*, E. D. O. Eales, from Bombay.

— Schooner *John Stephenson*, T. Jones, from Rangoon 14th September.

8 American ship *George*, B. Balck, from Salem 16th June.

— American ship *Edward*, S. Land, from Philadelphia 17th May.

— Arab ship *Nassa*, Nacoda, from Juddah 8th August and Allepee 21st September.

— Ship *Tapley*, R. Tapley, from Liverpool 3d June.

9 Barque *Penyard Park*, J. Middleton, from Mauritius 8th September.

— Barque *Isadora*, R. Hodson, from Madras 16th September.

— Ship *Hydroos*, Abboo, from Cannanore 17th September.

10 Ship *Sir John Rae Reed*, Edward Woodin, from Hobart Town 10th May, King George's Sound 5th July, and Madras 27th September.

13 Barque *Elizabeth*, Wm. Kelso, from Liverpool 17th August, 1834, Cape and Bombay, and Mauritius 13th September.

14 Ship *Heroine*, Wm. Johns, from Liverpool 30th April and Rio Janeiro 3d July.

— Ship *Hooghly*, J. Teansolen, from Marseilles 23d June.

15 Barque *Sterling*, John Burnett, from London 9th June.

— Barque *Memnon*, R. H. Ekin, from Liverpool 23d May and Bombay 23d September.

— Brig *Galatia*, C. Tayt, from the Mauritius 2d and Covelong 30th September.

— Arab ship *Fattle Mobaruck*, Abdullah, from Muscat 1st September.

— Arab ship *Abussy*, Hussen, from Muscat 1st September

16 Barque *Thetis*, C. C Clark, from China 16th June and Rangoon 3d October.

— Brig *Corsair*, W. Hughes, from Penang 27th September,

— Arab ship *Hamonshaw*, Syed Azis, from Muscat 7th September.

17 Arab ship *Fyzrobany*, Nacoda, from Muscat 1st September.

18 Arab ship *Fattle Maine*, Nacoda.

Oct. 19 Ship *Duke of Buccleugh*, R. Martin, from London 1st July and Madras 10th October.

20 Ship *Robert Small*, Wm. Fulcher, from London (Torbay) 28th June and Cape of Good Hope 6th September.

— Ship *Eliza*, John Campbell, from London 1st June and Madras 4th October.

— Brig *Mary and Jane*, T. Winter, from Mauritius 9th September.

— Schooner *Elizabeth*, H. Spooner, from Singapore 16th September.

— Schooner *Attaram*, B. Smith, from Singapore 18th September.

— Barque *Hector*, P. Cowley, from Bombay 22d Sept.

21 Barque *Lawrence*, H. Gill, from Liverpool 29th June.

— American Brig *Nabob*, G. W. Putream, from Antwerp 25th June.

22 Ship *Herefordshire*, H. Isaacson, from London 2d and Plymouth 9th July.

— Ship *Hydroos*, Nacoda, from Bombay 6th and Allepee 25th September.

— Arab Brig *Vestal*, Syed from Muscat 1st September.

23 Ship *London*, J. Wimble, from London, and Portsmouth 17th July.

25 Arab ship *Futtay Salem*, Nacoda, from Juddah 28d July and Bombay 18th September.

## DEPARTURES.

Oct. 1 Ship *Ruparell*, J. Wilson, for Bombay.

— Barque *Scotia*, W. Randolph, for London.

26 Barque *Phœnix*, A. Bane, for Rangoon.

## ARRIVALS OF PASSENGERS.

*Per Futtel Curreem, from Allepee.*—Mrs. Leighton and Captain Prole, country service.

*Per Sir John Rae Reed, from Cochin.*—James Dewar, Esq., Supercargo. *From Hobart Town.*—Mrs. Paul and 2 children; Mrs. Frewen; Miss Paul, and Mr. Paul.

*Per Heroine, from London.*—Mrs. Johns. *From Khyouk Phyoo*—Mrs Rainy and Miss Rainy.

*Per Sterling, from London.*—Misses S. Stacy and J. Stacy.

*Per Thetis.*—Mrs Clark.

*Per Corsair from Penang.*—R. Leishman, Esq.

*Per Baretto Junior, from China.*—Capt. and Mrs Colnett; James Campbell, Esq. and Mr. Hudson, late an officer of the ship *Argyle.*—*From Singapore*—James Ryan, Esq. Mr. James Fergusson, and G. Goraslaza.—*From Penang*—Sir Benjamin Malkin, Mr. and Mrs. Hilder and 2 children.

*Per William the Fourth, from Bombay.*—Mrs. Cunningham and 2 children, R. Jump, Esq and Mr. Shum.

*Per Nassa, from Rome.*—Mr. M. Vecealle, Missionary—*From Juddah*—Hadjee Hattee, a dwarf, measures three feet in height, stout made, is 40 years of age, and very intelligent.

*Per Isadora.*—Messrs. C. Hodson, Paullies and Ager.

*Per Hydroos from Cannanore*—Mrs. Souter and 5 children, and Lieut Souter, H. M. 45th Regt.

*Per Penyard Park, from Mauritius.*—Capt. A. Jack, 30 h Regt. N. I., and James Hay and F. Dawson, Esqs., Merchants.

*Per Duke of Buccleugh, from London*—Mrs. Sage; Miss Johnston; Captains Rt. Campbell, 43d Regt. N. I.; Rt. Attken, 6th L. C.; John Mitchell, 3d Buffs; Lieutenant Charles Grisel; 61st Regt. N. I.; Messrs. George G. Bowring and Charles Reid, Cadets; W. B. Tytler, Esq. Civil Engineer; Mr. William Urquhart.

*Per Robert Small, from London.*—Mrs. Edward Barwell; Mrs. N Halhed; Mrs. J. Alexander; Misses Augusta Barwell, Halhed, C. Halhed, Greenlaw, Sutherland, Julia Sutherland, and Seymour; Capt. Halhed, Bengal Cavalry; Lieut. Money, Madras Cavalry; E. Barwell, Esq. Barrister; C. Barwell, Esq.; Messrs. James Colquhon, Hugh Colquhon, and Bonaffe, Merchants; Dr. Forrest, Bengal Medical Service; J. Lewis Esq. *From the Cape of Good Hope.*—N. Halhed, Esq., Civil Service; Col. Pattle and Capt. Croudace, Bengal Army; Dr. Clarke.

*Per Eliza from London.*—Mrs. Routh; Misses H. Gwatkin, Buchan, and Comyn; Lieutenants Routh, H. M. 49th Regt.; McLean, H. M 31st Regt.; and Reeves, 9th B. N. I.; W C. S. Cunningham, Esq., Civil Service; Lieut. Cook, 2d B. N. I.; Messrs Cubitt, Robertson and Hamilton, Merchants; Mr. Pownall, Cadet; Mr. Porter, Pilot service; Private Joseph Hopkins, H. M. 49th Regt. *From Madras.*—The Hon'ble Mrs. Lindsay; Mr. Smith; Private M. Lynch, H. M. 44th Regt.

*Per Lawrence.*—Mr. James Cox.

*Per Herefordshire.*—Mrs. Isaacson; Mrs., Edmunds; Mrs. Robinson; Miss Hartman; Majors Hatman and Taylor, H. M's 9th Foot; Captains Hammil and Chichester, H. M's 9th Foot; Lieuts. Calder, Edmunds, Spring, Robinson and French, H M's 9th Foot; Ensigns Hartman, Cooke, Ballard, Bethune, and Assistant Surgeon Harvey, H. M's 9th Foot; Cornet Swinton, H. M's 11th Dragoons; Masters D. Hartman and A. Hartman; 1 European female Servant and 2 Native male ditto.

*Per London.*—Mrs. Bedford; Mrs. Blundell; Mrs. Bush; Mrs. Gibbon; Misses Bishop, Mary Anne Bishop, Studd, Bedford, Watson and Martha Watson; Capt. George Snow Blundell, 51st Regt N. I.; Capt. Hugh Troop, 66th Regt. N. I.; Lieut. Bethel Codrington, H. M.'s 13th Lancers; Lieut. Richard Bush, 65th Regt. N I.; Assistant Surgeon John Bowron, H. C. S.; Ensigns Arthur Du Boulieu and Edward Smith Mercer, H. M.'s 31st Foot; Assistant Surgeon Wm. Brydon, H. C. S.; Cornet William Fraser Tytler, H C. Cavalry; Messrs. Studd and Black. *Children*—Misses Mary and Jemimah Gibbon, and Ellen, Anne and Esther Watson. *Steerage Passengers.*—Mrs. Cleghorn, son and two daughters; Messrs. A. Reed; George Stagg, and A. Robb; H. Overill, Private H. M 31st Regt.

DEPARTURE OF PASSENGERS.

*Per Bahamian, for London.* Mrs. Gillet and child.

*Per Bussorah Merchant for London*—A. Campbell, Esq; Ensign Maitland, 4th Regt.; Mr. G. Shearwood and one European Servant.

# DOMESTIC OCCURRENCES.

## MARRIAGES.

Oct. 1 At Berhampore, by the Revd. Mr. Hill, Mr. Joseph Piron, to Mrs. Clementine Buckly.

7 At Saugor, Central India, Captain Allan Ronald Macdonald, of the 4th Regt. N. I., A. D. C. and Acting Deputy Judge Advocate General, to Anna Eliza, eldest daughter of Brigadier-General J. N Smith, Commanding the Saugor Division of the Army.

8 At Cawnpore, by the Revd. M. J. Jennings, Henry Sturrock, Esq, Artillery, to Ann Sophia Mackenzie, fourth daughter of Major Pereira, of the same Corps.

14 At Agra, by the Revd. Dr. Parish, Lieut. Jas. Speedy, H. M. 3d Buffs, to Sarah Mason, second daughter of Capt. J. C. Squire, H. M. 4th L. I.

— At Agra, Lieut. G. A. Tytler, H. M. 13th L. I., to Ellen Eastfield, third daughter of Capt. J. C. Squire.

15 At the Howrah Church, Mr. Alex. Gego, to Aurelia Sarah, only daughter of C. A. Lopes, Esq., of Boglepore.

— At Meerut, Ma C. C. Foy, to Miss Cecilia Templeton.

17 At the Cathedral, by the Revd. Henry Fisher, T. E. Thomson, Esq. to Miss Charlotte Hutteman.

19 At Ahmednuggur, by the Revd. Mr. C. Jackson, B. C. L., Mr. Charles Horton, to Miss Anne Byrne.

20 At Dacca, by the Revd. H. R. Shepherd, James Barker, Esq., Surgeon 50th N. I., to Miss Frances Jane Fooks.

24 At Dum-Dum, by the Revd. T. Robertson, Capt. H. P Hughes, of the Artillery, to Eleanor, only daughter of Col. Hopper, of the same corps.

— At the Cathedral, by the Revd. T Robertson, Mr. William Frederick Schneider, to Miss Margaret Mitchel.

— At the Principal Roman Catholic Church, by the Revd. Mr. Morè, Mr Robert Deethardts, to Miss Rosalia Gomes, daughter of the late Mr. A. Gomes of Chinsurah.

26 At the Chapel of Bishop's College, by the Principal the Revd. Dr. Mill, the Revd. James Bowyer, of Howrah, to Margaret Matilda, daughter of the late Lieut. Terrell, 20th N. I.

— At the Cathedral, by the Revd. H. Fisher, Mr. Lewis Anthony Ayres, to Miss Louisa D'Costa.

28 At St. John's Cathedral, by the Revd. Mr. Robertson, Lieut. R. Ellis, 41st Regt. N. I., to Eliza Clara, daughter of Henry Beau, Esq., H. C. S.

— At St. John's Cathedral, by the Revd. T. Robertson, Arthur Littledale, Esq., Bengal Civil Service, to Henrietta Catherine, only daughter of the late George Ewan Law, Esq., of the Bengal Civil Service.

31 At the Cathedral, by the Venerable Archdeacon Dealtry, W. E. Jellicoe, Esq., Madras Civil Service, to Miss Rogers.

## BIRTHS.

Sept. 10 At Intally, Mrs. P. Mosely, of a daughter.

15 At Lucknow, Mrs. Forbes, of a daughter.

19 At Benares, the lady of the Revd. C. Knorpp, of a daughter.

21 At Bareilly, the lady of G. H. M. Alexander, Esq. Civil Service, of a daughter.

22 At Cawnpore, the wife of Mr. Charles Marshal, Subordinate Medical Department, of a son.

23 At Simla, the lady of Lieut. and Adjt. J. Halket Craigie, 20th Regt. N. I., of a son.

— At Bellary, the lady of Capt. Barnett, 7th N. I., of a son.

27 At Saugor, the lady of Lieut. James Flyter, 61th Regt. N. I., of a daughter.

Oct. 2 Mrs. J. Cullodeu, of a son.

— The lady of H L. Christiana, Esq. of a son.

3 The lady of C. A. Cantor, Esq., of a son.

— At Dum-Dum, the wife of Mr. John Watson, of a daughter.

— At Benares, the wife of Revd. R. C. Wather, Missionary, of a son.

4 At Benares, the lady of Colin Lindsay, Esq., of a son.

— The wife of Mr. John Pitts, Assistant Apothecary, H. M.'s 44th Foot, of a son.

— At Kurnaul, the lady of Capt. P. F. Story, 9th Light Cavalry, of a daughter.

5 At Benares, the lady of George Lindsay, Esq. of the B. C. S., of a daughter.

7 Mrs. M. Rebeiro, of a son.

9 The lady of Daniel Ainslie, Esq., of a son, still born.

— At Neemuch, the lady of Lieut. G. St. P. Lawrence, 2d L. C., of a daughter.

10 The wife of Mr. F. Boezalt, of a son, still-born.

— At Azimgurh, the lady of R. Montgomery, Esq, of the Civil Service, of a daughter.

12 The lady of A. D. Kemp, Esq., Attorney at Law, of a daughter.

— At Bithoor, the lady of Capt. Manson, of a son.

13 The wife of the Revd. J. D. Ellis, of a son.

14 The lady of C. E. Trevelyan, Esq., of a daughter.

15 The wife of Mr. W. J. Goodsall, Police Constable, of a daughter.

— At Cawnpore, the lady of J. Ramsford, Esq., 6th Battalion, Artillery, of a daughter.

18 Mrs. W. Wood, of a son.

— At Koolnah, Jessore, the lady of W. H. S. Rainey, Esq., of a son.

— Mrs. G. A. Perroux, of a son.

— At Barrackpore, the lady of Capt. Alexander Singer, 24th Regt. N. I. of a son.

— At Jessore, the lady of Wm. Thompson, Esq., Assistant Surgeon, of a daughter.

19 At Gyah, the lady of John S. Dumergue, Esq., C. S., of a daughter.

— The lady of John Becher, Esq., of a son.

— The lady of Capt. Cubitt, Assistant Secretary to the Government of India, Military Dept., of a son.

— Mrs. A. D'Rozario, of a daughter.

Oct. 20 Mrs. George Chisholm Hay, of a daughter.
21 At Cuttack, the lady of G. Becher, Esq., of a daughter.
— At Meerut, the lady of Captain Bond, of H. M. 11th Light Dragoons, of a son.
24 Mrs. John Wallace, of a son.
— At Mhow, the lady of Vincent Eyre, Esq., Bengal Artillery, of a son.
25 Mrs. William Reed, of a daughter.
26 The lady of the Revd. R. B. Boswell, of a son.
27 At St. George's Gate, Ravelin, the wife of Sergeant Hossell, Arsenal Department, of a daughter.
— The wife of Mr. D. W. Hill, of a still-born son.
29 The lady of Lieut. Colin Mackenzie, 48th Madras N. I., of a daughter.
— At Fort William, Mrs. H. M. Hassell, wife of N. P. Hassell, Ordance Department, of a daughter.
30 The lady of J. S. Judge, Esq., of a son.
31 At Allahabad, the lady of Lieut. Andrew Barclay, 12th Regt. N. I., of a son.
— At Ghazeepore, the lady of Captain P. McKie, 3d Buffs, of a son.

## DEATHS.

April 1 At sea, on board the *Orient*, on his passage home to England, Capt. Fell, 40th N. I.

June 1 At sea, on board the *Theresa*, in which vessel she was returning via England, to her native country, Signora Caravaglia.

July 31 At sea, on board the Barque *Baboo*, Captain Daniel Cardozo, of a fit of appoplexy, aged 35 years.

Sept. 2 At Uitenage, Cape of Good Hope, Dr. Francis Seymour Matthews, of the Bengal Medical Service.
4 At Neemuch, Lieut M. N. Egilvie, of the 2d L. C.
[illegible] At Porebunder, Major Anthony Seymour, Commanding the 20th Regt. Bombay N. I.
13 Mr. Manuel Mendes Alves, of Lisbon, aged 65 years.
18 At Neemuch, Frederick Faithful Chester, youngest child of Captain Moule, 23d Regt. aged 13 months.
19 At Nechinderpoor, Kishnaguth, Thomas George, the eldest son of Lieut. and Adjt. H. N. Worsley, 7th N. I., aged 4 years, 4 months and 25 days.
24 At Neemuch, Ensign R. T. Edwards, 28th N. I.
25 At Dacca, Mr. William Grant, late Assistant to Messrs. Wise and Glass, of that place.
26 At Hansi, David Philip, the infant son of Mr. G. Lumley, senior, aged 6 months.
27 On the River, below Allahabad, Eleanor Graham, the beloved child of Captain G. Thompson, 40th Regt. N. I., aged 3 months and 23 days.
29 At Subathoo, in the Hills, Capt. Z. H. Turton, of the 15th Regt. N. I.

