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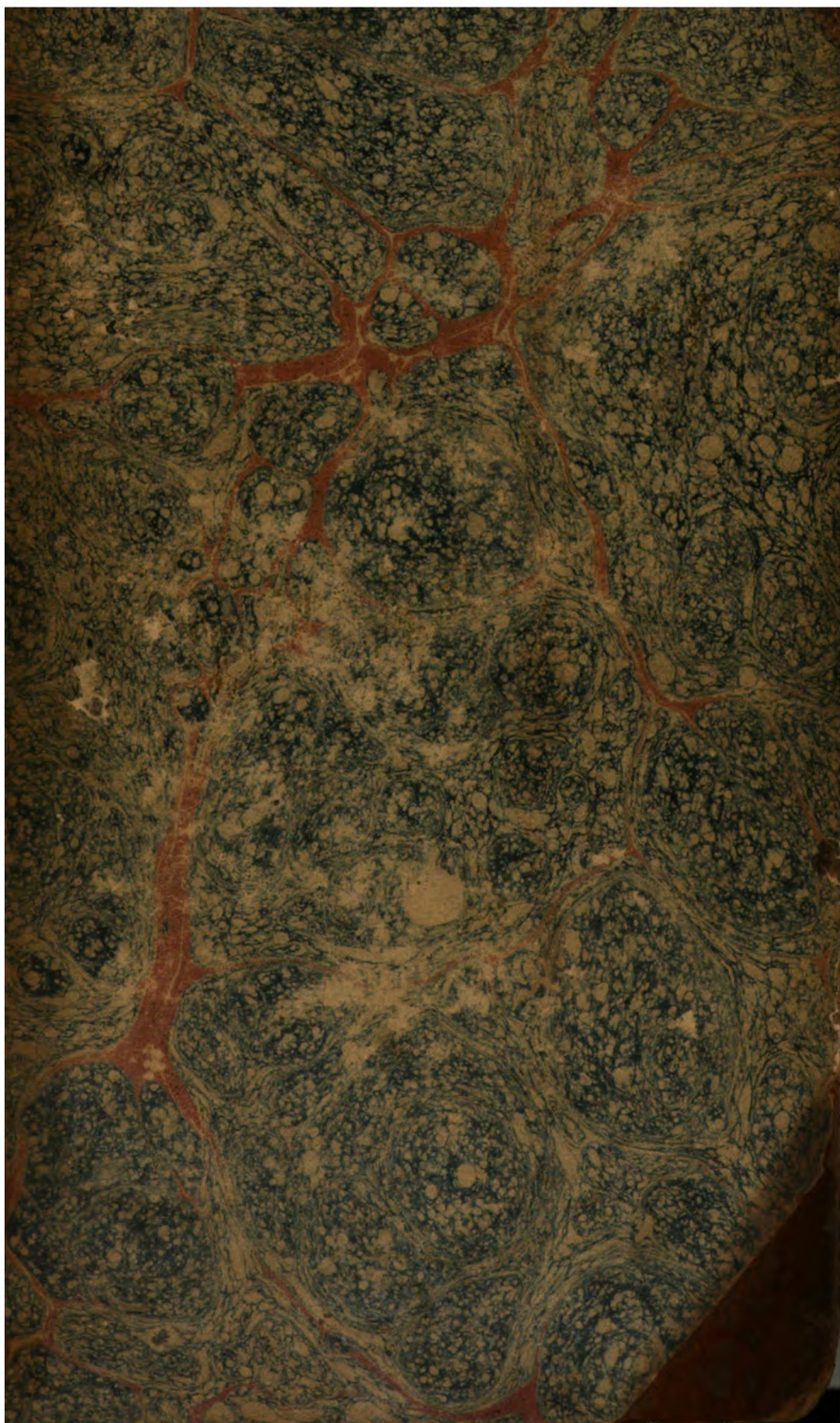
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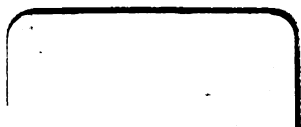
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Per. gen. d. 6



THE
ASIATIC JOURNAL

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THE ASIATIC JOURNAL

FOR

JANUARY, 1828.

Original Communications,

&c. &c. &c.

THE CALCUTTA STAMP TAX.

No measure of the Indian government has perhaps ever produced a stronger effect upon the public mind, at home as well as abroad, than the regulation imposing a stamp duty upon legal and commercial instruments at Calcutta, the inhabitants of which have hitherto enjoyed an exemption from this tax, although levied for some years past in the provinces. The degree of feverish excitement which prevails in the community of our eastern metropolis is kept alive by the apprehension that this measure is a political experiment, intended to try how far a system of taxation analogous to that at home can be introduced into our eastern settlements; and that, if carried, this tax will be the harbinger of a host of others. In compliance with our usual practice, of not suffering current political topics relating to India to pass by without notice, we shall, in a spirit of perfect freedom and impartiality, bestow a few cursory observations upon the present measure.

We are not inclined, and we think it totally unnecessary, to examine the arguments and positions of the petitioners against the tax and against the registering of the regulation in the Supreme Court. Our object will be to deal with the question in its simple original form; leaving the multitude of topics with which the ingenuity of lawyers has contrived to entangle it, to those who can find amusement in the solution of ideal difficulties.

The questions to be considered in this case are two; the legality and the expediency of the tax; that is, first, whether there is any power given by the British Parliament for its imposition; and, secondly, whether, supposing the power to exist, it has been judiciously exerted on this occasion.

The opposition to the stamp tax at Calcutta is grounded mainly upon its alleged illegality. It is asserted that no parliamentary authority exists by which such a tax can be imposed. There cannot be a stronger example of the imperfections inherent in human legislation than that such an argument can be urged in respect to an enactment so exceedingly clear and simple as the law upon this subject appears to us. The act of the 53d Geo. III., c. 155, upon

Asiatic Journ. Vol. 25. No. 145.

B

which

which the authority is assumed to be founded, has probably been diligently and attentively read by thousands of persons, and we do not think it likely that a single individual of the number ever put any other construction upon the words of the act which are now in dispute, than that put by the government, till the present question arose.

The 98th section of the act just quoted, gives authority to the local government of India to impose duties and taxes in the following terms :

And whereas it is expedient that the governments of the said Company established at Fort William, Fort Saint George, Bombay, and Prince of Wales Island respectively, should have authority to impose duties and taxes to be levied within the several towns of Calcutta and Madras, the town and island of Bombay and Prince of Wales Island, and also duties and taxes to be paid by persons subject to the jurisdictions of the Supreme Court of Judicature at Fort William in Bengal, the Supreme Court of Judicature at Madras, the court of the Recorder of Bombay, and the Court of Judicature at Prince of Wales Island respectively ; be it therefore enacted, that it shall and may be lawful to and for the Governor General in Council of Fort William in Bengal, and to and for the Governor in Council of Fort Saint George, and to and for the Governor in Council of Bombay, and to and for the Governor in Council of Prince of Wales Island, within the respective presidencies of Fort William, Fort Saint George, Bombay, and Prince of Wales Island, to impose all such duties of customs and other taxes, to be levied, raised, and paid within the said towns of Calcutta and Madras, the said town and island of Bombay and Prince of Wales Island, and upon and by all persons whomsoever, resident or being therein respectively, and in respect of all goods, wares, merchandizes, commodities and property whatsoever also being therein respectively ; and also upon and by all persons whomsoever, whether British born or foreigners, resident or being in any country or place within the authority of the said governments respectively ; and in respect of all goods, wares, merchandizes, commodities and property whatsoever, being in any such country or place, in as full, large and ample manner as such Governor General in Council, or Governors in Council respectively may now lawfully impose any duties or taxes to be levied, raised, or paid, upon or by any persons whomsoever, or in any place whatsoever, within the authority of the said governments respectively : provided always, that no imposition of any such duty or tax, or any increase of any such duty or tax, within the said towns of Calcutta or Madras, the said town and island of Bombay or Prince of Wales Island, shall be valid or effectual, until the same shall have been sanctioned by the said Court of Directors, with the approbation of the said Board of Commissioners, in manner herein-before prescribed respecting duties and taxes of export, import, and transit on goods, wares, or merchandize.

The 99th section gives to the local governments the power of making laws and regulations respecting such duties and taxes, and of imposing fines and forfeitures for non-payment thereof.

Now, it appears to us to be impossible that the power of taxing generally (subject to the control of the home government) could be conveyed to the Indian authorities in fuller and more explicit terms. They are authorized to impose duties of customs and "other taxes" generally, not merely on goods, wares, merchandizes and commodities, but upon "property," a term of the most general and comprehensive import ; and this power of taxing every description of property whatsoever is given "in as full, large, and ample manner" as was then possessed in respect to "any duties or taxes to be levied, raised, or paid, upon or by any persons whomsoever, or in any place whatsoever, within the authority of the said governments respectively."

The attempt to refer this section to the 25th, and to construe them conjointly, is a very poor expedient to get rid of the general and comprehensive terms

terms contained in the 98th section. The 25th section enacts that "no new or additional imposition of any duty or tax upon the export, import, or transit of any goods, wares, or merchandize whatsoever," shall be valid until sanctioned and approved by the Court of Directors and the Board of Control. Had these sections been correlative, in the sense contended for, they would have been expressed in the same terms, and would have referred directly or impliedly to each other.

Then the act of the 54th Geo. III. c. 105, passed to legalize certain duties imposed in India previous to the passing of the act of the 53d, or rather to remove all doubts as to their legality, is not expressed in the circumscribed language of the 25th section of the last recited act, but in the ample terms of the 98th section: all duties of customs and other taxes heretofore made or imposed upon all persons whomsoever resident in British India, and in respect to all goods, wares, merchandizes, commodities, and property whatsoever being therein, are confirmed, and to be deemed as valid and effectual as if made under the act of the 53d.

The limitations in the acts quoted, it will be observed, are imposed upon the *local authorities* in India, not upon the home government. The former are restrained from imposing taxes without the sanction of the Court of Directors and the Board of Control; but this very restriction seems to imply an acknowledgment of unlimited right in the latter to impose taxes in India. It is a manifest absurdity to contend that the Court of Directors and the Board of Control, constituting the supreme home government, if desirous that any duty whatsoever should be imposed in India, can effect their object only with the consent of their own servants and by the authority of their own delegates. According to this principle, the local governor of a presidency is, in this respect at least, possessed of greater power than the authority by which all his power is conferred.

But it is said that it could not have been the intention of Parliament to entrust the Indian government with the power of unlimited taxation:—why not? The Company are treated by Parliament as the territorial sovereigns of India (saving the King's paramount rights) and they are invested by law with sundry powers belonging to kingly prerogative, as well as with that of summary conviction and punishment; and in short, from the very nature of their character they must be the objects of large trust: is it then extraordinary that they should be permitted to exercise the undoubted right which belongs to a government without a representative legislature, to tax their subjects, considering that this right is only granted for a limited period (the duration of their charter), and that it is incapable of exercise without the concurrence of his Majesty's executive government, and of course subject to the superintending control of Parliament? We think not; and it is a circumstance not calculated to disturb the tranquillity of our conviction, that lawyers, and those who are called upon to pay the tax, pretend to think differently.

The legal objection is, indeed, disposed of in so satisfactory a manner in the reply of the Vice-President in Council to the petition of the British and native inhabitants of Calcutta,* that we might have dispensed with any remarks upon this point. "The fair, natural and obvious interpretation of the words of the statute can only be, that any tax, which the necessities of the Indian government may compel it to levy on the inhabitants of the country generally

* See last vol. pp. 489, 665.

generally, may similarly be imposed by a regulation passed as directed, within the limits of the special jurisdiction of the King's courts;" and "if this tax were, indeed, illegal, the means of enforcing it would be wanting to the government."

The other question in the case, namely, the expediency of the measure, is not capable of being so satisfactorily demonstrated. Instead of taking ground upon so untenable a position as that of the illegality of the tax, the opposers of it would have acted more discreetly had they confined themselves exclusively to pointing out the impolicy and inexpediency of this imposition. The local government seems to have been sensible of weakness on this point, from the remark that "the Vice-President in Council was prepared to expect, from the intelligent and practical men whose names are subscribed to the petition, such a representation as might assist government in judging of the probable effect of the stamp regulation on the various interests affected by it; and he looked naturally for a statement of the particular transactions on which the duty would bear with undue severity." And again: "the Vice-President in Council did not anticipate from the petitioners an application for the abolition of the enactment on the ground of its illegality, though he was prepared for an expression of dissatisfaction on the part of those affected, and for the exposition of some partial inconvenience from the operation of particular provisions of the law."

To express our sentiments candidly and frankly, this measure appears to us most ill-advised and injudicious. The financial benefit which will result from the enforcement of the tax will be far from counterbalancing the moral inconveniences which the government will incur through the distrust, jealousy, and dissatisfaction thereby engendered in the minds of the Calcutta community. These consequences might have been so easily foreseen, that no excuse can be claimed by the originators of the scheme, on the ground that they were unexpected: indeed the last passage quoted from the government reply shows the contrary.

There is something so odious in the very name of a stamp tax, it raises recollections so painful, that this consideration alone should have prepared government for the opposition which has been encountered. The clamour and discontent produced by the recent promulgation of a partial stamp tax at New South Wales induced the government of that colony to desist from enforcing it.

The government reply defends the tax on the principle that it is less objectionable than any others. "Taxation," it is observed, "is at best a choice of evils; but if additional revenue is necessary, and that is a point that must be taken on the credit of government, a stamp duty on money-transactions seems among the least exceptionable of the taxes to which a government can have recourse." From this doctrine we wholly dissent. We have understood it to be a maxim in political economy which did not now admit of dispute, that every impost which directly diminished capital was highly objectionable and injurious. "On the mischievousness of all taxes which impede production," says the historian of British India,* "it is needless to enlarge. It is only necessary to make them known, or rather acknowledged. Of this sort are all taxes which take away any part of that property which has been already employed as capital; because there is always more or less of difficulty in

* Mill's India, vol. i., p. 251.

is replacing it from the fund destined for immediate consumption :” and he particularizes, as specially injurious, “taxes upon law proceedings,” constituting “a premium upon the practice of every species of iniquity.”

A stamp tax is recommended by the facility with which it is collected, at least in this country, whereby taxation really falls lighter upon the people, who pay the costs attending the collection of taxes. But this recommendation, or rather palliative, is not justly applicable to a stamp tax in India, which is collected in a different manner from that in England, by expensive establishments of persons who sign and issue paper, which in this country receives its conventional value by a mechanical process. Hence the charges for collecting the stamp duties in Bengal, upon an average of the two last years shewn in the official accounts,* viz. 1823-24 and 1824-25, amounted to upwards of 42½ per cent. upon the gross produce; whereas the stamp revenue in England is collected at the cost of less than three per cent. upon the gross receipt!

So far from a stamp tax being less exceptionable than any other, to us it appears that no tax, not excluding a direct tax on property, could have been more so. The unpopularity of a stamp duty arises not so much from its directness (whereby the diminution of his property is made obvious to the taxpayer), as from the vexatious system which is necessary to secure its punctual payment. The opportunities and the temptations to evasion are so numerous, that it is absolutely requisite to give encouragement to informers, and in fact to offer a premium to treachery: a vicious expedient, which acts with peculiar energy upon the Hindu character.

The experiment made in the imposition of this tax is extremely unfortunate, because the resistance to it has placed both parties in a very awkward dilemma. If this tax is persevered in, the inhabitants of India will consider themselves completely surrendered to the mercy of their government, and liable to an extent of taxation limited only by the wants and the moderation of their rulers; on the other hand, if it be abandoned, whatever salvo may accompany the relinquishment of this tax, it will be considered as a virtual acknowledgment that the Indian government does not possess the right of taxation for which it now contends, and any future attempt to exert it will excite a fiercer flame of resentment.

It would be invidious to speculate upon the source from whence the suggestion of a stamp duty in Calcutta originated. Both branches of the home government are answerable for the measure, whether it be good or bad. One could hardly suspect that the East-India Company, on the eve of the expiration of their charter, would spontaneously suggest a measure calculated to spread an unfavourable opinion of their moderation through the country, and call forth charges of rapacity and oppression from those who have sufficient inclination to raise an outcry against their conduct, and wait only a plausible pretext for so doing. It is conceivable that his Majesty's government may be desirous of expediting the improvement of the East-India finances; and, being convinced of the legality of this measure, and of the justice of taxing those opulent classes of the Indian community, “who have hitherto contributed little or nothing to the support of the government,” by which they are equally protected with the inhabitants of the interior, may have urged the Court of Directors to its adoption. The Board of Control can incur little unpopularity

* See vol. xxiv., pp. 58, 59.

unpopularity from such a measure; they sanction it, indeed, but the odium must, and ought to be, borne by those who adopt it and carry it into execution.

The argument contained in the petition to the British Parliament from the inhabitants of Calcutta against the alleged equity of equalizing this duty throughout India, though it is not strictly maintainable before the tribunal to which it is addressed, ought to be considered by the government. They say justly, that although they may not contribute directly, they indirectly pay the taxes imposed in the interior; and that the British principle of equal taxation is unfairly applied to a country where a system of government prevails so wholly different from that of Great Britain. The British residents of Calcutta are scarcely to be considered otherwise than as transient visitors, not naturalized to the soil; the several capitals of British India are therefore regarded as distinct from the Mofussil, and their inhabitants as not liable to the same claims as the natives on the part of the government. Whilst we state these considerations we do not pretend to be convinced of their justness; yet they ought not to have been disregarded.

The interruption of the harmony which has hitherto subsisted between the local government of Calcutta and the British and native community of that city, is a mischievous effect of this measure which will probably be some time before it disappears.

EUROPEAN ORTHOGRAPHY OF ORIENTAL TONGUES.

To the Editor of the Asiatic Journal.

SIR: Being desirous to submit the following system of orthography to orientalists generally, I request the favour of your giving it a place in your pages.

From being engaged in establishing an institution for the cultivation of oriental languages, particularly those of India, I have had many opportunities of observing the great advantage, if not necessity, of applying to them a consistent and uniform system of European orthography. 1st. In order to facilitate the entrance upon the study of those tongues, from which many are deterred by the supposed difficulty of acquiring a strange character, an obstacle which strikes their attention at the very outset, and though a difficulty more apparent than real, is not on that account the less calculated to discourage a beginner. 2dly. That the learned may have a general key equally available to all for the explanation of oriental writings, and that all writers on oriental subjects, particularly travellers, may thus be enabled to record the names of persons and places with perfect correctness and precision. 3dly. That oriental works, or extracts from them, may, whenever required, be printed with greater facility and exactness than is often practicable in the original character: this being little adapted for typography, and still less understood by the practitioners of this valuable art in Europe. Hence accuracy is hardly attainable, notwithstanding great labour and expense incurred by the author. My chief object, however, is not to supplant the use of the oriental character, but rather to extend and facilitate its acquisition, by introducing an exact counterpart of it, as a key for its attainment, founded on the basis of the European alphabets already known to the student. The principles on which the proposed system is constructed are as follows:

Principles.

Principles.—1. That each of the oriental characters used in Arabic, Persian, Turkish, Hindoostanee, &c. be represented, in European orthography, by a single letter corresponding to it in power as nearly as possible.

2d. That as no one of our alphabets can furnish the requisite number of appropriate symbols, while either the Greek, Roman, or Italic alphabet may be adopted as the ground-work of the new system, letters must be borrowed from the rest to supply its deficiencies.

3d. That the Italic alphabet is best adapted for forming the ground-work, from its being more generally known than the Greek, from its greater facility of transcription than the Roman, and at the same time harmonizing better in form with the principal additions that must be made to it.

4th. That the Arabic language, being the prime source of the Persian, Turkish, and the Mussulman tongues in general, the letters used in them be viewed as consisting of three classes; viz. 1st, those peculiar to the Arabic; 2d, those foreign to that language; and 3d, those nearly common to all.

5th. That the Italic alphabet, as forming the ground-work of our new system, will represent the latter class; that Greek characters be adopted to represent the first, i. e. the consonants more peculiar to the Arabic; and that the remaining class, i. e. letters foreign to this language, be represented by Italic capitals. These leading principles being kept in view, reflection will confirm the propriety of some minor modifications, such as—

6th. That some few oriental characters (not exceeding three or four) which are pronounced differently in different countries, or for which it is difficult to find a suitable representative in any European alphabet which could hope to obtain the concurrent sanction of the learned, (as ع ^h and perhaps ض ^z) be adopted in their original form, which, with a little care on the part of the printer in selecting and adjusting the different founts, will be found to harmonize tolerably well with the general alphabet.

7th, and lastly, to avoid the great inconvenience attending the use of those vowels, of which the power is rendered very ambiguous among European nations, on account of the opposite values assigned them in our different languages, they may be replaced by vowels adopted from the Greek alphabet, which, being employed among us only in a dead language, can with less difficulty be converted to a particular use than the letters of any living language generally spoken and understood.

I shall now take the liberty of noticing a few of the principal advantages which I flatter myself this system offers.

1st. Its freedom from the redundancy of dotted or accented letters, which tend to embarrass some other systems, and render their use in typography too troublesome, as well as expensive. Besides which it may be observed, that accents or dots, and other minute marks, are a sort of distinction which renders very feeble aid to that large portion of the faculty of memory which depends on the eye.

2dly. Its exemption from the confusion sometimes occasioned by representing simple sounds, or single oriental characters, by two or three, or even four Roman letters. For example: چ and خ, which some orientalists write *dsch* and *khkh*!

3dly. Its elegant property of discriminating by a glance of the eye, in the mixed language of India, Persia, Turkey, words springing from an Arabic, Sanscrit, or other sources.

4thly. That the above advantages are attained with the smallest possible degree

degree of labour and expense. As no new characters are employed besides those already existing, nearly all of which are already familiar to the eye of the European scholar, and for which the appropriate types can easily be supplied by most of the respectable printing establishments in this quarter of the world.

This system having already been partly reduced to practice, though but in a few pages struck off in haste, without time for making a careful selection of types properly adapted to each other, I have the satisfaction to add, that even this hurried and imperfect specimen * furnishes a satisfactory demonstration that the mixture of various characters, instead of being a deformity, presents an agreeable variety to the eye, and forms an alphabet by no means deficient in elegance of appearance; while from its sloping, curved and Italic form, the occasional use of it, in quotations or extracts, gives relief to the uniformity of the text, and affords an useful contrast with the square upright Roman letters generally employed in European works.

I am, &c.

S. A.

SCHEME OF THE PROPOSED GENERAL EUROPEAN ALPHABET FOR THE
ARABIC AND OTHER MUSSULMAN LANGUAGES.

CONSONANTS.

غ γ	ر r	ا α
ف f	ز z	ب b
ق q	ژ z	پ p
ك k	س s	ت t
گ g	ش s	ث θ
ل l	ص σ	ج j
م m	ض (Arab. med ^l . ض)	ح c
ن n	ط τ	ح "
و w (or v)	ظ ظ	خ x (or X)
ه h (or s)	ع (or z med ^l .)	د d
ي y		ذ δ

VOWELS.

	آ a	أ α
آ ae	إي η	ي e
أ ao	أ ω	و o
Diphthongs.	Macroof.	Majhool.
	Long Vowels.	
		Short Vowels.

* Vide Clavis Orientalis, or Lecture Card of the Oriental Institution, Part II, pp. 13-30.

S I A M.

We have been favoured with the following extracts from a journal kept by a gentleman who resided at Bangkok, in a commercial capacity, some time after the late mission left Siam. They present a curious picture of the state of feeling prevailing at that timid and suspicious court, and afford satisfactory proofs of its disposition to adhere to the stipulations of the treaty.

The Prah-klang was employed from the 26th July to the 30th November 1826 at Paknam and Pacclaot, repairing the forts and mounting guns, as they were sent down from Bangkok, where they have been engaged casting them for the last twelve months, and driving piles from the small fort in the middle of the river at Paknam, to the opposite shore, to prevent ships passing outside of it, by which they would be subject to the whole fire of the great guns from the large fort at Paknam.

The king, attended by about one hundred princes and men of rank, proceeded to inspect the Prah-klang's operations, and returned the same evening, seemingly highly pleased with them. There are about 200 guns of various shapes and sizes in the large fort at Paknam, and nearly as many at Pacclaot. The greater part of these were cast at Bangkok, and from the number already burst in trying them (one in three) they are fearful the rest will also burst, and are consequently extremely anxious to procure a supply of Europe guns. The eighteen small forts round the palace ground at Bangkok have no guns mounted.

On the 18th September, the brother of the Prah-klang, Pya Si Phipad, acting in his absence at Paknam, called us to witness that the two nacqodahs of the Surat brigs, the *Hamoody* and the *Naserree*, wished to dispose of their cargoes in the manner they had formerly done, from a fear of giving offence to their employers, as the new treaty, they said, had not been known to them, although, at the same time, they were sure that a saving of at least 4,000 ticals each would have been made by abiding by it, besides other advantages. Pya Si Phipad, and other government officers then present, expressed their anxious desire to put the treaty into effect in the present instance, and made particular inquiries of us whether any deviation at present from it would displease the Bengal Government, and so fearful were they of this being the case, that they required our signing a paper specifying the wishes of the nacqodahs to abide by the old treaty, which we, of course, did, and at the same time explained to them, that as the treaty had not been ratified by the Governor General in Council, there was no necessity for putting it in force until it was. The Prah-klang was also very desirous, when the bark *Mary Ann Sophia* arrived in December to carry us away, to get us to follow the new treaty, but as she had very little import cargo, and the duty on the export one had been previously settled, it would not have suited us to have gone by it.

It is a common saying at Bangkok, when the nacqodah of a Surat vessel arrives, that he will be sure, before he leaves, to bewail the hard treatment which he has experienced; but during the last year they enjoyed greater privileges, and though not quite satisfied in departing, yet sufficiently so not to shed tears. From what was remarked last year, with regard to the trade with the Surat vessels, and indeed experienced in many instances after the departure of Captain Burney, there is every reason to believe that a British merchant arriving with a cargo of suitable goods for the Siam market, would be

allowed to dispose of them without undergoing those difficulties to which he would have been so much subject before, in being compelled to sell to and purchase from the government; yet it cannot be expected that all their ancient customs, so long and strictly adhered to, should be relinquished at once. Time and better intercourse may effect a change, and then we may enjoy similar privileges as the Chinese, in being allowed to go up the country to purchase goods. These people carry on a very lucrative trade from many parts of China and Hainan; and as the shopkeepers are, generally, a very honest, well-disposed set of people, there is no doubt, when their fears of us begin to abate, for at present they actually consider us little better than pirates, that three or four vessels might be annually employed with valuable cargoes, amounting to 200,000 ticals, with much advantage, as the taste of the Siamese for European commodities daily increases. There is no place to which a small capital might be ventured with more security than to Siam, and its adjacent ports, touching at Tringano, Calantan, &c. on the way thither.

Since the accession of his present majesty to the throne, he has abandoned the idea of trading himself, and it is only owing to the Prah-klang, and his brother Pya Si Phipad's ambitious views, more particularly those of the latter, that merchants have met with obstacles in the freedom of trade. A British merchant finds also the native Christians* and Chulias very great annoyances. Of the former there are 1,000, and those have been always known to be the dirtiest, laziest, and most unconscionable villains, uniting chicanery with prevarication, and to deal with whom the British merchant finds all his care and attention extremely requisite. They are so much attached to the government, that they withhold all information which they may, in any way, consider detrimental to it. The greatest hatred of us prevails likewise amongst the other class (Chulias), from motives of religion, and they take great delight in doing us all the mischief they can; the most of them are employed under the government, and as shopkeepers.

The Siamese eat indiscriminately all kind of food used by Europeans. The Prah-klang's family frequently dined with us, and conducted themselves extremely well.

It is only by great perseverance and patience that a British merchant, visiting Siam, can overcome the obstacles in trade, for the Siamese delight in dallying to gain advantages, and put a person off his guard, and, if he is of a hasty and irritable disposition, and make use of any abusive or insulting language, or offer to strike any of them, they will immediately go away and put a stop to business for several days, but by firmness and forbearance he will finally succeed.

The result of the Burmese war has made a total revolution in their ideas of the British power, which, from the reports of the junks from Penang and Singapore, they have hitherto considered as very trifling. The conclusion of the treaty has insured their respect for the British government, to please which appears at present to be a very great object with them. After Captain Burney's departure, their fears of the appearance of British troops was so great,

* These people, with the exception of five or six, are all very poor, and support themselves entirely by fishing, and whatever they do not use is sold to purchase rice, which is very plentiful and cheap. The Siamese themselves have no aversion to any one differing from them in religion, and the court is formed of Chinese, Malays, Chulias, Bengalees, Christians, Cochin Chinese, Laos, &c., and many of them hold very high employments, and are much beloved. I know several Chinese at Bangkok who have become Siamese, and cut their tails off. The Chinese, immediately after their arrival, adopt the manners of the Siamese, and burn their dead. Upwards of 2,000 Chinese annually arrive from Fokien and Hainan, and a very few from Canton.

great, that all attempts to quiet them were unsuccessful. Their belief in astrology only adds to their timid fears, as they say it is decreed and written in their books, that the English will conquer Siam, and they think that it will ultimately be the case. It was reported after the departure of the mission, that a letter had been suspended to a tree on the frontiers by some Peguers, warning them that the British had resolved on invading the country immediately, and the masters of the Penang and Singapore junks arriving at the same time this communication reached Bangkok, confirmed the report, by stating that a hostile fleet was ready to sail from Singapore to attack them. This caused the greatest confusion, for they are naturally so credulous, that the Chinese take great delight in relating the most ridiculous stories, which gain immediate belief, a circumstance which these crafty people turn to good account, by commanding privileges they would otherwise find unattainable, as well as with a view of inculcating a bad spirit in the Siamese against us, of whom they are extremely jealous, and think we encroach too much upon their trade. Any favourable mention of us would not be credited. Their minds have been so long biassed by false reports, that to attempt to contradict them would be useless. A stranger, on his arrival, is immediately questioned about the English. If his reply is in their favour, he is told, with apparent displeasure, by the government officers, that he is a friend to the English.

On asking the Siamese what they would do if attacked, they replied, that they would all run up the country; and such would probably be the case from their cowardly disposition. It is very common to observe one Burman beat off three or four Siamese, both on the river and on shore, and take what fish, rice, &c. he wants, which the Burmese captives are allowed to do to a certain extent. They levy a contribution of a few cowries from each person's boat, to which the Siamese, as well as Chinese, are invariably obliged to submit. These poor creatures are kept in heavy irons, and constantly employed in ditching, building, sawing timber, brick-making, &c., and are badly fed; their appearance is, consequently, miserable.

So great an effect has the Burman war produced on the minds of the Siamese, that since the middle of August 1826, three war-boats, commanded by native pilots, were ordered to cruize outside the bar, and report the arrival of all ships before they passed, and the injunctions were so strict, that any negligence only led to the decapitation of the pilots. On our departure from the country, we still left them cruizing.

About two months after the departure of the mission, we found it necessary to make sundry presents to the Prah-klang, his brother Pya Si Phipad, and the second prah-klang, to regain their good will, which the presence of the mission had somewhat abated. This induced them to assist us in the disposal of our stock of goods.

The Catin, or great holidays, commence at the new moon in October, and last a few days, during which time the king appears six or seven days, in visiting the pagodas and the forts at Paknam and Pacclaat. The king, however, intends reducing the number of days devoted to this festival, as he thinks them too great a waste of time, which might be usefully employed in the administration of government, and in active employment.

On the 4th November, information was brought by several people, of the Siamese having partly filled up the river at the mouth of the Mecklong, leaving but a small space, sufficient to admit vessels only drawing ten feet water, and that they entertained some idea of doing something with the bar at Paknam, to prevent large ships getting over.

On

On the 11th November, three small junks arrived from Cochin China, with cargoes of sundries, and letters from that government, to assist the person in charge in the disposal of his goods. The principal attended by the masters of the other two junks, and twelve followers, proceeded to wait upon the Prah-klang; but before they had passed the outer gate of his dwelling house, they were stopped and detained there for twenty minutes, until a message from his excellency told them, that he could not see them that night. They returned seemingly displeased, but without expressing their disappointment. The circumstance is worthy of notice, as refuting an idle rumour, originating wholly with this trading speculation, that a mission had arrived to claim assistance from the Siamese to quell a rebellion in Cochin China, intended to raise another king to the throne of that country.

The king has, within the last eight or ten months, erected an extensive shed, covered with tiles, about a mile up the Bezar river, nearly opposite the Prah-klang's house, in which 136 war-boats, 60 feet long, 7 feet broad in the middle, and $3\frac{1}{2}$ feet at the stem and stern, and capable of carrying about thirty men, were lodged. A similar shed has been erected a very little distance in shore, at Bangkok Nai river, nearly opposite the palace, a quarter of a mile up, with 100 boats of the above description. Immediately above the palace, and on the same side with it, the government have constructed smaller, but similar sheds to the above, along the banks of the river. Several public buildings were also erecting by the palace, one of which was built a good deal after the English style. The king has issued orders that all the small buildings, principally occupied by petty shopkeepers, &c., near the palace, should be immediately pulled down, and that no person should in future build there who could not afford to erect a handsome edifice.

On the 16th March 1827, a large fire broke out near the palace, by which upwards of 500 houses were destroyed, amongst which was one of the palaces of a brother of his present majesty. The prince, by this accident, sustained a considerable loss, but, as customary in the country, numerous presents were sent to him from all quarters, and it is thought that he, like many others who have suffered in this way, will be enriched by his misfortunes.

Another very large fire, on the 19th March, occurred at his majesty's magazines, on the Bezar river, from a man having taken a light with him into the building, which occasioned the accident. It caused an immense explosion, and it is probable, that not less than 1,000 houses, on both sides of the narrow river, must have been burned down. The king, second king, and princes, with an immense crowd, came to the spot, the former to render what assistance they could; but, as in similar cases, more confusion than regularity prevailed, and nothing was done of any consequence. Thia Phipad, second prah-klang, and one of the best men in the country, had his house completely levelled with the ground, and lost a little boy at the same time, but saved all his money, which was said to be very considerable.

When we left Bangkok we did not hear of any Burmese subjects of the British Government having been brought prisoners to that place, and it is likely that they will not now renew a system so inimical to their own interests, particularly under the dread which they entertain of the British power.

The annual revenue of Siam is estimated at two millions and a half of ticals, which is disbursed in the payment of government servants, and maintaining the princes, said to be altogether about 2,000, leaving but little in the treasury, in which it is said the sum of one lac of ticals has never been exceeded. The expenses incurred in the erection of pagodas, public edifices, &c.,

&c., are paid by contributions levied on the inhabitants, each according to his circumstances. A present sent by Messrs. Morgans, Hunter, and Co., to his majesty, of a quantity of iron railing, was, in consequence, refused, although highly approved, knowing they would be obliged to make a suitable return. They, therefore, purchased it by the contributions of the people, each paying, as above, from five to forty peculs of sugar. Every merchant and shopkeeper is obliged to contribute towards the object for which the others are taxed.

One of the principal people possessing 20,000, and a shopkeeper 10,000 ticals, would be considered rich. The Prah-klang, and his brother Pya Si Phipad, are amongst the richest in the country.

The interest of money in Siam is equal to thirty-three per cent. per annum.

A report got afloat after Captain Burney's departure, that the governor of Prince of Wales' Island had seized upon Queda, which created great alarm at Bangkok. This was owing to the report of the master of a Chinese junk, who said that an expedition was preparing to start from Penang when he left.

A merchant visiting Bangkok ought never to inform the government, or any other person, what description of goods he wants, but content himself with gradually purchasing what he really wants, as opportunities offer. This measure will not only prevent the price being raised, but keep the government officers from compelling him to purchase from themselves, even if they wished it, by desiring the shopkeepers, &c. not to sell the description of goods he wants under a certain price.

The Siamese are a most contented and quiet race of people, and seldom quarrel or fight, and the climate being extremely fine, they all enjoy most excellent health. They are also very honest; and during a stay amongst them of nearly three years, few instances occurred of theft. They are, however, greatly given to lying, and their mean low cunning is beyond all description. One trait in their character is their extreme fondness for their children, to whose education they pay particular attention, and there are but few amongst the coolies who cannot read and write, while most are even qualified to hold the highest appointments in the country. The lower orders are better and more civil than those of higher rank. All pay the greatest respect to the aged, and do not require so much homage from them.

The Siamese had, for a length of time, wished for our departure, as they are utterly averse to the residence of any English amongst them, from the idea that they would report whatever occurred; therefore, when they heard that we were on the point of leaving, they appeared evidently very glad, but as they wished to part with us on good terms, their conduct was extremely kind and civil; and even Pomat, a natural brother of the Prah-klang's, who is one of the most annoying persons about the court, visited us frequently, and behaved very obligingly to us. Indeed, every one endeavoured to serve us as much as he could, and on our departure we received a short complimentary letter of six lines from the Prah-klang to the house of Messrs. Morgans, Hunter, and Co. at Singapore, which occupied him and all his department three days to compose, and was afterwards submitted to his majesty, and the other ministers, before it was sent to us. This is only noticed here to give an idea of their alacrity in transacting business. There can be little doubt, though we did all in our power to gain their good feelings during the time we remained in the country, that they will never suffer any British subjects to live entirely among them again. Before we left the Prah-klang, he expressed a desire to obtain some Burmese religious books, for which he was going to send to Tavoy
or

or Martaban. The priests were then engaged in a new translation of their sacred books to present to his majesty.

The Siamese have been casting a brass gun of eighty peculs, which had occupied, when we left, nearly 2,000 men for two months, and it would take up two months more to finish it. The princes and most of the people of rank were, for some time, busily employed in getting bellows made for the purpose.

We touched at Tringano on our way from Siam to Singapore, on the 1st of April last, and when we landed, found several of the principal people ready to receive us, which they did with much cordiality, and introduced us to the sultan, who was also extremely kind. He made many inquiries respecting the conduct of the Siamese, and the treaty concluded by Captain Burney, expressing great pleasure with that part of it which related to himself and his country, and seemed anxious to know when it was the intention of the British Government to invade the country, saying, that he, as well as the rajah of Calantan, would lend his assistance with troops. We explained to him that it was not the intention of the British government to attack or molest the Siamese, but to be on good terms with them. A captain of a trading vessel from Calantan informed me, that similar inquiries had been made at that place, and that the rajah appears equally displeased with the Siamese, and had said he would not in future pay any more tribute to them.

In accordance with a long established custom at Siam, the king ordered the Prah-klang to see that all who owed us debts should pay them before we left, that his own should also be discharged, and that an allowance should be made to us for any detention we might experience on this account.

The Siamese, from the dread of a rebellion, will not keep up a standing army, but raise conscripts in the event of a war.

It is very difficult to ascertain the population of Siam, but it is said to amount to about five millions, under the following distribution : Siamese, Laos, &c., three millions and a half; Chinese, one million and a half, throughout the whole kingdom. At Bangkok alone, there are 100,000, but the greater part are Chinese.*

* *Calcutta Gov. Gaz.*

THE COMPLAINT.

Light as the thistle's downy seed,
 Borne by the faintest breeze away;
 Transient as shadows o'er the mead,
 When clouds obstruct the solar ray;
 Uncertain as the dazzling snow,
 Or water curdled by the frost;
 False as the calm the billows show,
 Ere the frail ship is tempest-tost:
 So false, deceitful, treacherous, prove
 The vows that cheat the young and fair.—
 Who trusts thy oracles, O Love!
 Instead of joy will find despair.

E. R.

CHANGES IN SOME OF THE ASIATIC LAKES.

ALL who are in any degree conversant with the subject must frequently have noticed the conflicting accounts of ancient historians and geographers respecting the lakes or internal seas of Asia; accounts which, when compared with each other, and especially with those of later times, we have been accustomed to regard as irreconcilable, and as exhibiting indubitable proofs how little the old world knew of the important science of geography. It is easy, and doubtless gratifying to many, to bring charges of ignorance against writers whom mankind have long revered; but the candid inquirer will pause before he sanctions any such sweeping censure on "the great lights of human knowledge." He will begin to suspect, and his future researches will end in convincing him of the fact, that the accounts to which we have alluded *may be* reconciled, though in a way less pleasing to the pride of modern learning; that their variations, and in some cases absolute contradictions, may be owing to the physical changes which, through the succession of ages, have been effected both in the figure and the dimensions of those lakes,—we mean the Black Sea, that of Azof, the Caspian, and the lake or sea of Aral.

In the present article we shall endeavour to shew, both from history and geology, that all the four lakes were of much greater extent than they now are; that the Palus Mæotides, or sea of Azof, formed a part of the Euxine, and the Aral part of the Caspian; and that the two greater seas probably constituted *one* vast mass of water before the rupture of the Bosphorus, or the deluge of Deucalion, which took place a little more than fifteen hundred years before the Christian era.*

Herodotus, whose evidence is the more to be relied on as he was an eyewitness of the fact, affirms that in his time the Palus Mæotides was equal in extent to the Euxine (he gives the dimensions of the latter with considerable accuracy); and that it communicated by the Tanais with an immense lake, which must certainly be the Caspian. Yet in the second century after Christ it had diminished to less than half the magnitude of the Euxine, as we learn from Arrian, who estimates the circuit of the one at 9,000, the latter at 23,083 stadia. From the time of that accurate writer to the present, the diminution has been still greater; for the former is not one-tenth the magnitude of the latter. That its limits were much farther removed both to the west and the east, seems sufficiently clear. We have the authority of Herodotus that the Hypanis flowed into the Borysthenes, a junction probably effected by an arm of the latter river, and that their united waters fell into the Palus Mæotides, at a point unquestionably distant from the present western border of that lake. Aristotle also asserts that in his time traces of a canal leading from the Hyrcanian, or Caspian, to the Palus, were distinctly visible; and that even then the former was separated from the latter only by a short isthmus. Though the distance must have been much greater in the time of Pliny, that writer estimates it at no more than one hundred and fifty Roman miles; and he asserts that the ancient communication would have been re-opened by Seleucus

* We extract from a French author (M. de la Malle) the variation of chronologists respecting this celebrated event:

		<i>Ante Christum.</i>
The eruption of the Euxine into the Mediterranean, or the deluge of Deucalion, took place, according to	The chronicle of Paros	1529
	Thrasylus	1594
	An old chronologist quoted by Cedrenus	1548
	Eusebius	1530

Seleucus Nicanor but for the untimely and tragic death of that enterprising man.* When Strabo wrote, the low plains of Scythia, north and east of the Palus, were covered with water, which in so hot a region, and so destitute of wood, would soon evaporate. That lake has greatly diminished in depth from the same cause, and no less in extent, from the constant accumulation of sand and alluvial matter brought by the Don, the Dnieper, and several other rivers. Hence, as Buffon observes, there does not seem any great unreasonableness in the opinion of Polybius, that it will some time be filled, or dried up, as many other lakes in its vicinity have been.† Its average depth is only from thirty to forty feet.

The Black Sea has also diminished since the time of Herodotus. That historian estimates its length at 1,110,000 orgyes, or 11,100 stadia. Assuming the former measure at six, the latter at 600 feet, the whole length will be nearly eighteen degrees of longitude. Procopius says that fifty days would be required by a *good* walker to travel from Chalcedon to the Phasis. Twenty-five miles per day is surely not too much for such a walker, and this will give 1,250 miles, or about the same result, eighteen degrees. But as neither Herodotus nor Procopius probably intended to estimate the distance in a *direct line*, some allowance must be made for the indentation of the coasts; yet after the most ample has been deducted, the difference between the former and present length will be considerable: and the same inequality is observable in the breadth. The father of history calculates it to be 3,300 stadia, or 375 English miles.‡ Nor will the diminished extent greatly surprise us if we consider that it is owing to the same cause as that of the Mæotis, the accumulations formed by the numerous rivers flowing into the north of this sea.

If Pliny and other ancient writers be correct, the Euxine must have extended farther to the south as well as to the north. They assert that the gulf of Amisus stretched so far towards the north-eastern point of the Mediterranean, that Asia Minor might almost be considered as one immense island, Artemidorus estimates the distance from that gulf (the modern Limiso) to Alexandretto at 1,500 stadia, or about 170 miles. It is now four degrees of latitude.

The Caspian may perhaps be proved to have diminished as much in proportion as either of the two seas we have mentioned. The oldest authority on this

* In 1799 the laborious and learned Pallas published two charts representing the ancient junction of the two seas. He founds his conjectures both on historic testimony and on the nature of the country north of the Caucasus, extending from one sea to the other. The salt lakes, or pools, which are still to be found in that country, he considers to have been gulfs of the old sea. In his progress through it, he believes that he can easily trace the gradual recession of the water from the Caspian to the gulf it now occupies in the sea of Azof.

† The ancient historian alludes to both the Euxine and the Mæotis, and in very positive terms: "We should not be surprised if the rivers by their continued rapidity should accumulate materials sufficient to fill up the Pontus, a result not only probable, but seemingly inevitable." The Pontus is filling up by slow degrees, yet from the extent of this sea the vulgar do not admit the possibility of the final event." He proceeds to advance the reasons on which he founds his opinion, and concludes by saying: "These details have been exhibited to convince some men of their error in refusing to believe that the Pontus will one day be filled up, and that the deeper parts of this sea will be reduced to a little lake unconnected with other waters." What may be the result with respect to the Black Sea, we are not prophetic enough to know. Mr. Tournefort seems to have reason on his side in ridiculing this notion of Polybius. So many deep rivers discharge themselves into the Euxine, which yet has but one known outlet, the Bosphorus, that we should naturally suppose that sea must increase in depth, if not in extent. This, however, is not the fact, and we are in consequence led to suspect that there must be some subterraneous outlet for the vast flux of waters.

‡ We are aware that Larcher, Major Rennell, and others have attempted to reduce the measure of the stadium as given by Herodotus; but if their new measure be adopted, it will overturn all the calculations we have been accustomed to make of ancient distances, and render the Euxine, in the time of that historian, one-fourth less than it actually is.

this as on the preceding occasions, Herodotus, affirms that a boat impelled by oars would require fifteen days to traverse it in its greatest length, and eight days in its greatest breadth. Now if we assume the distance sailed by such a boat in twenty-four hours at an astronomical degree (and this is even less than the calculation of Herodotus, Strabo, and Ptolemy) the result will be fifteen and eight degrees. That this sea was much more extended *before* the time of the historian, he distinctly admits; and like the Greeks who followed Alexander the Great into the regions in its vicinity, he seems to think that it anciently joined the Aral and the sea of Azof. Most modern travellers, judging from geological observations, concur in the conclusion that it was once of much greater extent than it has ever been since the commencement of the historic times: they confirm thereby the justice of a remark made by Buffon, that the Black Sea, the Caspian, and other internal seas of Asia, ought to be regarded only as lakes, of which the extent has varied, and which are not what they formerly were; that the Aral and the Caspian constituted but one grand lake, the common receptacle of the Volga, the Jaik, the Sirderias, the Oxus, and of all the other waters that were unable to reach the ocean. There cannot, as another writer observes,* be a doubt that this sea formerly occupied the sandy plains which separate it from the Aral; for the mass of its waters must anciently have been much greater, since several large rivers, whose course has changed, and which are now lost in the desert, no longer discharge themselves into it.†

Perhaps the preceding observations will account for the various descriptions of the Caspian by writers who have appeared at various periods, and who, however they may differ as to its figure, were probably as well acquainted with the subject as ourselves. The most ancient geographers represented it as round, others as oblong: Herodotus assigns to it an oval, the orientals a triangular form.‡ All these accounts may have been correct at the time they were respectively written. The great historian we have just named had two good sources for the information he affords; he had probably seen a portion of the Caspian himself, and of the portion he had not seen he would doubtless learn much from the relation of the Babylonian nobles whom Cyrus had exiled to the coasts of the Caspian, and who would surely be able to describe what they had observed. The Arabian writers must also have had some knowledge of that sea; for, as we are informed by some of them, Gengis Khan marched round it at the head of his army of Tartars. Besides, the regions in its vicinity were much frequented in the reign of the califs, as is apparent from the medals which are still found in many of the ancient tombs near the Petzora.

Had lake Aral existed in the time of Herodotus, he would not surely have omitted to mention it, especially as he is so exact in his description of the

* M. Dureau de la Malle, a writer who joins to great patience of research still greater extent of learning. We willingly take this opportunity of acknowledging our obligations to him in the present article. Sometimes we differ from him, and we add much that was probably unknown to him; but we consider him as the ablest writer France has produced on the physical geography of the Euxine and the Caspian.

† The Baron de Meyendorff, who traversed the country in 1820, observed many indications of the ancient junction of the Aral and the Caspian.—*Voy. d'Orenbourg a Boukhara*, II. II. 95. He also says that the Kirgheez informed him that their fathers had seen the Aral extend sixty wersts beyond its present limit towards the Seri-boolak mountains. He adds: "So many of the Kirgheez affirmed the same thing, that I regard it as a positive fact, which proves the great and the rapid diminution of the sea of Aral: it still continues to diminish, for one of our guides remembered having seen it advanced beyond the Kullî and the Sapak.—*Ibid.* I. III. 35.

‡ See Ebn Haukal, Edrîcy, and Abulfeda.

the Caspian, the Oxus, the Jaxartes, and the country in their vicinity. But better than this negative evidence is that of Patroclus, the Syrian admiral, who navigated that sea, and who distinctly asserts that the Jaxartes, which now flows into the Aral, discharged itself into the Caspian, about 2,400 stadia, or 272 miles, from the mouth of the Oxus. Indeed, were this the only testimony that could be adduced, no doubt would remain that the Aral was at that time a gulf of the sea from which it is now separated twenty days' journey.* The Arabs were probably as well acquainted with that sea as either the Greeks or Romans; but as their knowledge of it commenced at a much later period, long after the separation we have just mentioned, they could not represent it as it anciently appeared. Yet in the time of Abulgasi Khan, the Aral was much greater than it is; and a discovery was soon made that it contained just the same species of fish as the Caspian.

It would be easy, though to most readers somewhat dry, to multiply authorities, rendering it exceedingly probable that the Palus Mæotides was as much a part of the Euxine as the Aral was of the Hyrcanian; and that both the great seas were *contiguous*, and even *united*, at a period less remote than is commonly supposed; but we will now briefly advert to a few of the geological facts which furnish the best confirmation of the truth of history.

All travellers into the regions bordering on the four Asiatic lakes observe that traces either of some great deluge, or of those sandy plains having formed a portion of the sea, are too evident to be misunderstood. Thus M. Pallas remarks: "The notion of the indefatigable Tournefort and of Buffon respecting the ancient state of the Black Sea, and its communication with the Caspian, is more and more confirmed by the observations of travellers. The phoeæ, certain other fishes, and sea-shells possessed equally by both seas, render this communication extremely probable; and the same circumstances also prove that the lake Aral must formerly have been joined to the Caspian. In the third and seventh volumes of my travels, I have traced the ancient extension of that sea over the entire desert of Astrakan and beyond the Jaik, by the appearance of embankments with which the elevated plains of Russia bound this desert; by the physical state and fossil productions of that ancient region; and by the abundance of calcined marine shells † which cover the whole surface of the same desert." The same acute author, in attempting to ascertain the former limits of the Caspian, continues to observe, that the sudden elevation of the ground, those inclined plains of sand which terminate towards the steppe, the bays and promontories, and above all the saline nature of the soil, which is constituted of dried mud, sand, and shells, furnish subject for endless conjecture on the ancient state of the steppes of Kouman, the country of the Kalmucs, and that bordering the Jaik. Now from these shells proving the same as those of the Caspian, and very different from those of other lakes and rivers; from the uniformity of soil in the steppes extending from beyond the Aral to the Volga—soil constituted of the same materials, and not containing a single particle of mineral matter; from the appearance

* Ebn Haukal.

† These shells are very different from those which are to be found in the higher regions of Asia, and generally in the mountainous parts of the globe. Thus the shells which may be discovered on ascending the Volga, bear no resemblance to those of the Caspian: the former are of the kind peculiar to the great ocean. Geologists have described whole beds of them many feet in depth, and sometimes considerably below the surface of the earth. They are evidently vestiges of some universal deluge, which covered the highest mountains with the productions of the great deep, and which the Christian philosopher can have no difficulty in recognising as the one related by Moses.

of the country, and a hundred other things, there is evidence little short of demonstration, that the whole extent of these regions was once covered by the Caspian.

On contemplating the authorities we have adduced, and the physical phenomena to which we have scarcely done more than allude, we cannot easily avoid the conclusion that the whole region from the Dniester to the Sirderias formed one vast sea, which had probably increased for many ages by the influx of several mighty rivers.* This sea could have no communication with any other, no outlet to discharge its rapidly accumulating waters. Hence its level would gradually rise above that of the Mediterranean, until at length it would force a passage in the most practicable part, the Thracian Bosphorus; and hence, if any faith is to be given to human tradition, the far-famed deluge of Deucalion.

Writers of great erudition, but of mistaken piety, have been unwilling to admit another deluge, and have laboured to prove that the one which is said to have happened in the reign of Deucalion, is either an invention of the poets, or a distorted tradition of the one mentioned by Moses. We believe that neither is the case. Convinced as we most firmly are of the truth of revelation, and that in consequence only one *universal* deluge has been sent for the punishment of the human race, we yet cannot shut our eyes against the concurrent testimony of history, geology, and tradition, all of which afford presumption, if not indubitable proofs, of a *partial* flood.

This irruption of the Black Sea must have broken through the isthmus formed by the Cyanean rocks, which even now may be proved to have been volcanic, and which an earthquake may have opened sufficiently to admit the furious burst of the water.† The impulse once being given, the immense mass would roll onwards with increased rage, remove or overflow every intervening obstacle, and swelling in its resistless course the waters of the Propontis, both would rush into the Mediterranean, would inundate its lower coasts, and spread destruction on every side. Asia Minor, Thrace, Greece, Egypt, and Lybia, suffered from the dreadful catastrophe, of which their monuments, history, poetry, traditions, and chronology have rendered the memory imperishable. We shall briefly notice a few of the authorities to which we have alluded.

"The Samothracians relate," says Diodorus Siculus, "that before the deluges of other nations, their country was ravaged by a frightful inundation, which opened the passage of the Cyanean rocks, and afterwards of the Hellespont, because the Gulf of Pontus, previously closed in like a lake, had so much increased by the influx of rivers that its bed became too confined, and it opened for itself a passage to discharge its waters into the Hellespont. It overwhelmed a great portion of the maritime coasts of Asia, and the plains of Samothracia which lay contiguous to the sea. Hence, in later times, fishermen have drawn up in their nets the tops of lofty columns, which prove that

* The lofty range of the Caucasus would certainly be the southern boundary of this vast mass of waters, when so great a portion of northern Asia was overflowed; and of this sea, the Euxine and the Caspian would form the two deepest gulfs.

† A l'embouchure du canal, sur l'une et l'autre rive du Bosphore, nous fumes frappés des indices d'un volcan, dans une étendue de plusieurs lieues. Nous reconnûmes partout des roches plus ou moins altérées ou décomposées; partout l'entassement et la confusion attestent l'action des feux souterrains; on aperçoit des jaspes de diverses couleurs, des cornalines, des agates et des calcédoines en flons, parmi des porphyres plus ou moins altérés; une brèche peu solide, presque décomposée, formée par des fragmens de trap, aglutinée par du spath calcaire; un joli porphyre à base de roche de trap verdâtre, coloré par du cuivre; on voit enfin, pendant une étendue de plus d'une demi-lieue, une roche dure de trap d'un bleu verdâtre, également coloré par du cuivre.—M. Olivier.

that whole cities, situated on these plains, have been submerged." Strabo alludes to the fact, and cites more than one authority to the same effect. Thus Stradius expressly asserts the common opinion that the Euxine had anciently no opening near Byzantium, and that its waters forced a passage into the Hellespont. It appears that the Samothracians (at least the more active portion of them) consulted their safety by ascending the most elevated mountains of the isle; that as the waters continued to rise, they prayed the gods to avert their destruction; that when the flood had subsided, they marked the bounds to which it had extended; and that in token of their gratitude, they erected altars on which sacrifices were offered even in the time of the Sicilian historian. The same writer just named adds, that this fearful event destroyed most of the inhabitants of Lower Egypt, but that it did not reach those of the Upper. Polybius alludes to it, and so does Plutarch; but we have not their works at hand, and we do not exactly recollect the purport of what they say.*

To these testimonies we might add that of the poets, which is not, in our opinion, so questionable as is generally supposed; for they did not so much *invent*, as *embellish*, the traditions which had, for many ages, been popular in their respective countries: we might quote innumerable passages both from them and from sources considered more deserving of credit, describing the effects of this deluge on the countries to which we have alluded; but our limits will not admit so detailed a view of the subject.† What we have further to say, must be compressed within a narrow compass, and drawn from more recent sources.

The mariners of the Black Sea frequently discover, on the rugged rocks which surround it, evident traces of the ropes which once held the anchors of vessels. Even on the summit of high mountains, large iron rings fastened in the rocks, and clearly intended for cables, are sometimes found. The Turkish author of *Dgihannuma* ‡ affirms that he has himself seen them in Djanig and other places. "It is certain," he proceeds, "that the waters of the Black Sea, before they overflowed, rose to an incredible height,—even as high as the mountain tops, and that vessels were moored to the iron rings which are fixed in the rocks on those mountains; that on the subsiding of the waters, those rocks on which the cables had made an impression, and the iron rings, remained as they are now to be seen in their places, and far distant from the sea. This diminution of the waters of the Euxine has caused us to conjecture some great overflow, and this could only be through the canal of Constantinople. A vast mass of water having spread over the country, the level of the Black Sea would begin to lower."

Another testimony in support of this partial deluge, is afforded by the ancient monuments which are often to be seen in the canal of the Bosphorus. Thus between Akende-Bourny and Bebeg, when the sea is calm, and the

water

* If our memory does not deceive us, the former of these historians says, that the Euxine being increased far beyond its usual dimensions and depth by the influx of its rivers, precipitated its superabundant waters into the Propontic.

† Arotinus, as quoted by Dionysius of Halicarnassus, informs us that shortly after the subsiding of the deluge, Dardanus passed over to Troas, and founded the city called after his name. He is represented as being still fearful lest a similar calamity should again arise; and as the plains of Ilion were not yet dried, he took care to build his city on the declivity of Mount Ida. This circumstance, as Plato observes, is confirmed by Homer, *Il. lib. xx.*

‡ Quoted by Dr. Ingigian, an Armenian by birth, but educated at Constantinople, and evidently well acquainted with his subject. He has written, in his native language, an elaborate description of the Bosphorus.

water clear, edifices, arcades, &c. are discovered. Such ruins, as fishermen and expert divers affirm, are perceptible in most parts of the strait.

Geologists may find a third proof of the event in the physical conformity exhibited by the opposite sides of the Bosphorus. If one, for example, consist of clay at the base, clay mixed with sand as we ascend, and flint or stone towards the summit, the one exactly opposite on the Asiatic side will present the same order of substances, and the same quality of surface. As both sides are so exactly alike, they must have been disrupted by some resistless cause,—the earthquake followed by the waters.

In conclusion, a recapitulation of the facts established in the preceding paragraphs, or in the notes, may not be superfluous. It has either been proved, or rendered exceedingly probable,*

1. That since the time of Herodotus the sea of Azof has diminished five-sixths.

2. That since the same era a great change has been effected in the figure of the Caspian, and perhaps in its extent.

3. That by the changes produced in the Black Sea, especially towards the north, the boundaries mentioned by the ancients have disappeared.

4. That some ages before Herodotus, the Caspian, the Aral, the Black Sea, and the sea of Azof, formed *one* sea, perhaps equal in extent to the Mediterranean, but without any visible communication with it.

5. That a multitude of historic authorities fix the formation of the Bosphorus by the irruption of the Euxine into the Mediterranean in the time of Dardanus and Deucalion, or about 1,529 years before Christ.

6. That the same event, as well as most of the preceding positions, is confirmed by geological observations.

7. That the effects of the inundation were experienced in many countries bordering on the Mediterranean.

* M. de la Malle. See his *Géographie Physique de la Mer Noire*, &c.

CIVIL RANK AT THE THREE PRESIDENCIES.

To the Editor of the Asiatic Journal.

SIR: I wish to call your attention, and that of the service, to the difference of time in the three presidencies when writers are made factors. Referring to the *East-India Register* for 1827 (corrected to September 1), you will see that the civilians of Bengal, for the year 1820, are factors; so in Bombay; but those of Madras, their contemporaries, are only writers. As the promotion from one grade to another goes by time, not by service, I do not know how this difference can exist, nor why it should be. Although the fact of being senior merchant, junior merchant, factor, or writer, makes no difference in the pay, as long as a person is in employ, it makes a material difference out of it; for then a civilian receives a certain allowance according to the grade to which he belongs. I think the three presidencies should be put upon the same footing in this respect. Madras is the worst off of the three as it is, and can ill afford to spare any thing.

Hoping this may be looked into and remedied,

I am, Sir, &c.

December 5.

C.

REMARKS ON ORIGINAL HINDU HISTORIES,

BY M. J. P. ABEL-REMUSAT.*

THE fifteenth volume of the *Asiatic Researches* commences with an essay on the History of Cashmere according to Hindu authors, by Mr. H. H. Wilson, secretary of the Asiatic Society of Calcutta. This able philologist, to whom we are already indebted for an excellent Sanscrit dictionary (already unfortunately too scarce), a translation of several poems, and recently that of six Hindu dramas, will enjoy the reputation of having given to the world the first extract from a Sanscrit historical work. An opinion was entertained almost universally a few years ago, that the Hindus absolutely possessed not a single work of an historical kind in their learned tongue: this singular fact appeared so well established, that an explanation of it appeared to be all that was required, and some very satisfactory reasons were accordingly assigned. At present, we have powerful inducements to consider the fact as extremely doubtful, and to attribute to our own ignorance what was assumed to be a consequence of the Hindu character. It is, however, necessary to remark that we have yet discovered only one Sanscrit composition to which the name of *history* can justly be applied; this is the *Raj-Taringini*, or History of Cashmere. Aboul Fuzil, the celebrated minister of Akbar, was the first to rescue this work from oblivion. A Persian translation of it was made at that period, and some extracts were inserted in the *Ayeeen Akberi*. Jehangir caused a second Persian translation to be published, in an abridged state; this was the edition which Bernier, the traveller, met with, and which it would appear he had some intention of translating into French. Various other extracts, taken from the same source, or from continuations by Musliman authors, have appeared at later periods, and even in the reign of Shah Alum. With respect to the original work, upon which all these secondary works were founded, it long escaped the ill-directed search of Europeans. Sir Wm. Jones was unable to meet with it; Messrs. Colebrooke and Speke, about the year 1805, succeeded respectively in procuring copies, and Mr. Wilson obtained a third at Calcutta. By comparing these three copies, he has been enabled to form a correct idea of this remarkable work, and to collect the bibliographical details and historical facts which compose his memoir.

The *Raj-Taringini* consists of four principal works, written by different authors, and at successive periods; and this circumstance, as Mr. Wilson observes, imparts to these chronicles a greater value; by affording an opportunity of observing occasionally the relations of contemporary writers. The first of the four is the production of Kalhana Pundit, who cites a considerable number of more ancient authorities, and who, by this precaution, furnishes a very remarkable example of that critical genius so rare amongst the writers of Hindustan. The second work is wanting in the three copies which Mr. Wilson was in a condition to collate. The third, which is the sequel of it, commences with Zeyn-el-ab-eddin, whose name spelt in the Sanscrit manner takes the form not easily to be recognized of Sri Jayna Ollabha Dina: it concludes in 1477 at the accession of Futteh Shah. The fourth and last portion is nothing more than an appendix to the chronicles of Cashmere, to make known the events which happened in the country up to the reign of Akbar.

Independently of the extracts and abridgments of the *Raj-Taringini*, of which

* *Journal des Savans*, Octobre 1827, p. 580.

which mention has just been made, Mr. Wilson has also had access to and has taken pains to consult several Musulman works, the *Nawadir-al-Akbar*, by Rafi-eddin Mohamed, a Cashmerian writer from Balkh; the *Wakiati Kashmir*, of Mohamed Azim; the *Tarikh Kashmir*, &c. These versions differ more or less from each other, especially through the arbitrary castrations and suppressions which the authors have practised without giving intimation of them, or rather concealing them by reconciliatory artifices. However, the authenticity of the primitive materials is nowise shaken by these systematic alterations, or by the variations which are occasioned by them; and those points, wherein the Sanscrit originals and the Persian translations coincide, may be regarded as possessing all the certainty of which Indian history is susceptible.

The foundation of the Cashmerian monarchy is attributed, as is well known, to a personage named Kasp or Kasyapa, who drew off the water under which the country had been submerged. Aboul Fuzil speaks of a colony of Brahmins introduced into Cashmere by Kasp. The Sanscrit history is silent in respect to this circumstance, and gives us to understand that the religion which was followed at that period was the adoration of the Nagas (dragons or serpents). Mr. Wilson here records some curious facts which tend to establish the priority of the serpent-worship over the system of the Védas. This idea, which may perhaps acquire additional confirmation in the progress of our investigations into the ancient religion of Asia, merits a separate examination, and may furnish matter for some interesting researches.

The reigns of fifty-two princes, lasting 1,266 years, according to the Sanscrit chronicle and the *Ayeen Akberi*,—of fifty-five princes, according to another Indian authority cited by the author of the *Wakiati Kashmir*,—fill the space which succeeded the establishment of Kasyapa. Their names are passed over in silence for a reason calculated to provoke the regard of Europeans; namely, because, having neglected the precepts of the Védas, they were totally unworthy; in the opinion of an author of the Brahmin caste, of being chronicled. The chasm left in this place is partly supplied by the aid of Musulman authors; and notwithstanding the inferiority of such materials, they furnish the subject of an important approximation to the data obtained from Hindu books by Wilford, and recorded in a manuscript work of that systematic and rather hasty, but ingenious and indefatigable writer: this is the Cashmerian origin of the Panduas, celebrated in the ancient history of India. It is here attributed to a prince named Bandu, whose birth and death were equally miraculous, since he was conceived by his mother whilst bathing in a basin, and his body dissolved and returned to the element of which he was formed as he one day bathed in the same basin. He had a vast number of children, and saw during his life 15,000 descendants, who were the stock of the Panduas.

A very small number of facts are related by the Musulman writers of the reigns of these first sovereigns of Cashmere. The seventh, Sander Khan, died in resisting a new introduction of the Indian idolatry. Under the ninth, this religion had become national, and the prince himself built a temple to Sada Siva. The fifteenth was dethroned by a king of Cabul. The nineteenth, Nareng Khan, was a conqueror who carried his arms as far as the frontiers of China. A revolt was the end of the twenty-eighth, as well as of his six sons, who succeeded each other, in the order of their birth, in the space of a few hours; whence came the proverb in use at the present day: "a single cauldron on a single fire saw six kings before the meat was boiled." The names of most of these kings are only mentioned; sometimes the length of their reigns, one of which extends to 115 years, another to 191. There is an undefined chasm at the end

end of the last reign. An absolute uncertainty therefore remains as to the total duration of this first series, and as to the periods when it began and ended. Yet, notwithstanding the fabulous circumstances which have been foisted into this succession, we may regard it, as Mr. Wilson does, as built upon an historical basis, and find in it a subject for some interesting observations. But we cannot adopt the conjecture of the English scholar, who discovers in the title of *Khan*, given by the chronicles to most of these princes, a reason for assigning them a Tartar origin, and who assimilates the same word to the names of Oxycanus and Musicanus recorded by the historians of Alexander. The title of *Khan* is of recent origin even in Tartary; it cannot have been carried out of it prior to the fifth century of our era; and in the chronicle in question, it discloses the effects of a digestion of the work under the influence of some princes of the race of Genghiz, rather than of the country of those kings to whom it is attributed by a sort of anticipation.

The prince to whom must be assigned, conformably to the combined documents of the Indian history and the abridgers, the first place in the true chronological series of the kings of Cashmere, is Gonarda, or rather Gonanda, the Agnand of the Musulman writers. His epoch is fixed in the original works; but according to the system of Yugas, Manwantaras and Kalpas, that is of the ages and eras of India,—a system which is still far from being clearly explained, and which always leaves a vagueness of several centuries in the date of events,—Gonanda was contemporary with Crishna and a relation of Jarasandha, king of Magadha, in aid of whom he led an army against Crishna. His son was killed in an expedition against this personage. The result of this synchronism is subject to difficulties which the Indian authors themselves have raised, and which Mr. Wilson discusses in a separate note. These difficulties are rather increased than dissipated by what is said respecting the succession of the subsequent reigns. There is no reason, therefore, to be surprised at finding in the summary of the learned writer a difference of 1,048 years between the date assigned to Gonanda, as it results from the very terms of the original chronicles, if taken strictly (B.C. 2448), and the same date rectified by Mr. Wilson himself with the assistance of different chronological combinations (B.C. 1400), which he has shown with equal sagacity and erudition.

The space which succeeds the reign of Gonanda is again occupied, in the history of Cashmere, by a line of princes whose periods are not fixed, and of whom a considerable number are not even named. Asoca, one of these princes, is accused in the *Ayeen Akberi* of having abolished the Brahminical rites and founded the sect of Jains, a circumstance which would again be in opposition with the fundamental epoch of Buddha, if we consider Asoca, according to the Indian author, anterior to the twelfth century before our era. An invasion of the Mlechas, or barbarians, is likewise placed under the same reign; and it is remarkable that on this occasion Asoca obtained a son to fight against these people, by means of his devotion to Siva, a strange contradiction of what had been said of his attachment to the worship of Buddha, unless the two religions had been then reconciled together, as they were more recently in different countries in the north of India. This prince, named Jaloca, overturned the new religion, expelled the Mlechas, and carried his arms to the north of Persia; which happened, according to the Musulman authors, in the time of Darab, or Darius. The complete establishment of the Brahminical system and of the distinction of castes in Cashmere is traced up to this reign; but although devoted to the worship of Siva, he did not scruple to grant privileges to the Buddhists to such an extent that he passed himself

himself for a *Bodhisatwa*, that is, a Buddhist incarnation of the second rank. After a long and fortunate reign, he ended by identifying himself with Siva, adored under the name of Jyeshta Rudra. There is observable in these traditions a singular mixture of ideas borrowed from both the rival creeds of India, and the name of *Bodhisatwa*, which is introduced, should direct attention to the passage in the Sanscrit chronicle relative to the reign of Jaloca. The successor of this prince was changed into a serpent for having been too tardy in satisfying the Brahmins who asked food of him. He is said to return, even at the present day, in the same form, to the vicinity of the capital of Cashmere. Three *Tartar* princes (it is thus Mr. Wilson interprets the word *Turushka*) introduced a religious reform into the country, which became exclusively Buddhist. Subsequently, 300 years after the death of Chakia Sinha, Cashmere appears under the rule of a Bodhisatwa, named Nagarjuna. This passage, which again may serve to fix certain chronological points of Indian history, had been rendered with some inexactitude in the body of the extract of Mr. Wilson. We here give the sense of it according to a more brief translation which he has inserted in his notes.

The triumph of Buddhism in Cashmere was not, however, decisive. Under the succeeding reign, the Nagas (dragons), exasperated by the desertion of the Brahminical rites, afflicted the inhabitants with the torment of intolerable cold. A Brahmin named Chandra, known as a grammarian in the literary history of Hindustan, delivered the country of this double scourge, the severity of the weather, and the heresy of the Buddhists. It is in the reign of this prince, named Abhimanyu, that the *Raj-Taringini* begins to give its details with more precision, specifying the length of each reign. The Indian calculation would place the end of this reign in B. C. 1182; Mr. Wilson, by the means already referred to, reduces the date to B. C. 388.

From this point, Cashmerian chronology may be submitted to regular discussion, since, the length of each reign being stated, there is an opportunity afforded of applying the principles by which the succession of princes is generally governed. The duration, in Mr. Wilson's opinion, is still subject to reduction in the early periods, because the author has evidently been obliged to lengthen the reigns so as to fill the space of 2330 years, which he had previously recognized between Gonanda III. and the year 1170 of the Saca era, or A. D. 1148. Under the government of these early princes there were also several religious diversities: some sovereigns are praised for having exerted themselves in re-establishing the ancient worship of the Nagas, of Siva under different invocations, of the lingam, &c. The Brahmin author of the chronicle depreciates with equal solicitude the memory of those princes who deserted the Brahminical system and embraced the worship of Buddha. These vicissitudes can only be explained by supposing that the population of Cashmere was divided almost equally between the two sects, which sought to supplant each other, and succeeded alternately. Some occurrences of this kind are related in the original, with certain poetical embellishments and ornaments of style not unworthy of regard according to the learned translator. Under one of the princes referred to (B.C. 705 agreeably to the Indian computation, 265 according to the reformed method) are recorded a fresh invasion of the Mlechas, and an expedition of the king of Cashmere to Lanka (Ceylon), in the course of which this prince subjugated Chola, Canata, Lata, and other countries in the south of India. Mention is also made, somewhat later, of a second expedition to Lanka, on account of a sanguinary war carried on by another king of Cashmere with the monarch of Ceylon, in

order to compel the latter to interdict his subjects from the slaughter of animals. The memory of this expedition beyond the sea is preserved, moreover, if we believe the Indian author, upon certain banners which it is customary to carry in particular ceremonies. Whatever opinion may be entertained of the reality of these events, it is important to recover them, for the purpose of comparison with analogous traditions recorded in the Singalese annals. We may probably thence derive some information respecting the route taken by the Buddhist religion, in reaching at the same time Ceylon and the north of Asia; and concerning the connexions inferred as subsisting between these remote countries, from the resemblance of writing, the succession of sacred dialects, and religious traditions.

Another prince, whom the Indian computation places in the first century of our era, is represented as having extended his authority over the city of Khota (apparently Khoten), Cathay, Chin, and Machin; that is to say, over the northern and southern portions of modern China. A little later, according to the same computation (but, if we adopt the rectifications proposed by Mr. Wilson, towards the end of the fifth century), a Brahmin named Matrigupta was raised to the throne of Cashmere by a sovereign of India named Vicramaditya, who had expelled from his territories the Mlechas and subjugated the Sakas. It is well known that the endeavours of historical critics have not yet succeeded in fixing the age of the different princes who bore the name of Vicramaditya; if this object had been accomplished, we might have had here a synchronism of so much the more value, inasmuch as a gross absurdity, which occurs immediately after this reign in the Sanscrit chronicle, confounds afresh all the combinations of the chronologist: this is a reign of 300 years, the only such example which is met with in the chronicle, and precisely at that particular juncture when confused traditions and incoherent narratives are about finally to give place to a better organized series of plausible details and data divested of improbability.

This period is that of the fourth succession, or the dynasty of Karkota. The longest reign which occurs there is one of fifty years: from the commencement of this dynasty, the aggregate of the years of these princes, calculated by retrograding from the recent events which determine the inferior limit, is found to correspond so nearly with the Indian dates, that Mr. Wilson sees no reason to make any essential reform in the computation of his original.

