

his own signature; one of these documents is addressed to the inhabitants of Ettacoor-naad in Wynaad, upbraiding them for patiently submitting to the entrance of the English army, and urging them, in the name of Perumal and all the gods, to assist him in taking revenge; in case of refusal, threatening them with his vengeance. The other is to one of his chieftains, stating the arrival of intelligence of the intention of the English army to enter his country at a particular quarter, and ordering him to proceed with his forces to oppose its progress: the date of this latter document is November 28th, 1796.

Colonel Osborne likewise presented a model (in bamboo) of a Chinese passage-boat, and a model of the *lusus naturæ*, which was in existence and exhibited at Macao, about six years since. An account of this extraordinary person* was furnished by Mr. Livingstone, surgeon to the British factory at Canton, and printed in the *Asiatic Journal*, vol. xii. p. 57.

William Marsden, Esq., M.R.A.S., presented several MS. firmans, &c. from the Emperor Akbar to the Jesuit missionaries.

The thanks of the Society were voted to the respective donors.

Solomon Peile, jun., Esq. was elected a resident member of the Society.

Dr. Colin Rogers, elected on the 2d, and P. J. Salomons, Esq., elected on the 16th of February last, having made their payments and signed the obligation-book, were admitted members of the Society.

The reading of Dr. B. Hamilton's History of the Hindu kingdom of Kamrup was concluded, and thanks returned to the author for its communication.

The history of the district of Rungopur, nearly the whole of which is comprised in the ancient Hindu kingdom of Kamrup, is involved in great obscurity. One of the earliest traditions respecting it is, that Norok, son of the earth, being a great favourite with Crishna, was presented by that deity with the country of Kamrup (region of desire), and constituted guardian of the temple of Kamakhya (granter of pleasure), the presiding deity of that region; this deity is considered as female, and her temple is still much frequented. Norok being a worshipper of Siva, and a great oppressor, lost the favour of Crishna, and was put to death. Bhogodotto, his son, succeeded him, and fell on the vanquished side in the war which placed Yudishthir on the throne of India: it is considered probable that this prince is the *Bhugrut* mentioned in Gladwin's translation of the Ayeen Akbery.

The author does not think that, after making every allowance for the duration of the sovereignty of the family of Yudishthir and the succeeding dynasties, the era of the former can be placed much beyond the time of Augustus.

It does not appear that any part of the district was comprehended in the Hindu kingdom of Bengal during the dynasty of Adisur, but was governed by a family of princes, of whom Dherma Pal is the first who has left any traces behind. He had a brother who died early, and left the management of his estates and son to his widow. Dherma Pal was subsequently killed in battle: he was succeeded by his nephew, who at first indulged in sensual pleasures and the luxury of 100 wives; he afterwards wished to take the government into his own hands, but his mother had the address to persuade him to dedicate his life to religion, and he is supposed to be now wandering in the forests as a religious mendicant.

The conduct of the third king of the next dynasty afforded an opportunity to the Mahomedans of conquering the country. It is said, though this is probably an exaggeration, that the siege of the chief city occupied twelve years, and was at last taken by treachery.

Those parts of Kamrup which were not occupied by the Mahomedans, were overrun by

* The *lusus naturæ* referred to was a man named A-ke, who was born about twenty-four years ago, in a district ninety-seven miles S.W. of Canton, with another male child, nearly the same size, united to the pit of his stomach by the neck. A-ke grew to the height of about four feet ten inches, but his brother (as it was termed) continued the original size.

by various rude tribes, of which the most powerful was the Koch; who, though at first separated under several chieftains, at last united under Hajo. This prince had two daughters, who had each a son. One of these succeeded to the whole power of his grandfather, and it was then discovered that he had the honour of being descended from the god Siva, and in this honour his cousin afterwards claimed to share. When this raja died, he divided his dominions between his two sons. At the time the Ayeen Akbery was written, this division of territory was not known at Delhi, but it was shortly afterwards discovered, and then the Mahomedan governor of Dhaka became urgent for the payment of tribute from Raja Porekhyit, who governed the most considerable portion. As the Raja did not dare openly to refuse, but wished to obtain more favourable terms, he went to Agra, and the King gave him an order directing the governor to receive as tribute whatever sum the Raja chose to offer. So strangely ignorant was the Raja of the value of money, that he offered the immense sum of twenty millions of rupees, which was of course accepted, and he returned with great self-satisfaction. When, however, his minister explained the error into which he had fallen, he was thrown into the greatest consternation, and unfortunately died before this mistake could be rectified. The Mahomedans took possession of the country in default of the payment of tribute, and the late Raja's brother, who had governed the smallest portion of territory, together with the minister of that unfortunate prince, were allowed large estates by the Mahomedans for their support. The sway of the Moslems, in its turn, sunk before the British power. The paper is concluded with a notice of the present political state of the country.

The reading of Capt. Grant's journal of a route through Makran was concluded, and thanks returned to Colonel Worsley, by whom it was communicated.

It was then announced that the anniversary meeting would be held on Saturday the 15th, at one o'clock.

March 15th. The Society met this day to celebrate the fifth anniversary of its institution.

The meeting was numerously attended, and the chair was taken at one o'clock precisely by the president, the Right Hon. Charles W. Williams Wynn, supported by Sir A. Johnston and Sir G. T. Staunton, two of the vice-presidents. Their Excellencies Count Ludolf, Neapolitan ambassador, and M. de Falck, ambassador from the Netherlands, also honoured the Society with their attendance.

The proceedings of the day were commenced by the Secretary reading the Council's report of the Society's proceedings during the past year.

The report is in substance as follows :—

"The Council of the Royal Asiatic Society feel much satisfaction in being able to commence their report by remarking that the Society's numerical strength has increased during the past year, notwithstanding the loss of several valuable members by death, among whom are the Right Hon. G. Canning, the Earl of Guildford, and Mr. Daniel Moore.

"The death of Mr. Canning has been so universally felt and regretted, that the Council, in recording their deep concern at this public calamity, do but repeat sentiments which have been expressed by all classes throughout the British empire.

"To Mr. D. Moore, your late solicitor, a tribute of gratitude is due, not only for the professional services which he gratuitously rendered to the Society, but also for his liberal contribution to your funds, as well as to those of several other institutions for the advancement of knowledge. In the Earl of Guildford also, the literary world in general, and especially this Society,

must

must feel that they have lost a liberal patron and a zealous promoter of learning.

"From this painful subject the Council would willingly turn and draw the attention of the meeting to the numerous and valuable donations which have been made to the Society since the last annual meeting.

"Foremost among these must be placed the munificent donation, by the Court of Directors of the Hon. East-India Company, of 100 guineas, which, with the characteristic liberality of that body, the Honourable Court has announced its intention annually to renew."

An enumeration of the societies and individuals who have presented either books or objects of curiosity to the Society during the preceding year was then read, after which the report proceeds :

"Although the grateful acknowledgments of the Society are due to all who thus appear in the list of its benefactors, they are more especially merited by some, whom the Council therefore think it right to point out.

"His Imperial Majesty the Emperor of Russia has presented through his ambassador a Comparative Dictionary of all Languages, and a collection of vocabularies compiled by Pallas, and other eminently learned men, under the immediate superintendence of the Empress Catherine.

"Mons. de Falck, ambassador from the King of the Netherlands, has presented a French and Dutch translation of Mr. Marsden's Malay Dictionary and Grammar. The works upon which such an unprecedented honour has been conferred, as well as all Mr. Marsden's other publications, have been presented to the Society by their learned author.

"The distinguished President of your Society has put in your possession a large collection of the papers relating to the East-Indies, that have been printed by order of the Houses of Parliament.

"To Sir John Malcolm the Society is indebted not only for the presentation of an extensive and valuable collection of Persian MSS., but also for having placed in the Society's museum a highly interesting collection of Asiatic arms, Hindu sculptures, Egyptian antiquities, and Persian paintings.

"In addition to the liberal donations presented in preceding years by Sir Alexander Johnston, one of your Vice-Presidents, that gentleman has conferred additional obligations on the Society by the gift of some curiosities and several valuable MSS. connected with Singhalese literature. Among the latter, an inscription found near Trincomalee was considered so interesting from its traditional connexion with the ancient history of Ceylon, that the Council has deemed it expedient to have it lithographed and circulated, in the hope that it may be decyphered.

"The Council is happy to announce that the foundation of a collection of natural history has been laid by Sir Robert Colquhoun's presentation of many beautiful specimens of birds, insects, and quadrupeds, collected by that gentleman in the Malayan peninsula; while from Lieut. Col. Farquhar, late governor of Malacca, the Society has received a splendid collection of drawings of the animal and vegetable kingdoms, as existing within the precincts of his government.

"Lieut. Colonel Hopkinson, C.B., has largely contributed to the Society's museum by the donation of a very interesting collection of curiosities from Ava.

"Mr. J. Hodgson has presented several MSS. which will probably furnish materials for papers in future volumes of your Transactions, and the museum will ere long be enriched with a large and elaborate model of a Hindu pagoda now at Madras, but lately given by that gentleman to this Society.

"The

"The splendid collection of curiosities from the Birman empire, which must have excited the admiration of every person who has visited the museum, has been obligingly deposited there by Captain Marryat, to whom the Society is therefore under much obligation.

"The Council have felt anxious that these offerings so liberally bestowed on the Society should not only be preserved, but also advantageously exhibited, so that their possession might be rendered a source of instruction and amusement. With this view the collection of arms has been cleaned and arranged for display. The specimens of natural history have been stuffed and set out for inspection, and additional glazed cases have been procured for such objects as were liable to injury from exposure. The Council conceive this to be the best return the Society can make to those who have so kindly added to its stores, and the most probable means of inducing others to imitate their example. As connected with this part of the report, the Council would recal to the attention of members that cards of admission to the museum have been printed, which may be procured on application at the Society's house, by which means the inconvenience to members of personally introducing strangers is obviated."

A series of abstracts of the papers which have been read before the general meetings of the Society, since the last anniversary, was here introduced; but as the whole of them have been noticed in the monthly reports of the Society's proceedings printed in this *Journal*, it is unnecessary to repeat them. The Council report then continues as follows:

"Such are the communications which have occupied the attention of your general meetings during the year just terminated. The greater part of those read during the preceding year are printed in the third part of the Society's Transactions, which completes the first volume. The Council indulge the hope that this volume will not be considered unworthy of the Society, and that these first-fruits of their labours will be viewed as the promise of a rich and abundant harvest in the extensive field of oriental literature. The list of donations in the Appendix to the Transactions, affords a gratifying proof of the interest which many of the members have taken in the Society's welfare. In relation to the library, to which that list records so many contributions, the Council deem it proper to mention, that as they consider the Society to be essentially oriental, they have provided for the purchase of all such new and interesting works relating to Asia as are not presented by their authors, and have also directed the regular supply of the newspapers printed at the Indian presidencies. To enable them to meet the increased expenditure thus incurred, they have countermanded those periodical publications which are not principally devoted to oriental literature. This measure has been adopted with the less reluctance, from its having been observed that those works were scarcely ever read at the Society's house, probably in consequence of the means most of the members possess of consulting them in other places.

"The appointment of new governors to the Indian presidencies offering an excellent opportunity for extending the Society's connexions in India, the Council appointed deputations to wait upon Lord William Bentinck, the Right Hon. S. R. Lushington, and Sir John Malcolm, the newly appointed governors, who received them with the utmost cordiality, and gave the most friendly assurances of assistance. Suggestions of the means whereby the Society's interests could be best promoted in their respective governments were in consequence furnished to those gentlemen, who kindly promised their endeavours to carry them into execution.

"From

"From the co-operation of these distinguished individuals the Council feel warranted in anticipating the most beneficial results.

"Every member of the Society having been furnished with the prospectus of the Oriental Translation Committee, the Council consider it unnecessary to do more on this occasion than to state, that the object of the Committee is to publish translations of Oriental works free of expense to the translators. The august patronage with which this plan is honoured, the liberal subscriptions by which it is supported, and the qualifications of the committee to which its execution is entrusted, afford well-grounded hopes that this important undertaking will greatly advance our knowledge of the East, and prove highly creditable to British orientalists.

"The Council cannot close this report without expressing their conviction, that the most efficient mode of promoting the honour and prosperity of the Society is the communication of a varied and abundant supply of interesting original papers for publication in your Transactions. In reference to this object a collection of desiderata and inquiries* has been circulated, and the Council hope that they will induce many who possess valuable information on the subjects proposed, to communicate it to the Society.

"In conclusion, the Council feel very sincere pleasure in declaring their opinion that the prosperity which has attended the Society during the past year, and the favourable prospects offered by that which is commencing, furnish subjects of the most cordial congratulation to this meeting, and to the members in general."

The reading of the Council report being concluded, the auditors stated the result of their examination of the Treasurer's accounts; the heads of this report are as follow:

Receipts from December 31, 1826 to the same day 1827	£1,194	12	0
Disbursements for the same period, including a loan of £120 for payment for a bust of the late Secretary	1,288	0	0
Cash balance against the Society, December 31, 1827.....	£93	8	0

But as the loan of £120 above-mentioned will be repaid, it is right to state, that had this sum remained in the Treasurer's hands, there would have been a balance in the Society's fa- vour of	£26	12	0
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The second statement brought forward exhibited the receipts from December 31, 1827, to March 15, 1828, at.....	£702	6	0
And the disbursements for the same period, at	685	1	0
Leaving a cash balance in the Treasurer's hands this day, of...	£17	5	0

Besides a remittance of £21 not yet due, and the £120 before-mentioned.

The next statement referred to was that of the actual assets of the Society at the present time, from which it appeared that their total amount is about £3,300.

The total amount of arrears of every description now owing to the Society was stated at £854. 13s. It should be understood that this sum not only includes compositions, &c. due from non-resident members, but also the whole of the subscriptions now due for the current year, and consequently the receipt of a very considerable portion of them may be confidently reckoned upon in the course of the year.

The amount of receipts for the ensuing year, which may be considered cer-
tain,

* Vide *Asiatic Journal*, vol. xxiv. p. 349.

tain, is £916. 7s., and to this sum may very probably be added a further sum of £986. 7s. arising from items specified in the report, making a total sum (including contingencies) of £1,854. 14s.

The total probable amount of the expenditure for the year, including an allowance for contingencies, is estimated at £1,217. 3s. 6d.; and therefore, should these estimates prove nearly correct, there may be a balance in the Treasurer's hands at the close of the year of from £500 to £600.

In remarking upon this last statement, the auditors observed, that a very considerable portion of the *certain* annual expense arose from the charges attendant upon the Society's house; and that the Society could not hope to be relieved from them except by the grant of a site for building on, or accommodation in some one of the government offices. The report concludes with a complimentary reference to the zeal and attention manifested by the Treasurer in the discharge of the duties belonging to his department.

The auditors having finished their report, the President called upon Sir Alexander Johnston, as Chairman of the Committee of Correspondence of the Society, to furnish a statement of the proceedings of that Committee since its institution: upon which that gentleman rose, and after apologizing for not being prepared with a written report, he proceeded to state, first, what had been done by the Committee with respect to Europe, and secondly, with reference to Asia. The first Society with which it had opened communications at home, was the London Mechanics' Institute, through its president, Dr. Birkbeck; the object of this connexion was to obtain a comparative view of the state of the arts in India, as illustrated by models, &c. now in England, contrasted with the machines of Europe, for the purpose of ascertaining the probable benefit which would arise from the introduction of the more perfect specimens of European ingenuity into use in India, in place of the many awkward and cumbrous utensils now employed in that country. Communications were next opened with the Medico-Botanical Society, of which the director, Mr. Frost, is a member of the Royal Asiatic Society. One of the principal objects of the Medico-Botanical Society is to qualify medical officers proceeding on foreign service, for furnishing information upon the nature and uses of plants. This Society has offered to further the ends of the Royal Asiatic Society by all the means in its power, and its director has been appointed to conduct the correspondence of the Committee upon botanical subjects. The Committee next directed its attention to the Royal Institution, and from the professor of chemistry there, Mr. Faraday, received assurances of his willingness to assist in promoting the Society's objects whenever it is in his power. Applications were made to the two Universities for their co-operation and assistance, which were most readily promised; and the Oriental Translation Committee was given to understand that the use of the Clarendon press would be open to it upon all suitable occasions. Sir Alexander here complimented Mr. Peel for the zeal and cordiality with which he entered into the views of the Committee relative to procuring the assistance of the Universities, and then proceeded to recapitulate the steps taken to induce the East-India Company to lend its aid in furtherance of the Society's designs, and which led to the annual grant of £105 from the Court of Directors. Sir Alexander expatiated upon the importance and value of this public mark of the interest felt in the Society by that body, as by their means, and under their sanction, the objects of the Society could be made known in all the vast territories under their rule, in the most effectual manner. He next adverted to the marked manner in which his Royal Highness the Duke of Clarence, one of the

the Society's Vice-Patrons, had displayed his wishes for its success ; and particularly with reference to the Oriental Translation Committee, whose objects his Royal Highness warmly patronized, and assisted by a liberal annual contribution. On Lieut. Col. Fitzclarence, Sir Alexander passed a high eulogium, for the activity and perseverance with which he had forwarded the plan of this Committee, and by his exertions obtained the majority of the brilliant list of subscriptions which appears in the prospectus.

Having thus reported what had been done by the Committee in England, Sir A. Johnston proceeded to state the means employed for establishing connexions with various parts of Asia. The appointment of new governors to the three presidencies presented the most favourable opportunity for carrying the wishes of the Committee into effect, and accordingly deputations were nominated to wait upon each of those gentlemen, in order to explain the views of the Committee. These several deputations were received with the greatest cordiality by the governors, who professed their willingness to aid the Committee's objects by every means in their power, and suggestions of the methods by which their influence might be most successfully exerted in its favour were subsequently furnished to those gentlemen by the Committee. It was understood, in particular, that Lord William Bentinck would use his exertions for the purpose of procuring an accurate and comprehensive account of the Burmese empire, and especially of the religion of that extensive country : and, with reference to this last subject, application had also been made to Sir E. Barnes, governor of Ceylon, for the same purpose, as that island is the best place from whence exact and extensive information with respect to the religion of Buddha can be derived. Sir Alexander stated that when he was officially engaged in framing a system of government for the natives, founded upon their own laws and customs, he formed, in the course of his inquiries, a very large collection of their religious books, which were supplied to him by the chief priests of the island with the most unreserved confidence. The greatest part of this valuable collection was unfortunately lost in the vessel in which Sir Alexander had taken his passage home ; but other copies are procurable in Ceylon, and the Society will no doubt be furnished with them through the interference of the Governor. Sir Alexander next alluded in laudatory terms to Radhacant Deb, whose donation and letter are mentioned in the report of the proceedings of the last general meeting ; and to Capt. Low, of Penang, whose translation of a work upon Siamese law, and a MS. copy of the original, were recently communicated to the Society. Sir Alexander expressed his opinion, that the Society ought not to lose any opportunity of expressing its sentiments in favour of such individuals as those just named, and that it should afford every encouragement to the natives of India in their literary pursuits. Sir Alexander concluded his view of the Committee's labours in Asia, with an allusion to the desirableness of obtaining accurate information with respect to the civil and natural history, topography, &c. of the Mauritius, Madagascar, the Seychelles, and the Mahommedan settlements from the Red Sea to Mozambique on one side, and from Mocha to Russoul Gaut on the other. Sir Alexander stated that a very excellent opportunity for acquiring this information had offered, in the appointment of Sir Chas. Colville to the government of the Isle of France and its dependencies.

On the continent of Europe, the Committee first applied to Portugal, and there Count Funchal undertook to translate the papers in possession of that government relating to their early settlements in Asia. The present Lord Stuart de Rothsay also procured some valuable accounts of the early voyages of that nation

nation to India, which are now in the Custom-house, and when cleared will be placed in the hands of the Committee. The court of Naples was the second, from whose abundant means information on Asiatic subjects was attempted to be drawn; and the ambassador of that government in London, Count Ludolf, entered fully into the wishes of the Committee, with respect to obtaining some notices of the stores of knowledge possessed by the Catholic Missionaries, sent in such numbers into Asia by the College de Propaganda Fide, of whom many have returned, and are stationed in various parts of Italy. From the high rank held by Russia in Oriental literature, the Committee naturally expected considerable aid from that country: nor was it disappointed. The Committee having applied, through his Excellency the Prince de Lieven, Russian ambassador in London, for a copy of the extraordinary work compiled under the personal superintendence of the Empress Catherine the Second, by Pallas and other learned men of her dominions, upon hints furnished by D'Alembert—namely, a collection of vocabularies of all languages of which specimens could be obtained; his Imperial Majesty the Emperor of Russia immediately directed the presentation of a copy to the Society, together with a copy of the Polyglot dictionary published at St. Petersburg in 1791; and, in addition, was graciously pleased to direct that every facility should be given to the correspondence between the Committee and the universities and other public institutions connected with Oriental literature in his dominions. In the course of this part of his report, Sir Alexander alluded to the various learned men who had devoted themselves to the comparison of languages, as the senior Adelung (whose nephew is now director of the Oriental Institute at St. Petersburg), Balbi, Humboldt, &c. &c. Holland next attracted the views of the Committee, and Sir Alexander here remarked that Holland was the first country which produced any considerable works in Oriental literature, and that more learned natives of that country, or at least persons in its employment, had exerted themselves in the acquisition of information upon Oriental subjects than of any other European nation. The Literary Society at Batavia was the first which published transactions in India, and the labours of Rumphius and other natives of Holland were adduced in support of this assertion. Sir Alexander took occasion, in this place, to pay a brilliant compliment to the memory of the late M. Falck, who was governor of Ceylon, while that island was under the dominion of Holland, for twenty years, and whose conduct while in that situation was such as to endear him both to the Europeans and natives who were under his government, and to cause his character to be held up in the island as a model of justice and integrity.

Lastly, Sir Alexander noticed the cordial manner in which the Asiatic Society of Paris had assisted this Society, in every instance where its influence and operation had been required; and particularly mentioned the warm interest taken by that Society and its illustrious president, the Duke of Orleans, in the success of Messrs. Daniell's proposed publication, the *Illustrations of India*, for the furtherance of which project a Committee had been appointed to draw up a report upon the subject; and their report, recommending the Society to support it by every means in its power, has been printed in the *Journal Asiatique*.

Sir Alexander then reported that M. Moreau (whose statistical labours were particularly alluded to) had been appointed Honorary French Secretary to the Committee, and that the following gentlemen have applied their attention to objects pointed out to them by the Committee:—Mr. Frost has undertaken to

furnish a scientific description of the valuable collection of original drawings of plants, &c. presented to the Society by Col. Farquhar; Mr. Upham has furnished a detailed description of the curiosities deposited in the Society's museum by Capt. Marryat; Dr. Dorn will furnish an account of the brass celestial globe, part of Sir J. Malcolm's collection, of which it is believed there is but one other specimen in Europe; Professor Lee has examined a very curious Hindu astronomical instrument, presented to the Society by Major Caulfield, and also a kind of forestaff, presented by Sir A. Johnston, and used by the navigators of the Maldivé islands; and, lastly, Dr. Meyrick has consented to inspect the arms, &c. in the Society's possession, and to furnish a report thereon.

In concluding, Sir Alexander apologized to the meeting for the length to which his remarks had extended, and hoped that his statement of what the Committee had accomplished since its institution, would prove satisfactory to the meeting.

It was then moved that the reports of the Council and Auditors should be printed, to accompany the Society's *Transactions*; upon which the President expressed his conviction that the reading of those reports must have afforded great gratification to every member present, inasmuch as they clearly proved the Society to be in a state of increasing prosperity. The last year he considered the most prosperous, as regards the attainments of its objects, which the Society had yet passed; and that a more general interest in Oriental literature was beginning to be felt, ample proofs were afforded, by the bequest lately made to the University of Oxford for the purpose of founding a Sanscrit professorship, and by the list of subscribers towards effecting the objects of the Oriental Translation Committee; and more immediately in relation to the Society, by the increased attendance at its meetings, and numerous donations presented to its library and museum.

The President next alluded to the death of the King of Oude, of which event intelligence had just arrived. His Majesty was an honorary member of the Society. The President proceeded to remark upon the communication from a native of India, Radhacant Deb, which was laid before the last general meeting of the Society, and enlarged upon the importance to the Society of assistance from the learned natives of India, and the expediency of stimulating their literary labours, by conferring such suitable honours as it was in the power of the Society to bestow; he felt convinced that only such encouragement was needed to draw forth the latent talents, which now lie dormant in many natives of India, and which, if properly exerted and directed, would prove as honourable to themselves as advantageous to their country.

The President observed that the lateness of the hour precluded him from expatiating upon these topics, and stated, that having felt himself not qualified for the distinguished situation he held in the Society, on account of having never been in India, or having possessed sufficient leisure to devote himself to the study of Oriental literature, he had retained it principally on the ground of his official connexion with India, which connexion having lately ceased, he felt that the Society could easily, among the many learned individuals connected with Asia whom he saw around him, supply his place with one who would fill it more creditably to himself, and more beneficially to the interests of the Society; he begged to say, therefore, that he held himself perfectly prepared to resign the chair whenever the Society thought proper. The President concluded by putting the question upon the following motion, made by Lieut. Col. C. Doyle:

"That

" That the reports of the Council and Auditors, read at the meeting this day, be printed in the Appendix to the next volume of the Society's *Transactions* ;" and, in addition to this, the President moved,

" That Sir Alexander Johnston be requested to draw up a copy of the report he has just delivered, from any notes or memoranda he may have in his possession, for the purpose of the same being printed, to accompany the preceding reports in the Society's *Transactions* ;" and Sir Alexander having assented thereto, the question was put, and carried unanimously.

Sir A. Johnston then rose, and after a few preliminary observations, moved " That the thanks of the meeting be presented to the President, for his zealous attention to the Society's interests, and that he be requested to continue to hold the situation of President ;" which motion being seconded by Capt. Melville Grindlay, was carried with great applause.

The President, in returning thanks to the Society for the honour he had just received, expressed his willingness to continue in the office of President ; but repeated, that whenever the Society should think fit to substitute a more worthy Chairman, he should be quite ready to meet its wishes, and would endeavour, as a private member, to further the objects of the Society to the best of his power.

The thanks of the Society were then moved, seconded, and voted unanimously to the Council and Auditors, and to Sir Alexander Johnston, for the reports severally made by them to this meeting ; and to the Director, Vice-Presidents, Treasurer, and Secretary, for their services during the past year.

The meeting then proceeded to ballot for the election of eight new members of Council, in place of eight going out, in terms of Art. XXI. of the Society's Regulations, and for the officers to serve for the ensuing year. The scrutineers (Lieut. Col. Lushington and Mr. Hodgson) having examined the balloting lists, reported that the following members were withdrawn from the Council, *viz.* The Right Hon. Lord Bexley ; Sir E. H. East, Bart. ; Sir R. Barclay, K.C.B. ; H. Alexander, Esq., M.P. ; J. Guillemard, Esq. ; W. Marsden, Esq. ; W. H. Trant, Esq., M.P. ; and Daniel Moore, Esq. (deceased) ; and that the following gentlemen were elected in their room, *viz.* His Grace the Duke of Somerset ; the Right Hon. Sir G. Ouseley, Bart. ; Sir C. Forbes, Bart. ; Lieut. Col. Briggs ; Richard Clarke, Esq. ; Capt. R. M. Grindlay ; G. C. Haughton, Esq. ; and F. H. Toone, Esq.

The only alteration made in the list of officers was reported to be the substitution of the Right Hon. Sir G. Ouseley as Vice-President, in place of Sir E. H. East.

The next general meeting of the Society will be on the 19th of April, that which should be held on the 5th of that month being passed over in consequence of its occurring in Easter week.

A very valuable historical roll of one of the principal families of Rajpootana, some specimens of sculpture, and other curious articles, were exhibited in the meeting room to-day. They were sent by Col. Tod, and will be presented at the next general meeting, when a more detailed account of them will be furnished.

VARIETIES.

ASIATIC SOCIETY OF CALCUTTA.

A meeting of the Society was held on the 14th Nov., the Hon. W. B. Bayley, Esq., vice president, in the chair.

The Society on this occasion elected the Hon. Sir C. E. Grey president, and Sir Charles Metcalfe vice-president. The following gentlemen were also chosen members: Sir Edward Ryan, Capt. Sterling, and Dr. J. Tytler. Mons. Belanger, naturalist of the French government at Pondicherry, was elected an honorary member.

With reference to the increasing zeal and activity in geological research of late in India, the Society resolved, that a geological class or committee should be formed of such members of the Society as may be inclined to associate for this purpose, forming such regulations as they may find expedient, to be submitted for the confirmation of the Society.

A paper by Dr. Tytler, on the dugong, or duyong, with drawings by Mr. Bennet, was read to the meeting. The bones of four different individuals of this genus were picked up by Dr. Tytler at Raffles' Bay, on the north coast of New Holland: in one instance they were sufficiently numerous to form nearly an entire skeleton of the animal, which is placed in the Society's museum. The dugong, from its peculiar upright position in the water, and the general appearance of the upper part of the body, is supposed to have given rise to the tales of mermen seen in the eastern seas. Although noticed by the Dutch travellers and naturalists, who termed it the sea-cow, it was very imperfectly known until descriptions and specimens were sent to Europe by the late Sir Stamford Raffles, and observations from that source, by Sir Everard Home, were published in the *Philosophical Transactions*. The animal is not uncommon in the eastern archipelago, but its existence on the coast of New Holland is made known by Dr. Tytler for the first time. Dr. T. is disposed to think that some affinity may exist between the duyong and the dagon of the Philistines, as the latter was probably a compound of the head of a gaminivorous animal with the tail of a fish, and thus resembled the sea-cow in structure as well as name.

A notice by Capt. Herbert, of the site of coal in the Himalaya, with specimens, was also submitted. This mineral is found throughout the whole line of sandstone-hills that lie at the foot of the great Himalaya chain, forming the transition to the plains. It occurs in flat veins or

seams, more or less inclined to the horizon, the greatest thickness of which has not been found to exceed nine inches or a foot, whilst in general they are much smaller, not exceeding, in some places, the twentieth of an inch. The composition is in general impalpable, but sometimes assumes the ligneous structure. Where the ligneous fibre has disappeared, the fracture is conchoidal, and frequently marked with concentric circles, similar to cannel coal. It burns with flame, giving out a thick smoke and bituminous smell, and leaves a reddish brown ash of equal bulk with the original fragment. These properties refer it to the bituminous coal of Mohs.

Besides the locality of the mountain coal pointed out by Lieut. T. Cautley, in his communications to the Society, Captain Herbert has discovered the following:—1. The Timla Pass, leading into the Dehra-doan, specimens of the coal from which place were sent by Captain H., in 1817, to the late Dr. Voysey, and pronounced by him to be the brown coal of Werner. 2. The Kheri Pass, where it principally exists as lignite of considerable thickness: it is found here in two places. 3. Ascent from Bhamouri to the Bhim Tal in the bed of the Raliya. This is considered by Captain H. as best entitled to attention. The largest vein is about four inches thick, and the coal has a high lustre, and occasionally a perfect conchoidal fracture, resembling cannel coal; it burns with a brilliant flame, emitting a sulphureous smell, and being occasionally incrustated with sulphur: the specific gravity averages about 1.3. Capt. H. seems to think that these indications do not authorize any expectation that coal-mines of any extent will be found in the Himalaya, although it is not impossible that they may exist in the trough between the secondary sandstone that skims the great chain, and the primary sandstone which makes its appearance at Delhi and other places.

A paper, by Dr. Govan, was laid before the meeting, containing a report on the mineral and vegetable products of the country about Nahn, with registers of the weather for April and May last.

An abstract of the registers of the barometer and thermometer kept at Singapore, from 1820 to 1825, by Captain Davis, was also submitted.

Observations on the geology of part of Bundelcund, Boghelcund, Saugor, and Jubulpur, were also communicated by Captain Franklin. These observations commence

commence at Mirzapore, and include different portions of the ranges of hills belonging to the great central zone of Hindustan. The first range of hills, the tract in which the falls of the Tonse occur, and the country to Hathi, beyond Lohargong, are of sandstone. At Hathi it is succeeded by argillaceous or Lias limestone, which is considered by Captain Franklin as the same with the Lias limestone of England. Beyond this to Saugor the overlying rocks are of trap, and at the place below the upper surface of that rock occur wacke and basalt, and an earthy or impure limestone, beneath which is amygdaloid, lying on sandstone. The northern barrier of the valley of the Nerbudda consists of the primitive rocks. Jubbulpur is situated at the foot of a range of granite hills. Captain Franklin is of opinion that granite is the basis of the different ranges visited in his tour; in some places near the surface, but in others separated from secondary formations by intervening stratifications of primary rock. The sandstone formation is in general of considerable thickness, whilst the limestone differs from that found in other parts of the world by being merely superficial, and not exceeding an average thickness of fifty feet. A collection of specimens accompanied Captain Franklin's communication, as well as a geological map and section, and series of barometrical elevations.—*Cal. John Bull.*

AGRICULTURAL AND HORTICULTURAL SOCIETY OF CALCUTTA.

The Society, with the view of promoting the objects of their institution, have resolved to offer their gold medal for the best essay on each of the under-mentioned subjects. In so doing, they propose being guided by the same rules as are generally adopted by other societies on similar occasions; and they accordingly desire that, in the competition, the following conditions may be strictly kept in view.

The essays may be composed in any known language; but if not in English, they must be accompanied by an English translation. They are to be addressed to the secretary, on or before the 31st December 1828, under a cover inscribed with a motto, or in any other manner that may identify it, with a sealed note accompanying it, which is to contain the name and address of the author. No such sealed note will be opened except on the express purpose of ascertaining the name of the candidate to whom the medal may have been adjudged. All others, together with the essays to which they belong, will at the expiration of the term be restored to their owner, on being inquired after, or ultimately de-

stroyed. No candidate can be permitted to be present at any meeting of the Society, or its committee, assembled to adjudge the merits of their respective essays.

List of Prize Subjects.

1. Indian soils, comprizing their analysis and the properties which render certain kinds peculiarly adapted for some, and hostile to other descriptions of cultivation.

2. Manures, with an analysis founded on the best and most conclusive experiments conducted in this country; their adaptation to peculiar soils and to peculiar objects of cultivation.

3. Acclimating foreign plants, chiefly those of Europe, the Cape of Good Hope, and New South Wales; with a description of the most successful mode of importing plants, roots, and seeds into this country.

4. The cultivation and manufacture of indigo, with estimates of the produce from a given quantity of land, under different circumstances, and in various parts of India.

5. The cultivation of the sugar-cane and the manufacture of sugar, with detailed estimates.

6. The cultivation of coffee in Hindustan, founded on a comparison of the practice adopted in other countries, with the peculiarities belonging to this part of India, with estimates of the produce, &c.

N. WALLICH, M.D.

Sec. Agr. & Hort. Soc.

Calcutta, 24th Sept. 1827.

MEDICAL AND PHYSICAL SOCIETY OF CALCUTTA.

A meeting of this Society was held on the 10th November, Mr. Wilson, vice-president, in the chair.

An account of the ginseng of Nepal, by Dr. Wallich, was read, and a description of the excision of a tumour above the left upper eyelid, by Mr. Bell, of Muradabad. A report, by Dr. Govan, on the mineral and vegetable products of the Himalaya, presented by the Government, was also read; as was a case of hydrophobia, treated with superacetate of lead, by Mr. Pearson, of Ramghur.

The ginseng was found on the summit of a mountain between nine and ten thousand feet above the plains of Bengal, and appears limited to that site, not being discovered in any other situation. The natives of Nepal make no use of it, and are wholly unacquainted with the plant, notwithstanding the high estimation in which it is held by the Chinese. The plant is denominated by Dr. Wallich *panax pseudo-ginseng*, being a species of the same genus only nearly allied to the genuine ginseng of Chinese Tartary and North America.

The

The report of Dr. Govan is introductory to his future inquiries in the region in which he is employed, and the natural history of which he has undertaken to explore.

The case of hydrophobia is interesting from the apparently beneficial effect of the remedy. The patient was a boy ten years old, who had been bitten two months before, and in whom, when brought to Mr. Pearson, at noon on the 28th July, the case was clearly marked. After bleeding four ounces, twenty drops of the solution of superacetate of lead were administered, and in above an hour the patient was able to drink a little water, although, when first brought in, violent spasms were induced by simply pouring it out before him. The medicine was repeated in similar doses every hour for the three first hours, and again at half-past four, at seven, at half-past eight, at ten, at half-past twelve, at six A.M. on the 29th, and again at ten, when the boy drank from a shell quite easily; a dose of thirty drops was again given at noon, and a second bleeding ordered, when the parents of the child removed him from the care of the European surgeon: at ten at night he was again sent for, and pursued a similar course; but in the interval that had elapsed the disease had gained so much ground that little good could be expected, and the case terminated fatally. Whether the disease would have been subdued by this treatment is, therefore, left doubtful, but the advantage obtained is sufficient to authorize the further trial of the medicine.—*Cal. Gov. Gaz.*

LINNÆAN SOCIETY.

At a meeting on the 5th Feb. was read "Some account of the botany of the provinces lately ceded by the Burmese to the Hon. the East-India Company, with a description of two new genera of plants; in a letter to H. T. Colebrooke, Esq., F.R.S., &c.; by Nathaniel Wallich, M.D., F.L.S., &c., superintendent of the Botanic Garden at Calcutta." The author states that his botanical treasures are most extensive; the number of species having long ago surpassed 2,000, and that he has never seen any vegetable production equal to his *Amherstia nobilis* when in full bloom. It surpasses all the Indian plants.

Amherstia. Diadelphica Decandria—Nat. Ord. Leguminosæ. The flowers of this splendid tree are disposed in pyramidal pendulous clusters two feet long, and ten inches broad at the base. Leaves one foot and a half long, with eight or ten pair of oblong pointed pinnae, which are from eight to ten inches long, and of a peculiarly delicate glaucous hue. The racemes are scarlet. The petals are fur-

nished at the apex with a broad yellow spot, having a tubular calyx; and the genus is evidently allied to *Heterostemon* of Desfontaines.

Dr. Wallich has at length found the *varnish-tree* of the Burmese, which he constitutes a new genus, and calls it *Melanorrhæa*; Polyandria Monogynia; Anacardiæ, Brown.—Also another singular plant, which he calls *Phytocrene gigantea*, allied to Araliaceæ. The trunk is as thick as a man's thigh, and when divided affords a large quantity of a limpid, tasteless, and very wholesome water.

INCREASE OF RUSSIAN POWER IN ASIA.

An article in a French publication comments upon the great accession of territory which the Russians are gaining in Asia, by means of their encroachments upon the Kirgheez tribes, whose country has now a chain of Russian military posts on the western side, intended to keep them in awe, and to prevent them from changing their positions. By thus extending itself, the Russian frontier is described as now only 280 leagues from Attock on the Indus, and a much shorter distance still from Bokhara. A part of the Kirgheez tribes comprehended within the new demarcation of the Russian empire were formerly dependent upon China; that is, they sent presents every three years to Peking, in return for which the Chinese government made them presents an hundred-fold more valuable. But these tribes were very inconvenient neighbours; and probably the Chinese have consented without reluctance to their being placed under the control of the Russians, who know how to keep them in order. "It may be presumed with equal probability," says the article, "that the Russians will not rest here. The facility with which they have got possession of a part of Turkistan, vulgarly called independent, will inspire them with a desire to occupy in the same manner the whole country of the Kirgheez, as far as the frontiers of the khanat of Bokhara: they will accomplish this with the more facility, inasmuch as such aggrandizements as these are almost wholly unknown to and are never resisted by the powers of Europe. Once established in the Kirgheez country, which is not throughout an arid steppe, but includes lands and meadows of great fertility, as well as forests and mountains, the Russians may transport thither military colonies, establish foundries near the copper-mines, prepare all the necessary military munitions for a campaign, and complete their cavalry with the excellent horses of Middle Asia, for the purchase of which the late Mr. Moorcroft was despatched into Bucharia by the Anglo-Indian government.

ment. They may also make convenient roads there, and in a few years complete their arrangements for ulterior conquests. They will probably begin with Kokand, Samarcand, Bokhara, and other little khanats, which separate Russia from Persia and India."

LA PEROUSE.

Certain intelligence of the fate of this unfortunate navigator has been at length obtained. We have been favoured by Sir William Betham with the following extract from a letter he has received from Mr. John Russell, his nephew:—

"Hon. East-India Company's ship *Research*, New Zealand, Nov. 7, 1827.

"My dear Sir William:—I have the pleasure to inform you of our safe arrival here, after a successful voyage, to ascertain the fate of La Prouse and his ships. They were both wrecked the same night on a reef off the Manico Island, situated in lat. $11^{\circ} 40' S.$, and long. $167^{\circ} E.$ One of the ships sunk in deep water after striking on a reef of rocks, and all on board perished; the other was thrown on the reef, and those of the crew who escaped were able to save from the wreck materials enough to build a small vessel, at a place called Palou, where many of them were killed by the natives; but were enabled to finish their little vessel, in which they all left the island, with the exception of two men, about five months after their shipwreck. One of these men died about three years since; the other left the island in a canoe, and his fate is unknown; most likely he perished, as we have searched all the adjacent islands, but could obtain no information of him.

"We have obtained the clearest proofs that these ships were French, and have on board several pieces of silver and copper stamped with a fleur-de-lis; also a large bell, with an inscription thereon, *BAZIN M'A FAIT*, in large letters; a second bell, with the arms of France, and part of the ornamented stern of the ship, with a large gilt fleur-de-lis.

"We have also found part of a plated candlestick, engraved with the following arms:—Azure, a satyr between a mullet in chief and a crescent in base, or. Supporters, two lions rampant regardant. Over the shield a viscount's coronet."

"Sir William Betham, Ulster King of Arms, Dublin."

N.B. These arms are those of the French family of Cotignon.—*Dublin Paper.*

NEPAL WOODCOCK.

It appears from a Calcutta paper, that a bird has recently been found in Nepal which seems to form a link between the

woodcock and the snipe. The details given are too imperfect to enable a scientific reader to determine whether this be an undescribed species, or whether it be not what is denominated "the great or solitary snipe:" it bears a much greater resemblance to the woodcock (though smaller) than to the snipe. "The unknown has the characters assigned to the head and eye of the woodcock rather than those of the snipe's head and eye. The unknown is like the woodcock, entirely coloured and cross-banded all over; but whereas the prevalent brown hue is, in the woodcock, burnished with red, in the unknown it is obscured with a muddy darkness. The wing of the unknown is broad and not sharply angular, like that of the snipe. The unknown, like the woodcock, rises silently. Lastly, the habits of the unknown are entirely the same with those of the woodcock."

NATURAL HISTORY OF TARTARY.

A tour in Asia has been performed by Professor Ledebuhr, Dr. Meyer, and Dr. Bunge, to the Altai mountains, on the frontiers of the Chinese empire. This tour, the object of which was the almost unknown Flora of these remote regions, has proved eminently successful. The travellers have collected 1,600 species of plants, of which nearly 500 are new; so that Professor Ledebuhr intends to publish a *Flora Altaica*. Geography, statistics, zoology, and mineralogy, were not neglected in the course of this excursion; the narrative of which is expected to be highly interesting, and will be published, as we are informed, first in English,—*For. Qu. Rev.*

THE LATE SIR DAVID OCHTERLONY.

The following account of the late Sir D. Ochterlony occurs in the recently published "Journal of Bishop Heber:"—

Jan. 27. This morning we marched eight long coss to Mohunpoora. In the way I had an opportunity of seeing some part of the magnificence which Dr. Smith had described, for we passed Sir David Ochterlony and his suite on his road to Bhurtpoor. There certainly was a very considerable number of led horses, elephants, palanquins, and covered carriages, belonging chiefly, I apprehend (besides his own family), to the families of his native servants. There was an escort of two companies of infantry; a troop of regular cavalry, and I should guess forty or fifty irregulars, on horse and foot, armed with spears and matchlocks of all possible forms; the string of camels was a very long one, and the whole procession was what might pass in Europe for that of an eastern prince travelling. Still neither in numbers nor splendour did it at all equal

equal my expectation. Sir David himself was in a carriage and four, and civilly got out to speak to me. He is a tall and pleasing-looking old man, but was so wrapped up in shawls, kincob, fur, and a Mogul furred cap, that his face was all that was visible. I was not sorry to have even this glimpse of an old officer, whose exploits in India have been so distinguished. His history is a curious one. He is the son of an American gentleman who lost his estate and country by his loyalty during the war of the separation. Sir David himself came out a cadet, without friends, to India, and literally fought his way to notice. The most brilliant parts of his career were his defence of Delhi against the Maharatta army, and the conquest of Kemaon from the Ghorkhas. He is now considerably above seventy, infirm, and has often been advised to return to England. But he has been absent from thence fifty-four years; he has there neither friend nor relation—he has for many years been habituated to eastern habits and parade, and who can wonder that he clings to the only country in the world where he can feel himself at home? Within these few days I had been reading Coxe's *Life of Marlborough*, and at this moment it struck me forcibly how little it would have seemed in the compass of possibility to any of the warriors, statesmen, or divines of Queen Anne's time, that an English general and an English bishop would ever shake hands on a desert plain in the heart of Rajpootana!

LOOKING AT THE MOON.

On the 10th Bhadra (Hindu calendar), 26th August, it is considered unlucky to look at the moon, whence it is also called *Nashta Chandra*, or "the moon lost." The superstition of not looking at the moon on particular days is not exclusively Hindu, although not limited to exactly the same times, nor founded on similar belief. The period of the new moon is, in general, that held inauspicious in Europe. The Hindus proscribe both the fourth lunations of this month, on account of the sun's being in the sign Leo, and if the moon be looked at on those days, the person may expect to be wrongfully accused of some crime before the end of the month. The idea originates in a story, told in several of the Puranas, of Krishna's being falsely accused of theft. A prince of the Yadu family, Satrajit, obtained a valuable gem from his friend Aditya, or the sun, which, when worn by a virtuous person, was the source of infinite wealth, but if worn by a person of bad character, became the cause of his death. Satrajit gave it to wear to his brother Prasenajit, who, coming under the latter description, was attacked, whilst

hunting, by a lion, and killed. The lion snatched up the gem, when he was assailed by the monarch of the bears, Jambuvan, who killed him and carried off the prize. As it was notorious that Krishna had been desirous of possessing the gem, his kindred, who were equally those of the deceased, suspected him of having murdered Prasenajit; to remove which impression, he conducted them to search for the latter in the woods. As the traces of his death were apparent, Krishna was acquitted, but in memory of the transaction, in which a lion bore so principal a share, it became unlucky to see the moon on that day on which the business occurred, the sun being in Leo. After being satisfied of the fate of Prasenajit, the Yadavas returned to Dwaraka, but Krishna prosecuted the search, recovered the jewel from the bear, and restored it to Satrajit, its original owner. Sir Wm. Jones says: Krishna, when accused, hid himself in the moon; but this is not mentioned in the Puranas. In the south of India, Ganesa is worshipped on this day, whence it is also named *Ganesa Chaturthi*.—*Cal. Gov. Gaz.*

SOVEREIGNS OF ASIA AND AFRICA.

M. Saint Martin has published in the *Nouveau Journal Asiatique* an historical, chronological, and genealogical catalogue (which he proposes to continue annually) of the principal sovereigns of Asia and north Africa. He describes the list as defective, for want of opportunity to make the requisite researches; and he solicits the aid of those persons who possess accurate information upon the subject.*

The Ottoman Empire.

Sultan Mahmoud II., son of Sultan Abdul Hamed, born 20th July 1785, proclaimed instead of his brother, Mustapha IV., who was dethroned 28th July 1806.

Egypt: Mohammed Ali, born at Cavala in Roumelia in 1769 (A.H. 1182), son of Ibrahim Aga; proclaimed Pacha 14th May 1805, in the place of Khorshid Pacha; confirmed by Sultan Selim III. 1st April 1806.

Bagdat: Daoud Pacha.

Moldavia: John Stourza, a Moldavian boyard, nominated Hospodar 16th July 1822, and proclaimed at Yassy 21st of the same month.

Wallachia: Gregory Ghika, nominated Hospodar 16th July 1822; inaugurated by the Pacha of Silistria 21st September 1822.

Vassals of the Ottoman Empire.

Tripoli: Yuffouf, Bey, since 1795.

Tunis:

* We omit that portion which relates to Hindustan as not only too meagre to afford our readers information, but as erroneous.—*Ed.*

Tunis : *Sidi Hassan*, Bey, succeeded *Hamuda Bey* 23d March 1824.

Algiers : *Hussein*, son of *Hassan*, formerly minister of the interior, succeeded, 1st March 1818, the *Dey Ali*, who died of the plague. He is about fifty-four years of age.

Mecca : *Yahya*, *Scherif*, son of *Sooroor*, substituted, 2d November 1813, for his uncle *Ghaleb*, who was deposed by *Mohammed Ali*, the Pacha of Egypt, and died at *Salonica* in 1818.

Yemen : —, *Imam*, succeeded, in 1815, *Tamy*, chief of the tribe of *Aser*, made prisoner by the Arab *Hassan*, son of *Caled*, allied to the pacha *Mohammed Ali*, and sent dead to Constantinople in 1815.

Sennar : *Bady VII.*, son of *Tabl*, twenty-ninth king of the race of the *Foumees*, a tribe from the interior of Africa, who established themselves at *Sennar* towards the close of the fifteenth century. In June 1821, *Ismael*, son of the Pacha of Egypt, compelled him to recognize the supremacy of Sultan *Mahmood*.

Empire of Morocco.

Muley Abd-er-Rahman, sultan, succeeded his father, *Muley Suleyman*, 28th November 1822.

Kingdom of Abyssinia.

Itsa Guarloo, of the dynasty of *Solomon*, which has reigned without interruption since 1208; resides at *Gondar*; the independent chiefs, in whose hands is the whole authority, are *Ras Weled Selassy*, *Ras Gabri*, *Guxar*, *Ras Illao*, *Libban*, and *Goga*.

Muscat.

Seyud Said, *Imam*, succeeded his father *Seyud Sultan*, about the year 1804; he is the third in descent from *Ahmed*, son of *Said*, the founder of this state.

Persia.

Feti Ali Shah, of the Turkish tribe of the *Cadjars*, named *Baba Khan* prior to his accession to the throne; son of *Hussein Kooli Khan*; born in 1768; succeeded in 1796 his uncle *Aga Mohammed Khan*, founder of the dynasty.

Abbas Mirza, heir presumptive to the crown, born in 1785.

Afghanistan.

The royal family is descended from *Ahmed Shah Abdalli*, a branch of the *Saduzees*; the royal title is *Shah Doori Dooran*. After the death of *Timoor Khan*, which happened 20th May 1793, his sons disputed with each other the succession to the supreme authority, and made a partition of the empire. In 1826, *Yar Mohammed Khan*, residing at *Peshawar*, and *Poordil Khan*, of *Candahar*, expelled their brother, *Dost Mohammed Khan*, who reigned at *Cabul*.

Beloochistan.

Mahmood Khan, aged about forty-six
Asiatic Journ. Vol. 25. No. 148.

years, succeeded his father *Naser Khan* in June 1795.

Balkh.

Conquered in 1825 by *Meer Murad Bey*, who expelled *Nejeb Oollah Khan*, governor for the King of *Cabul*.

Bokhara.

Great khan of *Bokhara* and *Samarcand*, *Batkar Khan*, succeeded his father *Meer Hyder Khan*, in 1826. The intermediate reign of his brother, *Meer Hussein*, lasted only four months.

Governor of *Hissar*, *Seyud Atalik Bey*, father-in-law of *Meer Hyder*.

Kokand.

Ameer Khan, prince of *Ferghanah* and *Kokand*.

Badakshan.

Mirza Abd'ul Ghafool, son of *Mohammed Shah*, resides at *Faezabad*, a city distinct from *Badakshan*, and situated to the southward of it.

Kharezm.

Rahman Kooli Khan, succeeded his father, *Mohammed Raheem Khan*, in 1826; the title of these princes, who are of *Usbek* extraction, is *Taksir Khan*; they reside at *Khiva*.

China.

The name of the reigning dynasty, which is of *Manchoo* origin, is *Ta-tsing* (the most pure). In *China* the name of the reigning emperor is not known. The prince who now fills the throne is the second son of his predecessor, who died 2d September 1820. The honorific title of the reign of the present monarch is *Taoukwang*, or "lustre of reason."

Japan.

The *Cobo* (emperor) has reigned since 1804. The public are unacquainted with his name during his life. The year 1811 was the eighth of the *Nengo* (honorific title of the reign) *Boonwa*.

— SNAKE-CATCHERS.

The secret of rendering docile, and handling with impunity, the most venomous serpents, which has so long been in the possession of the inhabitants of Western India, is not unknown in *China*. It is observed that the native snake-catchers here rub their hands previously to taking hold of the snake with an antidote composed of pounded herbs. The virtue of the preparation is such, that they hold with the naked hand, and provoke fearlessly the deadly cobra de capello, or spectacle viper, a serpent which, next to the rattle-snake of North America, is perhaps one of the most dangerous reptiles in existence. This serpent, in common with others of a similar nature, are not unfrequently met with in Canton in the possession of these men, who, for a trifling

trifling gratuity, exhibit them to the curious spectator.—*Canton Register*.

UNION OF THE ATLANTIC AND PACIFIC.

It appears by letters from Amsterdam, that the project of cutting a canal to unite the Gulf of Mexico with the Pacific Ocean is about to be revived under the auspices of the Netherlands Government, which has entered into communication with the government of Guatemala, or Central America, for that purpose. General Van Veer, who was deputed on that mission, has just returned to Europe, and it is stated that several persons are on their way to the Netherlands from Guate-

mala, who are authorized to carry into effect the arrangements connected with the undertaking. Some exclusive advantages, as an inducement to engage in the project, have been offered to the Dutch Government; and it is said that the King himself has entered into it with so much earnestness, that he has composed a long memoir to point out its probabilities of success, and the benefits with which it will be attended. A vessel has been ordered to be in readiness to carry out to Guatemala the engineers and persons appointed to survey the ground through which the proposed canal is to pass.—*Times*.

NEW PUBLICATIONS.

ENGLAND.

Letters addressed to a Young Person in India, calculated to afford Instruction for his Conduct in general, and more especially in his Intercourse with the Natives. By Lieut. Col. John Briggs, late Resident at Satara. Post 8vo. 7s. 6d.

Proceedings of the Expedition to Explore the Northern Coast of Africa, comprehending an Account of the Syrtis and Cyrenaica; of the Ancient Cities composing the Pentapolis, and various other existing Remains. By Capt. F. W. Beechey, R.N., and H. W. Beechey, Esq. 4to., with Plates. £3. 3s.

Sophia de Lisau; or, a Portraiture of the Jews of the Nineteenth Century; being an Outline of their Religious and Domestic Habits; with Explanatory Notes. 12mo.

On the Methods of Determining Terrestrial Longitudes by the Moon's Right Ascension, as deduced from her Altitudes and Culminations. By John Crisp, Capt. Madras Army. 4to. 6s.

Researches into the Causes, Nature, and Treatment of the more prevalent Diseases of India, and of Warm Climates generally. Illustrated with Cases, Post Mortem Examinations, &c. By James Annesley, Esq., of the Madras Medical Establishment. Vol. I. Imperial 4to., with Map and Coloured Plates. £7. 7s.

Introduction to the Hindoostanee Language; in Three Parts. By W. Yates, author of a Sanscrit Grammar on a new plan, &c. 8vo. bds.

Part I. of a Descriptive Catalogue of the Lepidopterous Insects contained in the Museum of the Hon. East-India Company, illustrated by Coloured Figures of New Species, and of the Metamorphosis of Indian Lepidoptera; with Introductory Observations on a General Arrangement of this order of Insects. By Thos. Horsfield, M.D., F.R.S., &c. Royal 4to. £1. 11s. 6d.; or, with all the plates coloured and proof impressions, £2. 2s. (To be completed in six parts.)

History of the Life and Voyages of Christopher Columbus. By Washington Irving. 4 vols. 8vo. £2. 2s.

Elements of the Sanscrit Language; or, an Easy Guide to the Indian Tongues. By Wm. Price, M.R.S.L. 4to. 12s.

A new Grammar of the Hindoostanee Language; to which are added, Selections from the best Authors, Familiar Phrases, and Dialogues, in the proper Character. By Wm. Price, M.R.S.L. 4to. 15s.

Huen no Dil, or Beauty and Heart; a pleasing Allegory in Eleven Chapters, composed by Alfetah, of Nishapoor. (In Persian and English.) Translated by Wm. Price, M.R.S.L. 4to. 12s.

In the Press, or Preparing for Publication.

Journal of a Mission from the Governor-General of India to the Courts of Slam and Cochinchina. By J. Crawford, Esq., F.R.S., &c., late Envoy. 4to., with Maps and numerous Plates.

A Tale of Jerusalem, an Historical Romance. By Horace Smith.

Researches in South Africa. By the Rev. John Philip, D.D., Superintendent of the Missions of the London Missionary Society in South Africa, &c. 2 vols. 8vo.

Private Journal of a Voyage to the Pacific Ocean, and a Residence in the Sandwich Islands, during the years 1822, 23, 24, and 25. By C. S. Stewart, late American Missionary at the Sandwich Islands; with an Introduction and occasional Notes, by the Rev. W. Ellis. 12mo.

The Missionary Cabinet, comprising a Gazetteer of all the places occupied by Christian Missionaries, with a brief Geographical Description, &c. By the Rev. C. Williams.

The Impious Feast, a Poem, in Ten Books. By Robert Landon. M.A.

Journal of the British Embassy to Persia. By Wm. Price, Esq., F.R.S.L., Assistant Secretary to the Right Hon. Sir Gore Ouseley, Bart., Ambassador Extraordinary and Minister Plenipotentiary from His Britannic Majesty to the Court of Persia. Vol. II. in oblong Imperial 4to.

The Calendar of Prophecy. By the Rev. G. S. Faber. 3 vols. 8vo.

India; or, Facts submitted to illustrate the Character and Condition of the Native Inhabitants; the causes which have, for ages, obstructed its improvement, with suggestions for reforming the present system, and the measures to be adopted for the future government of that country, at the expiration of the present charter of the East-India Company. By Robert Rickards, Esq. (To be published in parts.)

Gomez Arias; or, the Moors of the Alpujarras: a Spanish Historical Romance. By Don Teodoro de Trueba y Cosío. 3 vols. post 8vo.

RUSSIA.

In the Press.

A French and Turkish Vocabulary, by Mr. Rhassals, translator of Oriental languages to the Governor-General of New Russia. Price, to Subscribers, 40 roubles; to Non-Subscribers, 50 roubles. It will appear in a quarto volume, of about 760 pages, printed at St. Petersburg. The Author's long experience in Eastern countries, particularly in the Turkish empire, peculiarly fits him for the office he has undertaken.

The plan of the work he thus describes:—As the beginning of each article is placed the French word, rendered into its equivalent in Turkish, whether it belong properly to that language, or has been borrowed from the Arabic or Persian; then follow the other customary meanings, with examples. All the words, as well as the examples, are written in the Arabic character, and their pronunciation is then given by means of French letters, according to a new system of orthography.

The Abridged French and Arabic Dictionary of J. Berggren of Sweden, edited and considerably enlarged by Joseph Senkowski, Philos. Doct. Prof. of Orient. Languages at the Imp. Univ. of St. Petersburg. Price, to Subscribers, 60 roubles.

ASIATIC INTELLIGENCE.

Calcutta.

GOVERNMENT GENERAL
ORDERS.ADDITIONAL BATTALIONS TO THE ENGINEERS
AND ARTILLERY.

Fort William, Sept. 28, 1827.—The Hon. the Court of Directors having graciously acceded to the proposition of the Governor General in Council, that an additional battalion of officers for the corps of engineers be allowed to this presidency, and that another battalion of officers, to be attached to the Golundauz, be granted to the Bengal artillery; the Right Hon. the Vice-President in Council is pleased to resolve, that a battalion of officers of the strength detailed in the margin,* shall be added to each of these corps from this date.

The Golundauz on this establishment will be formed into two battalions of eight companies each, and by the allotment of twenty-three European commissioned officers per battalion, the artillery branch of the service will be organized upon the principle which obtains in the infantry; viz. that of assigning the same number of European commissioned officers to a European as to a native regiment, whilst the companies in each are as one to two.

His Exc. the Commander-in-chief is requested to supply the details necessary to give effect to these orders.

REVISED RELIEF OF TROOPS.

Head-Quarters, Calcutta, Oct. 13, 1827.—Under instructions from government his Exc. the Right Hon. the Commander-in-chief is pleased to cancel that part of the G. O. of date the 21st of August last, directing certain corps and details to proceed to Mhow, for the occupation of that post. The detachments of horse and foot artillery, and regiments of light cavalry and infantry, therein directed to proceed to that station, will therefore stand fast at their present posts until further orders.

Head-Quarters, Oct. 17, 1827.—With reference to G. O. of the 13th inst. the Commander-in-chief is pleased to publish to the army the following revised relief of the troops, which is to have effect in lieu of that which was published in G. O. of the 21st August last, at the times and in the order hereafter detailed:—

1st L. C., from Sultanpore (Benares) to Muttra; to march 1st Nov. 1827.

6th L. C., from Muttra to Sultanpore (Benares); to march 1st Nov. 1827.

* 1 col. or lieutenant-col. comdt.; 1 lieutenant-colonel; 1 major; 5 captains; 10 1st lieutenants; 5 2d lieutenants.

3d Regt. N.I., from Lucknow to Loodahana; to march 1st Nov. 1827.

12th Regt. N.I., from Loodahana to Nusseerabad; to march 1st Nov. 1827.

13th Regt. N.I., from Jumalpoor to Mirzapoor; to march 15th Dec. 1827.

24th Regt. N.I., from Bhopalpoor to Cawnpore; to march when relieved by 49th regt. N.I.

34th Regt. N.I., from Seetapoor to Saugor, when relieved by 62d regt. N.I.

43d Regt. N.I., from Saugor to Benares; to march 1st Nov. 1827.

49th Regt. N.I., from Mirzapoor to Bhopalpoor, when relieved by 18th regt. N.I.

56th Regt. N.I., from Nusseerabad to Lucknow; to march 1st Nov. 1827.

62d Regt. N.I., from Benares to Seetapoor; to march 1st Nov. 1827.

THE GOVERNOR-GENERAL.

Fort William, General Department, Oct. 16, 1827.—The Right Hon. the Earl Amherst, Governor General, &c. &c., having returned from the Upper Provinces, has this day resumed his seat in the council of the presidency of Fort William.

FURTHER DONATION TO THE TROOPS EMPLOYED IN THE BURMESE WAR.

Fort William, Oct. 19, 1827.—It affords the Right Hon. the Governor General in Council peculiar pleasure to announce, that the discipline, energy, and gallantry, manifested by the European and native troops employed in the late operations against the state of Ava, have been highly and justly appreciated by the Hon. the Court of Directors; and that, as a token of the favourable sentiments they entertain of the brilliant services achieved by those who had special opportunities of distinguishing themselves, and as a proof of the approbation with which they regard the zeal, courage, and patient perseverance evinced by all, in a manner so eminently calculated to sustain the character of the British arms, the Honourable Court have been pleased to award to the troops which served in Ava and Arracan a further donation, of equal amount to that which was conferred by the Supreme Government in General Orders, No. 170 A., of the 3d of August 1826, and in the same proportion, viz. six months' full batta for a service in those territories of one year and upwards, and three months' full batta for a service of any period less than a year.

In giving effect to this resolution of the home authorities, the Governor General in Council is pleased to declare, that the benefits

nefits of this further donation, spontaneously granted by the Honourable Court, are extended to all who were entitled to the indulgence conceded in the above-cited General Orders, the provisions of which are to be considered applicable, in all their specifications, to the issue now sanctioned.

Fort William, Nov. 2, 1827.—With reference to G.O. of 19th ultimo, the Governor General in Council is pleased to publish the following extracts of communications on the subject from the Hon. the Court of Directors.

General Letter, dated 28th March 1827.

Par. 5. "It is our intention that the donation granted by you, as well as that now authorized, should be paid out of the money received from the government of Ava.

6. "You will be pleased to inform us of the particulars of the payment made under the resolution which we have now confirmed."

General Letter, dated 25th April 1827.

Par. 46. "With reference to our despatch of the 28th March ult., communicating our authority for the grant of a donation of batta to the troops which served in Ava, we desire that, after allowing a sufficient period for paying to such of the troops as may be in India the sums due to them, you will cause returns to be prepared, specifying the names of the Europeans of every description entitled to participate in the donation, and who, in consequence of having quitted India before the donations were in course of payment, have not received the amount, either personally or by their agents, together with the amount which they, in each case, may be entitled to receive, and that these returns be forwarded to us by the earliest opportunity.

"Copy paragraphs which will be inserted in the next military general letter, dated 3d July 1827:—

"In reference to the resolution of your government, dated the 21st July 1826, granting a donation of batta to the troops employed in the late war; and to our despatch to you, dated the 28th of March 1827, granting a further similar donation; we have to acquaint you, that, adverting to the cases of officers and men who may have left India previously to the promulgation of the first resolution, or who having received batta under that resolution, may have quitted India previously to the receipt of our order for the further grant, we have resolved that payment, in such cases, be made in England at the rates of exchange observed in other transactions of the Company, and which, in the present year, is 2s. the Bengal sicca rupee.

"We have thought it right to require from officers receiving payments under

this arrangement, security to reimburse the amount in the event of its having been issued in India."

STAFF SITUATIONS.

Fort William, Oct. 26, 1827.—The Right Hon. the Governor General in Council is pleased to relax the operation of the rule published in G.O. of the 17th August last, limiting the number of officers to five simultaneously absent from any one corps on staff employ, in favour of officers unequal for a limited period to the performance of regimental duty, from wounds received on service, and to declare all such officers eligible to be appointed to staff situations without reference to the number absent from the corps to which they belong; but this relaxation of the rule in favour of wounded officers is not to be considered as giving any permanent increase for staff employ from the regiments of such officers, the number allowed from them being, as from all other corps, limited to five, to which it will be reduced as situations lapse.

Fort William, Oct. 26, 1827.—Adverting to certain inconveniences which experience has shewn to be involved in the operation of that part of General Orders, under date the 1st of January 1819, which declares regimental staff officers ineligible to the command of any troop or company, along with their staff situations, the Right Hon. the Governor General in Council is pleased to cancel so much of those orders as preclude adjutants and interpreters and quarter-masters from the command or charge of troops and companies, when entitled to such privilege by their standing in their respective regiments.

This resolution necessarily rescinds General Orders of the 17th of July 1819, so far as the order in question directs the discontinuance of regimental staff officers on the muster rolls of troops and companies. Their names are still, however, to be borne on the muster rolls of their respective departments, and they are to be returned on the strength of their corps as non-effective staff.

DEMISE OF THE KING OF OUDE.

Fort William, Oct. 27, 1827.—The Right Hon. the Governor General in Council, having this day received from the resident at the Court of Lucknow, the melancholy intelligence of the demise of his Majesty the King of Oude, on the 20th instant, is pleased to direct, that minute guns to the number of fifty-eight, corresponding with the years of the deceased, be fired from the ramparts of Fort William, and at all the principal stations of the army under this presidency.

Fort William, Oct. 30, 1827.—His Majesty Solymán Jah Nussér-ood-deen Hyder,

der, son of his late Majesty Abool Moosuffer Moiz-ood-deen, Shah Zumeen Ghasee-ood-deen Hyder, having ascended the throne of Oude on the 20th instant, the Right Hon. the Governor General in Council has been pleased to direct, that a royal salute and three volleys of musketry shall be fired from the ramparts of Fort William, and at all the principal stations of the army, in honour of that event.

TOUR OF THE COMMANDER-IN-CHIEF.

Head-Quarters, Oct. 31, 1827.—The Commander-in-chief is pleased to notify, that his Exc. will leave the presidency on the 1st proximo by dawk, and proceed by Berhampore, Dinapore, Benares, and Allahabad to Cawnpore, where his Lordship's head-quarters will be established on the 27th proximo.

All reports and communications from the different stations of the army which are intended for his Excellency's information, as well as the usual reports to the Adjutant General's Office, are to be addressed "to the Deputy Adjutant General at Cawnpore," after his Lordship leaves the presidency, until further orders. Any reports or letters of an emergent nature may be addressed, by the river route, to his Excellency's military secretary.

The Adjutant General will remain at the presidency until further orders, and superintend the details of the office there.

During his Excellency's absence from the presidency, the general orders, intended for publication to the troops of the garrison of Fort William, will be forwarded from head-quarters to the town major of Fort William for publication, with the previous approbation of the Right Hon. the Governor General.

To the troops at and above Dinapore his Excellency's orders will be transmitted direct from head-quarters; and to the troops in the presidency division, including the departments to which his Excellency's orders are regularly furnished, and the settlements beyond sea, from the Adjutant General's Office at the presidency, to which copies will be transmitted for that purpose from head-quarters.

Renewal rolls of European soldiers are to be transmitted to the Adjutant General's Office at the presidency, through the established channel of the Town Major of Fort William.

ADJUTANT GENERAL OF THE ARMY.

Head-Quarters, Calcutta, Oct. 31, 1827.—As the Commander-in-chief will have no other convenient opportunity for taking leave of Lieut. Col. Watson, adjutant-general of the army, before he shall have carried into effect his resolution to retire from the arduous office which he now fills, his Excellency avails himself of the present,

to return him his acknowledgments for the zeal, temper, and sound judgment with which he has conducted the duties of the department under his charge, and which have fully confirmed the high opinion which his Excellency was led to anticipate, from the report of his merits which his Excellency received from his predecessor, General Sir Edward Paget.

His Lordship is aware that Lieut. Col. Watson could not have continued in this country without making a serious sacrifice of his future comfort; but he must consider his retirement as a public loss, and assures him, that he most sincerely hopes he may enjoy every happiness in private life, should he not again return to his military duties.

MILITARY CHAPLAINS.

Fort William, Nov. 2, 1827.—The Governor General in Council is pleased to direct that the following extract (paragraphs 2 to 5) from a military general letter from the Hon. the Court of Directors, under date the 23d May 1827, be published for general information:

[Par. 23 of Ecclesiastical Letter from Bengal of 31st Dec. 1824.]

In reference to a question submitted by the Government of Bombay, relative to the extent to which military chaplains are to be held responsible to the military authorities, and correspondence with the Lord Bishop as to the liability of the Company's chaplains to martial law, Court's orders on the subject are requested.]

2. "From the best consideration we have been able to apply to the several documents, to which we have been referred in this paragraph, we are induced to think that considerable misapprehension has existed on the subject to which they relate.

3. "When our ecclesiastical establishment was placed on the footing on which it now stands, it became a necessary part of the arrangement that the India clergy should be submitted to the general superintendence of the Bishop, and rendered subject to the ecclesiastical jurisdiction for all offences of ecclesiastical cognizance; but it was never intended to except this portion of our servants from the jurisdiction of the temporal courts, in the event of their being charged with any offences of a civil nature, or any crimes against the peace and well-being of society.

4. "We wish it therefore to be distinctly understood, that the chaplains on our establishment are amenable to the ecclesiastical tribunals for such offences only as would render the clergy of the established church amenable to the ecclesiastical tribunals in England, and that for all other offences they are liable to be tried, as all other Europeans in India are, by the ordinary tribunals of the country.

5. "If, however, the offence should be committed out of the jurisdiction of the ordinary court, and in places where the

the rest of the community are subject to military law, in such a case, and such a case alone, we deem it right that our chaplains should be subject also to military law for all offences of temporal cognizance."

COURT MARTIAL.

LIEUT. J. M'GREGOR.

Head-Quarters, Calcutta, Oct. 27, 1827.

—At a General Court-Martial held at Moulmeen, on the 24th day of May 1827, Lieut. James McGregor, of H.M.'s 45th regt., was arraigned on the following charges:—

Charge.—Lieut. J. McGregor, of H.M.'s 45th regt., placed in arrest this day, 20th of May 1827, by order of Major Hilton, on the following charges, viz.

1st. For having, on the evening of the 17th May 1827, at the house of Lieut. E. W. Lascelles, of H.M.'s 45th regt., persisted in interrogating Lieut. and Brev. Capt. Rich. Rose, of the same corps (a member of a General Court-Martial then sitting), in a most improper manner, regarding what had occurred that morning in court, on board the *Alexander* transport, and continuing such unwarrantable conduct, though repeatedly requested by Lieut. and Brev. Capt. Rich. Rose to desist.

2d. For having, on the same evening, and at the same place, grossly insulted Lieut. and Brev. Capt. Rose, by kicking, or attempting to kick him, and for having, at the same time, called Lieut. and Brev. Capt. Rich. Rose a blackguard.

3d. For having, after the above stated gross insult, challenged Lieut. and Brev. Capt. Rich. Rose, his senior officer, and member of a General Court-Martial, to meet him, Lieut. Jas. McGregor, immediately: such conduct being contrary to the Articles of War, subversive of good order and military discipline, and disgraceful and unbecoming the character of an officer and a gentleman.

Upon which charges the court came to the following decision:—

Finding and Sentence.—The court, having maturely considered the evidence against the prisoner, 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, do, under authority thereof, sentence him, the prisoner, Lieut. James McGregor, of H.M.'s 45th regt., to be cashiered.

Recommendation.—The court have performed a most painful part of its duty, but taking the whole of the circumstances of the prisoner's case into consideration, as appears upon the face of the proceedings, most humbly begs leave to recom-

mend the prisoner in the strongest manner, as an object of lenity to his Exc. the Right Hon. the Commander-in-chief in India.