Oct. 1 At Almorah, Quarter Master Serjeant William Henry Hyland, 7th Regt. N. I.
— Ellen Catherine, the beloved daughter of Mrs. H. Gennoe, aged 6 years, 8 months and 15 days.
1 John Henry, the only son of the late Mr. J. H. Drugeon, aged 2 years, 11 months and 15 days.
2 Mr. Thomas C. Ridgley, aged 60 years.
3 Mr. Frederick Astley, of the ship *Bussorah Merchant*.
— Thomas Russell, the infant son of Mr. and Mrs. Smalley, aged 7 months and 3 days.
6 At Hoogly, Emilius Somerset, third son of T. A. Wise, Esq., M. D. aged 2 years and 4 months.
— Mr. Henry Hall Hindmarsh, Assistant to the Upper Orphan Asylum, aged 27 years and 6 months.
7 Mr. Robert Little, Town Sergeant, aged 29 years.
8 Mr. William Coles, Sub-Conducter, Ordnance Commissariat, in the 38th year of his age.
11 At Dinapore, Charles, the infant son of Sergeant Major Lenon, European Regt., aged 1 year, 8 months and 11 days.
13 At Mhow, in Malwah, Patrick Henry, son of Sergeant-Major Nicholas Reilly, of the 44th Regt. N. I., aged 2 years, 7 months and 28 days.
— Master John Cripps, son of the late Mr. John Cripps, aged 4 years, 6 months and 27 days.
— At Meerut, Capt. Gervase Pennington, of the 1st Brigade of Horse Artillery, and nephew of Col. Gervase Pennington, C. B., of the same corps, of which the deceased had been Adjutant for 12 years.
16 At Delhi, Lieut. William Thomas Bunce, of the Engineers, aged 22 years.
— Capt. William Souter, H. C. Pension Establishment, aged 34 years.
— John Allan, Esq., M. D. 10th Regt. N. I., aged 47 years.
17 At Futtehpore, Andrew Grote, Esq., of the Civil Service.
20 At Delhi, Joseph Chaves, Esq., a native of Portugal.
— James Dunbar, Esq., aged 62 years and 6 months.
21 Katherine Susan, the infant daughter of Dr. Daunt, 44th Regt., aged 2½ months.
23 Joseph Constantine, third son of Mr. N. Kerr, aged 4 years and 3 months.
— At Chandernagore, Mr. Pierre Theodore LeTellier, aged 29 years.
26 At Kishnaghur, Thomas Colquhoun Read, Esq., aged 20 years.
— At Allahabad, the infant daughter of Mr. Edward Webb, aged 1 year and 4 days.
27 M. D. Blandford, Esq., aged 45 years and 9 months.
— Mary Sullivan, the wife of Sergeant James Sullivan, of the Commissariat Department, aged 26 years.
28 Mr. Joanis Peter, aged 52 years.
29 Mr. John Barretto Ferrao.
— Master W. C. Dunn, son of Mr. W. C. Dunn, aged 1 year and 4 days.
— Mr. Joseph Wolf, aged 31 years.
— John Ward, Esq., Register of the Sudder Board of Revenue, aged 54 years.
31 Mrs. Ewing, relict of John Ewing, Esq., Captain H. M. 64th Foot, aged 57 years.
— Miss Lavinia Bowler, daughter of Mr. Thomas Bowler, aged 4 years.

# ADMINISTRATIONS TO ESTATES.

| ESTATES OF | EXECUTORS, ADMINISTRATORS, &c. |
|---|---|
| Allan, J., *Surgeon* | Major J. Watkins, Executor. |
| Anthony, Father, *Catholic Missionary* | Captain W. Forbes, Executor. |
| Bowie, A., *of Sulkea* | Jos. Richardson, Executor. |
| Delamain, Mrs. J., *Widow* | Major R. Delamain, and R. C. Jenkins, Executors. |
| Harrington, H. H. *of Great Britain* | Registrar Supreme Court, (with Will annexed.) |
| Ingraham, D., *of Calcutta* | A. Fraser, and C. N. Ley, Executors. |
| Keene, J. H., *of Calcutta* | R. Leslie, Executor. |
| Mainwaring, T., *Civil Service* | E. Macnaghten, Administrator. |
| Stephanuse, A. T., *of Dacca* | Registrar Supreme Court, Administrator. |
| Turton, Z. H., *Lieutenant 15th Native Infantry* | Ditto ditto ditto. |
| Williams, M., *Lieutenant-Colonel E. I. C.'s Service* | J. Cowie, Administrator, as constituted attorney of the Executors in England. |

# CIVIL APPOINTMENTS, &c.

## ORDERS BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, POLITICAL DEPARTMENT, OCT. 5, 1835.

Lieut. Col. Pottinger, Agent to the Governor-General for the affairs of Sinde, has obtained leave of absence for two months, from the 1st of November next, to proceed to Bombay, on private affairs.

The Governor-General in Council has been pleased to appoint Lieut. W. M. Ramsay, of the 62d Regt. N. I., to be an Assistant to the General Superintendant of the Operations for the Suppression of Thuggee for the duties of Zillah Behar,

OCTOBER 19.

Major G. W. A. Lloyd on Special Duty on the North East Frontier, has obtained leave of absence from the 1st of November to the 1st of December next.

OCTOBER 26.

Mr. Assistant Surgeon J. Corbet, of the Political Agency in Harowtee, has obtained leave of absence to the 31st January next, in extension of the leave granted to him on the 7th January 1835, to enable him to rejoin his Station.

The Honorable H. B. Devereux, officiating Assistant to the Commissioner for the Government of the Territories of His Highness the Raja of Mysore, has obtained one month's leave of absence in extension to the leave granted to him on the 27th Aug. last, to enable him to join his Station.

Lieut. Montgomery, of the Madras Horse Artillery, is appointed to officiate as an Assistant to the Commissioner for the Government of the Territories of the Raja of Mysore.

NOVEMBER 2.

The Honorable the Governor General of India in Council has been pleased to grant leave of absence to the undermentioned officers:

Mr. Assistant Surgeon J. Bell, of the Madras Establishment, attached to the Residency of Mysore, to proceed to Madras, with the view of obtaining a sick certificate to Europe.

Ensign H. Russell, an Assistant to the General Superintendant of the operations for the Suppression of Thuggee, to visit the Presidency, from the 10th ultimo to the 10th January, 1836, preparatory to returning to Europe on furlough.

Lieut. C. H. Thomas, an Assistant to the General Superintendant of the Operations for the Suppression of Thuggee joined his station on the 15th ultimo.

The Honorable the Governor General of India in Council has been pleased to permit Captain Ruddell, of the 1st European Regiment, to remain in Persia on Military duty.

NOVEMBER, 16.

The services of Captain D. Downing, of the 3d Regt. N. I., have been placed at the disposal of the Agent to the Governor General for the States of Rajpootana.

NOVEMBER 23.

Captain A. McLeod, of the 5th Regt. Madras L. C., to officiate as an Assistant to the Commissioner for the Government of the Territories of His Highness the Rajah of Mysore.

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FORT WILLIAM, ECCLESIASTICAL DEPARTMENT, OCTOBER 21, 1835.

The Rev. James Bryce, Senior Chaplain of St. Andrew's Church, has been permitted to proceed to Allahabad, and eventually to Agra, on the affairs of the Scottish Church in India, and to be absent on that account for three months, from the 9th of November next.

The Honorable the Governor of Bengal is pleased to appoint the Reverend C. Wimberley, officiating Garrison Chaplain to do the duties of Chaplain to the General Hospital, in the room of the Revd. H. Fisher, resigned.

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NOTIFICATION—FORT WILLIAM, OCTOBER 26, 1835.

The Honorable the Court of Directors having appointed Henry Shakespear, Esq. to be Third Ordinary Member of the Council of India, the Honorable Henry Shakespear, Esq. has accordingly this day taken the Oaths and his Seat as Third Ordinary Member of the Council of India, under a Salute from the Ramparts of Fort William.

NOVEMBER 11.

The Hon'ble Alexander Ross, Esq., senior Ordinary Member of the Council of India, having this day succeeded provisionally to the Government of Agra, under the Orders of the Hon'ble the Court of Directors, Thomas Campbell Robertson, Esq., who has been appointed by the Hon'ble Court to be provisionally the third Ordinary Member of the Council of India, has this day taken the Oaths and his seat under a salute from the Ramparts of Fort William.

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APPOINTMENT BY THE HON'BLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

H. T. Prinsep, Esq., to be Secretary to the Governments of India and Bengal in the General Department.

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## ORDERS BY THE HONORABLE THE GOVERNOR OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT.

The Honorable the Governor of Bengal has been pleased to make the following appointments.

OCTOBER 5, 1835.

Mr. C. B. Trevor to be an Assistant under the Commissioner of Revenue and Circuit of the 18th of Jessore Division.

OCTOBER 6.

Mr. C. J. H. Graham, Assistant to the Magistrate and Collector of the Central Division of Cuttack, has been vested with the powers of a Joint Magistrate and Deputy Collector in that District during the absence of the Magistrate and Collector in the interior of the District.

Mr. Alexander Jackson to be Sudder Ameen and Moonsiff in Zillah Dinagepore.

The following Officers have obtained leave of absence from their stations;

Captain R. Rutherford, Principal Assistant to the Commissioner of Assam, from the 1st August last to the 31st instant, on medical certificate, in extension of the leave granted to him on the 23d May last.

Mr. H. M. Clarke, Assistant to the Magistrate and Collector of Balasore, for two months, on private affairs.

Mr. A. Grote, Assistant to the Magistrate and Collector of Jessore, for one month, on private affairs.

OCTOBER 9.

The following officers have obtained leave of absence from their stations:

Mr. C. W. Smith, Junior Member at the Sudder Board of Revenue, for one month, on medical certificate, from the date of his leaving Calcutta for the Sand Heads.

OCTOBER 13.

Mr. E. V. Irwin, Head Assistant to the Magistrate and Collector of Bhaugulpore, for ten months, on medical certificate, to enable him to visit Van Dieman's Land, in extension of the leave granted to him on the 3d February last.

Mr. T. Chapman, M. D. Assistant Surgeon, attached to the Civil Station of Purneah, for one month, to proceed on the river for the benefit of his health.

The Honorable the Governor of Bengal has this day been pleased to extend the Provisions of Regulation XII of 1833, regarding the selection, appointment and remuneration of authorized Pleaders to the Zillah Court of Jessore.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. W. Tailor to officiate until further orders, as Joint Magistrate and Deputy Collector of Zillah Burdwan.

Mr. E. E. H. Repton to officiate, until further orders, a Joint Magistrate and Deputy Collector of the Central Division of Cuttack.

The following Officers have obtained leave of absence from their Stations:

Captain A. Hodges, Revenue Surveyor in Bullooah, for one month, from the 20th December next, to visit the Presidency, preparatory to obtaining leave to proceed to Sea, for the recovery of his health.

OCTOBER 15.

Captain Lewis Bird to be a Senior Assistant to the Agent to the Governor General on the South Western Frontier, to bear date the 10th December last.

Mr. J. Davidson to be a Senior Assistant to the Agent to the Governor General on the South Western Frontier, to bear date the 16th August 1834.

Lieutenant H. T. Tucker, of the 8th N. I. to officiate as a Junior Assistant under the Commissioner of Assam, during the absence of Captain Rutherford, or until further orders.

OCTOBER 20.

Mr. W. St. Quintin Quintin, Deputy Collector of Saugor, for two weeks, on medical certificate, in extension of the leave for

one month, granted to him by the Commissioner of the 11th or Patna Division on the 21st August last.

The Honorable E. Drummond, Assistant to the Joint Magistrate and Depufy-Collector of Monghyr, for ten days, from the 4th proximo, on private affairs, in extension of the leave for one month, granted to him by the Commissioner of the 12th or Bhaugulpore Division.

Mr. J. Pagan, the Assistant Surgeon attached to the Civil Station of Rungpore, for one month, on private affairs.

Mr. John Wilkie, the Assistant Surgeon attached to the Civil Station of Dinagepore, for three weeks, on private affairs.

The Honorable the Governor of Bengal has been pleased, under the provisions of Clause First, Section XI. Regulation X. of 1831, to authorize the Senior Member of the Sudder Board of Revenue to exercise, generally, all the duties, power, and authority which are vested in that Board collectively, during the absence of the Junior Member under the leave for one month, granted to him on the 9th instant.

The Honorable the Governor of Bengal has been pleased to authorize Lieut. W. M. Ramsay, the Assistant to the General Superintendent of the Operations for the Suppression of Thuggee, to exercise the powers of a Joint Magistrate in the Zillahs composing the Province of Behar

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. H. C. Hamilton to officiate as Head Assistant to the Magistrate and Collector of Bhaugulpore, during the absence of Mr. R. V. Irvin, or until further orders.

The Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. J. Knott to Officiate as Deputy Collector in Zillah Backergunge.

Moulavee Ryazooddeen to Officiate as do. do. in ditto.

OCTOBER 27.

Mr. P. G. E. Taylor to be an Assistant under the Commissioner of Revenue and Circuit of the 18th or Jessore Division Mr. Taylor has been authorized to officiate until further orders, as Deputy Register of the Courts of Sudder Dewanny and Nizamut Adawlut and Prepater of Reports, in the room of Mr. Donnelly.

Mr. R. W. Maxwell to officiate, until further orders, as Civil and Session Judge of Zillah Buckergunge on Mr. Cardew's departure.

The following officers have obtained leave of absence from their stations:

Mr. E. R. Barwell, Civil and Session Judge of the 24 Pergunnahs, for two months, on medical certificate, in extension of the leave granted to him on the 25th August last.

Mr. C. Cardew, Civil and Session Judge of Buckergunge, for two months, on private affairs, from the 20th proximo.

Mr. D. Pringle, Magistrate and Collector of Mymunsing, for one week, on private affairs.

Mr. J. B. Ogilvy, Joint Magistrate and Deputy Collector of Zillah Behar, for one month, on private affairs, in extension of the leave granted to him on the 22d ultimo.

Mr. J. Innes, M. D, Assistant Surgeon, attached to the Civil station of Bhaugulpore, for three months, on private affairs, Mr. Assistant Surgeon W. B. Webster, of the Hill Rangers, will officiate for Mr. Innes during his absence.

Mr. J. O'Dwyer, Assistant Surgeon, attached to the Civil station of Chittagong, for three months, on medical certificate. Mr. Assistant Surgeon R. T. Harper will officiate for Mr. O'Dwyer during his absence.

Mr. O. W. Malet to exercise the powers of a Joint Magistrate in Zillah Midnapore, during the time that Mr. D. J. Money may be employed in the interior.

OCTOBER 31.

Mr. F. Gouldsbury to Officiate, until further orders, as Additional Judge of Zillah Behar.

Mr. F. E. Read to Officiate as Magistrate and Collector of Purneah, in the room of Mr. Gouldsbury.

NOVEMBER 3.

The following officers have obtained leave of absence from their Stations:

Mr. Thomas Wyatt, Civil and Session Judge of Dinagepore, for two months, from the 1st proximo, on Medical Certificate.

Mr. R. H. Mytton, Magistrate and Collector of Sylhet, for a fortnight, in extension of the leave granted to him on the 10th September last.

NOVEMBER 6.

The Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. Henry Case Bagge to be an Assistant under the Commissioner of Revenue and Circuit of the 12th or Bhaugulpore Division.

Mr. George Loch to be an Assistant under the Commissioner of Revenue and Circuit of the 15th or Dacca Division.

The following Officer has obtained leave of absence from his Station:

Mr. H. C. Bagge, Assistant under the Commissioner of Revenue and Circuit of the 12th or Bhaugulpore Division, for four months, from the 1st proximo, on private affairs.

NOVEMBER 9.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. R. N. Farquharson to be an assistant under the Commissioner of Revenue and Circuit of the 11th or Patna Division.

Mr. F. Lowth to officiate, until further orders, as Joint Magistrate and Deputy Collector of Backergunge.

NOVEMBER 10.

The following Officers have obtained leave of absence from their Stations:

Mr. G. C. Cheap, Civil and Session Judge of Mymunsing, for one month, from the 10th proximo, on private affairs. Mr. M. W. Carruthers will conduct the current duties during his absence.

Mr. G. U. Yule has been authorized to conduct the current duties of the office of Civil and Session Judge of Dinagpore, during the absence of Mr. Thomas Wyatt

Capt. J. Steel, Superintendent of Police of Calcutta, has been allowed leave of absence up to the 3rd instant, in extension of the leave granted to him for two months, on the 11th August last.

Capt. H. Rutherford, principal assistant to the Commissioner of Assam, has been allowed leave of absence, up to the date of the sailing of the ship *Thomas Grenville*, in extension of the leave granted to him on the 6th ultimo.

Mr. J. Davidson, Principal Assistant in charge of the Lohardugga Division, under the Agent to the Governor General on the South Western Frontier, for one month, from the 15th proximo, to visit Calcutta, on private affairs.

Mr. G. G. McPherson, Assistant Surgeon, attached to the Civil Station of Moorshedabad, for one month, to visit Calcutta, on private affairs,

Mr. T. Chapman, M. D., Assistant-Surgeon, attached to the Civil Station of Purneah, for a fortnight, on medical certificate in extension of the leave granted to him on the 13th ultimo.

NOVEMBER 14.

The Honorable the Governor of Bengal has been pleased to make the following appointments:

Mr. C. J. H. Graham to officiate until further orders, as Joint Magistrate and Deputy Collector of the Southern Division of Cuttack, in the room of Mr. Repton.

NOVEMBER 17.

Mr. G. Gough to officiate as Additional Judge of Zillah Tirhoot, during the absence of Mr. J. W. Templer, or until further orders, vice Mr. H. P. Russell.

Mr. T. Sandys to officiate until further orders, as Magistrate and Collector of Shahabad in the room of Mr. Gough.

Mr. D. Pringle to conduct the current duties of the office of Civil and Session Judge of Mymunsing during the absence of Mr. Cheap, instead of Mr. Carruthers.

The following officers have obtained leave of absence from their stations:

Mr. J. A. Pringle, Commissioner of Revenue and Circuit of the 15th or Dacca Division, for two months, in extension of the leave granted to him on the 26th April, 1834.

Mr. J. E. Wilkinson, Magistrate and Collector of Tirhoot, for six weeks, from the 15th proximo, to visit Calcutta on private affairs. Mr. G. Gough will officiate in the above capacities during the absence of Mr. Wilkinson.

Mr. J. C. Brown, Civil and Session Judge of Cuttack, for one month, to visit Calcutta, on private affairs. Mr. E. E. H. Repton will conduct the current duties of his office during Mr. Brown's absence.

Mr. G. J. Morris Civil and Session Judge of Patna, for one week in extension of the leave granted to him on the 2nd September last, on medical certificate.

Mr. R. Barlow, Civil and session Judge of Rajeshahy, for one month, on private affairs. Mr. W. M. Dirom will conduct the current duties of his office during the absence of Mr. Barlow.

