



# Bombay Government Gazette.

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## NOTIFICATION.

Bombay Castle, 4th August 1831.

GENERAL DEPARTMENT.

The Right Hon'ble the Governor in Council having sanctioned the publication of a weekly paper to be styled the "BOMBAY GOVERNMENT GAZETTE," notice is hereby given, that after this day all advertisements and other public papers of the government, will be printed in the BOMBAY GOVERNMENT GAZETTE only; and all orders or other public notices, appearing in that paper, under the signature of the secretaries, or other public officers of the government, are hereby ordered and directed to be conformed to and obeyed accordingly. It is not intended that public intelligence, or private advertisements, and notifications should be inserted in the government gazette.

Bombay Castle, 18th January 1832.

When official notifications from the government are inscribed in the BOMBAY GOVERNMENT GAZETTE, no communication on the same subject will be made in writing to any department concerned; but all public officers are required to take notice of such official notifications in the same manner as if they had been directly communicated to them by letter from the secretary's office, and as heads of offices alone will be furnished by government with the BOMBAY GOVERNMENT GAZETTE, they will be expected to communicate to their subordinate officers all orders which may in any manner concern them.

The Bombay Government Gazettes furnished by government to public offices are to be lodged with the records, and are not to be removed from the office.

Published by order of the Right Hon'ble the Governor in Council.

JOHN BAX, Secy. to Govt.

## Legislative Department.

FORT WILLIAM.

THE 10TH JUNE, 1839.

The following Draft of a proposed Act was read in Council for the first time on the 10th of June, 1839.

ACT No.—OF 1839.

I. It is hereby enacted, 1 § 2 Geo. 4. Ch. 78. that from and after the first day of January, in the year of our Lord 1840, if any person shall accept a Bill of Exchange payable at any other place than at his own place of residence without further expression in his acceptance, such acceptance shall be deemed and taken to be to all intents and purposes a general acceptance. But if the acceptor shall in his acceptance, express that he accepts the Bill payable at such other place only, and not otherwise or elsewhere, such acceptance shall be deemed and taken to be to all intents and purposes, a qualified acceptance of such Bill, and the acceptor shall not be liable to pay such Bill except in default of payment when such payment shall have been duly demanded at such other place.

II. And it is hereby enacted, that after the day and year aforesaid no acceptance of any Bill of Exchange drawn within the Territories of the East India Company, shall be sufficient to charge any person unless such acceptance be in writing on such Bill, or if there be more than one part of such Bill on one of the said parts.

III. And it is hereby 6 § 7 W. 4. Ch. 58. enacted, that it shall not be necessary to present Bills of Exchange accepted supra protest for honor, or having a reference thereon in case of need to the acceptor or acceptors for honor, or to the referee or referees, until the day following the day on which such Bills of Exchange shall become due, and if the place of address on any such Bill of Exchange of such acceptor or acceptors for honor, or of such referee or referees

be other than where such Bill shall therein be made payable then it shall not be necessary to forward such Bill of Exchange for presentment for payment to such acceptor or acceptors for honor, or referee or referees, until the day following the day on which such Bill of Exchange shall become due.

IV. And it is hereby 2 § 3 W. 4, Ch. 98. enacted, that all Bills of Exchange wherein the drawer or drawers thereof shall have expressed that such Bills of Exchange are to be payable in any place other than the place by him or them therein mentioned to be the place of residence of the drawee or drawees thereof, and which shall not on the presentment thereof be accepted, shall or may be, without further presentment to the drawee or drawees protested for non-payment in the place in which such Bills of Exchange shall have been by the drawer or drawers expressed to be payable, unless the amount owing upon such Bills of Exchange shall have been paid to the holder or holders thereof on the day on which such Bill would have become payable had the same been duly accepted.

V. It is hereby enacted, 1 Vic. Ch. 80. that from and after the first day of January in the year of our Lord 1840, no Bill of Exchange or Promissory Note made payable at or within twelve months after the date thereof, or not having more than twelve months to run, shall by reason of any interest taken thereon or received thereby, or any agreement to pay or receive or allow interest in discounting, negotiating or transferring the same be void, nor shall the liability of any party to any Bill of Exchange or Promissory Note, be affected by reason of any Statute or Regulation in force for the prevention of usury. Nor shall any person or persons, or body corporate drawing, accepting, endorsing or signing any such Bill or Note be subject to any penalty under any Statute or Regulation relating to usury or any other penalty or forfeiture.



7 & 8 G. 4, Ch. 15. declared and enacted, that  
6 & 7 W. 4, Ch. 58. Good Friday and Christ-  
S. 2. mas Day, and every day of  
Fast or Thanks-giving appointed by Govern-  
ment, are and shall, for all purposes whatever  
as regards Bills of Exchange and Promissory  
Notes, be treated and considered as the Lord's  
Day commonly called Sunday.

VII. And it is hereby provided, that this  
Act shall not be construed to extend to affect  
Bills of Exchange or Promissory Notes, in any  
case which, but for the passing of this Act,  
would not be governed by the Law of England,  
or to extend or alter the jurisdiction of any of  
Her Majesty's Courts of Justice.

Ordered, that the Draft now read be publish-  
ed for general information.

Ordered, that the said Draft be re-considered  
at the first Meeting of the Legislative Council  
of India after the 10th day of September  
next.

J. P. GRANT,  
Offg. Secy. to the Govt. of India.

**Legislative Department.**

FORT WILLIAM,  
THE 10TH JUNE, 1839.

The following Draft of a proposed Act was  
read in Council for the first time on the 10th of  
June, 1839.

ACT No.—OF 1839.

I. It is hereby enacted,  
*Meaning of the* that the words and expres-  
*words in the Act.* sions hereinafter mention-  
ed, which in their ordinary  
signification have a more confined or a different  
meaning, shall in this Act, except where the  
nature of the provision or the context of the  
Act shall exclude such construction, be inter-  
preted as follows; that is to say, the word  
"Land" shall extend to Messuages, and all  
other Hereditaments, whether Corporeal or  
Incorporeal (except such as are not liable  
to Dower), and to any share thereof, and every  
word importing the singular number only shall  
extend and be applied to several persons or  
things as well as one person or thing.

II. And it is hereby  
*Widows to be en-* further enacted, that when  
*titled to Dower out* a Husband shall die, he-  
*of equitable Estates.* neficially entitled to any  
Land for an interest which  
shall not entitle his Widow to Dower out of  
the same at Law, and such interest, whether  
wholly equitable, or partly legal and partly  
equitable, shall be an Estate of inheritance in  
possession, or equal to an Estate of inheritance  
in possession, (other than an Estate in jointen-  
nancy,) then his Widow shall be entitled in  
Equity to Dower out of the same Land.

III. And it is hereby  
*Seisin shall not* further enacted, that when  
*be necessary to give* a Husband shall have been  
*title to Dower.* entitled to right of entry or  
action in any Land and his  
Widow would be entitled to Dower out of the  
same if he had recovered possession thereof,  
she shall be entitled to Dower out of the same  
although her Husband shall not have recovered  
possession thereof; provided that such Dower  
be sued for or obtained within the period dur-  
ing which such right of entry or action might  
be enforced,

IV. And it is hereby  
*No Dower out* further enacted, that no  
*of Estate disposed* Widow shall be entitled to  
*of.* Dower out of any Land  
which shall have been ab-  
solutely disposed of by her Husband in his life  
time, or by his Will.

V. And it is hereby  
*Priority to par-* further enacted, that all  
*tial Estate, Charg-* partial Estates and Inter-  
*es and specially* ests, and all charges created  
*Debts.* by any disposition or  
Will of a Husband, and all  
debts, incumbrances, contracts, and engagements  
to which his Land shall be subject or liable,  
shall be valid and effectual as against the right  
of his Widow to Dower.

VI. And it is hereby  
*Dower may be* further enacted, that a Wi-  
*barred by a De-* dow shall not be entitled to  
*claration in a Deed-* Dower out of any Land of  
her Husband when in the  
Deed by which such Land was conveyed to him,  
or by any Deed executed by him, it shall be  
declared that his Widow shall not be entitled  
to Dower out of such Land.

VII. And it is hereby  
*Or by a decla-* further enacted, that a  
*ration in the Hus-* Widow shall not be en-  
*band's Will.* titled to Dower out of any  
Land of which her Hus-  
band shall die wholly or partially intestate  
when by the Will of her Husband, duly exe-  
cuted for the devise of Freehold Estates, he  
shall declare his intention that she shall not be  
entitled to Dower out of such Land or out of any  
of his Land.

VIII. And it is here-  
*Dower shall be* by further enacted, that  
*subject to restric-* the right of a Widow to  
*tions.* Dower shall be subject to  
any conditions, restrictions,  
or directions which shall be declared by the Will  
of her Husband, duly executed as aforesaid.

IX. And it is hereby  
*Devise of real* further enacted, that where  
*Estate to the Wi-* a Husband shall devise any  
*dow shall bar her* Land out of which his Wi-  
*Dower.* dow would be entitled to  
Dower if the same were not  
so devised, or any Estate or Interest therein,  
to, or for the benefit of his Widow, such Wi-  
dow shall not be entitled to Dower out of,  
or in any Land of her said Husband, unless a  
contrary intention shall be declared by his Will.

X. And it is hereby  
*Bequest of Per-* further enacted, that no  
*sonal Estate to the* Gift or Bequest made by  
*Widow shall not* any Husband, to or for the  
*bar her Dower.* benefit of his Widow of or  
out of his Personal Estate,  
or of or out of any of his Land not liable to  
Dower shall defeat or prejudice her right to  
Dower, unless a contrary intention shall be  
declared by his Will.

XI. Provided always and  
*Agreement not* it is hereby further enact-  
*to be bar Dower* ed, that nothing in this  
*may be enforced.* Act contained shall pre-  
vent any Court of Equity  
from enforcing any covenant or agreement  
entered into, by, or on the part of any Husband  
not to bar the right of his Widow to Dower out  
of his Lands or any of them.



XII. And it is hereby further enacted, that nothing in this Act contained shall interfere with any rule of Equity, or of any Ecclesiastical Court by which Legacies bequeathed to Widows in satisfaction of Dower are entitled to priority over other Legacies.

XIII. And it is hereby further enacted, that no Widow shall hereafter be entitled to Dower ad ostium ecclesie or Dower ex assensu patris.

XIV. And it is hereby further enacted, that this Act shall not extend to the Dower of any Widow who shall have been or shall be married on or before the First day of One Thousand Eight Hundred and Thirty-nine, and shall not give to any Will, Deed, Contract, Engagement, or charge executed, entered into, or created, before the said First day of One Thousand Eight Hundred and Thirty-nine, the effect of defeating or prejudicing any right to Dower.

XV. And it is hereby provided, that this Act shall not be construed to affect any right of property in Land otherwise than by modifying the Law of Dower in cases governed by the English Law of Dower, or to extend or alter the jurisdiction of any of Her Majesty's Courts of Justice.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be re-considered at the first meeting of the Legislative Council of India, after the 10th day of September next.

J. P. GRANT,  
Offy. Secy. to the Govt. of India.

**Legislative Department.**  
FORT WILLIAM,

THE 10TH JUNE, 1839.

The following Draft of a proposed Act was read in Council for the first time on the 10th June, 1839.

ACT NO. --- OF 1839.

