

THE BENGAL HURKARU.

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MONDAY, JUNE 7, 1819.

[NO. 1297.]

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General Orders,

BY THE COMMANDER IN CHIEF.

HEAD QUARTERS, CALCUTTA, 3rd JUNE, 1819.

The leave of absence granted to Captain Chadwick, Commissary of Ordnance at Pottahigrah, in General Orders of the 8th May, is cancelled at that Officer's request.

Officers are posted to Regiments and Battalions as follows:

Colonel J. Arnold, C. B., to the 23rd Regiment Native Infantry, vice Baillies, struck off to the Senior List.

Lieutenant-Colonel Thomas to the 19th Regiment Native Infantry and 1st Battalion, vice Arnold.

27TH REGIMENT NATIVE INFANTRY.

1st Battalion. 2nd Battalion.
Major J. Truscott. Captain R. R. Young.

THE UNDERMENTIONED OFFICER HAS LEAVE OF ABSENCE.

Colonel Dick, 2nd Battalion 9th Regiment, 6 Months from the 1st July, in extension, preparatory to his proceeding to Europe.

GENERAL ORDERS, BY HIS EXCELLENCY THE MOST NOBLE THE GOVERNOR GENERAL IN COUNCIL.

FORT WILLIAM, 3RD JUNE, 1819.

Mr. George Morgan, Conductor of Ordnance, having furnished a Medical Certificate of his inability to discharge the active duties of his situation, is accordingly transferred to the Invalid Pension Establishment.

The undermentioned addition is authorized from and after the 1st Instant, to the Barrack Master's Establishment at Dum Dum, on the rates of Pay usually allowed for men of a similar description.

10 Mowers } Throughout the whole year.
5 Coolies }

5 Extra Coolies for the months of August, September, October and November, of every year.

The permission granted in General Orders by the Honorable the Governor in Council at Prince of Wales Island, bearing date the 9th of February last, to Captain Cookson, of the Regiment of Bengal Artillery, officiating as Deputy Commissary of Ordnance and Military Store Keeper at that Presidency, to proceed to Europe on Furlough for the benefit of his health; on the production of the requisite Pay Certificate, is approved and confirmed by the Most Noble the Governor General in Council.

(Signed) WM. CASBMENT, Lieut.-Colonel,
Sec. to Govt. Mil. Dept.

BY THE COMMANDER IN CHIEF.

HEAD-QUARTERS, CALCUTTA, 4th JUNE, 1819.

With the sanction of the Governor General in Council, Buffon Pandie, Sepoy of the Burdwan Provincial Battalion, is, as a special case, in consideration of his great age and length of service, transferred to the Invalid Pension Establishment, and permitted to reside and draw his stipend at Burdwan.

Captain Peach will be pleased to furnish the Fort Adjutant at Monghyr with the prescribed Certificates and other necessary documents regarding Buffon Pandie.

THE UNDERMENTIONED OFFICERS HAVE LEAVE OF ABSENCE:

Captain Stirling, 2nd Battalion 15th Regiment, 4 Months, from the 1st June, extension, on Medical Certificate, with permission to visit the Presidency.

Lieutenant Nash, Pioneers, 5 Months, from the 1st June, Medical Certificate with permission to visit the Presidency.

JAMES NICOL,

Adj. Genl. of the Army

BENGAL HURKARU.

CALCUTTA.

MONDAY, JUNE 7, 1819.

The Kedgree report of Saturday announced the arrival of the *Prince Regent*, Richmond, from Ceylon the 14th, and *Madras* the 28th May; and of the *Margaret Ann*, Phillips, from Bombay the 14th May.

Passengers per PRINCE REGENT from Colombo.

Mrs. Cavendish and three children,
Mr. F. M. Gillanders, merchant,
Captain G. Cooper,
Captain Ryan,
Lieutenant Banyon,
Mr. Smith, Assistant Surgeon, and 280 men and followers of the Second Ceylon Volunteer Battalion.

Passengers per MARGERET ANN, from Bombay.

Mr. Menzies, Assistant Surgeon, 21st Light Dragoon, his lady, and infant,
Lieut. J. Wilson, B. N. I.

The *Ernaad* dropt down from off Calcutta on Saturday, previous to her departure for the Mauritius.—The *Lord Melville*, Wetherell, for London; and the *Catherine*, Howard, for Bencoolen, will sail in a few days.

Madras and Bombay papers have reached us to the 20th and 15th ult. respectively. Their contents are mostly uninteresting. The general mourning for *Her late Majesty* was to cease at Madras on the 25th ultimo. The Sheriff of Madras had, with the sanction of the Right Honorable the Governor in Council, requested a meeting of the inhabitants of that place, at the Exchange on the 26th ultimo, for the purpose of preparing a congratulatory address to the Most Noble the *Marguis of Hastings*, on the success of His Lordship's measures as Governor General of British India.

The *Bombay Courier* of the 15th May, contains the following letter, written by one of the female passengers on board the unfortunate ship *Iris*, to which we subjoin the additional remarks of the Editor.

“ AT SEA.

“ April 4th, *Prince Blucher*, Captain Johnston

“ DR. EDWARD,

“ I have a dismal journal to inform you of. I have been 7 months on the 16th of this month since I left England on my voyage to Bombay, such a passage has not been made for years before as this of mine. Dr Edward, I am sorry to tell you that I am one of the dreadful sufferers that was cast away on the 7th Feb. at Chagos Archipelago in the ship *Iris*, Captain Jones. God is all sufficient. I have been shipwrecked on a desolate island, all my subsistence was nature itself, for 3 days I was on this island, called Solomon's Islands, or the Eleven Islands. I lived on cocod nuts, and 26 more souls besides me and my child, but this is nothing to what I have already suffered. I now suffered for all my ancestor's sins. Dear Edward, I have gone through every sorrow and distress all over the world, tho' never was a female ever born that suffered what I and Mrs. M. have. She has a young child too. She has been a comfort to me, and I to her on the voyage. There never was a book ever just in print to equal such a disaster. Dr. Ed. I know what an anxious mind you must have all this time, but bear up with fortitude. There was not one in the vessel bore with more patience than I did in the time of trouble. It was the will of God, that

I suffered all these trials and I knew that God alone was able to take me out. I resigned my soul to God many times, for I never did expect to ever live.