One of the most remarkable events in the space occupied by this dynasty is the expedition of Lalitaditya, who, about A.D. 714, traversed the eastern part of Hindustan, reached the banks of the eastern sea, which in the Cashmerian chronicles means the gulf of Bengal and the mouths of the Ganges and Brahmaputra, followed the coast of the peninsula, crossed the Vindhya mountains, subjugated the petty states on the Malabar coast, returned by the country of Cambodja to the north-west of India, proceeded towards Bokhara, gained three victories over the Musulmans, then, despising the *pale Bhoteas*, meaning thereby the inhabitants of the northern regions of the Himalaya, or the Tibetans properly so called, entered the country of Asam, and at length reached Tibet, and even Tartary (Uttara-Kara), where he terminated the career of his exploits. Nothing can be more curious, or more adapted to give the student a better acquaintance with the geography of Hindustan prior to the invasions of the Musulmans, than the narrative of this memorable incursion, in the shape in which the Indian author has given it, with the Sanscrit names of the places and countries traversed by the king of Cashmere. Nothing is more worthy of arresting the attention of intelligent minds, even in the poems
of

of the Hindus, than the details of ancient geography, which are collected by scholars with so much avidity. Those which occur here, in conjunction with the illustrations of Mr. Wilson, deserved to be carefully studied. It is necessary to examine very closely the approximations which he alleges to exist between the text of the chronicle and the relations of Arabians upon the subject of the wars they had to sustain, about this period, to the eastward of Khorasan. If we had sufficient space, we should be glad to point out another instance, in the expeditions of the Thupo, or Tibetans, to the Gulf of Bengal. The reports of the Chinese in respect to the Tibetans, Cashmere, and the city of Khoten, might on this occasion be consulted with advantage.

The reigns of the other princes of the same dynasty, as well as those of the two succeeding dynasties, furnish other facts which we would willingly stop to notice. But in proportion as we approach modern times the narrative of the Indian authors assumes a regularity of character, and there are, consequently, fewer difficulties to remove and conjectures to be hazarded. Being unable to give more than a summary of this extract, noticing whatsoever appears to us the most novel, we shall confine ourselves, in order to trace in a few words an epitome of the history of Cashmere, to stating the results contained in Mr. Wilson's chronological chart. The first period, that which begins with Kasyapa, and ends, according to the Indians, at the twelfth century before Christ, but according to their interpreter at the fourth, includes fifty-one reigns, the duration of which cannot be assigned even approximately. The first dynasty, worthy the name, that of the descendants of Gonanda III., contains twenty-one reigns, which occupy a space of 1,013 years, reduced by the translator to 378. The second dynasty has but six princes, whose reigns together amount to 192 years. The third, which is in fact the first re-established upon the throne, has ten princes, to whom is assigned a space of 592 years: it would give, even by the reformed computation of Mr. Wilson, an average of forty-three years, which he considers inadmissible. The fourth reckons seventeen princes, who occupied the throne for 260 years, from A.D. 615 till 875. The fifth has twelve princes in eighty-four years, from A.D. 875 till 979. The sixth succession, which includes nine princes of different races, lasted sixty-four years, between A.D. 960 and 1024.

Mr. Wilson has added to this extract an appendix consisting of notes, some of which have been already referred to. It is remarkable throughout for that Indian erudition and profound acquaintance with its sources which strike the reader in the preface to his Sanscrit dictionary, and which few authors, amongst those who apply themselves to the same subjects, are capable of equalling. In the analysis here given, we have merely detached a few features connected with the history of the religions of Hindustan, or the great movements, hitherto almost unknown, which must have agitated the people of that country. Facts of another kind were equally worthy of examination; but there is no individual of those who have addicted themselves to the study of oriental history, who will not read this precious relic of Indian annals over and over again. What we might desire, if the state of the manuscripts permitted it, is that the learned translator would give an edition of it in the original text, accompanied by a complete translation. He would thereby surrender to discussion a literary relic most worthy to exercise the sagacity of occidental scholars.

NEW SOUTH WALES.

WE have received a very long communication from a correspondent, containing "Suggestions for the improvement of New South Wales," which, conformably to the wish of the writer, we have reduced to more moderate dimensions, without, in our opinion, injuring the contents.

Our correspondent begins by lamenting that the export of coal should be permitted from the colony to foreign countries before the extent of the supply of that article can be ascertained. In the next place he condemns the indiscriminate and wasteful destruction of the woods, and suggests that some government regulation might fix the topography and extent of all the woods and forests, which should be reserved for public use. He recommends that wherever there is wood in the neighbourhood of any water-communication with a large river, or more immediately with the sea, such wood ought to be preserved, and that falls of timber of specified dimensions should take place periodically for the public service, instead of allowing the colonists to do what they please with the trees, so that some of the farms (according to the statement of Mr. Atkinson) are left without even fire-wood.

In the third place, he observes: "having accompanied surveys in India, and observed the method of the surveying officers there, I could wish to see exploring parties conducted on a different plan in Australia from that usually pursued; I would recommend travelling from hill to hill, instead of following the course of rivers, or a continued route through plains. I would recommend a party destined to penetrate any unknown portion of the interior, from whatever point they may make their first station, first to reach the most distant hill or range then visible; whence, having planted their flag or surveying staff, and taken the latitude and longitude, bearings, &c., they might take a fresh departure to the next hill or range which was visible from the top of the last, and reaching that, they should proceed on the same plan as before. By following this course, they would obviate the occasional want of water in arid and extensive plains; they would always find some in the gullies and defiles of the hills; and on the other hand, they would avoid unknown or unexpected floods in the low countries, which might carry away their tents at night if pitched there. Secondly, the hills would serve for fresh starting points and halting posts, both in going and returning; by which their observations of latitude and longitude would be made throughout with less liability to confusion, and a trigonometrical plan or map of the country might be more easily and correctly laid down." In the fourth place, he proceeds as follows:

"I have read in some foreign author an able discourse on the natural boundaries of different nations, in which he made it very apparent that a great river never was intended by Providence as a boundary; for otherwise, there would be continual conflicts on the water between the inhabitants of the opposite shores during a war, or else the strongest nation would enjoy the whole dominion. But mountain boundaries are frequently inaccessible, and when not so, they may be so bleak and barren as to be of no use to the nation on each side; or if fruitful, they are, at the same time, admirably calculated by nature for defence; and by means of forts, a chain of posts, or even mere walls, they may be rendered nearly impassable in war, and at all times of peace a most prominent boundary, which ignorance itself cannot overlook. I would reduce this theory to the use of smaller communities, and particularly to Van Diemen's Land, now undergoing the operation of a general survey. I am sorry to see, from Evans's map, that such parishes or townships

as

as have already been marked out, are done so without any regard to the distinct features of the topography, looking on the map like the square checkers of a tavern sign, the boundary lines being drawn indiscriminately through hill, dale, rock, ravine, wood, and water. The inconveniences of this new-fashioned principle of laying out townships are evident : in a century or so, when the population is spread over the country, these invisible lines will be the cause of numerous and interminable quarrels about boundaries, involving expensive litigations. A parish or township ought not to be larger than about twelve square miles, nor smaller than ten, when not forming a part of a town. Surely the surface of the globe will, in most countries, present ridges, eminences, small brooks, nullahs or streams, or clefts in the ground, and such prominent features serving for land-marks, which may always embrace, in one direction or another, spaces varying from ten to twelve square miles, more or less ; and such boundaries can never be altered or mistaken, or occasion disputes through ignorance of them : but a straight line carried through a wood, or across a river, or over inaccessible rocks and hills, cannot be known, followed, or ascertained at all times when required. The boundaries of provinces or counties, also, would not only be more advantageous but more perceptible, if a similar rule was observed in laying them out : say a range or ranges of hills, a river, or a belt of forest trees, intended to stand for ever as public or national property."

Our correspondent, in the fifth place, with reference to the introduction of the olive tree into New South Wales from Spain, and its cultivation after the Spanish system, quotes an extract from Savary's "Letters on Greece," shewing in what soil the tree thrives best in the countries of Asia Minor and the Greek islands. But we apprehend the Agricultural Society of Sydney are in possession of much better information respecting the culture of this useful tree than can be learnt from Savary. The writer adds the following useful hints :

"A late writer on Australian agriculture says, the bulk of the people there eat bread made without yeast, in consequence of the want of hops to brew beer with.* Wherever I was stationed in India, I obtained excellent bread made with toddy ; but as the few palm trees which existed in New South Wales at its first settlement were soon rooted out, they are now bereft of this resource. I therefore strongly recommend the settlers to lose no time in planting coco-nut trees and the toddy palm, or fan-leaved palmyra, observing to be careful to plant the former *within reach of sea water or sea air*, and the latter tree in the interior : both will thrive in sandy soils where nothing else will grow, and both afford toddy, an excellent substitute for yeast. I would also propose the introduction of the mango and tamarind trees from India, which I have no doubt would stand the climate very well : these might be planted in groves near every inn on the high roads, or in the absence of inns, a shed or stone choultry might be erected near every grove, and a well or cistern dug to preserve water for the dry season. This may appear premature advice ; but it is never too early to bespeak attention to objects of public utility."

The sixth head of our correspondent's letter relates to the sudden inundations of the Macquarie, Lachlan, and Hawkesbury rivers, and the devastation of property caused thereby ; and he proposes the following expedients for remedying this evil :

"Mœris, King of Egypt, caused a lake to be dug, and a canal, to divert the superfluous water of the Nile into it, where it was retained until the dry season,

* It will be seen from a statement in our last number that colonial hops are now procurable.—Ed.

season, when he was therewith enabled to exhibit a seasonable quantity of water to the husbandmen. Now the paucity of population at any one spot in New South Wales is such, that no work of magnitude like these could be undertaken; but might they not serve as an example for plans on a small scale? Advantage might be taken of some dry ravine leading from the vicinity of the Hawkesbury, at any part where the land is on an inclined plane, which ravine might be deepened and joined to that river by a small party of men in one dry season, attended with no great expense nor extraordinary labour: thus made a permanent creek, it would lead off an immense body of water to other parts of the country; and if two or three more such artificial creeks could be made at different places towards the upper portions of the river, they would intercept nearly all that great body of water which trickles down the sides and gullies of the hills, and being in this manner divided into many streams, would prevent the whole river from overflowing or reaching any particular portion of country, where it is said to rise occasionally ninety feet in height; or if the upper portion of that river pursues a winding course in a deep narrow vale, or is hemmed in with hills, an excavation or tunnel* might be carried through the base of the narrowest hill (their formation being a sandstone easy to work, and requiring no masonry either for roof or sides), and a creek might be afterwards carried from the river through the tunnel: perhaps a ridge might be found not 200, or even 100 yards in breadth to perforate or cut through, but of course this project must depend upon the topography. I feel confident in the success of this plan for intercepting the superfluous water of the river, and that none other will answer. Posterity may see the inundations of the Lachlan turned to advantage, by leading the water in canals to those vast arid plains near that river, also inland navigation through the interior to the new lake or inland sea."

The seventh suggestion relates to the subject of emigration. The writer recommends that two more New South Wales regiments should be raised, the men for which should be recruited in the most populous parts of Lancashire and West Riding of Yorkshire;† all to be married men, and permission to be given them to take out their wives and children. Every ship destined for that quarter of the globe should, he thinks, as a matter of course, take out an ensign's party until the two regiments were completed, on the same plan that Indiamen convey troops to India. He also recommends that a small corps of pioneers, about 300 men, be formed of the natives in New South Wales, on the model of the Madras pioneers. This army, he observes, would do wonders in the article of road-making, laying bridges, cutting passes through hills, or draining swamps, &c. His eighth proposal is as follows:

"The establishment of a university, or at least a college,‡ must ever be a desideratum in a colony so extensive and so wholly British as New South Wales. The number of wealthy inhabitants in Australia is now very considerable, and therefore there would be no difficulty in raising sufficient funds for

* To reduce the difficulties of the road from the Hallolua ferry into Kandy, Ceylon, which traverses a very considerable hill, Sir Edward Barnes, in the middle of 1821, ordered the hill to be perforated by a tunnel to save an ascent of fifty feet perpendicular. The work met with several interruptions; but the perforation was completed on the 8th of Dec. 1823, the distance being just 500 feet. During the last twelve months the work proceeded at the rate of a foot a day, the breadth being about seven feet, and the height above six feet. When this tunnel was opened for wheel carriages, little more remained to be done but to secure by masonry some few parts where the rock was defective or could not be depended upon.—See *Asiatic Journal*, vol. xxi. page 652, and vol. xviii. page 85.

† Particularly in the parish of Halifax, which contains a population of 120,000 souls, of which, nearly 13,000 are able to bear arms.

‡ The Tasmanian College is solely for Indian-born pupils.

for the erection of the buildings, or for endowing professorships. All other expenses of the establishment might be borne by the graduates and scholars. The advantages of such an institution would consist in enabling the gentry to finish the education of their sons without the sacrifice of a painful 'farewell,' the danger of two long sea voyages to England and back, the expenses of two outfits and passage money, or the ruin a youth is exposed to by being obliged to come to such an ensnaring place as London, whilst his relations and friends are on the other side of the globe. I could enlarge upon this topic, but other arguments in favour of the project will easily suggest themselves."*

The writer, in the last place, laments the non-publication of journals of the results of expeditions and exploring parties; such as the journals of Mr. Danger's survey of the coal river, of Mr. Hovell's excursion to Western Port in 1824, and of Messrs. Hovell and Hume's discoveries in the parallels of 36° and 37° S.; and he recommends that the journals of every future traveller in that division of the globe be published at length.

We heartily concur in the opinion which our correspondent seems to entertain of the growing importance of this British colony, and we think every suggestion calculated to render its many resources more available to itself and to the parent country entitled to the notice and to the thanks of the community. If we are not greatly mistaken, Australia will in a few years attract an intense degree of interest.

* "I wish very much also to originate the good old English custom in the town of Sydney of a fine peal of bells. There is, I believe, but one of the British colonies (Trinidad, which has a small peal of eight bells), whose inhabitants have evinced liberality enough to supply their church with this truly British steeple music; for the churches on the continent have only rows of small bells hung on the venetians of the steeple windows; which, so far from being heard three or four miles off, like a fine peal of large English bells, are scarcely heard amongst a mob in the town. The best method of acquiring a set of eight bells would be by a general subscription from the community. The cost of eight bells of the largest and finest tone, including, besides metal and casting, freight (of about ten tons) to New Holland, and frame-work, hanging in the belfrey, &c. will amount to about £2,000, perhaps something less."

CHINESE POLICE.

On the approach of the winter season, the Hëen magistrates of the Quang-tung province (Canton) distribute proclamations or notices among the people, which are expressed in doggerel verse, adapted to the comprehension of the vulgar. The following is a specimen of these productions:

<i>She</i>	<i>chih</i>	<i>lung</i>	<i>tung.</i>
Time	has attained	full	winter.
<i>Fung</i>	<i>kaou</i>	<i>wih</i>	<i>tsaou.*</i>
The wind	is high	things	are combustible.
<i>Seau-sin</i>		<i>ho</i>	<i>chih.</i>
Have a little in your heart†		fire	and candles.
<i>Te fang</i>		<i>tse taou.</i>	
Be on your guard against		robbery and plunder.	

* This word has a sacred signification: in every case wherein the bonzes or priests of Fo and of the Tsaou sect make offerings, it is expressed by *tsaou*. The root is *yew*, "new wine."

† That is: "Be careful."

THE CHEREK PUJA.

THE following account of the observance of the *Cherek*, a religious festival peculiar to Bengal (although some of the practices are in use elsewhere, as feats of dexterity or acts of penance), is given in the *Calcutta Government Gazette*, in the course of an able exposition of the Hindu calendar; the source of this and the other articles which have already appeared it is not difficult to conjecture.

The term *cherek*, a wheel or discus, which is given to the festival, is derived, of course, from the swinging in a circle, with which the observances terminate, but the ceremony comprises a protracted series of self-denial and torture. Its object is the propitiation of Siva, and it is properly denominated the *Sivotsava*, or festival of that deity. The peculiar ceremonies are said to be in imitation of those observed by Bana, a king, and Daitya, who, by similar acts of self-torture, obtained the special favour of Mahadeva, and thus became formidable to the gods. The usual authorities, however, by which the Hindu holidays are regulated, are wholly silent on the subject of this ceremonial, and the texts which recommend it are rare, and of inferior weight. Such as they are, they exclude the worshippers of Vishnu from participation, and they do not authorise that of any Saiva of reputable condition. The festival is, therefore, confined to the lowest classes—to those, indeed, who have no caste whatever, although the ambition of popularity, and a belief in the efficacy of acts of mortification, notwithstanding they are prohibited by law, in the present age, induce individuals of opulence and respectability to defray the expense of the observance, and countenance its being held.

The Sivotsava properly begins on the first of the month of Chaitra, and continues to the first of Bysakh. The dependent situation of the chief performers, however, renders it rarely practicable for them to be idle so long, and the rites, therefore, usually commence about a week or ten days before the Sankranti, the entrance of the sun into Taurus, which occurred this year, according to the Hindu almanack, on the 12th of April. At this time individuals, of the lowest orders, enroll themselves in a band, or fraternity, under a common head, as Sanyasis, or persons who have abandoned worldly interests and desires. The obligations they thus take upon themselves supersede those to which they are ordinarily subjected, and, for the time, they are all brethren. The band is termed a *Gajan*, and each troop is distinguished by the name of the individual by whom its expenses are defrayed. Besides the chief, the Mula Sanyasi, the head, or root of the association, who is elected for his superior knowledge of the rites, or daring in their performance, each troop has its officiating Brahman, who conducts the various ceremonies, and initiates the members. On entering the troop, each individual assumes the thread which is characteristic of the Brahmanical order, discards all superfluous clothing, wears the sectarial Saiva marks upon his forehead, braids his hair in a particular fashion, and smears his body from head to foot with the fine ashes of burnt cow-dung. He also takes a vow to abstain from all slothful and sensual indulgence, such as sleeping on a bed, or eating fish, for the term of the solemnity. Each takes but a single meal daily of rice and pulse, which he cooks for himself after sunset, and, if whilst dressing or eating it, he hears the sound of a drum, or is addressed by any one, he immediately desists, and goes without his dinner: a privation of some moment, as it is part of his duty to sit up during the greater part of the night, singing hymns in praise of Mahadeo.

Each

Each gajan, or troop, has its own temple, a hut or temporary building, in which, upon a mound in the centre, a small water-jar, and emblem of Siva, are placed; a coco-nut lies on the top of the jar, and flowers on their stalks are strewed over it. In the evening the troop assembles here: the principal sits in the centre of a circle formed by the rest, and the Brahman next the altar. Sanscrit and Bengali stanzas are chaunted to the accompaniment of the tabor, and when they break up, the Brahman solicits from the idol a flower, which about this time withers and falls off its stalk. If longer than usual in falling, the principal proclaims that some one of the disciples has sinned, on which each has his hands tied behind him, and the principal sits shaking his head till a flower falls, when the Brahman declares that the god is pleased, and the culprit is absolved.

An observance commonly practised in the evening after meal-time, is the making of a bonfire near the temple with whatever combustible articles can be procured, and the Sanyasis dance round or through the fire, and cast the burning embers at one another: this they term *phul khela*, or playing with flowers.

It is not expected that every Sanyasi should inflict upon himself bodily torments, and this is a matter of individual taste, although they mostly practise them, to a greater or less extent. These are inflicted in regular succession, and each bears its appropriate designation.

The proper hour for each exhibition is between three or four in the afternoon, and sunset.

The first painful rite is the *Jul Sanyas*, or suspension. This takes place five days before the Sankranti. Two upright posts are erected, connected at the top by a cross bar, from which the Sanyasi is suspended by his feet with his head downwards; a fire is kindled beneath him, so that the smoke may completely invest his head, although he be beyond the reach of the flame. Indian rosin is, from time to time, cast upon the coals.

On the next day the *Kanta Sanyas* takes place. Branches of rough and prickly plants are strewed upon the ground, and the Sanyasi throws himself upon them, or rolls himself about amongst them, exclaiming "Srinath Mahadeo!"

On the following day the ceremony of *Jhamp Sanyas*, or jumping, is observed: a bamboo scaffolding of three or four stages is erected, on which the Sanyasis stand, tier above tier, the principal and the most courageous or expert occupying the upper row, which is sometimes between twenty and thirty feet high. A kind of bedding, supported by ropes, is stretched beneath the scaffolding by a number of men. Upon the mattress are attached several transverse bars of wood, to which are fixed, very loosely, and in a position sloping forward, semi-circular knives, upon which the Sanyasis throw themselves in succession. In general, the effect of the fall is to turn the knives flat upon the bedding, in which case they do no harm; but occasionally, severe wounds, and even death, are the consequences of this rite. Before they take their leap the performers cast fruits, as plantains, bels, coco-nuts, &c. amongst the crowd, in which there is a great scramble for them, as they are supposed to possess much virtue: women desirous of progeny are very anxious to get these donations, and those of the first families send persons to obtain and bring these fruits for their private eating.

On the next day, which is the second before the Sankranti, some intermission is usually granted, and no particular rite is practised. In some places the last-mentioned ceremony is repeated, and it may be here observed, that in different parts of the country the order of the various ceremonies is diversified,

according to local usage or individual fancy. Through the whole period, however, and in every place, the Sanyasis go daily in procession through the towns and villages, beating a large drum, decorated with a profusion of feathers, chiefly black and white, and followed by all the idlers of the place.

The day before the Sankranti is that of the principal infliction, and the rite is therefore termed the *Ban Sanyas*, or mortification of Bana Raja. On this occasion the different bands, or gajans, go in procession to any temple of Siva or Devi, of particular repute in the vicinity. The place of attraction in the neighbourhood of Calcutta is at Kali Ghat, the temple of that goddess, and the adjoining one of Siva, as Nakuleswara. The different bands, accompanied by a concourse of spectators, proceed to this place from all quarters, for ten or twelve miles round. They begin their march after midnight, so as to arrive at Kali Ghat at an early hour in the morning, and for some hours before dawn the roads round Calcutta, particularly the circular road, are thronged with noisy crowds. On arriving at the temple, such of the persons as intend to exhibit during the day undergo the necessary operation, which is performed by some blacksmiths who reside in the village, and for which a small fee is paid: the tortures are of various kinds.

The Dus Nukhi has passed through the skin under his arm-pits two sharp iron rods, the extremities of which in front terminate in something like hands: these are made to meet and support a lighted lamp which the person carries in this manner before him, whilst some of his companions from time to time throw a handful of rosin into the flame.

The Sutasan has two long slender cords passed under the skin on each side, which are held at either extremity by assistants, whilst he dances backwards and forwards along the lines.

The Bisasai has a number of nails, or, as the term implies, a hundred and twenty, stuck into his skin from his hip to his shoulder, in some fantastical shape, usually like the front or facing of a jacket.

Some have a crown of pieces of tin or iron stuck by sharp ends into the skin of the forehead, whilst the outer end is formed like the expanded hood of the cobra; similar pieces are also attached to the shoulders: others again run sharp rods or pointed horns through the tongue, the lips, or the cheeks.

With these fantastic decorations they return to Kali Ghat, or advance from other temples to a common point, the junction of the Chowringhee, circular, and Russapugla roads, where a vast assemblage of people is collected, booths with sweetmeats and toys are erected, and a regular fair is held, which continues till between nine and ten o'clock, when the parties disperse: on this occasion, and in the processions to and fro, violations of public decorum take place. The inflictions committed upon themselves by the Sanyasis are disgusting rather than indecent, and are certainly not intended to be the latter; but at the Mela, public exhibitions of the most offensive nature occur, which form no part of the religious ceremonial, and are merely designed to amuse the crowd, with such delicacy of wit and fancy as might be expected from the caste and avocation of the performers; the lowest of the rabble, the chimney-sweepers, day-labourers, and nightmen of Calcutta. In fact, many of the Sanyasis are pseudo-saints, tumblers, and jugglers, by profession, who adopt the practices of the Cherek, not so much to propitiate Siva, as to gain a few pice from the superstition of their countrymen and the curiosity of Europeans. This is not, however, universally the case, and many of the individuals are infatuated enough to believe that by these acts they secure future health and prosperity, or obtain whatever may be the object of their desires.

This day is also termed *Nila Din*, and the women generally, especially those who

who are mothers, worship Mahadeva and Durga, as Nila Saraswati. They observe a fast during the day, which they break after sunset with a meal of fruit only.

On the last day, or that of the Sankranti, the exhibition takes place which gives the festival its popular denomination, the *Cherek*, or circular swinging. In the forenoon the apparatus is erected by the Sanyasis themselves, assisted by volunteers, but no hired labourers are engaged, and in the afternoon the swinging is performed. The members of the troop rarely undertake this rite, and the exhibitors are usually Sanyasis for this day only, and are very commonly of the bearer tribes inspired by the spirit of the season, or by the fumes of toddy. It is scarcely necessary for us to describe this rite—a cross beam is made to traverse an upright post, and to one end of the former is suspended the swinger, by cords fastened to two hooks, which are passed through the flesh upon his shoulder blades. The skin being drawn well up, is perforated with a large lancet, and the points of the hooks passed through the wounds: the hooks are usually secured from tearing through the skin by a broad bandage round the body under the arms, but the precaution is not always taken. After being whirled round for three or four minutes, during which the swinger affects to be at his ease, waving little flags or tossing fruits to the crowd beneath, he is lowered and the hooks are withdrawn. The wounded parts are then pressed well with the flat palm of the hand or trodden on with the sole of the foot to promote their re-union, a little clarified butter is spread upon a leaf and applied to the outer perforations, and a bandage passed over the whole: the dressing is renewed two or three times, and scarcely one case in fifty is attended with any troublesome consequences.

On the following day, the 1st of Bysakh, the concluding ceremony, which is of a very different description from the preceding, takes place. The different troops repair to some gardens or temples here, as usual, to Kali Ghat, where they throw off their Saiva insignia, and indulge themselves in as luxurious a meal as their means afford. They then carefully throw the fragments and ashes into the water, and return to their homes and callings, previously placing a portion of their meal, as a final offering to Siva, on the ground, which, if he is pleased with them, is eaten by a jackal. They sometimes wait to watch for the appearance of this animal, but usually, with more prudence, leave the morsel to its fate.

On the afternoon of the day after the *Cherek*, a numerous assemblage of people will have been noticed at Birja Talao, and along the Chowringhee road, which is usually supposed connected with the preceding festival, although wholly distinct from it. The day is the first of Bysakh, the new year's day of the Hindus, in honour of which a few of the up-country merchants and bankers used formerly to repair to Kali Ghat and engage professional singers and dancers to perform before the goddess. This practice (*Ghanto Nach*), which was at first optional, and confined to a few persons, has now become the habitual usage of both classes, and the Hindustanee traders and *Nach* women go annually to Kali Ghat, on the first day of the year. Their example is imitated by others, and a great concourse is attracted to the temple in the early part of the day. In the afternoon they return, and halt for repose and refreshment at the corner of the Chowringhee and circular roads, and a sort of fair takes place.

From the first of Bysakh, it is customary with persons of property to make presents to Brahmans and others, appropriate to the season, as hand punkhas and chattas; and these articles especially are sold at the *Melas* which occur at this period.

THE WORSHIP OF THE SERPENT.

IN the review of Colonel Francklin's "Researches into the Doctrines of the Jeynes and Boodhists," we promised to say something of the worship of the serpent; that pledge we now redeem.

Perhaps there is no superstition more ancient and more universal than Ophiolatry. The serpent which "Moses lifted up in the wilderness," the great dragon which, as we learn from one of the apocryphal books, was worshipped in Babylon; the figure of this reptile, as it is found sculptured in the temples of Egypt, Persia, India, Greece, and Rome; its occupying a place in the mythology of the Scandinavians, the Mexicans, and even of the rudest nations inhabiting Africa and America, are indisputable proofs both of that antiquity and universality. These proofs are evidently derived from the patriarchal tradition of the fall of our first parents, a tradition which the descendants of Noah would carry into the uttermost parts of the earth. Hence it is that this animal has ever been regarded as the symbol both of subtlety and of evil, and, in many countries, as a personification of the great enemy of man.

Colonel Francklin's observations will serve us as a text in treating of this subject. After briefly adverting to the prevalence of this worship in Chaldea and India, he proceeds to shew that it must have been equally prevalent in other countries.

But to return more especially to Egypt, from whence this worship passed into Greece, and afterwards to Italy, and finally obtained throughout the great peninsula of Hindoostan, we may notice the prevalence of it in Egypt, the figure of the serpent being sculptured in most of the temples of the Thebais, where it is an universal ornament, and noticed by all travellers as combined with two other remarkable symbols, *viz.* the wings and globe; for the wings, the globe, and the serpent, form the principal ornament of the temples above noticed. The whole of this mysterious combination may, in my humble opinion, be intended to represent the spirit of the "*Almighty Creator of the universe overshadowing with its paternal wings the terrestrial globe.*"

The three symbols here mentioned have been interpreted variously by various writers, who have all some degree of plausibility on their side. Still we are by no means sure that the *true* interpretation has yet been divined. Colonel Francklin's is as good as the rest; but he has fallen into a strange error by supposing that the *spherical* structure of the earth was known to the ancient Egyptians. Had he been better acquainted with their cosmography, he would have known that this symbol was not so restricted in its import; that it represented not merely the earth, but the whole universe. The *wings* are just as likely to denote *swiftness* as *overshadowing*. With respect to the third symbol, the *serpent*, the signification is less indefinite. That reptile was emblematic, not only of subtlety, but of wisdom, and was in consequence employed as one of the divine attributes. That the three combined are generally representative of deity is unquestionable; but they are sometimes found sculptured on the statues of mortals—of distinguished heroes, legislators, and kings. Thus they are still to be seen on that of Zoroaster, in one of the ruined fire temples of Persia. The connexion of the serpent with the universal deluge is more satisfactory:

The serpent was, moreover, esteemed a type of evil and corruption: and since the deluge was eminently the fruit and consequence of evil, we find it represented by a serpent, as if it had especially proceeded from the evil principle. In the Egyptian mythology, the monster Typhon is described as terminating in the volumes of two immense serpents, and is celebrated as the greatest of all the children of the earth. He

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is said to have overtopped the loftiest mountains, while his two hands extended to the utmost limits of the east and west. The accuracy of this hieroglyphical painting, which represents Typhon as rising above the highest hills, and as spreading himself over the whole earth, will be readily allowed when we find the Egyptians assuring Plutarch that Typhon was literally nothing more than the ocean. It is remarkable that the Arabs, who are the immediate neighbours of the Egyptians, still express the general deluge by the term *Al Tufan*. The form of Typhon was that of a man-serpent; and the Egyptians, though they allowed him to be the ocean at the time when the chief hero-god was driven into the ark, evidently considered him also as a type of the evil principle.

But Egypt was not the only country where this animal was considered symbolical of the deluge. The same notion did prevail in Greece and Persia, and does prevail in China and some parts of Hindoostan.

We need not be surprised that divine honours were, in some countries, rendered to the serpent. It was, as before observed, the evil principle under a visible form, the great enemy of man: it had occasioned his fall from primeval happiness, and subsequently the destruction by water of the human race: it held equal dominion over the universe with the good principle, and was, both in its nature and operations, equally as independent. If the one was worshipped for obtaining an increase of good, so was the other for averting evil: the one was adored from love, the other from fear. Hence Ahrimanes was as much the object of adoration as Oromasdes; the former was worshipped under the symbol of a serpent; and probably the same species of idolatry existing at the present day among the more barbarous nations of Africa, may be a corruption of the ancient religion of Persia.

Leaving Egypt, Colonel Franchlin proceeds to Greece and Persia; but his account of the serpent-worship in those countries (with respect to Greece, we should have used *veneration* instead of worship) is, as may be expected from the paucity of historic materials, exceedingly meagre and unsatisfactory. He is, however, more at home in India, and we are mistaken if the following extracts will not be read with interest:

In the *Courma outar*, or incarnation of Vishnu into the form of a tortoise, to support the earth, which was sinking into the ocean, we have the detail of the memorable churning of the ocean (an evident symbol of the deluge), and a particular account of the service afforded on that occasion by the serpent Vasuka. Around the vast mountain Mandar, which served as a churning-staff, says the legend, the serpent Vasuka was turned in many a fold, by way of a rope, at the head of which those imaginary beings the Soors and Assoors pulled with all their might, until the fourteen precious gems were produced that had previously been swallowed up by the ocean in a recorded deluge of former times. They now, continues the story, pull forth the serpent's head repeatedly, and as often let it go, while there issued from its mouth a continued stream of fire, smoke, and wind, which, ascending in thick clouds replete with lightning, began to rain down on the heavenly band, who were already fatigued with their labours, whilst a shower of flowers was shaken from the top of the mountain Mandar, which covered the heads of the whole assembly. In the mean time the roaring of the ocean, whilst thus violently agitated, was like the bellowing of a mighty cloud (?) Thousands of various productions of the great deep were torn to pieces in the concussion, and every specific being of the ocean, and all the inhabitants of that vast abyss were annihilated. The great and many-headed serpent *Ananta*, or *Sees Naga*, king of the serpents, and according to the Puranas, presiding over the realms below, is stated to have resided in Padalon, or hell, the everlasting abode of wicked spirits. In the fancied representations of the Hindoo mythology, we find the god Vishnoo, or the preserving power, represented as sleeping upon this enormous snake, whose expanded heads form a canopy for the god during his repose of a thousand years. *Sees Naga*, also called *Ananta*, the chief

chief of the serpents, an incarnation of Vishnu in the form of a serpent, having a thousand heads, and residing in Padalon, or the lower regions. He is represented as having a gorgeous appearance, a crown set with resplendent gems on each of his heads, one of which is larger and brighter than the rest. His eyes gleaming like flaming torches; his neck, his tongue, and his body are black; his garments red, with yellow skirts, and a sparkling jewel in each of his ears. His four arms are extended, and adorned with rich bracelets: in his hands are the holy shell, the war-mace, the chukra or quoit, and the lotos. The Hindoos likewise imagine that the earth is supported on the heads of Sees Naga, on the horn of a cow, on the back of a tortoise, and on the tusks of a boar.

With reference to the Scandinavians, the Colonel remarks:

The evil being of the Goths is said to have had two children, Death, and an immense serpent. The universal father (says the Edda of the Goths) despatched certain of the gods to bring their children to him: when they were come, he threw the serpent down to the bottom of the ocean, but there the monster waxed so large, that *he wound himself round the whole globe of the earth.* Thor is represented as the first-born of the supreme God, and is styled in the Edda "the eldest of sons." He was esteemed in Scandinavia as a middle divinity, a mediator between God and man. He is moreover especially said to have bruised, or beat to pieces, the head of the great serpent Midgard with his battle-axe, to have felled him to the earth; but not until the deadly venom that flowed from the serpent's mouth had stifled the victorious monarch with its pestiferous exhalations, and he fell back nine paces (says the account) and expired.

If the reader will refer to the Edda, or even to the review of Colonel Francklin's work in our last number, he will find that the above paragraph is full of mistakes. Hela, or death, and the great serpent Midgard, sprung not from Surtur (the evil principle) but from Loke, who was descended from the giants of the frost. And it was *not* the Alfader, in other words the universal father, "who despatched certain of the gods to bring their children to him." It was Odin, the chief hero-god inhabiting Valhalla, who cast the monster into the sea. Thor was not the son of Alfader, but of Odin; and he was never accounted a mediator in any sense of the word. He is no where said to have "broken the serpent's head," nor to have expired from its "pestiferous venom." Both these circumstances are prospective, and have reference to the great consummation of all things—"the dreaded twilight of the gods." Nor does this serpent, as is elsewhere asserted, bear much affinity to the Typhon of the Egyptians; for, unlike the latter, it has no conceivable relation to the deluge. And still greater is the mistake committed by the Colonel in a subsequent passage, of confounding Thor with Woden, and of representing either as "the Great Father." How the principal personages and events of Scandinavian mythology could be so oddly misplaced, is really inexplicable.

Colonel Francklin labours with his usual zeal to discover some traces of the serpent worship, and of the Hindoo superstitions, in the Druidical system of our pagan forefathers. We are far from denying that Druidism possessed one or two tenets which it had derived either immediately from Asia, or through the intermediate country of Greece. Thus the everlasting transmigration of souls, and the *veneration* of fire, were undoubtedly of oriental origin; but the points in which the religious system of Britain and that of India differ are innumerable. Indeed serpent-worship, properly speaking, never existed in either country, nor in either Greece or Rome. On many occasions, Colonel F. confounds two things which are in themselves sufficiently distinct—the respect in which the serpent, as a sculptured symbol, was held, and the worship actually paid to that reptile.

Colonel Francklin not only appears to think that Druidism and Budhuism are one and the same religion, but he has proved, to his own satisfaction at least,

least, that the pagan temple at Stonehenge was actually dedicated to the Hindoo deity.

Before we conclude we shall, as we intimated an intention of doing, briefly advert to a few minor points in Colonel Francklin's work.

It is singular that the fire *Beltime* or fire of Belus, and the first day of May, denominated *la Bel-tine*, or the fire of Belus's day, is still preserved in Ireland; that fire is lighted by the peasantry, and that men, women, and children pass though the fire—through the flames of burning straw. (*Note*, p. 17.)

It can scarcely be called singular that vestiges of oriental superstition should be found in Ireland. That island was probably colonized by Phœnicians, or by their Iberian descendants; and the subsequent introduction of Christianity would not entirely eradicate the prevailing idolatry. Even in England similar vestiges may be found at the present day. On the commencement of winter, the Druids ordered all fires throughout the country to be extinguished, and rendered it imperative on their deluded followers to apply to themselves for a supply of the sacred element. He, however, who could not pay for it was compelled to pass the cold and comfortless season without its cheering influence. Now, in the more secluded parts of the country, we have frequently witnessed a superstition which is unquestionably derived from the one we have mentioned. If through inadvertency, or any other accident, the peasant's fire should be extinguished on the last evening of the year, it would be considered a bad omen, and he would have some difficulty in procuring the necessary element from a neighbour.

A striking analogy, in some respects, between the statues of Egypt and those of Hindoostan, has often been noticed. This proves that something more than a casual intercourse must, at some period, have taken place between the two countries. Indeed we know from several ancient historians, that the Phœnicians held a constant communication by the Arabian Gulf with Ceylon, as well as with some parts of the neighbouring continent. Colonel Francklin enters at some length into the question whether Egypt derived her religious dogmas from India, or *vice versâ* (he might have said, a *few* of those dogmas, for in general there is very little resemblance between the superstitions of the two countries); and he seems inclined to award the palm of superior antiquity to the country of Memnon. In this he is undoubtedly right; but we do not see why the problem should be solved by such a consideration alone. At a period much more recent than is commonly supposed, the Egyptians, as well as the Phœnicians, traded with India; and there is nothing improbable in the supposition that the natives of that country derived something of their idolatry from one or the other—perhaps from both. Nor is it more improbable that Ethiopia contributed her share to the same effect. Many of the statues in Hindoostan appear to be woolly-headed, like those of Africa; a circumstance which strengthens the supposition.

About one-third of these "Researches" relates to the cavern and rock-temples of several Asiatic and African countries. Though this is a subject which we should suppose foreign to the author's design, it constitutes by far the most interesting portion of his book. Some of these treasures of antiquity, existing both in India and Persia, he has personally examined, and his descriptions are therefore the more valuable. Yet we forbear to accompany him in his visits to these justly celebrated monuments of past greatness: we have already transgressed the limits we had prescribed to ourselves; and we are sure that no adequate idea of those wonders could be formed without the aid of the pencil.

OBSERVATIONS ON THE ROUTE TO INDIA BY EGYPT AND THE RED SEA.*

THE annual ravages of the plague at Alexandria, usually commencing about the 20th of February, and ceasing towards the latter end of June, evidently point out to the traveller proceeding to India *via* Egypt and Red Sea, the impropriety of his timing his arrival there between the periods above specified. It becomes, then, desirable for him to arrive either before its commencement or after its cessation, and in order to lead to a correct decision on this point, the following circumstances are necessary to be known. That the season of departure for native vessels proceeding from Mocha to India is only of two months' duration, commencing the middle of July and closing about the same time in September. That the northerly winds do not set in, in the southern latitudes of the Red Sea, before the middle or latter end of May, after which period until October, the space of one month is sufficient time, including ordinary delays, for proceeding from Suez to Mocha, in dows anchoring at night, as the wind is then fair the whole distance.

Upon these grounds it is evident, that a person arriving in Egypt in the end of June, the close of the plague season, will reach India nearly as soon as one who arrives previous to its commencement, four months earlier, and consequently that for those with whom expedition is the main consideration, the end of June or beginning of July is the proper season of arrival at Alexandria, and the month of January or beginning of February for such as are desirous of visiting, on the route, the antiquities of Upper Egypt. The time of the traveller's leaving England will depend upon whether he intends to proceed thence by sea direct to Egypt, or pass through any of the continental countries.

It is very true, as will be found in Horsburgh's Directions, that the south-west monsoon commences in the sea of Arabia in May, and hence it may naturally be inferred that vessels sail from Mocha to India shortly after that period; but from the setting in of the monsoon until the middle of July it blows with great violence; so much so, that it has long since become an established rule among the native traders of the Arabian Gulf to defer putting to sea until the middle of July; deviations from which are of exceedingly rare occurrence. The height of the monsoon being then esteemed over, vessels leave Mocha with the wind from the northward, which on clearing the straits of Babelmandel follow a direction towards the east (the reason of this will be afterwards noticed), until it meets with the regular south-west monsoon, near Socotra, which will be found, as this island is left behind, to hang pretty much from the westward. Thus ships leaving at this season, though steering three different courses during the voyage, have the wind nearly aft the whole distance from Mocha to Bombay, and the voyage is then averaged at about a fortnight. Although the native vessels only sail out of the Red Sea during two months, to India, European vessels take their departure without regard to seasons; but these are opportunities seldom occurring, and consequently not at all to be depended on. There is only one other method by which a person arriving at Mocha before the month of July, can proceed to India; I mean by Muscat. This, however, is an undertaking few persons would attempt unless urged to it by pressing circumstances, or for the purpose of avoiding a long detention. The only vessels which navigate between Mocha and Muscat are buglas of
from

* The note appended to the article in our last number (vol. xxiv. p. 717) is equally applicable to this.

from 60 to 100 tons burthen, better known to ourselves under the name of dows, and too generally understood to require any particular description. It will be sufficient merely to say, that their build is altogether clumsy, and very ill adapted for tempestuous weather, while the people who conduct them are acquainted with little more than the rudest elements of navigation. In such a vessel, and in the hands of such a crew, must the voyager embarking for Muscat hazard his existence, and prepare to encounter the risks of a boisterous sea. Between the months of September and May the wind blows directly contrary, and generally very strong, the entire distance from Muscat to Mocha, following the direction of the coast; from Cape Rasel Had to Aden the north-east monsoon sweeps along the Arabian shore; from Aden to the Straits of Babelmandel it blows nearly due east, and hence to the northward up the Red Sea, varying a little to the east and west; so that the southerly wind, which predominates during seven months in the southern latitudes of the Red Sea, is in fact a current of air originating in the north-east. The cause influencing the wind to pursue these different directions may thus be explained. The north-east wind, on entering that part of the sea of Arabia, or perhaps, more correctly speaking, the Arabian Gulf, between Cape Guardafui and the opposite coast of Arabia, becomes, as it advances, gradually more and more confined by the opposite mountainous coasts drawing nearer to each other until they form the Straits of Babelmandel; here the high mountains of Abyssinia to the west and south prevent its further progress in either of these directions, while those of Arabia on the other side equally obstruct any exit to the east; consequently the only channel left is to the northward. To a similar cause may be attributed the circumstance above noticed, of the northerly wind, which prevails at Mocha between May and October, taking an easterly inclination, after passing through the Straits of Babelmandel.

But to return; between September and May, the winds then for proceeding from Mocha to Muscat are most adverse; for while the north-east monsoon prevails in the sea of Arabia, the wind blows strong through the straits from the southward, up towards Mocha. It may be asked, therefore, how do the buglas effect a passage? During the prevalence of these southerly winds at Mocha, there are occasional breaks or lulls of two or three days' duration, hardly ever exceeding the third day, during which light winds, chiefly from the west and north, with moderate weather, prevail. These intervals are of rare occurrence during the first months of the southerly wind, but becomes somewhat more frequent towards its conclusion in May. It is on an occasion of this nature that the master of the bugla, or nakoda, weighs anchor, for one or more are generally ready to take advantage of the first change of weather. Before the contrary wind again sets in, they may pass the straits and get round to Aden, about fifty leagues from Mocha by sea; here, should adverse winds recommence, they must come to an anchor, and remain until the weather once more changes, or becomes sufficiently moderate to admit of their beating up along shore. In this manner they proceed by slow degrees, seeking the nearest place of shelter whenever the weather becomes adverse, or returning, should there be none at hand, to the last they quitted. Thus it is no uncommon circumstance for a bugla to leave Mocha, and a few days after to be seen returning, having been unable to attain as far as Aden. It not unfrequently happens, also, that the nakoda trades at the intermediate ports, which will of course add so much to the length of the voyage; when this, however, is not the case, it is usually performed in from six to eight weeks; it is not probable

that much detention will be met with at Muscat, for most of the vessels from Bussorah and Bushire touch there on their way to the Indian ports. This is so far fortunate, since there are no European residents at Muscat, and the climate of the place is known to be particularly hostile to Europeans. But the very possibility of detention at such a place as Muscat is alone a weighty objection to pursuing this route. Thus much having been said regarding the voyage from Mocha to Muscat between September and May, it remains to notice what may be expected during the latter part of May and June; it would be useless to pursue the subject beyond June, as in July ships will be found sailing direct from Mocha to India. It has been already observed, that the northerly winds do not extend to the southern latitudes of the Red Sea previous to the middle of May, or sometimes it is the end of the month before they commence; and also that the same wind, on passing the Straits of Babelmandel, blows towards the east, until it meets with the south-west monsoon near Socotra, consequently after this period the buglas proceed to Muscat with the wind aft the whole way from Mocha; but the same reason already mentioned, which deters larger native vessels from sailing to India before the middle of July, viz. the violence of the south-west monsoon for the first two months subsequent to its commencement in May, will also render the passage to Muscat in a bugla at this season, to say the least, far from agreeable. Here it may be remarked, that there is a wide difference in the eyes of the native seamen between sailing along the coast to Muscat during these months, and launching into the open sea to India. Notwithstanding the roughness of the passage, few losses are said to occur. Steering along the coast, which is pretty free from shoals, a bugla will now run from Mocha to Muscat in about ten days, with a following sea, and the wind aft, blowing occasionally in very strong gusts. The Arabs, indeed, describe the voyage as boisterous in the extreme; no cooking can be attempted; the hatches are battened down, and the vessel runs before the wind, with her deck continually wet.

Such are the outlines of the voyage from Mocha to Muscat, both when the wind is contrary, from September to the middle of May, and from the middle of May until July, when it is fair; and hence it may safely be inferred, that it should only be attempted under the most urgent circumstances. Nothing has been said concerning the navigation of the Red Sea; every thing relating to it having been explained under the head of "Observations on the Route to India," renders any repetition here unnecessary.

Such, then, are the principal features of the route to India by Egypt and the Red Sea, including the voyage from Mocha to Muscat; and hence it is evident that the time occupied "*en route*" must depend chiefly upon the knowledge of the seasons when vessels will be found sailing from Mocha to India. Ignorant of these facts, a person may consume ten months where he only calculated upon four or five being necessary. Disappointment may cloud, at the close of his travels, the sunshine and pleasure with which they commenced, and vexatious delay meet him at the very point at which he imagined all difficulty would cease.

R.

ANALYSIS OF THE CODE OF MENU.

(Continued from last vol., p. 728.)

THE third chapter of the code is entitled "On Marriage; or on the Second Order."

The "twice-born" student, having passed his probation, and received from his father "the sacred gift of the *Véda*," may, with the consent of his preceptor, on his return home, espouse a wife, who must be of the same ~~class~~ with himself, on pain of degradation and future perdition.* His choice is still further limited: she must not be descended from his own ancestors within the sixth deegree, nor from the same primitive stock as his father; she must not be of a family which has omitted prescribed acts of religion, or has produced no male children, or in which the *Véda* has not been read, or which are subject to certain specified disorders, or have "thick hair on the body." The disqualifying properties of women are enumerated, in which are included reddish hair, inflamed eyes, immoderate talkativeness; she must not have the name of a constellation, or a tree, or a river, or a barbarous nation, or a mountain, or a winged creature, or a snake, or a slave, or any name raising an image of terror. The unexceptionable individual is described as "a girl whose form has no defect; who has an agreeable name; who walks like a phenicopteros, or like a young elephant; whose hair and teeth are moderate respectively in quantity and size (or, as some copies read, of delicate lips, hair, and teeth); whose body has exquisite softness." In second marriages among the twice-born classes, women out of the class of the husband may be selected in their order: a *Súdrà* only must be the wife of a *Súdra*. "A *Bráhmén*, if he take a *Súdrà* to his bed, sinks to the regions of torment:—for the crime of him who drinks the moisture of a *Súdrà*'s lips, who is tainted by her breath, the law declares no expiation." With equal care the Jewish law restrained the marriage of the Levite, who was prohibited from taking other than "a virgin of his own people to wife."†

Then follows an account of the eight forms of the nuptial ceremony, with the good and bad properties of each. Of these eight forms, the four named *Brahmá*, *Daiva*, *'Arsha*, and *Prájápatya*, only are blameless; the other four, namely, *'Asura*, *Gándharva*, *Rácshasa*, and *Paisácha*, are base: the four first redeem ancestors and descendants from sin, and yield a virtuous progeny; the four last produce sons acting cruelly, speaking falsely, abhorring the *Véda* and its duties. The ceremony of joining hands takes place only when the parties are of the same class: a *Cshatriyà* marrying a *Bráhmén*, holds an arrow in her hand (an arrow-mark is a distinctive symbol used in all official documents amongst the *Rajpút* tribes); a *Vaisyà* who marries either a *Bráhmén* or a *Cshatriya*, holds a whip;‡ a *Súdrà* who marries either of the three superior tribes holds the skirt of a mantle. There appears some inconsistency (as Professor Haughton remarks §) in this allusion to a *Súdrà* marrying a *Bráhmén*, when the prohibition is elsewhere so strong against such a connexion. The text here is understood clearly to denote marriage with a *Bráhmén* by the expression "highest marriages."

The text adds the following solemn injunction respecting venal marriages: "Let

* The degradation of the higher classes by intermarriage with the lower is subject to practical modifications. † Lev. xxi.

‡ Or, as some interpret the word *pratáda*, a goad used to compel oxen.

§ In his excellent edition of the *Mánava-Dharma Sūtra*, vol. ii. p. 437.

"Let no father, who knows the law, receive a gratuity, however small, for giving his daughter in marriage; since the man who, through avarice, takes a gratuity for that purpose, is a seller of his offspring. Some say that the bull and the cow given in the nuptial ceremony of the Rishis (the form 'Arsha*') are a bribe to the father; but this is untrue: a bribe, whether large or small, is an actual sale of the daughter."

As the Hindus are reproached, justly in some respects, with a desire to depreciate the female sex, we insert some passages from this part of the present chapter, which have at least some redeeming merits:

"Married women must be honoured and adorned by their fathers and brethren, by their husbands, and by the brethren of their husbands, if they seek abundant prosperity. Where females are honoured, there the deities are pleased; but where they are dishonoured, there all religious acts become fruitless. Where female relations are made miserable, the family of him who makes them so very soon wholly perishes; but where they are not unhappy, the family always increases. On whatever houses the women of a family, not being duly honoured, pronounce an imprecation, those houses, with all that belong to them, utterly perish, as if destroyed by a sacrifice for the death of an enemy. In whatever family the husband is contented with his wife, and the wife with her husband, in that house will fortune be assuredly permanent."

Here ends that part of the chapter specifically referring to marriage; and there is a transition to the causes by which "great families are sunk to a low estate:" one is "irreverence towards a Bráhmén;" another, "attendance on a king."

The code, in the next place, treats of unintentional sin committed by the "housekeeper," in the unconscious slaughter of animals, for which expiations are appointed, like "the sin-offering of ignorance" amongst the Israelites.† A housekeeper, it is said by Brigu, has five places of slaughter, i. e. where small living creatures may be slain; his kitchen-hearth, his grindstone, his broom, his pestle and mortar, and his water-pot, by using which he incurs sin; to expiate it the five great sacraments were appointed: these are the sacrament of the *Véda*, or teaching and studying the Scripture; that of the manes, or offering cakes and water; that of the deities, or an oblation to fire; that of spirits, or giving food to living creatures; and that of men, or entertaining guests. "Whoever cherishes not five orders of beings, namely, the deities, those who demand hospitality, those whom he ought by law to maintain, his departed forefathers and himself; that man lives not, even though he breathe."

There follows a very curious demonstration of the superiority of the "housekeeper," i. e. the married Bráhmén: his oblation to the deities of clarified butter cast into the flame ascends to the sun; from the sun falls rain; from rain comes vegetable food; and from food animals: as all creatures subsist by receiving support from air, thus all orders of men exist by receiving support from housekeepers; and since men of the three other orders are each day nourished by them with divine learning and food, a housekeeper is therefore of the most eminent order. Mr. Haughton remarks, with reference to the concluding part of the colon in the beginning of this passage, that it conveys the exact germ of the doctrine which has been so ably handled of late by an eminent writer, namely, the dependence of population upon sustenance.

The

* "When the father gives his daughter away, after having received from the bridegroom one pair of kine, or two pairs, for uses prescribed by law, that marriage is called 'Arsha.'"

† Lev. iv.

The deities, male and female, to whom the oblation is daily to be performed are then enumerated. An oblation or gift is to be offered to "animated creatures," by throwing dressed rice near the door to the winds (or gods thereof); in water to the water gods, and on the pebble and mortar to the gods of large trees. "To all the gods assembled, let him throw up his oblation in the open air; by day, to the spirits who walk in light; and by night, to those who walk in darkness: in the building on his house-top let him cast his oblation for the welfare of all creatures; and what remains let him give to the Pitris with his face towards the south. The share of dogs, of outcasts, of dog-feeders, of sinful men punished with elephantiasis or consumption, of crows and of reptiles, let him drop on the ground by little and little. A Brâhmen, who thus each day shall honour all beings, will go to the highest region in a straight path, in an irradiated form."

Then follow exalted eulogiums on the duty of hospitality towards a Brâhmen guest or mendicant, and denunciations against those who fail therein. The same degree of hospitality is not to be extended to other classes. A Cahatriya, Vaisya, or Sûdra, is not a guest in the house of a Brâhmen, any more than the latter's kinsmen, friends or preceptor: a Cahatriya coming to the house in the form of a guest, may have food prepared for him after the Brâhmens have eaten. Vaisyas and even Sûdras are to have food given them by the housekeeper, "shewing marks of benevolence at the same time with his domestics." Other persons, such as brides, damsels, the sick, and pregnant women, may have food even before the guests.* "The idiot, who first eats his own mess, without having presented food to the persons just enumerated, knows not, while he crams, that he will himself be food after death for bandogs and vultures."

The next directions, which are given at great length, relate to the performance of the important rite called the (monthly) *Srâddha*, regarded with such veneration by the Hindus. It is dedicated either to the gods or to the Pitris (departed spirits of ancestors), and it is to be performed on the dark day of each moon. After the conclusion of the daily sacrament of the Pitris (consisting of offerings of boiled rice, milk, roots, fruit, &c.), the fire being still blazing, this solemn rite is to be performed "with extreme care, and with flesh meat in the best condition." It is termed *pindânwâhârya*, that is, *anwâhârya*, "eaten after," *pinda*, "ball of rice." On these occasions Brâhmens are to be reverentially entertained in moderate numbers; a large company is forbidden: at the *Srâddha* of the gods, two Brâhmens; at that of the father, paternal grandfather, and great grandfather, three. This act of honour to departed ancestral spirits, it is said, rewards a man engaged in such obsequies with continual fruit. Very exact instructions follow as to the persons amongst whom the food at these holy rites is to be distributed. The partaker must be a most reverend Brâhmen, of eminent learning, perfectly conversant with the *Vêda*, of good family, and neither friend (unless in unavoidable cases) nor foe of the entertainer. "As many mouthfuls as an unlearned man shall swallow at an oblation to the gods and to ancestors, so many iron balls (*red-hot*, says the comment) and spears must the giver of the *Srâddha* swallow in the next world." On the other hand, by entertaining one learned man at the oblation, the entertainer gains exalted fruit; the gift renders the giver and receiver partakers thereof in this world and the next, and the ancestors are satisfied even

* The copies of the code differ greatly in this passage: some include boys and girls, others all women sitting in their father's house.

even to the sixth degree. Some subsidiary rules are subjoined for the guidance of persons in the performance of the Srāddha where no Brāhmen learned in the scripture can be procured. The individuals who are to be rigorously excluded in such cases are described with scrupulous and whimsical exactitude : the catalogue includes usurers, men with whitlows on the finger, or with black-yellow teeth, a phthisical man, a feeder of cattle, a younger brother married before the elder, an elder not married before the younger, a man who subsists by the wealth of many relations, a dancer, the husband of a Sūdrā, a man who has lost one eye, a rude speaker, a forsaker without just cause of his mother, an eater of food offered by the son of an adulteress, a seller of the moon-plant (*Asclepias acida*), a navigator of the ocean, a poetical encomiast, an oilman, a seller of liquids, a maker of bows and arrows, a father instructed in the *Vēda* by his own son, a common informer, a tamer of beasts, an astrologer, a builder of houses for gain, a club-footed man, a remover of dead bodies, a planter of trees, &c. &c. Some of the causes of interdiction from this oblation strongly resemble those which disqualified a priest amongst the Israelites from "approaching to offer food to his God."*

A long detail succeeds of the retribution prepared in the next life for those who give food at a Srāddha to inadmissible persons. Food given to a seller of the moon-plant becomes ordure in another world ; to a physician purulent blood ; to an image-worshipper (which is remarkable) it is thrown away ; to an usurer it is infamous : in short, food given to base inadmissible men are pronounced to be "no more than animal oil, blood, flesh, skin, and bones."

A company assembled at a Srāddha may be purified, when defiled by inadmissible persons, by Brāhmens, the chief of their class, learned in all the *Vēdas* and all the *Angas* ; by a student who has given a thousand cows for pious uses ; or by any Brāhmen one hundred years old.

A Brāhmen invited to a Srāddha must be abstemious ; he must never break his appointment if he has been duly invited, on pain of becoming a hog in his next birth. "Departed ancestors, no doubt, are attendant on such invited Brāhmens, hovering round them like pure spirits, and sitting by them when they are seated. The Pitṛis, or great progenitors, are free from wrath, intent on purity, ever exempt from sensual passions, endued with exalted qualities : they are primeval divinities who have laid arms aside." It is further declared that an oblation by Brāhmens to their ancestors transcends an oblation to the deities, because (it is added) that to the deities is considered but as the opening and completion of that to ancestors. The Srāddha must begin and end with an offering to the gods ; he who begins and ends the rite with an oblation to the Pitṛis perishes quickly with his progeny.

The place of the Srāddha is to be carefully selected by the Brāhmen, and purified by being smeared with cow-dung : it should be in a sequestered spot, with a declivity towards the south. "The divine manes are always pleased with an oblation in empty glades, naturally clean, on the banks of rivers and in solitary spots." The Brāhmen guests, after ablutions, are to be placed on seats purified with cusa-grass ; the party then collectively pour the oblation on the holy fire. If there be no consecrated fire, the ablution may be dropped into the hand of a Brāhmen, "since, what fire is, even such is a Brāhmen." After certain other specified rites, balls of rice are to be offered (the minister's face being turned to the south) to his ancestors ; if his father be alive, the Srāddha is offered to the ancestors in three higher degrees. Various other details

details of this ceremony are added, in which great nicety is observed and enjoined : thus the minister must bring a vessel full of rice with both hands, and place it before the Bráhmén guests; if the rice when taken up be not supported with both hands, the malevolent Asuras quickly rend it in pieces. He must not drop a tear, or be angry, or say what is false, or touch the tables with his foot, or even shake the dishes during the ceremony : “ a tear sends the messes to restless ghosts ; anger, to foes ; falsehood, to dogs ; contact with the foot, to demons ; agitation, to sinners.” Cleanliness, freedom from wrath, and want of precipitate haste, are the three things held pure at these obsequies. Great attention is required to be paid to the Bráhmén guests, who, on their part, are enjoined to the observance of sundry minutæ, which exhibit a ridiculous fondness for these trifles : they must eat with the head uncovered, and not be seen eating by a Chandála (the offspring of a Súdra and a Bráhmén), a town-boar, a cock, a dog, a man with one eye, &c. “ That fool who, having eaten of the Sráddha, gives the residue of it to a man of the servile class, falls headlong down to the hell named Cálásútra.” The remains may be devoured by a cow, a priest, a kid, or the fire, or it may be cast into water.

After the Sráddha is ended, and the Bráhméns are dismissed, the performer of the rite, looking towards the south, is to ask blessings of the Pitris as follows :—“ May generous givers abound in our house ! may the scriptures be studied and progeny increase in it ! may faith never depart from us ! and may we have much to bestow on the needy !”

The text then declares the sort of oblations which are capable of satisfying the manes of ancestors, and for how long a period the satisfaction arising from each continues. The potherb cálásaca, the fish mahásalca (shrimp or prawn), the flesh of a rhinoceros, or of an iron-coloured kid, honey, and such grains as are eaten by hermits, and also any pure food mixed with honey offered on the thirteenth day of the moon, in the season of rain, and under the lunar asterism Maghà, satisfies them for ever. The fortunate days for the sacred obsequies are the tenth, eleventh, twelfth, and thirteenth of the dark half of the month. Obsequies must not be performed by night (since the night is infested by demons), nor while the sun is rising, nor when it has just risen.

These are but a very few of the multifarious rules (which continue to the end of this chapter) respecting this rite, which is so highly regarded by the Hindus, that it influences in no slight degree their habits, manners, and modes of thinking. Such importance is attached to the performance of it, that in this very chapter a person is interdicted from marrying a woman who has no brother, lest her father should adopt her first son to perform his obsequies ; and this necessity is recognized, in a subsequent chapter, as one of the reasons which authorize adoption. The desire of avoiding acts which are supposed to entail a disqualification for the performance of the Sráddha operates in many ways, sometimes very beneficially, upon the mind of a Hindu. Moreover, according to the *Daya Bhaga*,* “ the right of succession to property is founded on competence for offering oblations at obsequies.”

A very remarkable analogy between the Hindu and the Chinese superstitions, in this respect, cannot but strike every reader, however slenderly acquainted with the latter. It is well known that rites of worship to ancestors constitute a very important feature in the system of religious policy of the Chinese. Heaven, earth, and ancestors are the three great objects of their piety

pious regard. In some of the details of their ancestral rites they evince a singular correspondence with the observances inculcated in the code of Menu : for example, those who perform the rites to the deceased look towards the south, as the Brūhmen who performs the Srāddha is directed to do. A Chinese author, in assigning a reason for the worship of ancestors, observes, that in sacrificing to the manes of the dead, it cannot be certainly known whether they be present at the rite, or partake of the offerings, or not ; but whether the souls of the dead be present or absent, whether they partake or not of the sacrifice offered to them, still the sage legislators of old considered that the performance of the rite nourished a sense of reverence towards dead, and thereby cherished filial piety towards living parents.

(To be continued.)

TRADE WITH CHINA.

THE following particulars respecting the trade-regulations of Canton are furnished by a native Chinese, translated from the original language (with occasional addenda) by Dr. Morrison, and printed in the *Chinese Chronicle of Malacca*, May 22.

When an European ship casts anchor at Cabreta Point, off Macao, a boat should be sent on shore, and the person sent in it should go to the tavern and make inquiry for a pilot. The pilot being found, he should tell him from what country the ship comes; the name of the ship;* the name of the captain; what cargo she has brought to Canton to barter; and then direct him to apply immediately to the Kwān-min-foo for a permit to pilot the ship to Whampoa. The next day, when the permit is issued, the pilot can take the ship to Whampoa.

If the ship comes in during a storm of wind and rain, she must run up to Chumpec, and anchor there to prevent accidents.

If any Chinese go along-side, they must either produce letters, or have people with them who are known to those on board, before they are allowed to come in the ship: this is a necessary precaution against pirates.

Exclusive of the English Company's woollens, no goods should be reported that are chargeable with a heavy duty: such as foreign ginseng, palampoes, or piece-goods.

If a ship has no cargo on board, but only specie, she must report that she has foreign liquors or wines; for the Chinese laws do not allow any ship without cargo to enter the port; but foreign wines, whether a small or a large quantity, is accounted cargo.

When the ship arrives at Whampoa, there is sent from the governor's office an attendant officer, and from the hoppo's a runner, who wait in boats on each side the ship to prevent smuggling, and all sorts of base proceedings. The linguist gives to them daily, for provisions, the sum of eight mace four candareens.

When the pilot reports the ship on her coming in, he has given him for his trouble sixty dollars; and when she goes out, he has given him for his trouble sixty dollars.

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* The Chinese custom-house never takes the name of the ship, but calls it by the name of the captain.

The pilots' names are registered at the Kwán-min-foo's office, where they pay, for a license to act, the sum of 600 dollars.*

Every ship at Whampoa, that employs a comprador, is expected to reward their toils by a gift of 200 dollars. If there be bought by the ship, from the comprador, things which amount only to three or four hundred dollars, then the reward for their toils is expected to be 400 dollars; but if the amount of things bought exceed 1,000 dollars, then no additional reward is expected. The reason of the above-named rewards being required is, that the custom-houses extort from each comprador upwards of 600 dollars.

When persons belonging to any foreign ship come to Canton, and lodge at the tavern instead of taking a factory of their own, the rule is, that they shall give 100 dollars to the linguist to pay the custom-house fees required for the house comprador. If the parties take a factory they must employ a comprador, and assist him with a gift of 100 dollars, for the custom-house people extort, as fees, upwards of 140 dollars.

Every ship that comes to Canton must select a security merchant, and settle with him the business to be transacted. Besides such commercial transactions, people deal as they please with the outside shopmen (but such dealings, except to a very small amount, are illegal.)

"Smuggling prohibited commodities, even when the commodities are innocent, cannot be defended; if the commodities are not only innocent, but useful, human laws do not much affect the consciences of men; however, if the commodity introduced be pernicious to the morals of the country that forbids the commodity, it is not easy to see what excuse any moralist, either pagan or Christian, can set up for such a traffic.

"But, without pleading for an indefensible cause, such as Christians smuggling opium into pagan China, it may be questioned whether the rights of the port, which usage has established, should be carelessly abandoned. If the Chinese plead usage for the maintenance of old grievances, should the Europeans not plead usage for the maintenance of old rights? People who will not give the benefit of national law, cannot justly claim a right to the same practice as those who throw their courts, and their laws, and their lawyers, open to be employed by any or every body. When China shall give what European nations give to each other, then may she exact what they exact of each other."

Every ship that comes to Canton is required to select a linguist, or government interpreter, who procures the permits to deliver and to take in cargo; and who transacts all the custom-house business, and keeps an account of the amount of duties.

Every ship, before she is allowed to deliver cargo, is required to give a written declaration or bond in duplicate, solemnly affirming that she has brought no opium. One copy of the bond is delivered to the governor, and one to the hoppo, and a wealthy hong merchant is required to add his bond as a surety for the foreigner. (The penalty is confiscation of half the property of the ship and expulsion from the port; and the form prescribed by the Chinese requires the foreigners to say, beforehand, that they heartily acquiesce in this law and penalty.) It was originated in the eleventh month of 1821.

The English Company alone are not required to have the bond and suretyship of a wealthy merchant. (Nor do they give any bond or written obligation;

* The real person who takes out license sometimes knows nothing about ships or the river: he employs fishermen to do the duty.

tion; for they could not acquiesce in the justice of the penalty in the anticipated case of a slight violation of the law by persons on board unauthorized by them.) The governor Yuen, who framed the law, at first insisted on the English giving the bonds; but after a protracted non-compliance he withdrew his demand.

When any ship intends to deliver goods it is required to inform the linguist that he may obtain a permit; and the next day, a permit being issued, the lighters, or chop-boats, can proceed to Whampoa. On the third day the said boat arrives at Whampoa, and the ship delivers her cargo; on the fourth day the boat arrives at Canton, and the linguist requests that the goods be examined. The hoppo deposes one servant, one writer, and a police-runner. The hong merchant sends a court-going man (a man who attends at government offices on behalf of his master: this man commonly wears a gilt knob on the top of his cap). The linguist sends a man to look after the accounts, and a man to interpret. The hoppo sends also a man to remain in the lighter-boat from Whampoa to Canton.

Any ship desirous of sending down cargo must tell the linguist what goods are to go from such a hong, or such a shop, and he will procure a permit. The next day, when a permit is issued, the hoppo sends a domestic, a writer, and a police-runner; the hong sends a court-going man, and the linguist an accountant and an interpreter to attend at the examination of the goods. Besides which the hoppo sends a man to go in the lighter and watch the goods till they reach the ship.

Whatever commodities are imported, exclusively of those received by the security merchant, the rest may be delivered to any hong or shop,* and the price received accordingly. The security merchant cannot grasp and twist the affair as he pleases; but the amount of goods must be stated clearly to the linguist. Some duties are required from the buyer and some from the seller; but the accounts of all import duties from the Chinese are to be given in, for the current year, on the twenty-fifth day of the ninth moon, when the custom-house accounts close: the business of the twenty-sixth day goes into the accounts of the next year. The monies due for the preceding year commence being paid in the first moon, and must all be paid during the fifth moon.

If a shopman receives import cargo, he tells the linguist, and intimates which hong merchant is to pay the duties to government; a list is preserved, and the seller still actually pays the duties. This is done in consequence of its being illegal for any person to pay the duties but hong merchants.

The export must be paid into the custom-house whenever a third and an eighth day occurs, viz. on the 3d, 8th, 13th, 18th, 23d, and 28th, being an interval of five days between each.

Exclusive of the business transacted with the security merchant of any particular ship, the supercargoes or captains may deal with any other hong or shop, and the parties agree, when they fix the price, who is to pay the duty; but the right to ship off the shopmen's export goods is annually granted at the custom-house to that hong merchant who will give the highest fee for this privilege. If any other hong merchant be detected shipping off goods for shopmen, under colour of their being his own, he is fined a hundred-fold more than the amount of the duties on the goods in question. The accounts of the export and import duties of any ship are kept and collected by the linguist of the ship, and if there be a deficit he must make it up himself.

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* The shop is not legal; but usage winks at it.

The hong merchants are required to consider the duties to be paid to government as the most important part of their affairs. If any merchant cannot pay at the proper period, his hong and house, and all his property, are seized by government and sold to pay the duties: should all that he possesses be inadequate to pay the amount, he is sent from prison into banishment at Ele, in Western Tartary, and the body of hong merchants commanded to pay in his stead.

The next most important concern to a hong merchant is debts to foreigners. An application to government by a foreigner for sums due by a hong merchant causes an immediate stoppage of the hong, the imprisonment of the hong merchant, the seizure of all his property by government to pay the debt, and if his property be inadequate to do so he is transported to Ele, and the hong merchants commanded to pay for him by annual instalments.

This transportation to Tartary the Chinese in Canton call going to the "cold country," which they do not usually consider a pleasant trip. The period of transportation is generally limited to a few years.

The Chinese government has repeatedly declared that the co-hong shall not be answerable, in case of any bankrupt merchant, for more than 100,000 taels, although failures sometimes occur to the amount of 1,000,000.

When a foreign ship is about to sail, a petition must be delivered to the linguist that he may procure a port clearance, commonly called the grand chop, and the security merchant must pay the fee called measurement before the port clearance is granted. This was a new regulation of the custom-house in the second year of the present reign, made in consequence of the poor hong merchants letting these fees run up to a large amount without paying them, and not being considered in the light of duties, the custom-house had no means of enforcing payment.

Large ships, which have taken on board about six thousand peculs of cargo, and wish, on account of the water not being deep enough at Whampoa, to remove down to the second bar, must apply to the linguist some days before for a permit and a pilot.

Each month, on the third and eighth days, foreigners are allowed to apply for a merchant's boat and linguist's permit to go to the Ta-te gardens and to Honan for exercise. This limitation was introduced a few years ago by the late senior hong merchant: formerly people went to these places on any day without any permit. The Honan permit is not insisted on.

A foreign merchant who wishes to petition government may give his petition to the security merchant, or the linguist, to present it for him: the next method is to go himself to the city gate to present it. Those petitions which concern the hoppo may be presented at the governor's; those concerning local officers may be presented at the city gate called Yaou-lang. Persons are generally required to wait at the gate several hours before they can get their petition received.

When a ship is to be measured, the hoppo gives orders to the linguists to make the necessary preparations, if he go himself, which he does once a year, and goes on board one of the Company's ships: when the hoppo does not go himself, an officer is sent to represent him. To each ship is given a bullock, a hundred catties of flour, and two jars of spirits. These were at first given in the name of the emperor; subsequently the local government would not give them, but directed the linguists and compradors to give them.

The hoppo's salary is 2,000 taels a year, with an additional allowance of 800; but he has, for every share that a hong merchant gets of the English Company's

Company's business, a clandestine fee of 10,000 taels; and what he gets in clandestine fees on exports and imports is beyond calculation.

The hoppo and people about his custom-house receive from a new hong merchant in clandestine fees, *i. e.* fees disowned by the supreme government, the sum of 100,000 dollars; and when a hong merchant dies, and is succeeded by his son, he has to pay, in clandestine fees, 30,000 dollars or more, and must have all the other hong merchants become his securities before he gets leave to act.

When a hong merchant's son is rich, and does not wish to be a hong merchant, he must employ bribes, and get the governor of the province and the hoppo to write to court, and make some pretence that the person is not, and there are no grandchildren or other kindred to succeed. When the emperor and the courts at Peking give their consent, the person in question may retire from business: money is also on these occasions employed at court. In a late instance a large bribe was given by a hong merchant, and he was allowed to retire for a few years; but on a representation being made by a subsequent local governor he was ordered to return to the duties of merchant, and censured for having formerly retired under fraudulent pretences.

At the licensing of a new linguist the hoppo and other officers obtain, in clandestine fees, the sum of 10,000 dollars, and all the hong merchants must become sureties for him. If the father dies, and his son succeeds to be a linguist, the clandestine fees amount to 30,000 dollars. If a linguist becomes rich and wants to retire, he must use the same sort of means as have been described in a similar case concerning a hong merchant.

The head clerk or secretary at the hoppo's office is called king-ching; the writers are called tan-shoo: of these there are upwards of 200. Every year, during the seventh moon, they draw lots who shall be deputed to the several custom-houses throughout the province, of which there are more than seventy. Those who remain act as tide-waiters, and examine the goods daily brought up to or sent down from Canton.

The head clerk, or king-ching, is removed every five years, and another selected from one of the cleverest of the clerks. The hoppo often refuses to see the hong merchants, and does all his business through the medium of the king-ching. The poorer hong merchants are insulted by him when they are slow in satisfying demands for fees, &c.

