



UNDER THE PATRONAGE OF
THE RIGHT HONORABLE
Lady William Bentinck,

ON TUESDAY,
SEPTEMBER 17,
WILL BE PUBLISHED
No. 8, Vol. III.

OF THE
INDIAN MAGAZINE
AND
EUROPEAN MISCELLANY,
CONTAINING upwards of 120 pages of
Letter press, on fine paper, and Ornamented
with a plate representing,
THE TODDY-MAN.
Price Five Rupees.

NEW TONTINE

ALL persons desirous of becoming Sub-
scribers to the New Tontine are re-
quested to send in their names to the Sec-
retary, Fort St. George.—And those at the
Presidency who have sent in their Names
will be pleased, without delay to pay their
Subscriptions for July and August.

Three Months will be due on 1st Sep-
tember, and Subscribers up the Country
will then be pleased to forward their Sub-
scriptions with Interest, agreeably to the
Regulations.

For the Regulations,—Vide Courier Sup-
plement July 24—Any person applying at
the Office for a Copy will be Supplied.

All Europeans in His Majesty's or
the Honorable Company's Service, Gentle-
men not in the Service, their wives, and
Children, are eligible for Shares in this
fund.

Administration.

NOTICE is hereby given, that application was this
day made to the Supreme Court of Judicature, on
the Ecclesiastical side, for Letters of Administration to
the Estate and Effects of William White Esq. late in the
service of the Honorable the United East India Company, on
the Madras Establishment, deceased to be granted to By-
deputy Venkiah Brammy, as principal Creditor of the
said deceased.

GILBERT RICKETTS
PROCTOR.

20th August 1867.

Advertisement.

LETTERS of Administration of the Estate and Effects
of John Merton, who was in his life time a Captain in
the Country Sea Service, deceased, having been granted by
the Supreme Court of Judicature at Madras to Gilbert
Ricketts Esq. as Registrar of the said Court, pursuant to
the act of the 39th and 40th years of his present Majesty,
Chapter 79th Section 5th.—All persons having claims ap-
pertain to the said Estate, are requested to make them known to
the said Administrator, and all those indebted to the said
Estate, are desired to pay the same to him without delay.
Fort St. George, 19th August, 1867.

Advertisement.

PROBATE of the last Will and Testament of
JOHN JAGGER, late Lieut, and Adjutant
of H. M. 12th Regt. of Foot Deceased, having
been granted to Alexander Stuart one of the Ex-
ecutors in the said last Will named. All Persons
having claims upon, being indebted to, or hold-
ing Property of the Estate, are requested forth-
with to state their demands, pay their Debts, or
deliver the Property to Messrs. Harington & Co.
Attorneys for the said Executor.

LOTTERY OF SUNDRIES.

NOTICE is hereby given that the Tickets, in
the Second Class of the China Goods Lot-
tery, will be ready for sale, and renewal on the
20th Instant at the office No. 109, Church Street,
and at DoBor Jacob Pascal's Shop, in Popham's
Street. Should the holders of undrawn Tickets, in
the First Class, fail to renew the same, prior to
the drawing of the Second Class of the said Lot-
tery, they will forfeit, in consequence, every ad-
vantage arising therefrom to their Number, or
Numbers in such Second Class; which will Com-
mence Drawing on the 10th of September ensuing,
and Continue regularly Twice a Week from 11
in the Morning of each such Day.

J. J. SIMON,
Agent.

August 19th 1867.

MESSRS SMITH & BRUCE,
Have received by the H. C. Ship
METCALFE.

A FRESH supply of Hock, Claret and
Port from *Blaxwell and Key*—and from
Fernand de Oates; also Cherry and Rasp-
berry Brandy from do.—Gin and Storks,—
Cloths, Hats, &c. &c.

A dispatch of the above, with a general
Assortment of Prime Europe Goods, Alas,
Madeira and Excellent Cogniac Brandy, has
been forwarded to

MR. R. W. BRUCE,

At Hyderabad, and the Cantonment of Se-
cundrabad.

MADRAS, August 22, 1867.

To be Sold by Public Auction,

BY J. BRANSON

AT HIS AUCTION ROOM,
This Day WEDNESDAY, the 26th Instant,

SALE TO COMMENCE,
AT 11 O'CLOCK,

SUNDY Articles of Plate, Furniture,
The Diamond as Advertised per last
Gazette, and a Selection of Books.

Hand Bills expressive of particulars are
published.

By Order of the Administrator,

TO THE ESTATE OF

COL. WILLIAM CULLEN,

DECEASED.

To be Sold by Public Auction,

BY J. BRANSON.

On the 1st of OCTOBER, next,

THE Several Indigo Works of the deceased,
situated in the Southern District of the Ar-
cote Province.

Particular descriptions of the several works
and the conditions of Sale, will be published here-
after.

The Premises may be viewed, On application
to Mr. James Cochrane at Arisacop, near Pon-
dicherry.

MADRAS, 15th August 1867.

For Private Sale.

BY J. BRANSON.

A HANDSOME Strong Curricule with a
good set of Harness, and a pair of
very handsome

PEGUE PONIES,

Warranted found, free from vice, and very
fast Trotters.

PRICE STAR PAGODAS 450.

MADRAS, August 26, 1867.

For Sale on Commission,

AT J. BRANSON'S,

BENGAL Hessian Boots and Shoes—
Just received a General Assortment of
Europe Articles—Excellent Brandy & Gin,
Spermaceti Candles, Prime Virginia Hams,
Spermaceti Candles and a large collection of
Books.

J. BRANSON,

HAS FOR SALE

Fresh Hyderabad Seeds, viz.

TURNIPI, —Carrot, —Lettuce, —Spinage,
—Parley, —Beet, —Radish, —Mustard,
—Cresses, —Onion.

Messrs. Hope, Griffiths & Wheeler,
HAVE Just received for Sale, a few do-
zen of Europe made Fashionable
DOYLEYS.

TO THE PUBLIC.

To be had at the Courier Office,
A few numbers of the INDIAN MAGA-
ZINE, (the EUROPEAN MISCELLANY being
omitted) containing the most interesting ar-
ticles of INDIAN HISTORY, the local intel-
ligence of the three presidencies of Madras,
Bengal and Bombay, Original Poetry, Col-
lection of Events in India and Europe, Mar-
riages and Deaths, &c. &c. forming a
regular series of events which have occur-
red between the 1st of January and 1st of
September 1867.

The whole comprized in 7 Numbers, each
ornamented with Engraving representing
VIEWS in the CARNATIC, and the CHA-
RACTERS of the Country.

Price 3 Rupees each Number.
This work is particularly recommended to the
Notice of persons going to England, and to such
as may wish to inform their friends of what is
passing in India.

TO BE SOLD BY PUBLIC AUCTION,
BY FRANK & THOMSON.