“ Jan. the 1st we lost the mast and the 7th Feb. we lost the ship. The schooner *La Vertue* picked part of us up, they took 11 of us off the island, but with very bad designs, with an intention to rob and then murder us. But God's will be done. However they agreed to take us to Ceylon for 5 thousand dollars. These people were subjects of Bonaparte, they told us they would take us to the owner of the schooner, and that was 18 miles from the wreck, at a place called Peros Bankos. When we arrived at this place, the owner came on board at six in the morning, and this wretch wanted to take us females on shore with him, and there to make his market of us, for he understood there was a great deal of money on board the schooner. The money was dollars, part of the cargo from the wreck. We understood this wretch's plan. This wretch had got 200 slaves on shore and a great many with him in the boats; there was 3 boats and some slaves on board, however, there was nothing could be done to save our lives but to take the vessel by force. Capt. Jones called all the English sailors to stand up for their country: we were well armed. The Capt. told me and my fellow passenger to go down in the cabin, but we would not go down, we would see our danger. This was a brave action that ever was done. On the Sunday, 14th Feb. the Capt. Jones told them to cut the cable and then we set off with 5 of the French fellows on board. Capt. Jones gave up the vessel to the French Capt. as soon as we were safe. But this is a distressing situation we were placed in, for we had not provisions on board for the voyage, we had but 6 gallons of water on board for 20 souls, so we only could trust to the Providence of God for our life. All our substance, a little bit of biscuit and half a pint of water a piece a day. However this was a distressed situation to be placed in for we were almost starved to death on our voyage, never did we expect to get to any port, for we were becalmed 5 days near the line: however we were almost dead, what kept life in us a few days was having salt water poured over us to keep life in us. God heard our prayers; and sent us a little rain that lasted us a few days. We found if we crossed the line we could have no more rain, so we were unable to make Ceylon.

“ Stretching to the coast of Sumatra and there we had abundance of rain that saved our lives when we were starving alive. A day before we arrived at the port of destination we met a Company's cruiser, Captain Mackintosh, and he told us that there was a fine port to go to, this gentleman sent us some fowls on board and wine and bread, we had the fowls cooked with the feathers on, we were so starved, so very much. The next day we arrived at Padang, the 8th of March, when we got plenty to eat and drink. We met with a worthy gentleman named Charles Salmon, Esquire, collector of the Customs house at Padang; he put us in the Governor's house, for the Governor was dead. I and Mrs. M. were very comfortable the time we were there; this gentleman paid every attention while we were in his house.” * * * * * Sunday 7th Feb. at I. P. M. saw a schooner at anchor at the Island of Eleven Islands. Owing to our being short of water, the Capt. hauled up for the N. W. part of the Island, on his hauling in, keeping the chief officer and boatswain looking out at the mast head. At 5½ P. M. or thereabout the ship unfortunately struck on the weather side of the bow. When in the act of hauling saw ship's boat in the harbour, got on the signal but no assistance. One side of the vessel 14 fathoms water and the other side 5 or 6 fathoms, both pumps going all night but impossible to save the unfortunate *Iris*. At 4 A. M. left the vessels to go to Solomon Island where there was not one person. Quite a desitute Island. We were 3 days on this desolate place, and then went on board the Schooner for Ceylon.

“ The forgoing extracts of a letter, describe, in plain unvarnished language, a series of female distresses with which every humane mind must sympathise. We lament, however, to add, that the writer, who has supported herself through her multiplied misfortunes with a fortitude and pious resignation worthy of our religion and our country, must ere this be acquainted with the still severer trials which await her with her poor infant. Her husband (Mr. Edward Reel) who she had fondly hoped on her arrival at Bombay, to have pressed to her affectionate bosom, and to have been solaced by his love and tender care for her past perils, has been dead some months, leaving no property. Her husband's brother also, on whose invitation her husband had come out to this country, died a twelve month before him. This poor woman is, therefore, now in Calcutta, bereft of all subsistence beyond what the beneficence of her countrymen may bestow, and destitute of the means of procuring her return to her native country. We hear that a subscription is set on foot here for her relief; we hope it will prove a liberal one.

The following paragraph promises a reply to the various editorial criticisms that have been published here, calling in question the authenticity of the *Desatir*.

Several of the Calcutta papers have published critiques impugning the authenticity of the *Desatir*; and those received during the last week express some surprize that no notice has yet been taken of them. We are authorized to state that an answer is preparing, which will shortly appear. The learned Editor, however, from his total ignorance of the English language, labors under considerable difficulties in a contest of this kind, and cannot be expected to be always prepared with his answers upon occasions like the present.

CRIMINAL LAW.—At a Court of Common Council held in Guildhall, on the 10th of Dec. the Lord Mayor being in the chair, it was resolved to petition Parliament, praying for a revisal of the Criminal code of the Kingdom. The resolutions, which were moved and unanimously carried, for shewing the necessity of framing such a petition, referred to the immense increase of crimes and trials in the Metropolis—the severity of the existing laws in punishing many minor offences with death, as well as crimes of atrocious enormity—the effect of this severity in deterring persons of humane and pious dispositions from bringing young offenders and others to justice—its effect on Jurymen in making them submit to fines rather than serve, or inducing them to give discretionary verdicts, contrary to the spirit of their judicial oath and in opposition to the laws—and the dangerous tendency of laws so severe, with their repugnance to the mild precepts of the Gospel, although uprightly administered and humanely mitigated by the exercise of the Royal Prerogative.

