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FRIDAY, FEBRURY 9, 1810.

LAW INTELLIGENCE.

SUPREME COURT of JUDICATURE.

FRIDAY, DECEMBER 15, 1809.

TRIAL OF
HERBERT STYLES & CHRISTIAN KLEYN,
FOR PIRACY.

This day, the two prisoners above-named were put to the bar, to answer an indictment, for having piratically seized and carried away, from Pontiana roads, the brig *Malacca*, of Malacca, together with her cargo, consisting of 2,000 Spanish dollars, 14 bales of piece goods, and other commodities. To this charge, both prisoners pled "Not Guilty."

Mr. SIMPSON opened the pleadings on the part of the Crown, by a recapitulation of the heads of the indictment.

He was followed by the ADVOCATE GENERAL, who related to the Jury the leading circumstances of the story. The prisoners at the bar, he observed, were charged with the offence of Piracy,—of seizing and running away with a vessel and cargo, on board of which vessel they were Mariners. The vessel in question was a brig, the property of Mr. Hare at Malacca, and was bound on a trading voyage to the Malay islands. On her arrival at Momparva, Mr. Ross, her Commander, went on shore; & after a stay of two or three days, returned on board, with 2051 dollars, which he placed under charge of the prisoner *Styles*, and of another person (who would appear as a witness on this trial.) He then proceeded in his boat to Pontiana,—leaving orders to *Styles*, to weigh anchor, and conduct the brig to the same place on the following morning. This was done accordingly; and, on the morning after their arrival in Pontiana roads, the Gunner came on board, with a note to *Styles* from the Captain. On the receipt of this note, *Styles* informed the crew, that he was ordered to get the ship ready for sea: and, about the middle of the night, he drew his anger, and ordered the carpenter, (a Chinese) to bring a hatchet and cut the cable, under pain of instant death. The carpenter it would appear, ran away—and the ship's Cook was then induced, under the threats used by *Styles*, to perform the office. The cable being cut, they hoisted sail, and stood out of the roads. About this time, a man named *Vanderbeck* (who acted as a sort of Steward on board, and whose evidence the Jury would hear,) was roused by the noise from his ship, and came up on deck. *Styles* immediately put a drawn sabre to his breast, and told him, that they were going with the brig to Java. To this, *Vanderbeck*, overcome with terror, only replied, that, if it was so, he could not help it. *Styles* accompanied by the prisoner *Kleyn*, then went below; and wakened a boy named *Paulo*, whom they also frightened into acquiescence in the same manner. Some wine was then brought on deck; and *Kleyn*, knocking off the neck of the bottle, poured it out and drank success to the *Malacca*; and then compelled all the rest of the crew to do the same. The guns of the brig were then hauled aft, and placed by *Styles* and *Kleyn*, with their muzzles towards the forecastle, under the charge of 4 Chinamen, in whom they trusted, and who alternately kept watch with lighted matches. On the ensuing day, *Styles* and *Kleyn* went below; where they broke open the chest of dollars, and divided them among the crew. For 7 or 8 days from thenceforth, *Styles* was in complete and absolute possession of the ship. They now began to fall short of provisions and water. On the 8th or 9th day, they fell in with and spoke an English brig from Malacca; but did not venture to hold any close communication with her. Shortly after however, a Malay prow passing, they hailed her for a supply of water, and the Nacoda came on board. *Vanderbeck* took an opportunity of telling this man the story of the vessel, and asking him if he could assist in rescuing her. The Nacodah consented, and called up his men from the prow,—who, with their creases, presently overpowered *Styles* and his party.—*Kleyn*, on this occasion, when he saw that matters were going on against him, affected to co-operate with the others in seizing *Styles*. The previous part, however, which he had taken in the transaction, would be too distinctly proved, to allow him any advantage from this sudden change. The Malays, having thus obtained possession of the vessel, *Styles* was put in irons, and carried, together with the vessel, to Malacca. These were the principal facts of the case; which, if proved, would, beyond all doubt, amount to the crime with which the prisoners were charged. If in their youth and thoughtlessness, or in any part of their story, alleviating circumstances were to be found, these would be for the consideration of their Lordships. The business of the Jury was to say, whether or not there was proof of Piracy.

The first Witness called was *Michael Vanderbeck*; who stated, that he was an apprentice to Captain Ross, of the brig *Malacca*,—the property of Mr. Alexander Hare, an English Gentleman, resident at Malacca. He went on board the brig, on the 31st of March last. The Prisoners at the bar were also on board at that time. *Styles* took the watch alternately with the Captain; but the *Witness* does not know, that he was Chief Mate; nor does he know, what countryman he is. *Kleyn* was helmsman of the brig; and is a native of Malacca. They sailed from Malacca to Lingan; with a cargo on board, consisting of opium, iron, piece-goods, &c. From Lingan they proceeded to Banca; and thence to Momparva. There the Captain went on shore, to dispose of some opium and iron; leaving the Brig under the charge of *Styles*. After the lapse of two or three days, he returned on board; and brought with him two chests of opium, and 2051 dollars. These he ordered the *Witness* and *Styles* to count; and directed, that a box should be made to receive them. The Captain then left the brig there, and proceeded in his boat to Pontiana: having first ordered *Styles*, to weigh anchor on the following morning, and go to Pontiana roads. *Styles* did so; and came to an anchor at a short distance from Pontiana. There the Gunner came on board; and gave orders to the *Witness* to clean the arms, and to *Styles* to set up the rigging and get ready for sea. After this, the Gunner went ashore again; and returned on the following day, about 8 or 9 A. M. with a letter from the Captain to *Mr. Styles*. After reading the letter, *Mr. Styles* said, that the Captain wanted 10 chests of opium,—and also some iron, if he could get it,—but if not, not to mind. The ten chests of opium were sent on shore; and the Gunner did not afterwards return *Mr. Styles* said, it was the Captain's order, that he should get ready for sea. The *Witness* took the watch this evening, from 6 to 8 P. M. and was relieved by *Styles*. He told the latter, to take care and look well out, for fear of Malay pirates. He then went to his cabin, and fell asleep. About 12 at night, he was waked by the noise of guns moving upon deck. He rose, and tried to get out, but found his cabin door shut so fast, that he could not open it with one hand. He applied both with considerable violence, and forced it open. He saw all sails loose; but cannot say, whether the ship was under weigh. He was confused, and imagined the Malays had come on board. The first person he saw, was *Christian Kleyn*, standing with a drawn sword, behind the door of his cabin. The *Witness* asked him, what all this was; to which *Kleyn* made no answer, but shrugged up his shoulders. The *Witness* saw, that it was *Kleyn*, by the light of the binnacle. He saw *Styles* also, with a drawn sword in his hand. The *Witness* then went to the forecastle, to see what had become of the anchor; when he found, that the cable was cut, and the ship under weigh. On coming abaft again, *Styles* laid hold of him by one shoulder, and, raising his sword with his other hand, said "The ship's crew and I have all agreed to go "to Java; what do you say?" The *Witness* was afraid, and said, "very well." *Kleyn* was all the time close to them, with his sword drawn, but said nothing. The *Witness* remained on deck; while *Kleyn* and *Styles* went down to the cabin, (where there was a lanthorn lighted,) and waked the boy *Paulo*. *Styles* asked *Paulo*, if he consented to go to Java with the rest or not; to which *Paulo* answered, "Yes." They then returned to the deck; and *Paulo*, by order of *Styles*, brought up 4 bottles of wine. *Kleyn* took one of the bottles, and broke off the neck. *Styles*, then, asked *Paulo* for a sneaker; and taking the bottle from *Kleyn* poured out some wine, and called on the *Witness* to drink. At first, the *Witness* declined, saying, he could not drink; but afterwards, *Styles* insisting on it, he did drink, through fear. *Styles* then called all the ship's crew abaft, gave them each a share, and ordered them to cheer thrice,—which they did. He then ordered three guns to be fired, in order that the Captain might think they were fighting with the Malays. The guns were fired accordingly, (but the *Witness* cannot say, at what hour;) and the brig held on her course. During all that day, *Styles* and *Kleyn* kept watch together, and appeared good friends. *Styles* commanded. Next morning, *Styles* went below: taking *Janikogrillo* and *Nizam* with him; while *Kleyn* kept watch upon deck. *Janikogrillo*, by order of *Styles*, called the Carpenter, wtih his hatchet, to break open the treasure-chest; which was done accordingly. *Styles* then took some cloth, and, tearing it into several pieces, tied up 100 dollars in each piece, and brought them on deck. He then called the crew (12 or 14 men in all) together, and gave them each, 100 dollars. To *Antonio Francis* and *Michael Pesceira*, who were crying, *Styles* said, "Don't be afraid; I will set you ashore, either at Lin-"gan or Banca, from whence you may go where you "please. If I meet with a Malay vessel," continued "he, "I will engage her; and, if I can take her, I "will burn the brig *Malacca*, and carry away her car-"go. I will then go to Java, and stay there two or "three years; after which, I will return to *Malacca*, "when every thing will be forgotten." This *Styles* said in the Malay language, which the *Witness* understood, and which was the language in common use on board. *Styles* and *Kleyn* used to talk English only to each other. When the brig left Malacca, she bore English colours. After sailing from Pontiana, *Styles* ordered *Nizam* to prepare a Portuguese flag; that, in case of their meeting any vessel at sea, they might hoist it, and pass for Portuguese. The first vessel they saw, was an English Brig from Malacca. They fell in with her, behind Lingan, and *Mr. Styles* hailed her in English,—asking, whose Ship she was and whither bound. He received for answer, that she was bound from Malacca to Lingan. And, in reply to the usual enquiries from her, he further said, that ours was a brig from Pontiana,—Captain Ross her commander; and that the Captain was not on board, but had been left at Pontiana. The *Witness* then heard the people of the other vessel hollow out, "*Mr. Styles*,—*Mr. Styles*!" But *Styles* made no answer: and the brig went,—while the *Malacca* came to an anchor. The reason of anchoring, the *Witness* does not know. *Styles* however, seemed to be afraid, lest the brig should come back; and once, pointed to her, saying "She is not out of sight." Soon afterwards, the *Malacca* being then under sail again, they descried a Malay prow, which *Styles* hailed with his hat, and invited to come near, and give them some water. The *Malacca*, at this time, had no water on board. The *Witness* told *Mr. Styles* not to hurt the people, but to give them some dollars, and to see if he could get any water from them in exchange. *Styles* then enjoined the crew to be silent, and to say nothing of his intention to carry the brig to Java. Meanwhile, the prow came alongside, and the Nacoda came on board. *Styles* told the Nacoda, that he was bound to Sumatra:—to which the latter replied, that he was not in the way to Sumatra, but near Lingan. The *Witness* then asked the Nacoda, in a whisper, to assist him in carrying the vessel to Malacca. The Nacoda acquiesced; and called up his crew from the prow, which was then lashed alongside. They came up, 6 in number, all armed with creases and claywans: one of them, named *Injee Haem*, ran up behind *Styles*, and seized him; while the Nacoda secured some musquests that were on deck, and put them below. The *Witness* then, with his own hand, put *Styles* in irons. This happened, six or seven days after they sailed from Pontiana. *Kleyn* was near at the time, and assisted in securing *Styles*: but, during all the preceding interval he had acted in every respect according to *Styles's* orders. For three days and three nights after leaving Pontiana, *Styles* had never slept; but remained on deck, with a sword constantly in his hand. Afterwards, when *Styles* slept, *Kleyn* had command of the watch. The brig being retaken, the *Witness* told the Nacoda, to call on the crew, to restore the money. He did so; and 2024 dollars were recovered. The brig was then taken back to Malacca, and delivered to Mr. Hare.

The same *Witness*, on cross-examination by MR. DICKENS (Counsel for the prisoners,) admitted, that he is a Dutchman:—but denied, that he had ever received 15 dollars, to go as Chief Officer of the *Malacca*, or that he went in that ship at all in the capacity of an Officer. One Mr. Dickson of the Custom-house told him to go on board as an apprentice, and gave him 15 dollars in hand,—saying, that the Captain would teach him to write, and that his charge would be, to see what came on board, and what went on shore. He had been at sea before, as an apprentice to Capt. Purefoy: but he had not navigated ships for these last four years to Bengal and elsewhere,—nor were his abilities equal to the duty of an Officer. He did not know Captain Ross, before he went on board the *Malacca*. He dined at the Captain's table, however, from Malacca to Momparva, by the Captain's invitation;—which the Prisoner did not. The *Witness* had been told before by Mr. Dickson, that he should mess with the Captain. He had no dispute with Captain Ross, during the voyage to Pontiana; but he remembers having had some words with *Styles*, about spoiling some bales of coth. He does not know, for what particular reason he was selected to clean the arms;—he did so, because the Gunner ordered him. Neither does he know, whether *Styles* sent any letter on shore to Captain Ross at Pontiana. The *Witness* never called the crew together at Momparva, nor ever said to them, that, if the Captain came into the ship again, he would throw him overboard.

MR. DICKENS. "How came you to order *Styles*, to "to keep a good look-out, for fear of the Malays, if "you were only an apprentice?"

Witness. "It was the Captain's order, to communi-"cate this from watch to watch."

All persons on board, he continued, kept watch in their turn; and the *Witness* himself was at the head of the watch from 6 to 8 P. M. From Malaca to Momparva, the *Witness* had charge of a watch in his turn, by the Captain's orders.

MR. DICKENS. "Perhaps, you may recollect, that "you ordered the cable to be cut during your watch. "You are a Dutchman, and must naturally like Java "better than an Englishmen."

Witness. "No."

MR. DICKENS. "Did you not, upon your oath, "threaten to put the Prisoner to death, if he would "not steer the ship?"

Witness. "Never."

MR. DICKENS. "Did you ever know of any quarrel "between *Styles* and the Captain?"

Witness. "No."

MR. DICKENS. "Where is the Gunner "now?"

Witness. "He is here."

MR. DICKENS. "If he is called to give evidence here "to day, do you think he will speak the truth?

Witness. "I cannot say."

CHIEF JUSTICE. "I have frequently heard Witnesses "examined, as to the truth of the evidence delivered by "others. But, I never before heard the credit of a Wit-"ness questioned by anticipation."

In answer to the further questions put by the Counsel for the prisoner, the *Witness* deposed; that he does not know, whether or not Lingen be in the way to Java: nor does he know, why *Styles* said, that he would carry the ship to Java. He is equally ignorant, why *Styles* hailed the English brig,—what the brig was,—or why the *Malacca* was brought afterwards to an anchor. *Styles* shewed himself fully on deck, on the occasion. They were not in the way to Malacca at the time, but behind Lingan. Six or seven days were consumed, in their voyage from thence to Malacca; during which time they were retarded by foul winds. The *Witness* does not know, that Lingan is on the high road to China, or a general place of resort for ships;—nor had he ever been in these seas before, with a Captain Gray. He had been at Rhio, with a Mr. Griffiths: but does not know, whether Rhio be near Lingan. He never made any agreement with any of the people on board, that, when they came to Malacca, they should tell the owner, that they had been obliged to cut their cable to escape from Pirates.

To some questions from SIR WILLIAM BURROUGHS, the *Witness* replied; that *Kleyn* seized *Styles*, immediately after he was seized by the Malays; and that no person had previously said any thing to *Kleyn* on the occasion, nor could the latter have known the purpose of the Malays, nor have overheard the discourse between the *Witness* and the Nacoda.

Jacobus Gulielmus Cookman, a Portuguese sailor, was then called, and examined by MR. SIMPSON. He stated, that he was on board the *Malacca*, when she was cut off; and that *Styles* was a Mate, and *Kleyn* a Seacunny in that vessel. In his account of the occurrences at Momparva and Pontiana, he agreed with the former *Witness*. He further stated, that *Mr. Styles*, after receiving the letter from the Captain at Pontiana, told the crew, that he had received an order to flog and put in irons all those who would not do their duty. In the evening, *Mr. Styles* ordered the *Witness* to hoist the top-gallant-mast; and, by the time that was done, it was dark. *Mr. Styles* afterwards ordered the sails to be loosed. It was raining at the time; and it being customary for all the people to get a glass of liquor when it rained, *Styles* called them together, and gave them each a glass of Madeira. The *Witness* heard from the top, *Mr. Styles* calling to the Carpenter to bring a hatchet; and, on coming down from the mast, he found the cable cut, (though he does not know who cut it,) and saw *Kleyn* standing with a drawn sword. Both *Kleyn* and *Styles* said to the ship's company, "Do "you all wish to follow us or not?" To this the people being silent, each of them said, "If you do not "make an answer, I will cut you down, and throw you "into the sea." The crew were then intimidated, and agreed: and the brig sailed from Pontiana. The *Witness* then proceeded to relate the circumstances relative to the firing of the guns, the division of the dollars, &c. as already detailed by *Vanderbeck*. He added, that the guns were all moved aft by four Chinese, and kept under their charge; that, before they met with the Malay, *Vanderbeck* had proposed to seize *Styles*, on the first opportunity that offered; but, that *Kleyn* was joined with *Styles*, and was not of their party. The *Witness* returned his share of the dollars, without looking at them.

Being cross-examined by MR. DICKENS, the *Witness* further stated;—that he was born of a Dutch father. He did not gamble for the dollars, which had been divided;—though all the others did so, and *Mr. Vanderbeck* among them. These dollars were the property of the Captain; were brought on board in gunny-bags, and left in *Vanderbeck's* cabin. A box was afterwards made; and, the dollars being put into it, was nailed down by the Carpenter. The *Witness* never heard of any disagreement between *Mr. Vanderbeck* and the Captain. *Mr. Vanderbeck* acted as a Clerk; and used to keep watch with the Captain. The *Witness* does not know, whether *Vanderbeck* or *Styles* was the first man in the ship. He never heard *Vanderbeck* give *Styles* orders. *Styles* was not sick, during the voyage from Pontiana to Lingan:—he commanded the vessel all the time. *Vanderbeck* did not give the order for cutting the cable, at Pontiana;—he had gone down stairs after his watch was over, and was then asleep. The *Witness* was aloft at the same time, on the after-mast. It was dark;—but, when he came down, he saw both the Prisoners with arms in their hands.

The next Witness, *Nizam*, was examined by MR. SMITH. He deposed; that he was Khidmutgar at Malacca, in the service of Mr. Hare; but, by birth, is a native of Surat. He served on board the brig *Malacca*, as Cook. On hearing the order to cut the cable in Pontiana roads, he came up on deck, and asked the Chinese Carpenter, what the order was which *Mr. Styles* had given him; to which the Carpenter replied, "To cut the cable." *Styles* was abaft at the time; but presently came forward, and, lifting his sword at the *Witness* and the Carpenter, said, "Is not the cable cut yet?" On this, the Carpenter got behind the *Witness*; and the *Witness*, being himself much alarmed, said, "'Dont strike us: I will cut the cable." Accordingly, the *Witness* took the hatchet, which the Carpenter had brought up, and cut it. During this scene, *Kleyn* was standing near the main-mast, with his sword drawn; but said nothing. After the cable was cut, *Kleyn* went below. The wine was then brought up; and the other circumstances followed, as related by the preceding *Witnesses*. The guns were moved aft, and pointed forward, so as to rake the ship:—they were loaded; and no person was allowed to go aft, where they were, except *Styles*, *Kleyn*, and the four Chinamen. *Styles*, when first seized by the Malays, called out to the Chinamen;—on which, the *Witneess* took a bludgeon, and struck *Styles*. The Chinamen, (who had gone to get some betel,) on hearing *Mr. Styles* call, were coming to the guns: but the *Witness* attacked two of them, and struck them with his bludgeon. *Limsing*, one of the four, came and assisted in seizing *Styles*. *Kleyn* also, on seeing the Malays get hold of *Styles*, threw down his weapon, and seized that in *Styles's* hand.