Mr. B. Golding, officiating Civil and Session Judge of Sylhet, for two months, from the 1st proximo, to visit Calcutta, on private affairs. Mr. A. C. Bidwell will conduct the current duties of his office during the absence of Mr. Golding.

Mr. J. B. Ogilvy, officiating Joint Magistrate and Deputy Collector of Zillah Behar, from the 18th instant to the end of the present month, on private affairs, in extension of the leave granted to him on the 27th ultimo.

Mr. C. W. Brietzcke, Senior commissioner of the Court of Requests for twenty days, from the 1st proximo, on private affairs.

Cazee Mahommed Alee, Principal Sudder Ameen in Zillah Tipperah, for eight days, to proceed to Dacca, on private affairs.

NOVEMBER 17.

The Honorable the Governor of Bengal has been pleased to make the following Appointments:

Brijoosoonder Roy to be Deputy Collector in the Central Division of Cuttack.

Anund Sunder Mitter to be ditto ditto in ditto.

NOVEMBER 21.

Mr. G. D. Wilkins to be an Assistant under the Commissioner of Revenue and Circuit of the 11th or Patna Division.

Mr. E. F. Radcliffe to be an Assistant under the Commissioner of Revenue and Circuit of the 11th or Patna Division The appointment to bear date the 10th of Sept. last.

NOVEMBER 24.

Mr. William Blunt to be a Judge of the Courts of Sudder Dewanny and Nizamut Adawlut. The appointment to take effect from the 11th instant.

Mr. H. C. Metcalfe to exercise the powers of a Joint Magistrate and Deputy Collector at Jessore, and to conduct the current duties of the Office of Magistrate and Collector at the Sudder station during the absence of Mr. Donnelly in the interior.

The following officers have obtained leave of absence from their Stations:

Mr. C. Harding, Commissioner of Revenue and Circuit of the 12th or Bhaugulpore Division, for a period not exceeding one year, to proceed to the Hills, on medical certificate, to commence from the 1st Feb. next.

Mr. Rt. Barlow, Civil and Session Judge of Rajeshahy, for one month on medical certificate, instead of on private affairs as before sanctioned

Mr. H. P. Russell, Magistrate and Collector of Jessore, for one month, on private affairs, in extension of the leave granted to him on the 10th Sept. last.

Mr. H. Stainforth, Majistrate and Collector of Backergunge for one month, on private affairs, from the 1st proximo.

Hurrinarain Ghose, Principal Sudder Ameen, and Brijonth Sein, Sudder Ameen in Zillah Jessore, the former for seven days, and the latter for twenty-six days, in extension of the leave granted to them on the 15th Sept. last, during the Dusserah Vacation

The Honorable the Governor of Bengal has this day been pleased to extend the Provisions of Regulation XII of 1833, regarding the selection, appointment and remuneration of unauthorized Pleaders, to the Zillah Court of Backergunge.

The Honorable the Governor of Bengal has been pleased to make the following appointment:

Mr. F. Lowth to officiate as Magistrate and Collector of Zillah Backergunge, during the absence of Mr. H. Stainforth.

NOVEMBER 26.

The Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. C. R. Barwell to Officiate, until further Orders, as a Judge of the Courts of Sudder Dewanny and Nizamut Adawlut.

Mr. J. H. D'Oyly to Officiate, until further Orders, as Additional Judge of Zillah 24 Pergunnahs.

Mr J. Stainforth to Officiate, until further Orders as Magistrate and Collector of Midnapore, in the room of Mr. D'Oyly.

Mr. H. P. Russell to Officiate, until further Orders, as Additional Judge of Zillah Nuddeah.

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FORT WILLIAM, ECCLESIASTICAL DEPART, NOV. 4. 1835.

The Revd. Richard Chambers, Chaplain at Barrackpore, is permitted to be absent from his Station, for one month, from the 9th proximo, to proceed on the river.

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FORT WILLIAM, GENERAL DEPARTMENT, OCTOBER 7, 1835.

Mr. William Bell having exceeded the period within which, under the Orders of the Honorable the Court of Directors, he ought to have qualified himself for the public service by proficiency in the Native Languages, has been ordered to return to England.

Mr. Arthur Littledale reported his arrival as a Writer on this Establishment on the 26th ultimo.

OCTOBER 14.

Mr. G. J. Siddons, Collector of Customs at Calcutta, is permitted to be absent from his office, for a period of one month, from the 31st instant. Mr. Walker will officiate as Collector of Customs during Mr. Siddon's absence.

Mr. H. J. Thornton, Assistant Surgeon at Commercolly, is permitted to be absent from his station for a period of one month.

Mr. George Dawson to be a Harbour Master at Prince of Wales' Island.

OCTOBER 28.

Messrs. H. C. Bagge and G. Loch are reported qualified for the public service by proficiency in two of the native languages.

Mr. W. C. S. Cunninghame reported his arrival as a writer on this establishment on the 26th instant.

NOVEMBER 4.

The Honorable the Governor General of India in Council is pleased to attach to the Bengal Presidency Messrs. H. C. Bagge and G. Loch, writers, reported qualified for the public service.

NOVEMBER 18.

Mr. Wm. Bell having passed an Examination on the 13th instant, and being reported qualified for the Public service by proficiency in the native languages, the orders issued on the 7th ultimo for that Gentleman's return to Europe, are cancelled.

The Honorable the Governor General of India in Council has complied with the applications of the undermentioned Gentlemen for leave to proceed to Europe on furlough, in the present season:

Mr. Cornelius Cardew and Mr. Archibald Spiers.

The Honorable the Governor General of India in Council is pleased to attach to the Agra Presidency, Mr. William Henry Benson, of the Civil Service.

The Honorable the Governor General of India in Council is pleased to cancel the orders of the 2d Sept. last, assigning, Mr. E. F. Radcliffe to Agra, and to attach that Gentleman to the Bengal Presidency.

NOVEMBER 25.

Mr. R. F. Hodgson is reported qualified for the Public Service by proficiency in two of the Native Languages.

Mr. J. B. Thornhill, 1st Assistant to the Collector of Customs at Calcutta, is permitted to be absent from his Office for one month, from the 23d instant preparatory to his departure for China on duty.

Mr. H. Alexander is appointed to act as 1st Assistant to the Collector of Customs, in the room of Mr. Thornhill.

The Honorable the Governor General of India in Council is pleased to attach to the Bengal Presidency, Messrs. William Bell and R. F. Hodgson, Writers, reported qualified for the Public Service.

Mr. A. G. Macdonald, having exceeded the period within which, under the orders of the Honorable the Court of Directors, he ought to have qualified himself for the Public Service by proficiency in the Native Languages, has been ordered to return to England.

NOVEMBER 30.

Mr. Thomas Ginders, Surgeon, attached to Sindia's Contingent, has obtained an extension of leave from the 1st of December ensuing to the 31st of January 1836, to enable him to join his station.

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## ORDERS BY THE HONORABLE THE GOVERNOR OF AGRA.

JUDICIAL AND REVENUE DEPT. ALLAHABAD, SEPT. 18, 1835.

The Honorable the Governor has been pleased to appoint Mr. E. A. Read to be Magistrate and Collector of Goruckpore.

ALLAHABAD, OCTOBER 2.

The Honorable the Governor is pleased to appoint Nawab Hafiz Oolah Khan, to be Deputy Collector under Regulation IX. of 1833, in Zillah South Moradabad.

ALLAHABAD, OCTOBER 3.

The Honorable the Governor is pleased to grant Captain J. Bedford, Deputy Surveyor General, two months' leave of absence, from the 10th November next, on private affairs.

ALLAHABAD, OCTOBER 5.

The Hon'ble the Governor is pleased to make the following appointments:

Mr. F. P. Buller to be Joint Magistrate and Deputy Collector of Shahjehanpore.

Mr. W. Crawford to officiate as Deputy Collector of Cawnpore.

Mr. J. C. Grant ditto as Collector of Banda. Mr. Grant has been desired to make over charge of office of Magistrate and Collector of Seharunpore to Mr. N. H. E. Prowett, who will act in that capacity until the arrival of Mr. T. Louis at Seharunpore.

Mr. T. Louis ditto as Magistrate and Collector of Seharunpore.

Mr. E. F. Tyler to officiate as Joint Magistrate and Deputy Collector of Allyghur.

ALLAHABAD, OCTOBER 7.

Mr. W. P. Goad was authorized, on the 29th ultimo, to exercise the powers of Joint Magistrate and Deputy Collector at Benares.

Mr. J. Jackson, Civil Assistant Surgeon of Ghazeepore, has obtained leave of absence from his station, for two months, to proceed to Calcutta, on urgent private affairs, from the 10th instant.

ALLAHABAD, OCTOBER 10.

Mr. S. Bowring, Officiating Joint Magistrate and Deputy Collector of Banda, has obtained leave of absence to the 15th proximo, in extension of the leave for one month granted to him by the Commissioner of the Division on the 10th ultimo, on medical certificate.

ALLAHABAD, OCTOBER 12.

The Honorable the Governor is pleased to appoint Mr. F. Stainforth to officiate as Deputy Collector of South Moradabad, for the purpose of making the Revised Settlement in that District under the Provisions of Regulation 9, 1833.

ALLAHABAD, OCTOBER 14.

The Honorable the Governor has been pleased to appoint Mr. F. H. Brett, to officiate as Civil Assistant Surgeon of Cawnpore, during the absence of Dr. W. P. Andrew, or until further orders.

ALLAHABAD, OCTOBER 16.

Mr. G. P. Thompson, Commissioner under Act 3, of 1835, has obtained one month's leave of absence, from the 25th instant, on private affairs.

ALLAHABAD, OCTOBER 19.

The Honorable the Governor is pleased to make the following appointments:

Mr. A. W. Begbie to officiate as Civil and Session Judge of Etawah.

Mr. S. Fraser to officiate as Civil and Session Judge of Bundlecund.

ALLAHABD, OCTOBER, 24.

The Honorable the Governor has been pleased to appoint Mr. E. A. Reade, Magistrate and Collector of Goruckpore, to be Deputy Opium Agent for the management of the provision of Opium in that District.

ALLAHABAD OCTOBER 28.

The Honorable the Governor has been pleased to appoint Mr. R. H. P. Clarke to officiate as Magistrate of Banda.

The following officers have obtained leave of absence:

Mr. S. M. Boulderson, Commissioner of the 3d or Bareilly Division, to the end of November next, on medical certificate, in extension of the leave granted him on the 12th September last, on his private affairs.

Mr. G. W. Trail, Commissioner of Kumaon, for three months, to visit Bengal, preparatory to proceeding to Europe on furlough.

ALLAHABAD OCTOBER 29.

Mr. H. Fraser, Civil and Session Judge of Dehlee, has obtained an extension of leave of absence from the 1st to the 10th of December next, in continuation of that granted to to him on the 14th February last.

The Honorable the Governor has been pleased to cancel the remaining portion of the leave of absence granted on the 20th July last, to Mr. E. Thornton, Assistant to the Collector and Magistrate of Goruckpore, from the 13th instant.

ALLAHABAD, OCTOBER 30.

Mr. G. F. Brown, Magistrate and Collector of Juanpore, has obtained leave of absence for six months, in extension of the leave granted to him on the 22d December last, on medical certificate.

ALLAHABAD, NOVEMBER 2.

The Honorable the Governor is pleased to make the following appointments:

Mr. R. H. Scott to officiate as Commissioner under Act III. of 1835, at Allahabad, for the disposal of cases under Regulations I. of 1821 and I. of 1823.

Mr. H. T. Owen to be Special Commissioner under the Provisions of Regulation III. of 1828, within the 1st or Meerut Division, and the 3d or Bareilly Division.

Mr. C. G. Mansel to be Magistrate and Collector of Agra.

Mr. W. S. Donnithorne to be Joint Magistrate and Deputy Collector of Agra.

Mr. R. Alexander to be Head Assistant to the Secretary to the Sudder Board of Revenue.

ALLAHABAD, NOVEMBER 3.

Mr. R. C. Glyn, officiating Civil and Session Judge of Meerut, has obtained leave of absence from his station from the 12th instant to the 12th proximo, on private affairs. Mr. Glyn has been authorized to make over charge of the Judge's office to Mr. T. B. C. Bayley, who will conduct the current duties during his absence.

The leave of absence granted to Captain J. Bedford, Deputy Surveyor General, on the 3d ultimo, will commence from the 5th instead of the 16th instant.

ALLAHABAD, NOVEMBER 4.

The Honorable the Governor has been pleased to authorize Mr. C. W. Kinloch to exercise the powers of Joint Magistrate and Deputy Collector of the Northern Division of Moradabad.

Mr. C. T. Sealy, Judge of the Sudder Dewanny and Nizamut Adawlut at Allahabad, has obtained leave of absence, for three months, on his private affairs, in extension of the leave granted to him on the 27th April last.

ALLAHABAD, NOVEMBER 5.

Mr. A. Reid, Civil Assistant Surgeon of Bolundshahur, has obtained leave of absence, from his Station for one month, from the 30th instant on private affairs.

ALLAHABAD, NOVEMBER 6.

The following officers have obtained leave of absence:

Mr. D. B. Morrieson, Magistrate and Collector of Benares, to the 1st Jan next, in extension of the leave granted him on the 20th Dec. 1834, to enable him to rejoin his station.

Mr. R. J. Loughnan, officiating Principal Assistant of Saugor, for two months, in extension of the leave, for one month, granted to him by the Officiating Commissioner of the Saugor and Nerbudda Territories on the 18th ultimo.

ALLAHABAD, NOVEMBER 6.

The Honorable the Governor has been pleased to make the following appointments:

Mr. A. Comming to officiate as Civil and Session Judge of Futtehpore.

Mr. C. C. Jackson to ditto as Magistrate and Collector of ditto.

Mr. C. La Touche as ditto ditto of Benares.

Mr. H. Armstrong to officiate as Joint Magistrate and Deputy Collector of Belah.

ALLAHABAD, NOVEMBER 10.

Mr. R. Neave, appointed to officiate as Civil and Session Judge of Cawnpore, till further orders.

The Honorable the Governor has been pleased to appoint Mr. E. H. C. Monkton to be an Assistant under the Commissioner of the 5th or Benares Division.

ALLAHABAD, NOVEMBER 16.

Mr. W Fane, Member of the Sudder Board of Revenue at Allahabad, has obtained fifteen days leave of absence, in extension of that granted to him on the 29th September last.

ALLAHABAD, NOVEMBER 17.

The following officers have obtained leave of absence from their stations:

Mr. W. F. Dick, Judge of the Sudder Dewany and Nizamut Adawlut at Allahabad, for one month from the 5th proximo, on his private affairs.

Mr. F. H. Brett, Officiating Civil Assistant Surgeon of Cawnpore, for one month, on his private affairs, previously to joining his station.

ALLAHABAD, NOVEMBER 21.

Mr. T. P. B. Biscoe, Civil and Session Judge of Saharanpore has obtained leave of absence from his station for four months, on medical certificate, to enable him to proceed to Calcutta, preparatory to applying for leave to proceed to England or to the Cape. Mr. Biscoe has been desired to make over charge of the Office of Civil and Session Judge to Mr. G. W. Bacon.

ALLAHABAD, NOVEMBER 28.

The following officers have obtained leave of absence from their stations:

Mr. M. H. Turnbull, Judge of the Sudder Dewanny and Nizamut Adawlut at Allahabad, for three months, to visit Calcutta, on urgent private affairs.

Dr. J. Esdaile, Civil Assistant Surgeon of Azinghur, for two months, to proceed to Calcutta, on medical certificate, preparatory to applying for furlough to proceed to Europe.

ALLAHABAD, NOVEMBER 30.

The appointment of Mr. E. F. Radcliffe, under date the 10th September last, to be an Assistant under the Commissioner of the 3d or Bareilly Division, is cancelled.

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GENERAL DEPARTMENT, ALLAHABAD, OCTOBER 7, 1835.

Mr. T. E. Colebrooke, of the Civil Service, embarked for Europe on board the ship *John Mactellan*, which vessel was left by the Pilot at sea on the 9th ultimo.

ALLAHABAD, OCTOBER 10.

The Honorable the Governor has been pleased to place the services of Mr. P. G. E. Taylor, at the disposal of the Governor of Bengal, for employment under that Presidency.

ALLAHABAD, OCTOBER 14.

The Hon'ble the Governor of Agra has been pleased to place the services of Mr. R. N. Farquharson at the disposal of the Governor of Bengal for employment under that Presidency.

ALLAHABAD, NOVEMBER 2.

Mr. G. A. Bushby to re assume the appointment of Secretary to the Government of Agra in the Political and General Department.

This arrangement to take effect from the 26th ultimo.

Mr. R. H. Scott will retain charge of the above office until relieved by Mr. Bushby.

Lieut. F. P Fulcher, of the 67th Regt. N. I., and Aid de-Camp to the Governor of Agra, has obtained two months' leave of absence, and will accompany the Governor to the Presidency of Fort William.

ALLAHABAD NOV. 7.

The Honorable the Governor has been pleased to appoint M. Richardson, Esq., M. D. Acting Civil Surgeon at Delhee, to officiate as Deputy Post Master at that Station, vice Captain P. L. Pew, of the Artillery, who has resigned.

ALLAHABAD, NOVEMBER 28.

The Hon'ble the Governor of Agra, at the request of the Supreme Government, has been pleased to cancel the assignment of Mr. E. F. Radcliffe to this Presidency.

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GEN. DEPT. ECCLESIASTICAL, ALLAHABAD, OCT. 28, 1835.

The Honorable the Governor of Agra has been pleased to grant the Revd. H Parish, Chaplain at Agra, leave of absence for three months, from the 15th of January next, to visit Calcutta, preparatory to applying for furlough.

ALLAHABAD, NOVEMBER 14.

The Reverend Richard Arnold, District Chaplain at Bareilly, having reported his return to that station on the 23d Oct. last, the Hon'ble the Governor of Agra has been pleased to cancel from that date, the unexpired portion of the leave granted to that gentleman under the orders of the 5th August last.

ALLAHABAD, NOVEMBER 18.

The Honorable the Governor of Agra, in conformity with the orders of the Government of India in the Military Department under date the 19th of October, has this day been pleased to remove the Revd E. White from his situation of District Chaplain at Cawnpore.

ALLAHABAD, NOVEMBER 21.