It can scarcely be doubted that similar petitions will be drawn up and presented by all the corporate bodies in the Kingdom. It appears from one of the resolutions of the Common Council, that there were committed for Trial in the year

| | |
|-----------------|-----------------|
| 1812 . . . 1665 | 1815 . . . 2005 |
| 1813 . . . 1707 | 1816 . . . 2226 |
| 1814 . . . 1646 | 1817 . . . 2686 |

The Capital Convictions for Middlesex, were in the year

| | |
|----------------|----------------|
| 1812 . . . 132 | 1815 . . . 139 |
| 1813 . . . 138 | 1816 . . . 227 |
| 1814 . . . 158 | 1817 . . . 208 |

There were executed in Middlesex, in the year

| | |
|---------------|---------------|
| 1812 . . . 19 | 1815 . . . 11 |
| 1813 . . . 17 | 1816 . . . 29 |
| 1814 . . . 21 | 1817 . . . 16 |

There were confined in Newgate only, of boys of 17 years and under, in the year

| | |
|----------------|----------------|
| 1813 . . . 123 | 1816 . . . 247 |
| 1817 | 359 |

There were committed for trial, in the different Jails in England and Wales, in the year

| | |
|-----------------|-----------------|
| 1805 . . . 4605 | 1814 . . . 6390 |
| 1806 . . . 6576 | 1815 . . . 7818 |
| 1813 . . . 7164 | 1816 . . . 9091 |
| 1817 | 13,932 |

SWISS COLONY—Our readers are already acquainted with the desires that the King of Portugal has shewn to establish a Swiss Colony in the Brazils. His Majesty's Consul in Switzerland having entered into a Treaty of Colonization with the Government of Fribourgh, has also addressed a circular to the other Cantonal Governments, offering equal advantages to their Catholic inhabitants. "Brazil," says the Consul, "now opens its immense territory to the industry of the inhabitants of Switzerland. Gratuitous grants of land are offered to them, and his Majesty will take upon himself, for poor families of the Roman Catholic religion, the ex-

penses of their passage from the sea ports of Europe to his dominions in the Brazils. He will make them a present of the horses, cows, and other cattle necessary for agriculture, and grain to sow the lands granted to them: lastly he will provide for their wants during the two first years of their establishment.

"The Swiss, who shall desire to cultivate colonial produce, such as coffee, cotton, tobacco, indigo, &c. shall have lands in latitudes granted to their cultivation, or shall enjoy, as well as the Portuguese, the right to have negroes. According to the capitals destined to these undertakings, the grants of lands shall be from a quarter to half a square league. Those who may desire to follow arts or trades shall be favorably received, and patents shall be granted for all kinds of discoveries or inventions which are recognized as useful. Lastly, if a military capitulation for one or more regiments is agreeable to Switzerland, his Majesty will cheerfully receive a proposal to this effect, and he will take every care that this military service may be as advantageous to those who shall engage in it, and that it may become, both for the present and the future, the pledge of a perpetual alliance between the High Contracting Parties," &c.

EAST INDIA SHIPPING ARRANGEMENTS.

A Court of Directors was held at the India House on the 11th December, when Captain W. Hope was sworn into the command of the *Herefordshire*, and the destination of the following ships was thus altered, viz.

Herefordshire, Captain Hope, from China, to St. Helena, Bombay, and China.

General Harris, Captain G. Welstead, from China to St. Helena, Bombay, and China.

Warren Hastings, Captain R. Rawes, from China, to Prince of Wales Island and China.

The *Marquis of Ely*, of 1257 tons, was taken up for one voyage in the Company's Service.

The following law report will, no doubt, be perused with interest by our commercial readers.

COURT OF COMMON PLEAS, DECEMBER 17.

BETHAM V. BENSON.

This was an action brought by the plaintiff to recover damages upon a charter-party, on the ground that the ship *Benson*, chartered to him by the defendant, had not been sea-worthy when he sailed with her from Blackwall for Calcutta.

Messrs Serjeants Vaughan, Onslow, Pell, and Mr. Gaselee, were Counsel for the plaintiff; Messrs. Serjeants Lens, Copley, and Messrs. Arabin, Campbell, and Chitty, for the defendant.

The charter-party was proved and read. The defendant warranted the ship good, tight, strong, and sufficient; the defendant was to pay 12l per ton, in certain specified modes. The voyage was to Calcutta and home again, with liberty to call at Madras.

WILLIAM THOMPSON, boatswain of the *Benson*, was on board five weeks before they sailed; they sailed on the 30th of July, 1816, she was 575 tons; before they got clear of the Channel she began to make water. They pumped every morning and evening; they went first to Madeira: when she got to sea again they pumped more frequently as they proceeded, till they came to Rio Janeiro, to which place they were obliged to go in order to get her caulked. They arrived there early in October; and stayed eleven days. Samuel Oviatt, agent for the defendant, was always on board. They arrived at Calcutta on the 15th of January. She had made considerably more water between Rio and Calcutta than before. They were often two hours on end pumping. The wind was capital. There had been no weather to hurt the hull. They remained at Calcutta two months. A sheet of copper extra, higher up than the old, was put on. The bowsprit was rotten, like the ship. Three days after she had left Calcutta, the windlass was gone, and it became necessary to get another; the old one had been bad and rotten. They sailed for Madras, which place they left in the beginning of May, and sailed, as he believed, for their destination. On their way a disposition to mutiny appeared, and they sailed for the Mauritius. They had fine weather—the vessel made a good deal of

water. Early in July they arrived at the Isle of France when the outer planks were taken off all was rotten; he could put his fingers through the beams, and take them like snuff. All the stern frame was rotten. He saw it to be so when the carpenter had cut it open. She was broken up there. She had been under the examination of Mr. Piston, the head carpenter in that place. John Corson, the Captain's clerk, proved nothing material.

CAPTAIN DENT, of the *Cadmus*, had been at the Mauritius at the time the *Benson* arrived there, and was, with several others, employed in surveying her. There were several surveys. In each successive survey they had been obliged to lay open more of the ship till they had discharged the whole cargo, and found a great part of the sides and all the stem rotten—he thought the rottenness must have existed for a considerable time. Some repairs had been attempted, but the seams were so soft that they could not be caulked.

Cross-examined.—On the last survey they had certified that she could be repaired. He knew that there were good workmen in the Mauritius.