To get the appointment of writer at the hoppo's, he requires a fee of upwards of 1,000 dollars; and when the father dies, if his son succeed, he must pay a fee of 300 or 400. There are three men in the accountant's office, and five persons in the office of records, each of whom has to pay a fee of 200 or 300 dollars.

There is attached to the hoppo's a sort of custom-house police, consisting of seven head-runners, who keep watch night and day. It requires 7,000 or 8,000 dollars to get this appointment; and if a son succeed his father, a fee of about 2,000 must be paid.

Under each head-runner there are about thirty assistants; and annually these 200 draw lots to ascertain who shall be sent to the outer custom-houses, who shall go to watch alongside the ships, and be what is at Whampoa called hoppo-men, and who shall attend daily at the shipping of or receiving goods at the hong. If a son succeed a father here he has to pay a fee of thirty dollars.

The number of servants and attendants at the hoppo's is uncertain; it varies according to the number of persons recommended by the various official men in Canton who have dependents to be provided for. The most responsible

ble servants are called tang-sheong, there are four of these to receive the duties: next come personal confidants, of whom there are four, called tain-sun; these go round and inspect the several custom-houses. The rest of the servants are merely personal and domestic, and are changed when their master leaves. The other persons described as attached to the office serve from generation to generation.

All the people belonging to the hoppo's office depend for a subsistence on clandestine fees levied on the trade. There is also a military officer, of the sixth degree of rank, appointed by the Tartar general to reside at the principal custom-house, who also derives his support from clandestine fees. There is likewise an inferior officer stationed at the hoppo's treasury.

For every English Company's ship that a linguist gets he has to give to the custom-houses seventy taels, which is paid by the ship. Every English Company's captain gives to his linguist 100 or 200 dollars to reward his toils. The English country ships give the linguist, for the purpose of distributing the required fees amongst the custom-house people, and also for their own services, 173½ dollars. The American ships give the linguist they employ 216 dollars for the same purpose. Every foreign ship that employs one native boat a day pays the linguist 23 dollars; if from two to six boats be employed, 16 dollars each is paid. This money is to be defrayed, the permit fee, the custom-house people who examine cargo, the coolies, &c.

In 1818 the chief of the English factory, on account of the severe labour of the coolies, made the allowance for each boat to be sixteen taels five mace. Boats that go down to the second bar get fifty taels each: the country ships that use only one boat a day pay twenty-one and a half dollars. If they employ from two to six boats they pay for each fifteen dollars, one mace, eight candareens.

The expenses attending export goods are defrayed by the seller, not by the buyer.

When the ships bring treasure up to Canton and employ their own boats, three dollars for each boat is given to the linguist to defray expenses. If chop-boats are used, they are paid the same as cargo boats.

When it is desired to export treasure, the hong merchant and linguist must make an estimate of the value of the import and export cargoes, and then government allows the difference to be shipped off.

Measurement of Ships by the Custom-House.—First class of ships, whose measurement makes 156 square cubits, pays for each cubit seven taels, four mace, eight candareens, and eight cash.

Second class, whose measurement makes 122 cubits five duntos, pays for each cubit six taels, eight mace, and four candareens.

Third class, includes all vessels below the second class; these pay for each cubit of their measurement four taels.

The present given by a ship on entering the port is 1,950 taels: the same sum is required from all the different sized ships. This heavy charge was originally a voluntary offering or bribe given by European ships, French, English, and others that frequented Canton; but it has long become a constant demand.

Of import cargo, each chop-boat should, according to rule, contain, of woollens and long ells, 140 bales; tin, 500 bars; lead, 600 pigs; Bombay cotton, 55 bales; Bengal cotton, 80 bales; of betel-nut, pepper, &c. the amount to be taken in a chop-boat is 300 peculs.

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Of export goods a chop-boat should take of tea 600 chests; of other sorts of goods 500 peculs. If more than this, the hong merchant gives to the chop-boat, for each additional pecul, six dollars and a half.

In calculating the duties on export goods, 90 catties are considered 100. The import woollens, long-ells, and camlets, are measured without any deduction; single articles are numbered.

Each ship is allowed to export of silk eighty-eight peculs; the duty on each pecul is ten dollars and a half. Those ships that want more, avail themselves of the names of ships which have exported none; and the custom-house connives at this on receiving, as duty, fourteen dollars and a half.

If after entering the port any persons tranship goods, it is considered that the one ship sold them to the other, and in that case pay the same duty as if the goods were brought up to Canton. Provisions are not included in this regulation.

Ships' boats are not allowed to carry up or down any thing chargeable with duty.

Gold, silver, copper, and iron, are prohibited to be exported; a few culinary utensils are the only exception.

The whole amount of tutenague that is allowed to be exported by foreign ships, including the Portuguese at Macao, is 100,000 catties.

If more cargo be sent to a ship than she can take on board, and she wishes it to be shipped on board another, it must be done within three days after announcing the goods at the custom-house, and a hong merchant must state it to government, and if granted, a hong merchant and linguist are ordered to go to Whampoa and take an account of such goods, which, with the expense of boats, runners, &c. at Whampoa, costs forty or fifty dollars.

The hong merchants have a hall, which they call a *kung-so* (known to Europeans by the name *consuo*). On import and export goods they levy a tax which they call hong-yun. The original intention of this fund was to meet the exigencies of paying for bankrupt merchants, duties, and forcing debts, and for their public contributions to the army, which is called *kawn-suy*; contributions for the repair of the Yellow River's banks, called *ho-kung*; and for tribute annually sent to the emperor, called *kung-kwei*.

It is impossible to contemplate such a system as this, so corrupt and vexatious in its details and ramifications, without a strong conviction of the impracticability, during its continuance, of carrying on a private trade between this country and China. The heavy imposts herein described, and the tiresome routine of regulations which are provided by the Chinese functionaries as expedients to justify their exorbitant demands, are fetters upon commerce which would not be endured by private traders; and as all intercourse with the principal officer, or viceroy, is expressly forbidden since the irruption of the merchants into Canton, beyond the boundary gate, all representations of abuses (unless the memorial proceed from the Company's establishment, which enjoys a considerable degree of influence at Canton,) must be entrusted to those who are guilty of or interested in the continuance of the abuses complained of.

Royal Asiatic Society of Great Britain and Ireland.

December 1, 1827.—A general meeting was held this day at 2 o'clock; Sir Alexander Johnston, V.P., in the chair.

Donations were presented from :—

Dr. J. J. Schmidt of St. Petersburg, his *Wirdigung u Abfertigung der Klaproth'schen sogenannten Beleuchtung and Widerlegung seiner Volker Mittel Asiens.*

M. J. Klaproth, *Méprises singulières de quelques Sinologues.*

The Medico-Botanical Society of London, copy of an Oration delivered before that Society by the Director, J. Frost, Esq.

Major J. Smith, three small images of Buddha, from the great temple at Rangoon; these images are made of hammered, flat, silver leaf, and very rudely executed.

W. Watts Wilson, Esq. (through Thos. Cockburn, Esq.), a Burmese religious MS. on palm leaves.

Lieut. Col. W. Farquhar, three shields, used by the Dayaks in the interior of the island of Borneo; one of them is round, the other two are oblong; one of these latter is carved in various figures; all three are curiously painted: they are made of remarkably light wood. Also two swords; these swords are much broader at the point than at the hilt; the handles are neatly carved, and ornamented with tufts of hair. A wooden battle-axe or hatchet and a club, much resembling those in use among the South Sea Islanders. Five spears, one of which is brass-mounted; and four Malay spears mounted in gold.

The following gentlemen were elected members of the Society: the Rev. Barnard Hanbury; the Rev. Thomas Musgrave, A.M., Lord Almoner's Reader of Arabic at Cambridge; and Major Sir Harry Verney, Bart., A.D.C. to his Excellency the Governor General of India.

Mr. E. Upham then concluded his remarks upon the Burmese curiosities, and thanks were returned to him for the same.

Two proclamations, translated from the *Peking Gazette* by Mr. J. F. Davis, of Canton, were next read: one of these documents contains a memorial from the viceroy of Füh-kéen and Chě-keang provinces, praying for a temporary suspension of the restrictive regulations on the coasting trade, in order that the deficiency of grain, arising from the failure of the rice-harvest in Füh-kéen province, may be supplied by importation from the province of Chě-keang by sea. Upon this representation of the viceroy, the emperor directed that the restrictions be relaxed accordingly, and the merchants be furnished with permits by the treasurer of Chě-keang province, for the purpose of exporting grain to Füh-kéen, coastwise, in order that the subsistence of the people be immediately provided for; and the viceroy is charged with the due execution of the decree.

The second of these papers contains an address from the inspector-general of Keang-nan province, pointing out the ill effects of the present mode of conducting inquests in cases of homicide, and urging the necessity of a speedy reform. The details of the dilatory manner in which the magistrates prosecute their inquiries in these cases are curious, and furnish a sample of the defective state of the Chinese law in one of its most important branches. It seems that instead of the magistrates instituting an investigation at once, which in such cases is of great importance, on account of the appearance of the wounds, when recent, furnishing a clue to the disposition or intention of the person who inflicted them, they appear to be always desirous of suppressing the inquiries; and if, in spite of their endeavours to induce the relations

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of the deceased to accept a pecuniary compromise, or to frighten them into silence, the relations persist in demanding an inquest, the magistrates then proceed to hold one, but at such a distance of time, that the appearance of the body is frequently entirely changed, and no inference can be drawn from it. All these evils might have been prevented by the holding of an early inquest; and the object of the inspector-general's address is stated to be, to entreat the emperor to direct that this be done in all cases of homicide, and that all magistrates who cause delays, or suppress the facts in these cases, be dismissed as warnings to others.

December 15, 1827.—A general meeting was held this day at the usual hour; Col. Mark Wilks, V.P., in the chair.

The following donations were presented: from Baron S. de Sacy, a copy of the third volume of his *Chrestomathie Arabe*.

From M. Jules Klaproth, a copy of Goulianos's *Essai sur les Hiéroglyphes d'Horapollon*.

From W. Marsden, Esq., a copy of his *History of Sumatra, Travels of Marco Polo, and Malayan Grammar and Dictionary*, together with some East-India official papers.

From G. G. Downes, Esq., a MS. collection of Tamul poems, written on palm leaves.

From J. Frost, Esq., copy of his *Essay on Croton Tigilium*.

From P. P. Thoms, Esq., four small Chinese images in stone; and a curious Chinese Buddhist work, on one sheet, arranged in the form of a temple.

From Lieut. Col. J. Tod, a map of India, from native authority, printed on cloth. This map comprehends the country from the glaciers of the Ganges and Cashmere to Lanka (both of which are represented), and from the Indus to Calcutta. A Hindu ring dial. Two *chûps*, or stamps, to mark the foreheads of the pilgrims at Dwarica; one of these stamps bears the combined triangles used for the followers of Siva; and the other the lotus, for the votaries of Crishna. A pair of *chooris*, or bracelets, made of elephants' teeth, as worn by the women of Rajwarra, covering the arm from the elbow joint to the wrist.

Andrew Trevor, Esq. was elected a resident member, and Captain Anthony Troyer a non-resident member of the Society.

A memoir of Malacca, by Lieut. Col. Wm. Farquhar, late governor of that settlement, was then read.

This memoir was prepared before the cession of the settlement to the Dutch in 1818. Its object is to point out the great advantages to be derived from its retention, and its decided superiority over every other station in the vicinity for the purpose of commanding the navigation of the Straits. Independently of this consideration, however, Malacca possesses many local advantages which recommended it as a very desirable spot for a colony. Its climate is most agreeable and salubrious; the soil is luxuriant, and watered with numerous rivers, and the face of the country is beautifully diversified. The thermometer ranges from 72° to 85° throughout the year; and the barometer shews only an annual variation of $\frac{1}{4}$ of an inch; the maximum being 30.3, the minimum 29.83. The supplies afforded to shipping are very abundant, and procurable at very reasonable rates. Some idea may be formed of the extent to which provisions can be obtained at Malacca from the fact, that during the rendezvous there of the expedition to Java, in 1811, not less than 30,000 men, Europeans and natives, including followers, were supplied daily with fresh provisions. The average of deaths in the garrison, from diseases contracted at Malacca, for

for seven years, was rather less than two in the hundred : affording a pretty fair proof of the salubrity of the climate.

The memoir includes various notices of the commerce, mines, natural productions, and different classes of the population of Malacca.

The thanks of the Society were returned to Col. Farquhar for his communication.

A geographical notice of the frontiers of the Burmese and Chinese empires, accompanied by a copy of a Chinese map, by J. F. Davis, Esq., was then read.

The high degree of interest which has been excited respecting the Burmese empire, and the increased importance of a more accurate knowledge of its geography, tend to give a peculiar value to whatever is likely to increase that knowledge; and although the present memoir is more particularly devoted to a description of the Chinese side of the frontier, still its details possess great value, and it is, besides, enriched with several notes relating to the province of Yun-nan, by Père L'Amiot, who has resided upwards of thirty years at Peking.

The latest geographical information of which we are in possession, relative to the Burmese empire, is contained in a map recently published at Calcutta, under the sanction of the Bengal Government; and as it is likely that the portion of it which relates to the Chinese frontier has been partly obtained from Burmese authority, it is not to be wondered at if strict correctness is not attained in writing down the names of places in China, which were procured by one set of strangers (the English) through the medium of another (the Burmese). Fortunately there is in the East-India Company's Chinese library at Canton a MS. map, chiefly compiled by the labours of the missionaries, upon which greater reliance may be placed than upon Chinese maps in general, as its extreme accuracy, with respect to those parts of the country through which Lord Amherst's embassy passed, can be vouched for. A comparison of this map, therefore, with the one published at Calcutta, seemed to be desirable, and the result has shewn that a considerable degree of correspondence exists between them. It is to be observed, however, that the Chinese map does not in any part extend beyond their own frontier. The copy of a part of it which has been sent with this memoir extends from $97^{\circ} 42'$ to $101^{\circ} 42'$ E. lon. from London, or from 15° to 19° west of Peking; and from the parallel of 21 to $27\frac{1}{2}$ N. lat.

The country of Yun-nan (the frontier province, which is the subject of this paper) is wild, mountainous, and thinly peopled, and is considered by the Chinese to be unhealthy.

Père l'Amiot states that the resistance opposed to the Chinese invaders by the native inhabitants of Yun-nan province, together with the insalubrious climate, and the difficulty of penetrating into the fastnesses of their mountains, produced a long and bloody contest before their subjugation could be effected, and that even now they by no means render an unqualified submission to the Chinese rule. The rivers of Yun-nan afford amber, coral, and pearls; and mention is made of a people of this province, situated about twenty or thirty days S.W. of Yun-nan-foo, in whose territory there is a gold mine: this tribe pays an annual tribute to the emperor, but is governed by a chieftain of its own choice. It is known that Yun-nan is very rich in mines, of which the government have a large share.

The thanks of the Society were ordered to be returned to Mr. Davis, for his translations from the *Peking Gazette* and geographical memoir.

The Society then adjourned to Saturday, January 5th, 1828.

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I

East-India College at Hailebury.

GENERAL EXAMINATION, December 6, 1827.

ON Tuesday, the 6th December, a Deputation of the Court of Directors visited the College, for the purpose of receiving the Report of the General Examination of the Students at the close of the term.

The Deputation, upon their arrival at the College, were received by the Principal, Professors, Assistant Professors, and the Oriental Visitor.

Soon afterwards they proceeded to the Hall, accompanied by several visitors, where, the students being previously assembled, the following proceedings took place :—

A list of the Students who had obtained prizes and other honourable distinctions was read.

Mr. John Septimus Law delivered an English essay, on “ *The Comparative Effects upon the Natives of Europe of the Discovery of America, and of the Passage to India by the Cape of Good Hope.* ”

The Students read and translated in the several Oriental languages.

Prizes were then delivered by the Chairman according to the following report :

Report of Students who have obtained Medals, Prizes, and other honourable Distinctions, at the Public Examination, Dec. 1827.

Medals, Prizes, and other honourable Distinctions obtained by Students leaving College.

Fourth Term.

Neil Benjamin Edmonstone, medal in Persian, prize in Hindustani, prize in Arabic.

John Muir, medal in law, prize in Bengali, and highly distinguished in other departments.

John Thornton, medal in classics.

James Burnett Fraser, medal in Sanscrit, and with great credit in other departments.

Binny James Colvin, medal in political economy, and with great credit in other departments.

Strachan Irving Popham, prize in Tamil, in drawing, and highly distinguished in other departments.

John Gordon, great credit.

Third Term.

George Sparkes, medal in mathematics, medal in Sanscrit, prize in Persian, prize in Arabic, and highly distinguished in other departments.

Charles H. Hallett, highly distinguished.

Second Term.

Thomas Louis, prize in mathematics, prize in Persian, prize in Arabic, and with great credit in other departments.

Henry Liddell, highly distinguished.

Richard Henley Pelley Clarke, highly distinguished.

Cornwallis La Touche, great credit.

William Heneage Dyke, great credit.

First Term.

Andrew Ross Bell, highly distinguished.

Prizes, and other honourable Distinctions, of Students remaining in College.

Third Term.

Wm. Francis Thompson, prize in classics, prize in political economy, prize in law, and highly distinguished in other departments.

John Septimus Law, prize for the best English essay, prize in Hindustani, and highly distinguished in other departments.

Donald Friell McLeod, prize in mathematics, prize in drawing, and highly distinguished in other departments.

William Onslow, prize in Bengali.

Robert K. Dick, highly distinguished.

Henry Unwin, great credit.

Fulwar Skipwith, great credit.

Second Term.

John M. G. Robertson, prize in classics, prize in history, prize in Deva-Nagri writing, and highly distinguished in other departments.

Robert Deane Parker, prize in law, prize in Sanscrit, and highly distinguished in other departments.

Mosley Smith, prize in Bengali, and highly distinguished in other departments.

Charles Walter Kinloch, prize in Hindustani.

Highly Distinguished.

Hunter,

Dent,

Newberry,

Daniel White.

Great Credit.

G. Malcolm,

Maltby,

Shakespeare,

Tottenham,

Woodcock.

First Term.

Archibald Sconce, prize in Persian, prize in Hindustani, prize in Arabic, and highly distinguished in other departments.

Charles

Charles Dumergue, prize in classics,
prize in Sanscrit, prize in drawing.

David Robertson, prize in mathematics,
and with great credit in other departments.

Matthew Malcolm, prize in Bengali,
and with great credit in other departments.

Alexander Shank, highly distinguished.

Great Credit.

Batten,
Lawrence,
Lowth,
Scott,
Morland.

Wm. P. Masson, prize in English composition.

Wm. Thos. Trotter, prize in Bengali writing.

Rank of Students leaving College, as
settled by the College Council:

BENGAL.

1st Class.

1. Edmonstone,
2. Muir,
3. Colvin,
4. Thornton.

2d Class.

5. Louis,
6. Ewart,
7. Wilmot,
8. Clarke,
9. Bell.

3d Class.

10. Trench,
11. La Touche.

MADRAS.

1st Class.

1. Sparkes,
2. Fraser,
3. Popham.

2d Class.

4. Hallett.

BOMBAY.

(No 1st Class.)

2d Class.

1. Gordon,
2. Liddell.

3d Class.

3. Webb,
4. Dyke.

It was then announced to the Students that the certificates of the College Council were granted, not only with reference to industry and proficiency, but also to *conduct*; and that this latter consideration had always a decided effect in determining the order of rank.

It was also announced, "that such rank would only take effect in the event of the Students proceeding to India within *three months* after they are so ranked; and should any Student delay so to proceed, he should only take rank among the Students classed at the last examination previous to his departure for India, whether that examination should be held by the College Council or by the London Board of Examiners, and should be placed at the end of that class in which rank was originally assigned to him."

Notice was then given that the next Term would commence on Saturday the 19th January, and that the Students were required to return to the College within the first four days of it (allowing the intervening Sunday), unless a statutable reason, satisfactory to the College Council, could be assigned for the delay; otherwise, the Term would be forfeited.

The Chairman (the Hon. H. Lindsay) then addressed the Students, expressing his gratification at the favourable result of the Examination; and the business of the day concluded.

Wednesday the 9th, and Wednesday the 16th January, are the days appointed for receiving Petitions at the India House, for candidates for admission into the College, for the Term which will commence on Saturday, the 19th of January.

VARIETIES.

ASIATIC SOCIETY OF CALCUTTA.

A meeting of this Society was held on the 4th July, at their apartments; the Hon. W. B. Bayley, Esq., vice-president, in the chair.

A letter was read from the president, the Hon. J. H. Harington, Esq., resigning his situation as president in consequence of his departure for Europe. It was resolved accordingly to return the thanks of the Society to the president for his long and valuable services. Mr. Harington, it may be observed, was one of the original members of the Asiatic Society, in the time of Sir William Jones, and a few weeks after its foundation was made secretary, which office he filled for twelve years, until public duty removed him from Calcutta. Shortly after his return to the presidency, in 1797, he was nominated vice-president, in which capacity he continued attached to the Society till he visited England in 1820; after his return from Europe he was elected president. In early life, Mr. Harington was one of the few assiduous cultivators at that period of Persian literature, on which he conferred an obligation of the highest kind by a valuable edition of Sadi. He was also an industrious contributor to Gladwin's *Asiatic Miscellany*, one of the best collections of its class. Latterly his attention was confined to his public duties, in connexion with which his Analysis of the Regulations was prepared and published, and a valuable essay on the authorities of Mohammedan Law, printed in the *Asiatic Researches*, in which there are other contributions from his pen, especially in the early volumes.

On this occasion Dr. Royle was elected a member of the Society. Amongst the donations to the library were several numbers of the *Journal Asiatique*; the second part of the tenth volume of the Transactions of the Royal Society of Edinburgh; the Hindu Theatre of Mr. Wilson; and a work on the Letters and Numerical Signs of all Nations, by Mons. De Paravey, in which he refers their origin to the types of the cycle of hours and days in use amongst the Chinese, and which he regards as antediluvian. To the museum were presented various stone images found in a tank at Jagannath, and forwarded by Mr. Mansbach, through Mr. Harington; also, through the same gentleman, a stuffed musk-deer, and specimen of the musk bags, from Nepal. Specimens of iron ores, from Burdwan, with analyses of their contents, by Mr. Piddington, were presented by Mr. Calder. From the analyses it appears

that the metallic contents of the ores vary from 37 to 60 per cent. of iron. They are mostly varieties of the red or ochry iron ore, or the laterite of Buchanan; the iron is mostly in the state of peroxide and most of the specimens contain oxide of manganese, in some instances in very large proportion, to the extent of ten and even sixteen per cent.

Two sets of meteorological registers for 1819 and 1820, kept at Kotgerh and Subathoo, and in the vicinity, were presented by Captain Gerard; to these are attached tables of the state of the weather, winds, temperature of springs, rivers, and torrents, and a list of the places where the observations were taken, with their latitudes and longitudes and barometrical elevations.

A communication was read from Capt. Cantley, in continuation of his former account of a coal deposit in Nahn, expressing doubts whether the mineral should not be regarded as belonging to the lignite rather than the coal formation, as it corresponds with the former in every respect except the presence of organic remains, none of which have been detected. Notwithstanding this, however, Captain C. thinks it may be referred either to lignite, or to some of the intermediate grades of the approach to coal. Similar deposits, no doubt, exist throughout the whole of the lower range. Captain C. gives also a description of two of these found in the Kalowala Pass, east of the Jumna river. The deposit in the first of these is in horizontal layers, frequently contorted, varying from minute threads to the thickness of one or two inches, and interrupted by transverse sections of carbonized trees, flattened by great pressure. It lies between strata of conglomerate of clay and calcareous sandstone, beneath which is the blue clay, and bears decidedly the character of submerged deposit of vegetable remains. The second deposit is of a precisely similar character, but the sandstone in which it is imbedded is of a bright yellow colour. Captain C. is of opinion that the sandstone, which prevails in the lower ranges of mountain to the skirt of the Dehra and Kardah vallies, approximates to the new red sandstone of English geologists. The peculiarly peaked summits of these hills, which resemble the outlines of a primitive formation, he ascribes to the presence of clay and carbonate of lime, by which the sandstone is protected from rapid decomposition.

A paper was also read from Dr. Butter, of Ghazeepore, upon the origin of aerolites,

ites, which he maintains to be atmospheric, in opposition to those theories which refer them to lunar volcanoes, or a common source with the asteroids, the explosion of some planetary body, or to the still more unlikely projection of volcanoes on the earth's surface. After pointing out the difficulties in the way of all these suppositions, Dr. B. shews that solids are subject to evaporation as well as fluids, and refers to the fact established by experiment, that earths and metals, in assuming the gaseous form, become lighter than any other gases under similar pressure and temperature; consequently it is probable, that the highest regions of the atmosphere are occupied by gaseous metals and earths, or their inflammable bases, and in this state the operation of magnetic influence may cause their precipitation, when the pressure of the atmosphere, and the effects of the motion through it, would produce their combination in the forms in which they occur and their final explosion. The interference of this agent is rendered probable, by the circumstance of meteoric stones comprising, amongst other ingredients, the only four simple bodies which are known to be amenable to the laws of magnetism, or iron, nickel, cobalt, and chrome. Dr. B. concludes his remarks with a short notice of the meteoric stone which fell in the vicinity of Ghazeepore on the 27th February last, the largest fragment of which weighed $3\frac{1}{2}$ lbs., and was about 5.5 inches in extreme length, and four in thickness.—*Cal. Gov. Gaz.*

MEDICAL AND PHYSICAL SOCIETY OF CALCUTTA.

A meeting of this Society was held on the 2d June; Mr. Wilson, the vice-president, in the chair. Specimens of extracts of taraxacum, colocynth, and hyoscyamus, from plants reared in the medical garden at Saharunpore, or in the hills, were presented by the superintendent, Mr. Royle. A specimen of poppy oil was presented by Captain Jeremie; as were the skins of some birds, from the Nilgherri hills, by Mr. Young.

A letter from Mr. MacIsaac was read, giving an account of a root highly prized as a medicament in Assam. It is known to the natives as the *Mismee teeta*, or Mismee bitter, from its locality apparently and its sensible properties. It is used in the form of a decoction, with the addition of a quantity of spirit, a sort of arrack prepared in the country. It is a pleasant bitter, resembling the taste of quassia, and is considered superior to the chernyta as a tonic. The plant is found in the valleys or glens near Suddeya.

Another medicinal plant, a species of *curcuma*, was submitted to the meeting

by Mr. Wardlaw. It grows abundantly about Sylhet, and is used in medicine by the natives. Its chief employment is as an ingredient of the *abir*, or red powder, thrown about at the Holi.

An extract from Professor Chapman's work on Therapeutics, relating to the medical virtues of the web of the spider, communicated by Capt. Buckley, was read. Professor Chapman's chief authority for the virtues of this article is Dr. Jackson, in his work on fever, who pronounces of it that it prevents the recurrence of febrile paroxysms more effectually than bark or arsenic, or any other remedy employed for that purpose. It is administered in pills of five grains every fourth or fifth hour, the patient being previously prepared by the usual evacuates. It is said to be useful also in spasmodic affections of various kinds, asthma, periodical head-aches, and general irritability; also as an application to ulcerated and irritable surfaces. The web should be that of the black spider, found in cellars and dark and damp places. Several cases of great professional interest were communicated to the meeting, and the proceedings closed with the perusal of a case of successful application of the stomach syringe, by which a person who had swallowed two ounces of laudanum was saved from its effects, a sufficient portion of the medicine being extracted from the stomach in time. Mr. Brett, by whom the case was communicated, states that suicide is very common amongst the people of the Rajamahall hills. The deleterious substance they employ is a vegetable, with which they prepare the points of their arrows for the chase. It is commonly known by the term *juhar* or *zuhar*, which however is the name for poison in general.—[*Id.*]

A meeting of this Society was held on the 7th July, Mr. Wilson, the vice-president, in the chair.

Amongst the communications laid before the meeting were an extract from a letter from Dr. Royle, giving an account of the progress made in the cultivation of medicinal plants in the hills. An account of experiments with a vegetable poison used by the Nagas, by Dr. Breton. Remarks on the preparation of lettuce opium, by Dr. Graham. A new mode of treating cholera; by Dr. Tytler, and an account of the use of the bel by the natives of Bengal, by Baboo Ram Komol Shen.

In the garden at the Musooree Teppeh the rhubarb has been found to succeed completely, and the cultivation will accordingly be commenced on a larger scale. The henbane and stramonium have also succeeded. Besides these there have

have been successfully reared in the garden other useful plants, as a species of *cichorium*, which may be regarded as a valuable substitute for lucerne; a new species of wheat from Kunawer; the species of barley from the same, known by the name of ooa; English oats, saffron, cloves, and others. The site of the garden has been removed a short distance, to a spot more sheltered than that originally selected.

The poison used by the Nagas is a vegetable gum, obtained by making incisions into the bark of a large tree, which the people of the country are reluctant to indicate. The specimen was sent by Capt. Grant to Mr. Swinton, and by him communicated to Dr. Breton. The Nagas to the E. N.E. and S.E. of the valley of Manipur, mix it with tobacco water into a sort of paste, with which they smear the points of their arrows. In Dr. Breton's experiments, it was found that a small quantity of a solution of it, introduced upon the point of a lancet into the thighs of pigeons and rabbits, produced death with convulsions, in the former in about forty minutes, and in the latter in less than half an hour.

The preparation of a narcotic from the lettuce has been attempted at home with but indifferent success; but in this country, from the greater abundance of the milky juice of the plants, it promises to be more easily effected. The drug possesses, it is said, the virtues of opium, without any of its injurious consequences, and is a valuable substitute for it in cases where that drug cannot be employed for the alleviation of pain. The *Cos* lettuce, from which the greatest quantity of juice is procured, grows abundantly at Mehidpore, whence Dr. Graham writes, and any quantity might be reared. The difficulty at home has been the collection of the juice in sufficient quantity; but Dr. G. proposes to collect it by dividing the stem, about an inch and a half from the top, in an oblique direction, at the season just before flowering. The juice which exudes from both extremities is to be collected carefully in a cup, and similar sections are to be made through the whole length of the stem, at short distances; care is to be taken to include as little of the substance of the stalk as possible. The cup should contain a little water, which assists the collection of the sap. The juice, after standing some time, loses its adhesiveness, and assumes the appearance of a granulated mass, of a brown colour, like that of opium; no further preparation is necessary. The quality of this extract, or lactucarium, depends much upon that of the plants from which it is derived, and when taken from sprouts thrown out by old stems,

contains a large proportion of caoutchouc, which has been found by analysis to be its principal solid constituent. Dr. G. specifies several cases in which the lactucarium was used with much advantage, and we understand some trials of a quantity sent down by him have been attended with favourable results. Further information on this subject is likely to be obtained.

The peculiarity in the treatment of cholera suggested by Dr. J. Tytler is mercurial friction, the beneficial effects of which he has illustrated by several cases in which recovery is ascribed by him to this practice. He is not, however, opposed to the practice usually adopted, although he thinks no time should be lost in inducing mercurial action by its introduction through the skin.

The bel is well known to most residents in India as a fruit, and is variously estimated by different tastes. By the Hindus it is considered as a specific in bowel complaints. The fruit itself is considered to be beneficial, but the chief medicinal form is a decoction of the unripe fruit cut in slices, previously dried.—*Id.*

AGRICULTURAL AND HORTICULTURAL SOCIETY.

A meeting of the Society was held on the 10th July; W. Leycester, Esq. in the chair. Dr. Wallich having returned to the presidency, resumed his functions as secretary.

On this occasion the Society resolved to offer a prize of a gold medal for the best essay on each of the following subjects:—

1. The analysis of Indian soils, and the peculiarities that appear to render some especially adapted to one sort of cultivation more than another. The term one year from the announcement of the resolution.
 2. The best and most conclusive experiments on manures, their adaptation to peculiar soils, and peculiar objects of cultivation. Term, two years.
 3. The acclimation of plants, whether with respect to their ornamental or useful products. Term, three years.
 4. The cultivation and manufacture of indigo. Term, one year.
 5. The cultivation of sugar-cane and manufacture of sugar. Term, one year.
 6. The cultivation of coffee in Bengal.
- The Society have carried into effect their arrangements respecting their garden, and have rented that of J. Palmer, Esq., at Allypore, where their experimental operations have commenced under the direction of a committee, in whom the management has been vested.—*Id.*

ROYAL ACADEMY OF PARIS.

The Royal Academy of Inscriptions and Belles-Lettres held its annual public meeting on the 27th of July, under the presidency of M. Abel-Remusat. The Academy had proposed as the subject for a prize, an "Inquiry into the political state of the Greek cities of Europe, and the islands of Asia Minor, from the commencement of the second century before our era till the establishment of the empire of Constantinople." The competitors were to collect from historians and monuments of every description all facts calculated to throw light either on the internal administration of these cities, or the connection between them and the empire. None of the works sent in having been judged worthy of the prize, the same subject was again proposed for 1829.

The Academy repeated the announcement made last year on the subject of the prize for 1829. It consists in "presenting a view of the commercial relations of France and the other parts of southern Europe with Syria and Egypt, from the decay of the powers of the Franks in Palestine till the middle of the sixth century; to determine the extent of these relations; to fix the date of the establishment of consuls in Syria and Egypt; to point out the effect produced on the commerce of France and of southern Europe with the Levant by the discovery of the Cape of Good Hope, and the establishment of the Portuguese in India." The prize is a gold medal of 1,500 francs.

LAPIS LAZULI IN RUSSIA.

Lapis lazuli, azure-stone, or ultramarine, is brought into Russia commonly from Little Bucharra, Tibet, and China. In the reign of the Empress Catherine, the discovery of this stone was reported in the vicinity of Lake Baikal: it was discovered by chance in the sand. A miner named Jakovief, who was sent in 1809 to look after some mines of gold said to exist in the provinces of Irkutsk and Nishny-Oudinsk, reported that the river Siudianka contained pebbles of ultramarine. Further examination was consequently made in 1811; and a miner named Sempalikovich, found in several places on the banks of the before-mentioned river some specimens of azure stone. Further examination proved that veins of a mineral resembling in colour the azure stone were contained in the granite mountains and calcareous rocks. A close investigation of this substance, however, showed that it was entirely different from azure. It was analyzed by Fischer, who denominated it *glaucoled*, and found to consist of the following substances:—

Silex	51
Alumine	32
Lime	4
Oxide of iron	1
Loss.....	12

100

The true lapis lazuli contains, according to Gmelin,

Silex	49
Alumine	11
Lime	16
Decayed and dust	8
Acid earth	2
Oxide of iron	4
Sulphuric acid.....	2
Loss	8

100

A comparison of the two proves that there is not the least analogy between them.

Mineralogists have conjectured that this fossil should be classed with cordierite, and an exact analysis of it by Strohmeyer, in 1823, confirmed the opinion.

The lapis lazuli doubtless exists in Russia, and although its situation is not known with certainty, there is every reason to believe that it may be found in the vicinity of the Siudianka river, which falls into Lake Baikal on the west.—*Gornoi Journ. Bull. Univ. Oct. 1827.*

THE EFFICACY OF DREAMS.

"It was a witty and true speech of that obscure Heraclitus," says Bishop Hall, "that all men awaking are in one common world; but when we sleep, each man goes into a several world by himself, which though it be but a world of fancies, yet is the true image of that little world which is in every man's heart. For the imaginations of our sleep shew us what our disposition is waking. And as many in their dreams reveal those their secrets to others, which they would never have done awake, so all may and do disclose to themselves in their sleep those secret inclinations, which after much searching, they could not have found out waking. I doubt not, therefore, but as God heretofore hath taught future things in dreams (which kind of revelation is now ceased) so still he teacheth the present estate of the heart this way. Some dreams are from ourselves, vain and idle, like ourselves; others are divine, which teach us good, or move us to good; and others devilish, which solicit us to evil. I will not lightly pass over my dreams; they shall teach me somewhat, so that neither night nor day shall be spent unprofitably: the night shall teach me what I am, the day what I should be." —*Cant. iii. 20.*

LIBRARY OF THE SERAGLIO, AT CONSTANTINOPLE.

The library of the Seraglio is built in the form of a Greek cross; one of the arms of which serves as the antichamber, and the other three with the centre of the building contain the books. On the entrance-gate is an inscription, in Arabic: *Enter in peace*. The middle of the cross is covered by a cupola supported on four marble columns. The three arms have six windows, three above and three below. The doors of the book-cases are of brass wire, with brass bolts. The books are piled one upon the other, with their edges outside, on which the title is inscribed. There are 1,291 manuscripts, most of them Arabic; also a few good Persian and Turkish authors, but scarcely a Greek, Latin, or Hebrew work that may be said to be known, or of the least importance. Of the Koran there are seventeen copies, and of commentaries on it 143. The collection of traditions relative to Mahomet forms 182 volumes, and there are 324 works on Mahometan jurisprudence. Among the Arabic manuscripts is preserved the famous work of *Dcheffer Kitubi*, in which the wise men of the east believe are inscribed the name and the destiny of all the sovereigns of Turkey and of Egypt to the end of the world.—*Bib. Ital.*

TIGER EXCURSION AT DOONGUL.

Several tigers having made their appearance in the district and near the village of Doongul, about eighteen miles in a northerly direction from the city of Hyderabad, belonging to the chief minister of the Nizam's government, a young gentleman in his service was desired to assist in their extirpation. He accordingly proceeded with a small party of horse and foot, amounting to fifteen horse, which dwindled into one at the end of the excursion, and six Arabs and ten shikaries or huntsmen, who are employed something like chasseurs. He proceeded towards the end of February, and terminated his excursion about the middle of April last, with some satisfaction to his employer and to himself, though not attended with such beneficial consequences to him as the nature and danger of the service might have led him to expect. His attention was first directed to secure all the points where the tigers generally appeared, by placing men on trees, by excavating little caves to hold three or four men covered, and the top raised a little above the surface of the earth, with loop-holes for the guns in all directions excepting the rear, where the entrance was made, and secured with thorns and bushes, forming a kind of masked batteries, in which he and the men placed themselves

in moonlight nights, which is the usual time of the tigers' roaming; and another mode was to enter the woods and rouse the tigers out, which did not well succeed, though it afforded much sport on one or two occasions. The country from the road in appearance is only covered with heath, and would not lead one to suppose that tigers would harbour there; but as you enter the thin scattered bushes, one is gradually led into a low, thick, and almost impenetrable wood, through which it was with the utmost difficulty that man, horse, or elephant could penetrate, and at every step exposed to be seized by the tigers, which during the excursions very often passed within thirty or forty yards of the party without being seen, and were observed by the feet tracks imprinted on the ground. Another mode was by associating one or two other young men of his acquaintance, and collecting parties from every village, to enter the jungles at different points, to meet at one, making the greatest possible noise with tom-toms to rouse the tigers, with the probability of driving them to a central point, where they might be enclosed and attacked on all sides; this was one of the least successful modes, as the tigers seemed to be shy of the noise and tumult, and, though frequently roused, always contrived to skulk off through the thickness of the jungle and the high grass with which the ground is covered, and one or two of my companions had some narrow escapes on those occasions, as they were often obliged to go on horseback, and to dismount whenever an alarm was given, to prevent their being carried off by the terror of their horses or of their own; and although they went to the attack with alacrity, the result was very doubtful between the feeble efforts of a man and the ferocious strength of a tiger. One of the high roads was entirely impassable and deserted from the ravages of the tigers, and the others so infested that people could not travel, or the villagers move out of their villages with safety, as the tigers often lurked about the skirts of the villages and carried off the poor inhabitants; and some of the accidents that happened are so melancholy and affecting, that they will be related in the course of this narrative. After various unsuccessful attempts, the first tiger was killed by one of the parties; the tiger having killed a bullock, he was scared away by the people, and the carcase was left on the spot to allure the tiger, and some of the party secured themselves on trees, whence he was shot by one of them, when he returned at night to his prey; he received two balls but afforded no sport. The second tiger was killed when returned from a morning's hunt, when he suddenly started upon one of the shikaries,

shikaries, whom he threw down by the mere agitation of the air caused by his blow, and the shikaree merely received a scratch from one of his claws. Mr. A. B., who was on an elephant, immediately fired both the charges of a double-barrelled gun at the tiger, and laid him sprawling on the ground, when one of the party ran a spear through his neck, and he received a charge of slugs in his mouth. The Arabs kept firing at him at random without a shot hitting, but to the great risk of those about him. The third tiger was shot almost in the same manner as the first. The fourth tiger afforded the most sport, and the sight was truly grand from the efforts and attacks he made from the scene of the sport, which was a small range of low rocks, among which he secured himself, and repeated his attacks, bounding from rock to rock, and producing a striking effect on our minds. Three tigers made their appearance at first, one of which was fired at and wounded, when the wounded one and another disappeared, and the other was followed to the rocks, where he lodged himself, and at first threatened the whole front of the party; then he sprang at an Arab who was on a small rock. The Arab fortunately, in attempting to escape, fell below the rock, upon which the whole force of the tiger's blow fell, and the stroke was so violent that he lost all the claws of one of his fore paws, and he then received two shots and was wounded. He then retreated, and made an attack against Mr. A. B.'s elephant; the elephant standing his ground, he retreated again, bounding upon the rocks, and crouched himself on one which overlooked the elephant, and caused apprehensions of his springing upon it from above, when Mr. A. B. gave him a shot from a rifle, which penetrated his head, entered his chest, and the ball was shattered against the rock, and his last convulsive effort was so great, and he struck his hind legs against a rock with such force, that they lost the whole of their claws, and he had only one entire paw remaining. The fifth tiger was one of three above-mentioned that was wounded, and he was found dead four days afterwards. These were the five tigers killed by the party, besides a bear killed and one wounded; a wolf, a hyæna, a panther, a leopard, with hogs killed every other day, innumerable hares, partridges, fowls, &c. and some peacocks, wild goats, spotted deer, and porcupines, and immense cock and cobra capella snakes. The sport would have been much greater, but for the danger attending every step that was made without due caution and preparation, as the country abounds with wild beasts and animals of almost every description.

Asiatic Journ. Vol. 25. No. 145.

Among the occurrences during the excursion at Doongul some are of a peculiar and pathetic nature. The first was a poor bunnia or dealer of the village of Doongul, who had been to the city of Hyderabad to collect some of his money, and was returning after having collected a small sum, and on the way a little beyond the cantonment of Secunderabad, he saw an armed peon seated, and apparently a traveller on the same way. After mutual inquiries, the peon told the bunnia he was going to the same place, and as the bunnia was glad to have somebody to accompany him, he gave him a part of the victuals he had about him to eat, and on their way, as they mutually related their histories, the bunnia innocently mentioned the object of his visit to the city, and of his returning with the money he had collected; this immediately raised the avarice of the peon, who decided in his mind to kill the poor bunnia, at a proper place, and strip him of his money. They were proceeding together with this design in his mind, until they came to a place where the ravages of the tigers were notorious, and prepared to kill the bunnia, and while he was struggling with him, and was drawing his sword to slay him, a tiger sprang upon the peon and carried him off, leaving his shield and sword, which the bunnia carried to Doongul, as trophies of retributive justice in his favour. If such instances of retribution were frequent and regular, it would the better deter us from those evils which are often committed in defiance of every real or fictitious terror with which our minds are inculcated.

The next was a brinjarrah and his wife, who were lying together under a tree, when a tiger sprang up and seized the woman by the head; the husband, from mere impulse to save his wife, held her by the legs, and a struggle ensued between the tiger pulling her by the head and the man by the legs, until the issue, which could not be doubted, when the tiger carried off the woman. The man, who seemed to be, contrary to the usual character of good husbands, rather partial to his wife, immediately devoted himself to revenge her death, forsook his cattle and property, and resigned them to his brother, and offered his services to be of the tiger-killing party, and strayed about the jungles until he was heard of no more.

A young handsome woman, who had dressed and ornamented herself for some particular occasion, happening to go a little beyond the precincts of the village, was seized by a tiger; but, being rather stout, and too heavy to be clearly carried off, her limbs were torn off from the waist, and the upper part of her body was carried by the tiger about a mile from the place through a thick part of the jungle,

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gle, where it was seen by the party fresh, with the viscera devoured, the sight causing many painful emotions.

A camel driver who had been just married was bringing home his bride, when a tiger followed, and had them in view a great part of the road for an opportunity to seize one of them; the bride having occasion to alight on the road, was immediately seized and carried off by the tiger.

A shepherd was taken by a young tiger, and was followed by the mother, a large tigress, and devoured at the distance of two miles; and a bunnia or dealer from Bolarum was taken returning from a fair.

A woman, with an infant about a year old, was taken by a tiger, and the infant was found by a puttail, or head of the village, who brought it to his house.

Some of the Company's elephants that were going for forage were chased by a tiger, which was kept off by a spearman, and a comical chase of them was made up to Doongul, the elephants running before the tiger until they entered the village.

Among the artifices practised by the tigers to get at their prey may be mentioned one. While the party was at Doongul, where two brinjarras were foraging their cattle about a mile from the village, a tiger got near the herd unperceived by the men who were the object of the tiger's prey, as it is generally said that a tiger, when once he has tasted human flesh, prefers it to all other. The tiger screened himself behind the cattle, and whenever he was exposed by their moving, crouched himself, until at length he was espied by the men, who immediately fled with all the speed their terror could communicate to the village, where the drove returned in the evening spontaneously to their place. The brinjarras were so struck with fear that they had not the power of informing the party of the circumstance until the next morning. The brinjarras are great sufferers from the tigers, as their mode of life obliges them to pass through jungle, and places where they and their cattle are continually exposed to the ravages of the tigers, and cause a great obstruction to the industry of an useful kind of people, in a country where the impediments to the industry and activity of trade are sufficiently great without such dangers. These are what occurred during the stay of the party at Doongul, besides many others that were daily reported, and do not require describing, from the uniformity of the occurrences. It is said the lives lost by these tigers amounted to about 300 persons in one year within the range of seven villages; and the destruction of cattle, sheep, and goats, was said to be immense.

This is a great loss to the country, where the scantiness of the population and the poverty and distress of the inhabitants, independent of the oppressions they still suffer from the highest to the meanest agents who rule them, require that they should be protected, and their industry promoted, as the basis of national means and prosperity, if indeed native rulers and governments can be made to understand what constitutes national wealth, or what is conducive to the general interests of the country and people.

A panther was killed on the return of the party near the residency, where he attacked a brinjarra and lacerated his right arm dreadfully, and kept bounding towards the passengers, until he was bounded by Mr. A. B. into a rice field, and shot.

A lion, it is said, made his appearance some years ago at a further distance in the same direction, and was killed; this is mentioned as a very unusual and rare thing. A large ferocious tiger has lodged himself in a thick and large field of sugarcane near Beeder, which cannot be cut, and has been standing upwards of a year from his ravages; a gentleman with a party of horse surrounded the field, and in attempting to dislodge him lost a few men and horses, and the attempt was found so difficult and hazardous that it was given up. The road to Madras near Nelgoonda, and that of Masulipatam, is now infested with tigers, and some of the party that was sent to destroy them returned seriously wounded, and they have not succeeded in killing any. Some of the tigers have made their appearance within so short a distance as eight miles from Hydrabad, near Hyatnugger, where a tiger three days ago tore off the right arm of a sepoy in the minister's service.

The shikarees are the only people employed by the government for the destruction of wild beasts; but much cannot be expected from men who are not provided with means equal to their task, and who are paid so ill, that instead of being stimulated to exertion by being properly paid and rewarded, are depressed with the idea of being daily exposed to destruction for a few rupees a month, which they are sure never to get without extreme difficulty. It has probably not occurred to the rulers of the country to appoint commissioners for the extirpation of tigers and all destructive beasts, which, besides the benefit of relieving the people from their ravages, would open a source of patronage for troublesome friends and expectants, from the chances of their being carried off on such a service, and it would be a tolerably unpleasant way of providing for their importunities.—[*Cal. Gov. Gaz., May 24.*]

ROYAL COLLEGE OF MAURITIUS.

Sir Lowry Cole, the governor of the Mauritius, has established a professorship of botany in the Royal College of that colony. A *Flora* is in preparation there, which will be edited by young creoles, aided by the professor of botany, M. W. Bojer, a naturalist of reputation from Europe, who has devoted much time to the study of the vegetable kingdom in Madagascar as well as at the Isle of France. He has been assisted by the pupils he has himself formed; and when the *Flora Mauriti* makes its appearance in Europe, it will be found that the greatest portion of it is the work of natives of the island.

TURKISH CANNON.

It is singular that in our conflicts with barbarians or with half-disciplined troops, we generally sustain a heavier loss than in our battles with veteran and well-organized armies. Whether this arises from our contempt of the enemy inducing us to attack them at greater odds, or at closer quarters, or that such foes are stimulated by the fiercer passions of untamed nature, we cannot determine, but the fact is well worthy of consideration. In our battles with the Americans last war, our loss was always heavy in the extreme. Our attack on Algiers was attended with a loss of life nearly equal to any thing we had ever sustained on board of a fleet; and, if we include the numbers killed on board the Russian ships at Navarino, we shall find the total number of killed and wounded to be nearly as great as in any of our battles last war. With respect to the Turks this may arise from the extremely heavy cannon which they generally use. In our ships, and, we believe, in our batteries, we seldom use a heavier gun than a 32-pounder. No man-of-war carries any cannon of a larger calibre, but the Turks make use of even 800-pounders. When Sir J. Duckworth repassed the Dardanelles from his attack on Constantinople, in 1807, his fleet was dreadfully shattered by these immense shot. The *Royal George* (of 110 guns) was nearly sunk by only one shot, which carried away her cut-water; another cut the main-mast of the *Windsor Castle* nearly in two; a shot knocked two ports of the *Thunderer* into one; the *Repulse* (74) had her wheel shot away, and twenty-four men killed and wounded, by a single shot, nor was the ship saved but by the most wonderful exertions. One of these guns was cast in brass in the reign of Amurat; it was composed of two parts, joined by a screw at the chamber, its breech resting against a massy stone work; the difficulty of charging it would not allow its being fired more than once; but, as a Pacha once said, that

single discharge would destroy almost a whole fleet of an enemy. The Baron de Tott, to the great terror of the Turks, resolved to fire this gun. The shot weighed 1,100 lbs., and he loaded it with 330 lbs. of powder. He says, "I felt a shock like an earthquake, at the distance of 800 fathoms. I saw the ball divide into three pieces, and these fragments of a rock crossed the strait, and rebounded on the mountain." The heaviest shot which struck our ships was of granite, and weighed 800 lbs., and was two feet two inches in diameter. One of these huge shot, to the astonishment of our tars, stove in the whole larboard-bow of the *Active*; and having thus crushed this immense mass of solid timber, the shot rolled ponderously aft, and brought up abreast the main hatchway, the crew standing aghast at the singular spectacle. A few years ago, a party of English midshipmen crawled into one of these guns on their hands and knees, to the no small amusement of the Turks.—*London Paper*.

JEWS IN BOKHARA.

Of all the cities of Central Asia, Bokhara contains the greatest number of Jews; it may be regarded as their chief place in this part of the east. Meshed has 300 Jewish houses, Cherisibz thirty, Samarcand and Herat ten each, and Khiva only four. Badakshan, Khokand, and Cashgar have no Jewish inhabitants. There are 800 houses of Jews in Bokhara; they say they came from Samarcand about 700 years back, after having quitted Bagdad. They are permitted to reside only in three streets at Bokhara. There are but two rich capitalists amongst them; the rest are, generally speaking, in easy circumstances; they are mostly manufacturers, dyers, dealers in silk raw and manufactured. These Jews pretend that they are better treated here than in any other town of Asia; yet they are despised and harassed. The government levies taxes upon them pretty severe in their amount. For example, a Jewish householder must pay a monthly contribution of four tongas (upwards of 2s. 6d.); when a Jew reaches the age of sixteen, if his property is moderate, he pays two tongas per month; a poor Jew pays half. This source of revenue produces the Khan between £3,000 and £4,000 sterling per annum. These Jews are prohibited from riding on horseback in the city, and from wearing silk dresses; their cap must have a border of black sheep's skin only two inches wide; they are not allowed to build a new synagogue, being only suffered to repair the old one.

The Jews of Bokhara have a fine head, a face somewhat long, a complexion remarkably fair, eyes large, lively, and full of

of expression. Their rabbi, who is a native of Algiers, and who understands a little Spanish, stated that when he arrived at Bokhara he found his brethren sunk in the most profound ignorance; a very small number knew how to read; they possessed only two copies of the Holy Scriptures, and their manuscript contained merely the three first books of the Pentateuch, about two hundred years old, which differed in no respect from the printed copies. This Algerine Jew has neglected no means of instructing them; he has founded a school, and has procured books from Russia, Bagdad, and Constantinople. At present all the Jews at Bokhara can read and write; they also study the Talmud, from some of the rules prescribed in which they, however, occasionally depart.

During our stay at Bokhara, a Jew who had sold some brandy to one of our cossacks was put into prison by order of the reis, who made his family pay him 150 tellas (about £100), besides inflicting upon the individual sixty blows with a cudgel. This punishment was extremely severe, for the cudgels are very large, and the blows are applied to the stomach and back. Seventy-five blows are held equivalent to death. Another punishment still more cruel consists in shutting up the culprit, with his arms and legs confined, in a chamber filled with a species of flies the sting of which is most painful. At the end of three days a man dies.—[*Meyendorff's Voyage à Boukhara.*]

CHINESE BEGGARS.

In the streets of Canton there are a great many beggars, old and young, blind and lame. They do not remain in the street, but enter the shops, and make a noise by ringing and striking cymbals or gongs, or other clamorous accompaniments to the time of their tune, till they receive an alms, when they take themselves off. Usage will not allow of their being violently turned out, and they generally persevere till they receive the small copper coin of the Chinese called by Europeans a cash. A new class of spouters has arisen: they commit to memory novels of Walter Scott's descriptive kind; and, entering a shop, instead of a song, rehearse in a loud voice, with gesticulations and slapping the counter, till an alms is given. For slapping the counter audibly they carry in their hand a piece of flat wood, and beat with it like an auctioneer knocking down a bargain to the highest bidder. The flat wood, coming on the table or counter, gives a smart noise, which excites attention much better

than the European orator's thumping a cushion.—*Malacca Observer.*

ORIGIN OF THE RUSSIAN "ROUBLE."

Some Russian periodical works have been occupied with a question respecting the origin of the name of *rouble* given to a coin of that country. A writer named Senkosky (*Saiverni Arkhif*) says that the words *rouble* and *copeck* are borrowed from the Tartars. The *rouble*, he asserts, is in fact the *rubi*, an Arabic denomination of a certain coin which the Mongols of Kipchak and Jagatai found in the provinces of Kharezm. The word *rubi* signifies "quarter." He states that the first mention of the *rouble* in Russian history is at the period of the Tartar dominion, and it was then worth a quarter of a *grivna*, or pound of silver. The Russian *rouble*, the Hindu *rupee*,* and the Turkish *rubia*, originated, he says, from the same source.

Another Russian writer (*Otietshestvennia Zapiski*) controverts this opinion. He says the Tartar invasion took place, according to all the Russian chronicles, about the year 1223; and Backmeister expressly states that the *rouble* was known by the Novgorodians before the twelfth century. He might have said, the writer observes, that the *rouble* is mentioned in the Russian annals in the eleventh century: in the chronicle of Voskressensky, under the year 1071, it is said: "And he (the sorcerer) ordered them to put a *rouble* into their mouth, and step into the boat." The *rouble* was consequently known by the Russians before the invasion of the Tartars. The ancient *rouble*, from the time of Vladimir Sviatoslavitch to Czar Alexis Michaelovitch, are merely rude fragments of metal.

CHINESE LITERARY CURIOSITY.

Among the school-books of the Chinese there is one which contains exactly one thousand characters. It is a metrical composition, with eight characters or words to each stanza. But the most remarkable circumstance is, that the same character is not repeated from the beginning to the end of the book; so that the learner who understands these few pages well, knows one thousand distinct words, which is one-fourth part of what is necessary for ordinary purposes. *Qu.* In what other language shall we find 125 stanzas without a single repetition of the same word?—*Chinese Chron.*

* This is a mistake: the Hindu *rupee* is from the Sanscrit *rupya*, "silver." Hence the absurdity of the term *gold rupee*.

ASIATIC INTELLIGENCE.

Calcutta.

GOVERNMENT GENERAL ORDERS.

NEW APPOINTMENT.

Fort William, May 18th, 1827.—The Vice-President in Council is pleased, at the recommendation of his Excellency the Commander-in-chief, to sanction the appointment of a deputy judge advocate general, to be attached to the force under Major-General Sir A. Campbell.

DESERTION OF LIEUT. SCOTT.

Head-Quarters, Calcutta, May 24, 1827.—The following extract of a letter from Lieut. Gen. Sir Herbert Taylor to the Right Hon. Lord Combermere, dated Horse Guards, 28th Nov. 1826, is published to the army for general information:—

"I have the honour to acknowledge the receipt of your Lordship's letter of April 20th, and its enclosures, on the subject of Mr. Scott, late lieutenant in the 47th regiment.

"I am directed to express the concern and indignation with which his Royal Highness the Commander-in-chief has learnt, that any individual bearing his Majesty's commission, and that individual a British subject, could have been guilty of the infamous crime of desertion to the enemy. His Royal Highness approves of the anxiety shewn by your Lordship to bring to trial so worthless a wretch as Mr. Scott, and sincerely regrets that any chance should have been introduced in the treaty with the Burmese, which could throw doubt upon the legality of the punishment due to his crime. As the question now stands, and in the face of the opinion given by the Advocate General and the Judge Advocate General in India, his Royal Highness has no other alternative but that of submitting to his Majesty, that Mr. Scott's resignation should be accepted; but he cannot so far lose sight of what he owes to the character of the British army and to the interests of the service, as to recommend that Mr. Scott should experience further indulgence, and be allowed to receive the value of his commission, and his Royal Highness cannot but express his surprise that an officer commanding a corps should, under the circumstances of this case, have suggested and recommended the extension of such a favour to an officer of his regiment, who had claimed protection under the treaty granting an amnesty to culprits, and had thus acknowledged himself guilty

of the infamous crime with which he was charged.

"His Royal Highness desires that these his sentiments may be communicated to the army in India."

OFFICIATING ASSISTANT SURGEONS.

Fort William, July 6, 1827.—Under instructions from the Hon. the Court of Directors, the services of the officiating assistant surgeons on this establishment will be dispensed with; and his Lordship in Council, in order to enable such of the gentlemen in question as are at stations distant from the presidency to make arrangements connected with their future disposal, is pleased to fix the 1st of October next as the date of their discharge from the service.

His Exc. the Commander-in-chief will be pleased to issue the necessary subsidiary orders for relieving, in due time, the officiating assistant surgeons from the several duties on which they are at present respectively employed.

NEW ORGANIZATION AND DISTRIBUTION OF THE ARTILLERY.

Head-Quarters, Calcutta, June 28, 1827.—The following alterations in the existing organization and distribution of the artillery under the presidency of Fort William, having been sanctioned by government, are published to the army.

2. The present number of field batteries to be reduced to twelve, to be all drawn by horses, and kept complete and entire at the positions where they are stationed, so as to be promptly available for any service.

3. All other field ordnance, which is now furnished by detachments from field batteries, is to be considered as independent post-guns, manned by suitable detachments of goundaux, who are to be relieved occasionally.

4. Dum-Dum and Cawnpore are to be considered as the head-quarters of all the companies of goundaux, or native artillery, except such as are allotted to field batteries; all detachments required for post guns are to be furnished from those two stations.

5. The following distribution of the horse artillery is determined upon with reference to the probable demand on their service:—

	Eur. Troops.	Nat. Troops.
Dum-Dum	1	0
Cawnpore	2	0
Meerut (including } rocket troop) }	3	0
Agra	1	0
		Loodhiana

	Eur. Troops.	Nat. Troops.
Loodhiana	0	1
Nusseerabad	1	0
Neemuch.....	0	1
Saugor	1	0

Total each: Eur. trs. 9; nat. trs. 3

Total.....12

6. The twelve field batteries are to be distributed as follows:—at Dum-Dum, 2; Dinapore, 1; Benares, 1; Cawnpore, 1; Agra, 1; Dehli, 1; Kurnaul, 1; Nusseerabad, 1; Neemuch, 1; Keitah, 1; Saugor, 1.

One of the batteries at Dum-Dum, and those stationed at Kettah, Dehli, and Neemuch, are to be manned from the 6th (or native) battalion of artillery and the rest by Europeans.

7. The remaining twelve companies of Europeans are to be placed in reserve for general purposes of relief, and for the service of siege ordnance at the following stations:—at Dum-Dum, 5 companies; Cawnpore, 2 do.; Agra, 2 do.; Kurnaul, 1 do.; Nusseerabad, 1 do.; Saugor, 1 do.; total 12.

8. The reserve companies of native artillery for purposes of relief and for the service of siege ordnance will in like manner be stationed as follows:—at Dum-Dum, 5 companies; Cawnpore, 7 do.; total 12.

9. The companies of native artillery at Dum-Dum are to supply detachments for the following post guns:—Dacca, 2 guns; Chittagong, 2; Arracan, 4; Sylhet, 2; Assam, 4; Cuttack, 2; Berhampore, 2; Titilya, 2; Mullye, 2; Goruckpore, 2—total 24 guns.

10. The companies of native artillery at Cawnpore are to supply detachments for the following post guns: Sultanpore (Oude), 2; Pertaubgurh, 2; Lucknow, 4; Seetapore, 2; Secrota, 2; Futteghur, 2; Bareilly, 4; Almorah, 4; Moradabad, 2; Gurruwara, 2; Baitool, 2; Bhopalpore, 2; Jubbulpore, 2—Total 32. All post-guns not included in this detail are to be withdrawn and sent into the nearest magazine.

11. Artillery officers are to be detached as far as practicable to command these post guns; and where this is impracticable the posts are to be visited periodically by artillery officers, sent to inspect and report upon the discipline and efficiency of the detachment.

12. Orders will be issued hereafter for the relief of the detachments now at these outposts, and for the march of the troops and companies which will be required to move in consequence of this new arrangement.

The following table exhibits the distribution of the horse and foot artillery after the arrangements have been carried into effect:—

Distribution of the Horse and Foot Artillery under the presidency of Fort William.

STATIONS AND POSTS.	Troops of Horse Artillery.	Entire Field Batteries.					Post Guns.				
		Europ. Comp.	Field Bat.	Native Comp.	Field Bat.	Reserve Comp.	Native Comp.	Reserve Comp.	Field Bat.	Post Guns.	Post Guns.
Dum-Dum	1 E.	1	1	1	1	1	1	1	1	1	1
Dacca	0	0	0	0	0	0	0	0	0	0	0
Chittagong	0	0	0	0	0	0	0	0	0	0	0
Sandoway	0	0	0	0	0	0	0	0	0	0	0
Akyab	0	0	0	0	0	0	0	0	0	0	0
Sylhet	0	0	0	0	0	0	0	0	0	0	0
Assam	0	0	0	0	0	0	0	0	0	0	0
Cuttack	0	0	0	0	0	0	0	0	0	0	0
Berhampore	0	0	0	0	0	0	0	0	0	0	0
Dinapore	0	0	1	1	0	0	0	0	0	0	0
Titilya	0	0	0	0	0	0	0	0	0	0	0
Mullye	0	0	0	0	0	0	0	0	0	0	0
Benares	0	0	1	1	0	0	0	0	0	0	0
Goruckpore	0	0	0	0	0	0	0	0	0	0	0
Sultanpore (Oude)	0	0	0	0	0	0	0	0	0	0	0
Pertaubgurh	0	0	0	0	0	0	0	0	0	0	0
Lucknow	0	0	0	0	0	0	0	0	0	0	0
Seetapore	0	0	0	0	0	0	0	0	0	0	0
Secrota	0	0	0	0	0	0	0	0	0	0	0
Cawnpore	0	0	1	1	0	0	0	0	0	0	0
Futteghur	2 E.	0	0	0	0	0	0	0	0	0	0
Bareilly	0	0	0	0	0	0	0	0	0	0	0
Almorah	0	0	0	0	0	0	0	0	0	0	0
Moradabad	0	0	0	0	0	0	0	0	0	0	0
Meerut	3 E.	0	0	0	0	0	0	0	0	0	0
Kurnaul	1 N.	0	1	0	1	0	0	0	0	0	0
Loodhiana	1 N.	0	0	0	0	0	0	0	0	0	0
Dehlee	0	0	1	0	0	0	0	0	0	0	0
Muttra	0	0	0	0	0	0	0	0	0	0	0
Agra	1 E.	1	1	0	0	0	0	0	0	0	0
Nusseerabad	1 E.	1	1	0	0	0	0	0	0	0	0
Neemuch	1 E.	1	1	0	0	0	0	0	0	0	0
Saugor	1 E.	1	1	0	0	0	0	0	0	0	0
Gurruwara	0	0	0	0	0	0	0	0	0	0	0
Baitool	0	0	0	0	0	0	0	0	0	0	0
Bhopalpore	0	0	0	0	0	0	0	0	0	0	0
Jubbulpore	0	0	0	0	0	0	0	0	0	0	0
Kytah in Bundelcund ..	0	1	0	1	0	0	0	0	0	0	0
	12	12	8	4	12	12	12	12	12	12	12

COURT-MARTIAL.

CAPT. F. S. WIGGINS.

Head-Quarters, Calcutta, June 18, 1827.
—At an European General Court-Martial assembled at Neemuch, on the 12th April 1827, of which Lieut. Col. Com. W. Burgh, 1st Extra Regt. N.I., is president, Capt. Francis Smith Wiggins, of the 31st Regt. N.I., was arraigned on the following charges, viz.

1st. For having, whilst on the sick list, on or about the 16th of Dec. 1826, abused and insulted Mr. Assist. Surg. George Smith, the medical officer in charge of the regiment, then in attendance on Captain Wiggins in his professional capacity, by telling him that he, Mr. Assist. Surg. Geo. Smith, was “a disgrace to his profession,” or words to that effect.

2d. When called upon by me, his commanding officer, through the adjutant of the regiment, for an explanation of such unaccountable

unaccountable conduct, he, Capt. F. S. Wiggins, did return a most insolent and insubordinate letter, dated the 17th Dec. 1826, accusing me, his immediate commanding officer, of jealousy and other misconduct, the whole being false and malicious; and also, in the same letter, introducing the name of Capt. Pickersgill, his superior officer, in a very insubordinate and disrespectful manner.

3d. When called upon by me, in a letter addressed to him, Capt. F. S. Wiggins, dated 18th Dec. 1826, giving him an option of withdrawing the letter of the 17th Dec., by making an apology to Capt. Pickersgill and myself, he did forward another letter late in the evening of the 18th instant, but such letter bearing date 17th Dec. (apparently dated by mistake, instead of 18th Dec., it being in reply to a letter of the 18th Dec. 1826,) falsely and maliciously accusing me, his immediate commanding officer, Capt. Pickersgill, his superior officer, and Mr. Assist. Surg. Smith, by asserting, that we endeavoured to force him, Capt. Wiggins, to the Invalid Establishment, or words to that intent and meaning; and falsely and maliciously charging Capt. Pickersgill, Mr. Assist. Surg. Smith, and myself, as being bent on his (Capt. Wiggins') ruin, declaring his determination not to apologise or withdraw what he had to say "to persons so determinedly bent on the ruin of his, Capt. Wiggins', public character," or words to that intent and meaning.

(Signed) J. GARNER, Major,
Com. 31st Regt. N.I.

5th April 1827.

Upon which charges the court came to the following decision.

Finding.—The court having duly considered the evidence before them; and what the prisoner has urged in his defence, are of opinion on the first charge, that he Capt. S. Wiggins, is guilty, with the exception of the word "abused," of which they acquit him.

Upon the 2d charge the court find him, Capt. F. S. Wiggins, guilty of writing "an insubordinate letter when called on by his commanding officer through the adjutant, and also of introducing the name of Capt. Pickersgill in a disrespectful manner," but acquit him of the rest of the charge.

On the third charge, guilty, with the exception of the word "maliciously," of which the court acquit him.

Sentence.—The court, having found the prisoner guilty of the whole of the charges, with the exceptions above specified, do sentence him, Capt. F. S. Wiggins, to be suspended from rank and pay for four calendar months.

Approved and confirmed,
(Signed) COMBERMER, General,
Commander-in-chief.

Remarks by the Right Hon. the Commander-in-chief.

The Commander-in-chief cannot comply with the recommendation of the court in favour of Capt. Wiggins. He has been found guilty of making an official letter the channel of offensive personal remarks upon his commanding and some of his brother officers, a proceeding which his Lordship is called upon to mark with his strong disapprobation.

The suspension of Capt. Wiggins, as awarded by the court, is to commence from the date on which this order may be published at Neemuch.

By order of his Excellency the Commander-in-chief.

W. L. WATSON,
Adj. Gen. of the Army.

CIVIL APPOINTMENTS.

Political Department.

June 22. Capt. W. Murray, political agent at Ambaleh.

Capt. J. P. Kennedy, principal assistant to resident at Delhi, stationed at Subathoo.

Judicial Department.

June 28. Mr. C. M. Caldecott, an assistant to magistrate and to collector of Allahabad.

July 12. Mr. R. H. Rattray, senior judge of Provincial Courts of Appeal and Circuit for division of Calcutta.

Mr. A. Mackenzie, 2d judge of ditto ditto for division of Bareilly.

Mr. W. F. Dick, 3d judge of ditto ditto for division of ditto.

Mr. R. F. Grindall, 4th judge of ditto ditto for division of ditto.

Commercial Department.

July 5. Mr. J. G. Lawrell, 2d assistant to export warehouse keeper.

MILITARY APPOINTMENTS, PROMOTIONS, &c.

Fort-William, June 13, 1827.—Cadets T. Ramsay, J. R. Lumley, W. H. Fleming, T. C. Walker, J. Turton, and D. Robinson, admitted to infantry, and prom. to ensigns.—Mr. Jos. Willan admitted as an assist. surg.

June 15.—31st N.I. Lieut. J. H. Hepetinstall to be capt. of a comp., and Ens. W. P. Milner to be lieut., from 8th June 1827, in suc. to Cooke transf. to Pension estab.

Cadets G. E. Herbert and T. D. Bainbridge admitted to cav., and prom. to cornets.—Cadets T. Young, P. Mainwaring, and Wm. Hare admitted to infantry and prom. to ensigns.—Mr. Jas. Nisbet admitted as an assist. surg.—Mr. Jas. Kerr admitted as a veterinary surg.

Assist. Surg. Jas. Taylor to perform medical duties of civil station of Dacca Jelapore; v. Stewart, whose app. to that situation is cancelled.

Assist. Surg. D. Stewart placed at disposal of com.-in-chief.

Lieut. G. M. Sherer, 37th N.I., to officiate as superintendent for cadets during absence of Lieut. Kerr proceeding on river for benefit of his health.

Head-Quarters, June 8.—Removals of Lieut. Colonels. Wm. Dickson from 10th to 7th L.C.; H. Thomson from 7th to 3d do.; Geo. Becher from 3d to 10th do.

June 11.—*Surgeons posted.* Angus Hall to 1st N.I.; B. Macleod to 5th bat. artillery; T. Stoddart to 5th N.I.

Assist. Surgs. posted. O. Wray to 4th N.I.; A. Stenhouse

Stenhouse to 9th do.; D. Ramsay to 7th do.; — Bousfield to 35th do.; Alex. Beattie to 3d do.

June 13.—Ena. Napier transferred, at his own request, from 2d to 8th N.I.

Ena. W. R. Dunmore removed, at his own request, from 35th, and posted to 38th N.I.

Lieut. Robe, adj. of Hill Rangers, and Lieut. Oldham, adj. of Bundelkund Prov. Bat., allowed to exchange appointments.

June 14.—56th L.C. Lieut. A. Wheatley to be adj., v. Alexander resigned.

56th N.I. Lieut. D. Bamfield to be interp. and qu. mast., v. Bellew resigned.

62d N.I. Lieut. W. M. Ramsay to be interp. and qu. mast., v. Nash resigned.

Sirmoor Bat. Lieut. J. Fisher, 23d N.I., to be 2d in com., v. Leadbeater resigned; Lieut. E. N. Townsend, 31st N.I., to be adj., v. Fisher.

Fort William, June 19.—Cadets G. B. Tremmehere and W. H. Graham admitted to engineers, and prom. to 2d lieuts.—Cadets W. F. Alexander, J. H. Beek, Thos. Riddle, and F. Maitland, admitted to infantry, and prom. to ensigns.—Messrs. K. Mackinnon and Alex. Bryce admitted as assist. surgs.

June 22.—Cadets W. H. Humphrey and Edw. Christie admitted to engineers.—Cadets C. J. H. Perreau, E. M. I. Nugent, and A. Mackintosh admitted to infantry, and prom. to ensigns.

Surg. John Tytler to be a presidency surg., v. Savage app. to medical duties of civil station of Moorshedabad.

Surg. John Crawford permitted to retire from H.C.'s service on pension of his rank.

Cadets W. H. Ellis, F. R. Ellis, J. W. Conran, and Wm. Smith admitted to infantry, and prom. to ensigns.

Head-Quarters, June 15.—Assist. Surg. T. C. Elliot to do duty with H.M.'s 59th regt.

June 16.—Assist. Surg. D. Stewart appointed to 66th N.I.

June 18.—Assist. Surg. C. J. Macdonald posted to 24th N.I., v. Child app. to Hissar division of army.

June 19.—*Cornets and Ensigns (recently prom.) posted to Regts.* [Inserted in our last number, p. 791.]

Fort William, June 28.—51th N.I. Ena. Cecil Arding to be lieut., from 8th June 1837, v. Turner dec.

Lieut. the Hon. H. Gordon, 23d N.I., to be deputy paymaster of Meerut Division, v. Gwatkin, app. superintendent of Hauser branch of stud estab.

Lieut. the Hon. H. B. Dalzell, regt. of artill., to be an aide-de-camp on personal staff of com.-in-chief, v. the Hon. H. Gordon.

Mr. J. T. Wilcox admitted to infantry, and prom. to ensign.

Head-Quarters, June 22.—Offic. Assist. Surg. G. M. Scott to have medical charg. of a detachment of 68th N.I., proceeding to Arracan.

June 23.—*Removals.* Ena. A. Mackintosh from 6th Extra regt. to 52d N.I. at Chitragong; Ena. T. Ramsay, at his own request, from 24th, and posted to 32d N.I.

Fort William, June 29.—Capt. Spicer, 12th Madras N.I., to be deputy judge adv. gen. with division of troops under command of Maj. Gen. Sir A. Campbell at Moulemein.

July 6.—7th L.C. Lieut. Wm. Veyzie to be capt. of a troop, and Corn. H. P. Cotton to be lieut., from 13th June 1837, in suc. to Grant dec.

Surg. W. T. Webb to be garrison surg. at Chunar, v. J. Tytler app. a presidency surgeon.

Cadet E. K. Money, of cavalry, promoted to cornet.

Head-Quarters, June 27.—Ena. W. H. Ellis removed, at his own request, from 2d, and posted to 27th N.I.

