MADRAS COURIER.

VOLUME XXV. WEDNESDAY, DECEMBER 28, 1808. NUMBER 1212.

To the EDITOR of the MADRAS COURIER.

DEAR SIR,

The enclosed production of aleisure minute is offered for your approbation, or otherwise, by an occasional correspondent and constant reader.

AMICUS.

DECEMBER 19, 1808.

FOR THE MADRAS COURIER.

"What argufies piping and sniv'ling your eye"
Zounds! what *comical* GRIFFINS *ye be*—

The *Griff fro' the North*, and the GRIFFIN in your Paper of the 7th Instant, have both of them dealt out their spleen, or if you like it better, made a smart *cut* at the *Big Wigs* o Madras, under the pretence of recommending to the "*New Society*," so much spoken of at this time as about to appear at Madras, *to play the very de'el an' all, among ye*, and revolutionize the present system (as they term it) of ceremonious visiting at the fountain head of fashionable life!!!—

Ods blunderkins what a fuss! what a kick up! these *Griffs* I'll warrant it, are all lads of *delicate stuff*—"tremblingly alive" as I have heard a learned person say "to the feelings of sensibility;" and so do ye see Mr. Editor, because mayhap that Mr. or Madam did not squeeze their fist, buss'em, or so, on their first introduction, by 'e Lord Harry, they grow *glumpey, melancholic*, an'e like—and then begin sniveling and sighing, and wishing themselves *hoam* again, with their mam's and dads I reckon, and so because they have not got the cap which we read on in the history if a queer chap called Fortunatus, if I recollect right—why they set too, turn over all their poor brains—and with pen, ink and paper, set about *cutting up the Big-Wigs*, and desiring this *forthcoming* Society will be liberal, hospitable friendly and so on—I'se tell ye what sir, he's reckoned a clever man, who can "see with his eyes shut," *as we have it*, & I don't pretend to say there be any great harm in their doing so—since let every man indulge in his own fancy—I finds no fault Sir—O! no—not I—'twould never do for me to make *war with Griffins!—they are reckoned such terrible ugly Monsters*—I shall ne'er forget my Granny pointing out to me a span new sign in our country of the "*George and Griffin*"—and odzooks if these in this country, *be like that there*, I might get in a scrape or so—so quietly, softly, Mr. Editor.

All I wishes is, if it pleases your learned self, to inform these grumbling Griffins, *how I comea on*, when *I* landed at Madras—and I' se warrant if all youngsters follow *my plan*, these said Big-Wigs who are reckoned, cross, crabbed, crustly proud and so, will be found good, comely and kind hearted.

My honest father's advice to me at parting, was none o' the longest—but it was *pure good* for all that—it would answer no good to tell you the whole on't—the *main point* was "*never to* be *shamefaced, sheepish or* so; "if that mayhap in a strange land, I should get *quiz-*"*zed* a bit, to make *joke on't*, and *enjoy the fun*, ever "be *good-humoured Tummas* "said he," thou'lt get "on I'se warrant thee.

Well Sir—to Madras I comed—and after some puzzleation, found out the *Great Man* (so I was thaught to suppose him) I had a letter to—being *cleverish* from my youth up, I thought on somewhat our PARSON said at Church, concerning first sights or so, therefore I had made myself a bil smartish, and being determined to look up, *bold-like*, I put on a *clever, new, broad, stiff Leather Stock*—I giv'd him the letter—he gave me a *stare*, and *I returned it*—"I live so and so" said he "you will dine with me"—"*To be sure I will*" I replied—never mind the whole on it Sir—but to Dinner I went, By th' mackins but there were a *rare set* on 'em all together—but I remembered *Dad's advice*, So little afraid I trudged direct up to Mister—stretched out my hand to gie him a squeeze, which he did also, but *methought he was not over cleverish*—a smile prevailed thro' the croud, *and* I *smiled to*; I eat and drank hearty—*winked my left eye* at the *Ladies* I *caught quizzing me*—cared not a d——— for the *stares* of the Gentlemen, quite "*free and easy*" like; and by Jingo Sir—by this mode of behaviour in a week, the LADIES were so *enchanted*, and the GENTS. so *pleased with me!* that ever since I have been "heartily welcome" to the *first Families at the Presidency*: and in good truth I do believe if the *young Hands* will but stick to, e' *Main chance*, look *bold-like, free and easy—enjoy* a *joke, or so—tattle a bit* to *the Ladies*—and *titter* with the *Men*—they will find that the *Big-Wigs* so far from being cross, proud, and haughty—are *flesh and blood, a right set of Social Jolly Good Fellows*. I must not omit to notice that once when a *Civil Buck (Yorkshire as I was told)* laid aside his *civility*, thinking to daunt me, began quizzing *my lingo, (pronunciation* as he termed it,) I tipped him a lick on his pate, burst out a laughing, and exclaimed "*I' se Yorkshire to*;"

Yours, Honest Sir
TOM EASY.

CUDDALORE,
December 18, 1808.

THE COURIER.

WEDNESDAY, DECEMBER 28, 1808.

APPOINTMENTS, &c.

Mr. JOHN HARRISON, Assistant under the Collector of Tinnevelly.

Mr. HAY CLEPHANE, 2d Judge of the Provincial Court of Appeal and Circuit for the Western Division.

Mr. T. H. BABER, Judge and Magistrate of the Zillah Court of Tellicherry.

The Honorable the Governor in Council is pleased to direct that the following Officers shall be attached to the Military Institution at the Presidency.

Lieutenant E. STOPFORD, Ensigns R. MARELOVE, E. SPICER, T. BALL, A. GRIEGSON, R. ALLAN, B. CHRISTIE, G. HEATH, R. W. K. HANSARD, C. SNELL, R. WILLIAMS, W. TAYLOR, E. MACPHERSON, N. MACLEOD, C ST. JOHN GRANT, R. H. HODGES, W. ALLAN, M. CLARKE, H. W. POOLE, H. MOBERLY, J. W. TAYLOR, NEAL MACNIEL, Cornet RAYMOND WILLIAMS.

Captain YOUNG, to proceed to Europe on Sick certificate.

Sunday last having been CHRISTMAS-DAY, this festival of our Church was ushered in by a Royal Salute, at Sun Rise, from the Battery of Fort St. George—The Union Flag was displayed, and the European Troops of the Garrison were entertained, as usual, with old English fare.

An excellent and appropriate discourse was delivered at ST. MARY'S CHURCH by the Revd. E. Vaughan, from Isaiah 9th, verse 6th, and the Holy Sacrament was afterwards administered.—The Church was completely crowded, and two very considerable collections were made, the one in aid of the Church Funds, the other to be applied to charitable purposes.

On Monday morning, at the Presidency, Major General George Wahab, departed this life, aged about 56 years. His remains were intered yesterday morning in the burial ground of this place, by the Rev. C. Dunsterville. The body was preceded to the grave by the whole of the 2d Bat. of the 8th and 2d Bat. of the 11th N. I. and by the Fort Band, followed by H. M. 30th Regt. The Members of Council; the Staff of the Presidency, and a great number of other Officers, and the private friends of the deceased followed the Coffin, the pall covering which was held by six Officers of the Staff. His remains were deposited at the end of the Avenue of Trees, and by the side of the Monument which has lately been erected to the Memory of MAJOR GENERAL EDWARD COLLINS.

A List of Merchant Ships Captured and Sold to the Arabs by the French, consequently liable to capture by order of Council, Nov. 11 1807.

Maria, Capt. James, now Zemaun Shaw, going to Mosambique, and taken in cargo.

Caroline, capt. Eggelston, now Phulk, belongs to the Sultan; painted with two broad streaks of dark yellow, and arrived.

Udney, Capt. Waters, now Solomany, belongs to the Sultan, going to Judda, painted with 2 broad light-yellow streaks.

Susanna, now Solomany, belongs to the Sultan, a very handsome flush ship, painted with a bright yellow side, and a new bulwark fore and aft.

A ship commanded by capt. Galloway, name not known, with a bird's head, which is painted, and belongs to the sheriff of Mecca; and going to Judda, taken in cargo. Three more ships are in the Gulf, names not known, purchased at the Isle of France last season.

ADDRESS of the Native Inhabitants, to Lieutenant Colonel JOHN HILLEY SYMONS, late Judge and Magistrate, and Collector at Seringapatam.

HONORED SIR,

We the Native Inhabitants of all casts and religions, residing on the Island of Seringapatam, beg leave to approach you on hearing of your approaching departure, from this place, to express to you, the most unfeigned sentiments of regret, with which the event has inspired us all. At the same time, we cannot suffer you to leave us, without endeavouring to express to you, how very sensible, we are of the great benefits we have derived, during the period of nearly eight years, you have been our Magistrate, from your impartial administration of justice among us, and from the excellent Police, which you have constantly maintained on this Island. We are not ignorant of the trying and delicate circumstances, under which you were placed, when you first came among us, to administer justice and establish a Police; those circumstances required a Magistrate of no common prudence and sagacity. You were sent into the center and to the capital of the kingdom of Mysore, to introduce and cause to be respected, the British system of jurisprudence, in a newly conquered country, and among a people whose former rulers, had not only themselves entertained at all times the greatest aversion to the nation under whose authority and protection, it is now our good fortune to live, but had also endeavoured by all the means in their power, to inculcate into our minds, the same sense of aversion and distrust: particular pains had at all times been taken to prejudice chiefly, the minds of the large population of the spot, in which you were destined to administer justice; but your strict impartiality, your mildness and your conciliatory manners, soon gained all hearts conciliated all interests, and overcame all the prejudices with which the selfish policy of our former Governments inspired and we soon became sensible of the happiness of living under a Government, which makes no distinction between the powerful and the weak, the rich and the poor, but extends equally its protection to all by the impartial administration of a justice which insures to every one his individual safety, makes inviolable his property, and guaranties to all, a reasonable civil and religious freedom. We were never before acquainted with the practice of such generous principles of equity, and accustomed from time immemorial to groan under the yoke of oppressive Princes, who followed in the Government of their subjects, no other rule but their arbitrary will, we were perfectly ignorant to these late times, if any such thing as justice was to be found any where in the world, among the rulers of nations; but you have exemplified by a wise, upright and impartial exercise among us, of the authority which was delegated to you, in this Island, what a former long sad-experience had induced us to consider as almost impracticable. That we and our children after us, may always live undisturbed, as long as the sun and moon shall last, under the protection of that just Government, with whose laws and principles you made us acquainted, and on whose existence depend our safety and property is the most earnest wish of our hearts. In the mean while although we entertain not the least doubt, that we shall continue under your successor, the enjoyment of the same blessings you were the first to introduce in this Island, by being the first delegate of the Government, under whose wise laws we make it now our pride to live, we consider it our indispensable duty, to offer you before your departure, this public testimony of the sincere esteem, respect and gratitude with which your impartial, mild, and paternal exercise of the authority deligated to you, as well as your other public and private vertues have inspired in us all. In whatever country your destiny may lead you shall always be accompanied with our most sincere and most hearty wishes for your future welfare prosperity and happiness.