I. It is hereby enacted, that the words and expressions hereinafter mentioned, which in their ordinary signification have a more confined or a different meaning, shall in this Act, except where the nature of the provision or the context of the Act shall exclude such construction, be interpreted as follows: (that is to say,) the word,

*Meaning of words in the Act.*

"Land," shall extend to Messuages, and all other Hereditaments, whether Corporeal or Incorporeal, and whether Freehold, or of any other Tenure, and to Money to be laid out in the purchase of Land, and to Chattels and other personal property transmissible to Heirs, and also to any share of the same Hereditaments and Properties or any of them, and to any Estate of Inheritance or Estate for any Life or Lives, or other Estate transmissible to Heirs and to any Possibility, Right, or Title of Entry or Action, and any other Interest capable of being inherited, and whether the same Estates, Possibilities, Rights, Titles, and Interests or any of them, shall be in possession, reversion, remainder, or contingency, and the

words "the Purchaser" shall mean the person who last acquired the Land otherwise than by descent, or than by any escheat, partition, or enclosure, by the effect of which the Land shall have become part of or descendible in the same manner as other Land acquired by descent, and the word "descent" shall mean the title to inherit Land by reason of consanguinity, as well where the Heir shall be an Ancestor or Collateral relation, as where he shall be a child or other issue; and the expression "descendants" of any Ancestor shall extend to all persons who must trace their descent through such Ancestor, and the expression "the person last entitled to Land" shall extend to the last person who had a right thereto whether he did or did not obtain the possession or the receipt of the Rents and Profits thereof, and the word "assurance" shall mean any Deed or Instrument (other than a Will) by which any Land shall be conveyed or transferred at Law or in Equity, and every word importing the singular number only, shall extend and be applied to several persons or things as well as one person or thing, and every word importing the masculine gender only, shall extend and be applied to a female as well as a male.

"The purchaser." shall mean the person who last acquired the Land otherwise than by descent, or than by any escheat, partition, or enclosure, by the effect of which the Land shall have become part of or descendible in the same manner as other Land acquired by descent, and the word "descent" shall mean the title to inherit Land by reason of consanguinity, as well where the Heir shall be an Ancestor or Collateral relation, as where he shall be a child or other issue; and the expression "descendants" of any Ancestor shall extend to all persons who must trace their descent through such Ancestor, and the expression "the person last entitled to Land" shall extend to the last person who had a right thereto whether he did or did not obtain the possession or the receipt of the Rents and Profits thereof, and the word "assurance" shall mean any Deed or Instrument (other than a Will) by which any Land shall be conveyed or transferred at Law or in Equity, and every word importing the singular number only, shall extend and be applied to several persons or things as well as one person or thing, and every word importing the masculine gender only, shall extend and be applied to a female as well as a male.

"Descent." shall mean the title to inherit Land by reason of consanguinity, as well where the Heir shall be an Ancestor or Collateral relation, as where he shall be a child or other issue; and the expression "descendants" of any Ancestor shall extend to all persons who must trace their descent through such Ancestor, and the expression "the person last entitled to Land" shall extend to the last person who had a right thereto whether he did or did not obtain the possession or the receipt of the Rents and Profits thereof, and the word "assurance" shall mean any Deed or Instrument (other than a Will) by which any Land shall be conveyed or transferred at Law or in Equity, and every word importing the singular number only, shall extend and be applied to several persons or things as well as one person or thing, and every word importing the masculine gender only, shall extend and be applied to a female as well as a male.

"Descendants" shall mean the title to inherit Land by reason of consanguinity, as well where the Heir shall be an Ancestor or Collateral relation, as where he shall be a child or other issue; and the expression "descendants" of any Ancestor shall extend to all persons who must trace their descent through such Ancestor, and the expression "the person last entitled to Land" shall extend to the last person who had a right thereto whether he did or did not obtain the possession or the receipt of the Rents and Profits thereof, and the word "assurance" shall mean any Deed or Instrument (other than a Will) by which any Land shall be conveyed or transferred at Law or in Equity, and every word importing the singular number only, shall extend and be applied to several persons or things as well as one person or thing, and every word importing the masculine gender only, shall extend and be applied to a female as well as a male.

"Person last entitled." shall mean the title to inherit Land by reason of consanguinity, as well where the Heir shall be an Ancestor or Collateral relation, as where he shall be a child or other issue; and the expression "descendants" of any Ancestor shall extend to all persons who must trace their descent through such Ancestor, and the expression "the person last entitled to Land" shall extend to the last person who had a right thereto whether he did or did not obtain the possession or the receipt of the Rents and Profits thereof, and the word "assurance" shall mean any Deed or Instrument (other than a Will) by which any Land shall be conveyed or transferred at Law or in Equity, and every word importing the singular number only, shall extend and be applied to several persons or things as well as one person or thing, and every word importing the masculine gender only, shall extend and be applied to a female as well as a male.

"Assurance." shall mean any Deed or Instrument (other than a Will) by which any Land shall be conveyed or transferred at Law or in Equity, and every word importing the singular number only, shall extend and be applied to several persons or things as well as one person or thing, and every word importing the masculine gender only, shall extend and be applied to a female as well as a male.

II. And it is hereby further enacted, that in every case descent shall be traced from the Purchaser, and to the intent, that the pedigree may never be carried further back than the circumstances of the case and the nature of the title shall require, the person last entitled to the Land shall, for the purposes of this Act, be considered to have been the Purchaser thereof, unless it shall be proved, that he inherited the same, in which case the person from whom he inherited the same shall be considered to have been the Purchaser, unless it shall be proved that he inherited the same, and in like manner the last person from whom the Land shall be proved to have been inherited shall in every case be considered to have been the Purchaser, unless it shall be proved that he inherited the same.

III. And it is hereby further enacted, that when any Land shall have been devised by any Testator who shall die after the day of one thousand eight hundred and thirty-nine, to the Heir or to the person who shall be the Heir of such Testator such Heir shall be considered to have acquired the Land as a Devisee and not by descent, and when any Land shall have been limited, by any assurance executed after the said day of one thousand eight hundred and thirty-nine, to the Person or the Heirs of the Person who shall thereby have conveyed the same Land, such Person shall be considered to have acquired the same as a Purchaser by virtue of such assurance,

Heir entitled under a Will shall take as Devisee, and a limitation to the Granter or his Heirs shall create an Estate by Purchase. shall die after the day of one thousand eight hundred and thirty-nine, to the Heir or to the person who shall be the Heir of such Testator such Heir shall be considered to have acquired the Land as a Devisee and not by descent, and when any Land shall have been limited, by any assurance executed after the said day of one thousand eight hundred and thirty-nine, to the Person or the Heirs of the Person who shall thereby have conveyed the same Land, such Person shall be considered to have acquired the same as a Purchaser by virtue of such assurance,



and shall not be considered to be entitled there-  
to as his former Estate or part thereof.

*Where Heirs take  
by Purchase under  
Limitations to the  
Heirs of their An-  
cestors, the Land  
shall descend as if  
the Ancestor had  
been the Purchaser.*

IV. And it is hereby further enacted, that when any person shall have acquired any Land by Purchase under a limitation to the Heirs or to the Heirs of the Body of any of his Ancestors, contained in an assurance executed after the said thirtyfirst day of one thousand eight hundred and thirty-nine, or under a limitation to the Heir or to the Heirs of the body of any of his Ancestors, or under any limitation having the same effect, contained in a Will of any Testator who shall depart this life after the said day of one thousand eight hundred and thirty-nine, then and in any of such cases such Land shall descend, and the descent thereof shall be traced as if the Ancestor named in such limitation had been the Purchaser of such Land.

*Brothers &c. shall  
trace descent through  
their Parent.*

V. And it is hereby further enacted, that no brother or sister shall be considered to inherit immediately from his or her brother or sister, but every descent from a brother or sister shall be traced through the Parent.

*Lineal Ancestor  
may be Heir in pre-  
ference to Collateral  
Persons claiming  
through him.*

VI. And it is hereby further enacted, that every lineal Ancestor shall be capable of being Heir to any of his issue, and in every case where there shall be no issue of the purchaser, his nearest lineal Ancestor shall be his Heir in preference to any person who would have been entitled to inherit, either by tracing his descent through such lineal Ancestor, or in consequence of there being no descendant of such lineal Ancestor, so that the father shall be preferred to a brother or sister, and a more remote lineal Ancestor to any of his issue, other than a nearer lineal Ancestor or his issue.

*The Male Line  
to be preferred.*

VII. And it is hereby further enacted and declared, that none of the Maternal Ancestors of the person from whom the descent is to be traced, nor any of their descendants shall be capable of inheriting until all his Paternal Ancestors and their descendants shall have failed; and also that no female Paternal Ancestor of such person, nor any of her descendants, shall be capable of inheriting until all his male Paternal Ancestors and their descendants shall have failed; and that no female Maternal Ancestor of such person, or any of her descendants, shall be capable of inheriting until all his male Maternal Ancestors and their descendants shall have failed.

*The Mother of  
more remote male  
Ancestor to be pre-  
ferred to the Mo-  
ther of the less re-  
mote male Ances-  
tor.*

VIII. And it is hereby further enacted and declared, that where there shall be a failure of male Paternal Ancestors of the person from whom the descent is to be traced, and their descendants, the mother of his more remote male Paternal Ancestors, or her descendants, shall be the Heir or Heirs of such person, in preference to the mother of a less remote male Paternal Ancestor, or her descendants, and where there shall be a failure of male Maternal Ancestors of such person, and their descendants, the mother of his

more remote male Maternal Ancestor, and her descendants, shall be the Heir or Heirs of such person in preference to the mother of a less remote male Maternal Ancestor, and her descendants.

*Half blood, if on  
the part of a male  
Ancestor to inherit  
after the whole  
blood of the same  
degree, if on the  
part of a female  
Ancestor after her.*

IX. And it is hereby further enacted, that any person related to the person from whom the descent is to be traced by the half blood shall be capable of being his Heir, and the place in which any such relation by the half blood shall stand in the order of inheritance, so as to be entitled to inherit, shall be next after any relation in the same degree of the whole blood, and his issue, where the common ancestor shall be a male, and next after the common Ancestor, where such common Ancestor shall be a female so that the brother of the half blood on the part of the father shall inherit next after the sisters of the whole blood on the part of the father and their issue, and the brother of the half blood on the part of the mother shall inherit next after the mother.

*After the death  
of a person attain-  
ed, his descendants  
may inherit.*

X. And it is hereby further enacted, that when the person from whom the descent of any Land is to be traced shall have had any relation, who, having been attained, shall have died before such descent shall have taken place, then such attainder shall not prevent any person from inheriting such Land who would have been capable of inheriting the same, by tracing his descent through such relation, if he had not been attained unless such Land shall have escheated in consequence of such attainder, before the day of one thousand eight hundred and thirty

*Act not to extend  
to any descent be-  
fore.*

XI. And it is hereby further enacted, that this Act shall not extend to any descent which shall take place on the death of any person who shall die before the said day of one thousand eight hundred and thirty

*Limitations made  
before the  
the Heirs of a per-  
son then living,  
shall take effect as  
if the Act had not  
been made.*

XII. And it is hereby further enacted, that where any assurance executed before the said day of one thousand eight hundred and thirty-nine, or the Will of any person who shall die before the same day of one thousand eight hundred and thirty-nine, shall contain any limitation or gift to the Heir or Heirs of any person under which the person or persons answering the description of Heir shall be entitled to an Estate by purchase, then the person or persons who would have answered such description of Heir if this Act had not been made shall become entitled by virtue of such limitation or gift whether the person named as ancestor shall or shall not be living on or after the said day of one thousand eight hundred and thirty-nine.

XIII. And it is hereby provided, that this Act shall not be construed to affect inheritances of Land, which are not subject to the English Law of Inheritance, or to extend or alter the jurisdiction of any of Her Majesty's Courts of Justice.



Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be re-considered at the first meeting of the Legislative Council of India after the 10th day of September next.

J. P. GRANT,

*Offg. Secy. to the Govt. of India.*

## Legislative Department,

FORT WILLIAM,

THE 10TH JUNE, 1839.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 10th June 1839, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.

ACT No. XV. OF 1839.