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

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

The charges upon which Mr. McGregor has been tried and convicted are of a nature which precludes the Commander-in-chief from mitigating the penalty which has been justly awarded. His Excellency, however, cannot refrain from acknowledging that this unfortunate officer was drawn into a commission of the very serious offence by the injudicious and extraordinary proceeding of a court-martial, then sitting for the trial of another officer, and that the insinuations conveyed, as well as the irritating language used towards the prisoner, were sufficient to excite to violence a mind more temperate and less perturbed than Mr. McGregor appears, by the evidence, to possess. These circumstances connected with the strong recommendation of the court, and the fact of Mr. McGregor having a wife and family solely dependent for their bread on his commission, will induce his Excellency to solicit his Majesty to be graciously pleased to permit him to receive the value of a lieutenancy of infantry.

Lieut. McGregor will be struck off the strength of the army from the day on which this order may be communicated to him by the Major of brigade, King's troops, who will notify the same to the Adjutant General of His Majesty's forces, the Military Secretary, and the officer commanding the 45th Foot, and he will then be delivered over to the Town-Major to be provided with a passage to England.

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.

CIVIL APPOINTMENTS.

Territorial Department.

Oct. 5. Mr. A. Spiers, head assistant to secretary to Board of Revenue for Central Provinces.

26. The Hon. R. Forbes, assistant to magistrate and to collector of Midnapore.

Mr. D. Home, assistant to secretary to Board of Revenue in Western Provinces.

Nov. 8. Mr. D. Home, assistant to magistrate and to collector of Goruckpore.

Political Department.

Oct. 19. Mr. G. T. Lushington, extra assistant to secretary to Government in Persian department.

Judicial Department.

Oct. 18. Mr. H. Armstrong, register of Zillah Court at Mirzapore.

25. Mr. T. G. Vibart, judge and magistrate of Rajeshahye.

Mr. W. Blackburne, ditto ditto of Jumnepore.

Nov. 1. Mr. J. F. Ellerton, judge and magistrate of Dinagepore.

Mr.

Mr. C. Bury, register of Zillah Court of Sylhet.

General Department.

Nov. 1. Mr. George Stockwell, postmaster general.

Mr. Arch. Udny, assistant to secretary to Board of Trade.

MILITARY APPOINTMENTS, PROMOTIONS, &c.

Fort William, Sept. 25, 1837.—Lieut. Col. J. Vaughan, 18th N.I., having returned to Presidency, directed to resume duties of his situation as town and fort-major of Fort William.

Sept. 28.—Maj. W. R. C. Costley, 7th N.I., directed to resume duties of his situation as commander of Calcutta native militia.

Cadet W. M. Smith admitted to engineers, and prom. to 2d lieut.—Mr. John Baker admitted as an assist. surgeon.

65th N.I. Enns. R. Boyd to be lieut. from 30th Sept. 1837, v. Preston dec.

Cadet Z. M. Mallock, of artillery, prom. to 2d lieut.

Cadets P. P. V. V. de Breuyn, Arch. Kennedy, John Godfrey, Chas. Ratray, and D. T. Pollock, admitted to infantry, and prom. to ensigns.—Mr. Wm. Lindsay admitted as a veterinary surgeon.

Officers appointed to temporary charge of Procs. Bats. Capt. J. Herring, 37th N.I., to Bareilly bat.; Capt. S. Watson, 55th N.I., to Dehly bat.; Capt. C. Coventry, 32d N.I., to Bundelcund bat.—all during absence of Capts. Hutchinson and Cox respectively.

Head-Quarters, Sept. 20, 1837.—*Removals and postings of Lieut. Cols.* H. Hodgson removed from 19th to 56th N.I.; Edw. Simons removed from 56th to 12th N.I.; G. D. Heathcote removed from 37th to 36th N.I., v. Garnham dec.; C. R. Kennet (new prom.) posted to 37th N.I., v. Heathcote rem.; W. L. Watson (new prom.) posted to 27th N.I., v. Stuart dec.

Major J. Dun, 17th N.I., app. to charge of 27th N.I., at Benares.

Sept. 21.—Lieut. Jas. Abbott to act as adj. to Sirhind div. of artil., v. Blake dec.; dated 3d Sept.

Surg. D. Harding posted to 2d bat. artillery.

Capt. H. Monke, 3d in command of 3d Local Horse, removed therefrom, and directed to join 30th N.I.

Cornets and Ensigns appointed to do duty. Cornets Baker, Onslow, and Tabor, with 9th L.C. at Cawnpore.—Ensigns Ewart, Saunders, Robbins, and Pigott with 43d N.I., at ditto.

Surg. A. Wood (lately prom.) posted to 68th N.I. at Barrackpore.

Sept. 24.—Enns. E. De l'Etang removed from 60th to 68th N.I.

Lieut. Bott to act as interp. and qu. mast. to 5th L.C. as a temporary arrangement; dated 1st Sept.

Sept. 26.—Assist. Surg. Woodburn app. to do duty with H.M.'s 50th regt. at Berhampore.

Lieut. Jamieson to act as adj. to 52d N.I. until further orders; dated 13th Sept.

Officers, doing duty with Local and Irregular Corps, directed to join their Regts. Capt. A. F. P. McLeod, 23d N.I.; Capt. H. D. Cox, 25th do.; Capt. L. R. Stacy, 33d do.; Capt. J. Nicolson, 4th do.; Capt. W. B. Salmon, 4th Extra N.I.; Brev. Capt. P. Gerard, 9th N.I.; Lieut. W. Hoggan, 63d do.; Lieut. E. Meade, 53th do.; Lieut. H. Kirke, 19th do.; Lieut. G. L. Vanzetti, 5th do.; Lieut. A. Charlton, 6th Extra N.I.

Fort William, Oct. 3.—33d N.I. Lieut. R. K. Ezkine (dec.) to be capt. of a comp., from 10th Sept. 1834, v. Gowan retired; Lieut. T. B. P. Festing to be capt. of a comp., and Enns. R. M. Campbell to be lieut., from 1st Jan. 1835, v. Agnew dec. in suc. to Gowan retired.

Cadet K. J. White admitted to artillery.—Cadet H. Lindessy admitted to cavalry.—Cadets C. L. Edwards, Geo. Hutchings, Wm. Broadfoot, G. C.

K. Hay, G. Tebbs, and M. T. White admitted to infantry.—Cadets W. St. L. Forrest and W. L. Trafford, admitted to infantry, and prom. to Ensigns.

Oct. 5.—Assist. surg. C. Mottley, app. to medical duties of civil station of Ajmeer, in room of Assist. Surg. Heynes.

Lieut. Hannyngton, 24th N.I., to command escort of resident at Kota, in suc. to Lieut. Howard resigned.

2d Lieuts. W. H. Atkinson and Walter Scott, of corps of engineers, struck off strength of Bengal army—former being posted to Madras army; latter to that of Bombay.

AUGMENTATION TO THE ENGINEERS AND ARTILLERY.

Fort William, Oct. 5.—With reference to G. O. of 28th Sept. 1837, the Right Hon. the Vice-President in Council is pleased to make the following promotions for the augmentation, sanctioned by the Hon. the Court of Directors; date of commissions, 28th Sept. 1837.

Corps of Engineers.

Lieut. Col. Sir Jas. Mouat, Bart., to be lieut. col. com.

Brev. Lieut. Col. and Maj. Thos. Wood, and Maj. D. McLeod, to be lieut. colonels.

Capt. Rich. Tickell, Rob. Smith, and Jos. Taylor, to be majors.

1st Lieuts. Arch. Irvine, Thos. Warlow, Edm. Swetenham, E. J. Smith, H. De Bude, W. R. Fitzgerald, Geo. Thomson, and Thomas Prinsep, to be captains.

2d Lieuts. G. B. Tremehere and W. H. Graham, to be first lieuts.

2d Lieuts. W. M. Smyth, S. B. Hare, C. B. P. Alcock, F. W. Clement, W. E. Baker, and C. S. Guthrie, to be lieuts., relative rank to be adjusted hereafter.

Regiment of Artillery.

Lieut. Col. M. W. Brown to be lieut. col. com.

Majors J. P. Boileau and W. S. Whiah, to be lieut. colonels.

Capt. C. H. Campbell, Wm. Curphey, and H. L. Playfair, to be majors.

Brev. Capt. and 1st-Lieuts. G. R. Crawford, H. Delafosse, G. R. Scott, R. B. Wilson, J. Johnson, T. A. Vanrenen, R. S. B. Morland, and W. Geddes, to be captains.

2d Lieuts. Fred. Grote, Ambr. Cardew, G. H. Swinley, W. E. J. Hodgson, Geo. Ellis, F. R. Bazeley, Jas. Abbott, F. B. Boileau, Fred. Galt-skill, J. D. Shakespear, G. D. Scott, G. T. Graham, F. K. Duncan, E. D'A. Todd, T. Edw. Sage, J. H. Daniell, A. P. Begbie, and Edm. Buckle, to be 1st-lieuts.

Head-Quarters, Sept. 28.—Enns. C. Patterson removed from 24th, and posted to 4th N.I.

Lieut. Parker to act as adj. to 6th L.C. during absence on duty of Lieut. Watt; dated 9th Aug.

Oct. 1.—*Cornets posted to Regts.* E. K. Money to 2d L.C. at Muttra; H. H. Christian, 7th do., at Kurnaul.

Ensigns posted to Regts. J. T. Wilcox to 49th N.I., at Mirzapore; J. H. Beck to 24th do., at Bhopalpoore; W. F. Alexander to 50th do., at Allahabad. Thos. Riddell to 60th do., at Meerut. W. Hore to 18th do., at Agr. Thos. Young to 40th do., at Dinapore. P. Mainwaring to 33d do., at Cuttack. W. Carnegie to 15th do., at Allyghurh. W. M. Maule to 11th do., at Kurnaul. Arch. Cowpar to 59th do., at Barrackpore. R. Morrison to 52d do., at Chittagong.

Oct. 2.—*Artillery.* Lieut. A. Abbott to be adj. to Kurnaul div. of Artillery, v. Blake dec.

5th L.C. Lieut. John Bott to be interp. and qu. mast., v. Oldfield resigned.

20th N.I. Lieut. J. H. Craigie to be adj., v. Douglas dec.

37th N.I. Lieut. H. B. Smith to be interp. and qu. mast., v. Griffiths prom.

55th N.I. Lieut. Jas. Awdry to be interp. and qu. mast., v. Simpson resigned.

58th N.I. Lieut. J. C. Lumadaine to be interp. and

and qu. mast., v. Robe, whose app. has not taken place.

Cawnpore Prov. Bat. Lieut. F. Trimmer, 50th N.I., to be adj., v. Chitty dec.

Benares Prov. Bat. Lieut. Jas. Hay, 40th N.I., to act as adj. during absence of Lieut. Orr.

Lieut. W. G. J. Robe, 58th N.I., directed to continue with Bundelcund Prov. Bat. as adj.

Oct. 3.—Ens. C. Windsor removed from 30th, and posted to 53d N.I.

Fort William, Oct. 5.—Assist. Surg. Jas. Innes app. to medical duties of civil station of Bhaugulpore, v. Macra.—Assist. Surg. J. M. Macra to be surg. to residency at Khatmandhoo, v. Innes.

Mr. John Logan admitted as assist. surg.

Oct. 9.—Cadet C. Y. Bazett admitted to cavalry, and prom. to cornet.—Cadets E. W. Ravenscroft, W. E. Warden, G. O'B. O'tley, and Wm. Nisbett admitted to infantry, and prom. to ensigns.

Oct. 10.—Surg. R. Tytler placed at disposal of Commander-in-chief.

Oct. 12.—47th N.I. Ens. Wm. Cole to be lieut. from 2d Oct. 1827, v. Smith dec.

Assist. Surg. Alex. Scott to be surg. from 22d Sept. 1827, v. Reddle dec.

Cadets of Artillery Edw. Christie and K. J. White prom. to 2d-lieuts.

Head-Quarters, Oct. 6.—Cadet H. Lindsay app. to do duty with 6th L.C. at Sultanpore, Benares.

Ensigns (recently admitted) appointed to do duty. C. Windsor (former admission), with 53d N.I., at Bareilly. C. L. Edwards, 48th do., Neemutch. G. Hutchings, 1st Extra N.I., Mhow. W. Broadfoot, 1st Europ. regt. Agra. G. C. K. Hay, 13th N.I., Allahabad. G. Tebbe, 12th do., Nusseerabad. P. P. V. De Bruyn, 64th do., Agra. A. Kennedy, 67th do., Dinapore. J. Godfrey, 43d do., Benares. C. Rattray, 46th do., Dinapore. D. T. Pollock, 6th Extra do., Mullye. M. T. White, 43d N.I., Benares. W. St. L. Forrest, 67th do., Dinapore. W. L. Trafford, 35th do., Meerut. R. Morrison, 52d do., Chittagong.

Lieut. Col. Becher, 10th L.C., to be president of arsenal committee, in room of Lieut. Col. Com-Hopper, of artillery, relieved from that duty.

Lieut. Col. A. Lindsay, of artillery, to be a member of arsenal committee.

Oct. 8.—Brigadier Sleight app. to inspect whole of cavalry regiments on this estab. during present cold season.

Lieut. Col. Ward directed to resume command of 1st Europ. regt.

Assist. Surg. Dollard directed to do duty with 1st brig. Horse Artillery.

Lieut. McMurdo to act as interp. and qu. mast. to 33d N.I. during indisposition of Lieut. Riddell; dated 6th July 1827.

Assist. Surg. Morrice to relieve Surg. Hough in medical charge of 30th N.I.; dated 22d Sept. 1827.

Assist. Surg. Duncan app. to medical charge of 41st N.I. on departure of Assist. Surg. Paxton on general leave; dated 15th Sept. 1827.

Lieut. and Adj. Barstow to act as interp. and qu. mast. to 37th N.I., v. Griffiths prom.; dated 15th Sept. 1827.

Lieut. Macdonald to act as adj. to right wing of 61st N.I., proceeding with treasure towards presidency.

Lieut. J. Grissell to act as adj. to left wing of 46th N.I., during its separation from head-quarters; dated 11th Sept. 1827.

Surg. Matthew to officiate as superintend. surg. in Cawnpore circle of superintendence, and Assist. Surg. Warlow to have charge of medical depôt and bazar hospital, and to give medical aid to staff at Cawnpore, as temporary arrangements; dated 23d Sept. 1827.

Assist. Surg. J. Dalrymple app. to medical charge of Mhairwara local corps, v. Mottley removed to civil station of Ajmeer.

Assist. Surg. Heynes directed to proceed to presidency.

Assist. Surg. Logan attached to general hospital until further orders.

Fort William, Oct. 19.—2d N.I. Ens. J. C. Macleod to be lieut., from 29th Sept. 1827, v. Enkhne dec.

3d N.I. Lieut. J. G. Burns to be capt. of a comp., and Ens. C. Wright to be lieut., from 11th Oct. 1827, in suc. to Chambers dec.

Capt. Wm. Hough, 48th N.I., to be dep. judge adv. gen. to permanent staff of Sirhind div. of army (new appointment).

Head-Quarters, Oct. 11.—2d Local Horse. Lieut. R. F. Dougan, 10th L.C., to be 9d in command, v. Monke.

11th N.I. Lieut. T. F. Blois to be adj., v. Croudece prom.

33d N.I. Ens. T. M. Bremer to be adj., v. Festing prom.

Lieut. Col. Bryant, judge adv. gen., to continue to conduct duties of his office at presidency on departure of Com-in-chief from presidency.

Lieut. Dalby, dep. judge adv. gen., to attend Com-in-chief on his tour.

Assist. Surg. John Baker app. to do duty in Fort William during absence of Assist. Surg. Spens.

Oct. 12.—Surg. R. Tytler app. to 58th N.I. at Agra.

Oct. 15.—Surg. Alex. Scott (lately prom.) posted to 60th N.I.

Surg. Edw. Muston appointed to 43d N.I.

Veterinary Surg. Wm. Lindsay app. to do duty with 2d L.C.

Ensigns (recently admitted) appointed to do duty. E. W. Ravenscroft, with 46th N.I., at Dinapore; G. O'B. O'tley, 67th N.I., at ditto; W. Nisbett, 53d N.I., at Bareilly.

Maj. Curphy to command artillery at Neemuch; and Lieut. Col. Whish to command Artillery at Saugor.

Oct. 17.—Surg. Wood, 66th N.I., app. to medical charge of European artillery at Duna-Duna.—Surg. J. J. Paterson, 30th regt., app. to do duty with 66th N.I., v. Wood.—Assist. Surg. G. G. Brown posted to 20th N.I.

Lieut. and Brev. Capt. Sanderson to act as interp. and qu. mast. to 9th L.C., on departure of Lieut. Malone on general leave; dated 1st Oct.

Lieut. Bogle to act as interp. and qu. mast. to 2d N.I., in room of Lieut. Woodward resigned; dated 30th Sept.

Maj. Hay, 66th regt., to have charge of 6th N.I. from 1st Nov.

Lieut. Douglas to act as adj. to 3d local horse; dated 29th Sept.

Fort William, Oct. 19.—Lieut. Sam. Mallock, corps of engineers, to be executive engineer of 16th or Purneah div. of department of public works.

Assist. Surg. H. M. Tweddell to be attached to Board of Revenue in Central Provinces, v. Ronald.—Assist. Surg. J. Ronald, app. to medical duties of civil station of Barrpore, v. Tweddell.

Cadet J. M. Loughnan admitted to cavalry.—Cadets F. Samler, J. G. B. Paton, O. W. P. Golding, Geo. Brockman, F. Lloyd, and W. Bignell, admitted to infantry, and prom. to ensigns.

Oct. 26.—Maj. Gen. Sir Jasper Nicolls transferred from presidency of Fort St. George to that of Fort William, in anticipation of a vacancy on Bengal staff, on embarkation of Maj. Gen. Sir Theo. Reynell for Europe.

Maj. Gen. Sir A. Campbell appointed temporarily to staff of Fort St. George, v. Maj. Gen. Nicolls.

64th N.I. Ens. E. K. Hume to be lieut. from 8th Oct. 1827, v. Wilcox dec.

Lieut. Col. K. Swettenham, 9th L.C., transferred, at this own request, to invalid establishment.

Head-Quarters, Oct. 22.—Maj. Aubert, 2d extra N.I., to have charge of 31st N.I.

Maj. F. Walker re-appointed to charge of 10th N.I.

Ens. W. E. Warden (recently admitted) app. to do duty with 46th N.I. at Dinapore.

Lieut. Vetch, 54th N.I., to act as adj. to Rungpore light infantry, from 1st Oct.

Super-

Superintendent. Surg. Dickson app. to Cawnpore division.

Personal Staff of Com.-in-Chief. Capt. G. C. Mundy, H.M.'s 2d Queen's Royals, to be aide-de-camp. v. Capt. Sydney Cotton, app. to general staff.—Lieut. R. F. Dougan, and Lieut. W. Parker, 10th L.C., to be extra aides-de-camp.

Lieut. Corbet Cotton, H.M.'s 16th L.Dr., to be brought on estab. as aide-de-camp, on 1st Nov.

Fort William, Nov. 2.—Cavalry. Maj. Geo. Arnold to be lieut. col. from 26th Oct. 1827, v. Swetenhaim invalided.

2d L.C. Capt. H. De Burgh to be major, Lieut. J. Fraser to be capt. of a troop, and Corbet B. C. Bourdillon to be lieut., from 26th Oct. 1827, in suc. to Arnold prom.

Asst. Surg. J. R. Martin to officiate as 1st-assist. to Presidency General Hospital, with medical charge of prisoners in Calcutta Gaol.—Asst. Surg. W. Twining to be 3d permanent assist. to Presidency General Hospital.—Asst. Surg. W. W. Hewett to officiate as an assist. to General Hospital during absence of Asst. Surg. Grant.

Asst. Surg. J. R. Martin to have medical charge of Governor-general's body guard.

Cadet of Cavalry G. R. Biddons prom. to cornet.

Mr. Arch. Campbell admitted on estab. as an assist. surg.

Capt. T. Wollicombe, 65th N.I., transferred to invalid. estab. at his own request.

Ena. W. G. Beck, 24th N.I., permitted, at his own request, to resign service of Hon. Company.

Lieut. Col. Com. E. P. Wilson, 17th N.I., to command Rajpootana field force, with rank of brigadier, v. Brigadier C. Fagan, selected for high staff employment by Com.-in-chief.

Cadet Mr. T. H. Slesmore admitted to artillery, and prom. to 2d Lieut.—Cadets Wm. Baker, Edw. Taylor, and V. F. T. Turner admitted to cavalry.

Cadets W. H. Penrose, J. G. W. Curtis, Thos. Roodie, J. N. Marshall, T. F. H. Pemberton, B. W. R. Jenner, Geo. Ranken, D. Gausson, and J. B. Murrell admitted to infantry, and prom. to ensigns.—Messrs. M. Lovell and E. J. Agnew admitted as assist. surgs.

Head-Quarters, Oct. 26.—Capt. Hepworth, 61st N.I., to officiate as major of brigades at Dacca, during absence of Capt. Fell.

Lieut. Wm. Palmer, 39th N.I., to officiate as dep. judge adv. gen. in Cawnpore div. during absence of Capt. Pratt.

Capt. Hough, now officiating at Cawnpore, directed, when relieved by Lieut. Palmer, to assume charge of office of dep. judge adv. gen. in Sirhind division.

Oct. 27.—Lieut. Col. Com. Alfred Richards removed from 51st to 33d N.I. and Lieut. Col. Com. H. Bowen, from 33d to 31st ditto.

Asst. Surgs. posted. L. J. Cameron to 9th L.C.; Alex. Bryce to 1st L.C., at Muttra.—Asst. Surg. Gilmore app. to depot at Chinsurah.

Surgeons removed. Castell from 7th L.C. to 64th N.I.; Urquhart from 11th N.I. to 7th L.C.; R. Tytler from 26th to 26th N.I.; R. Paterson from 26th to 8th N.I.; Henderson from 64th to 58th N.I.

Oct. 29.—Ena. W. H. Flemmyng, 63d N.I., removed at his own request to 36th N.I.

Fort William, Nov. 9.—Cadet H. H. Christian admitted to cavalry, rank as cornet being already assigned.

Lieut. H. O. Frederick, 67th N.I., to command escort of resident at Nipaul during absence of Capt. Robinson.

Head-Quarters, Oct. 30.—Removals and Postings of Surgeons. Corbyn from 68th to 65th N.I.; Falkowfield from 65th to 68th N.I.; B. W. MacLeod from 5th bat. artill. to 67th N.I.; Everest from 67th to 5th N.I.; A. Wood posted to 5th bat. artill.; J. J. Paterson posted to 66th N.I.

Oct. 31.—Lieut. A. Charlton, 6th extra N.I., to act as adj. to 2d Numeree bat. until further orders; dated 14th Oct.

Lieut. Park to act as interp. and qu. mast. to Asiatic Journ. Vol. 25. No. 148.

39th N.I. from 17th Oct., during absence of Lieut. Brown.

Artillery. Lieut. Jos. Turton to be adj. and qu. mast. to 5th bat., v. Vanrenen prom.

Lieut. H. P. Cotton, 7th L.C., to be aide-de-camp to Maj. Gen. Pine, from 16th Oct.

Capt. Hough, dep. judge adv. gen., removed from Sirhind to Cawnpore division, and Capt. Pratt from Cawnpore to Sirhind division.

Lieut. Palmer directed to take charge of office of dep. judge adv. gen. at Kurnaul.

Asst. Surg. Brett app. to 29th N.I. at Shahjehanpore.—Surg. Hayley removed from 29th to 56th N.I.—Asst. Surg. G. Smith posted to 67th N.I.

Lieut. A. C. Dennistoun to act as adj. to 11th N.I., v. Croudace prom.; dated 12th Oct.

Asst. Surg. James Stokes and T. T. Morgan directed to place themselves under orders of superintending surgeon at Cawnpore.

Officers returned to duty, from Europe.—Lieut. J. C. Tudor, 46th N.I.; arrived 24th Sept. 1827.

Maj. H. G. Maxwell, 43d N.I.; arrived 4th Oct.—Maj. J. L. Gale, 1st N.I.; arrived 2d Oct.—Lieut. Col. Com. Sir Jas. Mount, of engineers, arrived 31st Oct.—Lieut. A. Fenton, 1st N.I.; arrived 27th Oct.—Lieut. John Lang, 36th N.I.; arrived 30th Oct.—Surg. John Patterson; arrived 31st Oct.

HIS MAJESTY'S FORCES.

Head-Quarters, Sept. 30.—Lieut. C. S. Naylor, 89th F., to be capt. by brevet in East-Indies only.

Oct. 22.—Capt. Moore, 45th F., to be capt. by brevet in East-Indies only; dated 31st Dec. 1822.

Nov. 1.—Asst. Surg. Murray, 16th Lancers, to be surg. to Com.-in-chief.

FURLOUGHS.

To Europe.—Sept. 28. Lieut. W. H. Lescocock, 30th N.I., for health.—Oct. 5. Capt. Jas. Aitchison, 28th N.I., on private affairs.—19. Lieut. E. M. Orr, 58th N.I., for health.—Asst. Surg. Jas. Gordon, on private affairs.—26. Lieut. G. T. Bishop, 9th L.C., for health.—Maj. T. C. Watson, 2d Europ. Regt., for health.—Nov. 2. Maj. A. MacLeod, 18th N.I., for health.—Capt. C. O. Mason, 10th N.I., for health.—9. Capt. C. Griffiths, 37th N.I., on private affairs.—Lieut. R. Riddell, 33d N.I., on ditto.

To Bombay.—Nov. 2. Lieut. Wm. Alexander, 5th L.C., on private affairs.

To New South Wales.—Oct. 26. Lieut. J. C. C. Gray, 18th N.I., for eighteen months for health (via Isle of France).

To Isle of France.—Oct. 19. Capt. J. C. Odell, 41st N.I., for twelve months, for health (also to Cape of Good Hope).

Cancelled.—Oct. 5. Maj. Gen. Sir Thos. Reynell, to Bombay, and eventually to Europe.

HIS MAJESTY'S FORCES.

To Europe.—Oct. 3. Lieut. Fothergill, 48th regt., on private affairs.—Lieut. A. Wilson, 44th regt., for health.—13. Capt. Akenhead, 14th regt., for health.—Asst. Surg. Cotton, 14th regt., on private affairs.—Lieut. Stuart, 46th regt., on ditto.—23. Lieut. Armstrong, 30th regt., for health.—Ena. Stuart, 6th regt., for health.—Ena. Gray, 41st regt., for purpose of retiring on h.p.—25. Brev. Capt. Pinacane, 14th regt., on private affairs.—Lieut. Douglas, 31st regt., for health.—Nov. 1. Maj. Brown, 4th L.Dr., for health.—Lieut. Kelly, 6th regt., for health.—Lieut. Primrose, 31st regt., for health.—Capt. Baldwin, 31st regt., for purpose of retiring on h.p.—Capt. Clarke, 46th regt., on private affairs.

Cancelled.—Oct. 17. Lieut. Brownrigg, 13th L. Inf., to Europe.

LAW.

SUPREME COURT, November 6.

Justification of Bail.—Repeated proofs of the audacious perjury of natives in justifying

tifying bail seem to have induced the court to take measures to check it.

This day, Rampersaud Ghose appeared to justify bail in a case, and upon its being objected that he had offered as bail before and had been rejected, the fact was denied by him on oath. He likewise swore positively that he had never appeared to justify bail before in any cause whatsoever. A variety of witnesses distinctly contradicted his testimony upon both points; and on his examination by Sir C. Grey, he evinced his perjury so clearly, that he was delivered into custody and sent to Mr. Justice Ryan's chambers, from whence, after further examination, he was fully committed to take his trial for perjury.

The ensuing day (Nov. 7) another native, who came forward for the purpose of justifying bail, told the court that he had resided at Simleah for 150 years! and another stated, upon his examination, that his maternal grandfather left no issue! The bail of both was rejected.

MISCELLANEOUS.

DUTY ON EAST-INDIA SUGAR.

A meeting was held, pursuant to requisition, at the Town-hall, on the 5th Nov., for the purpose of petitioning Parliament for the equalization of the duties on East and West-India sugars, and also for "the removal of the restrictions on the resort of British subjects to India and their residence therein, with reference to their influence on the commercial prosperity of the country." Mr. James Young was called to the chair.

Mr. Bracken, in moving the first resolution, justified the blending the two subjects in the same requisition; he contended that they were closely united. He examined the claim of the West-India proprietors to a monopoly on the ground of prescriptive right, and showed from the history of the sugar trade that this position was untenable; other grounds he considered equally indefensible. In respect to the second subject, he contended that history demonstrated that the resort of Europeans to India had been beneficial to India and to England; but that so long as the prohibition to purchase land exists, and an arbitrary power of transmission to England be vested in the local government, the full and complete advantages contemplated from their skill and capital cannot be realized.

Mr. Colvin, in moving the second resolution, stated that he was one of those who had not strictly attended to the language of the requisition, and he was not prepared to go so far as his friend Mr. Bracken in regard to the object involved in it, although he would not oppose it. His own opinion was, that the power of transmission placed no obstacle in the way

of vesting capital in India, for that the power had been very leniently used, of which his own case was an instance, as he had been twenty-five years in India without a license. In the other observations of Mr. Bracken he fully concurred.

Mr. G. Prinsep, in moving the third resolution, expressed his dissent from what had fallen from Mr. Bracken as to the policy of continuing the power of transmission. In arguing against the impolicy of continuing the prohibitory duties on sugar, he dwelt upon the singular predicament in which Great Britain placed herself by the existing law, in the event of some of our West-India islands, which have been so often conquered and reconquered, becoming again the property of an enemy. England might then, as he believed she has done before, admit East-India sugars on equal terms; but where would be procured the increased production necessary to meet this increased demand upon India?

The resolutions were agreed to:—

1. That this meeting, deeply impressed with a conviction that the commercial intercourse between England and India is susceptible of great and indefinite extension, which is prevented by the imposition of extra duties on the products of India, and by legal obstructions to the application of British skill and capital to the cultivation of those products, entertain a just confidence that the wisdom and justice of parliament will, by the removal of such impediments, give an immediate impulse to the commercial prosperity of both countries, and incalculably promote the general interest of India.

2. That a petition to the above effect be prepared and submitted to his Majesty and to both Houses of Parliament.

3. That this meeting cannot omit this opportunity of expressing its grateful admiration of the unsolicited and often renewed efforts of Wm. Woolrych Whitmore, Esq., and other members of the Legislature, in support of the claims of India to be put on an equal footing, in point of import of duties, with the other tropical dependencies of the British crown, and that the chairman of this meeting do communicate accordingly, by letter, to Mr. Whitmore, our respectful thanks, and our solicitations for his continued and powerful assistance in a cause which must eventually prevail, when it shall have been fully discussed and thoroughly understood by our countrymen at home.

4. That the Most Noble the Marquess of Lansdowne and the Right Hon. Lord Goderich be respectfully requested to present and support our petitions to the House of Lords, and Mr. Huskisson and Mr. Whitmore in the House of Commons.

The Petition.

1. That your petitioners have observed with

with the utmost satisfaction, the various acts of parliament which have, within these few years, been passed for the purpose of facilitating commercial intercourse between Great Britain, her colonies, dependencies, and all other countries, and the unqualified recognition of those sound principles of political economy, by which such intercourse ought invariably to be regulated : relying on these public pledges that your honourable House have nothing more at heart than, by moderate and equal duties, to promote the most advantageous distribution of capital and application of industry, your petitioners beg leave respectfully to remind your honourable House, that the duty of thirty-seven shillings per cwt. charged on East-India sugar (while that payable by the sugars of the West-Indies and the Mauritius is only twenty-seven shillings), necessarily has the effect of greatly restricting the export and import trade, the public revenue, and general prosperity of India.

II. That an equalization of the duties on East and West-India sugar would also be of most essential benefit to all classes in Great Britain, for whose relief from acknowledged distress the Legislature has so frequently desired to provide the means ;

1. To the manufacturer, by the increased facility of making returns for the goods sold in India, thus removing a serious obstacle which at present exists to the extended consumption of British manufactures in that wide field ;

2. To the ship-owner, by a favourable effect upon freight ;

3. To the artisans, agriculturists, and general community of Great Britain, by providing the means of meeting the annually increasing demand for sugars at considerably reduced prices ;

And 4. While the benefits of the measures would thus be shared by the British manufacturer, the ship-owner, and the general community, and a stimulus be given to the extended production of sugar in the British possessions in the east.

The revenue derived by Great Britain from East-India sugar, instead of being diminished, would unquestionably be materially augmented.

That your petitioners are not aware of any objection that has been or can be urged to an equalization of the duty, except that its tendency to reduce the selling price of sugar in England would be prejudicial to the interests of the planters in the West-Indies ; but if similar objections have been overruled in numberless instances of a return to sound commercial policy, and if the vast addition to the exportation of sugar from the Mauritius, which immediately followed the equalization of the duties in 1823, has not been considered a sufficient reason for with-

drawing the privilege then extended to that island, your petitioners trust that the same just and wise principles will be applied to promote the agriculture and trade of India.

III. That the cultivation of the sugar-cane in India is subject to a still greater discouragement than an extra duty of ten shillings per cwt. in the regulations of the East-India Company, sanctioned by acts of parliament, and strictly enforced by the local government, which prohibit British subjects from being proprietors of land, while this prohibition is maintained.

Your petitioners submit, that although exportation of tropical productions and the importation of British manufactures has been considerably extended, still the opening of the trade, which was granted in 1813, must remain comparatively valueless, the revenues of India unnecessarily cramped, and the native inhabitants but partially impressed with feelings of attachment to the British government, so desirable to be cherished. While, therefore, we are actuated by a regard to our own immediate interests, we contemplate, in the concession of the prayer of our petition, the attainment of objects essential to the welfare and to the permanence of the British empire in India. Similar disadvantages to those consequent to the sugar duties are felt as regards rum, coffee, cotton, ginger, and other articles of eastern produce, the removal of which is equally called for.

The prayer of your petitioners is, that your honourable House will be pleased to take into consideration the expediency of equalizing the duties chargeable on sugar and other articles imported from the East and West-Indies, and of abolishing all such restrictions on the resort of British subjects to and on their residence in India, as are calculated to affect the commercial prosperity of the country.

The editor of the *Government Gazette* makes the following observations upon the subject of this meeting :—

Although we have no objection to give the individuals, who assembled at the town-hall on Monday morning, credit for temperate and decorous conduct, we cannot admit any claim to soundness of judgment in those who framed the petition. They have forced into juxta-position two objects by no means necessarily connected, and have thus deprived themselves of that universal support, which would have been promptly given by every class of the community to the first part of the prayer, had that been suffered to stand alone. It is for the parliament of Great Britain to consider whether the interests of British India be the interests of Great Britain ; a proposition that is by no means so undeniably evident, in every case, as our venial partialities

partialities and consideration of self may induce us to imagine. No blame, however, can attach to the British merchants of India, for endeavouring to get rid of onerous imposts on articles of Indian trade, in the ports of Britain or any other foreign country. But we deny, and the majority of the British residents in India will deny, that sugar cannot be extensively cultivated, unless every Englishman be at liberty to occupy lands on his own terms. We are no enemies to what is very absurdly termed colonization, and see no great objection to Englishmen holding land in India, provided always that they hold it on the same condition, which would be imposed in France or Italy, or even in republican America, that of being amenable to the local jurisdiction, and subject to the laws of the country in which they are domesticated, and not pretend to be governed by the code of the kingdom from which they are estranged. To assert, however, that this is indispensable to the growth of the sugar-cane, is to assert what is not true. Has not indigo been extensively cultivated for years? has not cotton been reared and transmitted till the markets were glutted, and the shippers ruined? and why should sugar alone demand a different state of things? More than enough, we doubt not, may be procured to meet the demand as soon as the duties are equalized, when the article can come into the market upon equal terms with the sugar of other countries, although not a foot of land calls an European its lord. As to the idea that sugar cannot be grown because respectable merchants and agents are afraid of being ordered to quit the country before their harvest can be gathered, we much mistake the character of our mercantile friends if it was ever seriously entertained by any of their number. They have too sound a judgment, too shrewd a prescience, too solid a regard for their substantial interests, to prefer political martyrdom to the profits of trade, or to cast away the goods of fortune in an unavailing contest with authority. In the respectability of their own characters, they have a safeguard against an untimely voyage to Europe, and it is unworthy of their dignity to put forward the apprehension of such an improbable event, even though it excite the sympathy of those who have cause to dread it, or awaken the credulous compassion of those at home, whom they seek to interest in behalf of their legitimate pretensions.

The Calcutta *John Bull* states, with reference to this meeting: "the attendance at the Town-hall yesterday morning belied the interest, which we imagined was generally taken in the questions, commercial and political, that were understood as coming before it. We observed only three

native gentlemen present, with a very few Indo-Britons; and certainly, from whatever cause it originated, the interest was altogether dully supported."

RETURN OF THE GOVERNOR-GENERAL.

On Tuesday evening, October 16, the Right Hon. the Governor-general and his family returned to Calcutta. From the north-east angle of Tank-square to Government House his Lordship's carriages passed through an avenue of troops, formed by his Majesty's 14th regt., and at the Government-house the body guard was drawn up. As his Lordship passed, the troops presented arms, and what with the number of people assembled to witness his Lordship's arrival, the presence of the military, and the occasion altogether, the spectacle was a very imposing one. His Lordship was received at Government-house by a number of the principal members of the civil and military services at the presidency. Shortly afterwards his Lordship resumed his seat in council under the usual salute.

Yesterday morning the Governor-general held a levee at Government-house, which was most numerously attended. The company were received singly by his Lordship in a most urbane and affable manner. Although the presentations began a little after ten o'clock, it was about two P.M. before they terminated.

His Lordship, we understand, derived much benefit to his health, no less than personal gratification, from his tour to the Upper Provinces, and, we were glad to observe, looked remarkably well.—*Ind. Gaz.*, Oct. 18.

The Countess Amherst held a drawing-room on Thursday evening, which was attended by all the rank, fashion, and beauty of the presidency.

The company, which was exceedingly numerous, began to assemble shortly after nine o'clock, and her Ladyship entered the drawing-room at ten o'clock.

The body guard was drawn up in the northern anti-chamber, and the band struck up as the noble party approached, while the assembled crowd opened right and left, forming a brilliant avenue, through which the Governor-general, the Commander-in-chief, the Countess Amherst, and Lady Sarah Amherst, ushered in by the staff and the gentlemen of the Governor-general's household, in state dresses, passed on to the canopied space at the end of the room, where her Ladyship stood and received the company.

The presentations then began immediately, and did not conclude, we believe, before half-past eleven.—*Ind. Gaz.*, Oct. 22.

ASSEMBLY.

The first of the Calcutta assemblies was held at the town-hall on Wednesday evening, and graced by a numerous assemblage of beauty and fashion. The Right Hon. the Governor-general, the Countess Amherst, and Lady Sarah Amherst, honoured the assembly with their presence, and entered the rooms a little after ten o'clock. Dancing was kept up with the greatest spirit until after twelve, when the company sat down to an elegant supper, provided by Messrs. Gunter and Hooper. After supper dancing was again renewed.—*Cal. John Bull*, Nov. 9.

EARTHQUAKE.

We learn that on the 8th instant, at five o'clock in the afternoon, an earthquake was very generally felt by the European and native inhabitants of Dacca. There were four distinct shocks in succession, continuing altogether about one-quarter of a minute; its direction appeared to be from south to north, unaccompanied by any rumbling noise. The weather both before and afterwards was sultry and oppressive. The natives are sickly, and some fatal cases of cholera have lately occurred, but chiefly confined to Hindoos, those probably who have exposed themselves to the heat during the day, and the damp air at the night, for the purpose of attending the festival of Doorgah.—*Cal. John Bull*, Oct. 15.

THE NEW SETTLEMENT OF AMHERST.

A correspondent, speaking of Amherst, says that his opinion of it, after several visits, is that it is a very dangerous harbour; it cannot be attempted with safety by large ships from the numerous dangers, and the circumstance of the tides, which are exceedingly rapid, setting right across the channel.—*Beng. Chron.*, Sept. 20.

PERSECUTION OF HINDU CONVERTS.

The *Missionary Intelligence* of Calcutta, in an account of the Tinnevely mission, gives the following statements respecting the persecutions to which native converts to Christianity are exposed, and which naturally tend to check the progress of conversion and encourage apostasy.

"And here we cannot but say a few words on the facility with which, under the present system, such wicked schemes can be successfully carried on. The law requires the judge or magistrate to decide according to the evidence of witnesses. Now these unprincipled heathen can get any number of witnesses together for a few fanams to swear to any thing; and, in this way the European magistrates are made parties to the most crying acts of injustice, contrary to their own wish. The worst under these circumstances is, that

the magistrate can receive no private information respecting any case, which, if he could, would give him much light on it. This would be just, if it were practised with respect to both parties; but the fact is, that the heathen have always secret intercourse with the tasildar and court servants, who, notwithstanding all injunctions to the contrary, are easily bribed to make such representations to their European master as they chose; the Christian cannot do it: in this way justice is administered; and we could multiply instances of the most distressing consequences of it, by which the innocent, not only among the Christians, but also among the heathen, suffer. The present mode of trying cases would be right if all had the same principles of justice, or the same check to committing perjury, &c. The Christians have such a check in the instructions they receive: the heathen have none, and therefore can go on with impunity. There are shrewd and wicked heathen in this district, who actually make a trade of false accusations, who get a number of witnesses together to swear to any thing; the accused party often is as far from having committed the crime as heaven is from the earth; but upon his being apprehended, rather than exposing himself to the risk of being carried 100 miles to the court, having there to wait in prison perhaps six or eight months, while his family at home is starving, he secretly compromises with the accuser, pays him some money, and so is let free; and in this traffic peons and kutcherry writers are all implicated, who share in the spoil.

"With respect to the payment of taxes it is no better: a number of villages have a public accountant, a heathen, who looks for nothing but filling his chatties with money, and does his duty only so far as he must, for fear of being detected in his frauds. His duty is to number the people, to adjust their taxes according to their respective employments, and to collect them. In this he practises all possible skill to cheat government and to oppress the people: suppose there are in a village thirty houses, fifteen of which come under one sort of taxes, and fifteen under another; of these fifteen he will register only four, and let the rest go free, taking a bribe from them, and all the fifteen pay only so much as would come upon four. This was the case with a village before it came under Christian instruction; after that the people were instructed not to give bribes, and to pay to government what is due. The accountant comes next year with the intention to play the same trick over again; the people refuse to give him a bribe; instantly he changes his account and registers them all; so that now they must pay nine or ten fanams each, whereas formerly they paid but two or three fanams.

names. His registering them all is no more than just : but as the Christians are still men having no clear ideas about taxes, they refuse to pay, and say ; ' we have all along paid only so much, and now we are to pay nearly two or three times more.' The accountant has a fair excuse in case they complain, and as for discovering his former cheats, he has many ways and means in hand to prevent it. Oftentimes the people know nothing about the cheats, the accountant having made up matters secretly with one or two of the headmen or owners of the villages. But still more ; when the people were heathens they paid certain taxes to idol temples for the performance of idolatry, and other contributions for the maintenance of dancing-girls, travelling sunnyasies, &c. ; now becoming Christians, they think themselves justly freed from such contributions ; but the accountant comes and demands the same from them as from the heathen : they of course refuse, and instantly they have to suffer from him for it. The Christians have applied to the collector for redress, and he thought it just that they should be exempted from such taxes, but cannot remit it without an order from the Board of Revenue. A petition with the endorsement of the collector was sent to Madras ; but ten or twelve months have elapsed and no answer is yet arrived. In the mean while the people are not a little plagued and harassed."

The *Government Gazette* of Oct. 7 has some remarks regarding the success of the church missionaries in southern India, occasioned by the account of the Tinnivelly mission, in the *Missionary Intelligence*. The editor seems to think, that the fact of Christianity existing in that part of India excited surprise among the newspapers of the presidency. This is not a very correct view of the matter, nothing, in regard to India, being more generally known or more often repeated, than that a numerous body of professing Christians have existed, even from apostolical times, in many parts of the Indian peninsula, and very little industry indeed was requisite to come at this information. The surprise excited arose from the circumstance of its having come to their knowledge, and for the first time through an English paper, that forty villages of Hindostan had renounced idolatry, and put themselves under " Christian instruction ;" and the circumstance of the same intelligence having been long before pretty widely circulated in India, without attracting the notice of the public press, certainly is a sufficiently unaccountable circumstance, and argues little for the interest taken in these matters by those connected with it.

Upon further inquiry it appeared, that

instead of forty villages in January 1825, there were not less than 125, in which this desirable change had been effected. All this, when brought to the notice of the public, naturally called forth several questions in regard to the subject, viz. as to how many of the converts were Christians previous to the preaching of Mr. Rhenius and his colleagues, and also, how many Christians of every denomination existed in that district? The inquiries have been answered in a most satisfactory manner in the August number of the " *Missionary Intelligence*." It there appears that only twenty-one Roman Catholics have joined the establishment, and only twelve families belonging to the Protestant missions, the rest being all converts from heathenism. By a survey, taken in 1820, it appeared that in the district of Tinnivelly, out of a population of 700,000, 23,000 were Christians ; 4,000 Protestants, and the remainder Roman Catholics. There are in that part of India few of the Kshatriya class ; the other castes however are in the usual proportions. Parriars and Pallers are the most numerous, but Shannars or cultivators of the palmira tree are next to them in number. The converts are principally from this latter class. The whole of the progress of Mr. Rhenius and his colleagues, in the country around Palamcottah, is to be dated from the year 1822 : for although they arrived there two years previous, that period was consumed in overcoming the prejudices of the people in regard to caste. The teachers were in fact obliged to give up the schools which they had established, so strongly did prejudices of this kind abound, and these they had wisely resolved not to countenance. In the above-mentioned year, however, a better spirit was excited, and it had so increased, that in January 1825, 1,100 families were under their instruction. Up to August last they had in all baptized 270 individuals, of whom 257 were heathens, and thirteen children of Christian parents. It would appear that the recent converts have met with a good deal of discouragement from their heathen neighbours, owing to their defection from their old idolatry. The effect of the difficulties in which the new converts found themselves enveloped has had the effect of diminishing their numbers in some degree ; but we should hope that at the same time they have rather consolidated the foundation which the labours of Mr. Rhenius and his colleagues have laid. The number of families under Christian instruction, including those baptized, in the end of June last, are stated at 756 families, living in 106 villages, amounting, exclusive of one hundred individuals, who form the Palamcottah congregation, to 2,557 inclusive of children. — *Cal. John Bull.*

LIEUT. KENNEDY.

Letters from Rungpore contain the melancholy intelligence of the death of Lieut. Kennedy, adjutant of the Rungpore Light Infantry. He and Lieut. Veitch had gone out to hunt on elephants, and Mr. Kennedy's gun, by some accident or other, went off, and its contents were lodged in his body. He expired almost instantly, and even before his friend could reach him to render him any assistance.

CALCUTTA MARKETS.

Cotton.—The transactions in this, since our last, have been limited, and confined to native dealers.

Indigo.—The market has been active during the past week, and sales to a considerable extent have been effected at 260 to 275 per maund according to quality, for immediate shipment. The article is coming in fast now.

Piece Goods.—Continue in fair inquiry at our quotations.

Saltpetre and Sugar.—The demand has been brisk during the week, and prices steady.

Silk.—We have heard of no sale in this since our last, and our quotations are almost nominal.

Metals.—Copper, sheet and sheathing, stock rather heavy, in limited demand, and lower. Slab steady at our quotations. Lead, pig and sheet, on the decline. Iron in fair demand, but a shade under last week's quotations. Block tin steady. Tin plates in moderate demand at our quotations. Spelter, sales have been effected in this during the week at our quotations.

China Goods.—Continue dull and stock heavy.

Pepper.—A shade lower.

Coffee.—Mocha in moderate inquiry. Sumatra neglected, and our quotations almost nominal.

Freight to London.—Still rate at £4 to £6 per ton.—*Calcutta Price Curr.*, Nov. 14.

THE LATE KING OF OUDE.

Our Extra Gazette of Saturday evening announced the unexpected demise of his Majesty Shah Zemin, the King of Oude, and minute guns were fired from the ramparts of Fort William, according to the years of his Majesty's age. The late King of Oude was the eldest of the ten sons of Mirza Sadat Ali, the brother of Asef ud Dowlah, Nawab Wazir, who was raised to the Subahdaree of Oude upon the deposition of Wazir Ali in 1798. Mirza Ghazi ud din Hyder, the original designation of the late sovereign, succeeded his father in July 1814 as Nawab Wazir, but in 1819 assumed, with the concurrence of the British government, the regal dignity, taking the title of Abul Muzaffer, Moiz ud din, Shah Zamin, Ghazi ud din Hyder, Pad-

shah. His Majesty was fifty-eight years of age at his demise, the cause of which was a fever, followed by extreme debility and exhaustion of the vital principle. Shah Zamin, during a part of his reign, was the liberal patron of European and native talent. His patronage of the former was, no doubt, a matter of munificence rather than of taste; but he was ambitious of holding a place amongst the latter himself, and in the *Hefi Kulzum*, a voluminous compilation in the Persian language, comprising a dictionary, a grammar, and a system of prosody and rhetoric, prepared and printed by his orders, and at his expense, and attributed to his own industry, has left at least a permanent and honourable record of his reign. The work has attracted the attention of several eminent orientalists in Europe, as Von Hammer and De Sacy, and has thus familiarized the name of Shah Zemin in countries far beyond the limits of his dominions: a distinction to which his mere possession of the sceptre of Oude would scarcely have entitled him.

His Majesty, we understand, will be succeeded by his son Mirza Nusseer ud Din Hyder. The present ruling family of Oude is of Persian origin, by both maternal and paternal lines. The maternal ancestor of Sadat Ali, Buhran ul Mulk, came from Persia in the reign of Mohammed Shah, and was appointed Subahdar of Oude. He was succeeded by his nephew and son-in-law Sefder Jung, who was nominated Wazir of the empire by Ahmed Shah. He was succeeded by Sujah Dowla, who played a conspicuous part in the early history of British India. The next Nawab Wazir was Asef ud Dowla, who was succeeded by Wazir Ali, his reputed son. After a short interval, grounds for disputing the authenticity of Wazir Ali's pretensions having been established, he was deposed; and Sadat Ali Khan, the brother of Asef ud Dowlah, raised to the mensed in his room. That prince was succeeded, as above observed, by the late sovereign, who dropped the now unmeaning title of Wazir, for that of Padshah, or King. These notices are probably familiar to most of our readers, but may serve to recall to their recollection some points of interest in our connexion with the history of Hindustan.—*Gov. Gaz.*, Oct. 29.

HINDU ANTIQUITIES.

The following letter is addressed to the editor of the *Calcutta John Bull*:—

In the *Government Gazette's* notice of the last meeting of the Asiatic Society there is a brief advertence to the enigmatical characters inscribed upon the N. Bebar pillars, upon Firoz Shaw's Lāth, and upon

• See p. 350.

upon the Khundigiri rock of Orissa. The editor of the paper inclines to think that these characters bear a sort of resemblance to the Greek, or to the Ethiopic letters; and by this vague surmise appears willing to revive the defunct notion that those monuments of ancient Hindoo power, upon which the mysterious writing is graved, were raised by some strangers from the west.

Without presuming to say a word upon the characters in question, I beg to submit to your readers a remark, which, if duly weighed, will, I think, prevail with candid critics to leave the glory of the monuments in question with the Hindoos until, at least, something like evidence has been produced that the writing engraved on them is decidedly not Indian.

The monuments are scattered over the vast extent of one-half of India, and are in general, at least the N. Behar pillars are, of such a structure as could be achieved only by an unlimited command of labour and of money.

Now it seems to me evident that no individual could undertake such works, and not less clear that no government which had not continued in long and secure possession of the country, would dream of such an unprofitable application of its resources. But I ask, what shadow of evidence is there that any dynasty from the remote west, prior to the Mahomedans, long and securely swayed the sceptre of half India? I answer none; and I infer, therefore, that these monuments must necessarily have been raised by Indian monarchs, with the aid of their native subjects.

The immediate neighbours of the Hindoos have ever been the Chinese, the Persians, and the vast Tartaric family. To these our knowledge peremptorily forbids us to ascribe the monuments and inscriptions in question; so that if we will wander abroad in search of their authors, we must go to the ancient Egyptians, Chaldeans, or Phœnicians: and certainly, so far as the judgment of the eye deserves attention, commend me to the identities discoverable or imaginable between the characters graved on our Indian monuments and those in use among the ancient people of Egypt, of Chaldea, and of Phœnicia, as they are exhibited in Drummond's comparative tables. Before, however, any curious body commence his wanderings into these remote regions, I would suggest to him the prudence of priorly considering with attention what many learned Brahmans confidently assert, viz. that Sanscrit has or had sixty-four derivative Prakrits, and that all or most of these have or had their appropriate alphabetic characters.

True it is that the claims of Egyptians, Phœnicians, and Chaldeans to a literate antiquity are very high; but are those of the Hindoos less so? And do those persons govern their assent by the greater

probability, who would lightly import letters and religions into the land of Menu from the distance of half the globe? General and particular analogy justify us in assigning a religious origin to the monuments which have given rise to these remarks; and be it observed, too, that the central position of the inscriptions upon the Behar pillars, obliges us to conclude that those who raised the structures imprinted the mysterious letters on them, in order to proclaim the fame of the founders and the objects of their works. To conclude where I began—it seems to me wild to suppose that any, save native princes, would have devoted their wealth and power to the purpose of erecting these columns; nor less so to assume with facility that the princes of primevally learned and bigoted India accepted creeds and letters from some pilgrim teachers of the remote west.

DR. REDDIE.

We are sorry to learn by letters from Cawnpore of the 23d of last month, the death of a distinguished member of the medical service, Dr. Reddie, who died of a violent fever on the evening of the 23d. The unaffected modesty of Dr. Reddie alone prevented him from taking an eminent place in the literary annals of India, as he added to extensive acquirements in the higher departments of Asiatic literature, unusual conversancy with the classical languages of antiquity. The professional abilities and zeal of Dr. Reddie were of the same superior orders as his literary talents and acquirements, and would have done credit to that high place in the medical service to which he was rapidly advancing, and in which he would have maintained the character of the service as well as his own. His very retired manners confined the due appreciation of his private character to his intimate friends, but they bear testimony to the cheerfulness of his disposition and the goodness of his heart. Contemplated, however, as a member of the medical profession and an oriental scholar, in which respects alone we have reason to allude to his loss, and which designations we confess we are always proud to see associated, the place vacated by his death will not readily be supplied.—*Gov. Gaz.*, Oct. 4.

CORONER'S INQUEST.

A coroner's inquest, the second within a little time of the same unhappy kind, has been held on the body of a female native child, who met her death under circumstances which, were they not sheltered by the custom of early marriage among the natives of this country, would certainly subject the party concerned to the most serious consequences. The child was scarcely ten years of age, and how far the customs of the country are to be received,

in stripping the dead of legal criminality, we do not presume to take upon us to say; but the case appears loudly to call for such interference as may prevent its recurrence, and we cannot doubt that the right to interfere must rest somewhere, as otherwise crimes of the most unheard-of nature might be perpetrated with impunity.

It is also, however, remarkable, as affording another instance of the effects of the chloride of lime in staying putrefaction. The child died on Saturday at four o'clock, P. M. The coroner was obliged to adjourn the inquest, and the police surgeon examined the body on Monday at eleven A. M.; it was then, as may easily be imagined, scarcely approachable. The chloride was applied according to the directions, and in a short while the atmosphere was purified of every noxious taint, and at half-past four P. M. of the same day the inquest was able to proceed without the least inconvenience.

The jury returned a verdict of *Manslaughter* against one Gopaul.—*Cal. John Bull*, Oct. 3.

PARRIAH DOGS.

We understand that a native was bitten on Monday by a parriah dog in a very dangerous manner: the man was taken to Messrs. Bathgate's dispensary, where excision was immediately resorted to. The number of these dogs in the streets of late has been observed to be on the increase, and we hope the circumstance will attract the attention of the magistrates. It would be, we think, an act of humanity, however, to adopt a less barbarous mode of exterminating these animals than that in use. Could not the natives catch and hang them, instead of beating them to death with staves in the savage manner which they now do?—*Beng. Chron.*, Oct. 11.

CHOLERA MORBUS.

Cholera morbus, we are concerned to learn, is prevailing to a considerable extent in the native part of Calcutta, and many of the cases have terminated fatally. The violence of the disease, we apprehend, is to be attributed to the unprecedentedly great power of the sun for this season through the day, and the coldness of the nights, arising from the north winds, which now begin to prevail. This month, so far as it has gone, has by no means been so healthy as it usually is, bad cases of fever being by no means unfrequent.—*Cal. John Bull*, Oct. 19.

IMPROVEMENTS.

We hear it rumoured that the continuation of the strand along the Esplanade and past the fort is again in contemplation, and likely to be soon commenced upon. We would again congratulate the denizens

of Calcutta on the immense addition likely to be afforded to their comforts, and to the splendour of this metropolis, by the completion of this undertaking; even in its present state the strand is perhaps unequalled as a drive in any city in the world: Dublin itself can hardly be said to possess its equal, seeing the Liffey will not bear a moment's comparison with our own much more magnificent river; and were the projected improvements completed, we should suppose Calcutta not only unrivalled, but in this respect quite unapproachable.—*Ibid.*

DINNER TO LORD COMBERMERE.

Sir Charles Metcalfe gave a grand dinner at the Town-Hall on Monday last to Lord Combermere, previous to his departure to the Upper Provinces, and to a party of more than two hundred gentlemen of the civil and military services, and of the mercantile body, invited to meet his lordship. The dinner was unquestionably the best set out altogether that we have ever seen at the Town-Hall, and the wines were various and excellent. Many healths were drank with much applause, the band of H.M.'s 14th regt. playing appropriate airs. It was a late or rather an early hour before the party broke up; nothing could exceed the genuine conviviality and elegant hilarity that reigned throughout. At length the "witching time of night" having arrived, a worthy member of the festive phalanx that still stood at their post round the hospitable board proposed that a flowing cup should be quaffed to the health of their distinguished host, which motion was most cordially concurred in, and so ended the proceedings of a most pleasant evening.—*Ind. Gaz.*, Nov. 1.

THE STAMP TAX.

With a view to caution the commercial community against attempts now making to betray them into acts which would render them liable to the penalties of the stamp regulation, the following facts are detailed upon the authority of a party upon whom we can rely.

Two days ago a respectable looking native broker came to the office of an agency establishment in this city, and tendered the sum of 50,000 rupees on loan for six months, at the rate of six per cent. per annum, which was accepted of, and a stamp receipt offered for the same, upon which the broker consulted with another native who accompanied him, and declined paying for the stamped paper, stating that he would be quite satisfied with the receipt of the parties upon plain paper: which not being acceded to, they left the house; and circumstances having occurred to excite suspicion, they were traced directly

rectly into the office of the collector of stamps. The parties returned on the following day, and after further negotiation, they paid down 100 rupees to bind the bargain, in the usual manner, when a receipt for the 50,000 rupees was made out upon stamped paper of the prescribed value; which being objected to by the brokers, upon the grounds that a receipt upon plain paper was all that was required, it was explained to them that the party borrowing the money was willing to pay for the stamp, and that the receipt would, at all events, be as good with a stamp as without it. They then departed, accompanied by two sircars of the borrowers, and proceeded to complete the transaction at the private dwelling house of the dewan of the collector of stamps. A common sircar in the employ of the father of this dewan had by this time been announced as the nominal lender of the money, but which was now refused, under the pretext that the brokers had only been employed to negotiate the loan upon the condition of procuring a receipt upon unstamped paper.

Any comment upon the above appears to be quite unnecessary; but the public will do well to be upon their guard. The brokers have since declared that Ramchunder Ghooshall, the dewan of the collector of stamps, was the sole person who employed them in the transaction; that they received the hundred rupees paid as earnest money from his own hands, and that it was he who instructed them to take a receipt in the name of his father's sircar above referred to.—*Cal. John Bull*, Oct. 19.

ACCIDENT.

A most lamentable accident, we are concerned to say, happened on the 21st ult., within four or five marches of Almorah, by which an amiable and beautiful young lady lost her life.

Capt. Salmon and his family, it appears, had gone to the hills for a change of air, on account of health. On the day mentioned, Miss Salmon, in company, we believe, with her relative Capt. Hearsay, was crossing a sangah, or torrent bridge, when, shocking to relate, it broke down, and both were precipitated into the torrent; the gentleman was saved, but the strength and rapidity of the current, along with the shock of the tremendous fall, overpowered the young lady, and she sunk to rise no more.—*Ind. Gaz.*, Oct. 15.

INDIGO CROP.

Letters from Bogoorah state that the district had, in the end of September, been visited by a heavy inundation, which had left a considerable sediment, and had greatly raised the spirits of the ryots, from the known good effects which such an occurrence is sure to produce on the indigo

crop. A similar overflow had not been known for seven years.—*Cal. John Bull*, Oct. 23.

THE CHOWRINGHEE THEATRE.

The play of *Venice Preserved* was represented at this theatre on Friday, November 2d: we subjoin the reports given by two newspapers of the performance:—

Otway's tragedy of *Venice Preserved* was performed on Friday night at the Chowringhee Theatre, and was, on the whole, one of the most successful representations we have witnessed on those boards for a long time. The house, though not crowded, was very respectably filled, and the curtain fell at the early hour of half-past nine, amidst the unanimous applause of the audience.—*Bengal Chron.*, Nov. 6.

Until Friday evening we had deemed "the plot discovered" no laughing matter; but we confess our mistake, and the result proves the power of genius to turn every thing to its own purposes, and to give to things dark and drear its own genial brightness; for we have our doubts now if *Venice Preserved* be not one of the most finished comedies of the English stage. Altogether, with a few exceptions, *Venice Preserved* was one of the most deliberate murders we have ever seen on the Chowringhee boards. We seldom write in the strain we have indulged in on the present occasion; but such was the character of the performance, taken all in all, that we could not conscientiously do otherwise.—*Indian Gaz.*, Nov. 5.

The "Castle Spectre" was performed on Friday evening at Chowringhee Theatre, to an audience which has never been exceeded in numbers or fashion; in fact, the house was crowded to the very standing places. As had been announced in the papers of the presidency, the Right Hon. Earl Amherst, the Countess, and Lady Sarah Amherst, honoured the house with their presence, as did also the members of their council, and many other distinguished individuals. About seven o'clock the Right Hon. the Governor-general with his Lordship's family and suite made their *cavée*, and were greeted on this, their first appearance at the theatre since their return to the presidency, with three distinct rounds of applause, the audience standing, and the orchestra playing God Save the King.—*Beng. Hurk.*, Oct. 22.

NATIVE PAPERS.

(*Mr. Dunn.*)—This gentleman, late a merchant, residing at Delhi, has bequeathed his property to the different seminaries established in Calcutta or elsewhere, after the decease of his wife, who is to enjoy the interest of it during her life.—*Samschar Derpan*.

Abandonment of Relatives.—We understand that the grievous annoyance to which we adverted last week, with respect to the prohibition of the Hindoos conveying their dying relatives to the river side, is removed, the order being abandoned, and that no one will meet with any obstruction to his conveying the dying persons to what spot he pleases. We are unable to describe the joy this has afforded to the Hindu population.—*Sambad Timira Nasak.*

Christian Murals.—"To the Editor." On Wednesday last an affray took place at Mirzapore between two of the Christians, a man and a woman, in which the former beat the latter severely. She applied, streaming with blood, to the thanna, and the thanadar seized the culprit, and sent him to the magistrate: thus far we have heard. If this is the manner in which Christians subdue their evil passions, then what is preached on the highways, that people having overcome them should become Christians, is all mere pretence. "A Reader."—*Ibid.*

Phenomenon.—Advices of a wonderful phenomenon were received at Poona of heavy rain at Nagur, in Khandesh, having been followed by drops of blood from the skies. In several places hail-stones weighing half a seer each (about a pound) had fallen.—*Jami Jehan Numa.*

Maharaja Holkar.—A Brahman woman lately complained to the raja that her husband had been in the service of Madho Rao; but for two years, having lost all his property at play, he had not been heard of; that her only means of living were the sustenance granted by Madho Rao, and that her daughter was marriageable. Orders were given to Retna Rao to give 500 rupees to his gumashita, and inquire what further was necessary.—*Ibid.*

The Ganges.—We learned from Benares that the Ganges has risen there higher this year than in any year since 1752. The water extended to Indradyumna and the Matsyodara Tank, and for three or four days Bhairo Bazar was completely inundated.—*Udanta Martanda.*

Jaypur.—On the 25th of September the Maharaja and Dowager Rani travelled part of the night to the fort of Amir. On the 27th, at midnight, after beginning the celebration of the Ashtami, his highness set off and travelled three coas on his return to Jaypur. On the 28th the sunts and mahants were collected, and worship offered to the horses, and presents made to the grooms. On the afternoon of the same day the political agent and all the officers of the court made offerings on the occasion of the approach of the Dashera; and the Maharaja, with the agent and his court, repaired to Bhimnivas to offer worship to the elephants, the horses, the state palankeens, and other insignia and military weapons, after which

the resident took leave; whilst the raja went to Jaybagh to the mela, and to worship the kujhra tree, and receive the usual benedictions before returning to the palace.—*Jami Jehan Numa.*

THE NATIVE PRESS.

The editors of the native papers of Calcutta are entitled to much credit for their candour, and for the ingenious simplicity with which they confess how little benefit they derive from their speculations. One Persian paper has been long abandoned through want of support, and we apprehend the Hindi paper, the *Udanta Martanda*, does not meet with that encouragement which it deserves. The native community, it is clear, continues insensible to the importance of periodical illumination, and the European portion of the society takes no real interest in its dissemination through the local dialects. Paragraphing is cheap patronage; but the native press evidently does not thrive upon such insubstantial fare as declamatory anticipations of the marvellous effects it is to produce. The *Udanta Martanda* has been rather irregular of late, and in the last number the editor, to apologize for the irregularity, tells a piteous story of the seizure of his property, and the seals of court having been put upon his printing materials for arrears of rent to the amount of eighty rupees. In advertising to a private grief, however, if the interests of the editor of a newspaper be not a public concern, we may take occasion to notice a question of general interest to the native inhabitants of Calcutta, and we think it not unlikely that the manner in which the sentence of the law is sometimes enforced, in cases of this description, requires some attention on the part of the competent authorities. A Bengali letter on the subject was addressed to us a short time ago, which has since appeared in the *Samachar Chandrika*, and will be found amongst the extracts from the native papers. There may be some exaggeration, and some personal feeling in the statement; but when the habits and characters of the natives are taken into consideration, it is not impossible that the ill-understood processes of English law may be converted into excuses for extortion and oppression on the part of those by whom they are carried into effect.—*Cal. Gov. Gaz., Oct. 25.*

The following is the letter referred to.

To the Editor of the Government Gazette.

Passing to-day along Bans Tola Gully, in the Burra-Bazar, I observed a number of people collected about a house, and on inquiring the cause, was told the serjeant had come to distrain for rent; but that of the sum for which the distress was levied one-third was demanded unjustly, and that

that of the whole debt charged against this and an adjoining residence, half was fictitious. The seal was nevertheless put upon the property, and if in five days the whole was not paid the goods would be sold, when for a debt of ten rupees, goods in value five hundred rupees would be sold for fifty at most: there was no redress in such cases, and many people had been utterly ruined by this mode of proceeding. Suppose, also, that any persons wish to practise villainy, this is a most favourable opportunity of oppressing the poor debtor.

RUNJEET SINGH.

The Ukbar and native papers contain some meagre accounts respecting this personage, and the transactions in his territories. The Maharaja quitted Lahore on the 28th August, and proceeded to Amritser. Here he received a vakeel from the hakim of Samarcand, who complained of the devastation of his master's estate by the hakim of Peshawer; he was informed that Yar Mohammed Khan had stated, on the suppression of the disorders in Peshawer, nothing had been received from Samarcand for two years, and that a balance of 30,000 rupees remained due on the last instalment. It was ordered that "when these accounts were adjusted, matters would be settled." In the beginning of September the Maharaja set out from Amritser on a tour through the hill countries, and on the 27th September he reached Lahore. On the 29th he again set out for Amritser, where he arrived the next day. After bathing in the Tarinatar reservoir, and visiting the shrine of the Akalis, and dividing the sweetmeats as usual, his Highness went to the Rambagh, where, preparatory to the Deshera, he offered worship to the military weapons, and horses, and elephants; he afterwards took his seat in court. The Maharaja again repaired to the reservoir in the evening, and returning on an elephant, scattered money with both hands amongst the crowd: the day terminated with a nach. On the 1st of October the vakil of the Nizam of Kashmir presented a pair of shawls, on the border of which the weavers had woven the texts of Guru Nanak. On the 4th the Maharaja returned to Lahore.

The authority of Runjeet seems to be gaining ground again in the Peshawer country, and which continues to be occupied by the Sikh troops. Moulavi Ismael and his partizans, however, still keep the field. The governor of Peshawer was obliged to despatch a force of 2,000 Kuttaks against Mohammed Hafiz, a follower of the Moulavi, who laid waste the country near Jellalabad. The Nawab of Sindh had encountered the Mohammedan insurgents in his territory, and had defeated them. Runjeet has offered a reward of

1,000 rupees for every sirdar of the insurgents taken alive. Advice from Moulthan state that great numbers of the Mohammedans of that province had gone to join Moulavi Ismael. It has also been announced that the jagirs of the servants of the mosque who might join the insurgents would be confiscated. A body of Yusufzees, to the number of 5,000, under a Moulavi named Gholam Ahmed, had laid siege to Makhurpur, from which he levied a contribution of 10,000 rupees and retired. The Prince Governor of Kandahar, one of the royal family of Cabul, had gone with his troops to join the king of Persia.

LORD AMHERST'S DEPARTURE.

It is said that at Earl Amherst's desire, the *Herald* yacht, which took out Mr. Lushington to Madras, has gone round to Calcutta to convey his lordship and family to England.—*Mad. Gov. Gaz.*

SHIPPING.

Arrivals in the River.

Sept. 29.—*William Young*, Morrison, from Liverpool, and *John Dunn*, Hicks, from London.—Oct. 1. *Flova*, De Basilio, from Rio de Janeiro.—20. *Enterprise* (steam-vessel), Johnstone, from Amherst, and *Clyde*, Munro, from Madras.—Nov. 4. *Thomas Grenville*, Shea, from London; *Baquerce Statenborg*, Galliat, from Bordeaux; and *L'Asie*, Ducros, from Bordeaux and Madras.—6. *Guide*, Ashmore, from New South Wales.—7. H.M.'s yacht *Herakl*, Astley, from London and Madras.—9. *Joseph*, Christopherson, from London, and *General Foy*, Vedit, from Bordeaux.—10. *Childs Harold*, West, from London and Madras.—11. *Chongqua*, Doret, from France, China, and Singapore.—12. *Resolution*, Binney, from South America, Otaheite, &c.—14. *Lord Melville*, Brown, from London, and *John*, Freeman, from the Mauritius.—18. *John Hayes*, Worthington, from Liverpool, and *Grecian*, Allen, from London and Madras.—19. *Isabelle*, M'Neil, from Sumatra.

Departures from Calcutta.

Oct. 31. *Jessie*, Boag, for London, and *Ripman*, Hawkins, for the Mauritius.—Nov. 1. *John Dunn*, Hicks, for the Mauritius.—4. *London*, Mackey, for China, and *Britannia*, Gosselin, for Rangoon.—7. *Caroline*, Smith, for New South Wales.—13. *John Biggar*, Kent, for London.—17. *George*, Fulcher, for London.

Loading for London.

Mellish, Vincent; *Clyde*, Munro; and *Lady M'Naughton*, Faith—to sail 20th Dec.

Eliza, Sutton; *Childs Harold*, West; *Royal George*, Reynolds; and *Sir Edward*, Paget, Grey—to sail 30th Dec.

Kington, Bowen; *Cambres Castle*, Davey; and *Cambridge*, Barber—to sail 1st January.

BIRTHS.

May 3. At Moulmein, Tenasserim coast, the lady of Maj. E. F. Boys, H.M.'s 45th regt., of a daughter.

30. At sea, on board the *Lady Flora*, the lady of Lieut. Wm. Hickey, of a son.

July 27. At Moulmein, the lady of Asst. Surg. W. P. Birmingham, H.M.'s 45th regt., of a son.

29. At Meerut, the lady of Major King, 16th Lancers, of a daughter.

Aug. 18. At Almorah, the lady of Capt. J. Manson, of a daughter.

24. At Dinapore, the lady of Capt. S. Houston, 11th N.I., of a son.

28. At Chandernagore, Mrs. A. C. Tydd, of a son.

20. At Geruckpor, the lady of Lieut. F. E. Manning, interp. and qu. mast. 13th N.L., of a daughter.

Sept. 8. At Puttyghur, Mrs. H. Bobanah, jun., of a son.

13. At Chittagong, Mrs. H. Randolph, of a daughter.

14. At Mysore, the lady of Lieut. E. White, 3d extra regt., of a son.

— The lady of the Rev. Edw. Ray, of a son.

17. At Bareilly, the lady of H. Graham, Esq., civil service, of a son.

— At Ghazepore, the lady of Dr. Butler, civil surgeon, of a daughter.

21. At Bareilly, the lady of H. S. Boulderson, Esq., civil service, of a son.

— At Allahabad, the wife of Mr. J. Benton, of a daughter.

24. At Mirzapore, the lady of H. T. Stewart, Esq., of a son.

25. The lady of J. A. Hening, Esq., of a son.

26. At Garden Reach, the lady of Capt. J. J. Hamilton, assist. adj. gen. of the army, of a daughter.

— At Chowringhee, the lady of J. Lowis, Esq., civil service, of a son.

— At Hamed, the lady of Capt. Ramsay, 24th N.L., of a daughter.

