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PART I.

Government Notifications, Appointments, &c.

NOTIFICATIONS.

ECCLESIASTICAL DEPARTMENT.

Bombay Castle, 21st August 1886.

No. 30.—With reference to Notification in the Ecclesiastical Department dated 19th November 1872, published at page 1202, Part I, of the *Bombay Government Gazette* dated 21st idem, His Excellency the Governor in Council is pleased to appoint the City Magistrate of Poona, whenever he is a Christian, to be a Marriage Registrar for the District of Poona under the provisions of Section 7 of Act XV. of 1872.

By order of His Excellency the Right Honourable the Governor in Council,

M. W. WILLOUGHBY,
Secretary to Government:

MILITARY DEPARTMENT.

Bombay Castle, 23rd August 1886.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863 it is notified that report of death of the undermentioned officer, on the date specified, was received in the Military Department during the month of July 1886:—

| Corps or Department. | Rank and Name. | Date of decease. | Place of decease. |
|--------------------------------------|------------------------|------------------|-------------------|
| 1st Battalion North Lancashire Regt. | Major A. C. Yard | 22nd July 1886. | Ziarat. |

By order of His Excellency the Right Honourable the Governor in Council,

M. W. WILLOUGHBY, Brigadier-General,
Secretary to Government.

EDUCATIONAL DEPARTMENT.

Bombay Castle, 14th August 1886.

No. 1282 OF 1886.

Rules laid down by Government under Section 24 of the Bombay District Municipal Act of 1873.

In accordance with the provisions of Section 24 of the Bombay District Municipal Act, 1873, the following rules prescribing the extent of the independent authority of Municipalities in respect of public education, and their relations with the Government Educational Department, which have been approved by Government, are published provisionally for general information, and will become absolute after one month from this date, if there is no reason to the contrary :—

1. The powers and duties of every Municipality in respect of the establishment and maintenance of schools may, subject to the reservations and conditions hereinafter contained, and subject to such alterations as may from time to time be made under the authority of Government on this behalf, be delegated to a Committee, which shall be called "The Schools Committee," and shall be constituted according to the rules made under Section 32 of the District Municipal Act Amendment Act (Bombay II. of 1884).
2. The principles and system of school management, the course of instruction to be followed, and the rates of salary to be given to the various grades of masters in municipal schools, shall be those hitherto adopted, or which may hereafter be prescribed by the Educational Department under the authority of Government, for schools of a similar class. Provided that to meet local requirements, with the previous consent of the Director of Public Instruction, any Municipality may adopt such modifications as may be found to be necessary or expedient. In case of doubt as to the application of any principle or rule the decision of the Director of Public Instruction shall be followed subject to an appeal to Government, whose decision shall be final and conclusive.

Stipulation (a) para. 14 of Government Resolution No. 414, dated 23rd March 1882.

Government of India Resolution No. ¹⁰/₃₆₉ of 23rd October 1884, para. 38 :—"maintaining the essential principles of the Government system."

English Code, Section 86 :—
"The Department's decision in any case is final and conclusive."

Government of India letter No. ⁵/₁₀₀, dated 19th June 1885, para. 3 :—
"The existing rule of admission, irrespective of caste, must of course be maintained."

Stipulation (c) and Section 7 (3) of English Act of 1870 :—
"The school shall be open at all times to the inspection of any of Her Majesty's Inspectors."
3. Municipal schools shall, subject to the proviso in Rule 2, be provided for all castes and classes of the community, and shall be open to inspection and examination at all times by the Government Inspecting Staff. The Municipality shall in each case make suitable arrangements in communication with the Inspectors for the annual examination required by the Educational Department.
4. In the annual accounts of every Municipality rendered under Section 90 of the Bombay District Municipal Act, VI. of 1873, there shall be a separate section under the head "Education." A copy of this section shall be forwarded yearly to the Government Educational Inspector of the Division as soon as possible after the accounts have been audited and passed.

5. In this section shall be set forth in separate parts the accounts of receipts and expenditure,—

- (1) for schools within the contract;
- (2) for schools not within the contract but maintained or aided from the Municipal Fund with or without a Government grant;
- (3) for any other educational purposes not included in the above, but coming under Section 24, clauses (15), (16) or (21) of Act VI of 1873.

In the accounts of receipts under Part I. shall be shown separately,—

- (a) the Government contract grant;
- (b) the fee-receipts of schools within the contract;
- (c) the sum assigned and paid to the Municipality under Section 47 of Bombay Act I. of 1884 which is to be expended on educational purposes under clause 2 of that section;
- (d) any other contribution made by Government or by a Local Board, and any other income received by the Municipality for expenditure on or for the benefit of the said schools, or accruing from the said schools;
- (e) the allotment made by the Municipality in the year of account from receipts of the Municipal Fund other than receipts under (a), (b), (c) and (d) for expenditure on or for the benefit of the said schools.

In the accounts shall be shown :—

- (1) balance (if any) of receipts for previous years unexpended and carried forward;
- (2) receipts and expenditure of the year of account under each head.

If the Municipality or the Local Board claim any part of the balance as having accrued to their funds, the Inspector will submit these claims to the Director of Public Instruction with his observations, and the Director of Public Instruction will decide whether these claims can be admitted wholly or in part.

6. The accounts of receipts and expenditure under Parts I., II. and III. shall otherwise be rendered in such detail as may be set forth in a form of account prescribed from time to time by the Governor in Council.
7. Every member of a school establishment who has been or may be transferred from the Educational Department, and who is in receipt of a salary which would entitle him to pension under the Government Uncovenanted Service Rules, shall be deemed to be an officer lent to the Municipality within the meaning of proviso (j) to Section 32 of the Bombay District Municipal Act Amendment Act of 1884, and in all questions relating to pension, leave and pay and acting allowances the rules from time to time in force for the Government Uncovenanted Service shall be applicable to such officer.

In municipal schools those persons only shall be employed who hold certificates of qualification recognized by the Educational Department or who are already in receipt of pensionable salaries under Government, so long as such teachers are procurable. It shall be incumbent on every Municipality engaging

a teacher as aforesaid to make provision for his pensionary rights, in accordance with the rules in this behalf from time to time prescribed by Government, and such teacher shall be deemed to be an officer lent to the Municipality within the proviso (j) to Section 32 of the Bombay District Municipal Act Amendment Act of 1884. In filling up places of non-pensionable pay the Municipality shall give the preference to those who have passed an examination qualifying for the Public Service, or who have been useful teachers.

8. Subject to Rule 7, the appointment, promotion, punishment, suspension, and dismissal of all members of the establishments of municipal schools shall rest with the Municipality or the Schools Committee to whom such power may be delegated. Provided that no officer in receipt of a salary exceeding ten rupees per month shall be dismissed or have his salary permanently reduced without the previous sanction of the Municipality.
9. In order that the less advanced Municipalities may be relieved of responsibilities which they are not yet prepared to bear, any such Municipality may apply to the Director of Public Instruction, and on such application the administration of its schools in the matter of appointment, promotion, punishment, suspension and dismissal of all members of the establishments of Municipal schools may be conducted by the Government Educational Department.
10. The scale of school-fees payable in municipal schools shall not be increased above or reduced below that existing at the time of the transfer of the said schools to the Municipality without the previous consent of the Director of Public Instruction. The rules of the Educational Department in force from time to time as regards free students shall be observed in the municipal schools.
- English Act of 1870, Section 17: "Every child shall pay such fee as may be prescribed by the School Board with the consent of the Education Department."
- Government of India Resolution No. $\frac{10}{309}$, dated 23rd October 1884, para. 38.
11. Municipalities shall give full consideration to representations of the Educational Department as to the number, size, discipline, and location of their schools, the transfer of school-teachers, the schools to be aided by them, and all other departmental matters.
- Stipulation (i) of Government Resolution No. 414 of 23rd March 1882.
12. With a view to the promotion of private schools and as an aid to the provision of the adequate system of primary instruction which is required by law, every Municipality shall keep a register of primary schools not included in the contract as Municipal schools, to be recommended by them from time to time for maintenance under the grant-in-aid system according to the Code of rules from time to time prescribed and published by Government, provided that a Municipality shall not interfere in any way with such schools as do not desire to receive aid or to be subject to its supervision.
- Government of India Resolution No. $\frac{10}{309}$, dated 23rd October 1884, para. 7.
13. A detailed statement of all employes in municipal schools, with their salaries and all other items of recurring expenditure, shall be maintained by each Municipality and shall be at all times open to the inspection of the Government Educational Inspector.
- Stipulation (l).
14. Every Municipality shall furnish without delay all returns, statistics, and any other information relating to municipal schools which may be called for by the Director of Public Instruction.
- Stipulation (o) and English Act of 1870, No. 95— "Every School Board shall make such report and returns and give such information to the Education Department as the Department may from time to time require."

By order of His Excellency the Right Honourable the Governor in Council,

W. WEDDERBURN,
Acting Chief Secretary to Government.

JUDICIAL DEPARTMENT.

Bombay Castle, 18th August 1886.

No. 4801.—The following Notification of the Government of India is republished:—

“ No. 1048.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

JUDICIAL.

Simla, the 30th July 1886.

As some misapprehension appears to exist regarding the proceedings to be taken under the Fugitive Offenders Act, 1881, (Statute 44 and 45 Vic., Cap. 69,) it is deemed expedient to republish the Statute, in continuation of Home Department Notification No. 215, dated the 12th February 1886, which published for general information an Order of Her Majesty in Council, wherein it is directed that, on and after the 1st day of July 1886, Part II. of the above Statute shall apply to the group of British Possessions mentioned in the margin.

Her Majesty's East Indian Territories.
Ceylon.
The Straits Settlements.

2. In thus republishing the Statute, the Governor General in Council considers it desirable to invite the attention of all officers concerned to those of its provisions which relate to the issue and endorsement of warrants for the arrest of fugitive offenders. Thus it will be noticed that when a warrant has been issued in one part of Her Majesty's dominions for the apprehension of a fugitive offender from that part, a Judge of a Superior Court in another part of Her Majesty's dominions in, or on the way to, which the fugitive is or is suspected to be, is, for the purposes of Part I. of the Statute, empowered by Section 3 to endorse the warrant, and it is necessary that the proper endorsement should be effected before an arrest can legally be made thereunder. By Section 4 of the Statute a Magistrate of any part of Her Majesty's dominions is empowered, under circumstances therein described, to issue a provisional warrant for the apprehension of a fugitive. The corresponding provisions of Part II. of the Statute are contained in Sections 13 and 16 respectively, under which the necessary power in both classes of cases is vested in Magistrates. A summons requiring the attendance of a witness, issued by a Judge or Magistrate having lawful authority in this behalf in a British possession of a group to which Part II. of the Statute applies, may, under Section 15, be endorsed by a Magistrate in any other British possession concerned of the same group, and, when so endorsed, may be legally enforced. Section 26 of the Act further empowers the authority endorsing a warrant to name in the endorsement certain persons, who shall, in addition to the persons to whom the warrant was originally addressed, be authorised to execute the same.

3. The Governor General in Council trusts that, when it is necessary to take action under the Statute in question, the provisions above referred to, as also all other provisions thereof, will be carefully observed.

Fugitive Offenders Act, 1881.

[44 & 45 VIC., CHAP. 69.]

ARRANGEMENT OF SECTIONS.

Section.

1. Short title.

PART I.

RETURN OF FUGITIVES.

2. Liability of fugitive to be apprehended and returned.
3. Endorsing of warrant for apprehension of fugitive.
4. Provisional warrant for apprehension of fugitive.
5. Dealing with fugitive when apprehended.
6. Return of fugitive by warrant.
7. Discharge of person apprehended if not returned within one month.
8. Sending back of persons apprehended if not prosecuted within six months or acquitted.
9. Offences to which this part of this Act applies.
10. Powers of superior court to discharge fugitive when case frivolous or return unjust.
11. Power of Lord Lieutenant in Ireland.

PART II.

INTER-COLONIAL BACKING OF WARRANTS AND OFFENCES.

Application of part of Act.

12. Application of part of Act to group of British possessions.

Backing of Warrants.

13. Backing in one British possession of warrant issued in another of same group.
14. Return of prisoner apprehended under back warrant.
15. Backing in one British possession of summons, &c., of witness issued in another possession of same group.
16. Provisional warrant in group of British possessions.
17. Discharge of prisoner not returned within one month to British possession of same group.
18. Sending back of prisoner not prosecuted or acquitted to British possession of same group.
19. Refusal to return prisoner where offence too trivial.