AT THEIR AUCTION ROOM,
On FRIDAY next the 18th Instant,

AT 11 O'CLOCK
ONE Tunchon of Brandy, Madeira in Bot-
tles, One large Cheshire and Pine cheeses,
Fresh Fish on tea in caddies, Jams and Jellies in
3 and 4 lb jars, One cask of Bagal Beef, Cui
and plain Glassware, Corks, One Mahogany
commode, and one wash hand stand, Coat cloths
of colours, Izaries and Long cloths, Boat cloaks,
Cavalry Saddles complete, A Bandy Harness,
Black handled knives and forks, Bras scales and
weights complete, a one Pole Tent nearly new,
and Sundry other Articles.

Messrs. Hope, Griffiths & Wheeler,
BEG leave to inform their friends, that they
have received a variety of Articles from the

H. C. SHIP METCALFE.

Amongst which are some very neat EUROPE
CURRICLE HARNESSSES with plated Furni-
ture, price per set 115 Pagodas.

Also set of Prince's CHECK BODY CLOATH-
ING with HOOD BREAST PLATE, QUARTER
CLOTH and ROLLER, complete.

Also an excellent assortment of Cavalry and
Hunting SADDLES and BRIDLES from GIB-
SON, and other makers in repute.

For Sale.

AND TO BE SEEN
AT MR. HOGG'S

ON THE MOUNT ROAD

This day between the hours of 10 and 12 o'clock,
A STRONG DUN CHARGER, Warranted
A Sound and perfectly quiet, and is well re-
commended by the present owner, who parts with
him for no other reason than that he is about to
leave India, with a good Military Saddle and
Bridle, Price 200 Pagodas.

A Handsome young Bay Arab would answer
well for a light weight or Lady's riding, as he
appears to be perfectly gentle, Price 150 Pags.

A Strong Black Acheen Horse perfectly found
and quiet, with a neat Saddle on Curricule Springs
complete with Hood and Harness, Pagodas 200.

Several other Carriage, Bandy, and Saddle
Horses, &c.

OLD MADEIRA WINE,
FROM D. OLIVEIRA AND CO.

Messrs. Abbott and Maitland.
HAVE a few Pipes, half Pipes, and Quarter
Pipes of the above importation left, which
they are retelling, as follows, viz.

Pipes, — 200 Pags. each.
Half Pipes, — 105
Quarter ditto, — 55

To be Sold by Public Auction,
BY JAMES DOBBIN.

AT HIS AUCTION ROOM,
On MONDAY next the 31st Instant,

AT 11 O'CLOCK,
SEVERAL Rolls and Remnants of China
Lute Strings and Sarinets of different colours
ALSO
Several Boxes containing Jars of China Pro-
ferred Ginger.

Cardonnell's Claret.

MESSRS. BINNY and DENNISON,
HAVE received a fresh Cognitionment of
that Claret by the Honorable Company's Ship
Metcalfe, lately arrived from Bombay,
which will be sold in Chells and half Chells,
at 12 Pagodas per dozen.

MADRAS, 25th August 1867.

To be Sold by Public Auction,
BY JAMES DOBBIN,

AT HIS AUCTION ROOM,
Tomorrow the 27th Instant,
SALE TO COMMENCE,

AT 10 O'CLOCK,
THE FOLLOWING,
BELONGING TO THE ESTATE

OF
A GENTLEMAN
DECEASED.

VIZ.
PLATE,
CONSISTING OF

GRAVY, Table, Desert, Tea, Milk, Sugar
and Salt Spoons, Table and Half Forks,
Fifth Knife, Soup Ladles, Funnel and Strainer,
Mustard Pot and Spoon, Sugar Mug, Bottle
Stand, Soup Plate, Toast Rack, with Glass
Muffineers, Salt Cellars, Table Ring, Toasting
Forks, Coffee Pot, a Cruet Stand, &c. &c.

ALSO
A Plated Cruet Stand, two Pillar Shades en-
plated fret, &c.

TO BE SOLD BY PUBLIC AUCTION,
BY JAMES DOBBIN.

AT HIS AUCTION ROOM,
Tomorrow the 27th Instant,
AT 11 O'CLOCK.

THE FOLLOWING ARTICLES,
VIZ.

TWENTY four kegs of Paint, of different
colours, thirty six lbs. of Verdigrise, six
Speaking Trumpets, six two hour, half hour and
minute Glass's, two brass Hanging compasses, and
Nine Box do.

For Private Sale.

BY JAMES DOBBIN,

A Handsome Chestnut Saddle Horse warranted
Sound and remarkably quiet, of pleasant
pace, and is a beautiful figure when mounted, he
has been rode by a Lady.—Price 170 Pagodas.

A Neat Light Carriage with a pair of Strong
handsome Bay Horses, and set of Harness.—
Price 600 Pagodas.

A Handsome Bengal Built Palanquee which
has been very little used with handsome Europe
chintz Bedding, Europe Plated Lamps &c. &c.
complete, Price 70 Pags.—das.

TO BE SOLD BY PUBLIC AUCTION,
BY JAMES DOBBIN.

AT HIS AUCTION ROOM,
On MONDAY next the 31st August.

SALE TO COMMENCE,
AT 11 O'CLOCK,

FURNITURE consisting of a large Black-
wood Family cot, on Stands, with 2 Sets of
Handsome curtains, a Blackwood chest of Draw-
ers, a Pair of couches with bedding, Pillows, and
a set of chintz covers, a Home china Dressing
Stand with Glass &c. complete, Chairs, Tables,
Side board, Writing Table Shade stands, a Jack-
wood commode, a Pair of Liqueur casks, &c. &c.

SUNDRY ARTICLES OF PLATE,
Globe Lamps, Finger Basons, Shades, Claret
Glasses, &c. &c.

A capital Single Barreled Fowling Piece, by
Archer with Patent Breech in a case complete.—
A single Barreled Fowling Piece, Silver Mount-
ed by Wogden.—a pair of capital Pitons (Silver
Mounted) by Wogden, in a case complete.

An Artillery Quadrant with a spirit Leveller
and Pendulum by Nairne and Blunt, in a case
complete.—A Calibre compass.

A case of Mathematical Instruments in a case.—
A Garry.—A capital Fowling Piece, Silver Mount-
ed by Wogden.—A Silver Pocket compass and several
other Articles, also
A Palanquee with Chintz bedding and
A Field Officers Marquee,—a baggage and
other suitable Tents,

...in Council is pleased to appoint Major General St. Legers to the Staff of this Presidency, from the date of his arrival at Fort William, from which period the temporary appointment of Colonel Wood of His Majesty's Service to the Staff of this Presidency ceases of course.

Major General William St. Legers, being the Senior Officer employed under this Presidency, the Right Honourable the Governor General in Council is pleased to appoint Major General St. Legers, to be Provincial Commander in Chief of the Army serving under this Presidency, from the date of his arrival at Fort William, from which period the temporary appointment of Colonel Wood of His Majesty's Service to the Staff of this Presidency ceases of course.