The last *Witness* called for the prosecution, was *Inchee Abdool Sayed*, Nacoda,—a Native of Malacca, and in the service of *Mr. Cooke*, a Dutch Merchant at that place. Not being able to recognize the persons of the Prisoners, the other *Witnetses* were called back, to prove that he was the Nacoda, who had rescued the *Malacca*,—which they did. The *Witness* then went on to state; that he knows the person of *Vanderbeck*. He saw him on board a brig, the name of which he cannot tell, but which belonged to Mr. Hare. The *Witness* was then about two hours sail from Lingan, on his way to Malacca. Being hailed from the brig, he approached her; and *Vanderbeck* desired him to come up. While alongside, he asked an European, whom he saw on board, where he was going; and was answered, "To Sumatra" On which, he replied, that Sumatra was not there;—that they were among islands, where there was nothing but Pirates. On being invited by *Vanderbeck*, the *Witness* went on board by himself: and *Vanderbeck* presently pulled him aside, and told him, in a low voice, that the European was running away with the vessel to Java. The *Witness* then went aft; and, seing the cargo of iron, cloth, &c. concluded they were running away with it. *Vanderbeck* begged of the *Witness*, to recapture the vessel, if he could; or, if not, to take him away. The *Witness* answered, "very well;" and immediately called up his men with their arms, and ordered them to lay hold of the European. The *Witness* himself secured a sword and musquet, which were close to the European; and enjoined the crew to be silent, threatening them with violence, if they should attempt to interfere. He then made them put the European in irons; and enquired of *Vanderbeck*, what vessel it was. He collected from the crew, the money which had been plundered: and carried the brig into Malacca. He there reported the circumstances to *Mr. Harrington*, and desired him to inform the Resident; and, presently afterwards, people were sent on board to take charge of her, and she was restored to Mr. Hare.

On cross-examination by MR. DICKENS, the WITNESS said; that he held no discourse with the European. At first, when he went on board, the European said nothing; but, afterwards, he desired the *Witness* to go away.

CHIEF JUSTICE. Tell the *Witness*, I am very happy "to hear this account of a transaction, in which he has behaved so well. I think, our countrymen are all obliged to him."

Here the evidence for the Crown closed: and, the Prisoners being called on for their defence, *Styles* delivered in a written paper, which was read to the Court. It stated; that he had sailed for 4 years in the service of Mr. Hare, and was not (as had been asserted) the ringleader of the conspiracy to carry away the *Malacca*. Two days before the Piracy was committed, *Vanderbeck*, the Chief Officer of the vessel, called the people together, and told them, if the Captain should use any of them ill, to throw him overboard,—threatening the prisoner at the same time, if he refused to lend his assistance. When the cable was cut, the Prisoner was supping below; and came up on deck, on hearing the noise. The Prisoner knew the coast of Java, and advised the crew to carry the vessel to Cheribon. He then took the helm; and, thinking to keep them under a mistake, stood towards the Straits of Malacca, in hopes of falling in with some English cruizer. Had he intended to have gone to Java, he would not have been found near Lingan. After the brig was boarded by the Malays, he was put in irons by the Chief Officer; but, next morning, was told by him, that he should be released, if he would concur in his (the Chief Officer's,) story. He concluded, with calling God to witness, that he was perfectly innocent of the crime laid to his charge.

The other Prisoner, *Kleyn*, merely stated, in his defence, that he was asleep below, when the brig sailed from Pontiana.

Anselmo Montaro, late Gunner of the *Malacca*, was then called as a *Witness* on behalf of the Prisoners, and examined by MR. DICKENS. He deposed; that *Vanderbeck* had told him, that he (*Vanderbeck*) had come on board to keep an account of the cargo, as it was taken in and delivered out. He does not know, that *Vanderbeck* was Chief Officer: and believes, that he had no authority over *Styles*. As for the *Witness* himself, he obeyed no person on board, except the Captain. He remembers going on shore with the Captain at Pontiana, and carring a letter to the Captain from *Styles*. *Mr. Styles* complained to the *Witness*, that the crew would not work; on which the *Witness* desired him to write to the Captain;—but no further conversation passed at the time. The *Witness* does not himself know of any acts of disobedience on the part of the crew, such as *Mr. Styles* alluded to.

Being further questioned by SIR WILLIAM BURROUGHS the *Witness* added; that, after the *Malacca* was carried away, he remained with the Captain at Pontiana. *Styles* used to be employed in all sorts of business on board; but neither he nor any other person in the brig, was qualified to act as Mate.

No other evidence being adduced for the Prisoners, the CHIEF JUSTICE then proceeded to deliver his charge to the Jury. This, he observed, was an indictment for Piracy, in seizing, and carrying away a merchant-vessel from Pontiana roads. The persons charged with this crime, were mariners belonging to the vessel seized:—one of them appearing to have performed the functions of a Chief Officer, and the other being in the capacity of a helmsman. His Lordship then went on to detail the circumstances sworn to by the *Witnesses*;—begining with the evidence of *Vanderbeck*. An attempt he remarked, had here been made, to distinguish the case of the prisoner *Kleyn* from that of *Styles*. But, the Jury would see *Kleyn* taking a manifest part, throughout the whole business: and, it was *Kleyn* who, on the very first noise, was first discovered by *Vanderbeck*, standing behind the door of his cabin. There appeared also a wish to draw an inference in favour of *Styles*, from the circumstance of his not having avoided the English brig off Lingan. This was set forth as a proof, that *Styles* was not conscious of any crime. On the other hand, however, it was to be remembered, that, supposing him to be guilty, such was perhaps the very wisest which he could have adopted; as, by appearing to avoid the vessel, he would most likely have excited suspicion. After recapitulating the evidence of the other *Witnesses* for the Crown, the CHIEF JUSTICE then proceeded, as follows:

"The Prisoners, being called on for their defence, do not deny the fact of the *Malacca* having been seized, but deny that she was seized by *them*. They pretend, that they were compelled to do all that they did. And, in proof of their innocence, they alledge, that, if they bad really intentend to go to Java, they would not have been found, as they were, in the Straits of Mallacca. This circumstance, however, is accounted for, in other ways. It does not appear, that *Styles* knew any thing of navigation. Wherever he was going, he was not found in the way either to Java or Sumatra. He was found in a spot, whither nothing but ignorance could have carried him; and it appears certain, that he did not know where he was."

Here his Lordship was reminded by the Counsel for the Prisoner, that Lingan is a place generally frequented by ships passing to and from China.

"I do not know whether Lingan be a place of resort for ships or not. Still, the Nacoda says, 'you are among a nest of Islands, inhabited only by pirates.' If steering to Java, as the crew say, the Prisoner was steering to an enemy's port;—if to the Malays, he was steering probably to his own destruction. An enemy's port was indeed the only destination, to which a man, on such a businesss, could steer to. And, that he was not in the right road, could have been owing to his ignorance of navigation only. No *Witness* has been called on behalf of the Prisoners, with the exception of the Gunner; and, from what went before, I certainly did suppose, that his evidence would be found of some consequence. But, it really amounts to nothing."

After his Lordship had summed up the Gunner's deposition, *Vanderbeck* and *Nizam* were called up again, at the request of SIR WILLIAM BURROUGHS, and questioned with respect to *Styles's* knowledge of navigation They stated, that *Styles* navigated the vessel, from the time of their quiting Pontiana;—that he had charts on boards, which he looked at every two days;—but, that he took no observations. A chart of the Straits of Malacca was haded up to the Jury; from which it appeared, that, when found behind Lingan, the Prisoners were going just in the opposite direction from Java. SIR HENRY RUSSELL then continued.

"If a man cannot take an observation, I do not know, that a chart will teach him how to navigate. I still think it very likely, he might not know where he was.—The only further observation I have to offer, is this. On one side, you have the positive testimony of three Witnesses;—on the other, you have the unsupported declarations of the prisoners at the bar. There is a circumstance, however, which can hardly misguide you; and that is, the conduct of the two parties when they meet the Nacoda. What is that conduct? Why, *Vanderbeck* informs him immediately, that *Styles* was carrying the brig to Java, and requests his aid to rescue her. The other, again, gives no information on the subject; and, after he is seized, says nothing of the compulsion, under which he now pretends to have acted. If you believe the evidence of the Witnesses, you must of course find the Prisoners guilty; if you disbelieve it, you will acquit them.

The Jury after deliberating for a few minutes, returned a verdict of "GUILTY."

Both Prisoners were brought up for Sentence, on the 19th ultimo; when they were addressed by the CHIEF JUSTICE, to the following effect:

"*Herbert Styles* and *Christian Kleyn*;

"You have been convicted of the crime of *Piracy*; which, by the laws of all civilize countries, is punished with Death. It is extremely fit, that it should be so; otherwise, there would at once be an end to commerce, and to all intercourse between distant nations. The natural perils incident to navigation are sufficient to intimidate the boldest. But, if to these be added all the insecurity which may accrue from the treachery of servants, there will then be something worse to encounter than the elements themselves. You, *Styles*, attempted to shew, that *Vanderbeck* was the leader of the conspiracy. In every way, you failed. It was proved, in the first place, that *Vander beck* was incapable of navigating the vessel. And, not only so:—but, it further appeared, that you were capable of navigating her. To you only the Captain sent orders: and, it is clear beyond a doubt, that you were in fact what is called the First Officer of the Brig. You had served the owner of the *Malacca* for some years, and he reposed in you a confidency, which you betrayed. The persons and property on board, were exposed to the most imminent danger from your ignorance of your profession. While the Captain was on shore at Pontiana, the scene commenced, which has brought you to this situation; and, on your part, it commenced violently. You threatened the Carpenter with death, if he did not cut the cable; and the Cook, afterwards, to avoid death, did cut it. The next step which you took was a proof, that, young as you are, you are very cunning, and apt at mischief. You ordered the guns to be fired, in order that the Captain might suppose you were attacked by the Malays. From that time, it appears, that you were never without a drawn sword and a musquet by you. On the following day, you broke open the treasure-chest, and distributed the dollars. And here was another mark of your caution and cunning. You did not leave it to the option of your comrades, whether to take the dollars or not. By forcing each to receive a part, you thought to implicate the whole crew;—you thought, that they, after having partaken of the fruits of your crime, whould be afraid to inform against you. Lest a moment might arrive, in which you shold be found off your watch, you loaded the guns, and placed them, in a position from whence they commanded the deck, under, charge of four Chinese, who stood over them, with a lighted match constantly ready. Fortunately, there was no occasion to use them. The crew were intimidated;—you were armed;—and so matters continued, until the last moment, when the story was communicated to the Malays. What then was your conduct? You then sufficiently proved, that you had not loaded the guns for nothing. You called out to the Chinese; and, had not one of the *Witnesses* luckily interposed to prevent them from firing, consequences might have ensued, which cannot be thought of without horror. The only circumstance wanting in your case, to make it one of the worst that can be imagined, is that of no life having been lost. And, that was not owing to you *You* lifted up a weapon to strike; *you* called the Chinese to the guns. To *you*, therefore, I give no praise, because blood was not shed. Much mischief was still done —the voyage of the brig was lost,—the object of her owner defeated, and his fortune injured. And, if no murder was committed, it was a matter of accident rather than of merit. As for you, *Kleyn*, though you acted only an under part, —you are much older, —you were the helmsman of the vessel,—and you yet lent yourself to the crime, on account of which you now stand here for judgment of death. The guilt of both has been substantiated more clearly, than in almost any instance, which I ever knew. Examples indeed are not unfrequent, of fictitious stories concerted by *Witnesses* with such circumstantial exactness, as almost to be mistaken for truth. Bot, that *maney Witnesses*, in the course of a *long* narrative, should betray no inconsistency or contradiction, is something more then fraud and falsehood are equal to. And, how have you answered the evidence of those *Witnesses*? All your ship-mates were hear;—yet you called only for the testimoney of the Gunner, who was not on board during the transaction. The Jury, it appears, were satisfied of your guilt;—as I was most fully. The sentence of the law is;—that you be taken to the place from whence you came, and from thence to the place of execution,—there to be hanged by the neck, until you are dead. May the Lord have mercy upon your souls!"

The punishment of these two unfortunate men has since, we understand, been commuted to Transporation for life.

FORT ST. GEORGE:
PRINTED FOR THE PROPRIETORS BY M. KELLY.

MADRAS COURIER.

VOLUME XXVI. TUEDAY, FEBRUARY 13, 1810. NUMBER 1271.

THE COURIER.

TUESDAY, FEBRUARY 13, 1810.

NOTICE is hereby given that the Governor General will grant audiences as formerly notified between the hours of twelve and two o'clock in the afternoon on Thursdays and Mondays.—Persons desirous of an audience of his Lordship are requested to send their names to the Aid de Camp in waiting the day preceding that upon which the audience is to be given.

A. CAMPBELL, A. D. C.

Ameer Baug, 7th Feb 4810.

APPOINTMENTS, &c.

Captain Porter to act as Paymaster and Garrison Storekeeper of Madura during the period of Mr. Mainwaring's absence from that station.

Cornet M. C. Chase, to be Adjutant of the Body Guard of the Honorable the Governor.

The Right Honorable the Governor General in Council having been pleased to transfer the troops serving at Goa to this Presidency, directs that all returns and reports be made to the regular authorities from and after the 1st March next.

His Majesty's 78th and 86th Regiments, are transferred to this Establishment, from the same date.

Lieutenant Colonel Adams, will continue to command the British forces serving at Goa from the 1st March and the Officers of the Bombay Establishment serving on the Staff at Goa will continue to conduct the duties of their several situations upon their present allowances until further orders.

His Majesty's 89th Regiment is received upon this establishment from the 6th Dec. 1809, the date of Colonel Garden's arrival at Travancore with the head quarters of that corps.

SUPREME COURT APPOINTMENTS.

Mr. Robert Orme, Clerk of the Crown, of Arraigns, and Clerk of the Indictments.

Mr. John Williams, Deputy Register, Deputy Prothonotary, sworn Clerk of Bailable Process, and of the Plea side depositions.

Mr. John Shaw, Clerk to the Honorable the Chief Justice.

VICE ADMIRALTY COURT.

Herbert Compton, Esq King's Advocate, upon the resignation of Charles Marsh, Esq.

A Salute of thirteen guns was fired on Tuesday last, on account of the embarkation of the Hon'ble Sir Benjamin Sulivan, for his Native country.

Since our last, the Ship Mysore, Captain W. Dawson has arrived—left Calcutta the 27th January. Also the American brig Clarissa, Captain Page, from Boston, left the 5th of August.

We regret to say that the intelligence of the missing Indiamen in our Extra publication of Thursday the 1st February, stated on the authority of a letter from Goa proves to have been without foundation.

The Camel Store Ship which arrived at the Cape on the 2d December sailed from Rio de Janeiro on the 1st November, at which time no account of the missing Ships had been received there.

SUPREME COURT.

Aviet Seth, an Armenian, attended on Saturday the 3d inst. upon his recognisance to receive judgment upon on indictment for an assault to which he had pleaded *Guilty*. an Affidavit having been filed, and Mr. Marsh heard on the part of the prosecution, and Mr. Anstruther, for the Defendant was ordered to attend again on Monday, which he did. wher the Chief Justice (Sir Thomas Strange) p[illegible]ed Sentence upon him nearly to the following effect:

Aviet Seth,

You have pleaded guilty to an indictment found against you in this Court for an assault upon the prosecutor, and you stand now before it for judgment. This must be proportioned to the nature of the offence, to be collected from the affidavits that have been filed: taking into account any circumstances that may appear to exist in your favor. Of the assault there is no other account before the Court but that given by the prosecutor. As your plea confesses the charge, as stated upon the record, so your affidavit, by not contradicting, admits as true its aggravations. The time, the mode of the injury, together with the instrument employed for the purpose, as sworn to by the prosecutor, are all admitted. The affidavit of the prosecutor discloses moreover from your own mouth the occasion of the assault which it discribes. For he says that, while you were inflicting the blows for which you have now to answer, you in addition to abusive language, gave him to understand as the reason of them, "that he had taken out a Warrant against you, and injured your character, and that you took this revenge with your own hand." That this was the case stands confirmed by your own detail of what preceded.

It appears there that, having been arrested at the suit of the prosecutor for a confessedly just demand, what did you do? You took from wednesday to Sunday to execute your vengeance; an interval of no less than four days, at the end of which the satisfaction exacted by you must be admitted to have been as complete, as the time taken to devise it was out of all proportion to that, within which allowance may be claimed for human frailty. You gave him apparently a most severe horse-whipping, in broad day, in the public street, and in the face of the congregation to which you both belong. I do not find from the affidavit of the prosecutor, whether you had that day formed part of the congregation that were returning from Church at the time, or whether you had fallen in with it for the purpose. Either way, the malignity of the design was the same. Your determination must have been to add to punishment disgrace: and, by the choice of time and place, so far as depended upon you, to render the latter indelible. A man does not easily get over such an affront—so intolerable in its nature as, among our people (as every one knows) to lead but too often directly to the most fatal consequences. I presume the people of the Armenian nation to have their feelings also, tho' they may not be in the habit of indulging them to the same criminal extent. Every thing about this act of yours appears to have been premeditated. The Whip must be taken to have been brought for the purpose. It is not a sort of thing that people usually carry about with them; and, had your having one upon the occasion alluded to been accidental, you would have said so. To what length this outrage might not have proceeded, had the prosecutor not been rescued from it, it is not easy to say.

Severe, and (I will add, so far as I see,) unmerited as it was, it appears to have been the wish of mutual friends that it should be accommodated. It became perhaps the Ministers of your communion to exert, as they did, their influence for the purpose; nor could any Christian have quarreled with the prosecutor had he met their well-meant endeavors. But it was not to be ascribed to you as merit, that you were willing, after committing it, to have privately atoned for so very undeserved an attack—nor is it to be imputed to him in this Court, as affecting his claim to its justice, that he determines to bring you before it as a violator of the peace, and a contemnor of the law. He has sufficiently shewn public justice, and not gain to have been his object, by making his case the subject of an indictment, instead of an action.

I have looked in vain thro' the affidavit filed by you for extenuation of your offence. It appears that the debt for which you were arrested was due, and that it had been duly demanded of you, before the process was taken out. Had it been otherwise, you would have had only to have tendered the sum owing, and the costs of the process must have fallen upon the prosecutor. This is security sufficient against an excessive demand. For process maliciously and vexatiously sued out, an action of damages will lie; and the Court must be careful how it encourages the species of redress to which you thought proper to resort for such a supposed grievance. I must take it to be true indeed that the prosecutor had at first demanded of you a good deal more than was due. And, should he, toward defraying the expences of this prosecution, be advised to apply to me for any part of the fine which I am about to impose, I may, perhaps, before I comply with his request, expect to be satisfied how this happened. It is equally true however that, upon the excess being pointed out by you, it was immediately given up. You sustained therefore no injury from the demand which preceded the action, whatever might have led to the making of them. This advantage attended them, that they afforded you time to be ready with what was really due. On the other hand, the final delay of payment on your part, was to him an injury, of the extent of which it was for him alone to judge. He may have had reasons that do not, and connot appear, for the promptness with which he enforced his demand. I can upon the affidavits before me look only to its justness, and to its having been duly made. The right of action followed; and the right of arrest also, to give it effect.

A charge like this, thus attempted to be exculpated, calls upon the Court to mark to others by your example, that, next to the offence of resisting its process, must be considered that of terifying the suitor from resorting to it, by the dead of personal violence and insult for having taken it out. To the indignity and outrage suffered at your hands by the prosecutor, must be added the recollection of the public scandal which could not but be excited in the minds of your nation present at the scene, returning as they were at the moment from the public worship of the day; a high aggravation of it, regarded as a breach of the peace.

If your sentence is to be a mitigated one, it must be so upon other principles than those of extenuation. Your nation, as setled at Madras, is known not to be rich. Having no reason to suppose that you are so, a heavy fine upon you would be improper. This reflection would lead to a proportionably long imprisonment. In these cases, when people are unable to pay, they are liable otherwise to suffer. But I consider the Prelate named in your affidavit, the exalted head of your Church, whose function was insulted by the conduct which you have confessed, as nevertheless still virtually suing in your favor—I feel the force of such intercession, and to him will you have hereafter to express your respectful gratitude, for the lenity you are about to experience.