— At Moorshedabad, Mrs. Burnett, of a daughter.

27. At Fort William, the lady of Lieut. C. Douglas, 2d in command of the Rungpore light infantry, of a daughter.

29. The lady of the Rev. Wm. Adam, of a son.

— At Schore, the lady of Lieut. J. Winfield, commanding the Bhopal contingent, of a son.

— At Chinsurah, Mrs. H. P. Blond, of a son and heir.

30. At Bhagnulpore, the lady of Capt. John Graham, commanding the Hill Rangers, of a son.

— The lady of A. R. Jackson, Esq., of a son.

Oct. 1. At Hoogly, the lady of W. H. Bell, Esq., civil service, of a daughter.

2. Mrs. J. Clements, of a daughter.

— At Ballygunge, the lady of Wm. Bruce, jun., Esq., of a son and heir.

3. The lady of T. Scallan, Esq., Bengal Marine, of a son and heir.

— Mrs. C. D'Souza, of a son.

— Mrs. Ellis Robeiro, of a son and heir.

— Mrs. P. D'Crus, of a son and heir.

4. At Moorshedabad, the lady of Lieut. B. Browne, Bengal artillery, of a daughter.

— At Dacca, the lady of Chas. Smith, Esq., of a daughter.

— At Ruttacherry, the lady of L. R. Reid, Esq., civil service, of a daughter.

5. The lady of Major H. Maxwell, of a daughter.

— The lady of Capt. Mackey, of the ship *Locton*, of a daughter.

10. The lady of P. Mino, Esq., of a daughter.

— At the residency, Lucknow, the lady of Major Rickets, Esq., of a son.

— Mrs. W. Dolby, of a daughter.

— Mrs. A. J. Camell, of a son and heir.

12. Mrs. G. Gleason, of a son.

— At Agra, the lady of Geo. Webb, Esq., surg. 1st Europ. Regt., of a son.

13. At Cawnpore, the lady of E. Smith, Esq., civil service, of a son.

— At Benares, the lady of Benj. Taylor, Esq., civil service, of a daughter.

— At Sealdah, Mrs. R. Fleming, of a daughter.

— At Saugor, the wife of Mr. F. Bartholomew, of a daughter.

14. The lady of Capt. Bruce, assist. com. gen., of a daughter.

— Mrs. John Moore, of a son.

15. At Dinapore, the lady of Capt. W. F. Steer, of a son.

— Mrs. Ann D'Crus, of a son.

16. In Chowringhee, the lady of Major J. A. Hodgson, of a son.

— At Tirhoot, the lady of J. P. Mallard, Esq., of a son.

19. Mrs. T. Payne, of a daughter.

— The lady of N. Pallogues, Esq., notary public, of a son.

20. The lady of Capt. Maddock, secretary to the Clothing Board, of a still-born son.

22. At Ghazepore, the lady of H. S. Lane, Esq., of a son.

— At Gya, Mrs. J. Valente, of a son.

24. At Cawnpore, Mrs. Wm. Geo. of a daughter.

— At Meerut, the lady of Capt. E. Gwathin,

superintendent of the Haugger stud, of a daughter.

25. At Chanderagore, Mrs. L. Piron, of a daughter.

— The lady of W. B. Bayley, Esq., of a son.

26. At Malda, the lady of F. Gooksbury, Esq., civil service, of a son.

— The lady of the Rev. Cyrus Stone (from America), of a daughter.

— At Moradabad, the lady of J. A. N. Ford, Esq., civil service, of a son.

27. Mrs. S. P. Singer, of a daughter.

28. At Lucknow, the lady of Capt. Geo. F. Holland, of a son.

— At Compiere, the lady of W. F. Clark, Esq., of a son.

— Mrs. S. Smith, of a daughter.

29. The lady of P. A. Lamouroux, Esq., of a daughter.

31. At Hanakhaale factory, Khabnaghur, Mrs. J. Bluet, of a son.

Nov. 1. At Tumlook, the lady of C. W. Welchman, Esq., M.D., of a son.

— At Howrah, the lady of Jas. Mackenzie, Esq., of a daughter.

— Mrs. C. M. Hollingsbery, of a son.

2. The lady of E. Wilkinson, Esq., of a daughter.

— Mrs. J. D. M. Smeas, jun., of a son.

— At Bhagnulpore, the lady of Assist. Surg. F. W. Brett, of a son.

3. At Barrackpore, Mrs. Macleod, of a daughter.

4. The lady of Gregory Apar, Esq., of a son and heir.

— At Dum-Dum, the wife of Mr. Jas. Robertson, head master at the school bungalow, of a son.

5. Mrs. J. Gomes, of Boltasannah, of a daughter.

7. Mrs. Ambrose Mathews, of a daughter.

9. At the Calcutta Great Gaol, Mrs. G. M. Anderson, of a daughter.

— The lady of John Drew, Esq., civil service, of a son.

— Mrs. F. D. Kellner, of a son.

10. At Barrackpore, the lady of Capt. C. A. Munro, 6th extra N.L., of a daughter.

— Mrs. Thos. Campbell, of a son.

14. The wife of Mr. H. Osborn, jun., surveyor, of a daughter.

15. In Chowringhee, the lady of Lieut. Col. Messon Boyd, of a daughter.

— Mrs. M'Dormand, of a daughter.

16. Mrs. Aug. Pereira, of a daughter.

MARRIAGES.

Sept. 22. At Bandel, Mr. R. Chambers, of Serampore, to Miss H. Fuschal of Calcutta.

Oct. 1. At Agra, Mr. J. W. Chaplain, of the Bhurtpoor political agency, to Miss C. Lums.

— At Maria Alice, youngest daughter of the late Colonel Rich. Scott, of the Hon. E.I. Comp. Pany's service.

— R. Wright, Esq., to Ellen, widow of the late Lieut. John Walker.

— Mr. H. B. Gardner to Miss A. C. Duncan.

3. Wm. Bedell, Esq., to Francis Elizabeth Ann, only child of the late Capt. Wm. Sivrigh, of the 8th regt. Bengal I.C.

— Mr. Alex. Dias to Elizabeth, daughter of the late Mr. F. Pereira.

5. Mr. John Kelse to Miss H. E. Benjamin.

11. At Nussabad, Capt. Henry Hall, commanding the Malwarah local bat., to Sarah, eldest daughter of Brigadier Fagen, commanding the Rajpootana field force.

— Dr. G. G. Brown, assist. surg., to Catherine Ramsey, daughter of the late W. Ferale, Esq., F.Kashira.

12. Mr. W. Nix James to Mrs. M. A. White.

13. At Saugor, Capt. Buttanshaw, executive officer, 14th division, to Miss Hobday, daughter of B. Hobday, Esq., near Birmingham, and niece of Lieut. Col. Nott, commanding 3d N.L.

— Mr. T. B. Timms to Miss C. Pemasby.

15. At Fort William, Mr. E. B. Gleason, town major's office, to Miss H. Jones.

18. E. I. Emlin, Esq., to Mariam, daughter of Sarkis Owen, Esq.

20. Mr. H. McKellar, of the firm of Gibson and Co., to Mrs. Anne Gibson, widow of the late Mr. G. T. Gibson.

— Thos. Harton, Esq., to Mrs. Emily Dicks.

20. Mr. J. B. D'Crus to Miss C. Eddington.
 22. At Bhaugulpore, Mr. John Neville, of Pooree, to Eliza Rose, daughter of Mr. S. Bradshaw, of Calcutta.
 25. Mr. C. P. Chater to Miss M. Zorer.
 26. James Field, Esq., organist of St. Andrew's Church, Calcutta, to Miss E. Branigan.
 — At Cawnpore, Mr. John Mellish, chemist and druggist, to Hannah Olivia, eldest daughter of Mr. C. Cornish, coach and cabinet-maker, and formerly of the country service.
 27. Mr. W. Parson to Mrs. Jenima Davis.
 — Mr. Jos. Abies to Miss R. Garrett.
 29. Mr. Thos. Swaine, register in the general department, to Miss Lydia Jane Smith.
 Nov. 3. At Lucknow, Capt. G. C. Ross, aide-de-camp to General Knox, to Mary Anne, second daughter of Brigadier Maxwell, C.B., commanding in Oude.
 5. Mr. J. Heberlet to Miss M. L. Latour.
 8. Wm. Thacker, Esq., to Miss Maria Anne Smith.
 10. D. B. Wardlaw, Esq., to Miss Anne Brodie.
 14. Mr. Thos. Botelho, assistant in the office of R. W. Poe, Esq., to Ann, only daughter of the late Mr. John Andrews.
 16. At Dum Dum, the Hon. H. B. Dalzell to Miss Isabella Campbell.
 — Mr. W. G. Crief to Miss M. Vallente.
 — *Lately*, At Mynpore, Alex. Chalmers, Esq., M.D., assist. surg., to Maria Frances Jane, eldest daughter of Lieut. Col. Bishop, commanding the 3d extra N.I.
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- DEATHS.**
 Aug. 17. At sea, on board the H.C.'s ship *Warren Hastings*, Charlotte, wife of Geo. Gough, Esq., of the civil service, and daughter of Gen. G. V. Hart, M.P., in her 23d year.
 24. At Moulmein, Tenasserim coast, aged 26 years, Alicia Catherine, wife of Major E. F. Boys, H.M.'s 45th regt.
 Sept. 3. At Mhow, Lieut. H. H. Doherty, 18th N.I.
 7. At Mymensing, Angela, wife of Mr. John Baptist.
 20. At Moulmein, Assist. Surg. W. P. Birmingham, H.M.'s 45th regt., leaving a wife and three children.
 21. At Ghazeepeer, Elizabeth, widow of Mr. Jas. Ellison, late of the pilot service, aged 35.
 22. At Cawnpore, of a fever, Geo. Reddie, Esq., superintending surgeon, aged 58.
 23. At Delhi, Thos. Dunn, Esq., many years a respected inhabitant of that place. Mr. Dunn has, we understand, made several eventual bequests to charitable institutions, in and about Calcutta.
 25. At Moorshedabad, Arabella, second daughter of Robert Creighton, Esq., aged four years.
 28. Mrs. Louisa Becher.
 30. Mrs. Anne Hyppolite, aged 36.
 Oct. 1. Matilda, lady of Charles Mackenzie, Esq., civil service, aged 39.
 2. At Moorshedabad, Robert Creighton, Esq., of the civil service, aged 30.
 4. At sea, on board the ship *Child Harold*, on his passage to Bengal, G. Shellingford, Esq., late indigo planter, aged 36.
 5. Mary, wife of the late Mr. Moran, aged 32.
 6. Mrs. Ann Rees.
 7. At Chandernagore, Mr. F. Desgranges, in his 60th year.
 — Mr. Wm. Taylor, aged 23.
 8. At Bogwangola, Moorshedabad, Edward, sixth son of the late Mr. Chas. Ross, aged 17.
 — At Comillah, Mr. Thomas Crichton.
 10. Elizabeth, wife of Mr. Mathew Siret, aged 26.
 12. Capt. F. M. Chambers, 3d N.I., aged 38.
 13. Lieut. Stanhope Bruce, H.M.'s 3d Buffs, aged 30.
 — At Sydad, Manatsacan Vardon, Esq., aged 60.
 14. At Serampore, Mr. Joseph Measures, aged 57.
 — In the Fort of Allahabad, Mr. Gerrard Ovinger, assistant commissary of ordnance, aged 56.
 17. Mr. Felix Rebello, of the Sea Custom House, aged 52.
 18. At Benares, James Ross, Esq., aged 38.
 20. At Seebore, Auston Nerme, aged 14, third son of Mr. John Chew.
 — W. B. Davidson, Esq., late commander of the ship *Hannum Shaw*, aged 30.
 21. On board the brig *Crocion*, off Calcutta, Mr. Gilbert Hoeson, chief officer, of bilious fever, aged 23.
 24. At Howrah, Capt. Abel Penn, late commander of the H.C.'s vessel *Merman*, aged 38.
 — At Tippecolah, Furreedpore, E. T. Bourgois, Esq., aged 22.
 25. Elisabeth Marie, lady of Capt. John Cooke, aged 52.
 26. Mr. D. J. Munyard, of the H.C.'s marine, aged 34.
 27. Mrs. Catherine Sparks, aged 80.
 — Mr. John Forsyth, of the H.C.'s marine, aged 27.
 29. At Chandernagore, Maria Felice, wife of Mr. A. Millett, aged 22.
 31. Mr. N. Rumel, a pensioner, aged 25.
 Nov. 1. Jane, relict of the late Mr. D. J. Munyard, aged 36.
 2. Mr. James Ellison, indigo planter, aged 48.
 — At Fort William, Mr. Henry Bailes, quarter master of H.M.'s 47th regt., aged 42.
 4. Mr. Wm. Turner, riding master of the Right Hon. the Governor-general's body guard.
 6. At Berhampore, Capt. Chas. C. Smith, 6th extra N.I., aged 41.
 8. Rose, relict of the late Mr. John D'Souza, a native of Italy.
 — At Chinsura, Mr. Wm. Andrews, aged 24.
 — At Chandernagore, Maria Seraphina, wife of Mr. J. L. Lavalette, aged 26.
 — Of spasmodic cholera, John Patterson, Esq., a surgeon on this establishment, aged 45.
 — Mr. John Brodie, late a first mate in the Bengal marine.
 14. Mr. G. H. Forth, assistant apothecary, aged 21.
 — *Lately*, At Ramcollah factory, in Zillah Sircar, A. C. E. Wilson, Esq., aged 27.

Madras.

GOVERNMENT GENERAL ORDERS.

LIEUT. COL. G. CADELL.

Fort St. George, Sept. 4, 1827.—Lieut. Col. George Cadell, of the 23d Light Infantry, and deputy adjutant general of the army, is permitted to retire from the Hon. Company's service, in compliance with his request.

The Hon. the Governor in Council takes this opportunity of expressing in general orders his entire approbation of Lieut. Col. Cadell's meritorious conduct, and his regret at the loss of his services.

TEA AND SUGAR TO TROOPS.

Head-Quarters, Sept. 25, 1827.—Under the authority of government, and with a view, if practicable, to ensure to H.M.'s and the H.C.'s European troops on this establishment a constant supply of tea and sugar of good quality, the Commander-in-chief is pleased to direct that the issue of these articles be made by the commissariat department for payment.

Officers commanding European corps of H.M.'s and the H.C.'s service, including veteran battalions, the depot of European pensioners, garrison staff, and Europeans attached to garrisons and native corps, are therefore directed to forward an estimate to the commissary general annually, in the month of January, of the probable quantity of souchong tea and sugar that will be required by their corps for

for twelve months, commencing in the following January.

These supplies are to be issued monthly on indent to the quarter-masters of regiments, &c., and payment for them made by the deductions in the monthly abstracts, through the pay department, as is observed in all other supplies of provisions obtained through the commissariat.

LAW.

SUPREME COURT, October 12.

The King, v. Codundaraumen and others. This was an indictment for the murder of Mrs. C. Bennet, mentioned in our last vol., p. 611. The indictment charged the prisoners Codundaraumen, Chinna-tombay, Trevengadam, Condapan, Teagaroyen, and Mooneyen, with the murder of the deceased on the 30th day of March last, by strangling her with a rope, and the prisoner Rookemnoy with having been an accessory before the fact.

Codundaraumen had confessed the murder, and afterwards recanted; he and the other prisoners now denied all knowledge of the murder.

The jury found the first-named prisoner guilty, and acquitted the rest. Codundaraumen suffered the next day.

MISCELLANEOUS.

ARRIVAL OF THE NEW GOVERNOR.

His Majesty's yacht *Herald*, having on board the Right Hon. S. R. Lushington and suite, arrived at Madras on the 18th October. Mr. Lushington landed at eleven o'clock A. M. on the 19th, at the sea-gate of the fort, under the customary salutes. He was received upon landing by the members of government and all the principal gentlemen of the settlement. The Right Hon. the Governor immediately proceeded to the council chamber, where the commission of government was read, and Mr. Lushington took the customary oaths of office, under a salute of nineteen guns and all customary honours.

The Governor held his first levee on the 23rd October; the banqueting room was thrown open a little before ten A. M., and it was soon after crowded with all the principal persons of the settlement. Mr. Lushington entered the room at ten o'clock; he looked remarkably well.

KOLAPORE.

Letters reached us on Wednesday from Kolapore confirming the news of the unconditional surrender of that fortress and its territory to the British government. The whole force arrived before Kolapore on the morning of the 15th ult., and on the 17th a battalion of native infantry, under the command of Lieut. Col. Trew-

man, marched into the fort and took silent possession of it. This event was followed by the occupation of the formidable hill-forts of Pounghur and Purnullalighur, each by a Naique's guard; two other minor forts were secured by similar detachments, and thus ended this long talk of campaign. We understand that the Rajah is to retain the sovereignty of the country, but is to receive a subsidiary force, consisting of a brigade of infantry and one brigade of guns, which force, it is stipulated, is to remain stationary at the capital.

This salutary arrangement will effectually preclude any further aggression on the part of the Rajah, check his predatory propensities, and preserve him within the pale of British protection. It is, above all, fortunate for the inhabitants that this wholesome restriction has been enforced, for the acts of atrocity which have been committed by the Rajah on his unoffending subjects are characterized by close observers as disgraceful to humanity. The cholera continued to rage with great violence, and carried off nine and ten men daily.—*Mad. Cour.*, Nov. 2.

DEATH BY A COCK'S SPUR.

A man of the Chuckler caste, named Dossari, met his death on Wednesday last under the following uncommon circumstances:—The deceased was an inhabitant of the village of Choley, and was sitting before the door of his hut about seven o'clock on the morning of the accident, having a game cock near him at the time. A man of the same caste, whose name we have forgotten, happened to pass by with another game cock under his arm, and seeing that of the deceased, challenged Dossari to a cock-fight; the challenge was accepted, the spurs (or rather the small country blades serving to the same purpose) were affixed to the legs of the feathered champions, and the battle began immediately. After a short period, Dossari, perceiving that the spur belonging to his bird had slipped away, took him up, and was in the act of adjusting the instrument, which for that purpose he held incautiously in his lap, the bird made a desperate struggle to get free from his hold, and in so doing, plunged the weapon with such force into the thigh of the unfortunate man as to sever the femoral artery, of which wound the poor wretch literally bled to death in about two hours afterwards, without any application for medical assistance having been made, or even judged necessary by his neighbours, who applied some powdered charcoal to the orifice, and bound up the thigh, without entertaining the remotest apprehension of its fatal termination. The coroner, with commendable promptitude, held an inquest on the body, and the jury delivered a verdict of accidental

dental death, the evidence being so clear as to defy suspicion.—*Mad. Gaz.*, Oct. 6.

SHIPPING.

Arrivals.

Oct. 18. H.M.'s yacht *Herald*, Astley, from Portsmouth.—30. *Warren Hastings*, Mason, from London and Johanna.—Nov. 1. *Security*, Ross, from London, Cape of Good Hope, and Isle of France.—5. *Elphinstone*, Atkinson, from London.

Departures.

Oct. 16. *Grecian*, Allen, for Calcutta.—17. *Emilia*, Dufoy, for Malabar coast.—19. H.M.'s yacht *Herald*, Astley, for Calcutta.—20. *Louisa*, Harris, for Padang.—30. *Diadem*, Wilson, for Calcutta.—Nov. 1. *Forth*, Proudfoot, for Calcutta.—2. *Venerable*, Malmesley, for Masulipatam and Calcutta.

BIRTHS.

Sept. 29. At Jaulnah, the lady of Capt. T. P. Ball, assist. qu. mast. gen. light field division of the Hyderabad subsidiary force, of a son.
Oct. 9. At Bellary, the lady of Capt. Chas. Sinclair, 24th N.L., of a daughter.

MARRIAGES.

Oct. 13. Edw. Muller, Esq., Royal regt., to Selena, eldest daughter of Maj. Gen. Sir Thomas Pritcher, K.C.B.
15. Mr. Escolastico D'Rosario to Miss Louisa Thompson.

Bombay.MILITARY APPOINTMENTS,
PROMOTIONS, &c.

Bombay Castle, Oct. 11, 1827.—Ens. H. S. Gunter removed, at his own request, from 3d Europ. Regt. to 90th N.I.

Surg. Jas. Orton to be garrison surg. at Tannah, v. Hathway proceeding to Europe.

Oct. 13.—Asst. Surg. Buddo to perform medical duties of H.C.'s cruiser *Ternate*.

Oct. 15.—7th N.I. Ens. G. B. Lloyd to be lieut., v. Richardson dec.; dated 8th Oct. 1827.

15th N.I. Lieut. W. Wilkie to be capt., and Ens. J. E. Falkney to be lieut., in suc. to Edsall dec.; dated 9d Oct. 1827.

Oct. 16.—Lieut. Col. Salter, 22d N.I., to have command of Gulcowar subsidiary force, in room of Lieut. Col. Com. W. Sandwith, proceeding to Europe.

Oct. 17.—15th N.I. Lieut. T. Mitchell to be qu. mast. and interp. in Hindoostanee and Mahratta languages, v. Macan proceeding to Europe; dated 12th Oct. 1827.

FURLOUGHs.

To Europe.—Oct. 11. Lieut. G. Macan, 15th N.I., for health.—Lieut. Thos. Graham, 3d Gr. N.I., for health.—Surg. L. Hathway.—12. Maj. S. Hughes, 4th N.I., for health.—16. Lieut. Col. Com. W. Sandwith, 1st Europ. Regt.—Lieut. R. W. Lakin, 16th N.I., for health.

MISCELLANEOUS.

ARRIVAL OF THE NEW GOVERNOR.

The *Neptune*, Capt. Cumberlege, having on board his Exc. Sir John Malcolm, G.C.B., the new governor of this presidency, dropped anchor in the harbour at noon this day, from London the 6th July. The hon. the Governor, his Exc. the Commander-in-chief, and other public functionaries, immediately proceeded on

board the *Neptune*, and welcomed his Exc. once more to India, who landed under a double salute of nineteen guns.—*Bom. Gaz.*, Oct. 26.

MR. ELPHINSTONE.

A requisition having been conveyed to the sheriff of Bombay, calling upon him to convene a meeting of the British inhabitants, in order to afford them an opportunity of considering in what manner they may best express their sentiments of regret on the approaching departure of the Hon. Mountstuart Elphinstone from Bombay, the sheriff appointed the 5th November for that purpose.

We have been authorised to state, that at a numerous meeting of gentlemen, held at the mess-room in the town barracks on Thursday last, pursuant to the notification in the *Gazette* of the preceding day, it was resolved to invite the Hon. Mountstuart Elphinstone to a public entertainment, to be given to him on the occasion of his approaching departure from Bombay, and that a deputation was appointed to wait on Mr. Elphinstone for the purpose of notifying the same to him. The entertainment fixed on is a ball and supper on a grand scale.—*Bom. Cour.*, Oct. 20.

It is said that Mr. Elphinstone will leave Bombay the latter end of November, and proceed to England overland from Mecca.

BOMBAY BIBLE SOCIETY.

On Saturday last a respectable meeting of the friends of the Bombay Auxiliary Bible Society was held, when the ninth annual report was read, from which it appeared that, during the year, 8,237 copies of portions of the Scriptures had been issued from the depository of the Society; of these, 3,407 were parts consisting of single books of the Scripture in Mahratta, which have been sent principally into the southern Concan, where they are read in the schools of the missionaries, and many are given to persons who apply for, and are capable of reading them. Four thousand parts of the Bible in Goozuratee have been distributed in Surat, and in the interior of the province. The greater number of these was distributed by the missionaries one by one, after having heard the receivers read a portion of the book. The new edition, in larger type than that of the former one, is much preferred by the natives, as they can read it with ease and comfort.—*Bom. Cour.*, Oct. 6.

LIEUT. COL. SCOTT.

Died at Bombay on the 8th of October, Lieut. Col. Scott, H.M.'s 6th regt., and commanding the garrison of Bombay, eldest son of the late Lieut. Col. W. Scott,

Scott, of the same regiment, leaving a widow and daughter. He was born in 1779. In 1793, at the early age of fourteen, he entered the service as ensign in the 4th Foot. In the year following he exchanged into the 6th regt., then commanded by his father, and was promoted to lieutenant in 1796. He proceeded with the 6th to Ireland, where he was actively employed during the suppression of the rebellion of 1798. On the embarkation of the regiment for North America in the ensuing year, he obtained a company by purchase, and continued in Canada till 1806, when the regiment was ordered to England. In 1807 he sailed with the regiment to Gibraltar, from which he shortly after embarked with it on the expedition which made a landing at Mondego Bay. He was present in the actions of Roleia and Vimiera under Sir A. Wellesley, and subsequently joined the army under Sir John Moore, with which he underwent the fatigues and privations which attended the disastrous retreat on Corunna. The regiment had hardly landed in England when it was ordered to form part of the expedition then fitting out against Walcheren. In that unhealthy climate he suffered so severely from the fever, that the injurious effects were occasionally felt through the remainder of his life. On the return of the expedition he obtained the promotion of brevet major. From 1810 to 1812 he remained with the regiment in Ireland, from which he embarked at Cork for the peninsula, and was present at the battle of Vittoria, and all the operations of the 7th division in the Pyrenees, and when the regiment so highly distinguished itself in carrying the heights of Echellar, which affair elicited the particular notice of the Duke of Wellington, and which was communicated in General Orders. He was also present in the action of the Nive and Nivelle, and had the honour of commanding the regiment in the battle of Orthes, for which he received a medal and promotion to lieutenant colonel in the army. He assisted in the operations which followed against the remains of the French army on the Garonne and Dordogne. On the regiment's proceeding to Canada he was detained on duty at Bordeaux, and on its completion joined the 2d battalion. In 1815 he re-joined the regiment, which had been selected to form part of the army of occupation in France. After the breaking up of the army he accompanied the regiment to England, where it remained till 1827, when it was ordered to St. Helena, and finally to the Cape of Good Hope. While there, he held the command of the frontier and of Simons Town. In 1825 he embarked for Bombay, and on arrival took command of the regiment. On the embarkation of the regiment for field service

in Cutch he was appointed to the command of the 1st brigade, and on the departure of Col. Napier for Europe, to that of the whole force. In 1826 the regiment returned to Bombay, when the command of the garrison was conferred upon him by the governor, in which situation he continued up to the period of his sudden and lamented death.

His remains were attended to the grave by his Exc. Sir Thomas Bradford, commander-in-chief, K.C.B., as chief mourner, the staff of the army, and all the officers of the garrison, as also by many of the civilians of the presidency.

MR. PARRY AND MR. GRAHAM.

In p. 274, we reported some particulars of a squabble between Mr. G. F. Parry, a member of the Bombay bar, and Mr. Graham, an attorney of the Supreme Court. An account of the transaction and notes of the proceedings in court, furnished by Mr. Parry, have since been published. It appears that Mr. Parry, in consequence of the affair, has withdrawn himself from practice in the Supreme Court. In his letter Mr. Parry states: "So long as the knowledge of the insult, to which my professional duties as an advocate had exposed me, was confined to the members of the Supreme Court, I felt it unnecessary to break silence further than was sufficient to secure my person from violence; but when a false and distorted statement, bearing the semblance of authenticity, and repeating that disgraceful insult, had been published in the *Bombay Gazette*, relative to my conduct in a personal communication with an attorney of the Supreme Court, I then deemed it my duty, in justification of my honour and character, to come forward, and by a summary appeal to what I conceived my 'proper and legitimate tribunal,' at once to place the whole truth before the public, and to endeavour to secure to the offender that punishment which of itself would characterize the part I had had in the transaction."

Then follows a full report of the proceedings in the Supreme Court on the 2d July, with the speeches of the two judges, who (as is stated in the *Bombay Gazette*) certainly did animadvert in strong terms upon the erroneous conceptions of Mr. Parry, and upon the uncourteous course he had pursued towards Mr. Graham.

Mr. Parry subjoins to this report some reflections upon the *dicta* of the judges, wherein he contends that the blame and censure cast upon him by those learned personages are not * warranted by the facts,

* This important monosyllable is omitted in the paper in which these details are published.

facts, and that their opinion on his course of proceeding is altogether extra-judicial. He then gives a statement at some length of the circumstances of the dispute, which does not materially vary from that already given, reasoning upon them as he proceeds. With obvious reference to a remark in the speech of Mr. Justice Rice, that "from Mr. Graham's general good character, and from the manner he has always conducted himself in this court, both before and since his admission, I think there is nothing which throws discredit on Mr. Graham, which should prevent any one shewing that courtesy in addressing him which I consider he is entitled to, from his being in the situation of a gentleman;" Mr. Parry expresses himself as follows:

"As this was by no means the first occasion on which Mr. Graham had introduced disrespectful observations into his instructions to me, I was induced to notice it, and my reason in so doing, for adopting towards this individual the line of conduct stated in my affidavit, was founded on my studious determination to avoid all communication with him, which was not obligatory upon me from its professional nature. I should consider it as a sufficient justification in forming such a determination, to refer to the facts recorded amongst the criminal proceedings of our court, viz. of Mr. Graham's having been sentenced to nine months' imprisonment in the gaol of Bombay for an assault on one advocate; of his having been recently convicted of an assault; and also of a gross libel on another. Of his gross insult to the grand jury, by them presented to the court, on a late occasion, when, but for the unqualified apology reluctantly extorted from him by the court, he would perhaps have been committed to prison; but, independently of all this, I might allude to other circumstances in Mr. Graham's conduct and demeanour, which have produced their impression on my mind. Claiming, however, as I do, in common with every member of society, to exercise my judgment and discretion, as to the limits of my intercourse with others, I think it sufficient to say that I have never permitted Mr. Graham's intercourse with me, either in its origin or continuance, whether as clerk or partner of Mr. Ayrton, or of Mr. Hopkins, or subsequently as an attorney of the Supreme Court, to assume any other than a strictly professional character."

NAUTICAL NOTICE.

Bombay Harbour.—A spire buoy has lately been placed in the Fairway at the entrance of Bombay Harbour, between Tull Shoal and the reefs which extend from the lighthouse on Old Woman's Island, as a guide for ships entering the har-

bour in the south-west monsoon, when pilots are unable to reach them outside the reefs during the flood-tide. The buoy is placed in seven fathoms at low water, and nine fathoms and a half at high water, distant about three-quarters of a mile from the nearest part of the light-house reefs, and one mile and a half from the nearest part of Tull Shoal, and from this spire buoy the island of Kanary bears S. $\frac{1}{2}$ E.; lighthouse on Old Woman's Island N. by E.; Tull Nob S. E. by E. $\frac{1}{2}$ E., a ship's length open to the northward of the northernmost peg on the high land of Tull; the Funnel hill on the back land E. $\frac{1}{2}$ N., well shut in with the north part of Caranja great hill; the sunken rock floating-light vessel, or the buoy off the same rock in the fair weather season, N.E. $\frac{1}{2}$ N., on with the eastern part of Butcher's Island; the Oyster Rock (upon which a beacon of stone, twenty-four feet high, has been erected) N.N.E. $\frac{1}{2}$ E., a little open to the eastward of Cross Island.

A ship entering the harbour without a pilot, should pass at a small distance to the southward of the spire buoy, then steer N.E., N.E. by N., and N.N.E., if it be flood-tide; but E.N.E., N.E. by E., and N.E., if it be ebb tide, to give a birth to the reefs projecting from Old Woman's Island; then steer for the sunken rock vessel or buoy, taking care to pass to the eastward of it, and afterward wait for a pilot.

CHARLES KEYS, Master Attendant.

To the Editor of the Asiatic Journal.

Sir: By giving the accompanying nautical notice a place in your wide-circulating publication, you will thereby render a service to oriental navigators, and oblige

Your's, &c., JAS. HOASARON.
Chart Office, E. I. House, March 20, 1823.

SHIPPING.

Arrivals.

Oct. 21. *Ganges* (steam-vessel), Jump, from Calcutta.—23. *King George the Fourth*, Bates, from Muscat.—26. *Neptune*, Cambridge, and *St William Wallace*, Brown, both from London.—Nov. 4. *Maitrina*, Murray, from London.—*J. A. David*, Richardson, from London.

Departures.

Oct. 27. *Competitor*, Jackson, for London.

BIRTH.

Oct. 8. At Rutnagherry, the lady of L. R. Reid, Esq., of the civil service, of a daughter.

MARRIAGES.

Oct. 20. Ingram Chapman, Esq., commanding the ship *Katherine Stewart Forbes*, to Agnes Stannus, eldest daughter of Lieut. Col. Willis, town major of Bombay.

24. Henry Hancock, Esq., of the Hon. Company's military service, to Susan, youngest daughter of F. De Berckem, Esq., of Upper Clapton, Middlesex.

DEATHS.

Oct. 2. At Baroda, Capt. Edmell, commanding 15th regt. N.I., aged 38.
14. W. A. Jones, Esq., judge at Surat.
19. Mrs. Amelia Tedman, aged 34.

Penang.

THE SUPREME COURT.

The court of judicature, established by the new charter for the incorporated settlements was opened for the despatch of business on the 1st November. A table of fees was fixed, and in the course of the day some of the heavy arrear of business was disposed of.

DESSERTION FROM A COMPANY'S SHIP.

The ship's cutter with an European crew which arrived at the pier on the 10th October, belonged to the H.C.'s ship *Farquharson*, brought away from Singapore on the morning of the 25th ult. by the sixth officer and seven of the crew of that ship, who have taken French leave, in consequence, as stated by the officer (whose name is R. H. Manley), of the severest ill-treatment experienced by him and the men who accompanied him. The boat was provided with a compass and arms suitable to the voyage; and the officer duly reported the arrival of himself and companions, and the cause of their appearance, to the superintendent of police, under whose custody they now are, for the purpose, we understand, of being sent for trial to Calcutta, there being no admiralty jurisdiction vested in our courts of judicature, although, perhaps, more necessary in these straits than in any part of India, and which has been frequently recommended as essential, by the highest local authorities, both of the Hon. Company's and the King's Services.—*Penang Register* Oct. 17.

BIRTH.

Sept. 14. At Kelso, the lady of Major Lake, of a son.

DEATH.

Oct. 6. Mrs. E. Mitchell, wife of Mr. T. G. Mitchell.

Singapore.

BIRTH.

Oct. 31. The lady of Andrew Farquhar, Esq., of a daughter.

MARRIAGE.

Oct. 10. Lieut. S. R. Hicks, adj. 35th regt. Madras N.12, to Sarah Kennedy, only daughter of Lieut. Col. Com. C. Farran, Madras army.

DEATH.

Sept. 22. Of dropsy, Capt. Chas. Harvey, Nag-pore service.

Netherlands India.

Papers have been received from Batavia to the 15th Nov. They contain an account of an expedition of the column under the command of Lieut. Col.

Sollewyn to the *dessas* Gamplong and Banjoemenang, at which last place Diepo Negro was stationed for a considerable time. They also report an expedition to *Passer Gedee*. In the first expedition, which took place in the end of October, the enemy were driven from both these *dessas*, which were entirely destroyed. According to the latest accounts the sickness at Djocjocarta had not diminished, and there were about 400 patients in the hospital.—*Brussels Paper*.

Persia.

RENEWAL OF THE WAR.

An Extraordinary Supplement of the *St. Petersburg Journal* of the 4th March has been received, which communicates the following important details connected with the refusal of Persia to ratify the treaty recently concluded with Russia:—

The accounts from Persia, which have been long expected, and arrived at length on the 27th and 29th of February, have unhappily not realized for the present the hopes of peace, which the negotiations opened with Abbas Mirza, his formal promises, and the written declarations of the Shah himself, authorized us to conceive. Already all the articles of the treaty which was to put an end to the war between the two states had been solemnly approved and signed by the plenipotentiaries of the Emperor, by Abbas Mirza, and another plenipotentiary of the Persian sovereign; already all discussion was at an end on the important point of the pecuniary indemnity claimed by Russia. The amount of the just compensation, for so many losses and expenses, was finally fixed. As soon as it should have been delivered to the plenipotentiaries of his Imperial Majesty, the Russian troops, according to the stipulations mutually agreed upon, were to evacuate the province of Azerbijan, and retire to the left bank of the Araxes. The money intended to pay the indemnity to Russia was on the road to Tabriz, when General Paskewitch learned, all at once, that the intentions of the Shah had changed, that a special plenipotentiary, Mirza Aboul Hassan Khan, was on the point of proceeding to the place of conference to declare that unless the Russian army withdrew in the first place to the left bank of the Araxes, and evacuated the province of Azerbijan without the least delay, Feti-Ali Shah would not pay any indemnity, and would not ratify the peace, the conditions of which he had accepted. The declaration which Mirza Aboul Hassan Khan was to make admitted but of one answer. As soon as on his arrival at the camp of General Paskewitch he had performed the orders of his master, and communicated the new decisions of the Shah, the

the Commander-in-chief announced to him that the conferences were broken off, and that military operations would be recommenced. They have been renewed in part, and will be carried on with the greatest vigour.

Abbas Mirza seemed thunderstruck at the resolutions of his father. This change of system, which he deploras, seems to have been produced in Persia by internal and external causes, which have acted with equal force, by the ambition of one of his brothers who aspires to the throne, and by the promises of support and diversion given by another Asiatic power. However, we may be allowed to hope that the Shah will still be made sensible of his real interest. Mirza Aboul Hassan Khan considered, with as much alarm as the hereditary prince, the necessary consequences of the renewal of hostilities. He had set out again with all speed for Teheran, in order to induce his sovereign no longer to delay the conclusion of the peace, and the payment of the indemnity agreed upon. Lastly, accounts from Teheran itself, dated the 20th of January, announce that sums equal to the whole amount of the indemnity had been sent by the Shah's orders to Kazbin, and that the fear of the progress of our troops would soon triumph over the obstacles which had intervened to prevent the signing of a treaty, the conditions of which were dictated by moderation and justice.

Details of the operations of the two armies during the last campaign are given in the Calcutta and Bombay papers, from statements received from the camp of the British envoy, and from private letters from Tabreez, which represent the transactions in a more favourable light than they appeared in from the Russian accounts, from which our reports were necessarily taken. Thus in the defeat of the Russians on the 8th June 1827,* the Russian force is described as superior to that of the Persians; and instead of the Russians losing 102 men and two officers, they are said to have lost 500 killed or taken, and twelve officers: the loss of the Persians, instead of being upwards of 200, did not exceed fifteen or twenty, killed on the first onset of the Lancers. "When the Cossacks gave way, the rout of the Russian cavalry became complete, and after that their opponents did not lose a single man." It was reported that Gen. Benkendorff had been placed under arrest on account of this affair.

When Gen. Paskewitch marched from before Erivan in the beginning of July, a body of Persian horse, under Hassan Khan and Ali Mucky Mirza, hung on his flank, and succeeded in capturing a large convoy of provisions and stores. No men-

tion is made of this in the Petersburg accounts.

The Russians were repulsed on the 14th July, with heavy loss, in attempting to carry the fortress of Abassabad by escalade. The battle of the Araxes, on the 16th July,* which decided the fate of Abassabad, by compelling Abbas Mirza to retire, is very differently related in the Persian accounts from those in the Russian papers. By the former it appears that the battle was brought on by an attempt on the part of the Prince Royal to surprise a Russian reconnoitering party which passed the Arras. The Russian party was charged, driven with loss across the river, which Hassan Khan crossed, and approached the Russian line, which obliged him to recross, followed by the Russian cavalry, each carrying a foot soldier. The remainder of the Russian army endeavoured to cross the Arras, but the fire of the Persians prevented them, and occasioned them great loss. At length the Russians, moving up the banks, discovered part of the Persian army in ambush in a ravine, and bringing their guns to bear on the troops, they fled in the utmost confusion, pursued by the Russians, who eventually re-crossed the Arras. The amount of loss is not stated, but the Russians must surely have lost more than eight killed and twenty-eight wounded in this affair.

The capture of the strong fortress of Abassabad was owing to some Nuktschians, forming part of the garrison, and who were well affected towards Mehdi Kouli Khan, a partizan of Russia, having opened one of the gates to the Russians.

Some private letters from Persia state that the people began to be tired of the war, and insinuate that the Prince Royal was acting a treacherous part. It is added that there is a wide extended spirit of disaffection to the government throughout Persia, and that the surrender of Abassabad might have found a parallel elsewhere. Disunion exists in the royal family, and three of the princes, the governors of Malagar, Mehawend, and Booroojird, instead of sending their contingents to the camp, employed them against each other.

By advices from St. Petersburg, dated 11th March, it appears that the Russians have occupied Ardebil, and that the Shah, alarmed, has consented to fulfil the treaty. The scene of negotiation is removed from Tabreez to Miana.

China.

ENGLISH NEWSPAPER.

We have received the first two numbers of the *Canton Register*, the first English newspaper ever printed in China. It is

* *Ibid.* p. 515.

edited

* See *Asiat. Journ.* vol. xxiv. p. 254.

edited, we understand, by an American, and is perhaps one of the most beautifully printed papers extant in the east. The type is large, uncommonly elegant, and apparently new. The plan of the paper, which appears on the 1st and 15th of each month, is to present a copious and correct price-current of commodities, and reports of foreign markets, and occasional accounts relative to the trade, customs, and peculiarities of the Chinese, as well as translations from their standard works. The first number appeared on November 8th.

STATE OF CHINA.

The military operations in Western Tartary or Turkistan, commonly called Little Bucharía, are discontinued, and the imperial army recalled. During the summer campaign of this year, the Mohammedan rebels were driven back from Aksa to Cashgar, and the Chinese frontier on the N.W. in that neighbourhood. The towns of Yarcand, Kotin, &c., which the preceding year had fallen into the hands of the rebels, were re-taken by his Majesty's forces. But the chief rebel, a Mohammedan pretender to the throne of Little Bucharía, was not taken. It is indeed reported among the natives that he has returned to the charge with a reinforcement of troops furnished to him by the Russian governors on the frontier.

* *Chang-kh-urh*, the name of the chief rebel, seems the Chinese mode of writing *Jehangir*, which is the name given to this chief in the accounts received *via* Russia.—*E.J. A. J.*

The natives (of China) complain of increasing poverty among the mass of the people, and consequently the increase of banditti; some of whom, even in the northern parts of Canton, betake themselves by thousands to the hills and vallies defended by narrow passes, where they set the government at defiance.

The finances of the country are not in a good state. Hence last year a new measure, consisting in the sale of offices, was adopted, and a price fixed by government for all the different offices below governors and deputy governors. This measure was reluctantly adopted for one year to meet the expenses of the Tartar war. It has produced under six millions of taels (about two millions sterling).—*Canton Register*, Nov. 15.

For the latest intelligence from China we refer to the letter of a correspondent from Canton in a preceding page.

SHIPPING.

Arrivals at Whampoa.

Oct. 30. *Marquess Hastings*, from N.S. Wales.
—Nov. 1. *Guildford*, from ditto.—15. H.C.'s ships *Windsor*, *Farguharson*, and *Atell*, from England.
—19. H.C.'s ships *Ingis* and *Scal* by *Castle*, from ditto.

The H.C.'s ships *Bombay*, *General Kyd*, and *Hythe*, were to sail for England on the 30th Nov.; the *Charles Grant* on the 5th Dec. (via the Cape); the *Buckinghamshire*, *Waterloo*, *Kellie Castle*, and *Duke of Sussex*, on the 20th Dec.; and the *Atlas* on the 5th Jan. 1828 (via the Cape).

HOME INTELLIGENCE.

IMPERIAL PARLIAMENT.

HOUSE OF COMMONS, 25th March, 1828.

Law of Real Property in India.—Mr. Fergusson rose to present a petition of which he had given notice, from the British, native, and other inhabitants of Calcutta, respecting the law of real property within that settlement, and particularly respecting the liability of such property in the hands of executors and administrators to the payment of the debts of the deceased. This petition, which was signed, he believed, by almost every person of respectability and opulence in Calcutta, complained of the imperfect and unsettled state of the law in that particular, arising chiefly from some late decisions of the Supreme Court, affecting property to the amount of many millions sterling. The petition stated, that previously to the granting by his Majesty of the

Charter of the Supreme Court in 1774, houses and lands of British subjects were liable to be seized and sold for the payment of debts, as well in the hands of the owner in his life-time, as of his executor or administrator after his decease. The letters patent or charter of justice, in 1774, recognized this to be the law; for after giving to the Supreme Court the power to try and determine actions and suits of a personal nature, and "all rights, titles, claims and demands, of, in, and to any houses, lands, or other things, real or personal," within the provinces of Bengal, Bahar, and Orissa, against his Majesty's subjects, and against the executors and administrators of such his subjects, it authorizes the same court to give judgment in such actions, and thereupon to award and issue writs of executions, commanding the sheriff

sheriff to seize, and deliver possession of houses, lands, and other things recovered by such judgment; or to levy any sums of money recovered by such judgment, by seizing and selling so much of the houses, lands, debts, or other effects of the party against whom such writs shall have been awarded, as shall be sufficient to satisfy such judgment. The petition stated that it was the meaning and intention of this provision in the letters-patent, to place houses and lands on the same footing with personality as to liability for debts, either in the life-time or after the death of the debtor, and that such had always been considered to be the law, and never had been doubted untill lately, when in a case decided in the Supreme Court, Sir Charles Grey, the chief justice, had declared it to be his opinion, that such estates being of inheritance, which he thought British subjects might hold in Calcutta, were not assets in the hands of an executor or administrator for the payment of debts, and that if liable for the debts of the deceased at all, they were liable in the hands of the heir, who was the person to be sued, and not the executor or administrator. The other two judges, however, Sir Anthony Buller and Sir John Franks, were of opinion that such estates were liable to the payment of such debts, and were assets for that purpose in the hands of the executor or administrator, who might lawfully sell and convey the same.

The judgment of the court was given in favour of such power, but the petition stated, that such was the alarm created by the effect of the opinion given by the chief justice, joined to a decision which had subsequently taken place respecting a claim of dower, that the sale of houses and lands by executors and administrators had been wholly suspended, and that all titles to houses and lands which had ever been conveyed by an executor or administrator were rendered liable to objections and doubts. He (Mr. Fergusson) could well conceive this, for he had no hesitation in saying that if the law was, as laid down by the Chief Justice, of whose talents and learning he could not speak otherwise than with respect, it would go to shake almost every title in Calcutta. In the course of a long practice, in which numerous titles had come under his (Mr. Fergusson's) consideration, he scarcely remembered one in which some link in the chain of title did not consist of a conveyance from an executor or administrator. Mr. Fergusson could safely say, that during a practice of seventeen years, he had never heard, either at the bar or from the bench, a doubt thrown upon the law, that an executor or administrator had a power to sell an estate in lands or houses, whether of inheritance or not, for the payment of the debts generally of the deceased, and that such estate was

assets in his hands for that purpose. The case of dower referred to in the petition was one in which the Chief Justice and Sir John Franks, the only two judges who then constituted the court, concurred in holding, that the lands of a British subject in Calcutta could not be sold, either in his life-time or after his death, for the payment of his debts, unless subject to the right of dower. This was, certainly, the first decision that had been given in the Supreme Court in favour of dower, as a claim preferable to debts; and the petitioners contended that by the law and practice which had at all times obtained, lands had been seized, and sold by the sheriff under writ of *fiery facias*, as well in the lifetime of the owner as (after his death) in the hands of his executors or administrators for the payment of debts, and that no reservation had ever been made or claimed to be made on account of dower.—Whatever might be the law, Mr. Fergusson said, on this point, it would seem that, for the future at least, it would be most desirable that in a commercial community like Calcutta, the transfer of landed property, particularly for the payment of debts, should be entirely freed from this charge, and the rather as by the bankrupt law, the real estate of a bankrupt situate in any part of the dominions of the crown passed by the assignment and became liable to the payment of the bankrupt's debts discharged from all claim of dower. There was another judgment of the Supreme Court mentioned in the petition, which was the unanimous judgment of the three judges, but in which the point was decided for the first time, that an alien could not take lands by descent in Calcutta. From the protection afforded by the British government to persons residing within its territories it was certain the subjects of foreign states had been induced to resort to and settle in Calcutta, and had purchased lands and houses which had descended to their heirs, as the petition stated, without let or hindrance. In the two first charters, which were granted in the reigns of George I. and II. it was recited, that the "United Company had, by a strict and equal distribution of justice, very much encouraged not only his Majesty's subjects, but likewise the subjects of other countries, and the natives of the adjacent countries, to resort to and settle in Calcutta." This was a point of great importance, and which involved questions of general consideration; and he (Mr. Fergusson) was sensible that if any thing was to be done to alter or affect the law on this subject, it must be under the express sanction of the crown. There was one remaining point noticed in the petition, which was also of great interest, he meant the want of a proper law respecting insolvent debtors, whereby many persons

persons were imprisoned for a great length of years in the gaol of Calcutta, although they had no means of discharging their debts, and had delivered up all they possessed. Mr. Fergusson understood that a bill for the purpose of remedying this evil was now in preparation, under the sanction of the Court of Directors and the Board of Control. This subject he (Mr. Fergusson) did not therefore mean to include in the bill, which it was his intention, after presenting this petition, to move the house for leave to bring in. He thought he had said enough to satisfy the house that the law, and the very important subject to which he had called their attention, ought not to be suffered to remain in its present unsettled and imperfect state; he did not therefore anticipate any objection to the motion of which he had given notice for that evening. In the mean time he would content himself with moving for leave to bring up the petition.

Mr. C. W. Wynn said that, during the time he had been connected with the Board of Control, he had commissioned a chief justice who was sent out from this country to collect information respecting the propriety of introducing the insolvent debtors' laws there. That learned judge, however, fell a victim to disease in about six months after his arrival in India, and consequently the desired information was not collected. Great difference of opinion existed on the subject in India. If it could be done, he (Mr. Wynn) was of opinion that it would be better effected by some species of regulations respecting debtors there, than by any legislative enactment here. The draught of a bill upon the subject had arrived in this country a few days previous to his (Mr. Wynn's) leaving office, and he recommended to the noble lord (Melville), now at the head of the Board of Control, to have the matter laid before the law officers of the crown. Perhaps it might be supposed that he (Mr. Wynn) would be most competent to introduce the subject to the consideration of the house, and if that were the case, he should be very happy to do so. (*Hear!*)

Mr. Hume, Mr. Trant, Mr. T P Courtenay and Lord Althorp made a few observations; after which

Mr. Fergusson obtained leave to bring in the bill to explain and amend the law in respect to real property belonging to British subjects and others in India.

LAW.

THE KING v. SUTTON AND OTHERS.

(*Before Lord Tenterden and a Special Jury.*)

This was an indictment against Samuel Sutton, William Andrews, James Patten

Anstice, John Edward Despard, Joseph Tyndale, George Henry Gibbons, Thomas Wright, and Charles Elton Prescott, charging the seven first individuals with having conspired together for gain, reward, and profit, to negotiate for one Edward Drake Back to be nominated and appointed a cadet under the East-India Company; and it further charged Charles Elton Prescott (a Director) with unlawfully, wilfully, and knowingly aiding, abetting, and assisting the others. Capt. Prescott, Anstice, and Despard, pleaded *not guilty*; the other defendants *guilty*.

Before the indictment was opened by Mr. Carter, on the part of the prosecution, the defendant Anstice prayed by his counsel to be allowed to withdraw his plea of *not guilty* and plead *guilty*, or to have a verdict of *guilty* recorded against him. The latter was accordingly done.

Mr. Solicitor General then spoke as follows:—May it please your lordship, gentlemen of the jury, I appear in this case on the part of the prosecution against the eight defendants who have been named by my learned friend. It is a prosecution that has been instituted at the suit of the East-India Company, for the purpose of detecting, and bringing to punishment, persons who have been guilty of a very gross act, in the sale of patronage belonging to their body.

Gentlemen, before I begin to narrate the facts of the case, I would state to you, that the parties stand in very different relations: the first seven of them being those who are charged with the actual guilt of the transaction itself; but Mr. Prescott, the gentleman who is last named upon this record, being charged only with having aided and assisted and abetted the rest, but not himself charged with being the perpetrator or part perpetrator of the criminal act itself. It appears also by the statement of my learned friend, that several of these defendants have thought proper to withdraw their plea of *not guilty*, and submit to the judgment of the court against them; and one of them, since we have entered the court, since you have been sworn (Mr. Anstice), has allowed a verdict to be taken against him. I have no other observation to make upon this, than that the prosecutors of this indictment are no parties whatever to any agreement, or any understanding, or any hope of withdrawal of punishment held out to the parties who have so thought proper to withdraw their plea; it is a matter for their consideration: they have thought, I dare say, and rightly thought, that the evidence we were prepared to lay before you was so strong and conclusive, that rather than give the trouble of a more minute investigation, they have voluntarily, by the advice

advice of those under whose care they have entrusted themselves, withdrawn their plea, and suffered judgment to be entered against them; at present therefore the only persons with whom you have any concern are Capt. Despard, who has pleaded he is not guilty of the charge, and Mr. Prescott, who I have already stated, stands charged with an inferior degree of guilt, not an actual participation in the original transaction itself; but with having aided and assisted, or at least, as I think the evidence will satisfactorily shew you, of having connived in this act, when performed by a person of the name of Sutton, the principal agent.

Gentlemen: it will be my duty to lay before you, as shortly as I can, the evidence that will be brought in review before your judgment; and I think you will be of opinion, that there is a case, not only irresistible against the first of those defendants, but upon the result of the evidence, and the observations I shall make, if they shall be justified by the evidence I shall produce, you cannot entertain a doubt but that the directors of the East-India Company would have deserted that duty reposed in them, and betrayed the trust they held, and the conduct of those large concerns which are entrusted to their care, if they had not investigated this question to the very foundation, and persisted in bringing it before a jury of the country, to decide upon the guilt or innocence of the parties accused. This observation is the more necessary, because one of these defendants, Mr. Prescott, stands in the situation of being a brother director with those who have instituted the prosecution; and it became therefore doubly their duty—it became an imperious duty, and from which it was impossible they should withdraw themselves, that they should bring the case of that gentleman with the rest before the judgment of a jury of their country; for it would otherwise have been said, and I know not what answer could have been made to it, that though they were willing to prosecute those, the immediate guilty parties, who participated in the transaction; yet with a case laid before them, and their suspicions justly excited, they were desirous of throwing a shield over parties who were their brethren in the government of the body, and unwilling to bring all equally guilty to the punishment they deserved. It has, therefore, been determined, and upon the evidence before you you will decide whether properly or not, that this prosecution should proceed; and that Mr. Prescott, charged as he is with having assisted, with a knowledge of the guilt of the transaction, on the part of those who were the immediate perpetrators, should receive at your hands, as the evidence turns out, either a verdict of guilty, or a verdict of acquittal.

Gentlemen: it will appear to you that the first intimation that was given to the East-India Company of any transaction which at all affected the sale of the patronage in question, was so early as the month of February 1827: but before coming to that I shall beg leave to mention a few transactions that had occurred, which, although they have no immediate reference to the parties now upon the record, will clear the way to your more fully understanding the whole nature of the transaction, and introduce one of those persons who is a prominent party in the transaction.

It will be proved to you that a clergyman of the name of the Rev. Dr. Back, residing at Little Hampton, in the county of Sussex having perceived in the *Morning Herald* newspaper, in August 1826, one of those advertisements with feigned names to them, or only letters, I believe M. N. in this case, denoting, as you often read, that if inquiry was made at a particular place, an opportunity offered to parents of obtaining a situation of a respectable nature for a youth under twenty to go abroad, but his outfit would require means, without which no application need be made. Dr. Back having a son that he was desirous should obtain some employment of the nature pointed out in that advertisement, wrote a letter to the fictitious character M. N., to which he afterwards received an answer. I shall not trouble you with the correspondence upon that occasion any further than that it introduces to your acquaintance before it had ceased, which was only the 20th of August, the name of Mr. Wright, one of the parties on this record. It seems, however, that Dr. Back being dissatisfied with the negotiation, which went on to a certain extent on that occasion, by a friend in town having called on the party in town to whom the letter had referred, entirely abandoned it. However, in October 1826, there is another letter addressed to him at Little Hampton, requesting him to call upon Mr. Wright, and stating where Mr. Wright the defendant then resided, which I think was in Alsop's Buildings, Regent's Park. Dr. Back accordingly a short time after came up to London and called at the place to which he was referred, where he introduced himself to Mr. Wright, not under the name of Dr. Back, because upon these occasions there is always a little degree of reserve and secrecy; and having once written a letter in the name of Edwards, he thought it would be as well during the progress of this transaction that he should not pass by his own name of Dr. Back, but by that of Edwards; he calls upon him, and has a conversation with him under the name of Edwards. Now, upon that occasion the conversation turns upon

the nature of the employment which Mr. Wright could furnish, and the price required for it; and it appears that Mr. Wright stated that the nature of the employment was that of a cadetship to India; and if it was a cavalry cadetship it would be 900 guineas; and if in the infantry, from £600 to £700 only. Dr. Back, however, having been informed in the course of the former negotiation that no price would be required, felt himself certainly indignant at hearing so large a sum mentioned for the outfit, as it might be called, of his son; and upon this communication, which had been renewed in October, he again abandoned all further negotiation, and went back again into the country.

It seems he remained there in quiet till the month of January 1827, the end of that month; and then from some circumstances in his own family he was desirous that his son should obtain this situation; but a thought came across him that there was something irregular and mysterious in this mode of acquiring his appointment, and he thought it right at once to direct a letter immediately and directly to the Chairman of the East-India Company, telling him all that had taken place upon the former occasions, and asking him distinctly and openly whether this was a proper mode by which the patronage of the Company should be obtained. The natural consequence of that letter was, that the Chairman and the Deputy Chairman, they being the persons to whom this letter had been communicated, thinking it right in a matter of this nature that strict secrecy should be observed, sent down a very confidential person in their immediate employment to Dr. Back.

Without troubling you with a detail of what took place, it appeared fit to the Chairman and Deputy Chairman that, if possible, this opportunity of detecting what they were afraid was too common, namely, the trade and traffic in the patronage of the Company, by guilty persons leaguely together, should be probed and sifted to the bottom, and the guilty brought to punishment; they therefore requested, and made it quite an earnest request on their part, that Dr. Back himself, an extremely respectable man, should continue in the negotiation, in order that he might, if possible, trace the different steps in it, from those who it then appeared were most distantly connected with the patronage itself, and see whether or no there were any persons in the employment of the Company who were themselves participants in the guilt; or, at all events, bring to punishment those who thought proper thus to delude the public.

Now, after this communication from *Asiatic Journ.* Vol. 25. No. 148.

the Chairman and Deputy Chairman, you must bear in mind that every subsequent step was entirely known to the Chairman and Deputy Chairman, and considered by them well; and that nothing was done in the course of this transaction that was not immediately communicated to the confidential adviser so employed by them. I will now go on to state to you what took place from time to time down to the period when the detection was complete, and shew you what share each party upon this record had in the transaction now before the court.

Gentlemen: after Dr. Back had received this information, he writes a letter to Mr. Wright, whom I have already named to you as the person who had fixed the price of this cadetship, in a manner renewing and opening the contract that had been so abandoned, and he receives an answer to that letter upon the 27th of February 1827: "Mr. Wright presents his compliments to Col. Edwards," that was the name under which the negotiation was carried on on the part of Dr. Back; "and begs to say, that the opportunity now exists for opening the treaty alluded to in his note; but that he is going out of town to-morrow for a week or ten days, and will commission a friend of his to attend to any communication or appointment that Col. Edwards may think proper to make for that purpose, being perfectly conversant in those matters. Mr. W. begs to say, that he only came to town on Sunday, which is the cause of Col. Edwards not having had an earlier reply, and shall feel obliged by his addressing him in future to No. 63, Upper Norton-street, having quitted his house in Alsop's Buildings. Mr. W. will feel obliged by an early reply, as the opportunity may not last long." And he dates this from 63, Upper Norton-street, so that the effect of this letter is to identify himself with the person afterwards found in 63, Norton-street; in effect, handing over Dr. Back from any farther communication with himself at this moment to this person, whoever he might turn out to be, who would be found upon the premises in Norton-street. Accordingly, a short time after Dr. Back came to town, I think upon the 5th of March after, he sent a note to the direction of Norton-street, No. 63, having addressed it to Mr. Wright, who, he supposes, would either be there in person, or to whom it might be forwarded. He receives no answer to it, nor any letter from Mr. Wright, but from a Mr. Gibbons, one of the other defendants upon this record; the letter he receives is this: "Mr. Gibbons, on the part of Mr. Wright, will meet Col. Edwards to-morrow at one o'clock, at 32, Walbrook, having an appointment there at that hour; and as Col. E. has desired his letter

letter to be addressed to the City, it probably may be more convenient to him than Norton-street." So that here is a direct appointment formed between Mr. Gibbons, the representative of Mr. Wright, and Col. Edwards, that is Dr. Back, who was come up to town for the purpose I have already mentioned to you.

On that day, the 5th of March, or the next day the 6th of March, a meeting takes place, Dr. Back goes into the City, to No. 32, Walbrook, which is the chambers of a respectable attorney, I believe, who has nothing to do whatever with this transaction—he there meets Gibbons, that person with whom, till that moment, he was an entire stranger. Upon meeting Mr. Gibbons at that place, the conversation immediately assumes the form of a more direct treaty, for Gibbons, upon that occasion, points out the necessity of having the money brought forward directly; that he again specifies the difference in the price of a cavalry and infantry cadetship, and he states that the mode in which these matters are managed is by dividing a bank-note in two parts, by leaving one-half with himself or some banker, and the party so advancing to keep the other half, which finds its way to the first half when the matter is completed. That is the statement that Gibbons makes Dr. Back. Accordingly, Dr. Back being in communication with the East-India Company, for the purpose of following up the line which has been so pointed out by Gibbons, does, at a subsequent day, procure from them a note for £500, for the purpose of being deposited in the mode I have stated. But before they separated on the 6th March, Gibbons produces to Dr. Back, and puts into his hands a printed form, which, I believe, is called a cadet's form of certificate and interrogatories, in order that Dr. Back may procure it, to be properly filled up in order that the intended cadet may obtain the situation. I shall have occasion to make several comments upon this as I go on. I shall only now state, that on this day when the sum was fixed upon, this form of certificate was put into his hands by Gibbons.

Gentlemen, I think upon the 12th of that month the money was actually advanced—this printed paper having been put into the hands of Dr. Back, and as one part of this requires that there should be a certificate of the baptism of the intended candidate for the office, which requires some time to fill up, if he has been baptized in the country, or in some remote part of the kingdom, a considerable interval took place. Dr. Back went down to Little Hampton, and this paper I have in my hand was sent down to Exeter, to procure the proper entry of

the baptism, and the certificate of the baptism of young Mr. Back, the son of Dr. Back; it was afterwards sent up to Little Hampton, and was sent by Dr. Back to Gibbons, covered with a letter addressed to Gibbons. I do not know that I need trouble you with such minute details, but it is acknowledged afterwards by a letter from Gibbons, and nothing further that is material takes place till the beginning of April.

Gentlemen, about the 10th of April, Gibbons writes a note to Colonel Edwards, "Sir, I wrote to you yesterday, to which I beg leave to refer, and according to what I then wrote, that you would hear from me again, this day I have to request you, or the young gentleman, will meet me at 32, Walbrook, on Thursday next, at half-past eleven o'clock, and be prepared to carry the cavalry appointment into effect." The meaning of carrying the cavalry appointment into effect was, producing on the part of Dr. Back the stipulated sum of £500, which was first to be laid down before the remainder was advanced. On the 12th of April, Dr. Back comes and having obtained a bank-note of the value of £500 from one of the officers of the Company for this purpose—it was cut in half; one is delivered to Gibbons to be kept by him until the appointment is completed, and the other is kept by Dr. Back, and upon that occasion Gibbons gives a regular receipt—that he has "Received 12th April, 1827, of Dr. Back, the half of a £500 Bank of England note, which I engage to return in case the appointment agreed upon does not take place."

Now, so the matter stands, I think, up to that day; on that day a new person is introduced upon the stage, for upon that day a person of the name of Tyndale, (Joseph Tyndale), one other of the defendants, is introduced by Gibbons to Dr. Back. To the very great surprise of Dr. Back, he found that Tyndale, although only two days had passed since the deposit of the half of the £500 note, that by some means or other that £500 note has got shifted into the hands of Tyndale, or at least that Tyndale produces an engagement that he has it in his hands, that he only retains the £500 until he has performed his engagement with Gibbons,—thus getting one link further on, as if he was the party to receive the money, he was to procure some other person, this Tyndale, for instance, upon the present occasion, who was to receive the money if he procured the appointment, or a part of it, or what agreement was made between them we know not, and it was immaterial to inquire; but the agreement entered into with Gibbons was by some means or other transferred to

to Joseph Tyndale. This man, Tyndale, seems to express some degree of disappointment that the whole matter has not been concluded, and promised very largely that a very little time should elapse till it is; at the same time, as he naturally supposed that Dr. Back would begin to be a little impatient as his money had been lodged, he endeavoured to put him off for some time upon the impracticability of its being then immediately concluded on account of the existing state of things; stating, that the ministry being unsettled, there was a great difficulty in getting this cadetship appointment. What part of the ministry he alluded to I know not, but I believe that was as true as many other statements I shall have to refer to. I need not remind you, that that was exactly the time that there was a change effecting in the administration of the country.

So, gentlemen, the matter rests, considerably to the apparent disappointment of Dr. Back, who was urging the completion of this matter till the 25th, and then it is stated that the matter will very soon be brought to a close, and another person is introduced—Capt. Despard, another of the defendants—he comes in, and states his great surprise that a matter of this sort has been allowed to be under the conduct of Mr. Gibbons and Mr. Tyndale—he does not wonder that this disappointment has taken place, but, he says, I will put you into a way to get it completed directly. I will introduce you to a partner of a great East-India House, Mr. Anstice, who is one of the defendants. But before Capt. Despard makes his appearance, which I think was in the afternoon of the day, there has been an application made to Dr. Back to furnish the remaining part of the money, which was to be the payment for a cadetship. You recollect only £500 have been already advanced; it is stated that not a single step can be taken further in the progress of this matter, unless there is another note of £300, treated in the same way, and cut in two, and deposited, one half with Mr. Gibbons, and the other kept: that is done on the 25th of April; so that now you perceive that all the money that was to be forthcoming on the part of the purchaser has been parted with by him, and put into the hands of Mr. Gibbons, who appears to be the stakeholder. I have told you that Capt. Despard affected a high tone; he speaks with the same disrespect of Mr. Tyndale, that Mr. Tyndale had expressed towards Mr. Gibbons, and that now the money had been advanced, there could be no excuse for not carrying it into effect: I will take you to a person, and the matter shall be managed immediately, and he accordingly takes him to Great St. Helen's, where Capt. Anstice has a counting-

house; and when he gets there, he finds Capt. Anstice stating to him, that he has had in his custody for some time the half of that £500 note, and when the other is applied to it, there will be no difficulty in carrying the arrangement into effect, so that this money forms the connecting link between three of the persons I have mentioned to you—between Mr. Gibbons, Mr. Tyndale, and Capt. Anstice—and that Capt. Despard is the person who cements and links together all three, being the medium of introduction of the one to the other. During this time Capt. Despard is as full of his promises as the preceding persons; he states a little difficulty has arisen in consequence of the director he named not being in town, that that director, or another he named, are the persons from whom it is to be obtained. I do not mention the names at present; if their names should appear they are in court, and they are ready upon their oaths to deny having any share in its participation—in short, it is only the means by which these inferior persons,—who are gulling the public in endeavouring to impose upon their betters in society, and obtaining an introduction to directors,—it is only the mode by which they carry their base intentions into execution.

We then come down, gentlemen, to the 25th April, and that is the most important part of the case, because upon the next day it is that for the first time Capt. Prescott will be brought forward to your notice. Gentlemen, I will now trace out,—because it will be more convenient to make the matter clear to you,—after observing that upon the 25th of April the name of Capt. Prescott is brought forward, I will go on and trace the remainder of the parties up to the time when the detection takes place; but I will refer back to this 25th of April, to shew how far the evidence will implicate Capt. Prescott in a guilty knowledge, or means of knowledge, of this transaction.

Gentlemen: upon the 27th of April, Dr. Back attends again according to appointment at Capt. Anstice's office, which is at St. Helen's; he is informed that nothing as yet is accomplished; he begins to be extremely anxious, perhaps not so anxious as if the money was his own; he would probably then have urged with a greater degree of vigour the completion of the contract, but he shewed sufficient to induce them to promise to put into exercise all their powers to get it completed. He calls there two or three times in the course of the day, and nothing takes place. At last Capt. Despard, who is still appearing upon the stage at Capt. Anstice's and is the conductor of Dr. Back, Capt. Despard states he had sent to Regent Street to have some intercourse with the gentleman who was to procure
the

the appointment: this is very much to the surprise of Dr. Back, who had never before heard of any person in Regent Street; he asked, why do you introduce a new person to us; I thought you told us that A, B, or C, at the head of affairs, was the person to whom you looked: why do you now say a stranger is the person from whom you are to obtain it? He could get no answer to the question, but on the following day Capt. Despard called again and said all was finished. He said that at first, but he corrected himself and said, "all will be completed immediately: there is no doubt that all will be immediately right." Still nothing came. The morning of Saturday, the 28th of April, was wasting away, Dr. Back calling from time to time; put off for half an hour, and then calling again; nothing comes forward in the course of that morning; until at last Capt. Anstice, being tired out, says "we will go together to a gentleman at Waterloo Place, Regent Street, and we will see what is to happen there." Accordingly Dr. Back, accompanied by Capt. Anstice, goes to the office of a gentleman of the name of Andrews, in Regent Street, who is another of the defendants upon the record. He does not see him when he gets there: Mr. Andrews is absent, but had left word he should be there at a certain time; although they wait long beyond that time, Mr. Andrews does not make his appearance. Then it is agreed that the very next morning Dr. Back shall call upon Capt. Anstice at his private house, and they shall go together to Mr. Andrews at his private house, and see what was going on as to this appointment—that will be on Sunday; and accordingly on Sunday, the 29th of April, Dr. Back and Capt. Anstice called upon Mr. Andrews and saw Mr. Andrews, and a conversation takes place. The precise purport of the conversation will be explained to you by the witness when he comes. The effect of it was, that every thing would be completed on the following day. At the same time a great caution is given to him not to say any thing upon the subject to any body; that it is extremely important that no one should know what was going on, and that it was no fault of his that it was not completed, for his client was in great want of money at that time, and it would be of great importance to him to receive it. So that now I have introduced another defendant to you, Mr. Andrews. Gentlemen, Monday was the 30th of April, and that Monday the 30th of April had been fixed by Mr. Andrews and Capt. Anstice for the purpose of fully completing the transaction. Still there is some delay, and some fresh excuse why the appointment does not come forward. You will hear the reason why, when I come

to state to you what was going on with respect to the appointment at the East-India House, between the nominating and recommending directors.

On this day, the 30th of April, another of the parties, we had long since forgotten in the transaction, steps forward again. Mr. Gibbons sends a note on this day, "Sir, I am quite in the dark," this is to Dr. Back, "as to what is going on. I went to Mr. Anstice's at three o'clock, being told you were to be there at that time, but did not meet you, and after waiting half an hour was told you had been and gone. I was desirous of knowing what was likely to be done, as I am keeping an infantry appointment open, and the party complains of my not giving an answer. I shall expect to see you in the morning, and will call here about eleven." A pretty good intimation of the necessity of making these inquiries, when Mr. Gibbons talks so quietly that he is keeping an infantry appointment open, and he desires to know what is to become of it, as the owner was impatient. I think it was high time for the Company, when they discovered any thing of this sort, to probe it to the bottom, and see who were the guilty parties. However, I only introduce this to shew that on this day Gibbons steps forward again, who supposes that this has got into some other train, and that he shall not receive the money he expects. It is only one proof, among others, that the parties cannot trust each other, and that they are introducing link after link in order that you may not be able to trace it out.

That brings us to the next day, Tuesday the 1st of May, when a letter arrives from Capt. Anstice addressed to Col. Edwards (a *nom de guerre*, while he was conducting this business), stating that he must either come by himself, or send his son by himself, to Mr. Andrews's office in Regent Street. Matters are now arriving very closely to their ultimate termination, for on the very following day, Wednesday the 2d, the whole of the scheme takes effect, and the evidence we bring forward will be complete. Accordingly, the following day the son goes early by himself to Mr. Andrews's house, and there he discovered a stranger he had never seen before, but who turned out to be Mr. Sutton, one other of the defendants upon the record.

What does young Mr. Back go there for? He goes for the purpose of filling up one part of this printed form which it was necessary he should fill up himself, and which had been left unfilled: up till that moment it is put into his hands, is in the office of Mr. Andrews, by Sutton, with a pencil-mark upon it denoting the manner in which it is to be filled up; in fact, containing the name

name of the director who had recommended him to the preferment: so that there you have a new person in that stage introduced you see at the last moment—Sutton; but at the most important stage, because it is just preceding that time when the £300 and £500 notes are to be made complete, and when they would be efficient in the hands of the bearer.

