



# 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 conform'd 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 inserted 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 2D DECEMBER, 1839.

The following Draft of a proposed Act was read in Council for the first time, on the 2d December, 1839.

ACT No. — OF 1839.

Whereas the Hon'ble Court of Directors of the East India Company, by and with the approbation of the Board of Commissioners for the affairs of India, have sanctioned the Establishment of a Bank at Bombay on the same principles as were prescribed for and have been observed in the re-incorporation of the Bank of Bengal, by Act No. VI of 1839: and whereas the said Court of Directors have directed the body of Proprietors in existence at the date of the dispatch which contained the said sanction for the incorporation of a Bank at Bombay to be the Proprietors in whose favor the Act of incorporation is to be passed:—

It is therefore hereby enacted, that from the 1st day of March next ensuing, in the year of our Lord 1840, the persons whose names are included in the Schedule hereunto annexed, provided that they, with the Government of Bombay on the part of the East India Company, have paid up the amount of Capital Stock subscribed by them respectively, or such of them as have so paid up their subscriptions shall, together with the Governor in Council for the time being of the Island and Presidency of Bombay, be a corporation body corporate and politic, by name of the Bank of Bombay, with perpetual succession to them and their successors as Proprietors for the time being of the said Bank as hereafter mentioned and provided; and shall possess and enjoy all the rights, privileges, and immunities incident by law to a corporation aggregate.

II. And it is hereby enacted, that provided the persons or any of them whose names are included in the said Schedule, shall not have paid up their subscriptions to the Capital Stock before

the 1st of March 1840, the shares remaining so unpaid shall be disposed of as may be directed by the Governor in Council of Bombay, acting under the instructions he may receive from the Government of India.

III. And it is hereby enacted, that the Capital Stock of the said Bank of Bombay shall be Fifty Lakhs of Company's Rupees, whereof the Governor in Council of Bombay for the time being shall, on behalf of the East India Company, be proprietor of Three Lakhs of Rupees; provided however, that it shall be in the power of the Governor General of India in Council, from time to time, by an order duly published in the Government Gazettes of Calcutta and of Bombay to authorize the said Capital Stock to be increased, and to make such order and direction for the opening of subscriptions towards such increase of Capital, as to him may seem fit, giving due notice thereof to the Proprietors of the said Bank for the time being, and allowing to them a period of not less than twelve months to fill up such subscription themselves, and likewise to prescribe in what manner and form the Proprietors shall subscribe and pay into the said Bank the proportion of new Stock to which they may respectively be entitled; and also to make such order and direction as to him the Governor General in Council may seem fit, for the disposal of the amount of new Stock that may not be subscribed for, and paid up by the Proprietors in the manner and form that may be so prescribed.

IV. And it is hereby enacted, that the Capital Stock of the Bank of Bombay shall, so long as it shall consist of Fifty Lakhs of Rupees, be divided into 1250 shares of 4000 Rs. each, which shall be numbered from 1 to 1250, and seventy-five of the said shares numbered from No. 1 to 75 shall be the property of the Governor in Council of Bombay, and the remainder numbered from No. 76 to 1250, shall be the property of the Proprietors who may pay the same, and each of the



said shares may be divided into quarter shares of 1000 Rs. each, but no separate interest or share in the Stock of the said Bank of less amount than 1000 Rs. shall be created or held by any Proprietor, and if at any time the Capital of the said Bank shall be increased, the new Stock added thereto shall in like manner be divided into shares of 4000 Rupees each, divisible into quarter shares of 1000 Rs., and no Proprietor shall be entitled to claim a share of such new Stock of less amount than One Thousand Rupees.

V. And it is hereby enacted, that on the said 1st day of March 1840, or on some early day after that date, the Governor in Council of Bombay shall notify in the *Government Gazette* of that Presidency, that the Government share of the Captial Stock of the Bank of Bombay has been paid up, and shall publish in the said *Gazette* a list of the Proprietors by whom the shares of the said Capital Stock subscribed for by them respectively have been paid, and the Bank of Bombay being incorporated as above provided, shall from the date of such notification be opened for the transaction of all manner of business authorized by this Act; and the said Bank shall and may sue, and be sued, by its Corporate name, and shall and may use such common Seal as the Directors of the said Bank shall from time to time appoint, and shall be competent to acquire and hold, either absolutely or conditionally, for a term or in perpetuity, any description of property whatever, and to transfer and convey the same.

VI. And it is hereby enacted, that payment of the amount of subscriptions to the Capital Stock shall be made to the Sub-Treasurer of the Government of Bombay for the time being, who will grant receipts for the same, and hold the amount as a deposit in the Treasury until the publication by the Governor in Council of Bombay of the notification prescribed in Sec. V of this Act, when he will deliver the amount so subscribed to the Directors of the Bank to be appointed as hereinafter provided.

VII. And it is hereby enacted, that after the said delivery of the amount of Capital Stock to the Directors of the Bank, the receipts granted by the Sub-Treasurer of the Government of Bombay, in the manner provided in Sec. VI of this Act, shall be cancelled, and a certificate, signed by three Directors of the Bank of Bombay, shall be delivered to each Proprietor, and any person who is a Proprietor of more than one quarter share of the Capital Stock may at his option demand a certificate for each of his shares or quarter shares or one certificate for all his shares, or several certificates, each of which may be for any number of his shares or quarter shares.

VIII. And it is hereby enacted, that no Proprietor shall be allowed to increase his share in the Capital Stock of the said Bank beyond the amount of One Lakh and Sixty Thousand Rupees, excepting on occasion of any increase being made to the Capital Stock of the said Bank under the authority of the Governor General in Council, in the manner prescribed in Sec. III. of this Act; in which case any Proprietor holding Stock to the full amount of One Lakh and Sixty Thousand Rupees shall notwithstanding be entitled to subscribe to the increased Capital Stock in a rateable proportion, and excepting any addition to his interest in the said Capital Stock arises from succession, bequest, or marriage.

IX. And it is hereby enacted, that the said share or shares of the Capital Stock of the said

Bank shall be of the nature of personal estate of the Proprietors thereof respectively, and that the same shall be transferable by endorsement to be made on the certificates thereof respectively, under the hand of the Proprietor or Proprietors, or his, her, or their Attorney duly authorized, which endorsement shall specify the name of the person or persons to whom the said transfer shall be made; provided that no such endorsement shall be effectual to transfer any such share or shares until such endorsement shall have been registered at the Bank of Bombay, and such registration shall have been noted on such endorsement under the hand of an Officer appointed for that purpose by the Directors of the said Bank.

X. And it is hereby enacted, that the said Corporate body of the Bank of Bombay, shall consist and be composed of the Registered Proprietors for the time being of the said shares of the Capital Stock of the said Bank and of no other person or persons whatsoever.

XI. And it is hereby enacted, that the business of the said Bank shall be managed by nine Directors, of whom three shall be appointed and removable by the Governor in Council of Bombay and the remaining six shall be elected by the General Meeting of the Proprietors of the said Bank, and shall be removable by vote of the majority of a General Meeting of the said Proprietors.