The Sentence of the Court is, that you pay a fine of One hundred Rupees, and that you be imprisoned for 3 Calendar months, and till your fine be paid.

MADRAS

Births.—On the 3d instant, the Lady of Alexander Antruther, Esq. Advocate General, of a Son.

At Cannanore, on the 3d inst, the Lady of Captain Gilbert Waugh, Barrack Master, of a Son.

On the 7th instant, Mrs. Zscherpel, of a daughter.

Death.—On the 7th instant, Mr. John Wemyss Pepper, Merchant, aged 32 years, whose character was indued with the most amiable qualities of the human heat, which he manifested by his conduct in all the relations of husband, father, son and friend.—The integrity of his principles in the intercources of life, was distinguished by the esteem of all who knew him, and his death is justly and sincerely regretted by those who had the pleasure of his acquaintance, and to his inconsolible family an irreparable loss.

On the 5th ultimo, at the Fandoora Pass, Mr. Daniel Clarke, late Master of the Band of the 1st Bat. 16th Regt. N. I.—leaving a widow and infant, to deplore his loss.

BENGAL

Marriages.—At Chandernagore, Mr. W. Phillips, Indigo Planter, to Miss Emelia Savi.

James Mellin, Esq. Assistant Surgeon, to Miss Elizabeth Masterson.

Births.—At Coel, on the 7th January, the Lady of Charles Elliott, Esq. of a daughter.

At Berhampore, on the 23d January, the Lady of Lieut. Col. Dalrymple, Commending His Majesty's 22d Foot, of a Daughter.

On the 21st Jan. Mrs. Samuel Greenway of a son.

Deaths.—On Monday the 22d Jan. at the House of Doctor G. Davidson, Chowringhee, Herbert Harris, esq. Salt Agent for the Division of Bulluah and Chittagong.

On the 23d January, Mr. E. D. Paris, first assistant Upper Orphan House, Kidderpore.

At Chowringee, on Monday night, the 20th January, Anna Maria Lucy, the infant daughter of Captain John Canning.

On Sunday the 14th, and Saturday the 20th January the Twin Boys of Arratoon Catchick, Esq.

On the 19th January, by a fall from his horse, Mr. Thomas Higgins.

On the 21st January, in the Eoyal Barracks, Fort William, in the 42d year of his age, Henry Brown, esq. Quarter Master of H. M.'s 14th Regiment of Foot.

On the road from Jaulnah to Seroor, whither he was proceeding for the recovery of his health, Lieut. W. J. Home, of the 2d Bat. 17th Native Regiment.

In the storm of Puraagpoor: on the 7th January, Lieutenants Samuel Woolly, and W. H. Dixon, 1st bat. 9th Regt. N. I.—whose early fall has been deeply lamented by their Brother Officers, in the loss of whom their Society has been deprived of two honorable, zealous and valuable young men.

At Muscat, W. Chickely Bunce, Esq. Resident.

At Sea, Lieutenant J. C. Page, Artillery.

EUROPE

Marriage.—At Hetherfert, Norfolk, by the Rev. B. Edwards, Mr. Wm. Abel, merchant, to Miss Harriett, the youngest daughter of Mr. James Hardy, of the same place.

Deaths.—At Christ Church, Oxford, the Reverend Alexander Mackenzie, A. M. in the 27th year of his age.

Captain Robert Dalrymple of the 3d Guards, youngest son of Sir John Dalrymple, of Cousland, Bart. who honorably fell, defending the cause of his King and Country, in the battle of Talavera.

ORIENTAL STAR.

SATURDAY, JANUARY 27, 1810.

GOVERNMENT NOTIFICATIONS.

FORT WILLIAM,
JANUARY 24, 1810.

*The Collectors of the Land Revenue and of the Government Customs, and generally all Officers, who have charges of Pnblic Treasuries, are hereby authorized and required to receive the Notes of the "*Bank of Bengal,*" in all Payments to be made to Government, in the same manner as those Officers were authorized and required to receive the Notes of the late "*Bank of Cacutta,*" in all such Payments.*

Published by Order of the Honorable the Vice Presdent in Council.

H. St. G. TUCKER,
Sec. to the Govt.

FORT WILLIAM,
ACCOUNTANTE GENERAL'S OFFICE,
JANUARY 24, 1810.

Notiee is hereby given, that al the Treasury Notes of this Government, which may be Outstanding from No 5501 to No. 6000, of 1809-10 inclusive, will be discharged on application at the General Treasury, on Thursday the 1st Proximo, on which day the Interest thereon will cease.

W. EGERTON, *Acct. Gen.*

General Orders, by His Excellency the Vice President in Council.

FORT WILLIAM, JANUARY 16, 1810.

Lieutenant Colonel Worsley is permitted at his own request to resign the situation of Adjutant General from the date of the arrival of his successor at the Presidency. On this occasion, the Vice President in Council feels, that it would be an act of injustice to that meritorious Officer, to omit the expression of his regret at the loss which the Service will sustain by his resignation of the high and important situation on the General Staff of this Army, which he has filled with such distinguished ablility, zeal, and advantage to the public interests; and his Excellency in Council is happy to declare in this public manner his entire concurrence in the sentiments of cordial and unqualified approbation of Lieutenant Colonel Worsley's conduct in the discharge of the arduous duties of his Office, which have been conveyed to Government by the Commander in Chief.

Lieutenant Colonel George Ball, of the 8th Regiment Native Infantry, is appointed Adjutant General, in the room of Lieutenant Colonel Worsley. Lieutenant Colonel Ball's appointment to take effect from the date of his arrival at the Presidsncy.

On Thursday last, John Fullarton, Esq. of the H. C. Medical service on this establishment, was elected a Director of the Bank of Bengal, in the room of John Palmer, Esq. resigned.

Advices from Hydrabad, received during the week afford reasonable ground to suppose that some important action has taken place, ere this, between the native chieftains Meer Khan. and Saaduk Khan, both of considerable celebrity. The former we learn had ouce more crossed the Nerbudda with almost the whole of his force, with the avowed intention of redeeming the honor of his arms from the imputation of defeat, by the successes obtained over him by the Nagpore troops in two recent engagements. Saaduk Khan was advancing towards the enemy with the utmost confidence, fully persuaded that a fair opportunity only was wanting to manifest his decided superiority over him in the field.

Colonel Close had taken his station, with the advanced body of his army, between the City of Nagpore and the Nerduddah, waiting the arrival of the remainder, to enable him to prosecute his designs.

BENGAL HURKARU.

SATURDAY, JAN. 27, 1810.

Our intelligence from the eastward, by the Ship Margaret, (which has come in, since our last, from Malacca,) is confined to a few articles of shipping news, already pretty generally known to those who take an interest in such matters.

The Margaret brings advices of the safety of the Fleet from Manilla, (consisting of the Baring, Udny, Union, Balfour, Eagle, Britannia, Experiment, and a Spanish Ship for Madras, under convoy of the Barracouta Sloop of War.) They touched at Malacca on the 12th ultimo, and were seen by the Margaret, standing into Penang roads on the 22d.

The Experiment, it is said, had sailed from Manilla, in company with the Mary, Captain Smith, belonging to Penang,—nearly a month before the rest of the Fleet. But, after the first night, the Mary was not seen by her consort; —and she has never since been heard of.

The China Fleet, (including the Ships Auspicious and Aurora of this port,) under convoy of the Fox frigate and two other ships of war, sailed from Malacca for Penang on the 8th of December; and were at anchor in Penang roads, when the Margaret passed that place on the 22d.

AMEER KHAN.

By a letter of the 12th curent, from Scindeah's Camp, the contents of which have been obligingly communictated to us, we learn, that Ameer Khan was, at that time, in the Bopal district. Bopal, as most of our readors already know, is a small state situated on the south-west frontier of Bundelcund, about 50 coss south of Jhanu. An understanding is supposed to subsist, between the Rajah and the Mahratta chieftain. These accounts confirm the report which we had before, of a second engagement, between the followers of Ameer Khan and the Berar troops, which had terminated to the disadvantage of the former. In this last encounter, Ameer, it is said, lost many of his Sirdars, and about five hundred of his men, besides two pieces of artillery. Report adds, that the Khan himself was wounded with a spear, in the heat of the battle.

Our former accounts having left Ameer Khan on the banks of the Nerbuddah, at no great distance from Gurah Mundelah, it would appear, from those now received, that he has, since that time, been moving rapidly in a retrograde direction. He is attended by his Horse only;—his Brigade of regular Infantry being occupied at present in the country of Joudpore. They have received orders, it is said, to join him; but have refused to march, until their arrears shall be paid. The Khan is without money. Since the late battle, his standard has been deserted by the Pindarrees and Dukkannees, who formed so large a portion of followers: and, considering the desperate state of his resources, there is every probability, that his whole force will in a short time dwindle to nothing. It is thought next to impossible, that he should ever come in contact with either of the British detachments now in the field.

By an extract from an American Newspaper, which appeared in the Mirror of Wednesday, we learn, that the once noted Thomas Paine terminated his earthly career, some time in the course of last summer, at New York. He had lived to a very advanced age.

It appears, that the Arab ship captured off the Sand-heads by the Bellone, was the Fazeaomannee from Bengal, on her return to Muscat.

On Sunday last, arrived in the river, the Country Ship Europa, Captain Douglas, having on board the following Passengers from Vizagapatam, which place she left on the 14th current; viz.

Miss Caldwell,—Miss Brietzcke,—Miss Green—Miss Inglis,—Miss Morton,—Miss Anna Morton,—Miss E. Morton, and Miss C. Morton.

Messrs. Stewart, Hall, Newcomen, Wilson, Minats, Crawford and Swinton, Cadets.

Captain D'Esterre, *United Kingdom*:—Major A. Caldwell, Artillery,—Mr. Mallett, Purser of the United Kingdom,—Mr. Hickman, 3d Mate, ditto,—Mr. Russell, Surgeon's Mate, ditto,—Mr. M'Ladie, 6th Mate, ditto, and Mr. Morton.

Lieutenants Gilmore and Stock, King's Officers.

Mr. Salcket, Surgeon of the Ship Charlton.

Mr. Forester, and Mr. Bucksher, Midshipmen.

On Monday, two Ships, under Arab colours, came in from Coringa, having sailed from thence together on the 11th current.

On Tuesday, arrived the Country Ship Margaret, Captain Sterling, from Malacca the 14th of December.

The outward bound Arab Fleet, lying at Saugor, were joined, on Thursday se'ennight, by the Ships Fataramona and Calamattee; and on Saturday, the whole convoy put to sea, on their return to Muscat.

The Country Brig Harriet, also destined for Muscat, and the Portuguse Brig Vasco de Gama, returning to Rio de Janeiro, sailed likewise on Saturday.

The only vessel remaining at Saugor, is the H. C. Ship Earl Howe.

The Cape Packet, Captain Young, destined for Vizagapatam, sailed from the river on Tuesday.

BOMBAY COURIER,

SATURDAY, JAN. 27, 1810.

GENERAL ORDERS.

By the Commander in Chief.

The Honorable the Governor in Council has been pleased to direct, that the following letter, from the Right Honorable the Governor General under date the 1st Dec. last, shall be published in Orders.

THE HON'BLE JONATHAN DUNCAN,
Governor General in Council, &c. &c. &c. Bombay.

HON'BLE SIR,

I have had the honor of receiving your letter of the 31st October, together with its inclosures containing the proceedings held by the Commander in Chief of the Forces serving under the presidency of Bombay, for obtaining a formal disavowal of the fabricated Paper which purported to be a promise of support to the disaffected part of the Coast Army, in the name of the Officers of your establishment, and which had been circulated by the Committee on the Coast, with a view to promote the success of the criminal transactions in which they were engaged.

The result of this investigation is entirely agreeable to my firm and confident expectations, and is highly satisfactory to my mind, as it must be to that of every man who feels a warm concern either in the public Interests, or in the honor of the Bombay Army. That honor, has ever been, and I am assured will ever continue unsullied, by any deviation, from the purest principles of the military character.

Neither the inquiry instituted by Major General Jones, respecting that contemptible fabrication, nor the subsequent transmission of the same scandalous Paper, from the Supreme Government, were founded in distrust, or conveyed any indications of suspicion; But the unhappy circumstances of that extraordinary and lamentable period, indispensably required the communication of such a document, to the respectable body of men, whose sentiments and conduct it misrepresented in a manner so slanderous towards them, and so prejudicial to the public peace and security—If that obviously necessary measure had been omitted, Government would on one hand, have deprived the army of Bombay, of an opportunity to repel so foul and so treacherous an imputation, and to give utterance to their own true, and honourable sentiments, in a moment of public anxiety and alarm; and on the other, would have left the fomentors of public troubl, in possession of a formidable Engine, actually employed with much diligence, and not without some succes, for misleading the public mind, and strengthening the hands of disafection and revolt.

I derive therefore, the greatest satisfaction, from observing, that (with an exception or two, entirely unworthy of notice,) the whole body of the Bombay Army, in disavowing all fellowship, with those who had forgot their duty, has confirmed the high reputation which has ever been attached to it, and I cannot conclude without requesting you to convey to the members of the Bombay military establishment the sincere and cordial expression of those sentiments of respect, regard and confidence, which I have ever professed, and shall ever retain for that distinguished portion of the Company's forces and that highly meritorious body of British Officers.

I have the honor to be, &c. &c. &c.

(Signed) MINTO.

Fort St. George, 1st December 1810.

Published by order of the Right Honorable the Governor in Council.

F. WARDEN, Chief Secretary.

BOMBAY GAZETTE.

WEDNESDAY, JAN. 31, 1810.

On Monday morning, as a dashing equestrian was training on the sands, his Bucephalus became a little unruly, in a most tremendous effort, which we understand was inhumanly meant to pull the animals head off, both the bridles broke, and the rider threw a somerset over the haunches of his horse, with amazing agility.

January 24th—Arrived, Tweed, Bengal Pilot Schooner. Lieutenant John Hall, from Surat.

Ditto 24th.—Ditto Arab ship Shaw Allum, Nacqudah Abdulraiman, from Bengal.

Ditto 24th.—Ditto Brig Darria Dowlat, Commander William Trounce, from Surat.

January 25th.—Ditto his Majesty's ship Dedaigneuse, William Wilbraham, Esq. Captain from China.

Ditto 25th—Ditto ship Jehangeer, Captain Thomas Howell, from China.

Ditto 25th.—Ditto ship Anna, Captain Francis Smith, from China

Ditto 25th.—Ditto ship Charlotte, Captain L. Leslie, from China.

Ditto 25th—Ditto ship Lowiee Family, Captain William Deniston, from China

Ditto 25th,—Ditto ship Milford, Captain Charles Learmouth, from China.

Ditto 25th.—Ditto ship Alexander, Captain William Robb, from China.

Ditto 25th.—Ditto ship Udney, Captain John Collingwood, from Manilla.

January 25th.—Sailed brig Industry, commander Thomas Ross, to Bussora.

SPANISH ACCOUNT
OF THE
VICTORY OF TALAVERA.

The following are the dispatches which have been received concerning the battle of Talavera.

1st DISPATCH.

"MOST EXCELLENT SIR,

"The night before last, I imparted, to Y. E. from the banks of the Alberche, the suspicions I entertained, that, if I continued separate from the English, I should be attacked by the forces which the enemy had collected in Toledo. This conjecture induced me to recross the river yesterday morning, and to take up the position previously agreed upon with General Wellesley, the two armies being drawn up in one line before Talavera, and improving every advantage of hedges and ground. Scarcely had we formed in the said position, when the whole force of the enemy's, which we supposed to amount to between 35 and 40,000 men, of whom 5,000 were cavalry, made its appearance, and, that very hour, began to attack the whole of our line, directing their principal efforts against the left which is formed by the English, whose left flank they attempted to turn. The attack and defence were equally obstinate, so much so that the combatants came to the bayonet, but, at last, the enemy were twice repulsed with a great many killed and wounded, the action continuing until half past eight at night. The English have likewise suffered a good deal, particularly in officers. Our own loss inconsiderable; and, generally speaking, our troops have displayed great gallantry and steadiness, 3 or 4 Corps excepted which betrayed some weakness, and of which more will be said hereafter.

"This morning, very early, the enemy renewed their attacks which they are still carrying on at the hour I am writing (even in the evening); but they have been repulsed in every one of them, and, I hope, will be so in the subsequent ones. Joseph Napoleon continued in the field untill this evening when we know him to have retreated, with his Guard, towards Sta. Olalla, 98 Carts of wounded recrossed the Alberche with him.

"I have no time to enter into particulars, having been three days on the field of battle with all my troops under arms. May God &c. Head Quarters, Fields of Talavera, July 28, 1809.

(Signed) GREGORIO de la CUESTA.

"To H. E. Don. Antonio Cornel."

2d DISPATCH.

"MOST EXCELLENT SIR,

"At seven, last evening, I informed Y. E. from the Fields of Talavera, that the enemy's attack and our defence were still carrying on with great obstidacy. The hostilities ceased as soon as it grew dark; but the enemy did not withdraw from their positions until a little before day break, this morning, when they began their retreat, & recrossed the Alberche on their way to Caralegas and Sta. Olalla, evidently despairing not only of driving us from our position, but even of making the least impression upon it. They have left the field of battle strewed with killed and wounded, whom they had neither the time nor the means to carry along with them, and have sustained a tremenduous loss which would have proved still greater, if fatigue and want of provisions had not prevented our troops from pursuing them. The English have likewise suffered much, as they have lost three Generals, many officers of inferior rank, and many men; but they cannot be denied the glory of having fought with great bravery and skill, and convinced the French, that they never give way to them, particularly if led and commanded by their able, active and gallant General, Sir A. Wellesley.

"The Spanish troops, and specially the corps which were moreopportunely situated, answered my most sanguine expectations by their bravery and intrepidity. The tremendious and well-supported fire of our Infantry baffled the repeted attacks of the enemy, who also suffered a good deal from the charges of our cavalry. The King's Regiment in particular, has covered itself with glory, and in concert with the English taken several pieces of cannon, one General, one Colonel and several Officers. Although I intend to speak of the others on a future day, in order to reward those who have distinguished themselves, I request, even now that its Colonel, Brigadier D. Josef Maria de Lastrees, be promoted to the rank of Camp-Marshall, for having attacked, and set the best example at the head of his Regiment.

"From the declarations of the prisoners we learn that the whole of Joseph Napoleon's guards, upon whom rested all his hopes, were engaged yesterday morning; but no sooner did he see them repulsed and put to the route, than he fled towards Sta. Olalla. I have just been informed, that his army is proceeding to Toledo in great consternation, and quite destitute of means of subsistance.

"Lastly, I have only time to state, that this has been the most glorious and most important action fought during the whole war, and which I hope, will open for us the road to the Ebro, as soon as we shall get provisions for the troops.

"May God, &c. Head-quarters, Fields of Talevera, July 29, 1809, 10 o'clock in the mornin.

(Signed) GREGORIO de la CUESTA.

"To H. E. Don. Antonion Cornel."

D. Gregorio de la Cuesta has since sent intelligence, from the head quarters at Talavera, under date the 30th, that the enemy to the number of 10,000, are still to be seen on the heights on the other side of the river Alberche. Our advanced guard occupies the Tete-de-pont; the Spanish army is before Talavera; and the British upon our left, a little farther back. He also says, that from the declaration of the French themselves, & other accounts entitled to credit, their loss exceeds 9 or 10,000 men—that Marshal Victor is badly wounded, and a General of division among the killed, and that O'Farril, Negrete and Casa Placio were present. Part of the Army is employed in burning the dead.

General Venegas writes from Oeano, under the same date, that having directed Col. Don Felipe La Catte to attack with 250 horse, a detachment of 250 horse and 300 foot, he effected it with such gallantry that he dislodged them from the heights of La Cuesta de la Reyna, killed 90 of them, and took 28 prisoners.

Brigadier Lacy is close to Toledo which is garrisoned by 4000 men, and would, before this have been taken forcible possession of, had it not been for the regard due to our towns.