As soon as that is done, Dr. Back is told to repair to the East-India House, and that Mr. Sutton and Capt. Anstice will be there as soon as he is. Accordingly on the 2d of May they both proceed from the west end of the town, first to the Monument coffee-house, where Dr. Back had appointed to be present, before all the parties repaired to the India-House to pass this young man. They proceed to the Monument coffee-house, and there they find Dr. Back, and a conversation takes place as to the remaining halves of the two notes, the parties insisting—that is, Andrews and Sutton insisting—that they would have both the halves of the notes delivered to them before they would stir a step further; but Dr. Back, who seems to have some intelligence upon this subject, saying, "No, it is quite sufficient if I trust you with the half of the £300; I will not give you the half of the £500 until the young man is actually passed; we will all go together, and as soon as he is passed the half of the other shall be put into your hands." At last it is so agreed, a considerable discussion having taken place. The half of that note having been delivered to Sutton, who is to apply for the other half to Capt. Anstice, they proceed together to the India-House, and when they come there, the papers then being completed and filled up, they are put into the hands of a clerk, a Mr. Haldane, one of the clerks in the Cadet office, it having been previously arranged and orders given, that the moment the papers came in, they should be handed up to the Committee of Directors. In consequence of that I need not state the young man was unable to pass, and the whole thing is blown up. Sutton is found at an opposite house, very much alarmed, to which Dr. Back goes back. He finds Sutton alone, or Sutton and Andrews together, and stating he should be a ruined man if this matter was discovered, and then stating he was Sutton and giving his direction, and I believe it will appear at a subsequent period that he goes down to Dr. Back to make inquiries. On the same day I should state that Gibbons is found just at the time the parties enter the India-House watching in the office to see what was going on, knowing that the passing of the young man will take place that day, to take a share in the plunder. Dr. Back asks, "what do you do here? We have had

nothing to do with you for the last six months." Gibbons says, "I come on behalf of myself and Mr. Wright, to get the difference between the sum we first named and the sum you have got it for; for as I told you it would cost 900 guineas and you have got it for £800, there is £145 to spare, and I mean to have the odd £45 and give Wright the £100." That shews the connexion between all the parties from the first to the last.

That, gentlemen, is pretty much the outline of the case against the first seven of the defendants, and upon that evidence, even if it had not been corroborated as it is now, beyond all dispute, by the acts of the parties themselves pleading guilty to the indictment, and one of them taking a verdict by consent, there could be no doubt in the minds of gentlemen of your intelligence that they were all of them, and not part, guilty of the transaction.

But I come now to state the facts that relate to Mr. Prescott, and I begin by stating that there is not the least charge against him, nor am I instructed to state, that he was guilty of any actual participation in the money given for this appointment. He is charged only with having abused the situation he held by knowing, or at least having certain means of knowledge of, that which had taken place in the course of this transaction by Sutton, and yet lending his aid to it by giving Sutton the patronage so to be disposed of.

Now, what is the exact connexion between Sutton and Mr. Prescott I am not able to trace out; they are friends, and have long been intimate and acquainted. That Sutton is a person who has served Mr. Prescott very much in the course of some elections that have taken place, that I believe I shall be able to prove, and whether, by having this patronage in his power, Capt. Prescott thinks proper actually to sell it and convert the money to his own use, or whether he thinks proper to give it to a person from whom he has received services and is indebted, that that person may convert it into money and apply it to his own purposes, does not make any material degree of distinction between the parties accused: in either case it is a gross perversion of the purposes for which this public trust is reposed in him, is rather a shade in the degree of guilt, than in the degree of fraud.

But I now proceed to state the evidence that will affect Mr. Prescott. It will appear that on Thursday the 26th April, he made application to another director, Col. Toone, a gentleman who has been a director of the Company for the last thirty years, to lend him, which is by no means an uncommon transaction, an appointment for that year of a cadetship in the Madras cavalry. Col. Toone said he was extremely welcome to it;

it; that no man in England was more welcome to his patronage than Mr. Prescott. This was on Thursday the 26th April, and I have already stated, while I was mentioning the other steps in the transaction, that this was the day immediately following that upon which the £800 had been completely deposited in the city with Gibbons or Capt. Anstice. It seems that on the Friday some conversation had taken place at the East-India House which it is unnecessary for me to state; I only state it as occasioning an act done by Col. Toone; but some conversation took place at the India-House that made Col. Toone uneasy at the promise that he had made to Mr. Prescott to lend him this appointment, and in consequence of that Col. Toone called upon Mr. Prescott, or met him at the India-House, and a conversation ensues that it will be extremely important for you to bear in your minds. You will perceive when this paper is put into your hands, that there is a letter, signed by the party who recommends any young man to the appointment under the East-India Company, in which he states that he declares upon his honour that he received the nomination of cadet for the Madras cavalry from one of the directors gratuitously, and that "I have given it gratuitously to Mr. Edward Drake Back, with whose family and connexions I am well acquainted." There is upon every one of the papers, before a cadet can be passed, a letter written by the recommending person to the directors, from which it is called a recommendatory letter, and there is an assertion from this person so recommending, that he is well acquainted with the connexions and the family of the person so recommended to notice; in fact, that is the only security the directors have that their patronage shall not be abused; they know nothing of the young men brought forward, but each individual director knows the person to whom he has given his patronage, and if he can trust him, he sees his name at the bottom of the letter, that he is either the parent of the party, or well acquainted with the party recommended: the only pledge the directors have left that improper persons shall not be admitted into the service of the Company, is this letter of the party so recommending.

Gentlemen, upon this occasion, instead of being signed, as the letter ought to have been, by some person who had actually recommended young Mr. Back to this patronage of the Company, this document is irregularly, and unusually, and therefore I say improperly, signed by Mr. Prescott himself. What does Mr. Prescott assert in this letter? He asserts that young Mr. Back is a person with whose family and connexions he is well acquainted;

this is signed by Mr. Prescott at the East-India House on Saturday the 28th of April. I have told you, on Friday afternoon something had occurred to render the mind of Col. Toone uneasy that he had given this offer, and a conversation takes place to which I wish to call your attention. Col. Toone asks Mr. Prescott what he knows of young Mr. Back, what he knows of his connexions: the answer given—I wish to give it in the very words—is this, he stated "that he knew the young man's father—that he was a respectable clergyman residing in Devonshire—that the young man wanted only two months to be twenty-two years of age, and that he was as fine a youth as any in England." I am sorry to say, gentlemen, that not one part of this assertion is borne out by the fact. Mr. Prescott did not know the father of Mr. Back—he had never seen or heard of the father before this transaction—Dr. Back was not a clergyman in Devonshire for the last twelve years—he had been living abroad, and I believe has not been in Devonshire for a longer period than the twelve years in question—the young man wanted more than two months of twenty-two—he was not at this period more than twenty-one and a half, and this is not an immaterial allegation, because the time at which a young man would be supernuated being twenty-two, the nearer he approaches to that age, the more necessary it is that all due diligence shall be used to procure the appointment; there is the more occasion to look about to see that the young man is provided for; that assertion was one not founded on fact; and when he asserts he is as fine a youth as any in England, I am told that that is by no means a proper and just description of the gentleman; however, he will be called as a witness, and you will see whether that is a proper description of the party; so that you have the letter filled up irregularly by the person who ought not to have subscribed it, but who ought to have insisted on the party who had obtained the recommendation from him to have been the recommendation upon the face of the letter: and who is that party? I have no scruple in saying it is Sutton; the facts of the case shew it was Sutton, and Sutton only. Sutton ought to have written this letter, and Mr. Prescott, instead of being the party recommending, ought to have been the nominator; he ought to have been the director nominating, and Sutton the party recommending. Why was this alteration? why was not Sutton used as the name? why was not he brought forward on this occasion as the party who recommended the young man? I must draw the inference, and the justice or the want of propriety in making the inference must be left to you;

I must

I must say—because a very short period before that, in the month of February, the very same transaction took place, his giving an appointment to Sutton, and Sutton has signed the recommendatory letter in February before that, and Mr. Prescott had been the nominating director. I say, therefore, you will judge whether the inference is a just one, that the object was not to bring forward the name of Sutton in these papers, that recourse was had to this mode of filling up the paper, and that the ordinary business and regular course of making this appointment was not adopted.

Gentlemen, we have now got to Saturday the 28th, on which day the conversation takes place I have alluded to. In the course of the morning of the 28th Mr. Prescott goes or sends to the office of the cadet clerks, Mr. Prescott having a right to do that as all the other directors have. A clerk of the name of Sharp, a person who will be called to you, will state what took place. Mr. Prescott produced this printed paper, filled up in the manner I have stated to you. I pause to ask you, how could this paper come into the hands of Mr. Prescott? I have shewn, this paper was given by his friend, and former manager in this transaction, to Dr. Back, to be filled up to a certain extent; I have shewn you it was transmitted back to Gibbons, and it is a perfect blank. What becomes of the paper from its reaching Gibbons to its appearing in the hands of Mr. Prescott? Let that be explained. I suppose in explanation of it, that Sutton is the person whom I have shewn to be colleagueing with the others, and one of the parties in the conspiracy, that Sutton must have been the person, who, as he had asked this favour of Mr. Prescott, so he had put this appointment into the hands of Mr. Gibbons: he tells Sharp the manner in which the remaining part shall be filled up, but as if he felt conscious at the moment there was something irregular in this, he says, "but will this be regular?" "No," says the clerk, "that is not regular; the name of the person who solicited the appointment and obtained it from the director, the person who recommends the candidate, the friend of the young man who is recommended to the notice of the director, should be the person to sign it; you ought not to sign it, you are the nominator; and although it is your own, you have borrowed it from Colonel Toone, and you ought to have signed it, and the real party should have nominated him. Shall I make out the paper in the usual way?" He says "no; I have given Colonel Toone a great deal of trouble, fill it up in the usual way and I will sign it myself," and he signs it; and a note is to be written accompanying this and

it is to be sent to Colonel Toone at the west end of the town. About nine o'clock in the evening a sealed paper comes containing this which I hold in my hand, containing also a note written in the name of Mr. Abington, who was the head clerk of the office, but who had been absent that day from illness, but in whose name it was written at the express request of Mr. Prescott. A sealed paper enclosing this note and these documents arrives at the house of Colonel Toone, it being necessary for him to make the ultimate signature at the bottom of it, as the party who declares that to his belief all is correct. I have already told you what had taken place in Colonel Toone's mind; he was still so dissatisfied, even that night he writes one note to Mr. Abington at the East India House, requesting that the young man should not pass until he had seen him himself; and he writes another note, which he sent by his own servant to Mr. Prescott, the defendant, telling him he must not bring him to the India-House to pass him until he has seen him, and he is satisfied he is the person represented to be.

Gentlemen, let us follow up this sealed parcel, it takes a very different course from that which was intended; it arrives at Colonel Toone's, and he, after signing it, redirects it to Mr. Abington, the head clerk of the office. An East-India House messenger, who had received his previous instructions, instead of carrying it to Mr. Abington, carries it on to the house of Mr. Prescott, and Mr. Prescott breaks open the seal and obtains possession of this paper. The next day is Sunday, and nothing is done upon this part of the transaction. I have already stated on what the other members were occupied on this day: they were calling at Mr. Andrews's private house. Monday morning comes; you recollect the note written to Mr. Prescott, requesting him to attend with the young man, and produce him before any thing was done with the papers. On the Monday morning Colonel Toone goes to the India-House; no one appears from Mr. Prescott, nor the young man himself: therefore although Mr. Prescott had received this intimation of the doubt existing on Colonel Toone's mind, and his anxiety that all should be set right before the appointment was ultimately made, he does not do that, which I must say any man who was occupied in a straight-forward course would be most anxious to do, stop these papers, and prevent their being carried through the office, until that explanation had been given to Colonel Toone, the nominator, which he demanded.

Then again on the Tuesday morning I have stated what took place; there is nothing further as to Mr. Prescott, except this

this, that while the young man is there he calls the young man before him, and asks him how old he is, and whether he likes to go to India; but not a syllable upon that point which ought to have excited a suspicion in his mind, not a word about the party recommending him, or whether it was obtained gratuitously or not; all that which he must have known was passing in the mind of Colonel Toone, and most anxiously passing there, all that is kept back, there is nothing but that simple inquiry.

Gentlemen, these are the facts of the case. Upon the particular circumstances that appear to me to constitute a case against the other defendants I shall not trouble you with a word. These are the facts, which I say appear to me to constitute a case, if not of conviction, at least of such great suspicion against the defendant Mr. Prescott, that I do take on me to say the directors would not have performed their duty to the public if they had not included his name in the present indictment. First, I think it is perfectly clear that a sale had been effected of a cavalry appointment for the sum of £800; that is put beyond all dispute. It is in the next place clear that the party who obtained the advantage of the appointment, obtained it through the means of Mr. Prescott; it is clear he is a stranger to Mr. Prescott, and it is clear that the party who had recommended him to Mr. Prescott had a short time before obtained a similar appointment for another person.

It is clear that Mr. Prescott has signed this recommendatory letter, not in the ordinary course; it is clear that the recommendation to which his name is subscribed contains facts that are not founded in truth; it will be proved to you beyond dispute, that when his particular attention is called to these facts, a conversation takes place between Col. Toone and himself, in which he states his attention being called to it, facts not consistent with the truth; it is clear that the paper which we have traced into the hands of Mr. Gibbons, by some means or other comes into the hands of Mr. Prescott; it is clear that when that paper is sent by itself at night, directed to Col. Toone, it gets back into his hands again, not in the mode in which it was intended by Col. Toone, for by him it was directed and addressed, and intended to be passed back to the regular office; but there is at least this fact, which appears to me to afford the most pregnant evidence against him, that when all those suspicions were raised, he knew what Col. Toone's mind was working upon, and when he had it in his power to stop the papers till a satisfactory explanation was given, he does not only not keep the appointment back for that pur-

pose, but he allows, as far as he is concerned, the previous paper to pass; it is not necessary to state, that the chairman and directors, and committee, had taken effectual care that the paper should not pass, and that was the course followed.

These are the facts of the case; if any observations I have made do not appear to you to deserve the weight that in my mind I am giving them, you will reject them. If there is any doubt in this case, I am sure I only speak the sentiments of the directors in saying, that they would be most happy, if after this full investigation, the name of Mr. Prescott should appear perfectly unconnected with the transaction, and as far as I am concerned, it will give me the greatest pleasure also; but I should have deserted the duty that has placed me here, if I had not made the observations that appeared to me fairly to be drawn from the evidence to be brought before you.

The following was the evidence for the prosecution.

The Rev. Edward Back, D.D., examined by Mr. Serj. Bosanquet. Witness resided at Little Hampton; had resided there about a year and a half, or nearly two years; resided before that in various parts of the Continent for fourteen or fifteen years; lived in Devonshire about that time, fourteen or fifteen years ago; witness's son was born there. In the autumn of 1826 witness's attention was attracted by an advertisement in the *Morning Herald*, relating to a good situation for a young man who was inclined to go abroad, a young man under twenty. In consequence of that advertisement witness obtained an interview with the defendant Wright, at his own house, in Allsop's Buildings, near the Regent's Park; witness called upon him.

The witness identified the advertisement, which was read as follows:—

Morning Herald, Friday, Aug. 11, 1826.—"To Parents and Guardians.—A permanent situation of a respectable nature now offers for a youth under twenty to go abroad; his outfit would require means, without which none need apply. Address by letter only, post paid, to M. N. 33, Cannon Street, Strand."

Examination continued.—Witness called at Allsop's Buildings and saw Mr. Wright; witness called in the name of Col. Edwards. It was intimated to witness that the parent or guardian would not be treated with; he was first of all told that no one else would be treated with; witness had cards with the name of Col. Edwards on them. At the time Mr. Wright mentioned the nature of the appointment, and how it was to be obtained, he said £600 or £800 would be necessary; the appointment was to be a cadetship to India in the company's service. He said that it would be £600 if it was in the infantry

infantry, and £800 or £900 if in the cavalry. This was a little more than twelve months since. Before that time witness had not understood that any price was to be paid for the appointment—quite the contrary, and told Mr. Wright that; after learning that those prices were asked for the appointment, witness broke off the negotiation. Witness after this communicated to the chairman of the East-India Company the circumstances that had taken place. Witness intended to renew the negotiation, and before he did that he communicated with the chairman of the Company, because circumstances had altered in a pecuniary point of view: witness's son had become of age, and was entitled to a small property of his own. Witness wished to renew the negotiation, but before doing so he communicated with the chairman of the Company, because there appeared to be a mystery about it, and he was afraid that all was not fair. Witness renewed that negotiation at the request of the chairman, after he had told witness the dangerous situation he was likely to be in, and that it was totally against the law. Witness from time to time communicated to the chairman of the East-India Company the different steps he took in this transaction. In consequence of that, witness called again at Allsop's Buildings, but did not succeed in seeing Mr. Wright there upon that occasion. Witness did not become acquainted with Mr. Wright's handwriting; witness received a letter (handed to the witness) after he had called at Allsop's Buildings, having left his card in the name of Col. Edwards; it was about two or three days after.

The letter was put in and read as follows, after it had been proved by Mr. Thomas Varley to be in Wright's handwriting.

"Dated 63, Upper Norton Street, Portland Road, Feb. 27, 1827, addressed by Mr. Wright to Col. Edwards, to the care of the Rev. Dr. Back.

"Mr. Wright presents his compliments to Col. Edwards, and begs to say that the opportunity now exists for opening the treaty alluded to in his note; but that he is going out of town to-morrow for a week or ten days, and will commission a friend of his to attend to any communication or appointment that Col. Edwards may think proper to make or that purpose, being perfectly conversant in house matters. Mr. W. begs to say that he only came to town on Sunday, which is the cause of Col. Edwards not having had an earlier reply, and half feels obliged by his addressing him in future to No. 63, Upper Norton Street, having quitted his house in Allsop's Buildings. Mr. W. will feel obliged by an early reply, as the opportunity may be lost long."

The examination of Dr. Back then concluded. Witness called according to that letter, and saw Gibbons, one of the other defendants. Witness firmly believed a letter shown to him to be the hand-writing of Gibbons; witness has corresponded with him. The letter was read as follows: to-morrow, 26th of March 1827, addressed to Col. Edwards.

Mr. Gibbons (on the part of Mr. Wright) will testify. *Journal*, Vol. 25, No. 148.

meet Col. Edwards to-morrow at one o'clock, at 32, Walbrook, having an appointment there at that hour, and as Col. E. has desired this letter to be addressed to the City, it probably may be more convenient to him than Norton Street."

Examination continued.—In consequence of that note witness called at Walbrook on the 6th of March, and on the 8th also. Witness saw Mr. Gibbons at both times, and on both had conversation with him respecting the cadetcy. Gibbons told witness the price of a cadetcy in the infantry was £600, and the cavalry 900 guineas, and that the negotiation was to be conducted by depositing money in the hands of any banker, or by cutting bank notes in two. Witness received from him a paper [a paper shewn to witness]. This he gave witness in Walbrook, he believed; however, he gave witness one in Walbrook and some at the cadet office. He gave a blank form at the cadet office and one in Walbrook, and Gibbons told witness to get a certificate of baptism properly filled up, and then return it to him. Witness sent it into the country for the purpose of having it filled up, and returned it filled up to Mr. Gibbons. Gibbons shewed witness other papers respecting the appointment of cadets; he shewed him two different receipts of money that had been paid him. He said it was an acknowledgment to return the half notes in case the promise was not fulfilled. He said there was a young man he had just passed who had gone into the country; he had not embarked yet; he was gone to take leave of his friends in Devonshire (witness thought). After witness had returned the paper filled up, he saw Gibbons again frequently. [The witness then proved the receipt of the following letter, in the hand-writing of Gibbons, which was read].

Letter read dated 32, Walbrook, 24th of March 1827, signed G. H. Gibbons, and addressed to Col. Edwards, or Dr. Back.

"Sir: I received your letter enclosing Mr. Back's certificate, and which I was in hope of carrying into effect ere this, but it unfortunately arrived a day too late; as what I anticipated when I saw you had been disposed of the day before I received yours. However, I have no doubt of being able in the course of about a fortnight of being in a situation to fulfil your wishes, having made an engagement to that effect. I think I can procure one in the cavalry, but not less than 900 guineas will be taken (indeed, there is a good deal more asking for one), if your friend should wish it, and probably from his age it is more desirable; and you are to recollect it is double the infantry pay. I am unfortunately called to Falmouth, where I am going this evening to see my wife, who lies dangerously ill, and with little hopes of recovery. I shall be absent about ten days, and will communicate with you on my return, and you may consider the business as completely arranged; that the young gentleman will be ready to come to town immediately that I apply to you. Should the cavalry be preferred it would be desirable that you should drop me a line to that effect, that I might make the necessary arrangements."

Examination continued.—Witness saw Gibbons again the 12th of April. Witness had been in the mean time in the country. [A paper handed to witness]. Upon the

12th of April witness gave Gibbons a £500 bank note, and he cut it and retained one half and witness the other. Witness received the note from the solicitor of the East-India Company. Gibbons then wrote this receipt in witness' presence.

The same was handed in, and read as follows :

Received the 12th of April 1827, of Dr. Back, the half of a £500 Bank of England note, which I engage to return in case the appointment agreed upon does not take place.—G. H. Gibbons. [Note. The name "Dr. Back" originally stood "Col. Edwards."]]

Examination continued.—The alteration was made by Gibbons himself. On the 14th April witness met Mr. Gibbons and Mr. Tyndale; that was the first day witness thinks he saw Mr. Tyndale; it was soon after the deposit of the half of the £500. The afternoon of the same day witness saw Mr. Gibbons, who shewed him an acknowledgment from Mr. Tyndale that he had received the half of the note. Mr. Tyndale was not present. Mr. Gibbons introduced witness to Tyndale; he said nothing could be done on that day, as there were no directors at the India House. This was said in Tyndale's presence by either Mr. Gibbons or Mr. Tyndale, or both, and they said "we must wait till Monday." Witness met them on the Monday, and then it was said it was the Easter holidays, and nothing could be done till Wednesday. Witness met both of them frequently. Various excuses were made for the delay; one was, they said that the fact was the uncertain state of the ministry, as the appointment it was supposed would come from the president of the Board of Control. Witness paid a further sum to Mr. Gibbons some time afterwards. (Witness here identified a receipt for the half of a £300 note.) Witness saw Mr. Gibbons again on that day, and gave him the half of a £300 note: it was cut in half. Mr. Tyndale was not present. [Witness then identified a letter in Mr. Gibbons' hand-writing, and stated that it was in consequence of that the money was paid.]

The same was handed in and read as follows :

"Dated four o'clock, 24th April 1827, addressed to Col. Edwards,

"Mr. Gibbons' compliments to Col. Edwards, and acquaints him the appointment can take place to-morrow, but the party stipulated for a further lodgment of the half £300 prior to proceeding, this being the customary mode; and as the business will now be brought to a close, he can see no objection; he therefore requests a meeting to-morrow morning, at Lloyd's, at a quarter before eleven o'clock."

Receipt read as follows :

"Memorandum, 25th April 1827.—I have this day received from Dr. Back the half of a £300 Bank of England note, which I engage to return in case the object for which it is lodged is not accomplished this day. G. H. GIBBONS."

Examination continued.—On that day, the 25th April, when the half of the £300

note had been deposited, and a receipt taken, Gibbons introduced witness to the defendant Capt. Despard, at Lloyd's Coffee-house, who then lamented he had not been consulted sooner in the business, if he had, witness should not have been detained so long in town. He would soon, he said, settle it; he left witness then at Lloyd's Coffee-house, with Gibbons, and went away, and they promised to return in about a quarter of an hour; witness waited for him between four and five hours, but Gibbons did not come. Captain Despard returned, and asked witness if he had seen Mr. Gibbons since he left. An appointment was made for a further meeting next day, when Capt. Despard came in and asked witness if Mr. Gibbons had returned, and witness said, no; he expressed great astonishment. Next day witness met Captain Despard, who told witness he should not be disappointed again, that he would introduce him to two as respectable merchants as any in London. He took witness to Great St. Helen's, and introduced him to Capt. Anstice and a Mr. Stubbs. Capt. Anstice said he had the half of a £500 note in his possession for some time, but that it was of no manner of use until the half of a £300 was also deposited. Witness did not give it to him, not having it with him. Captain Despard said, that Captain Anstice had got most of Mr. Astell's appointments—it was supposed to be one of Mr. Astell's appointments: that he believed that it would come from Mr. Astell. This was not said in Capt. Anstice's presence. Witness attended again the next day, the 27th, at Capt. Anstice's office, and other places; they (Capt. Despard and witness) were running about from one place to another. Capt. Despard, called upon witness that day at the Monument Coffee-house, and said every thing would be completed the next day. Witness was waiting at Captain Anstice's office in very great anxiety, and expressed his doubt to Anstice or Despard, of the ability of the parties to procure the appointment. Captain Anstice said he would be bound to forfeit £100 if it was not completed the next morning; and if witness would leave his son with him, if he wanted to go out of town, he (Anstice) would take care of him. He said "the young gentleman;" he did not call him witness's son. Witness never disclosed, up to the time the papers were ultimately stopped, that witness was the principal, and his name Dr. Back; he kept the name of Col. Edwards to the last. Capt. Anstice said the appointment would be forwarded to the house of the director who was to give it, who was in Hertfordshire, and

and that the director had declined signing it until the half of a £300 note was in Capt. Anstice's possession. He said he had forwarded the appointment by post to this director, who was in Hertfordshire, and he expected it to be returned by post, or perhaps he might come up to town and bring it with him himself; he said that the gentleman who was to give the appointment had been tired of waiting, (that was for the £300,) and he had expressed himself in very angry terms at the delay, and said he would wait no longer—that Capt. Anstice said. It must have been Capt. Anstice himself, it passed at his office. He said he had, two or three days since, returned the half of the £500 to Mr. Tyndale, from whom he had it, saying, it was of no use unless the half of the £300 accompanied it. The name of no other director was mentioned at all, as witness recollects, on Saturday the 28th. On that day witness was waiting all day at Capt. Anstice's office, in expectation of seeing Mr. Andrews, who had promised to be there. Witness cannot recollect who first said that Mr. Andrews was to be there; witness does not think he saw Capt. Despard there that day, but he saw Capt. Anstice, who went with witness to find out Mr. Andrews; they went to the office of Mr. Andrews, in Waterloo Place,—he was not there; they waited a long time, and they did not see him. Capt. Anstice said witness had great reason to complain that he was ill used. On the next day, Sunday, the 29th, witness saw him at his own house in Brook-street, Grosvenor-square. Witness saw Mr. Gibbons in the course of that day at Capt. Anstice's house in St. John's Wood Road, and Mr. Gibbons was talking to Capt. Anstice at the door of his private house. Capt. Anstice said that Mr. Gibbons wanted to go with witness and Anstice to Mr. Andrews, and he would not allow it. They went to Mr. Andrews (without Gibbons) to Brook-street, and there saw Mr. Andrews, who said the appointment was certain, and that the gentleman who was to give it would be in town the next day; he said he would bring the appointment with him to Great St. Helen's (Anstice's office) by two o'clock the following day; he said he was sorry that witness and he had missed one another the day before, that they had not met; that he wished to settle the business as much as witness did, that the money would be very useful to his client at that particular time. He said witness must be very secret, and let nothing of the business transpire to any one. Witness went there according to appointment, on Monday the 30th, to St. Helen's Place; he waited till four o'clock before Mr. Andrews came. He

said that Mr. Gibbons, who was to give the appointment, would be with him that evening, and if Capt. Anstice would call upon him in the afternoon in his way home to St. John's Wood Road, the hour of meeting to-morrow, that was the following day, should be fixed on. [Here witness proved the receipt of a note from Mr. Gibbons the 30th April. The same was handed in and read, as follows, signed G. H. Gibbons:]

" Monument Coffee-house,

" 30th April 1827, half-past four.
" Sir: I am quite in the dark as to what is going on. I went to Mr. Anstice's at three o'clock, being told you were to be there at that time, but did not meet you; and after waiting half-an-hour, was told you had been and gone. I was desirous of knowing what was likely to be done, as I am keeping an infantry appointment open, and the party complains of my not giving an answer. I shall expect to see you in the morning, and will call about eleven."

Examination continued. On the 1st of May witness went to Capt. Anstice's office, and saw Mr. Andrews there; a note had arrived at Capt. Anstice's office from Mr. Andrews, which was opened in witness's presence by Mr. Stubbs, Capt. Anstice happening to be out. [The witness here identified a letter which had been brought to him by a messenger, which letter was proved by Mr. Robert Thornhill to be in Capt. Anstice's handwriting]. The same was read, as follows, signed J. P. Anstice, Tuesday evening, 8, Waterloo-place, addressed to Col. Edwards.

" Sir: My friend sends a messenger in with this to-night, purposely to let you know that Mr. Back must be at this place by ten o'clock to-morrow morning; have the goodness to let him come by himself, if you please, as no third party will be seen by the gentleman, who will take him immediately, and get all done. I must take the liberty of calling your attention to the necessity of this being observed; and I will further add, that if any delay or disappointment takes place now, it will be entirely owing to a want of confidence, and that on our parts you will find all to be correct."

Examination of Dr. Back continued. No. 8, Waterloo Place is Mr. Andrews's office; on the following day, the 2d of May, witness was at the Monument coffee-house, and there met Mr. Andrews; witness's son went down to his office as he was desired, in consequence of that letter; at the Monument coffee-house witness afterwards saw Mr. Andrews and Mr. Sutton; they said that every thing was then completed, and we must go to the India-House, and that witness must pay over the other two halves of the notes; that he refused to do until the young man had actually passed; they continued to press for the other halves of the notes; in walking to the India-House witness and the defendants went into another coffee-house opposite the India-House, called the Ship; witness returned to the Ship, and said he would give them the other two halves of the notes, and

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laid them upon the table; witness had gone away for a little time to consider whether he would give them the other halves; they went into the Ship without him, and appointed to meet him there; then a new difficulty was started, as the corresponding halves of those two notes were not forthcoming; either Mr. Sutton or Mr. Andrews stated that, witness is not certain which; and Mr. Gibbons had told witness some days before that those halves of the notes were in the possession of Capt. Anstice,—the two first halves. Then a sort of dispute arose upon the subject between Sutton and Andrews, and witness was desired to walk to the other end of the coffee-room, which he did, until they had settled it; but before he did that, he had taken up the half of the five hundred pound note, leaving the second half of the three hundred pound; witness declared positively he would not give up the half of the five hundred pound till the young man had been sworn in. Witness's son was waiting under the India-House, walking about. The other half of the note was taken up by one of the other gentlemen, he thinks Capt. Anstice. The papers were then put into witness's hands by either Mr. Andrews or Capt. Anstice; witness then went with his son to the cadet office in the India-House; witness saw Mr. Gibbons there. Messrs. Andrews and Sutton were left at the Ship; Mr. Gibbons was either in the cadet office or at the door, but he went into the office with witness, and staid a long while there. Witness gave the appointment to a clerk in the cadet office, who immediately disappeared with it; he went out of the room, and witness waited till six o'clock, and he never returned; while the clerk was gone, Mr. Gibbons attached himself very closely to witness all the time, and at last witness said to him, "I shall not wait any longer then, and I should conceive you need not either." Gibbons asked where he could see witness next morning? Witness asked him what he wanted? he said he wanted to receive the difference, as he had got this appointment for eight hundred pounds instead of nine hundred guineas; he wanted to receive the difference between the eight hundred pounds and nine hundred guineas, being a hundred and forty-five pounds, of which he was to receive forty-five pounds, and pay Mr. Wright one hundred pounds, that was all he was to have for his trouble—his words were, "that is all I get by it." Witness in the course of the morning left the India-House two or three times, and went into the Ship; at those times he found Sutton or Mr. Andrews there, sometimes both, and sometimes one was out; when witness went he was detained so long at the cadet office, they

began to be apprehensive there was something wrong; they said they could not tell what to make of it; there was something wrong in the business, and there was something irregular they were afraid. Before parting, Sutton walked with witness into the street behind the India-House, or on the side of the India-House; and he said he hoped there was no irregularity, but if the matter was found out he should be a ruined man, and lose his friend for ever. Witness appointed to meet Sutton the next day to tell him what turn things had taken, but did not go, being sent for to the India-House by the directors; witness afterwards saw Mr. Sutton at Little Hampton; he came to witness; nothing particular passed; he begged particularly to know what witness said when before the directors? Witness told him he had not been before the directors; he asked what witness meant to do? witness said he had nothing to say to him upon the subject, and declined all conversation; witness is not acquainted with Mr. Prescott, never saw him to his knowledge. Witness's son's age in March last year was between twenty-two and twenty-three, he was born in October 1805.

Cross-examined by Mr. *Starkie*.—Witness is a doctor in divinity; has not on other occasions than this gone in the name of Edwards. When he went to negotiate for the office as Colonel, his dress was black. He might have a black silk handkerchief; he had been abroad a good many years, and had been in the habit of wearing a black silk handkerchief. Was not in the habit of wearing a military dress; has worn an undress military coat and yellow waistcoat on the Continent. When he passed as Col. Edwards he never wore an undress military coat. He has worn a blue camelot cloak, but does not believe either of the defendants ever saw him in it, merely to keep out the rain. In all respects, except a black handkerchief, he dressed in black as a clergyman. When witness passed as Col. Edwards he had some of his cards. Col. Edwards was the husband of his present wife, whom witness married in 1819. Witness took the cards for the purpose. He does not know that he has them now; witness found them in an old box or drawer, or some such thing. Witness has never gone by the name of Col. Drake; never went by any other name than his own on the Continent. Was ordained before he went to the Continent some years. Was chaplain to a foreign garrison. Resided at Brussels; part of the time at Valenciennes in France, but principally at Brussels; he lived also at Ostend. Was tutor to a son of the Duke of Richmond at Brussels, Lord Frederick Lennox; in the year 1817, witness thinks.

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Was tutor to him very nearly twelve months, till he went abroad with his father to Canada. This negotiation first of all began in August 1826, and witness renewed it in February 1827, when he communicated with the East-India Company. Witness wrote to Sir Geo. Robinson, the then chairman. All the communications witness had with the East-India Company upon this subject were by letter. Witness did not see the solicitor before he had written to Sir George Robinson; afterwards he had repeated interviews with him. These papers were written severally upon the days they bear date; they are not transcripts. This (showing a paper) contains some of the same dates more particularly.

Col. Sweny Toone, examined by Mr. Gurney.—Witness has been for thirty years a director of the East-India Company; the defendant Mr. Prescott has been for some years past a director. Witness served with him seven years in the direction, which made them acquainted. The directors of the Company in their turn fill up the several appointments that are in their gift, and sometimes lend them to each other. It constantly occurs that the director in whose turn the appointment is, lends it to another director, to receive it back again. In the latter end of April in the last year, Mr. Prescott applied to witness for an appointment in witness's gift; witness thinks it was the 26th or 27th April. That (identifying it) is the note witness received from Mr. Prescott. It was in an envelope. [The name was read as follows dated April 26th, 1827, addressed to Col. Toone.]

"My Dear Sir: Will you have the goodness to lend me a Madras or Bengal cavalry appointment and I will repay you immediately I get one?"

"I am, your's, &c. C. ELTON PRESCOTT."

Examination continued.—That meant a cavalry cadetship. Witness cannot recollect whether his answer was in writing or verbal; he thinks verbal; that they met in the street, and witness told him he had one, and should be very happy to accommodate him, having great respect for him. Witness dared say he was in the committee of correspondence at the India-House on Thursday the 26th or Friday the 27th. Something then occurred as to a nomination that had before been given to a person; does not recollect if the name was Frederick. In consequence of what did occur, witness spoke to Mr. Prescott respecting this promise, but certainly not on that day, it must have been on the following morning, or the day after that. Witness cannot exactly recollect what it was he said to him, but witness said there was something that happened in the committee that made witness very anxious about this cadetship he had promised him. Witness particularly said, "you know

this young gentleman perfectly well?" and he said, "yes, he is one of the finest youths in England;" that witness perfectly recollected. Witness added, "and you know his family?"—Mr. Prescott said "yes, I know his father; he is a respectable clergyman in Devonshire." He told witness it was necessary to quicken the matter; that the young gentleman was within two months of being of age, and at the termination of those two months he could not be appointed. In fact, after the age of twenty-two they cannot be appointed. Witness has not the least recollection of any thing more being said.

Upon being asked whether any thing was said about what was passing in his mind, witness said: "Upon my expressing those kind of doubts, he said it was caused, he supposed, by a young gentleman that had passed at the India-House about three or four years before; as that has nothing to do with the question, you will permit me to say it has nothing to do with the question; and it was in consequence of that he said he knew this young gentleman very well, and his father was a clergyman in Devonshire." Witness after this conversation wrote a note to Mr. Abington, of the cadet-office. [The witness here identified the note. The same was read, dated the 28th April, signed by S. Toone, addressed to Mr. Abington.]

William Abington, Esquire.
"Be so good to pass Captain Prescott's youth without delay, as he is near twenty-two, and I will sign the papers on Wednesday morning next, but let the youth pass as soon as possible."

"Your's, &c.
"If the same papers are sent to me this day, I will sign them."

On that day (Saturday), when witness was at home in Mortimer-street, Cavendish-square, he received a packet, purporting to come from Mr. Abington, the head of the cadet-office, enclosing two papers marked A and B (identified by witness). Witness signed the latter paper marked A. [Upon looking at the originals, witness said both were signed with his signature.] Having signed them, he enclosed them to Mr. Abington, and witness put his seal upon them, and directed them to Mr. Abington, at the India-House, the same day. One of the India-House messengers who came with it, waited whilst witness sealed them up, and directed them to Mr. Abington. After witness had sent them off, something occurred to witness's mind which induced him to send a note to Mr. Abington. Witness had been called from dinner, and signed the paper suddenly; something did occur to his mind afterwards. This was the note (identifying it) sent to Mr. Abington. That note witness sent by the Twopenny-Post, and another by his servant to Mr. Prescott, the same evening.

Mr.

Mr. Gurney. I call for that note.

Mr. Brougham (counsel for Mr. Prescott). We have not got it, or you should have it; we never had it.

Joseph Williams examined by Mr. Gurney.—Witness is servant to Colonel Toone. He perfectly well remembered, about April last year, being sent with a letter by Colonel Toone to Captain Prescott's. Witness took it to Captain Prescott's house, and gave it to a female servant. Witness never took any other letter from Colonel Toone to Captain Prescott.

Mr. Brougham. About this letter I know nothing, except that Mr. Prescott says he never saw it.

Colonel Toone called again, and cross-examined by Mr. Brougham.—Q. You say that you gave him a verbal answer; did you not also, having received that application in writing, write a letter?

Lord Tenterden. What has this to do with it?

Mr. Brougham. Does not your Lordship see that there was only one letter, and that may be the letter? He says he wrote one.

Lord Tenterden. The witness left it rather doubtfully as to the first communication.

Mr. Brougham. We have the letter.

Lord Tenterden. How did the letter go?—A. I answered the letter.—Q. How did you send it to him?—A. I think it very likely by one of the India-House messengers.—Q. You are not sure you did not send it by your servant?—A. I do not recollect sending more than one by my servant.—Q. Are you sure you did not send more than one?—A. I think it must have been by an India-House messenger; we were upon very friendly terms.

Mr. Gurney (to Williams). What day did you take the letter?—A. On Saturday the 28th of April.—Q. What time of the day?—A. In the afternoon part.—Q. Was that after dinner?—A. Yes; my master wrote the letter before he dined, and I went afterwards, and it was in broad daylight.

Examination of Colonel Toone resumed.—Witness recollected saying in his note to Mr. Prescott, that he had received the papers from Mr. Abington, and that witness had signed the papers; but it occurred to him that he had not seen the young man, contrary to his practice; and that witness had written to Mr. Abington (for he concluded the papers had gone to Mr. Abington), to state that witness had signed the papers sent to him; but that it was his positive orders that the cadet should not be presented to pass till witness saw him; that was witness's positive orders, and he

sent his servant with them again the next morning too.

[The letter to Mr. Abington was here put in; the same was read, dated Mortimer-street, Saturday evening, 28th of April, signed S. Toone, and addressed to Mr. Abington.]

"Dear Sir,

"I signed the papers you sent me this evening, but before the matter is finally concluded, I request you will contrive to let me see the youth, and with that view I will call at the India-House on Monday next, and I will attend there before twelve o'clock, and direct the youth to attend at twelve on Monday next."

Examination continued.—On Monday morning witness sent another letter to Mr. Abington; having sent the first by the Twopenny-post, he was afraid it might miscarry, as they sometimes do. The second letter he sent by his servant.

[The same was handed in and read, dated Monday morning, the 30th of April, 1827, from Colonel Toone to Mr. Abington.]

"Dear Sir,

"The young gentleman nominated to my Madras cavalry nomination, for which I returned the papers yesterday, is not to be presented to be passed until Mr. Toone has seen him, and with that view Mr. Toone will attend at Mr. Abington's office as soon as possible."

Examination continued.—On that Monday morning witness went to Mr. Abington's office at the East-India House at the time appointed. Witness never saw the cadet, and never has seen him. Witness remained at the office two hours, and he did not arrive. Witness never received any acknowledgment from Mr. Prescott of the letter he sent him on Saturday evening. Witness does not think he had any other conversation with Mr. Prescott respecting the cadetship than that mentioned. He had the fullest confidence in Mr. Prescott, and did not enter fully into it. He had the greatest regard for him. Nothing more came to witness's knowledge upon the subject until the matter came before the directors on Wednesday the 2d of May, unless what has been now stated may be considered as part of it; the precautions witness took to prevent the thing passing. When witness attended two hours, and found the young man did not come, he gave positive directions that he should not be passed on any account whatever, as he had not been presented; that he should not pass till witness had seen him. Witness knew nothing of any orders that the chairman or the deputy-chairman had given; he was quite ignorant of it.

Cross-examined by Mr. Brougham.—When Captain Prescott made the application, witness believes he said there was no man in England, Scotland, or Ireland, he would more readily oblige than Captain Prescott; that was what he felt at the time. The first letter witness sent to Mr. Abington was by the twopenny-post, late

late on Saturday evening. The twopenny-post letters had constantly miscarried, and witness sent his own servant with the second, on Monday morning, that he might be there by nine o'clock. When witness wrote the letter to go on Saturday, he gave it to his servant to put into the twopenny-post that evening before six o'clock.

Witness believes the presentment of the appointment never was made to the Committee. Witness never heard that it was; and has no reason to believe that it was. It may either be presented to the directors at their usual meeting on the Wednesday, or to the Committee that meet daily any day but Saturday. There was a very considerable inquiry among the directors respecting the whole of this matter. There are dinners held of the directors, from time to time; but not on Monday or court-days. Witness had been indisposed, and did not believe he had attended any dinners for two or three months. Witness was present at a Court of Directors that was held after that inquiry. The Committee that had made inquiry had made a report to the directors before that meeting. (A question arising out of this was objected to, and not pressed.) Something had occurred with respect to a gentleman of the name of Frederick. It had nothing to do with any sale or traffic of any appointment. Witness does not know if Mr. Frederick is first cousin to Capt. Prescott.

Mr. Edward Drake Back examined by Mr. Carter.—Witness is the son of Dr. Back; recollects being with his father in town the latter end of April and the beginning of May 1827; recollects going the morning of the 22d of May to No. 8, Waterloo-place, Mr. Andrews'; believes he saw Mr. Andrews there, and Mr. Sutton, and some persons besides. (Papers A. and B. shewn to witness.) Saw those papers there; they were produced by a gentleman not known to witness; believes it was Mr. Sutton, the gentleman sitting on the floor. Upon the papers being produced, those persons directed witness to fill up what was necessary. There were marks in pencil in places where witness was to write. Question four was one. Witness filled up the answer to question four. The words "Charles Elton Prescott" were written in pencil for witness to write in ink. Witness wrote the words "Charles Elton Prescott." Witness had never before that time heard the name of Capt. Prescott, and did not know him; he also signed his name to the second paper, after the end of question eight. In paper B. "Edward Drake Back," is witness's signature, signed at the same time and place. Having signed the papers, witness left them with the two persons that were there. They then merely said witness

was to go to the Monument Coffee-house, and they would be there almost as soon as he was. Witness did return to the Monument Coffee-house, and afterwards waited about the India House for his father; he afterwards went into the Cadet Office, with his father. Some person desired witness to go in, and witness said he was to go in to be introduced to Captain Prescott. Witness went in. Witness saw Capt. Prescott for so very little time, he cannot say whether he is here; he did not see him long enough to have any recollection of his face again. One of the waiters introduced witness at the time he went in, or named the person he was to see. When he introduced witness he said, "Mr. Back;" that was the person desirous of witness's going in to see Capt. Prescott. The person witness saw when he went in, asked him his age, which witness told him; and he then asked if witness liked to go where he was going, and if he had ever been in the army. This was all that he asked witness. Had never, to his knowledge, seen that person before.

Cross-examined by Mr. Pollock (Counsel for Mr. Prescott).—Witness knows very little about the arrangement his father has spoken of to-day; he knew that the business was going on for the purpose of detecting those people, and that was all he knew. Witness knew that, as far as he was concerned, this was not real; and in answer to the question, "Do you believe that any person has received or is to receive any pecuniary consideration, or any thing convertible in any mode into a pecuniary benefit, on account of your nomination?" he put "certainly not." The words "Certainly not," witness wrote at Little Hampton. Witness believes it was on Wednesday he was at the East-India House; he took no notes of any thing; he understood he had been sent for in order that he might be seen.

Re-examined by Mr. Carter.—Witness went to the India House with his father the same day he went to Waterloo-place and signed the papers.

Mr. Frederick Haldane examined by Mr. Solicitor General.—Witness is a clerk in the Cadet Office, India House; recollects Mr. Prescott applying to him in the month of April 1827. Cannot exactly recollect the day, it was between Thursday and Saturday; he sent for witness from the office to receive instructions from him, and put into witness's hand a letter. Witness went to his room. Mr. Prescott merely asked him if he understood the letter. Witness gave the letter to Colonel Toone.

Lord Tenterden.—Colonel Toone did not speak of the loss of any letter.

Mr. Solicitor General.—He was asked whether he had written a letter to the same

same effect as the conversation he had had; he said he was not quite certain.

Lord Tenterden.—A letter by the two-penny post?

Mr. Gurney.—No: in answer to the first application that was made; that part about England, Scotland, and Ireland.

The witness continued.—In consequence of that, witness took the letter to the cadet office, and deposited it in the case where it is usual to deposit such letters. Mr. Prescott did not tell witness at all precisely what he was to do, but merely to write it off, that is, to mark off the appointment in the cadet book.

Lord Tenterden.—I do not know what that means; I suppose it means that Col. Toone's appointment was filled up.

Mr. Gurney.—It is marking the exchange.

The witness continued.—Witness did so. [Mr. Abington produced a book, which was handed to the witness.] When wrote off it shewed that the nomination was put to the director to whom it was transferred; it purported that this was a transfer from Col. Toone to Mr. Prescott. On the following Monday witness saw Col. Toone at his (witness's) office. He said he lamented the circumstance of having lent Mr. Prescott the nomination, but directed that the gentleman was not to pass until he saw him. Witness remembers the papers being brought into his office on the 2d May. He took them immediately from the office, and gave them into the hands of the deputy secretary, Mr. Auber, having received directions from Mr. Auber to that effect. [Some papers were handed to the witness.] These are the papers, and this (the recommendatory letter) is signed by Mr. Prescott.

Mr. Edward Sharpe examined by **Mr. Serjeant Bosanquet.**—Witness is a clerk in the cadet office at the India House. Witness, in consequence of a message, did attend Mr. Prescott the director on the 28th of April in his room. He produced a note from Col. Toone, intimating a compliance with his wish to give an appointment, and for the papers to be sent up to Col. Toone for his signature. He also produced the paper A, and asked witness if the paper was complete. Witness said they were not complete; that the first part was not completed, the letter of recommendation was not complete; it was not filled up. The fourth question was not answered; the other parts were filled up. Capt. Prescott asked witness in what way the first letter should be filled in (the letter of recommendation); witness answered, that if Col. Toone signed the nomination, Capt. Prescott ought to sign the first letter, of recommendation. Capt. Prescott said, "is not that irregu-

lar?" Witness answered that it was, but that since Col. Toone was to sign the nomination, it was necessary for Mr. Prescott to sign it, as witness presumed Col. Toone knew nothing of the other parties. Witness also filled in the fourth question by the desire of Capt. Prescott as a cadet, for a guide, in pencil. Capt. Prescott then signed the letter. Capt. Prescott asked witness to fill it in in a proper way. Witness recommended Capt. Prescott to allow him to write a note to Col. Toone, saying in what way the papers ought to be signed. Capt. Prescott desired witness to fill up the nomination, and to send it to Col. Toone for his signature. He said, in consequence of the note he had received from Col. Toone, he would not give him any further trouble, but desired witness to fill up the nomination, and send it to Col. Toone for signature. If Capt. Prescott had signed the nomination himself, and the recommendation had been signed by the person to whom it was given, that would not have given Col. Toone any additional trouble; it was only transferring it to Capt. Prescott. Col. Toone would have had nothing to do with the papers in that case. Witness was not desired to write to Col. Toone. If the papers had been in a different form, they would have been in a form that Capt. Prescott would have had to sign them; that would have given Col. Toone no trouble. After witness had filled up the nomination, Capt. Prescott desired him to write a note, transmitting them to Col. Toone. Witness accordingly wrote a note in Capt. Prescott's name to Col. Toone, and took it to Capt. Prescott for his approval. Capt. Prescott desired him not to write it in his name, but to write it in Mr. Abington's name. Mr. Abington was absent from illness; he was there the Monday following. Witness accordingly prepared a note in Mr. Abington's name, and enclosed those two papers for Col. Toone's signature. Witness delivered the packet to the commodore of the messengers, named John Salter. There are two of them. Capt. Prescott desired witness to give it to the commodore to take it to Col. Toone's house, and the messenger was to wait at Col. Toone's for his answer, and then to take it on to Capt. Prescott's residence. The only thing where Capt. Prescott's name was mentioned in the note was, that by the desire of Capt. Prescott they were transmitted to him, but in the name of Mr. Abington. There was no intimation where they were to go afterwards.

Q. Just look at those two other papers which bear date I believe February 1827, and see if Capt. Prescott's writing is to either of those papers. [Two papers were handed to the witness.]

Mr.

Mr. Brougham.—It is his writing, no doubt.

Lord Tenterden.—My note must state it is proved.

Mr. Brougham.—We admit it.

Lord Tenterden.—He has proved the recommendation was signed by Capt. Prescott.

Mr. Serjeant Bosanquet.—The solicitor-general opened, there was a preceding appointment, upon the recommendation of Sutton, given by Capt. Prescott in the February following, which might afford a reason why Sutton's name was kept out of view.

Lord Tenterden (to the witness).—Have those papers got Capt. Prescott's signature?—**A.** I have every reason to believe it is Capt. Prescott's signature.

Lord Tenterden.—Have you seen him write?—**A.** Yes.

Mr. Brougham.—We admit the appointment was made the February following.

Lord Tenterden.—But unless something is read or said, I do not know it.

Mr. Brougham.—We wish to save the papers being read; we admit the appointment was made in the February preceding upon Capt. Prescott's nomination.

Lord Tenterden.—I was quite sure you would not admit it in the way they wish it—read the papers.

Mr. Serjeant Bosanquet.—Is that an exchanged appointment?—**A.** Yes.

Q. And Capt. Prescott signs it?—**A.** Yes, the nomination.

Q. And the recommendation is signed by whom?—**A.** Sutton.

Lord Tenterden.—What is the date of it?—**A.** The 16th February 1827.

Cross-examined by Mr. Brougham.—The February appointment is filled up in Mr. Abington's hand. Witness is next to Mr. Haldane, under Mr. Abington, in office. **Q.** When Capt. Prescott said he did not like to give Col. Toone any further trouble in the matter, was not that in answer to an observation of yours, that you had better write to Col. Toone to know in what way the appointment should be made out, in order to save him the trouble of writing the letter?—**A.** Yes.

Re-examined by Mr. Serjeant Bosanquet.—Witness proposed to write to Col. Toone, informing him that Capt. Prescott ought to sign the nomination, as it was an exchange or a loan.

Lord Tenterden.—What did you mean by saying just now that Capt. Prescott's observation was in answer to your proposal to write to Col. Toone, to know how it should be done? Did you write to know that, or did you write stating how it was done? **A.** May I have the question put again?

Lord Tenterden.—It has been put three *Asiatic Journal*. Vol. 25. No. 148.

times. **A.** I proposed to Mr. Prescott to write to Mr. Toone, to say that if Capt. Prescott was to sign the nomination, the proper exchange would be made upon the face of it.

Lord Tenterden.—It is better to strike it out; here are three different answers.

John Salter examined by Mr. Gurney.—Witness is one of the commodores of the messengers at the India-House; he keeps a book in which he enters letters he receives to take to any person. Turns to Saturday the 28th of April in the last year; he did receive from Mr. Abington's office a letter to send to Col. Toone, and delivered it to John Sullivan, with directions to take it to Col. Toone, in Mortimer Street; to wait an answer, and to take it on to Capt. Prescott.

John Sullivan examined by Mr. Gurney.—Witness received on Saturday the 28th of April, a packet to take to Col. Toone; witness waited for an answer at Col. Toone's, and took the packet he received to Capt. Prescott's house, and left it there; it was a sealed packet, addressed to William Abington, esq.

William Abington, esq. examined by Mr. Gurney.—Witness is the chief clerk in the cadet office. On Saturday the 28th of April witness was absent from indisposition; he was at the office on Monday, Tuesday, and Wednesday, after that; on the Tuesday he believes he saw Capt. Prescott. He came into the office, and said he understood he had signed a wrong paper; witness's reply was, "I am aware of that—you had no occasion to sign the recommendatory letter"—Col. Toone had nothing to do with it, having transferred it to him. He desired witness to stop the papers as soon as they came to the office, and not to pass the young man, or suffer him to be passed, until Col. Toone had seen him. On the following day, the Wednesday, witness saw Capt. Prescott again—he asked if the young man had attended at the office to be passed; witness's answer was, "no—he had not." His reply was, "mind you let me have the papers—stop the papers as soon as they arrive—do not suffer the young man to be passed till Col. Toone has seen him." A message was sent into witness's office, while Capt. Prescott was in the committee, to know if the papers had arrived; that inquiry witness understood was from Capt. Prescott.

The Right Hon. Charles Watkin Williams Wynn examined by Mr. Solicitor-General.—Witness was President of the Board of Control in the month of April 1827; witness knows nothing of the parties, or the subject in discussion to-day; he was never in the company of Capt. Prescott or the other directors—he had no acquaintance with them.

William Astell, esq. M.P., examined by
4 B

by *Mr. Solicitor-General*.—Witness is one of the directors of the East-India Company; is unacquainted with any of the parties to this indictment except Capt. Prescott; witness never heard the name, and never saw the name, of any one of them; knows nothing more of the subject than he had heard here and in the Court of Directors, of which witness was a member.

Cross-examined by *Mr. Brougham*.—Witness has known Capt. Prescott for twenty years or more; after having been in the Company's sea-service, he (Capt. Prescott) has been a director eight years.

Q. What is the character and reputation of your colleague, Capt. Prescott? A. I can only speak from my own opinion. Q. I ask you, according to your knowledge, what character he has borne?

Lord *Tenterden*.—In what way is he spoken of? A. I have always considered him a respectable man. Q. Have you not sense enough to distinguish between your opinion and the reputation of the person? A. Certainly. Q. Then attend to the question.

Mr. Brougham.—I want to know the character and reputation the gentleman has borne.—A. As far as I have any knowledge, he has always been spoken of as a very respectable and honourable man. Witness was not chairman or deputy-chairman at the time the prosecution was ordered. *Mr. Pattison* was deputy-chairman, and is now; he was elected last April as deputy-chairman. The directors being on friendly terms with each other, confiding in each other's power and wish to repay, borrow patronage and appointments from each other. Witness does not know that *Mr. Pattison* in November last borrowed an appointment from Captain Prescott, or applied to him.

Mr. Gurney.—We will now read the paper A, the commendatory letter.

The same was read as follows:

"Gentlemen,—I do hereby declare upon my honor, that I received a nomination for the Madras Cavalry from *Sweny Toone, Esq.* gratuitously, and that I have given it gratuitously to *Mr. Edward Drake Back*, with whose family and connections I am well acquainted. I am, gentlemen, your most obedient servant,

C. ELTON PRESCOTT."

Addressed to "the Honorable Court of Directors of the United East-India Company."

Mr. Gurney.—Now question fourth.

The same was read as follows:

"Who recommended you to *Sweny Toone, Esq.*, the nominating director, for this appointment?" Answer. "*Charles Elton Prescott, Esq.*"

Lord *Tenterden*.—Is that your case?

Mr. Solicitor-General.—Yes, my Lord.

Mr. Brougham.—May it please your Lordship, gentlemen of the Jury: Really, gentlemen, I am sure in addressing you on behalf of this most respectable gentleman, Captain Prescott, for whom alone I am counsel here to-day, it would be a

most absurd, not to say ridiculous, at all events an unseemly, affectation in me, to pretend that I feel any of that anxiety and depression, or even those feelings of weight so as to be oppressed by them, which are very often the lot of counsel when they are addressing a jury on behalf of a defendant well stricken in years, and of a most eminent station in society, arrived, after a long course of exertion and of peril, to the very height of his profession, and of his ambition too; who has borne a uniformly fair and spotless reputation in the discharge of many duties, where much was left to his own discretion during the earlier part of his life, and of duties still more delicate, and besetting his path with still more hazard and temptations, during the last eight years of his life; I mean while he had the disposal of his ample share of the magnificent patronage which these twenty-four fellow-subjects of ours, the directors of the East-India Company, enjoy. A person in circumstances for the first time suspected, or affected to be suspected, and put upon his trial for the purpose of clearing his character never before questioned, ordinarily lays his counsel under the pressure of very considerable anxiety for the event of such a case confided to his hands. But I say here, to-day, I cannot affect, for a moment, to feel for the purpose as it were of adorning the exordium of the very short address that I am called upon to make to you,—I cannot affect to feel the least concern for this gentleman's character or for his fate; that character and that fate are committed almost nominally, and for form's sake, to my defence at this moment, but committed to your care substantially, if indeed there is any evidence brought to impeach it. I ought rather to say the evidence which I have to thank the East-India Company, the prosecutors of the indictment, for an opportunity of having heard, and for the power of meeting, as I have; also on the part of Captain Prescott, heartily to return my thanks for the power and opportunity of meeting this charge in a public court of justice.

Gentlemen, I quite agree with the Solicitor General, that the directors of this great trading Company, opulent, and still more powerful than wealthy, whose dominions are large and revenues ample, but whose power and patronage are still more precious than those of wealth or dominion,—I quite agree with my honest and learned friend, that a Company entrusted with that power, and above all entrusted with that, so dangerous to human virtue, that immense patronage, though individuals and not ministers of state, that they could do no otherwise than they have done: first inquire, and by their inquiry sift the case; and then, whatever was the result of that investi-

gation, because it was a private inquisition, bring that case before a jury of their country, that it might a second time undergo a more satisfactory, because a more public scrutiny and trial, before an English judge and an English jury; that they would to the end of time have laboured under a suspicion; that they would for ever thenceforward have been taunted to have made a compromise; that there would always have lurked among discontented, or malicious, or captious folk, a notion behind that there had been something concealed which would not bear the light. Though the individuals had pleaded guilty who were the real criminals in this instance, and though of that there could be no doubt, yet if they had let off without a trial, whatever might be their opinion, however satisfactory the private investigation had proved to them before; whatever had been their opinion on the result of it, some suspicion would have lurked, and seemed to linger about their conduct, if, because the other defendant, Capt. Prescott, who stood upon his defence, was one of their own colleagues, they had not brought his part of the charge to a full, strict and satisfactory, because public scrutiny. I agree with my learned friend the Solicitor General in this observation; and therefore, it is instead of complaining, I, on the contrary, rejoice on the part of the defendant that the matter was allowed to take this course. It is the only satisfactory course for me. On the other hand, I agree that the East-India Company, for their own sakes as well as for their hon. colleague, Capt. Prescott, could take no other course, because this is a public acquittal, and the former was only a private acquittal.

Now, gentlemen, what is the evidence brought before you, upon which you are to judge of the gentleman's conduct. That a cadetcy was applied for in consequence of an advertisement; that a clergyman who sometimes passed by the name of Col. Edwards, but sometimes by that of the Rev. Dr. Back—that Dr. Back applied in consequence of that advertisement in the name of M. N., and treated, and then broke off the negotiation, in a way not to me, I own, very intelligible, because he said he was astonished to find that M. N. meant to take a premium for the appointment. He says, "I thought he had only advertised from a mere benevolent motive of letting somebody have a good appointment for the bare cost of the outfit, and I was thunderstruck when I was told that M. N. was to receive money beyond the sum required for the outfit." That after that he thought better of it and renewed the negotiation, and again flew off, and went to the East-India House, and under the protection of the governor and chairman, and deputy-chair-

man, very properly was employed to sift to the bottom the whole of this, which appeared suspicious at first, and turned out afterwards criminal. That he carried on the negotiation in collusion—I speak it without offence—a necessary collusion with the Company; with the money of the Company. That the Company, in order to inquire more into it, supplied the funds with which the Colonel, the Doctor, was to bribe Mr. Sutton or Mr. Andrews, in order that the crime might be completed, though they did not stand by and see the parties traffic and deal, and commit the guilt of office-brokerage; but they assisted the party to accomplish that which the individual having the will had not the resources to accomplish himself. That this was done by the chairman, or deputy chairman, but with the purest and best object in view, whether with a very good judgment or a very accurate view of their duty in the course of the administration of the criminal justice of the country, or with a view to the proper disposal of their funds, to bribe one of their directors, as it was supposed, though it turned out to be unfounded. I do not quarrel with that; I do not cavil at the zeal they shewed that the parties should be punished; but this turns out only to involve the Doctor, and Mr. Andrews, and Mr. Sutton, and all those agents in this conspiracy. I ask you, is there a tittle of proof, is there a shadow of evidence, to implicate in the slightest degree the hon. and worthy gentleman who sits before me, their colleague, Capt. Prescott? I ask of you upon their evidence, upon their own shewing—I call upon you to look at their case, and I say that the right hon. gentleman who sits by my Lord, who has denied, which he need not have done, upon his oath, and also my honourable friend Mr. Astell, for a long while a director, and for some time chairman of the Company, as honourable a man as any one I have the honour of knowing, who has also truly denied all knowledge of this transaction,—you may as well suppose that their character was concerned, and more so, because Mr. Wynn's name, the President of the Board of Control, was mentioned, and Mr. Astell's too. It was said that Mr. Anstice gets all Mr. Astell's patronage; though he is committing this offence, he cites Mr. Astell as the person whose patronage he enjoys. But who believes it? over whose mind has a shadow of suspicion passed as to the conduct of the President of the Board of Control, or of Mr. Astell the late chairman, and now a director of the Company? No more has been given against Capt. Prescott, in other respects, but less in this respect, as Capt. Prescott's name was never mentioned.

My learned friend the Solicitor General

ral opened the case to you, that Mr. Sutton was the friend of Capt. Prescott; that he had been engaged in electioneering contests for him in the India-House. That is not proved, but I will admit it to be so: a man has his friends in great canvasses, as we see, and which we see more and more of, and the great reason for the ample patronage which, being one of these sovereigns, if I may so call them, places in the twenty-four directors. Our ears are fatigued with the constant canvass, the never-ending solicitations that are going on without end, sometimes without numbers, in the election for the office of director, time after time, and a number of times canvassing the proprietors and holders of India stock, canvassing all their relations and friends; and that during those canvasses there are committees; that a committee will have its chairman, and that the chairman will be active; he is generally an active and useful friend of the candidate, and that Sutton, as was opened by my learned friend for the prosecution, being such a canvassing friend, I do not deny; it may be so, it is what all of them do; that being a friend, he rendered essential service to Capt. Prescott, and for that he was so grateful that he gave him in one year two cadetries. That is where the case begins and ends; and my learned friend says, I know no great difference whether a man sells for the lucre of gain his patronage, or gives it to an electioneering agent in the discharge of an obligation to him; it comes to the same thing, with the suspicion, my learned friend says, that he meant to sell it. With great submission to him, it comes to a very different thing. A man might well do the one thing without having a lurking suspicion, which I deny that there is any evidence of in the case, but, on the contrary, there is evidence that he never had his mind crossed by the suspicion. My learned friend said he had a knowledge; no, he never said that; he knew his case would not bear him out in that, but he had the means of knowledge—he had guilty means of knowledge, or the means of guilty knowledge. I may have the means of knowing a thing, and if in a question of civil rights I have shut my eyes voluntarily, and have not taken pains to inform myself, the circumstance of my wilful ignorance arising from my shutting my eyes must come against my pocket, and I must pay damages. But it is new to me, and I think to his Lordship, who has had much more experience than I have in these matters, although mine is not of yesterday—I have had some experience upon subjects of this sort, but I never heard of a man being chargeable with a crime because he had the means of knowing, not that he knew it or sus-

pected it, not that he was aware and wilfully lent himself to a criminal act being done, but he had the means, if he chose to use them. He might have sent Mr. Lawford or any other attorney to sit people, he might have gone to Devonshire or Brussels after Dr. Back, because having the means of knowledge, if he had used those means, he would have discovered there was a traffic in his patronage; and if he did not make use of those means he is guilty of knowing, because he might have known, and of conniving, because he might have prevented, and of participating and of abetting the other parties in their guilt, because he had the means of knowing; and if he had used those means he might have known, and if coming to the knowledge he continued to connive, just as he did when ignorant, then that connivance owing to that knowledge through those means, would have amounted to abetting: that is the argument—that is the logical nature of the argument, and the fairness of the argument. I will shew he did not do that; the moment he comes to know it, or suspect it, he says here is an irregularity here: I find there may be something wrong if I do not look sharp and scrutinize the whole thing. But that is not the way I urge that fact, and that last fact came out to the wonder of any man who had heard the case opened by my learned friend, or had heard the case tried at all, and had seen this gallant officer, this respectable East-India Director, a worthy and an honourable man as his friends knew him to be, put upon his trial for a corrupt, for it is corrupt if at all, and wilful sufferance of his patronage being used by a set of swindlers, for aught I know, whom he knew nothing about—whose names he never heard, and of whom he knew no more than Dr. Back—whose name he never heard of at all till it was mentioned by Mr. Sutton: all this is found to be proved by the case laid before you by the evidence, one word upon which I am going to submit to you, if the attention you have already bestowed upon it, and the sagacity you bring to the sifting of it, renders one single comment upon that evidence needful.

Now observe, gentlemen, Mr. Sutton was a neighbour; Mr. Sutton was an electioneering coadjutor and associate, and canvasser for this gentleman—Mr. Sutton asks him for a cadetcy, which he receives; and again asks him for a cadetcy, which is the one in question, which he never obtained, but was put in the way of obtaining: I call upon you attentively to observe that. Have you not the evidence of Dr. Back here, the remarkable evidence of Dr. Back, in this respect a witness of mine, though a witness for the prosecution, that when he was walking about,

about, and I do not wish to press hard upon the character of Dr. Back—he may be a respectable man for all that has appeared here, men are a little lax when they are anxious to provide for young men, when they have large families—I do not justify it, it is not harmless to society, but it is very different to persons selling offices, and deriving a profit from the sale of offices which should be kept sacred to the public—but Dr. Back says, and nobody can doubt it, that when he was “walking about waiting for some steps of this negotiation to be carried through, while we were walking near the India House, in a street by the side of it, Sutton said he hoped we had not been found out; if we were, he was a ruined man, and would lose his friend.” Is that the speech of a man who had the least idea in his mind that his friend knew of it. Why, is it not self-evident he was saying to Dr. Back, his associate in this traffic, “pray take care, I hope to God we shall not be discovered; if we are, I shall lose my friend—I have been trafficking with his patronage—I have been abusing, foully abusing, the confidence he reposed in me, and he knows nothing of it—he still confides in me—he trusts me—I shall be ruined, and lose that friend the instant I am found out by him—I have abused his confidence heretofore, and am now doing it, that is my case.” You have heard that plain and distinct admission, forming a part of the case for the prosecution against Capt. Prescott, forming a part of the great transaction against Sutton, upon which the whole is built; a part of that is a declaration by Sutton in a moment of alarm, that his friend knew nothing about it, and if he did he would be ruined, and his friend’s eyes would be opened to his conduct.

Then it is said that Col. Toone is a witness, to prove that my client, Capt. Prescott, borrowed in the usual way a cadetcy from Col. Toone, and filled it up irregularly, and wrote the commendatory letter, or rather signed the commendatory letter, and vouched for facts not within his own knowledge; and these are the only circumstances upon which this suspicion is attempted to be built, for the purpose of connecting Capt. Prescott with the guilt of these parties. This will require no long observation—it is the only part that remains to be commented upon. I speak with great respect of Col. Toone, with the greatest respect. He is an officer who has grown grey in the service of his country; who by his own account has been thirty years an East India director; who from the rank he has in the army, which it is matter of common notoriety to all of us, a man never rises beyond after he comes home save one step, it will not be dis-

puted he must have come home a Colonel, or at least a Major, thirty years ago; and I think I assume very little when, without venturing to ask a question that might seem indelicate as to his age, I tell you he cannot possibly be, (I am sorry for it; for a more venerable looking officer, or a more worthy or a more gallant man, I have never met with in a court of justice to all outward appearance, and I believe that is the character he universally bears); when I tell you he is near fourscore years of age, for a man will not be made a Major or a Colonel, and an East-India director, on the bright side of fifty; and he has been thirty years in that eminent station.

If I was to say there was any thing confused in the evidence of this gentleman, or any thing in the slightest degree betokening a loss of memory, I should say what your experience of his evidence would contradict, and my own feeling upon the subject would flatly, and even loudly disavow; but when a man does not take a note at the time, which he did not, and when he did not suddenly afterwards have his memory refreshed and corrected, and directed to the particular facts, and the materiality of words which weigh much in such a case; when, at a distance of somewhat about a year, he is called upon to swear to those precise expressions, I must say that it does enter into my mind, that when at the time he is called upon to swear, he is about fourscore, as far as regards the perfect accuracy and minute nicety and correctness of recollection of a fact, or rather a conversation, which lasted a minute or two altogether (for he told it in about a minute), that was holden a year ago, and of which it is not pretended he took down any note of what dropped in conversation, which happened recently during the last year of his life, when, in all probability, he would more accurately recollect what had happened twenty years before, by a common rule of memory. Only see upon what a narrow point, upon what a very evanescent pivot, if I may use the term, the case turns, as it regards the evidence of Col. Toone. A single pause, a comma, a particle, a change of a word, makes all the difference between nothing at all, and that upon which my learned friend alone, or almost alone, relies in this case. He first said, “You know this gentleman;” he afterwards corrected the expression and changed it, when my Lord asked him what was the question, or what elicited that answer, he changed the word; he at first said, “You know the gentleman,” but he afterwards said, “You are acquainted with the gentleman;” may I be allowed to say both my learned friend and myself observed it.

Lord

Lord *Tenterden*.—Yes, he said : first I asked him, do you know the gentleman ? That mode of asking a question prevails very often, and I hear it very often in this part of the country.

Mr. *Brougham*.—A man very often says, do you know such a one ? Does any man believe that Capt. Prescott would say, for the sake of his friend Mr. Sutton, that he would immediately begin to say to Col. Toone, " Oh, acquainted with him ! I know him of my own knowledge." That is what is meant to be said ; not, I know him through Mr. Sutton, but of my own knowledge I know him. Do you think Capt. Prescott would say, I know him perfectly well—he is one of the finest youths in England. I know his father—he is a respectable clergyman in Devonshire. I have no doubt Capt. Prescott said that. He was asked, I dare say, is he a respectable man ? Yes, he is a respectable clergyman : he had been in Devonshire. My learned friend opened him as an eminent clergyman and tutor to the Duke of Richmond's son ; and notwithstanding all that has passed, he is a respectable man, and I know that his family is the family of a respectable clergyman in Devonshire, and it turns out that he is so. The word is used in that sense. I beg you to recollect that, suppose he had said so, suppose he had said this, this would be no evidence to convict him of this foul and infamous offence. But I utterly deny that he said it, or that any man in his senses could have said it, without any one possible motive for so doing. But what he did say, was—what he must have said, was the truth, that he knew him through his then friend whom he then did not know, whom he now knows, whose authority he will take care of trusting to again, whom he will never allow any more to abuse his confidence, because knowing him now, and being ignorant of him at the time, he believed what Mr. Sutton told him ; as I should a man I had known much less of ; people under much lighter obligations than my learned friend stated that Capt. Prescott had been under to Mr. Sutton. Somebody must get his cadetries. He is not allowed to traffic in them : is he to give them to friends or strangers ? Is he to give them to one to whom he lies under no obligation, lest he should come under the severity of my learned friend's observations, of a person who does not traffic in office for lucre or gain, but gives away offices as a reward for past services ? Is he, under that strict and fantastical feeling of morality, to look out for people whom he does not know ? He is to take the representations of others as to the individuals ; upon that he is to act, and so he does.

Now, gentlemen, see what follows—

and this is the only other point ; but the ground is cut from beneath the prosecutor's feet. I mean the last witness, Mr. Abington, who knows the mode in which the appointment was filled up, the usual way when I borrow of any one.—Suppose we were both directors—I wish we were—when I borrow of you a cadetcy, I, and not you, nominally make the appointment ; and when I repay it to you, you, and not I, make the appointment ; and accordingly that was followed : and if that had been followed in this case, you would never have heard so much as you have. This was followed in the case of the February appointment, because that worthy officer of the Company, Mr. William Abington, the principal in that department, who is clear and distinct in his manner—much more so than the deputy, Mr. Sharp—he knew how to fill it up, and the appointment is filled up in Mr. Abington's hand : he filled it up right, and sent it to the right person. It being a borrowed appointment, Capt. Prescott signed the nomination, and Sutton signed the recommendatory letter.