PART III.

Trial, &c., of Offences.

20. Offences committed on boundary of two adjoining British possessions.
21. Offences committed on journey between two British possessions.
22. Trial of offence of false swearing or giving false evidence.
23. Supplemental provision as to trial of person in any place.
24. Issue of search warrant.
25. Removal of prisoner by sea from one place to another.

PART IV.

SUPPLEMENTAL.

Warrants and Escape.

26. Endorsement of warrant.
27. Conveyance of fugitives and witnesses.
28. Escape of prisoner from custody.

- Section.
29. Depositions to be evidence, and authentication of depositions and warrants.

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30. Provision as to exercise of jurisdiction by magistrates.
31. Power as to making and revocation of Orders in Council.
32. Power of legislature of British possession to pass laws for carrying into effect this Act.

Application of Act.

33. Application of Act to offences at sea or triable in several parts of Her Majesty's dominions.
34. Application of Act to convicts.
35. Application of Act to removal of person triable in more than one part of Her Majesty's dominions.
36. Application of Act to foreign jurisdiction.
37. Application of Act, and execution of warrant in United Kingdom, Channel Islands, and Isle of Man.
38. Application of Act to past offences.

Definitions and Repeal.

39. Definition of terms.
40. Commencement of Act.
41. Repeal of Act in Schedule.

SCHEDULE.

CHAPTER 69.

An Act to amend the Law with respect to Fugitive Offenders in Her Majesty's Dominions, and for other Purposes connected with the Trial of Offenders. [27th August 1881.]

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the authority of the same, as follows (that is to say)—

1. This Act may be cited as the Fugitive Offenders Act, 1881.

PART I.

RETURN OF FUGITIVES.

2. Where a person accused of having committed an offence (to which this part of this Act applies) in one part of Her Majesty's dominions has left that part, such person (in this Act referred to as a fugitive from that part) if found in another part of Her Majesty's dominions shall be liable to be apprehended and returned in manner provided by this Act to the part from which he is a fugitive.
- A fugitive may be so apprehended under an endorsed warrant or a provisional warrant.

3. Where a warrant has been issued in one part of Her Majesty's dominions for the apprehension of a fugitive from that part, any of the following authorities in another part of Her Majesty's dominions in or

on the way to which the fugitive is or is suspected to be (that is to say)—

- (1) a judge of a superior court in such part; and
- (2) in the United Kingdom, a Secretary of State and one of the magistrates of the metropolitan police court in Bow Street; and
- (3) in a British possession, the governor of that possession,

if satisfied that the warrant was issued by some person having lawful authority to issue the same, may endorse such warrant in manner provided by this Act, and the warrant so endorsed shall be a sufficient authority to apprehend the fugitive in the part of Her Majesty's dominions in which it is endorsed, and bring him before a magistrate.

4. A magistrate of any part of Her Majesty's dominions may issue a provisional warrant for the apprehension of a fugitive, who is or is suspected of being in or on his way to that part on such information, and under such circumstances as would in his opinion justify the issue of a warrant if the offence of which the fugitive is accused had been committed within his jurisdiction, and such warrant may be backed and executed accordingly.

A magistrate issuing a provisional warrant shall forthwith send a report of the issue, together with the information or a certified copy thereof, if he is in the United Kingdom, to a Secretary of State, and, if he is in a British possession, to the governor of that possession, and the Secretary of State or governor may, if he think fit, discharge the person apprehended under such warrant.

5. A fugitive when apprehended shall be brought before a magistrate, who (subject to the provisions of this Act) shall hear the case in the same manner and have the same jurisdiction and powers, as near as may be (including the power to remand and admit to bail), as if the fugitive were charged with an offence committed within his jurisdiction.

If the endorsed warrant for the apprehension of the fugitive is duly authenticated, and such evidence is produced as (subject to the provisions of this Act), according to the law ordinarily administered by the magistrate, raises a strong or probable presumption that the fugitive committed the offence mentioned in the warrant, and that the offence is one to which this part of this Act applies, the magistrate shall commit the fugitive to prison to await his return, and shall forthwith send a certificate of the committal and such report of the case as he may think fit if in the United Kingdom, to a Secretary of State, and, if in a British possession, to the governor of that possession.

Where the magistrate commits the fugitive to prison, he shall inform the fugitive that he will not be surrendered until after the expiration of fifteen days, and that he has a right to apply for a writ of *habeas corpus*, or other like process.

A fugitive apprehended on a provisional warrant may be from time to time remanded for such reasonable time, not exceeding seven days at any one time, as under the circumstances seems requisite for the production of an endorsed warrant.

6. Upon the expiration of fifteen days after a fugitive has been committed to prison to await his return, or if a writ of *habeas corpus* or other like process is issued with reference to such fugitive by a superior court, after the final decision of the court in the case,—

- (1) if the fugitive is so committed in the United Kingdom, a Secretary of State; and
- (2) if the fugitive is so committed in a British possession, the governor of that possession, may, if he thinks it just, by warrant under his hand order that fugitive to be returned to the part of Her Majesty's dominions from which he is a fugitive, and for that purpose to be delivered into the custody of the persons to whom the warrant is addressed, or some one or more of them, and to be held in custody, and conveyed by sea or otherwise to the said part of Her Majesty's dominions, to be dealt with there in due course of law as if he had been there apprehended, and such warrant shall be forthwith executed according to the tenor thereof.

The governor or other chief officer of any prison, on request of any person having the custody of a fugitive under any such warrant, and on payment or tender of a reasonable amount for expenses, shall receive such fugitive and detain him for such reasonable time as may be requested by the said person for the purpose of the proper execution of the warrant.

7. If a fugitive who, in pursuance of this part of this Act, has been committed to prison in any part of Her Majesty's dominions to await his return, is not conveyed out of that part within one month after such committal, a superior court, upon application by or on behalf of the fugitive, and upon proof that reasonable notice of the intention to make such application has been given, if the said part is the United Kingdom, to a Secretary of State, and, if the said part is a British possession, to the governor of the possession, may, unless sufficient cause is shown to the contrary, order the fugitive to be discharged out of custody.

8. Where a person accused of an offence and returned in pursuance of this part of this Act to any part of Her Majesty's dominions, either for the said offence within six months after his arrival in that part, or is acquitted of the said offence, then, if that part is the United Kingdom, a Secretary of State, and, if that part is a British possession, the governor of that possession, may, if he think fit, on the request of such person, cause him to be sent back free of cost, and with as little delay as possible, to the part of Her Majesty's dominions in or on his way to which he was apprehended.

9. This part of this Act shall apply to the following offences, namely, to treason and piracy and to every offence, whether called felony, misdemeanor, crime, or by any other name which is for the time being punishable in the part of Her Majesty's dominions in which it was committed, either on indictment or information, by imprisonment with hard labour for a term of twelve months or more or by any greater punishment; and for the purposes of this section, rigorous imprisonment, and any confinement in a prison combined with labour, by whatever name it is called, shall be deemed to be imprisonment with hard labour.

This part of this Act shall apply to an offence notwithstanding that by the law of the part of Her Majesty's dominions in or on his way to which the fugitive is or is suspected of being it is not an offence or not an offence to which this part of this Act applies; and all the provision of this part of this Act, including those relating to a provisional warrant and to a committal to prison, shall be construed as if the offence were in such last-mentioned part of Her Majesty's dominions an offence to which this part of this Act applies.

10. Where it is made to appear to a superior court that by reason of the trivial nature of the case, or by reason of the application for the return of a fugitive not being made in good faith in the interests of justice or otherwise, it would, having regard to the distance, to the facilities for communication, and to all the circumstances of the case, be unjust or oppressive or too severe a punishment to return the fugitive either at all or until the expiration of a certain period, such court may discharge the fugitive, either absolutely or on bail, or order that he shall not be returned until after the expiration of the period named in the order, or may make such other order in the premises as to the court seems just.

11. In Ireland the Lord Lieutenant or Lords Justices or other chief governor or governors of Ireland, also the chief secretary of such Lord Lieutenant, may, as well as a Secretary of State, execute any portion of the powers by this part of this Act vested in a Secretary of State.

PART II.

INTER-COLONIAL BACKING OF WARRANTS AND OFFENCES.

Application of part of Act.

12. This part of this Act shall apply only to those groups of British possessions to which, by reason of their contiguity or otherwise, it may seem expedient to Her Majesty to apply the same.

It shall be lawful for Her Majesty from time to time, by Order in Council, to direct that this part of this Act shall apply to the group of British

possessions mentioned in the Order, and by the same or any subsequent Order to except certain offences from the application of this part of the Act, and to limit the application of this part of this Act by such conditions, exceptions, and qualifications as may be deemed expedient.

Backing of Warrants.

13. Where in a British possession of a group

Backing in one British possession of warrant issued in another of same group.

to which this part of this Act applies a warrant has been issued for the apprehension of a

person accused of an offence punishable by law in that possession, and such person is or is suspected of being in or on the way to another British possession of the same group, a magistrate in the last-mentioned possession, if satisfied that the warrant was issued by a person having lawful authority to issue the same, may endorse such warrant in manner provided by this Act, and the warrant so endorsed shall be a sufficient authority to apprehend, within the jurisdiction of the endorsing magistrate, the person named in the warrant, and bring him before the endorsing magistrate or some other magistrate in the same British possession.

14. The magistrate before whom a person so

Return of prisoner apprehended under backed warrant.

apprehended is brought, if he is satisfied that the warrant is duly authenticated as directed by

this Act and was issued by a person having lawful authority to issue the same, and is satisfied on oath that the prisoner is the person named or otherwise described in the warrant, may order such prisoner to be returned to the British possession in which the warrant was issued, and for that purpose to be delivered into the custody of the persons to whom the warrant is addressed, or any one or more of them, and to be held in custody and conveyed by sea or otherwise into the British possession in which the warrant was issued, there to be dealt with according to law as if he had been there apprehended. Such order for return may be made by warrant under the hand of the magistrate making it, and may be executed according to the tenor thereof.

A magistrate shall, so far as is requisite for

A.D. 1881.

the exercise of the powers of this section, have the same power, including the power to remand and admit to bail a prisoner, as he has in the case of a person apprehended under a warrant issued by him.

15. Where a person required to give evidence

Backing in one British possession of summons, &c., of witness issued in another possession of same group.

on behalf of the prosecutor or defendant on a charge for an offence punishable by law in a British possession of a

group to which this part of this Act applies is or is suspected of being in or on his way to any other British possession of the same group, a judge, magistrate, or other officer who would have lawful authority to issue a summons, requiring the attendance of such witness, if the witness were within his jurisdiction, may issue a summons for the attendance of such witness, and a magistrate

in any other British possession of the same group, if satisfied that the summons was issued by some judge, magistrate, or officer having lawful authority as aforesaid, may endorse the summons with his name; and the witness, on service in that possession of the summons so endorsed, and on payment or tender of a reasonable amount for his expenses, shall obey the summons, and in default shall be liable to be tried and punished either in the possession in which he is served or in the possession in which the summons was issued, and shall be liable to the punishment imposed by the law of the possession in which he is tried for the failure of a witness to obey such a summons. The expression "summons" in this section includes any subpoena or other process for requiring the attendance of a witness.

16. A magistrate in a British possession of a

Provisional warrant in group of British possessions.

group to which this part of this Act applies, before the endorsement in

pursuance of this part of this Act of a warrant for the apprehension of any person, may issue a provisional warrant for the apprehension of that person, on such information and under such circumstances as would in his opinion justify the issue of a warrant if the offence of which such person is accused were an offence punishable by the law of the said possession and had been committed within his jurisdiction, and such warrant may be backed and executed accordingly: provided that a person arrested under such provisional shall warrant be discharged unless the original warrant is produced and endorsed within such reasonable time as may under the circumstances seem requisite.

17. If a prisoner in a British possession whose

Discharge of prisoner not returned within one month to British possession of same group.

return is authorized in pursuance of this part of this Act is not conveyed out of that possession within one month after

the date of the warrant ordering his return, a magistrate or a superior court, upon application by or on behalf of the prisoner, and upon proof that reasonable notice of the intention to make such application has been given to the person holding the warrant, and to the chief officer of the police of such possession or of the province or town where the prisoner is in custody, may, unless sufficient cause is shown to the contrary, order such prisoner to be discharged out of custody.