Immediately upon receiving the account of the battle of Talavera, a subscription was opened in this city in favor of the wounded, &c.

SEVILLE,—AUGUST 5.

We are at length enabled to announce the long expected arrival of the new Ambassador of England, the Marquis of Welesley, brother of the illustrious General who has strewed the fields of Talavera with the dead bodies of the enemy. His landing at Cadiz was celebrated with the enthusiasm and transport naturally excited by a name so grateful to the patriots of Spain and Portugal, and the august character with which he is invested among us. The Representative of a power with which Spain has been connected by so many and such close ties ever since the beginning of her revolution, upon his arrival on our coasts, it was fit, that he should witness nothing but the tender effusions of the most sincere gratitude, and such has been the case, as appears by the following dispatch directed to the Secretary of the General Supreme Board.

"MOST EXCELLENT SIR,

"This morning at 10 o'clock, made his entrance into this city, H. E. the Marquis of Wellesley, ambassador extraordinary to H. M. and the Consul having given me previous notice of H. Excellency's landing, he was saluted and received with all the honors prescribed by the Ordinance.

"And besides as the people were so happy and delighted with the welcome intelligence of the complete defeat of the enemy's army, no sooner had H. E. stepped into his coach, than the crowd by which he was surrounded, after asking his leave, took out the horses from the coach, and drew the latter from the water-port to his house, amidst loud acclamations and demonstrations of joy particularly suitable on a day which will ever be memorable for this city, on account of the glory with which the armies of the two nations, have covered themselves. The ambassador wishing to express his thankfulness to the multude who followed and huzzaed him, was going to give a purse of gold to be thrown out to the people, but an honest inhabitant, of the name of Justo Levain, a master shoe-maker, and a volunteer in the 5th company of the 4th bat. in which he is well thought of, immediately came forward, and both in his own name, and in that of the others, most respectfully informed H. E. that the Spaniards did not pay him that homage from interested motives but from the impulse of those sentiments of friendship which subsist between these two nations.

"I have thought it proper to inform Y. E. of this meritorious action which has been generally applauded, and has induced the King's Lieut. to repair, in person to the house of volunteer Lovatin, for the purpose of returning him thanks, in case Y. E. should be pleased to lay it before H. M. who it is well known, is always anxious to reward virtuous and generous deeds, in order to excite the people to imitate them. May God, &c.—Cadiz, August 1.

For the Governor who happens to be ill, &c.

(Signed) "MANUEL DE JAUREGUI."

English Extracts.

MEETING OF THE CREDITORS OF HER ROYAL HIGHNESS THE PRINCESS OF WALES.

We have been favoured by a Creditor with the following account of what had passed at a Meeting of the Creditors of the Princess of Wales, held on Friday last, at the York Hotel, Bridge-street, Black-friars, in consequence of a Letter circulated at Messrs. Blagrave and Walter, their Solicitors, intimating that Mr. Adam, the Prince's Chancellor, and Mr. Gray, his Royal Highness's Deputy Treasurer, would attend, when the Plan which the Prince had adopted to pay their debts, and secure them in future, would be laid before them.

Mr. Adam stated to the Creditors, that the Prince had taken their case into his most serious and gracious consideration in every point of view. That his Royal Highness's object was not merely to pay the Debt in the manner already settled and accepted, but to secure them in future as far as the law would enable him; that the affairs of his Royal Highness were all administered under an Act of the 35th of the King, which rendered it illegal for the Prince to grant any bond or obligation, and protected him against personal action; but rendered his revenue liable, if the Creditors followed out the provisions of the Act, delivering in their bills signed within ten days after the quarter, and provided they sued on them within three months from that delivery. Mr. Adam then stated, that the Prince's Treasurer had uniformly and regularly every quarter paid the allowance of 12,000l. a year to the Officer of her Royal Highness; that this had never been in arrear one instant from 1802 to the present time; that Mr. Gray (who was present) was the person who paid it; that the Prince had always paid this sum to the Princess without deducting the In-

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come Tax, although there was 12,000l. per annum deducted from him at the Exchequer on that account. That his Royal Highness had now increased the Princess's income to 17,000l. a year, to be paid quarterly without deducting the income Tax. That the Princess was paid for personal expences at the Exchequer, five thousand pounds a year, making in all an income of 22,000l. Mr. Adam then stated, that it was upon this increased income of 22,000l. a year nett, that the Prince had devised the security for the Creditors in future, having made it a condition, that the Princess should appoint an officer to receive that income, who was enjoined in the settling the accounts, to follow the course prescribed by the Act of Parliament for regulating the Expenditure of the Prince. Mr. Adam said, that a paper to this effect had been accordingly signed by the Princess, so that the Creditors had now only to observe the forms of the Act of Parliament to ensure their payment; but the Prince did not stop here, but in providing for his own future indemnity, the particulars of which Mr. Adam said he did not enter into, as not belonging to that place or meeting, the Prince had taken care that if this voluntary regulation did not effectuate the object, the legislature was to be applied to. Mr. Adam then said, that the Prince had by economical regulations appropriated as large a sum as his circumstances would admit, to discharge this debt, greater in proportion than he had been enabled to apply to his own, which he was sure his own Creditors would justify, as from the moment he undertook the payment of the Debts of the Princess, they were to be considered as debts of honour. Mr. Adam then said, that the regularity of the payments might be depended upon. There was an event, however, of which some of the Creditors had expressed a dread, the calamity of being deprived of the Prince, Mr. Adam assured them that event had not been unthought of by his Royal Highness. The Prince could not by law bind himself by deed or note, but he had property and rights which might be rendered available in case of the event alluded to, and these would be so regulated that his Royal Highness had the heartfelt satisfaction to think, that no person would suffer ultimately any loss by him.

Mr. Adam said, this nearly comprised the whole matter which he had to lay before them, which would be most satisfactory, he had no doubt, to them, and would convince them that every thing that could be done for their benefit within the Prince's power was done, and that without his Royal Highness's intervention they could never have received any thing. That their petition, without the consent of his Majesty, signified by the Chancellor of the Exchequer, would never have been received in the House of Commons; and Mr. Adam said he knew that such consent would have been refused. So that unless the Prince had spontaneously undertaken for the arrangement of their debts, the Creditors would have no redress. In doing this the Prinee stipnlated, that he should be fully indemnified against future demands, a claim which his Royal Highness was held to be justified in making, because, to the forty-one thousand pounds, there was to be added the sum of thirty-four thousand pounds, which the Princess had received from his Majesty's Droits of Admiralty, making together seventy-four thousand pounds of debt contracted by her Royal Highness; which divided on the number of years, exceeded by many thousand pounds a year the greatest income ever proposed for her Royal Highness; that after the payment of forty-one thousand pounds had been undertaken by the Prince, and a guarantee against future demands arranged to his satisfaction, Mr. Adam said, that towards the conclusion of the business, it was stated to him by the Chancellor of the Exchequer, to be by him (Mr. Adam) laid before the Prince, that the debt was eight thousand pounds more than the forty-thousand pounds. That his Royal Highness took also into his most gracious consideration, and gave his commands to Mr. Adam,, to represent to those of the King's Confidential Servants, who were engaged in the transaction;—" That the main and principal object which had uniformly directed his Royal Highness's determination, and which he had never for a moment lost sight of in any one part of this transaction, had been to prevent (in these times of great and necessary expenditure) any debt of his own or any other for which he might be considered liable, becoming either directly or circuitously a burden upon the country. That he had been likewise greatly influenced by the desire of seeing justice done to the Creditors of the Princess, although under no legal obligation whatever to pay those Debts.

" On these grounds, the Prince of Wales gave it to be undersood to those of his Majesty's Ministers concerned in the transaction, [illegible] his Royal Highness would spontaneously take upon himself the payment of the sum of eight thousand pounds, in addition to the sum of fortyone thousand pounds formerly undertaken to he liquidated by his Royal Highness upon the indemnity being given to him; and by so doing his Royal Highness has the satisfaction of preserving the public from any burden, directly or indirectly, and of seeing justice done to the Creditors of the Princess, who had no other means whatever of being relieved, but by the voluntary interposition of his Royal Highness."

Mr. Adam then observed that the whole debt of 49,000l. being thus assumed by his Royal Highness, the Prince gave directions to Mr. Gray and himself (Mr. Adam), to make the instalments as liberal a[illegible]ossible. In consequence of which ten thousan[illegible]ounds has now been paid, and the second [illegible]lment would be paid in the first week of the January following.

THE FOLLOWING LETTERS FROM MRS CLARKE, APPEARED IN A SUNDAY PAPER.

MRS. CLARKE:

To the people of the United Kingdom, in Answer to Mr. Wardle's intemperate Address, which appeared in the National Register of las[illegible]nday.

Honoured as my testimony before the [illegible]ouse of Commons has been, with the confidence of the country at large, and sanctioned as my evidence has been, in a recent instance, by a Jury of my countrymen, I feel myself called upon *(after affording time for the most deliberate reflection)*, to address you, in consequence of a circumstance which has arisen out of the Cause, in which *Mr. Wright* an upholsterer was plaintiff, *Colonel Wardle* Defendant, and *Mr. Daniel Wright*, brother of the Plaintiff, and *myself* were Witnesses. In this cause it is well known that Colonel Wardle was cast, to the satisfaction of every honest tradesman, and indeed of every body in the Court. The detail of evidence the public Prints will afford. As far as regards my testimony these details are somewhat inaccurate, but they are sufficiently correct to have enabled the Public to strengthen this verdict. with an almost universal approbation. Colonel Wardle, inflated by a popularity, the extent of which was as *unexpected*, as it will be found to have been *undeserved*. had vainly flattered himself, that this same popularity would protect him against the justice of his country; disappointed at the verdict, he has lost his prudence with his temper; and without giving *himself* time for reflection, has made an unusual appeal to the people of the United Kingdom, against the verdict of a Jury. As *an excuse* for this almost unprecedented circircumstance, he has stated that his Counsel, notwithstanding, his *earnest entreaty*, repeated *to them in writing during the trial*, in the strongest terms, did not comply with *his request* to examine *Major Dodd*, *Mr. Glennie* and others. However he may vapour about these Witnesses out of Court, even Colonel Wardle will hesitate before he ventures to subject them to an examination upon oath, whilst the written documents exist, which will inculcate *more exalted persons*, and shake the very foundations of his own ephemeral popularity. Colonel Wardle is not ignorant of the reasons which may have induced the suppression of the *written testimony*, that would have undeniably corroborated my evidence. Colonel Wardle knows, that Mr. Wright's *servants*, as well as others, can prove every syllable that I have sworn. Colonel Wardle has been too full of himself, and too imprudent not to have made many unnecessary *confidants* of his intentions and promises. I dare say, the evidence of Major Dodd and Mr. Glennie *would have been founded in truth*; it would, therefore, have been madness in Colonel Wardle to have examined them, and he knows this. Major Dodd heard my evidence; he could have contradicted me upon the spot, if I had been wrong; and is there any reason to suppose, hat he would have had any scruple to have *sworn to the truth*, if that truth could have contradicted me?—is any one such a fool as to believe that? but in this case the Major must have spoken the *whole* truth, and *nothing* but the truth—as the Attorney General said, his presence or his absence equally supported Mr. Wright's case. I do not pretend to know any thing about Law, but I know what is common sense, which, I think, is more than Colonel Wardle appears to know. If he had been content to throw the blame of his failure upon his Counsel, it would have been no business of mine—they are able to defend themselves; but to be charged with a crime so *disgraceful*, so *low*, so *contemptible*, and by a person, *too*, who, of all men, best knows how abhorrent my nature is from any thing like *falsehood*: to be charged, I say, with *Perjury*, by Colonel Wardle is really too bad, I understand great stress has been laid by Colonel Wardle and some of his *Partizans*, upon a letter which I wrote to him in the month of May last, upon the subject of the engagements and promises made to me prior to the investigation, and this letter is said to have occasioned his determination *not to see me any more*.—Why! Colonel Wardle called the same day after he had received the letter, and I would not see him, being determined to have no further communication with him, except in writing. Colonel Wardle will recollect the conversation he had with my servant upon the subject of this letter, & the *appointment he made with her to meet him at 7 o'Clock that evening, at the Chapel door*: fortunately I have a Copy of that letter, and so little am I disposed to conceal any thing I may have either *said* or *written*, that if this intimation does not compel Colonel Wardle to do me the justice of giving this letter to the public, and no longer to shelter his unmanly insinuations unde[illegible]he cloak of delicacy, I will myself publish it [illegible] the National Register. It only remains for me *to declare before God and my country*, that the evidence I gave *was* strictly *true*, and *that my intimacy with Colonel Wardle merely related to my evidence and his promises*, most anxiously, therefore, do I look forward to the period, when the futility of Colonel Wardle's attempts to prove *the contrary to be the fact*, will recoil upon himself, and others, and only strengthen the Claims which I have to the public confidence in my veracity. I trust that till then the public will suspend their Judgment upon Colonel Wardle's *intemperate accusation*. Altho' it may not be equally proper in me, as in Colonel Wardle, to state the *gratitude* and *respect* I feel for the public approbation, yet I hope it is not denied, even to me, to express the anguish of mind I should endure, if upon such *an occasion* and *in such a manner*, I had really deserved their disapprobation.

I have the honour to be, &c.
MARY ANNE CL[illegible]RKE.

Wesbor[illegible] Place, July 15, 2809.

EAST INDIA HOUSE.

6TH JULY, 1809.

At a General Court of the United Company of Merchants of England Trading to the East Indies, held this day.

Resolved, that the Court having taken into its serious consideration the Report laid before it on the 29th of March last, purporting to be a Report from a Select Committee of the House of Commons, "appointed to inquire into the existence of any corrupt practices in regard to the appointment and nomination of Writers or Cadets in the service of the East India Company" cannot but express its deep regret at the corrupt and improper transactions therein disclosed; and that this Court, while it observes with great pleasure the declaration of the said Committee, that throughout the whole of the evidence they remark nothing which traces any one of such corrupt or improper bargains to any Director, or induces a reasonable suspicion that they were done with his privity or connivance, "is decidedly of opinion, that a greater degree of circumspection in the appointment of the civil and military servants of the East India Company is not only essential to its reputation, and to the success of its affairs, but highly important to the public interest: It does therefore determine. That in future, all Writers and Cadets as well as the Students meant for such appointments, shall be examined and chosen in an open Court of Directors, which Court shall be bound to make, by the interrogation of the candidate and of the person recommending him and by such other examination and means as shall seem to them to be expedient for that purpose, a full inquiry into the character, connections, and qualifications of the said candidate, as well as into the means of introduction to that Court, and to record upon their proceedings the result of such inquiry, with their determination thereon. That all such candidates shall present petitions for their appointments; but that no petition shall be entertained or discussed, unless the same be indorsed or underwritten by a Director, in the following terms, over and above any declaration now required, viz.—"I. A. B. being one of the Directors of the East India Company, do declare, that I have fully inquired into the character, the connections, and qualifications of the within petitioner, C. D. and that, in my opinion, he is a fit person to petition the East India Company for the appointment which he herein solicits." But that nothing contained in the said, or any other declaration from a Director, shall relieve the said Court from the obligation of pursuing, with the utmost strictness, the aforesaid inquiry. And that it shall not be lawful for any Director to circulate any written recommendation of any candidate, or otherwise interfere in his appointment, than in an open Court of Directors. Provided always, that each Director shall be at liberty so to indorse, or underwrite, so many and such petitions as he would, according to the present mode and rules respecting patronage, be intitled to sign nominations, and no more. And that the Court of Directors do lay before this Court, at least one in each year, or oftener if required an account of the number of Writers, Cadets, and Students, whose petitions have been agreed to, as well as the number of those whose petitions have been rejected.

Resolved unanimously—That the thanks of, the Court be given to George Smith, Esq. M. P. for the very honorable promptitude with which he proposed, in his place in the House of Commons, an inquiry into the alleged abuses, which respect the Company; and to Charles Grant, Esq. M. P. who seconded the same; and such others of the Directors, who, as Members of the House of Commons, supported with so much zeal and unanimity the said Inquiry.

Resolved,—That the said Resolutions be printed for the use of the Proprietors, and inserted in the public Papers, together with such resolution as the Court of Directors may have come to on the same subject.

At a Court of Directors, held on Thursday, the 28th February, 1799.

Resolved unanimously,—That, on occasion, of any recommendation for a Writership which recommendation has already taken place this season, or may take place in this and any succeedings season, that a declaration in writing upon the petition, to the following purport, be made by the Director who gives the same viz.

"I recommend this petition, and do most solemnly declare, upon my honour, that I have given this nomination to A. B. and that I neither have received myself, nor am to receive, nor has any person, to the best of my knowledge or belief, received, nor is to receive any pecuniary consideration, nor any thing convertible, in any mode, into a pecuniary benefit, on this account.—As witness my hand."

Resolved unanimously,—That every appointment made in consequence of corrupt practices, in regard to the disposal of Patronage, shall be null and void, unless the parties of whom the appointment is given shall, upon examination before the Committee appointed to investigate the circumstances attending the distribution of Patronage, enable, them to report to the Court, that he has made a fair and candid disclosure of all circumstances attending the same.

At a Court of Directors held on Wednesday, 6th August 1806.

Resolved,—That any person who shall, in future, be nominated to a situation, either Civil or Military, in the service of this Company, and who shall have obtained such nomination either directly or indirectly, by purchase, or agreement to purchase through the medium of an agent, or other person, shall be rejected, and the person so nominated shall be rendered incapable of holding any situation whatsoever in the Company's service. And in the event of any person having obtained an appointment in the manner before stated, and proceeded to India previous to its being discovered, such person shall be dismissed the Company's service, and ordered back to England, and shall also be rendered incapable, of holding any situation whatever in the Company's service.

At a Secret Court of Directors, held on Tuesday, the 14th February 1809.

The Court having considered the contents of these letters:

Resolved,—That as a Committee of the Hon. House of Commons was, on the motion of a Member of this Court, who is also a Member of the House, appointed on the 11th instant to examine into all corrupt practices, and all agreements, bargains, or negociations for the sale of East India Writerships and Cadetships, this Court will not take upon them the investigation of the matter now brought before them, in the manner in which they would otherwise certainly deem it their duty immediately to do; but that a copy of the said letter, and of its inclosures, be transmitted to the Chairman of that Hon. Committee for their information.

Resolved,—That a copy of the minutes of the Secret Court of Directors, held on Friday, the 3d instant, on the information of Mr. Robinson, a Member of that Court, respecting the suspected sale of a Cadetship given by him to a gentleman of great respectability, be also transmitted to the said Committee.

Resolved,—That the Report of the Committee of Shipping, stating their proceedings in order to discover the truth of this last mentioned business, be also transmitted to the Chairman of the said Committee, in the hopes that the Hon. Committee, who can act with more authority than belongs to the Court of Directors, will be pleased to carry on the investigation into the said transaction.

Resolved,—That the Chairman do communicate to the Chairman of the said Committee, the earnest wish of this Court to contribute all in their power to the prosecution of the investigation for which the Committee of the House of Commons is appointed, and to give the Committee every information which the records of the Company enable them to furnish as well as to meet individually any inquiries which the Hon. Committee may judge fit to propose to them.

At a Court of Directors held on Tuesday, the 28th March 1809, it was on a motion resolved. That a Court be summoned for Thursday next at 11 o'clock, to take into consideration the Report of the Committee of the House of Commons appointed to inquire into the existence of any abuses in the disposal of the patronage of the East India Company.

Memorandum.—The resolutions of the Court of Directors which follow, were read in the General Court the 2d of June last, viz.

At a Court of Directors held on Tuesday, April 4, 1809.

The Committee resuming the consideration of the Report of a Committee of the Honorable House of Commons, on the patronage of the East India Company.