June 28.—Veterinary Surg. Kerr appointed to 1st L.C.

June 30.—Ena. C. J. Perreau, at his own request, removed from 35th regt. and posted to 86th N.I.

Officiat. Assist. Surg. McRae attached to depot at Chinsurah until further orders.

Assist. Surg. Gordon, doing duty at Cox's bungalow, to rejoin 2d bat. artillery at Dum Dum.

July 2.—Ena. J. T. Wilcox (recently admitted) to do duty with 29th N.I.

Brigadier G. Carpenter, to command at Delhi.

July 3.—Ena. W. F. Alexander to do duty with 50th N.I. at Allahabad instead of 57th N.I. as formerly notified.

Assist. Surg. Drever posted to 53d N.I.

Fort William, July 13.—*Artillery Regt.* 2d Lieut. F. Daahwood to be 1st lieut., v. Ackers resigned, with rank from 20th Sept. 1836, v. Wakefield dec.

2d L.C. Lieut. H. Hay to be capt. of a troop, from 15th Sept. 1825, v. Lambie retired; Cornet J. G. Lawson to be lieut. from 25th May 1836, v. Hay prom.

Assist. Surg. G. Angus to be surg., v. Primrose resigned, with rank from 23d June 1836, v. Rind invalided.

Assist. Surg. J. Mensies to perform medical duties of salt agency at Hidgelee, v. Angus prom.

Engineers. 1st Lieut. W. N. Forbes to be capt., and 2d Lieut. A. H. E. Boileau to be 1st lieut., from 7th Feb. 1837, in suc. to Paton dec.

Cadet of cavalry, H. H. Christian, promoted to rank of cornet.

Head-Quarters, July 7.—Lieut. Col. Ward removed from 21st N.I. to 1st Europ. regt., and Lieut. Col. Auril from latter to former.

Surg. D. Woodburn posted to 7th N.I., v. Webb app. garrison surg. at Chunar.

July 9.—*Removals and Postings in Regt. of Artillery.* Majors J. P. Boileau from 3d to 2d brigade horse artillery; W. S. Whish from 2d to 1st do.; J. Rodder from 1st to 3d do.—*Captains* E. Huthwaite from 2d comp. 3d bat. to 8th comp. 6th bat.; C. P. Kennedy from 3d comp. 6th bat. to 2d comp. 3d bat.; T. Blair from 2d comp. 3d bat. to 3d comp. 6th bat.; W. Oliphant from 13th comp. 6th bat. to 2d comp. 2d bat.; G. H. Woodrooffe from 3d comp. 1st bat. to 3d comp. 4th bat.; R. C. Dickson from 3d comp. 4th bat. to 4th comp. 3d bat.; T. Timbrell from 4th comp. 2d bat. to 3d comp. 1st bat.; J. E. Debreit from 4th comp. 5th bat. to 19th comp. 6th bat.; E. P. Gowan from 5th comp. 6th bat. to 4th comp. 5th bat.; S. Coulthard from 3d comp. 3d bat. to 4th comp. 2d bat.; P. L. Pew from 4th comp. 3d bat. to 3d comp. 3d bat.—*1st Lieuts.* C. H. Wiggins from 4th troop 1st brigade to 1st troop 2d brigade horse artillery; T. P. Bingley from 1st troop 2d brigade to 4th troop 3d brigade horse artillery; A. Campbell from 2d comp. 2d bat. to 2d comp. 5th bat.; J. Turton from 2d comp. 5th bat. to 3d comp. 2d bat.; G. Twenlow from 3d comp. 2d bat. to 6th comp. 6th bat.; J. L. Mowat from 6th comp. 6th bat. to 1st comp. 3d bat.; E. F. Day from 1st comp. 2d bat. to 1st comp. 5th bat.; R. G. Bedingfield from 1st comp. 5th bat. to 2d comp. 3d bat.; H. Humphrey from 1st comp. 6th bat. to 1st comp. 2d bat.; T. P. Ackers from 1st comp. 2d bat. to 1st comp. 5th bat.; O. Baker from 2d comp. 6th bat. to 7th comp. 6th bat.; S. W. Bennett from 8th comp. 6th bat. to 1st comp. 1st bat.; W. J. Symons from 1st comp. 1st bat. to 5th comp. 6th bat.; L. Burroughs from 14th comp. 6th bat. to 2d comp. 6th bat.—*2d Lieuts.* J. Trower from 4th troop 3d brigade to 1st troop 2d brigade; W. E. J. Hodgson from 1st troop 2d brigade to 4th troop 2d brigade; A. P. Begbie from 4th comp. 5th bat. to 2d comp. 2d bat.; J. G. Campbell from 2d comp. 2d bat. to 3d comp. 4th bat.; G. Larkins from 9th comp. 6th bat. to 4th comp. 1st bat.; G. F. C. Fitzgerald from 2d comp. 2d bat. to 4th comp. 5th bat.; F. Galt-skell from 2d comp. 4th bat. to 4th comp. 3d bat.; H. De W. Cockburn from 4th comp. 3d bat. to 2d comp. 4th bat.; J. Whiteford from 19th comp. 6th bat. to 8th comp. 6th bat.; C. S. Reid from 1st comp. 5th bat. to 3d comp. 6th bat.; A. Fitzgerald from 3d comp. 4th bat. to 7th comp. 6th bat.; G. H. McGregor from 10th comp. 6th bat. to 1st comp. 5th bat.; G. R. Birch from 4th comp. 4th bat. to 2d comp. 2d bat.; H. F. Conar (new arrival) to 4th comp. 4th bat.

Maj.

Maj. R. M. O. Grahshaw to command artillery in Sirkhed frontier division.

Major Whish to command artillery in Saugor division.

Capt. Pew to remain in command of artillery in Amorah.

FURLOUGHS.

To Europe.—June 15. Capt. Wm. Martin, 57th N.I., for health.—3d Lieut. F. R. Basely, artill., for health.—2d. Capt. G. Burges, 8th L.C., for health (to proceed from Bombay).—27. 1st Lieut. J. Cullen, artill., for health.—28. Lieut. R. Delamain, 66th N.I., for health.

To Straits of Malacca.—June 15. Lieut. T. F. Tait, 38th N.I., for six months, for health.

To China.—July 4. Lieut. H. T. C. Kerr, 30th N.I., superintendent of cadets, for six months, for health (eventually to Europe).

HIS MAJESTY'S FORCES.

To Europe.—May 30. Surg. Jobb, Light Drago., for health.—Asist. Surg. Tenant, 41st F., for health.—June 25. Lieut. Macready, 30th F., for health.—July 7. Lieut. Collins, 13th L. Dr., for health.—Lieut. Guinness, 41st F., for health.—Lieut. Smith, 45th F., for purpose of retiring on half-pay.

LAW.

SUPREME COURT.

Registration of the Stamp Regulation.—

The arguments concerning the registry of the stamp regulation commenced on the 3d of July, and did not terminate till the 6th. On the 16th the judges delivered their judgments *seriatim*; they were in writing. They were unanimous in favour of the registry, though upon some points Sir Edward Ryan differed in opinion from the Chief Justice and the other puisne judge (Sir John Franks), namely, on the right of persons petitioning against the registration of a regulation to be heard by counsel; and on the power of the court to judge, not merely whether a regulation was repugnant to British law, but of its expediency. On every material point all the judges were agreed; and the regulation was accordingly registered. The court was excessively crowded.

The importance of the several questions which have arisen upon this measure, and the interest which they have excited, induce us to insert the proceedings upon this occasion nearly in full, notwithstanding their extreme length. We extract the report from a Calcutta paper; it is apparently taken by a barrister of the court.

First Day, July 3.

Mr. Winter (who with Mr. Clarke and Mr. Dickens was counsel for the petitioners against the regulation) prefaced his argument with some observations upon the intense interest which the question had excited amongst the community, native as well as British, of Calcutta. He adverted to the doubts suggested as to the right to be heard against a regulation being registered in this court; he claimed this right, however, on the ground that there was no instance, throughout the dominions go-

verned by British law, in which there is an appellate jurisdiction, where the right of being heard before the tribunal appealed from does not exist: it would be a strange anomaly, he observed, if there was a right of appeal against registry, without a right to call upon the court below to hear reasons which might render the appeal unnecessary. He referred, likewise, to a supposed apprehension that the bar might employ the court on this occasion as an arena for political declamation; and in allusion to an admonition given by the Chief Justice (with the concurrence of the other judges), he asked in what respect the conduct of the members of the bar, either in or out of court, justified such an unfavourable opinion of them. Whatever might have been the foundation of that opinion, he could but think it would have been as well if the expression of it had been omitted. He then went on as follows:—

I now proceed to the discussion of the subject relative to the proposed registry of the stamp regulation; and in order to place my arguments in the clearest point of view, I will first mention the grounds on which I mean to found my opposition to the registry: they are three. 1st. That there is no authority by law to justify the imposition of a stamp duty in the town of Calcutta. 2dly. If your lordships should think that there is such authority by law, then I shall contend that your lordships have no authority to register, for that the law is perfect in itself without registry; and lastly, I shall submit that if your lordships have authority to register such a regulation, the regulation now presented cannot be registered for reasons afforded by the regulation itself, in the defects apparent on the face of it. In entering on the consideration of my first ground of opposition to the registry of the regulation, I beg to remind your lordships of the words of the 98th and 99th sections of the 53d Geo. III. c. 155, and the 25th section of that statute, for these are the passages from which we must collect what is the law on the subject. The words employed in the 25th section (for I think it of great importance to see clearly what this section requires) are, "and be it further enacted, that no new or additional imposition of any duty or tax upon the export, import, or transit of any goods, wares, or merchandise whatever, &c. shall be valid, &c. until, &c." The 98th section states: "Whereas it is expedient that the government of the said Company, &c. should have authority to impose duties and taxes to be levied within the several towns of Calcutta, &c., and also duties and taxes to be paid by persons subject to the jurisdictions of the Supreme Court of Judicature at Fort William in Bengal, &c. Be it therefore enacted, that it shall and may be lawful to and for the

I.

Governor-

Governor-General in Council of Fort William in Bengal, &c. to impose all such duties of customs and other taxes to be levied, raised, and paid within the said towns of Calcutta, &c., in as full, large, and ample manner as such Governor-General in Council, &c. may now lawfully impose any duties or taxes, &c." I beg your lordships will bear in mind these words, "duties of customs and other taxes." The word *taxes*, used in the section quoted, refers to the 25th section of the same act; the words are "hereinbefore prescribed respecting duties and *taxes* of export, import, and transit, &c.;" your lordships will see the importance of the word *taxes* as it is here employed; it is applicable to the 25th section, which only gives power to levy duties of export, import, and transit; beyond all question it gives no other power. I am anxious to draw your lordships' attention to this, because I do mean to contend broadly and distinctly, that the use of the words "other taxes" is not such as will sanction the unheard-of power of unlimited taxation; and that having reference to the 25th section, where the description of taxes contemplated is described, it can only give the power of levying duties of customs and transit, and no other. It will be said, perhaps, that it not only gave this power, but that the words "in as full, ample," &c. do extend that power to any and every kind of tax; but I maintain that this government never had any power to levy any taxes without the authority of parliament, and I contend that the words "in as full, large, and ample," &c. do not enlarge the power of taxation, but merely enable the government to levy, on those within your lordships' jurisdiction, the like taxes previously imposed on others, under the powers of the 25th section; and that the only object of the 53d of the late king, where it relates to taxation, was to put beyond question that those within the jurisdiction should be made liable, who otherwise could not have been made so. I beseech your lordships to mark the use of the words "all such," employed in the outset of the 98th section, referring to the "duties or taxes upon export, import, or transit," mentioned in the 25th section.

Chief Justice.—You mean to maintain, then, that previous to the 25th section there was no power of taxation vested in the Company's government? Unless you shew this, you have done nothing; this must be a preliminary step in support of your position.

Mr. Winter.—No doubt, my lord; but I do not stop here, for I hope I shall be able, before I have exhausted all I have to say, to show that the enactment of the 98th section could have been for no other object but to convey the power of like taxation as to those within your lordships'

jurisdiction, which was not previously possessed, and that no other taxes were contemplated than duties of customs and "other taxes" *ejusdem generis*. I would ask to what the words "all such" can refer but to the 25th section? There is no other reference; and the taxes so referred to are defined in the end of that section to be duties and taxes of export and transit, and the word "tax" is merely used synonymously, to include what is alike, though not the same: and that is the sole object of the use of the word tax.—I shall now endeavour to establish that there never was any right or power by law, in the directors or the government, to impose taxes, since the time it was taken out of their hands and placed in those of the Board of Commissioners; and shall shew on evidence that cannot be controverted (in fact, it is matter of history), that such power was never supposed to exist; was never acted upon except in the case of duties of export, import and transit; and that if there were ever any other levied within these dominions, they cannot be said to have been authorized by law of parliament; that all the taxes included under the name of "duties of customs and transit" were levied under an assumed authority, for there was no legal authority to impose any tax whatsoever. I will soon call to your attention, that up to the period of the permanent settlement by which it was —

Sir Edward Ryan.—You mean, then, to state that there never was a power vested in the Company to impose taxes here, until they received it from an act of parliament?

Mr. Winter.—My lord, I mean to say, that since the settlement of the land revenue there never has been any such power; nay, even further back, nothing to induce a belief that the taxes levied were authorized by law.

Chief Justice.—Do you mean to say, that not only the East-India Company never had the power, but that with the sanction and approval of the Board of Control even they had not such power?

Mr. Winter.—Yes, before the 53d Geo. III.; and that all specific and local taxes have been defined.

Chief Justice.—You don't mean to deny that the power has existed somewhere? Then I should feel obliged if you could tell me where.

Mr. Winter.—In the British parliament, my lord.

Chief Justice.—Then you mean to deny the prerogative of the crown with respect to conquered countries?

Mr. Winter.—I submit, with deference, that such a prerogative of the crown does not apply to this country. I mean to contend, that from the time of the settlement no such power existed. At an earlier period,

period, the 7th Geo. III. first recognized the rights of the Company, after their acquisitions, and in the year 1767, first directly interfered with the territory of the Company; and you will there find it recognized and permitted to remain with them.

Sir Edward Ryan.—Then your position is, in fact, that no power of taxation existed at all till the 53d Geo. III.?

Mr. Winter.—I would state that proposition with some little qualification, as it refers to the period prior to 1784, when the Board of Commissioners was constituted by the 24th Geo. III.; with reference to the subsequent period I advance it in the most unqualified manner. In *'Hall v. Campbell,'* Cowp. 208, Lord Mansfield lays it down thus: "A country conquered by the British arms becomes a dominion of the king in right of his crown, and therefore necessarily subject to the legislature of the parliament of Great Britain." Our constitution does not allow the king to have a possession independent of the control of parliament, and that wherever a country has been allowed to remain under — (Here the Chief Justice made an observation, and asked for the case in Douglas, which *Mr. Winter* handed up to him.)

Chief Justice.—Lord Mansfield says, in the sixth proposition, that "if the king (and when I say the king, I always mean the king without the concurrence of parliament) has a power to alter the old and to introduce new laws in a conquered country, this legislation being subordinate to his own authority in parliament, he cannot make any new changes contrary to fundamental principles." He does not say that the king cannot act without the parliament. (His lordship having read the passage, made some observations which were not heard, apparently complaining that *Mr. Winter*, in quoting Lord Mansfield, had omitted or suppressed a passage which would have qualified what he actually commented upon.)

Mr. Winter.—I did not employ the authority, my lord, either to abuse or misuse it; and if your lordship had not interrupted me, I should have come in the proper course of my argument to the passage your lordship has read. I will comment on the very passage, shewing that the king, though he may introduce new laws, does so subject to parliament; and it strengthens my argument beyond any thing I have advanced, for I maintain that the power of parliament must extend to every country that comes under British dominion. When the king takes possession of a country, no doubt he may leave to the conquered so much of their laws as may be considered politic, and introduce new laws for future government; but the country once settled, he cannot do any

thing subsequently without the concurrence of parliament, which has been established in the cases of Grenada, Jamaica, and other cases; and I do maintain that the king cannot subsequently interfere. In the sixth proposition before alluded to, Lord Mansfield puts it hypothetically: "if the king has a power to alter the old and to introduce new laws in a conquered country, this legislation being subordinate to his own authority in parliament, he cannot make any new change contrary to fundamental principles." At present I would confine myself to that which I consider to have been settled on the establishment of the Board of Commissioners. I will now proceed to call your attention to the proceedings in 1788, and to the language employed by *Mr. Pitt*, on proposing that act, as I find it in a report of the debates of the time.

"In explanation of this bill, and in answer to the remarks of opposition, *Mr. Pitt* desired to remind the house that he had provoked the discussion of the bill, and had earnestly solicited them to bring it to the test of the most severe and scrupulous investigation. He found that it would be disputed, whether by the act of 1784 the Board of Control had any right of superintendence over the revenue. Would it be contended that parliament meant to leave the finances in the hands of the Company, who had been declared unfit to be trusted with them? Was it likely, that when they provided for the better management of the political and military concerns, they had paid no attention to the circumstance upon which these concerns inseparably depended? The Board of Control had already proceeded to reduce the enormous establishments in India; their right of interference in that respect had never been questioned; and what indeed would be the consequence of denying this right? The Court of Directors, if they had it in their power, as the expiration of their charter drew near, and it was doubtful whether their monopoly would be renewed, would certainly make it their first object to swell the amount of their imposts, and would neglect the care of the territorial and political state of India. The duty of administration was to look, first, to the prosperity and happiness of the natives; secondly, to the security of the territorial possessions; thirdly, to the discharge of the debts due to the persons who had advanced their money, and enabled the Company to struggle with their late difficulties; and, in the last place, to the commercial benefit of the proprietors. Was it probable that the Court of Directors would act upon that scale? Could it have been intended to confide in their discretion?"

An argument I would use, my lord, at the present day, if it suited my purpose, viz. that they would towards the close of their charter swell their imposts and neglect their territories.

Chief Justice.—I never heard such a doctrine: but this is certain, that the Company cannot take a step without the approval of the Board of Control.

Mr. Winter.—I shall endeavour to shew that the revenue, over which the Board of Commissioners had control, was merely that revenue which was fixed and certain, not arising out of taxation and mutable sources, but independent of all such sources; a revenue derived, in short, from the land; and I would here again call attention to the language of the debate in 1788.

The

The *Chief Justice* here made a remark not heard.

Mr. *Winter* proceeded.—No, my lord, it could not; the power was placed wisely in the hands of those who were limited and restrained; the power, in short, was as strictly limited and defined as a power could be. A further clause was added, which directed that an account of the revenues and disbursements should be laid before parliament at certain assigned periods in every year. Your lordships will find that in all cases where government have come in contact with the Company, they have always avoided all interference with any but fixed revenue, taking care not to meddle with the resources which produced the dividend, and providing means, without authorizing any increase of revenue, for the security of the dividend of the proprietors. But if the revenue were considered to be uncertain and unlimited, why not have authorized and recognised subsidiary aids from taxes? which I shall shew never was done; and that, in all cases of the Company's difficulties, the public claims were foregone for a time to secure the payment of the dividends, which need never have been done if the revenue could have been swelled to any amount by taxation and resources of that nature. In support of this, I refer to the various acts of parliament in relief of the distress of the Company, authorizing loans, increase of capital, stock, &c. I infer and maintain, therefore, that the revenue contemplated was one of a fixed and permanent character, according to engagements subsisting with the representatives of parties who had made them.

Chief Justice.—Do you mean to contend that there was no power where there was no permanent tax?

Mr. *Winter*.—I don't exactly know, but I conceive there could not be, because, though not precisely a permanent settlement existed in those places, the whole territorial revenue of the Company was regulated by the principle of a landed settlement, whether in that portion of the Company's dominions which was subject to the permanent settlement, or in those which followed a similar mode. But it is of no moment unless it can be shewn that a system of unrestricted taxation prevailed: for whatever arrangements may have been made, they all had reference to the principle of the permanent settlement. I now, my lords, desire your attention to the state of things in an earlier time than the period to which I have been adverting; to the very important evidence before the committee on the occasion of an interference with what was considered the jurisdiction of the Mofussil courts. When petitions were sent home against the conduct of the supreme court, a committee was appointed to examine evidence and report.

A committee more desirous of information, more laborious, or more talented, than that which sat on this enquiry, never was assembled. On that occasion Mr. Baber, who had resided in Bengal upwards of seventeen years, who had been the resident at Midnapore, and afterwards chief at Muxadabad, in the course of his evidence, being asked "whether farmers of lands under the Company are considered in Bengal as mere collectors of revenue would be considered in England," answered, that, "in order to afford the committee a satisfactory answer to this question, it will be necessary to give more than a bare negative, and to add an explanation of the tenures in Bengal: for a parallel can scarcely be drawn between a mere collector of a revenue which arises from taxes on various articles, and a proprietor or farmer of land, where the revenue is paid from the produce of that land." (Mr. Winter then read further passages of Mr. Baber's evidence, to shew that the settlement of the government with the zemindar was annual for fixed monthly payments of the revenue; that the sum so fixed was the revenue of government, and all above belonged to the zemindar. Mr. Winter then adverted to the evidence of Mr. Lushington before the same committee, and reading from the report, stated, that "the witness being asked whether the payments of the zemindar to the Company are stipulated rent on contract, or tax and imposition, according to our ideas of taxes in Europe; he said he considered it as a contract between the Company and the zemindars.")

Now, my lord, if this evidence had been put together for my purpose, it could not have more fully supported my argument, nor could I have found or desired any thing so strong or so important; there is no recognition of a system of taxes, or of any other revenue than what was derived from the land. You will find, in short, that throughout the whole system of the Mogul government, to prevent those exactions which uncertain and unlimited taxation is liable to impose on the subject, the revenue was decreed to come wholly from the land. It is true, indeed, vexatious demands were occasionally made by the zemindars, upon pretext of marriages, pilgrimages, &c., by those who were entrusted with the collection of the revenue; but those were not authorized or sanctioned by the superior government, which looked to the fixed revenue from the land alone. (Mr. Winter then read some parts of the evidence of Mr. Lushington and Major Rennell, in support of his position.)

Chief Justice.—If you will refer to the Fifth Report, you will find much more to this purpose; but it is entirely an unsettled point to this day, whether the rights of the zemindar or the ryot were consulted by the permanent settlement.

Mr.

Mr. Winter.—I shall refer to that, though not for the purpose of raising the question to which your lordship refers; but in order to shew that, throughout, a landed revenue is recognized, and no taxation, which was all abolished at the permanent settlement, excepting license of spirits.

Chief Justice.—If you mean to say that taxes were abolished altogether, you must show in what manner. (His Lordship said something more which was not heard.)

Mr. Winter.—What I meant to say is, that as soon as parliament took the country under its control, every inherent right of British subjects followed of course; but though there may be a provisional power as to the necessities of the state, I maintain that there could be no infringement of a great constitutional principle, such as that of taking away the property of the subject, but by the authority of parliament alone.

I now turn to what was said by Lord North, in introducing the bill of 1781, as to the means of the Company, and their known sources of revenue; out of that question arose Lord North's claim for £600,000 reduced to £400,000. (*Mr. Winter* here read part of Lord North's speech). But there is another passage also relative to the renewal of the charter. "With respect to the renewal of the charter, he recollected one part of the offer made to government, which involved no inconsiderable ambiguity; it was this: the Company demanded a full enjoyment of all their chartered rights. He did not know what might be meant by charter-rights; in his opinion it meant no more than this, an exclusive trade for the period of their charter; but if it was understood by the words charter-rights (and he believed the Company wished so to understand them) as enjoyment of the exclusive right of superintending the whole of Indian affairs without any control during the continuation of the charter, then he would give it as his opinion that parliament ought not even for a day to part with this superintending power. The reason was obvious: the interests of this country were intimately connected with India, and any mismanagement there might be to the last degree dangerous to Great Britain. It was consequently the duty of parliament never to renounce a controlling superintending power over India." This is authority of no small weight, for it is that of one who had communicated with the directors themselves, and had made himself well acquainted with the resources of the Company.

Chief Justice.—There is a superintending power (remainder of his Lordship's observation not heard.)

Mr. Winter.—The proposition is not so bare, my lord; but whether it is or not, this country I maintain does not stand any

longer in the position of a conquered country. There are many different circumstances, from all of which it may be collected, that nothing can be done beyond the express terms of the power delegated, and it is now too late to say that that is undefined power. All authorities derived from the crown are subject to the control of parliament: for the parliament itself cannot delegate a power it does not possess, it can only do what the laws of the country authorize: and the government here, without the authority of parliament, cannot sanction a tax to the smallest amount except for the land revenue. It is a misnomer indeed to apply the term *tax* to the land revenue; it is in fact a rent and not a tax. I will now, my lord, refer to the fifth report on Bengal.

Chief Justice.—With the appendix?

Mr. Winter.—No, my lord, I have not the appendix here. (*Mr. Winter* then read the following passages from the report; the reading of them was occasionally interrupted by observations from the bench.)

Your Committee have brought the foregoing summary of the different systems of internal arrangement adopted for the East-India Company's territorial possessions in Bengal, down to that period when the state of their affairs was before parliament, and when by an act of the legislature, (24 Geo. III. cap. 25) the Company were commanded to institute an inquiry into the complaints which had prevailed, "that divers rajahs, semindars, and other landholders within the British territories in India, had been unjustly deprived of, or compelled to relinquish or abandon, their respective lands, or that the rents, tributes, or services required of them had become oppressive." These grievances, if founded on truth, were "to be effectually redressed, and permanent rules established on principles of moderation and justice, by which their rents and tributes should be demanded and collected in future."

The information drawn from the reports of the supervisors appointed in 1769, and of the Court of Circuit in 1772, developed the errors of a false and injurious policy which had prevailed under the native government, as well as practices of pernicious tendency which had crept into the administration of it subsequently to the subversion of the Mogul dominion. The principal of these, as they affected the department of the revenue, appear to have been noticed and abolished, in the regulations passed upon the formation of the five years' settlement. By the rules then established, all *nussers* or *salamies* (free gifts) which had been usually presented on the first interview, as marks of subjection and respect, were required to be totally discontinued, not only to the superior servants of the Company and the collectors, but to the semindars and other officers; new taxes, under any pretence whatever, were prohibited; the revenue officers were forbidden to hold farms, under pain of dismissal; seminary barriers, erected for the collection of road duties, were abolished, and such only continued, as belonged to the collection of the established revenue.

"But though much good had been effected, much yet remained to be done before the institutions of the government and the collection of the people could be raised near enough to that standard, which might satisfy the enlarged views of such as had formed their opinions on the principles and practice of European states; and accordingly, in the session of 1784, the parliament passed the Act of the 24th of his present Majesty, "for the better regulation and management of the affairs of the East-India Company" by the 38th section of which the East-India Company was commanded "to inquire into the alleged grievances of the landholders, and if founded in truth to afford them redress, and to establish permanent rules "for

"for the settlement and collection of the revenue,
 "and for the administration of justice, founded
 "on the ancient laws and local usages of the
 "country."

"But the leading members of the Supreme Government appear to have been, at an early period of the transactions now commencing, impressed with a strong persuasion of the proprietary right in the soil possessed by the zemindar; or if it could not be made out, consistently with the institution of the former government, that reason and humanity irresistibly urged the introduction of it. In the decision of this question was contemplated the introduction of a new order of things, which should have for its foundation the security of individual property and the administration of justice, criminal and civil, by rules which were to disregard all conditions of persons, and in their operations be free of influence or control from the government itself. The whole might be reconciled to a strict observance of the orders from home, which appeared to disclaim all views of an increasing land revenue, requiring only that the amount, at whatever it might now be fixed, should not be liable to fluctuation or defalcation, as it before had been, and that the rules for the collection of it should be permanent.

"As the conclusion of the decennial settlement has led to one of the most important measures ever adopted by the East-India Company, both in reference to themselves, by fixing the amount of their land revenue in perpetuity, and to the landholders, in establishing and conveying to them rights, hitherto unknown and unenjoyed in that country; your committee think the house may expect from them a particular account of the nature of this settlement.

"The next consideration was the amount of the assessment to be fixed on the lands. This, as it was subsequently to become the limit of the resource which the government could ever in future derive from the land, it was necessary should be fixed with the utmost accuracy.

"The whole amount of the land revenue, by these means and by this agency obtained from the provinces of Bengal, Behar, and Orissa, ultimately proved for the year 1197, corresponding with 1790, to be Sicca Rupees 2,68,00,989, or £3,108,915, and from the province of Benares Sicca Rupees 34,53,574, or £400,615.

"On a point so singularly interesting to the East-India Company as the amount of the land revenue, which was now in Bengal to be fixed for ever, the Directors, after lamenting the want of better data than the experience of a series of past years, joined to the recent inquiries, had afforded, expressed themselves satisfied in its appearing likely to prove equal to what they had, after consideration of the exigencies of government, and of a reserve proper for extraordinary services, already had it in view to obtain, and they did not wish to expose their subjects to the hazard of oppressive practices by requiring more; yet on consideration of the extent of land which lay waste throughout the provinces, and adverting to what had formerly been the practice of the native government, in participating in the resources derivable from its progressive cultivation, they would be induced to acquiesce in any arrangement which might be devised, with a view to secure to the East-India Company a similar participation in the wealth derivable from such a source, provided it could be effected without counteracting the principal object of encouraging industry, and be reconciled with the principles of the system which was about to be introduced; and they concluded their letter with observing, that "the demand from the land, the great and now almost the only source of revenue, is fixed, with the exception of any addition which may be made from resumption or what may arise from uncultivated lands (if that resource should be available); it is fixed for ever; a most serious argument for strict economy in the expenditure of what is so limited; for the utmost care on our part, that our known resources being on the one hand restrained from increase, they may on the other be preserved from diminution." On the authority of the orders conveyed in this letter, Lord Cornwallis proceeded without loss of time to notify by proclamation, bearing date 23d March 1785, to the landholders, the permanency of the settlements which had just been formed, as well as of those which were yet in progress, whenever they should be completed.

"During the time that the settlement of the

land revenue was in progress, and until an answer to the reference for rendering the decennial settlement perpetual could be obtained from England, the government was occupied in devising remedies for the imperfection and abuses which prevailed in other departments of the internal administration. The next in importance to the land revenue, as presenting an object for reform, was the sayer or inland customs, duties, and taxes, or generally whatever was collected on the part of government and not included in the mahaul or land revenue. This department, comprehending whatever was calculated to bear an impost in towns or marketing places of fixed or of occasional resort, or on the roads, being less susceptible of reduction to fixed rules, was more open to imposition and abuses, and consequently the scrutiny introduced on the present occasion, presented an object of peculiar interest for the government to reform. The more effectually to accomplish this purpose it was, by advertisement on the 11th June 1790, notified that (with an exception of the tax on tenements, which appeared derivable from the land thus occupied,) the management and collection of the sayer revenue would in future be separated from the zemindary charges, and placed under the authority of officers, to be appointed directly on the part of government; but in proceeding to act upon this resolution the good conduct of the natives, who were now to be placed in this charge, under the immediate control of the officers of government, appeared as little to be depended on, as when they acted under the control of the zemindars. The advantage therefore to the public interest was doubtful, while the additional expense to be incurred in salaries was certain and unavoidable; and, therefore, as the shortest way of getting rid of the embarrassment which the resolution for the resumption of the sayer had occasioned, the government determined that it would be advisable to abolish this class of collections altogether, and to allow the zemindars a compensation for the loss which it should be made to appear they respectively had suffered thereby.

"The functions of the collector are to assess the tax imposed on spirituous and fermented liquors and intoxicating drugs, to superintend the division (by sale or by decrees of the judicial courts) of landed property paying revenue to government; to apportion the public revenue on land ordered to be sold for the discharge of arrears of revenue; to procure land for the native invalid soldiers; and he is required to dispose of the amount of his collections, as may be directed by the accountant-general; to keep and transmit his periodical accounts, in the form prescribed to the board of revenue; and generally to perform whatever duties may be required of him by a public regulation, or by special orders from the Board of Revenue."

Chief Justice.—Do you mean to say that Lord Cornwallis swept away all taxes by the permanent settlement? if so, by what power were they renewed prior to the 53d Geo. III.?

Mr. Winter.—I do mean to say that the taxes were all abolished at the time of the permanent settlement, and that whatever renewal of them has taken place, has been acquiesced in by parties paying duties naturally arising out of commerce, such as duties of customs and transit, though I deny that any such duties have been authorized by parliament. It has been convenient to levy them, and they have not been objected to.

Sir E. Ryan.—That is a qualification of your general proposition; you ought to shew the power.

Mr. Winter.—Certainly, my lord, and what I mean to shew is, that all taxes levied subsequently were so levied without any legal authority of parliament. In order to aid the course of commerce, certain duties were no doubt necessary, and were

were acquiesced in; but there is a great difference between acquiescence in that which might not have the authority of law for its support, and the substitution of measures without authority.

Chief Justice.—There certainly were many duties in existence more objectionable and oppressive by far, it appears to me, than this stamp tax: there were duties on marriage, &c.

Mr. Winter.—Certainly, my lord, but all of a nature essentially different from unlimited and certain taxation; all fixed and known duties, having reference to one principle, which I have maintained to have been in force, that of a fixed revenue.

Chief Justice.—What you have now admitted is contrary to what you have before contended.

Mr. Winter.—I was alluding to what you were speaking of.

Chief Justice.—But the duties I mentioned were certainly not of a fixed nature, or referring to the settlement of the land.

Mr. Winter.—Certainly, my lord, they were fluctuating in some respects; that is to say, they were not arbitrary as to time or as to amount; but I wish to be understood as contending that the revenue was fixed as to its sources, as shewn in the Hindoo laws, and not left to the aids of uncertain and unlimited taxation.

Chief Justice.—So far back as the Emperor Baber, there was a tax which was called *tengha* (tunka?); and so far indeed from the system under the old government having been that of a fixed territorial revenue, there was a variety of fluctuating imposts of all kinds and descriptions; and you admit yourself that, after the whole system of taxation was, as you contend, swept away by the permanent settlement, there were *sayer* duties imposed; and I wish to know, therefore, since you deny the existence of any power of taxation at that period, by what authority these were levied?

Mr. Winter.—My argument as to this distinction between fixed and permanent revenues, and those of a fluctuating and uncertain nature, refers to the early period before the abolition of the *sayer* duties; but afterwards licenses for sale of liquors were the only subjects which formed matter of taxation, not coming under the head of duties of customs or transit: no other tax remained but what arose out of the permanent land-tax; and I do draw a great distinction between the permanency of the land-tax, and fluctuating imposts the abolition of which is recognized. If any were continued they were acquiesced in, and, under such acquiescence, may be perhaps legal; but the imposition of new burdens must be done under known sanctions of law, and I maintain that there never has been other power of taxation claimed or recognised, or acted upon under that very

section (the 98th), but such duties of customs or transit as had before been acquiesced in.

Chief Justice.—In a great many preceding sections it says no duties. (Here the Chief Justice was indistinctly heard, but was understood to say something as to the vesting power in the Board of Control on the opening of the trade; and that restraining the power of levying duties beyond was for protection of the private trader.)

Mr. Winter.—It is not likely, then, that, with this object in view, Parliament should have left the private trader unprotected in all other respects, and liable to that most unheard-of power of unlimited taxation; but I submit that the object of the statute was that no duties or taxes of an unknown kind should be levied without the sanctions appointed; and I ask what other known duties existed, but that of the land-tax and those of export, import, and transit? I should like to know this; I should be glad to be instructed on the point, and to hear, if I am wrong, what may lead me from the devious path of error into the broad and straight line of truth; I say there was none but a stamp-tax in the Mofussil, notoriously illegal; and that, in short, no duty prior to the 53d of the king was valid. If it were otherwise, and all duties are included by the 53d, why pass the 54th? But the preamble of this last act clearly shews it, for it states, "whereas doubts have arisen as to certain duties hitherto imposed by the several governments." Now these doubts could not be of a very light or trifling kind, which produced the interference of the legislature to set them at rest by a specific act, and that act unquestionably refers only to duties of customs, respecting the levying of which such doubts had arisen, and the words "other taxes" imply taxes only *ejusdem generis*. If not, what are they, and where are they to be found? The act only recognised the then subsisting taxes; and, to place it beyond all doubt, it goes on to provide that they shall only be levied with such and such sanction, I feel confirmed in the argument as I proceed, and will now turn to the Fifth Report to which your lordship has kindly called my attention, adverting to the letter of the directors of 29th September 1792. The committee say, after noticing the state of "things as to amount of land revenue: they did not wish to expose their subjects to the hazard of oppressive practices by requiring more;" and they conclude their letter with observing, that the demand from the land, the great and now almost the only source of revenue, is fixed, &c. "It is fixed for ever." This is contained in a letter of the Court of Directors of 29th September 1792, and I ask where it is possible to get at better evidence as to the sources of their revenue, of which they must

must be supposed to know more than any one else? There was, in fact, no other source of revenue contemplated but the land revenue.

Chief Justice.—You do not find that in the letter.

Mr. Winter read again the passage he had above cited, and requested attention to the further passage in the letter: "a most serious argument for strict economy in the expenditure of what is so limited; for the utmost care on our part, that our known resources on the one hand being restrained from increase, they may on the other be preserved from diminution." I collect from this, my lord, that they knew not of any other resources; and I ask whether they could possibly have used such language if they had contemplated unlimited power of taxation? I say boldly, that there was no other source of revenue; and if they had attempted to increase that revenue to any unlimited amount, as they might have done by taxation, if they had the power to resort to it, they would have raised a clamour against themselves that would have been fatal to their charter; but they never have attempted to resort to this mode of increasing their revenue; and on that ground also I argue, that they never had the power. Then again we find,—(Mr. W. here again read the ninth paragraph of his quotation from the fifth report). I say, after that was done, no revenue was known but what was derived from the land; that there was no power whatever to raise a tax of any kind; every item of taxation, even duties of customs after that period, became abolished, and was illegally levied up to the 54th Geo. III., which legalized duties of customs previously levied.

Chief Justice.—Lord Cornwallis, then, was very unfortunate as to the results of the measure for which he has been so much praised.

Mr. Winter.—Your lordship will forgive me if I do not quite assent to your lordship's opinions; I may not state my own so clearly as I could wish, amidst repeated interruptions from the bench to which I am subjected: and I do wish your lordship would allow me to go on with my argument without them.

Chief Justice.—I do not interrupt you, Mr. Winter, except when you advance a proposition I do not clearly understand; and when you denounce the acts of Lord Cornwallis as illegal, and those who followed him by implication, as extortioners, I feel it my duty to inquire into the grounds of such an extraordinary position.

Mr. Winter.—With submission, that is not my position, nor a fair statement of my argument. I do not mean to say that the taxes collected had not the sanction of the usages of the land; but that the land-tax alone was certain, known, and recog-

nized, and that all others were vague and indefinite. There can be no doubt that the Company, on inquiry, found it so bad a system of raising a revenue, that they were induced to abolish the whole of the *sayer* duties.

Chief Justice.—The *sayer* duties still exist.

Mr. Winter.—I know of none that are collected but a transit duty.

Chief Justice.—Be it so; but you have just urged that there was but one revenue; that all other exactions were swept away by the permanent settlement; and that there was no authority which could impose new duties. So I understand your argument; and hence it follows that all duties subsequently levied were illegally exacted.

Mr. Winter.—My observations are directed to establish that, with the exception of a transit duty, no tax was imposed or could be said to be legally imposed here after the repeal of the *sayer* duties by the permanent settlement.

Chief Justice.—On what foundation, then, do you pronounce, that, prior to the 53d Geo. III., there was no power to impose any tax?

Mr. Winter.—I believe *Sayer* to be a general term; it is *nomen collectivum*; but after the abolition of these duties, I maintain that there was no legal power to renew or impose new taxes.

Chief Justice.—You have now come back to that point from which you appeared to me to have been deviating.

Mr. Winter.—What I meant to declare was, that there might have been, no doubt were, certain taxes, which, though found reasonable, and therefore acquiesced in, had not any sanction of law, or that it is at least very questionable; but for an advocate to take upon himself to establish, to moral certainty, every position he may advance by way of illustration or argument, is really more than I think can be reconciled to reason or usage.

Chief Justice.—We only want to know what it is you contend for. I understand you to contend now, that whatever duties have been levied subsequent to the abolition of *sayer* duties, were unsanctioned by law?

Sir E. Ryan.—That, I believe, involves your general proposition?

Mr. Winter.—I do not lay it down exactly as a restricted position.

Sir E. Ryan.—I do not ask you to lay it down as a position, but merely how far you go?

Mr. Winter.—In laying it down, as a general position, that power to tax British subjects cannot exist without the authority of Parliament, I shall endeavour to shew that Parliament has not conferred any such power of taxation here; of such taxation no instance has existed, independent of duties of customs and transit, except that of

of the stamp duty in the Mofussil, which I consider was illegal.

Sir *E. Ryan* here made an observation which we did not fully collect, as to the necessity of 53d Geo. III. to legalize duties of customs.

Chief Justice.—The necessity was the opening of the trade; for the security of private traders it became necessary that the duties should not be fluctuating. There is no word in the 53d on which you (addressing Mr. W.) can ground an argument that parliament considered previous taxes illegal.

Mr. *Winter*.—I cannot say that, my Lord, when I read in the 53d that it is expedient the Company should have the power to impose duties and taxes; and again, in the preamble of the 54th: "whereas doubts have arisen as to certain duties and taxes heretofore imposed," &c. &c. I think it is clear from such language, that the legality of such previous impositions was questioned; and where I find duties levied which were acquiesced in as matter of necessity, I think I am justified in considering them at least as exceptions which do not affect my general proposition.

Sir *E. Ryan*.—The way in which you state the general proposition is, that prior to the 53d there was no power of taxation, and that all duties previously imposed were illegal: it is important for you then to shew, whether the taxes imposed since in the Mofussil are illegal.

Mr. *Winter*.—I should rather leave that as doubtful, as the legislature has thought fit to leave it. But with regard to those very duties of customs which have been acquiesced in from time to time, and as I say not legalized by parliament before the 53d Geo. III, I shall refer to the act itself to shew that it conveys no authority to levy such taxes, except with the sanction of the Board of Control and the Court of Directors.

Chief Justice.—Yes, with respect to new taxes; but it does not question the legality of the old. The imposition of taxes on British subjects—(something more spoken, but not heard).

Sir *E. Ryan*.—What taxes could the government lawfully impose prior to the 53d, in which they are empowered to impose taxes on all goods, wares, and merchandise, in as full, large, and ample manner as they could then lawfully do?

Mr. *Winter*.—That is a question I cannot positively affirm one way or the other. I certainly do consider that it is very doubtful whether they had the power, after the abolition of, the sayer duties, to renew them without the authority of parliament. I think not; but if their power to levy duties of export, import, and transit, was not disputed, and may be said to have been recognized, no other taxes were recognized, and it makes for my argument;

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for if they had not the power lawfully then, they have it not now. It would be inconsistent, indeed, to maintain, if they might lawfully levy such taxes, that they may not do so now "in as ample a manner;" but if this can be supported, as to duties of customs and transit, I maintain it cannot be as to other exactions; and if the duties of customs and transit can alone be considered as legal, in consequence of acquiescence and recognition, it strengthens my argument, because then the words "other taxes" can only refer to such other taxes as so previously existed, and not to prospective and new taxation.

Sir *E. Ryan* made an observation which was not heard distinctly.

Mr. *Winter*.—My argument goes to shew that the words "other taxes" do not confer a power of unlimited taxation; and that these words must be taken, with their context, to mean taxes of the same kind as duties of customs and transit; and that the words of the 98th section "in as full and ample manner," &c. have reference only to such taxes as, at the time of passing the act, were lawfully imposed.

Chief Justice.—You admit, then, almost all taxes that can be devised. In England, where there are more taxes than in any part of the habitable globe, there is scarcely a tax which is not included in what you now admit, except assessed taxes or income tax. You include customs, stamps, post-office, and excise taxes, for transit duties belong to the excise; you cannot say transit duties are duties of custom.

Mr. *Winter*.—The meaning of the word *tar*, under all the various modes in which the ingenuity of tax-inventors has applied it, does not go far beyond duties of transit. But these cannot be considered as duties of excise: when levied as a *toll*, the term which most assimilates with a transit-duty, they beyond all question belong to the class of customs; and if one description of tax approach nearer than another to duties of customs, it is that of transit-duties; as, for example in the transit from ship to the shore, in the nature of port duties, or out of one part of a country to another, or along a country; but the passage on which I rely, to exclude any doubt as to my meaning on that subject, is the words "other taxes," which cannot be extended to any other taxes than duties of customs, which under the 25th section 53d Geo. III. may now be lawfully imposed, as there directed, unless it be to all taxes whatsoever. These words "other taxes," either will justify this, or nothing beyond duties of the nature of customs; and I submit with great confidence, that there is in the 53d Geo. III. no power legalizing any other taxes imposed prior to that act, and that it cannot be said to give a power of general and unlimited taxation. After the abolition of sayer duties, although the partial

partial renewal of them in the shape of duties of customs and transit may have been acquiesced in and recognized, yet, in order to levy such duties lawfully, the power to renew must have had the authority or the sanction of an act of parliament. Perhaps it is too doubtful a point to say that no tax ever was recognized prior to the statute 53d Geo. III.; but I know of none that was legalized but the tax on spirits, which was in fact a mere license, and the assessed tax in Calcutta, authorized by the 33d Geo. III. I shall now only refer on this head of the argument to 33d Geo. III., c. 52. This was a renewal of the Company's privileges, with a thorough knowledge of all their resources; and yet no tax is mentioned in it, but the substitution of three per cent., &c. for the duties granted by the statute of William III. and the assessed tax and licenses for selling spirituous liquors.

Chief Justice.—(not heard).

Mr. Winter.—I certainly consider their revenue derived from land.

Chief Justice.—Although at that time there were sayer duties?

Mr. Winter.—Yes, my lord, for the very reason which I have already given, that I know of no authority which legalized the renewal of those sayer duties.

Advocate General (Turton).—The house-tax then existed in the Mofussil.

Mr. Winter.—I know nothing about that house-tax, except that it was very cautiously imposed, if it can be said ever to have existed as a source of revenue. It was the cause of much opposition, and in many places of tumult, and has ceased to be collected. But what I mean to contend is, that there never was any other source of revenue which can be said to have been lawfully collected than the land-rent, which revenue was fixed for ever by the permanent settlement. If they could have derived revenue from other sources, they would have been beyond control; they might have raised in that manner an enormous revenue, perhaps with ease, and perhaps producing tumult and rebellion; but it is quite certain, from all experience and reason, that if they had possessed an unlimited power of taxation, they would have raised as large a revenue as they could have squeezed from the pockets of the people. By the charter of the 53d Geo. III. no other duty is recognized but the duty of three per cent. in lieu of the duty granted by statute of William III., and the assessed tax and licenses for sale of spirits. (Mr. W. here read section 33d Geo. III.) This act recognizes the receipts that will take place: they were then enabled to contemplate the advantages that would be derived from fixed profits and fixed receipts. By the 121st section, on representation from the directors of inconvenience, the Treasury may postpone pay-

ment of the sum due from the Company; and by the 122d, if by war the proceeds shall fall short of paying £500,000 per annum to the public, the deficiency shall not be made good so as to impede the accumulation of the guarantee fund. Here there is no understanding that there is to be any increase of revenue, but only security for the dividend; and in all times of difficulty the public claims were foregone, and there was a remission of time to enable the Company to accomplish the objects for which they had contracted, which never would have been done if they could at any time have swelled their revenue to any amount by taxation. Then, my lord, deriving that argument in aid of my general proposition, I will next call your notice to the 33d Geo. III. section 158, which gives the power of assessment:

“Whereas it is essentially necessary for the health, as well as for the security, comfort, and convenience of the inhabitants of the towns and factories of Calcutta, &c., that the streets therein should be regularly and effectually cleansed, watched, and repaired, authorizes an assessment on the owners or occupiers of houses, &c., according to the true annual value, so that the whole assessment shall not exceed in any one year the proportion of one-twentieth of the gross annual value, unless any higher rate shall in the judgment of the Governor-General become necessary, in which case the Governor-General on any such urgent occasion may by Order in Council authorize a further assessment, not exceeding in any one year the half-part of the amount of the ordinary annual assessment.”

The next section in this statute authorizes the licenses for selling spirituous liquors. These are the only taxes which the British parliament has authorized the Company to levy, prior to the 53d Geo. III., and I consider all other taxes to have been levied without the authority of parliament.

Chief Justice.—Every one of those taxes, which you consider to have been illegal, you will find by the acts were annually laid before parliament, distinguished under their different heads, both before and after the 33d up to the 53d.

Mr. Winter.—I shall endeavour to shew that that circumstance comes in aid of my argument, when I find that no other tax is allowed to be levied but what constituted territorial revenue.

Chief Justice.—Yes, if you can find that; but you see that they are directed to be distinguished under different heads.

Mr. Winter.—That I believe rather refers to the different presidencies.

Chief Justice.—Whether they are territorial or not, they are distinguished under different heads.

Mr. Winter.—The enactments of section 126 of the 33d Geo. III. were extended and made more particular by the 64th and 67th sections of the 53d Geo. III.: these duties of customs which are mentioned in the 67th section are directed to be placed under the territorial head of revenue, and considered as territorial revenue.

Chief

Chief Justice.—The word mentioned there is only used as synonymous with commercial, and as distinguished from the political or governing character; but in all duties derived from — (His lordship said something which was not heard). The language used in the 33d is such as renders it impossible to suppose that any ignorance prevailed of the various duties imposed, of the sayer duties, or even of the stamp-tax of 1797, and therefore the legislature certainly passed the 33d with its eyes open, and was fully aware of the taxation it was confirming and authorizing.

Mr. Winter.—With great submission, I should deduce an argument to the contrary from the 66th section, for it would otherwise leave a great deal of revenue unaccounted for. Surely if they had contemplated any further revenue from any other system of taxing, they would have stated, that the produce of such taxing should be placed under the territorial head also; and how comes it not said that any such other taxes should be so placed, or that no place should be assigned to any such supposed source of revenue in any of the accounts of the Company?

Chief Justice.—Because the distinction between the commercial and governing character became first essential on the opening of the trade, and it became necessary to place the duties levied in their governing character to the political account: the monies they paid to the commercial account.

Mr. Winter.—With submission, my lord, I beg to differ: the section directs that certain duties shall be placed to the territorial account; then, if "other taxes" were contemplated, why is no mention made of any account to which they were to be placed? If a distinct head was assigned as to one description of tax, under which it was required that it should be placed, there can be no reason why there should not be a like requisition as to another description: it is, therefore, clear to me, that the act contemplated no other duties but "duties of customs," and taxes *ejusdem generis*. I have, I admit, on one point, felt considerable difficulty, and am not yet able to make up my mind to say that there never has been any recognition of a power to levy taxes prior to the 53d Geo. III: there certainly were taxes which were acquiesced in; but how far they were legalized by that circumstance is a point I cannot positively determine; but this I do maintain, that unless it can be shewn that the legislature intended to give the Company a power of unlimited taxation, the mere existence of unauthorized imposts cannot much affect my position. And now, my lord, I proceed with a portion of my argument in which I find much less difficulty: I mean that which goes to shew

that the words "other taxes" cannot be applied to any other taxes than those duties of customs previously mentioned. I maintain that this is evident from the context, and from reference to other parts of the statute which enumerate the duties; and I do affirm that, either as a lawyer or a critic, I cannot extend the sense of words used in the place of a minor term, so as to comprehend terms greater than the major term, with which that minor is associated. In the construction of acts of parliament this is never done, unless the intention of the statute will aid the extension of the remedy: the authorities I would refer to in order to support this position—

Chief Justice.—You will find that in a remedial statute your argument does not go so far as you would carry it; for in the penal statute which made it a capital offence to steal sheep, there are the words "other cattle;"—"sheep and other cattle;"—and the words were construed as not possessing any meaning in law, being too general; but it certainly never was pretended that the words "other cattle" had reference merely to sheep and lambs, or cattle of that *genus*; and the legislature passed an act to specify many other cattle which could never by naturalists be referred to the *genus* sheep.

Mr. Winter.—I know not exactly on what grounds the legislature acted in regard to that statute; but this is certain, even from that very case, that when the language is indefinite it must be rejected.

Chief Justice.—Yes, in a penal but not in a remedial statute.

Mr. Winter.—And I maintain that this is, in the strict sense, a penal statute. Your lordship laughs, but any act that imposes penalties is, *quoad* those penalties, a penal statute.

Chief Justice.—But the penalties are not imposed by act, but merely by one particular clause of the act here.

Mr. Winter.—I am not to be carped at in that way; when I use the word *act*, I mean with reference to the clause which imposes the penalties.

Chief Justice.—You cannot say that, because there is one clause that gives penalties, the whole act is penal.

Mr. Winter.—Indeed, my lord, I do maintain that, *quoad* the part which contains the clause, such statute is penal.

Sir E. Ryan.—(Some observations as to penal statutes were made but not heard.)

Mr. Winter.—No my lord, the provisions are so penal that they require the most cautious construction; and if so great a latitude were allowed under an undefined term, it would be highly grievous to the subject in its consequences. I maintain that the heavy penalties which might be imposed under the regulations authorized by the statute, give to it all the force of a penal enactment and that it must be construed

strued as strictly as to that section ; if one section be penal, as if it were so in the whole act, as well the words empowering the imposition of the tax as those authorizing the regulations for the levying of fines for their non-payment. (Here Mr. Winter cited from 10 Co. the case of 'the Chancellor of Oxford;' and from 2 Co. the case of 'the Archbishop of Canterbury.')

Chief Justice.—You ought to shew, then, that a stamp-tax is of a higher or more grievous order than the act contemplates.

Mr. Winter.—No, my Lord, I am not yet driven to that ; it is enough if I shew that there may be other matter, within the duties of export and import, not strictly capable of being called duties of customs, but yet admissible under that and transit class, as being of a like kind. (Mr. W. quoted from Comyn's Digest, Title 'Parliament,' lett. R. 10 B—R. 14 and 26.) In all matters of ambiguity, this intent of the legislature must be consistent ; that I believe to be fair construction. In all acts of parliament, we must look to the intention whenever a doubt arises ; and again I ask if it be likely that, supposing the legislature to have intended to convey a power of unlimited taxation, it would have effected it by words so indefinite, leaving the inhabitants of Calcutta completely at the mercy of a delegated power ? I ask if any thing so unconstitutional is to be found in our history, as delegation by parliament of so high a trust, in terms not clearly and precisely defined ? If there be a justifiable ground for exercising a power of taxation by delegation from parliament, it must be capable of being plainly stated, and not left to surmise, and conveyed in words so indefinite and unintelligible.

Chief Justice.—In what does the difficulty consist, in supposing that the right of taxation, or changing the laws of all conquered countries, possessed by the king, was after their charters in the hands of the Company, and that parliament might have left it there where they found it ?

Mr. Winter.—I never heard of a general undefined power of taxation so delegated, nor do I think that parliament could delegate it at all.

Chief Justice.—No delegation at all ? you just now read Lord Mansfield ; and when I called your attention to the sixth proposition, you distinctly admitted the right of the king to tax all conquered countries.

Mr. Winter.—Not after settlement ; but really, my lord, it is extremely difficult to go on with these repeated interruptions, and I shall do so much quicker if allowed to proceed without them.

Chief Justice.—We have only endeavoured to understand what it is you really do contend for.

Mr. Winter.—I consider that after a

conquered country is once settled, that no alteration in the laws can afterwards be made by the king alone, but only by the king in parliament ; there is no other recognized power in the state to alter such laws. The king alone cannot hold territories. (Mr. W. here quoted from Lord Mansfield's judgment in *Cowp. Rep.*, 'Hall v. Campbell'). "If the king, &c." Here Lord Mansfield puts it hypothetically.

The *Chief Justice* denied this. (Some discussion, not material, arose about the use of the subjunctive mood.)

Mr. Winter.—At any rate, this cannot alter the general principle, that after the first settlement the country is amenable to parliament. (Lord Mansfield read again) ; and after the laws were once settled, the king was precluded from legislative power.

Chief Justice.—How was such legislative power precluded ? I say that, to make it parallel case, you must shew that India was a conquest of the crown, and was left to be governed by its own institutions.

Mr. Winter.—I say, that acts of parliament respecting this country have been too frequent to admit of a doubt that the king had precluded himself from all interference.

Chief Justice.—Nobody has said so. What I stated was, that if the power existed in the king at the time of the conquest, that after the first Bengal charter there was no great difficulty in supposing that it vested in the Company, and that the parliament left it where they found it.

Mr. Winter.—There is another case mentioned in Lord Mansfield's judgment (reads from the report). Now what I contend is, that when the king has once given laws to a conquered country, and made it amenable by a charter, or directed by what mode it shall be governed, that he has then precluded himself from interference ; that he is *functus officio* as to his power of legislating independently of the parliament, and that nothing can be done to change the laws but by the interference of parliament ; and that where a country is still held by power of arms, even then he cannot have power to legislate partially, nor to do any thing contrary to the general system ; or, in the words of the sixth proposition of Lord Mansfield, "he cannot make any new change contrary to fundamental principles." The proposition I set out with is not deviated from nor shaken at all by the case I have cited ; and I therefore submit that the principles suggested as to the prerogative is not applicable here. The king has parted with that power, if he ever had it, by giving a constitution to India ; he has pointed out how that country was to be governed, and he cannot, neither can his representative, the Governor-general, do any thing in the way of legislation. It is by act of parliament that the powers of the Company have

have been conferred, and those of the Governor-General marked out. Let us only look to what extent it might be carried, if this principle were admitted, supposing that the "necessities of the country" required larger revenue. An income-tax might be levied, oppressive in its amount and inquisitorial in its operation. Had parliament delegated a power so enormous, can it for a moment be contended that that intention would have been left to be collected from the general object of an act, and the uncertain construction of vague and indefinite words? Can it be supposed that, if the legislature had intended to convey to the Governor-general and council a power of taxation, limited only (as was stated by high authority here) by their own moderation,—if such were the intention, I ask if it is probable that an act would have been passed with words slipped into it as if by accident, and that under such loose and indefinite words a power so enormous, so liable to be abused, and so unheard-of, should have been created? Let us look into the reasonableness, the probability, of such an assumption of undefined power, and not be driven away by difficulties about taxes that have been levied under acquiescence. If your lordship decides that such taxes were legal, I will quit that ground and maintain the other, namely, that the words "other taxes" relate only to duties of customs. If the power be undefined as to one tax, it is equally so as to another; there is no more reason why, if under these words a stamp-tax is sanctioned, an income-tax, or any other is not equally so; but if the intention had been to convey the power of unlimited taxation, the preamble would have been of a very different nature; it would not only have stated the necessity or defined the power, but would have conferred it in unqualified terms. The preamble of the 33d, for example, has for its object the imposition of assessed taxes having a local object and natural limit. (Reads preamble.)

Chief Justice.—What distinction do you draw between the words "making provision for the good order and civil government of," &c. and the words of the title of the 53d?

Mr. Winter.—There is not much, indeed, to be deduced from the words of the title of an act of parliament.

Chief Justice.—But what inference do you draw from the distinction you seem to seek to establish?

Mr. Winter.—I certainly think there is a distinction (reads from section of 33d Geo. III.): "appointment of scavengers for cleaning the streets," &c. Here there is obviously a local object. Then only observe, when they come to speak of the tax, how cautiously they define and limit the power of the Governor-general in

Council, authorizing him "to make assessments on houses, &c. according to the true and real annual values thereof, so that the whole assessment in any one year shall not exceed the proportion of 1-20th part of the annual value." And further, it is then limited, if an increase should be necessary on urgent occasion, it is not to exceed in any one year the half part of the amount of the ordinary annual assessment. Why such care taken, when a power was given for levying a tax for the good order of the town, contributing to the comfort and convenience of all the inhabitants, and, as in this case, there was no object of assimilating those within the jurisdiction of this court to those who were without? It might have been under the 13th Geo. III. considered the government had in their power to impose such tax for good order and civil government, without express authority from parliament for the purpose. I submit that the object of the 98th section was only to give power to levy the duties of customs that previously prevailed without the jurisdiction, and were legalized by section 25, in persons within the jurisdiction, and that there is no reason to believe that there was any intention to extend the power of taxation beyond the defined objects, "duties of export, import and transit." As to the words "in as full, large and ample manner," there may be a difficulty in deciding how far they extend; but the words "other taxes" have not constructively the import of general taxation consistent with the context; and if it be contended that these words confer a power to impose any tax to any amount at any time, I say it is a power which cannot have been delegated to the Court of Directors and Board of Commissioners. It never could have been so intended.

Sir E. Ryan.—It strikes me in this way: by the 25th section of the 53d Geo. III. the Governor-general may impose taxes, and then by section 98, we have the words "as he may now lawfully do;" putting the two sections together, he would of course have the power of taxation over other persons.

Mr. Winter.—I feel all along considerable difficulty in that point as to the power of taxation in the Mofussil after the abolition of the sayer duties. After the strong observations of your lordships, and the questions as to these matters having passed into the accounts laid before parliament, I shall not urge more on that point. But, admitting it to be so, as the object of the 53d was merely to place those under your lordships' jurisdiction in the same condition as to those taxes as those without it, the preamble would have run: "and whereas it is expedient that the Governor-general in Council should have power to impose on British subjects, and all persons within the jurisdiction of the court, all such taxes as he now

now has power to impose on those without it." But here is a statute which in no one place gives a power to levy new taxes other than duties of customs and transit. The 25th section says: "no new duties," &c. It is obvious how it became necessary to pass the other section, because there was no authority to levy such duties of customs on persons within the jurisdiction; that is the fair exposition. Supposing the argument as to the illegality of all taxes levied before the 53d to be too strong against me, then we come to a clear object of the statute, which, having in the 25th section recognized duties and taxes of customs and transit to be levied on persons without the jurisdiction, proceeds, in the 98th section, to state that the Company shall not impose such duties and taxes on those within the jurisdiction, without the sanction and limit therein before expressed as to those without. I am quite ready to do, what has been suggested by the court, *viz.* to argue these sections, the 25th and 98th, as distinct from and unconnected with the 99th section; the one giving the power to impose taxes merely, the other that of enforcing them. In this view, it occurs to me to regard the protection afforded by the 98th section to the subject, and in doing so it is impossible to maintain that the words "other taxes" convey a power of unlimited taxation. It is as inconsistent with the construction of acts of parliament, as it is repugnant to the spirit of our constitution, to suppose that such a power can have been so conveyed. I shall now cite an authority as to the construction. In a case in Cowper's Rep. (*Rex v. Cooke*, p. 26) it is thus stated in the margin: "Where by statute a special authority is delegated to particular persons, affecting the property of individuals, it must be strictly pursued, and appear to be so upon the face of their proceedings;" and in that case Lord Mansfield said: "This is a special authority delegated by act of parliament to particular persons to take away a man's property and estate against his will; therefore it must be strictly pursued, and must appear to be so upon the face of the order." This general power of taxation, as contended for under the words "other taxes," is undefined and unheard of: Parliament has often given to corporate bodies power to levy taxes; as, for example, the assessed taxes of Calcutta; but always clearly defined and cautiously limited: and I do maintain, therefore, that the legislature could never have intended, by mere loose and indefinite words, to convey an unlimited power of taxation. The case I have just cited is only one out of many of a numerous class of cases in which the language of acts of parliament, imposing a burthen or penalty, must be strictly construed with reference to the purview, and that the meaning can-

not be otherwise got at than by fair construction with reference to the object of the enactment, by which means we may arrive at the intention of those who passed it. To me it seems impossible that any other intent can be gathered from the language of the 98th section 53d Geo. III. than that of placing those within the jurisdiction on the same footing with those without it in regard to duties of customs and transit authorized by section 25.

Chief Justice.—Except that it gives additional privileges to the government with the sanction of the Board of Control and the Court of Directors as to those within the jurisdiction.

Mr. Winter.—I do not know but we are justified in construing the words employed in the 25th section to apply as well to those within the jurisdiction as to those without: they are large enough to apply to all; and then with regard to those within the jurisdiction, it seems that doubt were to be removed, and that they were to be placed in the same situation, as to the duties mentioned, as those who were without, so that they were to go along, *pari passu, equali gradu*; the powers as to both requiring the sanction of the directors and approbation of the Board of Control.

Chief Justice.—Previous to the enactment of any regulation imposing taxes, it must be sent home for those sanctions; so that it is not the government that imposes the tax in point of fact.

Mr. Winter.—Yes, my lord, but it may be questioned whether the regulations required to be sent home are not of the same nature, in both instances, under the respective sections 25th and 98th, and whether they do not relate to duties and taxes of export, import, and transit only. The power given to levy a tax under the 33d Geo. III. is very strictly limited, and clearly defined to be for the purpose of cleaning and repairing the streets, &c.: now if, in this case, where there was no temptation to abuse, we find the power so strictly guarded and so clearly defined, is it possible to believe that in this more important case of unlimited taxation it would be loosely expressed and left to conjecture? Lord Coke (reads) *vel in aliis curiis*, &c.: these words were held comprehensive of the Supreme Courts, because otherwise they would have been inoperative. But the words "other taxes" have an application; there are various duties not strictly custom duties, which would be included under that head; especially when you add duties of transit; a toll, for example, in passing a station on a river; and as to these, the words "other taxes" would put away doubt. The case of the sheep does not apply; if the word "lambs" had been omitted, then it might have been argued that "other cattle" included them; but as these words were used, they were words of no meaning; but the words

words "other taxes" here are capable of being used with a meaning which can be assigned; but if not, I apply the argument used in the case of the sheep, and say that they must be rejected altogether. But I shall not detain your lordship any longer with this branch of my arguments; I think it never could have been contemplated to confide an unlimited power of taxation where the amount of revenue had been fixed and determined.

Chief Justice.—Surely, Mr. Winter, you do not mean to say that the amount of the revenue of this country is fixed and defined?

Mr. Winter.—I mean that the revenue is fixed as to its sources, and that the maximum is known; but I really feel that it is useless for me to go on if I am to be treated with contempt, and my arguments received with derision.

Chief Justice.—I do not know why you assume that endeavouring to understand your arguments is treating you with contempt. When you talk of a maximum of Indian revenue, I am free to confess I do not understand you.

Mr. Winter.—My lord, I used the words to the best of my judgment; I think the maximum may be known, though the minimum cannot be fixed.

Chief Justice.—I shall be exceedingly obliged to you if you can inform me, between this time and to-morrow morning, where I can find what that is which you say has been fixed.

Mr. Winter.—I do not mean to say that the precise amount is fixed, but that a maximum is certainly contemplated as derivable from the fixed and known amount of the revenue.

Chief Justice.—Do you mean to say that there is any maximum, any amount beyond which the Company cannot go on increasing their revenue? If so, I shall be obliged by your directing me to any authority, for I know of none; on the contrary, the legislature has provided expressly for a surplus revenue.

Mr. Winter.—Your lordship will find that in the provision for the surplus there is an intimation of doubt as to the realization of a surplus; and they go on to say what shall be done with the funds from time to time, &c., when not sufficient for all the purposes contemplated in the letter of the Directors of 29th Sept. 1792. The land is considered as almost the only source of revenue. "It is fixed for ever." (In answer to an observation from the Chief Justice): But still the revenue is certain in its nature, if not in its amount; and whenever the Company were in difficulties, the public claims were allowed to stand over, allowing the dividends to be paid out of what was likely to be the receipts, and foregoing the claim of the public for a season; and this could not be, if something like a maximum were

not contemplated, beyond which the receipts could not amount.

Chief Justice.—I now understand that you merely mean to argue that the sources of revenue are fixed.

Mr. Winter.—I use that as an argument to shew that a maximum is thence capable of being estimated as the produce of these fixed sources; that is my meaning in speaking of a maximum. I might perhaps have used another term to convey my meaning better, but I think I have made myself intelligible. I proposed in the outset to shew, that if this regulation is authorized by the statute, the registry of it was not authorized, inasmuch as the statute has perfected the law under which it has authorized the duties extended by it; but since your lordship considers this a remedial statute, which goes far beyond what I contemplated, I think it necessary make some observations on this point; and I beg to refer to the case of "Lowther v. the Earl of Radnor," 8 East. In the statute as to labourers, relating to the recovery of wages, 20th Geo. II., the act goes on to say, after specifying certain classes of labourers, "other labourers," and a great deal of argument arose as to the construction whether these words could include all labourers; the only reason why that construction was admitted, was that it was beneficial to all classes of labourers to whom it was intended that the remedy of the act should extend.

Sir E. Ryan.—You cite that authority, regarding it still as a penal statute?

Mr. Winter.—I think the case applicable *e contra*, shewing the reason of construing these words "other labourers" so as to include all, that it was meant to be beneficial to all; a case very much in point, for here a certain description of tax only is named, and then we have the words "other taxes." It was held by Lord Ellenborough, that the words "other labourers" could not have included all classes, coming as they do after classes specially named, except it was beneficial to those to whom it would be extended, and considering it to be beneficial to all, and that all were within the intention of the act, he held it might be extended to all; and with this observation I conclude that portion of my argument which refers to the words "other taxes." I now proceed to the 2d division of my subject; and I shall endeavour to shew your lordships that you have no authority to register this regulation, even if it be a regulation authorized by the statute; supposing it to be so authorized, I submit that the authority is complete without the interference of this court. The statute has given such authority complete in itself without the necessity of registry; and on this head I would first draw your attention to the 99th section, as distinct from the 98th.

Sir

Sir E. Ryan.—(Understood to say that in that case the registry would not affect the regulation at all.)

Mr. Winter.—That may be so, my lord, but it can hardly be supposed that all this argument would have arisen, and that it should have been necessary to assemble in such array before your lordships, to combat a shadow. It can scarcely be enough to justify your lordships to say, that it does not matter, for your registry can do it no good. It would not be going far enough to leave the question there; for I should still call on your lordships not to give your sanction, although it might not give any effect to the law; I should call upon you not to interfere, and not to sanction by your authority, a law which does not come within your province, and which you are not authorized to approve. I again request your attention to the 98th section, and should I fail, and my learned friends with me be equally unfortunate, in shewing that this is not a tax authorized by that section, I then come to the 99th section improving the imposition of fines. I submit that the 98th section which I have just read is one which points out how the tax is to be imposed, viz. in the same manner as directed by section 25. I will now go back to the 25th section for the purpose of shewing that sanction is to be obtained (reads from section 25th), and I submit that parliament has under these two sections pointed out what is to be done for the purpose of imposing taxes; the power is authorized by the statute without reference to any other aid than what is derived from the sanctions required, when an act of parliament has clearly pointed out what is to be done, and under what sanction it must be inferred that the law is perfect, and no other matter is contemplated as necessary to be done for its perfection. Here it is quite clear that it is intended by the 98th section to make a perfect law, with the sanction and approbation required; had it stopped here, and the government of this presidency had brought into court a paper for registry containing only that law so sanctioned under the 98th section, and then another regulation imposing the fines, I should have no hesitation in saying that the first could not be registered here. But I admit it is more difficult to contend against registry under the 99th section; let us look however at the word (reads 99th section). "it shall and may be lawful, &c." "in as full and ample a manner as such Governor-general in Council or Governors in Council respectively may now lawfully make any other regulations or impose any fines, &c." If it be the fashion to construe all parts of this act with such a latitude of general interpretation, why then it may be said that it leaves it open to the Governor-general to make regulations for fines and penalties in either way, either by

registry here or according to the mode of passing regulations as to the Mofussil. But if he have such authority as to the 99th section, it cannot exist as to the 98th; and connected as they are, I shall endeavour to establish that if the 98th section requires no aid neither does the 99th.

Chief Justice.—(Not heard.)

Mr. Winter.—Why, my lord, if I can shew that the Governor-general has power to impose duties, with the required sanction, without registry, then he need not come into this court as to the matter of the 98th section.

Chief Justice.—(Not heard.)

Mr. Winter.—I do not know that your lordship would allow regulations under acts of parliament to be registered merely to inform the public: the object is appeal. It is obvious that it was the intention of the 98th section of this act to give a power to levy taxes from which there should be no appeal, and that the required sanction should be sufficient. The law is perfect in itself with that sanction; and your lordships will not go so far as to say that you will register this regulation merely to give that right of appeal which does not appear to have been given by the statute, or to have been intended. My argument, I find, must necessarily embrace both sections. Be it remembered that the power of registry was only conveyed by the 36th section of 13th Geo. III., afterwards extended by the 39th and 40th Geo. III., in no very lenient spirit towards the subject; for by one of the sections of the last act a gentle whipping is the moderate punishment which may be inflicted for non-observance of the regulations; there is no other authority. Then let us look how far the power of the 13th Geo. III extends (reads claims relative to registry.) The Governor-general and Council have power to make and issue such rules, orders, &c. for the good order and civil government of the settlement at Fort William, and factories and places subordinate, as shall be deemed just and reasonable (such rules, ordinances, and regulations not being repugnant to the laws of the land), and to set, impose, inflict, and levy reasonable fines and forfeitures for the breach or non-observance of such rules," &c. Now the first question that would arise here is this, whether this regulation is such, as far as it relates to the 98th section (consistent with the view of the statute 13th Geo. III.) as can be said to be for the good order and civil government of Calcutta, and consequently such as your lordships can register. A question may well arise, I think, how far a regulation for raising revenue, passed under the provisions of the 98th section, can be considered to be—

Chief Justice.—The latter part of the preamble of the 33d states that the assessed

essed taxes are for the purpose of cleaning the streets, &c. (rest not heard.)

Mr. Winter.—I think it would be carrying it too far—(not heard.)

Chief Justice.—I can hardly suppose, if it were not for the good order, &c., it would proceed to vindicate penalties.

Mr. Winter.—It is for your lordship to decide; but I do not believe it was contemplated to give your lordships any power of control over or deciding as to taxes; the 98th section is perfect as a law without other than there enacted. It never was thought necessary to delegate, it never could have entered the mind of any one to delegate a general power of taxation, so as that your lordship should have to sit in judgment whether it were properly exercised or not. Courts of justice are not the proper places in which the authority of the legislature as to taxation can be exercised. I therefore submit that, if the act of parliament does not define the authority, it cannot have been intended to delegate to any other than the authorities named the power to decide on the imposition of the taxes authorized by the 98th section, which power would be assumed in the exercise of that of registry. Now if the 98th section cannot be interfered with by your lordships, the fines and penalties to be levied under the 99th section do not relate to such rule and ordinance for good order and civil government as this court can consider within its authority. Take away your lordships' authority as to the 98th section, and how can you support it as to the 99th? If it does not exist as to the one, it cannot by relation arise out of the other.

(A great deal of discussion followed between the bench and counsel as to the construction of the 100th and 107th sections, in which the Advocate-General joined, and seemed to entertain a different opinion from the judges as to the interpretation to be put upon these sections.)

Chief Justice.—When they make a European subject in matters of revenue, to say that this right is confined to individuals, and that in a dispute between him and the Company's officers about revenue laws, they could not, under these words, under the plain construction, sue him in the Mofussil courts; to say, no, we cannot sue; the clause does not give us the power; we must file an information in the Supreme Court, and bring you down 1,000 miles, really appears to me a very extraordinary interpretation of the act.