I. It is hereby enacted, that if any person on or after the day on which this Act will come into operation, as hereinafter provided, lands or attempts to land in any part of the Territories subject to the Government of the Presidency of Fort St. George, any Foreign Sugar, or any Sugar which is the growth of any British possession into which Foreign Sugar can be legally imported, such Sugar shall be seized and confiscated by the Collector of the Customs, or by any other Officer thereunto authorized by the Governor in Council of the said Presidency, provided always, that Sugar which is the growth of any part of the Presidency of Fort William in Bengal, into which Foreign Sugar, and Sugar which is the growth of any British possession into which Foreign Sugar may be legally imported, are prohibited from being landed may, during such prohibition, be landed in the said Territories as heretofore.

II. And it is hereby enacted, that if any person being in possession of Sugar, the produce of the said Territories, desires to obtain a certificate of origin from the Collector or Assistant Collector of the Land or Custom Revenue of any district within the said Territories, or from any other Officer appointed by the Governor in Council of Fort St. George to give such certificates, such person shall in the presence of the Officer from whom he desires to obtain such certificate, make and subscribe a Declaration in the form contained in the Schedule hereunto annexed, marked A.

III. And it is hereby enacted, that the Officer before whom such a Declaration as is aforesaid shall have been made, shall grant under his hand and seal to the Declarant a certificate in the form contained in the Schedule hereunto annexed, marked B.

IV. And it is hereby enacted, that every person who intends to ship Sugar from any place within the said Territories for any part of the United Kingdom shall be entitled to produce to the Collector of Customs at that place, or to any other Officer who may have been appointed by the Governor in Council of Fort St. George to act on such occasions instead of the Collector of Customs, a certificate such as is above described, and also in the presence of the Officer to whom he has so produced such certificate, to make and subscribe a Declaration in the form contained in the Schedule hereunto annexed, marked C.

V. And it is hereby enacted, that the Officer to whom such a certificate shall have been so produced, and before whom a Declaration in the last mentioned form shall have been so made and subscribed, shall grant to the person

who has made the last mentioned Declaration a certificate in the form contained in the Schedule hereunto annexed, marked D.

VI. And it is hereby enacted, that any person who shall, in making any Declaration under the authority of this Act, knowingly affirm an untruth, shall, on conviction thereof, be punished by fine to an amount not exceeding Five Thousand Rupees, and imprisonment, with or without hard labor, for a term not exceeding two years.

VII. And it is hereby enacted, that this Act shall come into operation at the expiration of one year after the passing of this Act.

### SCHEDULES,

A.

I, A. B., solemnly declare, that all the Sugar hereunder described is, to the best of my knowledge and belief, the produce of this district of

*Description of the Sugar to which the Declaration relates.*

Quantity.	Quality.	Number and denomination of Packages.
The	day of } 18 . }	(Signed) A. B.

B.

I, C. D., Collector of Land Revenue (or Collector of Custom Revenue, or being an Officer appointed by the Governor in Council of Fort St. George to act in this behalf) for this district of

do hereby grant this certificate under my hand and seal, that the Sugar hereunder described is of the produce of this district of

and that the importation of Foreign Sugar, and of Sugar the growth of any British possession into which Foreign Sugar can be legally imported, is prohibited in the said district of

*Description of the Sugar to which this Certificate relates.*

Quantity.	Quality.	Number and denomination of the Packages.	Name of the Declarant on whose declaration the certificate is given.
L. S.			(Signed) C. D.

C.

I, E. F. Shipper of the Sugar hereunder described, solemnly declare, that all the Sugar hereunder described is, to the best of my knowledge and belief, the same Sugar to which the certificate now produced by me relates.

*Description of the Sugar to which the Declaration relates.*

Quantity.	Quality.	Number and denomination of packages.	Name of Ship in which the Sugar is shipped or to be shipped.	Name of the Master of the Ship.

(Signed) E. F.



D.

I. G. H., Collector of Customs, (or being an Officer appointed by the Governor in Council of Fort St. George to act in this behalf) for the port of

certify under my hand and seal, that there has been produced to me by E. F., the shipper of the Sugar hereinunder described, a certificate under the hand and seal of C. D., Collector of Land Revenue, (or Collector of Custom Revenue, or being an Officer appointed by the Governor in Council of Fort St. George to act in this behalf) for the district of

in the Territories subject to the Government of the Presidency of Madras, which certificate certifies, that the said Sugar is the produce of the said district, and that the importation of Foreign Sugar, or Sugar the growth of any British Possession into which Foreign Sugar can be legally imported, is prohibited in the said District.

*Description of the Sugar to which this Certificate relates.*

Quantity.	Quality.	Number and denomination of Packages.	Name of the Ship.	Name of the Master of the Ship.

L. S.

(Signed) G. H.

J. P. GRANT,

*Offg. Secy. to the Govt. of India.*

## Legislative Department.

FORT WILLIAM,

THE 10TH JUNE, 1839.

The following Act is passed by the Hon'ble the President of the Council of India in Council on the 10th June 1839, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.

ACT No. XVI, OF 1839.

I. It is hereby enacted, that from the first day of January, in the year of Our Lord 1840, the following rules shall be in force for regulating the assessment and collection of the rents payable to Government in the settlements of Prince of Wales' Island, Singapore and Malacca.

II. And it is hereby enacted, that if any person, except as is provided in the last Section of this Act, shall hold or occupy any land within any of the settlements aforesaid, not under a grant or title from Government duly registered and which land has not been declared, by competent authority, free from assessment, such land shall be liable to assessment, and shall be assessed in such manner, at such rate, and under such conditions, as the Collector acting under the instructions of the Governor of Bengal, shall determine.

III. And it is hereby enacted, that if any person holding or occupying land in the manner set forth in the preceding section shall refuse to engage for, or to remove from the land within one month from the date on which he shall be called upon by the Collector to enter into such engagement, or so to remove from it, by a written notice to be served personally, or at the residence of the owner or occupier, or to be stuck up on the premises, it shall be lawful for the said Collector to eject such person from the

land so held or occupied, and to take and hold possession of the same on the part of Government, to be disposed of in such manner as the Governor of Bengal may direct. Provided that no person so holding or occupying land who has filed or shall file his claim to exemption from assessment thereon before the day and year aforesaid, shall be liable to be so called upon by the Collector until his claim shall have been determined by competent authority.

IV. And it is hereby enacted, that all Magistrates and Police Officers shall aid and assist the Collector and his Officers in the due exercise of the power of ejection conferred upon the said Collector by the foregoing Section, and any holder or occupier of land who shall resist or cause to be resisted the exercise of the said power, and any person who shall be aiding and abetting in such resistance, shall, on conviction before a Magistrate, be punished by fine not exceeding one thousand rupees, or in default of payment of the fine, by imprisonment not exceeding six months.

V. And it is hereby enacted, that after the date on which this Act shall be in force in the settlements aforesaid, any person desirous of clearing and occupying waste and forest lands for the purposes of agriculture, shall make application to the Collector of Land Revenue, who is hereby authorized to measure and assess the land, and to grant a lease for the same, in such manner, and under such conditions, as the Governor of Bengal may from time to time prescribe. And if, by reason of the density of the jungle or other obstacles, it should be found impracticable to cause immediate measurement to be made of land so to be leased, it shall be competent to the Collector to issue to such applicant a permit or written authority, of which the number, date, and all essential particulars shall be entered in a Register to be kept for that purpose, to clear and occupy such land, subject to the conditions, on which a lease would have been granted. And on all land occupied under any such permit so issued, it shall be lawful for the Collector to demand and enforce the payment of rent in like manner as if a regular lease had been granted. And the Collector shall, with all practicable despatch, cause all land so occupied to be measured, and after such measurement the permit shall be called in and cancelled, and in lieu thereof a lease shall be issued, the term of which shall commence from the date of the permit. Provided, however, that it shall not be competent to a Collector to grant any lease of land for a term exceeding twenty years, renewable on such conditions as the Governor of Bengal may direct for a further period of thirty years.

VI. And it is hereby enacted, that upon granting any lease under the Provisions of the foregoing Section, the Collector shall require the applicant to set up good and solid landmarks by which the boundaries of the ground to be occupied by him shall be plainly defined; and such landmarks shall be set up to the satisfaction of the Collector to be certified by him on the back or other part of the lease, before the lease shall take effect, and it shall be a condition in every lease so granted that the leasee is to maintain all such landmarks in substantial repair. And if it shall be proved to the satisfaction of the Collector, that, notwithstanding this condition, such landmarks have not been kept in good repair, it shall be competent to the Collector to cause the proper repairs to be made, and to levy



three times the cost of such repairs from the holder or occupier of the land, the amount to be levied by the process provided for the collection of rents. And the Collector or his Officers shall at all times have the right of free access to such land for the purpose of inspecting and directing the construction or repair of the landmarks; and any person resisting them in the exercise of this right or removing or defacing any landmark set up in conformity with the provisions of this Act, shall be punished in the manner provided in the IV. Section of this Act.

VII. And it is hereby enacted, that all applications to hold or occupy lands for a term exceeding that specified in Section V. for the purpose of erecting houses or other durable works on such lands beyond the limits of the principal towns in the settlements aforesaid, shall be forwarded by the Collector to the Governor of Bengal, who will grant or reject such applications as in his judgment may seem fit.

VIII. And it is hereby enacted, that every lease granted under the Provisions of this Act shall be signed by the Collector for the time being, and shall specify the name of the leaseholder, the quantity and boundaries of the land included in the lease, and the rate of rent to be paid per acre per annum: which particulars, together with any other conditions material to the rights of Government, and of the party obtaining the lease, shall be entered in a Register to be kept in the Collector's office for that purpose.

IX. And it is hereby enacted, that it shall be lawful for the Collector to accept on the part of Government any surrender of a grant or lease by the parties interested in the same, for the purpose of subdividing the same, and to regrant or lease the same in parcels. Provided that no such subdivision shall be allowed, unless all arrears of rent under the original grant or lease are paid up, and provided that on no one portion of a grant or lease so subdivided shall a less rent than one rupee per annum be leviable.

X. *Clause First.*—And it is hereby enacted, that whenever the rent of any grant or lease from Government of land within any of the settlements aforesaid shall fall due, payment thereof shall be made by the holder or occupier of the land at the office of the Collector, or to such person as shall be authorized to receive the same, and on failure of such payment, the same may be recovered in the manner following.

*Clause Second.*—When an arrear of rent shall have become due, the Collector shall demand payment of it by a notice of demand, in writing, stating the amount of the arrear, and requiring payment of the same within fifteen days from the date of the service of the notice, and stating that in default of payment within the period specified, the amount of the arrear due, together with the costs of process, will be recovered under the powers of this Act.

*Clause Third.*—The notice of demand shall be served by the delivery thereof to any holder or occupier of the land, or by being left at his ordinary place of residence, or by being stuck up on the premises.

*Clause Fourth.*—For the service of the aforesaid notice one Rupee shall be charged, and shall be leviable, if not paid on demand, in the same manner as arrears of rent.

*Clause Fifth.*—Whenever an arrear of rent shall be demanded in the manner above prescribed, and shall not be discharged, it shall be

lawful for the Collector to issue an attachment and to seize by virtue of such attachment, as well the personal property of the holder or occupier, as also any effects or any crops to whomsoever belonging which may be found upon the land on account of which the arrear may be due, and to bring the same to sale by public auction at the Collector's office or elsewhere, five days previous notice of such sale being stuck up at some conspicuous spot, and at the place where it is intended to bring the crop, or other property, to sale.

*Clause Sixth.*—The attachment shall be made by an Officer deputed for the purpose, who shall publicly notify the attachment, and shall set his seal on any property attached, and take an inventory thereof; and it shall be competent to the said Officer to require the assistance of the Police in case of resistance to his authority, or of any attempt to remove the crops or other property from the premises, or otherwise to defeat the process.