Resolved,—That it is the duty of the Court of Directors to act in strict conformity with their Resolution of the 28th February 1799, and they therefore resolve, that it is expedient that the Court should resort to the painful measure of immediately ordering from India such persons in the Company's Civil and Military service, as shall appear by satisfactory evidence to have obtained their appointments by corrupt considerations paid either by themselves or thro' their friends. The Court deem this painful determination necessary, not so much with a view of punishing parties who may perhaps be many of them ignorant of the circumstance under which their appointments have been obtained, and the sufferings therefore of many of whom even in passing this Resolution, the Court does not deem it any impeachment of its duty to commiserate, but under an opinion, that such a severe example is absolutely necessary effectually to stop such improper practices in future.

That in respect to Writers, in addition to the already existing regulation, by which the Director conferring the appointment declares that he has given this nomination to ———, and that he " neither has received himself, nor is to receive, nor has any other person, to the best of his knowledge or belic, received, nor is to receive, any pecuniary consideration, nor any thing connectible in any mode into pecuniary benefaction his account" it be in future a positive rule, that the declaration besides specify-

(Continued in the Supplement.)

ADVERTISEMENT.

PROBATE of the last Will and Testament of JOHN CAMPBELL, Esq. late a Captain in the 12th Regiment N. I. on the Madras Establishment, deceased, having been granted by the Supreme Court of Judicature at Madras, to ARCHIBALD CAMPBELL, Esq the sole Executor in the said Will named; all Persons having demands upon, being indebted to, or holding property belonging to the Estate, are requested forthwith to state their claims, pay their debts, and deliver up the property to Messrs. HARINGTON and Co. Attornies to the said Executor.

February 9, 1810.

ADVERTISEMENT.

LETTERS of Administration of the Estate and Effects of GEORGE BOLD, deceased, late Shopkeeper in Fort St. George, having been granted by the Supreme Court of Judicature, at Madras, to Messrs. HUNTER and HAY, as Bond Creditors.—All persons having claims on the said Estate, are requested to make them known to the said Administrators, and all those indebted to the said Estate, are desired to pay the same to them without delay.

MADRAS, *February* 7, 1810.

ADVERTISEMENT.

MESSRS. HUNTER and HAY beg to call the attention of those indebted to the above Estate of GEORGE BOLD, deceased, and to state that there is a Widow and two Children entirely dependent on the Debts being immediately collected, they therefore trust that in such a cause, no person will be backward in remitting the amount they owe.

MADRAS, *February* 7, 1810

ADVERTISEMENT.

LETTERS of Administration of the Estate and Effects of THOMAS MALCOLM, Esq. late of Bombay, deceased, having been granted by the Supreme Court of Judicature at Madras, to Mrs. FRANCES MALCOLM, Widow: It is hereby requested of all persons having claims on the Estate, to state them to Messrs. COLT, HART and WESTON, of Madras, Attornies for the Administratix, and those indebted to, or who hold property belonging to the deceased, are desired to account forthwith for the same with the said Attornies of the Administratrix.

MESSIEURS

Bruce and Scott,

HAVE the honor to inform the Ladies of the Settlement, that they have received a fresh supply of Smyths Lavender and Honey Water, the Essence and Milk of Roses, Ruspinies Dentifrice, Tincture, and Brushes.

Cavalry Helmets.

MESSIEURS

Bruce and Scott,

HAVE for Sale, Cavalry Helmets complete, with rich Silver Crests, Full Red Mains, Leopard Skin Bands, Silk Bows, and Bullion Tassels, Patent Silk Cavalry Sashes, Huzar Knotted Sashes, with Bullion Tassels, Patent Leather Sword Belts, with sling pockets and Pouches to match, in Sets, Brown and Bleached Leather Sword Belts with plated and Gilt Furniture.

Dress and Undress Cavalry Sword Knotts, Scarlet and Blue Cloths, Gold and Silver Braid, Scarlet and Black Camlet, Coat Cloths, with fashionable Basket Buttons.

B. and S. have remaining a few half Chests of Hyson Tea that they can recommend, which they sell in any quantity.

Orders from the Country accompanied with references for payment, will be dispatched without delay.

Asiatic Researches.

MESSRS. BINNY, DENNISON and CO. have received from Calcutta, a few Copies of the Tenth Volume of the Researches, which are for sale, at their Office, at Pagodas 6 22, each Copy.

Notice is also hereby given, that, by a Resolution of the Society dated the 3d February, 1808, Members are required to pay at the selling price for any Copies they may take of the Volume now advertised.

MADRAS, *29th January* 1810.

SALES BY AUCTION.

To be Sold by Public Auction,

By Branson & Mackay,

To-morrow WEDNESDAY, the 14th Instant,

PRECISELY AT 12 O'CLOCK,

FOUR Casks of good Coniac Brandy, by the late arrivals.

ALSO

Fifty Tubs of first sort Sugar Candy, to close a Concern.

To be Sold by Public Auction,

By Ashton & Meppen,

AT THEIR ROOMS,

FACING THE ESPLANADE,

On FRIDAY next, the 16th Instant,

SALE TO COMMENCE,

AT 11 O'CLOCK,

ABOUT 25 Madras Maunds of Excellent Coffee, which for the convenience of purchasers will be Sold one Maund in a lot, as also 4 dozen of Brandy.

N. B. The above Articles will be sold without reserve.

To be Sold by Public Auction,

By Ashton & Meppen,

AT THEIR ROOMS,

FACING THE ESPLANADE

On FRIDAY next, the 16th I stant,

SALE TO COMMENCE

AT ELEVEN O'CLOCK,

THE following Articles, positively to the highest Bidder, in order to close an account, a strong Iron bound treasure Chest, a 12 inch concave Minor, in perfect order, a small quantity of Jewellery, among which are several Saphire rings, an elegant and curious set of Chess-Men, and several other articles.—The particulars of which will be mentioned in handbills, on the day of Sale.

COMMISSION SALE.

Ashton and Meppen,

HAVE just received a few Bales of Ceylon Cloth, of an excellent quality: which will be sold at reasonable prices, the Cloth is well calculated for Tents.

COMMISSION SALE.

Ashton and Meppen,

HAVE just received and opened a small bale of Bengal Table Cloths and Towels, which will be sold very reasonable—the dimensions of Table Cloths as follows, 10 cubits by 5, 7 by 5, 6 by 5, and 5 by 5, the Napkins are of the usual size, the whole are of a good quality.

FOR SALE ON COMMISSION.

By Ashton & Meppen,

By the last arrivals from Calcutta.

THREE handsome Dooley Palanqueens, the prices of which are moderate.

FOR SALE ON COMMISSION.

By Balfour and Hogg,

AN Invoice of Silver Pencil Cases, of different sizes, some with paper Stamps.

ALSO

Tooth and Ear Picks.

FOR SALE ON COMMISSION.

By Balfour and Hogg,

A CAPITAL Gold Double Cas'd Wath, by Laidlaw, capp'd and Jewelled, and is warranted to be a good Time Keeper.

PRICE 50 PAGODAS.

FOR PRIVATE SALE.

By Balfour and Hogg,

A LARGE Siz'd Dun Pegue Horse, of great action, warranted sound and free from vice.

PRICE 125 PAGODAS.

SALES BY AUCTION.

To be sold by Pub'c Auction,

By James Dobbin,

AT HIS AUCTION ROOM,

On MONDAY, the 19th Instant,

And following days 'till the whole is disposed off,

SALE TO COMMENCE,

AT HALF PAST 10 O'CLOCK,

THE following Europe Articles landed from the last Ships, viz. Confectionary from Hoffman's, consisting of Cherry Ratifia, Raspberry Brandy and Rum Shrub, Jams and Jellies in jars and pots, Comfits of sorts in Decanters, Brandy Fruits of sorts, Rusks, Ratafies, Ginger Bread Nuts, Orange Chips, dried Fruits, Orgeat, Capillaire and Raspberry Vinegar—Hosiery consisting of eighteen dozen of Gentlemen's White Silk Hose, two dozen black ditto, seven dozen Ladies Silk Hose, an assortment of figured and plain Ribbons, twenty-one pieces of dimities, 200lbs. of Arrow Root and 176lbs. of Tapioca in two pound cannisters, a trunk of Ladies fashionable Slippers from Taylor and Son, a case containing twenty-five pair of Leather Pantaloons, twenty five pair of breeches, and twenty five dozen pair of Cavalry and other Gloves, an Invoice of Reeves's colours, in which are three boxes of Chalks, three sets of Crayons, twelve dozen hair Pencils and Sticks, and twelve groce of the finest lead Pencils, an Invoice of solid gilt and plated Coat Buttons, for the Native Infantry, from the 1st to 23d Regt. as also for the Madras European Regt. gold and silver Lace, Swords, &c. one hundred and twenty rich gold Epaulets, one hundred and twenty silver ditto ditto, five thousand yards of Russian Silver Braid, two hundred Regulation, fifty Scarlet, fifty White, and twenty-five green Hackle Feathers, one hundred best buff leather shoulder Belts, one hundred strong gilt Officer's Swords, German blades with spring guards, several Europe Trunks and sundry other Packages.

N. B. Terms of Sale—Ready Money.

BY ORDER OF THE EXECUTORS.

To be Sold by Public Auction,

By James Dobbin,

AT THE

GARDEN HOUSE

BELONGING TO

THE LATE

Ben. Roebuck, Esq.

On MONDAY, the 5th day of March next ensuing,

AND

Succeeding days 'till the whole are disposed off,

SALE TO COMMENCE

AT HALF PAST TEN O'CLOCK,

THE property of the above Gentleman, consisting of handsome Plate, elegant Furniture, Glass, and China Ware, &c. &c.

ALSO

An extensive and valuable Library of Books, an elegant collection of Pictures, seven Pipes of London Particular Madeira, that has been eight years in Mr. Roebuck's Cellar, remarkably fine Old Madeira that has been twenty years in bottle, Sherry, ten years in bottles in India, very Old Coniac Brandy, eight years old in bottles, few dozen of White Hermitage, and excellent Old Constantia.

Catalogues of which will be printed and circulated previous to the sale.

CONDITIONS OF SALE.

From the engagement made by J. D. to pay the proceeds of the sale within fifteen days, he begs leave to state to the Public, that no articles can be delivered unless previously paid for, not even to those he may have running accounts with, and such lots as may remain uncleared after five days from the day of purchase, will be put up and resold at the risk and expence of the first purchaser, who will forfeit all advantages and be liable to such deficiency as may arise on the resale.

N. B. Catalogues will be sent to the Out Stations, and all orders that are accompanied with reference will be attended to.

Fresh Hyson Tea.

IMPORTED THIS SEASON.

JUST received via Bengal, per the BRIDGEWATER, may be had of N. LEE, at one Star Pagoda per lb.

MADRAS, *February* 12, 1810.

SALES BY AUCTION.

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,

On THURSDAY next, the 15th Instant,

SALE TO COMMENCE,

AT 11 O'CLOCK,

PLATE, Table, Desert and Tea Spoons, Soup and Milk Ladies, a Cruet stand with 5 cruets, a Mustard pot with Spoon, Salt Cellers with Spoons, and Butter Knife, a small set of Dining Tables, a side Board, one pair of Couches with 2 sets of Chintz covers, one dozen of Chairs, a small Sattinwood Table with drawer, a small Bureau with Book case, a large Cloath Press, a large Blackwood Cot with Mattass, Pillows, Curtains, &c. complete, 4 Childrens Cots with Curtains, a Child's Sociable, a Backgammon Board complete, a Wash hand stand, a small hand Organ, a Piano Forte, four Palanqueens, a travelling Dooley, and Ton Jon—also, four Pictures, in gold burnished frames, 4 Table shades, on plated stands, 5 pair plated mounted Wall Shades with plated Bracelets, 2 pair Brass mounted Globe Lamps, a set of Queen's ware, and a quantity of China Ware.

At the same time will be sold, a large Sea Cot, with four Drawers, an Iron Cash Chest, and a number of other articles.

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM

On THURSDAY next the 15th Instant,

SALE TO COMMENCE,

AT 12 O'CLOCK,

THAT House and Ground, situated on the Mount Road, lately occupied by Richard Alexander Esq.

ALSO

The House and Garden, Situated at Vipery, known by the name of Mr. Turing's Garden, and at present occupied by Mr John Wright.

N. B. Further Particulars may be known on application to J. Dobbin at his Auction Room.

CONDITIONS OF SALE AS USUAL.

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,

On MONDAY next, the 19th Instant.

AN Invoice of Gentlemen's Black Round Hats; an Invoice of fine welch Flannel, and an Invoice of Globe Lamps, 1st 2d and 3d size Brass Mounted.

ADVERTISMENT.

JAMES DOBBIN respectfully acquaints the Gentlemen of the Settlement that the House and Garden, belonging to the late Bengamin Roebuck, Esq. has been disposed of by Private Contract.

Calcutta Lottery.

SIXTH DAY's DRAWING,
THURSDAY, JANUARY 18, 1810,

No. 1035, a Prize of 1000 Rupees.

PRIZES OF 100 *RUPEES EACH.*

158	179	210	290	301	395	419	440
490	495	530	626	635	644	695	708
762	822	833	932	934	939	944	1251
1262	1363	1375	1433	1471	1481	1548	1567
1588	1660	1720	1757	1797	1821	1826	1843
1876	1935	1995	2219	2245	2405	2483	2516
2559	2596	2625	2646	2669	2684	2689	2694
2727	2790	2822	2892	2954	2996	3062	3114
3123	3158	3169	3176	3222	3228	3287	3425
3430	3466	3470	3483	3599	3626	3656	3730
3749	3763	3766	3776	3799	3806	3871	3897
3912	4062	4147	4237	4341	4390	4414	4495
4506	4508	4620	4652	4693	4716	4747	4811
5009	5060	5100	5137	5208	5285	5327	5337
5342	5359	5388	5428	5546	5688	5693	5699
5818	5827	5839	5863	5872	5952		

SEVENTH DAY'S DRAWING,
MONDAY, January 22, 1810.

Nos. 310, 412, 3909, Prizes of 5,000 Rupees each.

No. 595, a Prize of 1000 Rupees.

PRIZES OF 100 *RUPEES EACH.*

75	154	224	225	247	353	503	420
451	463	468	503	584	585	625	650
728	749	814	987	1065	1245	1297	1467
1520	1549	1554	1574	1648	1661	1671	1827
[illegible]	1907	2124	2185	2221	2248	2263	2292
2319	2434	2480	2490	2509	2527	2558	2619
2799	2802	2850	3021	3068	3080	3129	[illegible]
3201	3239	3246	3247	3337	3459	3539	3697
3705	3721	3743	3772	3999	4033	4120	4187
4280	4334	4401	4408	4415	4466	4588	4643
4645	4795	4888	4926	4973	5014	5056	5075
5152	5200	5224	5244	5248	5258	5298	5497
5581	5659	5683	5776	5799	5811	5841	5930
5950	5966	5974.					

MADRAS:—PRINTED BY **M. KELLY,** 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 order and any SUBSCRIBERS at the Presidency to whom the Peons may not deliver the Paper in proper time, are requested to give information of the same in order that this irregularity may be prevented in future.

Supplement to the Madras Courier.

TUESDAY, FEBRURY 13, 1810.

(Continued from the 4th page of the Paper.)

ing the person thro' whose recommendation the appointment is obtained shall also specify the name of the person who is to receive the same, and that the director, shall see and examine the party so receiving the appointment before he is presented to the Court. That whenever a Writership is confered on any person, his friends or connections shall enter into a penalty bond, to forfeit the sum of 3000l. to the Company, if such Writership shall be found to have been in any way bought or sold, or exchanged for any thing convertible into a pecuniary benefit, and that this regulation shall extend to the friends and connections of those persons who are appointed on the nomination of any one to whom the Court of Directors may give a Writership, and farther that this resolution shall not vitiate the resolution of 28th Feb. 1799, determining the recal of Writers or Cadets in virtue of any corrupt bargain. That it has been proved to be expedient for the Court to order, that, in future, no Director shall give a blank card of admission for a Military situation, tho' the Court are happy to observe that this practice has not often occured, but that upon the card of appointment, he shall express, in his own hand writing, the name of the person who is to fill the situation, and that he shall moreover see, and himself examine the person so to be appointed, if the person be in Europe, and be satisfied, as far as his belief extends, that no improper consideration has passed, or is to pass, for such appointment.

That it be referred to the Law advisers of the Company to consider whether any suit or suits can be instituted against the persons who shall appear by the Report of the Committee of the House of Commons to have received pecuniary or other considerations, in respect of appointments for India for the purpose either of punishing the parties in a pecuniary or other manner, who have been guilty of these practices or of making any further discovery, if there shall be any reason to suspect that the whole truth shall not have been stated to the Committee of the House of Commons.

That all exchanges of Writerships or Cadetships between the Directors or others receiving any such patronage from the Court shall be agreed upon and rendered in open Covrt. That this Court will proceed further upon the subject matter of the first of the preceding resolutions, when the evidence annexed to the Report of the Committee of of the House of Commons shall be before the Court.

At a Court of Directors held on Wednesday 19th April 1809.

Resolved—That the whole of the Courts patronage which has been hitherto passed by he Committee of shipping namely, the Cadets, Assistant Surgeons, Free Mariners, and Volunteers for the Bombay Marine and Bengal pilot service, be in future examined and passed by the select Committee (appointed to superintend the Military Seminary lately formed ;) that it be referred to the said Committee to revise all former orders and regulations for the admission of Cadets and other persons in the service, and to report whether any, and what further regulations may be necessary, to prevent the occurrence of such corrupt practices in future.

At a Seminary Committee the 28th April 1809.

On a motion.

Resolved—That the friends of the Cadets to whom the nominations are given by the Directors be required to attend at the House with them, and that they be likewise required to write a letter to this Committee to the following effect, viz.

"*To the Honourable Company for passing Military appointments.*"

"Gentlemen,—I do hereby declare upon my
" honour that I received the nomination of a
" Cadet for the   from   Esq.
" gratuitously, & that I have given it gratuit-
" ously, to Mr.   with whose family
" and connections I am well acquainted.
" I am Gentlemen,
" Your most obedient Servent.

At a Court of Directors, held on Friday, 5th May 1809.

The detail of the evidence annexed to the Report of the Committee of the House of Commons appointed to inquire into the existence of any abuses in the disposal of the patronage of the East India Company, having been some time before the Court, the Court now proceeded, conformably to their Resolutions of the 4th of last month, to the consideration of the further measures, which the said Resolutions and those of the 28th February 1799, & 6th August 1806, may require.

Resolved—That to answer the ends for which the Resolution of the 28th of February 1799, and 6th August 1806, were adopted, it may be sufficient, on the present occasion, to limit the retrospective operation of these Resolutions to the 6th August 1806, when the latter Resolution was promulgated, and at that time only the determination of the Court to annul all appointments procured by corrupt means was generally made known to the Public, at large, by the publication of it The Gazette, and in the London, Edinburgh and Dublin Newspapers, as by printed Advertisements.

Resolved, by the Ballot,—That whereas it is declared in the said Resolution of the 6th of August, 1806 that any person obtaining their appointments by purchase, shall be rendered incapable of holding any situation whatever in the Company's service; it may be sufficient to apply the said declaration to such persons nominated into the service as shall themselves have been parties, by concurrence or knowledge, in any corrupt transaction in obtaining their appointments respectively, it being always understood that no person, under these circumstances, shall be restored to the service by grant from the patronage of some individual Director.

Resolved—That the same declaration which is now annexed to the certificates of baptism produced by young men coming for the appointment of cadets, by the parents or next of kin of the said young men be required, in like manner of the parents or next of kin of young men presented for the appointments of writers.

Resolved—That it appears by the Report of the Committee of the House of Commons, that the following appointments and nomination to the College, conferred subsequently to the 6th August 1806, were purchased by the friends of the parties who received the same, though without the privity of any of the Directors who respectively conferred those appointments.

(N. B. The names of the persons so appointed and nominated appear in the minutes of the 12th May.)

Resolved, by the ballot,—That the appointments of the following persons be now rescinded and annulled, and that the said persons be dismissed the service of the Company, viz.

WRITERS.

E. J. Smith, appointed 24th Feb. 1808 for Bengal.
Fry Magniac,   26th   do.   do.

CADETS.