The Honorable the Governor has been pleased to grant to the Reverend R. Ewing, District Chaplain of Futtehgurh, two months leave of absence, viz., from the 30th October last to the 30th December next, to enable him to visit Calcutta, on urgent private affairs.

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GENERAL DEPARTMENT, MILITARY, ALLAHABAD, NOV. 11.

The Honorable the Governor of Agra is pleased to authorize the undermentioned officers to continue to Officiate in their respective appointments, until further orders:

Captain P. Latouche, 7th Regt. N. I. Military Secretary to the Governor.

Ensign H. M. Barwell, 59th Regt. N. I. Private Secretary to the Governor.

Captain A. Wheatley, 5th Regt. Light Cavalry, Town and Fort Major and Aid-de-Camp to the Governor.

Lieutenant F. P. Fulcher, 67th Regt. N. I. Aid de-Camp to the Governor.

Civil Assistant Surgeon A. Beattie, Surgeon to the Governor.

ALLAHABAD, NOVEMBER 28.

The Hon'ble the Governor of Agra has been pleased to grant to Lieut. F. P. Fulcher, 67th Regt. N. I., and Aid-de-Camp to the Governor of Agra, two months leave of absence, from the 11th instant.

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POLITICAL DEPARTMENT, ALLAHABAD, OCTOBER 7, 1835

The Honorable the Governor has been pleased to grant Colonel F. Young, Political Agent at Deyra Doon, and Commandant of the Sirmoor Battalion, leave of absence for one month, from the 20th October to the 20th November next, on private affairs.

Captain J. Fisher, Assistant to the Political Agent, and 2d in Command of the Sirmoor Battalion, will take charge of the office of Political Agent at Deyra, and assume the Command of the Battalion during the absence of Colonel Young.

ALLAHABAD, OCTOBER 17.

The Hon'ble the Governor is pleased to grant Mr. W. Gordon, Agent to the Governor at Benares one month's leave of absence, in extension of the leave granted him on the 11th of Feb. last to enable him to rejoin his Station.

ALLAHABAD, OCTOBER 21.

The Hon'ble the Governor of Agra has been pleased to appoint Mr. Simon Fraser to officiate as Agent to the Governor in Bundlecund, until further orders.

ALLAHABAD, NOVEMBER 18.

Captain J. K. McCausland received charge of the office of Political Agent at Subathoo, from Captain C. P. Kennedy, on the 2d instant.

ALLAHABAD, NOVEMBER 25.

Lieut. F. W. Cornish an Assistant to the Agent to the Governor in the Saugor and Nerbudda Territories, joined his office on the 17th instant.

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# MILITARY APPOINTMENTS, &c.

## GENERAL ~~ORDERS~~ BY THE HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, OCTOBER 26.

No. 228 of 1835.—The Hon'ble the Governor General of India in Council is pleased to make the following promotions and alterations of rank:

Cavalry.—Major Hubert De Burgh, deceased, to be Lieut. Col., vice Lieut.-Col. Charles Fitzgerald, C. B., retired, with rank from the 7th July, 1833, vice Lieut. Col. Henry Hawtrey, deceased.

Major David Harriott to the Lieut. Colonel, vice Lieut. Col. Hubert DeBurgh, deceased, with rank from the 1st September, 1834, vice Lieut. Colonel Stephen Reid promoted.

5th Regt. L. C.—Captain William Buckley to be Major, Lieut. and Brevet Captain Edward Macleod Blair to be Captain of a troop, and Cornet Charles Manners Gascoyne to be Lieut. from the 1st September, 1834, in succession to Major David Harriott, promoted.

The rank of Captain by Brevet, assigned to Lieut. Edward Macleod Blair, in Government General Orders No. 137, of the 1st June last, is cancelled.

Supernumerary Cornet Henry Gordon Chicheley Plowden is brought on the effective strength of the Cavalry.

33d Regt. N. I.—Lieut. John Mathias to be Captain of a Company, and Ensign John Sherbrooke Banks to be Lieut., in succession to Captain George Irvine retired, with rank from the 5th October, 1835, vice Captain Thomas Bennet Penwarne Festing invalided.

ALTERATION OF RANK.

4th L. C.—Lieut. Colonel C. P. King, Major J. W. Roberdeau, and Captain S Nash, to rank from 9th April, 1833, vice Lieut. Colonel C. Fitzgerald, C. B., retired.

1st L. C.—Lieut. Colonel W. Pattle, Major G. Thornton retired, Captain J. F. Bradford, and Lieut. A. Campbell, to rank from 27th April, 1833, vice Lieut. Colonel W. A. G. Fielding, retired.

2d L. C.—Major G. J. Shadwell, and Captain F. Wheler, to rank from 7th July, 1833, vice Major H. DeBurgh, deceased, promoted.

3d L. C.—Lieut. Colonel A. Warde, Major C. C. Smith, and Captain J. L. Tottenham, to rank from 30th December, 1833, vice Lieut. Colonel H. DeBurgh deceased.

33d N. I.—Captain J. D. Nash, and Lieut. E. G. J. Champneys, to rank from 30th May, 1834, vice Captain G. Irvine, retired.

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No. 231 of 1835.—The following gentlemen are admitted to the service, in conformity with their appointment by the Hon. the Court of Directors, as Cadets of Infantry on this establishment, and promoted to the rank of Ensign, leaving the dates of their Commissions for future adjustment:

Infantry—Messrs. George Gardner Bowring, and Charles Reid; date of arrival at Fort William, 24th October, 1835.

The undermentioned officers have returned to their duty on this establishment without prejudice to their rank, by permission of the Hon ble the Court of Directors.

Captain Robert Aitken, of the 6th Regt. L. C., date of arrival at Fort William 22d October, 1835.

Captain Robert Campbell, of the 43d Regt. N. I., ditto ditto.

Lieut. Henry Halbed, of the 7th Regt, L C., ditto 23d ditto.

Assistant Surgeon Thomas Forrest, of the Medical Department, ditto 22d ditto.

The leave of absence granted to Surgeon F. S. Mathews, in General Orders No. 22, of the 23d January, 1834, to proceed to the Cape of Good Hope, on medical certificate, is commuted to furlough to Europe on the same account, from the 20th of February following, the date of the sailing of the ship on which he proceeded to the Cape.

The following officers have leave of absence for the purpose of visiting the Presidency, on account of private affairs:

Captain J. C. Tudor, Sub Assistant Commissary General, for three months, from the 15th November to the 15th Feb next.

Lieut. G. M. Sherer, Sub Assistant Stud Department, in charge of the Poosah Depot, for two months, from the 15th November next.

The leave of absence granted to Lieut. A. Jack, of the 3th Regt. N. I., in General Orders No. 22, of the 23d January, 1834, to proceed to China and the Isle of France, for 18 months, is extended from the 31st July to the 14th instant, the date of that officer's return from sea.

The undermentioned officers obtained in the Judicial and Revenue Department, under date the 13th instant, leave of absence from their stations:

Captain A. Hodges, Revenue Surveyor in Bullooah, for one month, from the 20th December next, to visit the Presidency, on medical certificate.

Assistant Surgeon J. Pagan, attached to the Civil Station of Rungpore, for one month, on private affairs

Assistant Surgeon J. Wilkie, attached to the Civil Station of Dinapore, for three weeks, on private affairs.

The Hon'ble the Governor of Agra was pleased, under date the 14th instant, to appoint Surgeon F. H. Brett, to the temporary medical charge of the Civil Station of Cawnpore, during the absence of Assistant Surgeon Andrew, or until further orders.

Leave of absence for two months, from the 10th instant, on urgent private affairs, has been granted by the Agra Government under date the 7th instant, to Assistant Surgeon J. Jackson, attached to the Civil Station at Ghazeepore.

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No 232 of 1835.—Lieut. Richard Long, of the 25th Regt. N. I., is appointed to do duty with the Arracan Local Battalion.

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FORT WILLIAM, NOVEMBER 2.

No. 233 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following Promotions and Alteration of Rank:

Regiment of Artillery.—Lieut. Colonel and Brevet Colonel Alexander Lindsay, C. B., to be Colonel, Major George Edward Gowan to be Lieut. Colonel, Captain Peter Lawrie Pew to be Major, and 1st Lieut. and Brevet Captain Peter Arnold Torckler to be Captain, from the 2d July, 1835, in succession to Colonel Gervaise Pennington, C. B., deceased.

1st Lieut. and Brevet Captain George Simson Lawrenson to be Captain, from the 13th October, 1835, vice Captain Gervaise Pennington, deceased.

2d Lieut. Arthur Broome to be 1st Lieut., vice 1st Lieut. and Brevet Captain Peter Arnold Torckler promoted, with rank from the 28th Sept, 1835, vice 1st Lieut. William Make peace Shakespear, deceased.

2d Lieut. Alfred Hutsh to be 1st Lieut., from the 13th Oct, 1835, vice 1st Lieut. and Brevet Captain George Simson Lawrenson, promoted.

1st Lieut. Frederick William Cornish to rank from the 2d July, 1835, vice 1st Lieut. and Brevet Captain Peter Arnold Torckler, promoted.

Supernumerary 2d Lieuts. Thomas Bacon and John Abercrombie are brought on the effective strength of the Regt. of Artillery,

His Honor in Council is pleased to make the following Appointment:

Assistant Surgeon George Anderson to the medical charge of the Establishment at Hauper.

The undermentioned Gentlemen are admitted to the Service, in conformity with their appointment by the Honorable the Court of Directors, as Cadets of Cavalry and Infantry, of Assistant Surgeon, and Veterinary Surgeon, on this Establishment. The Cadets are promoted to the rank of Cornet and Ensign, leaving the dates of their Commissions for future adjustment:

Cavalry.—Mr. William Fraser Tytler, date of arrival at Fort William, 27th Oct., 1835.

Infantry.—Mr. Thomas Pownall, ditto 24th ditto.

Medical Department.—Mr. William Brydon, ditto 27th ditto.

Veterinary Surgeon.—Mr. Richard Willis, ditto ditto.

The undermentioned officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Honorable the Court of Directors:

Captain George Snow Blundell, of the 51st Regt. N. I., date of arrival at Fort William 27th Oct., 1835.

Captain Hugh Troup, of the 66th Regt. N. I., ditto 26th ditto.

Lieut. and Brevet Captain Francis Carleton Reeves, of the 9th Regt. N. I., Lieut. William Augustus Cooke, of the 2d Regt. N. I. and Lieut. Charles Grissell, of the 61st Regt. N. I.; ditto 26th ditto.

Lieut. Richard Years Brown Bush, of the 65th Regt. N. I. ditto 27th ditto.

Assist Surg. John Bowron, of the Medical Department, ditto 26th ditto.

The following Officers are permitted to proceed to Europe on medical certificate:

Ensign Henry Russell, of the 20th Regt. N. I.

Surgeon William Pitt Muston, of the Medical Department and Presidency Surgeon.

Captain Charles Rogers, of the 20th Regt. N. I., and a Deputy Judge Advocate General, is permitted to proceed to the Cape of Good Hope, on medical certificate, and to be absent from Bengal on that account for two years.

Ensign Charles William Duffin, doing duty with the 37th Regt. N. I., is permitted to visit Bombay, on private affairs, from the 4th of Nov. 1835 to be 31st Jan. 1836.

Captain George Hamilton Cox, of the 62d Regt. N. I., having been declared incapable of performing the active duties of his profession, is, at his own request, transferred to the Invalid Establishment.

The undermentioned Medical Officers have obtained leave of absence:

*Political Department, 26th October*, 1835

Assist. Surgeon J. Corbet, of the Political Agency in Harowtee, to the 31st January next in extension of the leave granted to him on the 7th January, 1835, to enable him to rejoin his Station.

*Judicial and Revenue Department, 27th October*, 1835.

Assist. Surgeon J. Innes, M. D., attached to the Civil Station of Buauguipore, for three months, on private affairs. Assist. Surgeon W. B. Webster, of the Hill Rangers, will officiate for Mr. Innes during his absence.

Assistant Surgeon J. O'Dwyer, attached to the Civil Station of Chittagong, for three months, on medical certificate. Assist. Surgeon E. J. Harpur will officiate for Mr. O'Dwyer during his absence.

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No. 234 of 1835.—The Governor General of India in Council is pleased to make the following promotions and alteration of Rank:

Medical Department.—Assistant Surgeon Robert Grahame to be Surgeon, vice Surgeon James Watson, M. D., retired; with rank from the 5th Sept., 1835, vice Surgeon John Eckford, deceased.

Assistant Surgeon Thomas Forrest to be Surgeon, from the 15th Oct., 1835, vice Surgeon John Allan, M. D, deceased.

Alteration of Rank.—Surgeons Benjamin Burt, M. D., to rank from 30th July, 1833, vice James Watson M. D, retired; John Dalrymple, to rank from 5th Aug., 1833, vice Savage retired; Robert Bransby Francis deceased, to rank from 28th ditto, 1833, vice W. Glass, M. D., retired; Donald Butter, M. D., to rank from 20th Sept., 1833, vice G. Waddell, M. D., deceased; James Duncan, to rank from 7th Oct., 1833, vice R. B Francis deceased; William Edward Carte, A. B., to rank from 28th January, 1834, vice H. H. Wilson retired; Edmund Tomkyns Harpur, to rank from 1st Feb., 1834, vice C. Robinson retired; Andrew Simson, M. D., to rank from 25th ditto, 1834, vice J. McDowell retired; James Barker, to rank from 24th April, 1834, vice J. Evans retired; Richard Nossiter Burnard, to rank from 16th September, 1834, vice J. Nicoll deceased; Gavin Turnbull, to rank from 31st March, 1835, vice J. G. Gerard, deceased; and Alexander Kyd Lindesay, to rank from 28th May, 1835, vice J. Counter, deceased.

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No. 235 of 1835.—Colonel J. P. Boileau, of the Regt. of Arty. is appointed President of the Special Prize Committee at Meerut, to relieve Colonel T. D. Stenart.

1st Lieut. George Girdwood Channer, of the Regt. of Arty., is permitted to proceed to Europe, on medical certificate.

Capt. N. Jones, of the 57th Regt. N. I. and Deputy Pay Master at Rajpootanah, has leave of absence from the 15th Nov. 1835 to the 29th Feb. 1836, to visit Cawnpore, on private affairs.

Capt. G. F. F. Vincent of the 8th Regt. N. I is appointed to act for Capt. Jones during his absence, or until further orders.

His Honor in Council is pleased to promote Overseer Serjeant C. Wood of the 10th or Agra Division of Public Works, to be Sub-Conductor, vice Sub-Conductor McCarthy deceased.

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FORT WILLIAM, NOVEMBER 6.

No. 237 of 1835.—Lieut. Colonel William Kennedy, Deputy Military Auditor General, having returned to the Presidency, is directed to resume the duties of his Office.

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FORT WILLIAM, NOVEMBER 9.

No. 238 of 1835—The Honorable the Governor-General of India in Council is pleased to make the following Promotions and Alteration of Rank:

40th Regt. N. I.—Lieut. and Brevet Captain Simon Fraser Hannay to be Captain of a Company, and Ensign Archibald Macdonald to be Lieutenant, from the first April 1835 in succession to Captain Thomas Robert Fell deceased.

N. B. The Rank of Captain, by Brevet, assigned to Lieut. Simon Fraser Hannay, in General Orders No. 107, of the 27th April last, is cancelled.

62d Regt. N. I.—Lieutenant and Brevet Capt. Joseph Hends Smith to be Captain of a Company, and Ensign John Christopher Alderson to be Lieutenant from the 2d November 1835, in succession to Captain G. Hamilton Cox transferred to the Invalid Establishment.

Medical Department.—Assistant Surgeon Morgan Powell to be Surgeon, vice Surgeon Francis Seymour Matthews deceased, with rank from the 15th October 1835, vice Surgeon John Allan, M. D., deceased.

Surgeon Robert Grahame to rank from the 2d September 1835, vice Surgeon Francis Seymour Matthews deceased.

Surgeon Thomas Forrest to rank from the 5th September 1835, vice Surgeon John Eckford deceased.

The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Captain Thomas Hickman, of the Regiment of Artillery, date of arrival at Fort William, 3d November, 1835.

Assistant Surgeon Alexander Binny Webster, M. D., of the Medical Department, ditto 2d ditto.

The following officers are permitted to proceed to Europe:

Captain William Frederick Steer, of the 32d Regiment N. I., and Lieut. Frederic Calder Minchin, of 67th Regt. N. I. on medical certificate.

Captain John Beresford Daniel Gahan, of the 26th Regiment N. I., and Lieutenant Alexander Jack, of the 30th Regiment N. I., on account of private affairs.

Lieutenant William Hughes Hall of the 6th Regiment Light Cavalry, has leave of absence from the 23d August last, to visit Bombay, on medical certificate.

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No. 240 of 1835.—Captain Thomas Williams, of the 70th Regt. N. I., is permitted to proceed to Europe, on medical certificate.

Lieut. Col. J. Colvin, Superintendent of Canals in the Delhie Territories, has leave of absence for three months, from the 15th instant, for the purpose of visiting the Presidency, on private affairs.

Lieut. W. ~~E. Baker, First Assistant~~ to the Superintendent, will officiate for Lieut. Col. Colvin during his absence.

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FORT WILLIAM, NOVEMBER 16.

No. 242 of 1835.—Mr. Edward Foite Dalton is admitted to the service, in conformity with his appointment by the Hon'ble the Court of Directors, as a Cadet of Infantry on this Establishment, and promoted to the rank of Ensign, leaving the date of his commission for future adjustment: date of arrival at Fort William, 12th Nov., 1835.

The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Capt. James Roxburgh, of the 39th Regt. N. I. date of arrival at Fort William, 3d Nov. 1835.

Surgeon William Seton Charters, M. D., of the medical department, ditto 12th ditto.

Lieut. Robert Napier, Assistant Superintendent of the Doab Canal, has leave of absence for six months, from the 15th ult., on medical certificate.

Cornet Hepburne, of the 5th Regt. L. C., at present under suspension for the exercise of his Military functions, and from pay and allowances, until the pleasure of the Hon'ble the Court of Directors shall be made known, is permitted to proceed to England, on urgent private affairs.

Mr. J. Aresti is permitted to resign his situation as Assistant Overseer, 2d division department of public works, to which he was appointed in General Orders No. 151, of the 31th July 1834.