Any order of refusal to make an order of discharge by a magistrate under this section shall be subject to appeal to a superior court.

18. Where a prisoner accused of an offence

Sending back of prisoner not prosecuted or acquitted to British possession of same group.

is returned in pursuance of this part of this Act to a British possession, and either is not prosecuted for the said offence

within six months after his arrival in that possession or is acquitted of the said offence, the governor of that possession, if he thinks fit, may, on the requisition of such person, cause him to be sent back free of cost, and with as little delay as possible, to the British possession in or on his way to which he was apprehended.

19. Where the return of a prisoner is sought

or ordered under this part of this Act, and it is made to appear to a magistrate or to a superior court that by reason of the trivial nature of the case, or by reason of the application for the return of such prisoner not being made in good faith in the interests of justice or otherwise, it would, having regard to the distance, to the facilities of communication, and to all the circumstances of the case, be unjust or oppressive, or too severe a punishment, to return the prisoner either at all or until the expiration of a certain period, the court or magistrate may discharge the prisoner either absolutely or on bail, or order that he shall not be returned until after the expiration of the period named in the order, or may make such other order in the premises as to the magistrate or court seems just.

Any order or refusal to make an order of discharge by a magistrate under this section shall be subject to an appeal to a superior court.

PART III.

Trial, &c., of Offences.

20. Where two British possessions adjoin,

a person accused of an offence committed on or within the distance of five hundred yards from the common boundary of such possessions may be apprehended, tried, and punished in either of such possessions.

21. Where an offence is committed on any

person or in respect of any property in or upon any carriage, cart or vehicle whatsoever employed in a journey, or on board any vessel whatsoever employed in a navigable river, lake, canal, or inland navigation, the person accused of such offence may be tried in any British possession through a part of which such carriage, cart, vehicle, or vessel passed in the course of the journey or voyage during which the offence was committed; and where the side, bank, centre, or other part of the road, river, lake, canal, or inland navigation along which the carriage, cart, vehicle, or vessel passed in the course of such journey or voyage is the boundary of any British possession, a person may be tried for such offence in any British possession of which it is the boundary:

Provided that nothing in this section shall authorize the trial for such offence of a person who is not a British subject, where it is not shown that the offence was committed in a British possession.

22. A person accused of the offence (under

whatever name it is known) of swearing or making any false deposition, or of giving or fabricating any false evidence, for the purposes of this Act, may be tried either in the part of Her Majesty's dominions in which such deposition or evidence is used, or in the part in which the same was shown, made, given, or fabricated, as the justice of the case may require.

23. Where any part of this Act provides for

the place of trial of a person accused of an offence, that offence shall for all purposes of and incidental to the apprehension, trial, and punishment of such person, and of and incidental to any proceedings and matters preliminary, incidental to, or consequential thereon, and of and incidental to the jurisdiction of any court, constable or officer with reference to such offence, and to any person accused of such offence, be deemed to have been committed in any place in which the person accused of the offence can be tried for it; and such person may be punished in accordance with the Courts (Colonial) Jurisdiction Act, 1874.

24. Where a warrant for the apprehension of

a person accused of an offence has been endorsed in pursuance of any part of this Act in any part of Her Majesty's dominions, or where any part of the Act provides for the place of trial of a person accused of an offence, every court and magistrate of the part in which the warrant is endorsed or the person accused of the offence can be tried shall have the same power of issuing a warrant to search for any property alleged to be stolen or to be otherwise unlawfully taken or obtained by such person, or otherwise to be the subject of such offence, as that court or magistrate would have if the property had been stolen or otherwise unlawfully taken or obtained, or the offence had been committed wholly within the jurisdiction of such court or magistrate.

25. Where a person is in legal custody in a

British possession either in pursuance of this Act or otherwise, and such person is required to be removed in custody to another place in or belonging to the same British possession, such person, if removed by sea in a vessel belonging to Her Majesty or any of Her Majesty's subjects, shall be deemed to continue in legal custody, until he reaches the place to which he is required to be removed; and the provisions of this Act with respect to the retaking of a prisoner who has escaped, and with respect to the trial and punishment of a person guilty of the offence of escaping or attempting to escape, or aiding or attempting to aid a prisoner to escape, shall apply to the case of a prisoner escaping while being lawfully removed as aforesaid, in like manner as if he were being removed in pursuance of a warrant endorsed in pursuance of this Act.

PART IV.

SUPPLEMENTAL

Warrants and Escape.

26. An endorsement of a warrant in pursuance of this Act shall be

signed by the authority endorsing the same, and shall authorize all or any of the persons named in the endorsement, and of the persons to whom the warrant was originally directed, and also every constable, to execute the warrant within the part of Her

Majesty's dominions or place within which such endorsement is by this Act made a sufficient authority, by apprehending the person named in it, and bringing him before some magistrate in the said part or place, whether the magistrate named in the endorsement or some other.

For the purposes of this Act, every warrant, summons, subpoena, and process, and every endorsement made in pursuance of this Act thereon, shall remain in force, notwithstanding that the person signing the warrant or such endorsement dies or ceases to hold office.

27. Where a fugitive or prisoner is authorized to be returned to any part of Her Majesty's dominions in pursuance of Part One or Part Two of this Act, such fugitive or prisoner may be sent thither in any ship belonging to Her Majesty or to any of her subjects.

For the purpose aforesaid, the authority signing the warrant for the return may order the master of any ship belonging to any subject of Her Majesty bound to the said part of Her Majesty's dominions to receive and afford a passage and subsistence during the voyage to such fugitive or prisoner, and to the person having him in custody, and to the witness, so that such master be not required to receive more than one fugitive or prisoner for every hundred tons of his ship's registered tonnage, or more than one witness for every fifty tons of such tonnage.

The said authority shall endorse or cause to be endorsed upon the agreement of the ship such particulars with respect to any fugitive prisoner or witness sent in her as the Board of Trade from time to time require.

Every such master shall, on his ship's arrival in the said part of Her Majesty's dominions, cause such fugitive or prisoner, if he is not in the custody of any person, to be given into the custody of some constable, there to be dealt with according to law.

Every master who fails on payment or tender of a reasonable amount for expenses to comply with an order made in pursuance of this section, or to cause a fugitive or prisoner committed to his charge to be given into custody as required by this section, shall be liable on summary conviction to a fine not exceeding fifty pounds, which may be recovered in any part of Her Majesty's dominions in like manner as a penalty of the same amount under the Merchant Shipping Act, 17 and 18 Vic., c. 104, 1854, and the Acts amending the same.

28. If a prisoner escape, by breach of prison or otherwise, out of the custody of a person acting under a warrant issued or endorsed in pursuance of this Act, he may be retaken in the same manner as a person accused of a crime against the law of that part of Her Majesty's dominions to which he escapes may be retaken upon an escape.

A person guilty of the offence of escaping or of attempting to escape, or of aiding or attempting to aid a prisoner to escape, by breach of

prison or otherwise, from custody under any warrant issued or endorsed in pursuance of this Act, may be tried in any of the following parts of Her Majesty's dominions, namely, the part to which and the part from which the prisoner is being removed, and the part in which the prisoner escapes, and the part in which the offender is found.

Evidence.

29. A magistrate may take depositions for the purposes of this Act in the absence of a person accused of an offence in like manner as he might take the same if such person were present and accused of the offence before him.

Depositions (whether taken in the absence of the fugitive or otherwise) and copies thereof, and official certificates of or judicial documents stating facts, may, if duly authenticated, be received in evidence in proceedings under this Act:

Provided that nothing in this Act shall authorize the reception of any such depositions, copies, certificates, or documents in evidence against a person upon his trial for an offence.

Warrants and depositions, and copies thereof, and official certificates of or judicial documents stating facts, shall be deemed duly authenticated for the purposes of this Act if they are authenticated in manner provided for the time being by law, or if they purport to be signed by or authenticated by the signature of a judge, magistrate, or officer of the part of her Majesty's dominions in which the same are issued, taken, or made, and are authenticated either by the oath of some witness, or by being sealed with the official seal of a Secretary of State, or with the public seal of a British possession, or with the official seal of a governor of a British possession, or of a colonial secretary, or of some secretary or minister administering a department of the government of a British possession.

And all courts and magistrates shall take judicial notice of every such seal as is in this section mentioned, and shall admit in evidence without further proof the documents authenticated by it.

Miscellaneous.

30. The jurisdiction under Part One of this Act to hear a case and commit a fugitive to prison to await his return shall be exercised,—

- (1) In England, by a chief magistrate of the metropolitan police courts or one of the other magistrates of the metropolitan police court at Bow Street; and
- (2) In Scotland, by the sheriff or sheriff substitute of the county of Edinburgh; and
- (3) In Ireland by one of the police magistrates of the Dublin metropolitan police district; and
- (4) In a British possession, by any judge, justice of the peace, or other officer having the like jurisdiction as one of the magistrates of the metropolitan police court in Bow Street, or by such other court, judge, or

magistrate as may be from time to time provided by an Act or Ordinance passed by the legislature of that possession.

If a fugitive is apprehended and brought before a magistrate who has no power to exercise the jurisdiction under this Act in respect of that fugitive, that magistrate shall order the fugitive to be brought before some magistrate having that jurisdiction, and such order shall be obeyed.

31. It shall be lawful for Her Majesty in

Power as to making and Council from time to time to make Orders for revocation of Orders in time to make Orders for Council. the purposes of this Act, and to revoke and vary any Order so made, and every Order so made shall, while it is in force, have the same effect as if it were enacted in this Act.

An Order in Council made for the purposes of this Act shall be laid before Parliament as soon as may be after it is made if Parliament is then in session, or, if not, as soon as may be after the commencement of the then next sessions of Parliament.

Power of legislature of British possession to pass laws for carrying into effect this Act. **32.** If the legislature of a British possession pass any Act or Ordinance—

- (1) For defining the offences committed in that possession to which this Act or any part thereof is to apply; or
- (2) For determining the court, judge, magistrate, officer or person by whom and the manner in which any jurisdiction or power under this Act is to be exercised; or
- (3) For payment of the costs incurred in returning a fugitive or a prisoner, or in sending him back if not prosecuted or if acquitted, or otherwise in the execution of this Act; or
- (4) In any manner for the carrying of this Act or any part thereof into effect in that possession,

it shall be lawful for Her Majesty by Order in Council to direct, if it seems to Her Majesty in Council necessary or proper for carrying into effect the objects of this Act, that such Act or Ordinance, or any part thereof, shall, with or without modification or alteration, be recognized and given effect to throughout Her Majesty's dominions and on the high seas as if it were part of this Act.

Application of Act.

33. Where a person accused of an offence can,

Application of Act to offences at sea or triable in several parts of Her Majesty's dominions. by reason of the nature of the offence, or of the place in which it was committed, or otherwise, be, under this Act or otherwise, tried for or in respect of the offence in more than one part of Her Majesty's dominions, a warrant for the apprehension of such person may be issued in any part of Her Majesty's dominions in which he can, if he happens to be there, be tried; and each part of this Act shall apply as if the offence had

been committed in the part of Her Majesty's dominions where such warrant is issued, and such person may be apprehended and returned in pursuance of this Act, notwithstanding that in the place in which he is apprehended a court has jurisdiction to try him:

Provided that if such person is apprehended in the United Kingdom, a Secretary of State, and, if he is apprehended in a British possession, the governor of such possession, may, if satisfied that, having regard to the place where the witnesses for the prosecution and for the defence are to be found, and to all the circumstances of the case, it would be conducive to the interests of justice so to do, order such person to be tried in the part of Her Majesty's dominions in which he is apprehended, and in such case any warrant previously issued for his return shall not be executed.

34. Where a person convicted by a court in

Application of Act to any part of Her Majesty's dominions of an offence committed either in Her Majesty's dominions or elsewhere is unlawfully at large before the expiration of his sentence, each part of this Act shall apply to such person so far as is consistent with the tenor thereof, in like manner as it applies to a person accused of the like offence committed in the part of Her Majesty's dominions in which such person was convicted.