CAPTAIN JAMES JORDEN, ALEXANDER RAMSAY, carpenter of the *Musquito*, LIEUTENANT EVANS of the same, gave evidence to the same effect. The two former had been among the surveyors.

JOHN DOUAY was at the building of the *Benson*, in the St. Lawrence, Patrick's Hole, New Orleans, in 1811. The timber used was green; when launched, she admitted so much water that it was necessary to heave her up, and let the water go out. He refused £8 a month to sail in her to Jamaica, and thence to England, because he thought she would be leaky and troublesome. She carried timber to Jamaica, and sugar thence to London.

JOHN WARD, rigger and lumber, was foreman of the job of unloading the *Benson*, on her arrival from Jamaica. She brought sugar and logwood. The lower tier of the hogheads was in water, and part of the second was damaged. She shook like an aspen leaf, or a man with a palsy.

Other witnesses gave evidence to the same effect. In order to avoid the necessity of going into evidence on the damages, it was agreed that, if there should be a verdict for the plaintiff on the sea-worthiness, the damages should be subject of reference.

SERGEANT LENS addressed the Jury for the defendant.

CAPTAIN THOMAS THACKER was sent out in 1811, to take the command of the ship when she was built—the materials of which she was built were seasoned and selected. She leaked no more than usual with new ships. The account given of the damage to the sugar, on her voyage from Jamaica, was all untrue. None of the consignees complained. He commanded her up to January, 1813, when she was transferred to the transport service. He had never seen any defect whatever in her.

WILLIAM HOOKER, Quarter master of the shipwrights in the Dock-yard, Chatham, was in Quebec in 1810, and saw the framing of the *Benson*. She was a very fine ship.

CAPTAIN PHILLIP commanded the *Benson* in 1814, and sailed on several voyages with troops. In August of that year he gave up the command to Turner.

CAPTAIN JOHN TURNOR sailed with troops to Quebec, and the *Benson* was selected by the Governor, Sir George Prevost, and his family for conveying them to England. She was under his care till the 12th of July, 1816. He never saw a finer vessel.

A great number more of the witnesses were examined, who all declared they never saw any mark of unsoundness. At the Isle of France, Mr. Oviatt could not at once get money to repair the ship. The French Vice-Admiralty Court ordered her to be sold, and the cargo to be conveyed to England in other ships. She was, in fact, sold for the repairs previously done to her.—Verdict for the defendant.

This cause occupied the Court from ten in the morning till half past ten at night.

The Assize Court of Cien have condemned to death the persons implicated in the attempt to rob and murder Mr. Hervey, an English physician, residing in the neighbourhood of that town.

A circumstance of some interest to the philanthropist (says a letter from Paris, dated the 12th Dec) occurred here yesterday. An Englishman lost his pocket-book, containing more than 1000l. in the Rue St. Honore. It was picked up by a poor man selling chestnuts, who took it to the address marked on the cover. The Englishman gave him only five francs—but mark the sequel—he followed the man to his home, ascertained his poverty and good character, and made him a present of 4030 francs. on one condition—that of keeping the name of the donor a secret!

COURT OF KING'S BENCH, December 12, 1818.

CRIME CON.—ASTON v. ELLIOTT.

Mr. GURNEY stated, that this was an action brought by the plaintiff, the Hon. Harvey Aston, against the defendant, Edw. Elliott, Esq. to recover a compensation in damages for the seduction of his wife, Mrs. Aston. The parties were both of them persons highly connected; the plaintiff being a gentleman of large fortune, the defendant son of the present governor of Madras. In 1813, Mr. Aston being then at Cadiz, saw the young lady, who soon after became his wife; she was the daughter of a Spanish merchant of eminence, was lovely in her person and fascinating in her manners. Soon after their marriage they came to England, where the ceremony was again performed; and in 1815 they went to France, where they continued till the latter end of 1816, living in a state of domestic happiness, up to the time of the defendant's finding his way into the family, and destroying that happiness. In the latter end of 1815, Mr. Aston took a house at Passey, about two miles from Paris; to this house the defendant was invited to partake of the hospitalities of its owner; and here, in the absence of his friend, he found occasion to seduce the affections of his wife, and to invade his bed. Mr. Gurney proceeded to detail the facts of the case, and called the following witnesses to prove them:—

Mr. GREENWELL proved the marriage of the parties at St. James's in 1814; they had been previously married at Cadiz.

Captain HENRY MENEL, of the royal navy, visited the family frequently for six months; they lived on the most harmonious terms.

Cross-examined.—Never heard from Mr. Aston any intimation which he entertained of getting rid of her.

ANTONIO SARRAZY.—Witness lived in the service of Mr. and Mrs. Aston when they resided at Passey, near Paris, in 1816, and knew Mr. Elliott, who visited there. Mr. Aston directed the witness not to let Mr. Elliott in if he came to Passey.—About five weeks after Elliott inquired if he received such orders, and witness told him he had. Mr. Elliott came afterwards without the knowledge of Mr. Aston; he then came to see Madame. He used generally to come in by the door of the saloon in the back of the house towards the gardens; it was the way visitors usually came; he came almost every day. Witness took one letter from Mr. Elliott to Mrs. Aston, but he took many letters from Mrs. Aston to Mr. Elliott. Mrs. Aston used to go to Paris every day in the carriage, once or twice a day, and always saw Mr. Elliott; sometimes he used to get into the carriage, and go part of the way towards Paris; this he did almost every evening. Witness remembers one evening being caught in a shower of rain, and turning round to get an umbrella, he observed Mrs. Aston sitting on Mr. Elliott's knee. Witness then went on to describe what more he saw, which left no doubt what then passed; it was then about 12 at night; the witness was enabled to see what was passing at this time in the carriage, by the reflection of a lamp by the side of the road. Had frequently seen Mr. Elliott at Passey when Mr. Aston was absent.

Cross-examined.—Witness still lived with Mr. Aston. Witness believes Mr. Aston never saw Mr. Elliott at Passey after he had desired the witness to shut the door against him.—Mr. Aston did not often dine out, but when he did Mr. Elliott used to come and dine with Madame.