Thomas Kelly, appointed in April 1808 for Madras
George Barker,   Dec. 1808 for Bengal.
George Teulon,   do.   do.
John am. Williams,   23d March 1808 do.
Brathwaite Christie,   15th July 1807 Madras.
Thomas Maw,   23d Sept. 1806 Bengal.
John Manson,   26th Feb. 1808   do.
Robert Manson,   12th do.   do.
Thomas Locke,   13th Feb. 1807 Madras.

Resolved, by the ballot,—That the nomination of Henry Gardiner as a student at the East India College on the 13th Jan. 1809, with a view to his future appointment as a Writer on the Madras Establishment be annulled, and that he be removed from the College accordingly.

Resolved, by the Ballot unanimously—That the appointment of Mr. Samuel Lewis, to be a cadet in 1808, which appointment he (being born of an Indian Mother) carried thro' by getting an Englishman named Phillips, to personate him before the Committee of Shipping, be, notwithstanding, the resolution of Court of the 5th Instant which limits the retrospective operation of the Resolutions of the 28th Feb. 1799, and 8th August 1806, to the date last mentioned, annulled, and that he be dismissed the Company's service, on account of the fraud practised by him.

Resolved—That in explanation of the first of the Resolutions passed on the 5th Instant relative to the annulment of appointments procured by corrupt means into the service of the Company, it is expedient to declare in writing what was verbally intimated at the time of proposing the said resolutions, that it was intended to have respect only to the list then before the Court, of appointments stated in the report of the Committee of the House of Commos, which recently inquired into the disposal of East India patronage to have been corruptly procured, and that the said Resolution was not meant to exclude the consideration of any other case or cases of corrupt purchase in procurements which might at any time be discovered, though such cases should have occurred before the 6th of August 1806, more especially, if any such case should affect any of the Directors of the Company, because it was particularly with the view of leading to a detection of any misconduct on their part, should any have existed, that the Court passed the Resolution of the 28th Feb. 1799, annulling all appointments obtained by corrupt means, unless a voluntary discovery, were made by the parties obtaining them.

Resolved,—That writers and cadets dismissed from the Company's service, becanse their appointments were procured by corrupt practices, and who are rendered capable of being reappointed into the service, upon the nomination of individual Directors, provided they have not themselves been parties in any corrupt practices, shall nevertheless, after receiving such reappointment be capable of enjoying the same only by a vote of a General Court, founded on the recommendation of this Court.

W. RAMSAY,
SECRETARY.

LONDON GAZETTE, Tuesday, July 11.

An Account of the Battle fought near Aspern, on the Marchfield on the 21st and 22d of May 1809, between the Archduke Charles of Austria, Generalissimo of the Imperial Austrian Armies, and the Emperor Napoleon, commander in chief of the French and allied armies.

The Emperor Napoleon having, after some sanguinary engagements near Abensberg, Hausen, and Dinzlingen, in which the fortune of war favoured the Austrians, so as to force the French garrison of Ratisbon to surrender, succeeding in cutting off the left wing of the Austrian army, and driving it back to Landshut, and afterwards in advancing by Eckmuhl with a superior corps of cavalry, taking the road of Egh[illegible]eim, and forcing to retreat those Austrian corps that were posted on the heights of Leikepoint and Talmessing, the Archduke on the 23d of April crossed the Danube near Ratisbon; and joined the corps of Bellegarde, who had opened the campaign by several successful affairs in the Upper Palatinate, had reached Amberg, Neumarkt, and Hemau, and had by this time approached Stadt-am-Hof, in order to execute his immediate junction with the Archduke.

The Emperor Napoleon ordered the bombardment of Ratisbon, occupied by a few battalions who were to cover the passage of the Danube. On the 23d, in the evening, he became master of it, and immediately hastened along the right bank of the Danube, to enter the Austrian States, in order, as he openly declared, to dictate peace at Vienna.

The Austrian Army had taken a position near Cham, behind the River Ragen, which was watched by some of the enemy's divisions, while the Emperor Napoleon called all the disposeable troops, in forced marches, from the North of Germany to the Danube, and considerably reinforced his army with the troops of Wurtemberg, Hessia, Baden, and some time after with those of Saxony.

Near Kirn and Nittenau, some affairs had happened between the out posts, which, however, had no influence upon the armies.

However easy it would have been for the Archduke to continue his offensive operations on the left bank of the Danube without any material resistance, and however gratifying it might have been to recieve Provinces which were groaning beneath the pressure of foreign dominion, the preservation of his native land did not permit him to suffer the enemy to riot with impunity in the entrails of the Monarchy, to give up the rich sources of its independence, and expose the welfare of the subject to the devastations of foreign conquerors.

These motives induced the Archduke to conduct his army to Bohemia, by way of Klentsch and Neumarkt, to occupy the Bohemia Fort, with light troops, and part of the militia, and to direct his march towards Budweis, where he arrived on the 3d of May, hoping to join near Lintz, his left wing, which had been seperated from him, and which was under the command of Lieut. General Baron Hiller.

But the latter had been so closely pressed by the united force of the French armies that after several spirited engagements, and even after a brilliant affair, in which he had the advantage, near Neumarkt, and in which the troops atchieved all that was possible against the disproportionate superiority of the enemy, he indeed was able rich Lentz, but was incapable of crossing the Danube, and obliged to content himself with destroying the communication with the left bank, and taking up a position behind the Traun, near Ebersberg. This was the occasion of an extremely murderous engagement, during which the enemy, in storming the Bridge, lost near 4000 men : Ebersberg was set on fire, and Lieut, Gen. Hiller continued his retreat, till he got so much the start as to pass the Danube near Stain, without being disturbed by the enemy, and to wait the approach of the Archduke, who, after having in vain attempted the junction of the army near Lintz, had marched from Budweis to Zwettel ; still hoping by a quick passage of the Danube, to arrest the enemy's progress towards the metropolis.

Meanwhile a corps of Wurtembergers had advanced from Passau along both the shores of the Danube, had occupied Linz, and the bank opposite in it; had restored the bridge, and signalized itself by destroying the defenceless villages and castles which could not be protected by the small advanced guard proceeding by the side of the main army.

The enemy, by marching through the valley of the Danube in the straightest line, had got so much a head, that all hopes of coming up with him in front of Vienna vanished; still, however, if that city had been able to hold out for five days, it might have been relieved; and the Archduke resolved on venturing the utmost to rescue that good city, which by the excellent disposition of its citizens, the faithful attachment to its sovereign, and its noble devotion, has raised to itself an eternal monument in the annals of Austria. All his plans were now directed towards gaining the bridges across the Danube, near Vienna, and endeavouring to save the Imperial residence, by a combat under its very walls.

Vienna, formerly an important fortress, was in vain besieged by the Turks, and would even now, from the solidity of its ramparts, the strong profiles of its works, and the extensive system of its mines, be capable of making a protracted resistance, had not, for upwards of a century back, the luxury of a large metropolis, the wants of ease, the conflux of all the magnates in the empire, and the pomp of a splendid Court, totally effaced every consideration of military defence. Palaces adorn the ramparts, the casements and ditches were converted into workshops of tradesmen, plantations mark the counter-scarps of the fortress, and avenues of trees traverse the glacis, uniting the most beautiful suburbs in the world to the Corps de la Place.

Although under such circumstances no obstinate resistance of the Capital was to be expected, yet, from the unexampled loyalty of the inhabitants, it was confidently hoped that Vienna might, for a few days, serve as a tete dec point to cover the passage of the river; whence all preparations amounted to no more than to secure the place against a coup-de-main; and for this reason the Archduke had some time before directed Field-Marshal Hiller to send part of his corps along the right bank towards the capital, in the event of his (the Archduke's) passage to the left shore.

Field-Marshal Hiller now received orders to burn the bridge near Stain in his rear, to leave a small corps of observation near Krems, to hasten by forced marches with the bulk of his army to the environs of Vienna, and, as circumstances would permit, by occupying the small islands, to keep up the communication with the city and the debouche across the bridges.

The army of the Archduke now advanced, without interruption, by Neupolla, Horn, and Weikendorf, upon Stockerau; and, in order to overawe such enterprises as the enemy might project from the environs of Linz, part of the corps of the General of Artillery, Count Collowrath, which till then had remained near Pilsen with a view to secure the North and West frontier of Bohemia, was ordered to march to Budweis.

Napoleon had used so much expedition on his march to Vienna, that on the 9th of May his advanced troops appeared on the glacis of the fortress, whence they were driven by some cannon shot. From 3 to 4000 regular troops, as many armed citizens, and some battalions of country militia, defended the city; ordnance of various calibre was placed upon the ramparts; the suburbs were abandoned, on account of their great extent, and the numerous islands and low bushy ground behind the town were occupied by some light troops of the corps of Hillier, as well as by the militia.

The corps itself was posted on what is termed "the Point," on the left shore of the river, waiting the arrival of the army, which was advancing in haste.

The occupation of Vienna formed too essential a part in the extensive Plans of the French Emperor; its conquest had been announced by him with too much confidence, and was of too great importance towards confirming the prejudice of his irresistible power, for him not to employ every method of taking it before the assistance which was so near could arrive.

For the space of twenty four hours the howitzers played upon the town; and though several houses was set on fire, the courage of the inhabitants remained unshaken. But a general devastation threatened their valuable property, and when at length the enemy, availing himself of the numerous craft which he found there, crossed the smaller branches of the Danube, dislodged the troops from the nearest islands, and menaced their communication with the left flank, the city was justified in capitulating, while the troops retreated by the great bridge of Tabor, which they afterwards set on fire.

The Archduke received this intelligence in his quarters, between Hoirn and Meissau, and though it was scarcely to be expected that the city, surrounded as it was should continue to resistance, the Archduke proceeded on his march without interruption, flattering himself that he might be able to execute his fovorite project by a bold attempt to pass the Danube near Vienna.

This city capitulated on the 13th of May, so that there was no further occasion to expose the army to hazard by crossing the Danube, for which no sufficient preparation had been made, and which must have been effected in the face of the enemy, and under local circumstances of the greatest disadvantage. By the surrender of Vienna the army had also lost a point of support on which to rest its military operations.

In this situation of affairs the Archduke resolved to collect his army at the foot of the hill Bisamberg, and allow it a few days of rest, which, after so many forced marches, it urgently wanted. The cavalry, for the convenience of water, was posted along the Russ, a rivulet, which is concealed by ground covered with bushes, and the advanced guards pushed forward to the Danube, in order to observe the movements of the enemy. and prevent his passing the river, which he had already attempted to do from Nussdorf, to what is called the Black Lacke, but with so little success, that a battalion of his advanced guard was taken. The chain of the outposts extended on the left side as far as the March, and on the right to Krems; this place and Presburg were occupied by some battalions; and the head quarters of the Archduke were, on the 16th of May, at Ebersdorf near the high road leading to Brunn.

On the 19th the outposts reported, that the enemy had taken possession of the great island of Lobau, within about six English miles of Vienna; that his numbers encreased there every hour; and that he seemed to be employed in throwing a bridge across the great arm of the Danube behind the island. From the top of the Bisamberg, the whole of the opposite country appeared to be enveloped in a cloud of dust, and the glitter of arms evinced a general movement of troops beyond Summering, towards Kaiser-Ebersdorf, whither, according to later accounts, the Emperor Napoleon had removed his head-quarters, and was by his presence hastening and promoting the preparations for passing the river.

On the following morning, at day break, the Archduke resolved to reconnoitre the island, and employed for this purpose part of the advanced guard, under the command of Field-marshal Lieutenant Count Klenan, supported by some Regiments of Cavalry.

The isle of Labau forms a convenient place of arms, which is about six English miles long, and four and a half broad, and being separated by the large arm of the Danube from the right bank, nothing prevents the building of a bridge, which is concealed by ground covered with bushes; and the great extent of the island affords the advantage of sending troops and ordinance from so many points of it, that the passage across the smaller arm to the large plain of Marchfield, may be made good by force of arms.

It was soon perceived by the strength of the enemy's columns which advanced upon the island, and placed their cannon so as to support the second passage, that he meditated a serious attack. The advanced guard sustained a tolerably warm engagement, and the cavalry routed the first division of the enemy, which debouched from the low grounds on the edge of the river, late in the evening; upon which, the Archduke, whose intention was not to prevent the passage of the enemy, but to attack him the following day, retreated with his cavalry to Anderklaa, and ordered the advanced troops to fall back to Maass, according as the enemy should extend himself.

On the 21st at day-break the Archduke ordered his army under arms, and formed it in two lines on the rising ground behind Gerasdorf, and between the Bisam-hill and the rivulet Russ. The corps of Lieutenant-General Hiller formed the right wing near Stanmersdorf; on its left was the corps of the General of cavalry Count Bellegarde, and next to that the corps of Lieutenant-General Prince Hohenzellern, in the Alliguement of Deutsch Wagram. The corps of Prince Rosenberg was posted by battalions in column on the Russbach on the rivulet Russ, kept Deutsch Wagram strongly occupied, having for the security of the left wing, plased on the heights beyond that place a division on reserve. The whole cavalry, which the day before had advanced under the command of Prince Lichtenstein by Anderklaa, was called back into the line, filling, in two lines, the space intervening between the left wing of Prince Hohenzollern and the Right of Prince Rosenberg.

The vast plain of the Marchfield spread, like a caspet before the front of the line, and appeared by the absence of every obstruction, to be destined to form the theatre of some great event. The grenadiers remained in reserve near Seerling, and the corps of the General of Artillery Prince of Reuse kept the Bisam-hill, and the low bushy ground along the Danube strongly occupied. Part of it was still left near Krems, the corps being almost broke up by having so many of its divisions detached to so considerable a distance.

At nine o'clock, the Archduke ordered the arms to be piled, and the troops to dine. The piquet of Observation on the Bisam-hill reported that the bridge across the Danube behind the isle of Lobau, being now quite finished, was plainly perceivable, and that troops were without intermission seen filing off over it, as well as passing in boats, to the Isle. The outposts, likewise, gave information, of the gradual augmentation of the enemy in the town of Enzerdorf and in the villages of Essling and Asperne, and of his advancing towards Hirschstetten.

The Archduke Charles now thought that the moment for giving battle had arrived, and had hastened to Gerasdorf, where the Chief of his Quarter-Master-General's Staff, General Baron Wimpsen, sketched out the following plan.

PLAN OF ATTACK UPON THE HOSTILE ARMY ON ITS MARCH BETWEEN ESLING AND ASPERNE, AND TOWARD HIRSCHSTETTEN.

"The attack to be made in five columns. The first column, or the column of the right wing, is formed by the corps of Lieut. Gen. Hiller. It will advance from its present position in the direction between the "point" and Leopoldau along the nearest arms of the Danube, pass along the left bank towards Stadelan and Aspern, keep constantly near the Danube and the meadows bordering upon it, and is vigorously to repulse the enemy, who most likely will meet it on the same road, and to drive him from the left bank. This column must not suffer its progress to be impeded by the batteries which the enemy perhaps may have erected on the islands, but must endeavour to silence them by its cannon, and spiritedly continue to advance.

"The second column consists of the corps of the General of cavalry Count Bellegarde; leaving Gerasdorf to the left, will, march towards Leopoldan, endeavour to join the first column on the right, advance upon Kagran, and then, conjointly with the third column, upon the left, push forwards towards Hirschstetten.

"The third column is composed of the corps of Lieut.-Gen. Prince Hollenzollern. It will march by Sussenbrunn to Breitenlee, and from thence towards Aspern, and will endeavour to join on its right the second column, and on its left the fourth.

"The fourth column under the command of Lieut. Gen. Prince Rosenberg, is made up of that part of his corps which is posted on the right bank of the rivulet Russ. it is to advance, by Anderklad and Raschilorf, towards Essling.

"The fifth column is formed by that part of Prince Rosenberg's corps which stands between Deutsch Wagram and Beaumersdorf. It will cross the Russ near Beaumersdorf, leave Raschdorf and Bischdorf to the right, endeavour to pass to the left round the town of Enzerdorf, and secure its left flank by the Archduke Ferdinand's regiment of hussars.

"The cavalry reserve under the command of General Prince Lichtenstein, to march by the way of Anderkla, without coming in contast with the fourth column, between Raschdorf and Bretteulee, and strait to the new Inn, keeping continually at such a distance between the heads of the third and fourth columns, as in case of necessity, to be near at hand for the purpose of expelling the main body of the enemy's cavalry.

"The grenadier corps of reserve to march from Seiering into the position which the corps of Bellegarde has taken up behind Gerasdorf.

"All the columns and corps will march at twelve o'clock at noon. Their second lines to follow them at a suitable distance. Every column to form its own advanced guard. The order of march, and the distribution of the field pieces to be left to the judgment of the commanders of the respective corps. The whole will march by half divisions. Lieut, Gen. Klenau to form the advanced guard of the fourth and fifth columns, and, before he advances, to suffer the heads of these columns to come quite up to him, in order that he may have at hand a sufficient support of infantry.

"Of the corps of cavalry, the brigade under the command of Viceroy to be attached to the second column, and the regiment O'Reilly to the third; and both brigades are to repair immediately, the former to Gerasdurf, and the latter to Sussenbrunn.

"The principal object in view is to drive back the enemy entirely over the first arms of the Danube, destroy the bridges he has thrown over them, and occupying the bank of the Lobau with a numerous artillery, especially howitzers.

"The infantry will form on the plain in battalions, with half divisions from the centre.

"His Imperial Highness the General in Chief recommends order, closeness during the advance and a proper use of every species of arms. His station will be with the second column.

Gerasdorf, May 21, 1809."

The 1st Column consisted of	19 Battal.	22 Squad.
2d — —	20 —	16 —
3d — —	22 —	8 —
4th — —	13 —	8 —
5th — —	13 —	16 —
The Corps of Cavalry	— —	78 —
The Corps of Grenadiers	—	
Total	113 Battal.	149 Squad,

all which amounted to 75,000 men effective troops.

Of artillery, there were 18 batteries of brigade, 13 of position, and eleven of horse artillery; in the aggregate two hundred & eighty-eight pieces of different callibres. The enemy had availed himself extremely well of the advantages of the ground to cover his passage. The extensive villages of Essling and Aspern, mostly composed of brick houses, and encircled all round by heaps of earth, resembled two bastions, between which a double line of natural trenches, intended to draw of the water, served as the curtain, and afforded every possible security to the columns passing from the isle of Lobau. Essling had a granary furnished with loop-holes, and whose three stories afforded room for several hundred men, while Aspern was provided with a strong Churchyard. The left side of the latter village borders on an arm of the Danube. Both villages had a safe communication with the bushy ground near the Danube, from which the enemy had it constantly in his power to dispatch, unseen, fresh reinforcements. The isle of Lobau served at once as a place of arms and as a tete-de-pont, a bridgehead for the bridge, in the rear across the main arm of the river.

The enemy with the divisions of Generals Molitor, Bundet, Nansouty, Legrand, Espagne, Lasalle, and Ferrand' under the Marshals Maffena and Sasnes, as well as Marshal Bessieres, together with the guards of the Wurtemberg, Hesse-Darmstadt and Daaden Auxiltaries, had already left to is position, and was directing his march towards Hirchestetten, when the first Austrian advanced guards met him.

If it be at all permitted in war, to indulge favourable presentiments, it was certainly excusable so to do at that great moment, when, on the 21st of May, exactly at 12 o'clock, the columns began to put themselves in motion for the attack.—A general enthusiasm had taken possition of the troops—joyful warsons, accompanied by Turkish music, resounded broug the air, and were interrupted by shouts of "Long live our Emperor, long live the Archduke Charles!" whenever the Imperial General appeared, who had placed himself at the head of the second column. Every breast panted with anxious desire and high confidence after the decisive moment; & the finest weather favoured the awful scene.

BATTLE OF THE 21st OF MAY.

First Column.

The advanced guard under General Nordman & Lichenstein Hussars had formed near the destroyed bridge of Tabor, & leaving the villages of Kahan & Hirschestetten to the left and Stadlau to the right, marched in the plain towards Aspern.