35. Where a person accused of an offence is

Application of Act to removal of person triable in more than one part of Her Majesty's dominions. in custody in some part of Her Majesty's dominions, and the offence is one for or in respect of which by reason of the nature thereof or of the place in which it was committed or otherwise, a person may under this Act or otherwise be tried in some other part of Her Majesty's dominions, in such case a superior court, and also, if such person is in the United Kingdom, a Secretary of State, and, if he is in a British possession, the governor of that possession, if satisfied that, having regard to the place where the witnesses for the prosecution and for the defence are to be found, and to all the circumstances of the case it would be conducive to the interests of justice so to do, may by warrant direct the removal of such offender to some other part of Her Majesty's dominions in which he can be tried, and the offender may be returned, and, if not prosecuted or acquitted, sent back free of cost in like manner as if he were a fugitive returned in pursuance of Part One of this Act, and the warrant were a warrant for the return of such fugitive, and the provisions of this Act shall apply accordingly.

36. It shall be lawful for Her Majesty from

Application of Act to foreign jurisdiction. time to time by Order in Council to direct that this Act shall apply as if, subject to the conditions, exceptions, and qualifications (if any) contained in the Order, any place out of Her Majesty's dominions in which Her Majesty has jurisdiction, and which is named in the Order, were a British possession, and to provide for carrying into effect such application.

37. This Act shall extend to the Channel Islands and Isle of Man as if they were part of England and of the United Kingdom and the United Kingdom and those islands shall be deemed for the purpose of this Act to be one part of Her Majesty's dominions; and a warrant endorsed in pursuance of Part One of this Act may be executed in every place in the United Kingdom and the said islands accordingly.

38. This Act shall apply where an offence is committed before the commencement of this Act, or, in the case of Part Two of this Act, before the application of that part to a British possession or to the offence, in like manner as if such offence had been committed after such commencement or application.

Definitions and Repeal.

Definition of terms.
"Secretary of State": the context otherwise requires,—
"British possession":

The expression "Secretary of State" means one of Her Majesty's Principal Secretaries of State:

The expression "British possession" means any part of Her Majesty's dominions, exclusive of the United Kingdom, the Channel Islands, and Isle of Man; all territories and places within Her Majesty's dominions which are under one legislature shall be deemed to be one British possession and one part of Her Majesty's dominions:

The expression "legislature," where there are local legislatures as well as a central legislature, means the central legislature only:

The expression "governor" means any person or persons administering the government of a British possession, and includes the governor and lieutenant-governor of any part of India:

The expression "constable" means out of England, any policeman or officer having the like powers and duties as a constable in England:

The expression "magistrate" means, except in Scotland, any justice of the peace, and in Scotland means a sheriff or sheriff substitute, and in the Channel Islands, Isle of Man, and a British possession means any person having authority to issue a warrant for the apprehension of persons accused of offences and to commit such persons for trial:

The expression "offence punishable on indictment" means, as regards India, an offence punishable on a charge or otherwise:

The expression "oath" includes affirmation or declaration in the case of persons allowed by

law to affirm or declare instead of swearing, and the expression "swear" and other words relating to an oath or swearing shall be construed accordingly:

The expression "deposition" includes any affidavit, affirmation, or statement made upon oath as above defined:

"Superior court." The expression "superior court" means:

- (1) In England, Her Majesty's Court of Appeal and High Court of Justice; and
- (2) In Scotland, the High Court of Justiciary; and
- (3) In Ireland, Her Majesty's Court of Appeal and Her Majesty's High Court of Justice at Dublin; and
- (4) In a British possession, any court having in that possession the like criminal jurisdiction to that which is vested in the High Court of Justice in England, or such court or judge as may be determined by any Act or Ordinance of that possession.

40. This Act shall come into operation on the first day of January one thousand eight hundred and eighty-two, which date is in this Act referred to as the commencement of this Act.

41. The Act specified in the schedule to this Act is hereby repealed as from the commencement of this Act:

Provided that this repeal shall not affect—

- (a) Any warrant duly endorsed or issued, nor anything duly done or suffered before the commencement of this Act; nor
- (b) Any obligation or liability incurred under an enactment hereby repealed; nor
- (c) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; nor
- (d) Any legal proceeding or remedy in respect of any such warrant, obligation, liability, penalty, forfeiture, or punishment as aforesaid; and any such warrant may be endorsed and executed, and any such legal proceeding and remedy may be carried on, as if this Act had not passed.

Schedule.

| Year and Chapter. | Title. |
|--------------------|--|
| 6 & 7 Vic., c. 34. | An Act for the better apprehension of certain offenders. |

(Signed) A. P. MACDONNELL,
Offg. Secretary to the Government of India.

No. 4805.—In exercise of the powers conferred by Section 55 of the Deccan Agriculturists' Relief Act, XVII. of 1879, and in modification of Government Notifications in the Judicial Department, No. 6710A, published at pages 871 to 899 of the *Bombay Government Gazette* of the 2nd of November 1882, and No. 3970, published at pages 771 and 772 of the *Bombay Government Gazette* of 18th June 1885, His Excellency the Right Honourable the Governor in Council is pleased to direct that on and from the 1st of October 1886 the Village Registration Circle of Rájewádi in the Mán Táluka in the district of Sátára shall be amalgamated with that of Márdi in the same táluka and district.

The new circle thus constituted shall be known by the name of Márdi-Rajewadi and shall be in charge of one Village Registrar, who shall hold his office at Márdi and Rájewádi respectively on such days in each month as shall from time to time be prescribed by the Registrar of the district.

—

Bombay Castle, 25th August 1886.

No. 4926.—It is hereby notified for the information of officers employed in the Police Department that the next examination under the rules prescribed in Government Notifications dated the 30th June 1873 and No. 6969, dated the 7th November 1882, will be held at the Council Hall, Poona, on Monday the 11th October 1886, at 11 A.M. (Madras time). Officers intending to present themselves for examination should send in their names to the Secretary to the Examination Committee before the 20th September 1886.

*By order of His Excellency the Right
Honourable the Governor in Council,*

W. WEDDERBURN,

Acting Chief Secretary to Government.

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MARINE DEPARTMENT.

Bombay Castle, 11th August 1886.

Notice to Mariners.

No. 62.—The following Notification by the Government of Bengal, dated 1st June 1886, is republished for general information:—

“NOTIFICATION.

The 1st June 1886.

The following Notice to Mariners is published for general information.

(Signed) R. H. WILSON,

Offg. Secy. to the Government of Bengal.

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GOVERNMENT OF BENGAL, MUNICIPAL
(MARINE) DEPARTMENT.

Notice to Mariners.

(No. 32).

INDIA, SOUTH COAST.

TRAVANCORE TERRITORY.

CADIAPATAM, OR MUTTUM POINTS.

Reported correct position of the Crocodile Rock.

The officer in charge of the Marine Survey of India has reported that the Crocodile Rock, lying off Cadiapatam, or Muttum Point, and about 16 miles west of Cape Comorin (on which the British barque 'Natal' struck on the 14th March 1886 on her passage from Point de Galle to Cochiu), lies about half a mile S.W. by S. of the position formerly assigned to it. From the rock the Cadiapatam or Muttum light-house bears N. 39° E., distant 3.6 miles.

Note.—Mariners should navigate this part of the coast with extreme caution.

The bearings are magnetic.

By direction of the Government of Bengal,
(Signed) ARTHUR W. STIFFE, Captain, I. M.,
Port Officer of Calcutta.

*Port Office, Calcutta,
the 26th May 1886.*

—

Bombay Castle, 25th August 1886.

Notice to Mariners.

No. 63.—The following Notice to Mariners by the Port Officer, Cochin, is republished for general information:—

“The Narrakel anchoring buoy has been replaced six cables length S.E. of its old position in 18 feet low water spring tides.

The following are the bearings from its present position:—

Narrakel flagstaff east $\frac{1}{2}$ N.

Cochin Lighthouse S.E. by S.

Cruz Milagre gap S.E.

Bearings magnetic.

Care should be taken in approaching the Roadstead from the southward, not to mistake the *Areen* wreck buoy for the anchoring buoy, which is larger and painted *red*.

Note.—The great mud flat forming the smooth anchorage at Narrakel has shifted considerably to the southward and ships may now anchor immediately to the westward and south-westward of the buoy, where the smoothest water now prevails.”

*By order of His Excellency the Right
Honourable the Governor in Council,*

M. W. WILLOUGHBY, Brigadier-General,

Secretary to Government.

REVENUE DEPARTMENT.

Bombay Castle, 11th August 1886.

No. 5749.—A Revised Survey Settlement having been introduced under the provisions of Bombay Act No. V. of 1879 into the below-mentioned one hundred and sixty villages belonging to the Shevgaon Taluka of the Ahmednagar Collectorate, it is hereby notified for general information that in exercise of the powers conferred by Section 102 of Bombay Act No. V. of 1879 His Excellency the Governor in Council has been pleased to declare the assessments imposed under the said Settlement fixed for a period of thirty years, commencing with the Revenue year 1884-85 and ending with the Revenue year 1913-14:—

Government Villages.

| | |
|-----------------------|-------------------------|
| 1 A'dgaon. | 70 Khadka. |
| 2 A'dhodi. | 71 Khámgaon. |
| 3 A'gar Nándur. | 72 Khám Pimpri. |
| 4 A'gáskhánd. | 73 Kharvandi. |
| 5 A'kegaon-ti-tarpha. | 74 Kherda. |
| 6 A'kola. | 75 Khirdi. |
| 7 A'minpur. | 76 Khuntophal. |
| 8 A'mrápúr. | 77 Kolgaon Fakir. |
| 9 A'tarvélí Budruk. | 78 Kolsángvi. |
| 10 Do. Khurd. | 79 Kopra. |
| 11 Do. do. Nevása. | 80 Koradgaon. |
| 12 A'ntra. | 81 Kurudgaon. |
| 13 A'pegaon. | 82 Látkephal. |
| 14 A'vrangpur. | 83 Lolegaon. |
| 15 Bálam Tákli. | 84 Madhi. |
| 16 Bandávangaon. | 85 Madka. |
| 17 Bachánpur. | 86 Málgaon. |
| 18 Bát-gavhán. | 87 Málgaon-Nevása. |
| 19 Belgao. | 88 Do. Shevgaon. |
| 20 Bhábi Nimbgaon. | 89 Máli Báuhulgaon. |
| 21 Bhágvat-Erandgaon. | 90 Malkápur. |
| 22 Bhorda. | 91 Mándva. |
| 23 Bodka. | 92 Mangrú Budruk. |
| 24 Bráhmangaon. | 93 Do. Khurd. |
| 25 Buteh Tákli. | 94 Mánikdaundi. |
| 26 Chápadgaon. | 95 Mohoj Budruk Nevása. |
| 27 Chede Chándgaon. | 96 Do. do. Shevgaon. |
| 28 Chitli Nime Juni. | 97 Do. Khurd. |
| 29 Do. do. Navi. | 98 Mohori. |
| 30 Dádegon. | 99 Mohote. |
| 31 Dahigaon. | 100 Morgavhán. |
| 32 Dahiphal. | 101 Mungi. |
| 33 Devlána. | 102 Murni. |
| 34 Devrái. | 103 Mursatpur. |
| 35 Dhámangaon. | 104 Nágavádi. |
| 36 Dhas Erandgaon. | 105 Nándur-Nim-daitya. |
| 37 Dhor Chándgaon. | 106 Nihali. |
| 38 Dhor Hingui. | 107 Nimbári. |
| 39 Dhor Jalgaon. | 108 Nimbodi. |
| 40 Dhorsada. | 109 Nipáni Jalgaon. |
| 41 Dongar A'kegaon. | 110 Nivdunga. |
| 42 Dule Chándgaon. | 111 Pádli. |
| 43 Garudvádi. | 112 Pángori Pimpalgaon. |
| 44 Gevri. | 113 Párevádi. |
| 45 Ghát S'iras. | 114 Páthardi. |
| 46 Ghotan. | 115 Pimpalgavhán. |
| 47 Golegaon. | 116 Pingevádi. |
| 48 Golehgaon. | 117 Prabhu Pimpri. |
| 49 Hámant Tákli. | 118 Do. Vádgaon. |
| 50 Hasnápúr. | 119 Rákshi. |
| 51 Hátral. | 120 Ránegaon. |
| 52 Hingangaon. | 121 Rávtala. |
| 53 Do. Nevása. | 122 Saidápúr. |
| 54 Hingni. | 123 Sálvadgaon. |
| 55 Jámbli. | 124 Sámangaon. |
| 56 Javkheda. | 125 Samsudi Erandgaon. |
| 57 Jirevádi. | 126 Sávgi Budruk. |
| 58 Johárvádi. | 127 Sárpe. |
| 59 Johorápúr. | 128 Sátvad. |
| 60 Kalas Pimpri. | 129 Sháhápúr. |
| 61 Kálgaon. | 130 Shekta Nevása. |
| 62 Kampur. | 131 Shekta Budruk. |
| 63 Kámat S'ingva. | 132 Do. Khurd. |
| 64 Kárehgaon Khurd. | 133 Shevgaon. |
| 65 Karjat Budruk. | 134 Singori. |
| 66 Do. Khurd. | 135 Sirápúr. |
| 67 Karodi. | 136 Sontán Budruk. |
| 68 Kaudgaon. | 137 Do. Nalavda. |
| 69 Kelvandi. | 138 Sone Sávgi. |

139 Sonosi.
140 Sonvilhir.
141 Sukli.
142 Sale Pimplegaon.
143 Sultánpur Budruk.
144 Do. Khurd.
145 Tápnápúr.
146 Tákur Nimgaon.
147 Do. Pimpalgaon.
148 Talni.
149 Tháta.