The Governor General in Council authorizes Major General St. Legers, Provincial Commander in Chief, to appoint a Secretary to assist in carrying on the details of the Army.

R. PARRY,
Secy. Mil. Dept.

The brig Fenay, and the Honorable Company's gun vessel the Scourge, came into the river last week, from the Eastward. The Fenay left Prince of Wales Island on the 23d of June, the Scourge on the 17th ultimo.

By this latter conveyance, we have received the Prince of Wales Island Gazette of the 5th July, and private advices of the same date.

The Jillic, Captain Gillespie, is arrived in the river from Madras, which she left on the 24th ultimo.

Posters—Miss Dring.

The Jettie came into Diamond Harbour, with only one anchor-boat, having lost all her others.

The Khufroo and Coromandel had arrived at Madras, in fourteen days from Bengal.

The H. C. extra ship India, had reached Madras; as had also the country ships Uday and the Trafalgar.

On a Thursday evening, the Honourable Company's gun vessel Scourge, Capt in Barrer, arrived off the Backfall, from Prince of Wales Island, whence she sailed on the 5th ult. with Government dispatches.

This vessel brings authentic accounts of a settlement of the differences between the British and that Government; so far, we understand, that an European belonging to one of the Indianmen had been left with the four cargoes, till a final decision should be effected.

On the 23d ultimo, the steamward bound China steamer, consisting of 21 sail of Indianmen, under convoy of the Lion, made her way, arrived at Penang, having been a month from Amoy.

The fleet was to sail from Penang, for Europe; about the 15th ultimo.

According to the latest accounts from China, the Tri on, Captain Ramley, who left the Bengal Pilot, on the 30th December last, for that destination, had not arrived; nor has been heard of since she left Malacca in January.

The brig Eleanor, Captain T. Lambert, arrived off Calcutta on the 17th, from Penang the 18, and proceeds to the 21st inst.

The Kelvin Grove had touched at Pedder, on her way to Penang, from the Calcutta.

Captain Arthur Hayes, of the brig Fancy, reached town on Thursday last; having left Penang on the 25th ultimo.

The Barrer, the Admiral Rinder, the Uday, the Eagle, and the Carriers, all bound from Calcutta to Madras, with a cargo, and for whose safety apprehensions were excited, are safe. The Barrer had been forced to put into Prince of Wales Island, through stress of weather. The four latter named vessels have reached their destination.

Extract of a letter from Allypore, July 21, 1867.

"This day the weather has been extremely disagreeable and stormy, and the wind is blowing as in May. Fortunately we have not experienced a change. Soon after midnight, the rain fell in most violent, and continued almost without intermission about 3 o'clock this afternoon; and it is the quantity of water that has fallen during that period, that the lately parched surface of the earth has great measure increased. The clouds still appear to be heavily charged with more further showers; so that we may now confidently say that the rains, have at length let in here. The crops of the season, including Indigo have hitherto suffered very materially from the drought, but we now trust, that the happy effects of this-day, will tend in no small degree to retrieve the hopes of the lately depending Cultivators."

We have been requested to publish the following Letter for the gratification of the Subscribers to the Remuneration given to Dr. JENNER.

GENTLEMEN,

I am enabled to express my gratitude to my friends in Calcutta, for the extraordinary mark of their liberality which I have just received.

Among all the attentions I have had the pleasure to experience from my Vaccinators, none concerned, there is no one I appreciate more highly than this. Make known to me, I pray, Gentlemen, my feelings on this occasion; and accept yourselves, for the very particular notice I have received from you, the offerings of a grateful heart.

May the practice you so liberally encourage soon become general; and thus may the most beneficial of all life's favours which ever afflicted its inhabitants, be for ever established on the World.

I have the honor to be,

GENTLEMEN,
Your ever obliged, and
very grateful humble Servant,
EDWARD JENNER.

CHITNAM,
December 11, 1866.
To R. SMITH,
H. F. COLEBROOK, Esquires,
J. ALEXANDER,
AND
DR. JOHN FLEMING,

MANUFACTURE OF CANVAS.

We have always particular satisfaction in advertising to the successful progress of such institutions, whether of science, art, or manufacture, as have been introduced to the Asiatic Colonies of Great Britain, by the genius and enterprising spirit of her adventurous Sons. It is highly gratifying to observe, the quick progression from rudeness to excellence of many useful arts, which were not only unknown in Bengal, but are now leading to results equally profitable to the Colony and advantageous to the Mother Country.

The influence of improvement to which we here more particularly allude, is the manufacture of Canvas, which, within the six or eight immediately preceding years, has, in the province of Bengal, under the auspices of British Industry, been raised from a state of imperfection to a useful and creditable rank in the Catalogue of British Indian Manufacture. The *Paai* has very properly excluded from the Manufacture of Bengal Canvas. It is now prepared entirely from the *Sauas* plant, erroneously supposed to be the *Crotalaria*, of Linnaeus. Though it be not Hemp, yet the Bengal *Sauas* affords, when properly prepared and manufactured, a product nearly in all respects equal to the best European Canvas. It is not merely in the material, that improvement has been introduced; the machinery for cleaning and spinning the raw material, and the loom also, are peculiarly improved, and the whole constitutes one of the most approved plans of European Artificers, and with such success, that in the course of two or three years the use of European Canvas will probably be entirely excluded from the service of India.

We need not enlarge upon the importance of this branch of manufacture, in a British Colony. The indispensable necessity of large Supplies of Canvas, for the service of the British Navy, and for her Commercial fleets, is a great, if not the principal part of which, England is now dependent on Russia, or America, whose merits, if we are considered, the more we shall be inclined to think favourably of every attempt, that shall remove the necessity of dependence on foreign Supplies.

In proof of the excellence of this article of Indian Manufacture, we quote, from among many other similar testimonials, the evidence of the Commander of an American Ship, furnished by his letter, just received from Prince of Wales Island, and addressed to Messrs. Torrey and Jones, whose manufactory through the diligence and ability of Mr. Jones, has deservedly obtained much credit.

Extract of a letter from Captain Gilchrist, of the American Ship *Caravan*, dated

Prince of Wales Island, 24th June, 1867.

"I do not regret that on my arrival in Calcutta, I promised to give you an account of the Canvas, supplied from your looms. I am happy to assure you that the service it has undergone declares the excellence of its quality, and which has proved far beyond even my sanguine expectations, and your own assurances in its favour. It will be sufficient for me, that I had it in constant use from Bengal to America, thence to Europe, and on my return to America, and from America to the Cape, where, upon examination of my sails, I expect that they will carry me hence to Canton, and thence finally back to America."

"When the people of America become a little more acquainted with the quality of your Indian canvas, I have no doubt of its becoming a considerable article of importation from Bengal to the United States. The difference in the price of our canvas and European Duck is incomparably greater than the difference in the value of the canvas. For light sails I could prefer your Bengal cloth to that of Europe. Could you get your workmen into the way of making a greater difference in the numbers, and also to make the filling considerably lighter, the canvas would be materially improved, as the cloths invariably fill length ways, owing, in my opinion, to the fillings not being sufficiently heavy."