But, gentlemen, now comes the appointment in question ; he had promised Mr. Sutton a cadetcy ; he is told that it presses, that the young man is within two months of being twenty-two ; my learned friend says five months ; he was of age in October, according to his father's account, and this happened in April, and, says my learned friend, he ought to have known it from the parish register when it came to be looked into, or he ought to have observed by the appearance of the young man, whether he wanted two months or five ; here is another wilful and knowing misrepresentation ; it turns out he wanted five months ; he hurried the appointment, he goes to the India-House and gets Sharp, the man whom you have seen to-day so clear in his recollection and his manner of expressing himself, that he answered a question three different times three different ways ; the gentleman comes to him, and he says this is the way you ought to do : but says the Captain I do not think so, I think that is irregular, will not it be irregular ? Suppose Captain Prescott, and that is the supposition upon which the whole of the case is bottomed, suppose Captain Prescott was anxious to deviate from the regular and usual way—that instead of giving the nomination in his own name, and Sutton signing the recommendatory letter, he was desirous of giving it in Colonel Toone's name, what business had he to raise objections, when Sharp, without any knowledge on his part, happened luckily for his purpose to fall into the snare, and offered himself a willing assistant to this operation to change the name, to keep back Sutton's name ?

name? That is the story, that it would look ugly Sutton appearing twice when Sharpe had enabled him to accomplish it, and to fill it up in this way, Colonel Toone giving the appointment, he signing the commendatory letter. I do pray you to attend to this, for in my mind it is quite decisive upon the question; the whole question turns upon this aye or no, did not Captain Prescott voluntarily sign a recommendation, what Mr. Sutton might know of his own knowledge, what Sutton might have told him upon his knowledge, but signing it as if he knew it himself, he did so or did he not do so, is the question, for the purpose of keeping back Sutton's name from the India-House, and enabling Sutton to sell it? how could he possibly stand better in the execution of this purpose than when Mr. Sharpe comes and voluntarily throws himself into his hands as an agent for this purpose; fill up and nominate, and you sign the commendatory letter? what is the answer of this honorable man, clearly shewing he did not harbour a thought of taking any such advantage that he had no such scheme in view, and had no wish to step beyond the ordinary course of promotion, or to deviate a moment to favour Sutton, and make Colonel Toone sign, though himself recommended instead of Mr. Sutton; what does he do? He says will not it be irregular to Sharpe? he objects to Sharpe's plan; he says this is not the right plan, will it be regular or not? That is said to be, according to the scope of my learned friend's argument, the very object he makes all the difficulty, and raises the objection about; Sharpe would never have dreamt of it: Sharpe proposed it. He says will not it be irregular, Sharpe? Sharpe says yes; but upon the whole I think you may do it in this way, because Col. Toone gives the appointment, and you know something, and Col. Toone does not. Col. Toone knows nothing of the individual, and he must nominate, and you must sign the letter. Then he proposes another thing, but about that there is so much obscurity that you cannot rely upon it, for you see that Sharpe is the witness for the prosecution, whose want of clearness, if it remained in the case, must puzzle the prosecutor's case and not mine. Mr. Sharpe's testimony, if it is fatal to my learned friend, must rend the fabric of the prosecution, and not the fabric of my case. Sharpe, take him as a right witness or a wrong witness, as a clear witness or a confused, he says he proposed writing a letter to Col. Toone. I do not say what follows, there is some doubt upon it: but it is clear he proposed writing the letter to Col. Toone, to which Capt. Prescott added, "I have put Col. Toone to so much trouble, I do not wish to put him to any more." Then it is

made out in an incorrect way, which Mr. Abington never would have done, which Mr. Abington in February did not do, but owing to Sharpe's blunder, and Capt. Prescott not wishing to give unnecessary trouble to Col. Toone, it is made out in an irregular way, which leads to difficulty and delay. Now then, having come to this part of the case, the evidence of Col. Toone and the evidence of Mr. Abington cut down all the ground they had to stand upon. Colonel Toone got a little annoyed; something occurs to him afterwards, and he writes a letter to Capt. Prescott, which is given to Capt. Prescott's servant, and the servant is not called to shew that Capt. Prescott received it. I cannot call Capt. Prescott to say he never received it; he has said, and now says, he never received it, and that is just as good as their saying they delivered it to the maid-servant. But suppose he received that letter—I will make a present of that to them—what was it? It was a letter stating Col. Toone was diffcult about the business, and desired nothing further to be done until the young man was seen and inquired about. What is my learned friend's charge? That we had the means of knowledge, that we were aware of the workings of his mind: and notwithstanding we were aware of his puzzle, and the anxiety, the workings, the doubts and suspicions which he never declared, he never said, all is not right, take care, inquire, examine your friend Sutton, whoever it is, he may have deceived you—sift the matter, use your means of knowledge; but because he said something that indicated he had a doubt about it, and because he wrote a letter desiring that the thing might be partially stopped, we are to be presumed guilty. How does the thing turn out? Col. Toone writes to Mr. Abington to stop the appointment; he is afraid that that might not reach, and he sends a second letter. What does Mr. Abington say? that early in the week, he will not say whether Monday or Tuesday, but before Wednesday he was certain, Mr. Prescott himself said, I desire that this appointment may be stopped; let nothing further be done in it; on no account let the thing go into the Board; on no account let the young man pass until he is seen—by whom? by Col. Toone himself; being the very man that makes the objection; by the person whose appointment I am giving away, and who is putting me in his turn; that is my object. I speak by hearsay, and I know nothing but what my friend Sutton has told me, whom I have hitherto found no reason to complain of; but Col. Toone has doubts. Let no hurry take place, though the young man's time may draw near; let no appointment take place until Col. Toone

has

has seen the young man. Is not there, I ask, an end of the prosecution? Is not there an end put to this case by this answer of Mr. Abington's? Is not every one thing in the evidence of Col. Toone explained that at first seemed to be a ground of suspicion to the mind, and was so used by my learned friend in his statement to you, in order to make it appear that Col. Toone was a much more cautious man, and much fonder of using his means of knowledge than Capt. Prescott, who acted rashly and hastily, in order to connive at, and encourage, and back up this friend of his, Mr. Sutton, this electioneering friend of his, in his attempt to sell his cadetcy; that Col. Toone was to be praised, and Capt. Prescott blamed, because Capt. Prescott hurried it over, and Col. Toone stopped it. Do I deny the fact? My denial avails not; the witness for the prosecution rebuts it; he has sworn it was Capt. Prescott himself who stopped the promotion, that Col. Toone might be satisfied.

Now, gentlemen, one word more upon the way in which people sign these recommendations. When a man attests upon his own knowledge, and attests that which he knows not to be true, or when he pretends to know that which he cannot have knowledge of, he may be said to be doing an irregular thing by giving his certificate. But what do those persons who sign the answers declare? Col. Toone, whose hand I have it under, says, "I do hereby declare, to the best of my belief, that the petitioner's answer to the foregoing questions are correct:" and Capt. Prescott certified no more, when he said he believed what Sutton told him, than Col. Toone did when he says, under his own hand, that he believes what Capt. Prescott told him; that must be evident to every attentive mind. But observe the easy course that Capt. Prescott had to accomplish his object, if he had this view. It is clear that Col. Toone, by signing this nomination, which he did without hesitating, would not have thought it so regular, and he appears to be a man who steers upon the outside line of regularity and punctilious correctness. It is clear that Col. Toone thought there was nothing irregular in his nominating, though Capt. Prescott ought to have been the name: he does not object to it—he signs it; but certainly upon this nothing could have been more easy than for Capt. Prescott to make Col. Toone give the nomination at once to Mr. Sutton, in which case Capt. Prescott's name never would have appeared. Send me your cadetcy, my friend Sutton will sign, and then, instead of my name appearing on the books of the India House, connected with the name of Sutton, as giving him a second cadetcy, it would appear that I gave

him one and that you gave him another; he would never have objected to that. The evidence all shows that he would have done it; he signs the nomination, although it is a slight and almost harmless irregularity; the most usual way is that the person who borrows, signs, and here the man who lends, signs; and so that object is very commonly avoided. But see how easily this supposed guilty purpose could have been accomplished by this gentleman; he does this very thing which increases his difficulty, and in the end frustrated his attempt. If he had got it from Colonel Toone, and Sutton had recommended to Toone, or if he, without waiting for Sharpe's observation, had said that is another thing, he avoided; if you say this is the way to do it, why do I object to it? and inquire whether it is regular or not, there would have been an end of the question not only hours ago, but a year ago; but it is because he prefers taking the other and less irregular course, and when Mr. Sharpe suggests one thing, raising difficulties against himself according to my learned friend's view of the case, but nothing against himself according to my view of the case, because he had nothing to conceal, he says is there not a difficulty? and that leads to the conversation you have heard.

Then, gentlemen, you have it said that Mr. Abington's name is used in writing the letter to Colonel Toone. I beg to say that is the regular course: it comes from that department, it does not come from the study of Mr. Prescott; the papers go to the office, they are prepared there, and signed there; they go through the office, and it is regular that Mr. Abington should have done it; if not, do you think Captain Prescott would have put himself in the hands of that young man for an irregularity? Do you think he would have made him an accomplice? But he says, take Mr. Abington's name in the usual way, and write the letter to Colonel Toone, that this is the appointment he is to fill up. He does not suppress one name, he does not conceal Captain Prescott's name; he says, write in Mr. Abington's name, but it is by my desire; so that the letter got to Colonel Toone in a way not to deceive any human being. It is Mr. Abington's compliments, and he is desired by Captain Prescott to send the enclosed papers to Colonel Toone; and then they are carried on to the house of Captain Prescott by the messenger who had received them from the commodore; he says my order was, after I had received them, to carry them on to Captain Prescott; which is just to avoid going backwards and forwards from Colonel Toone's to the India House, and then back again

to Captain Prescott's, Captain Prescott's being the ultimate destination, and there being no earthly conceivable purpose for making three trips instead of one.

Gentlemen, you have already heard the respectable character of this gentleman from Mr. Astell; you shall hear it from others. They have not called the chairman who ordered the prosecution, nor the deputy-chairman who concurred in it, who is likewise a prosecutor; and we have no opportunity of knowing from them what passed in the year after the indictment was preferred; but I shall call before you his brother directors, who are also the prosecutors, who know the inquiries that have been made, and the motives for this proceeding, who will give you their opinion as to the high and unsullied character borne by this gentleman, whom you are called upon, on no better evidence than these surmises, that I have now shewn you are sought by false construction, ingenious perversion, and by exaggerated statement, to be wrung from these plain, innocent facts; upon no better grounds, by your verdict, you are called upon to consign him to infamy for the rest of his life, as guilty of the foul offence of conspiracy.

Mr. *Starkie*.—May it please your Lordship, Gentlemen of the Jury:—It now devolves upon me to make a few observations to you upon the case of Mr. Despard, who I believe stands the fourth defendant upon this indictment. Gentlemen, though he is a person in much humbler circumstances than the gentleman whom my learned friend, Mr. Brougham, has been lately defending with so much eloquence and zeal, he is a person of good family, and bears his Majesty's commission, whose reputation and liberty are as dear to him as those of any person, however exalted his rank; and I trust, gentlemen, you will favour me with a continuance of that attention which throughout the evidence you have paid to this case, because upon your decision must depend the question, whether my client is to maintain that reputation he has hitherto sustained, or depart this court a ruined and degraded man.

Gentlemen, although my observations in this case must be very short, inasmuch as there is but a very small part of the evidence that relates to the case of my client Mr. Despard, before I proceed to make those observations, allow me to state what is the real charge against him. Gentlemen, the voluminous indictment I hold in my hand, containing no less than thirteen counts, will resolve itself substantially into the question whether Mr. Despard did corruptly, for gain's sake, negotiate the obtaining a commission for a person of the name of Back; for though the counts are differently framed, it will be found that in

every one of them that specific charge is repeated, that the parties did corruptly, for gain's sake negotiate; and should you be satisfied that my client had any knowledge of what was passing between these parties who have pleaded guilty, and against whom had they pleaded not guilty, the evidence given to day would be fully sufficient and overwhelming, I say, should it even appear before you to-day, upon the testimony of Dr. Back, that Mr. Despard knew at the time the transaction was going on that a cadetship was to be obtained; I apprehend still, unless he did according to the words of the indictment, corruptly and for gain's sake take a part in the negotiation, he will be entitled to a verdict of acquittal at your hands.

But, gentlemen, it must have been apparent to you long ago that the evidence against my client depends upon the testimony, and wholly upon the testimony of the first witness called, Dr. Back, for I believe there is not one other of the numerous witnesses called on the part of the prosecution who gives an iota of evidence that can in any way affect Mr. Despard.

Now, gentlemen, certainly it is my duty on this occasion to state to you those circumstances which, according to my humble apprehension, ought to create a doubt in your minds, or the mind of any one who has heard that gentleman give his evidence, how far they ought to credit the testimony he has given, unsupported by documentary evidence, or the testimony of any other witness, or the probability of the case. You find Dr. Back, who is introduced as a respectable clergyman, and having resided upon the Continent many years, at last obtained a living; I believe the living of Little Hampton.

Mr. *Gurney*.—No, he only lives there.

Mr. *Starkie*.—He lives there without any living; but he is a doctor of divinity, and you find that this person is attracted by an advertisement in the *Morning Herald* newspaper of the date of the 11th August 1826. Now, gentlemen, observe the part he acts upon this occasion; if he had acted fairly and honourably to obtain a place for his son, what necessity was there for his resorting to a cloak, and assuming the false name he did upon that occasion. And I beg leave of you to bear in mind, as I have no means of calling a witness to contradict Dr. Back, and as the confidence you place in his testimony of withhold from him must depend upon collateral circumstances, because I cannot call witnesses to contradict what took place, as he says, between my client and himself, it is my duty to make such observations as will lead to the conclusion whether you will believe him or not.

What is the conduct of Dr. Back? instead

stead of doing what any respectable man would have done, gone in his own name to inquire into the circumstances, because he did not at that time apprehend there was any thing irregular in the transaction at that time; what is the account he gives you? "I happened to have a card of Col. Edwards in my pocket, it was by accident, and I thought I would represent myself as Col. Edwards;" and then he goes with this base misrepresentation in his mouth, and represents himself as Col. Edwards, which name he assumes throughout the whole transaction. I was a little anxious to learn who this Col. Edwards was, because it is from little circumstances that juries come to a clear knowledge of facts, and especially the character of those who give such testimony which cannot be contradicted in any other way. I asked him who was Col. Edwards, because it was possible he might know something of the name; that gentleman might have left a card at Dr. Back's house, or it might have been delivered to him at his house. But what is his answer? That Col. Edwards was the first husband of Dr. Back's present wife, and that he died so long ago as 1819, or rather he married in 1819, so that, reckoning from that date, he must have died of course some time before that; but reckoning from that date, you will find he had the card of a person who had been dead for seven years by him; that he had got a store of such cards, he had got not fewer than 100 of such cards; whether that is an account that satisfies you, or whether he did this for a fraudulent purpose, representing himself as Col. Edwards, it will be for you to decide.

Then, gentlemen, afterwards he says he was surprised to find that a price was expected for the cadetship for which he applied. Do you think it possible that could have been the real reason of Dr. Back breaking off the communication, because a price was asked for the situation he wished to procure for his son? Is it consistent with the common practice, that valuable situations desirable for a son are disposed of gratuitously? Your knowledge of the world will bring you to a very different conclusion from that. If you refer to the advertisement, it will be apparent from the very terms of that advertisement that that was not intended, for the advertisement was read, and by that it is stated that the outfit will require means, and no person need apply who cannot supply means; and, gentlemen, it is impossible for men of your understanding to come to any other conclusion upon this subject, than that this was a mere pretence of Dr. Back to break off this negotiation, and take the course he did: for you will find that after this, in February, he makes a disclosure of the

subject to the East-India Company. Now at what time any disclosure took place, as far as any collateral testimony goes, you have no evidence whatever. I put to him some questions, which he answered thus: "I made a communication to the East-India Company in February—I had much communication upon the subject"—and with respect to the time even, he might have been confirmed by the production of these letters, because they must have been in the possession of the prosecutors—it rests upon his sole testimony that he gave that information to the East-India Company, and had been induced, without any other motive, to come forward. Now, except that he was acting in collusion with certain persons in the way of being detected, and he chuses to become the agent and informant of the East-India Company, and buy impunity, if not patronage, for his son; and you see after that time he becomes a spy, after being an informer or agent for the East-India Company; that is a circumstance upon which I mean to impute no blame to the Company, because we know in many instances it is impossible, without the assistance of agents and spies, and persons not of the most respectable character in the world, that the ends of justice can frequently be obtained; but in all the cases upon the subject that I have been aware of, it has been the universal rule, that where a party is capable of confirmation to shew that the communication was fairly and *bonâ fide* made, and was going on with the concurrence of his employers, it has been the universal rule to produce that confirmation. Probably you have attended in court when prosecutions used to take place for passing forged Bank of England notes; in all those cases, the constant practice, according to my experience, has been, that although it was necessary on the part of the Bank to hire persons, who under false names introduced themselves to persons guilty of illegal dealings, yet there was always in those cases full evidence to confirm them in all the collateral parts of the evidence that such agents had given: for instance, where a party has been employed to purchase forged notes, nothing is more common than for the constable or person who employs him, to mark the money to be given to the person who obtains them, in order that the person may not be without confirmation, that the party may be taken up with the money in his pocket, and that the evidence of the agent may receive such a confirmation. Now in this case, circumstances have been stated, which if they were true this party might have been confirmed again and again; for these letters, which he says he wrote to the East-India Company, must have been in the

the custody of the prosecutors, and might have been produced to-day, and those letters would have been strongly confirmatory, if any such had existed, of the testimony he has given to-day. There is also another circumstance, and a very material one, upon which this person might have been confirmed, and that is, you observe that he not only refreshed his memory, but read copious passages from the notes he had; those notes he asserted, upon cross-examination, were shown from time to time to the agent of the East-India Company. Now, gentlemen, certainly that would have been a most material corroboration if they had shewn, or called the witnesses to prove that, night after night, when these conversations had taken place, he did detail conversations and produce writings, and certify that writing, and shew beyond the possibility of doubt that this was the report that this informer gave from time to time.

Gentlemen, there is another circumstance that might have been proved: he says notes to a very large amount, £500 and £300, were actually in the possession of some of these parties, not in the possession of my client, nothing of that sort is proved; but these notes were in the possession of the parties who have pleaded guilty; and I ask again, why are not the parties called? Why are not the agents of the East-India Company called, who could have sworn to the delivery to Dr. Back of these notes, to the amount of £500 and £300, to be used for these purposes?

Thus it stands upon the testimony of Dr. Back; and I ask you whether, considering that Dr. Back is the sole witness who gives the slightest particle of testimony against Mr. Despard, whether you are prepared to say you will give such implicit credit to the statement he has made, considering the circumstances under which he has given his evidence, so as to consign a person who has filled the situation of my client, to utter ruin and degradation? But, gentlemen, even supposing you should be of opinion that any part of Dr. Back's statement is true, still I submit to you, and with considerable confidence, that even taking that to be true which he has stated, it would not warrant you in pronouncing a verdict of guilty against my client, because at most it only shows that something was said about this negotiation, at the time he was present, between these persons, Gibbons and Dr. Back; but it is not pretended by that evidence that Mr. Despard took any part in the negotiation, and therefore even should you be of opinion that he had some knowledge of what was going on, yet I apprehend, with great submission to his Lordship, unless you

can come to the conclusion that he did corruptly, for gain's sake, negotiate or conspire, or do some act for the purpose of furthering an illegal object, although it might have been better had he separated himself at once from that society, he is not within that offence which is charged upon this indictment.

Gentlemen, there is one circumstance which I ought also to observe upon, that Dr. Back, in the course of his evidence, has styled him with the title of "captain." I believe he is not entitled to the rank of lieutenant; but you must know that in the British army, in the regular forces, I understand, gentlemen, he does fill the situation of captain, and that he was rightly called by Dr. Back. But you are fully aware, I have no doubt, that though the sale of cadetships in the East-India Company's service is illegal, it is not any thing illegal to sell commissions in the regular army. In the act passed to make it illegal to be at all concerned in negotiating the sale of cadetships, there is a clause enacting, "that nothing in that Act shall extend to any purchases, sales, or exchanges of any commissions in his Majesty's forces, for such prices as shall be regulated and fixed by any regulation, made, or to be made, by his Majesty, in that behalf, or to any act or thing done in relation thereto, by any agents." I merely mention this by the way, because military men, as my client Capt. Despard is, might not at the time advert to the legal distinction and the substantial distinction, which certainly there is, between the sale of an East-India Company's office and the sale of a commission in this country; and therefore he might not think, as some others might have thought, better informed on the subject. He is no lawyer; he is a halfpay officer. He did not at once say, you are doing a very scandalous thing; and leave them at once: you might think they were acting legally.

Mr. Gurney.—If you read the act of Parliament, you should read it correctly. The words are, "provided that agents shall be agents of regiments authorized by the commander-in-chief of his Majesty's forces, or by the colonels or commandants of regiments or corps."

Mr. Starke.—I do not mean to justify it. He might easily suppose that, though his ignorance of the law would be no excuse. I only mean to say it may operate so far as to shew why he did not exclaim against their conduct. You observed the way in which Dr. Back gave his testimony. He produced a great number of notes before you, and read them copiously. He stated that all those notes were written at the same time.

Lord Tennerden.—No, he did not say that.

Mr.

Mr. Starkie. — He said they were written at the time that each bears date. I should like you to see those notes, and you will judge, for instance, whether that was the case, or whether a great many of those entries have not been made at the same time, although they bear different dates; and also look at the original entries, and there you will find that those circumstances he afterwards stated, with respect to the conversation, are very different indeed, or wholly omitted; and when he reduced those conversations into writing does not appear.

But let us see what time it is, according to Dr. Back's account, that my client becomes a party to this transaction in the way in which he states it. The first time he speaks of seeing Capt. Despard is the 27th of April 1827; before that time he did not know there was any such person in existence. The negotiation had at that time gone so far, that upon that day, or the day before, the half of a £500 note had been deposited with Mr. Gibbons, and Mr. Gibbons had given his receipt for it. The negotiation was to a great extent completed; the price had been agreed upon, and half of the note given; therefore there seems to be no earthly reason why he should be introduced by the other parties to conspire for this illegal purpose; there seems to be no earthly reason, when they had so far advanced as to obtain the half of a £500 note, why they should at all introduce Capt. Despard into their illegal partnership, with a view to give him any part of the profits; nor is there any part of the evidence that could at all satisfy your minds he was to have any part of those profits. It is not pretended, in these conversations, that he was to have any part, or that any money passed at the time he was there. You find, upon the 25th of April, the conversation was a very short one, and the utmost that Capt. Despard said at that time was, "You have been a long time about this, I would settle it very soon; I know Capt. Anstice," and it is very likely he did.

But does it follow he was advising them to an illegal negotiation, because he knew Capt. Anstice could obtain a preferment of this kind? is it to be inferred that he meant illegally to obtain it? The conversation, as it appears to me, certainly does not go beyond that; it is merely stating that if he had known of the business sooner, he would soon have settled it. Then it appears, the next day, the parties are at Capt. Anstice's office, Capt. Anstice having been the friend of this party. The particulars of the conversation are not stated; all that is stated is, that Capt. Anstice said he had the half of the five hundred pound note, and that would be useless unless

he had the half of a three hundred pound note, and that Capt. Anstice had most of Mr. Astell's appointments; it does not follow that he had them illegally; still less does it appear that Capt. Despard was to have any illegal share or benefit from the interest to be derived.

But there is another circumstance on my mind which is very strong, to shew that Capt. Despard was not to receive any part of this money; I allude to the particular time when the matter was to be finally wound up and settled, and when it was expected that this young man, the son of Dr. Back, would be passed at the East-India House: the remainder of the notes was to be produced, and those who were concerned in the transaction, and receive any part of the dividend and profits, were to receive their payments. But although it is stated that many of the parties who have pleaded guilty were there, it does not appear that Capt. Despard was there; and if he had so far committed himself as to have made himself a party to this illegal agreement, it will be for you to say whether he would not have been anxious to have received the price of his iniquity with the rest, and been in attendance at the Ship Tavern to receive the profits. You find, so far from that, that I think one of the witnesses stated, Dr. Back, I believe, that Gibbons said, as the cadetship had been bought for eight hundred pounds instead of nine hundred guineas, and he had got it for less than he ought to have had it for, that he ought to have forty-five pounds, and Mr. Wright one hundred pounds, of the difference. Now, gentlemen, I think this evidence is available in this way. At the time they are talking of the participation of the money, at the time the money is being received, Capt. Despard is not then to receive any part of it, although the sharing of it is spoken of. Gentlemen, there is no evidence to shew that Capt. Despard was acquainted with any of these persons, except Capt. Anstice and Mr. Gibbons. With respect to the other parties who have pleaded guilty, they may have been perfect strangers to him up to the time of the transaction.

Now, gentlemen, under these circumstances, considering, in the first place, that even if Dr. Back's evidence went much farther than it does; considering the situation in which he stands; considering the account he himself gives of himself, I submit he is not a person who stands so fairly and of such unsullied reputation before you, that you can safely convict Captain Despard upon his evidence; and the more so when you consider that much evidence might have been given to support his character that has not been adduced. Then, gentlemen, as I have already observed,

ed, the probabilities of the case are the other way; it is very improbable that Capt. Despard should have been admitted a participator in these profits; he did nothing, even allowing Dr. Back, who is not an unwilling witness, whose intent is probably to convict as many of the defendants as possible; he does not affect to say there was any hint given that that gentleman was to be a participator in this transaction. Gentlemen, having made these observations to you, I will not repeat them; the evidence itself is very brief against this gentleman, as my observations must have been. You know, as well as I do, that before a jury can come to a conclusion that a person is guilty of such an heinous offence as this, it is not sufficient that they should have some general notion floating in their minds that all is not as it should have been; but they must be satisfied in their conscience that the party is really guilty; and they ought to exercise the same discretion with respect to the safety of a fellow-creature who stands before them, as if their own and most solemn interests were at stake. Gentlemen, a jury may, without any feelings of great emotion, afterwards remember, that perhaps they may have acquitted a guilty person; but, gentlemen, if I mistake not the feelings of every man amongst you, and every man of humanity, they must be bitter, indeed, if any circumstance subsequent to the trial should lead him to suppose he has been the instrument of convicting a fellow-creature, and ruining a man who was actually innocent. Gentlemen, under these circumstances, it is for you to say whether Capt. Despard was guilty of corruptly, and for gain's sake, negotiating the obtaining this employment for this young man. I will not repeat those observations I have made; I thank you for the attention you have paid to the whole of the case, and I have no doubt you will come to the conclusion that your consciences point out as being the proper one.

Evidence for the Defendant Prescott.

John Baker Richards, Esq., examined by Mr. Pollock.—Witness is governor of the Bank of England; has known Capt. Prescott more than thirty-five years.—Q. What character during all that time has he borne?—A. I have always considered him to have borne—

Lord Tenterden.—How extraordinary it is that gentlemen of the education of those before us, will not answer the question put to them! the question asked is, what is his character?—A. Always that of an honest and honourable man.

John Masterman, Esq., examined by Mr. Pollock.—Witness is a banker and East-India director. Has been acquainted with Capt. Prescott between eight and nine years he has always borne the character of an honourable and upright man.

Josias Dupré Alexander, Esq., examined by Mr. Pollock.—Witness is a member of Parliament and an East-India director. Has known Capt. Prescott since the year 1798, thirty years next October.—Q. What character has he borne during that time, for honour and integrity?—A. A remarkable good one.—Q. Have you had any means of knowing any thing of his conduct in the disposal of his patronage?

Lord Tenterden.—That is a question you cannot ask, that is a fact.

Mr. Pollock.—What character he has borne as to that particular point?

Lord Tenterden.—That is a different thing.

Mr. Pollock.—What character has he borne in regard to the disposal of his patronage, has he borne any character?—A. I believe he has acted very fairly.—Q. What is his character upon that?

Lord Tenterden.—This is getting too near the objectionable point.

Mr. Gurney.—This is a fact: if you pursue it, I must cross-examine upon it.

Major Carnac, examined by Mr. Pollock.—Witness is an East-India director. Has known Capt. Prescott for about five years; during that time he has always borne the character of an honourable and benevolent man.

Charles Mills, Esq., examined by Mr. Pollock.—Witness is an East-India director. He has known Capt. Prescott about eight years; during that time he has borne the character of a straight-forward honourable man.

Vice-Admiral Sir Pulteney Malcolm, examined by Mr. Pollock.—Witness has known Capt. Prescott thirty-two years, in various situations; he has borne the character of an honourable, liberal, and open-hearted man.

Sir Charles Flitot, examined by Mr. Pollock.—Witness is the secretary of the Irish office. He has been acquainted with Capt. Prescott twelve years; during that time his character has been the highest possible.

H. Bonham, Esq., M. P., examined by Mr. Pollock.—Witness is a member of Parliament. He has known Capt. Prescott about thirty-five years; during that time (witness thinks) he has borne the character of a very honourable, upright, good-natured man.

Lewis Lloyd, Esq., examined by Mr. Pollock.—Witness is a banker in this city. Has been acquainted with Capt. Prescott about ten years; during that time the character he has borne is that of a most upright and honourable man.

Colonel Frederick, examined by Mr. Pollock.—Witness has known Capt. Prescott from the time of his birth; during all the time he has borne the character of a kind-hearted and honourable man.

William Curtis, Esq., examined by Mr. Pollock.—Witness is a partner in his father's house, Sir William Curtis and Co. as bankers. Has known Capt. Prescott about ten years; during that time he has borne the character of an honourable, honest, upright man.

Sir James Shaw, Bt., examined by Mr. Pollock.—Witness has known Capt. Prescott between ten and twelve years; during that time he has borne a character of the very highest description, an honourable man, and a frank, straight-forward seaman.

Robert Williams, Esq. and Thomas Wilson, Esq. called, but did not answer.

Cornelius Buller, Esq., examined by Mr. Pollock.—Witness was lately governor of the Bank of England, and is now one of the directors. Has known Capt. Prescott eight or ten years; witness has always understood him to bear the highest character.

Nicholas Brown, Esq., examined by Mr. Pollock.—Witness is one of the commissioners of the Victualling-office. Has known Capt. Prescott fifteen or twenty years. The character he has borne is that of a plain, honest, upright-dealing man.

Capt. Luard, examined by Mr. Pollock.—Witness has known Capt. Prescott about thirty-five years; during that time the character he has borne generally in the world, is that of an honourable and upright man.

John Capel, Esq., M.P., examined by Mr. Pollock.—Witness is a member of parliament. Has known Capt. Prescott about twelve years; during that time the character he has borne is that of an honourable upright man.

Colonel Davies, examined by Mr. Pollock.—Witness has been in the East-India Company's service. Has known Capt. Prescott about thirty years; during that time the character he has borne in the world is that of an honest and honourable man.

Isaac Robinson, Esq., examined by Mr. Pollock.—Witness is one of the elder brethren of the Trinity House. Has known Capt. Prescott thirty-nine years intimately; during that time he has borne in the world the character of a man of the highest honour and integrity, open-hearted and kind.

Mr. Brougham.—There are twenty or thirty more, but I do not trouble your Lordship with them; they come from different parts.

Lord Tenterden.—Do you call any witnesses for the other defendant?

Mr. Platt.—No, my Lord.

Summing up.

Lord Tenterden.—Gentlemen of the jury: This, is an indictment against Samuel Sutton, William Andrews, James Patten Anstice, John Edward Despard, Joseph Tynedale, George Henry Gibbons, Thomas

Wright, and Charles Elton Prescott; and the indictment charges the seven persons first-named, that is, all except Mr. Prescott, with having conspired together for gain, reward, and profit, to negotiate for one Edward Drake Back, to be nominated and appointed to a certain employment, that of a cadet under the United Company of Merchants of England trading to the East Indies; and then it charges that Captain Prescott, unlawfully, wilfully, and knowingly, aided, abetted, and assisted the other persons I have named. That form of charge is varied in the different counts, but the latter counts are all substantially the same, charging the first seven defendants with conspiring together unlawfully to obtain this appointment for this young man.

Mr. Gurney. The first count does not charge a conspiracy.

Lord Tenterden. It is that they unlawfully negotiated for this appointment; there are several other counts of that class varying the charge as to negotiating for gain and reward, all of them importing that the act done by them was done for gain or reward, and that Captain Prescott aided and assisted them. Then there is another set of counts, which charges all the defendants, including Capt. Prescott, with combining and conspiring unlawfully and corruptly, for gain, reward, and profit, to Samuel Sutton, to recommend Edward Drake Back to be nominated and appointed to this office of cadet under the East-India Company. There are several counts in that class varying the charge, but not in any material degree. Then there is another count perfectly distinct from all the rest, which states that all the defendants conspired falsely and fraudulently, to cause and procure a false representation to be made to the Court of Directors of the United Company of Merchants of England trading to the East-Indies, that young Back was a person with whose family and connexions Capt. Prescott at the time of such representation was well acquainted, for the purpose of obtaining for Edward Drake Back the nomination and appointment to the employment of a cadet, the defendant Prescott and all the other defendants being wholly unacquainted with his family and connexions.

Now, gentlemen, as it regards all these counts in this indictment, except the last, no person can properly be convicted upon it who is not in some way a participator in the unlawful scheme to obtain this appointment for profit and gain; I use the word participator, because that term has been employed by the counsel for one of the defendants; but in order to convict persons of a charge of this kind, it is not necessary in point of law that each of them should have in his mind to participate in the gain, for if they all combine to attain the object for profit and gain to some of them they are

are all guilty within the meaning of this charge. No person can be convicted upon these two first sets of counts, who is not conscious that gain and reward is the object of some of the defendants with whom he conspires; but it is not necessary that he, individually, should be one of those to share: no person can be convicted if he is not conscious that those with whom he conspires have gain for their object, but it is not necessary that every one should participate. That is the law as regards this part of the charge, which is the most important part of it. The latter part is, that they all conspired falsely and fraudulently to cause and procure a false representation to be made to the East-India Company, that young Back was a person with whose family and connexions Mr. Prescott at the time of that representation was well acquainted.

Now to this charge all the first class of defendants, except Despard, have acknowledged their guilt; five, I think, of them have pleaded guilty before we came into this place, and another of them desired that your verdict should pass against him; the only two persons now upon their trial are Capt. Despard and Capt. Prescott; those are the only defendants. The case as against them stands upon very different grounds, and therefore it is necessary I should direct your attention to the evidence as it respects each of them separately and distinctly.

Now, the only witness called who speaks to any participation by the defendant Despard in this transaction is Dr. Back, and the account he gives of it is, that having seen an advertisement in a paper called the *Herald*, in the month of August 1826, professing to be addressed to parents and guardians, and representing that a permanent situation offered to a youth under twenty to go abroad, his outfit would require means, without which none need apply. That Dr. Back having a son, for whom he was desirous of obtaining some provision, wrote a letter addressed to Alsop's Buildings, and received an answer; and in consequence of that he called at the house in Alsop's Buildings, where he saw afterwards the defendant whose name is Wright. He says he took with him some cards, having upon them the name of Edwards, which was the name of the first husband of his present wife, many of which cards he had; and it is quite clear what the gentleman says, that it was natural, and we might suppose it would so happen, that he would not wish in the outset to appear personally, and he went throughout in the name of Colonel Edwards. Then he relates first his interview with Mr. Wright; then a letter from Mr. Wright representing his going out of town and referring him to Mr. Gibbons; he gives an account of his conversation with

Mr. Gibbons and then depositing first one half of a £500 note, and the half of a £300 note; and he produces several letters from Gibbons confirmatory of that and also two receipts from Mr. Gibbons.

Then he tells you in the next place Gibbons introduced him to Tyndale; that after a time he was introduced to the defendant Despard. Before, however, he was introduced to Despard, he had learnt from Mr. Wright that the sum required for the appointment was for a cadetship in the infantry, £600, but if in the cavalry, £800 or £900. He reached town in the year 1826, but finding the sum did not at all suit him he abandoned the negotiation; but that in the spring of the following year his son, for whom the appointment was to be procured, coming of age, and being possessed of a sum of money, he was desirous to renew the negotiation. However, before he did that he thought he would have some communication with the chairman of the East-India Company; he saw that gentleman then, and several times afterwards the solicitor of the Company. He was informed he was in great danger in what he was doing; that it was contrary to law, which he was not aware of, and with that caution he would have nothing more to do with it. But it was the wish of those who had the management of the affairs of the Company, and a very natural and proper feeling it was, to trace to the very bottom the persons thus professing to traffic in this appointment, and at the suggestion of the Chairman or the solicitor (the Chairman he puts it), he was desired to go on with the negotiation, and to hold out he was willing to negotiate with them, that the Company might find out who the parties were; and that he in consequence had made some communications from time to time to the Chairman or the solicitor, and that he made memoranda from time to time of the conversations and other parts of the transaction.

After the introduction to Tyndale, which is after both the sums of money had been paid, Tyndale introducing him to Despard, and Tyndale and Wright had pleaded guilty, he says, "on the 14th of April I met Gibbons and Tyndale, this was the first time I saw Tyndale; Gibbons shewed me an acknowledgment from Tyndale that he had received the half of the note for £500. On the evening of the same day Gibbons introduced me to Tyndale, and Gibbons then said that nothing could be done on that day, as there were no directors at the India-House; that we must wait till Monday," then the Easter Holidays were mentioned as a reason for delay: another reason was the unsettled state of the ministry; there was an intimation given that the appointment was to come from the President of the Board of Control. The then president has been examined,

examined, and he has said, as might have been expected, that he knew nothing about it. Then it appears that after the half of the £300 note had been deposited, on the same day the witness says "Tyndale introduced me to Captain Despard at Lloyd's Coffee-house;" this is the first time that Captain Despard is introduced, he says, "Captain Despard lamented he had not been consulted sooner in the business, that if he had I should not have been detained so long in town; he would soon settle it." He says, "Gibbons left me at Lloyd's in company with Captain Despard, and promised to return in about a quarter of an hour; I waited for him four or five hours, but he did not come; Capt. Despard did return, and asked me if I had seen Gibbons since he had left; I replied no, and he expressed great astonishment that he had not. Then we appointed to meet the next day, and we did so, that is the 26th. I only met Capt. Despard on that day. He told me I should not be disappointed again for he would introduce me to two very respectable merchants; he then took me to the office of Capt. Anstice and Mr. Stubbs, at Great St. Helen's. Capt. Despard introduced me to Capt. Anstice, and Capt. Anstice then said he had had the half of the £500 note in his possession for some time, but that it was no manner of use until the half of a £300 note was also deposited." Capt. Despard is there at the time this passes; "before we went there Capt. Despard had said that Capt. Anstice had got most of Mr. Astell's patronage, and that this was supposed to be one of Mr. Astell's appointments." Mr. Astell is called, and he says, of course, he knew nothing about this, he being a director at the time. Then on the 27th he attended again at Mr. Anstice's office; they were running about from one place to another, he believes they were at Capt. Anstice's, and Capt. Despard called upon him again at the Monument Coffee-house, and said every thing would be completed by the next day; he says, "I was waiting at Capt. Anstice's office in very great anxiety, and expressed my doubt of the ability of the parties to procure the appointment, when Capt. Anstice said he would forfeit £100 if it was not completed the next morning; and if I would leave the young gentleman with him, if I wanted to go out of town, he would take care of him; that the appointment would be forwarded to the house of the director who was to give it, who was in Hertfordshire, and that the director had declined signing it until the half of the £300 note was in Capt. Anstice's possession; that he had forwarded the appointment by post to this director, and he expected it by the return of post; he said the gentleman had been tired of waiting for the £300, and had expressed himself in very angry terms at

the delay, and said he would wait no longer."

This is the last interview he mentions as having had with Capt. Despard; and if the account he has given of the part he took is correct, no doubt Despard was a party to this combination to obtain this money for the benefit, if not of himself, at least of others. If Dr. Back gives a clear representation, it is clear the matter of profit and the note are spoken of when Capt. Despard is present. It is said, you are not to believe Dr. Back; why not? It is said that the prosecutors ought to have called the Chairman or the solicitor of the Company; why are you to support the testimony of a man who is not in the least broken in upon by any thing that has taken place? What motives could he have to accuse a man of this crime of whom he had no knowledge? is it to be supposed that a man is to come forward and invent a charge of this kind? In another part of the story there is abundant confirmation by all the other parties pleading guilty, and confirmation as to many of them by the letters they have written; and it will be for you to ask yourselves, whether there can be any doubt in your minds upon what Dr. Back has said of the part that Capt. Despard took in this transaction; there is no reason why he should accuse him falsely.

Then he goes on with the further narrative, which I need not give in very minute detail; we come to the 28th, that is a material day connected with what appears afterwards with regard to Captain Prescott. He waits all that day in expectation that Capt. Anstice would come; Capt. Anstice went out with him and they endeavoured to find Mr. Andrews; they went to the office of Mr. Andrews, in Waterloo-place, but he was not there. "Capt. Anstice said that I had great reason to complain that I was ill-used. On the next day, the 29th, I saw Mr. Andrews at his house in Brook-street, Hanover-square. I saw Gibbons at Capt. Anstice's house on that day in St. John's Wood Road; Gibbons was talking to Anstice at the door of his house. Anstice said Gibbons wanted to go with us to Mr. Andrews, and he would not allow it; we went there without him. We saw Andrews who said the appointment was certain; that the gentleman who was to give it was to be in town the next day, and he would bring the appointment with him to Great St. Helen's by two o'clock the following day; he also said he was sorry that he and I had missed each other the day before; that he wished to settle the business as much as I did, and that the money would be very useful to his client at that particular time; he said, "I was to keep it secret, and not to let the business transpire." The next day was Monday, the 30th; he went there by appointment. "I waited till four o'clock, and

and Mr. Andrews did not come; at last he came and said, that his friend who was to give the appointment would be with him that evening, and if Capt. Anstice would call upon him in the afternoon in his way home to St. John's Wood Road, the hour for a meeting the next day should be fixed on that day; he also received a note from Gibbons. I need not read that.

On the 1st of May he says, "I went to Capt. Anstice's by appointment, there was a note arrived at Capt. Anstice's from Mr. Andrews, which Mr. Stubbs opened, and then the hand-writing of Mr. Andrews was proved, and that note was read, and in consequence of that letter he sent his son down to Mr. Andrews's office.

Then we come to the 2d of May. He says on that day Mr. Andrews and Mr. Sutton came to him. Mr. Sutton is not introduced into the business till the very close, the 1st of May is the first day. Mr. Andrews very late, and Mr. Sutton not till afterwards. "I saw Mr. Andrews and Mr. Sutton, who called and said that as every thing was now complete, I ought to deliver them the two halves of the notes," he says he refused to do it till the young man had actually passed. They continued to press for the other half of the notes on our walk to the India-house, and as we were about to go into the coffee-house, the Ship, when they did go in, he said he would come to them presently; wishing to consider of it, he went back and put the two halves of both the notes upon the table. Then there was a new difficulty started by Mr. Andrews or Mr. Sutton, that the corresponding halves were not there; they desired him to walk to the other end of the room, but before he did that he took up the half of the five-hundred pound note; he says, "I declared positively I would not give it up till the young man had been sworn in. My son was walking about waiting. We all went to the India-House together. I think Captain Anstice took up the other half. One of them took it, and having done that, the papers were put into his hands by one or other of them; that he went and found his son; he was waiting under the door of the India-House. The important part that affects Mr. Prescott is, that the papers traced into his hands on the Saturday and Monday evening are found in the hands of these men Sutton and Andrews, and by them delivered over to Dr. Back; he then went and found his son, and went to the cadet office, and Mr. Gibbons came to him there: that is not material. When they went to the office he gave the appointment to a clerk in the cadet office, who immediately disappeared with it. He went out of the room, and waited for him to come back till six o'clock, but the clerk who had taken away the papers

never returned." Then he relates what passed between Mr. Gibbons and him while the clerk was away; "he said you have got this appointment for £800 instead of 900 guineas, and he wanted to receive the difference between £800 and 900 guineas, being £145, and that he was to receive £45, and that Mr. Wright was to have £100. He left the India-House two or three times and went to the Ship, where he found Mr. Andrews, or Mr. Sutton, or both of them; they said, when I went, that I was detained so long at the cadet office that they thought there must be something wrong; they could not tell what to make of it; there was something irregular, they were afraid. Before we parted Sutton walked with me into the street behind the India-House, I forget the name of the street; he said he hoped there was nothing wrong, for if the matter was found out he should be a ruined man. He appointed to meet him the next day, to tell him what turn things had taken, but he did not go; he came afterwards to him at Little Hampton—nothing particular passed—he begged particularly to know what was said when he was before the directors, or what was going forward: but the witness told him he should have nothing to say to him upon the subject. Captain Prescott he never saw in his life—he thinks his son was baptized on the day of his birth in October 1805, so that in the early part of 1827 he would not be 22."

Then he is cross-examined, on behalf of Captain Despard. He says, "he never went but upon this occasion in the name of Edwards, or by any other name—there is no proof that he did. That was when he went to negotiate for the office. He says he was usually dressed in black, he might have on a black silk handkerchief, he had been in the habit of wearing black silk handkerchiefs; he has worn an undress military coat and yellow waistcoat upon the Continent, as persons often do, and that he has worn a blue camel cloak, but never in their presence; that the cards were Colonel Edwards's, who was the first husband of his present wife—they were preserved, they were found in some drawer or some such thing—he never went by the name of Drake on the Continent, he always went by his own name; he was on the Continent some years; he was chaplain to a foreign garrison, and he was private tutor to one of the sons of the Duke of Richmond.

The remainder of the evidence is introduced to affect the defendant Mr. Prescott. The first witness who speaks with regard to him is Colonel Toone, who is a director of the East-India Company, and has been so thirty years. He says Mr. Prescott has been for some years past a director, and he served with him seven years in the direction, which made him acquainted with

him. He says the directors fill up the patronage in their turn, and sometimes they lend them to each other. If a particular director wishes an appointment for a friend, he gets it from a brother director and gives him another. In the latter end of April last year Mr. Prescott applied to him for an appointment by a note, and that note is to ask him if he can let him have a turn in the Madras cavalry. He met him in the street, and told him he should be happy to accommodate him, having a great respect for him, and that there was no man in England, Scotland, or Ireland, whom he would be more willing to oblige—he evidently thinks very highly of him. The next day he met him and spoke to him about the nomination—it is not material to inquire what that was; but he thinks on the following morning, or the next day but one, he spoke to the defendant, Captain Prescott, and he told him something had happened that made him very anxious about the promise he had made. "I said do you know the young man perfectly well? He said yes, he is one of the finest youths in England. I said, do you know his family? he answered yes, I know his father, he is a respectable clergyman in Devonshire. He said it was necessary to quicken the matter as the young man was within two months of being of age—that means twenty-two, and after twenty-two he could not be appointed. He said, I suppose you ask these questions in consequence of some appointment three or four months ago, and I said I did, it was in consequence of that: he said he knew this young gentleman very well, and his father was a clergyman in Devonshire.

Now whatever character this gentleman Mr. Prescott may have borne, if Col. Toone speaks the truth, it is clear he was representing that which was false and untrue; he takes upon himself to say he knows the young man, and he was as fine a youth as any in England, that he only wanted two months of twenty-two, and that he knew his father, who was a clergyman in Devonshire, he never in his life having seen either the father or the son, and having no knowledge of them.

He says, "after that conversation I sent a note to Mr. Abington, who is the chief clerk of the cadet office, through which this appointment must pass—it is in these words: "William Abington, Esq. Be so good as to pass Capt. Prescott's youth without delay, as he is near twenty-two, and I will sign the papers on Wednesday morning next; but let the youth pass as soon as possible." Then he puts a postscript: "If the papers are sent to me this day I will sign them." He says, on the same day I received a packet, purporting to come from the head of the cadet office, enclosing those two papers A and B—the

papers were shewn to the witness, he says, I signed them and enclosed them, and sealed them up, and directed them to Mr. Abington at the India-House, the same day by one of the messengers of the India-House, who waited for an answer:" he says, "I was called for from dinner and signed the papers;" and suddenly something occurred to him afterwards that he had signed what he would not willingly have done; he says it was contrary to his practice to sign till he had seen the individual; that he wrote a note to Mr. Abington and sent it by the twopenny post. Now the note to Mr. Abington is—"I signed the papers you sent me this evening, but before the matter is finally concluded, I request you will contrive to let me see the youth, and with that view I will call at the India-House on Monday next, and I will attend there before twelve o'clock, and request the youth to attend at twelve on Monday next; then he says he sent a note by his servant to Mr. Prescott the same evening; then Joseph Williams says, he is servant to Col. Toone, that his master sent him with a letter to Capt. Prescott's about April in the last year, he took it to the defendant's house and delivered it to a female servant there; that he never took more than one letter from his master to Capt. Prescott; therefore that letter, taken in connexion with the evidence of Col. Toone, must be the letter. Then that not being produced, Col. Toone goes on to say, that the note to Mr. Prescott also stated that he had received the papers which had been sent to him by Mr. Abington, and that he had signed the papers; "but it occurred to me, I had not seen the young man, contrary to my practice, and that I had written to him my order that Mr. Prescott's cadet should not pass until I had seen him." The letter to Mr. Abington is produced to you, and it has the post-mark of Monday; the letter to Mr. Prescott is not produced, and on Monday he sent another letter; he is very anxious about it, and fearing the letter might be lost, he sent his servant again the next morning with the following: "The young gentleman, nominated to my Madras cavalry nomination, for which I returned the papers yesterday, is not to be presented and passed until Col. Toone has seen him, and with that view Col. Toone will attend at Mr. Abington's office as soon as possible on Monday morning, (signed) S. Toone."—He says, "On that same Monday I went to Mr. Abington's office at the India-House: I never saw the cadet, and never have seen him; I remained at the office two hours and he did not arrive; I received no answer from Mr. Prescott to the letter I sent on Saturday evening. I do not recollect any other conversation I had with him. I did not enter into it, for I had the greatest regard for

for him. Mr. Prescott did not give me any answer, either by letter or by calling on me. I was not apprized that any order had been given at the time by the Chairman or Deputy Chairman; they kept it very properly to themselves. Then he is cross-examined by the counsel for Mr. Prescott, and he says there was an inquiry among the directors afterwards. That the directors dine together on court days—that is all immaterial.

Then the next witness called is Edward Drake Back, the young man who was to have the appointment. He says he recollects being in town with his father the latter end of April or the beginning of May 1827; he recollects going on the morning of the 2d of May to No. 8, Waterloo Place, Mr. Andrews's office; that he saw him there, and he believes he saw Mr. Sutton there; Mr. Sutton is in court, and says, he believes he was one of the persons. There he saw the papers produced, A and B; and then he says, that he wrote the answer to the fourth question, that is, who recommended you to Sweny Toone, Esq., the nominating director for this appointment? Ans. Charles Elton Prescott, Esq., which name was in pencil, for him to write in ink; "I never before that heard the name of Capt. Prescott or knew him;" he looks at the other paper B, and says, that is his signature Edward Drake Back. This I think was done on Wednesday morning; he also signs the other paper, which is the signature to the petition of Edward Drake Back to the directors, expressing his desire to go. That he left the two papers with those two persons; that one of them told him to go to the Monument Coffee-house and they would be there almost as soon as he was; he returned to the Monument Coffee-house, and he afterwards waited about the India-House for his father, and he then afterwards went into the Cadet-office with his father. Some person desired him to go in and said he was to be introduced to Mr. Prescott, he went into the room and saw a gentleman, but he cannot identify Mr. Prescott; whoever that gentleman was, he merely asked him whether he liked to go, and whether he had ever been in the army. He says, he knew very little about the arrangement, he only knew that the business was going on merely to detect these people; he says, he wrote answers to the different queries.

Then the next person called is Frederick Haldane, a clerk in the cadet-office, who says, "in the month of April 1827, Mr. Prescott sent for me, and when I came he asked me if I understood that letter; I said I did; I took up the letter to the office and deposited it in the case where it is usual to deposit such letters; he desired me to write it off, that is, I mark off the appointment in the book." He did

so, and that denoted that Col. Toone's nomination was transferred to the defendant. He saw Colonel Toone in the office on the Monday following; he thinks he also saw him on the Saturday; he said he lamented the circumstance of having lent Mr. Prescott the nomination, but directed that the gentleman was not to pass till he had seen him. "On the 2d of May a paper was brought to my office which I immediately took, and gave it into the hands of the deputy secretary." Then the papers A and B are produced; I will direct your attention to them presently.

Then the next witness is Edward Sharpe, who is a clerk in the cadet office. In consequence of a message he attended upon Mr. Prescott on the 28th of April in his room; he produced a note from Col. Toone, intimating a compliance with his wish to give him an appointment, and for the papers to be sent up to Col. Toone for his signature; he also produced the paper marked A. and asked me if it was complete. He says, "I told him it was not complete; that the letter of recommendation was not filled up, and the fourth question was not answered; the other parts were complete; he then asked me how the letters of recommendation should be filled in. I said, if Colonel Toone signs the nomination, Capt. Prescott ought to sign the first letter of recommendation." It seems they are not both to be signed by the same person. "He said, 'is not that irregular?' I said that it was, but that since Col. Toone was to sign the nomination it was necessary for him (Mr. Prescott) to sign the letter, as I presumed Col. Toone knew nothing of the other parties. I also filled in the fourth question by the desire of Capt. Prescott, and he then signed the letter. He says he had asked me to fill in the letter, I did so, and he signed it, and then that recommendation is this: "Gentlemen, I do hereby declare upon my honour that I received the nomination of a cadet for the Madras cavalry from Sweny Toone, Esq. gratuitously, and that I have given it gratuitously to Mr. Edward Drake Back, with whose family and connexions I am well acquainted; "that is signed by himself," C. Elton Prescott.

Then the witness said something about a conversation between them as to the writing of the letters, but the witness was so indistinct in his answers, and represented he had received the same answers in two or three different forms, that it seems to me you could not rely upon that part of the conversation and our safer course is to take that part that the witness speaks to without hesitation. "He directed me to fill up the nomination and send it to Colonel Toone for signature." That in consequence of a note he had received from Colonel Toone he would not give him

him any further trouble; he says "if Capt. Prescott had signed the nomination, and the recommendation had been signed by the person to whom it was given, it would not have given Colonel Toone any additional trouble." The director's nomination is in these words: "I, Sweny Toone, Esq., being one of the Directors of the East-India Company, beg leave to present the petitioner as a cadet for the Madras cavalry on Mr. Morris's nomination of the season 1826, provided he shall appear to you eligible for that station. And I do declare that I have inquired into the character, connexions, and qualifications of Mr. Edward Drake Back, and that in my opinion he is a fit person to petition the East-India Company for the appointment he now herein solicits. S. TOONE." He filled that in by Mr. Prescott's desire; he speaks without hesitation to that. "After I had filled in the nomination, Mr. Prescott desired me to write a note, transmitting them to Col. Toone. I wrote a note in Mr. Prescott's name, and took it to Mr. Prescott for his approval, but he did not approve of it; and desired me not to write it in his name, but to write it in the name of Mr. Abington, the chief clerk; he was not that day at the office; I prepared a note accordingly in Mr. Abington's name, and enclosed the two papers, and directed them to Col. Toone, and gave them to the commodore of the messengers, John Salter. Mr. Prescott desired me to tell the messenger to take the packet to Col. Toone, to wait for an answer, and bring it to his (Mr. Prescott's) residence." Then he says the note was in Mr. Abington's name, and mentioned only that the papers were transmitted to him by Capt. Prescott's desire. Then he proves Mr. Prescott's signature. Then the papers were read. He says the filling up in February is in Mr. Abington's hand.

Then Salter is called, the commodore of messengers, who produces a book in which he enters the direction of the letter, and to whom he delivered it; and he says that he delivered it to Sullivan, with such directions as were delivered to him. Sullivan says he received it and took it to Col. Toone's house, and waited there as directed, and took it back, not to Mr. Abington, but to Mr. Prescott's house.

Then Mr. Abington is called, who says he was absent from the office from indisposition on the 28th of April; that he was at the office either on the Monday or Tuesday following, and on one of those days Capt. Prescott came into the office and said he understood he had signed a wrong paper. "I replied I was aware of that, and said to him, you had no occasion to sign the recommendatory letter. Col. Toone had nothing at all to do with it, having transferred it to you. He desired me to stop the papers as soon as they

came to the office, and not to pass the young man, or suffer him to be passed until Col. Toone had seen him. On Wednesday I saw him again; he asked me if the young man had attended at the office to be passed. I told him he had not. He said, mind you let me have the papers; stop the papers as soon as they arrive, and do not suffer the young man to be passed till Col. Toone has seen him. On the Wednesday, when the young man was expected to present himself, Capt. Prescott sent out a message from the court-room to know if the papers had arrived."

Then Mr. Wynn and Mr. Astell were called, who gave their evidence of their utter ignorance of all these matters as you might have expected.

Then they further produce two other papers, marked C and D, which are very important, I think, for your attention; these are copies of another appointment in the month of February. In that month of February, Dr. Back was given to understand an appointment might have been had. The petition is signed by a person of the name of Dale, and then the director's nomination is signed by Mr. Prescott. "I, Charles Elton Prescott," &c. (*reading the nomination*) "recommended to me by S. Sutton, Esq." Mr. Sutton signs the recommendatory letter. "Gentlemen, I hereby declare upon my honour, &c." (*reading the recommendatory letter*) that is signed by Samuel Sutton, and then Mr. Prescott signs what has been signed in the latter case, a declaration that he believes the answers to the questions to be correct.

Now that would have been the regular form to have been observed. On each the nominating director signs, and the person who recommended the party to the nominating director should sign the nomination. That course has not been pursued upon the present occasion; Colonel Toone signs the nomination, and signs, finally, his belief that the answers are true, and Mr. Prescott signs the recommendatory letter. Why that was done does not very distinctly appear, as certainly it is contrary to the usual practice in doing the thing. Whether he did not choose that Mr. Sutton's name should appear again as the party recommending to himself, he having so recently given him a nomination, does not appear; but he departs from that.

Now, in the address made to you by the learned counsel on behalf of Mr. Prescott, great reliance was placed upon that which Mr. Prescott did on the Tuesday and Wednesday, namely, going to Mr. Abington, and desiring that the young gentleman might not pass till Colonel Toone had seen him; and it is exceedingly difficult to account for that, unless he had received the letter that Colonel Toone says

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he had written and sent by his servant, stating that he had himself written to Mr. Abington to say that the young man should not pass. If Mr. Prescott had received that letter it would have been natural; if he had not received it, I do not see why he should interfere.

I have already intimated to you, that in order to convict the parties of the latter charge, it is not necessary you should be satisfied, speaking of the case of Mr. Prescott, that he himself was to share; but you cannot convict him on the earlier part of the charge, unless you are satisfied he knew, and had reason to know, the appointment was to be made; and if all this evidence satisfies you, he must have known of the appointment that this person obtained from him in a very irregular way by means of Mr. Sutton and Mr. Andrews, for the papers passed through their hands. If all this satisfies you, he must have had a guilty knowledge that a profit was to be made, then he ought to be found guilty; if you are not satisfied of that, then he ought not to be convicted of the earlier and more important part of the charge. But then comes the other part, which is a fit subject for your consideration, and to that I am obliged to call your attention, and that is, that part which charges that all these defendants conspired to procure false representations to be made to the Court of Directors. That Edward Drake Back was a person with whose family connections Mr. Prescott, at the time that false representation was made, was well acquainted for the purpose of obtaining this cadetship for him, whereas the defendants knew all the time the family connexions of Mr. Back were entirely unknown, that is quite a substantive distinct charge, and whatever your opinion may be as to the conspiracy or combination to obtain this presentation to himself or any of them, if you think they concurred in procuring this representation to be falsely made by Mr. Prescott to the Company as to his knowledge of the young man and his family and connexions, if you think that they all intended to do it falsely and corruptly, and not from a mere blunder or mistake, that is not the question; if they had all the same guilty purpose, whatever your verdict may be upon the other part of the case, Mr. Prescott ought to be found guilty upon this: but, unless you are satisfied of his guilt upon one or the other part of the charge, if doubt remains upon your minds you ought to place considerable weight upon the character given him. A great number of respectable gentlemen in the City of London have concurred in stating, that up to this time Mr. Prescott had borne an excellent character for honour and integrity—a kind-hearted and honourable man; they put it in diffe-

rent phrases, but that is the substance of it. A higher character could not have been given to any body, and if the evidence leaves doubt in your minds of his guilt, that character ought to turn the scale; but if the evidence leaves no doubt, then although he may have for so many years borne this high character, he may at last have fallen into error and guilt. If you are satisfied of his guilt you cannot do otherwise than say he is guilty; if you have any doubt you will acquit him. As to the case of Despard, you will probably agree with me in thinking there can be no doubt.

The Jury consulted together for twenty minutes, and then pronounced

John Edward Despard guilty.

Charles Elton Prescott not guilty.

MISCELLANEOUS.

DECCAN PRIZE MONEY.

The distribution Prize money, arising from the booty captured in the Pindarry and Mahratta war, has commenced at the Deccan Prize office, 8, Regent Street.*

PROMOTIONS AND CHANGES IN THE BRITISH ARMY

(SERVING IN THE EAST.)

11th L. Dr. Corn. and Adj. W. Ready to be lieut. (28 June 27); S. Fisher to be corn., v. Kirke dec. (15 June); M. Franks to be corn. by purch., v. George prom. (28 June).

13th L. Dr. Lieut. Wm. Hake, from 16th L. Dr., to be capt., v. Grove dec. (7 May 27).

16th L. Dr. Corn. C. F. Havelock to be lieut., v. Hake prom. in 13th L. Drags. (7 May 27); E. J. Pratt to be corn., v. Havelock (14 Feb. 28).

1st Foot. Lieut. R. Burges, from h.p., to be lieut., v. A. J. Pictet, who exch., rec. diff. (21 Feb. 28); Ens. J. Walker, from Newf. Vet. Comp., to be ens., v. Campbell, whose app. has not taken place (6 Mar.).

3d Foot. Lieut. T. H. Owen to be capt., v. Mackay, whose prom. has not taken place; Ens. L. Desborough to be lieut., v. Owen; W. Roche to be ens., v. Desborough (all 14 Nov. 27).

90th Foot. Lieut. E. Cates, from 77th F., to be lieut., v. Herbert, who exch. (14 Feb. 28).

30th Foot. Capt. C. H. Roberts, from 48th F., to be capt., v. Lynch prom. (28 Feb. 28); Ens. W. B. Staff to be lieut., v. Thompson dec. (10 Mar. 27); Ens. T. R. Burrows to be lieut., v. Backhouse dec. (16 May); Ens. J. G. Mariton to be lieut., v. Tobin dec. (20 May); Wm. A. Steele to be ens., v. Staff (16 May); W. A. Steele to be ens., v. Burrows (16 May); O. G. Perrott to be ens., v. Wright (28 May).

38th Foot. Ens. G. Greene to be lieut., v. Minchin dec. (23 June 27); W. G. Edwards to be ens., v. Greene (14 Feb. 28); Qu. Mast. Serj. — Goodfellow, from 14th F., to be qu. mast., v. Gould dec. (21 Feb. 28).

30th Foot. Maj. Thos. Poole, from 23d F., to be maj., v. Crofton, who exch. (21 Feb. 28).

41st Foot. Qu. Mast. Serj. J. Davidson, from 2d F. Gu., to be qu. mast., v. Randle dec. (14 Feb. 28); Ens. W. B. Sparrow superseded, having absented himself without leave when under orders for embarkation for East-Indies (25 Mar.).

45th Foot.

* We have no room this month for the details contained in the *London Gazette* of February 29 and March 11: they shall appear in our next number.

45th Foot. Lieut. F. Ebhart to be capt., v. Hamilton dec.; Ens. E. T. Coke to be lieut., v. Ebhart (both 3 Jan. 27.); Wm. Graham to be ens., v. Elliott prom. (31 Jan. 28).

47th Foot. Brev. Maj. T. Backhouse to be maj., v. Ramsey dec. (29 June 27); Capt. T. Daly, from h. p., to be capt., v. Backhouse (14 Feb. 28).

48th Foot. Capt. J. J. Moss, from h. p. 13th L. Dr., to be capt., v. Roberts, app. to 30th F. (26 Feb. 28).

54th Foot. Lieut. P. Warren to be capt. by purch., v. Woolgate, who res.; Ens. J. R. Turner to be lieut. by purch., v. Warren; R. Parr to be ens. by purch., v. Turner (all 28 Feb. 28).

97th Foot. Ens. A. F. Morgan, from h. p., to be ens., v. Chetham, whose app. has not taken place (6 Mar. 28).

Ceylon Regt. Capt. R. Armstrong, from h. p., to be capt., v. Penny app. to 94th F. (21 Feb. 28).

Staff. Brev. Lieut. Col. W. H. Sewell, on h. p. 60th F., to be dep. qu. mast. gen. to King's troops serving in East-Indies. v. Read dec. (14 Feb. 28).

Brevet. Col. Chas. Dallas, governor of St. Helena, to have rank of brigadier general on that island only (14 Feb. 28).

The undermentioned cadets of the Hon. E. I. Company's service to have temporary rank as ensigns during period of their being placed under command of Lieut. Col. Pasley, at Chatham, for field instructions in art of sapping and mining.

Cadets M. A. Birdwood, A. S. Waugh, J. C. Shaw, T. S. Kennedy, R. Martin, B. W. Goldie, H. Watts, J. P. Power, F. E. B. Bennett, and E. L. Ommany (all 14 Feb. 28).

Royal East-India Volunteers. Lieut. W. Baker to be capt., v. Young dec.; Ens. T. Hennah to be lieut., v. Baker; and Jas. Davis to be ensign, v. Hennah (all 1 Mar. 28).

INDIA SHIPPING.

Arrivals.

Feb. 27. *Mariner*, Nosworthy, from Batavia 29th Oct.; and *John Barry*, Roche, from Batavia 18th April, and Mauritius 3d Dec.; both at Cowes.—29. *Intrepid Packet*, Sleeman, from Singapore 9th Sept., and Penang 1st Oct.; and *Ellen*, Patterson, from Cape of Good Hope 15th Dec.; both at Gravesend.—also, *Resolution*, Parker, from Mauritius 20th Nov.; and *Lysurgus*, Crawshaw, from Mauritius 10th Nov.; both at Deal.—March 3. *Abion*, Ralph, from Singapore 4th Oct., Batavia 31st Oct., and Mauritius 20th Nov.; at Deal.—also, *Walworth Castle*, Sinclair, from Batavia at Gravesend.—8. *Echo*, Thompson, from Bengal 8th Oct.; at Liverpool.—9. *Susan*, Hamilton, from Bengal 25th May, Madras 21st Sept., and Mauritius 29th Nov.; and *Lord Hungerford*, Heathorn, from China 28th Oct.; both at Deal.—12. *Isabella*, Clarkson, from Mauritius, &c.; off Penzance.—13. *Crown*, Pinder, from Bengal, Penang, Singapore, and Batavia; at Liverpool.—also, *Matilda*, Bulley, from Singapore 21st Nov.; off Dartmouth.—14. *Dublin*, Stewart, from Bombay 23d Sept.; at Gravesend.—15. *Roxburgh Castle*, Denny, from Bengal 22d Nov.; at Gravesend.—16. *Bridgewater*, Manderson, from China 18th Nov.; at Gravesend.—also, *George*, Fulcher, from Bengal 22d Nov.; off Portsmouth.—also, *Mary*, Beecherhoff, from Bombay 8th Oct., and Cape of Good Hope 27th Dec.; and *John Bigger*, Kent, from Bengal 22d Nov.; both off Weymouth.—17. *Herefordshire*, Whiteman, from China 18th Nov.; at Gravesend.—also, *Duke of York*, Locke, from China 19th Nov.; and *Competitor*, Jackson, from Bombay 27th Oct., and Ceylon 4th Oct.; both at Deal.—18. *Barosan*, Hutchinson, from China 1st Nov.; at Deal.—19. *Belzoni*, Talbert, from Bengal 24th Sept., and Mauritius 13th Dec.; off Dover.—also, *Achilles*, Henderson, from Mauritius 5th Dec., and Cape 4th Jan.; at Deal.—20. *Repulse*, Gribble, from China 19th Nov.; at Gravesend.—21. *Rolla*, White, from N. S. Wales 10th Nov.; off Dover.—22. *Andromeda*, Muddle, from the Mauritius 10th Dec.; at Portsmouth.—24. *Harmonie*, Versluys, from Batavia 4th Dec.; off Dartmouth (for Amsterdam).—26. *Mary and Jane*, Matches, from Singapore 2d Nov.; at Deal (for

Antwerp).—also, *Louther Castle*, Baker, from China 19th Nov.; off Dartmouth.

Departures.

Feb. 27. *Earl of Balcarrais*, Broughton, for Bengal and China; and *Marquis Camden*, Larkins, for St. Helena, Bombay, and China; both from Portsmouth.—29. *Thames*, Bugg, for Madras and Bengal; *Hebden*, Fowler, for Bengal; and *Hebe*, Richmond, for the Cape of Good Hope; all from Deal.—also, *Welcome*, Paul, for Bengal; from Greenock.—March 2. *Providence*, Ford, for Madras and Bengal; from Portsmouth.—5. *William Fairlie*, Blair, for Madras and China; from Deal.—7. *Victory*, Farquharson, for Cape, Madras, and Bengal; and *Phoenix*, Cuzons, for N. S. Wales (with convicts); both from Portsmouth.—also, *Mary*, Guy, for Bombay; from Deal.—11. *Merqueen*, Walker, for Madras and China; from Portsmouth.—also, *Columbia*, Wilson, for V. D. Land and N. S. Wales; from Greenock.—12. *Lord Louther*, Stewart, for Madras and China; from Portsmouth.—also, *Arab*, Ferrier, for V. D. Land and N. S. Wales; from Deal.—also, *Calyptus*, Hutchinson, for Cape of Good Hope; from Liverpool.—14. *Sovereign*, Nesfield, for Bombay; from Liverpool.—15. *Egyptian*, Lilburn, for Bombay; *Clorinda*, Carew, for Batavia, Singapore, and Penang; and *Coronet*, Daniel, for N. S. Wales; all from Deal.—16. *Bahamian*, Pearce, for Bengal; from Liverpool.—23. *Cruiceanar*, Ray, for Mauritius, Ceylon, and Bengal; *Angerona*, Rodknapp, for Madras and Bengal; *William Parker*, Brown, for Cape of Good Hope; *Sir Joseph Banks*, Fraser, for N. S. Wales; and *William Miles*, Sampson, for V. D. Land (with convicts); all from Deal.—24. *Thomas Coutts*, Chrystie, for Bengal and China; and *Castle Huntly*, Dunkin, for Mauritius, Penang, Singapore, and China; both from Deal.—25. *Bengal Merchant*, Duthie, for V. D. Land (with convicts); from Plymouth.—26. *Lady Raffles*, Tucker, for Bombay; and *Everland*, Reay, for Bombay and Ceylon; both from Deal.—also, *Minstrel*, Arkcoll, for Bengal; from Portsmouth.

PASSENGERS FROM INDIA.

Per Lord Hungerford, from China: Mr. R. Edwards.

Per Roxburgh Castle, from Bengal: Mrs. Sheddon; Mrs. Reynolds; Mrs. Creighton; Mrs. Amiel; Mrs. Bishop; Major T. C. Watson; P. R. Sheddon, Esq.; Captains Hoctor, Wilson, Mason, and Douglas; Lieuts. Primrose, Orr, Bartlemann, and Blake; Misses Sheddon, Reynolds, and two Creightons; Masters Douglas and Seivright.

Per Herefordshire, from Bengal and China: the Rev. C. Craven, of Bishop's College, Calcutta; Mrs. Craven; Master Craven; Mrs. Hewitt; Master Hewitt; Capt. R. Delamain; Mr. Mackintosh; Master C. Jackson; Lieut. Ashton, from St. Helena; three children.

Per Repulse, from Bengal and China: J. H. Harrington, Esq., late Member of Council, Calcutta; Mrs. Harrington; two Misses Harrington; two Misses Plowden; Mrs. Col. Nixon.

Per Duke of York, from Penang and China: Dr. Anderson, Penang establishment; four Chinese students for Naples.

Per George, from Bombay: Mr. and Mrs. Thorpe; Miss Watson; Capt. Baldwin, H.M.'s 31st Foot; Lieut. M'Clintock, Bengal cavalry; Mr. Mackinnon, surgeon; Mr. R. Harvie.

Per Competitor, from Bombay: — Leggett, Esq. and three children; Miss Leggett; Lieut. Storie; Mrs. Storie; Lieut. MacIntyre; Dr. Wood.

Per Rolle, from New South Wales: Mr. Pearks; Mr. Noble; Capt. Cunningham, late of the ship Hope.

Per Andromeda, for N. S. Wales: Capt. R. Dacre. *Per Imbella*, from Bengal (arrived last month): Ens. M'Mahon, H.C.'s service; Dr. Molyneux, ditto.

Per Crown, from Bengal, &c.: Lieut. Preston, R.N.

Per Mary, from Bombay: Mrs. Tharpier; Mr. Stuart; Ens. Stuart, H.M.'s 6th regt.; Mr. Phypas; Mr. O'Connor; Dr. Power; Mr. Hornby.

Per

Per Leather Castle, from China, &c.: Lieut. Ena. Baynton, H.M.'s 89th Foot; 900 soldiers H.M.'s 41st, 54th, and 89th regts. of Foot; 82 soldiers' wives; 35 children of ditto.

PASSENGERS TO INDIA.

Per Abercrombie Robinson, for Bombay; Mrs. M. Fenwick; Misses Margaret Home and Sarah Home; Mr. H. T. Chatterton, assist. surg.; Lieut. John Liddell, H.C.'s service, returning to his duty; Mr. H. Liddell, writer; Mr. Alex. Henderson, surgeon, returning; Mrs. Henderson; Mr. Jas. Parrish, civil service, returning; Mr. Jas. Barrow, to reside; Messrs. J. C. Hartley, A. F. Williams, W. G. Wheatley, K. Jopp, A. Prescott, W. Kirkpatrick, W. S. Hodgson, R. E. D. Jones, and R. Wardle, cadets; Messrs. C. T. Warden and T. W. Fletcher, volunteers Bombay marine; Messrs. S. H. Buckler, Alfred Offer, J. Bird, W. J. Garrett, and R. Waller, pilot service; Mr. H. Mullet, free mariner; Mr. J. Barron; 20 Company's recruits; several servants.