Sir E. Ryan.—A British subject may sue them, but cannot be sued, in the Mofussil Court.

Advocate-General.—That is a very different case, my lord, whether may sue in, or be amenable to, the Mofussil Court; with submission I would observe, that an

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act of parliament is not to be considered in clauses.

Sir E. Ryan.—Then you mean to contend that governors cannot sue a British subject in the Mofussil Courts for a breach of the revenue laws?

Advocate-General.—I do, my lord, broadly, on the ground of practice and experience for ten years; and this act has been so construed by the ablest of my predecessors, Mr. Spankie and Mr. Fergusson. Allow me to remark, that where there is a preamble, and words following, to satisfy the scope of it, you must dispose of the whole before you can say that the intention is satisfied—(not distinctly heard.)

Chief Justice.—Do you mean to say that a British subject beyond the jurisdiction has no protection whatever, but the power of the government, and has no remedy; and that in the instance of a British subject who came before this court to apply for his discharge—(mentioned some case, not distinctly heard.)

Advocate-General.—That, my lord, was before a criminal judge; this is a civil matter. I never did contend that a British subject was not amenable to the criminal law.

Chief Justice.—It is unnecessary to argue this at present; I am only now debating whether the court has the choice of registry or not. This discussion arose out of the consideration of the 107th section. I am still of opinion that a British subject is liable.

Mr. Winter.—Your Lordship will find by the 99th section that the mode of proceeding by indictment is specified, and the power is clearly defined as to the remedy for enforcing the tax. You will find it distinctly pointed out how the party offending is to be proceeded against. The 99th section gives the power to inflict and levy fines, to be recovered by indictment, information, or suit; both the 99th and 100th section point out the remedy; now this is not done in the 19th Geo. III. section 36, and the statute being silent as to the remedy, it is necessary, in regulations passed under that statute, to prescribe the manner of proceeding against the party for the fines and penalties; and in the regulation with reference to the press, it provides how the fines are to be recovered. Here, under this 99th section, the remedy is complete, and no prescribed forms are necessary to be provided; it leaves it to your lordships' court to judge of the reasonableness of the fine or penalty, and to decide accordingly: it is clearly pointed out how fines are to be recovered, as well by the 99th as by the 100th section. Taking these sections together, they clearly point out and direct what is to be done for the recovery of fines and penalties. There is another question for your lordships'

ships' consideration. If it be revenue that is to be raised by this tax, your lordships' jurisdiction is perhaps excluded altogether by the 21 Geo. III. There is an inconsistency also which must be noticed: if you are to confirm this regulation by registry, the consequence will be the creation of a collateral jurisdiction, and that which is to be punished "as the act directs," under the 99th and 100th sections, may also be punished under the 39th and 40th Geo. III., as a consequence of registry (Mr. Winter here read from the 13th Geo. III. and 39th and 40th Geo. III.): the latter, you see, gives power to two magistrates to order such moderate or reasonable corporal punishment, by public or private whipping or otherwise, as to them shall seem fit, for non-observance of any regulation. Now if you register under the 13th Geo. III., the 39th and 40th Geo. III. must also come into effect, whereby any one of us may be subjected to a moderate public whipping, at the discretion of the magistracy. I do not mean to impute to your lordship any thing so cruel in intention as the desire to give effect to such a punishment; but still to the disgrace of the statute-book it is here, and may be acted upon; and the consequence of your allowing of registry in this instance will be, that you will give effect to a power to inflict the moderate correction of a "gentle whipping" for non-observance of these regulations.

Chief Justice.—There are fifty other regulations in which it would be just as legal to authorize corporal punishment. I know that all power may be abused, but it must still be confided somewhere.

Mr. Winter.—That those who gave the power conveyed by the 99th section meant to include all power given by former acts, cannot I think be contended, and it is not clear to me whether the regulations mentioned in 13th Geo. III. do in fact go beyond the public good order and civil government of Calcutta, as matters of police; and when such an act as the 53d Geo. III. is before you, I say you must look to the intention in passing the respective sections, and consider what may have been intended to be enacted by each with relation to the other, and not move a step further than the statute itself for support *aliunde*. Where a statute is complete in itself, why call in the aid of another not noticed or referred to by the enacting statute? if you do, you must follow up the principle altogether, and the offending parties must be subject to the magistrates as well as to this court; as well to fines and penalties under your lordships' sentence, as to moderate flogging under that of the magistrates. I am quite sure your lordship will not lend your aid to a power so alien to British feeling. I submit that where there

are two statutes in a like matter, it is not usual to uphold the former, but to consider the latter as a virtual repeal of its predecessor; that it abrogates it, and the two cannot subsist together. (Mr. W. here cited East's Rep. '*ex parte Carruthers v. Greenland Fishery*,' and noticed the cases referred to in that report.) Now as to the matter before your lordships, a former statute, 13 Geo. III., has said, you cannot perfect your law without going into the supreme court. This statute, the 53d, says no such thing; and I say that it is obviously unnecessary. There is not an instance of any regulation "for collecting duties of customs in Calcutta" having been registered in this court, not one; and registry under this act 53d Geo. III. has never been thought of till now. I say it is unnecessary and unauthorized; the reasonableness of the fines or penalties is the true protection, for fines not reasonable could not be recovered before your lordships. It is also important, in a case where it must be questionable how far it could be the intention of parliament to give a power to a delegate of unlimited taxation, that your lordship should cautiously deliberate ere you decide in favour of a registry, by which you sanction a power to levy taxes in the unlimited manner contended for. In all cases where the rights of the subject as to person or property are abridged, the law ought to speak plainly, and should be capable of distinct interpretation; and in my opinion the statute 53 Geo. III. has done so as to the penalties, and the means of enforcing them. It has clearly pointed out the form and the remedy, and it did not intend to give a right of appeal other than from your lordships' judgment; a right before inherent in the proceedings of your lordships' court. If an appeal had been intended, it would have been signified in a more distinct and appropriate manner, and clauses of appeal would have been inserted, with a limited time, so that in case sanction and approbation had been given to that which was not legal, a timely remedy might be applied to the mischief. But the object of this act was to perfect the power conveyed by it, without allowing it to be disturbed by appeal or otherwise, out of the ordinary course of law; and that your lordships should register merely to give a right of appeal, is surely taking more upon yourselves than the statute authorizes: and of what use could it be as a protection? for clearly there can be no jurisdiction exercised by your lordship over the 98th section; and if the fines should be unreasonable, they would not be recoverable in any case; no verdict could be obtained, or if obtained, your lordships would interpose and shelter the party from its effects. I will now avail myself of
your

your lordship's kindness, and defer the next portion of my arguments till to-morrow.

Chief Justice.—Yes; you may consider the different clauses of the regulation, whether not all authorized by precedents at home. If they are taken from acts at home, it would be extremely difficult, I think, to say in what the repugnancy to the laws of Great Britain consisted.

Advocate-General.—My learned friend, Mr. Clarke, thinks I said that a British subject could not bring an action against a native in a Mofussil court; but I did not say so.

Chief Justice.—I understood you to say that a British subject could not sue.

Advocate-General.—No, my lord; I said that the Company could not bring an action against a British subject in a Mofussil court, though an individual might.

Chief Justice.—You acknowledge, then, that there is a general jurisdiction; but that leaves the question whether British subjects amenable in all other cases shall be amenable in this.

(The *Advocate-General* here made some reference, by way of illustration, to the case of a person in England sending instructions to prosecute here, though not himself liable to the jurisdiction; concluding with mention again of *British subjects*.)

Chief Justice.—British subject! A great deal of mischief has been done by not adhering to the plain construction, instead of seeking for remote inferences in preambles and clauses of other acts, and attending to strained interpretations and mere individual conjecture.

The *Advocate-General* hoped his lordship would not condemn any one as relying on conjecture till he had had the opportunity of being fully heard.

The court then adjourned.

Second Day, July 4.

Mr. *Winter* resumed as follows. Before I enter upon the third ground of opposition to the registry of the regulation, I would draw your lordships' attention to some authorities in favour of the position for which I contended yesterday, with reference to the construction of words used in acts of parliament. In 1st Plowden, p. 10, after observing as to the construction of the statutes 36 Edw. III. c. 11, and 45 Edw. III. c. 4, it is thus argued: "which proves that where the words of a statute are general, as they are in our case, all things which are within the general words are not taken as the purview of the statute; but such things as the matters of the statute meant, so that the intent of the legislature is the judge of the words, and shall abridge the generality of them. So, in our principal case, the minds of the legislature ought to be observed in this statute." It is

also laid down in p. 57, same volume thus: "We have a learning in our law that if the terms and letter of any statute are obscure, and difficult to be understood, we ought to have recourse to the intent of the matter, and thereby we shall come at the meaning of the letter." And in another passage in the same page, it is thus laid down: "so that the intention of the legislature is to be sought for in the exposition of ambiguous words of statutes, and the letter shall be aided by the intent: the words then being doubtful here, we must inquire into the intent of the legislature." I will also read another passage in the same volume, p. 363: "For, as it has been said before, that such construction might be made of the words of an act of parliament as may best stand with equity and reason, and most avoid rigour and mischief." And again, at p. 964, commenting on the word *heirs*, as used in the statute relating to fines: "the word *heir* ought to be intended heirs of full age, &c., so that discretion in the exposition of a statute always mitigates the violence of the letter." And at p. 364 it is thus: "So it seemed to them (the judges) who argued on this part, that the word *heirs*, limited in the statute for pursuit of the right, shall be intended heir of full age, and that such sense of the word is most consonant to equity and good reason, as well as to the common law before the statute; and that by such construction the mischief and rigour which would otherwise follow will be avoided, and that they might well enough have made such construction of the word if there had been nothing else in the statute in favour of it." But they said further: "when one branch of an act is obscure, it is usual for those who expound the act to examine the other branches: for we may often find out the sense of a clause by the words or intent of another clause." And again: "if one should only adhere to the letter of the statute and not have recourse to a reasonable sense or intent beyond the express letter, we should by such kind of exposition introduce many absurdities." I shall now proceed to endeavour to shew that this regulation submitted for registry is not such as your lordship can register. I know not how, if this is a case so plain that in no one point there could be room for doubt, it happens that there has been so much of error in every stage of the proceedings. It seems to have been put forth under doubt and uncertainty; in fear and trembling. I know not how to account for the vacillation attendant upon so important a measure of the government. It may be that either the unfitness of the measure, want of knowledge as to its consequences, or want of leisure as to its details, has occasioned it; but

but there certainly never was a case on which so much ignorance of what ought to be done was displayed.

Chief Justice.—That is rather too broad to state, of those who framed this regulation, that they have been in uncertainty as to all points connected with it. That is a wrong impression; for I will take upon myself to affirm that there has been no uncertainty except in respect to the necessity of registry. When you speak, therefore, of uncertainty, you should confine yourself to that point.

Mr. Winter.—I did not address your lordship as Governor-general, but as judge, to whom the duty belongs of deciding when they shall have heard. Counsel cannot be presumed to know that your lordship has had anything to do with this measure out of court, or that you have in any measure interfered extrajudicially.

Chief Justice.—If I had not thought it absolutely necessary, I should not have taken upon me to correct the error. What I stated was, that the only uncertainty in the case is that about the registry; and that, in stating that there was any on any other point, you are entirely unsupported by fact.

Mr. Winter.—It is very inconvenient to have observations interposed which cut short a proposition. When I say that this regulation has been put forth in ignorance and uncertainty, that it has been one of the most uncertain measures I ever knew, I mean that those with whom it has originated, who have framed it and brought it forth, have not known how it was to be established, have been ignorant in what manner it should be carried into effect, and have been in doubt how to enforce the penalties. To this very time they have laboured under uncertainty as to the measures necessary to make this regulation law. I certainly was not aware that your lordship had any thing to do with advising this measure; I have the greatest respect for your lordship's decisions, both in court and out of it; but I could not be aware your lordship had advised this measure: if, however, you have, in the exercise of a sound judgment, advised what you may have considered requisite in order to correct an error, that does not affect my position, and I shall still be able to show that there has been uncertainty.

Chief Justice.—I say, that the general statement of uncertainty is unfounded; no such uncertainty ever existed except as to the registry.

Mr. Winter.—I still say that there never was an instance in which so much uncertainty was manifested. On the 14th December 1826, the Vice President in Council passes a regulation for levying stamp duties within the town of Calcutta, to be in force within the said town of Calcutta from and after the 1st day of May next ensuing: thus giving out that it was

to come into operation in May 1827. In April it is put forth as law, and then it is doubted whether it can be enforced, and it is thought fit to inform the public that stamps will not be required for receipts under 32 rupees, the regulation having imposed a duty upon receipts for the lowest sum, even for an anna. The government is petitioned by the public not to carry a doubtful law into effect. It hesitates, and the law is suspended, for the 1st of May arrives, and the regulation remains inoperative. It has not yet been enforced; and at last, two months after it was to have come into operation, we are discussing whether it can be sustained as law, and whether it can be registered in your lordships' court. Why was the question left in doubt? Why has the regulation slept so long if there was no uncertainty? I do maintain, that there never was any act of government promulgated about which so much uncertainty has prevailed. It is not yet decided whether the regulation has the authority of law; whether it can be supported under the statute. The dates stare me in the face; I cannot mistake them. On the 14th December 1826 the regulation is passed, and it is not till the 14th June 1827 that they are advised what is necessary to be done with this regulation to make it law. Then in what shape can the court entertain it, now it is before it? They have not taken the pains to separate the 98th and 99th sections, and make two distinct regulations, as they ought to have done: for the subject-matter of each is wholly distinct. For as your lordship thinks that the matter for registry cannot come under the 98th section, but that it is the 99th only which you can act under, that alone relating to the fines and penalties, I maintain that you cannot have any thing to do with matter passed into law under the 98th section, for there the law is clearly perfect with the sanction and approbation of the Directors and Board of Commissioners, and presuming them to have exercised their authority according to the direction of the statute, it would be a new era in legislation that the judges should be deciding legislatively as to the discretion exercised by those authorities. It cannot be contended for a moment that there is: there cannot be any control over the imposition of taxes authorized by the statute. As soon as done with the sanctions mentioned, the law is complete, and the mention in the regulation that such sanction has been obtained in referring to the 25th section, to be received as evidence of the fact. Your lordships have clearly no jurisdiction under the 98th section. It can only be then with reference to the 99th, as to the fines and penalties, that you can interfere. But I say they are sufficiently provided for in the 99th section, which provides a remedy by indictment

ment, information, or suit, for recovery of the penalties. Then which power have your lordships? all is done—what more is required? The statute merely says, as to the fines and penalties, that they shall be imposed by the Governor-general, not with the sanction of the supreme court, but that he shall impose. &c., and then that they may be recovered in the supreme court. Then where, I ask, is your lordships' power to register? Registry may give the right of appeal against what is illegal; but that is no more than the party would have here in this case without registry, when the government come into this court to enforce the penalties. The liability of the party prosecuted, and the reasonableness or otherwise of the penalty, would be all open for defence and appeal from an unjust decision. I say that the regulations for imposing the tax and enforcing the penalties ought to have been kept distinct and separate; they have distinct objects in view; and if registry be necessary at all, the regulation submitted to this court should have been in this manner: "Whereas on such a date a regulation was passed by the Governor-general in council, with the sanction, &c., and whereas it is necessary that certain fines and penalties should be enacted for the purpose, &c.; be it therefore enacted, &c." It would then come in an intelligible shape before your lordships, as a distinct proposition relative to the fines and penalties. As the regulation is now framed, it requires you to approve of the imposition of the tax as well as of the fines and penalties. Keep the latter distinct, and we shall then see how far the regulation as to fines and penalties be such as can be registered in your lordships' court. If you register that part of the regulation which relates to the imposition of the tax under the 98th section, you give the inhabitants a right of appeal from the imposition of it: a right of appeal is the chief object of registry in your lordships' court; but it is clear from the 98th section that it was not intended that the law perfected under the directions of the 98th and 25th sections should be appealed from. The regulation as to the imposition of the tax has a higher sanction than this court can give it; viz. the Board of Control and Court of Directors. Your lordships' interference would, it seems to me, be unnecessary, uncalled-for, and officious. I merely state this to shew the necessity of keeping the regulations for imposing and enforcing the tax distinct. If, however, notwithstanding all I have urged, your lordships think it right that this matter should come before you so confounded, and that you can register a regulation as to the matter of the 99th section, though the same regulation contains also matter authorized by the 98th, over which, I submit, you have clearly no

authority whatever, then I must direct my attention to the matter as I find it in this regulation; and I shall now call the attention of your lordships to those clauses which relate to the penalties, and which I think cannot be enforced here. Your lordships will not consent to register what is oppressive and absurd, no matter where it may come from, nor with whom it may have originated; and it will be an additional reason for caution to your lordships' mind, that you should be well satisfied that that, which you have advised the registry of, should be consonant to law; that what you have in a manner prejudged, should be established beyond a doubt; for you cannot have taken upon yourself to say that you could register this regulation whether—

Chief Justice.—I have not said that I advised the registry, but merely that the opinion that government had entertained any uncertainty, except on the point of registry, was unfounded. I should have considered it an act of imbecility if I had not formed any opinion on the legality of a matter, so much attended to by every body, and so much discussed; but I have not advised the registry, nor had any thing to do with the measure. My opinion was not asked about it, nor would it have been taken if I had given it. I held an opinion that the penalties could not be recovered without registry, and I expressed that opinion to one of the officers of government; but it is out of the question that I should have advised that registry—(something more not distinctly heard.) If you say the regulation should not be registered, you must say that government alone have the power to create these new offences for which the penalties are to be enforced.

Mr. Winter.—Yes, I have contended so both yesterday and to-day, under the act of parliament which I say has perfected the law as to its objects, and will not repeat my arguments; and I maintain to the fullest extent, that your lordships have no authority under the act; that it has given you no power to register. With submission, my lord, you will allow me to observe, that it is not possible for your lordship, in a case like this, to have formed a conclusive opinion till you have heard arguments on both sides, and the matter is sufficiently laid open to enable your lordship to come to a conclusion. A mere general opinion on the merits does not include a decisive judgment; your lordship, I am aware, will form an opinion, as rapidly as it is possible for any body to form one, and no one can entertain a higher respect for the opinions expressed by this bench than myself; but you will still, I trust, give an opportunity to the bar of being fairly heard, and of illustrating the arguments they may advance in support of their

their positions, before you decide ; otherwise the bar is of no use, and judges might in all cases decide without hearing counsel, if the bench should by its prejudgment signify that it is no longer open to conviction.

Chief Justice.—I do not say my mind is not open to conviction; I say I have formed an opinion, and it was impossible not to have done so ; but I mean to hear all that counsel have to urge, and it is not impossible that their arguments may change my opinions. To this extent, I say, I have formed an opinion, and no further ; and this was unavoidable.

Mr. Winter.—No doubt, my lord, my observation has been wholly directed to the peculiar situation in which I am placed, of having to argue against the bench, whose opinions I submit ought to be suspended till counsel have concluded, for otherwise the discussion becomes a contest in argument between the bench and the bar : and though I repeat that I have the highest respect for the authority thus opposed to me, I am free to acknowledge that I consider myself as capable of forming an opinion upon these matters as your lordship ; and in contesting the opinions opposed to me, I am not acting captiously, but merely discharging my duty to my clients. With respect to this regulation, as it stands before me, there are various matters in it which are quite incapable of registry. I know not how it came before your lordships in so questionable a shape. It may be that the authorities here consider that they must not touch it with profane hands ; that it has been sanctioned and approved by the authorities at home, and cannot be altered ; that it must be sent back if it be altered. My lords, I know not, and I care not, who is responsible for all this ; I take the regulation as I find it, or, in the words of a celebrated author,

“ Quoth Hudibras, alas what 'tis 'us,
“ Whether 'twere said by Trismegistus,
“ If it be nonsense, false, or mystic,
“ Or not intelligible or sophistical.”

If I can point out that the regulation is inconsistent, mystified, unsound in principle, and erroneous in application, your lordships will not give the force of law to what is so faulty in its composition, and so confused in its details. I begin with a most decided objection to the clause which mentions the penalties for breach of the rules to the vender of stamps, and gives the power of fixing to a body not existing as a court of law, and not recognized by the law, indeed to the officers of government itself, the collector, for instance, and the Board of Revenue. (Reads the 6th paragraph, 9th section). Now, I maintain that you cannot give the sanction of this court to a clause which would put it in the power of persons exercising their individual judgment in the case to inflict

an unlimited fine. “ Shall further pay such daily fine, &c. as the Board of Revenue may direct.” Such a power would be highly dangerous to the liberties of the subject. It is in vain to say that the fine must be recovered by proceeding in your lordships' court ; the timid native, we all know, is not very likely to resist or complain before your lordships, when he knows that he has been fined under a law sanctioned by your registry. It may be said that a case of this kind is not likely to occur ; for the honor of the civil servants of the Company, I hope it never may : but the regulation, if it pass, will authorize the execution of such a power, and may give rise —

Chief Justice.—In case of fine for so many days, there is a mere power of — (not distinctly heard). In all the bankrupt laws it is the same ; by the 60th Geo. III., sec. 16 (quotes from the statute).

Mr. Winter.—Whether that be imposed under the bankrupt laws, I know not.

Chief Justice.—It is expressly given as a check.

Mr. Winter.—I know that commissioners of bankruptcy have peculiar powers ; but then the statutes have defined those powers, and have not given them without limit, so as to affect either person or property ; and parliament has vested a competent authority with the commissioners as to the exercise of their functions.

Chief Justice.—The power is so defined here ; the fine is fifty rupees, and you will find much higher penalties in the excise law.

Mr. Winter.—No, my lord, the fine is fifty rupees and “ such daily fine ” as the Board of Revenue may deem fit to impose. There is no power under the excise laws to levy any unlimited fine whatever : the penalties are clearly defined, and are suited to each particular circumstance, not left, as by this regulation, to the arbitrary will of a government officer. (Something about going back to *Hudibras*, not caught.)

Chief Justice.—Not at all. The fine is fifty rupees, to be levied day by day ; and the clause, as I understand it, vests the Board of Revenue with a power to take the whole or less.

Mr. Winter.—I cannot so understand it ; but if your lordship is so decided on this point, it may be useless to say anything further upon it. I should not quarrel with this if it were a fixed fine ; but I do object to it as being without limit, and say it is such as your lordships cannot register, affording as it does a handle to great oppression. The same language is equally applicable to several other paragraphs of the regulation ; and I say that if the penalties are not precise and distinct, but admit of being made instruments of oppression by their unlimited infliction, they cannot be registered here.

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In the 15th para. of the same section the words are: "In case any vendor or distributor so removed or resigning shall refuse or fail to make over these accounts, &c. stores, and the balance of the accounts in cash, or any part thereof, he shall forfeit for such failure or refusal a sum equal to triple the amount in value of the stamps and money, &c., or together with such daily fine (until the papers so required are furnished) as the Board or other authority aforesaid may direct." Now to this unlimited power of fining, the court cannot agree, or for a moment support: the fine is treble the amount and value of the stamp and money; it may amount to many thousands of rupees. It is excessive and unreasonable, and on that ground clearly objectionable.

Sir E. Ryan here expressed an opinion that the words "such daily fine," in the 6th section, referred to the fine of fifty rupees; and asked if Mr. Winter meant to argue that they did not.

Mr. Winter intimated that he did contend that the words "and shall further be subject to such daily fine as the Board of Revenue may direct," was not limited by the sum of fifty rupees previously inserted in the clause; and that it did not refer to that fixed fine, but was left unlimited, and that such was known to be opinion of the government officers themselves.

Chief Justice.—It would be difficult, then, to refer it to any thing else.

Mr. Winter.—I am not apt to take up positions altogether incapable of being maintained, and your lordship will forgive me if I do not yield up to this. I say that it could not have been intended that it should be interpreted as suggested by one of your lordships, for if so, it would have been made clear; I should not have quarrelled with the amount, if it had been fixed to fifty rupees. It is not too much, perhaps; nor is it on that ground that I oppose it, but because it is not clearly expressed, and is open to vexatious interpretation. If it were altered, it might be made clear; but until it is altered it is so equivocal it cannot be registered.

Sir E. Ryan.—Had the words "such daily fine" occurred in the end of the clause, in immediate connection with the words "as the Board of Revenue may direct," then there might be a doubt.

Mr. Winter.—I am quite sure that if your lordship had framed the regulation you would have obviated these objections. But the regulation is before you with all its faults, and you will decide upon them. Even if I could admit the construction contended for, and could be content with the fixed fine of fifty rupees (if I could be in any way content with a regulation I altogether disapprove), still I could not be so with the other clause, which I have mentioned in paragraph 15th, section 9th.

Triple the amount or value might happen to be a very large sum: "triple the amount or value, together with such daily fine," &c.: does that daily fine refer to the fine of triple the amount or value? It must do so, or it is left unlimited, as the Board may direct. If the former, it is obviously excessive as a daily fine, for triple the value or amount may amount to many thousands; if the latter, it has no limit, and you cannot in either case authorize any thing so oppressive.

Chief Justice.—It certainly does refer to treble the value of the stamp; but if, after having incurred the first penalty, then it goes on to say, "he shall forfeit daily," &c.

Mr. Winter.—If it be so construed, my opinion is, that this fine is excessive. The misconduct for which the penalty is directed might be accidental for various reasons, and difficulties might occur to delay the delivery of the accounts; and still, if they were not handed over at the moment, the party might be exposed, not only to a fine of treble the value, but day by day to such fine as the Board of Revenue may direct; that is to say, either a daily fine of triple the value, or a daily fine of unlimited amount. I am quite sure that no one can doubt that this claim might be made extremely oppressive: because, if sufficient alacrity is not in all cases manifested, the unfortunate party is subjected for this new offence either to unlimited daily fines, or to a daily fine which may be of enormous amount.

Sir E. Ryan.—Does it appear how he shall be called upon?

Mr. Winter (reads).—"When the license shall be withdrawn, or the vendor shall resign, his office shall be forthwith delivered over," &c.

Sir E. Ryan.—Does it not require a demand to be previously made?

Mr. Winter.—No, my lord: "when the license shall be withdrawn," and so the office may cease, or when "the vendor shall resign;" these seem to be the determinate points, and it does appear rather hard that, without notice or conviction, the parties should be thus delivered over, without the means of redress, except from those whose interest it is to inflict the punishment.

(The *Chief Justice* observed that was the case in the stamp act at home, and Mr. Winter was understood to maintain the contrary.)

Chief Justice.—Then where do you find it?

Mr. Winter.—I have gone through Tyrwhitt and Tyndale's *Digest*, under the head "Stamps," a very able abridgment of the stamp laws.

Advocate General.—There is an act at home, in which if not the words the whole provisions are contained.

Chief

Chief Justice.—It is not the amount of the fine, nor the dubiousness of it, but the mode of infliction, that is here objected to, and that no powers should be given here that are not given at home. On this point I am anxious to preserve my mind free to decide; I have not gone into the details of these regulations, but from what I have heard I had formed a general opinion, and have stated my impression. I know it will be found that, if not contained in the acts at home, it is consonant to them; if not, you will bring it to the notice of the court: but the court has no power, I conceive, to consider the expediency of this regulation; and if it is not repugnant to British law, then it would be difficult to refuse the registry because the Board of Revenue is to detect and to enforce the penalties. I am desirous to know if the objection is, that this is not contained in the acts at home, what is the authority for that objection?

Mr. Winter.—It is not for me to produce what I cannot find; it is for my learned friend (Mr. Turton) to shew that these provisions are contained in the acts at home; although, even if he should, that would not remove the whole ground of objection, since my argument is that there must be a consonancy on general grounds, besides conformity in particular points, to the acts at home. It must appear that the penalties are neither excessive nor unlimited. If your lordships should be of opinion, as to these paragraphs 6 and 15 of the 9th section, that in the fair construction of them they are both excessive and unlimited, then you cannot register the regulation. To the 16th para. 9th section, I have two very strong grounds of objection—excess of fine, and unlimited discretion to be exercised by subordinate officers where there is no legal authority. In this para. the course to be followed in case of the death of a vendor of stamps is this:

“In case of the death of any vendor or distributor, the collector of the stamp duty shall in like manner be empowered to demand from the heir or person administering to the estate of the deceased, or other person in charge of his effects, the remainder of any store of stamped paper, &c. in the possession of such vendor or distributor at the time of his decease, together with all accounts of the sale or distribution thereof, as well as all licenses, orders, or other documents or writings as aforesaid, that may be forthcoming amongst the effects of the deceased; and in the event of any refusal on the part of the heir, administrator, or other person in charge of the effects of the deceased, to deliver the same, or of refusal to allow search to be made, whenever the collector of the stamp duty may demand to make search for the said stores or accounts, such heir, or administrator, or other person in charge of the estate, shall forfeit for every such offence the sum of fifty rupees, and shall further be subject to such daily fine until the papers, accounts, documents, and writings required are furnished, as the Board of Revenue may direct.”

A more oppressive and unheard-of power was never placed in the hands of any party. It destroys the right which every man possesses to an inviolated home; it gives an

authority tantamount to absolute power, where natives are concerned, to enter the house of the persons designated at any time to search for the supposed effects. With natives it is, and must be considered, as an absolute power, for they well know that if they refuse they will be compelled to pay the fine, and will not dare to resist.

Chief Justice.—Am I to understand that you contend that there is no such power in the acts at home?

Mr. Winter.—Yes, there is no such power as to the representatives of the deceased vendor conferring authority to search the premises of any person whatever who may possess any part of the effects of the deceased. (Some conversation took place as to the investigation of the stamp acts. Mr. Winter said he had carefully gone through Tyrwhitt and Tyndale's *Digest*, and read a passage from it to shew how intricate and voluminous the stamp acts are.) He then proceeded. A more complicated system of law I have never met with. I cannot take upon me to say that I have gone through all the stamp acts; but I have gone through the *Digest*, and find nothing to uphold the terms of the 10th para. of the 9th section of these regulations. It is not for me, however, to establish this consonancy to British law; it is for my friend, the Advocate-General, on the other side, to justify and to demonstrate it, though the very search for authorities implies a doubt, and evinces that the matter is not yet established. It is not enough for them to shew that such powers are conveyed generally in the English stamp acts, for I must first see in whom the power is vested. The commissioners of stamps in England exercise high functions, are vested with judicial powers, and are very different from the collectors and subordinate officers who are clothed with authority by these regulations; nor does it follow that, because we find such powers in an English stamp act, they are therefore legal or proper in India; the principle of legislation cannot be so extended. It is not because a matter may be found in a particular act of parliament, that therefore it is not repugnant to the laws of the realm; there may be many reasons why there should be a material difference in the frame of acts of parliament as to India. One of them is, that the commissioners of stamps in England are men moving in a respectable station of life; nay, men high in the aristocracy, men of education and honour, and exercising, as I have said, high and important functions of a judicial nature; but the stamp collector and subordinate officers here, who are they? or who may they not be? men of a very different class, not fit to be possessed with a discretionary power. I submit that, although a regulation may be consonant generally to

British

British law, still, if it would involve banishment and oppression as relates to Calcutta, your lordship cannot register it, and you must decide on the safety of vesting power in the hands of those to whom it is here given.

(The argument of Mr. Winter here concluded: we shall give the remainder of the proceedings next month.)

MISCELLANEOUS.

THE LATE MARQUESS OF HASTINGS.

A meeting of the inhabitants of Calcutta, convened by the sheriff, was held on the 9th July at the Town Hall, for the purpose of considering the best mode of paying a tribute of respect to the memory of the late Marquess of Hastings. Sir Charles Grey was voted to the chair. Sir Charles, in an impressive and feeling manner, dwelt upon the virtues of the illustrious deceased—concluding with this resolution:

That this meeting, strongly impressed with feelings of veneration for the memory of the Marquess of Hastings, governor-general and commander-in-chief of India during an eventful period of nearly ten years; with gratitude, for the blessings of his just and glorious government, and admiration of his great and virtuous character, are anxious to transmit to posterity a memorial of their affectionate attachment and respect, by the erection of a public monument. Agreed to.

Colonel Bryant, in an animated and able address, adverted to the splendid public character and private virtues of the lamented Marquess. If it should be proposed, he said, that a monument be erected in the cathedral of Calcutta—or in any church at home—he would decidedly object to it—as he was anxious that the monument should be so situated that the natives of this country, who so deeply revered the Marquess of Hastings, should have ready access to it. He concluded by proposing that a structure be raised in this metropolis worthy of the illustrious object of our respect, and forming an appropriate receptacle for the statue already voted to him by the people of India on his relinquishment of the government of this empire.

Colonel Bryant's resolution was unanimously adopted.

It was then resolved, that the committee formerly appointed to superintend the erection of the statue voted by the inhabitants of Calcutta be requested to carry into effect the aforesaid resolution; the following gentlemen were added to the committee: Sir Charles Grey, Colonel Bryant, Captain Forbes, Mr. Wynch, Mr. Young, Mr. Palmer, Captain Caldwell, Mr. H. T. Pinsep, Hon. J. Elliott, Hon. B. Bayley.

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The following resolutions were also agreed to: That where the feeling of the natives and inhabitants of India towards their benefactor may even extend beyond the limits of this presidency, their contributions, in common with those of the inhabitants of Calcutta, whether large or small, are equally indicative of affection and respect, and as such shall be received.

That a copy of the resolutions of the inhabitants of the metropolis of British India, expressive of their veneration for the memory of the late Marquess of Hastings, be transmitted to his son, the inheritor of the honours of his illustrious father; in testimony of their affectionate attachment and respect for their late lamented governor-general and commander-in-chief.

Thanks were voted to the sheriff and the chairman, and the meeting dissolved, not before the sum of 6,800 rupees was subscribed by the persons present. This sum has been since greatly increased.—*Cal. Gov. Gaz.*, July 9.

The statue which is to be erected in honour of Lord Hastings is, we understand, after a design of Flaxman, who was commissioned to execute it, but did not live to complete it. He had however finished the model, and the work was well advanced at his death; and there is no doubt that it will come out of the hand of those now engaged on it, completed in a very workman-like style. The height of the statue is six feet, and it stands on a pedestal of about the same elevation. His lordship is represented in a military dress, with a baton in one hand, a scroll, with the different treaties concluded by him, in the other.—*Cal. John Bull*, July 11.

THE PUNJAB.

It appears from the native papers that the affairs of the Punjab are nearly settled, and that Runjit Singh has nothing further to apprehend from the discontent of his Mohammedan subjects, whose ill-directed and worse-conducted insurrection has only led to the extension of the authority of their Hindu ruler. The leaders of the holy war could have hoped to succeed only by the decided and combined support of the chiefs of Kabul and Peshawer, both of whom have suffered the opportunity to escape by the neglect of timely co-operation, and have paid the penalty of their impolitic and desultory efforts by the loss of their country and independence. They will be restored, it appears likely, to their nominal dignities, but they will be henceforth little else than the dependants and officers of Runjit Singh, whose dominion now extends from the Setlej to Candahar.—*Cal. Gov. Gaz.*, July 9.

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THE BENGAL CLUB.

The Bengal Club has not, of late, afforded us an opportunity of noticing its progress; but we are happy to find that its proceedings have been only suspended by the difficulty of meeting with suitable accommodations. These, we learn, have at last been procured, and the house at the extremity of the range of four-storied buildings, upon the esplanade, has been rented by the managing committee. The list of members now comprises 132 names.—*Cal. Gov. Gaz.*, June 21.

The Bengal United Service Club met for the first time on Friday evening, when upwards of 100 gentlemen sat down to a sumptuous dinner, which did much credit to the culinary talents of Mr. Payne, who is likely to turn out a most formidable rival to Messrs. Gunter and Hooper. The patron of the club, the Right Hon. Lord Combermere, honoured the meeting with his presence. Col. Finch, president of the club, had Lord Combermere on his right hand, and Sir Charles Grey on his left; and Mr. Trower, the vice-president, had Sir John Franks on his right and Sir Edward Ryan on his left hand. The venison was most excellent, and the wines admirable, various, and well-cooled. After the removal of the cloth various loyal toasts were drunk, as well as many of local association and interest. A military band, during the intervals, entertained the company with beautiful and appropriate airs. After an evening of the utmost hilarity and most agreeable enjoyment, the company broke up at a late hour, all highly pleased with their entertainment, and the happy auspices and éclat of the first meeting of the *Bengal Club*.—*Ind. Gaz.*, July 16.

SEVERE STORM.

We regret to learn that a short but violent gale, which took place here on Monday last, about the middle of the day, has caused the loss of many lives. Numbers of boats were on the river at the time, and the storm came on so suddenly that they had little or no time left to escape the danger. Several, accordingly, were over-set or swamped, with loss of property and life. But the most lamentable event of all was the sinking of the ferry-boat opposite to Howrah, by which, it is said, 200 persons perished: we should fain hope that native reports have exaggerated the number. The storm, we are informed, was also felt very severely at Serampore, where the river seemed a complete sea. Four ferry-boats, crowded with passengers, were upset, and upwards of a hundred lives were lost. Bauleahs and small boats of every description were promptly sent out to pick up some of the poor creatures, who

were seen floating about in all directions, struggling with their fate. These awful accidents point out the necessity of some public regulations respecting ferry-boats.—*Ind. Gaz.* May 31.

A native paper (the *Timira Nassuk*) referring to this occurrence, has the following reflections, exhibiting a lamentable feature of Hindu superstition: "A sacrifice in honour of the god of the wind, or any separate religious service to him (besides what is comprised in the worship of other divinities, by way of a secondary rite) having been unknown in India for a length of time, the deity seems to have been highly offended, and gave tokens of his displeasure that threatened the destruction of the country, on the 1st of Jyeshtha, between 4 and 5 p.m., at the head of the winds. First of all the tall trees bowed before him, then the houses, and afterwards men, cows, and other animals. A particular account of these things must be superfluous, but for general information we have given a few lines on the subject in this corner of our paper." After detailing certain particulars, the journalist adds: "we cannot conclude this account without offering a suggestion. The natives have a proverb that 'the cold is passed, and it is now the fear of fire and water:' to this we may, with propriety, add a new element this year, and conclude with recommending all people to propitiate the deity of wind with burnt offerings and suitable worship."

JANKOJEE SINDHIA.

The adoption of a son by the late Dow-lut Rao Sindhia was a measure often proposed by him during his life, but deferred from time to time by the conflicting claims of different candidates, and the opposing influence of the Maharaja's confidential advisers. His known intention, however, and the necessities of the state, imposed the performance of this act upon the widow, who, agreeably to the principles of the Hindu law, is empowered to adopt for her husband after his decease, if in previous possession of his authority to that effect. Although, however, the arrangement was resolved on, it was not so easy to fix upon the particular object, as, amidst the numerous branches of the Sindhia family, from which alone the heir could be with propriety selected, none were of any immediate proximity to the deceased raja. The common ancestor of this house, Changojee Sindhia, the grandfather of the individual who first obtained political distinction, Ranojee Sindhia, had three sons, from the elder of whom Dow-lut Rao was the seventh in descent. The next of kin was the sixth in descent from the

the second of Changojee's sons; but this person, named Peerajee, a farmer in the Dekhin, being of mature years, was unfit for adoption, and the persons who were eligible for that purpose were the sons of individuals still further removed. Of these, the five nearest in succession were invited to Gwalior, where they arrived on the 29th of May, and after some discussion of their pretensions, the choice of the Bai was directed to Mookt Rao, the son of Patloba, a person the eighth in descent from Changojee through the third of his sons, and residing in camp upon the humble allowance of eight or ten rupees a month. Mookt Rao is about eleven years of age, small, but well made, dark complexioned, lively, and intelligent. He can read and write a little, and ride on horseback, a more meritorious acquirement in Mahratta estimation. His horoscope is also said to be highly favourable, and the marks on his person indicate his being destined to command. With all these circumstances in his favour, the popular voice fully confirmed the election of the Bai, and the 18th of June was the day fixed upon as most propitious for the performance of the ceremony of his installation.

On the Saturday previous, the chiefs and the ministers were assembled at the durbar, when the intentions of the Baiza Bai to adopt and place Mookt Rao on the musnud were publicly announced, and the opinions of the assembly were asked. Not a dissentient voice was heard, and all expressed their warm concurrence in the measure. The pundits were then consulted as to the legality of the lad's marriage with the youngest grand-daughter of the late Maharaja, and pronounced sentence in its favour.

On Sunday, the adoption and marriage ceremonies took place; the father of the lad making over all right to his son to the Bai, and confirming the donation by pouring water from his hand upon her's. On Monday, at daybreak, the young raja elect and his bride proceeded in state through the camp, mounted on the same elephant, and after having paid their devotions together at a particular temple, they returned to the palace, where the ceremonial was completed by the Bai embracing the boy and her grand-daughter, and placing one on each knee.

In the mean time, all the ministers and principal sirdars were assembled in durbar, and when the auspicious moment announced by the astrologers arrived, Hindu Rao conducted the boy from the inner apartments, and leading him to the British resident, who, with all his suite, was present, requested him to place the young raja on the musnud; which he accordingly did, and a general discharge of

artillery and musketry proclaimed the concurrence to the camp.

Immediately after Mookt Rao was seated, the resident presented a splendid kherlat to him, and one for the bride, on the part of the Governor-general. Trays were presented also on behalf of the Bala Bai, as well as by the Senapati and by Raghonath Rao, on the part of the raja of Dhar. The different individuals present then offered their respective nuzzers, which continued till about twelve o'clock, when the young raja being completely overcome with fatigue, was allowed to retire to repose. The heat of the day, and the crowded state of the durbar, rendered the ceremony particularly oppressive to much older individuals.

Mookt Rao takes the title of Jankojee Sindia, after the gallant chief of that name, who was killed at the celebrated battle of Paniput. The Baiza Bai will continue to act as regent until the young raja attains years of discretion.—*Cal. Gov. Gaz., July 9.*

DESTRUCTION OF AN ALLIGATOR.

The alligator which has for some time back been a lodger in the Lall Diggie, was caught about midnight the day before yesterday. The animal was baited by torchlight, while a harpooner stood ready to strike, which he did with such unerring aim and powerful effect, that the creature was brought to land and bound. Hundreds yesterday crowded to the bank of the tank, where the creature was exhibited, still alive and vigorous, though he had received several wounds. The preparations made to attack him appeared at first little likely to produce the desired effect; but, however odd they might appear in the first instance, the end shows that they were better planned, and with more rational expectations of success, than might have been anticipated. We hope, and indeed doubt not, that the clever harpooner (who we believe is a native of Hooghly) will be well rewarded for his extraordinary feat.—*Ind. Gaz., July 16.*

BUSHIRE.

It was mentioned in the Calcutta papers some two months ago, that in consequence of some revolution at Bushire an insult had been offered to our resident which had induced him to strike the residency flag, but that matters were afterwards amicably arranged and the flag rehoisted. By subsequent communications from the same quarter, we find that representations had been made to the Persian court on the subject of this outrage, which were likely to lead to more ample atonement, and that the probability was that the Prince of Sheeraz would be disposed, in con-

consequence of orders from the Shah, to yield whatever might be demanded by our resident. It was anticipated that he would insist on the removal of the governor, even if not on the infliction of some punishment in addition to the removal. To what it may be owing we are not aware, but certain it is that our influence in Persia in the southern parts of it, is by no means equal in degree to that which we possess in the northern portion of the Shah's dominions, nor is there so much respect in the former for the English character.—*Beng. Hurk.*

MR HARRINGTON.

On Thursday morning last the Hon. J. H. Harrington, Esq. left town under the salute due to his rank, for the purpose of joining the H.C. ship *Repulse*, in which he proceeds, by way of China, to England. The civil service loses in him one of its oldest and ablest members, and the natives of India one of their best friends.—*Cal. Gov. Gaz., July 9.*

ROCKETS.

"*Meerut, June 11.*—There has been a partial failure of Capt. Parlbys's rockets during the late practice at this station under Capt. Graham; but those of Sir W. Congreve have been found, as usual, excellent."—*Beng. Hurk.*

THE ULTRA-GANGETIC PROVINCES.

Dr. Wallich has returned to Calcutta in the *Enterprize*, suffering, we regret to learn, from the consequences of exposure to the season in unhealthy situations. The setting in of the monsoon with extraordinary violence, had compelled him to desist from his excursions into the country along the Attaran, but he was abroad several days in the midst of very severe weather. His latest attempt was made on the 10th May, and persevered in till the 13th, when the continuance of heavy rain prevented his advance much beyond Assamee, a place on the Attaran, 53 miles by land and about 70 by water from Moal Mein. The river had risen considerably above its former level, and the whole character of the vegetation and scenery on its bank was completely altered. The increase of the Attaran river is in a ratio rapidly progressive, and in one place its rise was eight feet in less than 24 hours. The limits of the teak forest were not reached in this excursion, but five large trees were found below Assamee, of which the largest was felled; the length of the stem, below the branches, was 17 feet, and above, 35 feet; the girth of the trunk, at the base, was 14 feet 9 inches, and 6 feet 10 inches at the top; several of the branches were from 20 to 30 feet long,

and the main girth of from 3 feet 10 inches to 4 feet 3 inches. The timber was solid and sound, of a dark colour, and strong scent. The general conclusions drawn by Dr. Wallich, from the facts which have come under his observation, are, we understand, highly favourable to the capabilities of the country he has explored. It abounds in forests of the noblest timber trees, and yields a variety of substances applicable to economical purposes. Scarcely an important vegetable can be named which is either not to be found, or has not its substitute or representative. In the novelty, beauty, and diversity of its botanical treasures, it is not surpassed by any part of continental India which Dr. Wallich has visited. The soil is of singular richness and fertility, and if the population bear no proportion to the means of subsistence, this is attributable to the oppressive government of the Burmans, and the incessant inroads of the Siamese, by whom the inhabitants were annually carried off in great numbers as slaves. Now, that their personal security is provided for, and they may expect to reap the harvest they have sown, there is little doubt that the resources of the province will speedily attract settlers, whose industry will give it commercial value and political improvement.—*Cal. Gov. Gaz., June 14.*

NEPAUL.

We are informed that the Nepal government have prohibited the cutting of timber along the extensive line of forests situated between the Kumlah and the Gunduck rivers. No cause is assigned for this edict, but the timber-cutters have been compelled to quit the country, and to abandon the timber which they had felled at the time.—*Beng. Hurk., April 18.*

By letters from Nepal of the 29th June, we understand the young raja has been relieved from the restrictions to which it is customary to subject the princes of that country, who, until they reach their thirteenth year, are not allowed to appear in public, and take amusement and exercise entirely within the palace, except on particular occasions, as the celebration of a marriage, or similar solemnities. The present youth having attained the prescribed limit, the 27th of June was fixed upon by the astrologers as propitious for the commencement of his public career; and accordingly on that day he visited, in procession, the temple of Pasupati Nath, and other holy shrines in the vicinity of the capital. He then returned to the palace, where he held a durbar, and received the usual compliments and presents from the officers of his court. He will henceforth

forth appear and take his diversions more in public, but will not, of course, exercise much political authority.—*Cal. Gov. Gaz. July 9.*

NILGHERRY HILLS.

It is not improbable but some of the descriptions that have before appeared of the Nilgherry hills may have been somewhat too highly coloured. At any rate it is proper that the invalid should be made acquainted beforehand with some of the inconveniences he may expect, instead of discovering them for the first time upon the spot, when he has no means of avoiding them, or no opportunity of retreating. A correspondent of the *Bombay Gazette*, who seems to have written from the Nilgherries, on the 20th of March last, states that the weather on the hills is very uncertain, and that the cold is sufficiently intense to produce hoar frost. The sun is, however, hot in clear days, but its influence is not much felt in the house. Living is stated to be wretched. Supplies of every kind must be brought from the plains, and there is much difficulty in procuring coolies to carry them up. Beef is seldom to be had; the fowls are miserable, the mutton as bad, and milk and butter are difficult to be procured, on account of the badness of the pasturage. All kinds of European vegetables, however, it appears, thrive well; and to an eye long accustomed to Indian plains, and their comparatively uninteresting products, how delightful it must be to behold gooseberries, raspberries, strawberries, and blackberries growing wild on every side, in a romantic hilly landscape! —*Ind. Gaz., May 28.*

ACKYAB.

From Chittagong we learn that the dawk was laid on Lieut. White's new route from Chittagong to the cantonments at Ackyab, round the head of the Naaf, on the 16th ult., and that the dawks have hitherto travelled speedier by it than they ever did by the old road. The dawk that left Ackyab on the 28th of May, at four p.m., although continual heavy rain was experienced, reached Chittagong at four, a.m., on the 2d inst., and Calcutta on the 7th, which is five days quicker than it ever travelled before at the same season of the year.—*Cal. Gov. Gaz., June 13.*

By letters from Ackyab we learn that there every thing is perfectly quiet. The Mug levy, however, had been disarmed on some suspicion, and their arms deposited in a place of security, under a guard of the Honourable Company's 52d regiment, a detachment of which had been sent round from Chittagong on purpose to prevent any unpleasant occurrences. A few muskets without locks are served out to the

levy for daily drill. A report prevailed that the levy was to be disbanded. Our correspondent is at a loss to conjecture what has given rise to the idea that the Mugs have been at all tampered with; only one individual is missing, and during the whole war the Burmese only reduced one subadar.—*Cal. John Bull, July 6.*

AUXILIARY CHURCH MISSIONARY SOCIETY.

The tenth annual meeting of this society was held in the Town Hall on the 1st June; the Venerable Archdeacon Corrie, acting resident, in the chair. The report of the committee was read, which begins with referring to the death of the Rev. Abdool Messeeh, who had laboured for fourteen years in the service of the society, and had been instrumental in the conversion of many of his countrymen to Christianity. The report then gives an account of the several stations connected with the society. At that of Calcutta, amongst the candidates for baptism were a Hindoo and his wife, who had been led to inquire into the truth of Christianity by their daughter, a little girl, who is a scholar in one of Mrs. Wilson's schools. The application for schools was pressing, and the willingness to listen to Christian instruction manifest, in some villages near Calcutta. Twelve Bengalee boys' schools, supported by the association in aid of the society, continue to be superintended by the missionaries. At Burdwan, where thirteen schools are supported, the missionaries are admitted into most of them freely, and preach the gospel with as much freedom as to an English congregation. At Culna are eight schools, containing 100 boys', and three girls' schools; no objection was made to reading the scriptures there. At Benares, besides Joynarrain Ghopaul's school, there are eight boys' schools, under the care of the missionaries, containing 250 boys. At Chunar, the Rev. W. Bowley's efforts have been attended with success; ten adult converts have been added to this church since the last report, besides a son of the well-known traveller, Aboo Talib Khan, who came from a neighbouring station for that purpose. He is above forty years of age, and received on application a copy of Martyn's Persian New Testament from a gentleman in the civil service, from whom also he received, from time to time, such explanations as he required; and that friend writes of him: "considering the few advantages he has had, it is surprising how well he seems to comprehend the Christian system." At Cawnpore, Peter Dilsook continues to minister the gospel in Hindoostanee to his countrymen. At Agra, the remnant of Abdool Messeeh's flock assembled under Fyz Messeeh, who has established three native

native girl schools. The whole number of converts during the past year is twenty.

The usual resolutions of thanks were passed.

ORIENTAL MS.

A very rare and valuable Oriental manuscript (the *Tinnoor Nema*) was on Friday last disposed of at Messrs. Leyburn's auction, among the property of Mr. Moorcroft—it is unique for its splendid illuminations. The work is not complete, the first volume being in the possession of the king of Oude: the title-page is in the hand-writing of Shah Jehan, and it realized four hundred and fifty rupees. — *Bengal Hurk. July 16.*

THEATRE AT NOMILAH.

On the 10th April the new theatre at Nomilah, near Agra, was opened for the first time, with the performance by the amateurs of the H. C.'s 1st European regiment, of Colman's comedy of "John Bull, or the Englishman's Fireside," and Thomas Dibdin's farce of "Past Ten o' Clock, and a Rainy Night." The theatre is situated about 200 yards from the barracks; it is about eighty feet in length by twenty-six in breadth; the stage is thirty feet long, and is enclosed with a verandah eight feet wide, for the convenience of the performers; it cost about 1,400 rupees, and has been built entirely at the expense of the officers of the above-mentioned corps. — *Ind. Gaz.*

THE DOL JATRA.

From Jagannath Khetr, we learn, that the festivals of that deity began with the Dol Jatra, when individuals were admitted into the temple upon paying the toll of two rupees and a half. From 70,000 to 80,000 pilgrims assembled on this occasion, and many pleaded poverty to evade the tax, but they were at last admitted on paying eight, four, and two anas a head, and through the generosity of the collector, many were at last admitted free of charge, to be liberated from the pangs of future generation by the sight of the divinity, for which they invoked benedictions on the magnanimity of the collector. The pilgrims who have returned report that a heavy shower of rain had fallen at Jagannath, which extended for a considerable distance, and was very acceptable to the cultivators. — *Native Paper.*

DISCOVERIES TO THE EASTWARD.

From Asam we learn that the course of inquiry has been latterly prosecuting to the eastward, in the country of the Bor Kamptis, at the head of the Kyendu river, inhabited by a people who speak a language similar to that of the Siamese. The latest advices from the travellers, in this direction, are dated the

2d May, from a place called Phakhong, the last village on this side of the snow. On the 1st of May they crossed a stream called the Duffa Panee, about eighty yards in breadth, being conveyed across in a kind of cradle, suspended on two canes, and drawn by a third. They also crossed from the right to the left bank of the Dehing on the same day on a raft. They had experienced heavy rain the whole of way. The passage of the Langtan mountains, at which they had arrived, was expected to occupy ten days. This ridge is topped with perpetual snow: where it was to be crossed the snow was reported to be a foot thick, and as solid as ice. We are sorry to learn that the Abors, on the Dehong, continue to shew little inclination to assist in the exploring of that river, and there seems little prospect of undertaking it successfully, without their concurrence or co-operation. — *Gov. Gaz. June 14.*

SHIPPING.

Arrivals in the River.

June 4. *Marcelly*, Crews, from London. — 5 *Vansittart*, Dalrymple, from London. — 8 *Wind-sor*, Proctor, from London and Madras. — 9 *Inglic*, Serle, from ditto. — 15 *Harriet*, Kindley, from London and Madras. — 16 *Cesar*, Watt, and *Sir William Wallace*, Wilson, both from London and Madras. — 19 *Scalesby Castle*, Newall, from London. — 27 *Isabella*, Fyfe, from London. — *July 2* *Bombay*, Parker, from N.S. Wales; and *Louisa*, Mackay, from Singapore. — 19 *City of Edinburgh*, M'Kellar, from N.S. Wales.

Departures from Calcutta.

June 17. *Clanman*, Snowden, for Liverpool. — *July 3* *Countess of Dunmore*, M'Luckie, for London. — 11 *Albion*, M'Leod, for Liverpool. — 13 *Cassandra*, Rodger, for London; and *Harriet*, Kindley, for the Mauritius. — 17 *Ellen*, Patterson, for Cape of Good Hope.

BIRTHS.

April 2. On board the *William Money*, Mrs. G. S. Dick, of a son.
May 15. At Muttra, the lady of Dr. G. Paxton, 41st N.I., of a son.
26. At Meerut, the lady of Lieut. Colonel Baumgardt, H.M.'s 31st Foot, of a daughter.
30. At Aurungabad, the lady of Capt. G. Tomkyns, 10th Bengal Inf., of a daughter.
June 2. At Chittagong, the lady of Capt. Ed. Marquand, of a son and heir.
5. At Midnapore, the lady of Lieut. Stewart, 22d N.I., of a son.
8. At Dinapore, the lady of Capt. Jas. Steel, dep. judge adv. gen., of a daughter.
9. Mrs. E. Robam, of a son.
14. At Barrackpore, the lady of Capt. H. James, 20th N.I., of a son.
18. At Gergam, the lady of T. Crawford, Esq., of a son.
20. At Cuttack, the lady of H. Ricketts, Esq., of the civil service, of a son.
23. At Allyghur, the lady of Lieut. P. C. Anderson, of the pioneers, of a son.
26. At Cawnpore, Mrs. W. Dickson, of a son.
28. At Subathoo, the lady of Capt. Stacy, 33d N.I., of a daughter.
July 1. At Reitah, the lady of Lieut. A. D. Willis, of a daughter.
— At Dum-Dum, Mrs. Shorts, of a daughter.
3. Mrs. J. Paternoster, of a still-born child.
4. At Chinsurah, the lady of F. Sivewright, Esq., surgeon, H.M.'s depot, of a son.
— Mrs. M. A. Perelra, of a daughter.
5. At Cawnpore, the lady of Capt. Lumsden, Bengal horse artillery, of a son.
7. Mrs. C. F. Von Lintzy, of a son.

10. At Barrackpore, the lady of Lieut. Souter, 68th N.L., of a son.

12. Mrs. D. Cardoso, of a son.

15. Mrs. R. G. Crakly, of a daughter.

MARRIAGES.

May 10. At Benares, Lieut. W. B. Reade, 1st L.C., to Elizabeth, second daughter of John Griffin, Esq., of Sloane Street, Middlesex.

22. At Agra, Mr. J. Peacock to Miss E. Chamberlain.

June 13. At Seebpore, Mr. R. Williams to Miss Luisa, eldest daughter of Mr. Mathew Coelho.

22. At Berhampore, Mr. T. Rose, of Bogwongolah, to Mrs. E. McDermott, widow of the late Mr. P. McDermott.

July 9. The Rev. T. Christian to Miss S. Norton.

12. Major W. Vincent, commanding 25th regt. N.L. Vols., to Mrs. Elizabeth Pickering.

13. Mr. B. Hollamby, mariner, to Mrs. C. Tettie.

16. John Dougal, Esq., to Charlotte, eldest daughter of the late John Sanford, Esq., Bengal civil service.

DEATHS.

May 19. At Nussceerabad, of cholera, Sophia, lady of Capt. C. H. Bell, of artillery.

June 5. At Asseerghur, Ens. G. W. Walker, 23d N.L.

— Master J. H. Marsack, aged 14.

14. At Cawnpore, Cornet Everard, 16th Lancers.

20. At Entally, Geo. Henwood, Esq., late of Kedgee, aged 34.

21. At Sabathoo, of cholera, H. Cavell, Esq., surgeon to the Right Hon. the Governor General.

23. At Moonghier, Lieut. E. F. Spencer, of the invalid establishment.

28. At Berhampore, Major P. W. Ramsay, H.M.'s 47th regiment.

July 1. Mr. Alex. Rowley, musician, aged 23.

2. At Cawnpore, of the small-pox, Matilda Gyne, wife of Mr. Wm. Dickson.

5. Eliza, daughter of the late Capt. J. H. Waldron, 46th N.L., aged 7 years.

10. Capt. J. Cunningham, late commander of the ship *Ferguson*, son of General Cunningham, of the Madras service, aged 30.

12. From cancers in the glands, Edw. Moran, Esq., late commissary of ordnance, in his 71st year.

— Mr. Patrick Farrell, aged 37, of the barrack department at Golimpore.

13. Capt. J. Crews, of the brig *Marcelly*, aged 39.

— Mr. M. O'Neale, aged 42.

— Mr. M. Cardoso, of the secret department, aged 40.

16. Poyntz Stewart, Esq., M.D., assistant surgeon, H.C.'s service, aged 28.

— Mr. John Murray, aged 31.

18. Capt. M'Luckie, commander of the ship *Countess of Dunmore*.

Laterly, Capt. W. Gillet, of the country service, aged 31.

Madras.

GOVERNMENT GENERAL ORDERS.

ALLOWANCES TO SHIP SURGEONS.

Fort St. George, April 6, 1827.—The following extract from a general letter from the Hon. the Court of Directors in the military department, under date the 8th Nov. 1826, is published in general orders.

Par. 8. "We have resolved that the allowance granted to surgeons, for the care of the health of the military on the voyage, shall be extended in future to the women and children accompanying the troops, and that the surgeons shall accord-

ingly receive the sum of fifteen shillings per head for each woman, and ten shillings per head for all children landed at the conclusion of the voyage.

9. "This regulation is to commence on the arrival of the ships of the London season 1826.

10. "We have also resolved to give the surgeons of ships, in future, the option of receiving the amount of the head money in this country, if it should suit their convenience to do so, on producing certificates that the amount has not been settled in India, and stating also the exact number of officers, men, women, and children landed in India."

LIEUT. COL. MORISON.

Fort St. George, April 17, 1826. —

Lieut. Col. Morison, C.B., being about to vacate the office of commissary-general, the Hon. the Governor in Council gladly seizes the opportunity of publishing to the army the sense of his services and character which has uniformly been entertained by the government and by the Hon. the Court of Directors, and which has obtained for him the highest testimonies of approbation from those authorities.

2d. Several years before the formation of the commissariat, the qualifications of that officer had pointed him out as a fit person to introduce and superintend such an establishment; and, under a different government, the choice afterwards fell upon him, when it was esteemed essential to the success of so new, extensive, and intricate a system, that it should be entrusted to the hands of an officer at once of eminent abilities and character, and possessed of an intimate acquaintance with all the branches and departments of the service.

3d. The expectations of government have not been disappointed. The admirable order and efficiency of the arrangements adopted by Lieut. Col. Morison ensured their success. They have been tried in peace and in war, and under every variety and exigency of the public service, and have invariably been attended with the most beneficial results. The saving of expense which they have produced, vast as it has been, is even less to be valued than their promptitude and unerring precision. Their efficacy is manifest from the fact that, since the commissariat was instituted, there is no instance, during the most extensive and active hostilities, and under the most trying circumstances, of the movement of any body of Madras troops having been either delayed or altered on account of supplies.

4th. The government will be well served if the successors of Lieut. Col. Morison, and all officers acting under their orders, only emulate his zeal, vigilance, capacity,

capacity, application, and high sense of honour, and if, each in his proper station, they strive to uphold the vigour and the character of that system which he has established.

5th. The Governor in Council has been pleased to resolve, in compliment to Lieut. Col. Morison's distinguished merits, that he shall retain the official rank of lieutenant-col. which was conferred upon him as commissary-general.

PRACTICE OF COURTS-MARTIAL.

Head-Quarters, April 30, 1827.—His Exc. the commander-in-chief considers it requisite to correct a misapprehension which very generally prevails as to the power of commanding officers to commute the punishments awarded by courts-martial inferior to general.

The power of commuting punishment is afforded to the commander-in-chief only in one single instance; by sect. viii. of 4 Geo. IV. cap. 81; that power therefore cannot be held to exist in any other individual of the army, or in any other instance, for the special authority given argues the absence of such generally.

The several orders and instructions which have from time to time been issued to this army, touching the adoption of measures for the prevention of crime and the avoidance of punishment, appear to have produced an undue inclination on the part of officers, either to mitigate or remit the awards of courts-martial.

This is a mistake in principle, and does not uphold the fear and respect in which an appeal should be held by every soldier to military law. Trial should be resorted to as seldom as possible, never except for serious offences requiring example, or to correct depraved and incorrigible individuals; but when the soldier of such habits has once been convicted and sentenced, and suffered the degradation of confinement and trial, the infliction of that sentence should, generally speaking, be equally prompt and certain, for the aim of all punishment is example, and the hope of escape is the greatest of all incitements to crime. It must, therefore, be the object of all officers to avoid as much as possible bringing soldiers to trial, but when the necessity does arise, there is no power to commute punishment, and the commanding officer's authority is limited to confirming, mitigating, or remitting.

Head-Quarters, June 16.—The commander-in-chief directs, that no sentence by any court-martial, European or native, inferior to general, shall be inflicted beyond 300 lashes.

ENGINEERS.

Fort St. George, May 11, 1827.—The Hon. the Governor in Council has been

pleased to establish the following regulations.

Every officer of the corps of engineers shall in future commence his service in the military department, and shall not hereafter be eligible to the situation of superintending engineer of a division, until he shall have served two years as an assistant superintending engineer, on the pay and allowances of his regimental rank only.

No officer of the engineers shall be eligible to the situation of civil engineer of a division until he shall have served four years in India, two of which as an assistant civil engineer.

STAFF DESIGNATIONS CHANGED.

Fort St. George, May 25, 1827.—The Hon. the Governor in Council is pleased to resolve that the officers holding the situations of Majors of Brigade of Divisions shall be designated Deputies Assistant Adjutant General.

The Governor in Council is also pleased to resolve, that the officers holding the situations of Assistants in the Departments of the Adjutant General and the Quarter Master General of the army shall be designated Deputy Assistant Adjutant General and Deputy Assistant Quarter Master General respectively.

SURVEY DEPARTMENT.

Fort St. George May 25, 1827.—With reference to the general orders under date the 14th March 1823, the Hon. the Governor in Council has been pleased to resolve, that officers shall be eligible for employment in the survey department after they shall have performed regimental duty for a period of two years.

ILL-TREATMENT OF BAZARMEN.

Fort St. George, June 5, 1827.—His Exc. the Commander-in-chief having brought to the notice of the government the ill-treatment of certain bazarmen with the Nagpore subsidiary force, by Capt. R. W. Sheriff, assistant commissary-general, the Hon. the Governor in Council has directed that Captain Sheriff's conduct be censured in general orders.

PRACTICE OF STRIKING SOLDIERS.

Head-Quarters, Choultry Plain, June 6, 1827.—A recent court-martial and several other circumstances having brought to the knowledge of the Commander-in-chief, the great prevalence in this army of an unmanly and barbarous practice, with both European and native officers and non-commissioned officers, striking soldiers under their command, he desires that it may henceforward be distinctly understood, that any blow or stripe so given after this notice,

notice, without the authority of a court martial, is positively forbidden; and so odious and disgraceful does the Commander-in-chief consider this offence, that he is determined to make an immediate example of whoever shall in future be convicted of it whatsoever may be his rank.

It is to be remembered that this is not the first time that this practice has been forbidden in public orders; but the reprimand given on the 8th June 1812, on a conviction for this crime is so full of good sense and proper feeling, that the Commander-in-chief here repeats it, in the hope it may carry conviction and improvement with it:

Reprimand.

You have been found guilty of very unofficerlike conduct in striking a soldier, which your duty to the service, your feelings towards a brave man whose profession would seem to forbid so ignominious an act, ought to have restrained you, and the Commander-in-chief views with great displeasure both the act and the motive. Your future conduct his Excellency hopes will be more guarded, and that with reference to your own feelings you will learn to appreciate those of every other soldier, even those serving in the ranks, and that you will remember, that their valour, their pride, and fidelity to their king and country can only be maintained by preserving with unblemished purity, the principles that dictate those virtues which enable their officers to reap honours and distinctions at their head.

It is the duty of every officer to keep in mind, that discipline and subordination is to be maintained without severity, that the faults of soldiers more frequently arise from relaxation of discipline than from bad disposition; the remedy therefore is not severity, it rests with the officers, whose characters are to be traced by the state of their corps and companies.

The Commander-in-chief takes this opportunity of directing, that the use of rattans at drill may be abolished, and that no officer or non-commissioned officer is ever, on pain of being tried for disobedience of orders, to strike or cause any soldier to be struck without the previous sentence of a court-martial.

The Commander-in-chief thinks it however necessary further to add to this, that all cases or sticks of any kind are henceforward positively forbidden to be carried on any parade or assembly of troops whatever by any one under the rank of field officer of the corps, and that commanding officers will be strictly responsible, that this order is no manner evaded.

ACTING GOVERNOR.

Proclamation.—Fort St. George, July 10, 1827.—Whereas, in consequence of the
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decease of the Hon. Major Gen. Sir Thos. Munro, Bart., K.C.B., and in virtue of the provisions of sect. xxx. of the 83d of George III., cap. 52, the office of Governor of Fort St. George and its dependencies has devolved upon Henry Sullivan Græme, Esq.; it is hereby proclaimed that Henry Sullivan Græme, Esq., has this day received charge of the said office of governor and taken the oaths and his seat accordingly.

By order of the Hon. the Governor in Council.

D. HILL, Chief Secretary.

COURT-MARTIAL.

PRIVATE J. JONES.

Head-Quarters, July 9, 1827.—At an European General Court-Martial assembled at Moulmein, on the 25th April 1827, of which Major A. Macqueen, of the 36th regiment of Madras N.I., is president, private James Jones, of the Madras European regiment, was arraigned on the undermentioned charges:—

Charge.—Private James Jones, of the 1st Madras European regiment, confined on the following charges by Major Gen. Sir A. Campbell, K.C.B., commanding the forces on the coast of Tenasserim.

1st. For desertion from his regiment, when stationed in the Pegue territory on field service, some time between the months of April and July 1826, and entering into the service of Mengine Ozinah (a Burman chief) from whence he returned to the British station of Moulmein, on the 9th day of April 1827, declaring that he had surrendered himself up in consequence of bad treatment, which he received whilst in the service of Mengine Ozinah.

2d. For having, when a prisoner in confinement, used his utmost endeavours to inveigle certain soldiers to desert with him to Ozinah's service, stating at the same time, particularly to gunner Williams, of artillery, that "it was all a sham of his saying Ozinah had ill-treated him, which assertion he had made in order to cover his design in getting as many artillery men as he possibly could over to Ozinah," or words to that effect.

3d. For deserting from the artillery guard tent when a prisoner, and persuading gunners Williams and Osborne, of artillery, to accompany him on the night of the 20th or early on the morning of the 21st instant (April), for the express purpose of returning back to the service of the aforesaid Mengine Ozinah.

The whole being in breach of the articles of war, and conduct infamous, scandalous, and disgraceful to the character of a British soldier.

Upon which charges the court came to the following decision:

P

Finding

Finding and Sentence.—The court, having maturely considered the evidence against the prisoner, together with what he has urged in his defence, is of opinion that he is guilty of the whole and every part of the charges preferred against him, which being in breach of the articles of war, does, under authority thereof, sentence him, the prisoner, James Jones, to be transported as a felon for the term of his natural life to New South Wales, or such other place as the officer confirming this sentence may be pleased to direct.

Approved and confirmed.

(Signed) COMBERMERE, General,
Commander-in-chief.

By order of His Excellency the Commander-in-chief.

W. L. WATSON, Adj. Gen. of Army.

CIVIL APPOINTMENTS.

July 13. H. Williams, Esq., to be head assistant to collector and magistrate of Salem.

W. A. Neave, Esq., to be head assistant to collector and magistrate of Chingleput.

17. Thos. Gahagan, Esq., to be deputy collector of sea customs at Madras.

E. B. Thomas, Esq., to be assistant to collector and magistrate of Trichinopoly.

E. J. Gascoigne, Esq., to be master attendant at Madras.

R. W. Norfor, Esq., to be deputy master attendant and boat paymaster at Madras.

Mr. P. S. Dirks to be assistant to master attendant at Madras.

Mr. W. Egan to be master attendant at Calingapatam.

MILITARY APPOINTMENTS, PROMOTIONS, &c.

Head-Quarters, Choultry Plain, May 7, 1827.—Lieut. Prior, 23d L. Inf., declared qualified to enter upon duties of Intep. to a native corps.

May 8.—Cornet E. J. Hall (recently prom.) posted to 3d L.C.

Ensigns (recently prom.) posted to Regts. C. C. Foote to 42d N.I.; G. Carr, 8th do.; H. A. Thompson, 59th do.; G. Freese, 12th do.; H. V. Pope, 2d Eur. Regt.; John Wilton, 36th N.I.; P. T. Marrett, 1st Eur. Regt.; F. Davis, 1st N.I.; H. Stewart, 2d do.; S. J. Carter, 42d do.; John Grimes, 45th do.; C. F. Mackenzie, 52d do.; J. C. Salmon, 43d do.

Ens. J. Grimes removed, at his own request, from 45th to 8th N.I.

May 12.—2d-Lieut. J. P. Beresford posted to 3d bat. artillery.

May 15.—Capt. G. Maxwell removed from 3d to 1st Nat. Vet. Bat.

May 19.—Ens. E. B. Stevenson (recently prom.) app. to do duty with 27th N.I.

May 26.—**Removals of Lieut. Colonels.** W. Dickson from 7th to 6th L.C.; G. Gillespie from 2d to 7th do.; J. Collette from 3d to 1st do.; H. Raynsford from 6th to 3d do.; P. Cameron from 1st to 2d do.

Capt. H. C. Lynch, 48th N.I., posted to rifle corps.

Fort St. George, May 25.—27th N.I. Lieut. A. Cuppuge to be adj., v. Waymouth dec.

Cadet G. B. Clarke admitted to infantry, and prom. to ensign.

May 29.—Sen. Assist. Surg. T. Williams to be surg., v. Trotter dec.; date 27th Sept. 1826.

Sen. Assist. Surg. R. Anderson to be surg., v. Sergeant resigned; date 19th Oct. 1826.

Asst. Surg. appointed. W. Mortimer to sillah of Calicut, v. Williams prom.; W. Geddes to judicial establishments at Masulipatam, v. Anderson prom.; Thos. Stewart to sillah of Cuddapah, v. Geddes.

2d L.C. Sen. Capt. J. Smith to be maj., Sen. Lieut. W. S. Bury to be capt., and Sen. Corn. W. S. Ommanney to be lieut., v. Wallace dec.; dated 20th May 1827.

June 1.—Removals in Invalid Establishment. Lieut. Col. C. Mandeville from 4th Nat. Vet. Bat. to Carnatic Europ. Vet. Bat.; Maj. R. Davis from 4th Nat. Vet. Bat. to 2d Nat. Vet. Bat.; Lieut. Col. J. Haslewood from 2d Nat. Vet. Bat. to 4th Nat. Vet. Bat.

Cadet Wm. Haig admitted to cavalry, and prom. to cornet.—Cadets W. H. Lamphier, C. R. Young, J. W. Marlay, T. C. Hawkes, H. J. Nicholls, A. Salmon, H. M. Donaldson, W. M. Gunthorpe, G. T. Haly, E. Stevenson, H. Pereira, R. Mackenzie, H. F. Emery, J. W. C. Starkey, and J. G. Neill, admitted to infantry, and prom. to ensigns.

Head-Quarters, May 29.—Maj. Simpson, 3d Nat. Vet. Bat., to assume command of troops composing garrison of Visagapatam, in consequence of death of Lieut. Col. Smithwaite.

May 30.—**Postings of 2d-Lieuts. of Artillery.** E. Brice to 3d bat.; J. C. Lancaster, 1st do.; E. H. F. Denman, 1st do.; J. H. Salter, 1st do.; Rowlandson, 3d do.; Carruthers, 1st do.

Ens. H. V. Pope removed, at his own request, from 2d Europ. Regt. to 27th N.I.

May 31.—Assist. Surg. T. Powell app. to do duty with 10th N.I.

June 1.—**Removals.** Ens. H. Colbeck, at his own request, from 16th to 4th N.I.; Ens. G. Carr, at his own request, from 8th to 16th do.

June 2.—**Removals.** Maj. Gen. and Col. Sir T. Dallas, from 5th to 7th L.C.; Lt. Col. Com. J. Russell, from 7th to 6th do.; Lieut. Col. Com. D. Foulis from 6th to 5th do.