SHIP FAME,

Lady of the Ship FAMES, on the water side of the eastern Sea Reef, five or six miles below the Reef Bay.

JULY 26, 1867.

"At 1 A. M. weighed on the first of the ebb and made all fair; moderate breezes from the S. E. and clear weather; worked the ebb-tide out, and at 4 A. M. anchored in six fathoms. The reef-boat bearing W. by N. had a distance of 3 miles; gave a Pilot-voice to the westward till dawn; at half past 8 A. M. the Pilot-boat anchored; and kept the red flag flying at the top gallant mast-head;—at 3 P. M. weighed on the first quarter-ebb, in company with three other ships; fresh breezes from the S. E. and cloudy weather; at half past 4 P. M. weighed on the ebb-tide for the ebb; the quarter-fathoms; at quarter five for 6 P. M. the ship struck in four quarter-fathoms, and unhinged the rudder, the directly were round upon her heel; tried to steer her with the sails, but could not, as was striking very heavy; finding we could not pay off, her heel having come round to the eastward and holding our water, let go the breast anchor, veered out to a whole cable, drift landward towards us, which proved to be a frigate (the *Molester*), and stood close under our lee: the Pilot-boat failed in fight, to the eastward, lying too.

When the ship swung, head to wind, the rudder got clear of the stern-post and broke adrift.

At 8 P. M. the ship making water, for a few days, all pumps continually going, having struck several times very heavy, turned a gang of hands to lighten the ship by heaving rice overboard, the water gaining on the pumps;—at 10 P. M. found the ship driving, let go the other breast anchor, and veered out half a cable, which brought the ship up,—ship now more easy, at midnight three feet water in the well, fresh breeze, with a good sea; making signals, by burning fire fires during the night.

JULY 27.

During the night blowing hard from E.M. and E. S. E. with frequent heavy squalls and much rain; at half past three A. M. the water had passed to four and a half feet in the well, with both pumps so faintly going; by this time the people had scarcely strength to remain at the pumps; at 6 A. M. observed the ship beginning to settle down by the head, at 8 A. M. five and a half feet water in the ship, 6 1/2 hawls hauled now in the water, observed a scullion coming down at half past 8, made the signal of distress; at half past 8, M. was spoke by the *Culbert*, Thorburn's pilot schooner, who immediately anchored near us, under our lee, in order to save the people; at noon the water had gained to six and a half feet, and the well full of rice, and the ship now getting water logged, would not rise to the surface; it now making a fair breeze of a hot fore-castle,—finding that it was impossible for any exertions to save the ship, they the *duice* of Mr. Pool, the pilot, heisted out the log boat, read to put the people into,—blowing a gale of wind, with thick cloudy weather, and frequent heavy squalls, was obliged to drop her under the stem, for the people to lower themselves down into her off the driver boom, as it was imp. for the boat to lay alongside; at 1 P. M. a boat was sent to the *Chowringhee*, to fetch the officer in command of her, if possible, to get under weigh and come seawards; and send her boat, neither of which was practicable, as the gale had greatly increased; at 4 P. M. finding the ship completely water-logged, and the well full of water, was compelled to leave her, in order to save our lives; temporarily the remaining small boat, with the long-boat, still took every person on board; and this boat had not yet left the ship, most insurmountably have gone with her, when the fell overboard, and disappeared, at quarter ten to 10 P. M.; at day light the wreck of the ship's hull, masts, and yards, were floating all round us; the pinnace filled and swamped after of the schooner; about an hour after we had gone on board of her, was obliged to put her adrift, and this she did not have left the ship, broke adrift and was lost.

It would be doing great injustice to Mr. Heath, were we to omit to mention in the most public manner, the very humane attention and kind experience by myself, officer and ship's company, while on board the *Culbert* Thurnham's schooner.

JOSEPH LATOUR,
Late Com. of the Ship *FAMES*.

Bombay, — August 12.

BOMBAY THEATRE.

On Monday evening, COLMAN'S favourite comedy of the *HEIR AT LAW*, was performed at the Bombay Theatre, to a house uncommonly crowded and brilliant. The parts were happily cast, and the merits of the various performers were evinced from the repeated plaudits they received from their fair Country-women.—Were the performers in general entitled to much applause, it might probably be deemed injudicious to notice particular merit, but justice calls upon us to observe; that the Characters of Dr. Pangloss and Lord Dabery, were performed in a style that has seldom been equalled, and probably never surpassed on any stage.—Lady Dabery's first debut in a female garb proved decidedly meritorious, and we doubt not the will become a very useful performer in that walk in Comedy. The audience appeared highly gratified with the performance, and a general wish seemed to prevail, that this happy evening of our time, might become more frequent in our little settlement.

TO THE EDITOR OF THE BOM. GAZETTE.

Sir

There is a species of wit, for which the lower orders of the Irish are peculiarly remarkable, and which is well illustrated by the *farces* of the Capital.—The late Major Read was an eminent army broker, who was a man of prodigious force and courage, and weighing perhaps nearly thirty stone, was one day walking in Dublin, when being overtaken by a sudden shower, he retired to a nearby inn for shelter, and was there met by a man, who he called for a carriage; which had scarcely arrived, when she was suddenly clearing up, afforded a prospect of fair weather.—The colonel, regarding the life of his good friend, immediately determined upon walking, and giving the chairman a shilling, told him he should not require his services.—The fellow, regarding the billing fish, and then the Major, with a very significant look, "I hoped his honor would not put him off with such a trifling sum;—why you respect" replies the Major, "I have 1 detain you no more, but I shall be glad to see you again."—Oh! please your honor—rejoins the fellow—"please your honor—consider the FRIGHT!"

The celebrated Sergeant Edwards of Dublin, was a man of infinite humour, every thing was big with him with him. In figure he was diametrically the reverse of

Major Read—He resembled more than any thing I can recollect, the caricature of the *Choti* of Governor Wall, being engaged to dine at an old friend's house to meet a large party (of which he was always the life and soul), on the hill down being opposed to him, he perceived a new friend, who demanded his name, in order to announce him in the drawing-room, where the company were all assembled—Edwards immediately replied, "Major Read" the *Choti* frowning upon him, he, with due emphasis pronounced—"Major Read" when the sound of a heavy foot and a panting breath extremely puzzled the *Holl*, who knew not well, what to make of it, and as it was not his name, he turned to the other party (who Major Read) were adapted to the Magnitude of the object which was to fill them, when in walks—the "S" being the "S" of the "dried Neats tongue" the "Stock" fish—the factious Jack Edward!

Transmitted with the respectful compliments of—
ONE OF YOUR READERS.

Miscellaneous Extracts.