JULIA RETOUR was wet nurse to Mrs. Aston. Mr. Elliott frequently visited Madame at Passey; he came often, and secretly. Madame used to receive him generally in the saloon. Remembered going into the saloon one day, when Mrs. Aston and Mr. Elliott were there alone, and saw Mr. Elliott kissing the lady. He generally came to Passey about twelve in the day, and continued there till six. Witness remembered going into Mrs. Aston's bedroom one evening for something for the child, when she observed Mr. Elliott in Mrs. Aston's bed.—Mr. Aston was at that time in Paris, and did not return home till two o'clock. Mr. Elliott called witness to him and offered her money, but witness refused it, and hastened out of the room. Mr. Elliott said he was going immediately. The witness was in the garden the next morning about seven o'clock, when she observed Mrs. Adela (Madame Aston's maid) in an address, letting Mr. Elliott out of the house. At nine that morning witness went into Mrs. Aston's room to take the child, when she observed the impression of two persons in the bed. Witness, on another occasion, went unexpectedly into the saloon, hearing the child cry, when she discovered Mrs. Aston and Mr. Elliott on the sofa, in a very improper situation.

Cross-examined.—Witness now lived servant with Lady Coventry. She had had a child since she was in England; she paid for her own living in out of her wages; she was a nurse-maid in Mr. Aston's family; witness did not tell Mr. Aston what she had seen, but told the butler, and he told his master. Mr. Aston and Mrs. Aston slept separate before the time she (witness) saw Mr. Elliott in Mrs. Aston's bed. Witness said nothing to any one of having seen Mr. Elliott there; it was a secret; she was bid not to tell; and

she thought it would make a disturbance in the house. She was much frightened, and was late at night. Mr. Aston was in bed at the time. She knew Mr. Elliott; he had nothing on his head, and he opened the curtains and looked at her.

W. LAWRENCE was valet to Mr. Aston. Witness deposed to the frequent visits of Mr. Elliott at Passey, unknown to his master. Witness accompanied his mistress to England, and afterwards returned with his master to France to bring over Sarah, the valet and Retour, the wet nurse, to give evidence.

Cross-examined.—Never told his master what he had seen, because he never saw any fact, he had only suspicions.

Mr. MARRYAT, from Cox and Greenwood's, stated that the defendant was a first Lieutenant of Engineers on half-pay, about twenty years of age. Witness did not believe he had any other dependence, than on his half-pay. Witness proved the handwriting of the defendant on several letters addressed to Mrs. Aston. The letters were in the usual style of warm affection and adulation.

Mr. SCARLETT, for the defendant, said, he never rose under a heavier impression of the importance of the case which he had to address the jury upon than on the present occasion, when a gentleman in the situation of the present plaintiff, a gentleman possessing an estate of £15,000 or £16,000 a year, sought to obtain a verdict against the defendant, a youth not yet of age. He would shew, however, that this was nothing less than a conspiracy against the lady who was the subject of the present action, commenced and carried on for the purpose of getting a separation from her. The learned counsel said, he would submit a case to the jury which should prove that this young woman had been treated with the most shameful neglect. He then proceeded to comment on the evidence of the French valet and nurse-maid, the improbability of which, he contended, would destroy all its credit. He would call evidence of the highest respectability, who would prove that Mr. Aston had neglected his lady in a manner the most shameful; that it was the subject of conversation in every circle in Paris, as were the amours of Mr. Aston; and now, to complete his object of a separation, he had gone to Paris to bring over two French servants to establish the dishonour of his already much injured wife.

CAPTAIN WESTALL has known the Hon. Mr. Aston about three years; first knew him at Paris, about the middle of 1815; had known Mrs. Aston before; had opportunities of seeing how they lived; they were by no means domesticated; Mr. Aston seldom dined at home. Witness was in the habit of meeting Mrs. Aston in the first circles in Paris, but Mr. Aston was seldom with her. Did not know how Mr. Aston passed his evenings; had seen Mr. Elliott at Passey, in October; at that time Mr. Aston and he appeared on the best terms.

Mr. RYAN knew Mrs. Aston; had frequently seen Mr. Aston in the streets of London in 1815; witness saw him go into a house of ill fame in Oxendon-street in the middle of the day; had seen him walking in the street with mean looking women, having the appearance of common prostitutes; he had seen him frequently; and at the time he went into the house in Oxendon-street he had a woman of this description with him.

Dr. JOHN ROBERT HOME, a physician in the army, was attached to the head-quarters, and attended the Duke of Wellington; was in Paris from 1814 to the present year; frequently saw Mr. and Mrs. Aston; met them at the Duke of Wellington's, and at other places. In August, 1816, witness, by desire of Lady Sidney Smith, went to see Mrs. Aston; found her labouring under a certain disease, and suffering dreadfully from the effects of mercury which had been administered to her. Witness saw Mr. Aston on the subject, who expressed his regret for what had occurred, and acknowledged the share he had in occasioning it; witness thought she must have been ill for some time, and witness advised the taking a house at Passey for the restoration of her health, and though Mrs. Aston was sometimes alone at parties, Mr. Aston was generally with her.

Cross-examined.—It appeared to the witness that Mr. Aston was extremely sorry for what had occurred, and anxious for a reconciliation.

Sir G. COCKBURN was at Paris in 1816; knew Mrs. Aston; had done so since the siege of Cadiz; did not know much of Mr. Aston; when they met at Paris witness renewed his acquaintance with her. Recollected that on the day he was about to quit Paris, in the early part of December, 1816, Mr. Aston called on him, and requested his interest and interference to reconcile him to Mrs. Aston. Witness asked him if he could consent to give up the improper company he was in the habit of keeping. He said he would, and that it was the first wish of his heart to be reconciled to her. There had, he said, been faults on both sides, as Mrs. Aston had been violent and ill-tempered, instead of soothing him. Witness, on this promise of Mr. Aston, consented to interfere, and ordered his horses to be taken from his carriage, as he was about to quit Paris when Mr. Aston came to him. Witness sent for Mrs. Aston, and she came to his hotel; at first she made some difficulties, but that affection which witness then considered, and still considered, that the regard she entertained for her hus-

band induced her to give way, and witness put her hand into that of her husband.