June 4.—**Removals.** Ens. P. T. Marrett, at his own request, from 1st Europ. Regt. to 8th N.I.; Ens. W. G. Johnstone, at his own request, from 38th to 12th do.

June 6.—**Cornets (recently prom.) posted to Regts.** Jos. Davies to 8th L.C.; Wm. Haig to 4th do.

Ensigns (recently prom.) posted to Regts. E. B. Stevenson to 46th N.I.; H. F. Emery, 50th do.; J. C. A. Durand, 2d Eur. Regt.; J. G. Neill, 1st do.; J. W. C. Starkey, 1st N.I.; H. Gordon (not arrived) 38th do.; E. Marriott (do.), 45th do.; W. W. Cazalet (do.), 52d do.; R. S. Johnson (do.), 49th do.; G. P. C. Kennedy (do.), 3d or P.L.I.; T. Master (do.), 33d N.I.; A. Russell (do.), 46th do.; H. M. Donaldson, 50th do.; C. R. Young, 2d Eur. Regt.; W. H. Lamphier, 36th N.I.; H. J. Nicholls, 25th do.; W. M. Gunthorpe, 6th do.; G. T. Haly, 41st do.; J. W. Marlay, 28th do.; T. C. Hawkes, 23d or W.L.I.; A. Salmon, 47th N.I.; J. Amsinck (not arrived), 1st Eur. Regt.; A. J. Hadfield (do.), 37th N.I.; A. F. Beavan (do.), 39th do.; J. G. Leatham (do.), 1st do.; O. W. Bromwick (do.), 29th do.; P. B. Roper (do.), 38th do.; W. Herford (do.), 5th do.; D. MacDonald (do.), 2d do.

June 7.—Maj. J. Lambe, non-effective estab., posted to 4th Nat. Vet. Bat.

Fort St. George, June 8.—Mr. C. Wilkinson admitted on estab. as an assist. surg.

Assist. Surg. Wm. Haines app. to medical charge of the Neilgherries.

June 12.—33d N.I. Sen. Capt. G. Drew to be maj., Sen. Lieut. G. Brady to be capt., and Sen. Ens. A. Brady to be lieut., v. Lambe invalided; dated 6th June 1827.

Assist. Surg. C. Wilkinson to do duty under garrison surg. of Poonamallee.

June 18.—Cadet N. Wroughton admitted to cav., and prom. to cornet.—Cadet J. E. Mawdsley admitted to artil., and prom. to 2d-Lieut.—Cadets S. G. C. Renaud, P. E. L. Rickards, Jos. Dods, and F. H. Sanson admitted to infantry, and prom. to ensigns.

Head-Quarters, June 15.—Lieut. Col. M. Riddell (late prom.) posted to 7th L.C.

Ens.

Ena. J. W. Marlay removed, at his own request, from 28th N.I. to 3d, or Palamcottah L.I.

June 14.—Surg. W. Haines removed from 30th to 33d N.I.; Surg. T. Williams (late prom.) posted to 31st N.I.; Surg. R. Anderson (late prom.) posted to 38th do.

Ena. J. C. A. Durand removed, at his own request, from 3d Europ. Regt. to 37th N.I.

June 18.—*Artillery.* Capt. R. Sheriff (late prom.) posted to 3d horse brigade; 1st-Lieut. H. Watkins removed from 1st bat. to 1st horse brigade; 2d-Lieut. E. Brice removed from 3d bat. to 3d horse brigade; 3d-Lieut. E. S. G. Showers removed from 1st bat. to 2d horse brigade.

June 21.—*Removals of Lieut. Colonels.* W. Clapham from 31st or T.L.I. to 4th N.I.; J. Wight from 4th to 42d do.; J. Briggs from 42d N.I. to 31st or T.L.I.

FURLOUGHS.

To Europe.—May 25. Capt. C. C. Bell, 34th Lt. Inf., for health.—29. Lieut. J. St. V. M. Cameron, 8th N.I., for health.—June 1. Lieut. R. A. Harden, 7th N.I., for health.—Lieut. R. Pretymann, 19th N.I., for health.—Lieut. A. Brady, 33d N.I., for health.

To Calcutta.—June 8. Assist. Surg. G. Knox, for six months, for health.

To Cape of Good Hope.—May 22. Lieut. J. Lewis, 24th N.I., for health (also to St. Helena, and eventually to Europe).

To Sec.—May 25. Capt. J. Cameron, 52d N.I., for one year, for health (to proceed from Bombay).

Cancelled.—Lieut. G. T. Pinchard, 3d L. Inf., to Europe.

LAW.

SUPREME COURT, July 9.

The quarter sessions commenced this day; and as it was the first time that Mr. Wynn's statute was acted upon, the Chief Justice, adverting to the fact that there were amongst the jury several who, under the recent act of parliament, and the rules published by this court in obedience to it, had been for the first time called upon to act as grand jurors, and who, from the circumstances of their having heretofore been considered ineligible to that office, could not be supposed to have paid much attention to the nature of it, thought it expedient to deliver a very detailed exposition of the oath, and the nature of the duties imposed upon grand jurors. With reference to the rules prescribed by the court under the act, his lordship stated that they had been framed in unison, as far as local circumstances would permit, with those published at the sister presidencies, and he trusted with as much regard to the just expectation of those who may think themselves entitled to be summoned upon the grand jury, as is consistent with the object and intent of the legislature, the general state of the community here, and the express directions contained in the charter of this court, which he apprehended was intended to be altered in no other respect than by authorizing the introduction of such persons upon the grand jury as were before disqualified by reason of their not coming within the denomination of "British subjects."

On the names of the petty jury being called over, the Chief Justice remarked that no natives were on the pannel, and called upon the sheriff to state why none had been summoned of that class of subjects. The sheriff replied that the natives had been called upon, but that they had manifested so great and general disinclination to serve on the jury, that he had omitted them altogether in his return. His lordship requested that they should be summoned for the next sessions, and that they would be required to come forward and state their objections to serve on the jury.

At the conclusion of the sessions, the chief justice thanked the gentlemen of both juries for their services, and expressed a confident hope, that from the manner in which the gentlemen who had been recently summoned and sworn in jurors had discharged their duties, the most sanguine expectation of the legislature and the court would be fulfilled by the present arrangement.

The *Madras Courier* states that "government has sanctioned the appointment of a counsel for paupers, with a salary of 600 rupees a month. The want of such an officer at Madras has always been felt as occasioning a heavy grievance, and often positive injustice to the public, and a thankless burthen upon all branches of the profession. No one, indeed, who is at all acquainted with the proceedings of the court, can doubt the propriety of this measure, or that it was positively necessary to render the pauper establishment of any real service to the community." The judges have appointed William Bathie, Esq. to fill this new office.

MISCELLANEOUS.

SIR THOMAS MUNRO.

A meeting of the inhabitants of Madras took place on the 24th July, to consider of the best mode of testifying their sense of the high public character and private worth of their late governor. Several speakers bore testimony to the virtues of the deceased, which had obtained for him the appellation of "Father of the people;" and it was unanimously agreed to erect a statue at Madras to perpetuate his memory.

The subscriptions by the last accounts amounted to upwards of 20,000 rupees.

STORM.

The *Madras Courier* gives a frightful picture of the storm mentioned in a preceding journal, which began on the 5th, and continued with short intermission till the 9th, when a dreadful swell of the sea and inundation took place. Fortunately the wind gradually subsided into a smart gale during the

the afternoon, or the greatest part, if not all, of the native vessels in the roads must have been wrecked. As it was, considerable damage was sustained. During the whole of the storm the rain fell in torrents, and it is supposed that so great a quantity of water was never known before to have fallen there at one time, except during one of those violent hurricanes which occasionally visit that coast. The rivers and tanks were all full, and the country for miles round was flooded. The fall of rain was truly surprising: between the evening of the 5th and the afternoon of the 9th, the total quantity amounted to upwards of twenty-one inches, which is almost equal to the actual supply of the whole monsoon season in moderate years. The thermometer on the 10th was at 74°; an unusual rate at Madras in the month of May. As might have been expected, the native dwellings suffered severely, and numbers of them had been washed down, and others undermined.

FÊTE AT VIZAGAPATAM.

On the 22d of May a splendid entertainment, consisting of a dinner, a dance, and a supper, was given by Goday Sooria Narrain Row, a distinguished and opulent native, to the ladies and gentlemen of the European portion of the community, on the occasion of the marriages of his son and daughter. The wedding had been previously celebrated in the native style, with all that attention to etiquette, splendour, and expense which distinguished natives are accustomed to observe on such occasions. Nor was the fête to his European friends undeserving of notice. A very tasteful pandal was erected in front of, and connected with his garden-house; in this the company, consisting of about fifty ladies and gentlemen of Vizagapatam and the neighbouring stations, assembled. The dinner was served up in the spacious hall of the main building, brilliantly lighted up, and hung round with elegant engravings, of European execution. Two superb mirrors ornamented each end of the room, and a very elegant lamp, with richly painted moons, was hung over the centre of the table. The dinner consisted of every dainty usually served up at an English entertainment, an excellent desert, choice wines, and other beverage. The heat did not prevent some of the fair from enjoying the dance, whilst others were amused by the exhibition of a fine set of native dancing-girls, and a display of blue lights and fireworks. About midnight supper was announced, which might well have done duty for a dinner. At dinner the health of the son and daughter of Narrain Row, and the wife and husband of each, was drank in a bumper. This was followed by the health of the

Rajah of Vizianagram, who honoured the entertainment with his presence. Amongst the novelties of the evening was the exhibition of a Highland piper in the service of his Highness, who, in full costume, played reels, pibrochs and laments, and was no contemptible performer on the pipes of his nation. The ladies retired at rather an early hour, occasioned probably by the great heat: but many gentlemen tarried over the bottle in due respect to the exertions to please of their hospitable entertainer, and retired not until pleasure was, in danger of becoming a fatigue.—*Mad. Gov. Gaz.*, June 14.

CURE FOR CHOLERA MORBUS.

Extract of a letter from Madras, 10th July 1827:—"Here I am most sorrowfully interrupted by the melancholy news of the sudden death of our good governor, Sir Thomas Munro, who died of the cholera on the 5th inst. We have been free from this epidemic plague for many years. I was attacked with it, and given over, having had the common last symptoms, of a general cramp over the whole body, with sinking of the eyes, when I was cured by a powerful medicine, prescribed by Mr. Gay, an able medical practitioner, though only a sub-assistant surgeon; a number of people have been cured by taking that medicine."

We have been furnished with the prescription for the above medicine, with a request that it may appear in this Journal; it is as follows:

Anticholera Drops, No. I.

Take of Daffy's Elixir (with a larger proportion of Senna) 3ij.
Aromatic Spirits of Ammonia 3iiss.
Oil of Caryoph. (made an essence of with Alcohol) 3ss.
Oil of Juniper..... gtt. vi.
Oil of Menth. Pipt..... gtt. viij.
Oil of Cajuput gtt. x.
Spt. Ether. Nitros. 3iij.
Mist. Camph. (font.) 3 x. m.
Fiat mist.—Dose 3j.

No. 2.

The same, leaving out the camphor mixture, and adding half an ounce of the compound tincture of camphor.

Should repeated doses of this mixture not check the watery motions, ten drops of laudanum may then be added to each dose, increasing it five drops each time, till it composes the bowels; an hour or two after which, if the patient is not very much exhausted, six grains of calomel, with a scruple or fifteen grains of rhubarb, ought to be administered in a little ginger tea, and the latter to be made use of pretty freely after the bowels have been opened by the medicine.

Should the cholera commence with evident

dent acidity at stomach, the cure ought to be commenced with eight grains of calomel, and a drachm of prepared chalk, with a little ginger powder; after which mixture No. 1 should be persevered in till the stomach is composed.

Mr. Gay attributes the success he has experienced from the use of the Anticholera Drops to "their powerful action on the digestive and urinary organs, which by some mysterious cause become so greatly affected as to encourage (it is believed) the congestion of the blood, which being reduced into a congee-water-like fluid, is evacuated in large quantities, and necessarily produces that prostration of strength and restlessness, which are ever attendant on Cholera. The symptoms in this formidable disease strongly point out the necessity of stimulants to keep up the circulation of the blood; which the Anticholera Drops are admirably calculated to effect, particularly when assisted by stimulating frictions of cajuput oil, or (which is better when spasms come on) a mixture of cajuput oil, æther, and laudanum, in equal parts." He recommends the patient's thirst to be quenched with small but repeated doses of strong ginger tea, prepared with toast and water.

SHIPPING.

Arrivals.

June 12. *Bombay*, Charitie, from London.—20. *Waterloo*, Manning, from London.—23. *General Kgd*, Nairne, from London.—July 10. *Belle Alliance*, Pendergast, from Ceylon.

Departures.

June 8. *Harriet*, Kindley, for Calcutta.—9. *Sir William Wallace*, Wilson, for Calcutta.—10. *Cæsar*, Watt, for Calcutta.—July 6. *John*, Dawson, (passed from London), for Calcutta.—12. *H. M. S. Tamar*, for Cape and London.—17. *General Palmer*, Truscott, for London.

BIRTHS.

June 3. The lady of Lieut. E. Dyer, dep. assist. adj. gen. of the army, of a daughter.
7. The lady of John Moorat, Esq., of a daughter.
24. At Punganore, the lady of Emudy Chekah Royal or Namah, son to his Highness the Rajah of Punganore, of a daughter.
26. At Wallajahbad, the lady of Capt. J. Clements, 9th N.I., of a son.
July 1. At Palamcottah, the lady of the Rev. J. C. F. Winckler, of a son.
2. At Bellary, the lady of Capt. Godfrey, dep. assist. qr. mas. gen., of a son.
— At Cannanore, the lady of Capt. B. S. Ward, of a son.
6. At Kamptee, near Nagpore, the lady of Capt. F. Hunter, assist. adj. gen., of a daughter.
— At Salem, the lady of [E. H. Woodcock, Esq., civil service, of a son.
— At Palaveram, the lady of Capt. J. P. James, 2d regt., of a son.
11. At Secunderabad, the lady of Lieut. Barnett, 7th N.I., of a daughter.

MARRIAGES.

July 12. At St. George's Church, E. B. Thomas, Esq., of the civil service, to Isabella Margaret, daughter of E. C. Greenway, Esq., civil service.
16. At St. George's Church, Lieut. and Qu. Mast. Carthew, 21st N.I., to Jemima Borland, youngest daughter of John Ewart, Esq.

DEATHS.

May 26. At Bangalore, Lieut. T. R. Barton, 25d N.I.
June 25. At Masulipatam, Lieut. James Willis, 38th N.I.
26. At Kamptee, Lieut. E. S. Burchell.
July 6. At Trichinopoly, Ann, wife of Quart. Mast. J. Stubbs, H.M.'s 48th regt.
8. Capt. John Marshall, H.M.'s 48th regt., in which corps he served twenty years.
— At Masulipatam, Lieut. R. Garraway, quart. mast. and interp. 38th N.I.
15. Capt. H. S. Hall, 4th N.I., and acting military paymaster at the presidency.
16. On board the *Roxburgh Castle*, just as she had completed her voyage from England, Lieut. Col. John Noble, of the Madras army.
Lately, At Anantpoor, Arthur Wilmot, Esq., Madras civil service, in his 23d year.
— At a village on march from Ghooty, Capt. A. Macleod, 43d N.I., commanding the late Hon. the Governor's escort.

Bombay.

COURT-MARTIAL.

BREV. CAPT. O'CONNOR.

Head-Quarters, Calcutta, June 11, 1827.
—At a General Court-Martial, held at Poonah on the 27th April 1827, Brev. Capt. C. O'Connor, of H. M.'s 20th Regt., was arraigned upon the undermentioned charge:—

For highly disgraceful and dishonourable conduct, unbecoming the character of an officer and a gentleman, in the following instances:—

For wilfully asserting, on the 3d Jan. 1827, a gross falsehood in presence of two soldiers of the regiment, by which he induced Lieut. South, the acting paymaster, to transfer the sum of 150 rupees from his private account to his public account with the late paymaster, thereby intending to defraud the estate of the deceased in that sum of money.

Upon which charge the court came to the following decision:—

Finding and Sentence.—The court, having most maturely weighed and considered the evidence adduced in support of the prosecution, as well as what the prisoner has brought forward in his own behalf, are of opinion that he is guilty of the charge preferred against him, with the exception of the concluding allegation, of which he is acquitted. The court, having found the prisoner guilty of so much of the charge as is above described, do adjudge him, Brev. Capt. O'Connor, to be dismissed his Majesty's service.

Confirmed,

(Signed) COMBERMERE, General,
Commander-in-chief in India.

Remarks by his Excellency the Right Hon. the Commander-in-chief.

The explanation which the court have given of the grounds on which they have pronounced a partial acquittal of the prisoner, Lieut. and Brev. Capt. O'Connor, on the charge preferred against him, has

has occasioned to the Commander-in-chief some embarrassment; since the opinion they have expressed of the transaction being, in his Lordship's judgment, quite incorrect, he is led to suppose that had the court taken a more proper view of the case, the prisoner would have been found guilty.

A consideration of the facts proved in evidence would, his Lordship regrets to observe, lead to the same conclusion; since, if Brev. Capt. O'Connor had been satisfied in his own mind, that the transaction was a justifiable one, or that he would not, if successful, have relieved himself from a personal debt by charging the estate of the late paymaster to that amount, he would not have attempted to effect his purpose by means of false assertion.

Again, it appears, though not observed by the court, that there was on the 31st Dec. (the paymaster having died on the 23d of the same month) a balance in favour of Lieut. O'Connor on his private account, amounting to Rs. 157, after deducting the sum of Rs. 150, advanced to him by the late paymaster, which shews, that in eight days after the paymaster's decease, he would have had ample funds for the repayment of the debt; but that fact does not disprove the fraudulent intention, although he makes it appear that through his ignorance or fears, he endeavoured to obtain by a falsehood that adjustment of his debt which he might openly and fairly have demanded.

The erroneous opinion which the court have entertained is, that a sum of money due by an officer to an insolvent paymaster, on a private account, can be admitted as a set off against a sum due to such officer on the public account of his Company by the same paymaster.

A paymaster in his official capacity of a public accountant is obliged to find security for the due performance of his public duties, and his securities are responsible for, and must make good, any defalcation in the public accounts of an insolvent paymaster; for this purpose, as in every other transaction with a public accountant, they are entitled to any assets which may be due to the estate to the amount of their liability, but they cannot by any rule be charged with the insolvent's private debts.

When therefore an officer either borrows money from a paymaster or allows balances in his hands, after they ought to have been drawn out by the regulations of the service, he makes the paymaster his private agent, becomes personally liable to any losses from his insolvency, and is obliged to repay to the estate any advances he may have received, equally as he would by the insolvency of any other private agent; and these private claims

can on no principle, either of equity or practice, be admitted in the public accounts of the insolvent paymaster.

The court have expressed a hope that the length and nature of Lieut. O'Connor's services, his strong testimonials of character, and above all the circumstance of his acquittal upon the most disgraceful part of the charge, may operate to procure for him a mitigation of his sentence.

The Commander-in-chief will not fail to bring under the notice of his Majesty, through the proper channel, the court's recommendation; but considering the very grave nature of the charge, which has been proved, he cannot take upon himself to mitigate the penalty which has been awarded.

The foregoing order is to be entered in the general order book, and read at the head of every regiment in his Majesty's service in India.

By order of the Commander-in-chief.

A. MACDONALD, Adj. Gen.
of H.M.'s forces in India.

MILITARY APPOINTMENTS, PROMOTIONS, &c.

Bombay Castle, June 15, 1827.—*Infantry.* Sen. Lieut. Col. W. Sandwith to be lieut. col. com., v. Wilson, dec.; Sen. Maj. C. Garraway to be lieut. col., v. Sandwith prom.; both dated 2d April 1827. 17th N.I. Capt. W. H. Sykes to be major, Lieut. B. Kingston to be capt., and Ens. J. Pope to be lieut., in suc. to Garraway prom.; all dated 2d April 1827.

June 19.—*Temporary arrangements confirmed.* Lieut. A. Woodburn, qu. mast. 1st extra bat., to act as interp. in Hindoostanee to 11th N.I., from 20th May 1827; Lieut. H. Jacob to act as interp. in Hindoostanee to detached wing of 19th N.I. in Kattywar, from 28th April 1827; Lieut. Fortune, adj. Guzerat Prov. Bat., to act as interp. in Hindoostanee to right wing of 1st L.C. at Kalra, from 15th April 1827.

June 23.—Subedar Maj. Cooshall, 6th N.I., to command hill fort of Ruttunghur.

June 25.—Capt. C. Newport (having returned from Cape of Good Hope) permitted to join revenue survey in Guzerat.

June 26.—*Officers of Deccan Survey Department placed at disposal of Com.-in-Chief.* Capt. G. P. Le Messurier, 4th N.I.; Lieut. R. Shortreed, 14th do.; Lieut. W. N. Smee, 5th do.; Lieut. M. Hart, 6th do.; Lieut. C. Benbow, 15th do. (on leave of absence at Cape of Good Hope).

June 28.—Capt. G. P. Le Messurier, 14th N.I., to act as third assist. com. gen. Poona div. of army, during absence of Capt. Campbell at sea for health.

June 28.—Cadets W. J. Tudor and W. F. Hay admitted to cavalry, and prom. to cornets.—Cadets H. W. Brett, T. Tarleton, and J. S. Unwin, admitted to artillery, and prom. to 2d lieuts.—Cadets J. W. Hockin, F. Cristall, W. S. Nettlefold, P. Show, R. J. Holmes, T. L. Frederick, J. Burnett, C. R. Hogg, W. E. Rawlinson, Thos. Stock, and S. H. Partridge, admitted to infantry, and prom. to ensigns.—Messrs. A. Gregor and J. Spark admitted as assist. surgeons.

Officers returned to duty, from Europe. Lieut. Col. E. Frederick, of infantry; Capt. W. Sterling, 17th N.I.; Surg. J. Orton.

June 30.—Capt. C. B. James to act as secretary to Military Board, and Capt. T. Baillie, 24th N.I., to act as 1st assist. com. gen. at Surat, from date of Maj. Pearson's departure on furlough to Cape of Good Hope.

July 7.—1st Gr. N.I. Ens. T. Foulerton to be lieut., v. Stenton dec.; date 19th June 1827.

July

July 10.—Lieut. F. N. B. Tucker, 94th N.I., to be line adj. at Rajpote, v. Troward prom.—Lieut. D. Graham, 19th N.I., to act as line adj. until Lieut. Tucker's arrival.

July 14.—Asist. Surg. A. Mackel to be civil surg. at Kaira.

July 20.—Lieut. W. N. J. Smee, 5th N.I., to be fort adj. at Ahmednugger from 16th July, v. Jameson proceeding to Europe.

Aug. 3.—Lieut. Athill to be acting revenue surveyor of Bombay and Salsette.

Lieut. C. P. Ainallie, H.M.'s 4th L. Dr., to be aide-de-camp to commander-in-chief from 12th June, v. Lieut. Col. Rainey resigned.

FURLOUGHS.

To Europe.—June 22. Capt. W. A. Tate, of engineers, for health —July 20. Lieut. G. J. Jameson, 4th N.I., for health.

To Calcutta.—July 23. Lieut. J. B. Phillips, 2d Europ. Regt., for six months, on private affairs. 24. Lieut. J. H. Bell, 11th N.I., ditto ditto.

To Madras.—Lieut. J. Maughan, 12th N.I., for six months, on private affairs.

To Cape of Good Hope.—June 16. Maj. P. Fearon, 6th N.I., for health (eventually to Europe). —22. Lieut. Col. N. C. Maw, 11th N.I., for twelve months, for health.

Cancelled.—July 9. Capt. J. Fosberry, 8th Madras N.I., to Madras by sea.

LAW.

SUPREME COURT, July 30.

Hurgovandas Jugjeevandass, Toolseydass Sewdass, Lalldass Mooteram, and Mooteram Etcharam, appeared to an indictment which had been found against them at the last sessions for a conspiracy.

The case was as follows:—Nurbharam Bhawanidass, the late mint contractor, died in March 1824, leaving great wealth. He made his will three or four days before his death, in which he bequeathed the bulk of it to his grandson, an infant of two or three years old, appointing four executors, of whom Hurgovandas (the defendant), who was the father of the infant heir, was one. Legacies, amounting to about one-eighth of the property, were left mostly to images and shrines at Bombay and Guzerat. For some time after the death of Nurbharam, the defendant acted agreeably to the will—he even paid a legacy under the will, and acquiesced in the application for probate, which the executors were about to make to the supreme court. Towards September 1824 the defendant threw off all regard to the will, declaring that it was not the act of Nurbharam, whose state of mind would invalidate such an act. The effect of setting aside the will would be to nullify the legacies, and make Hurgovandas the administrator and manager of this immense property during the long minority of his son. With this view, he prevailed upon the other defendants to join him in an affidavit before the Registrar, the object of which was to prevent probate being granted to the will.

This trial lasted for nearly two days, when the court found all the defendants guilty.

MISCELLANEOUS.

TIGER KILLED BY A BRITISH OFFICER.

The following extraordinary exploit is related in the *Bombay Iris* of August 7: An officer (Capt. F.) travelling within the last month to join his regiment at Jaulnah, on the Madras establishment, happened to go out with his rifle one fine morning, when suddenly he observed a large tiger making at him: fortunately his piece was loaded with ball, and taking a steady aim, he hit him immediately in the eye: for a moment the animal was stunned, so great was the shock; the officer had presence of mind to take advantage of this short respite (for of course he considered his destruction certain), and pulling off his shooting jacket, which was made of very thick fustian, he wrapped it round his left arm, at the same time drawing a short knife, similar to those which natives carry, he prepared boldly for the attack. The raging beast now made a spring, which was avoided, and at last, after much difficulty and many wounds, Capt. F. succeeded in getting his left arm down the tiger's throat, whilst, with his right, he first cut and hacked his fore-legs and claws, and then stabbed him in the breast and stomach, until the animal by degrees relaxed his struggling, and dropped dead on the ground. Capt. F. proceeds then to express his feelings on finding himself delivered from what every one must have looked on as certain death; until overcome, he says, as much by mental suffering as bodily wounds, he fell senseless by the side of his conquered enemy, in which state his servants discovered him about four hours after.

ARMENIAN HIGHWAYMAN.

The *Bombay Gazette* of the 27th June states the following extraordinary circumstance:—"On Sunday night, as Mrs. Sparrow was returning from church, a daring attempt was made to stop her carriage by a man on horseback, who rode up and seized the reins of the horses. The coachman, finding that the hearty application of his whip was unavailing in making him quit his hold, descended from the box for the purpose of seizing the highwayman, who pulled out a pistol and discharging it at his head, shot away his ear. It is satisfactory to learn that the perpetrator of this atrocity was shortly after apprehended, through the vigilance of Mr. Gray, the junior magistrate of police, who secured him at Byramjee's stables when returning the horse he rode. The offender is an Armenian—a people distinguished for peaceable habits."

BOOTY AT KITTOOR.

It will be very satisfactory to many of our

our military friends to learn, that the property captured at Kitoor in 1824 has been declared to be prize, and that orders have been received for its distribution.—*Dom. Cour., Aug. 11.*

SHIPPING.

Arrivals.

June 24. *Egyptian*, Lilburn, from London.—30. *Warwick*, Gibson, from London and Rio de Janeiro.—July 7. *Fort William*, Neish, from Bengal.—25. *Esther*, Robinson, from Liverpool.—29. *Enterprise*, Dillon, from London.—Aug. 6. *John Biggar*, Kent, from London.—7. *Charles Kerr*, Brodie, from London.

Departures.

June 21. *Cumbrian*, Blyth, for China.—23. *Bridgewater*, Manderson, and *Charles Forbes*, Bryden, both for China.—July 7. *Louther Castle*, Baker, for China.—15. *Duke of Bedford*, Parsons, for Persian Gulf.—23. *Hythe*, Wilson, for China, 25. *Milford*, Jackson, for China.—Aug. 1. *Warwick*, Gibson, for Liverpool.—5. *Triumph*, Green, and *Maitland*, Studd, both for London.—7. *Charles Grant*, Hay, for China.—8. *Atlas*, Hine, for Penang and China.

BIRTHS.

June 24. Mrs. Ferrar, of a daughter.
July 6. At Indore, the lady of Capt. Dangerfield, assist. opium agent, of a son.
16. At Colaba, Mrs. Jellicoe, of a son.
23. Mrs. Bennett, of a son.
24. At Mhow, the lady of Capt. Rybot, 2d Cavalry, of a son.
Aug. 6. At Colabah, Mrs. Egan, of a son.
8. The lady of J. Saunders, Esq., of a daughter.
9. At Colabah, the lady of Capt. Wm. Poynton, of the country service, of a daughter.

MARRIAGES.

June 1. At Poona, Lieut. Edw. Willoughby, 18th N.I., to Emma, eldest daughter of Lieut. Colonel Meall, of this establishment.
20. At St. Thomas's Church, Stanhope Bruce, Esq., Lieut. 3d regt. of Buffs, to Isabella, daughter of Lieut. Col. R. Ellis, 25th Light Drago.

DEATHS.

June 12. At Surat, Lydia Barnes, wife of Mr. Salmon, of the Surat mission, aged 20.
29. Drowned on his way from Joonceer to Poona, in his 19th year, Alex. G. Hamilton, Esq., of the Bombay civil service.
30. At Surat, W. G. Bird, Esq., of the civil service.
July 20. R. J. M. Muspratt, Esq., of the civil service, aged 19.
— At Geeraum, Mr. P. Brady, tutor of the Engineer Institution, aged 40.
Aug. 2. At Poona, Lieut. W. H. Clarkson, 3d N.I., aged 23.

Ceylon.

ECCLESIASTICAL APPOINTMENT.

April 28. The Rev. N. Garstin to be senior colonial chaplain, from 1st Jan. 1827.

LEVEE.

On Monday the 23d inst. being appointed for the celebration of his Majesty's birth-day, his Exc. the Governor held a levee at the king's house, which was attended by the gentlemen of the several services and other European gentlemen resident in Colombo, as well as by a numerous body of the native headmen. In the evening the Governor and Lady Barnes

gave a ball and supper to the ladies and gentlemen of the settlement. After "the king," and some other toasts, his Excellency gave "the health of his Majesty's native subjects of Ceylon, and prosperity to the island;" on which the second Maha Moodliar (the first having been absent on account of family affliction), attended by the native headmen present, came forward from a table that had been laid out for their accommodation in an adjoining apartment, and in a most appropriate and well conceived address, expressed the high feelings of loyalty felt by them and the native inhabitants in general towards his Majesty, and expatiated upon the happiness they experienced under the mild and equitable rule of the British government; and, connected with such an impression, he concluded by asking the governor's permission to propose as a toast, "the health and happiness of his Excellency and Lady Barnes," to whom they were most anxious to offer this mark of their respect and esteem. The governor, in reply, declared his particular satisfaction at the sentiments of loyalty and attachment for his Majesty's government conveyed by the Maha Moodliar; that he was happy to take advantage of this opportunity which now presented itself, of publicly giving his testimony to the general good conduct of the native headmen in the discharge of their respective duties. To the equitable rule of the British government—a rule that admitted of no distinction, for the law was administered alike both to Europeans and natives, who were equally subjects of the British empire—his Exc. attributed the good order and happiness so long prevalent amongst the native inhabitants of this island and the rapid strides they had made toward civilization, to the good example set by the native headman to their inferiors, and those who were placed in authority under them. His Exc. was pleased to express his sense of the individual merit of the Maha Moodliar, and concluded by returning thanks to the company for the kind manner in which they had been pleased to receive the toast.—*Ceylon Gov. Gaz., April 28.*

BIRTH.

June 4. At Mulletivo, the lady of Mr. Brechman, sitting magistrate of that place, of a son.

MARRIAGE.

July 11. At Galle, Lieut. R. Lexmore, H.M.'s 16th regt., to Mary Helen, youngest daughter of W. C. Gibson, Esq.

DEATHS.

May 8. Maria Petronella De Vos, wife of Mr. D. D. Neys, librarian of the Colombo Library.
June 3. At Colombo, Maria Magdalena, wife of the late Mr. J. H. Demmer, aged 63.
23. At Galle, Chas. Scott, Esq., of the Ceylon civil service, and provincial judge of that station.
27. At Colombo, Capt. J. Parker, H.M.'s Ceylon regt., aged 56.

Penang.

IMPROVEMENTS.

The *Penang Gazette* states that the government have offered to bear half the expenses of the new roads projected by the committee of assessors, and that other improvements are carrying on and contemplated by the committee. Want of fund is seriously felt, and the editor of the paper suggests a lottery as an eligible mode of increasing them. Of the eligibility of this mode there may be some doubt.

THE REV. MR. HUTCHINGS.

The *Gazette* of May 12 contains the following tribute to the memory of the late Rev. Robert Sparke Hutchings, A.M., the Presidency chaplain, who died on the 20th April, after only a week's illness:—"In speaking of one so intimately known among us during the long period of fourteen years, and so distinguished for his clerical, as well as social virtues, it becomes as difficult, as it is always desirable, to avoid an exaggerated tone of panegyric; but this we feel the less inclined to indulge in, from the universal regret of all classes of society, for the sudden and untimely loss of this amiable man and truly respectable divine. Of the value and importance attached to his professional labours, the best proof was afforded by the regular attendance of the community at public worship; a practice highly conducive to the reciprocal benefit of the minister and of his flock, by cherishing in the hearts of both, a lively sense of their common and respective obligations. But, 'at his duty, prompt at every call,'—the time, talents, and attention of our lamented chaplain were devoted with equal zeal to another great 'labour of love'—in first carrying into effect the benevolent efforts of the society in behalf of our native population, by founding our public school; and afterwards, in promoting and securing its prosperity, by his unwearied application to the closely watching of its progress, and perfecting all its minute and complicated details. Of his attainments as an Oriental scholar, we would leave it to others to speak who are more competent than ourselves to estimate their power and extent; but many of us can bear witness to his ardour and assiduity in the study of the Malayan language, with the great and meritorious object of improving the vernacular translation of the scriptures, into which numerous and serious errors had found their way, through the neglect or incompetence of his predecessors. And here it may be right to mention, but wholly needless to dwell upon, his strenuous exertions in the great cause of the Bible Society, in which he laboured with all his characteristic and successful energy. After the faith-

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ful and zealous discharge of such important duties as those we have ventured to advert to, it must appear as of very minor consequence, to point out the active part which he so kindly took in the management of our presidency library;—but we are loath to omit, in this feeble tribute to departed worth, so pleasing a proof of his readiness to afford, upon all occasions of public utility, the influence and aid—of his respected character and literary attainments. Such, in short, has been the uniform merit of our spiritual guide and lamented friend, in all the varied relations of public and private life, that his death is regarded as a general calamity, and his memory will long be cherished with corresponding pain and affection."

BIRTHS.

April 9. The lady of Thos. Church, Esq., civil service, of a daughter.

May 3. The lady of Capt. E. E. Bruce, 36th Madras N.I., of a daughter.

20. The lady of K. Murchison, Esq., civil service, of a son.

30. The lady of Capt. Bunbury, of a daughter.

MARRIAGE.

June 6. Capt. P. P. Hodge, executive officer of public works, to Emily Vandeput, eldest daughter of W. Johns, Esq., of Hiltont, in Cornwall.

DEATHS.

April 20. The Rev. R. S. Hutchings, A.M., chaplain of this presidency.

June 11. On board H.M.'s ship *Java*, F. Stewart, Esq., assistant surgeon of that ship.

Singapore.

CULTIVATION OF SPICES.

Government have, with becoming liberality, intimated to the inhabitants of the settlement, that those who wish to try the cultivation of spices on this island, will be supplied with young plants of nutmegs and cloves from the Hon. Company's botanic garden, on application to the superintendent. We hope that the disposition thus laudably evinced by government to encourage experiment may have a beneficial effect, and that a fairer trial will be given to spices here than we can venture to believe they have yet received.—*Sing. Chron.*, May 24.

DISTURBANCE AMONG THE CHINESE.

A Calcutta paper states that a report was prevalent that a serious riot had taken place at Singapore amongst the Chinese inhabitants, in consequence of the imprisonment of one of the principal merchants of that nation, Chi-sang; that the military had been called out, and some of the European artillery had been killed; and that the Governor had re-embarked on board the *Cambridge* in consequence. Another paper alleges that the letters received from the settlement so late as the

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12th

12th July make no mention of this occurrence.

Malacca.

CHINESE PLANTERS AND BROTHERHOOD.

The *Malacca Observer* of May 8th contains sundry allegations against the Chinese in the settlement, on behalf of the landholders, who state their case thus:—

1. When a planter borrows money, it is with the engagement of repaying it either in cash, or in pepper after the first or second season from the date of the bond.
2. When a planter wishes to commence a plantation, he agrees with the proprietor of the land, or any other person willing to join, who advances cash, on condition that, after the plantation has cleared the expenses of outfit, the half, or generally two-thirds, of the plantation revert to him, and the remainder to the planter for his trouble in superintending the work. The workmen are supplied with rice by the person who advances the cash. Previous to the year 1819 there existed a *brotherhood* among the Chinese planters; but owing to the murder of a Chinaman named A-man, and in consequence of the search made by the police, this brotherhood was in a measure broken up, seven of the leaders having fled to Pahang. From that period to 1824 matters went on peaceably and fairly between the planters and proprietors, until the Chinese brotherhood was again set on foot; since which, it is affirmed, nothing but deception and losses have occurred to those who advanced money on plantations, to the amount altogether of between 90,000 and 100,000 dollars. The complaints on these points are, that the planters who have borrowed money, giving their plantation in security, and also two other planters as securities for the amount, do not pay either interest or principal, but put off the creditors from season to season; and should the latter summon them before the court, it avails nothing, as the local authorities, it is understood, have not power to decide on debts exceeding thirty Spanish dollars. The planters, in the mean time, receive the produce of the trees, and sell it for their own benefit, after which the plantation is little worth until the following season, and the creditors must be at the expense of food and wages to the workmen. Should they send to demand payment, their messengers or agents are afraid to use violent means, for fear of their lives being in danger; and the combination between the planters and workmen, who are mostly Chinese, is so great, that a person who is not of the brotherhood, and who has a plantation among them, has had his trees and other property destroyed, without having it in his power to discover

the perpetrators, or to inform against them should he discover them, for fear of being murdered.

Cases are mentioned to shew the evils of this system.

A plantation was ordered to be sold for the benefit of the creditor, or person who originally advanced the cash for the raising of the plantation; although the plantation was estimated at 2,000 dollars, the other planters would not bid for it, and it consequently reverted into the hands of the creditor. Another instance is mentioned where a person holding land at Batu Brindam, sold the revenue of his pepper plantation for seventy piculs of pepper, for the present year, 1827, to a Chinaman, who was not of the brotherhood; but he was told that he could not keep the farm, and from fear gave it over at the profit of five piculs to the purchaser, and the land-owner had not a word to say for himself on the subject. It was subsequently told by one of the brotherhood, that 2,000 piculs of pepper will come in this year from the said plantation.

This brotherhood, it is stated, kept their existence secret till the end of last year, when they took a large house, where they held their feasts and cabals; on their holidays they keep up such an incessant noise with drums and vocal music, that they are a complete nuisance to the respectable neighbourhood where they unfortunately have settled themselves.

DEATH.

April 2. Of the jungle fever, after a short illness, Mr. Charles Gray, much regretted by the community.

Mauritius.

SALINE CHALYBEATE WATER.

A saline spring, which was discovered a few years back on Champ de Lort, Port Louis, in the island of Mauritius, has, we understand, been found peculiarly suitable to the disorders occasioned by residence in India, and has proved eminently beneficial to many Indians who have visited the island. The water has been accurately analyzed by Dr. Watson; one quart was found to contain as follows:

	Grains.
Carbonates of magnesia and lime	5 · 50
Muriate of soda.....	50 · 00
Ditto of magnesia	6 · 00
Ditto of lime	7 · 75
Sulphate of magnesia	32 · 00
Ditto of lime	6 · 25
Oxide of iron.....	0 · 75
Silica	1 · 75

The carbonate of lime is in small proportion to the carbonate of magnesia.

Mr. Tiemann, upon whose premises the spring was found, has opened a subscription

scription room, where it is drunk and distributed.

Netherlands India.

JAVA.

The Insurrection.—Accounts from Batavia to the 11th August, published in the Brussels papers, state that the important post of the Netherlands troops at Passar Gode, was attacked by the rebels July 16; they advanced in columns, the largest consisting of about 2,000 men, mostly armed with muskets. The action was warm, and the rebels did not retire till they had sustained several charges of cavalry and the fire of the artillery; in retreating they took several new positions. They attacked on several other points the same day. On the 19th July a most furious attack of the enemy, in number 5,000, was made on the same position; the rebels retreated, with the loss of 300. It is, however, added, that "Lieutenant Governor-general de Kock, seeing the pertinacity of the enemy, notwithstanding their losses in every action, to establish themselves in a position near Djocjocarta, had resolved to form a column of troops, to place himself at the head of it, and, accompanied by his staff, to proceed in person to the spot."

European Planters.—The *Singapore Chronicle* of July 5, contains the following article:—"The Dutch decree which we have inserted, goes to correct one of the most objectionable measures of the government of Baron Vander Capellen—an act of unqualified tyranny and injustice, of which the history and circumstances are not sufficiently known out of Java. With a view of affording this information we may observe, that in 1820 many individuals of capital and enterprise became engaged in agricultural pursuits, more particularly in the cultivation of coffee in the central provinces of Java. They rented land from native princes on a lease in general of twelve years, which document was duly registered at the office of the resident of the district, and countersigned by him. In this mode of proceeding, nothing could appear less doubtful than the sanction of the government, and the parties who engaged in these speculations being mostly foreigners (a large proportion Englishmen) they were induced to rely with perfect confidence and security on the titles by which their plantations had been conveyed to them. In 1823, however, that is, when some of these plantations might be expected to come into bearing, and not sooner, the authorities at Batavia discovered that the admission of Europeans into the native districts for such objects was injurious and illegal; their plantations were confiscated and severe penalties denounced against their persons if they did not re-

move from their plantations within a very short space of time. Commissioners were afterwards appointed to examine into the claims of the planters, and on the principle of refunding to them the amount of their actual disbursements but no more; and this is what the Baron, in his speech at closing his government, terms "a reasonable indemnification to all who could claim it."—A harsher feature, if possible, in the case arises from the circumstance of the indemnification, inadequate as it was, not being paid, but merely a bond granted for the amount by the commissioner, the same to be liquidated from the produce of the plantation as it should become available. It is to the credit of the king of Holland that he has not confirmed the act of his delegate; and the present decree is intended to make reparation, as far as it can be done to the unfortunate parties, who after years of anxiety and toil, were by an arbitrary act of power deprived of every hope of benefit or advantage from the fruits of their industry and care. For some of them, we grieve to say, the boon has been too late. Had these planters been left in the undisturbed enjoyment of their plantations, we do not hesitate to say that the present insurrection in Java would not have taken place. They would have formed the safest pillars on which the European influence and supremacy could rest in the native provinces; they would, to a certain degree, have interposed to check the feudal control exercised by the native chiefs over their vassals; but above all, and to this perhaps they owed their obnoxious character, they would have been a check also on the corrupt practices of the European authorities in the districts."

Then follows the decree, which is dated 17th May 1827. It cancels the decrees of the 6th and 20th May 1823, and restores residence in Java, and possession of landed property, to their former footing, under the decree of 18th August 1818. The contracts for rents of lands in the provinces between native chiefs and Europeans, in force on the 6th May 1823, are with consent of the parties to revive, the parties relinquishing claims for abuse, or retaining any indemnification for damages received. The farmers and proprietors may apply to the Commissioner-general for a moderate indemnification to the farmer for loss of time and profit. The native chiefs are *freely* to dispose of their lands, on registering the contracts of rent, and *with the approbation* of the Commissioner-general. Europeans by birth or descent, desirous of undertaking cultivation in the provinces, must apply for authority to the Commissioner-general, which will be given in preference, "until the king's decision respecting the principles of a more general system of colonization be received," to *Netherlanders by birth*

birth, and preferrently to fixed residents. In the new contracts particular care will be taken for the general good treatment of the natives, and reasonable payment for their labour. Advances on the fixed amount are not to exceed one year's rent, otherwise "they are for account and risk of the farmer, and cannot be recovered."

Accounts from Java, to the 29th Aug., state that an armistice between the Dutch government and the chief Dipo Negoro had taken place, and that a commissioner to negotiate a peace was immediately detached to the head-quarters of the rebels. The *Waterloo* man-of-war had arrived from Holland with troops.

SUMATRA.

Padang.—Extract from a private letter :—"At Padang we have been tolerably quiet till within the last few days. Colonel De Stuer went up into the interior just before Christmas, and was daily expected down again. The report of every thing was very satisfactory, and nothing evil anticipated a day or two ago. However, fifty soldiers were sent for with the utmost expedition to Priaman, and we have since learnt that the colonel's return has been cut off by the Lima or Tjujuh Kota people. The cause of it we have not been able to ascertain. The officer stationed with a few men at Priaman went up immediately, and the result was, that he himself was killed with some of his men, and a few of the natives who accompanied him. The Tuunku of Priaman was wounded also, and is said to have died immediately after his return. This is an unfortunate circumstance at the present juncture, whatever may be the cause of it, because the government are not at all in circumstances to meet the exigencies of a new war. They require every man who can possibly be spared from the out-stations, to maintain their ground in Java, and then to maintain their ground is all they can do.—*Malacca Obs.*, May 10.

Persia.

THE WAR.

Capture of Erivan.—The following brief despatch of General Paskewisch confirms the account of the capture of the fortress of Erivan, hitherto deemed impregnable, and which Persia considers as one of her bulwarks on this side.

"After the reduction of the fortress of Sardar Abad, General Paskewisch, with the principal corps of the army under his command, marched towards Erivan. Having arrived on the 6th of October before the walls of that city, he caused the trenches to be opened on the night of the

7th. During a siege of six days the works were carried on with great activity and skill, and a battery erected, which on the 12th had done great damage in the place. The enemy, already terrified by the news of the unexpected reduction of Sardar Abad, were thrown into consternation by the effect of our bombs and cannon; as well as by the constant and intrepid attacks of our troops. On the 19th of October, when the united battalions of the imperial guard had mounted the breach, the inhabitants implored the clemency of the conquerors; and the garrison, which till then had defended itself vigorously, and only a few moments before was still fighting desperately, laid down their arms and surrendered prisoners of war."

The loss of the besiegers is represented as extremely small.

Among the prisoners are the governor, the celebrated Hassan Khan, brother of the Sardar of Erivan; some of the most distinguished khans; three battalions of the flower of the Sarbasian troops in the army of Abbas Mirza; in all 3,000 men. There were found in the fortress thirty-five cannon, two howitzers, eight mortars, four standards, 1,500 poods of powder, a great quantity of ammunition, a considerable part of the treasures of the Sardar, and 10,000 chetwerts of corn.

Entry of the Russians into Tabreez.—The *Journal of St. Petersburg* contains the substance of despatches from Georgia, dated 16th (28th) October, which announce the important fact of the occupation of Tabreez, the seat of Abbas Mirza's government, by the Russian troops.

Lieutenant-general Prince Eristoff, taking advantage of the terror of the Persians through the fall of Erivan, and apprized that Abbas Mirza was about to destroy the stores and provisions collected at Tabreez, quitted Maranda on the 11th October, and advanced towards that city.

In the mean time, Aliar Khan, the son-in-law and first minister of the shah, had been left to defend Tabreez. To induce the inhabitants to fight he employed menaces, exhortations, and violence: several individuals had their ears and noses cut off, and their eyes plucked out, by his orders. But all his efforts were useless; and when, on the 13th, Prince Eristoff, at five wersts from Tabreez, formed on the right bank of the river Ajatchai, and detached some troops and cannon under Major-general Pankratieff, the Sarbasians deserted Aliar Khan, took flight, and the inhabitants of the city in a body, preceded by the Imans, came to meet the Russians with demonstrations of joy. The major-general immediately entered the city, and occupied the citadel. The populace proceeded against the palace of Abbas Mirza, and committed the greatest excesses. A Russian guard was sent there without loss of

of time to drive away the pillagers, but the palace had already suffered very much. Aliar Khan concealed himself in a house. On his retreat being discovered he attempted to defend himself, but his carbine missing fire, he gave himself up to the Cossacks who surrounded him. In the number of prisoners was also Caleb Hussein Khan of Talish.

The Russians found in Tabreez forty-two pieces of cannon, 1,016 muskets, 10,250 balls, about 6,000 cimeters of barley and wheat, munitions of war, and provisions of every kind.

Hardly had General Paskewisch received the news of the occupation of Tabreez, when a messenger arrived with a letter from Abbas Mirza, begging him to come and treat himself for peace; declaring that he was provided with full powers from the Shah. The place for the conferences was about to be determined.

On the 16th General Paskewitsch was at Maranda; on the following day he pursued marching for Tabreez with his vanguard, and was to be followed by his troops in echelons.

China.

THE TARTAR REBELLION.

The *Chinese Chronicle* of Malacca contains extracts from Peking *Gazettes*, which communicate further news respecting the war in Tartary.

The latest accounts state that the imperial troops had sustained a defeat. Not only had the second in command, Yang-yu-chun, been cut off, but three generals, or officers of the first rank, called Tootung, had also been slain.

Previous statements in the *Gazettes* were favourable. Yang-yu-chun, whose successes at Ak-sa we noticed in last vol. p. 690, had obtained further victories over the rebels, killing and taking some thousands, capturing standards, muskets, and horses innumerable! The general represented that the soldiers suffered much from the cold; whereupon the emperor ordered them ten taels a man, to provide necessaries. The Board of Revenue is commanded to issue two millions of taels, in addition to four millions already advanced to the commissariat in Kan-suh province.

A division of the imperial guards have been sent from Peking to join the army in Tartary, under a general named Woolung-ah, who has complained to the emperor of the conduct of some of the officers, in insulting the local civilians, kicking and flogging every body about them, and conducting themselves in an arrogant manner. The general says the spirit ma-

nifested by these officers in Kan-suh province will be still more injurious as they advance further into Tartary. He has degraded some of them.

A despatch from Chang-ling, the Chinese commander-in-chief in Tartary, reports that a considerable number of the rebel chiefs had fallen in the battle of Ak-sa; they had come from Cashgar, Yarkand, and other places. The advance of the grand army, it is consequently concluded by his majesty, will be easy. The emperor laments the fate of General King-tseang (the Chinese resident at Cashgar), who fell when the Chinese troops were defeated by the rebels.

It appears that 10,000 camels are employed in transporting provisions and stores to the army in Tartary. The emperor has ordered the proper officers to watch strictly on the commissariat.

The Chinese are said to have offered in sacrifice four of the Mahomedan rebels to the manes of those who have fallen during the contest.

DESCRIPTION OF THE EMPEROR.

An article in the *Chinese Chronicle*, dated Canton, gives a description of his imperial majesty, which is curious, if contained in any published record. "The emperor," it says, "is now in his forty-sixth year. In early life he was passionately fond of martial exercises, archery, horsemanship, &c. To increase his muscular strength he took medicinal preparations, called strengthening pills, which occasioned the loss of his teeth. He is tall, lank, hollow-cheeked, black-visaged, toothless, and consequently prominent chin-
ned."

CHINESE CANT.

One of the Tartar grandees has sent a flowery despatch (which appears in one of the gazettes) from among the Eleuths to his Majesty, complimenting him on the felicity conferred by the Ta-tsing dynasty on all their numerous subjects, which he proves by announcing that there is an old woman, the mother of a soldier, who is in her hundred and first year. The dews of four emperors have descended and blessed her now hoary head. She has seen a hundred springs and autumns; and now with sweet bits in her mouth she draws after her a numerous progeny of little children that have descended from her. The tender branches shoot up beautifully, whilst the old stock yet remains. Old Mrs. Par-tahoo can still grasp her staff, and ramble under the renovating influences of his sacred Majesty's benevolent rule, &c. &c. Imperial reply, with the vermilion pencil, "Let the Board of Rites attend to it! Respect this!"

DEBATE AT THE EAST-INDIA HOUSE.

East India House, Dec. 19.

A quarterly general Court of Proprietors of East India Stock was this day held at the Company's house in Leadenhall-street.

The minutes of the last court having been read,

The *Chairman* (the Hon. H. Lindsay) said—"I have to acquaint the court, that the accounts and statements from Bengal, necessary for preparing the general state of the Company's affairs in respect to India, to the 1st of May 1826, and in respect to England, to the 1st of May 1827, were not received at this house until yesterday morning; and that the said general state of the Company's affairs required by the 5th section of the 1st chapter of the By Laws cannot therefore, at present, be prepared so as to comply with the direction of the By Law."

EAST INDIA VOLUNTEERS.

The *Chairman*.—"I have to acquaint the court, that a statement of the expense incurred on account of the regiment of Royal East India Volunteers, for the year ending the 31st of July last (which was £3,749. 15s. 10d.), and an estimate of the expense of the next year (which was £3,957) are laid before the proprietors, agreeably to the General Court's resolution of the 22d of March, 1820."

HALF YEAR'S DIVIDEND.

The *Chairman*.—"It is appointed at this court to consider of a dividend on the capital stock of the Company, for the half year commencing on the 5th of July last, and ending on the 5th of January next. On this subject the Court of Directors have come to a resolution, which shall now be read."

"At a Court of Directors, held on Tuesday the 18th December, 1827,—Resolved unanimously,—That it be recommended to the General Court to be held to-morrow, to declare a dividend of five and a quarter per cent. on the capital stock of this Company, for the half year commencing the 5th July last, and ending the 5th January next."

Resolution read, put, and agreed to unanimously.

GRANT TO CAPT. T. BUCHANAN.

The *Chairman*.—"I have to acquaint the court, that it is made *special* for the purpose of laying before the proprietors, for their approbation, a resolution of the Court of Directors of the 5th inst. granting to Captain Thomas Buchanan, the present superintendent of the Bombay marine, a pension of £800 per an-

num, on the grounds therein stated. The resolution shall now be read."

The clerk read the resolution as follows:—

"To the General Court of Proprietors of the United Company of Merchants of England trading to the East Indies.

"The Court of Directors of the said United Company, in pursuance of the By Law, cap. 6, sec. 19, do hereby report, that they have passed a resolution in the words or to the effect following, that is to say:

"At a Court of Directors, held on Wednesday the 5th December, 1827,—Resolved,—That it having been deemed necessary, in consequence of the grant by his Majesty of defined rank to the officers of the Bombay marine, and in reference to the intention to subject that corps to naval discipline, to appoint a captain of the royal navy to the situation of superintendent of the marine, by which arrangement Captain Thomas Buchanan, the present superintendent, will be removed from that office; this Court considers Captain Buchanan to possess an equitable claim to compensation in some degree proportioned to the value of the office for the period during which he would probably have continued to hold it, but for the court's arrangements.—That with this view, Captain Buchanan be granted a pension of eight hundred pounds per annum, to commence from the date of his quitting office, subject to the approbation of the General Court of Proprietors, and of the Board of Commissioners for the Affairs of India."

"That the ground upon which the said pension is recommended, is the claim which the court considers Captain Buchanan to possess to compensation, in consequence of his removal under the arrangements adverted to in the foregoing resolution, from the office of superintendent of the Bombay marine.

"The documents upon which the court's resolution has been formed are hereunto annexed, all of which is submitted to the General Court."

The *Chairman* said, that previously to his proceeding to make the motion with which he should conclude, he thought it necessary to offer a few words to the General Court, as to the grounds on which this grant was proposed; and he could assure the court, that the removal of Capt. Buchanan was not occasioned by his not having performed his duty with propriety and diligence; but his Majesty having been graciously pleased, at the recommendation of the Lord High Admiral, upon the application of the Court of Directors, to give to the officers of the Bombay marine rank relatively with those of his Majesty's navy, it was deemed necessary to appoint to the head of the marine a naval officer of his Majesty's service, and a post-captain of intelligence and experience has been selected accordingly. He could appeal to his colleagues, how anxious they all had been to procure, and

and how much gratified they all had felt at having obtained this distinguished honour for the Bombay marine, a corps which had been described by that gallant officer, now unhappily no more (Commodore Sir T. Brisbane), as having vied with his Majesty's navy in the performance of their arduous and important duties during the Burmese war. This being the case, he thought the court would feel that it would be most unjust to have superseded Capt. Buchanan, the present superintendent of the Bombay marine, without affording him a fair remuneration. As he had before observed, Captain Buchanan's removal from this important office was not in consequence of his not being able to execute his duties in a fitting manner, but for the purpose of giving effect and consistency to the arrangement under which officers of the Bombay marine are to rank with officers of corresponding rank in his Majesty's navy. Under these circumstances, he hoped the court would agree to the compensation proposed. That compensation had been calculated on the disappointment experienced by Captain Buchanan, and on the belief that if he had remained in the situation of superintendent as long as his health would probably have permitted him to continue in that office, he would have fairly saved a sum more than equal to purchase him an annuity of £800 a year. The hon. Chairman concluded by moving:—

"That this Court approve of the resolution of the Court of Directors of the 5th inst. granting to Captain Thomas Buchanan, the present superintendent of the Bombay marine, a pension of £800 per annum, on the grounds therein stated, subject to the confirmation of another General Court."

The Deputy Chairman seconded the motion.

Captain *Maxfield*.—As the Court of Directors had proposed to grant a pension of £800 per annum for life to Capt. Buchanan, on the score of disappointment, he begged to ask a few questions. First, what was the period of time during which Captain Buchanan held the office of superintendent?

The Chairman.—"He has held the office since the retirement of Captain Meriton, that is, two years."

Captain *Maxfield*.—Then, for two years service, along with his disappointment in not being allowed to hold his situation longer, the court was called on to grant Capt. Buchanan £800 a year. He would ask farther, whether the Court of Directors did not contemplate, in the year 1823 (before the death or retirement of Mr. Meriton, before Capt. Buchanan had obtained the situation of superintendent), the arrangement for the improvement of the marine which had recently taken place? Such he had reason to believe was

the fact; and, consequently, sufficient time had been afforded to anticipate the inconvenience which must result from allowing Capt. Buchanan to assume the appointment of superintendent. The hon. Chairman had stated, in answer to his first question, that Mr. Buchanan had only filled the office of superintendent for two years; and it was quite evident that a pension of £800 per annum for life, unconnected with any distinguished services, formed no plea for such a grant. If, however, the appointment of Captain Buchanan was for any distinguished services rendered by that gentleman, and not merely a matter of favouritism, his friends and patrons could have no reluctance in setting forth such services, and establishing such claims. He (Captain *Maxfield*) knew nothing of him or his merits, and had that to learn from those who bestowed such ample reward. Capt. Buchanan went to India as naval store-keeper; and as the court had contemplated, long before Mr. Meriton's coming away, the arrangements which had since been made for the marine, he was at a loss to conceive why Mr. Buchanan should not have remained as he was, merely in the situation of naval store-keeper, except it were to set up a claim to the proposed pension. This fully exhibited the inexpediency of the Court of Directors' forestalling appointments before the persons holding such appointments died or resigned, as it evidently produced embarrassment, and prevented changes and improvements which might render the service more efficient, while it fully accounted for many of the difficulties and objections in that house towards improving the condition of the marine. If such disappointments as that which had been stated, were a valid reason for giving a pension of £800 a-year for life, many deserving officers would have good reason to claim a similar pension, although the favoured few only would be able to secure it. He believed that the successor to Commodore Hayes had been some time appointed, and was, he understood, residing in Scotland, and not in India, to await the commodore's death or resignation. It appeared, therefore, that the having a successor on the spot was no consideration in forming such appointment; but it exhibited the court's thirst for patronage, which did not wait for a vacancy, but anticipated it. Now, as Commodore Hayes obstinately lived, and he hoped would long continue to live Captain Jamieson, his intended successor was, no doubt, equally disappointed with Captain Buchanan; and, consequently some grounds might be pleaded to grant him a pension also. He thought that the notorious inefficiency and neglected state of the Bombay marine, under f

late government, afforded ample proof how little benefit it derived from superintendents. As a proof of the inefficiency of the Bombay Marine, let them look to the force sent round to Ava. They would there find sufficient reason for censuring the superintendent. The *Hastings* frigate was not fit to act even as a transport ship. Although sailors were starving in the streets, she was badly manned. Some time before she had been sent on this expedition, the frigate had been employed as a floating church, and, though she had been built three years, yet her equipments were wholly incomplete. If the superintendent was not accountable for this, he should like to know who was. Her commander was a respectable old officer—but he was not responsible for the defects which he (Capt. Maxfield) had pointed out. Considering the neglected state of the Bombay Marine, it was evident to him that longevity alone could enable a man to retire from the service with any degree of comfort. He was quite aware, as the Court of Directors had decided on this grant, how futile and useless all attempts would be to prevent its accomplishment; for those who proposed such measure were certain of securing an overwhelming majority. In his opinion, so far as principle went, £8000 might as well have been proposed as £800. The governing power would have carried the larger sum as securely as the smaller; and he really felt obliged to them for not having proposed £8000 a year instead of £800. So objectionable, however, was the proposition to him, that he would oppose it to the uttermost. Even if he stood alone, he would hold up his hand against it.

The *Chairman*.—"The question of the hon. proprietor is, whether Capt. Buchanan was appointed before, or after, application had been made to the Lord High Admiral for this arrangement relative to the Bombay Marine. The appointment was made before that application, and with respect to Capt. Buchanan having been appointed store-keeper, he was acting in that subordinate and inferior situation for several years. That the Court of Directors had a right to appoint to the situation of superintendent, no one can possibly call in question, and that right they had exercised when Mr. Meriton retired. With respect to the marine force that had been sent to Ava, I am not ready (continued the hon. chairman) to take the hon. proprietor's *ipse dixit* as to its completeness or inefficiency. I am sure that Sir James Brisbane would not have bestowed upon the corps that praise which is to be found in his public dispatches, if it had not been deserved. As to the hon. proprietor's assertion that longevity alone can enable an officer to retire from the

Bombay Marine with comfort, he himself furnishes, in his own person, an argument to the contrary: he himself proves that great longevity is not necessary to acquire a competence in the Bombay Marine. We have had the hon. proprietor's company for some years, which shews that longevity is not absolutely required for the acquisition of fortune in that service. As I cannot see any validity in the objections of the hon. proprietor, I hope that the Court will agree to the proposition."

Capt. *Maxfield*.—"The hon. Chairman has mistaken my question. I ask, whether it was not in contemplation to make this arrangement in 1823? and whether the Court of Directors had not a correspondence with the Board of Control before Mr. Meriton retired?"

The *Chairman*.—"Capt. Buchanan was appointed long before the arrangement was in progress. The Court of Directors had for many years wished to place the Bombay Marine on that efficient and respectable footing which was now established. There is no doubt of that (continued the hon. Chairman). The subject has occupied the attention of the court for a long time past; certainly ever since I have had a seat in the direction; and I can assure the hon. proprietor, who is connected with the Marine service, that it is not from any want of application whatever, or from any want of zeal or diligence on our part, that the arrangement was not carried into effect sooner."

Mr. *Hume* rose to object to the present grant, not with reference to its amount, considerable as it was, but because he felt that, if the principle were once allowed, if such a precedent were once established, there were very few gentlemen in India who might not, at one time or other, come forward with similar claims. It appeared to him to be most extraordinary, that the proprietors should be called on to grant any gentleman a pension after only two years' service. Many individuals, after serving for 25 or 30 years, retired without receiving any such reward as was here proposed. Here was his friend Capt. Maxfield, after twenty-five years hard and useful service—had he been remunerated in this way? It was true, he had been enabled to retire, he had escaped maladies which others had fallen victims to, but still his observation with respect to longevity might be perfectly correct. After twenty-five years service, he had retired on a pension of £290 a year; while a gentleman taken out of another corps, whose situation had been entirely different, was to receive £800 a year after two years' service as superintendent of the Bombay Marine; and that, too, on the most extraordinary of all grounds, namely, that he was not

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allowed to remain long enough in the situation to accumulate that fortune which he otherwise would have amassed. Now, when bankruptcies were common in India—when trade was not in a flourishing state—when the expenditure of the Company exceeded their revenue, it was, he conceived, extremely wrong to come forward with such a proposition. He would put a plain and fair question to any one who heard him, and he conceived, if answered fairly, that answer would prove that the present proceeding was not called for. He admitted that Capt. Buchanan had held this situation, that he had performed its duties efficiently, and that he was removed under peculiar circumstances. But he would ask, whether the court could not provide for him in any other way but by this pension—by this most objectionable mode? Was there no office to which his services might have been transferred? Had not the master-intendant at Madras, Capt. Grant, died? Why not place Capt. Buchanan in the situation which thus became vacant? Why, as they were creating other situations in India, was not one of them reserved for that gentleman? Surely it was not too much to ask, when the finances of the Company were in such a state, that the directors should have preferred this course to that which had been adopted. If they had applied to the government of India to appoint Capt. Buchanan to the first vacant situation that occurred, he would have been provided for, and the Company would have been saved this extravagant pension. On these grounds, grounds which were strictly connected with principle, he hoped the court in general would resist, as he meant to do, the motion that was now submitted to them. The proprietors, it ought to be observed, had no documents before them on which they could proceed regularly. Let the amount of the Company's debts, an account of their means to meet those demands, and a statement of the extent of their pension list, be laid before the proprietors, and then gentlemen would be able to say whether they could or ought to add to their burdens the additional extravagance of giving a pension of £800 per annum to a gentleman for two years' labour in this service. He did not blame the directors for endeavouring to bring the new arrangement into operation as speedily as possible. He knew the anxiety which the executive body had manifested, for some years, to see the Bombay marine placed on a better footing than that on which it had stood for a long period. But he believed, in the arrangement which had been made, the government had secured the appointment of their own superintendent.

The *Chairman*.—"There is no such

arrangement. The appointment rests with the Court of Directors. The Admiralty has only to approve of their choice."

Mr. *Hume* continued.—Captain Buchanan, it was affirmed, and he believed it, had performed his duties efficiently; and therefore he regretted to hear that the Court of Directors should have gone so far out of their way to cast a stigma of disgrace on that gentleman, by removing him from his situation; and that they should next come forward and call on the Proprietors to heal the wound which they had inflicted, by granting this pension to him. He contended, that they had no right to grant a pension on any such capricious principles, if principles they could be called, as had been advanced in support of the motion. It was only two years since Capt. Buchanan had been appointed to this office; and, therefore, to call on the proprietors now for a pension of £800 a-year, was not only most extraordinary, but most improper. He hoped his gallant friend (Capt. Maxfield) would take the sense of the court on this proposition. If no one else supported him, he (Mr. Hume) would willingly second his efforts; and he hoped that those who heard the statement of his gallant friend and his own, would pause before they agreed to this extravagant grant.

Mr. *Gahagan* said, that when he entered the court he had not intended to speak on this subject; but, after what he had heard, he deemed it necessary to make some observations. He had thought that the new arrangement had been effected without any cession from the Company to the Crown;—that it was a matter agreed on for mutual convenience;—that it was considered, if the marine service were placed under an officer of his Majesty's navy, that it would be better both for the King's government and for the Company's government. But it appeared that this was not the exact state of the case. He had now learned something more; he had learned that, during the whole proceeding, in its conception, progress, and execution, the leaving to the Crown the approval of the appointment was determined on. They were told, in the same breath, that Captain Buchanan was to be removed, not because that proceeding would be any convenience to the Crown or to the Company, but because another gentleman, a King's officer, had been selected; and though this alteration had been contemplated for a series of years, yet the removal of one individual, and the appointment of another in his place, in consequence of that projected alteration, had been determined on, without giving the person holding the situation any hint that a certain arrangement was in pro-

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gress, and that he would be removed in the course of two years. It would have been candid to have given such a notification. This, however, had not been done. They abruptly turned round on the superintendent, and said, "We turn you out"—to do what?—"to give you a much better thing—£900 a year, which is far more advantageous than the emoluments you now receive." This was a very bad system; it was increasing their pension list most unnecessarily and unwarrantably. It was turning out one man, without any reason—not to gratify Sir C. Malcolm, or any other person, but merely because they wanted a King's officer at the head of the service, the appointment of whom was to be approved of by government. One point struck him very forcibly: he alluded to the mode of remunerating Capt. Buchanan, who was connected with the marine service. He could state a case that had occurred in the civil service, which appeared to him to be analogous. One of the most efficient civil officers that India ever possessed, had thought fit to abolish certain judicial offices. Did he say, "Mr. A., B., or C., you shall be remunerated with a pension?" No; but he said, "You shall lie by until something can be done for you." This was a plain principle, an intelligible doctrine, which every one could understand, and of which every one must approve. In the present case, the proper course would be to look out for some situation for Capt. Buchanan. When this point was touched upon before, an hon. gentleman said, "No, no!" as if no such situation could be found. But it appeared, from a statement which they had that day heard, that an officer of a very high class had died since this new arrangement was in contemplation. This must prove to the court, that the possible case might arise, where a place might start up fit to be occupied by one whom they would otherwise be called on to pension. If, having removed an individual from office in order to carry a certain plan into effect, they found themselves, after using due diligence, unable to appoint him to another situation, then they might come to that court, and say, "We have, *primâ facie*, done injustice to this person, and we ask you to remunerate him. We have tried to get him a situation, but we cannot." Even this application might be refused, but certainly with a much worse grace than the present, for here they had put out one efficient man merely to put in another; and they had not endeavoured to procure a new situation for the individual ejected, but applied at once for a pension.

The *Chairman*.—"It was essentially necessary, when his Majesty conferred naval rank, that the person at the head of the

Bombay Marine should possess naval rank also, which Capt. Buchanan did not, as not belonging to the service. In that point of view it was positively and essentially necessary, for carrying the new arrangement into effect, that a judicious naval officer should be selected. The hon. proprietor who spoke last but one, (Mr. Hume) has observed, that the Government, it seemed, would have the authority to appoint; this, however, was not the fact. The officer is to be appointed by the Court of Directors, and is removable at the pleasure of the court. The permission of Government is required for a King's officer to accept a situation of this nature, and Government do no more than approve of the person selected by the court. The system could not work unless an officer who was of rank in his Majesty's navy were placed at the head of the marine. I think, therefore, as this necessity existed, that nothing could be harder or more unfair than to remove Capt. Buchanan from his situation, the duties of which he has performed with perfect satisfaction to his employers, without granting him a just remuneration. As to the master-attendantship at Madras, that situation was filled before this arrangement was completed; and even if it had been otherwise, it does not appear to me that it would have been an expedient measure to have placed Capt. Buchanan, a man considerably advanced in life, in a situation, the duties of which could be far more efficiently performed by a young man, such, for instance, as the gentleman who has been appointed to the office. With respect to finding some other situation for Capt. Buchanan, it should be recollected, that he stood so high that no officer of equal rank could be found for him; and certainly no gentleman could be called on to lower himself, when it was found necessary, on account of circumstances with which he had nothing to do, to remove him from a particular post. Capt. Buchanan was at the head of a department, and could not be expected to take an inferior situation."

General *Thornton* said, he knew nothing of the merits of this case, except from what he had learned that day; but, from what he had collected from both sides of the bar, he felt himself under the necessity of opposing the present motion. He had not looked at the documents—and, he must observe, that, from the explanation given by the hon. Chairman, he was not put in possession of the merits of the case. There were several points on which he wished for information. In the first place, he did not know what the situation of superintendent was worth annually—and next, he should wish to be informed what was the age of Captain Buchanan. The hon. Chairman had not stated what the value of the appointment was

was—neither had he intimated what was Capt. Buchanan's age. Now a knowledge of these things was very material, in judging of the propriety of a grant of £800 a-year. It certainly appeared to him, from what the hon. Chairman had himself stated, that a pension of £800 per annum was too much. The ground on which the application had been made for this sum was, that if Capt. Buchanan had remained in the service for a certain time he would have saved more than sufficient to purchase an annuity of the amount proposed. Now it was one thing to obtain by service such an annuity—but it was a very different thing to arrive at the same object without service. In this point of view, it appeared to him that the grant proposed was a great deal too large. The hon. Chairman had stated, that no situation of sufficient importance could be found for Capt. Buchanan; but surely, if not at the present moment, another situation fit for that gentleman might become vacant at no distant period; and a man like Capt. Buchanan, who, it was admitted, was perfectly able to serve, might wait a little until another office was ready for him, and, in the mean time, a suitable compensation could be bestowed on him. That proposition ought, in his opinion, to form the groundwork of an amendment. If Capt. Buchanan was a gentleman of such an age as would allow him to give his services to the Company for some years longer, he thought that, instead of dismissing him with a pension of £800 per annum, they were bound to find him some other employment. They assuredly were not justified in thus throwing him as a burden on the revenue of the Company. Under all these circumstances, he must, with great regret, declare his intention of opposing the grant, which was, in his opinion, a most unwarrantable one. On the hon. Chairman's own shewing, it was excessive—far beyond what it ought to be. He hoped, therefore, that it would be withdrawn, and that provision would be made for Capt. Buchanan, until such time as a new situation was provided for him.

The Chairman.—"If the hon. proprietor had read the papers, he would have seen it stated, that Capt. Buchanan's salary was 3,500 rupees a month. With regard to his age, I think, from having known him for many years, that he is about 54 or 55; but I speak merely from personal knowledge."

Mr. Weeding.—"The hon. proprietor who spoke second in the present debate, had expressed his surprise at the proposition now under discussion; and had contended, that Capt. Buchanan ought to be provided for in some other way: now, it would be proper, in deciding this question, to inquire, in the first place, under what circumstances that gentleman had been removed; and it would be found

that that proceeding was adopted for the purpose of benefiting the Company. Capt. Buchanan had been removed for the purpose of making way for a beneficial change, for a decided improvement in their marine system. This being the fact, would it not be unjust to say to that gentleman, "we have removed you, for our convenience, from a high situation; but we will not grant you an adequate remuneration; you shall take another situation—but that situation shall be a grade lower than that which you now hold." Was it not more worthy of their character to say to this gentleman, "as you have been removed, in order that a new plan should be adopted, you shall have a pension, such as it is proper for us to give, and for you to accept?" Gentlemen had laid much stress on the plea of "disappointment" being urged in support of this grant. He knew nothing about the alleged disappointment—he could see none—but he thought that the mere removal of Capt. Buchanan from an important situation, was a sufficient reason for granting this pension of £800 a year. The executive body, in their discretion, had deemed it necessary to introduce a change of system in the marine service—and to carry that change into effect, they (as he conceived very properly) thought it was advisable to employ a king's officer. Hence arose the removal of Capt. Buchanan—and that removal fairly called for remuneration. For one thing he gave very great credit to the Court of Directors, in their arrangement of this matter; it was that, in effecting the long-projected change, they had preserved, unimpaired, the power and privileges of the East India Company. Long before the hon. proprietor (Mr. Hume) was a member of that court, it had been considered a most desirable object to procure naval rank for the Bombay marine. For many years the executive body had paid attention to that subject—and so intent were they on it, that, to attain their object, had they not acted wisely and prudently, they might have given up to his Majesty's government the appointment of the officer; but they had managed so as to keep their power in their own hands—and government had merely the approval of their choice. He thanked them for their care; and he should cheerfully vote for the proposed pension, which he conceived to be nothing more than an equivalent for Capt. Buchanan's removal.