Mr. PAUL has thought proper to publish a private correspondence between him, Colonel Elliott, and Captain Elliot Voke, respecting the late *Welsh* matter. Mr. Paul accuses the Colonel of having broken his sword; but in the matter rests upon the assertions of the former, and the denial of the latter, the public probably will not decide in favor of—U. A. Bricklayer in St. Giles', on reading the correspondence, observed, "By St. Patrick, no man is safe who speaks in private with this fellow, or any of his party, who has not a gag in his mouth."

Madame Leclercq, a *propry* of the late Duke of Richmond, being lately at home, the Grace has left her six of his finest high bred horses; he has also left her the final part of his town-house, to enjoy her 2,000l. per annum, during her residence in the capital. Mrs. Bauley, the mother of the natural female children, is bequeathed 500l. per annum besides the house near Fulham, rented for 500l. at present to a Noble Lord.

Mr. Sted and Mr. Arnold are executors of the will of the late Duke of Devonshire, valued at 18,000l. per annum, we understand, will devolve with the title, to the present Duke; of which 12,000l. is from the Consolidated Fund, the compound made by the late Duke with Government, for his portion of the proceeds of the coal-tax—granted to his Grace's ancestor King Charles the Second.

There is a rumour in circulation of General Lauriston having been entirely distracted, and his army destroyed in Dalmatia by the Russians.—There is said to be a Ragusan merchant on board the Ferret gun brig, which is arrived from the Straits, who is slated to have brought dispatches from the Russian General in Dalmatia, which he will not deliver to any body; he is waiting for letters of marque, to enable him to come up to town and deliver them himself. With respect to the defeat of the French in Dalmatia, we have a remark our readers, that intelligence was received of 10,000 Russians having landed at Macarica, in Dalmatia, and beheaded General Lauriston's corps of 5,000 men; R. g. u. so, so, so, that all his communications were cut off, and it was supposed he would be obliged to surrender.

A curious and interesting incident has taken place in the H. M. territory. The inhabitants of that country, driven to desperation by the exactions and vexations to which they have been subjected since the French took possession of it, have come to a resolution worthy of more success than we fear, will attend their present attempt. About 1,000 men, consisting principally of disabled soldiers and some peasants, all well led, by one Echwege, and having nominated an officer of the regiment of de Wurme, Capt. D. U. far, their commander of the rank of colonel, proceeded to organize themselves as a regular force. Those among them who had served as non-commissioned officers, were appointed officers; and they armed themselves in the best manner they could, seizing all the arms, swords, &c. which they could find. A colonel Schmidt, who had entered into the French service, and was at Echwege for the purpose of forming a regiment out of the disbanded Hessian troops, was seized by the insurgents, and compelled to swear, on an Hessian standard, that he would renounce the service of Bonaparte. The insurrection, it is supposed, was not confined to the Hessian territory, but was extended itself to Saxony and Hanover also.

Extraordinary Good Fortune.—Sir P. C. Ewing, Bart, who lately died near Woolter, in Northumberland, at the age of 87, had an only son, who, by marrying without his consent, disgraced his father so much that he disposed of all his estates, and involving the produce in the public funds, withdrew to retirement about forty years ago, leaving his son, since dead, the fortune of 400l. per annum, and by his last will, after giving in legacies nearly 45,000l. bequeathed the residue of his property, amounting to about 300,000l. to a distant relation, who dying before the testator, the whole of his splendid fortune devolved to Mr. James Ewins (now Sir James) his grandson, of Newport, Monmouthshire, by profession a peasant; a man of unblemished character and integrity, with a large family of children.

Pollsters of the Welsh Courtiers.—The Welsh made a law, that none of the Courtiers should give the Queen a blow, or snatch any thing visibly out of her hands, on pain of forfeiting her Majesty's protection.

UTI POSSIDETIS.

Terms of the *uti possidetis* as agreed upon by the British and French Plenipotentiaries, at Paris, in September 1801.

His Britannic Majesty and the Emperor of the French having mutually agreed to enter into a Treaty of Peace upon the basis of the *uti possidetis*, except in the case of Hanover, which shall be referred to his Britannic Majesty, the Plenipotentiaries respectively appointed to arrange the conditions, have agreed upon the following articles:

ARTICLE 1. The *uti possidetis*, or actual state of possession, having been determined to be taken as the basis of the Treaty, the two Powers make the following acknowledgements respectively:

France acknowledges that Great Britain is in possession of the Seas.

Great Britain acknowledges that France is in possession of Italy, Holland and such parts of Germany as are enumerated in this Article (here follows the enumeration):

ART. 2. The King of Great Britain acknowledges the titles of Emperor of France, King of Naples, King of Holland, King of Avaria, King of Württemberg, Grand Duke of Berg, Prince of Neuchâtel, Prince of Benevento, and Prince of Pontecorvo. This acknowledgment is to be construed as extending no further than a simple acknowledgment that the above titles are in possession of Napoleon Bonaparte, Joseph Bonaparte, Louis Bonaparte, &c. His Britannic Majesty, abstaining from all interference in the domestic concerns of France, does not presume to give any opinion upon the legitimacy or illegitimacy of any of these titles.

ART. 3. The undersigned have also agreed that the *uti possidetis*, or state of actual possession, shall be subject to exchanges upon just equivalents.

Great Britain being the undoubted and acknowledged Sovereign of the Seas, and the Sea therefore being her property, the following articles are agreed upon, as the exchanges upon just equivalents to which the *uti possidetis*, with respect to her possession and property, the Seas, is subject.

Great Britain exchanges the permission for the free navigation of that part of her possessions called the Baltic to the vessels of his Imperial Majesty, for an ample compensation and satisfaction to be given for the British property seized and confiscated, against the Law of Nations, in the Neutral Cities of Hamburg, Lübeck, and others, and also for the violation of the neutrality and independence of these towns.

ART. 4. His Britannic Majesty consents to exchange the permission of the free navigation of that part of the Seas, the possession of Great Britain, which is denominated the German Ocean, for an indemnity, to be granted to his Sicilian Majesty for the loss of Naples. That indemnity shall consist of Corsica and some other island.

ART. 5. His Britannic Majesty consents to exchange the permission of the free navigation, by the vessels of his Imperial Majesty, of that part of the Seas, the possession of Great Britain, which is denominated the Mediterranean, for an indemnity to be furnished to the King of Sardinia.

To exchange the permission of the free navigation by the vessels of his Imperial Majesty, of so much of the Seas as is situated between Toulon and Smyrna and the adjacent ports, for the re-establishment of the independence of Genoa.

To exchange the permission of the free navigation, by the vessels of his Imperial Majesty, of that part of the Seas denominated the Atlantic and Pacific Oceans; for the restitution to Austria of all the territories ceded to Bavaria by the Treaty of Peñburg.

ART. 6. It is agreed that a Deputation shall be sent to the Court of London, to express the consent of his Imperial Majesty for the murder of Captain Wright, in the Temple, at Paris, which conviction shall be recorded on a tablet of marble, to be placed in the Hall of the Thuilleries, equally appropriated to the giving audiences to the Ambassadors of Foreign Powers.