It was followed by the column, which having left the high road before the post office at Stammersdorf, had marched from the right by half divisions. Its right flank along the Danube was covered by a battalion of St. Georgians, by the first battalion of Vienna Volunteers, and by a battalion of Militia, under the command of Major Count Colloredo.

Within a cannon shot of Stadelau the out-posts met the enemy's piquets which gradually retreated to their original divisions.

At this time General Nordman ordered two battalions of Gyulay to to draw up *en echellon*, in order to favour the advance of the column. The enemy, drawn up in large divisions, stood immediately before Asper, having, to cover his front, occupied all the ditches of the fields, afforded excellent breast works. His right was covered by, a battery, and his left by a broad and deep ditch (one of those that carry off the waters of the Danube when it overflows,) as well as by a bushy ground, which was likewise occupied by several bodies in close order.

Though the enemy had the advantage of position all to himself, inasmuch as the freshes of the Danube were only passable by means of a small bridge, at which he kept up a vigorous fire from behind the ditches both with cannon and small arms, it did not prevent the second battalion of Gyulay, immediately after the first had penetrated as far as the bushy medows, to pass the bridge in a column, to form without delay, and with charged bayonets to attack the enemy, who precipitately retreated to Aspern, on which occasion that village, after a vigorous but not very obstinate resistance, was taken for the first time. It was, however, not long before the enemy had it in his power, by the arrival of a fresh reinforcement, to expel again the battalions of Gyulay. By this time some battalions of the column had arrived, the Chasseurs of Major Schneider, of the 2d column, joined the advanced guard of the first; Gyulay formed again, and the enemy was a second time pushed to the lower end of the village, though he succeeded again in regaining what he lost.

Both parties were aware of the necessity of maintaining themselves in Aspern at any rate, which produced successively the most obstinate efforts both of attack and defence; the parties engaged each other in every street, in every house, and in every barn; carts, plough and harrows were obliged to be removed during an uniterrupted fire, in order to get at the enemy; every individual wall was an impediment of the assailants, and a rampart of the attacked; the steeple, lofty trees, the garrets and the cellars were to be conquered before either of the parties could style itself master of the place, and yet the possession was ever of short duration; for no sooner had we taken a street or a house, than the enemy gained another, forcing us to abandon the former. So this murderous conflict lasted for several hours; the German battalions were supported by Hungarians, who were again assited by the Vienna Volunteers, each rivalling the other in courage and perseverance. At the same time the second column combined its attacks with those of the first, having to overcome the same resistance; by reason of the enemy's constantly leading fresh reinforcements into fire. At length General Vacquant of the second column succeded in becoming master of the upper part of the village, and maintaining himself there during the whole of the night.

By the shells of both parties many houses had been set on fire, and illuminated the whole country around.

At the extremity of the right wing on the bushy meadow the combats were not less severe. The left flank of the enemy was secured by an arm of the Danube: impenetrable underwood, intersected only by footpaths, covered his front; and a broad ditch and pallisadoes afforded him the advantage of a natural rampart.

Here fought at the beginning of the battle the first battalion of Gyulay under Colonel Mariassy; then the battalion of Chasseurs under Major Schneider; and finally, the two battalions of Vienna Volunteers, under Lieut. Col. Steigentesch and St. Queritin. Here, also, the enemy was defeated; and the first day of this sanguinary engagement terminated by the occupation of Aspern and by Gen. Vacquant, at the head of eight battalions of the second column, while Lieut. Field Marshal Hiller drew the troops of his corps from the village placed them again in order of battle, and passed them again in order of battle, and passed the night under arms.

Second Column.

The advanced guard, commanded by Lieut. Gen. Fresnel, advanced by Leopoldau and Kagran towards Hirschstetten, and consisted of one battalion of Chasseurs & two battalions of Auton Mitsovsky under Gen. Winzingerode, as well as the brigades of cavalry, Klenan and Vincent under General Veesev. It was followed in the same derection by the column from its position near Gerasdorf.

The enemy having been discovered from the eminences near Hirschstette to be near Aspern and Esslingen, the Brigade Veesey was detached against the latter place, and the Brigade Winzingerode to dislodge the enemy from Aspern.

The column deployed before Hirschstetten in two lines, in order to support the advanced guard, & leaving Aspern to the right, followed upon the plain, at a proper distance.

The bridge of Winzingerode, however, met with so spirited a resistance in its attempt upon Aspern, that an attack upon the front alone was not likely to be attended with success; the cavalry, therefore, of the advanced guard, was pushed forward from Aspern on the left, in order to support the attack on the flank with the two battalions of cavalry, as well as to facilitate the junctions with the third column which was advancing by Brietenlee. At the same time the regiment of Reuss-Plaune was ordered to the right side of Aspern, with a view to an attack on that place, the rest of the corps was formed into close columns of battalons.

Meanwhile the enemy formed his left wing, with his left towards Aspern, and his right upon Esslingen. Thus he advanced with columns of infantry and cavalry upon the main army, while an extremely brisk cannonade supported him. A line of twelve regiments of cuirassiers formed the centre of the second line of the enemy, giving to the whole an imposing aspect.

Meanwile the attack of a battalion of Reuss-Plauen on Aspern was repulsed, and it gave way, being thrown into consternation by the loss of its Commander, but it rallied immediately after. Count Bellegarde ordered General Bacquant to renew the attack with the regiment of Vogelsang, and to carry the village at all hazards. [illegible] latter obeyed the order with the most brilliant success, and Aspern, though defended by twelve thousand of the best of the enemy's troops, was carried by storm; Bacquant being assisted by the regiment of Reuss-Planen, by a battalion of Archduke Rainer, and by the brigade of Mair of the third column.

To frustrate this attack, the enemy advanced with two columns of infantry, supported by the heavy cavalry, upon the main army, repulsed the regiments of Klenau and Vincent's light horse, and fell upon the infantry.

The latter expecting him with thir firelocks ready, and with cool intrepidity, at ten paces distance so effectually, as totally to rout the enemy, upon which Gen. Veesey, at the head of a division of Klenau, attacked the enemy's cuirassiers with such energy, that their retreat was followed by that of the infantry.

Hereby the army along the whole of its line was disengaged from the enemy, obtained communication on the left with the corps of Prince Hohenzollern, and became possessed of the important post of Aspern. The enemy being in full retreat, attempted no further attack, and confined himself merely to a cannonade. The corps remained during the night under arms. The enemy repeated, indeed, his attacks on Aspern, but they all proved unsuccessfull.

Third Column.

This column, according to its destination, has began its march from its position at Seiering, by the road of Sussenbrunn and Breitenlee. Some division of O'Reilly's light horse and chasseurs formed the advanced guard of the column, and at three o'clock in the afternoon met near Hirschstetten, the left wing of the enemy, which consisted mostly of cavalry.

As about this time the first and second columns advanced intrepidly upon Aspern, and the enemy began to fall back to his position between Esslingen and Aspern, Lieut. Gen. Hohenzollern, ordered up his batteries, and a very brisk cannonade commenced on both sides.

The first line formed in close columns of battalions, and advanced with the greatest resolution upon the enemy, when his cavalry suddenly rushed forward in such disproportionate numbers, and with such rapidity, that there was scarcely time to save the artillery which had been brought up, and the battalions were left to defend themselves by their own unsupported exertions. This was the remarkable moment in which the regiments of Zach Joseph Colloredo, Zettwiz, Froon, a battalion of Stein's, and the second battalion of the Archduke Charles' Legion under the conduct of Lieut. Gen. Brady, and Generals Buresch, Maier, and Koller, demonstrated with unparalleled fortitude what the fixed determination to conquer or die is capable of effecting against the most impetuous attacks.

The enemy's cavalry turned these battalions on both wings penetrated between them, repulsed the squadron of light horse, who were unable to withstand such a superior force, and in the confidence of victory, summoned these corps of heroes to lay down their arms. A well directed and destructive fire was the answer to this degrading proposition, and the enemy's cavalry abandoned the field, leaving behind them a considerable number of dead.

This corps, as well as the others, passed the night on the field of battle.

Fourth and Fifth Columns.

These were both composed of the Corps of Lieutenant-General Prince Rosenberg, on either bank of the Russbach, and directed their march from their positon to the right and left of Deutsch-Wagram.

The fourth proceeded through Loschdorf straight to Esslingen. Colonel Bardegg of Schwarzenberg's Hulans conducted the advanced guard.

The fifth directed its march towards the left, in order to go a circuit round the little town of Enzersdorf, and drive the enemy out of the place. It was reinforced by Stiptic's Hussars, under the command of Colonel Frolich Lieutenant-General Klenau led the advanced guard of both columns.

As this circuit round Enzersdorf obliged the fifth to describe a longer line, it was necessary for the fourth to advance rather more slowly.

Enzersdorf, however, was quickly taken possession of by a detachment of Stipsic's Hussars, and of the Wallacho-Illyrian Frontier Regiment, as it was already for the greatest part evacuated by the enemy, from whom no more than 30 prisoners could be taken.

Both columns now received orders to advance upon Eslingen.

The fourth in close columns of battalions of Czartorisky's Archduke Louis's and Coburg, who were twice successively attacked by upwards of two thousand of the enemy's heavy cavalry; but these were each time put to flight by our brave infantry with considerable loss.

Of the fifth column, two battalions of Chasteler's advanced directly upon Esslingen, while two battalions of Bellegarde's were ordered to penetrate the left bank of the village, & the small contiguous wood. Two battalions of Hiller's and Sztarray's besides the Archduke Ferdinand's and Stipsic's Regiments of hussars, and two divisions of Rosenberg's light horse, were in the plain in readiness to support them.

These combined attacks were made twice successively with uncommon intrepidity, the enemy's troops were repulsed at all points, and driven into the village of Esslingen which had been set on fire. But as the enemy's army was drawn up in several lines between Esslingen and Aspern, and met each new attack with fresh reinforcements, because the safety of his retreat depended on the possession of this village: our troops were obliged to abandon it at the approach of night, and to await, under arms, the arrival of morning.

The reserve corps of cavalry had marched in two columns, under the command of General Prince of Lichenstein, and advanced upon the New Inn between Raschdorf and Breitenlee. General Count Wartensleben with Blankenstein's hussars, conducted the advanced guard.

No sooner did the enemy perceive the general advance of the army, than he placed the bulk of his cavalry, supported by some battalions of infantry, in order to battle between Esslingen and Aspern: and commenced a brisk cannonade upon the columns of Austrian cavalry as they advanced.

Prince Lichtenstein directed his columns to march forward in two lines, on which the enemy detached four or five thousand cavalry from his position to the right by way of Esslingen, and excited some apprehension that he would impede the progress of the fourth column, or even break through it. The Prince, therefore ordered four regiments to the left and kept the second column formed in two lines, till [illegible] convinced that the fourth would not meet with any impediment to its march.

During this moment the remainder of the enemy's cavalry, also advanced with the greatest confidence, towards the right wing of the Austrians. They were received with a firmness which they probably did not expect. The intrepidity of the cavalry which had marched up, particularly Maurice Lichtenstein's regiment and the Archduke Francis's cuirassier's, the former headed by its gallant Colonel, Roussel, frustrated the repeated assaults of the enemy by counter-attacks, by which they at length put a stop to his impetuous advance, and completely repulsed him with considerable loss. In these conflicts the French General of division, Durosnel, Equerry to the Emperor, was taken prisoner a few paces from him, as was also General Fouler, Equerry to the Empress, after having been slightly wounded. Notwithstanding the fire of musketry which now ensued, the Prince ordered a general advance, by which the enemy was straitened in the alignement betweened Elssingen and Aspern, but on account of the flanking fire from Esslingen, could not be pursued any further. The fire of his guns was answered with spirit by the horse artillery. About seven in the evening, three thousand horse were again detached towards the point of union between the cavalry of the corps of reserve and the left wing of Prince Hohenzollern, and fell *en masse* upon the brigades of cuirassiers of Generals Keroyher, Klary, and Siegenthal; but by the steady intrepidity of the Blankenstein's and Riesch's regiments who with the utmost gallantry made a sudden attack on the enemy's flanks, his cavalry was again repulsed, and part of it, which had fallen upon some of the regiments of the new levies, placed in the third line, was cut off, and there taken.

Meanwhile night came on, and it was passed by the Prince in the best state of preparation on the ground which he had gained from the enemy.

For the first time Napoleon had sustained a defeat in Germany. From this moment he was reduced to the rank of bold and successful Generals, who, like himself, after a long service of destructive atchievements, experienced the vicissitudes of fortune. The charm of his invincibility was dissolved. No longer the *spoiled child* of fortune; by posterity he will be characterised as the sport of the fickle goddess. New hopes begin to animate the oppressed nations. To the Austrian army the 21st of May was a grand and glorious epoch, that must inspire it with a consciousness of its strength, and a confidence in its energies. Overwhelmed by our irresitable infantry, its proud opponents were extended in the dust, and presence of their hitherto unconquered Emperor was no longer capable of snatching from the heroes of Austria the laurels which they had acquired.

Napoleon's glory was obvionosly at stake. New efforts were to be expected the following day: but he was also obliged to fight for his existence. By means of fire ships sent down the Danube, the Archduke had caused the enemy's bridge on the Lobau to be broken down, and its repairs would take up several hours. Meanwhile Napoleon had already in the evening been joined by the corps of General Oudinot; and all the disposable troops followed from Vienna and the Upper Danube, and were transported across the river in vessels as fast as they arrived. The Archduke on his part, ordered the grenadier corps which had not had any share in the first engagement to advance from its position near Gerasdorf to Brettensee: and the short night was scarcely sufficient to complete respective preparations for the commencement of a second ragedy.

BATTLE OF THE 22D MAY.

Corps of Lieutenant General Hiller.

With the morning's dawn the enemy renewed his attacks; which far surpassed in impetuosity those of the preceding day. It was a conflict of valour and mutual exaspiration. Scarcely had the French Guards compelled General Wacquant to abandon Aspern, when the regiment of Klebek again penetrated into the burning village, drove back the choicest troops of the enemy, and engaged in a new contest in the midst of the conflagration, till, at the expiration of an hour, it was also obliged to give way. The regiment of Benjovsky now rushed in, at the first onset gained possession of the church-yard, the walls of which Field Marshal Lieutenant Hiller immediately ordered the first division of pioneers to pull down, and the church, together with the parsonage, to be set on fire. Thus was this regiment, supported by battalions, commanded by General Branchi, at length enabled to maintain itself at the entrance of the villaage after overcoming the resistance, bordering on despair, opposed by the flower of the French army.

Neither could the enemy produce any farther effect upon the bushy meadow, after Lieutenant General Hiller has ordered the force there to be supported by two battalions of Anton Mittrowsky's and a battery; on which the Jagers, St. George's, and two battalions of Vienna Volunteers, drove him from advantageous position, which he never afterwards attempted to recover.

As about this time the left wing of the corps was likewise placed in security by three batteries sent by the Lieut. General, to support the Gen. of Cavalry, Count Bellegarde, and the latter maintained his ground against he most desperate attacks of the enemy; the Lieutenant General Hiller kept his position on the left flank of the enemy, and the victory was decided in this quarter. The corps was therefore again formed in two lines, and thus awaited the approaching events.

Corps of the General of Cavalry, Count Bellegarde.

Count Bellegarde, having received a message from General Wacquant that the enemy was assembling in force before Aspera, towards the Busby Meadow, and apparently had in view an assault upon that point, was just going to throw a fresh battalion of Argenteau's into Aspern, when the enemy, in heavy columns of infantry and cavalry supported by a numerous artillery, began to advance upon the centre of the corps in the plain.

The troops stationed at Aspern, exhausted as they were with the incessant fire up during the night, were unable to withstand the impetuosity of the attack: their ammunition both for artillery and musketry began to fall, and General Wacquant retreated in good order to the church-yard. This post, gained at so dear a rate, was again taken from him, after several attacks sustained in conjunction with Lieutenant General Hiller; the place was alternately taken and lost, till at length the superiority of our fire obliged the enemy to abandon houses, and a last assault of Hiller's corps prevented all further attempts.

From the moment of the retaking of Aspern it became possible to oppose an offensive movements to the enemy advancing upon the centre, and to open upon his left flank and communication. The defence of Aspern was therefore left entirely to Hiller's corps, and while Count Bellegarde appuied his right wing on Aspern, he formed his left and the centre in the direction of Eslingen, in such a manner that, by degree, he gained the right flank of the enemy, compelled him to retreat, and by the complete effect of the artillery, brought to bear upon the left wing, which commanded the whole space from Aspern to Esslingen, gave him a most severe defeat.

Corps of Lieutenant General the Prince of Hohenzollern

The dawn of morning was with this corps also the signal for the renewal of the gigantic conflict. The enemy's infantry was drawn up in large divisions, and between it the whole of the heavy cavalry was formed en mastes. The General of cavalry, Prince Lichtenstein, on observing his order of battle, perceived the necessity of keeping up a close communication with the infantry placed near him, he therefore drew up his right wing *en echiquier*, behind the corps of infantry, but kept his left wing together, with reserves posted in the rear.

A prodigious quantity of artillery covered the front of the enemy, who seemed desirous to annihilate our corps by the murderous fire of cannon and howitzers. Upwards of two hundred pieces of cannon were engaged on both sides, and oldest soldiers never recollect to have witnested so tremendous a fire.

Vain was every effort to shake the intripidity of the Austrian troops. Napoleon rode through his ranks, and according to the report of the prisoners, made them acquainted with the destruction of his bridge, but added, that he had himself ordered it to be broke down, because in this case there was no alternative, but victory or death. Soon afterwards the whole of the enemy's line put itself in motion, and the cavalry made its principal attack on the point where the corps of cavalry of Prince of Hohenzollern The engagement now became general: the regiments of of Rohan, D'Aspre, Joseph Colloredo and Stain, repulsed all the attacks of the enemy. The Generals were every where at the head of their troops and inspired them with curage and perseverance The Arhduke himself seized the colours of Zech's, and the battalion, which had already bgan to give way, followed with enthusiasm his heroic example. Most of those who surrounded him were wounded; adjutat General, Collosedo, received a ball in his head, the wound from which was considered dangerous, a squeeze of the hand signified to him the concern of his sympathising Commander, who, filled with contempt of death, now fought for glory, and for his country.

The attacks of our impenetrable corps, both with the sabre and the bayonet, so rapidly repeated and so impetuous, as to be unparalleled in military anuals, frustrated all the intentions of the enemy.

He was beaten at all points, and astonished at such undaunted intrepidity, he was obliged to abandon the field of battle.

About this time Lieutenant-General the Prince of Hohenzollern observed on his left wing, near Esslingen a chasm, which had been formed during the heat of the engagement, and afforded an advantageous point of attack. French's regiment, commanded by Col. Meesery, was ordered thither in three corps, and repulsed four regiments of cavalry, accompained with infantry and artillery. The corps remained in the position which they had taken, till the Grenadiers of the Reserve, which the Archduke had ordered forward from Brietenlee, arrived to relieve the battalions exhausted with the sanguinary conflict, and continued the attack upon the centre of the enemy's position. Lieutenant-General D'Aspre penetrated with the four battalions of Grenadiers of Pizexinsky, Puteany, Scovaux, & Scarlach without firing a shot, to the enemy's cannon, where he was flanked by such a destructive fire from Mssingen, that nothing but the presence of the Archduke, who hastened to the spot, could have induced his Grenadiers to maintain their ground. Capt. Count Dombasle had already reached the enemy's battery, when he was wounded by two balls, and quitted the field.

About noon the Archduke ordered a new assault upon Esslingen, which was immediately undertaken by Field-Marshal Lieut. D'Aspre with the grenadier battalions of Kirchenpetter and Scovaux on the left, and Scarlach and Gregory in front. Five times did these gallant troops rush up to the very walls of the houses; burning internally and placed in a state of defence: some of the grenadiers thrust their bayonets into the enemy's loop-holes; but all their efforts were fruitless, for their antagonists fought the fight of despair. The Archduke ordered the grenadiers to take their former position, and when they afterwards volunteered to renew the assault, he would not permit them, as the enemy was then in full retreat.