XII. And it is hereby enacted, that the first Directors of the said Bank of Bombay shall be such three persons as may be appointed by the Governor in Council of Bombay to be Directors of the Bank, together with six persons of those whose names are inserted in the Schedule, annexed to this Act, and who being entitled to not less than three shares or 12,000 Rs. of the Capital Stock of the said Bank, shall be elected at a General Meeting of the persons whose names are inserted in the said Schedule, held in the Town Hall of Bombay, at noon of the 1st day of February 1840; and the election shall be made by the persons who according to the Schedule hereunto annexed may be entitled to shares of the Capital Stock of the Bank, and the said persons shall vote at such election in person or by proxy according to the quantity of Stock respectively held by them, as if they were Proprietors to all intents and purposes of the shares for which they are entitled to subscribe, and the Directors so appointed shall appoint Officers, and take all necessary steps for opening the Bank when this Act shall take effect for its incorporation; and the rotation amongst the six Directors first appointed under the next preceding Section, shall be established according to the number of votes; the two Directors elected by the fewest votes first vacating, and the next two in the year following, and so in succession in the third year.

XIII. And it is hereby enacted, that two of the six Directors elected as provided in Section XII, and to be elected by the Proprietors, shall in rotation go out of office on the second Monday in the month of December in every year, on which day in every year a General Meeting of Proprietors shall be held for the election of two Directors in their stead; provided always, that any Director going out by rotation as aforesaid may not be re-elected at the election which takes place thereupon.

XIV. And it is hereby enacted, that in case of the death, resignation, or absence from Bombay for more than three months, or disqualification under Section XV, or removal as aforesaid of any Directors elected as provided in Section XII,



or to be elected by the Proprietors after the incorporation of the Bank of Bombay, the Directors shall call a General Meeting of the Proprietors, to be held within fifteen days of the day of notice, for the purpose of choosing a successor, and such successor shall come into the same place in rotation abovementioned in which the late Director was.

XV. And it is hereby enacted, that no person shall be capable of serving as a Director by election of the Proprietors who shall not be Proprietor in his own right and unincumbered of three shares or 12,000 Rs. of the Capital Stock of the Bank of Bombay, or who shall be a Director of any other Bank issuing notes payable on demand within the Town or Island of Bombay.

XVI. And it is hereby enacted, that at a General Meeting of the Proprietors every election, and other matter in question, shall be decided by a majority of votes, and that no person shall be allowed to vote at any such Meeting in respect of any share of the said Capital Stock acquired by transfer or purchase, or otherwise, than by the act of Law, unless such transfer shall have been completed six months at the least before the time of tendering such vote.

XVII. And it is hereby enacted, that at all such General Meetings the Proprietors shall vote according to the following scale :

1 Share of 4000 Rs. shall be entitled to 1 vote.	
5 " " " " " "	2 "
10 " " " " " "	3 "
15 " " " " " "	4 "
20 " " " " " "	5 "
30 " " " " " "	6 "
40 " " " " " "	7 "

and no Proprietor shall be entitled to more than seven votes.

XVIII. And it is hereby enacted, that it shall be lawful for the Governor in Council of Bombay to give a proxy in writing signed by one of the Secretaries to Government, to any person whom the Governor of Bombay may appoint to attend any General Meeting of the Proprietors, and that the holder of such proxy shall be entitled to give seven votes upon all matters or questions that may be submitted to such Meeting, except upon the election or removal of such Directors as are elected by the said Proprietors.

XIX. And it is hereby enacted, that any Proprietor, or Proprietors, entitled to vote at any General Meeting, may give a proxy in writing, either general or special, under his, her, or their hand, or the hand of his, her, or their Attorney duly authorized, to any other Proprietor, and that such proxy shall be produced at the time of voting, and that such proxy shall entitle the person to whom it is given, to vote on such matter or matters as shall be authorized by the tenor of such proxy.

XX. And it is hereby enacted, that at the first Meeting of the Directors in every year, they shall choose a President from among themselves, and if the office of President shall become vacant, they shall at their next Meeting, choose a successor for the remainder of the current year; and that during any vacancy, or in the absence of the President, the senior Director shall be Vice President for the time, and that such President or Vice President shall have the casting vote in all cases of an equal division of votes at Meetings either of Directors or Proprietors.

XXI. And it is hereby enacted, that the presence of at least three Directors shall be necessary to form a Board for the transaction of business, and the said Directors shall establish a

weekly rotation among themselves, so that not less than three Directors may attend every Meeting of Directors; provided always, that nothing herein contained shall be held to preclude any Director from attending any Meeting of Directors.

XXII. And it is hereby enacted, that all accounts of the said Bank, and all instruments not under seal, whereby the said Bank can in any manner be bound, except the cash notes of the said Bank, shall be signed by three Directors, and shall be of no validity unless so signed, and that the seal of the said Bank shall not be affixed to any instrument except in the presence of three Directors, who shall sign their names on the instrument in token of their presence, and that such signing shall be independent of the signing of any person who may sign the instrument as a witness; and that unless so signed by three Directors such instrument shall be of no validity.

XXIII. And it is hereby enacted, that the said Directors shall have power to appoint such Officers as may be necessary to conduct the business of the said Bank and to remove any Officer of the said Bank, and to fix the salaries of such Officers, provided that the whole expense of the establishment of the said Bank shall not, in any one year, exceed 60,000 Rupees, without authority from the General Meeting of the Proprietors.

XXIV. And it is hereby enacted, that no person who shall hold the office of Secretary, Treasurer, Head Accountant, or Head Shroff of the Bank of Bombay, shall engage in any other Commercial business, either on his own account, or as Agent for any other person or persons, or act as a Broker for the sale or purchase of Government Securities, and that every person appointed to any one or more of the said offices shall give security to the Directors for the faithful discharge of his duty, in the sum of 50,000 Rupees.

XXV. And it is hereby enacted, that the said Bank of Bombay shall not be engaged in any kind of business, except the kind of business hereafter specified, that is to say:

- 1st. The discounting of negotiable Securities.
- 2d. The keeping of Cash Account, including the realization of Dividends and Interest on Government Securities to the credit of constituents of the Bank.
3. Buying and selling of Bills of Exchange payable in India.
4. The lending of Money on short loans.
5. The buying and selling of Bullion.
6. The receiving of deposits.
7. The issuing and circulating of Cash-Notes and Bank Post Bills.
8. The selling of property or Securities deposited in the Bank as Security for loans and not redeemed, or of property or Securities recovered by the Bank in satisfaction of debts and claims.

XXVI. And it is hereby enacted, that the Directors of the said Bank shall discount no negotiable Security, and make no loan, unless the amount of Cash in possession of the said Bank, and immediately available, shall be equal to at least one-fourth of all the claims against the said Bank outstanding for the time being and payable on demand.

XXVII. And it is hereby enacted, that the Directors of the said Bank of Bombay shall not discount any negotiable Securities which shall have a longer period to run than three months, or lend any money for a longer period than three months and that they shall make no loan or advance on any Bank Share or Certificate of Shares, nor on Mortgage, or in any other manner on the Securi-



ty of any Lands, Houses, or immovable property, nor on any negotiable Security of any individual or partnership firm, which shall not carry on it the several responsibilities of at least two persons or Firms unconnected with each other in general partnership, nor be in advance at one and the same time to any individual, or partnership firm, either by way of discount, loan, or in any other manner,—(saving by loans upon the deposit of Government Securities, or Goods not perishable as hereinafter mentioned,) beyond the amount of three Lakhs of Company's Rupees; Provided always, that the advances upon Bills of Exchange accepted by the Government or upon other Government obligations, shall not be considered as an advance within the meaning of this restriction.