These articles are drawn up in the Latin language alone, his Britannic Majesty having determined to depart from the custom, too prevalent hitherto, of carrying on diplomatic correspondence, and of drawing up treaties in the French language.

Signed by the respective Plenipotentiaries.

COURT OF KING'S BENCH.

ILLEGITIMATE CHILD.

THE KING vs. HENRY LUFF.

The defendant was the reputed father of a bastard child, when one Henry Taylor was absent from his wife, and had not access to her at the supposed period of the procreation, but who returned just previous to the birth of the child. The justices made an order of bastardy against him, and upon appeal to the Sessions the same was confirmed. It was now moved to quash the order of the justices, and the order of Sessions, upon the following grounds—1st, That

it appeared by the order that Mary Taylor had been examined by the order of the justices of the peace, which by law she could not be admitted to do—2dly, That the statutes 3 Geo. II. c. 31 and 18 Elizabeth, which give the justices power to make an order of bastardy, do not apply except to cases where the bastard is born of a single woman; and lastly, that it appeared by the order in terms that the husband had access to his wife during a part of the period of her pregnancy and therefore by the law of England the child was not a bastard, but the legitimate issue of the husband.

The material words of the order, upon which these questions occurred, were—“Whereas it appears to us, as well upon the oath of Mary Taylor as otherwise, that the said H. Taylor had not access to her from the 9th of April, 1804, till the 29th day of June 1806, the child being born upon the 13th day of July, 1806, being about a fortnight after the return of H. Taylor to his wife.

The case was argued by Mr. Stokes, for the respondents, and Mr. Wilson, Mr. Gifford, and Mr. King, for the appellants, and the following cases were cited—Rex vs. Alberton, 1 Lord Rayne's, 395; 3 Salc, 483; Rex vs. Str. Bridge's, 1 Str. 51; Pendre v. Pendre, 2 Str. 925; 2 Bott. 447; Rex v. Bedall, 2 Str. 1073; Thomson v. Saul, 4 Term Rep. 356; Rex v. Reading, Ca. Temp. Hard 79.

Lord Ellenborough, C. J.—Three objections have been taken to this order—First, that the wife is supposed to have been examined generally only as to the fact of the non-access of her husband, and thus the conviction is founded upon the evidence of the wife alone. Whereas it is laid down, that an order of this kind cannot be made on the evidence of the wife alone, but there must be other evidence of the non-access. The next objection is, as to the statute of the 6 Geo. II. cap. 31, and the 18 of Eliz. The order is founded upon one of those statutes, and it is now made a question, whether this case will sustain them, and next, that this is a legitimate child, born within lawful wedlock, inasmuch as it appears that the father returned within a fortnight before the birth of the child, and it may, by law, be taken to be his child. As to the first objection, does it appear to be founded on the evidence of other persons than the wife only? The evidence of other persons than the wife is required upon principles of general policy. For it would be highly inconvenient that a wife should be examined at all in any matter likely to produce disputes between man and wife. However, there is an exception as to this rule, that the may be examined of necessity as to those facts which the only can speak to. But as the can only be examined in matters of necessity, now it is necessary to show by the evidence of the wife, whether any person had that sort of illicit intercourse which had a foundation for the birth of this child. To that extent the might be admitted as a competent evidence to prove the illicit intercourse of the adulterer. Perhaps, also, (he was competent to prove that no other person than the adulterer, on whom the charge of maintenance of the child is to fall, had any intercourse with her. For these facts are peculiarly and solely within her knowledge. To the extent of the adulterer's intercourse it is clear the must be examined. Does it, then, appear, that she was examined beyond that?

The order, it appears, as well upon the oath of the said Mary Taylor as otherwise, the words are not “as well upon the examination of Mary Taylor upon oath as otherwise;” for then it would be open to the objection which has been made, and there would arise an inference that the other evidence was not upon oath, whereas here the inference is, that both kinds of evidence were upon oath. The order does not distinguish to what parts of the case Mary Taylor's evidence appears that other evidence was given; for the words, “or otherwise,” must mean other proof, as in the case of the King v. Bedall. And if we find the wife to have been examined with others, we will intend that she was not examined as to the proof of access, which cannot legally be proved by her; but that she spoke to facts as she might well prove, and that the want of access was proved by other competent testimony. Here, it is to be observed, that the words, “or otherwise,” do not occur accidentally, and in one place only in the order, but are repeated—There is, therefore, no foundation for the first objection. As to the second objection, it in effect resolves itself into the third. For when it is made a question, whether the statutes apply to any cases but where the children are not born in lawful matrimony, it resolves itself for the purpose into the question, whether the child is born in lawful matrimony for the purpose of these acts, and whether a child born in adultery is a child which these acts had in contemplation as much as bastards under other circumstances? And this we think is the true construction of these acts.

Then the questions is, whether the return of the husband within any limited time before the period of gestation is expired, does or does not cast upon him the character of father of that child inconvertibly, according to the law of this country? This is an important question and

as there has been something said about the novelty of some of the doctrine advanced, one would be extremely sorry not to find oneself was attended by ancient authorities. Now in R. II's bridgemen 358, where the most ancient authorities from the year books are cited, it is stated in the text that, “by the law of the Land, no man born after copulations can be a bastard, unless for special matter.” This exception is engrafted upon the rule, and the first special matter is exactly what in

(Continued in the Supplement.)

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

Date	A. M.	Noon.	3 P. M.	8 P. M.
Aug. 19	83	85	86	85
20	83	87	86	84
21	84	88	87	84
22	84	88	88	86
23	80	81	85	84
24	84	82	83	82
25	82½	84	85	82

21st Hard rain at 4 P. M.
23rd Hard rain at 6 to 9 A. M. with Thunder, and cloudy all day.
24th Hard rain about Noon.

MADRAS MARRIAGES.

At Sankarudroog, on the 13th Inst, Lieutenant James Hampton, of Battalion 7th Regt. N. I. to Mrs. Mary Fother, widow of the late Lieut. Forster, his father-in-law. At Cochin, on the 26th Inst, Christian Von Geyer, Esq. formerly Commercial Resident of Arracan in the Honorable Dutch Company's Service, to Miss Gronoode, daughter to Charles Gronoode, Esq. of Cochin.

MADRAS DEATHS.

At Madras the 24th Inst, John Smith, Esq. Surgeon to his Majesty's 49th Regt. of Foot. All the Officers and Men of the Regiment, of duty during his illness.—A greater testimony of respect to his memory could not have been evinced, and it is the best criterion of his having performed well the Duties of his Station.

At Madras, on the 19th Inst, the Lady of Lieut. J. P. Knott, of the 8th Regt. N. I.

BOMBAY DEATH.

On the 9th Inst, the infant Daughter of the Reverend Nicolas Wade.

CEYLON BIRTH.

At Colombo on the 2d August the Lady of T. Christie, Esq. Med. Sup. Gen. of the Son.

BENGAL MARRIAGES.