Mr. Hume moved as an amendment,

"That this Court disagrees with the resolution of the Court of Directors for granting a pension of £800 a-year to Capt. Buchanan, superintendent of the Bombay Marine, and recommends him to be appointed to the first vacant office in India, suitable to his talents and rank."

The hon. proprietor observed, that the only arguments opposed to his proposition for placing Capt. Buchanan in another office, and thus providing for him, were,

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first, his age, and next, his rank. Now, he would answer both these objections. In the first place he must observe, that the hon. proprietor (Mr. Weeding) was very unfortunate in not having heard the hon. Chairman's address, because the hon. Chairman had distinctly stated that Capt. Buchanan had been disappointed—that an opportunity had not been afforded to him for accumulating as much as he would have done had he not been removed—and this was urged as a ground for the grant. The hon. proprietor had dismissed altogether the question of disappointment, and rested Capt. Buchanan's claim entirely on the ground of his having been removed. But why might he not be placed in another situation? It was answered that there was no situation sufficiently exalted for him, and that it would be degrading to place him in one that was in the least inferior to that which he had previously held. Any person that recollected Mr. Anderson, who was superintendent of the Bombay Marine when he (Mr. Hume) was in India, would find a case in point. He had been removed from the Bombay Marine; he afterwards acted as master attendant at Madras, and he did not feel himself disgraced by it.

The *Chairman*.—"Mr. Anderson was Marine storekeeper."

Mr. *Hume*.—That gentleman came to England, and when commissioned to proceed to Madras, he offered no opposition to the appointment on the score of rank. Now, as to the plea of age, he would say, that if Capt. Buchanan were old, he must have been old when he took the situation, for two years could not make any great difference. He did not, however, appear to be much older than he (Mr. Hume) was; therefore he thought the plea of age was bad. He recollected Capt. Rees, who went out with him to India, when 60 years old—and yet he did not think himself too old to act as master-attendant at Madras. He contended, therefore, that no plea whatever existed on the score of age. He hoped that the Court would support his amendment, leaving it in the hands of the executive body and the government together to find out an eligible situation for Capt. Buchanan.

Capt. *Maxfield*.—As the hon. Chairman seemed to think that the giving Capt. Buchanan the appointment of master-attendant, which became vacant at Madras, in lieu of the proposed pension, was objectionable, on the ground that it would be degrading to that gentleman, he begged leave to remind the hon. Chairman that a former superintendent, Mr. R. Anderson (as had been noticed by his hon. friend), after having served in that office for several years, willingly took the situation of master-attendant. That individual, who had long held the office of superintendent, with no less credit to himself than benefit

to the service, was afterwards appointed master-attendant at Madras; therefore, if such an appointment were degrading, he was degraded by those who ought to have sheltered him from degradation—and it remained for the court to explain such inconsistency. He believed, however, that no degradation was intended or inflicted. The master-attendantship at Madras was a very good birth—well paid and little to do—without responsibility; and such degradation, he believed, would be readily submitted to by the most meritorious and deserving officers of their service.

The *Chairman*.—"Capt. Anderson never was superintendent. He was naval store-keeper, not superintendent."

Mr. *Weeding* believed that Mr. Anderson had been superintendent; but the difference between the two cases was this: Mr. Anderson retired from choice; he came home, and experienced poverty, in consequence of which he accepted the inferior appointment; while Capt. Buchanan was removed for a particular purpose.

Capt. *Maxfield* continued.—He had no hesitation in saying, that when Mr. Anderson resigned, he was universally lamented by every officer of the marine service. He had served long, and attached the officers to him. After remaining some years in England, whether in poverty or not he did not know, and if he did, as a friend he would say nothing about it, he did not feel himself degraded in taking the situation of master-attendant at Madras, the pay and emoluments of which situation were as great as those of the superintendent of marine, and the labour much less. The reason of the unwillingness manifested to provide for Capt. Buchanan in a similar way was obvious. The transfer of Mr. Buchanan to any other vacant appointment, instead of a pension, would have the effect of curtailing the patronage of the Directors by the loss of one appointment, and that would be really no less degrading than unreasonable. The practice of pensioning off their servants without solicitation on the part of the latter was liable to numerous objections, and he begged to state an occurrence of that sort at Calcutta, which was done in the teeth of an Act of Parliament, and contrary to the by-laws of the Company. A short time ago the Supreme Government, unsolicited, placed the secretary of the Marine Board at Calcutta on a pension of 500 rupees per month, or £750 per annum, and appointed a civilian in his place as secretary. Thus provided, the members being all civilians, some sort of nautical knowledge was deemed necessary to avoid the ridiculous, and a gentleman of the country merchant service, was then appointed as assistant secretary, by which happy arrangement you are now paying three secretaries at one time. The pensioned

sioned secretary now resided in England; his pension was drawn at Calcutta, and remitted by his agent. Thus the act which prohibited the Court of Directors, from granting more than £200 per annum without the sanction of this General Court and the Board of Control, was completely frustrated; he had in his eye one of the late members of the Marine Board when such judicious arrangement was made, and if he had erred in his statement that gentleman could put him right.

Col. L. Stanhope was of opinion that this grant could not be sanctioned except on one principle, and that was the principle of corruption. The fact, as he understood, was, that Capt. Buchanan was a brother-in-law of Lord Melville.—(No, no!) Then he was wrong on that point. (A laugh!) He objected to this measure in all its bearings. In the first place, he thought it exceedingly improper to place the captain of an East-Indiaman at the head of the Bombay Marine. How, he asked, would the navy like it, if the situation of commander of one of his Majesty's fleets were to be filled up by a British merchant? The cases were exactly similar. Again, he objected to a man's receiving a pension of £800 a-year, after only two years' service. It had not been stated, that, previous to Capt. Buchanan's appointment as superintendent, he had signalized himself by any great exertion in the Company's service; and, under all the circumstances, the grant to him of £800 a-year appeared to be quite exorbitant. He doubted whether the Court of Proprietors had any right to grant a pension that would extend beyond the limits of the Company's charter. The late Mr. Canning objected to the vote of £5,000 a-year to the late Marquis of Hastings on that express ground; and, therefore, it struck him that the grant now under consideration was unlawful. They might grant a pension until the expiration of the charter, but not beyond that time. The selecting an officer of the British navy (the most distinguished service that ever existed in the world) to preside over the Bombay Marine, might be a very good measure; but he thought it somewhat hard on the officers of that Marine, experienced men, like Capt. Maxfield and others, to have a king's officer thus put over their heads. The best course, in his opinion, would be, if the Marine were not efficient, to do it away, and to new-model the system completely. What had been urged by his hon. friend (Mr. Hume) was the most proper proceeding that could be adopted—let the executive body give this gentleman an appointment equivalent to that which he had lost. But, even if they could not do this, still the pension could not be defended. The hon. gent. opposite (Mr. Weeding) had advanced an

extraordinary argument—one that appeared to be somewhat illogical. He said that Capt. Buchanan had been removed, but that he was not disappointed. Now he contended, that Capt. B. could not be removed from a situation worth 3,500 rupees a month without being disappointed.—(A laugh!) He (Col. S.) would set the hon. proprietor's logic right. Capt. Buchanan was to get a pension of £800 a-year, and therefore he was not disappointed. He considered the whole proceeding to be a job, and nothing but a job.

The Chairman.—“The gallant officer opened his speech by manifesting a wish to accuse the Court of Directors of getting up this job, as he calls it, because Capt. Buchanan was a connexion of Lord Melville—now the plain answer to that is, that Capt. Buchanan is *not* the brother-in-law of the noble lord, and I here stand up in my place and state, that till this morning, I never had any solicitation whatsoever on this subject: this morning I received a letter relative to it—but, with that exception, I never heard a word or hint about the matter. With respect to what has been said as to the situation of master-attendant at Madras, I must observe, that no man ever filled a very difficult and arduous office with more efficiency than the late Capt. Grant, while he held that post. Sir James Brisbane has declared that Capt. Grant's exertions, during the late war with the Burmese, were most extraordinary, and that the success of that war depended in a considerable degree on those exertions—therefore the situation of master-attendant at Madras cannot be justly considered as a trifling or unimportant one. After all that has been said, I continue of opinion that there never was a more just or honourable proposal before the court than the present.”

Col. L. Stanhope, in explanation, observed, that he did not mean to say any thing personal to any gentleman, and least of all to the hon. Chairman. As to solicitation, when men saw that their peculiar interests were well taken care of, there was no need of solicitation, by letter or otherwise. They would connive at that which tended to their benefit, and it required a strong mind to resist that indirect system of corruption.

The Chairman then put the question—“That the original words stand part of the question,” which the Chairman declared to be carried in the affirmative.

Mr. Hume, however, demanded a division; when there appeared—

For the original motion..... 38

Against it..... 12

Majority in favour of the grant 26

STAMP DUTIES IN CALCUTTA.

Captain Maxfield, before he submitted to

to the Court his motion on the above subject, wished to know whether the executive body had received any papers connected with it?

The *Chairman* said the Court of Directors had received a few papers, but so short a time since, that they had not yet come under their consideration. They had a notice from the Bengal Government that the question relative to the registry of the stamp act would be brought before the Supreme Court on the 6th of July; but they were totally ignorant whether it had been registered or not.

Capt. *Maxfield* said, he did not wish to make any observations on the conduct of those individuals who were, with respect to this important question, keeping the Directors completely in the dark.

The *Chairman*.—We have been informed that the question of registry would come on in the Supreme Court at Calcutta on the 6th of July, but we have no advices of so late a date.

Capt. *Maxfield*.—If the complaints of the inhabitants of Calcutta do not find their way to you, they will soon find their way to Parliament. Their petition will shortly be presented.

The *Chairman*.—Do you intend to finish with a motion?

Capt. *Maxfield*.—I do, Sir.

Mr. *Hume*.—He gave notice that he would.

Capt. *Maxfield*.—Let the Court imagine the situation of a country, 10,000 miles distant, where proceedings were going on of which the public here were in possession, while the executive body admitted that they knew nothing about them.

The *Chairman*.—I did not say that we had no information—but not that full information which would enable us to meet the question in the way we wish. We do not know whether the regulation is registered or not.

Capt. *Maxfield* proceeded. He should not, at present, make any observations or remarks on the delay which had occurred, but he could not refrain from observing that a much wider field for discussion had been opened, by the measures pursued by the Supreme Government, than was necessary, while the policy or expediency of inviting such deliberations was at best very questionable. The measures which had arisen from the stamp regulation were such as to change the complexion of the act, and gave it a tone which demanded the most serious consideration, while it brought at once to their minds the possible condition of an empire, situated 10,000 miles distant from all controlling power, where man was subject to the same caprices and passions as in other countries; where no publicity is permitted through the medium of the public prints, and where the most respectable classes of the

community were prohibited from meeting together, to frame any petition to Government to relieve them from evils either real or imaginary. Such being the fact, they could only imagine the condition of a country so governed; and unless the Directors got a faithful detail of all that transpired, they might be left to indulge their imaginations also on some occasions, for want of information. If all that transpired in India were recorded, and all that was recorded was faithfully copied and transmitted to this country, why then, if the Directors read all that comes, they might know all; but, unless the whole was recorded and faithfully transmitted, it was impossible that they could be acquainted with the actual state of things. For argument sake, let them suppose that a correspondence took place, which some parties in authority thought it inexpedient to forward home, what would the Directors think of the conduct of any person who removed, or suffered to be removed from the records, such documents? It was evident that if such a practice were resorted to, erroneous conclusions must often be drawn for want of sufficient information, and as a pernicious publicity could not supply the deficiency, evils of incalculable magnitude might be generated. He should not press such point closer at present, but at a seasonable opportunity he might submit a motion, and adduce documents to illustrate such supposition, and shew how far he was borne out in making it. What a contrast did the prohibiting the merchants of Calcutta from meeting to frame a petition to Government on the subject of the stamp regulations form, to the facilities afforded such meetings, when the object was to laud with fulsome addresses their public functionary. He had on such occasions beheld secretaries to government struggling to shew their zeal at such meetings, and modestly admiring and eulogizing measures, of which they were probably the original contrivers. To any man who had ever attended such meetings in India, if not deprived of his faculties, the imposition and absurdity was too palpable to escape his notice; and disgrace and ridicule were the natural consequence. They, however, looked well upon paper, and bore value more or less, and could have been only so completely depreciated by the orders of government that the inhabitants should not meet for any other purpose. There were many who doubted the right of the Company's government to tax the British inhabitants in India. He had, however, no doubt of it—nor did he mean to question such right; but he had great objection to the exercise of it, and he was quite disposed to question the policy or expediency of the measure complained of. The right to levy taxes in any country presupposed that the revenue was insufficient to

to meet the public expenditure, or to make good some deficiency; but was it asserted or pretended that a reduction in the revenue of India had occurred, or had a more profligate expenditure rendered it expedient? It had often been asserted that a large surplus of revenue remained in India, over and above the ordinary expenditure. It was therefore necessary either to admit that such statements were mere delusions intended to gull the public, or that rapacity or profusion induced the adoption of the stamp regulation. He found that in 1824-5 the revenue derived from stamps in the provinces was 22,96,590 rupees, while the charges on them were no less than 6,40,294, or more than 27 per cent. in the collection. At Bombay, he believed, the expense of management in the stamp department would amount to forty per cent. in the collection, and they could not but agree with him, that a country so judiciously managed, and its revenue so economically collected, must be highly productive, and they could only differ in the choice of terms to express their admiration. The mere expense created by this profitless tax, however oppressive, was trifling compared with the delay and inconvenience induced by such vexatious imposition; and he had no hesitation in believing that a tax infinitely greater in a pecuniary point of view, would have been far less obnoxious. In this assembly, composed of gentlemen so conversant with business, and many of whom were so well acquainted with the peculiar timidity and caution employed in the transaction of important business in India, where Europeans and natives were concerned, it would, he was sure, be idle and tedious in him to dwell upon the evils which must result from the regulation in question; in a word, it would create suspicion in place of confidence, cunning and artifice in lieu of plain dealing; it would engender constant disputes and law-suits, and give birth to feelings hostile and ungracious, which it was no less their interest than their duty to prevent. It was not necessary for him to explain the causes which operated most powerfully to increase the population and wealth which had concentrated within the last twenty years at the three presidencies, or to remind the court how many other cities of great commercial importance had sunk into insignificance by such effects; but if the inducements which hitherto operated were diminished by vexatious imposts and multiplied restrictions, a re-action might take place, and the French, Dutch, and Danish settlements might derive no less advantage from the stamp regulation imposed at Calcutta, than America had derived from the restrictive policy of Great Britain on the trade with India. British

capital and enterprize, which had created American bottoms, and given employment to American seamen, and indeed largely contributed to increase the American navy, was no less likely to rebuild and repeople the French and Danish settlements, and to give birth to commercial establishments there, at the expense of Calcutta. It was a curious fact that the houses and land at Serampore, Chander-nagore, and Chinsurah had already much increased in value, and two-thirds of the commerce of Calcutta might no doubt be conducted at those places without inconvenience; and bargains being made and bills drawn there, would render the use of stamps unnecessary. He should now beg to read the petition addressed by the inhabitants of Calcutta to the Vice-President in Council at Fort William, and had no doubt that it would meet with that consideration from the court, which a body so respectable and patriotic should ever claim. [The hon. proprietor here read the petition, which appeared in the *Asiatic Journal* for October last, page 489.] Now if the British and native merchants of Calcutta, in addition to such petition, had set forth the extent of British manufactures which had glutted the market in India, ruined the Indian manufacturers, and rendered the return for British exports, difficult and precarious, from the heavy duty on the gruff goods of India, he conceived such statement would have been fully borne out by facts, and it would have been no less our interest than our duty to have humbly implored Parliament to afford further encouragement to the trade with India, by a reduction of duty on Indian produce, to enable India to continue to receive and pay for British manufactures. The petitioners, however, had in silence attempted to meet these difficulties, and had merely entreated government not to augment them by the stamp regulation recently passed. On the 12th of April last the government, in a long and laboured reply of nineteen paragraphs, inform the petitioners, that they cannot hold out any hope that the object of their present petition could be complied with; on the 3d of May, the sheriff of Calcutta being requested by the principal inhabitants to convene a meeting at the Town-hall, for the purpose of taking into consideration the expediency of presenting a petition to parliament, &c., fixed the 17th of May for the meeting, but on the 12th of May he published a notice that such meeting would not take place, government having prohibited it. The government however permitted the preparation of a petition elsewhere, and authorized its lying at the Town-hall for signature; such gracious permission had enabled the petitioners to address parliament, and he only lamented

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whatever might be the result, that the opportunity was thus lost, for the Court of Directors to have done unasked what he was sure the great majority of the petitioners had much reluctance in soliciting. The unyielding dignity of government, which determined never to retrace its steps, had but too often been productive of infinite mischief, and only prevailed in governments which nearly resembled despotisms. In most countries the levying any tax or impost was in general preceded by some discussion in which the interests of the public were represented and explained; the Company's government from its constitution precluded such necessity, but it also lost the advantage which such deliberation conferred; In many cases where the interests of India were deeply concerned, the executive body had numerous difficulties to encounter, and the means were not always within their reach; but in this instance, they possessed the power to pass the regulation, and their government availed themselves of it. He could not call to his recollection one solitary act, referring to India which had not gone to secure exclusion and particular interests; when legislating for India, the balance had always inclined to one side. India and her interests had been always secondary, while the peculiar situation of that extensive empire was such as to deprive her of that paternal and constant aid from superior authority, so essential to the prosperity of any state. The very circumstance of India being considered the household possession of a chartered Company, operated no less to expose her to injurious enactments than to deprive her of that ample protection, and reciprocal advantage, which paramount authority can only confer; their condition was often such, that it may be neither expedient or safe as a chartered Company, to contend for immunities which might be justly deemed by so valuable a portion of territorial possessions, since the preservation and security of exclusive privileges fettered their endeavours, and deprived them of the most powerful and conclusive arguments: such fact was so evident, that he did not deem it necessary to enter into a detail of the injuries inflicted on India in consequence, while policy, and a sincere desire to promote the interests of India and its numerous and valuable population, induced him, at the present moment at least, to refrain from saying one word more on a subject which might lead them far beyond the object of immediate discussion: If however they were denied the power to promote the interests of India to the extent of their wishes, they were at least vested with ample means to impose additional burthens. Let them, then, use such discretionary authority

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with moderation, and remember that the reduction of useless establishments and unnecessary expenditure would no less tend to increase their available means, than the odious task of imposing additional taxes; an impost or duty once levied in India for want of a House of Commons, was soon forgotten and remained a permanent and lasting burthen and no repeal was ever thought of although the reason for levying the tax had long time ceased to operate; for instance when the Bengal government were induced by some sagacious and probably well-meaning individual to erect a light-house at Kedgerree, a duty was levied on the shipping entering the Hoogley to meet such charge. Time, however, and but little time indeed, was required to shew the utter uselessness of such beacon of folly; yet, although its inutility was now generally admitted, its resplendent splendour continued to illumine the frogs at Kedgerree, and the shipping entering the Hoogley continued to pay for such purpose. The mere expence of erecting such edifice and its ample establishment, was not all, he believed the Court of Directors sent out a gentleman from this country, scientific no doubt, who resided a few months at each of the presidencies, to adjust the reflectors, and teach them how to trim the lights. That gentleman had he believed a trifling salary of about £600 per annum; and such management afforded some data to judge of the value of such lights, as well as to throw some light on the expence; the same observation equally applied to the creation of many appointments in India, which long survived the duty such appointments were intended to perform, when the Marquis Wellesley, more than twenty years ago made a new road to Barrackpore, it was found that many of the convicts and coolies employed in such work affected illness, to avoid the labour; a surgeon was therefore appointed to examine them, and to pronounce them fit or unfit; and he thought they would, on inquiry, find such appointment still continued although the road had been finished upwards of twenty years. As the supreme government in their laboured reply to the petition of the inhabitants of Calcutta, literally pleaded poverty as a reason for the stamp tax, he should, without offering any apology, advert to a few unnecessary and overpaid appointments, the abolition of which might afford an available saving unless the love of patronage outweighed the love of economy. At Calcutta, until within the last few years their government did very well without any surveyor of shipping; such duty being always performed by the master-builder and one of the master attendant's assistants; and considering that the

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company had no marine there, excepting a small pilot establishment, consisting of twelve vessels of 180 tons each, they could not wonder that no surveyor was required; but, by the wisdom and discernment of their late marine board, they were now blessed with two, causing an expense of about 20,000 rupees per annum while the former practice cost nothing. They had also two commanders of floating-light vessels at 400 rupees per month each: while a pilot was kept constantly on board each light-vessel to conduct her to a place of safety should she part from her moorings, the commander being of course quite unacquainted with the navigation, his services might therefore be well dispensed with, and his salary retrenched; or, if a master of a light vessel be indispensable, he should imagine, if patronage had no share in allotting the pay, that a very different stipend would have been deemed sufficient, when he reflected that the pay of a captain of the marines who had served the Company upwards of twenty-two or twenty-four years was but 360 rupees per month. Again they had an experimental fisherman at Calcutta at 500 rupees per month, or rather had when he quitted India, and he took it for granted, that an appointment so essential to the Company's interest, was not yet abolished. He also recollected an experiment by which their treasury was relieved of upwards of 100,000 rupees, in permitting one of the aid-de-camps to the governor general to try his skill in building river craft, which turned out no less ludicrous than expensive; but, as if such waste of means were not sufficient, a committee was appointed to investigate and report on the merits of such military-naval-architect, and the secretary to such committee received a salary of 500 rupees per month, and of course the labours of the committee were not hastily terminated. They had also the master of a steam boat at 1,000 rupees per month. If he were to enumerate one tenth part of the unnecessary and over-paid appointments which operated to drain their treasury and render additional taxes and imposts expedient, he should encroach too largely on the time of the Court; and to avoid a field so extensive he had merely confined his remarks to the river Hoogley. But, as the ignorance of this marine board, to which they owed so much, was publicly pleaded in this court, by one of its late members, and could not be denied, he thought its abolition, as an available saving, no less expedient than beneficial. Now, sir, as the expenses of the office establishment of the board was about 2,500 rupees per month and the salaries of the two senior members, from 3,000 to 5,000 per month,

a very considerable saving might be effected with benefit rather than injury to their maritime affairs. The office of judge advocate in the marine department at Calcutta, although they had no marine there, except a few pilot-vessels, also owed its existence to the same judicious authority. Until the year 1819 a judge advocate to attend the trial of pilots, was not thought of, but a person was appointed, either from the marine secretary's office, or the master attendant's, who took minutes of the proceedings, and received sixteen rupees per diem, while such court sat, which, being seldom, and the proceedings in general short, the expense was very trifling. With this evidence on record, a judge advocate was appointed with a salary of 200 rupees per month, this proceeding required no comment. In saying thus much on the application of the revenue, he hoped it would not be considered quite irrelevant, when the increase of the public means was urged as a measure of necessity; and if the stamp regulation must be enforced he would again suggest, that the stamps be prepared in this country and sent out, and that the useless and expensive signing of stamps, in India, be dispensed with. He should also imagine, that the stamps required at Calcutta might be sold at the shops as they were in England, and that the newly-created appointment of collector of stamps, at Calcutta, might be abolished; as the offices in existence would answer the purpose, and save probably £4000 a year. But, before he concluded he might be permitted to observe, that as the introduction of stamps at Calcutta appeared to have been in some measure copied from the general use of stamps in Great Britain, it would be well to remember that a recent act of the legislature had abolished the use of stamps in certain legal proceedings in England. Would the court then be behind hand in shewing the same tenderness and consideration for the British and Asiatic population subject to their sway; or were they prepared to prove that the use of stamps in legal proceedings in India, did not merely retard the course of justice, but in some cases, amount to a virtual denial of it. This was no party question, but one no less affecting the interests of India than their own credit and reputation. The British government had set them a bright example, let them, then, deign to follow it, and deserve that credit to which they would have the fairest claim. The abolition of the use of stamped paper, in legal proceedings in India, would confer incalculable benefit; and if, in addition to such a blessing, they authorized the public papers, at Calcutta, to report the proceedings

ings and sentences passed in the zillah courts they would do more to improve the judicial administration of India than had been effected for the last twenty years. He now begged to observe, that there were some points which he had purposely and studiously avoided, from a sincere desire to avert evils, the extent of which might be easier imagined than defined or limited; and however little credit might be given to him by many for such tenderness, the conscious rectitude of his intentions justified him in his own mind, private interests he had not either to sacrifice or to preserve; but that course which to the best of his belief would achieve the greatest good, was the most worthy to pursue; and he would rather be obnoxious to the charge of doing too little, than feel the reproach of having done too much. He therefore begged to submit the following motion:—

"That this Court, with a reference to a recent act of the legislature, abolishing the use of stamps in certain legal proceedings, recommends the Court of Directors to take into consideration the effects produced by the use of stamped paper, in legal proceedings throughout India, and to adopt such measures as may appear to them best calculated to promote the attainment of justice and to secure the public interest.

Mr. Hume said, that, in seconding the present motion, he wished it to be understood, that he gave it his support on grounds very different from those advanced by his gallant friend. He thought it was a matter of great importance both in this country and in India, to get rid of stamp taxes, (especially those connected with legal proceedings) which bore so heavily on the people in various ways. He formerly made a motion on this subject elsewhere, and he then shewed clearly, that the stamp duties, as they affected law proceedings, operated as a denial of justice in many cases. He had made it manifest, that, under the old law, the expence incurred was from fifty to seventy per cent., on the amount a suitor sought to recover; after having expended so large a sum, he was obliged to disburse almost an equal amount, to fee counsel, &c. before he could come into court; and perhaps, after all, such was "the law's delay," he might be in his grave before the court decided on his claims. It was on this broad principle, that the stamp duties were injurious to the people, that he wished to see them removed. But he must contend, that the petitioners to whom his gallant friend had directed their attention, had no right to expect that Calcutta should be specially exempted from a burden which prevailed all over India. Had those individuals ever opened their mouths in favour of the rights of the natives of India? No, those rights were never thought of by them. It appeared to him that their own interest alone occupied their atten-

tion, to the exclusion of more exalted objects. Principle was not considered by them. They were dormant when acts of oppression were committed—but, touch their pockets, and they immediately started into life. Objects of great political magnitude they passed by unnoticed—but they considered their own petty, paltry, interest, as ground sufficient to rouse and disturb the whole community. No tax could possibly be more odious than that which was imposed on law proceedings. The late Chancellor of the Exchequer now Lord Goderich, felt this. He, contrary to the opinions held by less enlightened minds, greatly to his credit, removed the duties payable for stamps, on certain law proceedings, to the amount of £300,000, on the wise principle, that such relief would be beneficial to the country. He wished that the inhabitants of Calcutta had taken that strong, that immoveable ground, instead of the narrow and selfish one which they had adopted. It would have been well if they had looked at the manner in which the native population of India was weighed down and burdened. Had they done so, had they described the evils which pressed upon that population, the sympathy of this country could not fail to follow such a representation, and that sympathy would, in turn, be extended to themselves. But when individuals were banished without trial—when the liberty of the press was overturned—when the native population was oppressed—did they come forward and state those sound constitutional principles—which, now that they were themselves affected, they urged in their petitions to this country. No—they said nothing. They were content to make a sacrifice of principle, but not of interest. The case of Mr. Buckingham—the case of Mr. Arnott—and of every man who was summarily banished, who was removed without trial, was unheeded by them. Instead of having remained passive under such circumstances, they ought to have followed the glorious example of Hampden—they ought to have exclaimed "here is a great public principle violated.—We will fight for that principle—we will defy every danger.—If there be peril let it fall upon us." The call of Hampden was answered and so would their's have been, had they acted firmly. He confessed that he was glad to see their necks bowed down under those whom, on former occasions, they lauded and eulogised. They had suffered one, two, or three individuals to be sacrificed, without interfering—and now they came forward, impelled by feelings of interest—quite regardless of principle,—and appealed to the legislature and the nation to relieve them. He contended that they had no right

right to claim this exclusive relief. If stamps were to be levied, they ought to be levied generally, without favour or affection. They had heretofore sacrificed principle, when the dearest interests of individuals were deeply concerned—and, therefore, he could not impart to them that sympathy, which they now sought to obtain. He premised these observations, because he wished to impress on the court, that it was not pounds, shillings, and pence, but principle, that raised a country in the estimation of the world; and he hoped, that, wherever an Englishman proceeded, he would still cherish that principle which taught him to resist oppression—and that he would still continue to be, what he always should be, an ardent lover of liberty. He feared, however that many who went out to India, lost sight of those English feelings, and did not act for the benefit of the mass over whom the company ruled. He apprehended that they were more anxious, in many instances, to pamper the paltry feelings of those who enjoyed the sweets of office, and were more regardless of their own particular interests, than of the happiness and prosperity of the community in general. In this case, the petitioners objected to the payment of duties, which others throughout India, were in the habit of paying. They felt the grievance as it applied to themselves but they never raised their voice against it, as an evil to which millions in the province were obliged to submit. Therefore, so far as the question of principle went, their complaint would be scouted in parliament. The mode, however, in which the desired end might be obtained—not the relief of one party, but the relief of all—he would come to hereafter. He did think, that it was base for those petitioners, on many important occasions, to have run away from, and abandoned, those principles which they had been taught in this country—and which, in early life, they had nurtured and cherished. He said this, because he thought that government ought always to act on principle, and on principle only. It was by adopting a different course—it was by following the dictates of caprice—that dangers were likely to be engendered in distant colonies. The letter of the 12th of April did not defend the imposition of stamp duties—but declared that the necessities of the government required additional revenue. If such necessities existed, then he would say, that it was a lamentable thing for India, after so many years of prosperity—after possessing treasuries so abounding in riches,—to be reduced, by mal-government, to a state so deplorable—to a situation so destitute, that her rulers were compelled to oppress the people by

the imposition of taxes which they were unable to bear. Would not any individuals, so circumstanced as the government of India were at present, have put this question to themselves, before they proceeded to levy an additional tax—would they not have asked, “Is not the commerce of Calcutta at a very low ebb? Is it not almost impossible to procure remittances for goods sent out?—and, as that is the case, shall we impose a new tax? Shall we, at such a time, act on a power, which was never exercised before—which was never called into action in more prosperous times?” ought they not to have said “we will not place an additional load on that which is sinking already? we must look elsewhere for resources; and, if the revenue is not sufficient to bear the expenditure of the government, we must meet the deficit by the abolition of unnecessary offices.” This is just; and justice and wisdom always go hand in hand. His gallant friend had mentioned a few cases in which large savings might be effected; they were comparatively but a few; for he could not look into the long, the almost endless list of places created by their government, without putting his finger on many situations, which, if knocked off, would effectually save them from the necessity of applying to taxation to recruit their finances. Were not the people of India sufficiently burdened already, when they paid £22,000,000 annually? no less than 9-10ths of the produce of the land were paid to the government. This kept the great mass of the people in a state of degrading poverty, and prevented them from becoming a prosperous and happy community. It was most impolitic to levy taxes, the effect of which was injurious to commerce. These were undoubtedly the most mischievous species of taxes, and ought always to be avoided. He therefore contended, that it was highly unwise and inexpedient for their government to have proposed any such measure as this; it would have been better to have done away with the existing system of stamp duties altogether, and to have framed a new law, applicable equally to all classes; for he knew no reason whatever why Madras or Calcutta should be exempted from any burden which His Majesty's subjects in other parts of India were compelled to bear. It was really lamentable to think, that you, sitting in that chair, and His Majesty's Board of Control, which was so well paid for watching over the interests of India, should have agreed to an act so utterly absurd as this; which, be it noticed, was got up in a manner contrary to the spirit of the last act of parliament. The act said, that, where an alteration of duties was

was intended, the fact should be announced in a public despatch to be sent out for that purpose; this was directed to be done, that the merchants who were interested should know when they were going to be taxed, in order that they might shape their transactions accordingly: this however had not been done in the present case. The intention of the legislature, in making this provision, was, that such publicity should be given to the proceedings of the government, as would prevent the merchant in India from being secretly and suddenly taxed. The reason which gave rise to the enactment was this: it had been customary to vary the duties payable on imports and exports, on the whim of the moment. This was necessarily a great evil; and it was one of the errors which, before a Committee of the House of Commons, it was strenuously insisted ought to be removed, in order to insure prosperity to the commerce of India; if they would look at the evidence given before that committee, they would see detailed the mischief which attended the sending out suddenly and secretly despatches connected with duties. These sudden despatches frequently placed the merchant in a most unexpected situation: in one case he would, perhaps, find a heavy additional duty imposed on an article in which he had speculated, without dreaming of such an alteration; in another instance, he would find probably that a transit duty of so much per cent. had been suddenly placed on certain goods, to his great detriment, as he had purchased them when no such duty existed. Now it was to remedy this—to let the merchant know precisely what impost he would be subjected to—that such publicity was called for, and was ordered. Therefore, he must say, in the spirit of honesty and good faith, that, in this late proceeding, the Court of Directors had acted contrary to what the legislature intended when they adopted the recommendation of the committee. They had sanctioned the introduction of new taxes, with which the people ought to have been previously acquainted, suddenly and without notice. Of all the bills that ever were sent forth, this, though concocted by the joint wisdom of the Court of Directors and the Board of Control, was the most absurd. Such a bill, he contended, was not only unnecessary but mischievous. Much to the honour of the native merchants, they were most correct, most confiding, most punctual in their money transactions; their word was indeed their bond, they would advance money, even to the amount of 100,000 rupees on a mere acknowledgment, without any legal formalities: this measure would, however, introduce suspicion

where confidence had before prevailed; it tended to uproot that high and honourable feeling which had so long existed, and to degrade the mercantile spirit in India to the level which it had found elsewhere. Was it not perfectly well known, that there were numbers of merchants in India, whose honour being appealed to would, at once, acknowledge a debt, though perhaps not legally liable; but let this new system be carried into effect, and the native would soon learn to apply to a solicitor, who, of course, in every case where it was possible, would advise him to stand on the formalities of the law. He could confidently state the effect which this regulation would produce, for he had received a letter from a native residing in Calcutta, who, with tears in his eyes, most feelingly described the ill consequences that would flow from it, were it persisted in. He (Mr. Hume) deprecated the mode that had been pursued throughout the whole of this proceeding; he deprecated the silence and secrecy which had been observed on the occasion. Those who were most deeply interested in the measure heard not a whisper, heard not a breath about the plan, until it descended upon them in all its deformity. He therefore complained of those who had in their hands the government of India, for their conduct in this affair: let them consider what questions were likely to be put to them in the course of a few years, when they called for the renewal of their charter; would they not be asked, "what have you done to ameliorate the condition of the people of India—what have you done to forward their prosperity?" And what would be the answer? why, we have maintained a beautiful despotism there, instead of introducing the free constitution of this country." It was recorded many years ago, in 1786, when an interference with the rights of the people of India was attempted, that some public spirited men, the secretaries of that day, resisted the innovation. Alas! how fallen, compared with these men, are the present secretaries, who, instead of upholding, used their utmost diligence to put down the rights and liberties of the people of India. They were the abettors and supporters of every thing despotic and arbitrary. The gentlemen to whom he had alluded, declared, in 1786, "That His Majesty's subjects in India, were entitled to the support and protection of the laws, in common with all others who paid him allegiance." But they would be told, that the people of India had all the advantages of British subjects, except in some few cases, except with reference to some certain points from the concession of which danger might result. The king, it would be observed,

served, appeared by his representatives at Calcutta, and at each of the other presidencies, to take care that justice should be done. And what was the justice done in this particular instance? why a tax secretly introduced into Calcutta was about to be levied, and those who were likely to suffer it, wished to avert the evil. They had a sheriff there: by the form of the law, the sheriffs here were appointed by the king. The old fashion, according to which the sheriff was nominated by the freeholders, was, he thought, better, and more in accordance with the constitution. In India, the sheriff was appointed by the Company's Government: he was the person to whom a representation was to be made, when it was found necessary to convene a public meeting. The time was not far distant, when those who wielded the government of India would be asked, "Did you give the people of India those just laws to which they are entitled?" and the answer must be—"No, whenever a public meeting was called to praise us, we sent to it some of our own people, some persons connected with the Government, and it was highly gratifying, to them and to us, to seize on such an opportunity to have a vote of thanks recorded, praising, in high terms, the conduct of all the parties, both those who influenced the meeting, and those who sent them there." "But," it would be demanded, "what did you do when anything unpropitious for the country happened—when the people felt oppressed, and wished to vent their complaints, what did you do then? the answer would be, he supposed, "we could only tell them that the sheriff was the only person through whom a public meeting could be assembled; but, if we did not like the subject that was to be discussed, we forbade him from convening a meeting." This was exactly the sort of justice that was administered in the present case. They would find, that in 1826, a letter was sent out from the Court of Directors to the government of India, containing the most arbitrary orders that were ever heard of in a country claiming any portion of freedom. They would find, that those who ought to respect British rights, who ought to rejoice that there were Britons in India—who ought to be proud when they saw those Britons imbued with the love of justice and of liberty, did direct, that, on the receipt of their despatch, "Under their high displeasure," no public meeting, of any persons whatsoever, should be allowed, without the permission of Government, expressed by the sheriff. And what would be the effect of that "high displeasure?" Why, transportation—degradation from rank and wealth—the extinction of hope—in short, utter ruin. Such a document as this

would be a pretty answer to any question which might hereafter be put as to their mode of governing a great empire. It would shew that the governing power had taken great care of themselves; but whether they had done so with respect to the population, was quite another matter. To allow such a paper to remain on the records of the East-India Company, was a disgrace. Well might those gentlemen who sanctioned such a document, agree with the individual who had called county meetings, mere farces; for surely the meetings at Calcutta must be perfect farces, since they could only be held, when the object was agreeable to people in power. He held it to be better, that the language of despotism should be without alloy, rather than mixed up with some shallow appearance of liberality. If it were necessary that the government should have money, why not put an end to the civil establishment at once? If this were a pure military despotism, as some gentlemen asserted, why should they not boldly abolish those useless civil forms, which, under such a Government, might be dispensed with, as they increased the expenditure, and were not attended with any benefit? In answer to the petition of the merchants of Calcutta, the government says, "the petitioners may rest assured, that this government, far from desiring to check or discourage the free expression of the sentiments of the public, in the form adopted on the present occasion, is always ready to receive the representations of the community, regarding any public measure affecting their interests which may have been adopted, or may be in agitation, in order that their objections may be fully and candidly considered." And yet this petition had been only forty-eight hours before them, when the government peremptorily declares, that the regulation shall not be suspended. The next step taken by the merchants was, to apply to the sheriff (a person appointed by government) for the purpose of convening a meeting: they said "we wish a meeting to be called, where we may devise some measure for the benefit of the country." Now the interests of the merchants were also the interests of India and of the Company; and if, by misrule, their exertions were crippled, and their energies paralyzed, the revenues of the Company would infallibly be destroyed. What a pretty way would they then be in when called to their account, when required to state the manner in which they had governed India. Well, the inhabitants expressed great anxiety to have a public meeting; and here he would take leave to observe, that if he were a tyrant, he would let all the ill blood that might be fermenting against him, spirt forth and shew itself at meetings

ings of this description; and, should it seem to him, that the spirit evinced at them was likely to menace him with mischief, he must be a very weak and ignorant man indeed, if, wishing to rule the country, he did not profit by what took place on those occasions. Notice was given for holding a meeting on the 17th of May; the merchants said, "we will endeavour, if not to remove the whole, at least to get rid of the most onerous and objectionable parts of this bill;" but on the 12th of May, the sheriff, by the direction of the Government, notified to the parties, that they should not meet. They were denied the right to assemble; and he hoped what he had heard was not true, namely, that a detachment of His Majesty's troops were ordered to be in readiness, to prevent any attempt of the inhabitants to meet together. He had received a letter from a gentleman in Calcutta, stating the fact, and he believed it. The bare idea of an intention to use an armed force on such an occasion, was enough to raise the indignation of all who heard him. But the day of reckoning was coming, when those who tolerated such proceedings, would be asked, "have you left a single privilege, a single right, a single portion of freedom, untouched in India?" and the answer could only be—"Not one; whether it be the liberty of the subject, the freedom of the press, or the independence of the judges, each has been assailed in its turn." India presented but one great scene of misrule; and should they, the proprietors, sit tame and quiet while such proceedings were going on? It appeared evident to him, when a system of secrecy was studiously maintained, when public discussion was dreaded, when newspapers were put down, that the government which proceeded thus must be weak as well as wicked. One of the Calcutta papers, the *Chronicle*, in speaking of the manner in which an honourable and worthy servant of the public, a learned judge (Mr. Courtenay Smith) had been treated by the government, shewed very clearly, by the language used, that a sort of reign of terror existed in India. Men were absolutely afraid to express their sentiments—they trembled at the overhanging vengeance of the government. The learned judge, to whom he had alluded, was placed in a most unpleasant situation—*if, indeed, he were not suspended—because he, in the course of a case that came before him, expressed his opinion honestly from the bench, as a man of honour was bound to do. The integrity of the judges was the only barrier that remained to prevent an utter despotism—and that, it appeared, was now attacked. The Chronicle, in noticing Mr. Smith's case, said—"It is not safe for us to express our sentiments*

on this subject;" and, when they knew that this very paper was suppressed a few months afterwards, and the property completely destroyed, he would say, that the worst despotism (and they would be called on hereafter to answer for all those acts of tyranny) could not produce worse consequences than the present system of misgovernment in India had done. If the judges here, Lord Tenterden or Mr. Justice Best, in the course of their judicial duties, happened, as he believed they had sometimes done, to state something that was not pleasant to the government, what would the public say, if they were threatened with punishment, because they had dared to do their duty. When they looked to the total want and dereliction of every thing that was valuable to Englishmen, born under a free constitution, which was observable in India, ought they not earnestly to wish that that country should be placed in the same situation as the colonies of Great Britain were?" The company had much to answer for, in allowing a state of things so deplorable, to continue for such a length of time. Let gentlemen turn their eyes to the West India Islands, and the other colonies, and let them contrast the system pursued there with that which was adopted in India. With the exception of the Cape of Good Hope, and one or two other favoured places, where tyranny and corruption prevailed, and ruin covered the land, the colonies were well-governed. Let them direct their attention to Jamaica, and the other West India Islands, and they would find the press free, the liberties of the subject respected, and the judges left to act as their consciences dictated to them. What a contrast did this present to what was to be seen in India, where 100,000,000 of men, who ought to be free, were curtailed of their natural rights and privileges—where despotism triumphed, unchecked by the hand that ought to correct it—where the press was fettered—and the independence of the judges was menaced. Those who had the authority ought always to keep a strict check over individuals entrusted with power. On this point, Mr. Wilberforce, speaking of one who had held a situation abroad, said emphatically—"I knew that man, I respected him, I valued him; but I have come to this conclusion, that no human being, however good, should be allowed to exercise irresponsible power." The first wrong step having been taken, the evil principle entered deeper and deeper into the constitution of those who were entrusted with irresponsible power, till at length a state of things was produced similar to that which had occurred, and now prevailed in India. He agreed with the present motion, but not on the same view of the case as that which

which his gallant friend had taken. They all knew, that the great body of the population of India did not look with the most favourable eye on those who governed them. Instead, therefore, of increasing their dislike, we ought to promote commerce, and to give every encouragement to the growth of free and liberal institutions, as had been done in England. It was not her power alone that enabled England to take so high a stand in Asia and in Europe; no, it was her liberal institutions that mainly enabled her to do so. Institutions, calculated to improve the population, and to increase their prosperity, ought to be cherished in India. He thought, with regard to that country, that they had proceeded on a narrow and limited scale, which ought to be extended to the utmost. What could the Company do, when, on giving up their stewardship, they were assailed with these various accusations, and fifty others of the same kind? He would again say, "Rather reduce your expenditure, than add to the burdens of already-oppressed India, whose taxation is admitted, by all who are acquainted with that country, to be the cause of its continuing in a state of poverty and degradation." If they had any regard for the prosperity of India, if they had any regard for themselves as a public body—if they had any regard even for their own interest—they would retrace their steps, unless they meant to govern their eastern empire by force of arms alone, and not by the influence of paternal care and paternal protection. He hoped the rumour he had heard would prove true, namely, that the judges at Calcutta had refused to sanction a regulation which was so obnoxious to the feelings of the people of India.

Mr. S. Dixon said, the motion before the Court was one of great importance; and he hoped that hon. Proprietors would feel disposed to avail themselves of the information they had that day received; for any immediate decision by that Court, however, their present information was not sufficient, since, if he had understood the hon. Chairman correctly, the latest account which the Directors had received from the Government of India was dated late in June, at which time no final decision had been come to, as the Supreme Court was not to consider of the registration of the act until the 6th of July. The Court of Proprietors could not now decide, but must wait for further information from India before they gave any opinion: he therefore was anxious to impress on the hon. Gentlemen who had supported this motion, that they ought for the present to rest satisfied with what they had done, and not press the matter further in the then very thin state of attendance in the Court. Even if they possessed the

necessary information on the subject, they were too few to decide so important a question; but wanting that information, he thought it would be very wrong to press the matter farther.

The Chairman said, that when the hon. Gentleman began, he (the Chairman) had stated that the Court was not in a situation to give an opinion on the subject, as they were not in possession of all the facts the knowledge of which might serve to guide them, and that was the real state of the case. The hon. mover had reproached the Government with being tardy in this matter, but when it was known that the latest accounts received by the Directors did not reach beyond the 21st of June, and that the Supreme Court were not to pronounce on the question of the duties before the 6th of July, he must say that the proposition now before the Court was, to say the least of it, premature. He (the Chairman) thought, too, that the course pursued on the present occasion was not altogether fair. The motion, of which notice had been given, was "on the subject of the Stamp Regulation passed by the Bengal Government in 1826, and the petition presented in consequence by the European inhabitants of Calcutta," and he had hoped that the hon. gentlemen who brought forward the motion would have confined themselves to the question of the duties; but he submitted, whether the hon. mover or the hon. Proprietor who seconded him, instead of that course, had not gone into an attack on the governments of India for the last forty years? It was from this feeling and a conviction that pressing the motion at present could not be productive of any even the slightest good, that he felt bound to meet the motion with the previous question.

The Deputy Chairman said, that concurring entirely in what had fallen from his hon. colleague, he felt it his duty to second his motion for "the previous question."

Col. L. Stanhope observed, that if the question were to be brought hereafter before a full Court of Proprietors, he would consent not to go any farther at present; but if, by the previous question, it was meant to put an extinguisher on the motion, he for one would proceed to a division.

Captain Maxfield thought the Court might do some good by acceding to this motion, and it was better they should do it early than late.

Col. Stanhope suggested, that a new notice of a similar motion should be now given, to stand for the next quarterly Court.

Capt. Maxfield observed, that, as the hon. Chairman again pleaded not being in possession of the requisite information, the

the executive body, which ought to possess the earliest knowledge of the facts, must seem to the Court not very anxious to obtain it; whilst the indifference, indolence, or studied tardiness of the Supreme Court to afford it was but too apparent.

The "previous question" was now put and carried by a large majority on a shew of hands. The original motion was consequently lost.

IMPRISONMENT FOR DEBT IN INDIA.

Col. *L. Stanhope* rose to bring forward the motion on this subject, of which he had given notice at the last court. The notice was here read by the clerk, after which the gallant colonel proceeded. It was, he observed, the duty of that court, as the rulers of India—it was their duty, as men and Christians, to do every thing in their power to assist the unfortunate persons who were confined for debt in the gaol of Calcutta, and to mitigate their sufferings by shortening the period of their confinement. When this subject was mentioned in the Court of Proprietors on a former occasion, it was suggested by an hon. member, that the laws respecting insolvent debtors and bankrupts ought to be extended to India. In the propriety of that suggestion he fully concurred. The extension of those laws to India would have the effect of rescuing unfortunate prisoners in that country from a state of suffering, of which we could form no idea from our knowledge of imprisonment in this. In the course of the last year a petition was drawn up by one hundred and thirty persons confined for debt in Calcutta gaol (the dates of whose imprisonment varied from 1813 up to that period) complaining of their melancholy and destitute condition, and praying for relief. The allegations of this petition were attested, and its prayer supported by three hundred most respectable individuals of all ranks, a deputation from whom, with Mr. Palmer at its head, waited upon the Vice-President of the Council, Lord Combermere to present it. The noble lord received the petition in the tone and manner which were quite consistent with the character of a British soldier—in a manner consistent with those humane feelings which had induced him to abolish flogging in the Bengal army, except for certain offences against honesty and military subordination. He promised that he would do every thing in his power to remedy the evil complained of, and the prisoners were relieved. The court were bound to do every thing in their power for the same benevolent purpose. Imprisonment for debt was at all times, and under every circumstance, a severe, and in most cases, an undeserved punishment.

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ment, but in the humid gaol of Calcutta, where the thermometer sometimes stood at 120° in the shade, and where the prisoners were dreadfully annoyed by mosquitoes, it was a punishment often more severe than the loss of life. The gallant colonel, observing a proprietor laugh, exclaimed, "What! and do men laugh at this? Are sufferings such as I have described to be treated only as a jest by any members of this court?"

The *Chairman* assured the gallant officer that no member had laughed at what he said.

The *Deputy Chairman* added, that he had smiled; but he assured the hon. and gallant proprietor that it was not at him or his subject.

Col. *Stanhope* said, he had not alluded to either of the hon. directors who had just spoken, but to another individual. He had seen men die from the effects of such imprisonment as he had described, which was as great a torment as death by the application of the bull's hide. Punishment of this nature for debt was worse than tyranny; and yet this cruel practice was supported by men who read their prayer-book, and who, from their affectation of sanctity were called saints; but he would call such affected sanctity abominable hypocrisy. Such was his abhorrence of this cruel treatment of his fellow men, not for any crime, but for the misfortune of being involved in a trifling debt, which might happen to any person, that as long as he lived he should be found to use his best exertions to put it down, and to hold up to just censure those who would support it. The gallant colonel concluded by moving:

1. That a petition, dated February 1827, from the debtors in the great gaol in Calcutta, presented by Mr. John Palmer, and recommended by the magistrates, merchants, agents, and shopkeepers of that city, to the Vice-President in Council, is entitled to the attention of the Court of Directors.

2. That it appears by the petition, that in 1812 100 debtors were liberated from Calcutta gaol, under the operation of the insolvent act, one of whom had been in that hot gaol for eighteen years; but that when, in 1813, this act was made permanent in England, it was not extended to British India.

3. That 14 years had since elapsed, and though the Court of Directors had extended the spirit of the Insolvent Act to the provinces of British India, still debtors in the metropolis of the three presidencies (under the laws of England) are yet doomed to perpetual imprisonment. Thus one prisoner has been fourteen years, two have been twelve, and one has been eleven years, in the sultry and offensive dungeons of Calcutta.

4. That this court doth, therefore, humbly recommend to the Court of Directors, to use all their influence in order to extend the Insolvent and Bankruptcy Laws to British India, and to aid in establishing there, as in London, a society for the relief of unfortunate debtors, the operation of benevolent exertion being, in truth, the only palliative applicable to the present system of English procedure.

Captain *Maxfield* seconded the motion.

Mr. *Hume* said, he did not rise for the purpose of offering any objection to the principle

principle of the gallant officer's motion, but he wished to bring to his recollection, what occurred on this subject in the House of Commons last session. The subject having been introduced in discussion, it was stated by the Right Hon. the President of the Board of Control, that there were some doubts, whether the laws relating to insolvent debtors and bankrupts, did not already apply to India, equally as to England. If it should so turn out, the evil complained of would at once find its cure; but if it were decided that those laws were not at present applicable to our Indian possessions, he should feel it his duty, early in the next session to introduce a measure on the subject. He (Mr. Hume) considered this as a pledge on the part of the right hon. gentleman, that the subject would receive the consideration of government. But he should like to see their attention called to it with the view of placing our other colonial possessions on the same footing as Canada, in which no man could be arrested for debt, except oath was made that he was about to fly the country—and even then he was only bound to give security for the debt on the contingency of his quitting the colony. As the subject was to be taken up in parliament, perhaps the gallant officer would not feel it necessary to press his motion at present; at the same time he (Mr. Hume) was as anxious as any other proprietor, that every attention should be paid, on the part of the court, to the condition of prisoners for debt in Calcutta, where, it must be obvious, that imprisonment was a thousand times worse than in this country.

The *Chairman* observed, that after what had fallen from the hon. proprietor who had just addressed the court, and under the circumstances which he had stated, perhaps, the gallant officer might be induced to withdraw his motion. He would assure him that the directors were sincerely disposed to give the subject their best attention. He must observe that the prisoners alluded to, in the resolution, as having been discharged from Calcutta goal, had not been discharged under the Insolvent Act, but under certain humane regulations of the government of Calcutta; which government was, he could state, disposed to give the subject its most attentive consideration.

Mr. Hume wished to know whether the regulations under which those prisoners were discharged from Calcutta goal, were similar to those established by the insolvent act in England? He understood they were the same.

The *Chairman* said, that, by the regulations in question, debtors confined for a sum under a certain amount must be discharged within twelve months; but, if indebted to a higher amount, they might

be detained by the creditors. This however was a power but seldom exercised; and it was due to the humanity of the natives to state, that they were in general by no means favourable to exercise any such power over their debtors. He would again assure the court that the directors felt disposed to use every means in their power to mitigate, if they could not wholly remove, the evil complained of.

Mr. Stuart, adverting to the question put by the hon. proprietor (Mr. Hume) to the chair, said, that, by act of parliament, the government in India had the power of ordering the discharge of debtors charged in execution for sums under a certain amount.

After a few words from Captain Maxfield,

Col. Stanhope consented to withdraw his motion and it was withdrawn accordingly.

SUSPENSION OF THE HON. JUDGE SMITH.

Col. Stanhope said, he was now about to give notice of a motion for the next quarterly court, on a subject of very great importance to their interests in India, as it referred to what at all times must have high value in the estimation of that court, he meant, the independence of their judges. It was well known that Mr. Courtenay Smith, chief judge of the Supreme Native Court in Bengal, and brother to the highly-distinguished clergyman, the Rev. Sidney Smith had not long ago been suspended from his office of judge, in consequence of an opinion delivered by him from the bench. The motion of which he was about to give notice, referred to that suspension. The gallant Colonel here began to read his notice, when

Mr. Hume (in an under tone) suggested, that it would be better, in the first instance, to move for the production of whatever information had reached the Court of Directors on the subject.

Col. Stanhope, without attending to the suggestion, went on to read the notice as follows:

1. That this Court of Proprietors has heard with regret, that Mr. Courtenay Smith, Chief Judge of the Supreme Native Court in Bengal, has been suspended from his office for having expressed the following opinion,—namely, that “as suits appealed to the authorities in England are decided by them after many years, and as the period of the Hon. Company's charter will shortly expire, and as, after the expiration of the term of the present charter, it is uncertain whether it will be renewed, or the government of the country will be assumed by His Majesty, in my opinion the security of the Government is such as cannot be accepted. But as this is an uncommon circumstance, it requires the concurrence of another Judge.”

2. That Mr. Canning, when President of the Board of Control, acted upon the same principle as that for which Mr. C. Smith has been condemned,—the former having refused to sanction a pension which extended the grant beyond the period of his charter.

The gallant officer was about to read the remainder of his notice, when he was called to order by

Mr.

Mr. Wigram—who observed that it was quite irregular to enter into a detail in giving notice. The usual and the correct practice was, simply to state the nature of the motion which any individual intended to bring forward at a future period.

Col. Stanhope was about to proceed ; when

The *Chairman* said, he thought the hon. and gallant member ought to confine himself simply to the statement of the nature of his intended motion. He (the *Chairman*) did not see how such a motion as that of the gallant officer could be received, as the court were not in possession of any information on the subject to which it referred.

Mr. *Hume* observed, that the gallant member was not now submitting a motion, but merely giving a notice ; and, if he had a right to state the terms of that motion, he could not see why he should not be allowed to read it. The custom there was to give notice of a motion ; and, out of courtesy, it was the practice to hand in a written copy, which he thought the *Chairman* could not refuse.

The *Chairman*.—"But the hon. and gallant member is begging the whole question, when he sets out with asserting, as a thing well known, that of which the court have no information whatever before them, he also talks of an inquiry into the matter though the court do not yet know of its existence. In this shape, I think the notice ought not to be received, or that placed on our records, which might be in decided contradiction to the fact. Will it not be better for the gallant officer to say, as a notice generally, that he intends to submit a motion upon the subject, without now entering into details of which as yet the court know nothing ?"

Col. *Stanhope*.—"If the practice of the Court is, that notices of motion are to be framed and settled by the Directors just as they please, why then there is an end to any thing like free discussion. I contend, Sir, that I am correct in the course I am pursuing, and, if the aim of those objections be to stifle inquiry, I trust the Court will meet them as they deserve."

Mr. *Wigram* again rose to order. He could assure the gallant member, that he had no wish to stifle inquiry, or to give him any unnecessary interruption. His object would be to put the matter into a fair way of inquiry ; but there was a mode of proceeding which ought to be observed for the sake of regularity. It had been said, that no objection should be made to hearing a resolution which it was intended to move at a future day, or to receive it in writing as a notice. He had not asserted the contrary ; but this was not a resolution, for in one part were the words "in my opinion." That was reasoning on the subject, and that was irregular in a notice.

Col. *Stanhope* said, that, as this was a quarterly General Court, he might, if he pleased, go on with the matter, and make it a question for discussion without further notice ; but he wished that the Directors should know what had been done, as they seemed to be the last who were informed of the most important occurrences connected with their affairs in the East. As they were thus the last to obtain that knowledge what they should be the first to be possessed of, he would go on without farther impediment, and give the notice in his own way. He stood there upon his right as a proprietor, and would not permit that right to be violated in his person. He had already read two of his intended resolutions, and would have long ago read the third, if he had not been interrupted. He would now read it.

3. That the conduct of the government in suspending this most upright judge for expressing his honest opinion, is calculated to corrupt the fountain of justice in British India ; and that Mr. C. Smith, in laying down the rule of equity, and protecting the weak from the strong, has done his duty, and deserves the approbation of this Court.

The *Chairman* must repeat, what he had before said, that this was assuming the whole case, of which they had no information, and condemning the government of India unheard. Under these circumstances, he thought he ought not to receive the notice, or put it on the records of the Court.

Mr. *Hume* said, that the matter would not be placed on the records of the Court as a notice, but the gallant Colonel might, if he pleased, make it a matter of record, by having it moved and seconded for discussion at the present moment. It was not, however, a matter of record at present.

Mr. *Wigram* said, that would depend on the way in which the hon. member might shape his notice. If he gave a notice, generally, that he would bring forward a motion on some subject, that was all that could be stated in their minutes ; but, if he gave notice, that it was his intention to move a certain set of resolutions, those resolutions would necessarily appear on the face of their proceedings. In the former case, the member giving the notice would have the advantage of not standing pledged to any particular form of motion ; but, in the latter, he would be bound to adhere to the resolutions of which he had given notice.

Mr. *Hume*, in explanation, said, he had been misunderstood. He had stated, that it was the hon. member's right to bring on the subject now ; but it was a matter of courtesy to give a written notice, that the court might be put more fully into possession of the intentions of the mover.

The *Chairman*, after observing that he was in some respect mistaken as to the hon.

hon. and gallant proprietor's object, ordered the notice to be received.

COURT OF INQUIRY.

Mr. Hume said, he was anxious to obtain some information from the hon. Chairman, on a subject of considerable importance. It was well known that several complaints had been made as to the mode of conveying the troops to Arracan, and that, in consequence of neglect, in this respect, in some quarter, several of the troops had died, and others suffered much inconvenience. These complaints had been referred to a court of inquiry, who had made a report on the subject; now, what he wished to know from the hon. Chairman was, whether that report had been sent home, and whether there would be any objection to produce it?

The Chairman said, that to a question on a very important subject, thus put to him without notice, he was not prepared to give an immediate answer.

Mr. Hume admitted the delicacy of the Hon. Chairman's situation with respect to such a question, and therefore would not press it farther just then. Here the matter dropped.

INSTRUCTION OF CADETS AND OTHERS IN THE HINDOSTANEE LANGUAGE.

Mr. Hume said he had a motion to submit, to which he begged the particular attention of the court. It would be recollected that on the 4th of November 1818 the Court of Directors came to a resolution that "no cadet or other person going out in the Company's service should be suffered to leave England until he was instructed in the rudiments of the Hindostanee language." (Here the hon. proprietor read the resolution.) Every day's experience since the passing of that resolution had served more and more to convince him of its propriety, and of the injury which a departure from it was calculated to do the Company's service. The court, he contended, were bound to adhere to their own resolution, and to see that it was strictly observed. But why, he begged to ask, should that resolution be suffered to lapse now, when there was even still greater cause for its strict observance? Instead of its being acted on, however, he was sorry to find that even medical men were turned loose in India, without that knowledge of the language which could enable them to ascertain the wants of those of whose health they were in charge. Indeed, to every class of officers, medical and military instruction in the Hindostanee was almost essential to the due discharge of their respective duties. He had seen an article on this subject in a newspaper (*The Sunday Times*) a few days ago, in the justice of

which he fully concurred. He would read a part of it to the court:

"The native army in India," said the writer, "exceeding 150,000, under the three presidencies of Bengal, Madras, and Bombay, has been considered, and indeed have proved themselves the finest body of troops ever kept up by any foreign country. We believe that the native soldiers in India seldom, if ever, proceed to acts of violence without great and urgent causes; and that, if but little attention is paid to their complaints and prejudices, they may be kept in the best state of discipline, and all such misfortunes avoided. We are confident; from every thing that has transpired of the causes of the mutiny of Barrackpore, that had the government at Calcutta and the officers or the regiment done their duty, that catastrophe would have been avoided. The mutiny at Vellore might also, with but ordinary precaution, have been prevented, and almost every unpleasant transaction that has occurred in the Indian army been in the same way prevented. We are not in possession of the circumstances attendant on the late assassination of two commanding officers in the Madras army; but we have received some details of the mutiny of a regiment of the Nizam's troops at Moradabad, in which the commanding officer, Major Davies, lost his life, and the perusal of them will satisfy every person that the indiscreet conduct of one of the European officers, in interfering with the prejudices of the soldiers, and ordering them forcibly to be shaved, was the cause of that meeting and loss."

The writer then went on to state that in which every man who was at all acquainted with our Indian affairs would cordially concur:

"We must express our surprise that the directors of the East-India Company, intrusted with the government of 100 millions of people, and with the management of an army of 150,000 native troops in India, should continue to send out boys of sixteen and seventeen, and most of them raw from school, without exacting from them the acquirement of the language which the soldiers they are destined to command speak, as well as the language of the people. On the contrary, it is as notorious as the sun at noon-day that several propositions submitted at the court at the India House, 'to have every officer taught the Hindostanee' (the language spoken generally by all the native troops), have been opposed by the directors: and on the last occasion, we are informed, that the whole seventeenth directors who were present voted against the motion. We say that this is to be deeply regretted, because every officer who knows the language of the soldiers and of the people can the better learn what the customs and prejudices of the men are, and thus be able more readily to avoid such very unpleasant occurrences as that which lately took place in the native horse regiment commanded by Major Davies."

This letter (Mr. Hume continued) was followed by an extract of a private letter from Bombay dated 15th July last, in which the particulars respecting the death of Major Davies were detailed. He had made some inquiries on the subject, and the result was, his belief that those particulars were correctly given. Here was an instance of the loss of a valuable life, proceeding, in all probability, from ignorance, in the first place, of the language of the troops, and in the next, from unacquaintance with their manners and habits. Without dwelling farther on the many disadvantages which must result to the Company's service from the ignorance of the native language of some of their officers, he would move,

"That the Court of Proprietors do strenuously recommend the adoption of the resolution of the Court of Directors of the 4th of November 1818."

res—

respecting the instruction of Cadets and others in the rudiments of the Hindostanee language, before their being allowed to proceed to India."

The *Chairman* said he believed the hon. member would find that the resolution of November 1818, to which he had referred, related to assistant-surgeons only, with respect to whom it was still observed.

The *Deputy Chairman* concurred in this. It would be thought, he found, that the rule applied to assistant-surgeons only.

The *Chairman*—With respect to the real or supposed ignorance of the young officer through whom it was said Colonel Davies met his death, it had nothing whatever to do with the question before the court. That young officer was not, nor ever had been in the Company's service. He was in the employment of one of the native princes. He did not mean to say that a man would not be better qualified for the discharge of his duties in India by having a previous knowledge of the rudiments of the Hindostanee; but the court and the hon. member must be aware of the great difficulty and inconvenience of congregating for several months a vast mass of young men in London, for the purpose of being instructed in that language before they were sent out. The hon. proprietor's object might be very desirable, but there were difficulties in the way which he thought could not well be surmounted; or if they were, it would occasion an inconvenience in other respects, which would, he feared, be more than sufficient to counterbalance the advantage of obtaining a partial knowledge of the Hindostanee in this country.

Mr. *Hume* was anxious to set the hon. Chairman and the Deputy Chairman right in one point. The resolution of the 4th of November 1818 did not, as they imagined, refer to assistant-surgeons only. It was expressly described to apply "to all men" going out in the Company's service, "more particularly to medical men." The hon. Chairman was quite mistaken in supposing that it would be necessary to congregate in London all the candidates for military and medical employment in India, in order to their being instructed in the Hindostanee language. There were ample means for such instruction in several other parts of England, and also in Edinburgh and Dublin. If this qualification were made essential to young officers going out, it would be found, that being well instructed in the rudiments of Hindostanee on leaving England, they would employ that time which was now idly spent in their passage, in increasing their knowledge of the language; and many of them would, on their arrival in India, be fit for immediate service. It was well known that very young officers were often placed in the

command of companies, and he would ask how was it possible for a young man in such a situation, and ignorant of the language of the country to perform his duty efficiently? He would appeal to the hon. and gallant Colonel (Baillie) within the bar, who would be sure bear him out in the assertion, that an officer would be much better qualified for his duty by a knowledge of the Hindostanee language.

Col. *Baillie* was about to address the court, when

The *Chairman* said, that there was no question before it.

Mr. *Hume* said he had moved his motion in due form.

The *Chairman* asked, had it been seconded?

Captain *Maxfield* said he would second it, as he fully concurred in the justice of the remarks of his hon. friend who had moved it.

Col. *Stanhope* in supporting the motion, mentioned a circumstance of which he himself was an eye-witness, where a melancholy loss of life had occurred in consequence of the ignorance of the native language on the part of the same British officers. At the taking of the fortress of Talneir by the Company's forces, the place was defended by some Arab troops, who had retired from gate to gate, till they came to the last wicket. The English officer gave orders that they should be disarmed; but the Arabs, imagining, when their arms were demanded, that it was intended to put them to death, refused to deliver them up; (indeed, so attached are the Arabs to their arms, that they would sooner die than yield them) a fracas ensued, and before the order could be properly explained, six hundred of them were cut to pieces. He mentioned this merely as an illustration of the argument of his hon. friend (Mr. *Hume*).

The *Chairman* expressed his hope, that, in the present state of the court, the motion would not be pressed, or if it were, he should meet it by moving the previous question.

Mr. *Hume* expressed his willingness to let it stand as a notice of motion for the next court.

Colonel *Baillie* thought they might as well decide upon it at present. As the hon. proprietor (Mr. *Hume*) had appealed to him, he would state his opinion candidly, and admit, for who, indeed, could deny, that an officer conversant in the native languages must be more efficient than one who was ignorant of them. But at the same time, he by no means thought a profound knowledge of any of those languages indispensable to the due performance of the duties of a subaltern officer: and far less did he think it indispensable that every man should be instructed

structed in the Hindostanee language before he left England for the military service of the Company.—As to what his gallant friend (Col. Stanhope) had called an illustration of the fatal effects of ignorance of the native languages on the part of British officers in India, it was clear that the circumstance alluded to by the gallant officer could have no application whatever to the question before the court, inasmuch as the language spoken by the garrison of Talneir was the Arabic, not the Hindostanee; and it would not, he presumed, be contended, that a knowledge of Arabic was indispensable to officers commanding troops who were chiefly Hindoos. He might offer himself as an instance of an individual, not at all instructed in England, who had nevertheless acquired a sufficient knowledge of the Hindostanee, for the performance of his military duties, within a very limited period of time; and he might further adduce the hon. gentleman himself, the mover of this question (Mr. Hume), who very shortly after his arrival in India became so conversant in the native languages, as to be enabled to perform his medical duties to a large detachment of native troops in the most efficient and satisfactory manner, to which he (Colonel Baillie) could bear ample testimony. If such had been the case in former times, he saw no new state of circumstances at present which should render a change of system indispensable; and being satisfied that the accomplishment of the hon. gentleman's object, if practicable, would be attended with public inconvenience,

greatly overbalancing its use, he trusted that the good sense of the proprietors would put an end to the question at once, by giving a decided negative to the motion.

Mr. Hume, in reply, said that the gallant Colonel might have been correct in speaking of his own case, but he was not so in speaking of his (Mr. Hume's) as he had found it necessary to make himself acquainted with the native language before he went to India in the service of the Company. He had heard nothing in the other remarks of the gallant Colonel, which was at all calculated to alter his opinion on this motion. He would therefore press it.

Col. Stanhope in explanation, said, that in the illustration he had given, he meant and spoke of the Hindostanee and not the Arabic. The former is generally understood by the Arab troops as well as the latter.

The motion was now put and negatived without a division.

THE CARNATIC DEBT.

Captain Maxfield gave notice of a motion for the next court on the subject of the debts of the Nabob of the Carnatic.

STAMP DUTIES IN INDIA.

Col. Stanhope gave notice that at the next court he would submit a motion that all papers and other documents which had reached the directors on the subject of the recent stamp regulations in India be laid before the court.

The court then adjourned.

Postscript to Asiatic Intelligence.

Saturday, Dec. 28.

We are in possession of no advices from India of a later date than what is contained in the preceding pages.

Lord Amherst, with the Countess of Amherst and Lady Sarah Amherst, left Subathoo on the 25th June, by dawk; they rested at Kurnaul, and thence proceeded to Meerut, where they arrived on the morning of the 2d July, all well. They proposed to remain for a few days at that station, and from thence travel direct to Calcutta. Dr. Cavell, his lordship's physician, died at Subathoo, of cholera.

Advices from St. Petersburg to the 10th December communicate the important news of the signature of preliminaries of peace between Russia and Persia: the terms, though severe, are not harder than might be expected.

Futteh Ali Khan, the governor of Tabreez, immediately after the taking of the city, was deputed by Prince Abbas Mirza, to carry proposals of peace to Gen. Paskevich. A few days after, the Caimacan, or principal minister of the prince, waited

upon the general, to fix a time and place for the negotiations. On the 2d November Count Obreskoff, on the part of the Russian general, met the Caimacan at a village beyond Tabreez, where next day they agreed to the following preliminaries: 1st. That Persia shall cede the whole khanat of Erivan (on both sides of the Araxes) as well as the khanat of Nakahirvan. 2d. That the Russian portion of Talish (occupied by the Persians) shall be restored after the conclusion of peace. 3d. That a pecuniary indemnity for the expenses of the war shall be paid by Persia, part on the signature of the treaty, the remainder by instalments. 4th. That the Russians shall hold the province of Azerbaijan till the whole sum be paid.

On the 9th November Prince Abbas Mirza assented to these preliminaries, which were sent to the capital for ratification by the Shah. An interview was to take place between the prince and the Russian commander-in-chief at Dekhargan, a village between Tabreez and Maragna, on the 16th November.

HOME INTELLIGENCE.

LAW.

HIGH COURT OF DELEGATES, Dec. 18.

The Ship "Atlas."—This was a suit promoted by Alexander and Co., merchants of Calcutta, against the owners of the ship *Atlas*, to try the validity of an alleged bottomry bond executed by the captain of the *Atlas* to the house of Alexander and Co. in 1823. The case was tried before Lord Stowell in the High Court of Admiralty, who pronounced against the validity of the bond; upon which an appeal was entered in the High Court of Delegates.

The Solicitor-general and Drs. Lushington and Dodson having been heard for the appellants, and Dr. Phillimore and Mr. Parke for the respondents, the court inquired whether, if the bond in question was not strictly speaking a bottomry bond, the counsel for the appellant were prepared to argue that the High Court of Admiralty had jurisdiction to entertain it.

Dr. Lushington said, that if the court allowed time, he should be prepared to argue the affirmative of the proposition.

It was finally agreed that the case should stand over to the 15th of January.

MISCELLANEOUS.

FAREWELL DINNER TO LORD WILLIAM BENTINCK.

The Directors of the East-India Company, Dec. 5, gave, at the Albion Hotel, Aldersgate-street, a farewell dinner to the Right Hon. Lord William Cavendish Bentinck, Governor-general of India, previous to his departure. The entertainment was sumptuous, and befitting the occasion. On the right and left of the Chairman and Deputy-Chairman, at the cross table, were the Governor-general, the President of the Board of Control, Lord George Bentinck, the Earl of Gosford, Sir Henry Verney, Sir Coutts Trotter, Mr. J. Denison, M.P., Mr. Bonham, M.P., Major Dallas, Governor of St. Helena, Mr. Ellis Heaton, Sir Rufane Donkin, Mr. R. Barclay, M.P. The Directors composed the remainder of the party, which was thirty-eight in number.

NEW COMMANDER-IN-CHIEF IN INDIA.

Lieut.-General the Earl of Dalhousie will, it is understood, succeed, in the course of the ensuing year, General Lord Viscount Combermere, G.C.B. and G.C.H., as commander-in-chief in India. —*London Paper.*

GLASGOW TRADE WITH INDIA.

Within the last eight days there have sailed from the Clyde the regular trading ships *Fortune* and *Mountstuart Elphinstone* for Bombay, and also the *Iris* for Calcutta. Those three ships measure 1,000 tons register, and are stowed full of various manufactures of the city and its neighbourhood. We are credibly informed, that, within the short period of six months, an export of cotton yarn from Glasgow to the East-Indies has taken place to the amount of £15,000, — *Caled. Merc. Nov. 29.*

MR. FARQUHAR'S WILL.

The validity of a will of Mr. Farquhar of Fonthill, dated in 1814, which has been sent to England from India, is now in a train of adjudication, a suit having been commenced in the Prerogative Court of Canterbury, promoted by Mr. Colvin, the executor under the alleged will, against Mr. J. Farquhar Frazer, the next of kin, who had taken administration of the effects, as in a case of intestacy. It is understood that some very curious facts are likely to transpire in the course of this suit.