*Clause Seventh.*—For an attachment made in pursuance of the foregoing rules, whether a sale shall actually take place or not, two Rupees shall be charged, and shall be leviable, if not paid on demand, by the sale of a portion of the attached property.

*Clause Eighth.*—If an arrear of rent, due as aforesaid, cannot be recovered in manner aforesaid, and the arrear shall not be discharged within six months from the date of the notice of demand prescribed by the Second Clause of this Section, it shall be lawful for the Collector to bring to sale the land on account of which the arrear shall have been demanded, in the manner following.

*Clause Ninth.*—An advertisement shall be stuck up for not less than twenty days before the sale, in the Collector's Office, and in a Court of Justice situated near to the land, specifying the description of the land, the name of the defaulter, the amount of the arrear, the time and place of the intended sale and the condition thereof. The sale shall be conducted by Public Auction, in the presence of the Collector, the highest bidder shall be declared the purchaser, and the proceeds of the sale, after deducting the arrear originally due to Government with interest thereon at 12 per Cent. per annum, and any further arrear that may have accrued up to the day of sale, together with the costs incurred by the sale, or other lawful process, shall be paid over to the party or parties entitled. On payment of the purchase money, the purchaser shall receive from the Collector a title-deed corresponding in quality and conditions with the original grant or lease, and bearing on it all material specifications relating to the quantity and situation of the land, its boundaries, the rent demandable, the date from which its payment is to commence, and other necessary particulars; and the Collector shall forthwith put the purchaser in possession of the land so transferred, requiring for that purpose the aid of the Police, if needful. The Collector shall notify in the most public manner the result of the sale, the conveyance of the title and right, which were of the defaulter to the purchaser, and the cancelment of the original grant or lease, together with all leases, incumbrances or other interests derived therefrom. And any person wilfully and with fraudulent intent offering for sale, transfer, mortgage, or otherwise making use of any such grant or lease, or of any lease, incumbrance or other interest derived therefrom and which shall have been so declared to be



cancelled, shall on conviction before a Magistrate be punished by a fine not exceeding five hundred rupees, or in default of payment of such fine, by imprisonment not exceeding four months. And any person resisting or obstructing the Collector or the Officers acting under his orders, whilst placing the purchaser in possession of land so sold for arrears of rent, shall be punished in the manner provided in Section IV. of this Act.

*Clause Tenth.*—It shall be lawful for the Collector before the payment of any surplus, to deduct as part of the costs incurred by the sale, two Rupees for the advertisement, and one per cent. on the net proceeds of the sale authorized by the foregoing Clause, to be carried to the credit of Government, for the purpose of meeting the expense of carrying the sale into effect.

*Clause Eleventh.*—Any person having an interest in any property liable to be sold as aforesaid, shall at any time previous to the sale thereof be enabled to prevent such sale by payment of the rent in arrear, together with interest and all legal expenses incurred to the Collector, who, upon such payment, shall desist from, and withdraw all legal proceedings.

*Clause Twelfth.*—Provided, that the summary process authorized by any of the Clauses of this Section shall be held applicable only to arrears of rent which have become due within the period of one year prior to the execution of such process.

*Clause Thirteenth.*—Any person served with a notice of demand, or whose crop or personal property may have been seized under an attachment issued in manner aforesaid, who may dispute the justness of such demand or attachment, shall be at liberty, at any time before the sale of his crop or personal property, or, in the event of the land being advertised for sale, at any time before the sale thereof, to represent his objections to such demand, attachment or sale, to the Collector; and if the Collector shall, notwithstanding such objections, adhere to the demand, attachment, or sale, it shall be lawful for the said person to apply by petition for redress to any Civil Court competent to take cognizance of his complaint; and the Court, after hearing the Collector's answer, and making such further enquiry as may be necessary, during which the sale of any such crop, property, or land shall be stayed, shall pass judgment either for enforcing or staying the demand, and shall adjudge the costs and charges of the suit, or such portion thereof as may be just and proper, to be paid by the party cast.

*Clause Fourteenth.*—Provided, that in the case mentioned in the last Clause, no sale of crops, or of personal property, or of land, shall be stayed, unless the party disputing the justice of the demand or attachment shall, on presenting his petition to the Civil Court, deposit therein, or at the Collector's Office, the whole amount of the arrears of rent demanded, together with interest, and legal expenses incurred, or unless such party shall give substantial security to the satisfaction of the Civil Court for making good the award that may be ultimately passed in the case.

**XI.** *Clause First.*—And it is hereby enacted, that all mutations by act of party or by succession in titles to land, taking place after the first day of January in the year of our Lord 1840, shall be registered under the following rules.

*Clause Second.*—The party claiming by right of transfer or succession shall attend at the Col-

lector's Office, either in person, or by his constituted agent, and shall make application for registering the mutation, producing the original grant or lease, together with the bill of sale or other deed of transfer, which must be made out in the English language, and according to a form which will be found in the Collector's Office, or, in case of succession, the Probate or Letters of Administration, together with the Original Will, if any, or a Copy thereof, after which notice of the mutation shall be registered, the date and other particulars of the transaction being entered in the Register in a clear and distinct form.

*Clause Third.*—No mutations of title to lands shall be registered until the Collector shall have satisfied himself that the boundaries of the lands have been distinctly defined by convenient and substantial landmarks. The parties whose title to lands may be so registered are required to maintain the landmarks laid down in a state of good and sufficient repair, so that they may be at all times available for the purpose of accurate ascertainment of the limits of each occupancy, and every holder or occupier of such lands, wilfully neglecting to maintain such landmarks in a sound and serviceable condition, shall forfeit a sum equal to three times the cost of the erection or repairs which may become necessary in consequence of such default, and which shall be undertaken by the Collector: the amount of the forfeiture to be levied in like manner as rents are to be collected under the provisions of this Act. And the holders or occupiers of such lands are required to admit free access to the same by the officers of Government, for the purpose of inspecting the landmarks, and of measuring and laying down boundaries, and any holder or occupier of land or other persons who shall obstruct or resist such officers shall be liable to the penalties prescribed in Section IV. of this Act.

*Clause Fourth.*—It shall be lawful for the Collector to demand and receive on the part of Government a fee to meet the charges attending the registry of 4 Rupees, and of 1 Rupee for inspecting the Register, and of two Rupees for granting a Certified Extract from the Register.

*Clause Fifth.*—The Registry of a mutation shall not of itself be taken to convey or establish any legal title to land, nor shall it be held to corroborate, qualify, or bar any rights which may come to be questioned judicially. But no deed whatsoever for the sale or transfer of land which may be executed after the first day of January in the year of our Lord 1840, shall be admitted to be valid by the Officers of Government, or be received in evidence as a legal instrument by any Court of Judicature, unless the same shall have been registered in the Collector's Office in the manner directed by this Section, nor shall any Probate or Letters of Administration be received as evidence of title to land until so registered.

**XII.** And it is hereby provided, that nothing in this Act contained shall apply to such cultivators and resident tenants of Malacca as hold their lands by prescription, subject only to a payment to Government of one-tenth part of the produce thereof, whether such payment be made in kind or in the form of a sum of money received by the Government in commutation of the payment in kind.

J. P. GRANT,  
Offg. Secy. to the Govt. of India.



## Legislative Department.

FORT WILLIAM,  
THE 24TH JUNE, 1839.

The following Draft of a proposed Act was read in Council for the first time on the 24th June, 1839 :  
ACT No.—of 1839.

I. It is hereby enacted, that from the day of 1839, Act XXIII. of 1836 shall be repealed.

II. And it is hereby enacted, that from and after the day of 1839, the operation of the Rules for the Administration of Civil and Criminal Justice, as well as those for the collection of the Revenue, shall cease to have effect, except as hereinafter mentioned, within the undermentioned tracts of Country at present included in the districts of Ganjam and Vizagapatam :

In the District of Ganjam. In the District of Vizagapatam.

Zemindaries.	Ancient Zemindaries.
Paaloor.	Vazcanagur.
Hoomannah.	Bobelly.
Becridce.	Hill Zemindaries.
Khulliccottah.	Jayapoor.
Pratapagery.	Coorpam.
Mohery.	Sungumirulsah.
Vizeyanagur.	Chamadoo.
Hauighur.	Panchepentah.
Brammorechee.	Andra.
Chegatee.	Saroapully Bhomararum.
Mundasa.	Saloor.
Soorunghi.	Mandogole.
Jaradah.	Belgam.
Jaluntra.	Maringhy.
Boodara Singhy.	Under Aumany.
Dharacotah.	Palecondah.
Badagodah.	Golcondah.
Sareghur.	
Turlah.	
Purlah Khinedy.	

Aumany Estates.

Goomsur.  
Sooradah.  
Askah.  
Pomary.  
Coolaw.

III. And it is hereby enacted, that the Administration of Civil and Criminal Justice, (including the superintendence of the Police,) and the collection and superintendence of the Revenues of every description within the tracts of Country specified in the foregoing Section, which are now included in the District of Ganjam, shall be vested in the Collector of Ganjam, and those which are now included in the District of Vizagapatam, in the Collector of Vizagapatam, and shall be exercised by them respectively as Agents to the Governor of Fort St. George.

IV. And it is hereby enacted, that it shall be competent to the Governor in Council of Fort St. George, by an Order in Council, to prescribe such rules as he may deem proper for the guidance of such Agents, and of all the Officers subordinate to their control and authority, and to determine to what extent the decision of the Agents in Civil Suits shall be final, and in what Suits an appeal shall lie to the Sudder Adawlut, and to define the authority to be exercised by the Agents in Criminal Trials, and what cases he shall submit for the decision of the Foujdaree Adawlut.

V. And it is hereby enacted, that upon the receipt of any Criminal trials referred by either of the Agents under the Rules, which may be hereafter prescribed by the Governor in Council, the Foujdaree Adawlut shall, without submitting the proceedings for the Futwah of their Law Officers, proceed to pass a final judgment, or such other order, as may, after mature consideration, seem to the Court requisite and proper, in the same manner as if the trial had been sent up in ordinary course from a Judge on Circuit.

VI. And it is hereby enacted, that upon the receipt of any appeal from a decree of either of the Agents, under the rules to be prescribed as aforesaid, the Court of Sudder Adawlut, shall proceed to try and determine it in the same manner as appeals from the Provincial Courts.

VII. And it is hereby enacted, that each of such Agents as aforesaid shall have the power of making Commitments by warrant under their respective hands,

which is possessed by the Governor of Fort St. George in Council by virtue of Regulation II. of 1819 of the Madras Code, provided that the third, fourth, fifth, sixth and seventh Sections of that Regulation shall remain in force and be applicable to Commitments under this Act. Provided also, that in every case in which either of such Agents shall make any such commitment, he shall transmit immediately a report to the Governor in Council of Fort St. George for his orders.

VIII. And it is hereby enacted, that it shall be competent to the Governor in Council of Fort St. George, by an Order in Council, to make, from time to time, with the previous sanction of the Governor General of India in Council, such alterations in the limits of the Tract placed under the jurisdiction of the said Agents, as he may deem expedient.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after the 24th day of September next.

J. P. GRANT,

Offy. Secy. to the Govt. of India.

## Legislative Department.

FORT WILLIAM,  
THE 24TH JUNE, 1839.

The following Draft of a proposed Act was read in Council for the first time on the 24th June 1839 :  
ACT No.—of 1839.

I. It is hereby enacted, that from the 1839, the following rules shall be in force with respect to Vessels belonging to any of Her Majesty's subjects residing within the Presidency of Madras and employed on the Coasts of the Territories subject to the Government of Madras of in Trading Coast-wise.