Signed by 409 of the Principal and most respectable of the Inhabitants and delivered by the following persons.

Nowel Kethundaif Soucar
Aney a Seltee
Vesapanah Seltee
Suba Naick Mulleya Seltee
Year Runga.
Jengam Multah
Varryah

Seringaptam 27th of October 1808.

REPLY.

To the Native Inhabitants of all descriptions, on the Island of Seringapatam.

Relieved from my situation, public and private, local ties between us dissolved, when you have nothing to dread from my power nor to hope from my favour, at such a moment, to receive from you an address replete with your approbation, of any general conduct during a period of nearly eight years, affords me the greatest sublunary gratification, I shall ever experience.

It is a source of satisfact on to me, that I have been made the humble Instrument for introducing among you, a system of jurisprudence, which you now so highly prize; your uniform peaceable, and orderly behaviour and firm attachment to the British Government, deserve the benefit you gratefully acknowledge, and I trust the same demeanour, will in future merit its continuance.

I am happy to be able to assure you that my successor, possesses every qualification, and equal inclination, to protect your persons and property, and to continue to you, the blessings which you say, you at present enjoy.

To the last hour of my existence, I shall reflect with pleasure on the time I have dedicated to the discharge of my official duties at Seringapatam, and that in doing so, I have in every respect, in your opinions upheld the character of a British magistrate.

With great anxiety for your future welfare,
I remain
Your sincere Well-wisher,
JOHN HILLEY SYMONS,
Lieutenant Colonel.

SERINGAPATAM,
the 27th of *October*, 1808.

MADRAS MARRIAGE.

At Pondicherry, on the 13th December, Ernst Wm. Fallofield, Esq. to Mrs. Jany Elizabeth Honoria Pernon.

MADRAS BIRTH.

On the 8th December at Barampore, Ganjam, the Lady of Colonel Berkeley, of a Daughter.

MADRAS DEATHS.

At the Presidency, on Monday morning, Major Gen. Wahab, aged 56.

On the 24th Dec. Miss Elizabeth Lamb, Daughter of Mr. Daniel Lamb, aged 11 years 2 months & 1 day.

At Vizagapatam, Vincencio Corbett, Esq. of the Hon. Company's Civil Service.

BENGAL MARRIAGE.

On the 4th Oct. Mr. George Egglestone, to Miss Allardice.

BENGAL BIRTHS.

On the 9th Dec. at Dum Dum, the Lady of Captain Mitchell, of Artillery, of a Son.

On the 9th Dec. Mrs. Lewis Verdoncel, of a Son.

On the 4th Dec. Mrs. James Rostan, junior of a Daughter.

On the 5th Dec. Mrs. Harton, of a Son.

On the 8th Dec. Mrs. V. J. Gomes, of a Son.

On Monday, the 21st Nov. Mrs. M. Zorer, of a Son.

Lately, at the Presidency, the Lady of the Reverend P. Carey, of Rangoon, eldest son of the Reverend W. Carey, D. D. of a Daughter.

At Tipperah, on the 28th Nov. the Lady of J. Wemyss Esq. of a Daughter.

At the same place, on the 26th Nov. Mrs. A. Pinto, of a Son.

At Cawnpore, on the 25th Nov. the Lady of R. Grant, Esq. of a Daughter.

At Rungpore, on the 22d Nov. the Lady of William Brimhall, Esq. of a Son.

BENGAL DEATHS.

On the 9th Dec. the infant Son of the Reverend D. Brown.

On the 8th Dec. Mr. George Gooding, late of the H. C. Marines.

On Sunday the 4th Dec. Mr. Samuel Paterson, Ship builder;—a worthy honest and upright character.—The loss of this valuable member of society, is most sincerely and deservedly regretted by a large circle of Friends.

On the 25th Nov. at Hyrampore, near Berhampore, Mr. John Ripley, Indigo Manufacturer, much regretted.

BOMBAY DEATH.

On the 14th Dec. Lieutenant O'Brien, of H. M. 65th Regt.

STATE of the THERMOMETER in Fort St. George, in a moderately exposed room opposite the Sea.

Date	7 A.M.	Noon.	3 P.M.	8 P.M.	Remarks.
Dec. 21	73	80½	80½	77	.....
22	72½	80	80	76	.....
23	73	81	81	77	.....
24	72½	80	80	77	.....
25	72	80	80	77	.....
26	71	79	79	76	.....
27	69	78	78	76	.....

Arrival.—Lieut. Colonel J. J. Durand, 2d Bat. 8th Reg. Captain T. Young, 2d Bat. 12th Reg. Ensign T. Ivie, Ensign Medowcraft, 2d Bat. 8th Reg. Cornet Ray[d]. Williams, Mr. Aveline, and Mr. W. H, Buda Cadets. Ensign T. S. Hyde, 1st Bat. 22d Regiment T. Parry Esq. Messrs. H. H. Smith, and J. Stewart, Merchants.

Departures.—Lieut. C. Waddell, 1st Bat. 12st Reg. Assistant Surgeon H. Atkinson, 2d Bat. Pioneers, and Lieutenant Trueman.

CALCUTTA,—DECEMBER 10, 1808.

CIVIL APPOINTMENTS.—Nov. 25, 1808,

Mr. W. Loch, Register of the Zillah Court at Shahabad.

Mr. W. Carcroft, Register of the Provincial Court of Appeal and Court of Circuit for the Division of Benares

Mr. R. B. Gardiner, Register of the City Court at Patna.

We have the pleasure to announce the safe arrival at Kedgeree on Thursday, of the ship Lord Minto, Captain William Greig, from a Trading voyage to the Eastward, last from Penang, whence she sailed on the 18th ultimo.

The undermentioned Passengers have arrived here, by the Lord Minto:—

Doctor R. Drummond, of the Bombay Establishment.

D. Forbes, and D. M'Culloch, Esqrs.

It is worthy of remark, that the Lord Minto, not having been heard of here within the period prescribed by the Laws of Insurance, was with her cargo, abandoned by the Owners to the Underwriters, who actually paid the amount of the respective Policies some time ago.

We understand this is a very uncommon case, of which indeed we have not heard of any precedent; and it appears to be an intricate question, as to which party the Ship and Cargo, now legally appertains.

By the foregoing opportunity, we learn, that the Baring, Captain Fergusson, and the Sulimony, Captain Dodds, sailed from China on the 9th of October; they experienced a severe gale of wind, near the Parcellars.

The Sulimony remained six days at Malacca, and arrived at Penang on the evening of the 15th of November, at the date of the departure of the Minto, from Penang, (viz. on the 18th November) nothing had been heard of the Baring, since her parting company from the Sulimony, in the gale as above noticed. Some apprehensions are consequently entertained for the safety of the Baring; we understand, she is a very rich ship, and insured in most of the Insurance Offices in Calcutta, to a great amount.

Despatches received at this presidency on Saturday night last, from China, via Penang, forwarded from the latter place by one of H. M. Ships of War, who brought the dispatches to the Sand Heads; from whence they were conveyed to Kedgeree, by one of the Pilot vessels; state the arrival at China of a British detachment, from Madras; and of the troops having landed at Macoa on the 27th September; and that they had met with a favorable reception from the Portuguese.

Other advices forwarded by the Sulimony, we are informed, mention, that the Chinese had laid an embargo on all vessels laying at China, by affixing their chops; and had interdicted all communication between the ships and the shore.

The Baring and Sulimony, were allowed to depart by special licence.

H. M. Ship Lion, with her Convoy, passed Macao, all well, on the 28th of September.

According to the last accounts from China, the nominal price of Opium, was 900 Dollars per chest;—the market glutted, and no sale.

The Arab Ships Fazy Rhobany, and Fyzel Curreen, from hence had arrived at Penang.

A Ship and a Brig, inward bound, were in sight from Kedgeree, standing up the River, when the report from thence was despatched on Thursday, at 4 P. M.

The brig abovementioned is supposed to be the Britannia; as we learn by the Minto, that she had sailed from Penang for Calcutta.

H. M. Ship Culloden, having on board His Excellency Vice Admiral Sir Edward Pellew, Bart. quitted pilot's Water, on the evening of the 6th current.

The Ship Europa, and Brigs New Endeavour and Hibernia, for the Eastward, quitted their pilots at the same time.

The Georgiana Packet, Captain Leigh, is now at Culpee, waiting final orders.

During the last week, the Arab ships Shaw Allum, Fatel Barra, and Fathelbarry, left Calcutta, on their return to the Red Sea.

The H. C. Ships William Pitt, Lady Jane Dundas, Hugh Inglis, and Calcutta, remain at Saugur.

The Yadel Curreen, Shaw Allum, and Dowlut Savoy, at Kedgeree.

Captain Greig, Commander of the Lord Minto, arrived in town this morning, and upon the authority of information obtained from that Gentleman, we are now enabled to correct a part of the accounts given in our Paper of this morning, respecting the Baring and the Sulimony.