XXVIII. And it is hereby enacted, that the Directors of the said Bank shall make no loan other than such loans as are described in the Clause next preceding, except on deposit of Public Securities to the full amount of the loan, and which Public Securities shall be so endorsed or transferred as to put them at the absolute disposal of the said Bank of Bombay, or on deposit of goods not of a perishable nature, and of estimated value exceeding the amount of the loan by at least one-fourth.

XXIX. And it is hereby enacted, that the said Bank shall not be at any time in advance to the Government more than Seven Lakhs and a Half of Company's Rupees, provided always that the holding of Government Securities, or of Bills of Exchange drawn upon the Government, or of other Government acceptances or obligations derived to the said Bank from individuals and not overdue, shall not be construed as being in advance to the Government within the meaning of this Clause.

XXX. And it is hereby enacted, that the Directors of the said Bank of Bombay shall not suffer any person or persons, or body corporate keeping Cash with the said Bank of Bombay, to overdraw his, her, or their account.

XXXI. And it is hereby enacted, that the said Bank of Bombay may issue Promissory Notes payable either on demand, or at a date not exceeding thirty days after sight, which Notes shall and may be signed on behalf of the said Bank by such person as the Directors of the said Bank may appoint or authorize in that behalf, provided always, that the total amount of such Notes in circulation at any one time shall not exceed Two Crores of Rupees, and provided also, that no such Note shall be for a smaller amount than Ten Rupees.

XXXII. And it is hereby enacted, that it shall not be lawful for the said Bank to make, issue, or negotiate any Note, Bill or other instrument containing any promise, undertaking, or order, for the payment of money elsewhere than within the limits of India.

XXXIII. And it is hereby enacted, that it shall be lawful for the Directors of the said Bank of Bombay to receive in deposit goods not of a perishable kind and to contract for the safe keeping of the same.

XXXIV. And it is hereby enacted, that the Directors of the said Bank shall cause the Books of the said Bank to be balanced on the 30th day of June and the 31st of December in every year, and that a settlement of the balance on every such day signed by a majority of the said Directors, shall be forthwith transmitted to one of the Secretaries to the Governor in Council of Bombay, and that the Governor in Council of Bombay shall at all times be entitled to require

of the said Directors any information touching the affairs of the said Bank, and the production of any documents of the said Bank, and that the said Directors shall comply with every such requisition.

XXXV. And it is hereby enacted, that an account of the profits of the said Bank shall be taken half-yearly on the 1st day of January and the 1st day of July in every year, and that a dividend thereof shall be made so soon thereafter as conveniently may be, and that the amount of such dividend shall be determined by the Directors of the said Bank, on the ground of the actual profits made by the said Bank during the six calendar months preceding the day up to which such half-yearly account shall be taken; provided that such reasonable expences as have been incurred in procuring this Act of Incorporation shall, upon being audited and admitted by the said Directors, be paid out of the funds of the Bank as soon as it is opened for business, and that the amount so paid shall be defrayed out of the future profits of the Bank at the discretion of the Directors; and provided that the said Directors, shall have power, when they see fit, to set apart from such profits, a sum not exceeding five per Cent. on the Capital Stock of the Bank as a reserve against contingencies.

XXXVI. And it is hereby enacted, that on the first Monday of the month of August in every year, a General Meeting of the Proprietors of the Capital Stock of the said Bank shall be held, at which the Directors of the said Bank shall submit to the said Proprietors a Statement of the affairs of the said Bank made up to the preceding 30th of June, and such General Meeting shall be competent to pass resolutions and frame rules and directions relative to the affairs and conduct of the said Bank, which shall be binding on the Directors and Officers of the Bank, and on the Proprietors thereof, until rescinded or modified respectively by any subsequent General Meeting.

XXXVII. And it is hereby enacted, that any three of the said Directors of the said Bank, or any ten Proprietors of the Capital Stock of the said Bank, may at any time convene a General Meeting of the Proprietors, upon giving fifteen days previous notice of such Meeting, and of the purpose or purposes for which the same shall be convened, as well to the Directors of the said Bank for the time being, as also by public advertisement in the Government Gazette of Bombay.

XXXVIII. And it is hereby enacted, that it shall be lawful for the Bank of Bombay, with the sanction of the Governor in Council of Bombay, to establish Branch Banks at such places, and under such rules and restrictions, as shall be determined by the Proprietors at their General Meetings; provided however, that such Branch Banks when so established, besides being subject to the rules and restrictions that may be imposed by the Proprietors, and to the control and orders of the Directors of the Bank of Bombay, shall be bound by the same rules as to the description of business in which they are to engage, and the manner of conducting such business, and likewise in respect to the issue of Notes payable on demand, and the retention of cash to meet the same, and in all transactions and matters herein above referred to, as are prescribed for the Bank of Bombay by this Act.

XXXIX. And it is further enacted, that if any of the said Proprietors shall become indebted to the said Bank, it shall be lawful for the said Bank to withhold payment of the dividends on



the Share or Shares of such Proprietor registered as his, or her own property, and not as held in trust, or as Executor or Administrator, until payment of such debt, and to apply such dividends towards payment thereof, and that after demand and default of payment, and notice in that behalf given, either to such Proprietor, or his or her constituted Agent, or by public advertisement in the *Government Gazette*, it shall be lawful for the said Bank to refuse registration of the transfer of any such share or shares of such Proprietor until payment of such debt; and if the same shall remain unpaid for the space of six months after such notice, to advertise for public sale, and to sell such share or shares or so many as may be necessary; and to apply the proceeds thereof towards payment of such debt, with interest at the rate of Six per Cent. per annum, paying over the surplus, if any, to such Proprietor, or his or her lawful representative.

XL. And it is further enacted, that the said Bank shall continue as hereby constituted until the 1st day of March which will be in the Year of our Lord 1847, and shall thereafter continue in like manner until duly dissolved or modified; provided however, that after the said 1st day of March 1847, the said Bank shall not, except upon the application or by the consent of the said Bank, be dissolved, or anywise modified, without previous notice of twelve Months at the least being given to the Directors of the said Bank for the time being, of such intended dissolution or modification. Provided also, that in the event of the said Bank at any time suspending cash payments, the benefits granted to the said Bank by the present Act of Incorporation shall be thenceforth forfeited.