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No. 243 of 1835.—The Governor General of India in Council is pleased to make the following appointments:

Department of public works.—Lieut. J. W. Fraser to be Executive Engineer of the Balasore division, vice Graham.

Lieut. J. W. Robertson to be Executive Engineer of the Saugor division, vice Willis.

Lieut. John Anderson, of the Corps of Engineers, to officiate for Lieut. R. Napier, as Assistant Superintendent of the Doab Canal.

Lieut. H. H. Duncan, of the Corps of Engineers, to officiate as an Assistant to the Superintendent of the Delhi Canals, during the temporary absence, on leave, of Lieut. Col. Colvin.

Medical Department.—Assistant Surgeon John Bowron, to the medical charge of the civil Station of Jessore.

Assistant Surgeon A. B. Webster, M. D. to officiate for Assistant Surgeon Innes, M. D., at the civil Station of Bhaugulpore.

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No. 244 of 1835.—The following Officers have obtained leave of absence, in the Judicial and Revenue Department, under date 10th instant:

Capt. J. Steel, Superintendent of Police of Calcutta, up to the 3d inst., in extension of the leave granted to him, for two months, on the 11th Aug. last.

Capt H. Rutherford, Principal Assistant to the Commissioner of Assam, up to the date of the sailing of the ship *Thomas Grenville*, in extension of the leave granted to him on the 6th ult.

Assistant Surgeon J. Davidson, Principal Assistant in charge of the Lohardugga division, under the Agent of the Governor General on the South-western frontier, for one month, from the 15th prox., to visit Calcutta, on private affairs.

Assistant Surgeon G. G. McPherson, attached to the Civil Station of Moorshedabad, for one month, to visit Calcutta, on private affairs.

Assistant Surgeon T. Chapman, M. D., attached to the Civil station of Purneah, for a fortnight, on medical certificate, in extension of the leave granted to him on the 13th ult.

The leave of absence granted by the Agra Government to Capt. J. Bedford, Deputy Surveyor General, on the 3d ult., will commence from the 5th instead of the 30th inst.

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FORT WILLIAM, NOVEMBER 23.

No. 246 of 1835.—Lieut. Thomas Henry Shuldham, of the 52d Regt. N. I., has returned to his duty on this establishment, without prejudice to his rank, by permission of the Hon'ble the Court of Directors, date of arrival at Fort William, 13th November, 1835.

The undermentioned officers are permitted to proceed to Europe.

Captain James Croudace, of the 11th Regt. N. I.

Lieut. Bernard Kendall, of the Left Wing, European Regt.

Lieut. John Graham, of the 55th Regt. N. I., 2d Lieut. Edward William Smyth Scott, of the Regt. of Artillery, and Ensign Cosmo Alexander Hepburne, of the 51st Regt. N. I., for one year, on medical certificate.

Captain Richard Radford Hughes, of the 62d Regt. N. I., on account of private affairs.

Captain John Moule, of the 23d Regt. N. I., has leave of absence from the 20th proximo, to the 20th of March, 1836, to visit Bombay, on private affairs.

The permission granted by the Bombay Government to Lieut. William Hughes Hall, of the 6th Regt. B. L. C., to proceed thence to Europe, on medical certificate, is confirmed by the Supreme Government. The furlough of Lieut. Hall is to be calculated from the 23d August last, the date from which his leave of absence to Bombay commenced, as published in General Orders No. 238, of the 9th instant.

The unexpired portion of the leave of absence granted to 2d Lieut. John Hall Smith, of the Regt. of Artillery, and Aide de Camp to the Governor General, in General Orders No. 179, of the 12th August last, is cancelled from the 4th instant.

Captain Philip Jackson, of the Regt. of Artillery, having been declared incapable of performing the active duties of his profession, is, at his own request, transferred to the Invalid Establishment.

Conductor Peter Blaney, of the Ordnance Commissariat Department, being declared incapable of performing the active duties of his profession, is transferred to the Invalid Pension Establishment.

Captain David Ruddell, of the Right Wing European Regt., has been permitted, in the Political Department, under date the 2d instant, to remain in Persia, on Military duty.

The services of Captain David Downing, of the 3d Regt. N. I., have been placed, in the Political Department, under date the

16th instant, at the disposal of the Agent to the Governor General for the States of Rajpootana.

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No 249 of 1835.—Native Doctor Shaik Waris Ali is placed at the disposal of the Agra Government, with the view to his being appointed to the civil station of Mirzapore.

Native Doctor Fukeerah Sing, attached to the civil station of Aing, in Arracan, but at present on sick leave at the Presidency, is placed at the disposal of His Excellency the Commander in Chief.

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FORT WILLIAM, 30TH NOVEMBER.

No. 250 of 1835.—The Honorable the Governor General of India in Council is pleased to make the following promotions:

Regiment of Artillery.—1st Lieut. and Bt. Capt. Proby Thomas Cautley to be Captain, and 2d Lieut. Llewelyn Smith to be 1st Lieutenant, from the 23d Nov. 1835, in succession to Capt Phillip Jackson, transferred to Invalid Establishment.

Supernumerary 2d Lieut. Robert Warburton is brought on the effective strength of the Regiment.

5th N. I.—Ensign Alexander Foulis Cunningham Deas, to be Lieutenant, from the 13th Nov. 1835, vice Lieut. Charles Terraneau, deceased.

The undermentioned officers are permitted to proceed to Europe:

Capt. Thomas Seaton, of the 35th N. I., and Surgeon Joseph Duncan of the Medical Department, on account of his private affairs.

Lieut. Roderick Macdonald, of the 69th N. I. and First Assistant Great Trigonometrical Survey, on medical certificate.

Col. Wm. Hopper, of the Regiment of Artillery, is permitted to proceed to the Cape of Good Hope, on medical certificate, and to be absent from Bengal on that account for two years.

Assistant Surgeon J. S. Login, M. D. appointed to the medical duties of the civil station of Howrah, has leave of absence for four months, from the 1st instant, to enable him to join his station.

Lieut. R. M. Hunter, of the 73d N. I. is permitted to resign his appointment to the Assam Sebundy Corps.

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No. 254 of 1835.—Regt. of Arty.—Supernumerary 5d Lieut. Joseph Scott Phillips, is brought on the effective strength of the Regiment, in the room of 2d Lieutenant Percival Bridgman, deceased, 17th April, 1835.

The undermentioned officers are permitted to proceed to Europe, on medical certificate.

Lieut. Joseph Chillcott, of the 74th N. I.

Ensign William Hayes Lewis Bird, of the 12th N. I.

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## GENERAL ORDERS BY HIS EXCELLENCY THE COMMANDER-IN-CHIEF.

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*Head Quarters, Calcutta, 22d October, 1835.*

The Commander in-Chief is pleased to direct, that the following General Order issued to His Majesty's Troops in India, be published to the Army:

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*Head-Quarters, Calcutta, 19th October.*

No. 929.—His Excellency the Commander in-Chief in India is pleased to promote the undermentioned officers of the Bengal Army holding the Commissions of Lieut. Colonel from His Majesty, to the Brevet rank of Colonel in India.—Commissions to be dated the 15th June 1831:

Lieut Colonel W. S. Whish, Bengal Artillery.
" W. Battine, ditto.
" G. Hunter, C. B. Bengal Infantry.

The Commander in-Chief is likewise pleased to promote Lieut. Colonel James Skinner, C. B. of the Bengal Local Horse, who also holds a Commission of Lieut. Colonel from His Majesty, to the Brevet rank of Colonel in India, from the same date.

The Commander-in-Chief is pleased to accept the resignation of the appointment of Acting Interpreter and Quarter Master to the 9th L. C., held by Ensign W. H. Ryves, of the 61st N. I., on the departure of the former Regiment from Kurnaul, in the course of the approaching relief, when he will rejoin his Corps

Cornet G. Jackson, of the 4th L. C., is permitted to proceed Kurnaul, and there await the arrival of his Regiment from Nusseerabad.

Ensign G. A. F. Hervey, of the 34th N. I., is permitted to remain at Allahabad, until the arrival there of his Regiment in progress to Futtehgurh.

*Head Quarters, Calcutta, 23d October.*

The Saugor Station Order of the 6th instant, appointing Lieut. J. S Davidson, of the 72d Regt. N. I., to act as Interpreter and Quarter Master to the 64th Regt. N. I., is confirmed as a temporary arrangement.

The Oude District Orders of the 8th instant, directing the following temporary medical arrangements, are confirmed:

Assistant Surgeon H. A. Bruce, M. D. of the 35th, to proceed to Seetapore, and relieve Assistant Surgeon T. B. Hart from the medical charge of the 48th Regt. N. I.

Assistant Surgeon Hart to assume the medical charge of the 35th Regt. N. I. and Details of Artillery at Lucknow, during the period of his attendance at that Station as a witness before a Native General Court Martial.

Assistant Surgeon J. F. Stewart, M. D. of the 59th, to afford medical aid to the 35th Regt. N. I. and Artillery at Lucknow, until Assistant Surgeon Hart's arrival.

Unposted Ensign George Augustus Brett, lately admitted into the Service, is appointed to do duty with the 1st Regt. N. I. at Cawnpore, at his own request and directed to join.

The undermentioned Officers have leave of absence:

8th Regt. L. C.—Lieut and Brevet Captain E. C. Archbold, from 1st November to 31st December, to visit the Presidency, preparatory to submitting an application for permission to resign the Service.

35th Regt. N. I.—Lieut. A. G. F. J. Younghusband, from 14th October to 20th November, to remain in Calcutta, on private affairs.

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The Cawnpore Division Orders of the 8th instant directing Assistant Apothecary Charles Asia Carr, attached to the 16th Lancers, to proceed, as Assistant Apothecary and Assistant Steward, with the Head-Quarters and 1st Company 3d Battalion Artillery to Mhow, and Assistant Steward John Hennessy, doing duty with the 2d Brigade, to accompany the 2d Company 3d Battalion Artillery to Saugor, in a similar capacity, are confirmed.

The Rajpootanish District Order of the 4th instant, appointing Captain J. Hall, of the 8th Regt. N. I., to officiate as Deputy Judge Advocate at a Native General-Court Martial assembled at Nusseerabad, is confirmed.

The Rajpootanah District Order of the 6th instant, appointing Captain H. W. Bellew, Deputy-Assistant Quarter Master General, to officiate as Deputy Judge advocate at an European General Court Martial, assembled at Nusseerabad, is confirmed.

Ensign A. Boyd, of the 15th Native Infantry is permitted to remain at Benares until the arrival there of his Regiment.

Ensign J. C. Johnston, of the 29th Native Infantry, is permitted to remain at Baudah until the arrival there of his Regiment.

Conductor Joseph Hamilton is appointed permanently to the Arsenal of Fort William, in the room of Sub-Conductor William Coles, deceased.

Sub-Conductor George Grainer is appointed to officiate, until relieved by Conductor Hamilton, who is proceeding on duty to the Upper Provinces.

Sergeant Walter Law, of the Ajmere Magazine, is, at his own request, remanded to the Artillery, and will revert to the rank he held previous to his being placed on the Town Major's List.

Supernumerary Park Serjeant James Leonard, is removed from the Delhi to the Saugor Magazine, vice Steele, at present a patient in the Insane Asylum at the Presidency.

Corporal George Adamson, of the Sappers and Miners, is placed at the disposal of the Chief Engineer, until further orders, for employment in Fort William, vice Private R. G. Smith, whose name appeared for this duty in General Orders of the 16th instant.

The undermentioned Officers have leave of absence:

Left Wing European Regiment—Lieutenant-Colonel D. Presgrave, (late Assay and Mint Master, Saugor,) from 21st September to 30th November, to remain at Saugor, to close his accounts.

54th Regt. N. I.—Lieut. N. Palmer, from 10th October to 10th April 1836, to visit the Presidency, on medical certificate, and apply for furlough.

6th Regt. L. C.—Cornet G. Scott, from 30th Oct. to 15th Jan. 1836 in extension, to enable him to rejoin.

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*Head-Quarters, Calcutta, 24th October.*

The Cawnpore Division Order of the 2d instant, appointing Assistant Surgeon C. Mckinnon, M. D., of the 2d Brigade Horse Artillery, to perform the medical duties of the 71st Regt. N. I., during the absence, on leave of Assistant Surgeon A. Chalmers M. D., is confirmed.

The undermentioned Officer has leave of absence:

37th Regt. N. I.—Captain W. S. Prole, from 30th Oct. to 1st Jan. 1836, to remain at the Presidency, on urgent private affairs.

The undermentioned Officers have leave of absence:

69th Regt. N. I.—Lieut. and Adjt. F. E., Smith, from 8th Sept. 1836, to visit Simla and Mussoorie on medical certificate.

1st Company 5th Battalion, Artillery—2d Lieut W. H. Delamain, from 15th Nov. to 15th April 1836, in extension, to remain at Simla, on medical certificate.

13th Regt. N. I.—Lieut. and Adjt. G. H. Edwardes, from 1st. Nov. to 1st May 1836, to visit the Presidency, on private affairs.

26th Regt. N. I.—Ensign J. G. Gaitskeel, from 12th Oct. to 10th Nov. to remain at Nusseerabad, on medical certificate.

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*Head-Quarters, Calcutta, 28th October.*

The Singapore Division Order of the 19th instant, appointing Seo Persaud, Native Doctor, attached to the 67th Regiment N. I., to proceed to Dorupdah, and afford Medical aid to a portion of the Ramgurh Light Infantry Battalion, during the absence of the Head-Quarters of that Regiment, or until further orders, is confirmed.

The Regiment Order by Major D. Crichton, Commanding the 69th N. I, under date the 9th ultimo, appointing Lieutenant E. Garrett to act as Adjutant to the Corps, during the absence of Lieutenant and Adjutant F. E. Smith, on medical certificate, is confirmed.

The following removals and postings will take place in the Regiment of Artillery:

1st Lieutenant K. J. White, (on Staff employ) from the 1st Company 4th Battalion to the 2d Company 1st Battalion.

1st Lieutenant F. W. Cornish, new promotion, (on Staff employ) to the 2d Troop 3d Brigade Horse Artillery.

2d Lieut. T. J. W. Hungerford, brought on the strength (on furlough) to the 3d Troop, 3d Brigade, Horse Artillery.

Lieutenant J. R. Lumley, of the 9th N. I., is permitted to proceed to Benares, there to await the arrival of his Regiment, which he will join as it passes the Station in progress to Barrackpore.

Veterinary Surgeon John Phillips, at present doing duty with the 3d Light Cavalry, is permanently posted to that Regiment, Vice-Veterinary Surgeon R. B. Parry, appointed to the Central Stud.

The undermentioned Officers have leave of absence:

49th Regiment N. I.—Lieutenant (Brevet Captain) and Adjutant F. C. Smith, from 25th October to ——————, to visit the Presidency, on medical certificate, and apply for furlough, on account of his health. N. B. This cancels the leave granted to him in General Orders of the 28th September last.

60th Regiment N. I.—Lieutenant T. Riddell, from 10th December to 20th February 1836, in extension to enable him to rejoin his Regiment.

63d Regiment N. I.—Lieutenant F. T. Erskine, from 1st November to 1st February, 1836, to visit the Presidency on medical certificate, and apply for furlough, on account of his health.

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*Head Quarters, Calcutta, 29th October.*

The following Division Orders by Major General the Honorable J. Ramsay, Commanding the Meerut Division, under date the 13th instant, are confirmed:

Appointing Lieut. and Brevet Captain R. D. White, of the 69th Regt. N. I., to officiate as Major of Brigade at Meerut, vice Captain and Officiating Major of Brigade J. Hewett, of the 52d Regt. N. I., who resigns the appointment consequent on the approaching march of his Corps towards Nusseerabad, in pursuance of the relief.

Appointing Soopon Khan, native doctor, doing duty with the 52d Regt. N. I., permanently to that Corps, in the room of Fuckeer Oollah Beg, deceased.

The District Order by Brigadier W. Burgh, Commanding the Rajpootanah Field Force, of the 8th instant, appointing Surgeon I. Jackson, of the 17th Regt. N. I., to the medical charge of the Detachment of Artillery at Jeypore, from the 30th Sept. last, is confirmed.

The Neemuch Station Orders of the 10th instant, directing Assistant Surgeon J. Bruce, of the 28th Regt. N. I., to proceed to Nusseerabad; and appointing Assistant Surgeon A. C. Duncan, M. D, Medical Store keeper at Neemuch, to the medical charge of the 28th Regt. N. I., during the absence, on duty of Assistant Surgeon J. Bruce, are confirmed.

The leave of absence granted to Lieut. C. H. Thomas, of the 11th Regt. N. I., in General Orders of the 27th July last, is cancelled from the 4th instant, at his own request.

The leave of absence granted to Lieut. A. Mackenzie, of the 11th Regt. N. I., in General Orders of the 28th Sept. last, is cancelled at his own request.

The Commander-in-Chief is pleased to make the following removals in the Subordinate Ordnance Commissariat Department:

Conductor John Smith, from the Penang to the Singapore Magazine.

Sub Conductor P. Caulfield, from the Singapore to the Penang Magazine.

The undermentioned officer has leave of absence:

61st Regt. N. I. Captain J. Macdonald, from 20th Oct. to 15th Dec., to remain at the Presidency, on private affairs.

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*Head-Quarters, Calcutta, 30th October.*

The Detachment Order issued by Major D. Crichton, under date the 5th instant, appointing Lieut. and Brevet Capt. R. Garrett, Interpreter and Quarter Master of the 69th Regt. N. I., to act as Staff to a Detachment, consisting of the 1st L. C. and the 69th Regt. N. I., proceeding on duty to Delhi, is confirmed.

The Regimental Order dated the 7th instant, nominating Lieut. G. P. Brooke to act as Adjutant to the 68th N. I., during the indisposition of Lieut. and Adjutant S. J. Grove, is confirmed.

The Loodianah Station Order dated the 15th instant appointing Lieut. and Adjutant W. Bridge, of the 62d Regt. N. I., to act as Station Staff, is confirmed.

With the sanction of Government, the Commander-in-Chief is pleased to remove Lieut. E. R. Lyons, of the 37th Regt. N. I., from the Assam to the Sylhet Light Infantry.

His Excellency the Commander-in-Chief is pleased to direct the following removals:

Ensign C. L. N. Raikes, from the 70th to the 67th Regt. N. I.
Ensign C. W. Duffin, from the 40th to the 25th Regt. N. I.