Per Earl of Balcarra, for Bengal: Colonel Cameron, Lieut. Walker, and Lieut. Golden, H.M.'s 3d Foot; Mrs. Cameron, wife of Col. Cameron; Miss M. Cameron, daughter of ditto; two sons of Col. Cameron; Mrs. E. B. Worrall; Misses E. Grey and M. Spottiswood, returning; Messrs. M. Mortock, H. H. Cornish, F. W. Cornish, A. Hulsh, J. Bell, R. Hill, I. Jones, J. C. Dias, J. Hunter, J. Knox, A. Broome, and A. Sepping, cadets; Messrs. G. J. Berwick and A. Walker, assist. surgs.; Messrs. J. Morse and G. Byworth, free mariners; 76 privates H.M.'s 3d Foot; 9 soldiers' wives; 7 children of ditto; several European and native servants.

Per George the Fourth, for Bengal: Capt. Cormac, Lieut. Chatterton, and Ens. Johnstone, H.M.'s 3d Foot; Capt. Fothergill, 13th Lt. Inf.; Mrs. Fothergill; Mrs. Chatterton; Miss G. M. Smith; Lieut. H. Moffat, H.C.'s service, returning; Messrs. N. B. Edmonstone, J. Thornton, and J. Muir, writers; Messrs. A. Q. Hopper, O. Vincent, D. H. Whistler, T. J. Harriett, H. M. Barwell, and H. Hinchman, cadets; five orphan children belonging to the Military Asylum, Bengal; Mrs. Mulleran, nurse to ditto; 75 soldiers H.M.'s 2d and 13th regts. of Foot; 9 soldiers' wives; 10 children of ditto; 2 Company's recruits in charge of horses; several native servants.

Per Marquis Camden, for Bombay, &c.: Brig. Gen. Chas. Dallas, new governor of St. Helena; Mrs. Dallas, wife of ditto; Misses B. J. Dallas, D. E. Dallas, and C. A. Dallas, daughters of ditto; Mr. J. B. Alexander, cadet, for St. Helena; Messrs. R. Hodson and T. Munster, cadets, for Bombay; Mr. J. F. Jones and H. Hewett, volunteers for Bombay marine; several charter-party passengers; 60 Company's recruits; 5 soldiers' wives; 5 children of ditto; European servants, &c.

Per Lord Leuther, for Madras and Bengal: Lieut. Col. Coombs, H.C.'s service, returning; Capt. T. R. C. Mantell, ditto ditto; T. Ruddiman, ditto ditto; Messrs. D. Johnson, Edw. King, W. F. Woods, G. M. Gumm, and F. Dumas, cadets; Mrs. E. Mason, proceeding to her husband; Miss Jane Moore; Major Brunton, Lieut. M'Mahon, Lieut. Wetherell, Cornet Hume and Cornet Jones, H.M.'s 13th Lt. Drags.; Ens. Clendinning, H.M.'s 45th Foot; Capt. Otway, Ens. Campbell, and Ens. Gosselin, H.M.'s 46th Foot; Capt. Bell and Lieut. M'Causland, H.M.'s 89th Foot; 256 soldiers H.M.'s 13th Lt. Dr. and 45 h, 46th, and 47th regts. of Foot; 30 soldiers' wives; 19 children of ditto.

Per Macqueen, for Madras and Bengal: Mrs. M. Burton, wife of Lieut. Burton; Mrs. J. C. McDonald, proceeding to her husband; Miss Emma Wade; Capt. Wm. Scott, H.C.'s service, returning; Capt. F. Stratton, ditto; Mrs. Stratton; Maj. L. Cooper, H.C.'s service, returning; Mrs. Cooper; Miss E. M. Cooper; Mr. M. E. Cooper, returning; Miss S. Frith, native; Messrs. G. Sparks and S. J. Poplam, writers; Messrs. J. Matland, R. Gordon, W. C. Bell, H. F. Bell, W. H. Worster, W. Gerrard, R. Paton, Wm. Drysdale, and D. M. Bridges, cadets; Messrs. Alex. Binzing, and G. Garrow; Lieut. Col. Sir E. K. Williams, Capt. Moody, Qu. Mast. Davidson, Lieut. and Adj. Dyer, Lieut. Glen, Lieut. Burton, Lieut. Glasgow, Ens. Morris, and Ens. Chambers, 1 M.'s 41st Foot; Lieut. Henderson; Lieut. Parr, Lieut. Ross, Lieut. Coots, Ens. Chinnery, and Ens. Chalk, H.M.'s 54th Foot; Lieut. Shell, and

Per William Fairlie, for Madras: Colonel Fraser, H.C.'s service, returning to duty; Mrs. Fraser, wife of ditto; Misses Fraser and Mackenzie; Mr. W. Douglas, writer, returning; Mrs. Douglas, wife of ditto; Misses G. Bird, A. Strirling, M. Livermore, and M. Seymour; Lieut. A. Mackenzie, H.C.'s service, returning; Mrs. H. Mackenzie, wife of ditto; Mrs. Lushington; proceeding to her husband; Mrs. Sholebread; Mrs. M. Green; Mr. Geo. Gordon, free merchant; Messrs. A. T. Dickson, and J. B. Fraser, writers; Messrs. T. Morrell, H. Congreve, D. Groube, C. Ireland, H. Ferrier, P. Holmes, J. Moore, B. W. Black, D. W. Balfour, L. M'Queen, and T. C. Hawkins, cadets; Mr. B. Moseley, cadet for Bengal; Major Farquharson, Adj. Richardson, Lieut. Johnstone, Lieut. M'Pherson, Ens. Webster, Ens. Furnell, and Ens. Cathrow, H.M.'s 1st or Royal Regt.; Capt. Armstrong and Qu. Mast. Sholebread, H.M.'s 45th Foot; Capt. Duke, Lieut. Cade, Lieut. Eagan, and Ens. Roebuck, H.M.'s 48th Foot; Lieut. Graham and Lieut. and Adj. Kenny, H.M.'s 89th F.; 254 soldiers H.M.'s 1st, 45th, 48th, and 89th regts. of Foot; 31 soldiers' wives; 24 children of ditto; several European servants.

Per Thomas Coutts, for Bengal (corrected list): Mrs. Mackenzie; Mrs. Goodwin and infant child; Misses C. Ochterlony, Emma Bishop, Penelope Bishop, and Ellen Goodwin; Col. Sir Jeremiah Dixon, Capt. F. Mackenzie, Lieut. G. C. Ponsonby, and J. Swiney, Esq., M.D., returning to their duty; Mr. D. J. Thorburn, assist. surg.; Messrs. Wm. Richardson, J. C. Dougan, H. M. Nation, A. Gilander, W. R. Barnes, F. Bevan, Wm. Rogers, and G. Pengree, cadets; Messrs. W. D. M'Clintock and Wm. Dogherty, volunteers Bengal pilot service; Mr. F. M'ick; Lieut. Barker, Ens. Wade, Ens. Edwards, Ens. Darlot, Ens. Vigors, and Ens. M'Kenzie, H.M.'s 13th Foot; Lieut. Higginbotham, Lieut. Watson, Ens. Wilder, and Ens. Campbell, H.M.'s 14th Foot; Capt. Matthews, and Lieut. Irwin, H.M.'s 33rd Foot; Capt. O'Neill, Lieut. Mackrill, and Ens. Lewis, H.M.'s 44th Foot.

Per Castle Huntly, for Mauritius, Penang, and Singapore: Lieut. Gen. the Hon. Sir Chas. Colville, new Governor of the Mauritius; Lady Colville; Mr. Wm. Colville; Misses A. Colville, and C. D. Colville; Miss E. S. Baigrie; Maj. M. Fraser; A. Frankland, Esq.; Mr. A. Johnson; Capt. C. H. Hay; Lieut. Col. Wm. Balfour; Capt. D. Barclay; D. T. Napier, Esq.; Mrs. Napier; G. A. Barry, Esq.; Mrs. Barry; Mr. A. G. Barry; C. A. Mylius, Esq.; Mrs. Mylius; Mr. Davids, midshipman, to join the *Lord Leuther*; Dr. Dart, for the Mauritius.

Per Victory, for Madras and Bengal; Mrs. Farquharson; Mrs. Hawkins; Mrs. F. Russell; Miss Marland; Mrs. Harrington; Mr. Colvin; Mr. and Mrs. Savory; Messrs. Weistand, Latouch, Porter, Colvin, French, Hallet, Lewis, Baker, Collinson, Dove, Vaughan, Rogers, Glascock, Cooper, Hampton, Pocklington, Ferris, and Walker.

Per Lady Raffles, for Bombay: Capt. Grey and lady; Lieut. M'Kenzie; Mrs. Denham; Messrs. Maule, Berthon, Cunningham, Tait, Jackson, F. Jackson, M. Haffie, M'Cutcheon, Hall, Wyllie, Renney, Brown, Orrok, Cuhil, Walters, Travers, and Jeffery.

Per Egyptian, for Bombay: Capt. Fernandez.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

March 5. At Hull Place, Kent, the lady of Col. M'Craigh, 13th Foot, of a son.

7. At Eltham, the lady of Capt. Abdy, Madras artillery, of a son.

MARRIAGES.

Feb. 23. At St. Botolph, Aldgate, J. A. Deans, Esq., of Bemilpatam, East-Indies, to Elizabeth, second daughter of the late F. A. Heilmel, Esq., of Jewry Street, London.

26. At Holm, North Britain, Major A. Fraser, of Culduthel, to Louisa, daughter of the late Col. Wm. Burton, of the Hon. E.I. Company's service.

28. At

22. At Brighton, Wm. B. Anderson, Esq., Madras civil service, to Elizabeth Lucy, second daughter of R. H. Crew, Esq., of Bath.
 — At St. Marylebone Church, Capt. A. P. Hamilton, of the Royal Navy, to Caroline, only child of the late Lieut. Col. Cook, of the Hon. E. I. Company's service, and of Chingford, Essex.
 March 11. At St. Saviours, Southwark, the Rev. John Smith, missionary to India, to Sarah, eldest daughter of the late Mr. E. Marsden, of the former place.
 15. At Kensington, Capt. R. Marr, of the Hon. E. I. Company's military service, to Emily, eldest daughter of G. F. Joseph, Esq., A.R.A.
 — At Bedford, Lieut. G. W. Mallin, 13th L. Inf., to Louisa, daughter of S. Sherman, Esq., of Bedford.
 18. At Stirling, Capt. Geo. Barker, of the Bengal army, to Eliza, eldest daughter of D. Doble, Esq., of Gartferry, Lanarkshire.
 20. H. R. Elliott, Esq., of the Bombay establishment, to Mary, daughter of T. Simpson, Esq., consul of H.M. the King of the Netherlands at Stockholm.
 25. At St. George's, Hanover Square, John Harwood, Esq., of the Madras army, to Olivia Halliday, second daughter of John Crooke, Esq., and grand-daughter of J. C. Crooke, Esq., of Kempshot Park, Hants.
 — At St. Pancras New Church, Capt. Campbell, of the Madras cavalry, eldest son of Robt. Campbell, Esq., Director of the Hon. East-India Company, to Grace Elizabeth, second daughter of Thos. Bainbridge, Esq., of Queen Square, and of Croydon, Surrey.

DEATHS.

Feb. 11. At Elgin, North Britain, Major Robert Duff, late of the Hon. E. I. Company's service.
 — At Rome, Maj. Gen. Lord Frederick Bentinck, youngest brother of the Duke of Portland, and colonel of the 58th Foot.
 23. In Maddox Street, Magdalene, the lady of Sir Charles Malcolm, R.N., aged 42.
 25. At Brighton, Mrs. Carnegie, wife of Jas. Carnegie, Esq., formerly captain of the *Baring East-Indianman*.
 — At Easterland House, near Wellington, Somersetshire, Maria Bellett, wife of Col. Marmaduke Browne, of the Bengal artillery.
 27. The Rev. Dr. J. F. Wilkinson, of Upper Seymour Street, and formerly of St. Helena, aged 62.
 28. At Chiswick, Jane, Countess of Macartney, widow of George, Earl of Macartney, in her 96th year.
 — Maj. Gen. Ogg, late of the Hon. E. I. Company's service.
 — At Sherborne Villa, Spa, Gloucester, Augusta

Sophia, wife of Capt. C. H. Raymond, of the Bengal establishment.

March 5. At North Church, Hertf. F. Moore, Esq., formerly Major of H.M.'s 11th Light Dragoons, in his 77th year.

9. At Fulham, Lieut. Gen. Sir Alan Cameron, K.C.B., colonel of the 79th or Cameron Highlanders.

17. John James, third son of Lieut. Col. Geo. Pollock, C.B., Bengal artillery.

19. Ann, daughter of Mr. T. D. Grissell, of Charter House Square, in her 17th year.

Lately. At Irvine, Ayrshire, Henry James, son of Capt. J. Graham, commanding Bhauglepur Hill Rangers, in his 15th year.

— On board the H.C.'s ship *Herefordshire*, off Madagascar, on the passage to England, Mr. R. Boyes, surgeon of that vessel.

— On board the ship *George*, on the passage from Bengal to England, Philip Francis, Esq., of the civil service, also, Lieut. Douglas, of H.M.'s 31st regt.

— On board the ship *Comptoir*, on the passage from Bombay to England, Mrs. Leggett, wife of — Leggett, Esq.

— On board the ship *Rosburgh Castle*, on the passage to England, Lieut. G. T. Bishop, of the 5th Bengal L.C., also, Lieut. Dalrymple, of the Bengal army.

GOODS DECLARED FOR SALE AT THE EAST-INDIA HOUSE.

For Sale 15 April—Prompt 11 July.

Company's and Licensed.—Indigo.

For Sale 29 April—Prompt 15 July.

Rummage of certain Goods, &c. which have remained in the Company's Warehouses longer than allowed by law.

CARGOES OF EAST-INDIA COMPANY'S SHIPS lately arrived.

CARGOES of the *Lord Hungerford*, *Herefordshire*, *Bridgeport*, *Repubes*, *Duke of York*, *Berrossa*, and *Loather Castle*, from China; and the *Susan* and *Rosburgh Castle*, from Bengal.

Company's.—Tea—Sugar—Indigo.
 Private—Trade and Privilege.—Tea—Raw Silk—Wrought Silks.—Nankasee—Rhubarb—Vermilion—Gamboge—Indian Ink—Rice Composition—Rice Paper—White Paper—Fans—Lacquered Ware—China Ware—Mother-o'-Pearl—Turquoise-shell—Seed Coral—Mats—Table Mats—Whanghese—Bamboo Canes—Madrasa Wine—Sherry.

INDIAN SECURITIES AND EXCHANGES.

Calcutta, Nov. 15, 1827.

Government Securities.

Buy.] Rs. As. Rs. As. [Sell.
 Prem. 25 0 Remittable Loan 6 per ct. 25 0 Prem.
 Disc. 0 2 Five per ct. Loan 0 6 Disc.
 Prem. 0 2 New 5 per cent. Loan 0 2 Disc.
 Rates of Exchange.
 On London, 6 months' sight, to buy 1s. 10½d. to 1s. 11d.—to sell 1s. 11d. to 2s. per Sicca Rupee.
 On Madras, 30 days' ditto, 92 to 94 Sicca Rupees per 100 Madras Rupees.
 On Bombay, ditto, 88 to 90 Sicca Rupees per 100 Bombay Rupees.
 Bank Shares.—Prem.—to buy 5,150—to sell 5,100.

Madras, Oct. 10, 1827.

Government Securities.

Six per cent. Bengal Remittable Loan.
 At the Rate of Subscription, viz. 350
 Madras Rs. per 335 Sa. Rs. 208 Prem.
 At a Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz. 106½ Madras Rs. per 100 Sa. Rs. 203 Prem.
 Five per cent. Bengal Unremittable Loan.
 At the Rate of Subscription, viz. 350
 Madras Rs. per 335 Sa. Rs. 188 Prem.
 At the Rate prevailing among Merchants and Brokers in buying and selling Pub-

lic Securities, viz. 106½ Madras Rs. per 100 Sa. Rs. 1½ Disc.

Bombay, Oct. 24, 1827.

A Five per cent. Loan open.

Exchange.

On London, at 6 months' sight, 1s. 8½d. per Rupee.
 On Calcutta, at 30 days' sight, 92 Bom. Rs. per 100 Sicca Rupees.
 On Madras, at 30 days' sight, 90 Bom. Rs. per 100 Madras Rs.

Singapore, Nov. 3, 1827.

Exchange.

Gov. Bills on Bengal, at 30 days' sight, per 100 Sp. Ds., 207 Sic. Rs.
 Private Bills on ditto—none.
 Private Bills on London, per Sp. Ds. 4s. 2d.

Canton, Nov. 15.

Company's bills on Bengal, at 30 days' sight, 200 Sa. Rs. to 100 Sp. Drs.
 Private ditto, at ditto, 200 to 202 to ditto.
 Company's bills on London, none.
 Private ditto, at 6 months' sight, 4s. to 4s. 2d. per Sp. Dr.
 Private bills on Bombay, none.
 Sycee silver 5½ per cent. prem.

DEBATE AT THE EAST-INDIA HOUSE.

East-India House, March 19, 1828.

A quarterly general Court of Proprietors of East-India Stock was this day held at the Company's House in Leadenhall Street.

ACCOUNT OF THE COMPANY'S STOCK.

The minutes of the last Court having been read,

The *Chairman* (the Hon. H. Lindsay) said, "I have to acquaint the Court that the account of the stock, per computation, of the Company, with respect to India to the 1st of May 1826, and with respect to England to the 1st of May, 1827, which could not be laid before the Court, according to the By-law, in December last, on account of the delay attending the receipt of the necessary documents from Bengal, is now laid before the Proprietors.

PENSIONS, SUPERANNUATIONS, &c.

The *Chairman*.—"I have to acquaint the Court, that certain papers which have been presented to Parliament since the last General Court are now laid before the Proprietors, in conformity with cap. 1, sec. 4, of the By-laws."

The papers were regulations framed by the Bengal Government in 1825 and 1826, and resolutions of the Court of Directors, being warrants for pensions or gratuities.

The *Chairman* then laid before the Proprietors, an account of superannuations of the East India Company's officers and servants in England, and an account of superannuations of servants of the Board of Control, under the act of the 53d Geo. 3d, cap. 155, sec. 91 and 93.

GRANT TO CAPTAIN T. BUCHANAN.

The *Chairman*.—"I have now to acquaint the Court, that it has been made special for the purpose of submitting for confirmation, the resolution of the General Court of the 19th of December last, approving a resolution of the Court of Directors of the 5th of the same month, granting to Captain Thomas Buchanan, the present superintendent of the Bombay marine, a pension of £800 per annum, on the grounds therein stated."

The clerk then read the resolution of the General Court of the 19th of December.

Mr. *Poynder*.—"I know, Sir, it is not exactly regular to ask a question in its stage of the business—but my inquiry of so plain and simple a nature, that hope you will allow me to make it."

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The *Chairman*.—"Has the question any reference to the present motion?"

Mr. *Poynder*.—"It has no reference to that subject."

The *Chairman* intimated that it would be irregular to ask the question, and proceeded to move—"that the Court confirm the resolution of the General Court of the 19th of December last, approving of the resolution of the Court of Directors of the 5th of that month, granting to Captain T. Buchanan a pension of £800 per annum."

The *Deputy Chairman*, (J. Pattison, Esq.) seconded the motion.

General *Thornton* said, it became his duty again to protest against this grant; and he was extremely sorry that the amendment moved at the last General Court had not been carried. That amendment having been so strongly enforced and supported, he (Gen. T.) had flattered himself that the Court of Directors would have changed their opinion, and devised some other way of providing for Capt. Buchanan. In ordinary cases a fortnight or three weeks only was suffered to elapse, before a Court was summoned to confirm grants of this nature, but here three months had passed before the confirmation was called for, and therefore he had hoped that the directors had adopted some other means of providing for this gentleman. It appeared to him, that the grant was most excessive. Capt. Buchanan was in the prime of life, perfectly capable of performing the duties of office, and therefore there was no reason for thus pensioning him off. He was glad to see, on the former occasion, a part of the Court of Directors voting in favour of the amendment; and he meant this day to move another amendment, which he trusted would meet with the approval of the gentlemen behind the bar, as well as of the proprietors generally. It was most extraordinary to him, that a man in the prime of life, and who was fit to fill an active situation, could not have some other office found for him, in which his services would be useful to the Company, instead of being converted into a dead weight on their funds. As there was much other business before the Court, he should take up no more of their time, but move, as an amendment, that after the words "£800 per annum," these words shall be inserted,—until a suitable employment shall be provided for him." To this amendment he could see no objection whatever; the reasonableness

of the proposition would, he hoped, cause it to be acceded to at once.

Mr. *Gahagan* rose to express his entire dissent from the present motion. He really could not see on what principle of reason it was offered to the Court. Had this pension been given to Capt. Buchanan on account of great and signal services, he could understand it. Had it been given for a long career of service, in the course of which he had been visited by some of the calamities of heaven, or rendered unfit for business by some moral incapacity, this too he could understand. Or if it were given him on the ground that he was certain of enjoying the situation he filled, in the ordinary course of life, for many years, but that he was driven from it by unforeseen circumstances, this also he could understand. If Capt. Buchanan had been suddenly, and by extraordinary circumstances interrupted in his official duties, he could understand why he should be provided for; but he confessed, as the case now stood, he did not understand it. He was not incapacitated by age; he was not incapacitated by sickness; and he had not served that length of time which would justify the Court in remunerating his services with so large a reward. There was nothing in his services of that signal and splendid character which could challenge such a mark of respect; but the Court of Directors turned out one competent man, and put in another competent man, merely because the officers of the Bombay marine had obtained rank in the naval service. Be it so, let the change be made; but was it fair that two competent men should receive pay at the same time; one, because he had filled the office, but was now unemployed; the other because he at present filled the office, and would probably hold it all his life? There was no surprise, no precipitancy in the new arrangement. The Hon. Chairman himself had declared in the face of that Court, that a negotiation had been long going on, for the purpose of transferring the superintendence of the Bombay marine to an officer of His Majesty's navy. Therefore Capt. Buchanan must have known the fact; or, if he did not, the proper authorities should have informed him, that he was liable to be removed from the office of superintendant. He had, it appeared, served in the situation of superintendant for 18 months, or two years at the utmost, and then it was proposed to grant him a pension of £800 a year. Did those who framed this plan say to Capt. Buchanan, "if we can find another suitable employment for you, this pension shall merge in the emoluments of that employment?" No such thing. And yet another office could have been found for

Capt. Buchanan, — that of the master intendant at Madras. That situation had been conferred on a young officer, but he should like to know why it had not been given to Capt. Buchanan? A very distinguished and able man, Sir John Malcolm, now Governor of Bombay, had some time since come to that Court, or at least his friends had come for him, and demanded a pension because he had ceased to have employment; and, in consequence of his signal services, he received a grant of £1000 a year. On that occasion, one Hon. Director had said, "If Sir J. Malcolm had got the situation which we wanted to give him, he would not have been here this day, asking for a pension." Now, if he heard that Sir J. Malcolm, or any other pensioned governor, gave up his pension when he was placed in an office, he should be satisfied. Under such circumstances, Sir J. Malcolm, or any other person so situated, did no more than his duty in throwing up his pension. But he would not leave the matter to the will of the individual. He thought that pensions of this description should be declared to be floating pensions, which should merge in the salary of any office bestowed on the party pensioned. It should be understood hereafter, when a pension was given to any person capable of performing duty, and who afterwards accepted of a situation under the Company, that then the pension should merge in the office. He wished to know, and he hoped the answer would be in the affirmative, whether the distinguished officer to whom he had alluded, and who stood so high in the Company's estimation, had, on his appointment to office, abandoned his pension? He asked this, because an Hon. Director had said, that Sir J. Malcolm would not have required a pension if they could have given him a situation.

The *Chairman*.—"The hon. gentleman has called on me to account for this recommendation. I did so at a former general court, and I feel great pleasure in reiterating my explanation at this. The pension now under consideration was awarded to Captain Buchanan on the ground that he had been superseded in a situation which, though he had not held it long, he looked forward to have held for many years. That gentleman had been at Bombay for some years in a subordinate capacity, and when Mr. Meriton gave up the situation of superintendant, it was bestowed upon him. He was now removed from that office in consequence of the appointment of a gentleman in his Majesty's naval service. "Now I do not think," continued the hon. gentleman, "that, looking at these circumstances, the Court of Proprietors can wish,

wish, because an officer has been removed without any fault whatever imputed to him, but removed merely because he has not that rank which it is considered necessary for the superintendant to possess since the Lord High Admiral has granted naval rank to the Bombay Marine. I say, I do not think, such being the case, that the Court of Proprietors would wish to refuse a fair remuneration to Captain Buchanan. It has been deemed expedient, since the alteration has been made, that an officer of naval rank should preside over the Bombay marine, and therefore Captain Buchanan has been superseded. On that account, as I have already said, he is entitled to compensation. Captain Buchanan had a reasonable right, when he was placed in the situation, to expect that he would hold it for a long time, if his life were spared. The Court of Directors considered the value of the appointment, and proposed a certain remuneration: acting under these views, we now call upon the general court to confirm the grant. With respect to the amendment, I should have no objection to it, if it were couched in other words. If it were specified that Captain Buchanan should hold this pension "while unemployed," I would agree to it; but to say that he shall retain the pension till he is provided with a suitable employment, would in some degree, by implication, pledge the court to provide for him, and I cannot consent to pledge either the present or any future Court of Directors to that point. This is, I think, a case calling for remuneration, because Captain Buchanan has been removed without the slightest imputation on his character; and if the gallant officer will substitute for his amendment, "so long as Captain Buchanan shall be out of employment," I shall be perfectly satisfied."

Sir F. Ommalley said, in deciding this question it was very material for the court to know how long Capt. Buchanan had served at Bombay—what was his age, and what was the salary attached to his situation.

The *Chairman*.—"I hardly feel myself competent to answer the question off-hand; but I think, to the best of my recollection, that the salary of superintendent is £3,300 a year. I believe I formerly stated that Captain Buchanan had filled a subordinate situation at Bombay for seven or eight years before he was appointed superintendent, which office he has held for a year and a-half, or two years. If the gallant officer is satisfied with the words I have proposed, instead of his amendment, I shall willingly add them to the original motion."

General Thornton. "After what the hon. Chairman has said, I shall, with the leave of the court, and with the under-

standing that the words which he has mentioned shall be added to the motion, withdraw my amendment."

Mr. Gahagan. "I wish to have an answer to my question, whether Sir John Malcolm does or does not at present retain his pension?"

The *Chairman*.—"Sir John Malcolm has not given it up."

Mr. Gahagan. "Then my humble opinion is, that he ought to give it up."

Col. L. Stanhope. "I wish to make one observation as to what my hon. friend says relative to Sir J. Malcolm. I disagree with him entirely on that point, because Sir J. Malcolm's pension was granted for past services."

The *Chairman*.—"I beg to state that the gallant officer is out of order. There is a particular question before us, with which Sir J. Malcolm has nothing to do."

Mr. Rigby wished, before the court separated, that they should come to some right understanding on this subject. When he entered the India-House it was with a very strong impression on his mind that this individual was about to receive a large pension without having merited it by any adequate service: but a circumstance had occurred which equally impressed on his mind the necessity of suspending opinion in cases of this nature. He happened to go into the proprietor's reading-room, and found this resolution signed by eighteen of their respectable directors; he therefore determined not to come to any decision until he heard the reasons assigned for making this grant; and he must now say, that, from the whole of what he had heard in the course of this discussion, he was led to agree in the justice and propriety of this pension being allowed; because the hon. Chairman had stated that the pension was not only granted for past service (for it appeared that Capt. Buchanan had been long looking forward to this situation), but that the removal of this officer was occasioned by peculiar circumstances connected with an alteration in the system of the Bombay marine. It appeared that he could not hold the office of superintendant, on account of his want of naval rank; and it would be very hard on the individual to displace him from his situation, under these circumstances, without any remuneration, the more especially as the salary was so large as £3,000 a-year; therefore, in his opinion, they were only doing justice to Capt. Buchanan and the Company in agreeing to this motion. Modified as it was, it would redound to their honour, at the time of the renewal of their charter—and all their acts should have reference to that time, particularly when they reflected on the invidious remarks and distinctions that

that were constantly made with respect to them), and it would go down to posterity as one of the many proofs of the justice and purity of their motives.

The motion, in its amended shape, the words "so long as he shall remain out of employment" being added to it, was then carried.

Mr. S. Dixon begged leave to ask a question, simply for information. He wished to know whether a grant of this nature, without the addition of any specific words, gave to the individual thus pensioned a claim for the amount of his annuity, after the Company itself may have died? He had some doubts on that subject, and therefore he asked the question. He wanted to know whether those pensions were receivable after the Company's charter had expired.

The *Chairman*.—"I hope the Company will never die (*a laugh*.) But if it should die, I believe the pensions must die with it. I have no doubt of its being understood that such pensions are to be considered payable only during the Company's life time."

Mr. S. Dixon. "That is for twenty-one years."

Mr. Wigram. "The hon. Chairman appears to have misunderstood the question. The Company is a chartered body, and this pension is regulated precisely by the same terms as operate with respect to other pensions granted under the provisions of an act of parliament, whether the right of governing be hereafter extended to the Company, or withheld from it."

INDIAN SUTTEES.

Mr. Poynder again solicited leave to put a question.

The *Chairman*. "We must, I believe, get rid of the regular motions first."

Mr. Poynder. "I throw myself on your courtesy and kindness. If it be decided that I cannot put the question, which will not occupy two minutes, I must bow to the decision. The question I wish to ask is—"(*Cries of order*.)

The *Chairman*. "I am so much aware of the importance of the question which the hon. proprietor is about to ask, and which has greatly agitated the public mind, that I, for one, am willing to allow it to be put."

Col. L. Stanhope. "I hope no discussion will be allowed on the question; that is the rule you have yourself laid down. If a mere question is to be asked, I shall not object to it—but I shall oppose any discussion arising on it.

Mr. Poynder. "I mean to propose a naked question, but—"

Mr. S. Dixon. "I am sure the hon. proprietor has no right to ask a question, until the order of the day is read."

The *Chairman*. "I know the hon. proprietor has no right to put a question, but I hope the courtesy of the court will enable him to propose one."

Mr. Poynder. "I simply ask, as one year has now elapsed, since—"

Capt. Maxfield. "I beg, Mr. Chairman, to call your attention to the fact, that you yourself, on a former occasion, laid it down as a rule from the chair, that questions should not be put till the business of the day was over. If you infringe the rule thus laid down, you will place yourself in an invidious situation. It may be said that you have one rule for one party, and a different rule for another."

The *Chairman*.—"I fear that I should be open to the remark which the gallant officer has made, if I suffered the hon. proprietor to proceed, I hope that he will feel this himself, and that he will desist at present from putting his question, although it is an interesting one. We shall now proceed with the business of the day."

Mr. Poynder. "It is not my intention to waste the time of the court; but, as business requires my presence elsewhere, I shall defer my question till another day." [The intention of Mr. Poynder (if the court would have allowed him) was to ask, whether the resolution against suttees, which the Court of Proprietors passed one year since, had produced any result, and whether the Court of Directors had yet had any communication to make to the proprietors on the subject.]

SUSPENSION OF MR. COURTENAY SMITH.

The clerk read the following resolution, which Col. L. Stanhope had, at the last general court, announced his intention of moving:—

"1. That the 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 'in 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 their charter.

"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.

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*.—"Before the hon. proprietor, who gave notice of this motion, proceeds, he must permit me to state to him that the records of this house have been examined, and the result has been to shew, that we are not in possession of any information on this subject at the present moment."

Col. L. Stanhope. "Then, Sir, I have to complain of the remissness of your government, in not having given information to you on a subject which has been before the public of India and of this country for five or six months. If you are not informed on this subject, it is right that an individual, even one so humble as myself, should supply you with that information which is so essential to the ends of justice. I complain that Mr. Courtenay Smith, the chief judge of the supreme native court in Bengal, has been dismissed from office for giving his opinion, in language the most temperate, mild, and reasoning, in a case between one of the Company's subjects and the government of the country. I conceive it to be the duty of every man, whenever he sees an individual oppressed, to defend him—and still more do I think it his duty to defend and support those laws which form the great pillar and support of society. I shall now read to you the opinion of Mr. Courtenay Smith, in a case in which a woman of the name of Babee Bidda was appellant, and Shah Rodeen Rukh was respondent.

The *Chairman*.—"The hon. member will excuse me for saying, that any private information he may have on this subject cannot be made the foundation of any debate in this court. I think it will not be wise for the general court to entertain a question of this kind until something official is laid before it."

Col. L. Stanhope. "With great courtesy towards the hon. Chairman, and in that tone I always speak to the chair, I beg leave to submit, that I am proceeding regularly. I think that public rumour and public report form a sufficient ground for me to proceed on, particularly when the subject has been brought before the parliament of the country by Mr. Brougham, and the fact not then denied, either by his Majesty's ministers or by any of the gentlemen on the other side of the bar."

The *Chairman*.—"I would ask of the hon. proprietor why Mr. Brougham's motion was put off? It was put off on the very ground which I have advanced against entertaining this question; namely, that no information had been received on the subject."

Sir F. Osmannay. "I hope, Sir, the other business of the day will go on."

Col. L. Stanhope. "I trust, as I have given notice of this motion, that I shall not be the only person debarred from speaking on it. From what the hon. Chairman states, it appears that no motion is to be made in this court, until information is received by the executive body, which information, be it observed, they may suppress if they think fit. Under these circumstances, I shall put off this motion until the next court.

CARNATIC DEBT.

Capt. Maxfield rose, in pursuance of his notice, to submit a motion on this subject. The Carnatic debt, he observed, some years ago excited no common share of interest in that court, and the vigilance and zeal of the directors of the East-India Company were no less conspicuous at that time than their apparent indifference on such score was evident now. He should, in adverting to the subject, be as brief as possible; but as the studied stillness of more than twenty years had kept it much from public view, a short review of the Carnatic commission, and the causes which gave birth to it, were necessary, to avoid obscurity. It was unnecessary to go into the history of the Carnatic earlier than 1769, or to say more than that the invasion of Hyder Ally, to which that unhappy country had been subjected for a series of years, had drained its resources, while its revenue was swallowed up by the exorbitant rate of interest paid by grant of tunkas or assignments of land. In 1770 the military defence of the Carnatic war submitted to the East-India Company, while the Nawab Mahomed Ally was beset by clamorous creditors for the liquidation of debts, real and imaginary, which were rapidly accumulating at an exorbitant rate of interest. Such debts, many of which were gross impositions, and barefaced frauds, were manufactured prior to the act which prohibited British subjects from making loans to native princes; and the embarrassment created by such claims induced Mahomed Ally, in 1781, to assign all his revenue to the East-India Company, with a view to retrieve his affairs and to recover his finances. The clamour and influence of the numerous claimants, real and fictitious, arrested the attention of a secret committee of the House of Commons; who, in a report made in 1782, called the attention of the House of Commons to the debts due by the Nawab of the Carnatic to this Company, as well as to individuals. In 1784 an act was passed which established the Board of Commissioners; and as the place the Company then occupied in the political scale was more circumscribed than at present,

present, individual influence operated powerfully to urge pretensions no less injurious to the interests of the Carnatic than of this Company. Those pretensions, supported as they were by party and faction, if not by means even still less creditable, the Company fearlessly and successfully resisted; they interposed to prevent the plunder of the Carnatic, and rescued its inhabitants from the grinding oppressions of extortioners, and in so doing they were actively engaged from 1784 until 1805. In 1805 a commission was appointed to investigate the claims of the creditors of the Nawaub of the Carnatic, and as the Company had entered into a treaty with Azeem-al-Dowlah, by which the civil and military government of the Carnatic, with the exclusive right to the revenues, were vested in the Company for ever, they naturally became liable to the payment of all just demands. An agreement was executed on the 10th of July 1805, by which the Company were bound to set aside out of the revenue of the Carnatic the annual sum of 3,40,000 star pagodas, to form a fund towards the payment of all the just debts of the private creditors of the Nawaubs Wallah Jah Omdubal Omrah, and Ameec-ul-Omrah, and that the Company should allow an interest of six per cent. per annum on the unappropriated balance of such fund. The salaries of the commissioners, of which there were three at Madras and three in this country, with two registers, amounted to about £20,000 per annum, and, large as such sum appeared to be, it was but a mere fraction of the expense entailed on the revenue of the Carnatic by that commission. Now, in order to form some estimate of the amount of funds raised upon the revenues of the Carnatic for liquidating such debt, he would commence with the sum of 3,40,000 star pagodas set apart from the revenue annually, for such purposes as directed by the act of parliament; and on the accumulation of which the Company agreed to allow interest of six per cent. to create a sinking fund for the redemption of the Carnatic debt. Taking the sum of 3,40,000 star pagodas, or £121,000, as set aside in 1805, and so on annually until 1828, with an interest of six per cent., which was indeed but half the interest the Company were paying, the aggregate in 1828 would amount to no less than £6,043,834. However, against such accumulation they had the expense of the commission, and the interest paid annually on the amount of the adjudicated debts, or the claims of the creditors which had been admitted. As he had no data to determine with precision what might have been the actual sum paid as interest, it became necessary to assume some positive amount per annum, which,

if not accurate, might at least be an approximation to the truth of such disbursement, and leave a large remainder as the amount charged for the commission when the actual amount of the sinking fund had been subtracted from the account. As the commissioners had been occupied no less than twenty-three years in the admission or rejection of the Carnatic claims, and as no interest could have accumulated or been paid until the debts were admitted, and a stock designated Carnatic, three or four per cent. was created to represent it, if the whole of the registered Carnatic stock was divided into three parts, and the interest charged on the first-third, as paid, from 1806, on the second-third, from 1813, and on the third-third, from 1821, it was probable a larger sum on the score of interest would be so estimated than had probably been drawn from that portion of the revenue set aside for such purpose. But in order to avoid the chance of crediting too small a sum as paid for interest, and considering, that in the estimate of the sinking fund a growing interest of six per cent. had been allowed, he deemed it preferable to estimate the interest on the whole of the Carnatic three and four per cent. for the full period of twenty-three years, which he thought an adequate equivalent to the process adopted to obtain the amount of the sinking fund, had the sum set apart in 1805 remained untouched. The interest on the whole of the Carnatic stock existing at present, for a period of twenty-three years, amounted to the sum of about.....£2,068,000

Now the amount of the sinking fund, as stated by the Company as having accumulated, was in the year

1827	1,914,359
	3,982,359

Thus the sinking fund and interest of the debt together formed but a gross sum of£3,982,359

which taken from the sum of...£6,043,834

Left the enormous sum of ...£2,061,489 for the expenses of the commission, and of the investigation of the claims of the creditors of the Carnatic, as chargeable on the funds of the Carnatic, set aside for the liquidation of the Carnatic claims. But large as the sum of £2,061,489 appeared, it was but half of the actual expense incurred as the expense of the commission and investigation; since, by the act which created such commission, it was enjoined that half the expenses of the commission and investigation should be borne by the Company, and half by the funds set apart towards the liquidation of the debt. It might therefore be assumed that the amount of the expenses of such com-

commission and of investigation was no less than £4,122,964, while it was a notorious fact that for several years past the business of the commission had been merely nominal, and the unadjusted claims, which were trifling, and principally consisting of wages to servants and dependants of the Nawaubs, which indeed were not objects contemplated by the House of Commons when the act passed, was now the sole cause for preserving a commission, whose labours ought to have been terminated in a fifth part of the time such commission had lasted. It would be a total waste of argument to attempt to prove, that the greater the delay in investigating old accounts the greater the difficulty, or to show how many facilities were thereby offered to induce imposition. This was too evident to need illustration; and it was equally evident that such delay in determining just claims, were no less cruel than unjust. It would not be unreasonable to suppose that as half the expense of such commission was borne by the Company, it formed of itself a sufficient reason to induce them to bring the tardy labours of such an expensive piece of machinery to a close, if the claims of the Carnatic creditors formed no motive to do so; while in the report of the commissioners themselves in 1824 it was evident that their "occupation was gone," although their expense remained. He should now beg to read an extract from that report, which spoke for itself:—

"We had the honour to state in our last report, that we had decided absolutely on all the cases, with the exception of a numerous class of small claims proposed to be comprehended under the new arrangement between the East-India Company and the creditors, which the returns made by the commissioners in India enabled us to adjudicate; and we also stated, that we awaited their returns to our instructions in reference to the said arrangements, then in progress, for relieving us from the necessity of investigating the said class of small debts; and we further stated, that we had lost no time in transmitting instructions for the investigation of the claims of Messrs. Chase and Company, and others, whose cases were included in the Relief Act (59 of George the Third); it is again our duty to state to the honourable house, that no return in respect to either of these subjects has as yet been received by us from India.

"We had the honour to report, that we had not failed repeatedly to require returns to our several instructions, but that we apprehended that the illness of the second commissioner, and his absence at the Cape of Good Hope, and the death of the third commissioner at a later period, and the arrangements for the appointment of their successors—which, though we believed them to have been complete, had not been announced to us—had occasioned the delay during the then past year. We have now to state to this honourable house, that having waited until the arrival of the ships which sailed from Madras in the beginning of the year 1824, and having received no despatches from the Commissioners in India, we, on the 20th of August 1824, felt it to be our duty to address the Right Honourable the Governor-general in Council of Bengal, who, by the fourth clause of the Deed of Agreement between the East-India Company and the creditors of the late nabobs of the Carnatic, and of the Amurat Omrah, dated the 10th of July 1782, alone possesses control over the said commissioners, as such requesting that he would be

pleased to call upon the commissioners to explain the causes which have so long prevented a compliance with our numerous instructions; and in the event of their explanations not proving satisfactory to his Lordship in Council, that he would adopt such measures as might seem to his Lordship fit and proper to ensure due and prompt obedience, on the part of the commissioners in India, to the directions which they may have already received, or may in future receive, from this board."

Here then was the evidence of the commissioners themselves that their labours ought to have closed in 1824, while it was a notorious fact, that long before that period there were few or no claims undecided which were the objects intended by parliament for the adjudication of such commissioners. So strong was that impression on the minds of the commissioners in India, and so hourly did they expect the deposition of the commission, that they appeared to have been any where but in the office at Madras, an office in which they well knew there was nothing to do, regardless of the repeated despatches of their brother commissioners in this country. It was no less evident that the India commissioners, whose salary alone amounted to near £14,000 per annum, were either absent or studiously silent to all applications from their colleagues in this country for years, and yet this expensive commission still existed in the year 1828. Now this commission, which from its duration had acquired a sort of permanence, and might indeed be considered as a branch of the public service, or rather a sort of sinecure, was created for a specific purpose, and its labours could never, when the act passed, have been expected to last for twenty-three years, or to be spun out to such a period. If such a length of time was essential to investigating the demands of the private creditors of the late Nawaubs of the Carnatic, what portion of time would be deemed sufficient to investigate the claims of this Company, should their charter not be renewed. This commission was vested with ample powers to enable it to perform its duties with despatch and efficacy; and he had no hesitation in declaring his sincere belief, that if such commission had been paid by a stated commissioner on the amount of claims rejected or admitted, instead of a fixed salary, its labours would not have lasted a fifth part of the time, and millions might have been saved to the public. If the commissioners in India were, from illness or any other cause, incapacitated, it was the duty of the Governor-general in council to have supplied such deficiency by the appointment of others, and the grossest neglect or indifference, on the part of those authorities whose duty it was to have given effect to the act of parliament which created such commission, was too palpable to require further proof. A former

Chairman,

Chairman, on his (Capt. M.'s) advertising to the inability of the commissioners here to obtain an answer from their colleagues in India, stated that he knew nothing about it; and that, as the act of parliament had appointed such commission, the Company could not interfere with it. Now that Chairman being a member of parliament, ought, or might be supposed to have heard or seen the report made to parliament by the commissioners; and considering the expense of the commission on the revenues of the Carnatic, as well as of the half borne by the Company, he conceived it to be the duty of every Chairman who had filled that chair since 1824 to have interfered, since the same means which were within the court's reach to obtain the act of 1805, were equally available in 1825, 1826, and 1827, should any modification of such act be essential to the public good. What a hideous contrast did the tardy and lethargic progress of this commission form with the tenth clause of the act which gave birth to it, and which described the limitation of actions, which it stated should be commenced "within six calendar months after the fact committed, and not afterwards, and should be laid in the county or place where such cause of complaint did arise," &c. Time, then, when the act was framed, was considered of some value; but yet, although this commission had lasted twenty-three years, it appeared of so little moment now, that it might probably last twenty-three years longer. In 1824, when the commission ought to have died a natural death, as by its own report appeared, the Court of Directors, either regardless or ignorant of such report, gave it new life, and increased the expense by augmenting the salary of each member £300 per annum, and creating them commissioners for the settlement of the claims of the private creditors of the Rajah of Tanjore. After such a determination, he was quite aware how futile it was to offer any observations on the subject; and many who thought with him on this occasion, preferred silence, from a conviction that no statement or argument, however close, could produce a change, and therefore such toil might be well spared. With him, however, such conclusions had no weight, and however hopeless might be the expectation of a remedy, he should neither be deterred by difficulty or disheartened by defeat. He could have framed a motion which, if carried, might have been fraught with public benefit; but he would content himself with a motion, the facts of which could not be denied, and the public would estimate it, and judge accordingly. He concluded by moving—

"That it appears to this court, by the report of

the commissioners, as laid before Parliament in 1824, that the total aggregate sterling amount of the claims were £30,216,707 11s 4½d.

"Aggregate of absolute adjudication in favour of parties .. £2,445,630 0 8½

"Aggregate of provisional adjudication in favour of parties .. 40,000 17 10

£2,485,630 18 6½

"Aggregate of absolute adjudications against the parties, including the portions disallowed in claims favourably adjudicated .. 27,163,979 2 4½

"Balance of claims remaining for adjudication, when returns containing the results of the investigation by the commissioners in India shall be received, but exclusive of a number of small claims exceeding (£8,000) the subject of the proposed arrangement, mentioned in the following paragraph..... 567,087 10 5½

£30,216,707 11 4½

"That it also appears evident, that if, instead of a fixed salary paid to the commissioners, the sum of one per cent. commission had been allowed them for such trouble on the whole amount of claims admitted or rejected, as they were adjudicated, the expense of £302 167 sterling only would have been incurred as the remuneration to such commissioners, who would have been thus adequately paid for such investigation, and some millions thus saved to the public."

The *Chairman*.—The hon. gentleman who has proposed this motion has stated, that the subject of the Carnatic Debt has been put to sleep for the last twenty years. Now, I cannot account for his having made so extraordinary an assertion, when he must know, that every year the Carnatic Commissioners lay before Parliament a detailed report of their labours. As a proof that their labours have not been thrown away, I need only refer to the speech of the hon. gentleman himself, who has brought to notice a sum of £27,000,000, the amount of claims rejected by the Commissioners after a full inquiry. But, instead of entering into a detailed examination of what fell from the hon. gentleman, I shall beg leave to have an extract read from the report of the Carnatic Commissioners, which has only been handed to us on the 10th of this month; and after that extract is read, I shall propose to negative the motion of the hon. gentleman. The report is dated the 15th of February, but we did not receive it till the 10th of March.

The clerk then read the following extract:—

"We shall here subjoin, for the information of this honourable house, an abstract of the amount of our adjudications to the date of the present report, viz.

"Aggregate of absolute adjudications in favour of parties .. £2,385,821 4 10½

"Aggregate of provisional adjudications in favour of parties .. 30,923 2 6½

2,406,744 6 11

"Aggregate of absolute adjudications against the parties, including the portions disallowed on claims favourably adjudicated 27,526,363 2 84

Total.... 30,133,196 9 74

"Estimated balance of the amount of claims already reported to this honourable house which remain to be adjudicated, exclusive of the amount of a further number of small claims (between five and six thousand) forming the subject of the arrangements noticed in the following paragraphs 268,824 7 84

£30,401,980 17 41

"Since the date of the last report which we had the honour to lay before this honourable house, we have received from the commissioners at Madras the whole of the reports from Mr. Lacon, who was, in the first instance, employed on the part of the East-India Company to settle upon certain terms, at that time offered by their Government of Fort St. George, a portion of the small claims on the fund provided by the deed of the 10th July 1805, by which the Carnatic commission was appointed. The several parties who accepted those terms withdrew in consequence their claims from our jurisdiction; and we have thereby been enabled to adjudicate against them absolutely, as having accordingly nothing due to them from the said fund.

"We have the satisfaction to report to this honourable house, that we have recently received a communication from the Honourable Court of Directors of the East-India Company, informing us of the complete success of the further arrangement, so far as it has hitherto been carried into effect, which they had directed with a view to the release of the said fund from the whole of the said class of small claims. None of the particulars have yet reached us from the commissioners at Madras; but we expect to receive from them in succession the reports necessary to empower us finally to liberate the said fund from all the said claims, which have been withdrawn under the said further arrangement, so soon as the commissioners shall have completed the details relative to the identity and the title of this numerous class of claimants.

"We have further the honour to state to this honourable house, that we have passed awards (one provisionally, the others absolutely) on all the claims (including those under the Relief Act, 59 Geo. III. No. 294), which the returns made by the commissioners in India have, since the date of our last report, enabled us to adjudicate; and the commissioners at Madras have given assurances of their intention to transmit, with as little delay as the nature of the inquiries will admit, their further reports on the remaining claims which have been referred by us for their investigation.

"We have further the honour to report to this honourable house, that in consequence of the reference to the Bengal Government, noticed in our last report, the Governor-general in Council has adopted measures to secure in future due regularity in the execution of the duties of the Carnatic and Tanjore commissions at Madras."

The *Chairman*.—After what has been read to the Court of Proprietors, I would submit to the discretion of the hon. gentleman, whether he had not better withdraw his motion.

Capt. *Maxfield* said he could have no objection to withdraw his motion, as the report which had been read was very satisfactory. Still, however, he thought he motion was not at all irrelevant or uncalled-for. In his opinion, this commission having been so long in existence, should before this have brought their hours to a close. Some of the claimants or small sums must, in consequence of the delay, have been placed in a most wretched situation. Many years had elapsed
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since those claims were made, and most probably numbers of them had descended to their graves while the commissioners were sitting in judgment on them. If these small claims had been withdrawn from the great mass, originally, as had at length been done, much good would have been done which had been left undone. He was perfectly aware of the difficulty of settling those accounts; but it was a subject of great importance, and one which it was the duty of the Court of Directors to have considered collectively.
—Motion withdrawn.

CALCUTTA STAMP REGULATIONS.

Col. *L. Stanhope* said he rose, in pursuance of the notice he had given, to move

"That all papers connected with the late Stamp Regulations at Calcutta, and transmitted to the Court of Directors, should be laid before the proprietors."

The words, "Stamp Act," he observed, sounded ominously to English ears; for it must be in the recollection of all the gentlemen present, that a stamp act had led to the separation of America from Great Britain. It was his intention to prove to the court that the Calcutta Stamp Act was impolitic, unjust, and illegal; that it was therefore, unwise and dangerous. In short, he should shew to all unprejudiced minds, that it contained every bad feature which it was possible for any act to possess. But previously to his going into the consideration of the distinguishing features of this great question, he felt it necessary to take a glance, and but a glance, at the circumstances under which this stamp act was imposed. The settlement of Calcutta was obtained by the British settlers from the sovereign of Indore;—the conquests of the Company were accessions made by them; consequently, it was perfectly legal for the Company to pass such laws, ordinances, and regulations in the territories thus conquered by them as they might think fit. But the people of Calcutta had granted to them, under the charter of Charles the 2d, certain vested rights. Courts of law were established there in the time of George 2d: and again they had obtained additional privileges under the 53d of George 3d. In short, they had held certain rights without dispute, for upwards of 150 years; and with respect to them, this power, of which they now complained, had never been exercised, until the present moment, by the East-India Company. With respect to the stamp act itself, it appeared to have been resorted to in consequence of a series of misgovernment. The expense of their civil establishment, which his gallant friend (Capt. Maxfield) had truly

truly stated to the Court, exceeded in cost the military establishment of a country held by the sword (he spoke of course, of the Bengal provinces); the system which the Company pursued, of laying all sorts of restrictions in a monopolizing spirit on commerce and trade, and the wars, necessary and unnecessary, into which they had plunged, particularly that infamous war of Ava, which cost this country £13,000,000 of money (a sum greater than ever would be saved, by the exertions of the excellent finance Committee lately appointed); in consequence of the poverty induced by these different circumstances, the Hon. Company had recourse to this stamp act. Nothing could be more objectionable than the manner in which this stamp act was framed and promulgated. It was secretly framed in Calcutta; it was secretly sent to this country; it was secretly canvassed by the Court of Directors; it was secretly considered by the Board of Control; and it was as secretly sent back to Calcutta. None of those persons in that city who were to be affected by the measure, knew any thing about it until the evil burst upon their heads.

The *Chairman*.—The hon. gentleman has given us notice that he will move, that all the papers received on this subject shall be laid before the proprietors. Now, in making a motion of that kind, I do not think that he has a right to go into the merits of the measure to which he has adverted. He may move for the papers, but the measure itself cannot, I think, at present form a topic of discussion before the Court of Proprietors. I think it quite irrelevant, for the hon. proprietor to go into a discussion of this subject, until the question is decided whether the papers shall or shall not be produced. I beg leave to suggest to the hon. gentleman that the subject is now before Parliament, on the petition of the inhabitants of Calcutta; and I do not think that he has a right to discuss this question on a mere motion for papers.

Col. *L. Stanhope* continued.—In his opinion, nothing could be more illogical than, at one and the same Court, to tell a man that he had no grounds for a motion, and therefore could not make it; and subsequently, when he was stating his grounds for a motion, and so strongly too, as to make the Hon. Chairman jump from his seat, to turn round and tell him that, because something was in progress elsewhere, he had no right to proceed. He (Col. Stanhope) was perfectly in order. He was giving a history of the Stamp Act, and shewing the unjust manner in which it had been got up. He was observing, that the power of taxation,

without representation, had been assumed—that the power of taxation had been exerted, without any right whatever. The natives, on hearing of this Stamp Act, this great and unlooked for innovation, determined to give up business. The people said, they would quit the town, and have recourse to the same measures which were formerly resorted to at Benares, when the Company, in an evil hour, thought proper to impose a house tax upon that city. What did the people of Benares do on that memorable occasion? They locked up their houses and shops, left the town, proceeded four or five miles off, and there bivouacked; till what? until the obnoxious Act was wisely and magnanimously repealed. In the present instance, the Europeans, fearing the evils which might arise from the natives quitting the town of Calcutta, persuaded them not to have recourse to that measure; and, in consequence of their representations, the subject was discussed in a temperate petition, presented to the Government. At first the Government held out some hopes that the measure would be repealed; but ultimately they determined to carry it into execution. The people then addressed a requisition to the Sheriff, and he consented to convene a meeting of the inhabitants. But the Government (like some persons now present), not liking the idea of a fair and open discussion, determined to act on an obsolete dispatch of the Court of Directors, which enabled them to prevent the people from meeting. The inhabitants then resolved to have a private meeting at the exchange, and published their intentions in the Calcutta papers. The Government, in consequence, ordered their magistrates to disperse the people; and absolutely had an intention to call out the troops to effect that object. Yes, to call out the troops in the head city of the British Indian empire. But there were some wise heads there, lawyers, who gave them better council, and they desisted from their original plan. A meeting then took place, which was distinguished by the manly and spirited discussion to which it led; and it was there resolved to petition both houses of the legislature for the repeal of this abominable Stamp Act. That petition was signed by all the traders and agents of Calcutta, as well as by several of the Company's civil and military servants; and it was agreed at the meeting, that one of the Company's servants, one of the most able and talented men amongst them, Mr. Craufurd, should be sent home to carry the intention of the petitioners into effect. The Stamp Act was intended to take effect in May 1827; and the Government thought to proceed without registering the regulation. Here again

again they were foiled; they found it impossible to go farther without registering the regulation in the Supreme Court, and that step they were compelled to take. With respect to the provincial Stamp Act, that measure was passed in 1824; but, no one choosing to buy stamps, it was wisely discontinued by order of the East India Company. He should easily prove the first part of his argument, namely, the impolicy of the new act; because he would clearly shew that the people of British India were already taxed to the utmost. The East India Company could not control political economy, and it was manifestly beyond their power to obtain greater taxes than they levied at present. There were three means of adding to the resources of a state. First, by taxation; secondly, by economical reform; thirdly, by opening fresh sources of industry. Now, with respect to taxation, it had been carried to its utmost extent in British India; every collector went round to his district, and exacted the imposts until the utmost farthing was wrung from the people. Gentlemen might shake their heads, but they must be aware of the fact. They must know, in the wet season, the Government were compelled, from what they called feelings of humanity, but what he would rather demonstrate, necessity, to relax the burden of taxation.

He must say, that the more the people were taxed, the more the collector was lauded and advanced by the Honourable Company's government. This system of taxation was carried to such an extent, that Sir Edward Colebrooke had said that the Honourable Company took, on an average, one-half of the net produce of the soil, though a maxim had been laid down by Adam Smith and the wisest political economists, that no agriculture could possibly thrive if more than one-third of the produce of the soil were taken by the landlords. The native sovereigns in Hindostan were better political economists than the European governors of India. They had limited themselves, with all the bad traits of their character, to taking one-sixth, and even Akbar had confined himself to taking one-third of the produce of the land not in fallow. He would now speak respecting the salt monopoly. (*Laughter, and cries of order!*)

The *Chairman* felt it necessary to call the hon. proprietor to order. (*Hear!*) The subject of the salt monopoly had nothing whatever to do with the question for the production of papers regarding the stamp-duties. (*Hear!*)

Col. Stanhope.—“I will prove in a very short time that it has to do with this question.” (*Cries of chair!*)

The *Chairman* observed, that he must

say he thought it irrelevant to enter upon any subject but that which the nature of the motion permitted. In his humble opinion the salt-monopoly had nothing to do with a motion for the production of papers regarding the stamp-regulations.

Col. Stanhope.—“In three words I will prove that it has to do with the question.”

Mr. *Dixon* rose to order. He thought the hon. proprietor must be aware, that when a motion was made for the production of papers, it was quite necessary that those papers should be produced before any question respecting them could rise in that court. (*Hear!*)

Col. Stanhope.—“I will prove my argument in three words. I say, that you required money; you have obtained as much as can be screwed out of the pockets of the people; then where was the use or the policy of the stamp-act?”

The *Chairman*.—“It is by the papers regarding the stamp-regulation that you can prove that—not by the salt-monopoly.” (*Hear!*)

Col. Stanhope.—“I do not intend to follow the course of argument chalked out by the hon. Chairman,” (*Cries of order!*)

Mr. *Dixon* (addressing the chair).—“I call upon you, Sir, to do your duty.”

The *Chairman*.—“I must leave it to the Court of Proprietors to judge between me and the hon. proprietor, and to signify whether he is in order.” (*Cries of hear!*)

Col. Stanhope rose amid a din of voices, exclaiming ‘*Chair, chair! and order, order!*’ which continued during the whole time he was addressing the court.—“If (said he) you stifle my voice by noise in this court, then I cannot prove to you what I intended; but if you attend to me, I will prove that by the salt, the opium, the tin, and tea monopolies, the Company raised an immense revenue at the expense of the public at large. By the tea monopoly, they compel the old women to pay twenty times more for the tea they drank than the people in the Island of Java paid.”

Capt. *Maxfield* rose for the purpose of suggesting to his hon. friend, that, as he must be quite sensible, amid such a noise and clamour as then prevailed, not a word could be heard, to be satisfied if his motion for the production of papers were granted, upon the understanding that he should be permitted to illustrate his argument when those papers were produced. (*Hear!*) He hoped his hon. friend would be as short as possible in his argument to shew the necessity for the production of the papers, and he (Capt. Maxfield) would be ready to second the motion.

Col. Stanhope.—“I am going to prove that you collect—(uproar). What! gentlemen

men make a noise before they hear me? That is certainly very logical in the court. I was going to prove that you collect in taxes twenty-two millions of money—a sum greater than was collected in the time of Augustus, when Rome was mistress of the world—a sum greater than what is collected in the empire of Russia, which is the preponderating power of Europe."

Sir *Francis Ommaney* spoke to order. —" May I be allowed to ask the gallant colonel, for the sake of information, whether his motion related to taxes on local stamps, or on stamps in this country? (*No, no!*) That is what I wish to be informed upon."

Col. *Stanhope*. — " The information which the hon. gentleman requires is just the information I was going to give him. I do not think it consistent with my duty to the public to indulge hon. gentlemen in their taste for conciseness at the expense of this great question. I mean to proceed step by step through the argument; but if I am stifled in this ungenerous manner, and my reasoning on the question cut short, I cannot proceed. Shall I be allowed to offer to the court on this subject as strong reasons as any man can offer? Perhaps that was saying too much, but I will offer to you very strong reasons indeed. If I am to be stifled, then I must sit down; but if you are open to conviction—if, like other educated men, you wish to have reasons offered before you grant the papers, then will I offer reasons so full and conclusive, that it will not be in your power to refuse your assent to them, or to object to the motion for papers.—(Addressing the Chairman): Will you give the papers, Sir?"

The *Chairman*.—" The gallant proprietor has asked me a question, to which I will give a short and concise answer—No! (*Hear!*) The subject which the gallant proprietor has introduced to the notice of the court, is in two different points of view before the government in this country. (Some of the proprietors not having yet ceased laughing, in consequence of the extraordinary scene which had taken place, Col. Stanhope remarked, that some people seemed mightily amused, but he could not see any reason for their merriment. The Chairman continued).—A petition has been presented to the House of Commons from the inhabitants of Calcutta against the stamp-duty, and another to the King in council against the registering of the regulations in the courts of Calcutta; and while these two important questions are under the consideration of the legislature, when they are before such high authority as I have mentioned, it would be altogether out of place in us to argue such a question." (*Hear!*)

Col. *Stanhope*.—" Will the court allow me to prove that this stamp-duty is unjust, illegal, and dangerous? Will the court allow me to prove that point, and I will do so from what the hon. Chairman has admitted; but if I am stifled, I can prove nothing."

The *Chairman* (addressing Col. Stanhope).—" I admitted nothing, Sir. I only gave an answer to the question which had been put to me, whether I would give the papers called for. I said 'no,' and stated the reason for my withholding them."

Col. *Stanhope*.—" Since the hon. gentleman has had the kindness to answer my question with so much courtesy, why does he refuse to answer another question? He objects to my arguments, because they are too strong for him. He cannot bear so much logic. What is the line of argument you can bear, Sir?"

The *Chairman*.—" I do not object to your arguments, I only consider them lost time. That the attention of parliament has been called to the subject, shews, I apprehend, the necessity of refusing the papers. (*Hear, hear!*)

Col. *Stanhope*.—" You have shewn no reason for refusing the papers. You have a parcel of paid lawyers in court, perhaps they might give some reason." (*Loud cries of order!*)

Mr. *Twining* suggested to the gallant colonel to defer his argument till such time as the papers might be produced. The hon. Chairman had not only stated that they could not be produced at present, but had offered such powerful reasons why they should not, that he hoped the gallant colonel would think that a sufficient answer.

Col. *Stanhope*.—" That is to be sure the best way of getting rid of the argument, but it is merely a piece of political tactics; it is merely a method of evading the argument. (*Cries of order!*) The court had better hear the argument; I should have got through it before this time. Will you hear me? (*No.*) You cannot bear my arguments, they are too strong for you. (*Laughter.*) I will shew you that the people are charged twenty times as much as they ought to be for articles, in consequence of salt and opium monopoly, and the tea monopoly. Will you allow me to shew the illegality of the act? (*No, no!*) I could shew it you as plain as the noses on your faces. (*Laughter!*) Will you allow me to shew the illegality of the stamp-act?"

The *Chairman*.—" I wish the gallant proprietor would exercise a little more discretion over his feelings."

Col. *Stanhope*.—" When I see the whole court against me when I am about to offer fair arguments, I think it ungenerous and unbecoming in the court not to hear

hear these arguments. I will now proceed to consider the illegality of the act; and as there are some lawyers present, perhaps they will be able to answer me."

The *Chairman*.—"I am no more of a lawyer than the gallant proprietor himself, but if he reflects, he must see, that the time of the court is occupied without any good being done with respect to the question he has at heart. The hon. proprietor cannot do any good in this stage of the proceedings, and I think it would be more judicious in him to wait for a future opportunity to deliver his sentiments on this subject."

Col. *Stanhope*.—"I will follow your advice. (*Hear!*) I now give notice of the following motion, which I intend to bring forward at the next general court:

"That the Court of Proprietors deplore the power lately assumed by the Government of British India of general taxation, and the enactment of a Stamp Act in Calcutta, for the following reasons, namely:—

"That the enforcement of a stamp act led to the separation of America from Great Britain.

"That the inhabitants of Calcutta have, from the time of Charles II., been exempted from the arbitrary power of taxation recently claimed by the Government of British India.

"That a stamp tax, not being of the nature of 'goods, wares, merchandises, commodities, or property,' is not warranted by the 53d of Geo. III., and is illegal.

"That it is the interest of the East-India Company to use the power of taxation to preserve their monopoly, and thereby injure a free trade, and their rivals the merchants of Liverpool, Manchester, Glasgow, Bristol, Birmingham, Sheffield, Hull, Leeds, &c.

"That the East-India Company already take an average half of the net produce of the soil, and covertly obtain from the people of Calcutta in taxes £161,300, which is 129 per cent. more than is exacted from the Bengal provinces; and realise a revenue of twenty-two millions: an income greater than that of Russia, the preponderating power of the world.

"That the stamp tax has been resisted in Calcutta with a spirit worthy of freemen, and in the provinces thwarted by a passive firmness still more formidable; and as this money grievance is of a universal and lasting nature, so will be the resistance.

"That under these awful circumstances, this court doth humbly recommend the Supreme Government of British India magnanimously to repeal this unjust and dangerous Stamp Act."

ABUSE OF PATRONAGE.

The *Chairman* had now to state to the court, that a prosecution had been instituted in the Court of King's-Bench against certain parties, for unlawfully conspiring to sell the Company's patronage. The trial came on on the 6th March st, and he had to lay before the court a short-hand writer's notes of that proceeding.

Mr. *Gahagan* observed, that two transactions of great interest had lately taken

place; and as the hon. Chairman had thought it necessary to lay before the proprietors the ample notes of the short-hand writer, he wished to know whether they were brought here for the purpose of being printed for the use of the proprietors, or whether it was meant in conformity with the usual practice, that there the papers were if any proprietor chose to look at them.

The *Chairman* stated, that in conformity with the usual practice, the papers were laid upon the table of the Court of Proprietors. There was no motion before the court for their being printed, and he apprehended that there was no intention of printing the papers.

Mr. *Gahagan* said he was far from wishing to say any thing on the subject, but there was a question which had very much agitated the public mind, with respect to the proceedings in the treasury department.

Capt. *Prescott* (who evidently spoke under the influence of deep feeling) then rose. He said he appeared before the proprietors after an absence of eight or nine months. He had been their servant, man and boy, for more than forty years, and he did not think he appeared before them with a broken-down or tarnished character. He particularly desired the proprietors to examine those papers which had just been laid before them; it would be doing him the utmost favour, for without he had their confidence, he was not the man to remain behind the bar. (*Hear, hear!*)

THE TREASURY.

Mr. *Gahagan* observed, that it was most notorious that transactions of a most peculiar and uncommon nature had lately taken place in that house, and he only wished to know whether it was the intention of the Court of Directors to communicate those proceedings with respect to the appointment of Mr. Mortimer in the place of Mr. Gilmour, and with respect to the alleged use of money improperly by him. He was only speaking from reports, but he wished to know if any communication was to be made to the proprietors respecting those circumstances. If there were no intention of doing so, he had reason to believe that the subject might be brought before the court by the requisition of proprietors.

The *Chairman* stated, in answer to the hon. proprietor, that the Court of Directors having found it necessary to appoint a servant to a particular situation in this house, he trusted that the confidence reposed in them by the proprietors would lead the latter to believe that they have taken great pains in this matter, and that they have acted with strict propriety; and having stated this to the Court of Proprietors,

prietors, he thought he had stated all they could fairly ask or require.

Capt. *Masfeld*, previous to the adjournment of the court, gave notice of his intention to move at the next general court, for certain returns relative to the tonnage

allowed to the captains and officers of ships belonging to this Company, on occasion of the opening of the trade.

There being no further business before the proprietors, the court then adjourned.

LIST of SHIPS trading to INDIA and Eastward of the CAPE of GOOD HOPE.

Destination.	Appointed to sail.	Ships' Name.	Tonnage.	Owners or Consignees.	Captains.	Where loading.	Reference for Freight or Passage.
Madras & Bengal	1838. April 7	Ganges	419	Richard Lloyd	Richard Lloyd	City Canal	J. S. Brinley, and W. Abercrombie.
	April 15	Atlas	411	Chalmers and Guthrie	Francis Hunt	W. I. Docks	Barber, Neate, & Co., Clement's-lane.
	Graves, Ports.	Boyne	575	George Green	Wm. L. Pope	E. I. Docks	J. Pirie & Co., Freeman's-st., Cornhill.
	May 25	Lord Lynedoch	632	Samuel Beadle	Samuel Beadle	W. I. Docks	Bolton and Kelham, Fenchurch-st.
	Graves, April 20	Abberton	451	William Bawtree	Lucas Percival	E. I. Docks	W. Bawtree, Jerusalem Coffee-house.
	April 25	Malcolm	650	R. W. Eyles	James Eyles	E. I. Docks	Watts and Heath, Fenchurch-street.
	Graves, Ports.	Coromandel	650	George Joad	Thomas Boyes	W. I. Docks	Capt. Boyes, Jerusalem Coffee-house.
	May 5	Fairlie	755	M. F. Gordon	Steph. J. Fuller	E. I. Docks	Capt. Fuller, Jerusalem Coffee-house.
	Graves, Ports.	Juliana	550	Gledstanes, Drysdale & Co	Chas. B. Tarbutt	E. I. Docks	Wm. Abercrombie, Birch-lane.
	Doona	James Pattison	580	Thos. Ward and Co.	Jas. Grote	W. I. Docks	Capt. Grote, Jerusalem Coffee-house.
Bengal	April 20	William Money	890	Henry Templer	—	E. I. Docks	J. Lachlan, Alie-st., Goodman's-fds.
	May 25	Cornwall	872	Palmer, McKillop, & Co.	T. W. Aldham	E. I. Docks	Barber, Neate, and Co.
	Graves, April 7	Jurara	690	Samuel Owen & Co.	Samuel Owen	E. I. Docks	E. Read, Riches'-court, Lime-street.
	April 9	Lonaach	400	William Driscoll	Geo. Wm. Tomlin	City Canal	Tomlin and Man, Threadneedle-st.
	Ports.	Royal George	432	John Barry	Wm. Wilson	E. I. Docks	Tomlin and Man.
	May 10	Spartan	364	John Irving	John Sanders	W. I. Docks	W. Redhead, jun., Riches'-ct., Lime-st.
	May 13	Padella	450	Jos. Jones	G. R. Fox	Lon. Docks	R. Thornhill.
	May 14	Enna	390	Reade and Co.	George North	W. I. Docks	Wm. Abercrombie, [Lane.
	May 22	Edward Lambe	650	Henry Templer	—	E. I. Docks	Capt. Templer, Castle-ct., Birch-lane.
	June 1	Triumph	547	W. Freeman	W. Freeman	W. I. Docks	E. and A. Kule.
Mauritius & Ceylon	April 2	Charles Kerr	563	Thomas Green	Thomas Green	W. I. Docks	Capt. Green, Jerusalem Coffee-house.
	April 3	Capton	253	John Bentley	John Brodie	City Canal	John Pirie and Co.
	April 5	Dunvegan Castle	446	G. Robinson and Finlay	Thomas Finlay	W. I. Docks	John Pirie and Co.
	April 7	Seppings	343	George Joad	Wm. Louder	City Canal	E. Robinson, Cheap-side, and Buckles
	April 10	Africa	350	John Irving	John Brodie	W. I. Docks	Thos. Surfen, George-yard.
	May 1	Historia	400	William Tindell	John Boland	W. I. Docks	John Lyney, jun., Birch-lane.
	May 1	Dartus	329	George Mickle	James Hunter	W. I. Docks	Wm. Redhead, jun.
	April 10	Finn	220	R. Flinn	E. Phillipson	Lon. Docks	Tomlin and Man.
	May 6	Magnet	189	R. Cheesmont	Wm. Matthews	Lon. Docks	Buckles and Co.
	May 10	Allee	214	William Martin and Co.	Geo. K. Todd	Lon. Docks	W. Martin and Co., E. I. Chambers.
Canton and Bengal	May 11	Wave	300	Johnston and Meaburn	Wm. Hide	Lon. Docks	Tomlin and Man.
	May 11	Swifavour	347	William Asquith	J. Johnson	Lon. Docks	Richardson & Ireland, Cowper'-st., [Cornhill.
	May 12	Terron Mary	250	John George Hartley	J. G. Hartley	Lon. Docks	Tomlin and Man.
	May 12	Prison George	450	Michael Andrew	M. Andrew, jun.	Lon. Docks	M. Andrew and J. Blumer, Church-row.
	May 12	Prison George	450	Michael Andrew	M. Andrew, jun.	Lon. Docks	M. Andrew and J. Blumer, Church-row.
	May 12	Prison George	450	Michael Andrew	M. Andrew, jun.	Lon. Docks	M. Andrew and J. Blumer, Church-row.
	May 12	Prison George	450	Michael Andrew	M. Andrew, jun.	Lon. Docks	M. Andrew and J. Blumer, Church-row.
	May 12	Prison George	450	Michael Andrew	M. Andrew, jun.	Lon. Docks	M. Andrew and J. Blumer, Church-row.
	May 12	Prison George	450	Michael Andrew	M. Andrew, jun.	Lon. Docks	M. Andrew and J. Blumer, Church-row.
	May 12	Prison George	450	Michael Andrew	M. Andrew, jun.	Lon. Docks	M. Andrew and J. Blumer, Church-row.