M. RIFFAUD'S EGYPTIAN COLLECTION.

M. Riffaud, who has resided for some time in Egypt, has just returned to France, bringing a collection more extensive than any individual has hitherto made in that country, consisting of statues (66 in number), and drawings of subjects of natural history, botany, and architecture. The drawings include 500 coloured plants, taken at the two periods of their flowering and fructification, in Nubia, Upper and Lower Egypt. These drawings are accompanied by notes indicating the various uses to which the natives apply the plants, either medicinally or for dyeing: drawings of fishes, insects, and shells of the Nile, 150 in number; beside each fish, which is coloured after nature, is drawn its skeleton: drawings of quadrupeds, reptiles, birds, and insects, in Nubia, Lybia, Upper and Lower Egypt, in number about 1,000. There is also a series of drawings, representing the antiquities of Nubia and Egypt, plans of monuments, together with 160 hieroglyphical inscriptions amongst the ruins. Lastly, the collection comprehends instruments of agriculture and surgery, costumes, jewels, and ornaments, topographical plans, meteorological observations, &c. The collection has been pronounced by the late Mr. Salt, in a letter addressed by him to
A. Smith

Admiral Sir Sidney Smith, as "highly curious and interesting."

MR. MOREAU'S RECORDS OF BRITISH FINANCE.

Another work of Mr. César Moreau, on British Finance, has just appeared; it is entitled, "Chronological Records of British Finance, from the earliest period (A.D. 55) to the present time (1828); founded on authentic documents." It is one of the most extraordinary specimens of laborious compilations we have ever seen. It includes almost every item which can throw a light upon the subject of British finance; and we can only repeat our astonishment that any individual, especially a foreigner, could in so comparatively short a space of time, compile, arrange, and digest such a mass of figures upon such a difficult subject.

MR. CRAWFURD.

Mr. Crawford, late ambassador to the Court of Ava, and previously governor of Singapore, has arrived in London.

INTRODUCTION OF THE SILKWORM AT THE CAPE OF GOOD HOPE.

The incorporated British and Colonial Silk Company established in England, are about to act in conjunction with a committee formed in Cape Town, Southern Africa, under the patronage of the Lieutenant-Governor of the Cape of Good Hope, in an attempt to establish the growth of silk in that colony, where the wild mulberry, on which the worm thrives, grows in most parts luxuriantly. A general meeting of the Cape committee was held at the Exchange, Cape Town, on the 3d August last, at which the following resolutions were passed:

1. That this meeting highly approve of the projected establishment, and pledge themselves to undertake the duties required by the company.

2. That the climate of this colony is well adapted to the growth of the mulberry and the raising the worm.

3. That a sub-committee be formed for the purpose of selecting an eligible situation for a trial establishment.

4. That his Honour G. Kekewich, Messrs. D'Escury, Craycraft, D. Van Reenen, and Marsh, be requested to form such committee.

5. That as the season is not too far advanced, it is advisable that a quantity of cuttings of the mulberry be provided and planted.

Mr. Geo. Thompson stated that whilst in England he had had several communications with Lord Auckland and the directors of the Company, and he read a letter from Lord Auckland on the subject.

Major-Gen. Bourke, the lieut. governor, presented the committee with a copy of Count Dandolo's work on rearing silk-worms.

GEOGRAPHICAL SOCIETY OF PARIS.

This society held its second general meeting for the year 1827, on the 14th December, at which Count Chabrol de Crouzol, minister of marine and the colonies, presided. His exc. the president opened the meeting with a speech, in which he referred to the French travellers who had recently visited various parts of the globe, and especially to the circumnavigation of Captain Freycinet and Captain Duperray, the former in the *Uranie*, the latter in the *Coquille*. In speaking of the expedition of D'Entrecasteaux in 1791, in search of La Perouse, he adverted to the possibility of some intelligence reaching France of the fate of this celebrated navigator, from the mouths of some of his surviving companions.

CLEOPATRA'S NEEDLE.

A plan has been suggested by Captain Allen, of removing to England the prostrate obelisk of Alexandria, commonly called "Cleopatra's Needle," which was given some years ago by the Pacha of Egypt to his Majesty. The plan is, to build a ship in frame in this country, transport the same to Egypt, bring the pillar to the beach by means of railways, build it round, and launch the whole at the same time. The obelisk is calculated to weigh 400 tons: and it would be impracticable to convey it in the ordinary manner on board a common vessel. The objection to removing monuments of ancient art from Egypt has now become stale and obsolete.

SHIPS TRADING TO INDIA.

Being unable to procure, in sufficient time for publication in this number, a complete list of ships trading to India and eastward of the Cape of Good Hope, we insert an abstract of such particulars as may be required for immediate information.

FOR MADRAS AND BENGAL.—*General Palmer*, Truscott (510 tons); to sail from Portsmouth Jan. 7, 1828.—*Providence*, Ford (695); to sail from Gravesend Jan. 15.—*Ganges*, Lloyd (440); to sail from ditto Jan. 25.—*Thames*, Brigg (366); ditto ditto.—*City of Edinburgh*, (400); ditto ditto.—*Atlas*, Hunt (411); to sail from ditto Feb. 10.—*Victory*, Farquharson (712); to sail from Portsmouth March 15.—*Boyne*, Pope (575); to sail from Gravesend March 25.—*Lord Lynedoch*, Beadle (632); to sail from ditto April 15.—*Coromandel*, Boyes (650); ditto

ditto ditto.—*Fairlie*, Fuller (755); to sail from Downs May 1.—*William Mooney* (800); to sail from Gravesend May 21.

FOR BENGAL.—*Hebden*, Fowler (260 tons); to sail from Gravesend Jan. 10, 1828.—*Fame*, Bullen (350); to sail from ditto Jan. 15.—*Minstrell*, Arkcoll (400); to sail from ditto Feb. 25.

FOR BOMBAY.—*Harlequin*, May (350 tons); to sail from Gravesend Jan. 15, 1828.—*Royal George*, Ellerby (480); to sail from ditto, Jan. 25.—*Thorne*, Johnston (300); to sail from ditto, Feb. 2.—*Lady Raffles*, Tucker (600); to sail from ditto, Feb. 28.—*Egyptian*, Lilburn (360); to sail from ditto Jan. 10.

FOR MAURITIUS AND CEYLON.—*Ceylon*, Davison (300 tons); to sail from Gravesend, Feb. 10, 1828.—*Dunvegan Castle*, Finlay (446); to sail from ditto, Feb. 28.

FOR CEYLON AND BENGAL.—*Elizabeth*, Grant (226 tons); to sail from Gravesend, Jan. 7, 1828.

FOR BATAVIA, SINGAPORE, AND PENANG.—*Clorinda*, Carrew (160 tons); to sail from Gravesend, Feb. 2, 1828.

PROMOTIONS AND CHANGES IN THE BRITISH ARMY

(SERVING IN THE EAST.)

14th Lt. Dr. H. Wardroper to be corn. by purch., v. Brooks prom. (15 Nov. 27); Corn. J. W. Torre to be lieut. by purch., v. Everard, whose prom. has not taken place (9 Aug.).

1st Foot. Lieut. J. Ward, from 45th F., to be lieut., v. Bernard, who exch. (13 Feb. 27).

2d Foot. Qu. Mast. Serj. J. Moore to be adj., with rank of ens., v. Littlejohn, who resigns adjcy. only (6 Feb. 27).

3d Foot. Maj. A. Cameron to be lieut. col. by purch., v. Wall, who retires; Capt. H. Gillman to be maj. by purch., v. Cameron (both 15 Nov. 27).

12th Foot. H. Thompson to be ens., v. Savage dec. (25 Apr. 27).

14th Foot. Lieut. G. C. M. L. W. S. Johnston, from 38th F., to be lieut., v. O'Halloran, who exch. (14 Apr. 27); Lieut. J. Johns, from h. p. Royal Marines, to be paym., v. Matthews app. to 3rd F. (20 Nov.).

26th Foot. Ens. T. Wood, from 17th F., to be ens., v. Best, who exch. (29 Nov. 27).

30th Foot. H. J. Pogson to be ens. by purch., v. Mounsey, who reta. (15 Nov. 27).

31st Foot. Lieut. A. O'Leary to be adj., v. Shaw prom. (30 July 26).

32d Foot. Lieut. W. L. O'Halloran, from 14th F., to be lieut., v. Johnston, who exch. (14 Apr. 27); H. Close to be ens., v. Hayes dec. (15th Nov.).

41st Foot. Lieut. J. S. Simmons to be capt., v. Brown dec. (18 Feb. 27); Lieut. J. Cochran to be capt., v. Vauspall dec. (26 Feb.); Ens. W. Evans to be lieut., v. Simmons (18 Feb.); Lieut. R. Price, from 47th F., to be lieut., v. Vauspall (9 March); W. Graham to be ens., v. Evans (18 Feb.).

44th Foot. G. H. Smith to be ens., v. Grove, who resigns (21 Apr. 27).

45th Foot. Lieut. Col. H. T. Shaw, from h. p., to be lieut. col., v. L. Greenwell, who exch. (8 Nov. 27); Lieut. W. B. Bernard, from 1st F., to be lieut., v. Ward, who exch. (13 Feb.); Lieut. F. Plant to be adj., v. Reid prom. (1st Feb.); Qu. Mast. T. Shoolens, from 69th F., to be qu. mast., v. Wallis, who exch. (15 Nov.); Capt. E.

Armstrong, from h. p., to be capt., v. J. Stewart, who exch., rec. dif. (22 Nov.); Ens. G. B. Hildebrand, from 55th F., to be lieut., v. Brooke dismissed (ditto).

46th Foot. Brev. Maj. Sir J. S. Lillie, from h. p. 60th F., to be capt., v. Hans Morrison, who exch. (6 Dec. 27); Assist. Surg. H. W. Radford, from h. p. 65th F., to be assist. surg., v. R. Hewart, who exch. (23 Nov.).

47th Foot. Ens. H. Bristow to be lieut., v. Price rem. to 41st F. (9 March 27); R. Allan to be ens., v. Bristow (15 Nov.); Lieut. W. H. Wiley, from 11th F., to be lieut., v. Richmond, who exch. (29 Nov.).

59th Foot. Maj. J. M'Mahon, from h. p. 60th F., to be maj., v. Fuller prom. (18 Dec. 27); Capt. C. G. R. Collins, from h. p., to be capt., v. R. Whittle, who exch., rec. dif. (6 Dec.); O. S. Blachford to be ens. by purch., v. Hamilton app. to 65th F. (6 Dec.).

Ceylon Regt. Capt. T. Fletcher to be maj. by purch., v. Delatre prom.; Capt. G. Cochrane, from h. p., to be capt., v. Fletcher (both 6th Dec.).

Brevet. Lieut. T. Ritherdon, Hon. E. I. Company's service, staff-captain at Military Seminary at Addiscombe, to have temporary rank of capt. whilst filling that situation at Seminary (22 Nov. 27).

INDIA SHIPPING.

Arrivals.

Nov. 28. *Preciosa*, Hjelme, from Singapore 15th June, and Batavia 1st Aug. (for Stockholm); at Cowes,—also H.M.S. *Tamar*, from Madras 12th July, and Cape of Good Hope 20th Sept.; at Plymouth.—Dec. 1. *Warwick*, Gibson, from Bombay 1st Aug.; at Gravesend.—2. *Britomart*, Brown, from Mauritius 14th Aug., and Cape 20th Sept.; at Deal.—3. *Mary*, Guy, from Singapore 24th July; at Gravesend.—4. *Spring*, Hayne, from Bombay 10th June; off Portsmouth (since wrecked),—also, *Midas*, Balgrie, from Batavia 11th Aug.; at Deal.—5. *Triumph*, Green, from Bombay 5th Aug., and Cape of Good Hope 2d Oct.; *Potomac*, Caudry, from Batavia 25th Aug. (for Antwerp); *Martha* and *Elizabeth*, Kirkhoven, from Batavia 9th Aug. (for Amsterdam); and *Anity*, Gray, from Batavia 1st Aug. (for Antwerp); all at Deal,—also *Albion*, M'Leod, from Bengal 18th July; at Liverpool.—6. *Maitland*, Studd, from Bombay 5th Aug.; at Gravesend,—also, *Bengal Merchant*, Brown, from Penang 20th May, and Singapore 12th June; at Deal.—7. *Brothers*, Motley, from Batavia 9th Aug. (for Rotterdam).—15. *Egyptian*, Lilburn, from Bombay 10th Aug.; and *Angerona*, Baker, from Bengal 30th May, and Cape of Good Hope 1st Oct.; both at Deal.—16. *Countess of Dunmore*, Gamble, from Bengal 25th July; off Margate.—17. *William Parker*, Brown, from Cape of Good Hope 12th Oct.; at Deal.—18. *Clanman*, Snowden, from Bengal 24th June, and Cape of Good Hope 9th Oct.; at Liverpool.—20. *James Scott*, Richards, from Batavia 1st Sept.; at Deal.—22. *Eleanor*, from Batavia (for Antwerp); at Deal.—23. *Maria*, Wilson, from Manila, at Deal.—26. *Seppings*, Leager, from Ceylon 2d Aug., and Mauritius 26th sept.; off Dover.

Departures.

Nov. 22. *Fortune*, Gilkeson, for Bombay; from Greenock.—23. *Bolivar*, Windsor, for Bombay; from Liverpool.—24. *Asia*, Stead, for N. S. Wales; from Deal.—Dec. 1. *Iris*, Franks, for Bengal; from Greenock.—6. *Lady Hannah Ellis*, Liddell (belonging to Leith), for Bombay; from Deal.—13. *Exporter*, Bullen, for Bengal; from Deal.—14. *Alexander Henry*, Mugridge, for N. S. Wales; from Cove of Cork.—23. *Importer*, Smith, for Cape of Good Hope; from Deal.—28. *Madras*, Beach, for Madras and Bengal; *Lord Amherst*, Ardlie, for Madras and Bengal; *Ellen*, Boyle, for Bombay and Tellicherry; *Surrey*, Kemp, for Bombay; *Stentor*, Tindall, for Ceylon (with troops); *Horodina*, Mantap, for N. S. Wales; *Reaper*, Rhind, for Batavia and Singapore; *Hencoolen*, Martin, for V. D. Land and N. S. Wales; and *Dominica*, Hodgson, for St. Helena (with coals); all from Deal,—also *Governor Harcourt*, Tulley, for Madras and Bengal; *Canadian*, Read, for Bengal; *Sarah*, Christie, for Bombay; and

H.M.S. *Undaunted*, for Plymouth and Bengal; all from Portsmouth,—also, *Jessie*, Winter, for Cape of Good Hope; from Cowes.

PASSENGERS FROM INDIA.

Per Othello, from Bengal (recently arrived):—Lieut. Wm. Ellis, 45th N.I.; Mr. Willis Earle.

Per Clansman, from Bengal. Mr. G. Greenwell, surgeon; Mr. J. Kinnon.

Per Albion, from Bengal, John Crawford, Esq., H.C.'s service; Mrs. and Miss Crawford; Mr. and Mrs. Eglinton; Master Eglinton; Capt. Wm. Martin, 57th N.I.; Lieut. Cullen, artillery; Lieut. Baseley, ditto; Masters A. Van Renen and W. Perara.

Per Maitland, from Bombay: Mrs. Doveton and child; Dr. Goss, Bombay army; Lieut. Powell, Bombay marine; Mr. R. Macpherson.

Per Triumph, from Bombay: Mrs. Tate and two children; Mrs. Guy; Mrs. Mackay; M. Forbes, Esq., merchant; Mr. Parry, barrister; Hon. Mr. Harris, civil service; Mr. Willis, ditto; Capt. Guy, Bombay marine; Capt. Tate, engineers; Lieut. Jameson, Nat. Infantry; Lieut. Littlejohn, Madras N.I.; Capt. Wildey, H.M.'s 4th L. Drags.

Per Mary, from Singapore: Mr. Serjeant.

Per Bengal Merchant, from Singapore: Mr. Peru, Bencoolen civil service, and two children; Mr. and Mrs. Dempster.

Per Midas, from Batavia: Mrs. Burgess; Master Whiteman.

Per James Scott, from Batavia: Capt. Rowe, of the *John Bull*, from N. S. Wales.

Per Angerona, from Bengal: Lieut. Johnson, H.M.'s 38th regt.; Mr. West.

PASSENGERS TO INDIA.

Per Mary Ann, for Madras and Bengal: Maj. E. Osborne, 2d N.I.; Capt. F. Brind, Bengal artillery; Capt. T. Hide, 43d Madras N.I.; Capt. T. Warner, 18th ditto; Capt. J. Nicol and Capt. J. W. Moncrieffe, 23d ditto; Surgeons J. Owen and J. Home; H. Woolston, Esq.; E. Impey, Esq., civil service; J. Darby, Esq.; Messrs. T. James, F. Barnett, W. Mackenzie, and T. S. Jarvis, cadets; Messrs. J. R. Moncrieffe, W. Fitzpatrick, and H. Fitzpatrick; Mrs. Mainwaring; Mrs. Napier; Mrs. Warner; Misses Showers, Hodges, Wilkinson, Warner, and Heunessey; three Misses Green; eight servants.

Per Governor Harcourt, for Madras and Bengal: Mr. and Mrs. Lindeman and family; Miss Atkin; Captain Memardier and lady; Ena. Bennett; Mr. Furne; Mr. Bulst; Mr. Maxwell; Mr. M'Gregor; Mr. Coke; Mr. Austin; Mr. Halstead; Mr. Garratt; Dr. James; several servants.

Per Sarah, for Bombay: Capt. Edw. Mason; Mr. W. S. Grey; Mr. J. Gilder; Mr. Wooller; Mrs. Rouget.

Per Henry, for the Mauritius: Dr. Sibbald, Mrs. Sibbald, and family; W. Thomson, Esq.; Mrs. Thomson; the Rev. A. Drury; four servants.

Per H.M.S. Undaunted, for Bengal: Lord C. Bentinck, new Governor-general; J. E. Denison, Esq., secretary to his Lordship; Sir H. Verney, major, and aide-de-camp to ditto; A. Troyer, Esq., capt., and aide-de-camp to ditto; Lady Bentinck; Lady Charlotte Denison; several European servants, &c.

LOSS OF SHIPPING.

The *Spring*, Hayne, from Bombay for London, has been completely wrecked to the eastward of Pagham harbour, coast of Hants. She struck on the Owers on the afternoon of the 6th December, and has since gone to pieces. The crew, and a considerable portion of the cargo were saved.

The *John*, Dawson, from London, Mauritius, and Madras, for Calcutta, was totally wrecked on the 30th June, on the Western Sea Reef, Bay of Bengal. Lieut. Warren (a passenger), and three men were drowned.

The Dutch schooner *Swift*, Symons, from Singapore to Bourbon, struck on a reef three leagues to the southward of the island of Rodrigues, on the 30th June, and was totally wrecked. Thirteen of the crew, and a passenger (Mr. Moyroux, a merchant of Marseilles) were drowned.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

Nov. 25. The lady of Maj. Edw. Osborne, of the Madras army, of a son.

28. In Mecklenburgh Square, the lady of Capt. Langslow, late of the Bengal establishment, of a daughter.

MARRIAGES.

Nov. 16. At Ellingham church, Norfolk, near Bungay, P. Dykes, Esq., of Beccles, in Suffolk, to Mrs. Smith, widow of the late H. Smith, Esq., solicitor to the Hon. E. I. Company.

27. At St. Ann's church, Soho, Lieut. Col. Commandant Chas. Deacon, C.B., of the 40th regt. Madras N.I., to Joan Ann, third daughter of the late Thos. Day, Esq., Watford, Herts.

— At St. Mary's, Islington, Mr. Wm. Tucker, commander of the East-India ship *Lady Raffles*, to Miss Caroline Edwards.

Dec. 10. At Jedburgh, Roxburghshire, Dr. Wm. Brown, surgeon of H.M.'s 45th regt., to Mary, eldest daughter of the late J. Thomson, Esq., Jedburgh.

15. At Rotherhithe church, Mr. A. Brunoe, of Prince of Wales' Island, to Frances, eldest daughter of the late Capt. C. Wyatt, of Rotherhithe.

DEATHS.

Oct. 13. On board the *General Palmer*, on the passage to England, Ens. J. B. Hawes, Madras N.I., in his 22d year.

Nov. 26. At Pau, in the South of France, Capt. J. S. Smith, lately returned from the 4th L. Dragoons in India.

— At Glenesk, Capt. Wm. Hodges, late of Calcutta.

27. At Brixton, G. Dominicus, Esq., late of East Farleigh, Kent, and formerly of the East-India House, in his 77th year.

28. At Bruges, Diana Mary, second daughter of Maj. Gen. Cuming, late of H.M.'s 47th regt., aged 12 years.

29. In Portland Place, General Ross, colonel of the 50th regt., and Governor of Fort George.

Dec. 2. At Hurley, Capt. Jas. Gumm, of Byfleet, formerly of the Hon. E. I. Company's naval service.

3. At the British Museum, Joseph Plants, Esq., principal librarian of that establishment, in his 84th year.

6. In Holles Street, Cavendish Square, Mary, wife of Dr. Colin Rogers, of the Madras establishment.

6. In George Street, Portman Square, Lieut. Gen. George Russell, of the Hon. E. I. Company's service, on the Bengal establishment, aged 84.

11. In Ireland, Maj. Gen. M. Head, late Lieut. col. of the 13th Light Drags.

22. In New North Street, Red Lion Square, Miss Jones, niece of the late Capt. Coxwell.

Lately, at Madagascar, the celebrated French orientalist, Fortunatus Albrand, in his 39d year.

— At a village between Cairo and Alexandria, Henry Salt, Esq., late British consul-general in Egypt.

GOODS DECLARED FOR SALE AT THE EAST-INDIA HOUSE.

For Sale 22 January 1838—Prompt 11 April.

Company's and Licensed—Indigo.

For Sale 19 February—Prompt 9 May.

Company's.—Saltpetre.

For Sale 18 February—Prompt 13 June.

Company's.—Bengal Raw Silk.

Private Trade.—Bengal, China, and Persian Raw Silk.

CARGOES OF EAST-INDIA COMPANY'S SHIPS lately arrived.

CARGO of the *General Palmer*, from Madras. Company's—Blue Longcloths, Blue Salampores,

EAST-INDIA COMPANY'S SHIPS, of the Season 1827-8, with their Managing Owners, Commanders, &c.

Ships.	Tons.	Managing Owners.	Commanders.	First Officers.	Second Officers.	Third Officers.	Fourth Officers.	Surgeons.	Purser.	Destinations.	To be Afloat.	To be Graves end.	To be in the Dock.	When Sailed.
6 <i>Dunira</i>	1325	G. Palmer	M. Hamilton	John Shute	James Ricketts	R. Buckle	J. K. Jolly	Francis Burlin	J. Giles	Bombay & China	1827.	1827.	1828.	
2 <i>Edinburgh</i>	1325	H. Bonham	Henry Bax	T. Buttanshaw	D. Marshall	Geo. Waller	A. Tomlin	Robt. Harvey	W. J. Shepherd	St. Helena, Bengal, & China	19 Nov	3 Dec.	8 Jan.	
8 <i>General Harris</i>	1323	James Sims	Joseph Stanton	G. Braithwaite	Henry Burn	Jas. M. Balch	Thos. N. Were	John Millard	J. H. Lanyon	Bombay & China	3 Dec.	18 do.	23 do.	
6 <i>Thomas Coutts</i>	1324	S. Marjoribanks	Alex. Christie	W. Drayner	J. Elphinstone	D. Robertson	R. Saunders	Jas. Beveridge	W. Malina	Bombay & China	18 do.	1 Jan.	6 Feb.	
4 <i>Sir David Scott</i>	1342	Joseph Hare	J. O. N. Tugart	W. Ticehurst	D. J. Ward	John Rose	—	David Scott	W. H. Harper	Bombay & China	1828.			
9 <i>Marquis of Huntly</i>	1279	J. Mac Taggart	J. S. H. Fraser	Thos. Leach	R. Taber	J. W. Edmonds	H. Dalrymple	T. Davidson	J. W. Rose	Bombay & China				
4 <i>Berwickshire</i>	1323	S. Marjoribanks	Fred. Madan	H. L. Thomas	C. W. Loveridge	Samuel Hyde	C. Udale	Jas. Grant	W. S. Spawforth	Bombay & China				
1 <i>Reliance</i>	1325	John F. Timins	Chas. S. Timins	Edw. Jacob	Thos. Sandys	Jas. T. Elliott	C. Westead	Rich. H. Cox	W. Dickinson	Bombay & China				
4 <i>Duchess of Atholl</i>	1330	W. E. Ferrers	E. M. Daniel	T. J. Dyer	Geo. Frampton	H. Shepherd	W. Pitcairn	W. Hitchcock	Wm. Dallas	Bombay & China				
2 { <i>Abercrombie</i>	1330	H. Bonham	John Innes	Jas. S. Biles	J. P. Griffiths	Boulter J. Bell	E. Du Puis	Henry Arnot	Wm. Ainlie	Bombay & China	1828.	16 do.	21 do.	
7 <i>Earl of Balcarra</i>	1417	Company's Ship	B. Broughton	Rees Thomas	A. Broadhurst	Wm. Piggett	Henry Smith	E. Turner	J. W. Graham	Bombay & China	1 Jan.			
2 <i>George the Fourth</i>	1329	Company's Ship	Thos. W. Barrow	Wm. Puhlam	John Fenn	H. J. Wolfe	John Willis	Thos. Cron	T. Collingwood	Bombay & China				
8 <i>Marquis Camden</i>	1361	W. C. Drysdale	T. Larkins	W. Haylett	F. MacQueen	John Pitcairn	O. MacDonald	Alex. Macrae	J. Walkinshaw	Bombay & China	16 do.	31 do.	7 Mar.	
4 <i>Macqueen</i>	1333	John Campbell	James Walker	Geo. Dewdney	T. W. Marriott	R. Burroughes	Henry Thorn	Geo. Comb	Peter Milne	Bombay & China				
4 <i>William Fairlie</i>	1348	Joseph Hare	Thos. Blair	N. de St. Croix	Benj. Bailey	H. W. Parker	— Macauley	Robt. Martin	C. S. Compton	Bombay & China				
2 <i>Lord Louther</i>	1352	H. Blanchard	Charles Stewart	G. C. Kennedy	Henry Wise	J. Dalrymple	J. G. F. Pigott	F. Campbell	John Main	Bombay & China				
8 <i>Castle Huntly</i>	1311	J. H. Gledstanes	H. A. Drummond	T. B. Penfold	F. G. Moore	G. Creighton	J. G. F. Pigott	F. Klerian	H. Beveridge	Bombay & China				
6 <i>Canning</i>	1326	Company's Ship	Philip Baylis	A. Rivers	W. K. Packman	O. Richardson	A. Cruikshank	David Forrest	R. Dudgeon	Bombay & China				
6 <i>London</i>	1326	Company's Ship	Timothy Smith	A. Wilson	R. M. Isacke	J. R. Pidding	Charles Jones	W. Bremner	W. M. Killigan	Bombay & China				
6 <i>Orwell</i>	1335	Matthew Isacke	W. E. Farrer	R. H. Treherne	Henry Harris	G. M. Abbott	F. Shaw	R. Greig	Alex. Crowe	Bombay & China	1 Mar.	15 Mar.	20 Apr.	
9 <i>Prince Regent</i>	1024	Thos. Milroy	Henry Hosmer	Thos. Marquis	—	—	—	Wm. Stirling	John Milroy	Bombay & China				
9 <i>Rose</i>	950	H. Bonham	Thos. Marquis	W. H. Hopkins	—	M. Murray	Edward Voss	Alex. Stirling	Honey Millet	Bombay & China				
9 <i>Marchioness of Ely</i>	950	O. Wigram	C. E. Mangles	W. H. Hopkins	—	—	—	Wm. Scott	Honey Millet	Bombay & China				
9 <i>Asia</i>	938	H. Bonham	T. F. Balderston	H. M. Sterndale	J. Miller	J. Copling	G. Abbott	R. Renwick	W. I. Irwin	Bombay & China				

PRICE CURRENT, Dec. 28.

EAST-INDIA PRODUCE.

	£.	s.	d.	£.	s.	d.
Coffee, Java	cwt	2	2	0	—	2 8 0
— Cheribon	1	13	0	—	2	6 0
— Sumatra	1	14	0	—	1	18 0
— Bourbon	3	0	0	—	5	0 0
— Mocha	3	0	0	—	5	0 0
Cotton, Surat	lb	0	0	4	—	0 0 5
— Madras	0	0	4	—	0	0 6
— Bengal	0	0	4	—	0	0 5
— Bourbon	0	0	7	—	0	0 10
Drugs & for Dyeing.						
Aloes, Epatica	cwt	15	0	0	—	21 0 0
Anniseeds, Star	6	0	0	—	—	—
Borax, Refined	2	0	0	—	2	2 0
— Unrefined, or Tincal	2	2	0	—	5	0 0
Camphire	8	10	0	—	—	—
Cardamoms, Malabar	lb	0	1	6	—	0 1 9
— Ceylon	5	5	0	—	5	10 0
Cassia Buds	cwt	4	15	0	—	5 5 0
— Ligna	0	0	6	—	0	1 6
Castor Oil	lb	5	0	0	—	21 0 0
Dragon's Blood	cwt	3	0	0	—	5 0 0
Gum Ammoniac, lump	3	0	0	—	5	0 0
— Arabic	1	5	0	—	3	10 0
— Assafoetida	3	0	0	—	3	10 0
— Benjamin	2	0	0	—	50	0 0
— Animal	3	0	0	—	10	10 0
— Gambogium	25	0	0	—	—	—
— Myrrh	3	0	0	—	8	0 0
— Olibanum	3	5	0	—	6	0 0
Kino	11	0	0	—	14	0 0
Lac Lake	lb	0	1	0	—	0 1 6
— Dye	0	4	0	—	—	—
— Shell	cwt	3	0	0	—	5 0 0
— Stick	3	0	0	—	—	—
Musk, China	oz	1	0	0	—	1 10 0
Oil, Cassia	0	0	4	—	0	0 5
— Cinnamon	0	9	0	—	0	10 0
— Cloves	lb	0	1	3	—	0 1 6
— Mace	0	0	2	—	0	0 3
— Nutmegs	0	2	9	—	0	3 0
Opium	0	1	6	—	0	5 6
Rhubarb	cwt	3	5	0	—	—
Sal Ammoniac	lb	0	0	9	—	0 2 0
Senna	1	10	0	—	1	16 0
— China	1	5	0	—	1	10 0
— Bengal, Java	cwt	1	16	0	—	2 2 0
Galls, in Sorts	3	10	0	—	—	—
—, Blue	3	15	0	—	—	—

Indigo, Blue and Violet lb	£.	s.	d.	£.	s.	d.
— Purple and Violet	0	11	9	—	0	12 5
— Extra fine Violet	0	10	6	—	0	11 0
— Violet	0	9	0	—	0	10 3
— Violet and Copper	0	8	0	—	0	9 6
— Fine Copper	0	8	6	—	0	9 0
— Copper	0	7	0	—	0	8 3
— Consuming sorts	0	6	0	—	0	8 6
— Oude good and fine	0	5	0	—	0	6 10
— Low and bad Oude	0	1	6	—	0	6 0
— Madras	0	4	0	—	0	7 11
— Do. mid. ord. and bad	0	11	0	—	0	15 0
Rice, Bengal White	cwt	0	13	0	—	1 1 0
— Patna	1	0	0	—	7	10 0
Safflower	0	15	0	—	1	10 0
Sago	1	5	6	—	1	11 0
Saltpetre	0	14	10	—	1	1 8
Silk, Bengal Skein	lb	0	13	1	—	1 2 4
— Novi	0	16	9	—	1	0 1
— Ditto White	0	4	6	—	0	6 6
— China	0	1	1	—	0	3 2
Spices, Cinnamon	0	4	3	—	0	5 9
— Cloves	0	2	8	—	0	3 8
— Mace	0	18	0	—	1	5 0
— Nutmegs	0	0	3	—	0	0 4
— Ginger	cwt	0	1	6	—	0 2 0
— Pepper, Black	lb	0	1	0	—	1 17 0
— White	0	13	1	—	1	17 0
Sugar, Bengal	cwt	1	7	0	—	1 18 0
— Siam and China	0	1	5	—	0	2 0
— Mauritius	0	2	1	—	0	3 5
Tea, Bohea	lb	0	2	11	—	0 4 8
— Congou	0	2	6	—	0	3 3
— Souchong	0	2	3	—	0	3 6
— Campol	0	3	7	—	0	4 4
— Twankay	0	2	4	—	0	3 10
— Pekoe	0	4	1	—	0	6 1
— Hyson Skin	0	3	4	—	0	3 8
— Hyson	0	4	4	—	0	5 2
— Young Hyson	0	4	0	—	2	10 0
— Gunpowder	0	1	4	—	0	0 6
Tortoiseshell	ton	8	10	0	—	—
Wood, Sanders Red	ton	8	10	0	—	—

AUSTRALIAN PRODUCE.

Oil, Southern	tun	30	0	0	—	—
— Sperm	77	0	0	—	—	—
— Head Matter	76	0	0	—	—	—
— Wool	lb	0	0	10	—	0 5 0
— Wood, Blue Gum	ton	0	6	10	—	0 7 0
— Cedar	0	0	4	—	0	0 6

DAILY PRICES OF STOCKS, from 26 November to 25 December.

Nov.	Bank Stock.	3 Pr. Ct. Red.	3 Pr. Ct. Consols.	3½ Pr. Ct. Consols.	3½ Pr. Ct. Red.	N. 4 Pr. Ct. Ann.	Long Annuities.	India Stock.	India Bonds.	Exch. Bills.
26	206½ 7	85½ 85¼	85½ 86	—	91½ 91¼	101½ 101¾	19½ 19½	250½	82 86p	52 55p
27	206½ 7	85½ 85¼	86½	92½ 92¼	92½ 92¼	101½ 102	19½ 19½	—	87 90p	54 56p
28	206½ 7	85½ 85¼	86½ 86½	92½ 92¼	92½ 92¼	101½ 102½	19½ 19½	252½ 3	88p	54 56p
29	207½ 8	85½ 85¼	86½ 86½	92½ 92¼	92½ 92¼	101½ 102½	19½ 19½	253	88 90p	56 57p
30	—	—	—	—	—	—	—	—	—	—
Dec.										
1	205 6	82½ 83½	82½ 84½	—	89½ 90	99½ 100½	18½ 18½	250	—	51 55p
3	—	82½ 82½	82½ 83½	—	89½ 89½	99½ 100½	18½ 18½	245 6	65 68p	40 44p
4	203½	81½ 82	82½ 82½	89 89½	88½ 89	100½ 100½	18½ 18½	245	60 66p	40 43p
5	203 4	81½ 82½	—	89½ 89½	88½ 89½	—	18½ 18½	—	65 73p	40 44p
6	205	82½ 82½	—	89½	89½ 89½	—	18½ 18½	247	70 72p	42 44p
7	—	82½ 83	—	89½	89½ 89½	—	18½ 18½	—	70 73p	42 44p
8	—	82½ 82½	—	—	89½ 89½	—	18½ 18½	—	70 73p	43 45p
10	204	82½ 82½	—	—	89½ 89½	—	18½ 18½	—	70 73p	42 45p
11	205	82½ 82½	—	89½	89½ 89½	—	—	—	—	42 44p
12	204 ½	82½ 82½	—	89½	89½ 89½	—	18½ 18½	—	71 72p	42 44p
13	—	82½ 83½	—	90	89½ 89½	—	18½ 19	—	70 72p	42 43p
14	—	82½ 83	—	90 90½	89½ 90	—	18½	—	70 72p	42 44p
15	—	82½ 83	—	—	89½ 90	—	18½ 18½	—	70 72p	43 44p
17	206	83½ 83½	—	—	90½ 90½	—	18½ 19	—	72p	44 47p
18	205	83½ 83½	—	—	90½	—	18½	—	73 74p	46 47p
19	204 ½	83½ 83½	—	90 90½	90½ 90½	—	19	—	73 75p	46 49p
20	205	83½ 83½	—	90 90½	90 90½	—	18½ 19	—	77p	48 51p
21	—	—	—	—	—	—	—	—	—	—
22	—	83½ 84	—	90½	90½ 90½	—	19½	—	85 87p	55 57p
24	205 ½	83½ 83½	—	90½	90½ 90½	—	19½	—	84 87p	55 58p
25	—	—	—	—	—	—	—	—	—	—

THE ASIATIC JOURNAL

FOR
FEBRUARY, 1828.

Original Communications,

&c. &c. &c.

SIR THOMAS MUNRO.

There is a melancholy pleasure in tracing the history of a person recently departed from this sublunary theatre, who has been distinguished for worth and talents, and has well deserved of his country. It is not merely upon the splendid parts of the career of such a man that his survivors love to dwell; every slight occurrence in his public life, which passed with little notice when it happened, every trivial incident in his domestic history, acquires an adventitious interest, and is read when related with new feelings.

This very natural and laudable curiosity we are desirous of gratifying in respect to the eminent personage whose name is prefixed to this memoir, whose services to his country have entitled him to her warmest gratitude, and who, unhappily for that country and for his friends, has been suddenly snatched away at a period, when his talents and experience, it might have been reasonably expected, would have enabled him to render additional benefit to Britain and to India.

The family of Sir Thomas we have been unable to ascertain, without application to a quarter where it would, in present circumstances, be indelicate to intrude. The published list of the Baronets of England, which includes the name of Sir Thomas Munro, gives no account whatever of his lineage. It is stated by a person who intimately knew him, that his birth was rather obscure, and that on entering his profession, he possessed neither connexion nor friends likely to promote his advancement. This circumstance redounds highly to his merit, and evinces the energy of his genius and character in a more decided manner than had he commenced his career under the auspices of rank and influence; for he raised himself to the elevation he attained by the force of his talents alone. But if his *genus et proavi, et quæ non fecit ipse*, are not apparent, the records of his acts and services are so obvious and so numerous that we are in no danger of being embarrassed otherwise than in selecting the most prominent.

Sir Thomas Munro was a native of Scotland, and was born in the year 1762. At the age of seventeen he entered the military service of the East-
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India Company; and very soon attracted the notice of his superiors by his extraordinary diligence, and the zeal with which he applied himself to pursuits which might qualify him for the public service.

During the first Mysorean war, in 1790, he acted with the force under Colonel Read, who advanced from the southern districts of the Carnatic and Mysore; and he was particularly noticed by Marquess Cornwallis, who conducted that war in person. His Lordship nominated Captain Munro an assistant to Colonel Read in settling the provinces which were conquered from Tippoo Sultan; and upon the fall of Seringapatam in 1799, Captain Munro and Captain (now Major General Sir John) Malcolm were selected by the Earl of Mornington, Lord Cornwallis's successor (the former without recommendation) as agents or commissioners for the adjustment of the affairs of the Mysore kingdom, and for investing the young rajah with the government. The choice of two individuals, then of subordinate rank, who have since displayed such striking abilities as these two officers, affords a remarkable proof of the discernment of Lord Wellesley.

Soon after, Major Munro was deputed by the same nobleman to administer the provinces of Malabar and Canara. In 1800 he was chosen by Lord Clive, then governor of Madras, to fill the more important post of collector of revenue in the extensive territories ceded by his Highness the Nizam, which were placed under his especial direction, with full power to settle the affairs of that distracted country.

In the adjustment of these provinces, Major Munro displayed in an eminent degree the talents, natural and acquired, which so peculiarly fitted him for government in India. No task could have been more difficult than that which was assigned him. At the commencement of his management of the reserved and ceded districts, they were in a state of complete anarchy and disorganization: the Nizam was easily induced to make over these districts, from their being wholly unprofitable to him by reason of their disordered condition. His intercourse was almost exclusively restricted to natives and native functionaries, for no European, except a few King's and Company's civil and military officers, resided in this part of India. In a very few years (for his entire administration lasted but seven) these territories were restored to perfect order; or, to speak with more precision, order and tranquillity were for the first time introduced there. As a criterion of his services, it may be stated, that under the Nizam's government, the revenues *nominally* amounted to twelve lacs of pagodas; under Major Munro's management they exceeded eighteen lacs. These results were not obtained by a system of despotic severity, but by such equitable, judicious, and conciliatory measures, that his memory is cherished amongst the natives with the most ardent affection. He was best known throughout the country by the endearing appellation of *Father*: the following anecdote, related by Colonel Wilks,* attests this fact, and shews the opinion entertained of his rigid impartiality:—"I will not deny myself," says Colonel W., "the pleasure of stating an incident related to me by a respectable public servant of the government of Mysore, who was sent in 1807 to assist in the adjustment of a disputed boundary between that territory and the district in charge of this collector. A violent dispute occurred in his presence between some villagers, and the party aggrieved threatened to go to Annantpoor and complain to their *Father*. He perceived that Colonel Munro was meant, and found upon inquiry that he was generally distinguished throughout the district by that appellation."

In

* Historical Sketches of the South of India, vol. I. p. 210.

In 1804 he was promoted to the rank of Lieutenant-Colonel; and in the year 1808 he left India on furlough for England. His visit was probably not altogether without a view to being in readiness to give information to the Legislature, should it be required, on the subject of the renewal of the Company's charter: an office for which no one could be more competent, for few persons had possessed the means and opportunities of acquiring so large a store of original information in respect to the political condition and the character of the Hindus. Accordingly, in the year 1813, he was examined before a Parliamentary committee. His examination lasted for several days; and the body of information contained in his evidence constitutes a valuable legacy bestowed upon the country. The committee seem to have been fully aware of the character of the witness before them, of the comprehensiveness of his mind, and the extent of his experience; they consequently pressed him with questions of every sort relative to Eastern topics, his answers to all which discover an amazing intelligence, acuteness, and originality of thinking. At the close of his examination he made the following good-humoured remarks upon the multifariousness of his evidence: "I am afraid I have not been able to give full answers to the questions put to me on such a variety of subjects. I have felt myself incompetent to give the answers I would wish to have done to all kinds of points, embracing the quiet habits of the European traders in India, the civil wars of the Bengal indigo planters, the oppressions of the East-India Company, and in short to questions comprehending almost every subject, from the coarse blanket of the Hindu to the Feudal System."

After a short retirement from his official functions in India, Colonel Munro (he was promoted to the rank of colonel in June 1813 *) returned to Madras, having been selected by the Court of Directors to preside over a commission appointed to new model the revenue and judicial departments under the presidency of Fort St. George. This office he discharged with the ability which was expected from him. The result forms one of the most remarkable events in the political life of Sir Thomas Munro; it led to the adoption of the ryotwar revenue-system in the greater portion of the Madras territories. Much difference of opinion doubtless prevails as to the expediency of this important measure; much has been said and written to prove the pernicious consequences of it; although opinion is, nevertheless, as much divided as ever upon the subject, one fact is apparent, that during his time alone has Madras ever produced a surplus revenue.

The official documents which have been printed by the Court of Directors upon the revenue and judicial reforms in this presidency, contain many admirable papers from the pen of Sir Thomas Munro, which abound with proofs of deep insight into human character, that of the Hindu in particular; extensive acquaintance with native institutions and manners; and great familiarity with the principles of political economy as applicable to India. These documents furnish a valuable addition to the stores of knowledge revealed in his evidence before the Parliamentary committee on East-India affairs.

In 1816 Colonel Munro was appointed to the superintendence of the Doab, on the cession of the Southern Mahratta country by the late Peishwa. In this situation he continued until the breaking out of the Pindarry and Mahratta war, when he resumed his military functions, which had merged, for nearly twenty years, in those of a civil nature.

Before he was entrusted with a separate command, Colonel Munro had been

* He continued till his death in command of the 12th regiment of Madras Native Infantry.

been employed by Sir Thomas Hislop in 1817, to reduce the rebellious feudatory of Soondoor, in the territory committed to his charge. Soon after, he was appointed Brigadier-general, and, in command of a small force, he acted with singular effect in that severe contest. With very imperfect means he conquered a considerable tract of country, attacked and took possession of several strong hill-forts, such as Bedamy, Nawlgaond, Nurgoond, &c. besides several fortresses on the plain, such as Belgaum, Dummul, Gudduck, &c. The important services rendered by this little force are recorded in the copious historical records of the events of the Mahratta war, written by actors in, and witnesses of the events they relate.*

The tribute paid to the merit of Sir Thomas in the field on this occasion, by Lord Hastings, speaks more than any laboured detail of his services. In General Orders, dated 29th August 1818, his Lordship expresses himself thus: "Brigadier General Munro has splendidly exhibited how a force, apparently insufficient, may be rendered adequate by judgment and energy; his subjugation of fortress after fortress, and his securing every acquisition, with numbers so unproportioned to the extent of his endeavours, is the most unquestionable evidence of his talents." And shortly after (referring to the projected return of Colonel Munro to England, for which he embarked a few months afterwards): "The approaching retirement from active duty of Brigadier General Munro is a subject of deep regret to the Governor General in Council, whose mind will retain a lasting impression of his singular merits and services, through a long and distinguished career."

But the most elegant compliment paid to Sir Thomas Munro fell from the lips of Mr. Canning, who, in moving a vote of thanks in the House of Commons, March 4, 1819, to Lord Hastings and the army in India, for their services in the great war with the Mahratta powers, adverted to Colonel Munro in the following terms:

At the southern extremity of this long line of operations, was employed a man whose name I should indeed have been sorry to have passed over in silence. I allude to Col. Thomas Munro; a gentleman whose rare qualifications the late House of Commons had opportunities of judging when he was examined at their bar on the renewal of the East-India Company's charter; and than whom Europe never produced a more accomplished statesman, nor India, fertile as it is in heroes, a more skilful soldier. This gentleman, whose occupations, for some time past, have been rather of a civil and administrative, than a military nature, was called early in the war to exercise abilities which, though dormant, had not rusted from disuse. He went into the field with not more than five or six hundred men, of whom a very small proportion were Europeans; and marched into the Mahratta territories to take possession of the country which had been ceded to us by the treaty of Poona. The population which he subdued by arms, he managed with such address, equity, and wisdom, that he established an empire over their hearts and feelings. Nine forts were surrendered to him, or taken by assault, on his way; and at the end of a silent and scarcely observed progress, he emerged from a territory, heretofore hostile to the British interest, with an accession, instead of a diminution, of force, leaving every thing secure and tranquil behind him. This result speaks more than could be told by any minute and extended commentary.

Honours began now to flow upon him. In October 1818, on the extension of the order of the Bath to the Indian army, Colonel Munro was named a Companion of the Order. In August 1819 he became Major General, with brevet rank in his Majesty's army in India; and in the same month he was appointed Governor of Madras. It appears from the recorded declaration of

Mr.

* See also the *Asiat. Journ.*, vols. vi. and vii. *passim*.

Mr. Canning,* that it was at the recommendation of that statesman, then President of the Board of Control, that General Munro was appointed to this high situation, although a Company's officer, which circumstance had been esteemed a sort of disqualification. In November 1819 he was nominated a Knight Commander of the Bath. He took the oaths at the India-House, as Governor of Fort St. George, 8th December 1819, and arrived at Madras 9th June 1820.

His government is distinguished for its mildness, as well as for the admirable system with which all its details were managed. The revenue was improved, profound tranquillity reigned throughout the provinces, and during the Burmese war an army of 20,000 men was furnished for that object from the Madras territories. Without instituting any invidious comparisons between the troops of the two presidencies, it is a notorious fact that the Madras sepoys went upon this arduous and appalling service with alacrity under the eye of their beloved Governor. We might appeal to many proofs inserted in this Journal† in testimony of the excellent temper of the Madras native troops.

In the General Orders issued by the Governor General in Council, 11th April 1826, the Madras native troops are thus eulogized :

The Madras sepoy regiments destined for the expedition to Ava, obeyed with admirable alacrity and zeal the call for their services in a foreign land, involving them in many sacrifices and privations. This devotion to their government reflects the highest credit on the character of the coast army, not more favourable to themselves than it is, doubtless, gratifying to the Government of Fort St. George, as affording an unequivocal proof of the sentiments of gratitude and attachment with which that army acknowledges the paternal anxiety and care that ever watches over and consults its best interests and welfare.

In September 1823, Sir Thomas expressed a wish to resign the office of Governor, in order to retire altogether from public labours. But, in consequence of the rupture with the Burmese, he intimated to the Board of Control, as well as to the Court of Directors (in March and July 1824) his desire to retain the government till the arrival of his successor. The Court, in reply to this communication, observe :

We are happy to signify to you our unanimous desire to avail ourselves of an extension of Sir Thomas Munro's services in that high station, at a period when his distinguished talents and peculiar qualifications cannot fail of being eminently beneficial to the country under your government as well as to our interests; and we have accordingly unanimously resolved to abstain from nominating any successor to Sir Thomas Munro until we shall have received from you an acknowledgment of this communication, and an intimation of his wishes in consequence.

He accordingly resumed his duties and his occasional journeys into the interior, particularly to the ceded districts, the scene of his astonishing improvements. He here was accustomed to perform all the essential functions of a good ruler, examining the accounts of the collectors, receiving petitions from the natives, and listening to and adjusting disputes. "When he was on any of those tours," says a person whom we before quoted, "he devoted a certain portion of the afternoon to the reception of petitions, hearing complaints, and redressing grievances brought to his notice. For these purposes, he daily took up his position in front of his state tent, receiving petitions with his own hand, surrounded often by a thousand persons, each of whose petitions he saw as regularly registered for subsequent examination as any law papers

* See *Asiat. Journ.*, vol. xxiv. p. 127.

† See vol. xx, p. 844, vol. xxi, pp. 396 and 793.

papers in any of our public courts. The fatigue he would go through on these journeys is almost incredible. Those who accompanied him were not unfrequently worn out in their endeavours to keep pace with his activity; and even when travelling by night, he often astonished his staff the following day with the extent of the information he had picked up, and the observations he had made, when they supposed him to be asleep in his palanquin."

It was on a journey of this kind that he fell a victim to that scourge of India, the cholera morbus. Upon arriving at Putteecondah, a village twenty miles north of Gooty, on the 6th July, he was taken ill at breakfast, and left the table. He recovered a little, but whilst his secretary was sitting near him, he begged him to remove a little; adding, "I am an infected man:" thus evincing at the last moment his consideration for others. He expired at ten o'clock that night; and his body was carried next morning to Gooty.

He died just as his public career was about to close: he had determined to embark for Europe in August, and the vessel intended to convey him thither was in Madras Roads. Lady Munro had quitted India in March 1826.

We believe he left no issue; the baronetcy conferred upon Sir Thomas in July 1825, in consideration of his services, is therefore extinct.

A writer in a Calcutta paper,* who appears to have been well acquainted with the subject of this memoir, has furnished some particulars respecting him which we shall quote in his own language:

"In the economy of time he was punctual to a minute—had stated hours for every action and duty of life—and there was not a day in the whole year that he was not accessible to every person that had business to transact or information to communicate. In private life he was equally exemplary. He was hospitable to all people, and devoted two days of the week to public parties, whilst he scarcely was ever known to sit down to breakfast without a party of fifteen or twenty people. When he first came to India in the Company's military service (palanquins had not then been introduced at Madras), he often used to tell the story of his walking from the fort to the halls given at the Government House, with his shoes in his hands! At his meals he was punctual as a clock, and if ever a guest arrived two minutes after the time specified, he was too late. His stature was portly, and though he had long laboured under the disadvantage of deafness, which in society imposed on his manner some appearance of stiffness, yet did not the circumstance derogate from that urbanity for which he was ever remarkable." The literary acquirements of Sir Thomas Munro were extensive and various. He was an excellent oriental scholar, and his early application to study gave him opportunities of making himself master of European learning, particularly the sciences connected with government, his proficiency in which is said to have been acknowledged by Mr. Canning. The vigour of his mind was kept in action by a vigilance which suffered nothing to escape him. So studious was he of accuracy, that previous to submitting his minutes to council, he took the precaution of circulating them amongst his secretaries for their observations; and it was from a similar motive that he made his annual visits to the provinces, in order to inspect their condition, and to excite the functionaries of Government to exertion.

Upon a consideration of the character of Sir Thomas Munro, it is impossible not to think, that had he filled a still higher station than that to which his abilities raised him, he would have rivalled in reputation a Cornwallis, a Wellesley, and a Hastings.

* The India Gazette of July 19.

THE HINDOOSTANEE LANGUAGE.

To the Editor of the Asiatic Journal.

SIR: Although I cannot be classed among the unqualified admirers of the political course of Mr. Hume, the complexion of which, whatever amount of good may be conceded to have resulted from it, participated too largely at an earlier period of his public career, of a factious and uncompromising hostility to all measures, good or evil, which had the sanction of men in authority (and this remark I consider no less applicable to proceedings in Parliament, than to the minor, but highly important arena of the General Court of Proprietors at the India House); yet it is but just to say, that the Indian army, and its interests, ever found in him a zealous advocate and cordial friend: and had his good purposes respecting it been accompanied by the forbearance and moderation which have characterized his subsequent procedure, I am satisfied they would have been more amply crowned with success. He has of late, however, pursued a path fully entitling him to the esteem and warmest approbation of those who, like myself, have the honour of forming a part of the Company's military service; as not only more dignified and honourable, but calculated to accomplish the salutary objects he has in view. These particular reflections have been suggested by a review of the matters which have engaged the attention of the court within the last six months, and the manner in which they have been treated at former periods. Such an *opposition* as that now referred to, combining as it does his unshaken firmness with a judicious application of collateral means, and supported by a candid and conciliatory tone, will give to his efforts a moral influence, opposed to which no declamation, stripped of such adjuncts, would prove effective. It is particularly gratifying to observe, that the executive body have paid such marked and favourable attention to his suggestions, coupled with those of his very able friends the Hon. Douglas Kinnaird and Mr. Randle Jackson, on the subject of extending the benefits of their admirable institution of Addiscombe to their *cavalry and infantry cadets*, a measure which will reflect lasting honour on all concerned.

In the debates reported in your number for January, I was not a little surprised, however, to see the way his observations respecting the Hindoostanee language were met by one honourable director, whose residence in Bengal would have been accompanied, one might presume, with more accurate information, on a subject at once so simple and obvious, as the acquisition of that which is in continual requisition, from the day of treading Indian soil to that of a final farewell. It is a well known fact, that the honourable and lucrative office which enabled that gentleman to become a member of Parliament and a director, was in no degree attributable to an accurate acquaintance with the *vernacular dialect*, but with the *Persic* and *Arabic*, at a time when these were less cultivated than of late; and it may be borne in mind, that these were of great value, and even indispensable, at the Mussulman court of Lucknow. At the same time, it is not less true, that the resident would be compelled to have frequent, and sometimes even important, communications with respectable natives in *Hindoostanee*, from their inability to hold intercourse in any other tongue; and I will venture to affirm, that no one who had not duly studied that language could maintain a general conversation in it, even after a residence of many years. I would even put it to the candour of that honourable director himself, whether he found himself efficient in that particular. I do not speak of a *critical*, or even *grammatical* knowledge, but
merely

merely a *colloquial*. The fact is, however, that even in the peculiar appointment alluded to, an intimate knowledge of the Hindoostanee language would have proved of equal worth with the others; and in every other a military man can be called to, it is of tenfold value. We should be at a loss to account for such strange opinions being deliberately stated in any legislative assembly, but that it has been observed that some who have given an early attention to the *Arabic* and *Persian*, conceive the less erudite and every-day language almost beneath their notice.

But I am satisfied the parental regard and practical good sense of the directors, whatever may be the appearance, must be opposed to the pernicious doctrine of sending out their youth to pick up by degrees a *modicum* of that which they have incessant occasion for, not one in twenty of whom would, under such a *regime*, after a residence of as many years, be able to use corresponding words with some of the simplest and most necessary in our own language: examples might be multiplied, but take for instance the conjunctions *unless* and *though*. A Persian scholar could indeed supply them by the words *مگر* and *هرچند*; but as I have asserted, not one in twenty, simple as they are, of those who, acting upon the easy recommendation of getting on as others have done, neglected the study. I may add too, that there is difficulty and embarrassment sufficient in that despised language to stimulate to the pursuit; for in fact, some knowledge of the three from which it is chiefly derived, i. e. *Sanskrit*, *Persic*, and *Arabic*, is indispensable towards a thorough acquaintance with it, while it has also the peculiarity of being written and printed in the characters of each: Hindoos universally using the *Devanugree*, the offspring of the former, and Mahometans that of the two latter.

But allow me, Sir, for a moment to suppose a somewhat analogous case, in that of France, through a train of unforeseen events, becoming a province of Great Britain, and that it were found indispensable that all the standing army of that country should be officered by Englishmen; what would be our amazement to find it gravely recommended that the youth destined to so onerous and important a trust as that of commanding Frenchmen in their own country, should defer their study of the *French* until they had in fact entered upon such duties; and that if they even then picked up the *Palois* or *Gascoine* instead of that usually considered proper in their rank and circumstances, it would answer their purpose; and suppose some through indolence and other impediments neglected even to do so, while every hour requiring what they were so lamentably deficient in, and that others conceived there would be more *éclat* attendant on a proficiency in the *Latin*, *Greek*, or *German*; and the parallel will be complete, saving in the innumerable obstacles which a tropical climate and bad preceptors in the mass of Moonshes, present to a youth just released from school and parental restraints, and thrown on the wide world without any one to impress on him, or even remind him of, the importance of applying to the study of that and other essential objects. I forbear to expatiate further on the subject, for I trust the common sense of the case is apparent to all who have given it an unbiassed thought. I was gratified, however, to perceive that Mr. Hume was not surprised into an acceptance of the compliment paid him at the expense of his experience, or into an acquiescence in the very weak and unsatisfactory assertions which accompanied it.

I have, &c.

AMICUS VERITATIS.

January 19th, 1828.

THE LATE MR. MOORCROFT.

SOME letters from Mr. Guthrie, one of the unfortunate companions of Mr. Moorcroft, in his travels through the countries of Upper and Central Asia, have lately appeared in a Calcutta newspaper. As they contribute some additional information respecting the progress of that enterprising traveller, we subjoin the substance of them.

Mr. Moorcroft commenced his last journey seven or eight years ago; he was accompanied by a party rather considerable in number, chiefly consisting of native servants, in charge of merchandize and baggage, but including the writer of these letters, who appears to have been an Indo-Briton, or East-Indian, and a Mr. Trebeck: both these individuals, by a singular and rather suspicious coincidence, died nearly at the same time with Mr. Moorcroft. The party reached Leh, the capital of Ladakh, in September 1820. It seems, from the earliest letter in the collection, which is dated 17th February 1820, from "Goodwarah, 200 miles from Joshee Muth (Nath), on the mountains of Gurhwal," that they had been induced to remain a considerable time at Johsi Nath. Upon their advance to this place, the Bhoteas and other hill-tribes on the borders of Tartary were alarmed at reports that the traveller was a *general*, and that he was leading a considerable army against them, and they prepared to oppose him. This false idea of his military character and views seems to have prevailed in other parts visited by Mr. Moorcroft, and to have occasioned him much embarrassment, by exciting suspicion, and affording countenance to the misrepresentations of his enemies. They left Johsi Nath on the 1st January 1820, for the Kooloo road, towards which they proceeded till they were stopped at Mundee, three days' journey from Belaspore, by a Sikh sirdar, who refused to allow them to advance without the permission of Runjeet Singh. In a letter dated "Mundee, 5th May 1820," Mr. Guthrie states:

Mr. Moorcroft is gone to Lahore to visit Runjeet Singh, as some of his men who were at Mundee, collecting revenues, stopped us as soon as we had arrived at that place, till Runjeet's permission was procured. By a letter received from him the other day, it appears he had been in close confinement for fourteen days, and that he is now released and allowed to go on, so that we shall soon see what comes up. However unfavourable this may appear to you, it is not so with us, as we may consider ourselves well off if we every where meet with nothing more. Some other reports are prevalent, foretelling not very pleasant things, but which may prove false, and therefore do not require mention here.

The next letter is dated "December 1820," and written from Leh, though the place is not named. It discloses the difficulties with which the travellers had to contend in their endeavours to prosecute their journey onward:

When I last wrote, there was some talk of our moving from this city to Yarkund, which belongs to the Chinese; but since that it has appeared that at the present moment it is impracticable for various reasons. Our character as *Feringhees* may be mentioned; that is, we are said to be only merchants come with an apparent intent to trade, but that our design is to visit these countries in the first instance under some sort of concealment, and when we become informed as to route, and other circumstances which are important, we shall invade the country, when we can advantageously attack. We have in possession a number of instruments, such as guns and pistols, some intended as presents, and others kept merely for amusement, &c. As no merchants have been in the habit of carrying such goods, we cannot make any person believe that they are for sale, or for presents to chiefs of countries, although a fowling piece has been given to the

Rajah of Ladakh. It is universally said that we are spies and not merchants; if we were, we had no business to carry weapons. However, these goods have never been allowed to enter Yarkund since the Chinese have had possession of it.

If none of the obstacles mentioned could have stopped us, the want of money certainly would. We have 200 maunds of baggage, merchandize, and personal property, and when we march must carry nearly 200 maunds of grain for road consumption, the carriage of which will cost at the rate of sixty rupees for every three maunds, nearly 8,000 rupees, beside the purchase of grain and other expenses; so that we must be possessed of 10,000 rupees before we can move from this with any kind of safety.

The Peerzada mentioned in my last letter has been good enough to send a favourable account of our conduct, and has tried to prove that we really are merchants. Mr. M. has likewise written to the minister at that city, giving him intimation that we are merchants proceeding to Bokhara for the purpose of procuring horses, and that we will take Yarkund in our route to that country in the beginning of next year.

Hafiz Moohammud Fazil, an intelligent Moosulman of our party, is going to Fur-ruckabad to bring up some merchandize which was left at that place, and it now appears that they would meet with ready sale at the towns of Leh and Yarkund; we will also by this means insure a permanent passage from Hindoosthan to Leh, if by any untoward event we may not be able to penetrate further into Tartary.

The next letter is dated from "Leh," the capital of Ladakh, "1st August 1821;" it communicates some very curious particulars respecting the intrigues of Russia in this quarter, which though suggested heretofore, were never stated so circumstantially, and with so much plausibility:

The difficulties of our journey to Yarkund were increased by the death of the Emperor of China, and more so by a Russian ambassador, named Agha Mehdee, who has been endeavouring these five or six years to form connections with these countries. In a former embassy to Ladakh he procured shawl-wool goats for the Russians, that they might raise the material, and manufacture shawls for themselves in their own country, as they are obliged to pay enormous prices for those made in Kashmeer. Having accomplished his first mission successfully, and possessed naturally of great discernment and sagacity, he gained much reputation at the Court of St. Petersburg, where, from a Jew he became a Christian. He was again sent into Asia with introductory letters to the chiefs of these countries, and with rich and valuable presents, amounting, I dare say, to five lacs of rupees. A year after his departure from Russia he arrived at Yarkund, and there became a Moosulman. By this conversion, and by the weight of his purse, he secured himself every attention, and having baffled our designs of visiting the latter city, marched for Ladakh, but on the heights of the Karakorum mountains he died of an indigestion. His assistant or servant, Moohammud Fuhoor, has arrived here: but he possesses not a quarter of the sagacity of Agha Mehdee, and is so much addicted to sensuality, that he has squandered away nearly the whole of the public money, and I suppose never means to return to Russia again. Agha Mehdee was equipped in the disguise of a merchant: but from facts that have been ascertained, and from the imperial letters to the Rajah of Ladakh and Maha Rajah Runjeet Singh, it appears that commerce was not his sole object, and that the Emperor Alexander has been contemplating the invasion of China; and as Ladakh and Kashmeer are localities favourable for the Russian army, the friendship of Maha Rajah Runjeet Singh and the chief of Ladakh was indispensable. By the death of the envoy the Emperor has lost a considerable sum of money, and all his views are blasted.

Our remaining in this country so long has not proved altogether useless. Some months ago Mr. Moorcroft had an engagement signed by the authorities for permitting British merchants to trade with Ladakh, or pass through it in progress to other countries; and now the allegiance of it is offered voluntarily to the Hon. Company. So far, then, our success has exceeded our expectation.

Meer Izzut Oollah, a most intelligent Mahomedan of our party, is gone to Yarkund

to negotiate with the Chinese governors for us, and we shall learn from him soon the result. By some route or other, we will march from this in winter, and by the end of next year I hope to return from Bokhara.

The succeeding letter is written from Cashmere, and dated 16th July 1823. It relates a few particulars of the country, of their journey, and of their future plans :

Our progress through Yarkund was rendered impracticable in consequence of Kashmeeree merchants representing to the Chinese authorities that we had taken possession of Ladakh, and that our objects in wishing to visit Yarkund were political. This caused the Chinese authorities to retract from their engagement, which only remained to be signed by the governor.

Foiled in this attempt, we left Ladakh in October, and reached Kashmeer in November last, with the hope of proceeding through Kabool. We have sojourned nine months in Kashmeer, and expect to leave it in four or five days for Peshawer.

This country is naturally the most fertile and beautiful in the world ; the climate is delightful, and its inhabitants are certainly the most sagacious people in Asia. Nature has blessed it with almost every production ; but the oppression exercised on its inhabitants by its rapacious rulers for the last eighty years, has rendered it miserable, and it now exhibits a scene of starvation and disease horrible to behold.

During our journey from Leh to Kashmeer, we came in contact with a band of robbers, who had plundered and laid waste the district of Dias the night previous to our arrival, and had the day not been snowy, it is very likely we would have been attacked also. These depredators, though about 700 in number, scantily armed with matchlocks and swords, did not dare to approach us with their swords (for their matches were of no use in the snow), and the firing of a few blank cartridges with our effective flint guns caused them to depart.

It remains to be seen what success may follow our exertions in the line through Kabool, since the death of Moomhamud Azeem Khan has rendered this route greatly more dangerous. Mr. Moorcroft will spare no expense nor exertions to effect a safe passage, neither will any peril cause him to return without effecting the objects he has in view.

The last letter is dated "Peshawer, 15th April 1824," it alleges a very serious charge of duplicity and fraud against the Sikh ruler :

We were detained in Kashmeer nearly a year, in consequence of the machinations of Runjeet Singh, the chief of the Punjab, who threw every obstacle in our way to prevent our farther progress. We started from the city of Kashmeer in July last, and having entered the country of the Bumbas (who are dependent on the Singh), we were stopped on the pretence of not paying a most enormous duty, which Runjeet Singh in a passport exempted Mr. M. from paying, but privately hinted to the Bumbas that it should be exacted. Mr. Moorcroft said, that if the customary duties were required, he was willing to submit to pay it, but that the claims made were most extravagant and unprecedented. To this it was replied, that if we did not pay the amount mentioned, we would not be allowed to proceed. At first Mr. M. thought of attempting to march and brave any attack that might be made : but on second thoughts, seeing that our Kashmeeree porters, in case of any battle, would fly, and leave us but a small party to protect a large quantity of merchandize in a mountainous country, for which no other conveyance was procurable, and as the local government of Kashmeer remonstrated that we should return and go by another road, it was thought most prudent to follow the latter plan. We accordingly returned to Kashmeer, and were obliged to remain a month longer before carriage for baggage was procured. In August we again moved towards Peshawer, and by a most circuitous route arrived at Jelum, where we were again stopped for camels of conveyance. About the end of September we left Jelum, and arrived at Attok, crossed the river of that name, and halted for some time till news from Peshawer arrived. We had not encamped many days when two confidential

confidential servants of Yar Moohammud Khan, sirdar of Peshawer, were sent by their master to accompany us to the city, and to give us every assistance on the road. During our stay at Attok, particular inquiries were made respecting the nature of the country we had to traverse, and we found reason to suspect that some disturbance would take place in the territory of the Khuttuks, whose chief was a new ally of Runjeet Singh's, and who had just returned after an interview with him. According to our expectations, when we were within a mile of Akora, the capital of the Khuttuk country, intelligence was received that the Khuttuks were preparing to plunder us : we however still marched on, and instead of passing through the town, as was anticipated by our antagonists, we traversed its outskirts safely, and encamped on a commanding situation not far distant from Akora. The Khuttuks were waiting to receive us into the gates of the city, that they might lock us up as soon as we entered, and plunder us in safety to themselves. Frustrated in this, they saddled their horses, put on their armour, and were determined to stop us on the plea of our having shirked the duties. Coming out of the town, they found we had encamped, and instead of attacking us, the chief came to Mr. M.'s tent and offered his services, for he thought we knew nothing of his design. Our sentry only allowed a few courtiers to come to the tent with their chiefs, whilst the body of his troops was kept at a respectable distance from the bounds of our small camp. The cavalry were galloped about before us, flourishing their swords, and brandishing their lances, to shew their skill and to inspire us with fear ; but we evinced no sign of suspicion, on the contrary, praised their horses and themselves. We were fatigued by a long march, hungry and tired, and were very happy when we found that the Khuttuks would give us time to refresh ourselves, for we were aware that they only waited to raise a larger body of troops. After pitching our tents and arranging our baggage in the usual way, we contented ourselves with a meal of rice and dhol, and betook ourselves to rest, as it had become dark, and we were to rise very early the following morning to proceed on our march, if the Khuttuks did not prevent us. At nightfall a body of cavalry and footmen spread themselves round our camp as sentinels, on pretence of guarding us from thieves, but in reality to watch us, and to give notice should we think of preparing to march in the night. Our camels were taken to a distance, as there were no bushes near our camp for them to feed upon, and were interrupted by the guards of the Khuttuks. This circumstance fully proved to our minds that we should be attacked either that night or the following morning. But the night passed in safety, and by some mistake our camels were released early in the morning.

At sunrise (our usual time of starting) we began to prepare for the day's march ; and no sooner the Kuttuks found that we were going off, than they assembled in a large body either to exact a heavy duty, or to plunder us if possible. They consisted of about 700 in number, armed with matchlocks, swords, and spears. Our whole force was thirty strong, and we formed two lines of fifteen each in the face of our enemy, with a small piece of brass cannon on the left flank of each line, whilst our camels in the rear were lading to proceed. The body of the Khuttuks stood in a heap in our front, and on our road about fifty yards from our line, and the dry bed of a river intervened between them and us. Our camels were laden, and we were about to move forward ; when a portion of the Khuttuks descended into the ravine to get nearer, and to fire their guns at us over the bank, whilst they themselves were secure, as they thought, from our balls, and at length they all came down into the bed of the watercourse. One half, or fifteen of us, with a piece of cannon, drew up to the bank, and declared that we would fire upon them if they came nearer to us than they were. Some of the foremost suddenly retreated, and fell upon the large body in the rear, which put them into confusion, and if we had at that moment fired, every ball must have told. It was thought most prudent, however, not to fire, but to proceed on our march, leaving the Khuttuks to the left. Our camels set off with the soldiers in the rear, and though the Khuttuks followed us for some short distance, no one attempted to come near us. This circumstance, though badly related, will give you an idea of the character of Runjeet Singh, and of the courage of the Afghans ; whilst the steadiness of thirty soldiers in facing 700 men, shews the advantages which are derived from discipline !

We

We were received into Peshawer with civility by its ruler, and can find no fault with the treatment we have experienced from the people in general, though the country is in a distracted state. Mr. Moorcroft and myself have been lately on a journey to the country of the Wuzenees, a portion of Afghanistan, to see the horses of that place; Mr. M. thinks that these animals will answer the purposes of the British Indian army. We were accompanied by a Moosulman priest much respected in that country. The people were very hospitable to us, and supplied us with food, and even with bedding for our servants.

We shall leave this very shortly for Kabool, and if no untoward occurrence should prevent us, we shall be in that city about the end of May, whence I shall again write. The climate of Peshawer was temperate in winter, but at present is excessively hot.

This portion of Asia would give employment to many hundreds of Indo-Britons; if a colony were to establish themselves in it, which would not only much improve the condition of its present inhabitants, but it would also be the means of diffusing the Christian religion in this part of the globe.

EAST-INDIA EXPENDITURE.*

Years.	Expenditure of the Presidencies of			Interest on Debt.	Political Charge paid in England.	Total Expenditure.
	Bengal.	Madras.	Bombay.			
	£.	£.	£.	£.	£.	£.
1793	3,425,299	2,140,307	739,001	636,226	165,347	7,304,828
1794	3,354,736	1,925,497	786,691	526,205	171,392	6,950,047
1795	3,464,144	1,871,525	747,889	484,301	163,399	6,986,278
1796	3,636,193	2,103,902	734,153	414,750	199,128	7,391,716
1797	3,774,820	2,411,959	894,913	426,847	375,097	8,137,226
1798	3,943,116	2,517,774	950,512	603,926	203,784	8,541,953
1799	3,912,999	3,281,605	1,223,208	721,550	300,736	9,716,334
1800	4,453,119	3,065,880	1,517,900	957,236	273,817	10,603,323
1801	4,702,400	4,405,559	1,297,453	1,062,684	307,635	12,097,227
1802	4,733,478	5,085,214	1,204,760	1,386,593	482,730	13,291,008
1803	4,914,105	4,908,840	1,220,165	1,361,453	393,207	13,081,971
1804	5,327,903	6,063,720	1,652,631	1,394,322	435,224	15,307,963
1805	6,508,200	5,991,748	2,048,487	1,566,750	485,605	18,192,010
1806	7,719,944	5,385,640	2,455,746	1,860,090	575,795	18,418,863
1807	7,723,216	5,269,700	2,166,605	2,224,956	492,083	18,965,330
1808	6,371,843	5,193,673	2,059,107	2,225,668	505,797	16,658,031
1809	6,476,986	4,935,743	1,738,495	2,241,665	550,766	16,267,702
1810	7,158,961	4,869,476	1,747,139	1,925,300	565,931	16,561,422
1811	7,241,839	5,110,977	1,557,165	1,715,232	580,767	16,521,359
1812	7,058,371	4,619,610	1,542,485	1,488,242	690,613	15,777,308
1813	7,257,731	4,859,136	1,542,562	1,491,870	1,490,700	16,935,470
1814	7,135,172	4,893,224	1,589,329	1,537,434	1,335,579	16,801,016
1815	7,373,005	5,134,246	1,675,200	1,526,467	1,393,393	17,393,324
1816	7,854,681	5,289,476	1,937,430	1,584,157	1,459,426	18,433,950
1817	8,025,980	5,201,399	1,902,460	1,720,232	1,464,029	18,605,513
1818	8,483,924	5,475,254	1,885,786	1,753,018	1,306,431	19,213,360
1819	9,087,377	5,979,045	2,492,193	1,684,271	1,375,832	20,914,556
1820	8,920,451	5,694,844	2,395,844	2,006,109	1,426,766	20,762,593
1821	8,750,757	5,572,489	3,176,143	1,908,853	1,329,168	21,036,256
1822	8,540,182	5,405,592	3,609,894	1,935,390	1,392,905	21,060,811
1823	8,746,043	5,072,992	4,264,448	1,694,731	1,720,724	21,804,465
1824	9,445,538	6,213,817	3,228,150	1,652,449	1,153,886	21,992,857
1825	11,394,496	5,714,849	3,279,390	1,460,433	1,580,259	23,753,743
1826	12,530,260	5,783,351	3,697,192	1,674,792	1,452,680	23,328,008

Note.—The years end in February. The total expenditure includes commercial charges, and also the expenditure of Bencoolen and Prince of Wales' Island.

* From Mr. Moreau's "Chronological Records of British Finance."