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1830.

ASIATIC INTELLIGENCE.

Calcutta.

LAW.

SUPREME COURT, January 2.

Cemlen, Cimilo, Cidian, and Cimelo, four Malay sailors, were indicted for having, on the 11th Aug. 1828, murdered, on the high seas near the coast of Pulo Boys, one Cussib.

It appeared from the evidence of Alum, a native of Lingin, owner and noqueda of a prau, that in going to Singapore, the prau was attacked by pirates (among whom were the prisoners) near Pulo Boys, an uninhabited island, on the Malay coast, and a nest of pirates; that they murdered the crew, consisting of twelve men, plundered the cargo, and sold the witness for a slave, for forty dollars, at Rettee, to the king or chief, Tunkomoda; that after five months, he escaped in a boat to Singapore; that whilst at Singapore he happened to see the prisoners in a boat, and gave information to the superintendent of police, by whom they were apprehended. They were sent for trial to Calcutta. The jury found them guilty.

In his charge to the jury, the Chief Justice remarked that he could not conceive that any useful result could arise out of the case, which had been sent from such a distance, except bringing to public notice the present state of this part of the Indian seas, and induce those who have the power to take steps to put an end in some way to a state of things which should not exist. The charge was that of murder; but the great difficulty was, that there was no court for piracy, and he was not aware of a single case where the Admiralty Court at home had undertaken to deal with a case of murder similar to this: he thought if a case of murder committed upon a foreigner, by foreigners, and on board a foreign ship, were brought before them, they would say, why do you not take this to your country, where it can be properly investigated, or why should we be compelled to deal with it? but with piracy it is different; a pirate is an enemy to all, and will be tried though he be a foreigner. As to piracy and murder, said his Lordship, we have power as liberal as that granted to any court in any King's colony, and in the West-India islands and Malta they have the same power as the Old Bailey over offences committed on the high seas, and so here if the murder were committed in a British ship and upon a British subject; but a difficulty has arisen by the statute which constituted the court at Bombay, for (perhaps by some mistake) its jurisdiction is limited to offences com-

mitted within its ordinary jurisdiction; but nothing, his Lordship now said he hoped, would prevent the proper officers from bringing cases before the court, for not only would the judges enter into the question, but in cases of conviction refer it, if necessary, home for the decision of higher authorities.

January 18.

The King v. Raja Buddenath Roy.—The defendant was indicted for a misdemeanor, in having, on the 26th of February 1829, forged, and put away, knowing it not to be genuine, a certain government security, No. 3,699, of 1825-26, for 20,000 sicca rupees, at five per cent. interest, with intent to defraud Archibald Galloway and the United Company. He was also charged with having forged a receipt for the interest on the back of the paper, purporting to have been paid by a set of bills upon the Court of Directors. The indictment contained forty-eight counts.

Amongst the jury were an Armenian, Mr. J. T. Sarkies; and a Hindu, Prosoonocumar Tagore.

The Advocate General opened the case by remarking upon its importance, for various reasons, the extent and magnitude of the offence, the exalted station in life and high reputation of the defendant, to which he bore ample testimony. An impression had gone forth that the verdict of the jury would affect other proceedings in the court, but such was false; the decision of the jury would in no way affect the rights of any parties to civil proceedings which were pending; the same evidence could not be brought forward; it could alone affect the rights of the defendant.

With reference to the offence itself, whoever might be the author of it, a system of forgery was never carried to such an extent in any country of the known world. He could not but regret it when he considered the high rank of the defendant and his own acquaintance with him, and assuredly if his innocence was manifest, no man would be more rejoiced at a verdict of the jury to that effect. The rajah, a man of rank and great fortune, and much looked up to in society, some time since joined Rajkissore Dutt in the establishment of the India bank. Up to that period Rajkissore Dutt was a man of low rank and poor circumstances, and till his connexion with the rajah he was not admitted into the society of respectable natives. From this period he rose to opulence; but what was more extraordinary, this bank was established not for commercial speculations, but for the purpose