150 Tisgaon.
151 Tondoli.
152 Tribhuvanvádi.
153 Vádgaon.
154 Vadula Budruk.
155 Do. Khurd.
156 Vágholi.
157 Váksari.
158 Vátunj.
159 Varur Khurd.
160 Yeli.

No. 5750.—A Revised Survey Settlement having been introduced under the provisions of Bombay Act No. V. of 1879 into the below-mentioned villages belonging to the Chikodi Taluka of the Belgaum Collectorate, it is hereby notified for general information that in exercise of the powers conferred by Section 102 of Bombay Act No. V. of 1879 His Excellency the Governor in Council has been pleased to declare the assessments imposed under the said Settlement fixed for a period of thirty years commencing with the Revenue year 1886-87 and ending with the Revenue year 1915-16:—

| | |
|--------------------|-----------------------|
| 1 Benadi. | 63 Yergatti. |
| 2 Kongnoli. | 64 Hidkal. |
| 3 Adi. | 65 Hunur. |
| 4 Savadalgé. | 66 Hanchinal. |
| 5 Hanchinal. | 67 Malholi. |
| 6 Galatgé. | 68 Yernal. |
| 7 Lakhanapur. | 69 Hosur. |
| 8 Jetrát. | 70 Mángaon. |
| 9 Budihál. | 71 Hospet. |
| 10 Hunárgi. | 72 Jinral. |
| 11 Kodni. | 73 Mástiholi. |
| 12 Sidnal. | 74 Gudanhatti. |
| 13 Kurli. | 75 Madmakandál. |
| 14 Akol. | 76 Rakshi. |
| 15 Padlihal. | 77 Shirgaon. |
| 16 Sádalgé. | 78 Boniwad. |
| 17 Káradgé. | 79 Hukeri. |
| 18 Bávád. | 80 Shirgupi. |
| 19 Mángur. | 81 Biranholi. |
| 20 Bargaon. | 82 Bugté Alur. |
| 21 Jenvád. | 83 Gotur. |
| 22 Akiwát. | 84 Gawnal. |
| 23 Takli. | 85 Nad-Hatarki. |
| 24 Bhoj. | 86 Thane Hatarki. |
| 25 Kusnál. | 87 Chikálgud. |
| 26 Rájápur. | 88 Yemkanmardi. |
| 27 Nipáni. | 89 Rústampur. |
| 28 Bhiwasi. | 90 Bagarnál. |
| 29 Mángnur. | 91 Gumcinmardi. |
| 30 Solápúr. | 92 Yellapur. |
| 31 Konankeri. | 93 Banibagi. |
| 32 Nagnur. | 94 Alur. |
| 33 Gondikuppi. | 95 Chilibhavi. |
| 34 Kanagli. | 96 Mávánur. |
| 35 Hitni. | 97 Hati A'lur. |
| 36 Hárágápúr. | 98 Mangáwati. |
| 37 Bád. | 99 Alur. |
| 38 Karajgi. | 100 Chikodi. |
| 39 Rasing Khurd. | 101 Chinchni. |
| 40 Shendur Budruk. | 102 Hiré kodi. |
| 41 Hadalgi. | 103 Khajigowdanhatti. |
| 42 Shekin Hosur. | 104 Tarenhálli. |
| 43 Bhairapur. | 105 Wadrál. |
| 44 Houihálli. | 106 Majalhatti. |
| 45 Hadnál. | 107 Jainápúr. |
| 46 Matiwád. | 108 Hatarwát. |
| 47 Sulgaon. | 109 Bidarhálli. |
| 48 Bhatnagnur. | 110 Mugli. |
| 49 Gawhau. | 111 Handigud. |
| 50 Nainglaj. | 112 Ingli. |
| 51 Yernal. | 113 Ghodgeri. |
| 52 Yeksambé. | 114 Nandigud kyatar. |
| 53 Gornál. | 115 Nágur. |
| 54 Jábápur. | 116 Mangutti. |
| 55 Akiwát. | 117 Akalgud kyatar. |
| 56 Borgal. | 118 Kotbagi. |
| 57 Kesti. | 119 Nognihál. |
| 58 Majti. | 120 Jángtihál. |
| 59 Sidlihal. | 121 Gudas. |
| 60 Wád Sidlihal. | 122 Sultánpur. |
| 61 Majji. | 123 Kungatoli. |
| 62 Rámankatti. | 124 Shelápúr. |

| | |
|----------------------|------------------|
| 125 Benéhalli. | 141 Mamdapur. |
| 126 Belambi. | 142 Jágnur. |
| 127 Nagnúr. | 143 Bágevádi. |
| 128 Sirdhán. | 144 Itná. |
| 129 Kharosi. | 145 Ka'hatti. |
| 130 Rangadhóli. | 146 Vijánagar. |
| 131 Hanchinal. | 147 Nipnal. |
| 132 Donwád. | 148 Bekerí. |
| 133 Sirhatti Budruk. | 149 Modgé. |
| 134 Sirhatti Khurd. | 150 Belaaki. |
| 135 Pet Daddi. | 151 Atihál. |
| 136 Aldál. | 152 Salámwadi. |
| 137 Ramanwadi. | 153 Khavanéwadi. |
| 138 Kerur. | 154 Kot. |
| 139 Kabur. | 155 Shetihóli. |
| 140 Jodkurli. | 156 Dhondgatti. |

157 Bidréwádi.

No. 57504.—A Revised Survey Settlement having been introduced under the provisions of Bombay Act No. V. of 1879 into the below-mentioned villages belonging to the Gokák Táluka of the Belgaum Collectorate, it is hereby notified for general information that in exercise of the powers conferred by Section 102 of Bombay Act No. V. of 1879 His Excellency the Governor in Council has been pleased to declare the assessments imposed under the said settlement fixed for a period of twenty-eight years commencing with the Revenue year 1886-87 and ending with the Revenue year 1913-14:—

| | |
|-----------------------|--------------------|
| 1 Ankalgi. | 8 Gowdál Kundargi. |
| 2 Ak Tangerhal. | 9 Kundargi. |
| 3 Madwál. | 10 Gadihóli. |
| 4 Suldhál. | 11 Shigihóli. |
| 5 Arbhavi-Dáwalhatti. | 12 Godchinmalki. |
| 6 Dásanhatti. | 13 Benchinmardi. |
| 7 Musalmari. | 14 Rájenkatti. |

Bombay Castle, 23rd August 1886.

No. 6017.—Under the provisions of Section 26 of the Indian Forest Act, No. VII. of 1878, the Governor in Council is pleased, with the previous sanction of the Governor General in Council, to direct that from the 10th September 1886 the land specified in the following schedule shall

Bombay Castle, 24th August 1886.

No. 6036.—Whereas it appears to the Governor of Bombay in Council that land is required to be taken by Government at the expense of the Bijápúr Municipality for a public purpose, viz., for the construction of roads in the new Bázár site, in Mahál Bágáyét, táluka Bijápúr, zilla Bijápúr; it is hereby declared that for the above purpose land as shown in the following schedule is required in the aforesaid town of Bijápúr:—

Schedule referred to above.

| Survey No. | Government or alienated. | Name of the Holder or Occupant. | Area. | Assessment. | Amount of Quit-rent. | |
|------------|--------------------------|---|-------|-------------|----------------------|---|
| | | | A. g. | Rs. a. p. | Rs. a. p. | |
| 100 | Personal Inám... | Ábdul Rahimán Bared, Wahiwáddár Husenbi kom Usaf Sáheb. | 3 0 | 0 4 0 | 0 1 0 | The land is triangular in shape and is bounded on all three sides by Government waste land. |

This declaration is made, under the provisions of Section 6, Act X. of 1870, to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

cease to be Reserved Forest in the Pen Táluka of the Kolába District:—

Schedule referred to above.

| Name of Village. | Survey No. | Area. |
|------------------|------------|----------|
| | | A. g. a. |
| Karambeli ... | 64 (Part) | 0 23 14 |

No. 6024.—It is hereby notified that the next Departmental Examination of Junior Civil Servants, Cantonment Magistrates, and others will be held at the Council Hall, Poona, on Monday the 11th October 1886, at 11 A.M. (Madras time). Officers desiring to be examined according to the Lower or Higher Standard, or in the Extra Judicial Paper, should send the necessary intimation to the Secretary to the Central Committee for Departmental Examination before the 20th proximo.

No. 6026.—With reference to Nos. 2 and 9 of the rules contained in Government Notification in the Revenue Department dated 7th August 1874, the attention of those Assistant Collectors of Salt Revenue who may be liable to undergo the examination prescribed by that Notification, and of other officers who may have obtained the permission of the Collector of Salt Revenue to appear for the examination, is invited to Government Notification No. 6024, dated 23rd instant, intimating that the next Departmental Examination of Junior Civilians, &c., will take place at the Council Hall, Poona, on Monday the 11th October 1886, at 11 A.M. (Madras time). Officers desiring to be examined should communicate their wishes to the Secretary to the Central Committee for Departmental Examination before the 20th proximo.

No. 6037.—Whereas it appears to the Governor of Bombay in Council that land is required to be taken by Government at the public expense for a public purpose, viz., for the feeder road from Nagar-Málegaon Road to the Vámori Railway Station, in the village of Dhámori Budrukh, táluca Ráhuri, zilla Ahmednagar; it is hereby declared that for the above purpose the piece of land specified in the following schedule is required within the aforesaid village of Dhámori Budrukh:—

Schedule referred to above.

| No. | Name of Occupant. | Survey No. | Area of Land required. | Assessment of Land required. | Boundaries. | | | |
|-----|---------------------|------------|------------------------|------------------------------|-------------------------------|---|----------------|----------------|
| | | | | | North. | South. | East. | West. |
| | | | A. g. | Rs. a. p. | | | | |
| 1 | Anáji Pándurang ... | 57 | 1 17 | 1 10 1 | Boundary of Khádámbe Budrukh. | The remaining portion of Survey No. 57. | Survey No. 58. | Survey No. 37. |

This declaration is made, under the provisions of Section 6, Act X. of 1870, to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

No. 6042.—It is hereby notified that the next Departmental Examination of Forest Officers will be held at the Council Hall, Poona, on Monday the 11th October 1886, at 11 A.M. (Madras time). Forest Officers who desire to be examined should send the necessary intimation to the Secretary to the Central Committee for Departmental Examination before the 20th proximo.

Bombay Castle, 25th August 1886.