The leave of absence, for three months, granted in General Orders of the 28th August last, to Lieutenant (now Captain) J. Mathias, of the 33d Regt. N. I., is to commence from the 10th of November, instead of the date therein specified.

2d Lieutenant Richard Maule, of the Regt. of Artillery, is exempted from further examination in the Native languages having been declared by the Examiners of the College of Fort William to be fully qualified for the appointment of Interpreter.

Gunner Thomas Jones, of the 1st Company 2d Battalion Artillery, having by the General Court Martial held at Nusseerabad for his trial, been acquitted of the Charges preferred against him. The Commander-in-Chief directs, that he shall be released from confinement, and return to his duty.

The undermentioned Officers have leave of absence:

Brigade Staff.—Captain R. Wyllie, Major of Brigade, Cawnpore, from 10th Nov., to 10th March 1836, to visit the Presidency, on private affairs.

25th Regt. N. I.—Ensign H. J. C. Shakespear, from 8th Nov., to 8th Dec., in extension, on medical certificate.

67th Regt. N. I.—Ensign R. Price, from 31st Oct., to 31st Dec., in extension to appear before the Examiners of the College of Fort William.

47th Regt. N. I.—Lieut. G. C. Armstrong, from 14th Oct. to 14th Nov., in extension to enable him to rejoin.

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*Head-Quarters, Calcutta, 31st October.*

The Artillery Division Order by Colonel H. Faithfull, dated Cawnpore the 10th instant, directing 2d Lieut. W. K. Warner to act as Adjutant to the 3d and 4th Companies 3d Battalion Artillery, from the 15th Oct., or on the march of the Head Quarters of the Battalion, is confirmed.

The District Order by Brigadier J. Tombs, Commanding Rohilcund and Kemaoon, under date the 12th instant appointing Capt. A. Spens, of the 74th Regt. N. I., to officiate as Major of Brigade, in the room of Capt. S. L. Thornton of the 13th N. I., about to proceed with his Corps to Nusseerabad, is confirmed.

The Mhow Station Order of the 12th instant, appointing Lieut. Interpreter and Quarter Master W. Alston, of the 68th Regt. N. I., to officiate as Deputy Judge Advocate at an European General Court Martial assembled at that Station, is confirmed.

The Commander-in-Chief is pleased to make the following removals:

Lieut. Colonel A. Warde, (on Furlough) from the 10th to the 6th Regt. Light Cavalry.

Lieut. Colonel D. Harriott (new promotion) to the 10th Regt. Light. Cavalry.

Lieut. R. S. Tickell, of the 72d N. I. is permitted to resign his appointment as Interpreter and Quarter Master to the Regiment.

Unposted Ensign George Gardner Bowring, lately admitted into the Service, is appointed to do duty with the 29th Regt. N. I. at Baudah.

Quarter Master Sergeant Thomas May, of the 19th Regt. N. I., is appointed Sergeant Major to the Ramgurh Light Infantry Battalion, vice Kelly, promoted to Sub-Conductor.

The undermentioned Officers have leave of absence:

27th Regt. N. I.—Major R. Wernie from 29th Oct. to 20th Feb., 1836, to visit the Presidency, on medical certificate, and apply for leave to proceed to Sea, on account of his health.

28th Regt. N. I.—Capt. J. A. Fairhead, from 2d Nov., to 2d March 1836, to visit the Presidency on Medical Certificate, and apply for Furlough.

72d Regt. N. I.—Lieut. R. S. Tickwell, from 16th Oct., to ——to visit the Presidency on medical certificate, and apply for furlough.

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*Head-Quarters, Calcutta, 3d November.*

Unposted Cornet William Fraser Tytler, lately admitted into the Service, is appointed to do duty with the 8th Regt. L. C. at Sultanpare, Benares.

The undermentioned officers have leave of absence:

52d Regt. N. I. Ensign C. Hagart, from 20th Oct. to 20th Oct. 1835, to visit the Hills North of Deyrah Dhoon, on Medical Certificate.

17th Regt. N. I.—Assistant Surgeon W. O. H. McCheyne, from 22d Oct. to 22d April 1836, to visit the Presidency, on medical certificate, and apply for furlough.

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*Head Quarters Calcutta, 4th November.*

The Oude District Order of the 25th Sept. last directing Assistant Surgeon J. F Stewart, M. D., of the 50th, to afford medical aid to the 47th Regt. N. I., on the departure of Surgeon J. Duncan, on leave of absence, is confirmed.

Cavalry—Supernumerary Cornet A. W. C. Plowden, doing duty with the 5th L. C., from 1st Nov. to 20th Dec., in extension, to enable him to rejoin.

Left Wing European Regt.—Lieut. B. Kendall, from 23d Oct. to 1st Feb 1836, on medical certificate, to visit the Presidency.

4th Regt. N. I.—Lieut D. Wilkie, from 15th November to 15th April 1836, on urgent private affairs, to visit Sehore.

34th Regt. N. I.—Captain J. T. Croft, from 10th November to 10th January 1836, to visit the Presidency, preparatory to submitting an application for furlough.

47th Regt. N. I.—Lieut. G. C. Armstrong, 14th November to 5th December, in extension, to enable him to rejoin.

58th Regt. N. I.—Major J. Frushard, from 20th November to 1st February 1836, to visit the Presidency, on private affairs.

Invalid Establishment.—Lieut. F. Wallace, from 1st January 1836, to 1st January 1837, on private affairs, to visit Mirzapore, Chunar and Benares.

51st Regt. N. I.—Lieut Colonel G. Hawes, from 15th November to 15th March 1836, to visit the Presidency, preparatory to applying for permission to retire from the Service.

8th Regt. N. I.—Lieut. Interpreter and Quarter Master T. S. Price, from 25th October to 25th April 1836, to visit the Presidency, on medical certificate, and apply for furlough.

69th Regt. N. I.—Lieut. and Adjutant S. J. Grove, from 1st November to 1st may 1836, to visit the Presidency, on medical certificate, and apply for furlough.

26th Regt. N. I.—Ensign J. G. Gaitskell, from 10th November to 10th June 1836, in extension, to visit the Presidency, on medical certificate.

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*Head Quarters, Calcutta, 5th November.*

The Dinapore Division Orders of the 23d ultimo, directing Lieutenant C. Jorden, of the European Regiment, to proceed by water to Agra, in charge of the Sick and Convalescents of that Corps; Assistant Surgeons A. Thomson and J. W. Knight to afford medical aid to the same; and Steward John Hampton, officiating Assistant Apothecary, Edward Eusor, and Apprentice Thomas James Baine to accompany the Detachment, are confirmed.

Lieut. R. S. Simpson, of the 27th Regt. N. I., is appointed to officiate as Adjutant to the Nusseree Battalion during the absence, on leave on medical certificate, of Lieut. and Adjutant C. O'Brien.

The undermentioned officers have leave of absence:

64th Regt. N. I.—Ensign C. L. Edwards, from 8th Oct. to 30th November, to remain at Banda, on medical certificate and to join his Corps.

4th Regt. N. I.—Ensign R. W. Bird, from 14th Nov. to 15th, Janv. 1836, in extension, to remain at Allahabad on private affairs.

*Head Quarters, Calcutta, 6th November.*

The Dinapore Division Order of the 27th ultimo, directing Lieut. Interpreter and Quarter Master J. R. Younger, of the 50th Regt. N. I., to officiate as Deputy Judge Advocate at an European General Court Martial assembled at that Station, is confirmed.

His Excellency the Commander-in Chief is pleased to appoint Captain Henry Delafosse to the Command of the 3d Troop 1st Brigade Horse Artillery, vice Pennington, deceased.

Surgeon Thomas Forrest lately promoted, is posted to the 25th Regt. N. I. at Mirzapore.

Veterinary Surgeon Richard Wallis, lately admitted into the Service, is posted to the 8th Regt. L. C. at Sultanpore, Benares.

His Excellency the Commander-in-Chief is pleased to direct the following removals:

Ensign Thomas Tudor Tucker, from the 30th to the 74th Regt. N. I.

Ensign George Richard James Meares, from the 19th to the 12th Regt. N. I.

Ensign Charles Lionel Showers, from the 45th to the 14th Regt. N. I.

The Commander-in-Chief is pleased to make the following appointment:

72d Regt. N. I.—Lieut. J. S. Davidson to be Interpreter and Quarter-Master, vice R. S. Tickell resigned that appointment.

With the sanction of Government, Ensign S. R. Tickell, of the 31st Regt. N. I., is directed to accompany the Ramghur L. J. B., for the performance of a special duty, during the projected movement of that Corps, or until further orders.

Unposted Ensigns Henry Frederick Dunsford and Robert Renny, at present doing duty with the 34th Regt., will join and do duty with the 24th N. I., on its arrival at Midnapore.

Conductor William Hunt, Junior, is removed from the Expense Magazine to the Arsenal of Fort William.

The undermentioned officers have leave of absence:

12th Regt. N. I.—Ensign W. H. L. Bird, from 28th Oct. to 28th Jan. 1836, to visit the Presidency, on medical certificate and apply for furlough.

71st Regt. N. I.—Capt. E. Wiptle, from 20th Nov. to 20th Nov. 1836, in extension, to remain in the Hills, on medical certificate.

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*Head Quarters, Calcutta, 9th November.*

The Regimental Order of the 18th ultimo, appointing Lieut. and Brevet Capt. C. H. Naylor to act as Interpreter and Quarter-Master to the 8th Regt. N. I. during the indisposition of Lieut. Interpreter and Quarter-Master T. S. Price, is confirmed.

Surgeon John Mitchel Todd is removed from the 35th to the 10th Regt. N. I. at Barrackpore.

The undermentioned officers have leave of absence;

General Staff—Brigadier General W. Richards, C. B. Commanding Dinapore Division, from 21st December to 25th November 1836, on medical certificate, to visit Agra and Simla.

62d Regt. N. I.—Major J. Watkins, from 19th October to 31st December, to remain at the Presidency on urgent private affairs.

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*Head-Quarters, Calcutta, 10th November.*

The Neemuch Station Order of the 24th ultimo, appointing Lieut. R. R. W. Ellis of the 23d Regt. N. I., to act as Interpreter and Quarter Master to the 37th Regt. N. I., until further orders, is confirmed.

Assistant Commissary Archibald Cameron, at present attached to the Allahabad Magazine, is posted to the Arsenal of Fort William.

Assistant Commissary Peter Carey, at present attached to the Chunar Magazine, is posted to the Magazine at Allahabad.

The undermentioned officers have leave of absence:

4th Troop 3d Brigade Horse Artillery.—1st Lieut A. Fitzgerald, from 15th November to 15th November 1836, to visit the Presidency on medical certificate.

9th Regt. L. C.—Lieut. A. Tucker, from 10th November to 28th February 1836, to visit the Presidency, on medical certificate, and apply for furlough.

20th Regt. N. I.—Lieut. C. Raitray, from 28th November to 15th Nov. 1836, in extension, to remain at Simla, on medical certificate.

21st Regt. N. I.—Lieut. R. Lowry, from 25th December to to 25th June 1836, to visit the Presidency, and apply for one year's furlough to Europe, without pay, on private affairs.

*Head-Quarters, Calcutta, 12th November.*

The following Orders by Major-General the Honorable John Ramsay, Commanding the Meerut Division, dated the 18th and 25th ultimo, are confirmed:

October 18.—Directing Capt. R. T. Bere, of His Majesty's 16th Lancers. Lieut. R. Cautley, of the 10th Regt. L. C., and 1st Lieut. E. Christie, of the 2d Troop 3d Brigade Horse Artillery, to continue to do duty at the Convalescent Depot at Landour, until the 1st December.

Directing Bhawannee Dheen Pathuk, Medical Student, doing duty with the 30th N. I. to proceed to Almorah and officiate as native doctor to the 7th Regt. N. I., during the absence, on sick certificate, of Nunkoo Lall.

Directing Assistant Surgeon W. R. Watson, of the 1st Brigade Horse Artillery, now doing duty with the 69th, to join and do duty with the 52d Regt. N. I., on its march to Nusseerabad.

October 25th.—Removing Juggunnauth Mishr, Peer Khaun and Imaum Khaun, Medical Students, from the Hospital of the 1st Regt. L. C., and appointing them to do duty with the 30th Regt. N. I.

Appointing Corget V. F. T Turner, of the 1st Regt. L C to the charge of the Remount Horses from the Hanper Stud destined for Mutra, Mhow, and Neemuch.

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*Head-Quarters, Calcutta, 13th November.*

In conformity with instructions from the Honorable the Court of Directors the Commander in Chief is pleased to direct, that the substitution of Muskets for Fuzils in the equipment of the Artillery Regt. be notified in General Orders; the arrangement to have effect in the gradual order that the Fuzils now in use become unserviceable.

The Delhi Garrison Order of the 25th Sept. last appointing Capt. F. B. Corfield, of the 20th Regt. N. I., to act as Major of Brigade at Delhi, vice Capt. J. Leeson permitted to resign the appointment, is confirmed.

The Futtehgurh Station Order of the 22d ultimo, directing Surgeon B. Bell, of the 60th Regt. N. I., to deliver over medical charge of the Left Wing 3d Regt. N. I. and Detail of Artillery to Assistant Surgeon A. Crighton, M. D., of the 5th Regt. L. C., and the Left Wing 71st Regt. N. I., to Assistant Surgeon C. McKinnon, M. D., of the 2d Brigade Horse Artillery, is confirmed.

The Regimental Order dated the 12th ultimo, appointing Lieut. and Brevet Capt. C. Troup to officiate as Adjutant to the 48th Regt. N. I., during the absence, on leave, of Lieut. and Brevet Capt. F. D. Smith, is confirmed.

Assistant Surgeon Archibald Mackean, on being relieved from the Civil duties of the Station of Cawnpore, will proceed to Neemuch, and do duty under the orders of Superintending Surgeon William Panton.

The leave of absence, for six months granted to Assistant Apothecary Henry Shinks, in General Orders of the 1st July last, is to be calculated from the 17th of August, instead of the date therein specified.

The undermentioned unposted Ensigns, lately admitted into the service, are appointed to do duty with the Regiments stated opposite their respective names, and directed to join:

Ensign Charles Reid, with the 43d Regt. N. I. at Barrackpore.

Ensign Thomas Pownall, with the 67th Regt. N. I. at Dinapore.

Meer Jann, supernumerary Native Doctor, now doing duty under the superintending Surgeon at Cawnpore, is nominated as Third Native Doctor, permanently, for the performance of the duties at Ajmere.

The undermentioned Officers have leave of absence:

Invalid Establishment—Lieut. S. Earle, from 15th December to 15th June 1836, on private affairs, to visit the Presidency.

43d Regt. N. I.—Lieut A. H. Duncan, A. D. C. to Brigadier General A. Duncan, from 25th Nov. to 25th May 1936, to visit the Presidency, on private affairs.

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*Head Quarters, Calcutta, 14th November.*

Assistant Surgeon A. B. Webster, M. D., of the 48th Regt. N. I., and Assistant Surgeon W. Brydon, now at the General Hospital, are appointed to do duty with the Detachment of His Majesty's Troops proceeding from Fort William to the Upper Provinces, under the Command of Lieut. Col. T. Mackrell, and directed to report themselves immediately to that officer and to Surgeon Steele, of His Majesty's 13th Foot, in medical charge.

On being relieved from duty with this Detachment, Assistant Surgeon Webster will join the Corps to which he stands posted, and Assistant Surgeon Brydon will proceed to Neemuch, and do duty under the orders of the superintending Surgeon of that Circle.

The following subordinate medical servants are appointed to do duty with the Detachment, and will immediately place themselves under the orders of Surgeon Steele.

Apothecary John Butler doing duty at the General Hospital.

Assistant Apothecary William George Carrison, doing duty at the General Hospital, as Steward.

Hospital Apprentice James Jarves, doing duty at the General Hospital.

Hospital Apprentice Henry McMullen, now on leave at the Presidency.

Hospital Apprentice Robert O'Connor, attached to His Majesty's 38th Foot.

Hospital Apprentice Charles Bath, attached to the General Hospital.

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*Head Quarters, Calcutta, 16th November.*

Supernumerary 2d Lieut. J. H. Smyth is appointed to do duty with the 1st Troop 2d Brigade Horse Artillery.

Capt. T. B. P. Festing, of the Invalid Establishment, is permitted to reside at Cuttack, and to draw his allowances from the Presidency Pay Master.

Assistant Surgeon John Magrath of the 3d Regiment Local Horse, is appointed to the Medical duties at Mussoorie, and will proceed and join as soon as relieved from his present charge.

Assistant Surgeon James Henry Dallas, M. D., now attached to the 48th Regt. N. I., is appointed to the Medical duties at Simla, and will proceed and join forthwith.

Assistant Surgeon J. B. Macdonald will continue to perform the Medical duties of Simla, until relieved by Assistant Surgeon Dallas.

The undermentioned Officers have leave of absence:

1st Regt. N. I. Capt. F. Rowcroft, from 20th Nov. to 20th Feb. 1836, to visit Calcutta, on private affairs, and apply for furlough.

Medical Department—Assistant Surgeon H. Roe, from 1st Dec. to 1st Jan. 1836, in extension, to remain at Tipperah, on private affairs.

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*Head-Quarters, Calcutta, 17th November.*

His Excellency the Commander in Chief is pleased to make the following removal.

Ensign E. P. Impey, from the 22d to the 18th Regt. N. I., as junior of his rank.

Private Joseph Corser, who was discharged from His Majesty's 11th Light Dragoons, and enlisted into the service of the Hon'ble Company on the 1st inst., is promoted to Sergeant from that date, transferred to the Town Major's list, and appointed Quarter Master Sergeant to the 10th Regt. L. C. at Muttra, vice Teal.

The undermentioned Officer has leave of absence:

12th Regt. N. I. Lieut. Col. B. Sissmore, from 15th Oct. to 1st January 1836, to visit the Presidency, on private affairs. This cancels the leave granted by General Orders of the 27th July last.

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*Head-Quarters, Calcutta, 18th November.*

The Dinapore Station Order of the 31st ult., appointing Surgeon G. King, of the 56th Regt. N. I., to the medical charge of the Artillery at that Station, from the 1st inst., is confirmed.