II. And it is hereby enacted, that every such Vessel employed as aforesaid, shall be marked or branded with the name of the place to which she belongs, and also with the number assigned for the same, by the Officer authorized to make such registry as is hereinafter mentioned, and the Owner or Owners of such Vessel employed as aforesaid shall cause such name and number to be painted in black paint upon a white ground, on each quarter of such Vessel employed as aforesaid, in English figures and letters, each figure and letter being six inches in length.

III. And it is hereby enacted, that the name and number of every such Vessel employed as aforesaid, and her burthen, and also the name or names of the Owner or Owners thereof, shall be registered in a book, to be kept for that purpose by the person hereinafter directed to make such registry. At Madras such registry shall be made by the Master Attendant, and at other places within the said Territories, by such other person as shall be appointed by the Government of Madras to act at such places respectively in the execution of this Act: and whenever any change shall take place in the burthen of such Vessel employed as aforesaid, or in the name or names of the Owner or Owners thereof, such registry shall be made again: provided, however, that it shall not be lawful to give any name to such Vessel employed as aforesaid, other than that by which she was first registered.

IV. And it is hereby enacted, that the Owner or Owners of every such vessel employed as aforesaid, shall apply to the person authorized to make such registry in respect of the same, in order to have such registry as aforesaid made, or in order to have such registry made again as aforesaid. And whenever such Vessel employed as aforesaid is registered at a subordinate Port, information thereof, and of the number there assigned to her, shall immediately be given by the registering Officer to the Master Attendant at Madras.

V. And it is hereby enacted, that the duty of marking or branding, and of ascertaining the burthen of such Vessels employed as aforesaid, at Madras, shall be performed by the Master Attendant: and at all other places within the Territories subject to the Government of Madras, the duty of marking or branding, and of ascertaining the burthen of such Vessels employed as aforesaid, shall be performed by



such other persons as shall be appointed by the Government of Madras to act at such places respectively in the execution of this Act. And the Master Attendant or other person duly appointed for the purpose of ascertaining the burthen of such Vessels shall observe the following Rule. Measure the deck, or over the beam between the after part of the stem and fore-part of the stern posts. The inside breadths or the underside of the upper deck, or under the beam at the middle point of the length. The depth, from the underside of the upper deck or the upper surface of the beam to the bottom of the vessel. Multiply these three dimensions together, and divide the product by 130, and the quotient will be the amount of the registered burthen of the vessel.

VI. And it is hereby enacted, that the Owner or Owners of every such Vessel employed as aforesaid, shall apply for and obtain a certificate of Registry from the person authorized to make such Registry as aforesaid, and such certificate shall be in the form specified in the Schedule appended to this Act; and in the case of any certificate being lost or destroyed, a renewed certificate may be obtained in the same manner, and on payment of the fees hereinafter mentioned.

VII. And it is hereby enacted, that such certificate of Registry shall be sealed with the Seal of the East India Company, and shall be signed by the person authorized to make such Registry.

VIII. And it is hereby enacted, that such certificate shall be issued to every Vessel employed as aforesaid, from the date of the expiration of the pass she is now furnished with:—the Registrations with respect to Fishing Vessels and Harbour Craft, to take effect from the

IX. And it is hereby enacted, that the Owner or Owners of such Vessels, employed as aforesaid, on being registered as aforesaid, shall pay—

For each certificate of Registry for a Vessel not exceeding two garce of 9000 lb. burthen, the fee of..... 1 Rupee.

For each certificate for a Vessel exceeding 2 garce burthen, and not exceeding 6 garce burthen, ..... 5 "

For each certificate for a Vessel exceeding 6 garce burthen, and not exceeding 25 garce burthen, ..... 7 "

And for each certificate for a Vessel of 100 Tons, or greater burthen, per Ton.... 2 Annas.

X. And it is hereby enacted, that the person or persons so authorized to make such Registry as aforesaid, shall receive the fees payable for the same, and shall pay such fees to such Officer as the Governor in Council of Fort St. George shall appoint; the same to be carried to the credit of the Government of Madras.

XI. And it is hereby enacted, that the Owner or Owners or Commander of every such vessel employed as aforesaid, shall produce, on demand thereof by any officer of the Customs within the said Territories, or by the Master Attendant of any Port, the certificate so directed to be applied for and obtained, in respect of such Vessel employed as aforesaid.

XII. And it is hereby enacted, that in case any such Vessel employed as aforesaid, shall not be so marked or branded, in all respects, as hereinbefore directed; or in case the name and number of any such Vessel employed as aforesaid shall not be so painted, or shall not continue so painted, on such Vessel employed as aforesaid, in all respects as hereinbefore directed; or in case any such Vessel employed as aforesaid shall not be furnished with such certificate as hereinbefore specified, or in case the Owner or Owners or Commander of any such Vessel employed as aforesaid shall not produce such certificate on demand thereof as hereinbefore directed; the Owner or Owners of every such Vessel employed as aforesaid, shall be subject to a fine of ten times the amount of the fees payable in respect of the certificate of registry of such Vessel, which fine may be recovered on conviction before any Magistrate, or Justice of the Peace, having jurisdiction within the said territories by sale of such Vessel, her furniture, ammunition, tackle and apparel, and such fine shall be payable as often as the Owner or Owners or Commander of any such Vessel employed as aforesaid, shall make such default as aforesaid, provided every such subsequent default be made after the expiration of one month from the date of the last conviction.

XIII. And it is hereby enacted, that the Governor in Council of Fort St. George may direct compensation for trouble and diligence in seizing such Vessel employed as aforesaid, guns, furniture, tackle, ammunition and apparel as last mentioned, to be made out of the proceeds of such seizure, to the person or persons who shall have seized the same, to such amount, in such manner, and in such shares or proportions, as to the said Governor in Council shall seem meet.

XIV. And it is hereby enacted, that any Owner or Commander of any such Vessel employed as aforesaid, who shall counterfeit, erase, alter or falsify any such Certificate as aforesaid, or shall wilfully make use of any Certificate so counterfeited, erased, altered or falsified, or upon such demand as aforesaid, shall wilfully produce as and for the Certificate belonging to any such Vessel as aforesaid, a Certificate belonging to any other Vessel, shall be liable, on conviction before any Magistrate or Justice of the Peace, to a fine of 1000 Rupees.

**SCHEDULE.**

This is to Certify that \_\_\_\_\_ (here insert the names, occupation, and residence of the Owners) having declared, that (he or they) are sole Owner or Owners of the Vessel called (the name) which is of the burthen of (number of Garce or Tons), and that the said Vessel was (where and when built), the said Vessel has been duly registered at the Port of (name of Port.) Certified under my hand.

(Signature of Officer.)

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after the 24th day of September next.

J. P. GRANT,  
Offg. Secy. to the Govt. of India.

**Legislative Department.**

**ERRATUM.**

THE 24TH JUNE, 1839.

The three proposed Acts dated 10th June 1839, on the subject of Dower, Inheritance, and Bills of Exchange, published in the Calcutta Gazette of the 19th and 22nd of this month, are to be reconsidered at the first meeting of the Legislative Council of India after the 10th day of December 1839, and not at the first meeting of the Legislative Council of India after the 10th day of September 1839.

J. P. GRANT,  
Offg. Secy. to the Govt. of India.

**Circular.**

No. 1159 of 1839.

To,

The Zillah Judges and Collectors.

Gentlemen,

I am directed by the Judges of the Sudder Dewanee Adawlut to notify for your information, that they find, on a reference to the Honorable the Governor in Council, that the instructions of 23rd April 1829, have been erroneously deemed an interpretation of Clause 2nd. Section xvii. Regulation xvi. of 1827, and are therefore not to be considered as such in future.

By order of the Sudder Dewanee Adawlut.

A. SPENS,

Acting Deputy Register.

Bombay, 29th June 1839,



Half Yearly Register of sums deposited in the Hon'ble Company's Treasury at Bombay, on account of the Estates of deceased Officers and Seamen of the Indian Navy, from 1st January to 30th June 1839, shewing the amount of those discharged, and those remaining unclaimed under the latter date.

When deposited.	By whom deposited.	On account of whose Estates.	Amount.	Remarks.
1839				
January. 21st	Captain J. Swanson, Military Paymaster, I. N. D.	Qr. Mr. Andrew Paul, of the Brig Taptee.....	26 3 8	} Unclaimed.
" ..	Ditto. . . . . ditto. . . . .	Charles Frederickson, able seaman of the Brig Palinurus....	11 .. 3	
" ..	Ditto .. .. . ditto .. .. .	Thomas Richley, able seaman, Schooner Cardiva.....	102 5 5	
" ..	Ditto.. .. . ditto.. .. .	Qr. Mr. James Atkins, of the Ship Amherst.....	26 2 1	
April... 18th	Lieut. John Buckle, late in command of the Brig Euphrates.....	Mr. A. Whiteburn, Midshipman of the Indian Navy.....	228 13 ..	
" .. 30th	Capt. C. Hunter, Acting Military Paymaster, I. N. D.....	Captain Thomas Elwon, late commodore in the Persian Gulph..	44 8 ..	
" ..	Ditto .. .. . ditto .. .. .	Lieut. Curtis Clark, of the Ship Ternate.....	75 10 ..	
" ..	Ditto .. .. . ditto .. .. .	Do. Hugh Rose,..... ditto.....	53 8 ..	
" ..	Ditto .. .. . ditto .. .. .	Assist. Surg. John Stewart, of the Ship Clive.....	75 .. ..	
" ..	Ditto .. .. . ditto .. .. .	Gunner John Buchanan, of the Indian Navy.....	13 .. ..	
" ..	Ditto .. .. . ditto .. .. .	Mr. Morrison, Carpenter of..... ditto.....	2 4 4	
" ..	Ditto .. .. . ditto .. .. .	John Gregory, Seaman of the Ship Clive.....	6 .. ..	
May... 28th	Lieut John Buckle, late in command of the Brig Euphrates.....	Mr. A. Whiteburn, Midshipman of the Indian Navy.....	888 9 9	
		Rupees....	1553..1 6	

It is hereby notified for the information of those concerned, that all claims to the above Estates, if not preferred within six months from the date of this Advertisement, will not be admitted in India.

Bombay Castle, Accountant General's Office, 9th July 1839.

ERRORS EXCEPTED,  
J. H. CRAWFORD,  
Accountant General.

( 537 )



Half Yearly Register of sums deposited in the Hon'ble Company's Treasury at Bombay, on account of the Estates of deceased European Commissioned, Non Commissioned and War-rant Officers and Soldiers in the Service of the Hon'ble Company, from 1st January to 30th June 1839, shewing the amount of those discharged and those remaining unclaimed under the date.