*SCHEDULE of the Names of the Shareholders in the Bank of Bombay.*

Ayrton, F.	..	14
Atkinson, Hugh.	..	5
Ashburner, Luke.	..	75
Ashburner, George.	..	75
Aganoor, James.	..	1
Arnott, F. S.	..	1
Allan, William.	..	9
Amaram Kesson Bhandaree,	..	20
Agah Mahomed Curreeem,	..	9
Agah Mahomed Rahim Serazee,	..	23
Anundrow Vencajee,	..	5
Ardaseer Hormusjee Santook,	..	1
Anundrow Ragoonathjee,	..	2
Anundrow Gumpnt Senoy,	..	2
Ardaseer Framjee Dawar,	..	5
Ardaseer Byramjee Fuckerjee,	..	2
Bagnold, Colonel M. E.	..	20
Bax, John.	..	11
Brown, F. C.	..	23
Bainbridge, J. H.	..	75
Brooks, Colonel G. B.	..	9
Barr, Colonel D.	..	20
Barr, H. J.	..	3
Barr, J. T.	..	2
Byramjee-Muncherjee,	..	1
Bonamy, Captain J.	..	23
Borradaile, H.	..	23
Barretto, Joao.	..	1
Beck, W. W.	..	1
Ball, H.	..	2
Bocarro, J. J.	..	1
Bird, James.	..	14
Bruce, W. C.	..	9
Burjojee Manockjee Chanae,	..	2
Bappoo Ragoonath Josey,	..	3
Bhasker Sunderjee.	..	2
Byramjee Dadabhoj Carsetjillah,	..	3
Byramjee Solahjee Guzdeer,	..	9
Buchoohoy Merwanjee,	..	3
Bawany Sunker Ramsord Senoy,	..	2
Bomanjee Muncherjee Guzurat,	..	2
Bhimjee Dhunjee Woomrigur,	..	9

Church, W.	..	50
Cowasjee Narrabhoj,	..	5
Cogan, Captain R.	..	20
Caldecott, John	..	10
Clibborn, Captain Thomas.	..	5
Coghlan, W.	..	9
Cardwell, Thomas	..	10
Collett, L. A.	..	9
Cursetjee Ardaseer,	..	75
Cursetjee Ardaseer, Trustee to his Daughter,	..	75
Cursetjee Cowasjee Banajee .	..	50
Cowasjee Manockjee Billiah:	..	1
Cowasjee Manockjee Bhandoop,	..	75
Cursetjee Cowasjee Bhadoop,	..	50
Cowasjee Hormusjee Mama,	..	5
Cursetjee Dorabjee.	..	2
Cursetjee Rustomjee.	..	2
Campbell, Major Neil.	..	9
Cowasjee Dhunjee,	..	2
Cursetjee Nesserwanjee,	..	7
Chedanund Denssejee,	..	1
Cowasjee Eduljee Mody,	..	5
Crisnath Narronjee,	..	9
Cowasjee Framjee,	..	5
Dinshaw Nanabhoj Damon,	..	5
Davies, J. M.	..	5
Doveton, Bazett.	..	18
Dhunjeebhoj Cursetjee,	..	5
Davidson, F. M.	..	20
Dossabhoj Framjee Mama,	..	5
Dinshaw Furdonjee,	..	9
De Silva, Mariana.	..	1
De Jesus, Manoel.	..	5
Don, James.	..	9
Does, Remedios Ignacio.	..	2
Dorabjee Muncherjee.	..	3
Dossabhoj Merwanjee.	..	5
Dossabhoj Cursetjee Wadia,	..	5
Dossabhoj Jamssetjee,	..	5
De Silva, Pascoal M.	..	10
Dossabhoj Sorabjee Moonshree.	..	9
Dossabhoj Jamssetjee Wadia,	..	5
Dent, C. R.	..	9
Denbaw Hurmusjee Patell,	..	2
Dunjeebhoj Merwanjee Wadin,	..	5
Davidson, Duncan,	..	2
Dedshaw Rustomjee,	..	3
Denshaw Dadabhoj Gandee,	..	1
Daughters, G. of Framjee Cowasjee.	..	27
Dadabhoj Pestonjee,	..	75
Egan, J. B.	..	9
Elliot, A. W.	..	2
Eisdale, D. A.	..	4
Elliot, G. L.	..	9
Earle, Captain E. M.	..	1
Ennis, Captain E. M.	..	1
Edmond, William	..	18
Edujee Framjee Coranee,	..	3
Fraser, Simon.	..	70
Framjee Naubhoj,	..	5
Frith, J. G.	..	24
Fletcher, Alexander, as Trustee of Messrs. )	..	75
Ferguson, Turner and Co. )	..	10
Furdonjee Lanjee,	..	10
Framjee Ruttonjee,	..	10
Framjee Cowasjee.	..	67
Foster, Captain Robert	..	9
Framjee Jewajee Gandena,	..	9
Framjee Muncherjee Colah,	..	9
Framjee Goonverjee,	..	2
Framjee Nasserwanjee Patell,	..	20
Fearon, Colonel P.	..	23
Framjee Cowasjee, Mrs.	..	14
Fraser, J.	..	18
Gordon, H. G.	..	75
Graham, John	..	10
Greenhill, David	..	75
Grey, W. S.	..	45
Gumpnt Bapsia Bhandaree,	..	7
Gama, J. C.	..	9
Griffith, Colonel J. G.	..	7
Gunpatron Sudaseerjee,	..	2
Gordon, Colonel G. T.	..	23
Grandchildren of Framjee Cowasjee,	..	18
Hunter, Walter.	..	29
Hunter, W. P.	..	20
Henderson, Capt. W.	..	50
Henderson, Alexander.	..	9