The following removals and postings to take place in the Regiment of Artillery.

Colonel J. D. Sherwood, (on furlough) from the 4th Battalion to the 2d Brigade.

Colonel A. Lindsay, C. B., new promotion, to the 4th Battalion.

Lieut. Col. G. E. Gowan, new promotion, to the 4th Battalion.

Major J. C. Hyde, (on furlough) from the 4th Battalion to the 2d Brigade.

Major P. L. Pew, new promotion, to the 4th Battalion.

Capts. T. Sanders, from the 1st Company 5th Battalion, to the 2d Company 6th Battalion; G. Twemlow, (on staff employ) from the 5th Company 7th Battalion, to the 3d Company 5th Battalion: G. Emly, from the 3d Company 5th Battalion, to the 1st Company 6th Battalion; P. A. Torckler, new promotion, to the 6th Company 7th Battalion; G. S. Lawrenson, new promotion, to the 1st Company 5th Battalion.

1st Lieuts. G. Campbell, from the 4th Troop 3d Brigade, to the 2d Troop 1st Brigade; G. Larkins, from the 2d Troop 1st Brigade, to the 3d Troop 2d Brigade; R. R. Kinleside, from the 2d Company 3d Battalion, to the 2d Troop 3d Brigade; F. C. Burnett, (on Furlough) from the 1st Troop 1st Brigade, to the 6th Company 7th Battalion; F. W. Cornish (on Staff employ) from the 2d Troop 3d Brigade, to the 2d Company 3d Battalion; A. Broome, new promotion, to the 4th Company 3d Battalion; A. Huish, new promotion, to the 4th Troop 2d Brigade.

2d Lieuts. T. Edwards, (on Furlough) from the 5th Company 7th Battalion, to the 4th Troop 3d Brigade; F. Wall, (on Furlough) from the 3d Company 7th Battalion, to the 2d Troop 3d Brigade; R. Walker, (on Staff employ) from the 1st Company 7th Battalion, to the 3d Troop 1st Brigade; E. W. S. Scott, from the 4th Company 5th Battalion, to the 1st Company 7th Battalion; T. Bacon, brought on the strength, with the 3d Company, 7th Battalion J. Abercrombie, brought on the strength to the 2d Company 7th Battalion, and will continue to do duty with the 2d Company 5th Battalion, until its arrival at Cawnpore.

The undermentioned Officers have leave of absence:

74th Regt. N. I.—Ensign G. Parker, from 14th Oct. to 14th Nov., to remain at Baitool, on private affairs.

57th Regt. N. I.—Surgeon M. Powell from 1st December to 1st December 1836, to visit Simla, on medical certificate.

17th Regt. N. I.—Lieut. P. Shortreed, from 28th Oct. to 15th Nov., to remain at Nasseerabad, on medical certificate.

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*Head-Quarters, Calcutta, 19th November.*

The Agra Garrison and Station Order by Brigadier E. Cartwright, under date the 27th Sept. last, appointing Hospital Apprentice William Hyde to act as Assistant Apothecary to the Detachment of European Artillery at Jeypore, and to proceed immediately and join, is confirmed.

The Order issued under date the 25th ultimo, by Brigadier E. Cartwright, Commanding at Agra, directing Surgeon John Griffiths to deliver over Medical charge of the 36th Regt. N. I. to Assistant Surgeon Alexander McKenzie Clark, to join the 52d N. I. on its arrival at Muttra, and to proceed in Medical charge of that Regiment to Nusseerabad, is confirmed.

The District Order by Brigadier W. Burgh, Commanding the Rajpotanah Field Force, of the 31st ultimo, directing Surgeon Robert Brown, of the 36th Regt. N. I., to continue in Medical charge of the 8th Regiment, until his services can be dispensed with, is confirmed.

The Benares Division Order by Brigadier General M. White, of the 8th instant, directing Hospital Steward George, Assistant Apothecary George Simonds, and Hospital Apprentice William George Bayley to proceed with the Hospital Boats of His Majesty's 3d Regiment of Foot, or Buffs, from Ghazeepore to Meerut, and appointing Assistant Surgeon Thomas Russel to the Medical Charge of the Sick and convalescents of that Regiment proceeding by water to Meerut, is confirmed.

The Dinapore Station Order of the 8th instant, appointing Surgeon J. Johnstone, M. D., of the 67th Regt N. I., to afford medical aid to the Staff at that Station, from the 9th instant, is confirmed.

The Jubbulpore Station Order of the 27th ultimo, directing Assistant Surgeon C. J. Macdonald, of the 20th Regt. N. I., to afford medical aid to the Prisoners in Jail and to the Nujeeb Corps at Jubbulpore, during the absence, on duty, of Surgeon G. G. Spilsbury, or until further orders, is confirmed.

Having Shaik Kummerally, of the 6th Regt. L. C., having been examined by a special medical committee, and pronounced unfit for further duty, is transferred to the Pension Establishment, from the 1st proximo.

The undermentioned Officer has leave of absence:

51st Regt. N. I.—Ensign C. A. Hepburne, from 8th November to 8th December, in extension, to remain at the Presidency, on medical certificate.

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*Head-Quarters, Calcutta, 20th November.*

His Excellency the Commander in Chief has been pleased to cancel the General Order directing Officers in Command of Stations, Garrisons and Posts, to transmit Monthly Returns of the Troops and Establishments under their Command to Head Quarters, and in lieu of the present Form, to approve of another, (a copy of which will be furnished to Commanding Officers,) to be introduced from the month of January next.

Captain Thomas Edmund Sampson, of the 22d Regt N. I., is appointed to officiate as Deputy Judge Advocate General to the Western Division, from the date of departure of Captain C. C. Ross, on sick certificate, or until further orders.

Assistant Surgeon Hubbersty Maddison Tweddell is removed from the 52d, and posted to the 31st Regt. N. I. at Bancoorah, vice Assistant Surgeon Bowron, appointed to the Civil Station of Jessore.

The undermentioned Officer have leave of absence:

5th Regt. N. I.—Lieut. J. B. Lock, from 25th October to 25th March 1836, to visit the Presidency, on medical certificate, preparatory to applying for furlough.

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*Head Quarters, Calcutta, 21st November.*

The Mhow Station Order of the 2d instant, directing Capt. T. Des Vœux, of the 44th Regt. N. I., to officiate as Major of Brigade to the Malwah Field Force, on the departure of Capt. F. E. Manning, and during the absence, on leave, of Capt. and Brigade Major C. Cheape, is confirmed.

The Regimental Order by Lieut. Colonel T. S. Oliver, Commanding the 29th N. I., under date the 1st ultimo, appointing Lieut J. C. Haslock to act as Adjutant to the Corps, in the room of Ensign H. Howorth, permitted to resign the appointment, and during the absence, on medical Certificate, of Lieut. and Adjutant G. Pengree, is confirmed.

Surgeon Morgan Powell is removed from the 57th to the 64th Regt. N. I. at Saugor.

Surgeon Alexander Kyd Lindesay is removed from the 58th to the 57th Regt. N. I. at Secrole, Benares, and directed to join on being relieved from the medical duties of the Garrison of Chunar by Garrison Surgeon James Clarke.

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Lieut. Colonel G. E. Gowan, of the 4th Battalion Artillery, is to continue in Command of the Artillery Division at Neemuch, until further orders.

Major P. L. Pew is directed to join the Head Quarters of the 4th Battalion Artillery, to which he was posted in General Orders of the 18th instant, on their arrival at Agra.

1st Lieut. A. Huish (new promotion) is posted to the 4th Troop of the 3d, instead, of the 2d Brigade, as announced in General Orders of the 18th instant.

The undermentioned Warrant officers has leave of absence:

Ordnance Commissariat Department—Conductor J. Tresham, from 10th November to 10th May 1836, to visit the Presidency, on medical certificate.

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*Head-Quarters, Calcutta, 24th November.*

The undermentioned Officers having been declared by the Examiners of the College of Fort William to be qualified for the duties of Interpreter, are exempted from further examination in the Native languages:

Lieut. Frederick William Birch, of the 41st Regt. N. I.

Lieut. George Augustus Mee, of the 58th Regt. N. I.

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*Head Quarters, Calcutta, 25th November.*

The leave of absence granted to Assistant Surgeon P. F. H. Baddeley, of the 4th Troop 3d Brigade Horse Artillery, in General Orders of the 21st ultimo, is cancelled at his request.

Hospital Apprentice Robert O'Connor is discharged the service at his own request.

The following individuals who were appointed Hospital Apprentices in General Orders by the Provincial Commander in Chief of the 28th July last, having failed to report themselves to the Superintending Surgeons within whose Circles of Superintendence they are residing, are struck off the List of Subordinate Medical Servants from this date:

George Thomas, J. William Shearman, William Ingram Prest, George Lyons, William Baker, James Hyland, James Henry Ballard, George David Browne.

Fuqueerah Singh, Native Doctor, who was placed at the disposal of the Commander in Chief, in Government General Orders No. 249, of the 23d instant, is appointed to do duty under the orders of His Excellency's Surgeon.

The undermentioned officers have leave of absence:

59th L. C.—Capt. C. D. Blair, from 28th Nov. to 30th Dec. 1836, to visit the Hills North of Deyrah, on medical certificate.

13th N. I.—Lieut. (Brevet Captain) Interpreter and Quarter Master J. P. Wade, from 20th December to 20th June, 1836, to visit the Presidency, and apply for furlough.

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*Head-Quarters, Calcutta, 26th November.*

The undermentioned officers have leave of absence:

27th N. I.—Ensign H. Laing, from 1st Dec. to 30th Nov. 1836 in extension, to remain in the vicinity of Simlah, on medical certificate.

84th N. I.—Ensign C. H. Wake, from 1st Dec. to 1st Dec. 1836, in extension, to remain in the Hills, on medical certificate

Subordinate Medical Department.—Assistant Apothecary Charles Permein, attached to H. M.'s 16th Foot, from 15th Dec. to 15th Feb., 1836, to visit Allahabad, on private affairs.

36th N. I.—Capt. H. Lloyd, from 15th Oct. to 30th Oct., in extension, on medical certificate.

64th N. I.—Ensign C. L. Edwards, from 30th Nov. to 8th Dec. in extension, to enable him to join his corps.

Engineers.—Supernumerary 2d Lieut. J. Trail, attached to the Sappers and Miners, from 1st Nov. to 1st March, 1836, to visit the Presidency, on medical certificate, and apply for furlough. N. B This cancels the leave granted to him in General Orders of the 21st ultimo.

*Head-Quarters, Calcutta, 27th November.*

The Detachment Order of the 2d instant, by Major A. Carnegy, Commanding the Left Wing of the 15th N. I. appointing Ensign G. Shairp to act as Adjutant, is confirmed.

His Excellency the Commander in Chief is pleased to direct the following removal:

Ensign Francis Stuart Paterson, from the 55th to the 54th N. I., as junior of his rank.

Lieut. and Capt. F. C. Reeves, of the 9th N. I. has permission to remain at the Presidency, until the arrival of the Regiment at Barrackpore.

Assistant Surgeon John Vaux Leese, of the 4th N. I. is appointed to the medical charge of a detachment of H. M.'s troops proceeding to Hazareebaugh, and will report himself to Major W. Wilkinson, of H. M. 49th Foot, now in Fort William.

Assistant Apothecary Michael Maher, supernumerary with H. M. 44th Foot, and Hospital Apprentice Frederic James E'Estrange, attached to the General Hospital, are appointed to do duty with the detachment, and will immediately place themselves under the orders of Assistant Surgeon Leese.

Assistant Apothecary Maher will act as Apothecary and Steward to the detachment.

The undermentioned officer has leave of absence.

Cavalry.—Supernumerary Cornet H. G. C. Plowden, attached to the 10th L. C. from 5th Nov. to 15th Jan. 1836, in extension, to remain at the Presidency, on private affairs.

*Head Quarters, Calcutta, 28th November*

The detachment order by Colonel C. Parker, commanding the Artillery at Agra, dated the 15th instant, appointing Gunners Charles Garner, of the 1st, and George Payne, of the 2d Company 5th Battalion Artillery, to act as laboratory men during the ensuing practice season, is confirmed.

The leave of absence granted by General Orders of the 16th instant, to Lieut.-Col B. Sissmore, of the 19th N. I. is extended to the 15th March next.

Lieut. S. J. Tabor is appointed Adjutant to the 7th Regiment Light Cavalry, vice Master, who resigns the appointment.

Unposted Ensign Edward Tuite Dalton, lately admitted into the service, is appointed to do duty with the 43d N. I. at Barrackpore, and directed to join.

Serjeant Isaac Hubbard, and Drum Major Frederic Johnson, of the veteran company at Chunar, are permitted to reside and draw their pay at the Presidency.

*Head-Quarters, Calcutta, 30th November,*

The undermentioned officer has leave of absence:

50th N. I.—Surgeon J. Barker, from 20th October to 20th December, to visit Calcutta, to answer a summons from the Supreme Court.

# SHIPPING REGISTER.

## ARRIVALS.

Nov. 1 Barque *Earl Grey*, James Talbert, from London 2d and Portsmouth 9th July.

— Ship *Georgiana*, Thos. Thoms, from the Downs 9th June and Mauritius 28th September.

— Ship *Bland*, Thos. Callan, from Liverpool 17th July and Cape of Good Hope 15th September.

2 Ship *Earl of Clare*, James Scott, from Bombay 23d September and Mangalore 2d October.

3 Barque *Elizabeth*, C. McNair, from Greenock 17th June.

4 Ship *Marion*, J. Richards, from China 16th July, Singapore and Madras (no date,) and Ennore 17th October.

— Ship *Sir Herbert Taylor*, M. Steward, from China 8th September and Singapore 13th October.

7 Barque *Fairlie*, Henry Ager, from London 12th June and Mauritius 3d October.

— Barque *Haidee*, J. Randle from Singapore 12th and Malacca 14th October.

— American brig *George Gardiner*, J. H. Smith, from Philadelphia 1st February.

— French brig *Castor*, B. Michel, from St. Malo 3d April and Lisbon 27th September.

8 Schooner *Margaret*, W. C. Spain, from Rangoon 31st October.

— Ship *Cornwall*, W. Bell, from London 10th July.

9 Ship *Cavendish Bentinck*, A. Ogilvie, from Moulmein 19th October.

10 Ship *Exmouth*, D. Warren, from London 17th July, Cape of Good Hope 13th September, and Madras 28th October.

Nov. 10 Brig *Will Watch*, W. Barrington, from Moulmein 1st Nov.

— Brig *Virginia*, J. Willie, from Mergui 31st Oct.

— Arab ship *Futteh Amone*, Nacoda, from Penang 1st Oct.

11 Brig *Helen*, R. Macalister, from Singapore 8th and Penang 18th Oct.

12 French ship *L'Laure*, J. Charles, from Bordeaux 5th July.

25 Ship *Ernaad*, Thos. Hill, from China 16th October and Singapore 6th November.

— Ship *Ruby*, W. Warden, from China 9th October and Singapore 7th November.

— French ship *Irma*, H. Benard, from Havre de Grace 10th August.

— Schooner *Barraket*, J. Fairweather, from Moulmein 2d November

26 Barque *Arrarat*, W. M. Watt, from Penang 1st November.

27 French ship *Lucullus*, C. Duranteau, from Bordeaux 14th July.

— French barque *Acharis*, A. Maissin, from Bordeaux 8th July.

— Brig *Elizabeth*, G. Baker, from Rangoon 16th November.

— American ship *Octorava*, Fairfour, from Philadelphia 22d July.

28 Ship *Windsor*, A. Henning, from London 26th July and Portsmouth 2d August.

— Ship *St. George*, H. M. Thomson, from Bristol 21st July, Cape of Good Hope 17th Sept., and Madras 11th Nov.

Nov. 29 Barque *Lady Clifford*, J. Masson, from Moulmein 11th Nov.

— Ship *Nerbudda*, F. Patrick, from China 7th Oct Singapore 5th and Penang 16th Nov.

— Brig *Highland Chief*, J. Hullock, from Penang 2d Nov.

### DEPARTURES.

Nov. 4 Ship *Sir John Rae Reid*, E Woodin, for Mauritius.

— Brig *Galatea*, Wm. Tayt, for Mauritius.

— Brig *Mary and Jane*, Thos. Winter, for Mauritius

6 Ship *Tapley*, R. Tapley, for Mauritius.

8 Brig *Thomas Snooke*, G. W. Brown, for London.

9 Ship *True Briton*, E. Foord, for London.

12 Bark *Cashmere Merchant*, R. Edwards, for Bombay.

17 Ship *Hector*, P. Cowly, for Liverpool.

23 American ship *Mount Vernon*, J. J. Scobie, for Boston.

26 Brig *Sir Archibald Campbell*, C. Robertson, for Bombay.

### ARRIVAL OF PASSENGERS.

*Per Earl Grey.*—Mrs. Roxburgh; Captains Roxburgh and Hickman, Mr. Bathurst.

*Per Georgiana, from London.*—Henry Chapman, Esq., Merchant. *From Mauritius.*—Mrs. Douglas; Major W. Stewart, H. M. 9th Regt.; Captain Douglas, ditto; Lieuts. A. Harper, A. Borton and W. W. Powell, ditto; Ensign C. M. Creagh, ditto; Assistant Surgeon J. Burt, ditto.

*Per Bland.*—Mrs. Lamb; Mrs. Denman; Mrs. Callan; Misses Lamb, S. Lamb, Wilson, Falconer, O'Shaughnessy and Byme; G. A. Lamb, Esq.; Doctors Webster and O'Shaughnessy; Messrs. R. Bucland, G. Wight, A. Falconer, R. Denman and A. Crawford.

*Per Earl of Clare.*—Mrs. Scott and 5 children; Messrs. R. Boyce and Pendegast.

*Per Elizabeth.*—Miss Barclay.

*Per Marion, from Singapore.*—H. G. Barber, and R. Ker, Esqrs., Merchants. *From Madras.*—Captain R. Mitchell; Dr. Dunlop.