29th March 1838.

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.	Purveyors.	Consignments.	To be Afloat.	To sail to Graves-end.	To be in the Downs.	When Sailed.
6 <i>Danira</i>	1325	G. Palmer	M. Hamilton ..	John Shute ..	James Rickett ..	R. Buckle	J. K. Jolly	Francis Burlin J. Giles	J. H. Lanyon	Bombay & China	1827.	1827.	1828.	1828.
2 <i>Edinburgh</i>	1325	H. Bonham ..	Henry Bax	T. Buttanshaw ..	D. Marshall ..	Geo. Waller ..	A. Tomlins ..	Robt. Harvey W. J. Shepherd	W. J. Shepherd	St. Helena, Beng- goli, & China	19 Nov	3 Dec.	8 Jan.	2 Feb.
8 <i>General Harris</i>	1283	James Sims ..	Joseph Stanton ..	G. Braithwaite ..	Henry Burn ..	Jas. M. Balrd	Thos. N. Ware	John Millard	J. H. Lanyon	Bombay & China	3 Dec.	18 do.	23 do.	24 Mar.
6 <i>Thomas Coutts</i>	1324	S. Marjoribanks ..	Alex. Chrystie ..	W. Drayner ..	J. Elphinstone ..	D. Robertson ..	R. Saunders ..	Jas. Beveridge W. Maltman ..	W. Maltman ..	Bombay & China	18 do.	1 Jan.	6 Feb.	8 Feb.
4 <i>Sir David Scott</i>	1342	Joseph Hare ..	J. O. M'Taggart ..	W. Titchhurst ..	D. J. Ward ..	John Rose ..	P. J. Maxwell ..	David Scott ..	T. A. Gibb ..	Bombay & China	18 do.	1 Jan.	6 Feb.	8 Feb.
9 <i>Marquis of Huntly</i>	1279	J. Mac Teggart ..	J. S. H. Fraser ..	Thos. Leach ..	R. Taber	A. P. Costabadie A. Macqueen	H. Dalrymple ..	Alex. Stirling John Lenox ..	John Lenox ..	Bombay & China	18 do.	1 Jan.	6 Feb.	8 Feb.
4 <i>Berwickshire</i>	1352	S. Marjoribanks ..	Fred. Madan ..	H. L. Thomas ..	J. W. Edmonds ..	H. Dalrymple ..	T. Davidson ..	J. W. Rose ..	J. W. Rose ..	Bombay & China	18 do.	1 Jan.	6 Feb.	8 Feb.
1 <i>Reliance</i>	1130	John F. Timlin ..	Chas. S. Timlins ..	Edw. Jacob ..	CW Loveridge ..	Samuel Hyde ..	C. Udale ..	Jas. Grant ..	W. S. Spawforth	Bombay & China	18 do.	1 Jan.	6 Feb.	8 Feb.
4 <i>Duchess of Athol</i>	1330	W. E. Ferris ..	E. M. Daniell ..	T. J. Dyer ..	Thos. Sandys ..	Geo. Steward ..	C. Westead ..	Rich. H. Cox W. Dickinson	W. Dickinson	Bombay & China	18 do.	1 Jan.	6 Feb.	8 Feb.
2 <i>Abercrombie</i>	1330	H. Bonham ..	John Innes	Jas. S. Biles ..	Geo. Frampton H. Shepherd ..	W. Pitcairn ..	W. Pitcairn ..	W. Hitchcock Wm. Dallas ..	W. Dallas ..	Bombay & China	1828.	1 Jan.	16 do.	2 do.
7 <i>Earl of Balcarra</i>	1417	<i>Company's Ship</i>	B. Broughton ..	Rees Thomas ..	J. P. Griffiths ..	Boulter J. Bell E. Dupuis ..	Henry Smith	Henry Arnot ..	Wm. Ainslie ..	Bombay & China	1 Jan.	16 do.	21 do.	27 do.
2 <i>George the Fourth</i>	1329	<i>Company's Ship</i>	Thos. W. Barrow ..	Wm. Pulham ..	F. G. Moore ..	Wm. Pigott ..	Henry Smith	E. Turner ..	J. W. Graham	Bombay & China	1 Jan.	16 do.	21 do.	27 do.
8 <i>Marquis Camden</i>	1261	W. C. Drysdale ..	T. Larkins	W. Haylett ..	John Fenn	H. J. Wolfe ..	John Willie ..	Thos. Cron ..	T. Collingwood	Bombay & China	16 do.	31 do.	7 Mar.	11 Mar.
4 <i>Macqueen</i>	1333	John Campbell ..	James Walker ..	James Sexton ..	F. MacQueen ..	John Pitcairn ..	Chas. Ray	Alex. Macrae J. Walkinshaw	J. Walkinshaw	Bombay & China	16 do.	31 do.	7 Mar.	11 Mar.
4 <i>William Fairlie</i>	1348	Joseph Hare ..	Thos. Blair	Geo. Deudney ..	T. W. Marriott ..	R. Burroughes ..	J. H. Thorn ..	Geo. Comb ..	Peter Milne ..	Bombay & China	16 do.	31 do.	7 Mar.	11 Mar.
2 <i>Lord Louther</i>	1332	H. Blanehard ..	Charles Steward ..	N. de St. Croix ..	Benj. Bailey ..	H. W. Parker ..	S. H. Macauley ..	Robt. Martin ..	C. S. Compton	Bombay & China	16 do.	31 do.	7 Mar.	11 Mar.
8 <i>Castle Huntly</i>	1311	J. H. Gledstanes ..	Thos. Dunkin ..	G. C. Kennedy ..	Henry Wise ..	J. Dalrymple ..	R. Howard ..	J. Campbell ..	John Main ..	Bombay & China	16 do.	31 do.	7 Mar.	11 Mar.
6 <i>Canning</i>	1326	<i>Company's Ship</i>	Philip Baylis ..	T. B. Penfold ..	A. Broadhurst ..	G. Creighton ..	J. G. F. Pigott ..	F. Kierman ..	H. Beveridge	Bombay & China	16 do.	31 do.	7 Mar.	11 Mar.
6 <i>London</i>	1332	<i>Company's Ship</i>	Timothy Smith ..	A. Rivers	W. K. Packman ..	O. Richardson ..	Chas. Jones ..	David Forest ..	R. Dudgeon ..	Bombay & China	16 do.	31 do.	7 Mar.	11 Mar.
6 <i>Orwell</i>	1335	Matthew Isacke ..	W. E. Farrer ..	Jas. Wilson ..	R. M. Isacke ..	J. R. Pidding ..	Charles Jones ..	W. Bremner ..	W. M'Kiligan	Bombay & China	16 do.	31 do.	7 Mar.	11 Mar.
9 <i>Prince Regent</i>	1024	H. Bonham ..	Henry Hosmer ..	R. H. Treherne ..	Henry Harris ..	G. M. Abbott ..	F. Shaw	R. Greig	Alex. Crowe ..	Bombay & China	16 do.	31 do.	7 Mar.	11 Mar.
9 <i>Rose</i>	955	O. Wigram ..	Thos. Marquis ..	Wm. Marquis ..	J. A. Senhouse ..	Chas. White ..	Edward Voss ..	Wm. Scott ..	Honey Millet	Bombay & China	16 do.	31 do.	7 Mar.	11 Mar.
9 <i>Marchioness of Ely</i>	958	H. Bonham ..	C. E. Mangles ..	W. H. Hopkins ..	J. A. Senhouse ..	Chas. White ..	Edward Voss ..	Wm. Scott ..	Honey Millet	Bombay & China	16 do.	31 do.	7 Mar.	11 Mar.
9 <i>Asia</i>	958	H. Bonham ..	T. F. Balderston ..	H. M. Sterndale ..	J. Miller	J. Copling ..	G. Abbott ..	R. Renwick ..	W. I. Irwin ..	Bombay & China	16 do.	31 do.	7 Mar.	11 Mar.

PRICE CURRENT, March 26.

EAST-INDIA PRODUCE.				Indigo, Blue and Violet lb			
	£.	s.	d.	£.	s.	d.	£.
Coffee, Javacwt	1	13	0	—	2	0	0
— Cheribon	1	13	0	—	1	18	0
— Sumatra	1	11	0	—	1	14	0
— Bourbon	—	—	—	—	—	—	—
— Mocha	3	5	0	—	7	10	0
Cotton, Surat.....lb	0	0	4	—	0	0	5
— Madras	0	0	4	—	0	0	5
— Bengal	0	0	4	—	0	0	6
— Bourbon	0	0	6	—	0	0	10
Drugs & for Dyeing.							
— Aloes, Epatica.....cwt	10	0	0	—	14	0	0
— Anniseeds, Star.....	—	—	—	—	—	—	—
— Borax, Refined.....	2	5	0	—	—	—	—
— Unrefined, or Tincal	2	10	0	—	—	—	—
— Camphire	7	15	0	—	—	—	—
— Cardamoms, Malabar..lb	—	—	—	—	—	—	—
— Ceylon	0	1	0	—	0	1	6
— Cassia Buds	5	1	0	—	5	10	0
— Lignea	4	2	0	—	4	10	0
— Castor Oil	0	0	10	—	0	1	6
— Dragon's Blood.....cwt	3	0	0	—	15	0	0
— Gum Ammoniac, lump..	3	0	0	—	5	0	0
— Arabic	1	5	0	—	3	5	0
— Assafetida	1	0	0	—	3	15	0
— Benjamin	2	0	0	—	50	0	0
— Anilini	3	0	0	—	9	0	0
— Gambogium	25	0	0	—	27	0	0
— Myrrh	3	0	0	—	15	0	0
— Olibanum	2	10	0	—	5	10	0
— Kino	14	0	0	—	—	—	—
— Lac Lake	0	1	0	—	0	2	0
— Dye	0	3	6	—	0	3	7
— Shell	4	0	0	—	5	5	0
— Stick	3	0	0	—	4	4	0
— Musk, China	1	5	0	—	1	15	0
— Oil, Cassia	0	0	5	—	—	—	—
— Cinnamon	0	9	0	—	0	10	0
— Cloves	0	0	9	—	—	—	—
— Mace	0	0	2	—	0	0	3
— Nutmegs	0	2	9	—	0	3	0
— Opium	—	—	—	—	—	—	—
— Rhubarb	0	1	6	—	0	5	6
— Sal Ammoniac.....cwt	2	15	0	—	2	18	0
— Senna	0	0	9	—	0	2	0
— Turmeric, Java...cwt	1	10	0	—	1	13	0
— Bengal	1	4	0	—	1	10	0
— China	1	16	0	—	2	0	0
Galls, in Sorts	3	0	0	—	3	10	0
— Blue	3	15	0	—	4	0	0
— Purple and Violet....	0	10	3	—	0	10	3
— Extra fine Violet....	0	9	9	—	0	10	3
— Violet	0	7	0	—	0	9	0
— Violet and Copper....	0	6	9	—	0	7	6
— Fine Copper	0	5	6	—	0	7	0
— Copper	0	5	6	—	0	7	0
— Consuming sorts	0	4	0	—	0	6	0
— Oude good and fine....	0	5	0	—	0	7	9
— Low and bad Oude....	0	0	5	—	0	2	6
— Madras	0	7	0	—	0	8	3
— Do. mid. ord. and bad	0	3	0	—	0	6	6
Rice, Bengal White....cwt	0	11	0	—	0	14	0
— Patna	0	17	0	—	1	0	0
Safflower	1	0	0	—	8	0	0
Sago	0	15	0	—	1	16	0
Saltpetre	1	4	6	—	1	5	0
Silk, Bengal Skein.....lb	—	—	—	—	—	—	—
— Novl	0	14	11	—	1	3	5
— Ditto White	0	15	9	—	1	3	5
— China	0	18	4	—	0	19	8
Spices, Cinnamon.....	0	3	0	—	0	6	9
— Cloves	0	0	9	—	0	2	9
— Mace	0	3	6	—	0	5	11
— Nutmegs	0	2	8	—	0	3	4
— Ginger	0	16	0	—	1	0	0
— Pepper, Black.....lb	0	0	4	—	0	0	5
— White	0	0	8	—	0	1	2
Sugar, Bengal	1	16	0	—	1	17	0
— Siam and China	1	10	0	—	1	13	0
— Mauritius	2	9	0	—	3	0	0
Tea, Bohea.....lb	0	1	5	—	0	1	6
— Congou	0	2	1	—	0	3	5
— Souchong	0	2	11	—	0	4	8
— Campoi	0	2	6	—	0	3	3
— Twankay	0	2	3	—	0	3	6
— Pekoe	0	3	7	—	0	4	4
— Hyson Skin	0	2	4	—	0	3	10
— Hyson	0	4	3	—	0	6	1
— Young Hyson	0	3	4	—	0	3	8
— Gunpowder	0	4	4	—	0	5	2
Tortoiseshell	1	10	0	—	1	16	0
Wood, Sanders-Red....ton	9	0	0	—	10	0	0

AUSTRALIAN PRODUCE.

Oil, Southern.....ton	30	0	0
— Sperm	82	0	0
— Head Matter	86	0	0
Wool	0	10	10
Wood, Blue Gum.....ton	0	6	0
— Cedar	0	0	5

DAILY PRICES OF STOCKS, from 26 February to 25 March.

Feb.	Bank Stock.	3 Pr. Ct. Red.	3 Pr. Ct. Consols.	3½ Pr. Ct. Consols.	3½ Pr. Ct. Red.	N. 4 Pr. Ct. Ann.	Long Annuit.	India Stock.	India Bonds.	Exch. Bills.
26	206¼	83½84½	83½83½	91½91½	91½91½	100½100½	19½19½	245	86 87p	55 57p
27	206½	84½84½	83½83½	91½91½	91½92	100½100½	19½19½	244	85 86p	55 56p
28	206¼	84½84½	83½83½	92 92½	91½92½	100½100½	19½19½	244½45	—	55 57p
29	206¾	83½84	82½83½	91½91½	91½91½	100 100½	19½19½	243½	—	53 57p
Mar.	—	—	—	—	—	—	—	—	—	—
1	—	84½	83½83½	—	92½	100½100½	19½19½	—	86 87p	56 58p
3	207	83½84½	83½83½	—	91½92	100½100½	—	—	87 88p	57 58p
4	206¼	83½84½	83½83½	92½	91½92½	100 100½	—	—	—	57 59p
5	—	—	83½83½	92½92½	—	100½100½	—	—	89 88p	58 59p
6	—	—	83½84½	93½	—	100½100½	—	—	89 90p	58 60p
7	—	—	84½	—	—	100½100½	—	—	90 91p	59 61p
8	—	—	83½84½	—	—	100½100½	—	—	90p	59 60p
10	—	—	83½83½	—	—	100½100½	—	—	90p	58 60p
11	—	—	83½83½	—	—	100½100½	—	—	89 90p	58 60p
12	—	—	83½	—	—	100½100½	—	—	90p	58 60p
13	—	—	82½82½	—	—	99½100	—	—	87 89p	56 59p
14	—	—	82½82½	—	—	99½100½	—	—	86 88p	57 59p
15	—	—	83½83½	—	—	99½100½	—	—	89p	58 59p
17	—	—	83½83½	—	—	100½100½	—	—	88 89p	58 59p
18	—	—	82½82½	—	—	100 100½	—	—	87 89p	56 59p
19	—	—	82½83	—	—	100½100½	—	—	—	57 58p
20	—	—	82½83	—	—	100½100½	—	—	—	57 58p
21	—	—	82½83	—	—	100½100½	—	—	88 89p	56 57p
22	—	—	82½83	—	—	100½100½	—	—	—	56 57p
24	—	—	82½83½	—	—	100 100½	—	—	89 90p	56 57p
25	—	—	—	—	—	—	—	—	—	—

THE ASIATIC JOURNAL

FOR

MAY, 1828.

Original Communications,

&c. &c. &c.

THE HINDU DRAMA.

WE bring this long article to a close by an analysis of the remaining dramas in Mr. Wilson's collection, the *Mudrá Rākshasa* and the *Retnávālī*.

The *Mudrá Rākshasa*, or "the Signet of the Minister," though referred to the Nāṭaka species of the Rūpaka class of dramas, is of a peculiar character. It is wholly political, and develops the principles of Hindu state policy and intrigue. It is remarkable, moreover, for being founded upon the history of the celebrated Chandragupta, supposed to be identical with the Sandrocottus (or, as his name is written by Athenæus, Sandrakoptus,) of the Greek historians.

Mr. Wilson has prefixed to the play a concise epitome of the evidence in favour of the identity referred to, and which, freed from the extraneous sophistications of Sir Wm. Jones and Colonel Wilford, amounts to very little short of demonstration. He has shewn that "the Greek and Hindu writers concur in the *name*, in the *private history*, in the *political elevation*, and in the *nation* and *capital* of an Indian king, nearly, if not exactly contemporary with Alexander, to a degree of approximation that cannot possibly be the work of accident."

The high rank of its author is another remarkable circumstance in the history of this play; the prelude declares the drama to be the work of Viśākha Datta, the son of Prithu Mahārāja, and grandson of the Sāmanta, or chieftain, Vatésvara Datta. Mr. Wilson thinks it not impossible, though he candidly acknowledges there is not sufficient ground to conclude, that the prince here intended was the Chohan chief of Ajmér, Prithu Raj, who was killed at the end of the twelfth century by the Mohammedans. The concluding lines of the play refer to the then existing troubles occasioned by the Mlechchas, who may not unreasonably be identified with the Pathan invaders of Hindustan,

The opening of this play is connected in an artful, as well as amusing, manner with the induction, or prelude. The manager is speaking, in astronomical phraseology, of the efforts of a planet (Ketu) to depose the moon (Chandra),

when he is supposed to be overheard behind the scenes by one of the principal characters in the play, the minister of Chandragupta, Chánakya, or Vishnugupta, who, concluding that the deposition of that monarch (placed on the throne of Pálatiputra at the death of Nanda, slain through the contrivance of Chánakya), by Malayaketu, was alluded to, rushes abruptly on the stage.

A dialogue ensues between this minister, his pupil, and one of the spies sent forth by the former amongst the people, in furtherance of his stratagems to gain over or to ruin Rákshasa, the minister of the late king, who had taken refuge with the king of the mountains, or "the great Mlechcha Rájá," leaving his wife and child in concealment in Pálatiputra. The spy, who is disguised as sort of showman, relates how he discovered the retreat of Rákshasa's wife, and obtained from her by dexterity that minister's seal-ring (*Anguliya Mudrá*), an acceptable prize to Chánakya, furnishing a means whereby his enemy may be subdued. He accordingly writes letters, to which he attaches the signet of Rákshasa, calculated to make the latter an object of suspicion to his protectors; and he secures the person of Chandana Dás, the faithful friend to whose care the ex-minister had entrusted his family (and who refuses to become the instrument of Chánakya), in the full persuasion that when Rákshasa learns the danger of his friend, he will

Be eager to prevent the sacrifice,
And, ere he suffer that this merchant lose
His life for him, will offer up his own,
As much less precious than so dear a friend.

The plot now thickens: the artifices of Chandragupta's minister have raised an apparent rebellion against the prince's authority, by secretly promoting the escape of certain malcontents, who are accompanied by his own creatures, in order that Rákshasa may fall into his toils.

The ex-minister, meanwhile, was not backward in devising expedients to counterwork the machinations of his antagonist, and to overturn the throne of the "base-born" usurper, Chandragupta. But his stratagems were eminently unsuccessful, being foiled by the superior cunning of his rival. One of the plots of Rákshasa was thus detected: he had concealed a party of men in a subterranean chamber which led to that where Chandragupta slept, whom they were to kill in the night. Chánakya, however, inspecting the apartment of the king, observed a line of ants come through a crevice in the wall, bearing the fragments of a recent meal; he thence concluded that the feeders were in an adjoining place, and, commanding the pavilion to be fired, they were destroyed.

By a series of artifices and intrigues, Chánakya at length succeeds in convincing the prince by whom Rákshasa is entertained, that he was the murderer of his father, and had plotted to deliver up the prince himself a captive to Chandragupta, whose minister Rákshasa was supposed to be ambitious of becoming, the office being vacant by the dismissal of Chánakya.

This last measure was a deep stroke of policy on the part of Chánakya, which imposed upon Chandragupta himself. That prince had been incensed at the officiousness of his minister in countermanding a festival, as well as at his lofty behaviour at an interview, where a bard, in the interest of Rákshasa, unwittingly promotes the views of Chánakya, having widened the breach between him and the prince by singing the following verses:

Shall monarchs mighty in innumerable bands
Allow their slaves their hests to disobey?
Shall the gaunt Lion suffer puny hands,

T.

To rend his talons and his fangs away?—
 Is that god-given strength to be reviled,
 From *Brahmá* that proceeds,
 And upon earth on kings alone conferred;
 Or on the monarch of the wild,
 The elephant, who leads,
 Through shady groves and dells, his fierce yet subject herd?
 What makes a monarch? not his throne—his crown—
 But men to work his will—to tremble at his frown.

The expostulation of Chandragupta induces his minister to make an attempt, intentionally feeble, to justify himself. When reproached by the monarch for suffering *Rákshasa* to quit the capital unmolested, instead of arresting him *flagrante delicto*, Chánakya's reply alleges the very ground of defence on which Cicero vindicated his conduct in suffering the escape of Catiline, and in almost the orator's words:

I would not give it public note—his friends
 Were many—of fidelity approved—
 Devoted to his will—inflexibly attached,
 By his own worth, and by long service, to him.
 All too that cherished *Nanda's* memory,
 Made common cause with him, and his vast wealth
 Secured adherents numerous and brave—
 Provided with these hostile means, he long
 Maintained a dangerous ferment in the capital,
 But like a barbed arrow from a wound,
 By dexterous sleight extracted, he was driven
 At length to quit the city, and remote
 Wage an avowed and less alarming enmity.

And he concludes:

'Tis craft that snares the monarch of the woods,
 And stratagem alone must win us *Rákshasa*.

The minister, however, resigns his office, throwing at the feet of Chandragupta his *sastram*, or ministerial dagger. The intelligence of this event excites hopes in the breast of *Rákshasa* that Chandragupta, deprived of his skilful adviser, will be an easy prey; whilst Malayaketu, the prince who protects him, and whose forces are about to advance against Pátaliputra, is prevailed upon by the influence of Chánakya's intrigues to believe that this new energy proceeds from some treacherous design on the part of *Rákshasa*.

In short, the schemes of Chánakya are crowned with complete success. Malayaketu and his confederates fall into his hands, and *Rákshasa* is urged by his generous ardour to save his friend Chandana Dás from the stake by delivering himself up to his foe. This scene deserves to be given at length:

Enter Siddhárthaka as a Chándala or public executioner.

Take heed, my masters, and let every one who values his life, his wealth, his family,—avoid the displeasure of the King, as he would poison.—Sickness is a simple demolition of man's life, and unwholesome diet noxious only to himself; but he and all his perish, if he incur regal indignation. If you doubt what I say, behold this *Chandana Dás* led to execution, and followed by his wife and child. What is that you say?—Is there no chance of his escape?—yes—if he give up the family of *Rákshasa*—how? say you—give up those whom he is pledged to shelter for the sake of his life?—he will never be guilty of so base an action—then be assured of his paying a visit to a better world: so much for you.

(*Enter Chandana Dás, dressed for execution, bearing the stake upon his shoulder, followed*

followed by his Wife and Child, and by Samiddhārthaka, as 2d Executioner, with Attendants and Guards.)

Wife. Ah woe is me!—that such disgraceful fate,
A felon's doom, should close a life of credit!
Ah ruthless destiny!—that barbarous man
Should persecute alike both friend and foe,
The guilty and the innocent confounding!
A savage hunter, who in thickets spares not
The beautiful and inoffensive deer.

Chand. Where is my faithful friend? will none reply
To my last supplications? ah, how few
Approach in adverse season! those alone
Are friends, who hold on with us to the last,
And follow us with eyes suffused with tears.

Sid. This is the place—so now dismiss your family.

Chand. Withdraw, my love, and lead our boy along.

Wife. Forgive me, husband—to another world
Thy steps are bound, and not to foreign realms,
Whence in due time they homeward will return;
No common farewell our leave-taking now
Admits, nor must the partner of thy fate
Leave thee to trace thy solitary way.

Chand. What dost thou mean?

Wife. To follow thee in death.

Chand. Think not of this—our boy's yet tender years
Demand affectionate and guardian care.

Wife. I leave him to our household gods, nor fear
They will desert his youth—come, my dear boy,
And bid thy sire a long and last farewell.

Boy. (*Falling at his feet.*) What must I do, my father, when deprived
Of thee?

Chand. Go dwell where'er *Chánakya* is not.

Sid. Come, Sir, the stake is planted.

Wife. Oh save us, save us!

Chand. Yield not thus to grief.
Exalted Princes, Nanda's glorious sons,
Who stooped to solace misery from the throne,
Have gone before me to the realms of heaven:
And that I die by no infirmity
Of frail humanity, but for a friend,
Is subject of rejoicing, not of tears.

Sid. Come, come, we have delayed too long—bring him, and raise him on the stake
—his family will retire of their own accord fast enough.

Chand. One moment only—let me kiss my boy—
Loved child, adieu—remember, all that lives
Must die—but he that to preserve his friend
Expires—dies with honour.

Boy. Such a lesson
There scarcely needed—for full well I know,
Faith to a friend is still our house's fame.

Sid. Bring him along (*they lead Chandana Dás towards the stake*).

Wife. Oh, mercy, mercy!

Enter Rákshasa hastily.

Rak. Lady, dismiss your fears.
Hold, officers, your prisoner must not suffer.
He who, in safety long unmoved, surveyed

His

His sovereign's fall, the danger of his friends,
And calmly, as if seated at a festival,
Looked down upon their sufferings, comes at last;
To claim, of right his own, these marks of shame,
These garlands and insignia of the grave.

Chand. Oh, what is this?

Rak. The feeble imitation
Of your exalted virtue.

Chand. No—our ruin—
What hast thou done?—think'st thou thy destruction,
A grateful sight to me?

Rak. Hear me, my friend;
Life is to every living creature dear—
In saving thine, I have performed my duty,
And do not heed thy censures—(to the officer)—hence, report
These welcome tidings to your ruthless lord.

Sid. (To *Samiddh.*) Hark ye, comrade, do you lead *Chandana Dás* under the shade
of those trees; I will go and inform his Excellency that *Rákshasa* is secured.

[*Exeunt severally.*]

The interview between the two rival ministers, which occurs in the last scene of the play, discloses the high opinion which each entertains for the other. After mutual expressions of admiration, *Chánakya* reveals to his late rival the means whereby he had foiled his plans, and as a proof of his friendship, he prevails upon *Chandragupta* to bestow upon *Rákshasa* the office of prime minister: it being the main object of *Chánakya* to corroborate the power of *Chandragupta* by reconciling the former and his party to his sway. *Rákshasa*, though he professes to feel "his ancient faith and grief for *Nanda's* race still clinging closely and freshly to his heart," yet finds himself constrained to become "the servant of their foes," and loyally declares—

My only wish is now my sovereign's glory:
Long graced by virtue, and beloved by friends, &c.

There is little reason to doubt that the picture of state morals given in this play is substantially a correct delineation of those which existed at the period it was written. Indirect and crooked policy seems to have been the favourite system of government amongst oriental nations in general from very early periods of royal authority. Craft and intrigue are commended by *Menu* himself as convenient instruments for overcoming a foe. In this play, murder, under certain circumstances, is defined as "prudent policy, not vulgar crime;" and politics are held to be superior to all other considerations:

Those who govern kingdoms must compute
Of friend, or foe, or neutral, as suggested
By principles of state, and not the pleas
Of private feeling, which teach love or hate
To ordinary men.—
Wisdom political turns foes to friends,
And changes friends to foes; like a new birth,
It razes out all memory of past deeds,
Which to remember nought advantages,
As utterly as if they were, indeed,
The long past actions of a former being.

If the play really exhibits, as it probably does, a correct picture of the existing manners, it must be acknowledged that the lasting fidelity and attachment attributed to most of the characters, go a great way to redeem the vices

vices of the system, and afford a very pleasing idea of the private morals of Hindustan.

The two principal characters in this drama are well contrasted :—"Chánakya is violent and inexorable; Rákshasa gentle and relenting; Chánakya's ruling principle is pride of caste; Rákshasa's, attachment to his friends and sovereign; Chánakya revenges wrongs done to himself; Rákshasa, those offered to them he loves; Chánakya with his impetuous passion combines deep design; Rákshasa, notwithstanding his greater temperance, is a bungler in contrivance, and a better soldier than a plotter."

The unity of action is so well preserved in this play, that Mr. Wilson thinks it would be difficult in the whole range of dramatic literature to find a more successful illustration of the rule.

There are few passages in this play which are remarkable. The editor ranks the author considerably below Bhavabhúti and Kálidasa. He displays little imagination, but no want of vigour in his characters or sentiments. The language, though rarely beautiful, is always vigorous, and occasionally splendid.

Some passages, however, are not to be passed over. When Rákshasa revisits the scene of his former greatness and popularity, and contrasts his present with his antecedent state, the following string of comparisons occurs:

This garden too has lost its former splendour;
The shattered walls are like a noble race
By poverty reduced; the lake is dry,
Like a kind heart that pines for luckless friends;
As destitute of fruit the trees, as schemes
Of policy by fate opposing blighted;
And rank grass chokes the fertile soil, like vice
And ignorance, the rude uncultured mind.
These hoarse resounding murmurs of the dove,
Varied alone by the harsh ringing strokes
Of the destroying axe, seem to bewail
The ruin of these shades, whose naked trees,
Leafless and sear, are destined soon to fall,
And yield their limbs to feed funereal fires.
Here on this marble, fractured as my fortunes,
I will sit down and rest.

Descriptions we rarely meet with; the following is from Chandragupta, when he mounts the terrace of his palace:

How beauteous are the skies at this soft season !—
Midst fleecy clouds, like scattered isles of sand,
Upon whose breast the white heron hovers, flows
In dark blue tides, the many channelled stream;
And like the pearly blossoms that unfold
Their petals to the night, the stars expand.—
Below, is Gangá by the autumn led,
Fondly impatient, to her ocean Lord,
Tossing her waves as with offended pride,
And pining fretful at the lengthened way.

The poet has skilfully represented the effect of the sudden stoppage of a cavalcade, when prince Malayaketu is visited by a large party of chiefs, who he desires may halt without.

Jajali. (*Speaking as to persons without.*)

Princes and Potentates—His highness orders
That none shall follow him; here, halt awhile.—

(To the Prince.)

They have obeyed, Sir, and like ocean's waves,
 Pass not the bounds assigned—the steed, short reined,
 Curves his proud neck, and paws the passive air,
 As if to spurn the skies—the stately elephant
 Stops sudden, and the music of his bells
 Is on the instant mute.

The *Retnávālī*, or “The Necklace,” more nearly approaches the comedy of Europe than any other drama in this collection. The personages are historical, and unconnected with mythology; the incidents are fictitious and entirely of a domestic character. The value attached to this play arises from the view which it affords of Hindu manners in a sphere of life secluded from common observation, and at a period of some antiquity.

The author of the *Retnávālī* was a sovereign prince, Sri Hersha Deva, king of Cashmir, who, it appears from the history of that country by Kalhana Pandit (the concluding portion of which has recently been retrieved), ascended the throne A.D. 1113. The play must, therefore, have been written between that year and A.D. 1125, when his reign terminated.

The subject of the fable is the love of Vatsa, prince of Kausámbī, for Retnavālī, otherwise Ságariká, princess of Sinhalá, or Ceylon. A prophecy had declared that whosoever wedded this lady, should become emperor of the world. The minister of King Vatsa, accordingly, solicited her for his master; but Vikramabáhu, her father, refused his suit on the ground that it might give uneasiness to his niece, the lady to whom Vatsa was already married, namely, queen Vāsavadattá. Hearing, however, that the queen was dead, the king of Ceylon despatched his daughter to the court of Vatsa; but the vessel was wrecked on the passage; she escaped, wearing her royal necklace, which forms an incident in the piece. Being taken under the protection of Queen Vāsavadattá, the report of whose death was fabricated with the view of deceiving Vikramabáhu, she becomes enamoured of the king, whom, by means of a picture, and of a conversation between herself and a female friend reported to the king by a talking bird, which overheard it, she inspires with a mutual passion. The rest of the play consists of the endeavours of the two lovers to meet, and of the obstacles thrown in their way by the jealousy of the queen, who succeeds in removing Ságariká. By the instrumentality of a magician, who, by the powers of his art, involves in flames the apartment in which the “ocean maid” is confined, from whence Vatsa rescues her, Vāsavadattá is at length mollified, and consents to the union of her husband with the daughter of her uncle, whose history she learned from the ministers despatched from the court of Ceylon. The drama, therefore, ends happily for all parties.

The fable, though of the romantic kind, is pleasing, and with the exception of the magical part, not improbable. The business of the plot is well conducted, and the interest kept up from beginning to end. There is, indeed, little discrimination of character; and the sentiments and language are rather common and level. Mr. Wilson makes the following observations upon this drama:

The *Retnávālī*, considered also under a purely literary point of view, marks a change in the principles of dramatic composition, as well as in those of social organization. Besides the want of passion and the substitution of intrigue, it will be very evident that there is in it no poetic spirit, no gleam of inspiration, scarce even enough to suggest a conceit in the ideas. The only poetry of the play in fact is mechanical. The structure of the original language is eminently elegant, particularly in the Prá-

krit;

krit; this dialect appears to equal advantage in no other drama, although much more laboured in the *Mālatī Mādhava*; the Sanscrit style is also very smooth and beautiful without being painfully elaborate. The play is indeed especially interesting on this account, that whilst both in thought and expression there is little fire or genius, a generally correct and delicate taste regulates the composition, and avoids those absurdities which writers of more pretension than judgment, the writers of more recent periods, invariably commit. The *Retnāvalī*, in short, may be taken as one of the connecting links between the old and new school, as a not unpleasing production of that middle region, through which Hindu poetry passed from elevation to extravagance.

The translator has given the dialogue of this piece in prose, which, he says, "would have done scant justice to the merits of Kālidās or Bhavabhūti, for with them it would have had to translate lofty imaginings: it is perfectly applicable to the level conceptions of Sri Hershā."

As a specimen of the dialogue, we subjoin part of the opening scene.

THE PALACE OF VATSA.

Enter Yaugandharāyana.

'Tis true—Fate, if propitious, soon restores the absent, and from remotest isles—the wastes of ocean, and the bounds of earth, safe give them to us again—else how chanced it that the fair daughter of the King of *Lankā*, whom, as directed by the seer, we had sent to obtain, and who was by her father, with rich gifts, consigned a bride to our illustrious prince, escaped annihilation?—borne on a plank, the relique of her shattered bark, a merchant of *Kausāmbī* found her floating in mid sea. Her costly necklace spoke her of no common rank, whence with all honour she was treated, and to our capital conveyed. Fate still smiled upon our sovereign. I have transferred the maiden to the honourable keeping of the queen; and now I hear our chamberlain *Babhravya*, and *Vasubhūti*, the minister of *Sinhālā*, who had accompanied the Princess, having by some means reached the shore, are on their way hither, having been encountered by *Rumanvān* on his march to chastise the King of *Kosālā*. I have little need to fear the end of this—but faithful service ever has its cares—the elevation of my master's power is my aim, and destiny co-operates with my design—neither can the seer prophetic err—the king himself alone I doubt, for still he loves to follow where his own inclinations lead—(a noise behind)—Hark, the mellow drum, accompanied with song and shouts, indicates the clamorous rejoicings of the multitude. I suspect the king has come forth to behold from his palace the frolic merriment with which his subjects celebrate the festival of *Kāmadeva* *—Ah—yes, I see him on the terrace: wearied of tales of war, and seeking most his reputation in his people's hearts, he issues forth attended by his companion *Vasantaka*, like the flower-armed deity himself, descended to take a part in the happiness of his worshippers. I will retire to my dwelling, and meditate in tranquillity the measures best adapted to ensure us a fortunate termination of the task we have begun.

[Exit.

(*Vatsa Rājā*, discovered seated, dressed as for the spring festival, and attended by *Vasantaka*.)

Vats. My friend!

Vas. Your majesty!

Vats. I scarcely can express the content I now enjoy. My kingdom is rid of every foe,

* This *Vasantotsava*, *Madhūtsava*, or *Kāmototsava* is a festival held on the thirteenth and fourteenth of Chaitra, at which *Kāmadeva*, the God of Love, was formerly worshipped. The season was one of much merriment, and the genial influence of returning spring was hailed with music and jollity. Part of the amusement consisted in throwing over each other, by means of syringes, water or fine powder, coloured with saffron, or with other yellow or red pigments, and scented with perfumes. A more elegant missile, commonly used in some places, is rose leaves, large baskets and trays of which are prepared for that purpose. The festival of *Kāmadeva* holds its place in the kalendar, but its observance is restricted to a few places. In fact it seems to have merged into the *Phalgūnotsava* or *Holi*, celebrated a month before, when the like merriment and affusion of coloured powder or water takes place. In the south of India, *Kāma* is worshipped at this period also, which still further identifies the origin of the festival, although it has undergone some important modifications in date and purpose.

Soe, the burthen of my government reposes on able shoulders, the seasons are favourable, and my subjects prosperous and happy. In the daughter of *Pradyota*, I have a wife whom I adore, and in thee, *Vasantaka*, a friend in whom I can confide : attended by thee, thus, at such a season, and so disposed, I might fancy myself the deity of desire, and this vernal celebration held in honour of myself.

Vas. Excuse me ; since you admit me to be a part of it, I shall even claim the whole, and so highly exalted by your regard, I shall maintain that the festival is mine. Observe the general joy—as if intoxicated with delight, the people dance along the streets, sporting merrily with each other's persons, and mutually scattering the yellow tinted fluid. On every side, the music of the drum, and the buz of frolic crowds fill all the air. The very atmosphere is of a yellow hue, with clouds of flowery fragrance.

Vats. Yon lofty mansion opposite to us is occupied by a merry band. I knew not that *Kausambi* was so wealthy. She outvies the residence of the God of Wealth ; her numerous sons are clad in cloth of gold, sprinkled with the fragrant dust of the colour of dawn, or tinted with the saffron dye, decked with glittering ornaments, and tossing their heads proudly with splendid crests, fit for *Kâma* himself. The soil, plashy with the frequent shower and tread of numerous feet, is converted into vermilion paste, as the artificial bloom is washed down from the cheeks of the maidens, and mingled with the ground.

Vas. See where a coloured shower falls on a thick and struggling crowd, shrinking in vain from the mischievous pipes of those mirthful maids.

Vats. I should compare the city to the subterranean world, where the Snake Gods dwell. The mischievous pipes are crested snakes—the scattering dust, of yellow fragrance, sheds unearthly dimness, and the gleaming tiaras dart through it such radiance, as beams from the serpent jewels.

Vas. Look, Sir, where *Madanikâ* and *Chûtalatikâ* approach us—their gestures indicate the influence of the divinity of the season.

Enter Madanikâ and Chûtalatikâ,

Two of the Queen's attendants, dancing and singing.

Mad. Cool from the southern mountains blowing,
Freshly swells the grateful breeze,
Round with lavish bounty throwing,
Fragrance from the waving trees.

To men below and gods above,
The friendly messenger of Love.

Chuta. Lightly from the green stem shaken,
Balmy flowrets scent the skies—
Warm from youthful bosoms waken

Infant passion's ardent sighs—
And first the maiden's heaving breast
Welcomes its delightful guest.

Both. Nor alone the tender blossom
Opens to the smiling day,
Lordly man's expanding bosom,
Buds beneath the genial ray ;

And Love his flowery bow-string strains,
And o'er the world resistless reigns.

Vats. I perceive indeed the influence of the season expressed in their appearance ; the fillet of the one is loosened, and her long tresses float dishevelled to the air—the necklace of the other seems too weighty for her languid frame, though she plies her tinkling anklets with more than wonted activity.

Vas. I will gird up my garb, and join them, shall I, in compliment to the festival ?

Mr. Wilson has appended to this collection of specimens of the Hindu stage, short accounts of other Sanscrit dramas, inferior to those which he has translated, yet not without merit, though a considerable portion of

them, he says, would have ill-repaid the labour of rendering them into the English language. The particulars he has given of these subordinate pieces include outlines of the plot, and occasionally specimens of the dialogue. We shall close our analysis of the contents of this curious work with Mr. Wilson's account of one of the minor pieces in the appendix, the *Kautuka Servaswa*.

This is also a *Prahasana*, or farce in two acts, and is especially a satire upon princes who addict themselves to idleness and sensuality, and fail to patronise the Brahmans. The hero is *Kalivatsala*, or the darling of the age of iniquity; he is sovereign of *Dhermanásá*, or the destruction of virtue, and he takes as his spiritual guide, *Kukerma-panchánana*, the *Siva* of iniquity. *Satyacharya*, a pious Brahman, returned from *Vrindávan*, who is treated by the king and his courtiers with great indignity, holds the following conversation with his brethren in jail.

Satya. How now, holy Sirs, how fares it with ye?

Brahmans. We once had lands in free gift.

Satya. What then?

Brahmans. Why, know you not the customs of this country? If the god of wealth owned lands here, that yielded but a grain of corn, the king would send him in three days to beg alms, clad in tatters, and with a platter in his hand. The characteristics of our sovereign are, love of untruth, passion for other men's wives, fondness for the intoxicating juice of *Bhang*, esteem for the wicked, addiction to vice, and detestation of virtue.

Satya. You say right. What chance is there for the good? The king is unwise, his associates are wicked, his chief counsellor is a knave, and his minister a scoundrel. Yet the people are many; why is not such misconduct resented?

Brahmans. The manners of the people are equally depraved; they are valiant in oppression, skilful in falsehood, and persevering only in contempt for the pious.

Satya. How are the scribes?

Brahmans. They collect the revenues by any expedient, and vigilantly inflict penalties on the wise. The Brahmans are not allowed to keep even the dust upon their bodies; the dust accumulated on their feet is claimed by the *Kayeths*. What can we say of this reign? The dumb alone speak truth, the deaf hear the law, the sons of the barren are well behaved, the blind behold the observance of the Scriptures.

Satya. Why do not men of merit quit the country?

Brahmans. Our dwellings have been given to courtesans, our lands to drunkards, and we are detained in prison for what our ancestors expended.

Satya. I have heard enough. It is sinful to hold any communication with the profane. Better fortune attend you!

There is some bitterness in this, and there is also some humour in the piece, especially at the expence of the General *Samara Jambúka*, the jackall of war, who boasts that he can cleave a roll of butter with his falchion, and is said to tremble from top to toe at the approach of a mosquito. There is also some rather bold censure of the immoralities of the *Puranas*.

Dhermánala. What says the law? Thou shalt not commit adultery.

Kukerma. The language of fools. So much of the law as the sages and gods themselves observed, be our guide, not such commands as they contemned, like this. *Indra* deceived the wife of *Gautama*. *Chandra* carried off the bride of his *Guru*. *Yama* enjoyed the spouse of *Pándu* in her husband's shape, and *Múdhava* debauched the wives of all the cow-herds of *Vrindávan*. Those conceited fools, the *Pándits*, imagining themselves sages, alone have made this a sin.

Dherm. But this is the precept of the *Rishis*. How answer you to that?

Kukerma. They were impostors. Becoming too old to relish pleasure, they condemned it, and out of envy forbade to others what they could no longer enjoy themselves.

All. Very true, very true. We never heard such orthiodox doctrine before.

In

In consequence of this and similar decisions, the king orders vice to be proclaimed virtue by beat of drum, and the piece concludes with the perpetual banishment of all the Brahmins.

There is more humour in this than any of the other farces, and less indecency, although it is not wholly free from the ordinary fault of these attempts at wit. Hindu comedy, however, is not worse than the old comedy of the Greeks in this respect, and the indelicacy is attributable in some degree to the constitution of society in both instances, and the exclusion of women from public entertainments.

The *Kautuka Servasva* is the composition of a pandit named *Gopinath*: the date is not known, but it is not likely to be ancient, as it was written for representation at the autumnal festival of the *Durgá Pujá*, a ceremony peculiar to the province of Bengal, and no doubt, as there practised, of comparatively modern institution.

We are not tempted to overburthen the reader with general reflections upon these interesting specimens of a branch of Hindu composition hitherto so little known. The copious analyses and extracts we have given of the respective pieces, and the brief critical remarks bestowed upon each, will almost put him in a condition to appreciate their merits: and to attempt a laboured comparison between the Hindu and other dramas would be a waste of the reader's time, as well as our own. There is an air of originality about the Hindu drama: all coincidences, whether technical or otherwise, between it and others, are obviously accidental. A people like the Hindus, whose religion, character, manners, and institutions are so peculiar, must discover, in that department of its literature wherein those peculiar properties are visible, broad lines of distinction which would necessarily isolate it.

The dramatic literature of the Hindus will, we think, obtain for them a reputation amongst western nations not yet conceded to their epic and narrative poetry, and may, perhaps, tend to reconcile European students to the cultivation of Sanscrit learning.

It is worthy of remark, that amongst Asiatic poets, there are certain favourite objects, in each country, which are employed in metaphors and similes so frequently that the repetition becomes almost nauseous. Flowers, for example—the Persian poets illustrate their sentiments by incessant allusions to the rose; the Chinese bards pay assiduous court to the peach-blossom; and those of Hindustan are tiresome in their applications of the lotus: in one of the plays before us, *Vikrama and Urvashi*, the lotus is introduced in various comparisons, illustrations, and metaphors, nearly twenty times! It should be observed that this flower is considered to be of two kinds, the one expanding with the rising sun, the other with the moon: it thence supplies a great variety of similitudes. The lotus is, moreover, a sacred plant in the estimation of the Hindus, and is occasionally employed by their writers with special reference to some deity.

We cannot terminate our notice of this edition of Hindu plays without a distinct testimony to the singular merits of the editor, who has displayed his various talents to great advantage. Perhaps no oriental scholar, so profoundly versed in Sanscrit learning as Mr. Wilson, could bring to the task so many other essential qualifications as himself.

OBSERVATIONS ON MR. MILL'S "HISTORY OF BRITISH INDIA."

PREFATORY REMARKS.

THE following observations are offered with the view of obviating, in some measure, the serious mischief which Mr. Mill's History of British India is calculated to occasion. No one who has read that extraordinary performance can hesitate to admit, that its tendency is to lower the East-India Company in the eyes of the whole civilized world. Mr. Mill has, indeed, in one or two instances, eulogized the Company in regard to their *intentions* towards the people of India, but these praises can have no other effect than that of exciting a smile by their outrageous contradiction to the inferences forced upon the reader by the general tenour of the History. In spite of these eulogies, the following are the impressions which the work has an inevitable tendency to produce:—that the Company owe their origin, as a mercantile body, to an odious and impolitic spirit of monopoly; that their existence in that capacity has occasioned, and still occasions, a heavy loss to the nation in a commercial point of view; that in their territorial and political character, most of the measures by which they have acquired the great British empire in the East, are of a nature which is calculated to reflect disgrace upon the British name; whilst in the government of that empire, the whole of their policy, foreign and domestic, displays marks of the grossest injustice, ignorance, and folly, and has now placed the people of India in a worse situation than that in which they were before their subjection to British sway. No reader of Mr. Mill's history will dispute the truth of the character here given of its nature and tendency; and it will moreover be abundantly established by the succeeding extracts.

That the work is adapted to produce extensive mischief is evident from the following considerations. It happens, unfortunately, to be the only general history of British India in existence, and it is read, consequently, by every one who wishes to acquire that political knowledge of our Indian possessions, which no work except a general history is able to convey; and as it displays throughout marks of extensive learning and laborious research, the reader finds a difficulty in believing, that an author who manifests such uncommon industry in the collection of his facts, can err very far in his inferences: the delusion being strengthened by the invariable tone of self-confidence in which all the arguments are delivered. To these causes we must consider it to be owing, that the work, though composed in a style repulsive, and in some parts offensive, has passed through several editions in England, and has already been translated into a foreign language. It would be trifling with the time of the reader to use arguments to prove, that, under these circumstances, the errors contained in this History must produce the worst effects on the public mind in England, in young men going out in the civil or military service of the East-India Company, and likewise in the minds of the natives of the British possessions in the East.

The only efficacious method of counteracting the evils arising from Mr. Mill's work, would be to compile another entire history of British India; but there is reason to think that much good may be effected by pointing out some among the numerous errors he has committed both in his facts and in his reasonings. The exposure of these errors will certainly tend to diminish his general authority as a writer; it will prove him not to be that historical and political oracle which he imagines himself to be, and which, there is reason to believe, he

he is considered by many others; and in this manner it will counteract much of the mischief, until the appearance of a more just and candid history may entirely supersede the necessity of referring to the pages of Mr. Mill.

That a history of this nature may soon be given to the world is most anxiously to be wished; and the author of the following observations cannot avoid flattering himself, that they may possibly hasten the appearance of so desirable and important an accession to the literature of Britain.

OBSERVATIONS ON BOOK 1ST.

(From 1527 to 1707.)

In the first book of Mr. Mill's History, the fact most worthy of notice is, that throughout the period it embraces, it represents the East-India Company in the light of a body of men maintaining themselves in the enjoyment of an impolitic and unjust monopoly by unjust and frequently atrocious measures. In his observations on this book, the writer will first endeavour to shew that the character which it affixes to the general conduct of the Company is a gross calumny; and then point out several other errors committed by Mr. Mill both in his facts and reasonings.

Near the commencement of the book it is stated, that the injury sustained by the Company, in the trading license granted by James I. to Sir Edward Michelborne in 1604, was compensated in 1609, "when the facility and indiscretion of King James encouraged the Company to aim at a removal of those restrictions which the more cautious policy of Elizabeth had imposed."* A little farther on they are censured for following the example of all other exclusive companies, in treating "every proposal for a participation in their traffic as a proposal for their ruin."† In chapter 3d, speaking of the license to trade given by Charles I. in 1634 to Sir William Courten, Mr. Mill tells us that "the inability early and constantly displayed by the Company to sustain even the slightest competition is a symptom of inherent infirmities."‡ In the succeeding chapter, the success of the Company in obtaining a renewal of their charter in 1661 is sarcastically ascribed to the "predilection of Charles II. and his ministers for easy rules of government."§ Shortly afterwards we are told, that "the Company were again threatened (1683) by that competition with their fellow citizens which they have always regarded as their greatest misfortune."|| Towards the middle of the fifth chapter, they are represented as struggling against "the principles of liberty, now better understood, and actuating more strongly the minds of Englishmen;"¶ and a few pages farther, in relating the application made to the legislature by the association of merchants, which afterwards became the English Company, Mr. Mill thus expresses himself: "The new associators, though thus strong against the particular pleas of their opponents, were debarred the use of those important arguments which bore upon the principle of exclusion; and which, even in that age, were urged with great force against the Company. They, who were themselves endeavouring to obtain a monopoly, could not proclaim the evils which it was the nature of monopoly to produce."**

Whilst Mr. Mill thus speaks of the exclusive privileges possessed by the Company, he represents many of the measures, which they adopted for the preservation of those privileges, as acts of a most criminal nature. It is in this light, especially, that he endeavours to place the following proceedings: the obtaining power from the Crown in 1624 to try their servants in India by martial

* Page 26. † Page 37. ‡ Page 61. § Page 82. || Page 100. ¶ Page 110. ** Page 180.

martial law;* the procuring the powers of admiralty jurisdiction (in 1683) to seize and condemn the ships of interlopers in India;† and the general severity with which they prosecuted all infractions of their chartered rights.‡

In order to perceive the extreme injustice of attempting to bring odium on the Company's exclusive privileges, we have to attend to the following considerations:

The Company was instituted for the purpose of carrying on trade with a distant and almost unknown country, and in opposition to the pretensions of Spain, at that time the most powerful empire in Europe, which claimed the right of an exclusive commerce with the East-Indies, and which, by the possession of considerable territories with forts and harbours in different parts of Asia, seemed capable of rendering every attempt by other nations to navigate the Indian ocean an undertaking of no small difficulty and danger. Five years before the establishment of the Company, the Dutch had commenced a trade with the East, and they soon evinced their intention to follow the example of the Portuguese, by occupying harbours and building forts in those parts with which they established an intercourse; and whilst the English were prohibited by the Portuguese from trading with one quarter of India, they soon received a similar prohibition from the Dutch in regard to another.

The general nature of the competition which the Company had to sustain in the East, during the first century of their history, cannot be better shewn than by the following extracts from Mr. Mill's History:

The rivalry between the East-India Company and the other nations of Europe includes, for a considerable time, the principal incidents of their history. The Portuguese, on the pretence of discovery, had long maintained an exclusive claim to the passage by the Cape of Good Hope: they had, partly by conquest, partly by agreement, made themselves masters of Goa, Bombay, and other places on the Malabar coast; of Aden, at the entrance of the Red Sea; of Ormus, in the Persian Gulf; of part of the Malay coast, in the Straits of Malacca; of the Molucca islands, and of the coasts of Ceylon, the most valuable of all the Eastern islands; they were possessed of factories in Bengal and in Siam; and they had erected Macao on the coast of China.§ At the time when the Dutch commenced their voyages to the East, the crown of Spain was engaged in enterprizes of so much importance in other quarters, and so much engrossed with the contemplation of its splendid empire in the New World, that the acquisitions, in the East-Indies, of the Portuguese, now become its subjects, were treated with comparative neglect. The Dutch, accordingly, who entered upon the trade with India with considerable resources and the utmost ardour, were enabled to supplant the Portuguese in the spice trade, and, after a struggle, to expel them from the Molucca islands.¶ While the want of funds almost annihilated the operations of the Company's agents in every part of India; and while they complained that the competition of the ships of the merchant adventurers rendered it, as usual, impracticable for them to trade with a profit in the markets of India; the Dutch pursued their advantages against the Portuguese. They had acquired possession of the island of Ceylon, and in the year 1656-57, blockaded the port of Goa; after which they meditated an attack upon the small island of Diu, which commanded the entrance into the harbour of Swally. From the success of these plans they expected a complete command of the navigation on that side of India, and the power of imposing on the English trade duties under which it would be unable to stand.¶

Such is the view given by Mr. Mill himself of the opposition which the Company experienced from the Portuguese and Dutch; and when we reflect, moreover, on the sanguinary contests in which they were, as a necessary consequence,

* Page 52. † Page 102. ‡ See chiefly pp. 88, 111, 112. § Page 35. ¶ Page 36. ¶ Page 78.

sequence, frequently engaged with those two nations, we see clearly that the competition to be sustained was no less of a warlike than a mercantile character. It is upon this ground that their claim to exclusive privileges is completely justified. In order to continue their commerce with India, it was necessary for them to obtain, not only the usual gains upon commercial capital, but so much additional profit as to enable them to bear the expence which a state of hostility rendered unavoidable. Their adversaries having acquired territory, and established forts as well as factories in different parts of India, the Company, for their own preservation, were forced to follow that example; and all they had to enable them to meet the expense of this necessary course of policy were the profits which an exclusive trade alone could realize. Mr. Mill, indeed, endeavours to point out a way in which Great Britain might have continued her commerce with the East without bestowing exclusive privileges on any particular association. He observes that, "as to warlike competition, a few ships of war, with a few companies of marines, employed by the government, would have yielded far more security than all the efforts which a feeble joint stock could make."* The observation betrays a remarkable ignorance of, or inattention to, this fact—namely, that without forts, harbours, and naval stations, such as had been occupied by the Portuguese and Dutch, a fleet of men-of-war sent to the Indian ocean could have been of little or no service. But, be this as it may, the government, it is certain, did not think proper to take upon itself the protection of the Company's trade in the East. Under those circumstances, therefore, that body were entitled to the exclusive privileges by which alone their commerce could be preserved from destruction.

We shall now see that Mr. Mill, in endeavouring to stamp an odious character on the Company's monopoly, has not more sinned against justice than in the manner he has thought proper to speak of the principal measures by which they sought to secure the enjoyment of their chartered rights.

Of the petition presented by the Company to the crown in 1624, for power to try their servants abroad by martial law, Mr. Mill speaks in the following severe terms:—"It appears not that any difficulty was experienced in obtaining their request, or that any parliamentary proceeding for transferring unlimited power over the lives and fortunes of the citizens was deemed a necessary ceremony." The first thing, which strikes our attention in reference to this point, is, that throughout the period of eighty-four years comprehended between 1624 and the year with which the first book terminates, no mention is made of a single instance in which this power of martial law was abused. In several cases the power of martial law was exercised, and all these serve to shew the expediency, or rather the necessity, of vesting the Company with the power in question; but not one instance is mentioned of this power being abused. This consideration must alone be sufficient to prove that, on the score of humanity, it was no objectionable measure on the part of the Company to procure the right of exercising martial law.

With regard to the powers of admiralty jurisdiction obtained by the Company in 1683, the language of Mr. Mill is marked with the utmost asperity. "The Company," he observes, "not satisfied with the power which they had already obtained of common and martial law, and of seizing, with their property, and sending to England as many of their countrymen as their interests or caprice might direct, still called for a wider range of authority; and under the favour of government, which they now enjoyed, obtained the powers of admiralty

admiralty jurisdiction for the purpose of seizing and condemning, safe from the review of the courts of municipal law in England, the ships of the interlopers."* Speaking of the exercise by the Company of these powers of admiralty jurisdiction, Mr. Mill observes, that that body "proceeded, in a spirit of virulence, to extinguish the hated competition of the general traders;" and, he adds, that the "cruelty which marked their proceedings would be hardly credible, if it were less strongly attested."† After all this, a reader is prepared to expect a long series of atrocities committed by the Company against the interlopers; but he finds, to his astonishment, that nothing farther is alleged than that they seized and imprisoned, or sent home, a certain number of individuals whose appearance on the Indian ocean of itself violated both the rights of the Company and the laws of England. The most ample justification, however, of the Company's conduct may be found in Mr. Mill's own words. Speaking of the period with which we are engaged, he says:

As the science and art of government were still so imperfect as to be very unequal to the suppression of crime, and robberies and murders were prevalent even in the best regulated countries in Europe; so depredation was committed on the ocean under still less restraint, and pirates abounded, wherever the amount of property at sea afforded an adequate temptation. The fame of Indian riches attracted to the Indian seas adventurers of all nations, some of whom were professed pirates; others, men preferring honest trade, though, when they found themselves debarred from this source of profit by the pretensions and of power monopoly, they had no such aversion to piracy as to reject the only other source of which they were allowed to partake. The moderation which, during some few years, the Company had found it prudent to observe in their operations for restraining the resort of private traders to India, had permitted the increase of the predatory adventurers. As vessels belonging to Mogul subjects fell occasionally into the hands of plunderers of the English nation, the Mogul government, too ignorant and headlong to be guided by any but the rudest appearances, held the Company responsible for the deeds of their countrymen; and sometimes proceeded to such extremities as to confiscate their goods and confine their servants.

Is it not almost incredible that the same person who could write thus should apply the epithet of "cruel" to such measures as the seizing and sending to England individuals whose appearance alone on the Indian ocean amounted to a violation of the rights of the Company, and of the laws of their country? Under any circumstances the Company would have been justified in endeavouring to suppress the contraband trade in question, but most especially when it subjected them to the plunder, confiscation, and other evils, which Mr. Mill describes to have been, in a great measure, the consequence of the resort of the interlopers to the Indian ocean; and in maintaining a contrary opinion, after the facts he himself relates, he is evidently guilty of an inconsistency which may be regarded as astonishing.

With respect to the proceedings of the Company against particular interlopers, Mr. Mill is able to mention only a single case in the first century of their history, in which the justice of their conduct can be considered in the least doubtful; and in this it is nothing more than doubtful. The case is that of Skinner, memorable from the contest to which it gave rise between the two houses of Parliament. The government of Oliver Cromwell had granted permission to private traders to carry on commerce with the East; but this licence was withdrawn in 1657, and in the following year the Company caused the ship and merchandize of Skinner in India to be seized. Skinner averred that he had fitted out his adventure before the licence for private trade was withdrawn;

* Page 102.

† Pages 111 and 112.

withdrawn; the Company maintained that he had commenced his voyage after the revocation of the license; and to this day it is doubtful which party was in the right; at least the matter is left totally uncertain by Macpherson, the only authority that Mr. Mill has quoted upon the subject. Skinner carried his case at once to the House of Lords: and the Company having appealed to the Commons against the right of the Upper House to take cognizance of a case which did not come before it by appeal from an inferior court, a violent dispute took place between the two branches of the Legislature, in the course of which Skinner was committed to prison by the Commons, whilst the Governor, Deputy Governor, and two other directors of the Company, received the same severe treatment from the Upper House. The dispute reached so great a height, that the King, after adjourning the two houses no less than seven times, finally prevailed on them to erase all the votes and resolutions upon the subject from their journals;* and Skinner received no award of damages against the Company. In the account of this case, while Mr. Mill takes care to relate, very feelingly, that Skinner was committed to prison by the Commons, he omits all mention of the Upper House having exercised the same severity against the principal officers of the Company;† and, in conclusion, although Macpherson, the sole authority he quotes, leaves it a matter of total uncertainty whether Skinner was entitled to any compensation for his losses, Mr. Mill thus expresses himself:‡—"A contest, of which both parties (Lords and Commons) were tired, being thus ended, the sacrifice and ruin of an individual appeared, as usual, of little importance. Skinner had no redress." The whole account may be dismissed with the single remark, that it forms a fair specimen of the spirit in which the history appears to have been written throughout.

Having endeavoured to expose the principal fault in Mr. Mill's first book—namely, the calumnious spirit in which it speaks of the Company's exclusive privileges, and of the measures by which they guarded their rights, the writer will briefly notice several other errors which it discovers; beginning with one which partakes of the leading defect just mentioned.

Speaking with the most philosophic coolness of the massacre of Amboyna, Mr. Mill remarks, that although the sufferers in that dreadful atrocity were innocent of the crime imputed to them, there is no reason to think that the Dutch did not feel fully persuaded of their guilt. His ground for this opinion is the impossibility of suspecting that men reared in European society, and professing the Christian religion, should cruelly put to death so many human beings whom they knew to be innocent. It is gratifying to observe a person, possessed of so *profound* a knowledge of mankind as is displayed in Mr. Mill's writings, reluctant to believe that the massacre of Amboyna was altogether so black an atrocity as is commonly imagined; but on reading a little farther we are sensibly mortified to find that this lenient view of human nature is confined to the Dutch, or at least that it does not extend to the English, since Mr. Mill can believe, on the authority of a single writer, that about the time of the massacre, the English East-India Company "were in the regular habit of perpetrating tortures upon their own countrymen, and even their own servants—of torturing to death by whips or famine!"§ He considers a sufficient

* See Parl. Hist. ad an. 1670, and Macpherson's Annals, vol. II. p. 463.

† It is possible that Mr. Mill may not have read the account of Skinner's case in the Parliamentary History, which relates the imprisonment of the Company's officers by order of the House of Lords. If so, he has in this instance been guilty of gross negligence.

‡ Page 88.

§ Page 46, note.

sufficient proof of such facts as these to be furnished by the sole unsupported authority of Hamilton, an ignorant, illiterate interloper, who lived long after the alleged crimes are alleged to have been committed, and who was prompted by motives of revenge to represent the conduct and character of the Company in the blackest colours. It may be deemed truly marvellous that a writer, who cannot bring himself to believe that the Dutch, without a persuasion of the guilt of their victims, were capable of perpetrating the massacre of Amboyna, should think such slender and doubtful authority sufficient to convict his own countrymen of equal atrocities.

In page 26, Mr. Mill represents an engagement, near Swally, between some of the Company's ships and the Portuguese, to have occurred in 1611, whilst Mr. Bruce, his sole authority, says it took place in the November of the following year; and in the same page he tells us that the phirmaun of Jehanguire, authorizing the first establishment of the English in the peninsula of Hindoostan, was received at Surat in January 1612, although Mr. Bruce, again his sole authority, places that event in 1613.* We are informed in page 35 that Ceylon is the most valuable of all the eastern islands, notwithstanding that its inferiority in value to Java is so well known. In page 48, Holland is carelessly mentioned as being a *kingdom* at the commencement of the seventeenth century, although it had then, for a considerable length of time, been a republic; and in page 60, it is related that contentions were running high between Charles I. and his parliament in 1635, although in that year no parliament was in being, and none existed between 1629 and 1640. Speaking, in page 79, of the charter for which the Company applied to Oliver Cromwell's government in 1657, Mr. Mill states that it is not ascertained whether it was ever received; whilst Mr. Bruce, in this case also the sole authority that is quoted, asserts positively that it *was* received.†

These are some of the errors into which Mr. Mill has fallen in so short a space as his first book; and although they are by no means of the same consequence as that capital defect of the history, which consists in the spirit of calumny towards the Company, which it so constantly displays, it is of some importance to point them out, since an exaggerated idea has certainly been formed of the accuracy of this writer with regard to facts. There are many persons, entertaining a very mean opinion of Mr. Mill's reasonings, who are forward to express much admiration of the pains he has employed in the collection of facts; but the errors which have been noticed, together with the many that remain to be pointed out, are sufficient to prove that the accuracy of the historian is by no means so great as is frequently imagined.

* See Bruce's *Annals*, vol. I. p. 164.

† *Ibid.*, p. 529.

JOURNAL OF A ROUTE THROUGH MYSORE, THE COORG COUNTRY, CANARA, AND MALABAR;

Performed in the course of a Survey, in the Years 1804 and 1805,

BY THE LATE LIEUT. COL. WM. LANBTON.

MULLAPUNNABETTA is noticed only as being one of my principal stations in carrying on the survey, and whose meridian has been fixed with great accuracy. It is a hill lying about seven miles nearly west from Chenroyapatam, and has a pagoda on the summit, on the platform of which is the station marked by a small mill-stone. Its situation is very favourable for being of use in the surveys of roads, &c., and is in the neighbourhood of many others whose positions have been determined. It lies in latitude $12^{\circ} 55' 07''$ N, and longitude from Madras observatory $3^{\circ} 57' 59''$ W.

From this hill is seen a great extent of country. There is a full view of the mountains which form the range of western ghauts, of the Bababooden hills, and others in that direction. All this district, and particularly that part of it lying to the north-west, abounds with large fortified villages, the most respectable and populous of any in the Mysoor country. Chenroyapatam, Hassee, and Bailoor, are all seen from Mullapunnabetta, and the more distant objects are numerous, the whole extent from the Shevagunga and Saven-droog range to the western ghauts being visible, and contains a vast number of prominent objects well adapted for military surveys. The country from the north, round by the eastward to the south, appears like a vast plain richly cultivated, well supplied with water, and adapted for every kind of military movement. The great road from Chenroyputtum to Monjerabad passes near the foot of the hill.

November 23d.—Left Mullapunnabetta and marched to Kubbetta, about twelve miles to the westward. The road is a by-path the whole way; the country is a little broken and partly cultivated, with plenty of water. The ground admits of strong positions, being defended on every side by hills, and pagodas on the tops of them, with small ridges, tanks, &c., and sufficient space for large encampments. The village of Kubbetta is to the S.E. of the hill, nearly at the foot of it.

November 24th.—Marched to Koondoorbetta, being distant about twelve miles nearly in a W.S.W. direction. The country is much broken, though the road admits of being made good. The features of the country here are altogether different from what we see to the eastward. The hills are covered with a light jungle growing on a beautiful turf, and partly in cultivation. The vallies are flats well supplied with water, and are all luxurious rice grounds. The soil in general is of a darkish sand, and much richer than that to the eastward. We crossed the Yeagachewhoty river about half way in the march. This river has its rise among the Bababooden hills, passes Bailoor, and falls into the Hemawattee, a little way below where we crossed it.

Koondoorbetta takes its name from a village (named Koondoor) a little way to the north-eastward. It is one of my principal stations, and is well adapted with many others laid down in the plan for carrying on military and other surveys.

November 26th.—From Koondoorbetta we marched to Kensama Ooscotta, a large village on the borders of the Bullum district, and on the great road from Chenroyapatam to Mangalore. The distance from Koondoor is about eight miles through almost a continued jungle; some parts of the road are very good,

good, and other parts broken, though capable of being made practicable. The face of the country is beautifully romantic, the hills are of gentle acclivity, free from underwood, the timber of light growth, of great variety, and the surface of the ground covered with a green turf. The soil is a darkish loam and produces rich crops, particularly in the vallies where cultivation is mostly attended to.

Munjerabad lies about eight miles N.W. from this place; the road crosses the Hœmawattœ river, which divides the Bullum country from Mysore.

We now approach the great range of mountains forming the western ghauts, and which constitute a natural and almost invulnerable barrier towards the sea-coast, overlooking the low countries of Canara and Malabar, which commence at the foot of the mountains. The districts above are Bullum, the Bednore, and the Koorg. The Bullum begins near this, and occupies the great re-entering turn of the range. The Bednore district lies to the north, and continues from Ballaroyndroog northerly beyond the limits of this survey; to the south is the Koorg, which runs southerly to the Poodicherrum pass, and by a late cession of territory extends below the ghauts almost to the sea-coast. The nature, features, and produce of these three districts nearly resemble each other. Each is formed of high hills and deep vallies, naturally fertile and very populous: the mountains are mostly bare, while the ravines are covered with thick jungle, and in many places ancient forests, inhabited by a variety of wild animals. The duration of the rains, which commence in the middle of May and continue till November, gives rise to a number of large as well as small rivers that flow the whole year, and take different directions. The Cavery has its source in the Koorg, and the Toomboodra among the Bobabooden and neighbouring hills. These two great rivers, issuing to the eastward, are obliged by the superior elevation of those high mountains to continue their course in that direction; and the Cavery, after a circuitous route, finds its way to the eastern sea, while the Toomboodra falls to the N.E., and empties itself into the Kistna. The waters which fall to the westward rush down into the lower districts of Canara and Malabar, and form innumerable little rivers which intersect these countries and fall into the sea at a great number of places.

There are two great roads leading through the Bullum to Mangalore; the one generally frequented is that leading down the Bisalee ghaut to the north of the Soobramanee mountain. The other passes by Munjerabad and down the Cissel ghaut. I have not seen either of these passes, but the Bisalee is said not to be difficult, but long.

On the 28th November we left Kensama Ooscotta, and proceeded through the Koorg, which commences about four miles south from Ooscotta on the south bank of the Hœmawatta. At this river we were met by the Rajah's people, and two elephants for our accommodation; we forded the river on these animals, and proceeded thence to Hoodlipett, a village about four miles further south. The ford is not difficult nor the river deep, but the banks are rather steep. From the river to this village is an open country with some breaks, but the road is not bad. The Rajah had directed such strict attention to be paid to us, that not a follower was allowed to pay for an article, and to have declined accepting these marks of hospitality would have caused great mortification, if not offence. I therefore permitted my people to receive every thing gratis.

The village of Hoodlipett had formerly been very extensive, but was nearly destroyed some years ago by the late Tippoo Sultaun; at present it consists of one street and a kucheree.

On

On the 29th we marched southerly to Gondhully, a village near ten miles from Hoodlipett, and over hill and dale the greatest proportion of the way. The first part is open, with some scattered trees and shrubs; the lowest parts of the vallies are cultivated with rice, the chief grain in the Keorg. The country soon became wild and woody, but the road had been opened for us through a forest hitherto impassable, and is now almost a gun-road with very few serious impediments; the continual succession of hills and vallies present the chief difficulties. We are attended on the march by a large hunting party, consisting of near 200 men, intended to amuse us after we came to our ground: about two hours after our arrival we went out to enjoy the diversion, and in this romantic country it was truly entertaining. The game consists of elk, deer of various kinds, hares, wild hogs, &c., and the hunters are divided into two sets, one with sticks, whose business it is to range over the ground and start the game; the other set are provided with matchlocks, and are stationed behind the trees and bushes, arranged in such a manner as to fire in particular directions. These are scattered about, and place themselves near the paths frequented by the animals. During all this time the ranging party are screaming in all directions, accompanied by the wild notes of the colony-horn, tom-toms, and occasional firing by the matchlock-men. In this manner the remainder of the morning was passed, while we were seated in trees prepared for us, attending to the diversion of the chase. In these woods are great numbers of wild elephants.

The Keorg, like all mountainous countries, is strong by nature, being full of heights and ravines, with a great proportion of wood-land, and every rising ground would present a new impediment to an invading army; there would be, besides, two rivers to cross, the Homawattée and the Cavery. The supplies would be but scanty, for though the soil be very rich, and the country populous, the cultivation is but trifling, the chief food of the inhabitants being the flesh of animals killed in hunting, with a little rice and milk; cattle, however, are in great abundance, and in high condition from the luxuriance of the pasture; but *basar* articles must be had from other quarters. The whole country is well supplied with water in every season of the year. We crossed the great road from Ramnakporum to Soobramanee not far from this village.

On the 30th we continued our march to Somawurpett, about ten miles in a S.W. direction, still attended by our hospitable hunters and our *vakeel* (Mootanah), whose name is worthy of being mentioned. About half-way we crossed a little rivulet, the boundary between the *Saub-hazar* talook and that of Somawurpett. Here our hunters left us, and were relieved by another set equally attentive to our wants. On our arrival all the inhabitants of the neighbourhood were collected in the village to see us; the street was cleanly swept, and the kucherée and two other houses were prepared for our reception. Information had been sent the evening before by Mootanah, and large elks had been procured, which were sufficient for all our followers; to us they were unnecessary, for we had been amply supplied the evening before. Besides the great variety which the forest and rivers afforded us, a shepherd and his flock attended us from our first entering the country. Truly gratifying are such offerings of kindness, where the acceptance seems to produce the only competent return to the hospitable motives from which they flow.