On the 4th Inst. Mr. S. H. Boisau, to Miss Josephina Norton, of the 4th Inst. For William, the Lady of Major Maxwell, of H. M. 57th Regiment of the Son.

BENGAL DEATHS.

On the 4th Instant, at Calcutta, Mr. Thomas Price Dare, late Chief Officer of the Henry Wellesly, and some time third of the *Zeus* Anchor, when in November last he was lost in the *Chieffe* Sea, with his Captain, Captain Dare, and most of the crew, Mr. Dare and three or four others being on board.

On the 24th ultimo, Mr. Joseph Bruce, late of Dacca, aged 75.

On board the brig *Fanny*, Mr. W. Chevalier, Free Mariner.

Second CHINA GOODS LOTTERY.

PROPOSED FOR NANKEEN, TEA, & SUGAR CANDY

OF A SUPERIOR QUALITY. Valued at Six Thousand Star Pagodas, and divided into 1200 Tickets. At Five Star Pagodas each.

1	Prize 15	Corge Broad Brown Nankeen	at 20	Pags.	300		
1	Ditto	10	Ditto	at 20	Pags.	200	
2	Ditto	2	Chefts of Hyfon Tea	each at	160		
40	Pag.	Cheft	at	40	Pags.	240	
6	Ditto	1	Ditto	at 40	Pags.	240	
32	Ditto	1/2	Ditto	Ditto	Ditto	640	
32	Ditto	1	Corge of broad Brown Nankeen	each	at 20	Pags.	640
150	Ditto	1	Tub of Sugar Candy	each at	4	Pags.	1500
452	Ditto	1	Corge of Narrow Nankeen	each at	10	Pags.	2260
682	Prizes	Star Pagodas	6000.				
18	Blanka						

1200 Tickets at 5 Pags, each is Stars Pags. 6000

The Delivery of the Articles will take place 20 Days after the drawing of the Lottery without any deduction of Commission, or should any such holder of a prize wish to receive the value of it in Cash, he will be paid on a Deduction of 30 per cent from the above established value of Goods, at the Office of Messrs. SETH and GREGORY SAM, where the proceeds from the sale of Tickets will be deposited.

Tickets will be ready for sale on the 1st September next at the COURIER PRINTING OFFICE, Exchange Fort; and at No. 3, Armenian Street, at the house of

S. M. BABOOM, Agent.

* * * The drawing of the Lottery will commence on the 1st December next.

Printed by GEORGE STONE, FORT, OPPOSITE ST. MARY'S CHURCH.

* * * 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 strict attention to their orders, any Subscribers at the Presidency to whom the Posts 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.

MR. EDITOR,
If you approve of the accompanying Lines will you give them room in your Paper.
Yours,
MUM.
BELLARY,
16th August 1807.

THE RECONCILIATION.

It happened, as we sometimes see
The best of friends, could not agree,
A Trifle light as air appears,
Like holy wars, our Bard avers,
When jealous thoughts the mind pervade
And competition lends it aid,
Thus with the LILY and the ROSE
Which sweeten give sweetness to re-rose,
Whose lovely forms and gentle light
Filled each fair Bosom with delight,
Imparting radiance that adorns
And gives a lustre to the charms;
But ENVY'S eye on vile intent
Invades the scene, dilubs content,
Whispered its doubts, their peace destroy,
And give a damp to every Joy;
The gloom of hatred, haunts the glade
And Friendship links ben-eth the shade.
The friends were seated on discord bent,
Their charms dispelled, their action rent;
The Blooms which pleased were seen no more
And ENVY triumphs o'er and o'er.
The Goddess saw, with circumspect
Reluctant ENVY beat the way,
Resolved an effort to achieve
The faded Beauties to revive;
For lovely charms, however divine
Whether in good or humble mien,
Flower warm fancy may dispense,
Derivative are without stain,
And influence of the Lily clear
The Pride and Glory of our Fair,
We now in humble state reside
The Goddess, as they fate is fide,
Revolving on the sad reverse
Which we in sorrow now rehearse,
Contrived, refused, and vainly vain
The palm of victory to obtain.
Each armed her Features with a smile
Toayed in lotosus, soul of gulls,
Conveyed in sweetnets that impart
The soft emotion of the Heart;
The gentle Dames, on conquest bent
Blended their charms with one content;
Contrived by magic fash to give
One smile alone, the whole to have,
Arranged by them to pacify,
Displaced him on an empty chair,
Without control, and urged by fame,
To firm upon their Friends again,
A live powers flash as they came,
Can never fail, or cease to please,
But, when conformed to one alone,
Aids hope to hope, and love to love,
To each he felt a soothing Ray,
And calmly listened 'er each case;
Still by degrees, the sorrows part,
Returning friendship, love created,
Which to confirm, with willing aid
Address'd his friends and thus he said;
“I wonder how a lovely Dame
“Of graceful form, and charming mien,
“Whose gentle worth and modest air
“Proclaim the merits of the Fair,
“As to our kindred and employ,
“Her charms adorn, with life and Joy
“And in the union feel my boon.”
At uttering these the Goddess rose,
The friends on kindness now intent,
All joined in concert, their assent.
The blushing Rose and Lily too
Blessed themselves with a sweet hue
With all the sweets of Spring's array,
In all the gentleness of May;
The fall in beauty's splendour came,
And thus the true loved Dams,
Approaching near with gentle grace
At once adorned her lovely face
The charm comes to the eyes viewed
“A Star of the firm magnitude”
Whom Condescension now has lent
Belly's Plam to ornament!

BELLARY CANTONMENT,
August 10, 1807.

TO CORRESPONDENTS.

We have received some well-written, and well-extended lines, from I. H. who we apprehend their intention would excite painful, rather than pleasurable feelings in the breasts of many very respectable persons, and we therefore beg leave to decline their insertion. At the same time we beg to be happy if our Correspondent will exercise his poetical talents on some subject, not liable to the like objections, and we shall then have much pleasure in publishing his productions as a corner in any subsequent publication.

The Ode to the Oak, by Marquis Wellesley, has been received, and shall have a place in the Indian Magazine.

Mr. Moffat, who died a few days ago, at his house, in Portman-square, was bred in the Royal Navy, and was one of the few remaining survivors of Lord Hawke's glorious victory over Confans, in the year 1759.

The late successful fugitive to Gretna Green, with the Hon. Miss Faras, is said to have obtained a situation under Government, for his literary exertions in favour of the present Administration.

The Highland Society have voted Twenty Guinea to Mr. John Cuth of Edinburgh, for his Report on the Ancient Scotch Music, particularly the Harp.

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MADRAS COURIER EXTRAORDINARY.

WEDNESDAY, — AUGUST 26, 1807.

THIS Morning arrived the Ship *Hebe*, Captain Joze Passos from the Cape of Good Hope, left Simons Bay on the 1st July.

PASSENGERS,

Captain Bryant, Madras Establishment, Captain Beecher, Messrs. Adams, Town, Howden, Fowler and Marshall.