It appears that the Sulimony did not lose any of her Masts, or sustain any very material damage during the gale, but that the Baring lost her Main-top-mast; and was last seen by the Sulimony, to leeward of the Parcellar Hills; a situation, which we understand, is not considered dangerous.

On the evening, on which the Minto left Penang, the signal was made for a large ship going in from the Southward, and which was supposed to be the Baring.

The Sulimony was expected to sail from Penang for this port, on the 26th ultimo.

The Fleet arrived at China under convoy of H. M. Ship Lion, consisting of nine Indiamen, and fifteen country Ships.

At the date of the latest advices from China, which come down to the 9th of October, the transports which left their Bengal Pilots on the 22d of August, and Penang on the 8th of September, had not reached their destination.

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3 P. M.

The Kedgeree report just received mentions the following arrivals:—

Ship Lady Barlow, Captain M'Askill, from Muckee, on the West Coast of Sumatra; whence she sailed on the 20th ult.

Brig Nancy, Captain Bloomfield, from Madras, and last from Coringa, which latter place she left on the 17th ult.

Passenger per Nancy:—Mr. George Case, Cadet.

We have not obtained any intelligence, by the foregoing arrivals.

The two vessels abovementioned, are the ship and brig stated in the Star of this morning, to have been in sight from Kedgeree on Thursday.

On Tuesday morning last, James Archibald Simpson, Esq. was nominated to the office of Sheriff, for the ensuing year.

SUPREME COURT.

On Saturday last, the Half Yearly Sessions of Over and Terminer and General Gaol delivery, were held at the New Court House, before the Honorable the Judges of the Supreme Court.

The Court being opened with the usual formalities, the undermentioned Gentlemen, whose names were the first drawn, by the Clerk of the Crown, in the usual manner, from the whole number of those summoned by the Sheriff, to serve on the Grand Inquest, having retired from Court, in order to elect their Foreman, they returned in a few minutes, and were sworn in of the Grand Jury, as under; viz.

ALEXANDER COLVIN, Esq. FOREMAN.

J. W. Fulton,	John Hunter,
Alexander Wilson,	Robert Maclintock,
Matthew Lumsden,	William Brodie,
W. L. Gibbons,	Thomas Hickey,
Ebenezer Jessop,	Richard Walpole,
John Corsar,	F. Laurence,
John Mackenzie,	T. J. C. Plowden,
Archibald Kelso,	Thomas Yates,
J. J. B. Proby,	John Walter Sherer,
J. N. Sealy,	Frederick Vansittart,
William Hollings.	D. Campbell, Esquires.

The Gentlemen of the Grand Jury being sworn and called over, they received from Sir William Burroughs, an able and eloquent Charge, of which the following is nearly a correct report.

"*Gentlemen of the Grand Jury,*

"Among the offences likely to come before you at the present sessions, there are very few upon which you can require the assistance of any particular observations from the Court. From the informations returned by the Magistrates, the cases, in general, appear to be such as many of you have been frequently called upon, in the capacity of Grand Jurors, to consider, and such as you can have no hesitation in saying ought to be brought to trial.

"You will be sorry to hear that three different Murders are mentioned in the Calendar; and that for a fourth, you will have an Indictment laid before you, in consequence of a Duel between two Military Officers, one of whom, unhappily fell by a pistol shot, which proved fatal at the place of meeting. The witnesses swear to facts, from which it must be inferred that the Duel was premeditated. And if it was, I need scarcely tell you that the offence of the survivor, however great his provocation may have been, clearly amounts to Murder.

"The practice of Duelling, which has so long been a reproach to the superior orders of society, in almost every part of Europe, is, I am happy to believe, wearing gradually away. The professed Duellist in this country, I hope, is utterly unknown, and has long been consigned, in every other, to all the infamy, which so brutal a character deserves. Duels, instead of being now considered as any test of that true and genuine courage, which is one of the most noble qualities of the mind, are often fought, we know, by the cowardly, as well as by the brave, and in almost every instance are justly ascribed to the unmanly fear of being thought afraid. Many naval and military characters of distinction, who have often risked their lives against the enemies of their country, have latterly rendered essential service to society, by bringing their challengers to justice, instead of agreeing to meet them in the field. And most men, it is to be hoped, will be at last convinced, that some better mode of redress, both for injuries and insults, may be found, than that which so absurdly, as well as criminally, is to depend on superior dexterity in using a pistol or a sword, with which in general, we find, the least respectable are most expert. Much already has been done by the general sense of society, and particularly of the first and best educated orders, among whom we scarcely ever hear of Duels. Their own attention to good manners, and the certainty with which every one who violates good manners always finds himself excluded by them, are the principal means employed: and if those means were more generally adopted, and duels were as much discountenanced by others, as they are by the highest and most respectable ranks of life, there soon would be an end to this disgraceful practice, and to all necessity for the expedients that many men have suggested, for the purpose of preventing it.

"Still however it prevails. And destructive as it is, Juries too often, I fear, are induced to make more allowance than they ought for its influence upon persons in the rank of Gntlemen; few of whom, unhappily, have yet fortitude enough to disregard those false and sanguinary laws of honor, as they are called, that so frequently lead them deliberately to violate the laws of their country and the laws of God. By military men, in particular' this allowance, it seems is most expected: and if it could be extended to any description of persons, they, it has been said, would have the most reasonable claim.—Their courage, they tell us, like the honor of a woman, cannot even be suspected, without deep injury both to their interests and feelings; and rather than submit to have it for one moment doubted, certain it is, that they often have reluctantly been driven to assail the lives of others and expose their own, even when the offence was in its nature trivial, and all resentment was at an end.

"But if it were necessary, Gentlemen, to make any answer to such a claim, to a claim which produces such deplorable effects, and which no man can admit, without justifying this destructive practice and the murders that arise from it, it would be quite sufficient to remind you, that the most Military Governments of Europe have long been the most rigorous in the punishment of Duels, and that when death ensues, they are classed with crimes of the deepest guilt, not only by our own Laws, but by the concurring Laws of every enlightened nation upon Earth. In ours, happily, justice is always combined with mercy. And tho' I, for one, am perfectly convinced that homicide in Duels has been much too frequently allowed to escape the penalty of the Law, yet I am far from denying that on trials for this offence, as well as others, circumstances often may occur, which will justly entitle a prisoner to mercy, notwithstanding he appear in the unhappy situation of a man, who has unlawfully deprived another of his life.—In every homicide there are different degrees of guilt, to which it is the peculiar duty, and allow me to remind you the exclusive duty, of the Court and Petty Jury to attend. And when a prisoner is brought before them upon such a charge as this, you cannot possibly suppose that any circumstance, which ought in justice to avail him, will ever be forgotten.—His conduct in the origin and progress of the quarrel, the provocation given; the interval which elapsed between the provocation and the combat; his profession and time of life, and that which is much more material, his general character, will always be considered.—And if it should appear that he was goaded by gross insults and imputations on his honor; that his resentment was not malignant or implacable; that the intervention of those friends, who so often prevent extremities, was neither neglected, nor refused; that no unfair advantage was taken of his adversary at the time of fighting, or by previous practising to prepare for it, every allowance, which the public good could warrant, would be made by those, whose province it is to ascertain the degree of guilt, or mitigate the severity of law.

"But whenever it appears that in such material circumstances he was essentially to blame, he must stand condemned even by the mistaken rules of honor, which he pleads as his excuse, and no man, who regards the peace and happiness of society, could wish to screen him from the punishment, which the law denounces against his crime.

"But whatever may be the grounds, Gentlemen, upon which any prisoner can hope for mercy, you, as Grand Jurors, never can be either authorized or competent to determine whether it ought to be extended to him or not. Your province is merely to determine, whether there be sufficient grounds for bringing him to that trial, by which his claim to mercy must be ascertained, and for that reason, you are confined to the examination of witnesses for the crown; and lest their testimony should be disclosed, you examine them in private and without the assistance of the Court. The whole merits of the case, therefore, can never be sufficiently before you; and even if they were, your throwing out the bill would be very mistaken lenity to the prisoner, and might ultimately prove in the highest degree injurious to him, inasmuch as it would afford him no security against a new prosecution at some future day when perhaps his witnesses might be dispersed or dead,' and he might consequently be wholly unable to bring forward his defence. The verdict of the Petty Jury it is which affords him that security, in consequence of his being allowed by law, if he be acquitted of the whole or any part of the charge, to plead that verdict, forever after, as a bar to any other indictment, for the same offence. You will therefore, I am persuaded, feel it to be your duty Gentlemen, to the accused, as well as to the public, to find the bill, and send him to his trial, unless you wholly discredit the witnesses for the crown when they tell you, that his unfortunate adversary has fallen by his hand.

"There is only one other case, Gentlemen, upon which I think it at all necessary to observe. It is that of some persons who are accused of Felony, in consequence of their having artfully contrived to obtain possession of some valuable pearls, under the false pretence, as it is alledged, of carrying them for sale into the interior apartments of a wealthy native's house, to the females of whose family they said they were related, and then suddenly disappearing by some private passage, and carrying off the property along with them.—To support the charge of felony, the law requires it to appear, that the real intention of the accused was to steal the pearls, and that such was their intention at the time of their obtaining possession of them, from the person in whose hands they were and by whom the prisoners were accompanied to the house in question. If the property in the pearls had been actually sold to the prisoners upon credit, and they had afterwards absconded without paying for or restorsng them, however dishonest such conduct might appear, it would only amount to a breach of civil contract, for which no indictment, could be maintained,—But if there were no such sale, and their original intention was to steal, which, as the evidence stands on the informations, there is great reason to believe, then the means which they adopted can be viewed by law in no other light, than that of an artful contrivance to effect their purpose, and in that case certainly you ought to find the bill and send them to their trial.