Corps of Field Marshal Lieut. Prince Rosenberg.

Both divisions of this corps, which in advancing to the engagement, had composed the fourth and fifth columns, were formed before break of day for a new attack, for which the enemy like made preparation on his side, but with a manifest superiority in numbers.

Prince Rosenberg resolved to attack the village of Esslingen with the Archuke Charles's regiments of infantry, to push forward his other troops in battalions, and in particular to go and meet the enemy, who was advancing in the open country between Esslinge and the nearest arm of the Danube.

The village was already gained, and battalions advancing on the left, obliged the enemy, drawn up in several lines, to yield. The most violent cannonade was kept up incessantly on both sides, and it was sustained by the troops with the greatest fortitude.

Favoured by a fog, which suddenly came on, the enemy's heavy cavalry ventured to attack on all sides the corps formed by Sztarray's and Hiller's regiment of infantry. The brave soldiers received him with fixed bayonets, and the last moment poured in their fire with such effect, that the enemy was compelled to betake himself to flight with considerable loss. Five times were these attacks on Sztarray's and Hiller's regiment repeated, and each time they were repelled with equal courage and resolution. The cavalry contributed all that lay in their power to the pursuit of the enemy and the support of the enemy and the support of the Infantry.

Coburg's the Archduke Louis's and Czatorisky's regiments belonging to the division of Lieutenant General Dedoxich, stationed on the right, renewed the exertions of the preceding day with the same distinction and the same success. After this severe conflict, the enemy seemed to have no inclination to expose himself to any fresh disaster, and confined himself merely to the operation of his superior artillery.

About eleven a. m. Prince Rosenberg received orders from the Archduke, Commander in Chief, to make a new attack upon Eslingen and a message to the same effect was sent to Lieutenant General Dedovich, who commanded the right division of this corps.

Prince Rosenberg immediately formed two columns of attack under conduct of Lieutenant General Princes Hohenlohe and Rohan, while Lieutenant General Dedovich advanced against the Citadel of the place, and the magazines surrounded with walls and ditches.

The attack was made with redoubled bravery, and our troops rushed with irresistable impetuosity into the village. Still however, they found it impossible to maintain this post, into which the enemy kept continually throwing new reinforcements, which was of the utmost importance for covering his retreat, which he had already resolved upon, and which he defended with an immense sacrifice of lives. Prince Rosenberg therefore resolved to confine himself to the obstinate maintenance of his own position, to secure the left flank of the army, and to encrease the embarrassment of the enemy by an incessant fire from all the batteries.

In the night between the 22d and 23d the enemy accomplished his retreat to the Lobau, and at three in the morning his rear guard also had evacucted Eslingen and all the points which be had occupied on the left bank of the Danube. Some divisions pursued him closely, and took possession as near as possible of the necessary posts of observation.

Thus terminated a conflict of two days, which will be ever memorable in the annuls of the world, and in the history of war. It was the most obstinate and bloody that has occurred, since the commencement of the French Revolution.

I was decisive for the glory of the Austrian arms, for the preservation of the Monarchy, and for the correction of the public opinion.

The infantry has entered upon a new and brilliant career, and by the firm confidence it has manifested in its own energies, has paved the way to new victories. The enemy's cavalry has seen its acquired but hitherto untried glory dissipated by the masses of our battalions whose cool intrepidity it was unable to endure.

Cavalry and artillery have surpassed themselves in valour, and in the space of two days have performed achievements sufficient for a whole campaign.

Ten pieces of cannon, seven ammunition waggons, 17,000 French muskets, and about 3000 cuirassiers fell into the hands of the conquerer.—The loss on both sides was very great: this, and the circumstance that very few prisoners were taken by either party, proves the determination of the combatants either to conquer or die.

The Austrian army laments the deaths of eighty-seven superior officers, 4169 subalterns and privates.

Lieutenant Generals Prince Rohan, Dedovich, Weber and French Generals Winzingerode, Grill, Neumadter, Siegenthal, Colloredo, May Hohenfeld, and Buresch, six hundred and sixty three officers, and 15,651 subalterns and privates were wounded. Of the Field Marshal Lieut. Weber, eight officers, and 826 men were taken prisoners by the enemy

The loss of the enemy was prodigious, and exceeds all expectation It can only be accounted for by the effect of our concentric fire on an exceedingly confined field of battle, where all the batteries crossed one another, and calculated by the following authentic date.

Generals Lasnes, D'Etoagne, St. Hilaire, and Albuquerque are dead; Massena, Bessieres, Molitor, Boudet, Legrand, Lasalle, and the two brothers Legrange wounded; Durosnel and Fouler taken.

Upwards of 7000 men, and an immense number of horses were buried in the field of battle; five thousand and some hundred wounded lie in our hospitals. In Vienna and the suberbs there are at present 29,773 wounded; many were carried to St. Polten, Enns, and as far as Linz; 2,300 were taken. Several hundreds of of corps floated down the Danube, and are still daily thrown upon its shores: many met their death in the Island of Lobau, and since the water has fallen in the smaller arms of the river, innumerable bodies, thus consigned by their comrades to everlasting oblivion, have become visible. The burying of the sufferers is not yet over, and a pestelential air is wafted from the theatre of death.

His Imperial Highness, the Generalassimo has indeed undertaken the duty so dear to his heart, of acquainting the Monarch and the country with the names of those who took the most active share in the atchievements of these glorious days; but he acknowledges with profound emotion, that, amidst the rivalship of the highest military virtues, it is scarcely possible to distinguished the most valiant, and declares the soldiers of Aspern worthy of public gratitude.

His Imperial Highness considers the intelligent dispositions of the Chief of his Staff, Gen. Baron Wimpffen, and his incessant exertions, as the foundation of the victory.

The Officers commanding corps have rendered themselves deserving the highest favours by uncommon devotedness, personal bravery, warm attachment to their Sovereign, and their high sense of honour.

Their names will be transmitted to posterity with the atchievements of the valiant troops who were under their direction. Colonel Smola, of the Artillery, by his indefatigable activity in the proper application of the ordnance, and his well known bravery, rendered the most important services.

The Commanding Officers of Corps and Columns have furnished the following List of the Generals, Staff and superior Officers, who particularly distinguished themselves.

Lieutenant General Baron Hiller.

Major General Von Bianchi; Colonel Czollitz, Capt. Magdeburg, and First Lieut. Ehrenstein, of the Staff; Lieut. Col. Fasching and Sub Lieut. Lenk, of the Artly. Col. Adler, Major Krempotich, Capt. Drohn, and First Lieut. Ehrenbergh, of Jurdis's; Col. Mariassy & Lieut. Col. Trenk of Gyulay's; Col. Scharlach, of Spleny's; Major Ebert, Capt. Elchermann, and Sub Lieut. Messina, of Klebek's.

General of Cavalry Count Bellegarde.

Lieutenant General Baron Vogelsang, Count Fresnel, and Count Nostitz; Major Gen. Baron Wintzingerode, & Von Wacquant; the Corps Adjutant Colonel Zechmeister; Major Haring, & Capt. Maurich, of the Staff; Colonel Sitwrtnik, Capt. Ditrick, First Lieutenant Adler, Greinmer, and Loffler, of the Artillery; Col. Weiss, Captain Vignet, and Wunsch, of Vogelang's; First Lieutenant Bentheim, and Major Seldenhofer, of Reuss-Plauen's? Captain Binefeld, of Kollowrath's, Captain Murmann, Fabari, and Sterndasal, of Archduke Rainer's; First Lieutenant Radichevich, of Erbach's: Major Schneider, Captain Prandt, and Sub-Lieutenant Hartieb, of the Second Battalion of Jagres; Major Kopp, of Klenau's; Adjutant-Captain Schreiber; Sub-Lieutenant Prince Hohenzollern.

Lieutenant-Gen. Prince Hohenzollern.

Lieutenant-Gen. Baron Brady; Major-Gen Von Burich; Prince of Wied-Runkel, Von Koller, Von Meyer and Von Provencheres; the Carps-Adjutant Col. Hetch; First Lieutenant Hund and Tretter; Capt. Baumgarten and Ebner; First Lieutenant Ramberg, Suttula, Kopp and Marassi, of the Staff; Capt. Otose, Lieutenant Prendler, and Baumgarten, attached to the Staff; Adjutant-Captain Albert; Prince Frederic Anthony Von Hohenzolern· Colonel Mecsery, Capt. Hettinger, First Lieutenant Lopez and Ensign Brennflech's of Frelich's; Col. Andrasy, Capt. Allemagna and Jager of Froon's Col. Alisterb, First Lieutenan Krause, and Cap. Garzweiler, of Rohan's; Colonel Grimer and Capt. Malbeauhan of D'Aspre's; Colonel Elcher, of Joseph Colloredo's; Lieutenant Col. Kirchlepsky, of Zettwitz's; Major Klein and Capt. Steinmetz, of Stain's; Capt. Ogrady and Sub-Lieutenant Reuss of Zach's Col. Stephanini, of the 7th Battalion of Jagers; Major Mumb, of the 8th Batealion of Jagers; Major Prince Kinsky, of tha Archduke Charle's Legion; Colonel Rothkitch, and Capt. Wuesthof, of O'Reilly's; Light Horse: Adjutant-Lieutenant Fhrmann.

Lieuetnant Gen. Prince Von Rosenberg.

Lieutenant-Gen. Prince Rohan and Baron De. Dovich; Major Gen, Baron Stuterheim, Von Grill, Neustadter, and Von Reinhart: the Corps-Adjutant First Lieutenant Pausch; Col. Quosdanovitch; Major Schabitz: Captain Faber, Anzion and Maier; First Lieut. Kuhl and Fitcher, of the Staff; Col. Kunigl, of the Artillery; Col. Konig, Firt Lieut. Weissenwolff, Major Fudor and Porubsky of Satarry's; Col. Printz of Hesse-Homburg, Major Kramer, Capt. August and Busch, First Lieut. Planta, Rosenbaum, Wollienhofer, Maier, and Alviexetty, Sub-Lieutenant Petz and Ensign Szekely of Hiller's; Col. Folseis, of the Archduke Charles's Infantry; Col. Swinborn, First Lieut. Furstenworther, First Lieut. Gastgab, and Sub-Lieutenant Kramer, of the Archduke Louis's: Major Kennel, Capt. Herwe[illegible], Brandenstein, and Lerege of Coburg's: Colonel Wattlet, and Captain Degrado of Czatorysky's Major Reinisch, and Captain Hardhop, of Reuss Grietz's Captain Schick of Bellegarde's; Major Vetter of the Moravian Volunteers; Col. Frelich of Stipsicz's Hussars: Major Degay, Adjutant Beozy, Winunz and Esterhazy, of the Archduke Ferdinands Hussars; Adjutaut Sub-Lieutenant Mras.

General of Cavalry Prince Dichtenstein.

Lieutenant-General Baron Kienmayer, and Prince of Hesse Homberg; Major General Von Sigenthal; Baron Lederer, Yon Kreyher, Von Theumern and Count Wartensleben; Corps Adjutant Lieutenant Colonel Gollner; Colonel Baumgarten, Major Ersbeck, and First Lieutenant Zanto, of the Staff; Major Callott, Major Nesslinger, First Lieutenant Fuhrer and Sub-Lieutenant Heyden of the Artillery; Colonel Roussel, Lieutenant Colonel Flachenfeld, and First Lieutenant Werlan, of Maurice Lichtenstein's Cuirassiers; Col. Morzen, Lieut. Col. Desfours, Adjt. Dunstrand Petzette of the Emperor's Curiassiers: Col. Kutealek of the Duke Albera's curiassiers; Major Schaffer, Captain Mann and Taxis, and first Lieutenant Bedo, of the Archduke Francis's cuirassiers; Captain Mercandin and first Lieut. Dorry of the Crown Prince Ferdinand's; Captain Zedlitz, of Hohenzollern's cuirassiers; Captain Precourtt, of Riesch's dragoons; first Lieutenant Wieland, Major Blankenstein: Adjutant Simony, and first Lieutenant Rosti of Blankenstein's hussars; Captain Wahler; Captain Prince Lowenstein: first Lieutenant Tscheburskv and Offenbacher.

Lieutenant-General Count Klenau, who exhibited fresh proofs of his well-known valour, both in the reconnoisauce of the 20th, and in the engagements of both days, bestows particular commendations on the conduct of Col. Trapp of the Staff, of Col. Hardegg of Schwarzenberg's Hulans, of Major Scheibler of Rosenberg's light horse, of Lieut.-Col. Lutx and Lieutenants Lagheity and Manz, of the first battalion of Jagers.

Lieutenent-Gen. Baron d'Aspre, at the head of his brave grenadiers, whom he led with the most determined intrepidity into fire, deems Lieut. Colonel Bissengen and Majors Puteany, Kirchenberter and Winiawsky worthy of Sub Lieuteant Count Rezewosky, distinguished himself in a manner that does him the highest honour. This youg man was Captain in the Austrian militia, and being afaid at the commencement of the war that he should be oblged to remain with his battalion in the interior, he endeavoured to procure his removal to a regiment of light horse: and as there was no vacancy, he entered as Cadet and Volunteer into Kienmayer's hussars, in which he was soon promoted to a Sub-Lieutenancy.

On the attack of the grenadiers he voluntarily accompanied Lieut. Gen. d'Aspre into the thickest of the fire, and when the Field-Marshals horse was shot under him, he sprung from his and presented it to him with these words: You want him more than I." He then joined on foot to the assault made by the grenadiers, till a wound which he received put an end to his exertions. As a reward for such extraordinary zeal, his Imperial Highness has appointed Sub-Lieutenant Count Rezewusky Captain in the Holans

Many individual traits of heroism are not yet known, and consequently cannot be recorded.—Thus corporal Prager of Zetivitz's, took Prisoner one my's Chess d' Escardron before the mass of his battalion. Corporals Donner and Horner, and the privates Pressich Hirma, and Sschmerha, of the bat. of Prince Kinsky's legion, were cut off by a fire of musquetry from their corps, and surrounded by the enemy's cavalry; they fought their way through, and rejoined their battalion. The Oberjager Fickerberger add the Unterjager Schasser of the 2d bat. of Jagers, penetrated into the French Emperor's Guard, and seized one of the enemy's Captains in the midst of his ranks. The private Larda, of Duke Alberts Cuirassiers retook a six pounder which had fallen into the enemy's hands, and brought it back with its equipage. Serjeant Pap, of Chastellar's snatched the colours of his battalion from the hands of the dying First Lieutenant Cazan, who had himself taken it from the Ensign who had been killed, and headed his troops with the most exemplary intrepidity. Among the artillery there are few but what highly distinguished themselves by deeds of the noblest daring and contempt of every danger.

But a grateful country will not fail to hold in honorable remembrance the departed heroes who found death in the arms of victory. In this number those particularly worthy of mention are Colonel de Fiennis of Bellegarde's, Major Danzer of O'Reilley's; Major Gardech, of Froon's: Captain Charles Kaifer and Konovsky of Rosenberg; Captain Surgeant of Reuss Greyz's: Fitst Lieut. Cazan of Chastele'r; and Lieut. Zakazil, of the artillery, who displayed the most extraordinary proofs of valour, and with his dying breath recommended his widow to the paternal care of his Majesty.

DOWNING-STREET.—Aug. 20, 1809.

A Dispatch, of which the following is a Copy, has been received at the Office of Viscount Castlereagh, one of his Majesty's Principal Secretaries of State, from Lieutenant-General the Earl of Chatham, K. G. dated Head-Quarters, Middleburg, August 11, 1809.

Head Quarters, Middleburg, August 11.

My Lord—I received yesterday evening your Lordship's dispatch of the 8th instant, by the Messenger Mills, and I must entreat of your Lordship, to offer my most dutiful acknowledgments to his Majesty, for the gracious approbation he has been pleased to express of my humble endeavours in his service; and I shall feel the greatest satisfaction in communicating to Lieutenant-General Sir Eyre Coote, and the General and other Officers, and the troops employed here under my command, the sense which his Majesty entertains of their meritorious conduct in the services in which they have been engaged, as well as the confidence his Majesty feels in their future good conduct, and which I trust they will not disappoint.

The enemy has continued to give what interruption he could to the progress of our works; but since the date of my last letter, he has attempted no sortie in any force. He has endeavoured to cause us some embarrassment by opening the sluices at Flushing, and letting in the salt water, but this has been attended as yet with little inconvenience, as the necessary precautions for letting off the water through the sluices in our possession at this place and at Veer, I have no doubt will be found effectual. The several batteries will probably be ready to open on the place either the 12th or 13th, and I shall look with great anxiety to the result, as the speedy reduction of Flushing (particularly under present appearances) is of the last importance, as till then so very large a portion of the force undet my command is unavoidably detained before it.

The divisions of Lieutenant-General Lord Rosslyn and Lieutenant-General Lord Huntly, were according to the intention I mentioned in my last letter, landed on South Beveland, on the morning of the 9th inst. but I am sorry to say that the division of transports, with the cavalry and artillery horses, the heavy ordnance, ammunition, and stores of at descriptions, have not yet been brought through the Slow Passage. The moment they appear, it is my intention to proceed towards Batz; but as till then no operation can be undertaken, I have thought my presence here was more useful.

A large portion of the flotilla has proceeded up the river to Batz, on which place I learn that the enemy had again made an attack, but had been repulsed by the guns of the fort. I have the honour to be, &c.

(Signed) CHATHAM.

FROM TUESDAY EVENING's GAZETTE.

DOWNING-STREET, AUGUST 21.

A dispatch, of which the following is a Copy, was this Morning received at the Office of Viscount Castlereagh, one of his Majesty's Principal Secretaries of State, from Lieutenant-General the Earl of Chatham, K. G. dated Head-quarters, Middleburgh, August 18, 1809.

Middleburgh, August 18.

My Lord—I have the honour to transmit, for your Lordship's information, a copy of the articles of capitulation*, for the surrender of the towns of Zeiricksie and Brouwershaven, and the Islands of Schawen and Duiverland, concluded on the 15th instant by Lieutenant-General the Earl of Rosslyn and Rear-Admiral Sir Richard Keats, with the Deputies of those towns and Islands; and I have much satisfaction in acquainting your Lordship, that I have every reason to believe we shall be enabled to draw very ample supplies of cattle, spirits, and biscuit, from that quarter.

The inclosed return of the late garrison of Flushing received from General Monnet last night, so materially differs from that which accompanied my dispatch of the 16 inst. that I think it expedient to transmit it for your Lordship's information.

I am also informed that the enemy during this service has suffered a very heavy loss in killed and wounded, which, together with the prisoners of war who have fallen into our hands, the enemy's force opposed to us in this Island, may very fairly be stated at nine thousand men. I have the honour to be, &c.

(Signed) CHATHAM.

Amount of Troops in the Garrison on Flushing, on 17th August, 1809.

200 Officers, 4985 Rank and File, 618 Sick and Wounded

Total, 5803.

In the Gazette of Sunday last, among the names of Officers wounded, for Lieutenant-General Brown in in some few copies, and for Lieutenant-Colonel Brown in a few others, read Lieutenant George Brown. Also, in some copies, for Captain Soder, of the 68th Regiment, read Captain Soden. Also, in a few copies, for 78th Foot read 71st Foot.

THE STAR—August 20,

The Austrian official account of the battle of Wagram, is stated in articles from Dresden, to be conformable, in the most essential points, with the French Bulletins. It concludes thus: "The Austrian army has sustained a vast loss. It is deprived, by the death of General Normann, of an officer of the most distinguished merit. No hopes are entertained of the recovery of Generals Vecsey, d'Aspre, and Vukassovich. Among the generals less dangerously wounded are the Prince of Hesse-Hombourg, Generals Stutterheim and Paar, and his Imperial Highness the Archduke Charles, who, with the Prince of Lichtenstein, received musket wounds, which will not, however, be attended with any serious consequences."