Hyslop, J.	3	Owen, H. F.	33
Hormusjee Pestonjee Bottlewalla,	2	Ogilvie, Col. J.	30
Hornusjee Pestonjee,	3	Owen, Mrs. H. F. (her Trustees)	15
Henson, John	1	Orton, J.	14
Howard, Wm.	10	Ord, Capt. Richard,	9
Hormusjee Manockjee Major,	2	Ottley, W. J.	2
Hutchinson, Frederick.	3	Pollexfen, George	18
Heerjeebhoy Nursungjee,	1	Penley, Capt. G. F.	5
Hebbert, W. G.	2	Patch, James	61
Hall, Capt. J. H.	1	Patch, John	5
Ironside, Hon'ble Edward.	50	Powell, Col. Thomas	23
Ingle, H.	3	Pestonjee Framjee,	4
Jehangeer Nasserwanjee Wadia,	20	Pestonjee Cursetjee Cama,	2
Jamson, Capt. G. J.	5	Pestonjee Dadabhoj Wadia,	8
James, Col. C. B.	15	Pallonjee Dlumjee,	5
Jeejeebhoy Dadabhoj,	19	Philips, J. L.	9
Jeejeebhoy Byramjee,	2	Pestonjee Hormusjee Mana,	5
Jehangeer Framjee Josawalla,	9	Pestonjee Hormusjee Santook,	1
Jehangeer Byramjee,	5	Preedy, H. W.	1
Jamettee Merwanjee Cahah,	2	Pringle, Capt. A. W.	9
Jaganath Sunkersett,	68	Poondlick Itamsord Lenoy,	1
Jehangeer Nasserwanjee Wadia, for his Sister } Soneboy,	18	Palonjee Eduljee,	9
Jamsetjee Barjorjee,	1	Paul, Capt. G. J. C.	9
Jehangeer Framjee Cowasjee,	9	Pestonjee Framjee Cowasjee,	9
Jamardonjee Abbajee,	1	Pestonjee Rustomjee,	5
Kennett, Capt. V. F.	5	Pontinger, Col. Henry	20
Keshow Rungordjee,	5	Premjeevan Anoopdass,	18
Kennett, Col. B.	9	Richmond, F. R.	10
Kennedy, R. H.	9	Robertson Col. Archibald	75
Luis, Thomas,	1	Robertson, Major H. D.	15
Little, James	10	Robertson, Henry Morris	23
Lela Mohun Pasta,	5	Roberts, Walter	19
Landon, S.	2	Ross, John	18
Larkins, J. P.	23	Ragoonath Crustna Josey,	4
Le Messurier, A. S.	9	Rowland, Capt. J. H.	23
Langford, J. W.	27	Rose, Capt. W.	5
Lodwick, Col. P.	45	Robson, Thomas	1
Lowjee Muncherjee Wadia,	23	Rustonjee Sorabjee Mody,	1
Loyolae Ge Ignacio,	1	Ruttonjee Dadabhoj Colah,	54
Merwanjee Dadabhoj Wadia,	14	Ruttonjee Cursetjee,	3
Malcolm, Capt. Sir Charles,	10	Ragoba Jeemajee,	5
Moor, Major G.	20	Rooganath Hurreechundjee,	5
Mackie, Wm.	50	Ragoonath Samoo Senoy,	2
Manockjee Nowrojee,	10	Rustonjee Hormusjee Cama,	1
Morris, W. R.	37	Reynolds, P. A.	9
Morgan, E. C.	47	Santokejee Nanabhoj,	5
Madoo Narron,	50	Spiller, Major W.	10
Murphy, R. X.	14	Swanson, Captain J.	24
Manockjee Nasserwanjee Petty.	10	Skinner, John	50
Mainwaring, W.	3	Stuart, G. A.	9
Mant, G. J.	5	Sorabjee Cowasjee,	9
Milne, John, Jr.	21	Sinclair, James	40
Mcleode, John	5	Simson, Wm.	20
McDonald, J. M.	25	Salter, General James F.	27
Muncherjee Framjee Cama,	45	Smytton, George	18
Merwanjee Lunjee,	5	Scott, John	9
Muncherjee Bargarjee Mody,	11	Succaram Ragoonath Josey,	2
Muncherjee Hormasjee Cama,	11	Sorabjee Rustomjee,	8
Merwanjee Khodabux,	23	Sorabjee Dorabjee,	3
Morgan, Capt. W.	18	Sapoorjee Sorabjee Patell,	2
Manockjee Cursetjee Jewajee,	9	Seitz, Mrs. M. A. R.	1
MacCallum, W.	9	Seton, Captain Bruce	9
Munro, C. G. G.	1	Saunders, Captain J.	2
Munmohun Dass Davidass,	18	Sorabjee Eduljee Majorna,	3
Manockjee Cursetjee,	3	Sunker Venoo Senoy,	1
Madowroy Rogoonathjee,	2	Smith, Robert	50
Murray, J.	9	Saunders, Frederick	3
Mackenzie, Rebecca	9	Sevuckloll Virzloff,	9
Moyle, J. G.	9	Simson, J. B.	19
Malvery, J. J.	4	Stubbs, W.	9
Manockjee Muncherjee,	1	Stewart, C. S.	23
Manockjee Lunjee,	5	Stewart, Alexander	5
Merwanjee Framjee,	4	St. John, Robert	1
Merwanjee Byramjee Luckaree,	1	Torah Suxuma,	5
Merwanjee Aspodiarjee,	9	Tamer, Thomas	4
Miller, John	45	Turner, Captain W.	4
McLennan, John	23	Tarrachund Vassoonjee,	5
Newport, Capt. C.	50	Thomson, W.	27
Nesserwanjee Eduljee Paruck,	2	Valiant, Colonel T.	9
Nicol, J. D.	25	Venerjee Merjee,	14
Nanabhoj Nowrojee,	8	Vibart, John	18
Nesserwanjee Nowrojee,	18	Wright, J.	25
Nowrojee Cowasjee,	2	Willoughby, J. P.	25
Nainsee Thackersay,	5	Wood, Colonel E. M.	20
Naylor, Capt. C. J.	2	Wood, Colonel E. M. (as Trustee for Mrs. H. Morgan),	30
Norowjee Rustomjee Nadershaw,	4	Wuckutchund Qooshalchund,	27



Watson, W. H.	...	25
Williamson, Thomas	...	38
Whitehill, Colonel Stephen	...	18
Wassodew Wissoanathjee,	...	5
Wittoba Wassodewjee,	...	1
Watson, H. B.	...	3
Watson, J. W.	...	9
Wiltshire, Colonel Thomas	...	68
Wight, Robert	...	9
Ward, Mary Ann	...	11
Watkins, F. W.	...	5
Wilson, J. H. Captain	...	5
Wilson, P. P. Lieutenant Colonel.	...	2
Waddington, Captain C.	...	45
Weeks, F. P.	...	9
Warden, John	...	9
Burt, F. U.	...	15
Nanabhoj Framjee Cowasjee	...	9
Pestonjee Hormusjee (and son)	...	5

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NOTE.—In the event of the death before the 1st March 1840, of any individuals in the above Schedule, the Shares against their names shall be the property of their Estates.

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 17th day of January 1840.

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

**Legislative Department.**  
FORT WILLIAM,

THE 16TH DECEMBER, 1839.

The following Act is passed by the Hon'ble the President of the Council of India in Council on the 16th December 1839, with the assent of the Right Honorable the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.

ACT No. XXVII of 1839.

An Act for authorizing the Court of Requests for the Town of Calcutta to execute decrees passed by the Judge of the Dewanny Adawlut of the Zillah of the 24 Pergunnahs in certain cases.

I. Whereas execution of the decrees of the Courts of Justice of the Zillah of the 24 Pergunnahs is often defeated by the parties against whom the same have been obtained absconding from the limits of the said Zillah into the Town of Calcutta; and whereas by Regulation XVI of 1812 of the Bengal Code, provision is made where the like inconvenience occurs by parties absconding from the Town of Calcutta into the said Zillah, for the Judge of the said Zillah enforcing the judgments of the Court of Requests of the Town of Calcutta;—It is hereby enacted, that if the defendant in any suit decided by any Court of Justice of the Zillah of the 24 Pergunnahs, the plaintiff in which shall have obtained a decree, shall retire before execution of the same into the jurisdiction of the Court of Requests, that Court, upon receiving a written application from the Judge of Dewanny Adawlut of the Zillah of the 24 Pergunnahs setting forth the above circumstances and accompanied by a copy of the decree duly authenticated, is hereby authorized and directed to proceed to execute the said decree in the mode prescribed for the execution of judgments obtained in the Court of Requests and on payment of the like costs as are demanded for the execution of such judgments in ordinary cases. Provided always that nothing in this Act contained shall be held to authorize the said Court of Requests to execute any decree except the cause of action in

respect of which such decree was obtained were such that if it had occurred within the local jurisdiction of the said Court it would have been cognizable by the same.

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

**Legislative Department.**

FORT WILLIAM,

THE 9TH DECEMBER, 1839.

The following Act is passed by the Hon'ble the President of the Council of India in Council on the 9th December, 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. XXVIII of 1839.

*An Act for the Regulation of Buildings in the Island of Bombay and Colaba.*

I. It is hereby enacted, that the first twelve Articles of Rule Ordinance and Regulation III of 1812, passed by the Governor of Bombay in Council, and the 18th, 25th, and all following Articles of the same Rule Ordinance and Regulation, and the 1st, 2d, 5th and 7th Articles of Rule Ordinance and Regulation III of 1815, passed by the said authority, be repealed.