"On the general rules which the law requires a Grand Juror to observe, it cannot be very necessary for me. Gentlemen, to dwell. On a former occasion I stated them, and several of the reasons on which they are founded, very much at large; and most of you have frequently heard them from other Judges of the Court, in the course of your attendance to discharge the duties of Grand Jurors at this presidency, where those duties, to my own knowledge, have been for many years very honorably fulfilled.—You will recollect that tho' you need not be unanimous, yet you will not be warranted in finding any indictment or presentment to be true, unless twelve at least of your number shall concur in opinion for that purpose; and you also will recollect that you are bound to keep your own secrets and the secrets of the crown.—You would betray your own, if you were to divulge the votes or conduct of each other, on the different bills or presentments that may come before you; and you would betray the secrets of the crown, if you were to disclose the evidence in support of any criminal charge, without the previous consent of the crown, or sanction of the Court.—The only reason for prohibiting the disclosure of such evidence is, to prevent its being counteracted by perjury, or subornation of prejury, on the part of persons to be tried; and therefore it is, that the Crown may wave its privilege, and that the Court may authorize the disclosure, where the purposes of justice may thereby be attained. Such, for instance, as the conviction of a perjured witness, or the contradiction of one, whom any of you might happen to hear giving evidence before the Court, different from that which he had previously given before yourselves.

"You are impowered, Gentlemen, by law, to present any offence coming within your own knowledge or observation, altho' no Bill of Indictment at the suit of the King may have been previously laid before you, with respect to it. But whether you exercise that power, or confine yourselves to the consideration of Indictments only, still you will remember, that you are not to exceed the jurisdiction of the Court. It's jurisdiction, independent of that which it is empowered to exercise over offences committed at sea, in all quarters of the globe, extends not only to offences committed by any description of persons in Calcutta, but also to such offences as may have been committed by any British subject, or by any person or persons directly, or even indirectly employed, at the time of committing them, in the service of a British subject, or of the East India Company, in any of the territories or possessions, over which this Government immediately presides.

If, Gentlemen, in the course of your proceedings any doubt or difficulty should occur to you, in point of law, it will be your duty to apply for information to the Court, and I need not add that you will receive every assistance that the Court with propriety can give."

The first Trial that came on, was that of Captain *William Sheppard*, indicted for the murder of Captain Phillips. The following report of this Trial, we copy from the Hurkaru.

The Prisoner was brought to the Bar, and, after hearing the Indictment read, he plead Not Guilty. A Jury was then impannelled; and the Witnesses, on the part of the Crown were examined by the Court.

Choytun Bearer deposed; That, one day in the month of October last, about six in the evening, he was ordered by his Master, Captain Phillips, to bring him his red jacket, and to attend him with a lanthorn. It was then dusk. Captain Phillips mounted his horse, and, attended by the witness with the lanthorn, proceeded out of the Fort, through the hospital gate, and rode towards the plain. A bearer in the service of Mr. Smelt likewise accompanied them. His master at length halted under a tree, the largest in front of the hospital; and ordered the witnes to go to another tree at a short distance, where he should find a gentleman, to whom he should deliver Captain Phillip's compliments, and say that he was come. He accordingly went to the tree, and found a gentleman, attended by a Portuguese Servant, and some bearers. The gentleman asked him, who he was; and, on his replying that he was Captain Phillips's bearer, the gentleman mounted his horse, and, accompanied by his Servants, attended him to the spot, where his master was waiting. Some conversation then passed in English, which the witness did not understand. The strange Gentleman dismounted, and, after measuring twelve paces along the ground, called to his servant in Hindostanee for his pistols, which the servant accordingly gave him. Captain Phillips's pistols had been carried by Mr. Smelt's bearer, from whom Captain Phillips had taken one of them, while on his way across the plain. This pistol Captain Phillips already held in his hand. By his master's order, the witness then placed the lanthorn on the ground, precisely in the middle space between the two combatants. Some conversation then took place in English, which he did not understand, and immediately desired him to get away. He accordingly turned about, and was in the act of making off, when, in the same instant, he was stopped by the report of the pistols. From the loudness of the sound, he believed that two had been fired, though the reports were so simultaneous, that he could not distinguish them from each other.—He immediately turned round, and saw his master stretched on the ground. The other gentleman came up, and having felt Captain Phillip's pulse, directed his people to place him in the palankeen. He then mounted his horse, and proceeded towards the fort, followed by the palankeen and attendants. He first went to his own quarters, which he enterred, and then, returning immediately, directed the bearers to carry the palankeen to Dr. Orr's. The gentleman however did not accompany them, to Dr. Orr's, nor was he afterwards, seen by the witness. In the course of these transactions, the witness had no distinct view of thestrange gentleman's face, nor should he now be able to recognize him, if he saw him. The witness attended the palankeen to Dr. Orr's, who was not at home. They then proceeded to Captain Phillips's own quarters, and set down the palankeen in the bottle cannah. Presently the Sirdar bearer came, and opening the door of the palankeen, found his master lying dead. The witness also looked into the palankeen, and saw him dead. Upon this, the Sirdar bearer went to inform Captain Phillip's friend, Mr. Smelt, who happened to be dining in the Fort, Mr. Smelt presently arrived, accompanied by several other gentlemen, they looked at the body, and perceiving it to be perfectly lifeless, ordered the servant's to carry it up-stairs, and lay it on a bed, which they accordingly did.

In answer to a question from Mr. Strettell, Council for the Prisoner, the witness said, that he did not know whether the strange gentleman, after their return to the Fort, went to call Doctor Cheese or not. In answer to a question from the Bench, he said, that he saw a wound in Captain Phillips's forehead, and the blood streaming down his breast, while he was lying in the palankeen; though, in consequence of the hurry and confusion occasioned by the accident, he had perceived neither, when he first went up to Captain Phillips on the ground.

The next witness called, was *Peter De Cruz*, a Portuguese, Steward to Lieutenant Col. Hardwicke. This witness deposed, that he had known Captain Sheppard, the prisoner, for a considerable time, having seen him occasionally at his master's house. About a quarter past 5 o'clock, on a Saturday evening, in the month of October last, (the particular day of the month, he could not specify) he received an order from his master to go to Captain Sheppard, who had some business for him, he went accordingly, and was desired by Captain Sheppard to attend him. Captain Sheppard then loaded his pistols, in the presence of the witness, and directed the witness to put them into his palankeen, and likewise to get into the palankeen himself. Captain Sheppard then mounted his horse, and the witness followed him in the Palankeen. It was now about 6 in the evening, the night had set in, and they had no lights with them. They proceeded out, through St. George's gate, to a blighted tree near the Hospital. There, Captain Sheppard dismounted, and ordered his Syce, to look under the Tree, and see if there was any person there. The Syce did so, but could find no one, Captain Sheppard then said to the witness, "I am going to fight "with a gentleman.—You must observe and recollect, "what we both say." This was the first intimation of his purpose, which Captain Sheppard had given to the witness. In a few minutes after, a lanthorn was seen coming across the ground. The Mosalchee who carried it, came up and said to Captain Sheppard, that his master wanted him, Captain Sheppard and his attendants then went, as related by Choytun, towards a green tree, close to Kidderpore road, where the witness saw a gentleman, whom he did not then know, but whom he afterwards learned from the servants to have been Capt. Phillips. On going up to him, the gentleman accosted Captain Sheppard, saying, "Is this your friend whom you brought with you?" meaning, as the witness understood, the witness himself. To this Captain Sheppard rejoined, "None of your insolence, Sir upon the ground." The other Servants were then ordered to go away, but the witness remained. Captain Sheppard measured 10 paces, (not 12, as stated by Choytun.) Captain Phillips likewise paced over the ground, and, on returning to his station, said, "It will do very well." Captain Phillips then asked the witness, "When the Moon would rise, ?" to which he replied, "About 8 o'clock." Captain Phillips then said, "Moonlight or Darkness, it is all the same to me." Upon this, Capt. Sheppard observed, "We shall be able to see each others faces, by the light of the lanthorn." To which he received for answer "It wil do very well." The witness was then standing between the parties, with the lanthorn in his hand. Captain Phillips asked his antagonist what was to be the signal, and Captain Shepperd proposed, that it should be given by lowering the lanthorn. The witness accordingly stood by, with the lanthorn raised in his hand. He saw both Pistols presented; and, as soon as the parties told him they were ready, he dropped it, as directed. They fired precisely together, and at the same moment, Captain Phillips fell. The witness went up, and saw that the bullet had enterred his forehead. Capt. Sheppard likewise came up and said, "Are you hurt?" but Capt. Phillips neither spoke nor moved. The body was then put into the Palankeen, and conveyed towards the Fort. The witness quitted it at the Artillery Barracks, and went home to Colonel Hardwicke's.

Mr. Strettell then asked the witness, whether the words used by Capt. Phillips, when he asked Capt. Sheppard, if he had brought his friend with him, were spoken in a taunting and insulting manner. To this the witness replied in the affirmative.

The next evidence adduced, was *Arthur Smelt, Esq.* of the Honorable Company's Civil Service. This witness stated, that he had been intimately acquainted with Capt. Phillips, that their acquaintance commenced about six months ago, & that he knows of the difference which subsisted between Capt. Phillips, and the Prisoner at the bar. Being asked by the Court whether he had ever interfered in the quarrel he said, that he had interfered a little, at Captain Phillips's request. He waited on Capt. Sheppard, on the morning of the day, on which the duel was fought, but did not recollect particularly, the conversation which passed. Capt. Sheppard appeared to him so much enraged and so much bent on meeting Captain Phillips, that he thought it would be useless to make any attempt at conciliation.—On being asked by the Court, whether he had any reason to suppose, that the wish for a meeting was mutual on the part of Captain Phillips, the witness said, that he did not know.

Question, by Sir Henry Russell. "In the course of your conversation with Captain Sheppard, did you learn any particulars, regarding the origin or nature of the quarrel;'

Witness. "I think, some particulars were mentioned?"

Sir Henry Russell, "State to the, Jury, what passed between you.

Witness. I noticed to Captain Sheppard some expressions, affecting Captain Phillip's character, which Captain Sheppard had uttered at General Baillie's table;—to which Captain Sheppard replied, that he did recollect having used any such expressions."