No. 6078.—Under the provisions of Section 26 of the Indian Forest Act, No. VII. of 1878, the Governor in Council is pleased, with the previous sanction of the Governor General in Council, to direct that from 10th September 1886 the lands specified in the following schedule shall cease to be Reserved Forests in the Mán Táluca of the Sátára District:—

Schedule referred to above.

| Name of Village. | Survey No. | Area. |
|------------------|------------|-------|
| | | A. g. |
| Shirowli ... | 45 | 25 8 |
| Sambukhed ... | 53 | 18 30 |
| | 54 | 22 38 |
| | 55 | 16 32 |
| | 61 | 15 34 |
| | 62 | 19 34 |
| | 63 | 17 27 |
| | 64 | 13 8 |
| | 65 | 19 34 |
| | 66 | 17 20 |
| | 68 | 16 22 |

| Name of Village. | Survey No. | Area. |
|-------------------------|------------|--------|
| | | A. g. |
| Sambukhed—continued ... | 69 | 13 37 |
| | 70 | 17 17 |
| | 71 | 14 16 |
| | 72 | 19 7 |
| | 73 | 12 0 |
| | 75 | 18 2 |
| | 76 | 27 17 |
| | 77 | 25 20 |
| | 78 | 19 25 |
| | 79 | 19 16 |
| | 80 | 16 30 |
| | 81 | 21 19 |
| | 82 | 21 38 |
| | 83 | 14 11 |
| | 84 | 16 33 |
| | 85 | 26 30 |
| | 86 | 11 11 |
| | 87 | 20 3 |
| | 88 | 11 24 |
| | 89 | 21 8 |
| | 90 | 24 14 |
| | 91 | 23 7 |
| | 92 | 21 14 |
| | 93 | 24 26 |
| | 94 | 23 15 |
| | 95 | 15 11 |
| | 96 | 19 7 |
| | 97 | 20 26 |
| | 98 | 23 12 |
| | 100 | 31 20 |
| | 101 | 36 4 |
| | 102 | 25 10 |
| | 107 | 11 39 |
| | 108 | 21 23 |
| | 109 | 18 23 |
| Total ... | | 913 22 |

By order of His Excellency the Right Honourable the Governor in Council,

T. D. MACKENZIE,
Acting Secretary to Government.

FINANCIAL DEPARTMENT.

Bombay Castle, 25th August 1886.

No. 2580.—The following Notifications by the Government of India are republished:—

“DEPARTMENT OF FINANCE AND COMMERCE.
CODES.*Simla, the 17th August 1886.*

No. 2563.

CIVIL LEAVE CODE.

PAGE 175.

Section 79.

Rule 2.

Insert the following 'Note' under this Rule :

‘NOTE.—An application for furlough without medical certificate from a Covenanted Medical Officer subject to civil rules, serving in the Bengal Presidency or Burma, or directly under the Government of India, should be forwarded by the Local Government to the Surgeon-General with the Government of India for countersignature and return to the Local Government.’

The 20th August 1886.

No. 2643.

CIVIL PENSION CODE.

PAGE 62.

Section 115.

Proviso.

*Insert the following as an Exception under the Proviso :**Exception.*—The rule in this proviso does not apply in the case of the following officers, if their age on entering the service did not exceed 28 years :

- (1) Assistant Surgeons in the Bengal Presidency, who had taken a University degree, or had passed the First Arts Examination before commencing the study of Medicine;
- (2) Assistant Surgeons in the Bombay Presidency, who had passed the Previous Examination in Arts before taking the Medical degree; and
- (3) Assistant Surgeons in the Madras Presidency who had passed the First Arts Examination before entering on the course for the degree of Licentiate in Medicine and Surgery, and those who had gone through the course for the degree of Bachelor of Medicine before entering the service.

PAGE 63.

Section 115.

Rule 2.

Add.

The orders in the footnote on page 62 do not apply also to the Officers described in the Exception to the Proviso, who may be appointed, if not more than 28 years of age.

(Signed) D. BARBOUR,
Secretary to the Government of India.”*By order of His Excellency the Right Honourable the Governor in Council,*T. D. MACKENZIE,
Acting Secretary to Government.

GENERAL ORDERS

By the Right Honourable the Governor in Council.

MILITARY DEPARTMENT.

Bombay Castle, 25th August 1886.

No. 399.—Lieutenant James Pennell Hill, 2nd Battalion East Yorkshire Regiment, is appointed a Probationer for the Bombay Staff Corps, with effect from 4th August 1886.

No. 400.—The undermentioned officers transferred from the Bengal Medical Staff are brought on the strength of the British Troops in the Bombay Command, with effect from the dates of their arrival in this Presidency, as shown against their names:—

Surgeon-Major T. M. O'Brien,—9th August 1886.

Surgeon R. W. Ford,—10th August 1886.

Surgeon G. W. Brazier Creagh,—5th August 1886.

Surgeon A. F. Russell, M.B.,—29th July 1886.

Surgeon F. W. C. Jones, M.B.,—10th August 1886.

*By order of His Excellency the Right Honourable the Governor in Council,*M. W. WILLOUGHBY, Brigadier-General,
Secretary to Government.

ECCLESIASTICAL DEPARTMENT.

Bombay Castle, 25th August 1886.

No. 31.—The Venerable Archdeacon F. L. Sharpin, M.A., is granted special leave for six months on very urgent private affairs, under Section 114 (a) Rule I. and Section 118 of the Civil Leave Code, with effect from the 1st October 1886.

*By order of His Excellency the Right Honourable the Governor in Council,*M. W. WILLOUGHBY,
Secretary to Government.

CIVIL APPOINTMENTS, &c.

POLITICAL DEPARTMENT.

Bombay Castle, 24th August 1886.

No. 4938.—Captains J. W. Wray and W. B. Ferris respectively delivered over and received charge of the office of Joint Administrator of the Sāngli State on the 11th instant, before office hours.

*By order of His Excellency the Right Honourable the Governor in Council,*W. WEDDERBURN,
Acting Chief Secretary to Government.

JUDICIAL DEPARTMENT.

Bombay Castle, 18th August 1886.

No. 4799.—Mr. Ganesh Shamraj, Názir of the Court of Small Causes, Poona, was, in addition to his own duties, in charge of the current duties of the Registrar of that Court from 21st May to 25th June 1886, both days inclusive.

Bombay Castle, 19th August 1886.

No. 4826.—Mr. Sakharam Mahadev Karandikar is appointed to act till further orders as Second Class Subordinate Judge at Pimpalgaon in the Násik District.

Bombay Castle, 21st August 1886.

No. 4870.—Khán Sáheb Dadabhai Nasarwanji Nanavati, Mámlatdár of Jalalpor in the district of Surat, is appointed to be a Magistrate of the Second Class in the district of Surat under Section 12 of Act X. of 1882, and is invested with the following additional powers specified in the fourth schedule to the said Act:—

Power to pass sentences of whipping (Section 32).

Power to make orders prohibiting repetitions of nuisances (Section 143).

Power to make orders under Section 144.

Power to hold inquests (Section 174).

Power to take cognizance of offences upon complaint and upon police reports (Section 191).

No. 4872.—Under Clause 3 of Section 32 of Act X. of 1882 A'zam Lakshman Narsinha, Avál Kárkún of Bhusával and Magistrate of the Second Class in the district of Khándesh, is empowered to pass sentences of whipping.

No 4874.—Aba bin Nana, Police Pátíl of the village of Yelgaon, táluka Karád in the Sátára District, having been convicted under Section 181 of the Indian Penal Code, and having been in consequence dismissed from office, is hereby declared ineligible for re-employment in the service of Government in any capacity.

Bombay Castle, 24th August 1886.

No. 4915.—A'zam Timaji Venkatesh Náik, L.C.E., Acting Head Kárkún of the Kárwár Táluka in the district of Kánara, is appointed to be a Magistrate of the Third Class in the district of Kánara under Section 12 of Act X. of 1882, and is invested with the following additional powers specified in the fourth schedule to the said Act:—

Power to make orders prohibiting repetitions of nuisances (Section 143).

Power to make orders under Section 144.

Power to hold inquests (Section 174).

Power to take cognizance of offences upon complaint and upon police reports (Section 191).

No. 4917.—A'zam Sakharam Amrit Palshikar, Acting Head Kárkún of táluka Bhusával in the district of Khándesh, is appointed to be a Magistrate of the Third Class in the district of Khándesh under Section 12 of Act X. of 1882, and is invest-

ed with the following additional powers specified in the fourth schedule to the said Act:—

Power to make orders prohibiting repetitions of nuisances (Section 143).

Power to make orders under Section 144.

Power to hold inquests (Section 174).

Power to take cognizance of offences upon complaint and upon police reports (Section 191).

Bombay Castle, 25th August 1886.

No. 4930.—Ráo Sáheb Madhawrao Narayan, Acting Mámlatdár of Mádha in the district of Sholápur, is appointed to be a Magistrate of the Second Class in the district of Sholápur under Section 12 of Act X. of 1882.

No. 4932.—The Right Honourable the Governor in Council is pleased to confer on A'zam Venkatrao Subrao, Acting Mahálkari of Bhatkal in the district of Kánara, the powers of a Mámlatdár under Bombay Act III. of 1876.

By order of His Excellency the Right Honourable the Governor in Council,

W. WEDDERBURN,

Acting Chief Secretary to Government.

EDUCATIONAL DEPARTMENT.

Bombay Castle, 20th August 1886.

No. 1321.—The following appointments are made during the absence of Mr. T. B. Kirkham, or until further orders:—

Ráo Sáheb Sitaram V. Patwardhan, B.A., to act in the Second Grade as Educational Inspector, Central Division.

Mr. Mahadeo Vishnu Kané, B.A., to act in the Fourth Grade as Educational Inspector, Southern Division, vice Mr. Patwardhan.

Mr. Damodar Ganesh Kelkar, M.A., to act as Head Master, Dhárwár High School, vice Mr. Kané.

Bombay Castle, 24th August 1886.

No. 1342.—Messrs. D. G. Kelkar, M.A., and E. H. Hoogwerf respectively delivered over and received charge of the Belgaum Sirdárs' High School on the 13th instant, after office hours.

By order of His Excellency the Right Honourable the Governor in Council,

W. WEDDERBURN,

Acting Chief Secretary to Government.

REVENUE DEPARTMENT.

Bombay Castle, 18th August 1886.

No. 5889.—Under Section 12 of Act III. of 1877 the following appointments were made in the Registration Department:—

Poona District.

Mr. Shripad Vináyak, sub. *pro tem.* Sub-Registrar of Indápur, from 1st January to 24th March 1886.

Mr. Shivrám Bálkrishna, Officiating Sub-Registrar of Mával, from 13th to 17th March 1886.

Mr. Raghunáth Mahádev, Officiating Sub-Registrar of Haveli, on 1st and 2nd May 1886.

Kaira District.

Mr. Kuberrám Anoprám, Officiating Sub-Registrar of Umreth, from 4th to 8th July 1886.

Dhárwár District.

Mr. A'páji Keshav, Officiating Sub-Registrar of Bankápur, from 13th to 19th July 1886.

Khándesh District.

Mr. Anandráo Pándurang, Officiating Sub-Registrar of Jalgaon, on 21st May 1886.

Mr. Sitárám Shridhar, Officiating Sub-Registrar of Chopda, from 2nd May to 9th June 1886.

Broach District.

Mr. Motirám Ganpatrá, Officiating Sub-Registrar of Vágra, from 13th to 18th May and from 24th to 27th June 1886.

Mr. Ganpatrá Kálidás, Officiating Sub-Registrar of Broach, on 12th and 13th May 1886.

Mr. Jagannáth Bálgovandas, Officiating Sub-Registrar of Anklesvar, on 15th June 1886.

Bombay Castle, 20th August 1886.

No. 5963.—His Excellency the Governor in Council is pleased to appoint Lieutenant-Colonel T. M. Ward to act as Superintendent, Sind Revenue Survey, during the absence on leave of Colonel J. W. M. Anderson, or till further orders.

No. 5978.—Under Section 12 of Act III. of 1877 the following appointment has been made in the Registration Department:—

Sadullah valad Mehan, Second Munshi, táluca Thul, to be Officiating Sub-Registrar of Thul.

Bombay Castle, 21st August 1886.

No. 5999.—Mr. H. W. Keys, Divisional Forest Officer, Panch Maháls, is allowed privilege leave of absence for one month from the 25th August 1886, or such subsequent date as he may avail himself thereof.

No. 6000.—His Excellency the Governor in Council is pleased to reappoint Mr. Ganesh Sakhárám Hingé to act as Sub-Assistant Conservator of Forests during the absence of Mr. Keys, or till further orders.

No. 6011.—His Excellency the Governor in Council is pleased to appoint Khán Bahádur Shápurji Ratanji to do duty as Huzúr Account Officer, Poona, and Khán Sáheb A'darji Nasarvánji to act as Huzúr Account Officer, Ahmedabad, during the absence of Ráo Bahádur Janárdan Ballál Bápat, or till further orders.

Bombay Castle, 23rd August 1886.

No. 6023.—His Excellency the Governor in Council is pleased to appoint Mr. W. Allen, C. S., to act as Collector and Magistrate of the District of Broach, District Registrar, Broach, and to be Member and President of the Local Board established for the Broach District during the absence of Mr. G. B. Reid, C. S., or till further orders, vice Mr. A. W. Crawley-Boevey, C. S., invalided.