When deposited.	By whom deposited.	On account of whose Estates.	Amount.	Remarks.
1839				
January 16th	Captain W. B. Goodfellow, Executive Engineer.	Serjeant Donald McPherson, Overseer of the Depart. of Public Works. . . . .	33 10 5	} Unclaimed.
" 17th	Ditto J. Brooks, of the 2nd Regiment L. C. . . . .	N. A. Goslin, Esq. of the said Corps. . . . .	166 9 8	
Febry... 14th	Ditto A. Bradford, of the 13th Regiment N. I. . . . .	Lieut. W. Chambers, of the said Corps. . . . .	700 . . . . .	} Paid on the 1st April 1839, to O. W. [Ketterer Esq. Regr. & admr.]
March... 30th	Lieut. Col. E. M. Wood, Military Secy. to Govt. . . . .	Ditto J. H. Faikney, of the 15th Regiment N. I. . . . .	1516 7 . . . . .	
May... 1st	Messrs. Remington & Co. . . . .	Ditto H. Cotgrave, of . . . . . do. . . . .	50 . . . . .	} Unclaimed.
June... 12th	Captain C. Lucas, Acting Paymaster 2nd B. A. . . . .	Bombardier Edward Plant, of the 2nd B. A. . . . .	22 . . . . .	
" ..	Ditto . . . . . do. . . . . do. . . . .	Gunner H. W. Greads, of the 3rd Troop H. B. . . . .	36 15 3	
" ..	Ditto . . . . . do. . . . . do. . . . .	" Andrew Mitchell, 1st B. A. . . . .	20 7 9	
" ..	Ditto . . . . . do. . . . . do. . . . .	" Patrick Kelly, of the 4th Troop H. B. . . . .	23 5 5	
" ..	Ditto . . . . . do. . . . . do. . . . .	Private George Sissons, of the B. R. E. I. . . . .	9 3 5	
" ..	Ditto . . . . . do. . . . . do. . . . .	Gunner John Conner, of the 1st B. A. . . . .	36 2 6	
" ..	16th Lieut. Col. A. Manson, Commanding 1st B. A. . . . .	" Patrick Hand, of the 4th Co. 1st B. A. . . . .	34 13 9	
" ..	Ditto . . . . . do. . . . . do. . . . .	Bombardier John Brown, of . . . . . 1st do. . . . .	49 15 10	
" ..	Ditto . . . . . do. . . . . do. . . . .	Drill Corporal James Quinn, of the 1st do. . . . .	88 12 4	
" ..	Major J. F. Osburne, in charge B. R. E. I. . . . .	Private James Duffy, of the B. R. E. I. . . . .	13 8 3	
" ..	Ditto . . . . . do. . . . . do. . . . .	" John Burnham, of . . . . . do. . . . .	34 7 3	
" ..	Ditto . . . . . do. . . . . do. . . . .	" John Mahoney, of . . . . . do. . . . .	9 5 2	
" ..	17th Lieut. Col. F. Schuler, Senior Comy. of Ordnance. . . . .	Sub-Conductor James Harrison, of the Grand Arsenal. . . . .	111 14 6	
" ..	28th Captain A. Bradford, of the 13th Regt. N. I. . . . .	Lieut. W. Chambers, of the said Corps. . . . .	530 8 . . . . .	
			Rupees. 3487 2 6	

It is hereby notified for the information of those concerned, that all claims to the above Estates, if not preferred within six months from the date of this Advertisement, will not be admitted in India.

Bombay Castle, Accountant General's Office, 9th July 1839.  
 ERRORS EXCEPTED.  
 J. H. CRAWFORD,  
 Accountant General.

( 338 )



**Steam Department.****NOTIFICATION.**

The Hon'ble the Governor in Council is pleased to give notice, that he expects to be able to dispatch a Steamer with a Packet for England, via the Persian Gulph, on Thursday the 1st of August next.

It is requested, that letters and dispatches, public and private, for this Packet, may be made as small and light as possible.

By order of the Hon'ble  
the Governor in Council.  
E. M. WOOD, Lieut. Col.  
Secy. to Govt.

Bombay Castle, 19th June 1839.

**Marine Department.****NOTICE**

Is hereby given that a Steamer will be despatched for Aden and Suez, with a Mail for England, on Monday the 16th of September next.

By order of the Hon'ble  
the Governor in Council.

E. M. WOOD, Lieut. Col.  
Secy. to Govt.

Bombay Castle, 17th July 1839.

**Notice**

Is hereby given, that the undermentioned properties, situated as follows;

1. House belonging to Gungajee Wittojee Boobia Peraw Jadow, in Bhendy Bazar.
1. Ditto do. Bhundry Waljee Kolcking, ditto.....do.
1. Ditto do. Pallonjee Sorabjee, ditto do.
1. Ditto do. Pravutty Boi, ditto Duncan Road
1. Ditto do. Sk. Womer Vd. Sk. Esmal Sepoy ditto.....do.
1. Ditto do. Fucker Abashaw Vd. Hapishaw ditto Huzracha Molla.
1. Ditto do. Fucker Md. Began Vd. Shaboodia ditto Huzracha Molla.
1. Ditto do. Sk. Dawood Vd. Sk. Adum Mahd. ditto Woombercary.
1. Ditto do. Abdulla Catib Vd. Sk. Casim ditto.....do.
1. Ditto do. Sk. Esmail Coolabker ditto Khaundaycha Molla.
1. Ditto do. Sk. Amed Vd. Sk. Woomer ditto Bawa Dhuboo's Street.

Which have been seized under Distress Warrants, for non-payment of Land Revenue, due on them to the Honorable Company, will be sold by Public Auction at the respective premises on Tuesday the 30th instant, and the following days at 12 o'clock in the forenoon, conformably to Section IV, Chapter I, of the XIX. Regulation of 1827, and knocked down to the highest bidder, on condition, that one fourth of the purchase money be paid in Cash immediately after the sale, and the remainder within eight days subsequently, on failure of which the said Houses will be resold at the risk of the first purchaser.

W. C. BRUCE,  
Collector of Land Revenue.

Bombay, 18th July 1839.

**जाहीर नामा**

ऐसाजे खाली लिहिलेली घरे हनरावल कंपनीस रकारचे देणे यकले म्हणून जफतीचे वारेट का दुन जप्त केली आहेत त्याघरांचे सन १८२७चे एकुण विसावे कांयद्याचे पहीले बावेतील चवथे कलमा प्रमाणे चालते महीन्याची त॥३० मंगळवारचे रोजी व त्याचे पुढील रोजी देानप्रहरचे बाराकलाकार जेथे घर आहेत त्या ठिकाणी जाहीर खेलांव करून जो सरवापेक्षा जाजती बेरीजवाले ल त्यास विकली जातील त्याचा करार असाको खरेदीचे ऐवजाची चौथाद रोखद्यावी बाकीचा ऐवज आठदीवसांत द्यावा याप्रमाणे ऐवज उलगडून नदिल्लास त्याघरांचे पुन्हा खेलांव करून त्यांतजा खीव येदलते पहीले खरीददाराचे मायांपडे लत्या घरांची नावनीशी येणेप्रमाणे

१ गंगाजी विठोजी बाब्या पिराव जाधव याचे घर भेंडोजाजारंत आहे

१ भंडारी वालजी कालकींग याचे घर भेंडोजाजारंत आहे

१ पालणजी सारावजी याचे घर भेंडोजाजारंत आहे

१ पार्वती बाद इचे घर डंकनरोड येथे आहे

१ सेखजमर वा॥ सेखदसमादल सीपाद याचे घर डंकनरोड येथे आहे

१ फकीर आबाशा वा॥ हापीशायाचे घर हाजराचे मोहल्यांत आहे

१ फकीर महंमद बेगन वा॥ शाबुदीन याचे घर हाजराचे मोहल्यांत आहे

१ सेखदाउद वा॥ सेखआदम महंमद याचे घर डंकनरोड आहे

१ अबदुलखतीव वा॥ सेखकासीस याचे घर उंधरखाडीत आहे

१ सेखदसमादल कुलावकर याचे घर खींबाचे मोहल्यांत आहे

१ सेख आंमद वा॥ सेखउमर याचे घर बावाढबुचे आळीत आहे

निशाणी

उत्तर सी ब्रुस

जमीनीचे वसुलाचे कालेकटर

त॥ १८ माहे जुलद सन १८३९ द॥ मा॥ मुबदर कालेकटरचे हफोस

W. S. BOYD, Actg. Secy.

**Notice.**

No. 7 over the Company's Jack is assigned for the Honorable Company's Steam Vessel "Zenobia."

By order.  
G. JENKINS,  
Actg. Assist. Supt. I. N.

Bombay, 22nd July 1839.



### Advertisement.

Tonnage is required for the conveyance of the undermentioned Stores to England, vizt.

1 Case contg. breaking down rolls weighing Cwt. Qr. lbs.	} Length. Breadth. Depth. F. 1. F. 1. F. 1.	4 3	1 6	1 5
gross 11 2 10		Cwt. Qr. lbs.	Length.	Breadth.
1 Do. do. wg. gross 11 1 25		4 3	1 6	1 5.

For further particulars apply at the office of the Superintendent Indian Navy.

By order,  
G. JENKINS,

Actg. Assist. Supt. I. N.

Bombay, 23rd July 1839.

### Notice

Is hereby given, that on Monday the 29th instant, will be sold by public auction, at this office, at 12 o'clock, the undermentioned articles, on the Hon'ble Company's account.

- 1 Pearl Necklace containing seventy Pearls, with a Pudduck, set with precious stones.
- 1 Sirpench, set with precious stones.
- 2 White Casmere Shawls.
- 2 Pieces of Jamdane.
- 1 Red Turband or Pugree.
- 1 Piece of Kincob.

By order of the Hon'ble  
the Governor in Council,  
J. WILLIAMS,  
General Pay Master.

Bombay, 23rd July 1839.

### Circular.

No. 1252 of 1839.

Bombay, *Suddur Foujdaree*  
and *Suddur Dewanee Adawlut.*  
20th July 1839.

To,  
The Judges and Session Judges,  
and the Collectors and Magistrates.  
Gentlemen,

I am directed by the Judges of the Sudder Adawlut to notify for your information, that the Half Yearly Returns of Civil and Criminal business ending 30th June last, as required by the Court's Circular of the 31st July 1838, will respectively become due on the 31st instant and 10th proximo, and to request that you will adopt every precautionary measure to forward the documents within the time limited.

By order of the Sudder Foujdary,  
and Sudder Dewanee Adawlut.  
P. W. LEGEYT, Register.

### ACT No. II. OF 1839. SECTION IV.

On a question being preferred, whether the Penal Jurisdiction which the Court of Suddur Foujdary Adawlut have declared not to be vested in the Collector of Customs by Act No. XXVII. of 1839, may be exercised by him or his Assistant as Justice of the Peace under the Provisions of Section IV. of Act No. II. of 1839. It was declared, that whenever the law requires, that the Collector of Customs should act as Justice of the Peace, the Act quoted may be considered applicable; in other cases it is clearly intended that reference should be made to the Magistrate of the district.

Register's Letter, 23d July 1839.

### Notice

Is hereby given, that sundry Provisions and Dead Stock, the property of Government, a list of which may be seen at this office, will be disposed of by public outcry, at the Commissariat Stores, Military Store Lane, on Monday next the 29th Instant.

#### TERMS OF SALE.

A deposit of (10) ten per cent to be immediately paid down by the purchaser, and the articles to be paid for and cleared within forty eight hours after the sale, or the deposit will be forfeited, and the articles resold at the risk and loss of the first purchaser.

F. D. BAGSHAWE. Capt.  
For the Deputy. Assist. Commy.  
Genl. in Charge.

Bombay Dep't. Commy. Gen'l's  
Office, 23rd July 1839.

જાહર નામુ

એવુજે શરકારી ખોરાકીનો પરચુરંણ શા માંણ તથા નકામો શામાંન તેની જમ્માદદ શાત કીપુટી કમીશારી જંતરાલ શાહેખનાં હા ફીશમાં જોવાને મલશે તે શામાન ચાલતા મહીનાંની તારીખ રહ ને આવતા શોમવાર ને દાહડે મીલીટારી જશટોર લેન માહુલી કમીશારીએટ જશટોરમાં જાહર લીલાહુ ક રીને વેચાશે \*

વીકરીનો ફરાર એવોજે ખરીદારે દર શો ફડે દકા દશ પરમાંણે જવેજ મુરત અમાં ત રાખવો અને લીલાંજુના વખતથી ૪૮ હુ ડતાલીશ કલાકમાં શામાંનનો શંધો જવેજ તરીને ફાહાડી લજવો નહીતો અમાનત નો જવેજ શરકાર દાખલ થશે અને તે શા માન ખરી વેચાશે તેનુ જોખમ તથા નુકશા ન પહેલા ખરીદારને મોઝે પડશે

નીશાણી

એક-ડી-ખાગશા-કપતાંન  
કીપુટી આશીશદેટ કમીશારી

જંતરાલ જન ચારજની વતી

તા. ૨૩ માહુ જુલાઈ શને ૧૮૩૯ જ

શાવી ત્રા. કુંખાઈ કીપુટી કમી

શારી જંતરાલ શાહેખની હાફીશક

W. S. BOYD. Actg. Sec'y.

### Advertisement.

To be sold by public outcry, on Thursday the 1st proximo, at 11 o'clock in the forenoon, a quantity of Chips and Rubbish, collected from the works carried on in the Dock Yard, and made into lots of about a Candy each.