Sir Henry Russell. "It is of the utmost consequence that the Jury should know the whole of the conversation, which passed between you and Captain Sheppard.—You went to Captain Sheppard did you not, with the intention of endeavouring to effect a reconciliation. [The witness signified his assent.] It was a highly laudable purpose on your part. You have not yet stated however, what proposals you conveyed to Captain Sheppard, nor how you commenced your conversation with him on the subject of the quarrel."

Witness. "I told him, that I waited on him, by Captain Phillips's request to say, that, as Captain Sheppard had sent him a challenge, he was ready to meet him—To this Captain Sheppard replied, that he had not been able to procure a Second;—he had asked several of his friends to go out with him, but they had all refused. I advised him, by no means to go out without one."

On further interrogation by the Court, the witness said, that the only other part of the conversation, which he recollected, was that above noticed, touching the expressions used by Captain Sheppard at General Baillie's table, which the witness stated to Captain Sheppard to have been highly detrimental to Captain Phillips's character. The expressions were to this effect;—"that Captain Phillips's conduct in separating from his Wife had been infamous."—The witness thinks, that nothing further passed on the occasion.

Sir Henry Russell. This is really very incomprehensible.—You are deputed by Captain Phillips to wait upon Captain Sheppard, in consequence of a challenge which Captain Phillips had received from him.—You go to

(Continued after the Poetry.)

POEMS

Segra. STORACE'S address, on retiring from the Stage, on the 30th May, 1808.

WRITTEN BY GEORGE COLMAN, Esq.

To the Tune of "LOWLY SUIT, and PLAINTIVE DITTY."

THINK think not this a vain obtrusion,
And oh! accept my hearts effusion,
We meet no more—dear Friends adieu!
Retirement's calm I owe to you,
My breast with gratitude is swelling,
Where'er I raise my rural dwelling,
I'll cry—your bounty bade me rear it,
And train the peaceful wood-bine near it.

From *Belgrade's* siege since I'm retiring,
New *Lilla's* will keep up the firing;
Adela cedes to other powers,
Old Drury's nightly *haunted towers*,
Florella—no one's zeal was stronger.
—Is of this *Cabinet* no longer,
Henceforth, no song, while supper's bringing,
Of your *first Margarettas* singing.

Much honor'd Friends who deign to listen,
No studied tear I've taught to glisten:
Oh no! this moments fond distress,
Is more than Musick can express;
My voice would not these chimes be ringing,
But that it faulters less in singing,
Loved Patrons! on this night we sever,
Fare-well, and bless you all for ever!

Continued from the second Page.

Capt. Sheppard, for the purpose of endeavouring to effect a reconciliation, and then, instead of entering on the subject, which had given occasion to Captain Sheppard's challenge, your conversation is exclusively confined to certain expressions used by Captain Sheppard, which were calculated to provoke a challenge from Captain Phillips. Can you recollect nothing that led to the mention of these expressions? some other conversation must certainly have passed in the first instance."

Witness. "I have no recollection of any thing further."

Sir Henry Russell. "Did no conversation pass between you, respecting the cause of Captain Sheppard's challenge?"

Witness. "I do not recollect any."

Sir Henry Russel. You went to Captain Sheppard, with the view of endeavouring to make up the quarrel. Did you make any attempt to that effect?"

Witness. Captain Sheppard appeared so much enraged, that I thought it would be to no purpose."

Sir Henry Russell. "This is all very unintelligible to the Court. From the whole evidence which we have heard hitherto, it would seem, that the provocation had been given by Captain Sheppard. Yet Captain Sheppard is the party, who sends the challenge; and Captain Sheppard appeared to you to be so much irritated, that you considered all attempts at conciliation hopeless. From what did you infer, that Captain Sheppard was in this state of irritation? Was it from his gestures or from his words? Did he say nothing, that could lead you to guess the cause of it?

Witness. "Captain Sheppard spoke of some aspersions which several gentlemen had circulated against his character, and which he said, he was determined to wipe off."

Sir Henry Russell. "What was the nature of these aspersions? Did you understand, that they affected his moral character, or his honor,—his character as a Soldier?"

Witness. "I understood them to regard his honor."

The Court was proceeding with the interrogatories, when the Witness was taken suddenly ill, and obliged to retire from the box. He returned however after a few minutes, and the examination was renewed.

On being asked, whether he had any reason to suppose, that the aspersions on Captain Sheppard's character, above alluded to, had originated with or had been circulated by Captain Phillips, the Witness replied, that he did not know. He belived however, that they had come to the ears of Cap. Phillips. He thought, he had heard them mentioned in Cap. Phillips's presence,—but could not say, whether Captain Phillips belived them. He was not acquainted with the cause of the quarrel, nor with the particulars of the aspersions thrown on Captain Shephard; neither had he seen the correspondence, which had passed between the parties.

Sir Henry Russell. "Did you mention to Captain Phillips, on your return, that Lieutenant Sheppard disavowed any recollection of having used the expressions at General Baillie's Table, which had been imputed to him?"

Witness. "I did."

Sir Henry Russell. "Did Captain Phillips then desire you to go back to Captain Sheppard; or did he take any other steps in consequence of that information?"

Witness. "He did not desire me to go back, nor did he take any other steps, that I knew of."

The Witness was then examined by the Counsel for the Prisoner.

Mr. Strettell. "Do you recollect having ever heard Captain Phillips *speak lightly* of Captain Sheppard?"

Witness. "I think, I have?"

Mr. Strettell. "Can you state what he said?"

Witness. "I cannot remember particularly, I have sometimes heard him mention Captain Sheppard, and he certainly did not talk of him with much respect."

Sir Henry Russell. "This is not the question. You have just nowdeposed, that you have heard Captain Phillips *speak lightly* of Captain Sheppard. You can be at no loss to understand, what such a phrase implies;—more especially when the subject is a Military man. The Court wish to know, what Captain Phillips said or insinuated, when he spoke lightly of Captain Sheppard."

Witness. "I think it was in allusion to some affair at Cawnpore, in which Captain Sheppard had allowed himself to be insulted without resenting it."

Mr. Strettell. "Have you frequently heard Captain Phillips take in this slighting manner of Captain Sheppard?"

Witness. "No—not frequently."

Mr. Strettell then produced in Court two Notes, (one of them a challenge,) addressed by Captain Phillips to Captain Sheppard and handed them over to the Witness.

Mr. Strettell. "You are acquainted, I presume, with Captain Phillip's hand-writing. Do these notes appear to you to have been written by him?"

Witness. "I think they are his hand-writing."

Mr. Strettell. "Now that you have perused these notes, Sir, do you still retain your former opinion, that no provocation had ever been given by Captain Phillips to Captain Sheppard?"

Witness. "I believe, the provocation was given by Captain Sheppard."

Mr. Strettell. "Did you never hear any thing of this challenge having been sent by Captain Phillips to Captain Sheppard?"

Witness. "I recollect, on the morning of the day on which the duel was fought, that Captain Phillips said to me, in allusion to the challenge, which he had received, that he was just about to have saved Captain Sheppard, the trouble by sending a challenge to him."

Mr. Strettell. "Had Captain Sheppard received the challenge, just at the moment you speak of?"

Witness.—"No;—perhaps it might have been the night before."

Here the evidence for the Crown closed. And the Prisoner being called upon for his defence, Mr. Strettell, by permission of the Court, read aloud the following paper:

"*If your Lordship please, and Gentlemen of the Jury;*

"The very peculiar situation in which I was placed, was such, as to render it impossible for me to act otherwise than I did; and much as I regret the consequences which followed, I could not, consistently with the character of an English Officer, tamely submit to the imputation, that after having slandered the reputation of another, I refused that satisfaction, which Captain Phillips exacted.

"Captain Phillips's letters have been produced, and I shall make no other comment on them than to remark, that those letters could not fail to hurt the feelings of the most moderate man; they were followed up by other acts, irritating in the highest degree, and ultimately ended in the unfortunate manner, which is in evidence before the Court.

"Gentlemen, I do solemnly protest, that I never harboured any of that malice or revenge, which makes the lives of our fellow creatures an object of indifference to us, against any human being,—much less, against Captain Phillips, with whom I was not much acquainted, and had no cause for hatred.—Had I submitted to the disgrace of being insulted with impunity, I must have yielded to the resolution of parting with every thing that renders life not only comfortable, but tolerable; I should have lost the respect of every officer in the army, and have incurred the derision and contempt of those with whom I am not acquainted, together with the indignation and scorn of those, with whom I had lived on terms of intimacy and friendship: I should have been considered a reproach to my profession, and a disgrace to my family.

"Reposing the utmost confidence in the wisdom of the Court, and the justice and feeling of the Jury, I shall leave my case in your hands, convinced, that it will receive every possible favorable construction, which, in justice, may be due to it; at the same time, I solemnly protest, that nothing but the irritation excited by such unworthy conduct of the unfortunate deceased, could have induced me to meet him in the manner, which has been unhappily produced the present trial."

Mr. STRETTELL then said that he should rest his client's defence on the notes already produced, one of which was a challenge from Captain Phillips, and the other a note of a very irritating description, which had evidently been written subsequent to the interview between Mr. Smelt and Captain Sheppard, as it contained an allusion to what Captain Sheppard had said on the subject of the expressions which he was charged with having used at General Baillie's table, and declared Captain Phillips's continued belief in the truth of that charge. The only witness whom he thought it necessary to call, was General Baillie, who would give testimony to the character of the Prisoner.

The notes were then read aloud to the Court; and Sir *Ewen Baillie*, was called in and sworn. He stated, that he had known Captain Sheppard for 4 years past, during 3 of which he had been his Aid-de-camp; that he had every reason to approve his character and conduct during that period; and that he considered his disposition to be perfectly mild and inoffensive.