II. And it is hereby enacted, that, all persons intending to erect or rebuild any building within the Islands of Bombay and Colaba which shall approach in any part within twenty-five feet of the edge or side of any public road, street, or other thoroughfare, or intending to alter any building within the said Islands by extending the foundation thereof, so that any part of such foundation shall approach within the same distance of the edge or side of any such public place, shall, before commencing to do so, obtain from the Collector of Land Revenue in Bombay a certificate of the specific ground intended to be used, and from the Surveyor to the Court of Petty Sessions in Bombay an endorsement on such certificate, of the nature of the work which, consistently with the provisions of this Act, and with public convenience, and according to the intention of the party, can and is proposed to be executed.

III. And it is hereby enacted, that in all cases in which the Surveyor to the said Court of Petty Sessions shall be satisfied that the intended building or alteration is in compliance with the provisions of this Act, and that no part of the ground to be covered thereby is wanted for public purposes, he shall endorse the said certificate as above enacted, and in case any party shall feel aggrieved by the withholding of such endorsement, or by the terms or restrictions of any such endorsement, he shall be at liberty to bring the matter of his complaint before the said Court of Petty Sessions, whose decision thereon shall be final; provided always that no certificate, and no such endorsement thereof as aforesaid, and no decision of the said Court of Petty Sessions thereon, shall be construed as an adjudication upon or as in any way affecting the right or title of any person to the ground or building referred to in such certificate and endorsement or any part thereof.

IV. And it is hereby enacted, that should any person, having obtained a certificate and endorsement as aforesaid, find it desirable during the progress of the work to deviate from his original plan, he shall not be at liberty to do so without the sanction in writing of the said Surveyor to the Court of Petty Sessions to such proposed deviation, with liberty however to the



party to appeal to the said Court as provided in Section III of this Act.

V. And it is hereby enacted, that should the erection, rebuilding, or such alteration as aforesaid of any such building be commenced without such certificate and endorsement as above required, or contrary to the terms of any such certificate and endorsement, (such deviation not having been duly sanctioned as aforesaid,) every person offending herein shall be punishable on conviction before the said Court of Petty Sessions by fine not exceeding 500 rupees.

VI. And it is hereby enacted, that whoever shall alter any such certificate as aforesaid without the sanction of the Collector of the Land Revenue and of the Surveyor to the Court of Petty Sessions, or shall alter any endorsement thereon without the sanction of the Surveyor to the Court of Petty Sessions, shall be punishable on conviction before the said Court of Petty Sessions by fine not exceeding 500 rupees, or by imprisonment in the house of correction for any time not exceeding four calendar months, with or without hard labor.

VII. And it is hereby enacted, that no building hereafter to be erected within the walls of the Fort of Bombay shall be erected higher than 50 feet measured from the surface of the street to the extreme of the roof; provided that light open balustrades or railings of any material not inflammable may be added round the outer edge of the roof for the purpose of guarding against accident, but such balustrades or railings are to have no roof or covering; and all persons offending herein shall on conviction before the said Court of Petty Sessions be punishable by fine not exceeding 500 rupees.

VIII. And it is hereby enacted, that no euljans or other inflammable materials shall be made use of in the external roof or walls of any building within the Fort walls of Bombay, nor in the external part of any building without the Fort walls of Bombay in any place or places within the Islands aforesaid to be declared by the Governor of Bombay in Council by Proclamation in the Government Gazette, and that every person offending herein shall on conviction before the said Court of Petty Sessions be punishable by fine not exceeding 500 rupees.

IX. And it is hereby enacted, that no building of any description shall be erected in the Islands of Bombay or Colaba in such manner as shall destroy, injure, or prejudicially interfere with any of the water courses or the drainage of the said Islands, or either of them, and upon notice being given by the said Surveyor of the Court of Petty Sessions to the owner or other person under whose directions any work may be going on, that such work is injurious to and does or will interfere with any water course or the drainage of the said Islands or either of them, such person shall immediately thereupon discontinue such work, and if he feels aggrieved by such notice, shall bring the matter of his complaint before the said Court of Petty Sessions, whose opinion and adjudication thereon shall be final; and in case such person shall not, on receiving such notice as aforesaid, discontinue the said work, he shall be punishable on conviction before the said Court of Petty Sessions, by fine not exceeding rupees 500.

X. And it is hereby enacted, that in case the said Court of Petty Sessions, on any appeal to them under the last preceding section, or upon special application of their Surveyor, and after hearing the parties concerned, shall be of opinion that the work deemed objectionable by the

said Surveyor will destroy or be injurious to or prejudicially affect any of the water courses or the drainage of the said Islands, or either of them, then the said Court shall make an order for the discontinuance and immediate removal of the said work, or of so much thereof as is objectionable; and in case the owner or other person conducting such work shall not obey such order, he shall be punishable on conviction before the said Court of Petty Sessions by fine not exceeding Rupees 500: and such work, or so much thereof as shall have been found to be objectionable, shall be forthwith taken down and removed by the Surveyor of the said Court, and the materials shall be sold and disposed of in the like manner as is hereinafter directed concerning the taking down of ruinous buildings.

XI. And it is hereby enacted, that when any building within the Islands of Bombay or Colaba shall be erected, rebuilt, or altered, in any manner contrary to the provisions of this Act, except as in the 9th section is mentioned, it shall be lawful for the Surveyor to the Court of Petty Sessions to give notice to the person or persons so offending forthwith to discontinue such work, and to pull down and clear away the same by a fixed day, and in the event of such work not being immediately discontinued, or of such order of removal not being complied with by the expiration of the time so fixed upon, the person or persons so disobeying such notice shall be punishable, on conviction before the said Court of Petty Sessions by fine not exceeding Rupees 500; and the Surveyor to the Court of Petty Sessions shall have power to cause the work to be taken down and removed, and to sell and dispose of the materials thereof in the like manner as is hereinafter directed concerning the taking down of ruinous buildings, provided always that nothing herein contained shall prevent the person or persons to whom such notice shall be given appealing therefrom to the said Court of Petty Sessions, which Court shall have power to quash, alter, or confirm the same, and to extend the time named therein, and to punish any frivolous appeal with double costs.

XII. And it is hereby enacted, that every person rebuilding any building of which any part is situated within twenty-five feet of the edge or side of any public road, street, or other thoroughfare within the Islands aforesaid, shall be liable to be required, for the purpose of widening such road, street or other thoroughfare, to carry back his building so far and to give up so much of the site of the old building, or of the compound in which the same was standing, or of the uninclosed ground if any lying in front of the old building and between the same and the road, as shall be specified in the endorsement to be made on the certificate of the Collector of Land Revenue under this Act, but such endorsement shall be subject in all cases to the revision and final decision of the said Court of Petty Sessions, in the event of an appeal thereto from the terms of the same, and the party so required shall be entitled to such compensation as is hereinafter provided.

XIII. And with the view of preventing fraudulent evasions as to the giving up of ground under the last section, it is hereby enacted, that every person rebuilding, repairing, altering or in any way strengthening the foundation or lower part of any building within twenty-five feet of the edge of any public road or street within the Islands aforesaid, and then within three years therefrom substantially rebuilding the remaining part of the said building upon the



old foundation or lower part so rebuilt, repaired, altered or strengthened as aforesaid, shall be deemed to have rebuilt the entire building within the meaning of the last Section.

XIV. And it is hereby enacted, that should any steps project into any public road, street, or other thoroughfare in front of any house the space covered by such steps shall not be considered as part of the ground to be given up under this Act, but the ground to be given up shall be measured from the exterior of the building itself.