Bombay Castle, 25th August 1886.

No. 6084.—Mr. W. H. Wallinger, Deputy Conservator of Forests, First Grade, has been allowed by Her Majesty's Secretary of State for India to return to duty within the period of his leave.

No. 6090.—Under Section 12 of Act III. of 1877 the following appointments were made in the Registration Department:—

Khándesh District.

Mr. Anandráo Pándurang, Officiating Sub-Registrar of Jalgaon, on 6th and 7th May 1886.

Mr. Shrikrishna Anandráo, Officiating Sub-Registrar of Páchora, from 11th to 17th May 1886.

Ratnágiri District.

Mr. Gopál Ráunchandra, Officiating Sub-Registrar of Rájápur, from 16th to 30th June 1886.

Mr. Ganesh Vithal, Officiating Sub-Registrar of Ratnágiri, from 28th June to 4th July 1886.

Sholápur District.

Mr. Krishnáji Dhonddev, Officiating Sub-Registrar of Mádhá, from 25th June to 4th July 1886.

Mr. Bhagwant Bháskar, Officiating Sub-Registrar of Pandharpur, from 30th June to 5th July 1886.

No. 6091.—Under Section 6 of Act III. of 1877 the following appointment is made in the Registration Department:—

Mr. Byránji Jehángir, Clerk to the Inspector of Registration and Stamps, First Division, to be probationary Second Grade Special Sub-Registrar of Jambusar.

No. 6092.—Under Section 12 of Act III. of 1877 the following appointments were made in the Registration Department:—

Násik District.

Mr. Vishvanáth Ganesh, Officiating Sub-Registrar of Chándor, from 13th to 23rd April and 16th to 18th June 1886.

Mr. A'tmárám Ráoji, Officiating Sub-Registrar of Niphád, from 13th to 23rd April 1886.

Mr. Pándurang Tukárám, Officiating Sub-Registrar of Málegaon, from 1st to 31st May 1886.

Mr. Purshotam Váman, Officiating Sub-Registrar of Kalvan, from 8th May to 8th June 1886.

Mr. Dáji Ballál, Officiating Sub-Registrar of Nándgaon, from 12th to 26th May 1886.

Mr. Mahádevráo A'báji, Officiating Sub-Registrar of Násik, from 17th to 22nd May 1886.

Thána District.

- Mr. Dvárkánáth Rájárám, Officiating Sub-Registrar of Sálsette, on 9th May 1886.
- Mr. Váman Vishnu, Officiating Sub-Registrar of Sálsette, from 10th May to 28th June 1886.
- Mr. A'báji Náráyan, Officiating Sub-Registrar of Murbád, from 8th to 19th May 1886.

Sholápur District.

- Mr. Báلكrishna Sádáshiva, Officiating Sub-Registrar of SÁNGOLA, from 24th to 30th June 1886.

Khándesh District.

- Mr. Rámchandra Báji, Officiating Sub-Registrar of Pimpalner, from 1st to 6th May 1886.
- Mr. Lakshman Narsinva, Officiating Sub-Registrar of Bhusával, from 16th to 22nd April 1886.

Kánara District.

- Mr. Rághvendra Subráo, Officiating Sub-Registrar of Yellápur, from 20th June to 1st July 1886.

Kolába District.

- Mr. Vásudev Báلكrishna, Officiating Sub-Registrar of Karanja, from 25th May to 23rd June 1886.

By order of His Excellency the Right Honourable the Governor in Council,
T. D. MACKENZIE,
 Acting Secretary to Government.

GENERAL DEPARTMENT.

Bombay Castle, 24th August 1886.

No. 3025.—Assistant Surgeon D. B. Valles, L.M., is allowed an extension for six months of the leave on medical certificate for nine months granted to him in Government Notifications No. 3857 dated 10th October 1885 and No. 422 dated 3rd February last.

By order of His Excellency the Right Honourable the Governor in Council,

T. D. MACKENZIE,
 Acting Secretary to Government.

PUBLIC WORKS DEPARTMENT.

Bombay Castle, 24th August 1886.

No. 60.—His Excellency the Governor in Council is pleased to make the following appointment:—

Colonel A. T. Mander, R. E., on return from privilege leave, to act as Superintending Engineer, Central Division.

By order of His Excellency the Right Honourable the Governor in Council,
W. W. GOODFELLOW, Major-General, R. E.,
 Secretary to Government.

(RAILWAY.)

Bombay Castle, 18th August 1886.

No. 22.—The following Notification by the Government of India in the Public Works Department is republished for information:—

"No. 209, dated 11th August 1886.

The Governor General in Council is pleased to order the following promotions of Executive and Assistant Engineers attached to State Railways, with effect from the dates specified:—

| Names. | From | To | With effect from | Nature of promotion. |
|---------------------|--------------------------------------|-------------------------------------|-------------------|----------------------------------|
| * * | * | * | * | * |
| Knox, H. C. ... | Executive Engineer, Fourth Grade. | Executive Engineer, Third Grade. | 20th May 1886 ... | Substantive <i>pro tempore</i> . |
| Anderson, G. A. ... | | | | |
| * * | * | * | * | " |

By order of His Excellency the Right Honourable the Governor Council,
H. F. HANCOCK, Major-General, R. E.,
 Joint Secretary to Government.

Miscellaneous Notifications, Appointments, &c.

BY HER MAJESTY'S HIGH COURT OF JUDICATURE.

APPELLATE SIDE.

The Honourable the Chief Justice and Judges are pleased to direct the addition of the following clause to Rule 12 of Chapter IV. of the High Court Rules:—

Where two or more persons make an identical application, it may be regarded as a single application.

C. SARGENT.
R. WEST.
J. SCOTT.
NANABHAI HARIDAS.
H. BIRDWOOD.
JOHN JARDINE.
C. F. FARRAN.

Bombay, 20th July 1886.

The Honourable the Chief Justice and Judge^s are pleased to direct that the following be substituted for Rule 46 of Chapter IV. of the High Court Rules:—

46.—When parties to Civil proceedings in the High Court reside in the districts of Kánara and Ratnágiri, or in the Mahád *táluka* of the Kolába Collectorate, the hearing will be postponed, during the monsoon, on the application of either party, unless good cause appear to the contrary.

C. SARGENT.
R. WEST.
J. SCOTT.
NANABHAI HARIDAS.
H. BIRDWOOD.
JOHN JARDINE.
C. F. FARRAN.

The Honourable the Chief Justice and Judges are pleased to direct that the following be substituted for Section 24 at pages 140 to 143 of the High Court Circulars:—

24.—RULES FOR THE EXAMINATION OF CANDIDATES FOR THE OFFICES OF SUBORDINATE JUDGE, OF PLEADER OF THE HIGH COURT, AND OF DISTRICT PLEADER.

The Honourable the Chief Justice and Judges of Her Majesty's High Court of Judicature are pleased, in supersession of all former orders on the subject, to lay down the following rules for the examination of candidates for the offices of Subordinate Judge, of Pleader of the High Court, and of District Pleader:—

Rules.

1. An examination of candidates for the offices of Subordinate Judge and Pleader of the High Court and of candidates for the office of District Pleader will be held annually in the month of February or March, or at such other convenient time as may be determined by the High Court, on a date of which due notice will be given in the *Government Gazette*. There will be two standards of proficiency, the examinations for which will be held simultaneously, but with different papers for each standard. Candidates for the offices of Subordinate Judge and Pleader of the High Court

must pass the examination according to the Higher Standard; candidates for the office of District Pleader must pass the examination according to the Lower Standard.

2. The examinations will be conducted by a Committee appointed by the Honourable the Chief Justice and Judges of Her Majesty's High Court. Each candidate desiring admission must submit, in writing, a separate application addressed to the Registrar of the High Court, Appellate Side.

3. Any subject of the Empress, desirous of qualifying himself for any of the above offices, is entitled to be examined at any such examination, provided he has not been prohibited from appearing by any former Committee, and provided he shall, on or before the first day of February preceding the examination, have transmitted to the Registrar with his application satisfactory certificates to the following effect:—

- (a) that he is a subject of the Empress, together with the place of his birth, and his exact age, which, at the date of the examination, must be more than twenty-two years,
- (b) that he can speak, read and write, with ease and correctness, one of the vernacular languages which are used in the District Courts of the Bombay Presidency, viz. Maráthi, Gujaráti and Kánarese, and also that he has passed the Matriculation Examination of the University of Bombay,
- (c) that he is of good moral character, dated not earlier than the 1st October immediately preceding the examination, and
- (d) a fee of Rs. 10, for which a receipt will be furnished by the Registrar. (The fee will be returned if the candidate's certificates are not considered satisfactory. If the candidate before the beginning of the examination satisfy the Registrar that he is unavoidably prevented by sufficient reasons from presenting himself for examination, the fee will be reserved, and will be available for the next examination.)

4. The certificates mentioned in para. 3 may be signed by a District Judge, by the First Judge of the Court of Small Causes at Bombay, by the Principal of a College or other Institution recognised by the University of Bombay, by a Professor of the Government Law School, by the chief Judicial, Executive, or Political Officer of the British Government in a district outside the limits of the Bombay Presidency or Native State, or by the Registrar of the High Court.

5. A candidate who has once been admitted to the examination under these or previous rules will, subject to the provisions of Rule 13, be allowed to appear again on production only of the certificate of good moral character required under Rule 3 (c), and on payment of the fee required by Rule 3 (d).

6. In cases in which the eligibility of a candidate in respect of age or character appears doubtful, such inquiries as may be necessary will be made by the Registrar for consideration and decision by the Honourable the Chief Justice and Judges.

7. The Registrar will publish, in the *Government Gazette*, under the orders of the Honourable the Chief Justice and Judges, at a reasonable time before the date fixed for the examination, a list of the candidates whose applications have been admitted.

8. The examination will be conducted in writing (and if necessary *viva voce* also) in the English language, want of proficiency in which, as shown in the candidate's answers, will be held to disqualify him.

9. In each Standard six papers will be set to the candidates, as follows: the maximum number of marks obtainable is shown opposite each subject:—

| | |
|---|-----|
| I.—Hindu and Mahomedan Law ... | 100 |
| II.—The Laws of Civil Procedure and Limitation | 100 |
| III.—The Law of Contracts and Torts... | 100 |
| IV.—The Law of Specific Relief, Transfer of Real Property, Mortgage and Trusts | 100 |
| V.—The Law of Evidence, Registration and Stamps. | 100 |
| VI.—Criminal and Police Laws ... | 100 |

10. In addition to the Acts and Regulations, and the Reports of the High Courts, the following Text-books are recommended, the examiners however not being in any way confined to these Text-books in setting their questions:—

Mayne on Hindu Law and Usage.
West and Buhler's Digest of Hindu Law.
Macnaghten's Principles and Precedents of Mahomedan Law.
Field on the Law of Evidence in British India.
Cunningham's Commentaries on the Indian Evidence Act.
Cunningham's Commentaries on the Indian Contract Act.
Collect on Torts.
Smith's Equity Jurisprudence or Snell's Principles of Equity.
Broome's Legal Maxims.

11. In order to pass the examination according to either Standard, the candidate must obtain at least 30 per cent. of the marks obtainable in each paper and 60 per cent. of the aggregate number of marks obtainable in all the papers.

12. A list of successful candidates, arranged in the order of merit, in the Higher and Lower Standards, respectively, will be published (in the *Government Gazette*) under the orders of the Honourable the Chief Justice and Judges.

13. If the Committee are of opinion that any candidate has come up for examination without due preparation, they may prohibit his appearing at the next examination.

14. Each candidate who has passed the examination according to the Higher Standard will, on application and on payment of the stamp duty prescribed by law, be admitted as a Pleader of the High Court. Each candidate, who has passed the examination according to either standard, will, on application and on payment of a fee of Rs. 5, receive a sanad authorizing him to practise in the Courts of such one District of the Bombay Presidency as the Honourable the Chief Justice and Judges may think fit.

15. Nothing in these rules shall interfere with any rule which has been or may be made for the admission of Graduates of the University to the office of Pleader, or shall prevent the appointment, as Subordinate Judge, of any person who has already held the office of Munsif, or has passed the examination for the office of Subordinate Judge or High Court Pleader under the rules of 13th August 1869, 19th December 1876, and 2nd October 1878.

16. The Honourable the Chief Justice and Judges may, in consideration of the particular merits of an applicant in the public service or other special reasons, dispense with any of the rules hereinbefore prescribed as to the qualifications for admission to the examination.