The evidence being thus closed, Sir Henry Russell addressed the Jury, nearly to the following effect:

"*Gentlemen of the Jury;*

"The case before you is a case of Duel; of an unlawful meeting between two gentlemen, for the decision of a personal quarrel, terminating fatally to one of the parties. The crime of killing in duel is declared by the law to be MURDER. It possesses all the requisites, which, in the Eye of the Law, are necessary to constitute murder; inasmuch as it is quite distinct from any sudden impulse of passion, as it presupposes something of deliberate arrangement, and is, in its very nature, a premeditated act. At the same time, in compassion to human infirmity, Courts of Law and Juries have been in the habit of making great allowances for the circumstances, in which a person called upon to fight a Duel may have been placed. When a fellow creature is put to death, from motives of deliberate malice, the law pronounces the crime to be murder;—when the same act is committed, under the immediate influence of violent passion, it is merely accounted manslaughter.—Now, in the case before you, it will be for you to consider, whether the present circumstances of society, as applied to a gentleman and a soldier, do not take away the particular character of malice from the crime. A man is placed in a situation, where, if he does not go out to fight a duel, he has no prospect before him in life, but that of contempt and ignominy. Surely, the feelings which are inseparable from such a situation, may be supposed to deprive a man of self-possession and self-command, as well as a violent gust of passion. And, I see no reason why the law should deny, nor do I believe *that the law does deny*, the same indulgence to those feelings, that it yealds to a brutal impulse, which it is the chief object of all human and divine institutions to controul. In declaring this opinion, I believe, I go further than most Judges have done. But I have not formed it, without mature deliberation. And I think it places the question of law, in cases of duel, upon more stable and more tenable grounds, than the shifts and artifices which have been so generally resorted to. Where it clearly appears in evidence, that two persons armed with weapons, have gone out together,—have fought, and that one of them has fallen, nothing more surely can be wanting to make out the facts of the case, and it is vain to struggle against them, or to seek to prevent them."

Sir Henry then went on, to sum up the evidence, In reciting the circumstances brought to light, by the two first witnesses, he remarked, that both parties, when on the ground, appeared to have been equally eager and determined; and that, after the fatal event, the conduct of Captain Sheppard, in remaining by the body of his opponent, accompanying it to the Fort, and directing the servants to carry it to Dr. Orr's, was exactly what it ought to have been. Sir Henry then particularly dwelt on the insulting conduct of Captain Phillips on the ground, in asking Captain Sheppard, whether a black man, who accompanied him, was his friend, and on the irritation which such a question was likely to produce. As to the fact of the duel, Sir Henry then observed, the evidence was quite conclusive. The next point to be considered, was the quarrel, which had led to it. Upon this head, the Jury had the evedence of Mr. Smelt, which was so incoherent and unintelligible, that he was entirely at a loss how to sum it up. From the whole however, it might be collected, that aspersions against Captain Sheppard's character had gone abroad; and after much questioning, it had at length been directly admitted by the witness, that Captain Phillips had spoken lightly of Capt. Sheppard in allusion to circumstances in which his reputation as a man of honour and courage, was particularly implicated. Aspersions upon such points were of all others the most dangerous,—and more particularly so, when applied to a soldier. In so strong a light was Sir HENRY disposed to regard their tendency, that he was almost ready to go along with the whole substance of Captain Sheppard's defence, and to allow, that if he had tamely submitted to them, he could never afterwards have held up his head in society. That the aspersions were peculiarly galling and contumelious, might be inferred from the agitation, which Mr. Smelt describes them to have excited in Captain Sheppard, at the time of their interview—The learned Judge then proceeded to remark, on the second letter produced in Court, which Captain Phillips had written after the conversation between Mr. Smelt and Captain Sheppard. He forbore to comment further on Mr. Smelt's evidence,—as being a task equally useless to the Jury and unpleasant to himself. But he conceived they would be amply warranted, from a view of the whole, in regarding the crime of Captain Sheppard as the same with that of a man who inflicted death on another, under the influence of violent passion; and he was fully satisfied, that that the indulgence granted by the law, was applicble to the one as much as to the other.—He was moreover disposed to give very considereble weight, in the determination of the case, to the testimony of Sir Ewen Baillie, who spoke positively to the mildness of the prisoner's disposition, and who seeing that the prisoner had so long held a situation in his family, must have spoken from the most thorough knowledge of his character.—Sir Henry then concluded by saying, that all these mitigating circumstances appeared to him to reduce the crime to Manslaughter; but further than that, he feared, the Jury would not find themselves entitled to go.

After a few minutes deliberation, the Jury accordingly returned a verdict of MANSLAUGHTER.

The prisoner withdrew, and shortly afterwards, to the astonishment of the Court, one of the Jurors rose, and said that that he dissented from the verdict, being of opinion, that the Prisoner ought to have been acquitted. He and two others of the Jury further declared, that they had not been called upon to give their voices, previous to the return of the verdict. After some consideration, the Prisoner was remanded to the bar; and the Judges delivered their opinions separately. It was unanimously decided, "that a veri ct once recorded, could be not touched by any subsequent declaration of a Juror."

On Monday morning the 5th Curt. *Christopher Doy*, private in His Majesty's 22d foot, was brought to the Bar, on a bill found against him, for the Murder of James Norman, a private of the same Regiment.

After hearing the several evidences in support of the Indictment, and the Prisoner's defence, Sir John Royds summed up the evidence, and the Jury after nearly an hours deliberation, returned a verdict of "Manslaughter"—the Prisoner was sentenced to be burnt in the hand, to pay a fine of one Rupee to the King, and to be imprisoned twelve Calendar months.

On Monday a Bengalese, named *Rampersaud Napit*, was tried on an Indictment, for having fraudently obtained possession of some valuable Pearls, the property of Deby Doss, Manickchund, and others. The felony was stated to have been committed on the 23d of April last.

The principal facts of this case, were contained in the evidence of Dwarica Doss who being sworn, stated as follows: "About the middle of April last, Gooroopersaud Dulol, applied to me for some Pearls, saying that he knew of a purchaser, and that if I took my Pearls to him, they would be sold. In consequence of this application, I went along with Gooroopersaud Dulol, to a house at Coolootollah, where I shewed the Pearls to one Gooroopersaud Chatterjee, who, as Gooroopersaud Dulol told me, was a respectable Man, that he brought Cabinet Furniture, down from Chandernagore, to a considerable amount to Calcutta, where he sold it at the different Auction-Rooms. Gooroopersaud Dulol, recommended me to leave the Pearls, which I objected to do, as the Pearls were not my property, the next day, and for four or five successive days, the Prisoner at the Bar, Rampersaud Napit, came to me and said, 'why do you not come with the Pearls, a Person wishes to buy them, and if you will go, you will get profit by them'. On Friday evening, the 19th by sack, or 22d April, the Prisoner came to my Shop, and told me, that if I brought my Pearls next morning, I should find an immediate Purchaser, I accordingly went next morning to Nubnit Doss, a Pearl-broker, and who had Pearls in his possession of different Merchants for Sale, and asked him to accompany me next morning with his Pearls. He replied he would. We accordingly went the next morning, Nubnit Doss carrying with him a number of Pearls. We went to the house of the Prisoner, who lived with Gooroopersaud Chatterjee, in Coolootollah. We did so, and they conducted us to the garden of Gopey Mohun Baboo. They bade us sit down, and wait in an open Pucha room in the garden, while Gooroopersaud Chatterjee went into the interior of the house. They soon returned unto us, and asked for Pearls of all descriptions, that they might take them in to be shewn; on which Nubnit Doss delivered them a number of Pearls,—16 or 17 strings.—They both soon afterwards came back, and asked for the large string of Pearls, which was with Nubnit Doss—it was given to them, & they took it away through a small door. I know not where they went, and I did not see them afterwards, after waiting some time, we told a Boy who came up to us, that we would give him half a Rupee, to go and see what the Persons were doing, who had gone in with the Pearls, the Boy accordingly went in through the same small door, and coming out again, said the Ranny is looking at the Pearls, and there is no fear.—This gave us confidence, and we continued to sit still, after waiting more than 20 minutes, I went in quest of Gooroopersaud and Rampersaud, I went in at a large door, and came into the house, into which the small door I have mentioned led, I told the people whom I saw there, that I came to seek the two men who had gone into the Female apartment with the Pearls, they called me a Fool, and said nobody had access to Baboo Gopee Mohun Deb's Female apartments. I then found that the men had absconded with the Pearls, which were worth upwards of 5,000 Rupees. I and Nubnit Doss made all the search we could for the Men, but without success."

Some weeks after this theft, the Prisoner was discovered at Nyasurry, taken into custody and brought down to Calcutta.

The evidence of the first witness having been substantiated, by that which followed, the Jury returned a verdict of "GUILTY.

No part of the Pearls have yet been recovered, and the other Culprit, Gooroopersaud Chatterjee, has hitherto eluded the diligence of justice.

Yesterday the Court was employed on the trial of three men, Privates of Artillery, viz. *Peter Hay*, *James Reilly* and *John Reed*, indicted for the murder of Mudden Khan, at Muttra, on the 14th day of March last.

The substance of this case, as it appeared in evidence may be shortly stated.—The three Prisoners in the afternoon, of the 4th of March last, at Muttra, being intoxicated, entered the house of a female at that place, named Buxy Begum. Peter Hay and James Reilly ran into the cookroom, where Buxy Begum and her Dhyes were dressing their victuals; Hay and Reilly broke the pot in which the victuals were placed over the fire, and then seized Buxy Begum by the throat, on which the deceased, Mudden Khan, a Chokydar in Buxy Begum's service, remonstrated and said, "do not beat the Beebee." Peter Hay then struck the deceased two blows with his fist on the right side, on this Mudden Khan, the deceased, ran out and attempted to make his way through the compound, but was stopped by Reilly and Reed. The Prisoner Hay, followed Mudden Khan from the house, and with a stick which he wrested from the deceased, struck him three several blows on the head, on which he fell and died instantly, on the spot. The deceased wore a turban which was knocked off by the first blow, so that the two last blows fell on his naked head, the last was struck with such force, that the stick broke in two. A brother of the decease came up to the spot and received a blow on the temple from Hay, with the part of the stick that remained in his hand; the man endeavoured to seek his safety under a cot, but he was so much beaten in the attempt by Hay, that he became insensible for some time. On recovering, he found the Prisoners gone and the broken stick stained with blood, lying near the lifeless body of his brother. The stick was produced in Court. The preceding facts were established by the concurring testimony of the different Witnesses.