By this conveyance, we learn that His Majesty's Ship *Antelope*, of 50 Guns, had arrived at the Cape about ten days subsequent to the departure of the *Modeste* Frigate, having on board Lord Caledon, Governor of that Settlement.

At the period of the *Hebe's* departure, no Intelligence had been received of the *Blenheim* and *Java*, or of the result of the meditated attack on Buenos Ayres.

The *Antelope*, had sailed for England, having on board the Reverend Mr. Ball, as Passenger.

The *Piedmontese* Frigate fell in with a Danish Ship (bound from Bengal to Europe,) off Cape Agulhas, and after a detention of a few hours, was permitted to proceed on her voyage.

The Markets, for Europe and Indian Goods, were very high—Rice was selling at 15 Rix Dollars per bag.

The Ships *Addington* and *Orion*, and Brigs *Woodin Castle*, and *Experiment* from England, had arrived at the Cape with Naval, and Military Stores for the Colony; — The latter Vessel had returned to England.

Three American Prizes from the River Plata, as also a Dane detained by some of our Ships of War, together with H. M. Brig *Harrier*, were lying at the Cape, at the time of the *Hebe's* departure.

The American Ship *Thames* from New York had arrived, but brought no material articles of Intelligence.

The homeward bound Fleet, under convoy of H. M. Ship *Concorde*, had not put in at the Cape.

The *Hebe* has seen nothing of any outward bound fleet.

The Ship *Tranquebar*, lately arrived at Tranquebar, in 26 days from Batavia, reports that there were no Ships of War, either of the Dutch or French Nations at that Port at her departure. Off the coast of Java, she fell in with an English Privateer, mounting 8 guns, from Botany Bay, & which vessel had taken several prizes.

(Continued from the Paper.)

fact occurs here, where there is a natural impossibility from his being under the age which render procreation possible, as where he is eight or nine years old. And there is a case in the year books, where the husband was under fourteen years of age. But that is not the only instance. There is the case of Foxcroft, 10 Edw. I. where the first husband was ill a month before his death, and had no access to his wife, and afterwards the child being born within forty weeks and eleven days, it was held to be a bastard. When, therefore, there arise a natural impossibility, from the circumstances of his bad health, a bodily impossibility, during the period of matrimony which rendered access impossible, it has been held that the issue was illegitimate. Now there is no doubt thrown upon this case either in the original text of Coke and Littleton, 123, or in the notes where that subject is very ably treated by the Gentleman to whom the public is indebted for the last edition of that work. In addition to the improbability arising from bodily infirmity, it is further stated, "and because it is found that the said H. was born 11 days after 20 weeks, which is the time usual for women, and from this that the said R. had not access to the said Beatrice for one month before his death, it is presumed that the said R. is a bastard." The record then goes on to find for the plaintiff. It therefore appears to be considered as material to go into evidence, to show the natural impossibility of his being the son of the husband; and in confirmation of this there is a *nota bene*, that the husband languished of a fever a long time before his death; so that not only the length of time, but a further bodily impediment was considered to be material. A child being born in marriage is not sufficient to render him legitimate, where any material impossibility occurs from which the presumption of legitimacy may be repelled. Britton says, taking no notice of the presumption that marriage proves legitimacy; "and this presumption shall always hold until the contrary is proved, as, for instance, where the husband is proved not to have consorted (*concubuisse*) for a given time with his wife, to have been incapacitated by infirmity or other cause, or that he was in such ill health that he could not be the father, *ut generare non possit*."

In another passage, he seems to consider certain cases of improbability. I think, therefore, upon these authorities, that if a foundation is laid that there is a natural impossibility arising from age, free from infirmity of health, or arising likewise from non-access, that the husband should be parent of the child, then the illegitimacy of a child born after espousals may be proved. If then, any circumstances can be referred to for proof of impossibility, we may certainly refer to such a natural cause as will not embark into it any question of nice probability, but which involves an absolute impossibility of the husband being the father. It is so in the present case. It may be said, that we may be driven to nice proof of physical improbability. But that never need be so; because the presumption that the husband is the father will be infinitely strong, unless there is an evi-

dent and clear impossibility that he is not. I therefore contend that in addition to the cases of impuberty and infirmity, which last is rather an improbability than otherwise, we may repel the presumption of legitimacy by evidence of non access during the greater part of the actual period of gestation.—As to the case of the queen v. Murray; Lord Hardwicke repudiates the doctrine that the non access must continue during the whole period, and gives no countenance to it. Without, therefore, disturbing any of the rules of evidence upon this most important subject, and without weakening any of the bonds of marriage, we think that the presumption that all children born in marriage are legitimate, may be shewn to be contrary to fact. I do not mean in cases of marriage arising after a gestation commenced, but as to children born after non access.—The order affirmed.

EAST INDIA SHIPPING.

The following is a correct list of the East Indiamen, taken up for the season of 1866-7. Sealeby Castle, Locke; Nottingham, Campbell; True Briton, Clarke; Britannia, Birch, for Bombay and China; Alfred, Westead, for St. Helena, Bencoolen, and China; Duke of Montrose, Patterson, for St. Helena and Bengal; Admiral Gardner, Eastfield; Castle Eden, Colnett, for coast and Bay, Henry Addington, Kirpatrick; Cumberland, Farrer; Cuffnells, Wellbank, for coast and China; United Kingdom, D'Esterre; Worcester, Wood, for St. Helena and Madras; City of London, Yates; Baring; Carnegie; Lord Duncan, Bradford, for Coast and Bay; Metcalf, Isacke, for Bombay; Ceylon, Hudson; Walpole, Sandilands; Surrey, Cumberlege; for coast and Bay; Lord Hawkebury, Smith; Airly Castle, Burgess, for St. Helena and Bengal; Charlton, Wood, for Bombay; Devoushire, Murray, for Bombay; Taunton Castle, Timbrill; Hope, Pendergrafs; Woodford, Martin; Earl Camden, Samson; Coutts, Hay; Surat castle, A. Robertson for China; Retreat, Hay, (extra ship) for China, The General Stuart, and Devaynes, (extra ships) for coast and Bay, and the Travers and Carnarthen, for Bombay.

A short time since, a curious *hoax* was played upon an excise officer. A countryman was stopped by a revenue officer, at Bursledon, where he took from him two casks of spirits, which he suspected had been smuggled. After the officer had carried the liquor from Bursledon to Titchfield, a distance of three miles, the man suddenly stopped at a house, saying—"It is to be left there." The officer replied—"No, as I have seized it, it must go to the excise office, and immediately proceeded with the casks. Not so fast, master, replied the countryman. I have a little bit of paper here, which, if you will take the time and trouble of reading, you will find it is to be left at this house." The officer having read the paper, exclaimed—"Why you rascal, this is a permit why did you not shew it to me before; Because, said he, if I had, you would not have been so kind as to have carried the liquor so far for me.