#### TERMS OF SALE.

The lots to be paid for on the spot and to be immediately removed from the Dock Yard.

G. SIMPSON.

Indian Naval Store keeper,

Bombay, 24th July 1839.



अह्मद नानु  
 अमुने गौदीमां काम करु ते कामनां को  
 डीमां तथा फयरो पुणे अफडो करीनेतेना  
 आशरे अफ अफ पांडीनी अफ अफ लाट  
 करीने आवता महीनानी तारीअ १ गड  
 वारने हीने शवारना अगीआर फलाफे अ  
 ह्म लीलांकु करी वेयरो \*  
 वीकरीनी करार अवेले लाटनी अवेले रो  
 फडो लरीने ते लाट गौदीमोधी सुरत फा  
 हाडी वधजवा \*

नीशाएनी  
 अशीपशन

अनंटीआन नेवल अशटोर कीपर  
 ता. २४ माहे जुलाअ शने १८३८ अश  
 वी मु. मुभाअ अनंटीआन नेवल  
 अशटोर कीपरनी हाफ्रीश \*

W. S. BOYD, Actg. Secy.

जाहीरनामा

ऐसाजे गोदीत कामकेले त्याकामाचो साबपा  
 व केरकरा जमाकरुन त्याचा सु॥ एकखेडीचो ए  
 क एक लाट करुन येते महीन्याचो त ॥१ गुरुवार  
 चेरोजी प्रातःकाळच आकरा कलाकावर जाचो

रलेलोवकरुन वोकलाजादल  
 विकरोचाकरार असाको लाटाचाऐवज रोख  
 भरुन तुर्तलाट गोदीतुन काढुन न्यावे  
 निशाणी  
 जो सोंपसन  
 इडीयान नेवल छोरकीपर  
 ता २४ माहे जुलदसन १८३८ एाम॥ मुंबइ इडी  
 याननेवल छोरकीपरचे हफीस  
 W. S. BOYD, Actg. Secy.

**Opium Memorandum.**

BOMBAY.

Passes granted up to the 17th-  
 instant..... Chests 1,463

INDORE:

Passes granted up to the 30th  
 April last..... Chests 18,999

IMPORTED.

From the 16th October 1838 to  
 the 16th instant..... Chests 20,406

EXPORTED.

From the 8th November 1838  
 to the 16th instant.. .. Chests 8,711

F. BOURCHIER,  
 Opium Agent.

Bombay, 24th July 1839.

**GENERAL ORDERS.**

MILITARY DEPARTMENT.

BY THE HONORABLE THE GOVERNOR IN COUNCIL.

BOMBAY CASTLE, 17th JULY 1839.

No. 392 of 1839.—A furlough to Europe for three years, is granted to Assistant Surgeon W. Hardy, of the Medical Establishment, for the benefit of his health.

No. 393 of 1839.—1st. Hospital Assistant A. Gonsalves, now doing duty in the Indian Navy, is placed at the disposal of the Major General in charge of the Forces, for Military duty, and 1st Grade Apprentice T. Blaney, attached to the Bombay European Regiment, is promoted to 1st Hospital Assistant, and placed at the disposal of the Superintendent of the Indian Navy, vice Gonsalves.

Bombay Castle, 20th July 1839.

No. 394 of 1839.—The Hon'ble the Governor in Council is pleased to pass the following Rules relative to the Transfer of Officers from the Line to the Non-effective branches of the service.

1st. All applications from Officers for removal to the Invalid Establishment must be submitted thro' the prescribed Military channels.

2nd. Officers who from age, wounds, or decline of health are Unfit for active service are, upon application to that effect, entitled to be removed from their Corps in their respective ranks to the Invalid Establishment.

3rd. The application must be supported by the following certificates.

Medical Certificate.

I \_\_\_\_\_ do hereby certify, that I have attended \_\_\_\_\_ during \_\_\_\_\_ and that to the best of my knowledge and belief he is permanently disqualified for the performance of further effective service, and that such disqualification has not been occasioned by intemperance or other irregular habits.

Signed \_\_\_\_\_ Regimental or Station Surgeon.

Countersigned \_\_\_\_\_ Superintending Surgeon.  
 Division.

Certificate of Character.

I do hereby declare, that I believe the conduct of \_\_\_\_\_ to have been at all times that of an Officer and a Gentleman.

Signed \_\_\_\_\_  
 Commanding the Regiment or Station.  
 Countersigned \_\_\_\_\_  
 Commanding the Division.



4th. When Officers have exchanged or been transferred from Corps, they must produce certificates of Character on the above form from Officers Commanding the several Corps to which they were attached.

*Bombay Castle, 22nd July 1839.*

No. 395 of 1839.—The following temporary arrangements are confirmed.

Captain H. James of the 18th Regiment Native Infantry, and Ensign W. G. Arrow of the 6th Regiment Native Infantry, to act as Interpreters, the former to the Right Wing, and the latter to the Left Wing of the 14th Regiment Native Infantry, until further orders.

Lieutenant J. M. Glass, to act as Quarter Master to the 1st Battalion of Artillery, during the absence of Lieutenant Ayrton on duty to the Presidency.

Lieutenant R. H. Young of the 2nd Grenadier Regiment Native Infantry, to act as Quarter Master to that Regiment, from the 4th ultimo, vice Hart promoted.

Lieutenant P. C. N. Amiel, of the 1st Grenadier Regiment Native Infantry, to act as Adjutant to the Left Wing of that Regiment, from the 12th April 1839, while detached from Head Quarters.

Captain W. J. Otley of the 2nd Regiment Light Cavalry, to act as Interpreter to that Regiment, vice Marriot resigned.

No. 396 of 1839.—The following promotions are made:

*Regiment of Artillery.*

*Date of Rank.*

Captain (Brevet Major) James Cocke to be Major, Lieut. (Brevet Captain) H. Stamford to be Captain, and 2nd Lieutenant E. Welland to be 1st Lieutenant, in succession to Willock deceased. } 8th July 1839.

The undermentioned Officer is to be ranked from the date specified opposite his name, vice Welland promoted.

*Rank in the*

*Regiment. Army.*

2nd. Lieutenant W. C. Outhwaite, 8th July 1839. 11th Decr. 1838.

No. 397 of 1839.—The undermentioned Gentlemen are admitted to the Service, in conformity with their respective appointments by the Hon'ble the Court of Directors, as a Cadet of Infantry, and as an Assistant Surgeon on this Establishment. The Cadet is promoted to Ensign, leaving the dates of their Commissions for future adjustment.

*Infantry.*

*Date of arrival at Bombay.*

No. 869 Mr. William Fleming Sandwith, 6th July 1839.

No. 182 Mr. John Craig, 6th July 1839.

*Bombay Castle, 23rd July 1839.*

No. 398 of 1839.—Ensign Duncan Milne, of the 24th Regiment Native Infantry, is appointed Commissariat Officer with the Force at Karrack, from the 26th ultimo, vice Creed, who resigns the appointment.

*By order of the Hon'ble the Governor in Council,*

*E. M. WOOD, Lieut. Col. Secy. to Govt.*

**MARINE DEPARTMENT.**

*Bombay Castle, 17th July 1839.*

No. 77 of 1839.—1st Hospital Assistant A. Gonsalves, now doing duty in the Indian Navy, is placed at the disposal of the Major General in charge of the Forces, for Military duty, and 1st Grade Apprentice T. Blaney attached to the Bombay European Regiment, is promoted to 1st Hospital Assistant, and placed at the disposal of the Superintendent of the Indian Navy, vice Gonsalves.

*Bombay Castle, 23rd July 1839.*

No. 78 of 1839.—Mr. Francis William Hopkins is admitted to the service, in conformity with his appointment by the Honorable the Court of Directors, as a Volunteer for the Indian Navy, from the 14th inst. the date of his arrival at Bombay.

No. 79 of 1839.—Mr. Midshipman W. Shum has returned to his duty by permission of the Honorable the Court of Directors, without prejudice to his Rank, date of arrival, 14th instant.

*By order of the Hon'ble the Governor in Council,*

*E. M. WOOD, Lieut. Col. Secy. to Govt.*

**PACKETS.**

The Post Master General begs to notify, that Packets for the reception of letters for dispatch by the following vessels are open at this office.

<i>Names of Vessels.</i>	<i>Agents.</i>	<i>Date of intended Departure.</i>	<i>To what port.</i>	<i>Touching where.</i>
H. C. Steamer Zenobia.	Supt. Indian Navy.	1st August.	Persian Gulf.	Muscat.
A Steamer.	Do.	16th September.	Suez.	Aden.
John Denniston.	Messrs. Grey & Co.	23th instant.	Calcutta.	
Hector.	Do. Edmond Bibby & Co.	23th do.	Colombo.	
Ida.	Do. Frith & Co.	23th do.	Triacommallee.	
Eamont.	Do. Do.	23th do.	Penang.	Colombo.
Thetis.	Do. Dirom Carter & Co.	1st August.	London.	
Syria.	Do. McVicar Burn & Co.	1st do.	Calcutta.	
British Merchant.	Do. Edmond Bibby & Co.	1st do.	Liverpool.	
W. Harris.	Do. Ritchie Stewart & Co.	3rd do.	London.	
Ann.	Do. Dirom Carter & Co.	5th do.	China.	
Triumph.	Do. Remington & Co.	2nd do.	Whampoa.	Singapore.
Johnstone.	Do. Dirom Carter & Co.	10th do.	Liverpool.	
Crow.	Do. Do.	In all do.	Do.	
Glencly.	Do. Do.	Do.	China.	

As a general rule, the Packets for dispatch by sailing Vessels will be closed on the evening before the date of dispatch.

*Bombay, Genl. Post Office, 24th July 1839.*

*E. E. ELLIOT,*

*Post Master Genl.*



**Notification.****TERRITORIAL DEPARTMENT,****FINANCE.**

Notice is hereby given, that until further orders, the Opium Agent and Superintendent of Stationery, has been authorized to continue to accept Tenders for advances to be made upon Bills drawn on London and Liverpool, in the manner and under the conditions specified in the

Published in the Bombay Government Gazette of 20th December 1838, Page 980.

granting orders on the General Treasury for the amount, payable twenty days after sight.

By order of the Hon'ble the Governor in Council.

L. R. REID,

Actg. Chief Secy.

Bombay Castle, 24th July 1839.

**Notice.**

2232  
2646  
4878  
Square Burgahs.

With reference to the notification dated 1st May 1837, two spots of vacant Sea Ground containing four thousand eight hundred and seventy eight Burgahs, situated at Gorupdavee Bay, will be put up to public auction and knocked down to the highest bidder on Saturday the 3rd proximo, at 12 o'clock at noon, at the Collector's Office, where a plan of the above ground may be seen on application.

W. C. BRUCE.

Collector of Land Revenue.

Bombay, 23rd July 1839.

**Advertisement.**

A Passage is required for the conveyance of:—

- 4 European unfit seamen to England.
- 1 Pensioned Soldier, his wife and 2 children, to England.
- 5 European Convicts, to the Isle of France, Calcutta, or direct to New South Wales.
- 14 Native Convicts, to Singapore.
- 3 Time-Expired ditto....ditto.

By order.

G. JENKINS,

Assist. Supt. I. N.