The Chief Justice summed up the evidence with the utmost accuracy and perspicuity; and the Jury, after retiring for about half an hour, they returned with a verdict of guilty of "Manslaughter" against Peter Hay, and acquitting the two other Prisoners.

The business of the Grand Jury having been dispatched, they were yesterday discharged.

The Sessions are expected to close with the proceedings of to-day.

The following are the sentences passed on the Prisoners who were brought up for judgment, on Thursday last:—

Lieutenant *Sheppard*, for manslaughter; to pay a fine to the King of 100 Rupees, and to be imprisoned in the common jail of Calcutta, for the space of six Calendar months; and to be further imprisoned, till that fine be paid.

Rampersaud Napit, for stealing a quantity of Pearls to be transported to Prince of Wales Island, for the term of seven years,

Khodahux, lascar, for stabing Rowsun, in the Court of Request, to pay a fine to the King of one rupee, to be imprisoned two years, and to be further imprisoned until that fine is paid; and after that, to find security for his good conduct for one year, himself to be bound in the sum of one thousand rupees; and two securities, each in the sum of five hundred rupees.

James Reilly.
John Reid,
Thomas Dobson,
Ramjoh Jougy,
Shaik Cauno,
} Discharged by Proclamation.

James Alexander McArthur, for an assault, to pay a fine of one hundred Rupees, to the King, and be discharged.

Anjuis Gomes, discharged on his own recognizance.

BOMBAY,—DECEMBER 14, 1808.

About 5 o,clock, on Saturday evening, a fire broke out in Dungatee; which for some time wore a very formidiable aspect and threatened the destruction of most of the houses in that very populous part of the island. On the alarm reaching the Fort, the 2d battalion of H. M. 56th regiment, under the immediate command of Lieut. Colonel Keating, marched to the place. The houses most likely to communicate the flame were immediately demolished; and the fire got under before it spread to any considerable extent. This happy termination, however, was not effected without some accidents; and the casualties in the 2d battalion of the 56th amounted to one man killed and thirty four wounded, some of them severely. A number of explosions took place during the continuance of the fire, to which most of those accidents are to be attributed; and particularly the loss of the poor fellow just mentioned, who was blown into a tank where he perished.

A detachment of the first battalion of H. M. 56th regiment arrived from Coolabahs, notwithstanding the distance, in sufficient time to contribute to the general safety; and a party of the crew of H. M. ship Cornwallis, under the command of Captain Montague, was conspicuously useful. Indeed the personal exertions of Colonel Keating, Captain Montague, and all the officers who were present, was such as might be expected from the zeal and intrepidity, which is so truly characteristic of either service.

The Honorable the Governor and staff, were on the spot from the first notice of the danger, till it had subsided; and the vigilance and activity of Mr. Briscoe, the superintendant of the Police, prevented much confusion, and contributed as well to protect the property which was saved, as to prevent the extent of the fire.

On the whole we have not heard that there has been any considerable loss of property, nor are there any suspicions entertained of the fire being more than accidental.

Bill of Exchange.

FOR 450£ STERLING.

WANTED for the use of His Majesty's 59th Regiment, the above sum, by draft on the Agents, (Messrs. GREENWOOD, COX and Co.) at 30 days.

Sealed Proposals will be received until the 1st January, when the Purchaser will be declared by

HICKMAN ROSE,
Pay Master, 1st Battalion, 59th Regiment.

FORT BANGALORE,
16th December, 1808.

ADVERTISEMENT.

PURSUANT to a Decree of the Honorable the Supreme Court of Judicature at Madras, in a cause wherein TERUNINREYORE SOOBAROYA MOODELLIAR, is complainant, and VITCHORE SAWMY MOODELLY and PARASOORAUMA MOODELLY are defendants—there will be exposed forsale by Public Auction, on Monday the 2d day of January next, between the hours of 8 and 4 o'clock, under the direction of THOMAS GREENWAY, Esq. Master in Equity of the said Court, on the Premises, the following property in Mortgage to the complainant, according to the undermentioned lots, viz.

Lot No. 1.—A GARDEN, situated in the village of Porasavaukum, bounded on the North side by the Peramaul Pettah, on the South side by a Garden, belonging to Mr. ROBERT HARVEY, on the East side by a road from Porasavaukum to Ferambore, and on the West side by the Parcherry, containing two Cawnies, two Grounds and 2035½ square feet, or thereabouts.

No. 2.—A piece of GROUND, situated at Poodoopettah, in the village of Porasavaukum, bounded on the North side by the Houses belonging to Vencatasa Graminy, Vencatasawmy Naick, Vencataraumoo Naicken, Aununda Naicken, Vitchoor Sawmy Moodelly, Comarasawmy Pundarum, Andeyapah Naicken, and Ninah Chitty, on the South side by a street, on the East side by the Houses belonging to Arroonachilly Moodelly, and Andeyapah Naicken, and on the West side by the Houses belonging to Dawsery Moottal Naicken, and Vitchoor Sawmy Moodelly, containing 12 Grounds, and 1631-15-16th square feet, or thereabouts, together with the Bungalow and other buildings erected thereon.

No. 3.—Another piece of GROUND situated in the same village, bounded on the North by a street, on the South by a House belonging to Vitchoor Sawmy Moodelly, on the East by a House belonging to Comarasawmy Pundarum, and on the West by a House belonging to Vatchoor Sawmy Moodelly, containing one Ground and 1660½ square feet, or thereabouts, together with the Bungalow erected thereon.

The Purchasers must at the time of sale, enter into an agreement to complete the purchase money, in a Week from the day of Sale.

And they must satisfy themselves as to the measurement and boundaries of the Ground, previous to the Sale.

Further particulars may be known at the Master's Office, or at the Office of Mr. Ricketts, in the Fort.

ADVERTISEMENT.

GODOWNS of various dimensions, situated near the CUSTOM HOUSE, will be sold collectively or separately, they are all lately built, of the best materials and secured by every means from Vermin and depredations of every kind, as will be explained.—Any Person desirous of purchasing may apply to Mr. F. F. FORTIN, at the Distillery, and those who may be inclined to barter in preference to paying money may send their Proposals as above.—Likewise a plot of GROUND, on the Sea Face, and adjoining the Custom House, will be disposed of.

TO BE LET OR SOLD.

SITUATED at Vipery, that Elegant SPACIOUS MANSION, lately occupied by Major GENERAL COLLINS, deceased; consisting of, on the Ground Floor, a Saloon 24 feet by 15, 9, dining rooms, 26 feet long by 24 feet wide, 2 Bed Rooms, 24 by 15 feet, three ditto 16 feet square, with Closets attached, and a front Verandah, 24 feet in length, by 9 Feet, 9 Inches in breadth. The upper floor contains an elegant drawing room, of 46 feet 6 Inches, in length by 24 feet 3 Inches, in width, three Bed rooms of 16 feet square each, with two Closets and a Verandah, 24 feet by 10.

The Out-Houses are excellent and commodious, and in the Garden which is well stocked with the choisest Fruit trees &c. there is a neat detached Bungalow. The whole of the premises are in excellent order and surrounded by a brick wall.—For further particulars apply to Lieutenant Rundall, Fort St. George.

To be Sold by Public Sale.

On the 10th of January, 1809.

AT

T. BIRTLES

LIVERY STABLES,

ON THE MOUNT ROAD.

FIVE BANDY MULES, and 2 Baggage Bandies.

AT THE SAME TIME.

Several ARAB HORSES, if not disposed of by Private Sale.

ADVERTISMENT.

THE COMMITTEE for managing THE BOMBAY MILITARY FUND, finding, from the Number of Tickets in the MILITARY FUND LOTTERY which are still unsold, that there is but little probability of there being enabled to draw the Lottery upon the Plan originally published, have come to the resolution of relinquishing it, and of Substituting in its stead the following modefied Scheme, which the Committee confidently hope will be favorably received by the Public.

Bombay Military Fund

LOTTERY,

for 1808-9.

FOR RUPEES ONE LAC AND EIGHTY SEVEN THOUSAND FIVE HUNDRED.

(187,500.)

UNDER THE SANCTION & PATRONAGE OF

THE HONORABLE THE GOVERNOR IN COUNCIL,

DIVIDED INTO

2,500 TICKETS,

AT SEVENTY FIVE RUPEES EACH.

TO BE DRAWN ON THE 15th FEBRUARY, 1809.

SCHEME.

1	Prize of		Rs. 25,000
2	do.	10,000	20,000
4	do.	5,000	20,000
6	do.	3,000	18,000
30	do.	500	15,000
50	do.	200	10,000
600	do.	100	60,000
693 Prizes.			Rupees 1,68,000
1,807 Blanks. Applicable to the Benefit of the Fund, and to defray the charges of the Lottery.			19,500
2,500 Tickets,			Rs. 187,500

*** *Note three Blanks to a Prize.*

1st. The Prizes will be paid at the Office of Messrs Bruce, Fawcet and Co. *free from deduction* in one month after the drawing of the Lottery shall have terminated.

2d. Holders of tickets in the former Lottery will of course have the option of exchanging them for new Tickets or of receiving back the amount.

3d. Tickets signed by two Members and the Secretary of the Committee, will be ready for Sale or Exchange at the Office of Messrs. Bruce, Fawcett and Co. in the 10th of the present month.

BOMBAY, *December* 1, 1808.

Messrs. COLT, HART, and WESTON, are in daily expectation of receiving a supply of tickets in the above Lottery, when they will be ready to exchange them for those sold by them, in the late Lottery, or refund the amount: at the option of the holders.

MADRAS, *December* 20, 1808.

AT an Annual MEETING of the SUBSCRIBERS of the MADRAS LAUDABLE SOCIETY, held at the Madras Exchange Thursday 22d December 1808, the undermentioned Gentlemen were elected Directors for the ensuing year.