Mr. GURNEY addressed the jury in reply. The CHIEF JUSTICE summed up, and the jury, after a few minutes deliberation, found a verdict for the plaintiff—Damages £100.

OLD BAILEY.

MOST IMPORTANT CASES OF FORGED NOTES.

J. Williams was indicted for uttering a forged note for £10, well knowing it to have been counterfeited, and with intent to defraud the Government and Company of the bank.

W. Underwood said he was employed by Sellers, Furzenman, and Coates, constables, to detect persons in selling forged notes. He became acquainted with Williams in the latter end of October, at the Coach and Horses, Charles-street, Drury Lane. On the 7th of November he was told by a person named Guy, that Williams would sell him some forged notes. He purchased one for 7s. A day or two after he bought five more from the prisoner, near the dead wall of the Waterloo Bridge. On the 12th he met the prisoner in Monument-yard, where he purchased 12 more forged notes. Cross-examined.—He had been a calico-printer, a copper-smith's porter, and a coal dealer with his cousin, who was also a clerk to a lawyer. He had given information against three other persons besides the prisoner. This witness's testimony was corroborated by Sellers, Furzenman, and Coates. Mr. Chalmers stated that the prisoner, in September, purchased a pair of shoes at his shop, in High-street, for which he paid him with a forged note, at the same time giving him the false address of "Edwards, Rickmansworth." J. Glover had been an inspector of Bank notes upwards of 25 years, and he pronounced the whole of the notes to be forgeries, and all from one plate. The jury desired to inspect the notes, which having done, they expressed a wish that the Bank Inspector would give them some specific mark in the body of the note, by which they might judge of his capability of distinguishing between good and bad notes, as they found them so well executed, and in all respects so similar, that they could not make up their mind on the subject. Mr. Baron Wood said it would lead to great inconvenience to the public if the Bank Inspectors were compelled to give to public knowledge the private marks by which they can determine on the genuineness of notes. Besides, did they think that the prisoner would have sold a genuine note for 7s. which every body allowed to be worth 20s. The Jury still seemed dissatisfied; and at last Mr. Serjeant Bosanquet, Counsel for the Bank, put some questions to Mr. Glover, from which it appeared, that the Bank paper receives the water mark at the time of its being made; but in all these notes it was produced by compression, which made the wavy lines elevated, on the reverse of the note. The line which contains the month, the day of it, and the word "London," was said to be put in, in stereotype; whereas, in all these notes, they were engraved in the plate, and consequently the ink would not slur, as in the case of stereotyped notes. Mr. Baron Wood summed up the evidence, and the jury retired for an hour, and on their return, said they found the prisoner guilty of uttering the forged note to Mr. Chalmers. The indictment against the prisoner was for one of the 10 notes sold to Underwood. The Learned Judge then said they must acquit the prisoner.—Verdict.—Not guilty. He remains to be tried on the Middlesex side, for uttering the note to Mr. Chalmers.

William Connor was indicted for uttering several forged notes, with intent to defraud the Governor and Company of the bank of England. No less than five persons gave evidence to the prisoner's having passed forged notes to them. The Jury retired for three hours, and then returned the following verdict:—Guilty of passing the note in question; but the Jury are not satisfied of the evidence of the note being forged.

COMMON SARJEANT.—"Gentlemen, you must return a verdict of guilty or not guilty."

Juryman.—"We are agreed."

COMMON SARJEANT.—"If you are not satisfied of the note, being a forged note, you must acquit the prisoner."

Foreman.—"We are not satisfied."

Clerk of the Arraigs.—"Is the prisoner guilty or not guilty?"

Foreman.—"Not guilty." [Greenock Herald, Dec. 14.]

CORRESPONDENCE.

TO THE EDITOR OF THE BENGAL HURKARU.

"The angry beast did straight resent
The wrong done to his fundament,
Began to kick, and fling, and wince,
As if he had been beside his sense,
Striving to disengage from thistle
That gall'd him sorely under his tail?"
HUBBRAS, Part I. Canto II. from verse 845 to 850.

SIR,

In a letter bearing the signature of Robert Tytler, M. D. published in the *Hurkaru* of 24th instant, I am accused of making a personal attack upon the said R. Tytler, M. D.

THE BENGAL HURKARU.

In terms which he condescends to 'imagine were meant for verse.' I disclaim having made any attack at all upon Doctor Tytler in the 'hints' which displeased him so much. *Zoilus Sciomachy* is an imaginary person, who in his positive way endeavours to account for certain phenomena; and if Doctor R. Tytler insists upon identifying himself with this 'shadowy thing'—it is no fault of mine. He has indeed bounced up to a peg upon which I suspended a certain cap; and without asking my leave he has clapped it upon his own head. I would ask the Doctor if it was courteous to dispose so of my manufacture? Yet though he has snatched the head piece away so abruptly, I am not disposed to quarrel with him on that account; I accordingly make him welcome to win it and wear it, in remembrance of one who bears him no grudge whatever.

Is it not rather unreasonable in the Doctor to allow his anger to get the better of his well-known urbanity, when he rates a composition in which his name is never once brought forward, though he seems to recognise his own attributes in it, a composition too in which the theory differs so broadly from his own, on a particular disease? Why should he be stung so sorely by lines that he affects to consider with sovereign contempt? Does the verse of 'that Scythian pen which will scribble for ever,' &c. apply to no other person besides him?—The fact is, it does not apply to the Doctor at all; because he has *already* got an appointment, and a comfortable one too; in which he differs from *Zoilus*, who it seems holds none at all.—The Doctor's best course I am inclined to think would have been to allow the doggerel to which he alludes, die away by its own dullness. Instead of this, he rakes it up.—stirs it about, and then angrily attacks it for 'coming betwixt the wind and his nobility'—On one account I am rather obliged to him for his warm efforts at connecting my namby pamby with his own name; since with such an illustrious addition, it cannot fail of defying the sewers of oblivion longer than it otherwise could.