Bombay, 23rd July 1839.

**Civil Appointments, &c.****GENERAL DEPARTMENT.**

Bombay Castle, 22nd July 1839.

J. P. Willoughby Esqr. and Lieut. Col. E. M. Wood, to be Secretaries in attendance on the Hon'ble the Governor, during his Tour in the Deccan.

L. R. Reid Esqr. Acting Chief Secretary to Government to conduct Mr. Willoughby's duties in the Secret. Political, and Judicial Departments.

W. S. Boyd Esqr. Acting Secretary to Government, to conduct Lieut. Col. Wood's duties in the Military and Marine Departments.

**TERRITORIAL DEPARTMENT.****REVENUE.**

Bombay Castle, 19th July 1839.

Mr. W. E. Frere, acting first assistant to the collector of Poona, is to be placed in charge of the pergunnas of Kheir and Mawul. This arrangement is to have effect from the 10th March last.

Mr. H. P. Malet, first assistant to the collector and magistrate of Candeish, is allowed leave of absence for one month, to proceed to the presidency, under section xiv. of the absentee regulation.

Bombay Castle, 22nd July 1839.

Mr. H. E. Goldsmid, assistant to the collector of

Ahmednuggur, is allowed leave of absence for one month from the 1st proximo, under section xiv. of the absentee regulation, to proceed to Poona and to the presidency on private affairs.

Bombay Castle, 24th July 1839.

Mr. A. Spens to act as Deputy Collector of Customs and Land Revenue at the Presidency until the return of Mr. Grant.

Mr. J. H. Pelly, Collector of Customs in Guzerat & the Concan, is allowed an extension, for seven days, of the leave granted to him on the 13th March last, for one month, which is to be considered as commencing from the 17th instead of the 15th of April last.

By order of the Hon'ble the Governor in Council.

L. R. REID,

Actg. Chief Secy.

**ECCLESIASTICAL DEPARTMENT.**

Bombay Castle, 20th July 1839.

The Honorable the Governor in Council has been pleased to appointed the Reverend R. Ward, A. M. Junior Presidency and Garrison Chaplain, Acting Senior Chaplain, and the Reverend R. G. Keays, A. M. Acting Chaplain at Ahmednuggur, Acting Junior Presidency and Garrison Chaplain from the date of the Reverend H. Jeffrey's embarkation for New South Wales.

Bombay Castle, 24th July 1839.

The Reverend R. Ward, A. M. has been appointed to act as Archdeacon of Bombay.

By order of the Hon'ble the Governor in Council.

W. S. BOYD,

Actg. Secy. to Govt.

**JUDICIAL DEPARTMENT.**

Bombay Castle, 18th July 1839.

The Honorable the Governor in Council is pleased, under Act No. xiv of 1835, to confer on Mr. A. Campbell, acting first assistant to the magistrate of Belgaum, the penal powers of a magistrate in that collectorate.

The Honorable the Governor in Council is pleased, under Act No. xiv of 1835, to confer the penal powers of a magistrate on the undermentioned gentlemen in the Poona collectorate.

Mr. W. E. Frere, acting first assistant to the magistrate of Poona.

Mr. J. N. Rose, ditto second ditto.

Bombay Castle, 20th July 1839.

Mr. J. Little is allowed leave of absence for a period of two months, from the 23rd instant, to proceed to the Deccan on private affairs; and Mr. H. Beyts is appointed to act for that gentleman during his absence.

The Honorable the Chief Justice of the Supreme Court of Judicature has been pleased to make the following appointments.

Edward Davies Esq., acting master in equity, has been confirmed in the office of master in equity, from the 11th instant.

Charles Augustus West Esq., to be clerk of the court for conducting the proceedings in small causes, from the 15th instant.

John Pascal Larkins Esq., to be attorney for conducting pauper causes, from the 15th instant.

Bombay Castle 23rd July 1839.

The Hon'ble the Governor in Council is pleased to make the following appointments.

Mr. C. Sims, to be joint judge and session judge of Poona, subject to the confirmation of the Government of India.

Mr. W. H. Harrison, to act as deputy register of the suddur dewanee and suddur foudjaree adawlut.

Bombay Castle, 24th July 1839.

The Hon'ble the Governor in Council is pleased to make the following appointments.

Mr. W. H. Harrison to be assistant judge and session judge at Ahmedabad.

Mr. H. R. Stracey to act as assistant judge and session judge at that station.

**POLITICAL DEPARTMENT.**

Bombay Castle, 23rd July 1839.

Lieutenant J. R. Keily, of the 20th regiment N. I. is appointed to act as assistant to the political agent in the Mahee Caunta, during the absence of Lieutenant Wallace on sick certificate.

By order of the Hon'ble the Governor in Council,

J. P. WILLOUGHBY,

Secy. to Govt.



## Military Arrivals and Departures.

### ARRIVALS.

18th July.—Capt. Scott, 4th L. D. from England.  
Do. do.—Assist. surg. Thomson, M. D. 17th R. from do.  
Do. do.—Cadet Brook Kay, Infantry, from do.

### DEPARTURE.

19th July.—Lieut. F. Ayrton, arty, to Aden.

*Town Major's Office, 24th July 1839.*

## Shipping Intelligence.

### ARRIVALS.

18th July.—Ship Glenelg, R. B. Shettler, master, from London 16th, and Portsmouth 27th March 1839.  
Passengers.—Mr. B. Kay, Cadet,—six officers—one assist. surg.—249 Soldiers—3 women and 2 children, detachment of H. M. 4th Light Dragoons, 2nd and 17th Regts. of Foot, and 1 native servant.

23rd Do.—Brig Hamido, J. C. Batta, master, from Colombo, 20th June 1839.  
Passengers.—Capt. and Mrs. Humes, 3 native servants and 2 European seamen.

### DEPARTURES.

17th Do.—Ship Earl of Clare, James Scott, master, to China.

Passengers.—7 Parsees.

23rd Do.—E. I. C. Brig of War Euphrates, lieut. R. Ethersey, comdg. to Aden.

Passengers.—Lieut. Ayrton, arty, to Aden, and Lieut. Porter, I. N. to England.

D. ROSS,  
Master Attendant.

*Bombay, 24th July 1839.*

## Unclaimed Letters.

### POST LETTERS.

- 1 Captain A. Read, care of capt. Beys, Colaba..... Bombay.
- 1 Mrs. M. Conolly, care of Richard Spooner Esq. C. S. .... do.
- 1 Mrs. Baland, care, of ditto ditto.... do.
- 1 James Keith Forbes Esq. 18th R. N. I. do.
- 1 Miss Hart..... do.
- 1 Mr. Js. Bellew..... do.
- 1 Lieut. H. Corry, Her Majesty's 17th regt..... do.
- 1 Mr. John Earle, steward on board ship Johnstone..... do.
- 1 William Bell Esq. (refused)..... do.
- 1 Capt. J. B. Gahain, 26th regt. Bengal N. I. (refused)..... do.
- 1 Lieut. H. B. Young..... do.
- 1 Bombardier. Wm. Bennett, military board office..... do.
- 1 Mr. J. C. Cannon..... do.
- 1 Mickl. Boothe, Grenadier Company 17th regt..... do.
- 1 Wm. Eslan Esq. master attendant.... do.
- 1 Gunner James Gurney, 1st troop horse brigade..... do.
- 1 Lieut. col. C. Herbert, 30th regt. M. N. I. (newspaper)..... do.
- 1 Lieut. Harron, bazar master..... do.
- 1 Mr. A. Bunsido..... do.
- 2 Major George Brooke, comg. horse artillery, with field force..... do.
- 1 Brigadier Worsley, comg. 5th division, under the command of General Sir Henry Fane, K. C. B..... do.
- 1 Behary Lal Govind Lal..... do.
- 1 Sumsooden Antoolay, Servt. to Capt. Ogilvie..... do.
- 1 Mr. Francis Dias, Clerk at Collector's Office (refused)..... do.
- 1 Bapoo Govind Khichuday..... do.

- 1 Bomanjee Byramjee Parsee, to the care of Sorabjee Ruttonjee Patell.. do.
- 1 Mr. Kinlock, assist. apothecary, 3rd Compy. 1st Battn..... do.
- 1 Lieut. F. H. Brown, 23rd Regt. N. I. Field Force..... do.
- 1 Herojee Rott..... do.
- 1 Christnaje Tullia, 1st hospital assist... do.
- 1 Rathabhae, to the care of Duncan Road near the Rustomjee Sobadar Buglea..... do.
- 1 Bolvach Hasonkan, Horse Merchant .. do.
- 1 Govindrowjee..... do.
- 1 Mucktamah, servant Girl to Mrs. Write, apothecary..... do.
- 1 Mr. Caetano De Saleva..... do.
- 1 Rugnauthjee Nauthjee Brwhomen, care of Gordanjee Mharajh..... do.
- 1 Hubdul Kadir Karac..... do.
- 1 Mr. Bicks, Post Master of the Mableswar do.
- 1 Dadasab..... do.
- 1 Bheecu, Capt. Moore's Butler.. do.
- 1 Bomonjee Mervanjee..... do.
- 1 Ao Senior Joao Mariano de Souza, Boquer Marquete..... do.
- 1 Ao Senhor Caitano Minez,..... do.
- 1 Balcrstina Narrayan..... do.
- 1 Anundrow Ballajee, Dak wallay (refused)..... do.
- 1 Wittul Bapoojee..... do.
- 1 Vissajee Punt Nannal Shavuday..... do.
- 1 Tooka, Horse keeper Mr. Jackson .... do.
- 1 Hooeckum Chund Shiroff, care of Havildar Major 4th Regt. N. I..... do.
- 1 Lalle Godevalla, care of Mr. Clarke... do.
- 1 Ao Sr. Lorenzo Alvoris, Pintor..... do.

### SHIP LETTERS.

- 1 John James Combe, Esq..... Bombay.
- 1 W. Simpson, & Co..... do.
- 1 Mr. James, Bombay Ship Prince Geo. do.
- 1 Capt. W. A. Bourchier,..... do.
- 2 Mr. Francis Davis, Barq. Manchester. do.
- 2 Capt. James Greig, Ship Cassandra. do.
- 1 William Duncan, Ship ditto.... do.
- 1 Mr. W. Smith, Ship Earl Worthington. do.
- 1 Monsieur X. de Reul,..... do.
- 3 G. H. W. Gill, Esq..... do.
- 1 Capt. William Burnett, B. E. F. .... do.
- 1 Henry Flemying Esq. Ship Heroine. do.
- 1 Captain Baxter..... do.
- 1 Pto. John Hendry, 26th Regiment. do.
- 1 Mr. Nelson, Boatswain Walmer Castle. do.
- 1 China Johnsey..... do.
- 1 Serjeant Major of the 13th Royal Irish. do.
- 1 Do. Thomas Carney, 18th..... do.
- 1 Mademoiselle F. Smith,..... Franco.
- 1 Madame Ellen Stephinsson..... do.

\* Left at the Post Office by a Peon and being chargeable with postage are retained till the same is paid, or they will be returned if claimed.

F. E. ELLIOT,  
Post Master General.

*Bombay, Genl. Post Office, }  
24th July 1839.*

*High water in the harbour under the following dates*

1839.	A.	M.	P.	M.
	H.	M.	H.	M.
July 25th Thursday..	10	35	10	58
.. 26th Friday.....	11	20	11	42
.. 27th Saturday.....	00	00	00	03
.. 28th Sunday.....	00	20	00	36
.. 29th Monday.....	00	53	1	10
.. 30th Tuesday.....	1	26	1	43
.. 31st Wednesday..	2	00	2	18

It is requested, that advertisements and the translations, of any length, may be sent to this office on Tuesday evening, and those of a few lines only, by noon of Wednesday.

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