C. Smith, Esq,	Capt. J. Marshall,
R. Orme, Esq.	Rev. E. Vaughan,
W. Ord, Esq.	G. Ricketts, Esq.
W. Horsman, Esq.	J. D. White, Esq.
J. H. D. Ogilvie, Esq.	R. Alexander, Esq.
Capt. G. E. P. Barlow,	W. Hart, Esq.

AND

William Mackenzie, Esq.

D. JOHNSON,
SECRETARY.

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,
To-morrow, THURSDAY, the 29th Instant,
SALE TO COMMENCE,
AT HALF PAST 10 O'CLOCK,

HANDSOME Plate, consisting of a Coffee Pot, a Tea Pot and stand, a Stew Pan, a Cruet Stand complete, an Egg Stand with Spoons, two Butter Cups, two Sauce Boats, one Butter Knife, two Sauce Spoons, one Soup Ladle, Gravy, Table, Desert and Tea Spoons, Table and Desert Forks, one Cheese Knife, one Marrow Spoon, a Pye Dish, one Flat Dish, six Salt Cellers and Spoons, four pair Bottle Stands, two round Salvers, a Funnell, a Sugar Spoon, one Pepper do. four Curry Dishes, two Muffineers, two Pair Toasting Forks, one Toast Rack, three Labels, &c. &c.

SALES BY AUCTION.

To be Sold by Public Auction,

By James Dobbin,

AT THE GARDEN HOUSE,
BELONGING TO THE LATE
T. B. Hurdis, Esq.

On SATURDAY, the 7th day of January next,
AND
On Monday the 9th, and Succeeding days, till the whole are disposed of.

THE Property of the above Gentleman Consisting of Handsome Plate, Elegant Furniture, Pier Glasses, Mirrors, Pictures, Grecian Lamps, Hanging & Wall Shades, Table and Bed Linnen, Wines & Liquors, Setringes, Carpets; Rattan Matts to fit the Hall Room Verandah &c. A Capital Grand Piano Forte—An Handsome Carriage lined with blue Morocco, &c. A pair of Strong Grey Horses, An Elegant Barouche built by Leader, lin'd with Green Morocco & handsomely fitted up, together with a Pair of Grey Horses, A Bengal Built Curricle lin'd with red Morocco, &c. Pair of Handsome Bay Arab Horses and Several Cows & Calves.

ALSO

An Extensive and valuable Collection of Books of the best Editions; in high order.

AND

On MONDAY the 9th Day of January,
AT 1 O'CLOCK PRECISELY,

The House, with detached Bungalow, Out Offices and Stabling, and Garden well laid out with Gravel Walks, the Ground measuring in the whole 14 Cawnies and upwards.

CONDITIONS OF SALE AS USUAL.

N. B. Catalogues of the whole will be distributed, as early as possible.

To be Sold by Public Auction,

By Daniel Mackay,

AT HIS AUCTION ROOM,
This day WEDNESDAY, the 28th Instant,
SALE TO COMMENCE,
AT 10 O'CLOCK,

SEVENTY Five Tubs of Sugar Candy, 8 Rolls of White Lutstring, 20 Corge of White Broad Nankeen, 87 China Bound Books of sizes, 4 Large Jars of Joys, a few dozens of Tea Cups and Saucers, 34 Sneakers with Covers and Stands, 19 Dozen Small Plates,

AND

OTHER ARTICLES.

ADVERTISEMENT.

783£. STERLING.

THE sum of 783 pounds sterling, is wanted for the use of H. M. 69th Regiment, for Bills at 30 days sight, on the Agents Messrs Greenwood Cox and Co. London.

Tenders addressed to me, will be received to 31st Instant.

By order of Lieut. Col. Macleod, Comg. 69th Regt.
TRICHINOPOLY, } J. R. CORRY,
Dec. 14, 1808. } PAY-MASTER 69TH REGT.

PARTNERSHIP DISSOLVED.

THE partnership of Messrs. TULLOH, BRODIE, HALYBURTON, and Co. having been virtually dissolved when the affairs of the House were placed under the charge of Trustees, and since by the death of the Junior partner Mr GILBERT FALCONER, the firm will be discontinued from the commencement of the ensuing year. Messrs. TULLOH and HALYBURTON will give their more immediate attention to the objects of the Trust and at same time assist Mr. BRODIE who will take under his charge the management of the claims on the Carnatic belonging to the Firm and its constituents, together with the general correspondence, Messrs. TULLOH, BRODIE and HALYBURTON wish it to be understood that they shall consider it their duty at all times to assist each other in fulfilling the objects of the Trust, as also in the superintendance of any concerns belonging to their former constituents and Creditors when required, on the terms stipulated in their circulars, accounting to them exclusively for the amount of any commission or agency which they may be entitled to draw on the management of their affairs as they have already done on consignments from their friends in Bengal and in Europe.

J. TULLOH,
WILLIAM DOUGLAS BRODIE,
GEORGE HALYBURTON,

MADRAS, 23d *December*, 1808.

FOR PRIVATE SALE.

A HANDSOME GREY ARAB SADDLE HORSE, 14 hands high. To the best of the owners knowledge this Horse is perfectly sound.—He is parted with for no other reason that the Owner has no further use for him Price 150 Pagodas.

Also a PONEY that goes either in SADDLE, or BANDY, price 20 Pagodas, And a neat PANNELLED BANDY, with HARNESS, that cost 180 Pagodas six months ago, may be had for 120 Pagodas.

Enquire of the Printer of this Paper.

SALES BY AUCTION.

Sale Postponed from MONDAY the 26th Instant, to To-morrow THURSDAY, the 29th Instant.

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,
To-morrow, THURSDAY, the 28th Instant,
AT 12 O'CLOCK,

THE House and Ground formerly the property of the late JOHN JAMES DURAND situated in the Village of St. Thome, opposite the late Mr. P. M. Cassin's Garden. the House and Garden measuring in length from East to West on the North side 276 feet, on the South side 284 feet, in breadth from North to South at the East end 210 feet and at the West End 199 feet, containing in the whole 57,260 Square Feet or about a St. Thome Cawney.

CONDITIONS AS USUAL.

Ten per cent to be paid down, and the remainder within 10 days, the expence of conveyance to be borne by the Purchaser.

Sale Postponed from MONDAY the 26th Instant, to To-morrow THURSDAY the 29th Instant.

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,
To-morrow, THURSDAY, the 22d Instant,
SALE TO COMMENCE,
AT HALF PAST 10 O'CLOCK,

THE following Books viz. Encyloœdia Britannica, 20 vols. quarto, two folio volumes of Caricatures, 4 vols. large quarto, Johnson's Dictionary, 2 vols, quarto, Chambaud's French Dictionary, 2 vols. quarto, Field of Mars, 2 vols. quarto, Jones' Persian Grammar, 1 vol. quarto, Richardson's Arabic Grammar. 1 vol. quarto, Howison's Malay Dictionary, 1 vol. quarto, Luffman's Pians, 1 vol. quarto.

OCTAVO.

Brooke's Gazetteer, 1 vol. the British Chronologist, 3 vols. Robertson's Works, 12 vols. Smith's Wealth of Nations, 3 vols. Voltaires's Charles the 12th, 1 vol. James's Military Dictionary, 1 vol. Hadley's Grammar, 1 vol. Review of a Battalion of Native Infantry, 1 vol. the Imaginary Adultress, 2 vols. Mountville Castle, a Village Story, 2 vols. Saint Hilary the Crusader, 3 vols. East India Register, for 1803, 1 vol. Doddridge's Rise and Progress of Religion in the Soul, 1 vol. Hervey's Meditations, 1 vol. the Midshipman's Vocabulary, 1 vol. Young's Night Thoughts, 1 vol. Knox's Essays, 2 vols. Rasselas, 1 vol. Courtier's Poems, 1 vol. Blair's Class Book, 1 vol.

DUODECIMO.

British Essayists, 45 vols. Regimental Companion, 2 vols. Thomson's Works, 1 vol. Tomkin's Poems 1 vol. A method for private devotion, 1 vol. Dudo's Reflections on Death, 1 vol. Directions for a Godly life, 1 vol. a course of Catechising throughout the Year, 1 vol. a Treatise of the imitation of Christ, 1 vol.

A Map of the empire of Germany, and Rennell's Map of Indostan.

ALSO

Plate consisting of, a silver tea pot and stand, a milk bowl with stand, 1 pair salt cellers with spoons. 1 pair of bottle stands, 1 marrow spoon, 1 soup ladle, 1 milk ladle, 1 butter Knife. &c. &c.

A plated cruet stand, a smalll cruet frame for sauces-sundry articles of glass ware, &c. &c.

ALSO

A two pole marque (n early, new.)

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,
On THURSDAY, the 12th day of January next,
AT 12 O'CLOCK,
(If not previously disposed of by Private Contract.)

AN UPSTAIR HOUSE, facing the Sea Beach, at present Rented by Messrs. COLT, HART and WESTON, at one hundred and fifteen Pagodas per Month.

The premises are Terraced, very Spacious and built of the best Materials—on the Ground Floor are several large Godowns, peculiarly adapted for Goods.

The ground measures in length 133½ feet, and in breadth 44½ feet, containing 5940¾ square feet.

CONDITIONS OF SALE

10 per cent of the purchase money to be paid down, immediately after the Sale, and the residue within ten days in default of which, the premises will be put up and resold at the loss and expence of the first purchaser with all advantages forfeited.

The Expence of conveyance to be borne by the purchaser.

N. B. Further particulars may be known on application to JAMES DOBBIN, at his Auction Room.

MADRAS:—PRINTED BY WILLIAM SMITH, NEXT DOOR TO THE TOWN MAJOR'S HOUSE IN THE FORT.

*** It is requested that those SUBSCRIBERS to the COURIER who are occasionally changing their Residence, will give early notice of the place to which they remove to the PRINTER who will pay attention to their orders; and any SUBSCRIBERS at the Presidency to whom the Peons may not deliver the Paper in proper time, are requested to give notice of the same in order that this irregularity may be prevented in future.