I cannot imagine what the Doctor would be at, when he threatens, that 'a repetition of affirmatives such as your paper of the 4th contains, will certainly be visited with a heavier penalty than the mere reply of a newspaper correspondent.'—Is this, Mr. Editor, aimed at you or me? Heaven knows that the epistle of your correspondent of 24th instant, is a heavy penalty of itself, nor can I well imagine a heavier unless indeed a whole volume on *Morbus Orizans* should be hurled at our heads. But joking apart I take the liberty of informing the Doctor, and I do so without being at all angry at his *galley*, that I look with perfect contempt upon his bullying paragraph, and further that I repel his mad charge of 'scandalous violation of truth with calm scorn, and shall always defend myself as well as I can against all his penalties. If he meant to make me drop my mask by such a shallow cook and a bull threat, he laboured under a great mistake. Nor will I act so ungenerously towards the Doctor as to take advantage of my anonymous disguise to answer his foolish letter in terms as harsh and vulgar as his own.

On the whole, the Doctor, I think, lies under an obligation to me for giving him an opportunity (he took it, indeed) of bringing forward before the public eye two documents which I trust will be attended with solid advantages to himself. One of these is a luminous, and very conclusive extract from his published work on *Morbus Orizans*, and forms a happy specimen of the authors 'ratiocinative faculties.' It will, I hope, tempt many to buy the work, who otherwise might remain ignorant of its merits.—can any thing my gentle readers surpass the beauty of the following paradoxical line, 'fields hardened with moisture' this is picturesque and new—pray why were the same fields so soft during the rains?—because they were softened with moisture. This gives us an idea of blowing hot and cold with the same breath.

The other document to which I alluded is par. 2nd of a letter from the acting judge of the court of circuit for the division of Benares, &c. wherein the Doctor is complimented, because "the number of prisoners who died in the hospital, during seven months, appears inconsiderable compared with other zillahs, which is creditable to the zeal and ability of Dr. Tytler." I pass over a ludicrous inference that might be drawn from the second clause of the quoted paragraph, and heartily join my commendation with the magistrate's handsome compliment; though I am somewhat surprised that the turnkeys did not come in for their share of it.

At the same time that I thank the Doctor for his kind invitation to answer his facts in prose or verse as it best suits me; I must decline the contest, because I do not consider a newspaper controversy favourable to the true interest of a scientific question. I shall therefore patiently await the publication of his promised work, and hear what the medical critics have to say on the subject. Besides I have had enough of the Doctor's correspondence; one such letter as his last is quite sufficient for me. It may give the public an idea how an argument thus begun would be conducted, by such a dispassionate reasoner. Of course the Doctor is to understand from this, that I shall not trouble myself by answering any more angry letters he may please to write.—Let him not, however, suppose that I am to be gagged by a big line with a penalty tacked to it. Happily

the press is now free (for which I among thousands pray a long and happy old age to Him who made it so, and whose name I revere so much that it shall not appear here,)—this being the case, I take leave to inform the Doctor, that I shall always at my own hazard have a fling at whatever strikes my reason as ridiculous. And should I have occasion at any time to question even the Doctor's infallibility, 'my name at full length in the news shall appear'—as it would at present, but that it is yet too tender and unblown to be handed about, and subjected to the outrageous violence of any one who might find it amusing to run as a muck against it armed with cholera and vituperation.

I have now done with the Doctor—I hope for ever, he knows as little of me as I do of him. Of course our interests clash not, nor do I bear him a spark of ill will. What I wrote, I writ to gird what I considered, and still do consider, ridiculous. If he should be offended at any remark or expression contained in this letter, let him calmly compare it with his own, and remember that he dragged me and my verses forward gratuitously, and that in no way for bearing or dignified manner. If he thunders with a Leontine roar against me, surely I have a just right to say 'hok!' to him?—*Hui mihi! si fueris tu leo, qualis eris!*

I am, Mr. Editor, your obedient servant,
PLUNKET.

May, 1819.

MERCANTILE REPORTS.

Price Current of the Principal Goods, and Merchandise

AT MADRAS.

| | |
|--|-----------|
| Dry Ginger, a. per candy | 42 45 0 |
| Sul Ammoniac, ditto | 175 19 0 |
| Rice, Bengal Moogy, a. per garce | 269 273 0 |
| Wheat, ditto | 252 269 0 |
| Japan Copper, a. per candy | 336 367 0 |
| Lead in Pigs, ditto | 45 49 0 |
| Tin Plates double, a. per box | 26 29 0 |
| Tin in Ingots, ditto | 175 19 0 |
| Steel, ditto | 47 49 0 |
| Tatnague, a. per candy | 157 22 0 |
| Iron, Swedish, ditto | 38 42 0 |
| Ditto British, ditto | 35 42 0 |
| Ditto Hoops, ditto | 35 38 0 |

AT BOMBAY.

| | |
|--|---------|
| Cotton, per Surat candy of 12 maunds | 230 0 0 |
| Rice, Bengal 1st Sort, a. per bg. | 10 0 0 |
| Salt Petre, ditto | 18 0 0 |
| Sugar, Bengal Best 1st Sort, ditto | 30 0 0 |
| Sugar Candy, Chinchow, per St. md. of 43 seers | 10 2 0 |
| Raw Silk, Canton 1st Sort Pucka Seer, 15 Seer to a | |
| Bombay Maund, ditto | 17 0 0 |
| Bengal, ditto | 15 0 0 |
| Gunnies, a. per 100 | 36 0 0 |
| Quicksilver, per St. md. | 42 0 0 |
| Vermillion, per bundle | 1 2 0 |
| Camphor, China per maund of 42 Seers a. per maund | 30 0 0 |
| Tin in large Slabs per maund of 40 Seers a. ditto | 12 1 0 |
| Tatnague per Surat md. a. ditto | 12 0 0 |
| Elephant's Teeth, Europe md. a. ditto | 50 0 0 |
| Nutmegs, per lb. | 3 0 0 |
| Mace, ditto | 3 2 0 |
| Cassia, ditto | 0 2 25 |
| Cloves, per St. md. | 72 0 0 |
| Cardanums 1st Sort per St. md. of 42 Seers per md. | 70 0 0 |
| Coffee, Mocha per St. md. of 44 Seers ditto | 20 0 0 |
| Cochineal, a. per lb. | 16 2 0 |
| Copper Sheathing, a. per md. | 22 0 0 |