*Per Sir Herbert Taylor.*—Mrs. Mangles; Mrs Stewart; R. D. Mangles, Esq.; Captain Steel; Captain Smyth; F. Crane, Esq.; Mr. Sl—

*Per Fairlie, from the Mauritius.*—Lieutenant-Colonel H. Constance; Captains Charles Barnwell, Richard Telford and John Donnely; Lieutenants W. F. Kerr, Henry Heron, J. H. Metcalfe, Charles Hine John Hosken, M. Glusce and M. Downrigs; Robert Blunter, Esq. Pay Master; H. McCreery, M. D., Surgeon; James Scott, Quarter Master; 19 Serjeants, 8 Trumpeters, 7 Corporals, 251 Privates, 22 Women, and 38 Children.

*Per Haidee, from Singapore.*—Mr. J. Fleay; Master E. S. Randle.

*Per Cornwall, from London.*—Mrs. Wilkinson; Mrs. Charters; Mrs. Tronson and infant; Misses Wilkinson, Amelia Wilkinson, and Tronson; Master Wilkinson; Major Wilkinson H. 49th Foot, Major Tronson, ditto 13th ditto; Lieutenants Daniell and Grant, ditto 49th ditto; Ensigns Shakespeare and Maclean, ditto ditto; Ensigns Cameron and Park, ditto 26th ditto; Ensigns Brown and Donhill, ditto 3d ditto; Ensigns Yea, Rattray, Christie, and King, ditto 13th ditto; Drs. Charters, B. M. E., and Steele, H. M. 16th Foot; Mr. Dalton, Cadet; Mr. Sunbolt; *Troops* 1 Serjeant, 1 Corporal, 278 Privates, 6 Women and 2 Children.

*Per Exmouth, from London.*—Mrs. Wilkinson; Mrs. Shouldham and child; Misses Wakefield, Porters and Jones; Revd. Mr. Wilkinson; Captain Brown, H. M. 16th Foot; Lieutenant Shouldham, 52d N. I.; Ensign Oxley, H. M. 15th; Ensigns Hook and Lawson, H. M. 16th; Mr. Woller; Dr. White, Madras Establishment; Masters Betts and Jennings; 95 Ranks and Files, 8 Women and 4 Children of the 16th and 49th Regt. *From the Cape*— — Alexander, Esq. Merchant.—*From Madras:* Mr. Paulin.

*Per Will Watch, from Moulmein.*—A. E. Blundell, Esq., Commissioner of the Tenasarim Provinces, Capt. R. Budd, Madras 32d Regt. N. I.; 3 children and 8 Burmese.

*Per Virginia, from Rangoon.*—Mr. S. M. Carapiat, Merchant.

*Per Helen, from Sydney via Singapore.*—Mr. Carew; Capt. Carew, Pay Master H. M. 13th L. I.; Master S. Carew. *From Singapore.*—W. R. Lackersteen, Esq.; Mr. G. A. Pelters; Mr. Cunningham.

*Per Ernaad, from China.*—R. T. W. Betts, Esq.; Dr. J. V. Luse, Bengal Establishment; Capt. William Allen, Country Service; Messrs. Joseph DeSouza, B. S. Barons, Gregory Vos, Joseph Burns and N. W. Oliver, Merchants; James Hansen, Quarter Master General, Madras Service.

*Per Ruby, from China.*—John W. Sutherland, James Ilbery, and Eugene Cafler, Esq. *From Singapore*—John A. Pringle, Esq., B. C. S.

*Per Irma from Havre de Grace.*—Messrs L. H. Bodelio, P. Aubin and M. Bazire, Merchants.

*Per Eucharis, from Bordeaux.*—Mrs. Berges; E. Berges, and E. Dussimeir, Esqrs., Merchants; Topuiske, Monk.

*Per Lucullas, from Bordeaux.*—Mme. L. K. Woodmas; Mrs. Z. Peychers; Messrs. Peychers, P. Peychers and Aga Mirza.

*Per Windsor.*—Mrs. R. P. Nisbet and infant child; Mrs. Gardner; Mrs. Dr. Nisbet; Mrs. Dr. Thomson; Mrs. Simpson; Misses Georgian Duncan, Margaret Duncan and Clara Nisbet; Col. F. V. Raper, 42d B. N. I.; R. P. Nisbet, Esq., B. C. S.; Captain R. Gardner, 18th B. N. I.; Dr. M. Nisbet, B. M. E.; Capt D. Simpson, 29th B. N. I; Messrs R. T. Tucker and A. Turnbull, Writers; Messrs. F. Shuttlewor th and T. C. Brooke, Cadets; Mr. Felix Hanley; Mr. and Mrs. Bright.

*Per St. George, from Bristol.*—Dr. S. Ludlow, Superintendant Surgeon; Lieut. C. W. Haig, 6th B. N. I. *From Madras.*—Wm. Bannister, Esq., Assay Master, Madras Mint.

*Per Lady Clifford, from Moulmein.*—Capt. Tingate; Messrs. Kelly and Hornsby, and 2 children.

*Per Nerbudda.*—Lady Malkin and child; Mr. —ler; Mrs. Smith; Miss Todd; C. Grant, Esq. C. S.

### DEPARTURE OF PASSENGERS.

*Per True Briton, for Madras.*—Lieut. Money, Madras Cavalry; Mrs. Johanness; Messrs Johanness and Moorat.

*Per Barretto Junior, for London.*—Mrs. Minchin, Mrs. Hu— and Mrs. Alexander; Minchin, Esq.; Capt. Hughes, James —tt, Esq., C. S.; P. O. Conolly, Esq.

# DOMESTIC OCCURRENCES.

## MARRIAGES.

Aug. 1 At Manilla, W. R. Paterson, Esq., to Matilda, youngest daughter of Thomas Colledge, Esq., of Kilsby, County Northampton.

Nov. 2 Mr. Robert Hand, to Mrs. Matilda Ramsay Hand.

— At Benares, Mr. Walter Charles, to Miss Matilda Fuller.

— At the Cathedral, Lieut. Wm. Deane, of H M's 38th Regt., to Miss Hariet Hamilton.

3 At Neemuch, J. Inglis, Esq. 2d L. C., to Louisa Maria, second daughter of Major General Loveday, Bengal Army.

4 Mr. Thomas Jones, Commander of the Schooner *John Hepburne*, to Miss Harriet Holmes.

5 Mr. John Nisbit to Miss Elizabeth Cleife Bennett.

— David Thomas, Esq., to Mrs. Caroline Jane Campbell.

9 Mr. E. H. H. Burton, Merchant, to Miss Diana Dolby.

12 Dr. W. B. O'Shaughnessy, Professor in the New Medical College, to Margaret, daughter of Francis O'Shaughnessy, Esq. Limerick.

— At Meerut, E. C. Monckton, Esq. C. S., to Miss C R. Woodcock.

— Lieutenant M. Kittoe, 6th N. I., to Emily, daughter of Major R. Chalmers, 22d N. I.

13 At Serampore, the Revd. John Leechman, A. M. to Mary, third daughter of the Revd. George Barclay, Irvine Scotland.

14 At Saugor, Lieut. F. W. Burkinyoung, 5th N. I., to Charlotte Maria, eldest daughter of Col. and Mrs. Salmon.

— Mr. James Ellison, to Mary Louisa, second daughter of the late Lewis Namey, Esq.

— R. J. Latley, Esq., to Miss Payne.

16 John Brown, Esq., of Burresaul, to Elizabeth Cecilia, eldest daughter of L. F. Pereira, Esq., of the General Post Office.

17 Capt. Edward Touchet Milner, 30th N. I., to Miss Emma Hunter.

18 W. Gordon, Esq. M. D. to Margaret, eldest daughter of Alex. Johnstone, Esq. Newmill, Elgin, Scotland.

— At Chinsurah, George Augustus Brett, Esq., B. N. I., to Eliza, third daughter of the late A. Brand, Esq.

— J. W. Cliff, Esq., to Miss H. Higginson.

19 The Revd. C. Krückeberg, to Miss Harriet Conolly.

20 Henry Tor... Esq., B. C. S., to Louisa, fourth daughter of ... late George Law, Esq.

22 At Jessore, Henry C. Metcalfe, Esq., C. S., to Miss Madeline Catania.

23 At Cuttack, C. L. Babington, Esq., of Sumbhulpoor, to Miss H. Robinson, niece of Col. F. Walker, commanding 33d Regt. N. I.

— E. W. ... Esq. to Miss Eleanor Caroline Hodges, fifth daughter of the late Joseph Hodges, Esq.

— At the Howrah Church, Mr. Thomas Reeves to Miss Elizabeth Amelia Farrow.

— At Seetapore, Ensign H. D. Van Homrigh, 48th Regt. N. I., son of the late Peter Van Homrigh, Esq., M. P. for Drogheda, to Caroline Louisa, daughter of Captain R. A. Thomas, 48th Regt. N. I.

Nov. 24 Lieut. James Sissmore, 23d Regt. N. I., to Miss Sophia Jane Dick, eldest daughter of Col. Dick, B. N. I.

25 Captain J. M. Higginson, to Miss Louisa Mary Ann Shakespear.

— W. W. Glass, Esq. to Eliza Cordelia Emily, third daughter of Mark Lackersteen, Esq.

## BIRTHS.

Sept. 15 At Wynberg, near Cape Town, the lady of George Alexander, Esq., Bengal Civil Service, of a daughter.

Oct. 16 At Mhow, the lady of Lieutenant Alston, 6th Regt. N. I. of a daughter.

23 At Sea, on board the *Marquis of Hastings*, the lady of Lieut. Bate, H. M. 57th Regt. of Foot, of a daughter.

— At Kurnaul, the lady of Captain H. Garbett, of a son.

24 At Dinapore, the lady of Major Pemberton, 56th N. I., of a daughter.

Nov. 1 The lady of Daniel Roos, Esq., of a daughter.

2 Mrs. F. D. Kelner, of a son.

— The wife of Mons. Nouveau, of a daughter.

3 The lady of Robert Barlow, Esq., of a son.

— Mrs. J. Smith, of a daughter.

— At Simla, the lady of James Corbet, Esq., of a daughter.

4 At Bijnaur, the wife of the Revd R. V. Reynolds, of a daughter.

5 Mrs. W. W. West, of a daughter.

— The lady of Dr. D. Stewart, 2d Assistant Surgeon of the Presidency General Hospital, of a daughter.

— At Dinapore, the lady of James M. Mackie, Esq. of a son.

— At Sultanpore, Oude, the lady of Lieut. Samuel Foulmin, 63d Regt. N. I., of a son.

6 Mrs. John Frederick Deutcur, of a daughter.

— At Deyrah, in the Dhoon, the lady of Capt. John Fisher, second in Command of the Sirmoor Battalion, of a daughter.

— At Lucknow, the lady of Lieut.-Col. J. Low, of a son.

8 The lady of Capt. R. Boileau Pemberton, of a son.

— At Allahabad, Mrs. Gordon, the wife of Mr. Robert Gordon, of the Agra Accountant's Office, of a daughter.

— At Mussoorie, the lady of Capt. E. ...ntle, 71st Regt., of a son.

9 The lady of Lieutenant Lewin, ... son.

10 At Seetapore, Oude, the lady of Capt. D. Sherriff, 48th Regt N. I., of a s...

11 At Berhampore, the lady of J. W. Bateman, Esq. of a son.

— The wife of Mr. A. Mendes, of a son.

13 The lady of R. H. Mytton, Esq. of a son.

— At the Residence of the Commander in-Chief, the lady of Major Fane, of a son.

14 The wife of Mr. F. A. Cornabé, Assistant Harbour Master, of a son.

— At Chandernagore, Mrs. G. Willis, of a son.

— Mrs. A. G. Aviet, of a daughter.

— At Meerut, the wife of Mr. McGowan, Conductor of Public Works, of a daughter.

16 At Kidderpore, the lady of J. P. Maillard, Esq., of a son.

Nov. 17 The wife of Mr. F. H. Matthews, of a daughter.
18 At Barrackpore, the lady of Lieut.-Col. Maddock, of a daughter.
— At Allahabad, the wife of J. J. L. Hoff, Esq. Register of the Judicial and Revenue Department, Agra Presidency, of a son.
19 At Cawnpore, the lady of Lieut. Wm. Ashmore, of H. M.'s 16th Regt., of a daughter.
— The lady of Capt. H. MacKenzie, 74th N. I. of a son.
20 The lady of R. H. S Reid, Esq. of a daughter.
— At the house of Wm. Dolby, Esq., Circular Road, Mrs. Wm. Clarke, wife of Captain Wm. Clark, H. C. S., of a son.
23 At Gowhatty, in Assam, the lady of Capt. William Simonds, Commanding the Local Battalion, of a daughter.
— The wife of Mr. B. Macmahon, of a son.
25 At Gorruckpore, the lady of Hugh Gibson, Esq., of a daughter.
26 At Ramnaghur Factory, Barasett, Mrs. F. W. Liddard, of a son.

DEATHS.

April 4 At Sea, on board the *Orient*, on his passage home to England, Captain Fell, 10th Native Infantry.
June 1 At Sea, on board the *Thereza*, in which vessel she was returning via England, to her native country, Signora Caravaglia.
July 31 At Sea, on board the barque *Baboo*, Captain Daniel Cardozo, of a fit of appoplexy, aged 36 years.
Sept. 9 At Ultenage, Cape of Good Hope, Dr. Francis Seymour Matthews, of the Bengal Medical Service.
Oct. 23 At Neemuch, Marry Anne Charlotte, the infant daughter of Lieut. and Mrs. T. Curtis, aged 1 year and 8 months.
31 At Meerut, Mr. Henderson, Quarter Master of H. M.'s 11th Light Dragoons, aged 41 years.
Nov. 2 Mr. Henry Parker, aged 21 years and 2 months.
— Mr. Noah Chick, aged 44 years.
3 Master Thomas Samuel Bean, son of the late Captain C. H. Bean, aged 9 years.
5 At Monghyr, Annunziata Margerita, the infant daughter of Joseph Alexander and Fanny Savi, aged 15 months and 8 days.
Nov. 7 At Cawnpore, Ensign Edward Brabazon, H. M. 16th Foot.
9 Ensign Henry Russell, of the 20th Regt. N. I, aged 25 years.
10 Miss Rose Gomes, aged 2 years and 4 months.
11 At Surdah, Miss Elizabeth Queiros, aged 50 years.
12 Mr. George Chiene, aged 37 years.
13 At Etawah, Eliza the beloved wife of Lieut. Edmund Talbot, Adjutant 53d Regt. N. I., aged 25 years.
14 On the River, near Kishnaghur, Caroline, the lady of Capt. Seaton 35th Regt. N. I.
16 Master George Jones, an Orphan, aged 12 years and 2 months.
— At Bombay, Lieut. Wm. Hughes Hall, of the 6th Regt. Bengal L. C.
17 Mrs. Ann Williams, the wife of Mr. Robert Williams, aged 33 years.
18 Mrs. A. M. Christiana, the lady of H. L. Christiana, Esq. aged 19 years and 21 days.
— At Colabah, Frances, the beloved wife of Lieut. Thos. Clendon, Indian Navy, and youngest sister of Capt. W. A. Bowyer of the *Duke of Bedford*.
— Mrs. Maria Grange, aged 42 years.
19 At Mundiesir, Major R. W. Smith, of the 6th Regt. L. C.
21 At Kidderpore, Mrs. Sarah Maillard, the lady of J. P. Maillard, Esq., Army Agent, aged 27 years and 1 month.
27 At Monghyr, Mrs C C. Fossell, second daughter of the Revd. William Moore, aged 19 years.
28 Capt. Alexander Broughton Fraser, late of the Country Service, aged 40 years.
— At Allahabad, John Anderson Greenway, Esq. late proprietor of the *Central Free Press*, at that Station, aged 30 years and 10 months.
30 Mrs. Eliza Matilda Gee, aged 27 years and 7 months.
— At Cuttack, the wife of Mr. J. C. Pritchard, of the Cuttack Salt Agency, aged 23 years and 1 month.
*To date* At Sea, on board the ship *Exmouth*, Matilda Warren, the only and beloved child of Thomas White, Esq. Assistant Surgeon, Madras Medical Estaolishment.

# ADMINISTRATIONS TO ESTATES.

| ESTATES OF | EXECUTORS, ADMINISTRATORS, &c. |
|---|---|
| Baker, T., *Livery Stable-keeper* | A. F. Smith and W. Jackson, Executors. |
| Birch, W., *Pilot Service* | J. Richardson and W. Ewin, Executors. |
| Ch[illegible]ey, Grace, *Widow* | E. Templar, Executor. |
| Cart[illegible], H. *Apothecary* | Registrar Supreme Court, Administrator. |
| Davis, [illegible] E., *Lieut. 62d N. I.* | Ditto ditto ditto. |
| Debrett, J[illegible], *Captain Artillery* | Mrs. M. Debrett, Widow, Executrix. |
| Eliot, G., [illegible] *18th N. I.* | Registrar Supreme Court, Administrator. |
| Fisher, J., *Lieu[illegible]t N. I.* | Ditto ditto ditto. |
| Gardner, W. L., *L[illegible] Colonel* | J. S. Boldero and J. V. Gardner, Executors. Lyall, Matheson and Co., Agents. |
| Govindchund Dhur, *of Calcutta* | Oditchund Dutt, and Treepoorasoondo[illegible] Dossee, Executor and Executrix. |
| Grote, A., *Civil Service* | H. Armstrong, and Lieut. R. MacDonald, Executors. |
| Hardwicke, T. *Major-General, Artillery* | Colonel W. S. Whish, Executor. |
| Henderson, Jas. *Quarter-Master [illegible]th L. D* | Captain G. Butler, and Captain J. Tritton, Executors. |
| Home, D. *Civil Service* | Registrar Suprem[illegible] Court, Administrator. |
| Majoribanks, E. *Civil Service* | Ditto ditto ditto |
| Nicolson, M. *Lieut. 26th N. I.* | Ditto ditto ditto |
| Norris, J. *Mariner* | A. A. Mackey, Executor. |
| Pennington, G. *Captain, Artillery* | Isabella Crommelin, Executrix. |
| Shamloll Chowdry, *of Calcutta* | Registrar Supreme Court, Administrator. |
| Storm A., *Assistant Surgeon* | Ditto ditto ditto. |
| Sutherland, A., *of England* | J. W. Sutherland, Executrix. |
| [illegible]ley, E., *Mariner* | Registrar Supreme Court, Administrator, (with will annexed.) |
| Wolfe, J., *Baker* | Ditto ditto ditto. |
| Wood, C., *Captain 10th N. I.* | Ditto ditto ditto. |



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