XV. And it is hereby enacted, that the Court of Petty Sessions, with the sanction of the Governor of Bombay in Council, shall at all times have power and authority to require any ground within the Islands of Bombay or Colaba to be given up for the purpose of widening or altering any existing public road, street, or other thoroughfare, or drain, or for making any new public road, street, or other thoroughfare, or drain.

XVI. And it is further enacted, that wherever ground required to be given up under any of the preceding Clauses, or any building thereon, shall be or be of the nature of private property, or when being ground of the Hon'ble Company any substantial improvement shall have been made in the value thereof, the Surveyor to the Court of Petty Sessions shall cause an estimate to be made of such private interest, or of any such improvement, and the amount of such estimate, if duly sanctioned by the Hon'ble the Governor in Council, or such other sum as that authority shall sanction, shall be offered by the said Surveyor to the owner or other person in possession of the said ground or building, and if such offer be accepted the amount thereof shall be paid to such owner or other person whose receipt for the same shall be a sufficient release and discharge to the said Court of Petty Sessions, and thereupon the said Court of Petty Sessions shall become and be the legal owners of the said ground or building, for the purposes of this Act, and all and every person or persons interested in the premises shall be thenceforth to all intents and purposes divested of all right, title, and interest of, in, or to the same, provided always that nothing herein contained or hereby authorized shall have the effect of deciding that the person to whom any money shall be paid as aforesaid is in law or equity the owner of any part of such money, and in case any conflicting claims shall be set up thereto before the same shall have been paid over, such sum shall be then dealt with in the manner provided in Section XXI hereinafter contained.

XVII. And it is further enacted, that where such offer shall be made as aforesaid, and the person or persons to whom the same, shall be made shall refuse to accept the same, as being less than the value of the said property or interests, then and in such case the Court of Petty Sessions shall cause the value of the property or interests for which Compensation is to be given to be ascertained by a Jury of twelve indifferent men resident on the Island, to be Summoned by the Sheriff in manner hereinafter mentioned, and the said Court of Petty Sessions is hereby empowered to call before the said Jury by a written notice for that purpose to be given, and to examine upon oath, all persons who shall be thought necessary and capable of giving evidence concerning the premises, and the said Court shall cause the said Jury to view the property in question, and shall use all other lawful means as well for their own as for the said Jury's information on the premises, and after the said Jury shall have so settled the value of the said property, or interest, such valuation so made shall be final

and conclusive to all intents and purposes against all persons, and the amount thereof shall be paid as hereinafter mentioned.

XVIII. And it is hereby enacted, that for summoning and returning a Jury under the last preceding Clause the said Court of Petty Sessions shall have authority from time to time to issue their warrant to the said Sheriff of the Town of Bombay, thereby requiring him to summon and return an indifferent Jury of twenty-four persons resident on the Island of Bombay, to be selected from the Petit Jury list for the time being, to appear before the said Court of Petty Sessions at such time and place as in the said warrant shall be appointed, of which time and place all parties interested shall have ten days notice in writing to be given to the said parties personally or left at their usual place of abode; and the said Sheriff is hereby required to summon and return such twenty-four persons accordingly, and out of the persons so summoned and returned, or out of such of them as shall appear, the said Court shall cause to be sworn twelve, who shall be the Jury for the purpose aforesaid, and all persons concerned shall have their lawful challenges against any of the said Jurymen when they come to be sworn, and the said Court acting in the premises shall have power to impose any reasonable forfeiture, not more than 200 Rupees, upon any person who shall be summoned and returned on such Jury and shall not appear, or who shall refuse to be sworn on such Jury, or in any manner wilfully neglect his duty therein contrary to the meaning of this Act, and also upon any persons who, having been duly summoned to give evidence touching any matter in question, shall refuse to appear, or appearing shall refuse to be examined or give evidence, which said forfeiture shall be and is hereby made payable to the Court of Petty Sessions for and on account of the County fund.

XIX. And it is hereby enacted, that the said Sheriff shall be allowed for every warrant to his Bailiff for summoning every Jury ten rupees and no more, and for every return of a Jury four Rupees and no more, and for attending the Court of Petty Sessions on the impaunelling every Jury fifteen Rupees and no more, and such fees and other expences of and attending the assembling the said Jury shall be borne and paid by the Court of Petty Sessions out of the County fund, if the valuation fixed by the said Jury shall exceed the original offer made under Section XVI of this Act, and by the other party if such valuation shall be equal to or less than the said offer, and in all cases where the said Court of Petty Sessions shall be entitled to receive any costs or expences under this Clause the said Court shall be empowered to levy and raise the same in the same manner as if the same were a fine or other penalty.

XX. And it is further enacted, that in all cases where money shall be paid to any person or persons as a compensation under this Act, the same shall be paid out of the County fund, and shall be subject to the same use or uses, and the same charges, liens, or incumbrances in all respects as the interests or property for which such compensation shall be paid were subject to at the time of the payment thereof.

XXI. And it is further enacted, that in every case wherein conflicting claims are set up to any property or interest which the Court of Petty Sessions may require for carrying into execution the purposes of this Act, and for which under the provisions thereof any compensation shall be payable, such compensation shall be paid into the hands of the Accountant General of the Su-



prems Court of Bombay, for the use and benefit of such persons as shall appear entitled thereto by any decree or judgment of the said Supreme Court, and the receipt of the said Accountant General shall be a sufficient discharge to the Court of Petty Sessions, who shall from the date thereof become and be the legal owners of the said ground or building for which such money shall be so paid.

XXII. And it is hereby enacted, that the Surveyor to the said Court of Petty Sessions shall cause notice in writing to be given to the owner or occupier of any building or land within the Islands aforesaid from which any gallery, balcony, roof, weather frame, spout, gutter or other thing shall in future be made, which shall overhang or jut into or in any way project or encroach upon any public road, street, or other thoroughfare, that he do take down, remove, alter, or regulate the same in such manner as not to incommodate the public. And in case such owner or occupier shall refuse or neglect so to do for the space of fifteen days next after such notice shall have been given to him, the person or persons disobeying such notice shall be punishable on conviction before the said Court of Petty Sessions by fine not exceeding 500 Rupees. And the said Surveyor shall have power to cause the nuisance to be taken down and removed, and to sell and dispose of the materials thereof in like manner as is hereinafter directed concerning the taking down of ruinous buildings; provided always that nothing herein contained shall prevent the person or persons to whom such notice shall be given appealing therefrom to the said Court of Petty Sessions, which Court shall have power to quash, alter, or confirm the same, and to punish any frivolous appeal with double costs. Provided also that tiled roofs or weather frames of at least twelve feet high above the surface of any public road, street or other thoroughfare, may be projected to the extent of two feet above the same.

XXIII. And it is hereby provided, that it shall be lawful to the Surveyor to the Court of Petty Sessions, with the approbation of the said Court, to give permission in writing to the owner or occupiers of buildings in public thoroughfares twenty-five feet in width and upwards, within the Islands aforesaid, to project tiled roofs or weather frames from the upper stories of their Houses to the extent of three feet beyond their foundation, or over any public road, street, or other thoroughfare and to the occupiers of buildings in exposed situations facing between the South and West in Streets of the above width to make such projection to the extent of five feet.