IRON.

| | |
|-------------------------------------|--------|
| Swedish, a. ditto | 55 0 0 |
| British, a. ditto | 40 0 0 |
| Steel in Tub, a. per cwt. | 12 0 0 |
| Lead in Pigs, a. ditto | 9 0 0 |
| Red Lead, a. ditto | 11 0 0 |
| White Lead, a. ditto | 14 0 0 |

AT BUTEYGHUR.

| | |
|--|------------------|
| METALS, | |
| Copper Sheathing, a. per md. of 82 Sa. wt. | 50 0 0 |
| Lead thick, ditto | 48 1/2 to 49 1/2 |
| Ditto Japan, ditto | 52 56 0 |
| Ditto Slab or Battery and Brass, ditto | 0 47 1/2 |
| Lead in Pigs, ditto | 0 8 1/2 |
| Steel, ditto | 0 16 1/2 |
| Tin, ditto | 0 28 0 |
| Tatnague, ditto | 0 26 1/2 |

WOOLLENS.

| | |
|--|--------|
| Superfine Black, a. per yard | 0 24 0 |
| Ditto Blue, ditto | 0 14 0 |
| Ditto Bottle Green, ditto | 0 22 0 |
| Ditto Purple, ditto | 0 23 0 |
| Ditto Pepper and Salt, ditto | 0 22 0 |
| Ditto French Grey, ditto | 0 22 0 |
| Ditto Snuff or Brown, ditto | 0 20 0 |
| Ditto Town Scarlet, ditto | 0 24 0 |
| Ditto Yellow, ditto | 0 20 0 |

BRITISH GOODS.

| | |
|--------------------------------------|------------|
| Ditto Muslins, | 1 1/2 to 3 |
| Ditto Sheetings, per piece | 0 18 0 |
| Ditto Chintz, per yard | 1 to 2 |

The 31st May, 1819.

SHIPPING INTELLIGENCE.

CALCUTTA, JUNE 5.

ARRIVALS.—The English ship *Margaret Ann*, Capt. J. P. Philipps, from Bombay 14th May.

Passengers per *Margaret Ann*, from Bombay.

Mr. Menzies, Assistant Surgeon, 21st Light Dragoons, his lady and infant.

Lieut. J. Wilson, B. N. I.

DEPARTURES.—On the 4th June, the English ship *Theodosia*, Capt. Flinn, for the Cape of Good Hope.

The American ship *Julius Caesar*, Capt. Marshall, for Philadelphia.

The American brig *Neiad*, Capt. Osgood, for Salem.

The American ship *Aristides*, Capt. Penil, for Boston.

JUNE 6TH.

ARRIVAL.—Brig *Thelmaquac*, Kleyn, from Antwerp, 4th December, and Dartmouth 28th December.

DEPARTURES.—On the 6th June, the H. C. ship *Ernaad*, Lieut. Jones, for the Isle of France and Bombay.

Brig *Bounty Hall*, Roberts, for Liverpool.

Ship *Isabella Robertson*, Mitchell, for Penang and Manilla.

Ship *Lord Melville*, Wetherell, will sail for London, in four or five days.

Catherine, Howard, will sail for Bencoolen, also in four or five days.

DIAMOND HARBOUR.—Remains the *Cambridge* and *Aberdeen*.

Prince Regent, passed up.

KEDGEREE.—*Margaret Ann*, coming to town.

NEW ANCHORAGE.—Remain the *Ramdololl Day*, and *Pascoa*.

SAUGOR.—*Haidow* gone to sea.

CURRENT VALUE OF GOVERNMENT SECURITIES

| | | |
|-------|-------------------------------------|--------|
| BUY | 6th JUNE, 1819. | SELL |
| 6 As. | Six per Cent Loan Promissory Notes. | 10 As. |

VALUE OF SPANISH DOLLARS.

Sa. Rs. 205. 8. per 100 Spanish Dollars.

HIGH WATER AT CALCUTTA THIS DAY.

| | |
|-------------------|------|
| Morning | 1 48 |
| Evening | 2 12 |

Births.

At Negapatam, on the eleventh ultimo, the lady of Thomas Boileau, Esq of a son.

At Bangalore, on the second ultimo, the lady of Captain James Wahab, commanding the 6th Extra Battalion, of a son.

Marriage.

On the tenth ultimo, at Madras, F. Alexander, Esq. to Miss E. Paul, only daughter of Thomas Paul, Esq.

Deaths.

On the 6th instant, the infant daughter of W. B. Bayley, Esq.

At Madras, on the morning of Tuesday, the eighteenth May, William M'Taggart, Esq of the firm of Arbuthnot, De Monte, M'Taggart, and Co.—A man of sterling probity and understanding, who enjoyed the esteem of all that had intercourse with him either on business or in the relations of private life, and who by his virtues was endeared to all that were connected with him.

At Chittoor, on the 13th ultimo, Sarah the wife of Charles Roberts, Esq. after a short illness, which she bore with exemplary patience and fortitude.

At Bellary, on the 10th ultimo, aged 35 years, after a very long and distressing illness, Captain H. Wilkinson, 13th Regiment N. I. and Major of Brigade in the Ceded Districts.

On the 4th May, near Secundrabad, Ensign H. W. Hodges of the Chicacole Light Infantry, of the cholera.

On the 6th instant, at Chittledroeg, of a typhus fever, Lieut. and Adjutant Hodder of the 2nd Bat, 16th Regiment N. I. sincerely regretted by his brother Officers.

At Trichinopoly, after a few days illness, sincerely regretted by his brother officers, Captain John Dean, of His Majesty's 53rd Regiment.

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