17. These rules will come into force on and after the 1st January 1887.

Bombay, 17th August 1886.

The District Judge of Ahmedabad granted Khán Sáheb Rastamji Mancharji Gimi, Subordinate Judge of Kapadvanj, leave on medical certificate for twenty days from the 24th June 1886.

Bombay, 20th August 1886.

C. E. G. CRAWFORD,
Registrar.

The Honourable the Chief Justice and Judges of Her Majesty's High Court of Judicature at Bombay have been pleased to issue to Mr. Hari Narayan Kirpekar a Sanad authorizing him to practise as a Pleader in the Courts of the Ahmednagar District, in lieu of one for the Khándesh District, which is hereby cancelled at his own request.

KRISHNAMUKHRAM ATMARAM MEHTA,
Acting Deputy Registrar.
Bombay, 19th August 1886.

BY THE ACCOUNTANT GENERAL.

CIRCULAR No. 16.

TREASURY ACCOUNT DEPARTMENT.

From—The ACCOUNTANT GENERAL, BOMBAY;

To—All COLLECTORS and TREASURY OFFICERS.

Dated Bombay, 20th August 1886.

I have the honour to communicate the following instructions in regard to the recovery of the Income Tax due by Government Pleaders on the amounts of fees drawn by them from the Government Treasuries and those received by the District Sub-Registrars as Registrars of Pársi marriages:—

1. Each Government Pleader receiving salary from Government should append to his monthly salary bill a memorandum showing the amount of fees drawn from the Treasury in the month for which the salary bill is preferred and should deduct Income Tax from his whole "salary" which according to the definition of the term in the Income Tax Act includes "fees."

2. Subordinate Government Pleaders do not receive any fixed salary from Government, but are paid fees in Government cases. The amount of their fees is generally small, but when the aggregate amount drawn in a month reaches the taxable limit, the Income Tax due on the whole amount of the fees drawn during the month should be recovered from the first bill presented after the limit has been reached and from all subsequent bills cashed in that month. To enable Treasury Officers to make these deductions a memorandum should be attached to each bill showing what fees have been drawn up to date in the month in which the bill is presented for payment.
3. The amounts of fees received by the District Sub-Registrars for the registration of marriages amongst Pársis (which they are allowed to retain without passing them through the public accounts) should be noted by them on their monthly pay bills, and tax due thereon included in the Income Tax deduction from their pay bill.

A. F. COX,

Officiating Accountant General.

CIRCULAR No. $\frac{R.}{17}$

RESOURCE DEPARTMENT.

From—The ACCOUNTANT GENERAL, BOMBAY;
To—All COLLECTORS AND TREASURY OFFICERS.

Dated Bombay, 25th August 1886.

With reference to the Comptroller General's Circular No. L—1, dated the 14th instant, relative to the New Loan of 120 Lakhs, I have the honor to request that you will receive deposits on account of tenders to that Loan up to such a date as will allow of the tenders reaching this office by the date appointed for opening them, viz., the 10th September 1886.

T. W. RAWLINS,

Accountant General.

BY THE COMMISSIONERS.

NORTHERN DIVISION.

Ráo Bahádur Marotirao Bhujangrao delivered over and Lieutenant-Colonel W. A. Salmon received charge of the office of the Political Superintendent, Pálanpur, on the 14th instant, in the afternoon.

Mr. C. A. B. Beatty, Assistant Superintendent of Police, Panch Maháls, is allowed privilege leave of absence for thirty days under Sections 133 and 74 of the Civil Leave Code from the 10th September next or, from such subsequent date during the month as he may avail himself of it.

Poona, 19th August 1886.

Ráo Bahádur Sitaram Damodar delivered over and Ráo Bahádur B. R. Heblíkar received charge of the office of the Forest Settlement and Demarcation Officer, Thána, on the 2nd instant, in the forenoon.

A'zam Kripashankar Bhagwan, Head Kárkún of táluca Sánand in the Ahmedabad District, acted as Mámálatdár of Sánand, in addition to his own duties, from the 31st January to 9th February 1885, pending the arrival of the permanent incumbent to assume charge.

Mr. P. H. Dastur delivered over and Mr. K. R. Bamanji received charge of the office of the District Deputy Collector and Magistrate, First Class, Kaira, on the 16th instant, in the afternoon, and the latter officer delivered over charge of the same office to Mr. Pranlal Harkisandas on the 17th idem, in the forenoon.

The following appointments are made, with effect from the 6th instant:—

Ráo Sáheb Keshavalal Kalidas to be substantive *pro tem*. Second Grade Mámálatdár, vice Ráo Bahádur Motilal Chunilal.

Ráo Sáheb Narayan Bhawanrao to be substantive *pro tem*. Third Grade Mámálatdár.

Ráo Sáheb Kripashankar Bhagwan to be Probationary substantive *pro tem*. Fourth Grade Mámálatdár.

Poona, 21st August 1886.

Mr. A. W. Crawley-Boevey delivered over and Mr. M. C. Gibb received charge of the office of the Collector and District Magistrate, Broach, on the 20th instant, in the afternoon.

A'zam Ramchandra Krishna, Head Kárkún of táluca Máhím, acted as Mámálatdár of Máhím in the Thána District, in addition to his own duties, from the 25th April to 4th August 1886, both days inclusive, during the absence of Ráo Sáheb Bhavanrao Vishnu and until the arrival of his successor.

Poona, 23rd August 1886.

Ráo Bahádur Sitaram Damodar delivered over and Ráo Bahádur Bhaskarrao Ramchandra received charge of the office of District Deputy Collector, Thána, in charge Bhiwandi and Wada Tálukas on the 2nd instant, in the forenoon.

Poona, 24th August 1886.

T. H. STEWART,

Acting Commissioner, N. D.

CENTRAL DIVISION.

Messrs H. R. Cooke and Rajaram Khanderao Vaidya respectively delivered over and received charge of the office of the Forest Settlement Officer, Sátára, on the 2nd instant, after office hours.

ARTHUR CRAWFORD,

Commissioner, C. D.

Poona, 17th August 1886.

BY THE COMMISSIONER OF CUSTOMS,
SALT, OPIUM AND ÁBKÁRI.

No. 4476.—Messrs. J. H. Dickinson and R. Thom respectively delivered over and received charge of the office of the Assistant Collector of

Salt Revenue in charge Rann Salt Works and Depôts in Gujârat on the 13th instant, after office hours.

J. G. MOORE,

Acting Commissioner of Customs,
Salt, Opium and A'kbâri.

Poona, 19th August 1886.

BY THE SANITARY COMMISSIONER.

No. 211.—Surgeons-Major J. F. Keith and G. Bainbridge respectively delivered over and received charge of the office of the Deputy Sanitary Commissioner, Sind Registration District, on 12th August 1886, before office hours.

No. 212.—Mr. Jethalal Ganpatram, Third Class Inspector of Sanitation and Vaccination, Panch Mahâls, is granted privilege leave from 9th August to 8th September 1886 inclusive, and First Grade Local Fund Vaccinator Harjivan Vishwanath is appointed to carry on the daftar duties of the absentee in addition to his own.

No. 213.—Vishwanath Vankaji, Third Grade Local Fund Vaccinator, Khândesh Zilla, was granted sick leave from 4th February to 28th March 1886 inclusive, and Krishnaji Bhattu bin Ramchandra was appointed to act for him.

No. 214.—Krishnaji Bhattu bin Ramchandra is appointed substantive *pro tem.* Third Grade Local Fund Vaccinator, Khândesh Zilla, with effect from the 29th March 1886, vice Vishwanath Vankaji, deceased.

No. 215.—Govind Pandurang acted as Candidate Vaccinator, Poona Zilla, from 18th to 31st March last inclusive.

No. 216.—Mohanji Sheoram, Third Grade Local Fund Vaccinator, Ahmedabad Zilla, is granted privilege leave from 16th August to 30th September 1886 inclusive, and Bhaishanker Keshaorâo is appointed to act for him.

No. 217.—The privilege leave granted to Mr. Lokumal Khanchand, Third Class Inspector of Sanitation and Vaccination, Hyderabad Zilla, in Notifications Nos. 183 and 206, dated 6th July and 4th August 1886 respectively, is extended to 10th August 1886 inclusive.

No. 218.—Shankar Khanderao, Acting Candidate Vaccinator, Southern Sâtâra, is appointed Candidate Vaccinator, Poona Zilla, with effect from 16th July 1886, vice Trimbak Daji appointed Third Grade Local Fund Vaccinator, Ahmednagar Zilla.

No. 219.—Yeshwant Ganesh, Third Grade Local Fund Vaccinator, Kolâba Zilla, was granted privilege leave from 10th July to 8th August 1886 inclusive, and Mahadev Anaji, Candidate Vaccinator, was appointed to act for him.

T. G. HEWLETT,

Deputy Surgeon-General,
Sanitary Commissioner.

Bombay, 25th August 1886.

BY THE SURVEY AND SETTLEMENT COMMISSIONER.

Mr. G. H. Hampton, Assistant Superintendent, Poona and Nâsik Survey, relinquished charge of his duties in that Survey on the 18th instant, in the afternoon, and proceeded on three months' privilege leave granted him by Government Resolution No. 5374, dated 28th July last, Revenue Department.

A. S. BULKLEY,

Acting Survey and Settlement Commissioner.

Poona, 24th August 1886.

BY THE SURGEON-GENERAL, HER MAJESTY'S FORCES IN BOMBAY.

No. 37.—The following transfers are ordered:—

| | <i>Apothecaries.</i> | <i>From</i> | <i>To</i> |
|--|---------------------------|---------------------------|---------------------------|
| * E. H. Cooke, No. 12, Senior. | Civil Medical Department. | General Duty, Sind. | Field Service Burmah. |
| Do. ... | ... | General Duty, Sind. | General Duty, Sind. |
| * A. H. Mullen, No. 22. | Civil Medical Department. | General Duty, Sind. | Field Service, Bombay. |
| Do. ... | ... | General Duty, Sind. | Field Service, Burmah. |
| * J. Mascarenhas, No. 65, Assistant. | Do. Poona. | General Duty, Mhow. | Station Hospital, Sâtâra. |
| * J. E. D. Rozario, No. 72, Assistant. | Do. Poona. | General Duty, Mhow. | General Duty, Sind. |
| * A. Rodrigues, No. 115, Assistant. | Civil Medical Department. | General Duty, Sind. | Field Service, Burmah. |
| Do. ... | ... | General Duty, Sind. | Field Service, Burmah. |
| <i>Hospital Assistants.</i> | | | |
| * M. Cardoz, No. 42, Senior. | 25th N. I. | Burmah. | General Duty, Poona. |
| * Lingu Bapuji, No. 138, First Grade. | Civil Medical Department. | General Duty, Presidency. | Do. Presidency. |
| Do. ... | ... | General Duty, Presidency. | Field Service, Burmah. |
| * Nagindass Manicklal, No. 284, Third Grade. | Field Service, Burmah. | General Duty, Burmah. | General Duty, Mhow. |
| * Rahmin Abraham, No. 348, Third Grade. | 3rd N. I. | ... | Field Service, Burmah. |
| * Luxminarayan Jaitalbhoy, No. 365, Third Grade. | Native Troops, Surat. | ... | Lock Hospital, Ahmedabad. |
| * Ghunsham Kwoley, No. 369, Third Grade. | General Duty, Mhow. | ... | Field Service, Burmah. |
| * Shewram Naidu, No. 370A, Third Grade. | Field Service, Burmah. | General Duty, Mhow. | General Duty, Mhow. |

No. 38.—The undermentioned are granted leave from the date of departure:—

Sub-Assistant Apothecary A. B. Cazalet, No. 152, forty-five days privilege.

Sub-Assistant Apothecary R. P. Barret, No. 159, thirty days privilege.

Second Grade Hospital Assistant Krishnarao Jauu, No. 139, sixty days on full pay.

Second Grade Hospital Assistant Mahadeo Bapuji, No. 215, thirty days on full pay.

Third Grade Hospital Assistant Shricrushna Chinnaji, No. 337, sixty days on full pay.

Third Grade Moortoozakhan, No. 372, thirty days on full pay.

* Travelling expeditiously by rail, road or steamer, as the case may be, at the public expense.

By order,

M. A. T. COLLIE, M.B., Surgeon,
Acting Secretary

Bombay, 25th August 1886.