It is remarkable that the inhabitants of these two talooks, who are all united by one principle of obedience and respect to their Rajah, should have a particular distinction in their dress and customs, and this appears on the opposite banks of the break which marks the boundary. In the *Saub-hazar* talook the

the villagers are dressed in a coomly, which passes over the left shoulder, leaving the right one entirely naked, and being wrapped round the lower part of the body as low down as the knee, it is tied round the loins by a kind of sash or belt. In the Somawurpett talook they wear a white vest, covering the whole body down to the knee, and buckled round by a belt; some few, however, of the lowest caste wear the coomly, but they are very few. There is also a marked difference in beating the tom-tom and sounding the colory-horn.

The whole of this march has been through a continued forest, over mountains and vallies, some of which are very steep, and in many places the road is crooked and narrow, but excepting in one spot, there would be no difficulty in preparing it for guns. There are some narrow strips of paddy ground, which draw the wild elephants out of the jungle in the night time, and the inhabitants have places in the trees where they wait the approach of the animals and shoot them: great numbers inhabit the forests through which we passed this day.

December 1st.—Left the direct road which leads to Marakerra, and marched to Kotakul, about eight miles westerly. A considerable part of the road was over the tops and along the sides of the mountains. There had been much rain in the night, which left a thick fog till one o'clock P.M., when it cleared up, and afforded us a distinct view of the country. It appears to be an entire mass of mountains, covered with light wood and a beautiful verdure, on all of which the pasturage is abundant, and affords forage for innumerable herds of cattle. The vallies are narrow winding strips, mostly cultivated with rice, and the lower parts of the declivity of the mountains are thick forests, inhabited by elephants, tigers, bears, elk, and deer of various kinds, such as the antelope, the spotted deer, and another small kind, which the natives call the jungle sheep; besides these there are numbers of monkees, jackalls, foxes, &c. Before we arrived at Kotakul, another party of hunters met us on the road, and attended us to the village at the foot of the hill, where preparations had been made for our reception, and all supplies collected that were necessary.

About three o'clock, the weather being pleasant, we ascended the hill, where we had a distinct view of the ocean. All the range of ghauts to the northward are seen, and appear a vast confused and broken mass of mountains, apparently full of small passes, which the inhabitants say are practicable for men but not for cattle. The Soobramanee mountain lies about five miles west from this hill, and towers high above the rest, being no less than 5,511 feet above the sea. Kotakul or Koondhully being one of my principal stations, I moved up with observatory tent and apparatus on the 2d December. There had been some rain during the preceding night, with heavy wind from the east; towards the evening the atmosphere was pretty clear above the ghauts, but hazy below.

December 3d.—Some trifling rain last night, and a thick fog in the morning; the gale still high from the westward. The evening became very clear, both above and below the ghauts, with some flying showers to the east: the tops of the hills in the low country are very distinctly seen, and a clear ocean at sunset. The nearest part of the shore from this hill is about fifty-four miles.

December 4th.—Heavy wind from the east during last night; this evening clear.

December 5th.—Stormy gale still continues from the eastward: returned down the hill; and next day returned to Somawurpett.

On the 7th we proceeded on our way to Marakerra, where we arrived on the 8th. The country the whole way an entire wood, and the distance from
Somawurpett

Somawarpett about nineteen miles. The mountains are covered with thick forests, particularly as we approach the capital. The road during the march on the 7th might be travelled with guns, but the march on the following day was through a rugged country full of narrow and winding defiles, well protected by the jungly heights. Round the capital the hills form an amphitheatre, and the different roads enter through gateways connected by an old line and ditch, extending all along the tops of those ridges.

Our arrival being announced to the Rajah, he returned a message that he would receive our visit about one o'clock; at which hour we attended, accompanied by Capt. Mahony, the resident, and Colonel Gordon, adjutant-general at Bombay. His palace is within the fort, on one side of an open square. The front apartment, in which he receives his European friends, is furnished in the English style with looking-glasses, pictures, carpets, chairs, &c. He received us with his accustomed cordiality, shook us by the hand, and politely asked us to sit down, taking himself a chair. His first inquiries were to know how we had been accommodated since entering his territory, with a solicitude truly interesting, and which gave us an opportunity of giving a faithful account of the hospitable attention of his subjects, and of impressing on his mind the merits of our friend Mootanah. After some questions on various subjects, he took us through the different apartments of his palace, which is neatly built, particularly the zenana; this he gave us an opportunity of seeing during the absence of the ladies. The remainder of the afternoon was employed in shewing us the various curiosities given him by English officers, and amusing us with his wrestlers, tumblers, fighting rams, &c. In the evening he accompanied us to dinner at the Resident's, and entered into various subjects of conversation and argument.

The fort of Marakerra stands upon rising ground, nearly in the centre of the amphitheatre of hills by which it is encompassed, and is an irregular pentagon, with tower, bastions, and a small work to cover the gateway on the east side, with two bastions similar to the other, now in ruins. The door enters on the north face of the projected work, but at present it is covered by a recent line extending still farther south, and enclosing an area in which is the kucheree. The gateway into this area is from the east. The whole work is surrounded by a narrow dry ditch, with a double covert way; without that again is an extensive glacis, or rather esplanade of steep descent, and terminates in the hollow in which is a strip of paddy ground extending round the whole, forming another large ditch, but having both its sides accessible, would therefore render it a secure lodgment for an enemy. The Rajah, however, sets little value upon his fort, depending altogether on the natural strength of his country in case of an invasion. During the campaign of 1791, this fort was in possession of Tippoo's forces, the Rajah being then in captivity. When the Bombay army arrived he effected his escape, and was offered assistance to retake his capital: but he refused it, and rested on the confidence he had in his own talents. His plan was to cut off all communication by getting possession of the different avenues by which the supplies would enter, and in a short time the garrison were on the eve of surrendering, when a circumstance happened which would reflect honour upon the heroes of any age or country. At the time the provisions were nearly expended, a convoy was sent by the Sultaun to be thrown into the place, with a considerable force to protect it, commanded by a sirdar who had been the means of the Rajah's escape: knowing that a failure to relieve the distressed garrison would have cost the life of his benefactor, the generous prince suffered the convoy to pass and the escort to return

return unmolested. This act of magnanimity, which only prolonged the siege for a few weeks, had its reward in the surrender of the place and the admiration of the English army.

We remained at Marakerra three days, two days of which had been taken up with hunting, shooting, &c. with the Rajah, who is himself a famous marksman. I had proposed moving on the third day (11th), but a very pressing request came down in the evening preceding, that we would not think of marching, as that day was an unlucky one. To satisfy the anxiety of the good man, who perhaps combined a considerable share of hospitality with superstition, I therefore deferred taking our departure till the day following, and in the evening we went to take leave, when we were entertained, as usual, by a display of many curious things, the produce of his own ingenious workmen, in imitation of European manufactures, such as gun-locks, steel chains, &c. fully equal in elegant workmanship to the originals, though of the very best kind. After remaining about an hour, we proposed taking leave, when we were presented with each a handsome shawl, and a war-knife elegantly set in gold. We then took our final departure.

The government of this little community is purely patriarchal, the prince being the father of his people, and in him resides all powers, legislative, executive, and judicial. Few laws must suffice where there are so few wants, but whatever is considered as such is scarcely ever violated. Among those which concern strangers, there is one regulation which ordains that no traveller shall ever be in want while he remains within the Koorg territories, and that if he be poor and needy, he is to be supplied with every necessary gratis; and when he quits that hospitable soil, he is to be furnished with as much money as will procure the needful when he arrives at the next inhabited place. The customs of war have so distorted the human character, that it is difficult to reconcile those discordant and hostile elements which compose it, and this liberal native has his enemies, who accuse him of the most wanton cruelties. But a man capable of dictating such benevolent institutions, and who is himself the immediate example of whatever is beneficent, charitable, and good, cannot surely be a monster in principle.

† The nature of the country, and the customs and habits of its inhabitants, conduce to inculcate a martial spirit, and every family being supplied with arms, partly to procure their subsistence and partly to defend themselves against the wild animals, it requires little time to put this country in a state of defence. From what I can learn, 10,000 fighting men could be brought into the field at the shortest notice. The Rajah's household troops being a more regular body, are supplied from different families, where the males take their tour and attend for a certain time. While embodied they are trained to arms, after the English mode of discipline, so that in fact this institution furnishes a nursery for the efficient force of this little kingdom. Previous to Tippoo's reign the fighting men must have been much more formidable, for at the time of the Rajah's captivity, when this district was overrun by the Mysoreans, upwards of 60,000 inhabitants were swept away, many of whom were put to death, others kept in confinement or slavery till the fall of Seringapatam, when they made their escape, and are now with their Rajah.

The household troops have the musket and bayonet the same as the Company's sepoys. The arms used by the rest are the matchlock, the spear, and the war-knife, which is hooked, and the edge turned inward; this they wear on their right hip, uncovered, and ready to take off when they rush upon the enemy. The instrument is broad and heavy, and one stroke with it is sufficient

cient to sever the head from the body. Small daggers are also worn, which are useful in ambuscades or close attacks. The Rajah's notions of defence are certainly well adapted to such a country. Despising the system of being cooped up within a fort, which must ultimately become the point of general attack, his principle is to possess the avenues and defiles, to lay in ambush, to harass and cut off the enemy's convoys, and to seize every opportunity of surprising him; but to avoid open action unless there be a manifest advantage. Had the late sultann pursued such a system, the English army never could have reached the table-land of Mysore.

On inquiring respecting the manufactures, I find they are but few. Their arms are all made in the country, and the coolies worn by the lower order of people; but the white cloth of which the vests are made is brought from Cannanore and Tellicherry, and their returns consist of rice, sandal-wood, pepper, &c.; honey is also in great abundance. The salt used in the country is brought from Malabar or Canara, but I should rather think can be made within that part of Coorg lying below the ghauts. That district lies on the great road from Marakerra to Mangalore, and the ghaut down which that road leads, and which we followed, is called the Yellaneer pass. It commences about nine miles north-westerly from Marakerra, and is a steep descent with little variation to the bottom, being a distance of about three miles. It is in general good, and scarcely at all affected by the rains; the composition of which the mountain is formed being a mixture of clay and loam, becomes hard when exposed to the air: a very little repairing would make this ghaut very practicable for any thing but guns and carriages, and even these might pass with the assistance of men and elephants. Kuddamakul, to which we came in one march from Marakerra, is about eighteen miles distant, and near three miles from the bottom of the ghaut.

On the 13th December we marched from Kuddamakul to Chókady; the distance is about fifteen miles westerly: the first part of the road is very good, but the whole distance is through an entire jungle.

On the 14th marched from Chókady to Bellarie, about eight miles, still westerly, the road through an entire jungle, and over ascents and descents as usual.

On the 15th, from Bellarie to Pôtoor, distance about twelve miles westerly, the road in general good, and the country more open. The jungles are full of the pepper vine, and the features of this low land are beautifully variegated with small verdant hills, rivulets, ravines, &c.

I was detained at two stations, Bullanandgooda and Bullamulle, from which the country is seen at a great distance. On the 23d marched from Pôtoor to Mangalore. The road crosses the Buntwaul river at Buntwaul, and continues along the northern bank the remainder of the way. The face of the country is much broken, full of barren hills, round which the valleys wind like the beds of rivers, quite flat, and richly cultivated with rice. These windings have every appearance of having been made by an ingress of the sea, and the hills are all formed of that composition formerly mentioned, which is now become an entire rock, quite naked near the sea, but covered with lofty forest trees towards the great range of ghauts. This composition is excellent for roads, as they are easily made with it, in the manner of pavements, and will continue years without repairs; it is likewise excellent for fortification, for though hard it is not brittle, and therefore not subject to splinters; it is likewise used in building houses, and all the villages along the coast are built with it, and have a neat appearance.

Mangalore is a place of great population, containing at present nearly 12,000 inhabitants of different nations, and although it is not remarkable for any manufactures, it is a considerable mart for various kinds of merchandize conveyed thither both by land and sea. The harbour is only suited for small craft, and this is within a bar which continually changes its entrance; this bar is a continuation of the breach through which the river and the sea have formed a communication, and within which there is a large basin, running up a considerable distance to the northward, and is completely land-locked, but the water is only a few feet deep when the tide is out. The late Tippoo Sultaun had a marine yard near the mouth of the river; and in the year 1782, when the English took Mangalore, there were two large ships then on the stocks, pierced for sixty guns, but these vessels were flat-bottomed. The common craft is the doni, a beautifully modelled vessel, rigged with two masts and lug sails, and the planks of which it is built are sewed together, and painted over. They draw very little water, and are calculated either for running in shore or standing out to sea.

The justly celebrated defence of this place in 1782 is recorded among the transactions of those days, and is one of the most brilliant events that ever graced the military annals of any country. The garrison, commanded by Lieut. Col. Campbell, consisted of 3,550 men, 696 of whom were Europeans, including ninety-one officers. The whole of the sultaun's force amounted to 140,000 fighting men. The fort, which has since been blown up, was then a square stone work, with a cavalier bastion at each angle. On the side next the water, as well as on that next the land, to the eastward, there appears to have been an advanced work similar to a horn-work, and the whole circumscribed by a deep ditch, across which, on the east side, has been the entrance into the work; a covert way and regular sloped glacis has covered the whole on the three sides next the land, a lower glacis has served next the sea, whose slope comes nearly to the water, terminating in a quay where the donies now land their cargoes, and the glacis may be said to be separated from the quay by a row of coco-nut trees, leaving sufficient room for the purpose intended. Without the ditch, on the S.E. angle, there has been a small redoubt, which was defended during the siege, while Tippoo's forces had possession of the N.E. part of the horn-work.

About three-quarters of a mile N.E. from the fort, where the eedgah now stands, is a crescent of table-land, considerably elevated above the fort. This crescent is curved towards the east, and a line of works, with five cavalier bastions, all included within a ditch, have been erected, the whole forming an advanced intrenchment to act against an enemy from the land. This position, as far as I can understand, was taken by a part of the troops forming the garrison, but being too extensive to defend, and commanded by the ground to the eastward possessed by the enemy, it was thought advisable to relinquish it and retire into the fort, giving place to Tippoo's forces, who now began the more immediate operations of the siege. Taking post on this commanding ground, their approaches were carried on towards the N.E. angle of the horn-work, covered by a high cavalier at the S.W. extremity of the crescent and nearest the fort, aided by the fire from this cavalier, they soon brought their advanced works to the glacis, got possession of the horn-work, and breached the body of the place.

The circumstances of this siege now became truly interesting on both sides: the brave garrison, pent up in a fort without bomb proofs and without provisions, had suffered every calamity that the human mind can conceive; though

though reduced to a few, and that few feeding on their dogs and horses, and seeing at last a breach effected, and a numerous army moving on to the assault, they were not dismayed either by superior numbers or the hopeless prospect of retreat. Often did the enemy advance to the breach, and as often were they repulsed, till, wearied out with fruitless attempts and galled by the fire from the redoubt at the S.E. angle, they at length retreated, leaving this gallant band to contemplate their own glory, and the happy result of their exertions. But their miseries did not end here, for notwithstanding a cessation of arms, which had just taken place between the English, French, and Mysoreans, the place continued to be blockaded by Tippoo's army, and the garrison for several months felt the increasing hardship of famine, till at last the brave commandant received orders from the Madras government to propose terms of capitulation, when it being agreed on that some fort in the Carnatic should be given up in place of this one, they marched out with the honours of war, and soon after embarked for Tellicherry.

This place never can grow to great importance, in a military point of view, on account of the extent of ground which it would be necessary to occupy against a land attack; but might be defended against any force by sea, unless that force was favoured by the inhabitants of the country, and suffered to run up some of the neighbouring rivers, and advance from the eastward, but the interior country would present innumerable impediments to an invading enemy.

December 28th I left Mangalore to proceed down the sea-coast, with a view to fix the positions of some remarkable places, and to carry down a series of triangles as far as Cannanore, that may serve hereafter as a foundation for a more minute survey of that coast, at present but very imperfectly known. I marched this day to Munjeserah, about ten miles to the south of Mangalore. We crossed the river in a large vehicle formed by three small donies, covered by a platform for conveying horses and cattle. The road runs nearly along the beach the whole way. There is nothing remarkable along the coast except a few projecting or elevated points, on which are the ruins of redoubts.

On the following day continued our march to Coomlah, near ten miles further down the coast. There are two rivers to cross towards the end of the march, between which the fort of Coomlah stands, upon rising ground. I had not time to examine it minutely, but it is a rectangular work, with a large gateway on the north, and there is a high cavalier within the fort, and an advanced rectangular line towards the sea, communicating with the fort on the west side. The whole is defended with circular bastions and a dry ditch. The road runs along the beach nearly the whole way, and these rivers are pretty broad at high water.

(To be concluded next month.)

THE RAMA LEELA.

The dramatic representation of the history of Rama, the seventh avatar of Vishnu, is well known to constitute one of the principal festivals in the Hindu calendar. It occupies, in Upper Hindustan, the place and the season of the Doorga Pooja, which is celebrated with so much splendour and circumstance throughout Bengal. It commences the new year, and coincides nearly with the autumnal equinox. It has also, like the Doorga Pooja, a duration of fifteen days, which Bentley has supposed, with respect to the latter feast, to have originated in a correction of the calendar, after the equinox had been found to deviate fifteen days from the civil epoch.

However, the celebration of the Ram Leela does not, like the Doorga Pooja, pretend to any great antiquity. Tulsee Das, the author of the *Bhakha* version of the *Ramayana*, lived in the immediate neighbourhood of Benares, and composed his poem in A.D. 1574. From the circumstance of his having given this work a popular shape and language, it is probable that the custom of reading it in the Sanskrit had been, before his time, prevalent. But the poem is not written for dramatic performance, and there is no trace of the representation having been in practice earlier than a century and a half ago in the city of Benares.

Five or six different spots in the town become annually, at this season, the scene of a Ram Leela. In most of them the exhibition is curtailed and imperfect: in some it is little better than a bonfire of Rawun's gigantic image on the day of the Dusera. Many of the native regiments go to considerable expence in performing the Ram Leela: but the Raja of Benares, on his estate at Ramnugur, conducts the performance in a very complete manner; nearly the whole of the *Ramayana* is read through in the course of twenty or thirty days, and whatever incidents are capable of being acted or displayed, are simultaneously exhibited.

The whole of the acting is necessarily in dumb show, and the *dramatis personæ* are so numerous, and in general so unskilled in their duty, that the leaders, who may be said to act the part of the stage managers, have great difficulty in making the performance keep pace with the oral declamation of the choir, or band of priests, who chaunt the sacred legend. The scenery is, as far as it can be, real; for instance, wherever the Ganges or the sea is required, the scene is shifted to the bank of some tulao; such incidents as are adapted to the night are performed by torch-light. Separate gardens receive the designations of Ayodhya, Junukpoor, Chitrakot, and Kiskindha, which are the principal localities of the poem.

For Lunka, Rawun's capital, an artificial fort is constructed of earth and paper, painted yellow, to imitate gold, and in the centre of it a huge figure of Rawun is erected, sixty or seventy feet high, which is generally filled with fireworks and combustibles. The chief action of the piece is carried on within an arena enclosed with bamboo rails, in the middle of an extensive plain, which is crowded, especially towards the conclusion of the Leela, with an immense assemblage of all classes of Hindus.

Of the *dramatis personæ* little remains to be observed: in acting they are mere puppets, but their dresses and masks are very appropriate. Rama, Sita, and the brothers, are enacted by children richly decorated, and with their faces merely painted; their inauguration, indeed, bears something of a religious character. Offerings and pooja are made to the diadem which is to be worn by Rama, and to the child who personifies this deity throughout the festival. The boys

boys go through the ceremony with a dignity, gravity, and patience which is surprising. On one occasion, however, the illusion was awfully disturbed by a handful of rupees, which the raja threw among them, when they fell to scrambling like schoolboys for cakes, or like the immortals for ambrosia. Rawan, Hunoeman, &c. are personified by men in masks, and the Rakshasas and giants are constructed of paper and basket work, with arms portentous and of frightful mien. Rocks, birds, and other paraphernalia, are managed nearly as well as in our pantomimes, and in one place where Ram restores to life the wife of Gotuma Rishi, who had been changed into a rock, we behold the prototype of our trap doors,—a hole in the ground, from which a woman emerges.

At Ramnugur, the Leela opens with the Balkand, in which is described the preliminary history of Rawan and his brothers; the boon granted by Bruhma (who appears riding upon his goose) that he should only die by human hands; his marriage; his insults to gods and Brahmuns; and a solemn night procession of the earth in the form of a cow, attended by all the deotas, to invoke Vishnu, who sleeps upon his serpent on the surface of a tank.

The circumstances of Rama's birth and childhood are then represented. His visit to Viswamitra, and to Raja Junuk, where his marriage takes place, are the most pleasing parts of the drama. At the dawn of day Ram seeks the garden of Junuk for the purpose of bathing and gathering flowers; at a distance he beholds the lovely Sita in the midst of her maidens, repairing to the temple of Debee, where she breathes the very natural prayer that the hero she has just seen may become her husband. Ram returns to Viswamitra, distracted with love, and in the evening he mistakes the moon for his Sita, but is undeceived by her liability to change.

The grand assembly of chiefs and princely suitors on the following day in Junuk's palace is worthy of the pen of the author of *Ivanhoe*. The sensation caused by the beauty of Ram; the jester who describes to Sita the qualities of all her suitors; their unavailing efforts to string the fated bow; the modesty of Ram in needing persuasion before he attempts it; the crash of music which bursts forth at his success, and the blushing Sita investing him with the garland of victory and love, are incidents as well suited to dramatic representation as to poetry.

In the city of Benares the Balkand is omitted, and the drama commences with the resignation of the throne by Raja Dasarath in favour of Bhurut, and the banishment of Ram to the jungle fourteen years, in completion of a vow. The first scene is laid in Soondur Das's garden, south of the Mundakinee Talao, whence the procession passes the streets to Iswur Gungee Talao and Chitrakot. It may in general be remarked that the processions and battles are more particularly suited to public exhibition in a town, while the reading and detail of the drama are conducted before a limited audience in the gardens of different merchants and Brahmuns, who unite in the conduct of the entertainment. Two or three days are expended at Chitrakot, in perusing the Ayodhyakand, and in representing, dramatically, the news of Dusarath's death, Bhurut's entreaties that Ram should return the visits of Goha, the forester, Junuk, several munis, and in particular of Valmiki, the reputed author of the original *Ramayana*.

The action of the piece becomes more animated after the conclusion of the Ayodhyakand. Day after day some conflict with a Rakshas, or giant, takes place in some customary spot: thus the "Dhoolia Rakshas" combat is exhibited near Ram Chund's garden, and the Khuradooshun Luraee at Trilochun.

chun. The latter being within the town, assumes again the form of a procession of Rakshases, the followers of Soorpunukha, the sister of Rawun, who vows vengeance because neither Ram nor Luchmun appreciates her charms. Any body may join the masked procession, and this year there were seen a number of jacketed sahibs in white-faced masks, whether intended as appropriate allies to Rawun's hosts of demons, or merely as a specimen of masquerade, I will not presume to determine. Something of the kind is occasionally seen in the Doorga processions in Calcutta. The whole host are speedily destroyed by Ram.

Rawun's device for carrying off Sita is next represented, the stag-shaped Marich attracts away Ram and Luchmun, while Rawun, as a suqeer, entices Sita from the magic circle drawn round her for her preservation. Another long-handed Rakshas is also slain, and a vulture, or non-descript bird. Ram, in despair at the loss of his bride, hurries forward to Kiskindha, where he forms an alliance with Sugriva, a monkey-chief, and aids him in warring with his brother Bali. It is here that Hunooman first makes his appearance upon the stage, where he afterwards sustains the principal interest during his search for and interview with Sita in Lunka; his setting that city on fire with his tail, his return with a pledge of constancy from the heroine, his destroying Sugriva's garden, and finally, with his army of monkeys, constructing a bridge of rocks across the sea, and personally combating with Rawun.

The last battle, in which Rawun is killed, occurs on the Dusera, or tenth day. This is, at Ramnugur, the principal day of the spectacle, which is well worth seeing. In the evening the Raja of Benares, in full procession, issues from his palace gate under a discharge of artillery; his state elephants are preceded by banners, music, equipages, and soldiery, extending as far as the eye can reach. On the way the Raja stops to make the customary offerings of flowers, rice, and a coco-nut to a sumee tree, for prosperity during the approaching season. When his splendid train arrives on the plain, the elephants seem to be swimming in an ocean of heads, and their rich caparisons add greatly to the brilliance of the scene. To the right and left are observed the camps of the adverse chiefs; the fort of Lunka is farther behind, with giants guarding the gates: directly in front, upon the pavilion, or booruj, of a garden, sits little Sita, guarded by frightful Rakshases. The performers and orchestra are within an enclosure in the centre; Ram and Rawun, conspicuous on their lofty chariots, discharging arrows at one another, while their bands of Hunoomans, multiplied Rawuns, and little sprites with torches, are engaged in unequal fight below. The gods, from the summit of two scaffolds, occasionally applaud in chorus, and are occasionally, too, driven from heaven by Rawun. When at last Rawun falls, the whole multitude clap their hands and shout, and the day concludes with the discharge of fireworks from Lunka, and the explosion of the gigantic figure in the middle.

On the following afternoon another spectacle occurs of an equally or even more interesting nature. It is entitled the *Bhurut Mclao*, or the return of Ram and Luchmun with Sita to Ayodhya. All the brothers and their chief allies are carried in procession through the town upon a large throne, something similar to that used in an English election. Altogether, the immense crowd, the variety and brightness of the costume, the valuable ornaments and beauty of the children, the cheerfulness and *unmoblike* demeanour of the people as they shower down flowers and chaplets upon the sacred groupe, with the picturesque enhancement of a clear evening sky, and the intermixture of garden foliage, complete a picture to which no description can do justice.

justice, and which will be best rendered intelligible to an English imagination under the title of a genuine Oriental pageant.*

* *Calcutta Gov. Gazette*, Nov. 1.

THE FALL OF SEVILLE.

From the Arabic of Aboulbecca Saleh.

As lovers weep, when from their dearest hopes
Exiled by fate they pine ; so we, alas !
Weep for unhappy Seville, weep her loss,
Deserted, prey of unbelieving dogs ;
Her mosques to churches turned, whilst cross and bell
Usurp the place of the tall minaret.
A woe like this absorbs all other woes :
Time cannot lenify its pangs, nor quench
The bitter recollection. Seville's gone !—
O ye, who mount the slim and fiery steed,
And with an eagle's swiftness scour the fields
Where purple slaughter reigns ; O ye, who wield
Falchions of Indian steel that in the dense
And pitchy clouds of dust like lightning gleam ;
O ye who, far from this devoted spot,
Beyond the rolling sea, calm and serene
Pass easy days and tranquil nights ; O ye
Whom glory and power attend as harbingers ;
Say, have you known the miseries of Spain ?
Sure some poor wretch has 'scaped to tell the tale,
'Scaped to proclaim that Arab blood still calls
For vengeance, we for succour. Yet we sink,
Or swell the victor's train. Is there not one
Dare aid us ? Does sectarian zeal restrain
The courage of the Moslems ? Shame on such !
Are we not brothers ? To the self-same God
Do we not offer vows ? Without poor Spain
None can be found, generous and brave and bold ;
Religion's pleading voice no Moslem heeds.
The Arab sons of Spain, who, erst elate
In grandeur and in glory, reared their crests,
Hide them in grief and shame. But yesterday,
Princes and kings ; now unbelievers' slaves !
Alas ! could the degrading mart be seen
By unthralled Moslem eyes, and the salt tears
That furrow many a manly cheek, which shame
Not fear, had blanched ; could Musulmans see this,
Sorrow would bring on madness. Yet, once more ;—
Behold those tender maids, fair as the sun
That rising fling rubies and coralines
From his bright throne, dragged by barbarian hands
Rudely along to service worse than death ;
Whilst wringing hands and melting eyes declare
The sufferers' anguish. Surely if there be
One spark of faith, one spark of courage, left
Within your souls, they cannot still be cold.

STATE OF EDUCATION IN SOUTHERN INDIA.

IN our last volume, p. 584, is inserted a sketch of the state of education amongst the natives of Bangalore, by Ram Raz, the native secretary of the Madras School Book Society. We have been since favoured with an authentic report of the state of native education in the province of Bellary, a territory acquired by treaty from the Nizam in the year 1800, and under the presidency of Fort St. George.

The population of Bellary, according to an official statement, consists of 927,857 souls; the number of schools in the province is 533, containing 6,641 scholars only, bearing a proportion of about 7 to 1,000 of the aggregate population. Of the scholars, who are males, with the exception of 60 Hindoo girls, only 243 are Musulmans; the rest are Hindoos. The English language is taught in but one school; the Tamul in four; the Persian in twenty-one; the Mahratta in twenty-three; the Telooگو in two hundred and twenty-six; the Carnatica in two hundred and thirty-five.

Besides the foregoing, there are twenty-three places of instruction attended by Bramins exclusively, in which some of the Hindoo sciences, such as theology, astronomy, logic, and law, are imperfectly taught in the Sanscrit language. In these last places, which are attended not merely by youth, but by persons advanced in life, education is conducted on a plan entirely different from that pursued in the Hindoo schools, where children are taught reading, writing, and arithmetic only, in the several vernacular dialects of the country.

The education of the Hindoo youth generally commences when they are five years old; on reaching this age, the master and scholars of the schools to which the boy is to be sent, are invited to the house of his parents. The whole are seated in a circle round an image of Gunasa, and the child to be initiated is placed exactly opposite to it. The schoolmaster, sitting by his side, after having burnt incense and presented offerings, causes the child to repeat a prayer to Gunasa entreating wisdom. He then guides the child to write with its finger in rice the mystic name of the deity, and is dismissed with a present from the parents, according to their ability. The child next morning commences the great work of his education.

Some children continue at school only a few years, the parents, through poverty or other circumstances, being often obliged to take them away, and consequently, in such cases, the merest smattering of an education is obtained; but in other instances, where the parents are opulent, and take a lively interest in the culture of their children's minds, they not unfrequently continue at school as long as fourteen or fifteen years.

The internal routine of duty for each day, with very few exceptions and little variation, is the same in all schools. The general hour for opening school is six o'clock. The first child who enters has the name of Saraswatee, or the goddess of learning, written upon the palm of his hand, as a sign of honour; on the hand of the second, a cypher is written, to shew that he is worthy neither of praise nor censure; the third scholar receives a gentle stripe, the fourth two, and every succeeding scholar that comes an additional one. This custom, as well as the punishments in native schools, seem of a severe kind. The idle scholar is flogged, and often suspended by both hands and a pully to the roof, or obliged to kneel down and rise incessantly, which is a most painful mode of punishment.

When the whole are assembled, the scholars, according to their numbers and attainments, are divided into several classes; the lower ones of which are placed

placed partly under the care of monitors, whilst the higher ones are more immediately under the superintendence of the master, who at the same time has his eye upon the whole school. The number of classes is generally four, and a scholar rises from one to the other according to his capacity and progress. The first business of a child on entering school is to obtain a knowledge of the letters, which he learns by writing them with his finger on the ground in sand, and not by pronouncing the alphabet, as among European nations. When he becomes pretty dexterous in this mode of writing, he has then the privilege of writing either with an iron style on cudjan leaves, or with a reed on paper, and sometimes on the leaves of the *aristolochia Indica*, or with a kind of pencil on the *kulligi* or *keedeta*, which answer the purpose of slates. The two latter are the most common in these districts: one is a common oblong board, about a foot in width and three feet in length, planed smooth, and smeared with a little rice and pulverized charcoal. The other is made of cloth first stiffened with rice water, doubled into folds, resembling a book, and then covered with a composition of charcoal and gum. The writing on either of these may be effaced by a wet cloth. The pencil used is called *bullapa*, a kind of white clay, somewhat resembling a crayon, but rather harder.

Having attained a thorough knowledge of the letters, the scholar next learns to write the compounds, or the manner of embodying the symbols of the vowels in the consonants, and the formation of syllables, &c.; then the names of men, villages, animals, &c.; and, finally, arithmetical signs. He then commits to memory an addition table, and counts from one to a hundred; he afterwards writes easy sums in addition and subtraction, of money, multiplication, and the reduction of money measures, &c. Here great pains are taken with the scholar in teaching him the fractions of an integer, which descend not by tens, as in our decimal fractions, but by fours, and are carried to a great extent. In order that these fractions, together with the arithmetical tables in addition and multiplication, and those in the threefold measures of capacity, weight and extent, may be rendered quite familiar to the minds of the scholars, they are made to stand up twice a day in rows, and repeat the whole after one of the monitors.

The other parts of a native education consist in decyphering various kinds of hand-writing in public and other letters, which the schoolmaster collects from different sources; writing common letters; drawing up forms of agreement; reading fables and legendary tales; and committing various kinds of poetry to memory, chiefly with a view to obtain distinctness and clearness in pronunciation, together with readiness and correctness in reading any kind of composition.

The three books which are most common in all the schools, and which are used indiscriminately by the several castes, are the *Ramayana*, *Maha-Bharata*, and *Bhagavata*; but the children of the manufacturing class of people have, in addition to the above, books peculiar to their own religious tenets, which being considered sacred, are studied with a view of subserving their several creeds.

The lighter kinds of stories, which are read for amusement, are generally the *Punchatuntra*, *Bahatala Punchavunsatee*, *Punktee Soopooklahully*, and *Mahunta Rungever*. The books on the principles of the vernacular languages themselves are the several dictionaries and grammars; but these books, without which no accurate or extensive knowledge of the vernacular languages can be attained, are from the high price of manuscripts, and the general poverty of the masters, of all books the most uncommon in the native schools, and such of

them as are found there are, in consequence of the ignorance, carelessness, and indolence of copyists in general, full of blunders, and in every way imperfect.

The whole of the books, however, in the Teloo goo and Carnatica schools, which are by far the most numerous in this district, whether they treat of religion, amusement, or the principles of these languages, are in verse, and in a dialect quite distinct from that of conversation and business. The alphabets of the two dialects are the same, and he who reads the one can read, but not understand, the other also. The natives, therefore, read these (to them unintelligible) books to acquire the power of reading letters in the common dialect of business; but the poetical is quite distinct from the prose dialect, which they speak and write; and though they read these books, it is to the pronunciation of the syllables, not to the meaning or construction of the words, that they attend. Indeed, few teachers can explain, and still fewer scholars understand, the purport of the numerous books which they thus learn to repeat from memory: every schoolboy can repeat, *verbatim*, a vast number of verses, of the meaning of which he knows no more than the parrot that has been taught to utter certain words. Accordingly, from studies, in which he has spent many a day of laborious but fruitless toil, the native scholar gains no improvement except the exercise of memory, and the power to read and write on the common business of life: he makes no addition to his stock of useful knowledge, and acquires no moral impressions. He has spent his youth in reading syllables, not words, and on entering into life, he meets with hundreds and thousands of words, in the common course of reading books, of the meaning of which he can form not even the most distant conjecture; and as to the declension of a noun, or the conjugation of a verb, he knows no more than of the most abstruse problem in Euclid. It is not to be wondered at, with such an imperfect education, that in writing a common letter to their friends, orthographical errors, and other violations of grammar, occur in almost every line written by a native.

The economy with which children are taught to write in the native schools, and the system by which the more advanced scholars are caused to teach the less advanced, and at the same time to confirm their own knowledge, is certainly admirable, and well deserves the imitation it has received in England. The chief defects in the native schools are the nature of the books and learning taught, and the want of competent masters.

Imperfect, however, as the present education of the native is, there are few who possess the means to command it for their children. Even were books of a proper kind plentiful, and the master every way adequate to the task of instruction, he would make no advance from one class to another except as he might be paid for his labour. While learning the first rudiments it is common for the scholar to pay the teacher a quarter of a rupee, and when arrived as far as to write on paper, or at the higher branches of arithmetic, half-a-rupee *per mensem*. But in proceeding farther, such as explaining books, which are all written in verse, giving the meaning of Sanscrit words, and illustrating the principles of the vernacular languages, such demands are made as exceed the means of most parents. There is, therefore, no alternative but that of leaving their children only partially instructed, and consequently ignorant of the most essential and useful parts of a liberal education; but there are multitudes who cannot avail themselves of the advantages even of this, the necessities of the greater part of the middling and lower classes of the people requiring the assistance of their children as soon as their tender limbs are capable of the smallest labour.

Such

Such is the state in this district of the various schools in which reading, writing, and arithmetic are taught in the vernacular dialects of the country, as has been always usual in India, by teachers who are paid by their scholars. The higher branches of learning, on the contrary, have always in this country been taught in Sanscrit, and it has ever in India been deemed below the dignity of science for her professors to barter it for hire. Lessons in theology, astronomy, logic, and law, continue to be given *gratuitously*, as of old, by a few learned Bramins to some of their disciples.

The writer of the statement from whence we have borrowed these particulars, concludes it with some reflections upon the retrogression of education amongst the natives of this part of India at the period he was writing, namely 1823, and with some very judicious suggestions for promoting the great object of instruction, which, he observes, the enactments of the British Parliament contemplate, and the known liberality of the authorities in England with regard to this point encourages. He ascribes the falling off in respect to education amongst the natives to a variety of causes, chiefly to the impoverishment of the country, through the great deterioration of the manufacturing classes of late years, by the introduction of our own European cotton fabrics in lieu of those of India, the diminution of the number of troops in the British territories, which has affected the demand for grain, &c. Consequently, in many villages, schools had ceased to exist; in others the number and size of the schools decreased, only a few of the children of the most opulent natives being able to pay the necessary expense of instruction.

Heretofore the ruling authority in India contributed largely to the support of education, and under the Hindoo governments, large grants, in money and land, were assigned for the promotion of science. Stipends of money still paid to Bramins from the British collectorships, and numerous and valuable *abotriums*, or landed property, now in the possession of Bramins, who receive one-fourth, one-third, half, two-thirds, and sometimes the whole of the annual revenue, are probably to be traced to some endowment of this nature, being almost universally granted to learned or religious persons, who maintained a school for one or more of the sciences, and taught therein gratuitously. Although the duty of continuing such gratuitous instruction was not expressed in the deed, it was doubtless implied. The British government, with its accustomed liberality, continued all grants of this kind, even where they were evidently of a personal nature, though without enforcing the implied conditions. The revenue of the original grantee descended to his heirs; but his talents and acquirements not being equally hereditary, the descendants were rarely found to possess the requisite ability to give instruction. Accordingly, considerable alienations of revenue, originally appropriated to the encouragement of learning, have become the means of supporting ignorance; and science, which here scorns to sell its treasures, has often been reduced to dependence upon the precarious benevolence of charitable individuals. Of the 533 institutions for education subsisting in this district, not one received any support from the state at the period when this statement was drawn up.

The writer suggests that the government should undertake the office of originating and superintending establishments for ameliorating the system of instructing the natives, and should endeavour to induce the opulent classes of the native community to contribute to the support of schools. The first expense, he observes, must necessarily be borne by government; but in process of time, and in order to provide for the extension of the schools, on the demise

demise of the present occupants of the alienated lands, an inquiry into the titles might be instituted, in order that in cases where the uses to which they were appropriated had not been fulfilled, or where the property was expressly described in the original grant as hereditary, they might be resumed by the government, and carried to a "school fund," the receipts of which, he is of opinion, in a few years, would more than counterbalance the disbursements.

It is due to the Madras government to state, that prior to the date of this statement, namely in the year 1822, the late Sir Thomas Munro had set on foot an extensive inquiry on this subject throughout the districts subject to the presidency, with a view of effecting reform and amelioration in the system of native education. It is still further creditable to that lamented individual, that in the year 1825, the plans of the Madras government in this respect were brought to maturity, and that a committee was appointed (of which the Hon. Mr. Græme, was president and the writer of the foregoing statement was nominated a member), for the general improvement of the education of the natives under that government. Part of the plan was the establishment of an institution at the presidency for qualifying candidates for the situation of teacher in the provinces where schools were to be endowed, in which, besides instruction in Arabic, Sanscrit, and the vernacular tongues, the English language will be taught, as a means of affording to the natives access to the European sciences.

CAPTAIN VALENTINE PYNE.

To the Editor of the Asiatic Journal.

SIR: In Christ Church, Newgate Street, on the floor near the altar, there is a marble slab with the following curious inscription, which you may perhaps think worthy of record in your publication, as it relates to one of the East-India Company's servants. The elegiac lines at the close are remarkable.

I am, Sir, &c,

C. C. C.

Capt. Valentine Pyne, born at St. Mary Antrey, in Devon, in y^e year 1671 went to India, where he spent y^e best part of his life in trade with the natives, by whome, particularly y^e King of Bantam,* he was highly respected and beloved for his integrity, honesty, and other good qualities. Being forced to return by y^e unkindness of some of his countrymen, he arrived in England in y^e year 1688, and after three years stay, besides other compensations, he was by y^e East-India Company made commander of one of their best ships, y^e New Bercley Castle. His ship being ready to sail, he fell sick and dyed^d, February y^e 11th 1691, lamented by all that knew him, aged 43 years, leaving issiu by his wife Anne only one daughter, Mary, aged 2 years.

Hic jacet ingenti casu pulcherrima pinus,
Cujus erat saluber fructus et umbra sacra:
Non rabido vento, aut sæva prostrata bipenni,
Nec Jovis immani fulmine tacta ruit.
Per frigora et æstus, et mille pericula, tutum,
Perdidit empirici missa manu pilula.

* Bantam was at that time one of the Company's principal factories.

CHARACTERS OF PUBLIC MEN IN INDIA;

DRAWN BY THE LATE BISHOP HEBER.

THE following sketches of official personages in India, from the candid and impartial pen of the late Bishop of Calcutta (not written with a view to publication), which appear in the journal of his first visitation to the provinces, and in his private correspondence, are so valuable and interesting, that we scruple not to transfer them to our pages.

THE HON. M. ELPHINSTONE, LATE GOVERNOR OF BOMBAY.

Mr. Elphinstone is, in every respect, an extraordinary man, possessing great activity of body and mind, remarkable talent for, and application to, public business, a love of literature, and a degree of almost universal information, such as I have met with in no other person similarly situated, and manners and conversation of the most amiable and interesting character. While he has seen more of India and the adjoining countries than any man now living, and has been engaged in active political, and sometimes military duties, since the age of eighteen, he has found time not only to cultivate the languages of Hindostan and Persia, but to preserve and extend his acquaintance with the Greek and Latin classics, with the French and Italian, with all the elder and more distinguished English writers, and with the current and popular literature of the day, both in poetry, history, politics, and political economy. With these remarkable accomplishments, and notwithstanding a temperance amounting to rigid abstinence, he is fond of society, and it is a common subject of surprise with his friends, at what hours of the day or night he finds time for the acquisition of knowledge. His policy, so far as India is concerned, appeared to me peculiarly wise and liberal, and he is evidently attached to, and thinks well of, the country and its inhabitants. His public measures, in their general tendency, evince a steady wish to improve their present condition. No government in India pays so much attention to schools and public institutions for education. In none are the taxes lighter, and in the administration of justice to the natives in their own languages, in the establishment of panchaets, in the degree in which he employs the natives in official situations, and the countenance and familiarity which he extends to all the natives of rank who approach him, he seems to have reduced to practice, almost all the reforms which had struck me as most required in the system of government pursued in those provinces of our eastern empire which I had previously visited. His popularity (though to such a feeling there may be individual exceptions) appears little less remarkable than his talents and acquirements, and I was struck by the remark I once heard, that "all other public men had their enemies and their friends, their admirers and their aspersors, but that of Mr. Elphinstone every body spoke highly." Of his munificence, for his liberality amounts to this, I had heard much, and knew some instances myself.

With regard to the free press, I was curious to know the motives or apprehensions which induced Mr. Elphinstone to be so decidedly opposed to it in this country. In discussing the topic he was always open and candid—acknowledged that the dangers ascribed to a free press in India had been exaggerated,—but spoke of the exceeding inconvenience, and even danger, which arose from the disunion and dissension which political discussion produced among the European officers at the different stations, the embarrassment occasioned

to

to government by the exposure and canvass of all their measures by the Lentuli and Gracchi of a newspaper, and his preference of decided and vigorous, to half measures, where any restrictive measures at all were necessary. I confess that his opinion and experience are the strongest presumptions which I have yet met with in favour of the censorship.

A charge has been brought against Mr. Elphinstone by the indiscreet zeal of an amiable, but not well-judging man, the "field officer of cavalry," who published his Indian travels, that "he is devoid of religion, and blinded to all spiritual truth." I can only say that I saw no reason to think so. On the contrary, after this character which I had read of him, I was most agreeably surprised to find that his conduct and conversation, so far as I could learn, had been always moral and decorous, that he was regular in his attendance on public worship, and not only well informed on religious topics, but well pleased and forward to discuss them; that his views appeared to me, on all essential subjects, doctrinally correct, and his feelings serious and reverential; and that he was not only inclined to do, but actually did, more for the encouragement of Christianity, and the suppression or diminution of suttees, than any other Indian governor has ventured on. That he may have differed in some respects from the peculiar views of the author in question, I can easily believe, though he could hardly know himself in what this difference consisted, since I am assured, that he had taken his opinion at second-hand, and not from any thing which Mr. Elphinstone had either said or done. But I have been unable to refrain from giving this slight and imperfect account of the character of Mr. Elphinstone as it appeared to me, since I should be sorry to have it thought that one of the ablest and most amiable men I ever met with, were either a profligate or an unbeliever.

THE LATE MR. JOHN ADAM.

Mr. Adam, in spite of all which has been said and written, is, and uniformly has been, one of the most popular men in India. He is, perhaps, the only public man in whom, in any great degree, both Europeans and natives have confidence; and his absence from Calcutta during the early part of the war, and his present determination, which has just reached these provinces, to return to Europe, have been regarded by all, without exception, whom I have heard speak on the subject, as the heaviest calamities which could have befallen British India. I was Mr. Adam's guest for a few days at Almorah, and greatly pleased both with his manners and conversation; but he was then weak both in health and spirits, and my opinion of him has been formed rather from what I heard, than what I have myself known of him.

SIR JOHN MALCOLM, PRESENT GOVERNOR OF BOMBAY.

The character which Malcolm has left behind him in Western and Central India, is really extraordinary. As political agent, he had many difficulties to contend with, of which the jealousy entertained of him, as a Madras officer, by the Bengal army, is not the least. But during his stay, he seems to have conciliated all classes of Europeans in a manner which hardly any other man could have done, while the native chiefs, whom I have seen, asked after him with an anxiety and regard which I could not think counterfeited, inasmuch as they did not pretend any thing equal to it when speaking of other great men.

Except Sir John Malcolm, I have heard of no one whom all parties agree in commending. His talents, his accessibility, his firmness, his conciliating manners, and admirable knowledge of the native language and character, are spoken of in the same terms by all.

THE LATE SIR THOMAS MUNRO.

It was interesting to find only one voice about Sir Thomas Munro, whose talents, steadiness, and justice, seemed admitted by every body; he is a fine, dignified old soldier, with a very strong and original understanding, and a solid practical judgment; he is excellently adapted for the situation which he holds; and his popularity is, perhaps, the more honourable to him, because his manners, though unaffected and simple, are reserved and grave, at least on a first acquaintance.—Sir Thomas is a man of very considerable talent, and is universally respected and esteemed by all whom I have yet heard speak of him.

Lady Munro is a very lovely woman, and of remarkably pleasing manners: every body here (Madras) seems to regret most honestly her going away, saying that her whole conduct has been made up of good manners, good heart, and sound solid judgment. I do not know that higher praise could be given to a "Lady Governess."

LIEUTENANT-COLONEL JAMES TOD.

All the provinces of Meywar were, for a considerable time after their connexion with the British government, under the administration of Captain Tod, whose name appears to be held in a degree of affection and respect by all the upper and middling classes of society, highly honourable to him, and sufficient to rescue these poor people from the often repeated charge of ingratitude. Here (Dabla) and in our subsequent stages, we were continually asked by the cutwals, &c. after "Tod Sahib," whether his health was better since he returned to England, and whether there was any chance of their seeing him again? On being told it was not likely, they all expressed much regret, saying, that the country had never known quiet till he came among them, and that every body, whether rich or poor, except thieves and Pindarrees, loved him. He, in fact, Dr. Smith told me, loved the people of this country, and understood their language and manners in a very unusual degree. He was on terms of close friendship with Zalim Singh of Kotah, and has left a name there as honourable as in Odeypoor. His misfortune was that, in consequence of his favouring the native princes so much, the government of Calcutta were led to suspect him of corruption, and consequently to narrow his powers and associate other officers with him in his trust, till he was disgusted and resigned his place. They are now, I believe, well satisfied that their suspicions were groundless. Captain Tod is strenuously vindicated from the charge by all the officers with whom I have conversed, and some of whom have had abundant means of knowing what the natives themselves thought of him.

Here too (Bheelwara), every body was full of Captain Tod's praise. The place had been entirely ruined by Jumsheed Khân and deserted by all its inhabitants, when Captain Tod persuaded the Ranah to adopt measures for encouraging the owners of land to return, and foreign merchants to settle; he himself drew up a code of regulations for them, obtained them an immunity from taxes for a certain number of years, and sent them patterns of different articles of English manufacture for their imitation. He also gave money liberally to the beautifying their town. In short, as one of the merchants who called on me said, "it ought to be called Tod-gunge: but there is no need, for we shall never forget him." Such praise as this, from people who had no further hopes of seeing or receiving any benefit from him, is indeed of sterling value.

LORD COMBERMERE.

Lord Combermere is very popular, from his constant accessibility and close attention to business, as well as by his good-natured and cordial manners.

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I really believe you* could have found no person better suited to play the very difficult and important task which was placed in his hands, from his good sense, his readiness in despatch of business, and his accessibility, which had gone far to gain him the good-will of the Company's army, even before his success at Bhurtpoor. He appears at present to enjoy a higher reputation than any commander-in-chief since Lord Cornwallis, or any officer who has appeared in India, except Sir A. Wellesley.

THE LATE SIR DAVID OCHTERLONY.

Sir David Ochterlony, who, as agent to the Governor-general, is the common arbitrator and referee in the disputes of these little sovereigns (of Rajpootana), is said to maintain an almost kingly state. His income from different sources is little less than 15,000 sicca rupees monthly (upwards of £20,000 a year), and he spends it almost all. Dr. Smith, in his late march from Mhow to Meerut, passed by Sir David's camp. The "burra sahib," or great man, was merely travelling with his own family and personal followers from Delhi to Jyepoor, but his retinue, including servants, escort, European and native aides-de-camp, and the various nondescripts of an Asiatic train, together with the apparatus of horses, elephants, and camels, the number of his tents, and the size of the enclosure hung round with red cloth, by which his own and his daughter's private tents were fenced in from the eyes of the profane, were what an European, or even an old Indian, whose experience had been confined to Bengal, would scarcely be brought to credit. All this is at least harmless, and so far as it suits the habits and ideas of the natives themselves, it may have a good effect. But in Agra and Delhi, though Sir David is uniformly spoken of as a kind, honourable, and worthy man, I was shocked to find that the venality and corruption of the people by whom he is surrounded was a matter of exceeding scandal. Against one of his moonshees it appears he had been frequently warned without effect, till at length, in the course of a casual conversation with the emperor's treasurer, Sir David found, to his astonishment, that his own name stood as a pensioner on the poor old sovereign's civil list to the amount of 1,000 rupees monthly! The moonshee had demanded it in his master's name; to refuse was out of the question; and delicacy had prevented the emperor from naming the subject to the person whom, as he supposed, he was laying under an obligation! So careful ought public men in India to be that their servants do not abuse their authority.

THE LATE JUDGE CLEVELAND, OF BOGLIPOOR.

The people of these mountains (Rajmahal), and of all the hilly country between this place and Burdwan, are a race distinct from those of the plain, in features, language, civilization, and religion. A deadly feud existed, till within the last forty years, between them and the cultivators of the neighbouring lowlands, they being untamed thieves and murderers, continually making forays, and the Mahomedan zemindars killing them like mad dogs or tigers whenever they got them within gun-shot. An excellent young man, of the name of Cleveland, judge and magistrate of Bogliipoor, undertook to remedy this state of things. He rigorously forbade, and promptly punished, all violence from the zemindars (who were often the aggressors) against the Puharree (mountaineers): he got some of these last to enter his service, and took pains to attach them to him and to learn their language. He made shooting parties into the mountains, treating kindly all whom he could get to approach him, and

* Addressing the late President of the Board of Control.

and established regular bazars at the villages nearest to them, where he encouraged them to bring down for sale game, millet, wax, hides, and honey, all which their hills produce in great abundance. He gave them wheat and barley for seed, and encouraged their cultivation by the assurance that they should not be taxed, and that nobody but their own chiefs should be their zemindars. And to please them still further, and at the same time to keep them in effectual order, and to bring them more into contact with their civilized neighbours, he raised a corps of sepoys from among them, which he stationed at Sicligully, and which enabled him not only to protect the peaceable part of them, but to quell any disturbances which might arise, with a body of troops accustomed to mountain warfare. This good and wise man died in 1784, in the 29th year of his age. A monument was raised to his memory near Bogliipoor, at the joint expense of the highland chiefs and lowland zemindars, which still remains in good repair, having been endowed by them with some lands for its maintenance. The monument is in the form of a Hindu *mut* (obelisk), in a pretty situation on a green hill. As being raised to the memory of a Christian, it is called by the natives *Grige* (church); and they still meet once a year in considerable numbers, and have a handsome "poojah," or religious spectacle, in honour of his memory.

BRITISH GOVERNORS OF INDIA.

I was curious to know what governor of India had stood highest in their good opinion (at Benares), and found that they usually spoke of Warren Hastings and Lord Wellesley as the two greatest men who had ever ruled this part of the world; but that they spoke with most *affection* of Mr. Jonathan Duncan. *Duncan sahib ka chota bhaee*, "Mr. Duncan's younger brother," is still the usual term of praise applied to any public man who appears to be actuated by an unusual spirit of kindness and liberality towards their nation. Of the sultan-like and splendid character of Warren Hastings, many traits are preserved; and a nursery rhyme, which is often sung to children, seems to show how much they were pleased with the Oriental (not European) pomp which he knew how to employ on occasion:

Hat'hee pur howdah, ghore pur jeen,
Juldee bah'r jata Sabib Warren Husteen !

Of Lord Hastings I have not found that they have retained any very favourable impression. Yet the extent of his conquests, and his pleasing manners during his short visit, must, I should think, have struck them.

BRITISH FUNCTIONARIES.

Of course among these different functionaries there is an abundant difference of character and talent; but the impression made on my mind is favourable, on the whole, to their diligence and good intentions; nor can there be more useful or amiable characters than some of the elder servants of the Company, who, eschewing Calcutta altogether, have devoted themselves for many years to the advantage of the land in which their lot is thrown, and are looked up to, throughout considerable districts, with a degree of respectful attachment which it is not easy to believe counterfeited. Mr. Brooke, of Benares, is precisely a character of this description. Mr. Hawkins, of Bareilly, and Mr. Traill, the judge of Almorah, are others, and Sir David Ochterlony would have been an example still more conspicuous, were it not for the injurious confidence which he is said to place in his servants.

TIMUR.

(Concluded from p. 396.)

FROM the subjection of Persia, and that of the Tartarian nations which extend from the Jaxartes to the frontiers of China, to the invasion of Hindoostan, there is nothing very interesting to the general reader in the life of Timur. Nor is this last stupendous revolution in Asiatic history well told by our author: it occupies but a very few pages of his work; and the account is, in several respects, not only defective, but inaccurate. This is little to be wondered at when we consider that he visited not India as he did the other scenes of Timur's wars, and that he could consequently possess on this subject no information beyond that which he received through the distorted and fallacious medium of common report. We should despair of making any part of the relation acceptable to the reader who has any acquaintance with the *Institutes* and Sherefeddin Ali, or with Ferishta, and the other native authorities for the Mogul conquest. For this reason, we altogether omit this portion of Arabshah's history, and proceed to what we consider the more valuable, or at least the more original, portion of the work.

Before Timur left India, he received a most extraordinary letter from his son Amiran, whom he had placed over Aderbijan, which is not altogether such as might have been expected from a dependent son to a father—least of all to such a father as the emperor—the most haughty and powerful of men. Little as we rely on its authenticity, it is too curious to be omitted here: we have, however, been constrained to abridge it; for its prolixity is, in some places, exceedingly painful:

Thou art now old, thy constitution is feeble, and thou art in consequence unable to erect the standard of empire, or to sustain the oppressive weight of government. It becometh thee, therefore, before death call thee hence, to frequent the holy mosque, and to be constantly occupied in serving God. Thou hast sons and grandsons qualified to govern thy states, to lead thine armies, to defend thy dignity and possessions: what hast thou, who so soon must die, to do with earthly greatness? If thou hast any reflection left, abandon human pursuits, and turn thine attention to those which are divine. If thou shouldst obtain a kingdom mighty as that of Sjeddad,* Amalek, and Adi; if victorious fortune should exalt thee to the majesty of Haran or Pharaoh, and a fourth part of the earth should be tributary to thee; if thou shouldst be richer than Korah, and in war more prosperous than Nebuchadnezzar, to whom God granted great power, but whom he soon degraded; if even thy sway should extend to the ends of the world, thy wishes should all be gratified, and thy life prolonged to a miraculous degree; if thou shouldst render subject to thy dominion the greatest kings, such as the Roman emperor, the Persian Chosroes, and the Abyssinian Al Nejenah; if the mightiest monarchs and princes should approach thee as slaves and dependents; if the Chinese Fagfour should bend the knee to thee, and thy pavilion be elevated above that of the most puissant khans, who should prostrate themselves before thee; if Iran and Touran, and all the mines of the earth, should be there; would not thy usurped greatness end in impotence, thy life in death, thy dwelling in the tomb? Wouldst thou be compared with Noah, that pattern of religion and virtue? with Lockman, who gave such precepts to his son, and cherished his nature to an old age? with David, whose kingdom was so vast, and who yet was so unwearied in worshipping his God? with his son Solomon, who ruled over men, devils, the beasts of the field, the fowls of the air, and the winds of heaven? with Alexander, who ruled the east and the west, who dwelt among the mountains,

* *Sjeddad*, a famous but probably a fabulous king of Arabia, who is said by some to have lived, by others to have reigned, 260 years; *Adi* was one of his predecessors.

mountains, and reduced so many nations to his sway? So, thou art higher than the prince of prophets, the chief of the elect, the teacher before Adam's creation—the mighty Mahomet, whom distant realms obey; who is venerated by the visible and invisible worlds; who understandeth hidden things; in whom angels, devils, wild beasts, and even reptiles believed; whom God strengthened to overcome the Lord of the Mountain; who flew on the wings of conquest to the most remote parts; whom God helped when driven by the unbelievers from Mecca, and transported in one night from the cave to the temple of Jerusalem; who ascended on his noble ass *Al-borak* to the seven heavens; whose name is glorious in the sight both of God and man; for whom the universe was erected; who had the gift of working the most stupendous miracles, who fed a multitude with a few cakes, who quenched the thirst of numbers by the water which flowed wonderfully from his fingers, for whom the moon was split, to whom a tree walked, in whom a lizard believed, and whom a stone saluted! Speak, and thou shalt be heard; pray, and thou shalt be accepted; seek, and thou shalt find; imitate the example of the great and good, of the orthodox caliphs, especially Abu-bekr and Omar, who were the stars of true faith; of the perfect kings and excellent sultans who observed the commands of God, and defended his worshippers from oppression. Thou rulest men; thou distributest justice, but not in righteousness; thou protectest thy subjects, but at the same time consumest their subsistence by vexations. If thou shouldst ascend above the seven solid heavens, thou couldst not tread in the footsteps of Pharaoh and Sjeddad; if thou shouldst elevate thy palace above the highest mountains, thou couldst not reach the paradise of Adi, to which nothing on earth ever can be compared. Let this exhortation not be lost on thee. Shew thyself a friend of God, of Mahomet, and the faithful. If thou persist in laying waste the earth, I will meet, oppose, and restrain thee from such excesses, and thereby teach thee to proceed in the right path.

There is no doubt, we think, that the preceding wild letter is the invention of our historian; or if one were really written, the exaggerations, the hyperbolical expressions, and the unwarrantable freedoms, must be attributed to the imaginative Syrian. Fearless, uncurbed, and self-willed as the young prince is represented to have been, he could never, unless indeed his wits were fled, venture to draw certain destruction on his head by such an epistle. The father, we are told, soon left India, hastened to the son, overthrew him in battle, slew his partizans, but the ties of nature induced the conqueror to save the leader, who was believed to have been led astray by treasonable counsels. Preparations were then made for the war against Bajazet, whose success in Asia Minor awakened the jealousy of Timur on the banks of the Ganges.

After some unimportant operations in the mountains of Armenia, Timur directed his immense host (consisting, it is said, of 800,000 men) against Syria. That host was formed of very various materials; it had been assembled from every conquered country. "It was truly a flight of locusts," subject to no law, and panting for blood and desolation. "In that cursed army were the soldiers of Iran, the warriors of Touran, the leopards of Turkey, the tigers of Balaksan, the hawks of Deschta and Kata, the Mogul vultures, the bone-breaking eagles of Getica, the vipers of Khogend, the basilisks of Andekhan, the serpents of Khoresm, the wild beasts of Gargan, the eagles of Daganian, the hunting dogs of Hufar-Sjadman, the horsemen of Persia, the lions of Khorasan and Mezenderan, the hyænas of Ghilan, the wild beasts of the mountains, the crocodiles of Restemdar and Talican, the asps of Susa and Caramania, the wolves of Ispahan, Rajan, Gazne, and Hamada, the elephants of India, the rams of Luren, the bulls from the lofty mountains of Ghaur, the scorpions of Sjabresour, the snakes of Asker-Makrem and Jundisapura,—

'Fierce beasts, whose teeth were grinning for the prey,
And which to share the slaughter sped away.'

No wonder that such a *devouring* army should prove resistless when opposed to the *sheep* of Syria. To the various governors of that country Timur wrote, requiring them to surrender their respective fortresses, and assuring them that the lord of nations could not be withstood. The strongest of them fell successively into his power; the caliph of Egypt, who hastened to defend them, was defeated, but not so as to be unable to make head a second time against the invader. The result was again unsuccessful; the caliph's camp was set on fire, whether by treachery, or by an emissary of the enemy, is doubtful; and he was in consequence compelled to retreat. The Syrian nobles, left alone to stem the torrent which was overflowing the country, and which they began to regard as resistless, resolved to submit. Their trembling emissaries were admitted into his presence, and by the artful flattery of one among them, that submission was accepted.

While at Damascus, Timur went to prayers in the magnificent mosque of the Omniades. One day many Syrian doctors were present, who, after the conclusion of the service, were ordered into his presence. One of them, Nazreddin, was not only sprung from Othman, but also from the caliph Omar. When Timur understood this, he pretended to hold the doctor in great honour, exclaiming, "O thou of holy race! were I not old and infirm, I would bear thee on my shoulders: both thou and thy brethren shall experience my favour." This, however, was sheer hypocrisy; for he was all the time revolving in his mind how he might entrap them to their ruin. After long consideration, he inquired: "which is more excellent, knowledge or noble birth?" This question perplexed them; but at length the *cadi* Sjemsoddin replied: "knowledge is more excellent in the eyes both of God and man; the poorest, if learned, is better than the noblest, if ignorant. So thought the companions of the prophet, who preferred Abu-bekr to Ali, because the former was of superior learning, and better established in the faith." This pleased Timur, whose own birth, according to our historian, was mean enough. Gibbon has extracted from our author the account of an interview, in which questions still more captious were answered with wonderful presence of mind. To that celebrated conference we refer the reader.

All Syria having submitted, 20,000 troops were despatched to besiege Bagdad, the sacred city of the caliphs, which was taken and sacked. The war was then directed with accumulated fury against Bajazet.

The two famous conquerors commenced by a correspondence mutually insulting, and sufficiently betraying the impatience with which either suffered an equal. As that correspondence has been given before, we will not repeat it here. Bajazet made mighty preparations against the approaching storm: not only did he assemble all the troops which his widely spread dominions could furnish, but he prevailed on some of the Tartarian nations to join him in resisting the progress of one who appeared resolved to subjugate every country under Heaven. To dissipate this alliance was one of Timur's chief objects. By his secret emissaries he represented to the Tartars that his and their ancestors were the same; that in consequence he naturally bore them a strong affection; that they were his inner, while other people were merely his outer garment; that their dependence on the Ottoman lord was degrading, and their opposition to himself both imprudent and unnatural; and he concluded by holding out to them the alluring prospect of plunder and independence. "He tempted them just as the devil tempts men to wickedness," until they agreed among themselves to desert the Turkish standard whenever the two armies should meet in deadly conflict.

In

In his march against the Tartar, Bajazet is praised for his paternal regard towards his subjects, and the rigid severity with which he punished the excesses of his soldiers. Of this the following anecdote affords a fearful example. On a certain occasion, one of the Turkish soldiers, being parched with thirst, entered the cottage of a peasant woman, and requested a draught of water. She was a sordid, avaricious creature, and she denied that there was any in the house. He perceived some milk in a vessel, and as his thirst was intolerable, he seized and drank it, observing at the same time that it was fit only for boys. She complained to Bajazet, who immediately sent for the soldier, and interrogated him as to the fact. Fearful of punishment, he denied the truth of the charge. Then the sultan, turning to the woman, said, "I will rip open his belly to see whether he speaks truly or falsely. If the milk be found within him, the price shall be given to thee; but if it be not, thyself shalt undergo the same punishment."—"God is my witness," rejoined she, "that I have spoken the truth, and that he has lied; but let him be freed from his anxiety, I forgive him." This, however, did not satisfy the sultan, who resolved that strict justice should be done. The sentence was accordingly put into execution; the body was cut open with a sabre, by Bajazet himself, and out came the milk mixed with blood. The corpse was then paraded throughout the camp, and proclamation made aloud: "This is his reward who, under the sway of the just descendant of Othman, dares to take what is not his own!"

The result of the great battle under the walls of Ancyra is well known. The Tartars, according to their agreement, passed over to Timur, and Bajazet was taken prisoner. It does not appear that he was for some time treated with any other than kindness by his conqueror, but the ungovernable fury of his temper, increased as it was by his unequalled pride, precipitated him into ruin. That there is ground for considering the story of the iron cage an historic fact,* Arabshah may be appealed to as no incompetent authority, supported as he is by two other writers, who, like him, may be almost considered contemporary. Unable to brook the indignities which his own impatience and the savage haughtiness of the triumphant Tartar inflicted on him, he put a period to his life a few months after his defeat. Our historian does not say that he killed himself, but merely that "the august, heroic sultan and martyr was translated to the mercy of God."

This decisive victory over the hitherto unconquered Ottoman, was followed by the submission of the vast regions from the Tigris to the Bosphorus. In Georgia, however, the career of Timur was checked for a season. In the very heart of the country was a lofty, precipitous mountain, on the summit of which was a strong fortress, and the only ascent was by a very narrow path, so that a few individuals could defend it against a host. This was not all: a draw-bridge lay over a deep ditch which had been dug on one side the fortification; on the three remaining sides none was necessary, as they hung over frightful precipices, and were utterly inaccessible. In the day-time this draw-bridge was raised; but in the evening it was lowered to permit the Christians to seek forage in the neighbourhood: it was not, however, suffered to remain lowered during their absence. Towards morning they returned, and by the same way were re-admitted. When Timur surveyed the strength of the place, he justly deemed it impregnable. But his pride could ill brook the thought of leaving it unattacked, and still less of not taking it when assailed: he knew that it contained a numerous body of the enemy, with their families,

and

* See this fact, however, disproved by Mr. Von Hammer, *Asiat. Journ.*, vol. xxii. p. 134.—Ed.

and most precious effects. He pitched his tent at some distance from the base, in the hope that some fortunate accident would put it in his power. He did at length gain possession of it, and by a singular stratagem.

In Timur's army were two young warriors, rivals of each other, and "fierce as lions." The constant aim of each was to do something that should exceed the bravest actions of the other. This emulation had continued a long time, and had given rise to several valiant deeds on each side. On a certain occasion one of them fell in with a Georgian "strong as a lion, and tall as a tower," whom he fought and slew, carrying the head to the emperor. For this heroic act he was greatly praised, and raised to a much higher post. On seeing this, nothing could exceed the despite of the other. So great was the mortifying impression made on his mind that he resolved, whatever might be the consequence, to attempt something that should be acknowledged superior, that should humble his rival by obtaining for himself a more honourable name. He justly thought that if by stratagem he could secure possession of the draw-bridge, his fame would be glorious enough. One night, therefore, he hid himself in an unfrequented place, where he sometimes lay contemplating the stars, at other times crawling on his belly, or creeping on his hands and knees up the abrupt and dangerous precipice towards the entrance of the fortress. Towards morning the Christians returned as usual; the draw-bridge was lowered; and Bir Mohammed (so our soldier was called) rose up, and cut the ropes by which it was moved. Stones and arrows were showered on and around him, yet as the obscurity was favourable to him, he escaped destruction, though he received many severe wounds. The sun soon arose, and it happened that Timur himself imagined he perceived from his tent unusual confusion about the entrenched position of the enemy. He despatched some of his followers to ascertain the cause. "These ran like so many incarnate devils" until they reached Bir Mohammed, who was on the very brink of fate, overpowered, and laid on the ground. When he saw them approach, he made a desperate effort, stood on his feet, and entered with the retreating Christians into the fortification before they had time to close the gates. He resolved to keep them open until his comrades came up; and he fought desperately, opposed by numbers, "who fell on him like the storms of heaven." He was soon extricated from his perilous situation; the place with all it contained was taken; and himself brought to Timur, whose admiration at the adventure exceeded all bounds. That emperor sent him to Tauris, and commanded the governors and generals of the province to see that the most skilful surgeons were provided for him. Though he had received eighteen wounds, each of which was sufficient to cause death, yet by their care he recovered, returned to the camp, and was promoted to one of the highest military dignities.

All Asia being conquered, Timur returned to Samarcand, where preparations magnificent beyond all belief were made for the union of his grandson with a Persian princess. As our author's florid account of these entertainments has been translated by the historian of the Roman empire, we will not repeat them.

But neither the glory nor the power of the tyrant could preserve him from the common lot of mankind. While on an expedition undertaken for health rather than conquest, he drank wine to excess; "nor did he refrain from the cup until that of death was brought him." "This cursed beverage penetrated his vitals; his physicians were called, but their art was of no avail. A voice sounded in his ears: 'Impure soul, which art contained on an impure body, come

come out, cursed, wicked, devilish! henceforth thou shalt roll in boiling water, or liquid sulphur, and herd with the reprobate!" "The tormenting angels were at hand, and his spirit was dragged to the place where God's curse and punishment awaited him, and where he must remain a prey to infernal tortures. It was on Wednesday the seventeenth day of the month Sjaban, A.H. 807, and in the plains of Otrar, that Almighty God in his great mercy to mortals called away this wretch;—the branch which had done wickedly was cut off; Allah be praised for ever!"

After this triumphant consignment of the emperor to the fierce tortures of hell, our author devotes a considerable number of chapters to the revolutions which the Tartarian regions subsequently underwent; but as the reader will probably have little curiosity to learn what was done by the ambitious chiefs of the deceased conqueror,—how they carried on an exterminating war not only on one another, but even on the family of the once dreaded khan, we altogether pass over this portion of the subject. Before concluding, however, we will advert to some further particulars respecting the character and habits of Timur, which, without the slightest regard to method, Ahmed has accumulated towards the close of his work.

Timur was lofty in stature, and of a commanding appearance; he was exceedingly strong and courageous; fair in countenance, with a noble forehead; his body perfectly symmetrical, if we except the lameness which disfigured him; and his voice was loud, even terrible. He feared not danger or death: he loved not jesting or lying; and he delighted not in mirth, but truth pleased him. He was not depressed in adversity, nor lifted up in prosperity. He was brave himself, and loved bravery in others. He excelled in counsel, was firm to his purpose, and true to his promises. So acute was his mind, that he comprehended the whole of a thing at a single glance: he was watchful as to the slightest matters: deceit, however artfully covered, did not escape him; he could at once distinguish the true from the false. When he commanded any thing to be done, he never recalled his mandate; and never was there seen in him any wavering in design. He was generally called "the Unconquered Ruler of the Seven Climates, the Emperor of Land and Sea, and the Lord of Kings and Sultans." He had a great taste for study: he was much given to reading history, in which indeed he delighted. He was well acquainted with all known countries, their towns, forts, rivers, mountains, tribes, and languages. He would often repeat to his familiar friends the whole chain of events in any nation from its origin to his own time; so that his knowledge seemed more than human, and some thought that he must have derived it from the devil. Often when any one read to him out of any particular history, and made a mistake, he would immediately correct the reader; "but then an ass can find its way in a road which it is in the habit of travelling." He loved the society of learned men, whom he held in the highest honour. Nor did he pay less respect to science,—to eminent architects and mechanics. Players and poets he did not much like: his taste inclined towards the useful rather than the elegant. "He adhered to the laws of Ghengis Khan,—whom God curse!—in preference to those of the Koran; for which reason our doctor Hafeddin Mohammed,—to whom God shew favour!—and our doctor Aladdin Mohammed of Bokhara, whom God preserve!—and other orthodox professors, assert that he was no better than an infidel."

The magnificence of Timur was unequalled. All the kings and khans of the vast regions over which he led his armies, were in the habit of sending him valuable presents; for they were merely his tributaries. Of the reverence

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