XXIV. And it is further enacted, that where any scaffolding shall be used in or near any public road, street, or other thoroughfare in building, repairing, or altering any house, or building, within the Islands aforesaid, it shall be lawful for the Surveyor to the said Court of Petty Sessions if he shall think fit so to do, to give notice in writing to the owner or occupier of such house, or building, or other person directing the work, to cause such scaffolding to be masked or covered on the outside thereof so as to prevent any thing falling therefrom to the injury of persons passing below, and if the owner, occupier or other person as aforesaid shall neglect to obey such notice within a reasonable time after receiving the same, such offender shall be punishable on conviction before the Court of Petty Sessions by fine not exceeding 500 Rupees.

XXV. And it is further enacted, that the tiles of roofs within the said Islands shall be properly secured, so as to prevent their falling to the injury of passengers on any public road, street, or other thoroughfare, and the owner or

occupier of any house or the tiles of which are not so secured shall, if he neglect to secure the same within one week after having received notice so to do from the said Surveyor to the Court of Petty Sessions, be punishable on conviction before the said Court by fine not exceeding 500 Rupees.

XXVI. And it is hereby enacted, that it shall be lawful for the Surveyor to the Court of Petty Sessions to give notice in writing to the owner or occupier of any house or building, within the Islands aforesaid, from which water may fall on any public road, or ground, to put up such gutters or channels for catching and conveying the water elsewhere as may be necessary, and on non-compliance with such notice within one week from the time of receiving the same, the offender shall be punishable before the said Court of Petty Sessions by fine not exceeding 500 Rupees.

XXVII. And it is hereby enacted, that when any building or any part thereof at or near any public road, street, or other thoroughfare in any part of the said Islands, is in a ruinous condition, it shall be lawful for the said Surveyor to the Court of Petty Sessions to cause a sufficient boarding or protection to be put up for the safety of all passengers, and the said Surveyor shall cause notice in writing to be given to the occupier if any, and if not, cause a notice to be affixed to the door or other exposed part of such building, to repair or pull down the same within fourteen days from the date of such notice, and if such occupier or the owner do not begin to repair or take down the same within such term of fourteen days and complete the same as soon as the case will admit, it shall be lawful for the Surveyor to the Court of Petty Sessions to cause such building, or so much thereof as may be ruinous, to be taken down & removed in such manner as shall be requisite, and to sell and dispose of the materials thereof, and by and out of the monies arising by the sale thereof to reimburse himself and all persons by him employed for the purpose of all the charges of putting up such boarding, and of taking down and removing such building, and of selling the said material as aforesaid, and the surplus of such monies if any, shall be paid to the owner of such house or building upon personal demand thereof made by such owner, and if no such demand be made, then to the Court of Petty Sessions for the benefit of the person or persons entitled thereto, and if no demand shall be made to the said Court for the money so paid in before the expiration of twelve Calendar months from the receipt thereof by the said Court, the same shall be added to and become part of the County Fund.

XXVIII. And it is hereby enacted, that whenever the money produced by any sale to be made by the Surveyor to the Court of Petty Sessions under this Act shall be deficient to cover the expences of the said Surveyor, and the persons employed by him, then the said Court of Petty Sessions shall pay such deficiency to the said Surveyor out of the County Fund, and shall have power to levy and raise the same by distress and sale of the goods and chattels of the offender in the same manner in all respects as fines and penalties are levied by the said Court.

XXIX. And it is hereby enacted, that in case any part of the land constituting the public streets or roads, or other thoroughfares of the said Islands beyond the limits of the Town of Bombay, shall become useless and unnecessary for the purpose of a public highway, it shall be lawful for the Governor of Bombay in Council to direct the Collector of Land Revenue of Bombay to take possession thereof for the use of the Honorable Company, and the Collector of Land Revenue shall take possession thereof accordingly.



XXX. And it is hereby enacted, that every Head Builder, Master Carpenter, Master Mason or Labourer who shall in erecting, re-building or repairing, altering or adding to any building in Bombay or Colaba knowingly offend against the provisions of this Act, shall be punishable on conviction before the said Court of Petty Sessions by fine not exceeding 500 Rupees.

XXXI. And it is hereby enacted, that the amount of all fines and penalties and costs in the nature of fines and penalty that may be incurred and payable under this Act shall be levied by warrant under the hands and seals of two or more of the Magistrates in Petty Sessions, and when received shall be added to and form part of the County Fund, and if on such distress property belonging to such offenders sufficient to make good the penalty be not found, such offender shall be committed by the said Court to the house of correction, with or without hard labour at the discretion of the said Court, for any time not exceeding three months, unless the said penalty be sooner paid.

XXXII. And it is hereby enacted, that where any distress shall be made for any sum or sums of money to be recovered by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the party making the same be deemed a Trespasser, on account of any defect of Form in any Proceedings relating thereto, nor shall the party be deemed a Trespasser *ab initio* on account of any irregularity afterwards done by the party making such distress, but the person or persons aggrieved by such irregularity may recover for the special damage only by action on the case, and not by any other action whatever.

XXXIII. And it is hereby enacted, that no Plaintiff shall recover in any action for any such irregularity or other proceedings, if tender of sufficient amends be made by, or on the behalf of the party or parties who committed or caused to be committed any such irregularity or wrongful proceeding before such action be brought; and in case no such tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such action, by the leave of the Court where such action shall depend, at any time before issue joined, to pay into Court such sum of money as he or they shall see fit, whereupon such proceedings or order and judgment shall be had, made, or given in and by such Court as in other actions when the Defendant is allowed to pay money into Court.

XXXIV. And it is hereby enacted, that no action or suit shall be commenced against any person or persons for any thing done in pursuance of this Act until twenty-one days after notice in writing of an intention to bring such action or suit has been given to the person or persons against whom such action or suit shall be brought, nor after the expiration of three Calendar months next after the fact committed, and the Defendant or Defendants in every such action or suit may plead the General Issue, and give this Act and any special matter in evidence at the trial, and that the matter or thing for which such action or suit is brought was done in pursuance and by the authority of this Act, and if the said matter or thing appear to have been so done, or if it shall appear that such action or suit was brought before the expiration of twenty-one days after such notice was given as aforesaid, or that sufficient satisfaction was made or tendered before such action was brought, or if any such action or suit be not commenced within the time herein for that purpose limited, then the Court, in every such action or suit shall find for the Defendant therein, and if a verdict be found for the

Defendant, or if the Plaintiff or Plaintiffs in any such action or suit become non-suited or discontinue, or suffer a discontinuance of any such action or suit, or if in any such action or suit judgment be given for the Defendant therein on demurrer or by default or otherwise, then and in any of the cases aforesaid the Defendant shall have judgment to recover treble costs of suit, and shall have such remedy for recovering the same as any Defendant or Defendants may have by law for costs in other cases.

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

## Legislative Department.

FORT WILLIAM.

THE 16TH December, 1839.

The following Act is passed by the Hon'ble the President of the Council of India in Council on the 16th December 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. XXIX OF 1839.

An Act for the amendment of the Law relating to Dower.

1. Whereas it is expedient to extend the Amendments in the English Law of Dower contained in the Statute 3d and 4th, William IV, Chapter CV to the Territories of the East India Company in cases which, but for the passing of this Act, would be governed by the English Law of Dower as it existed previously to the passing of the aforesaid Statute:

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 "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 further enacted, that when a Husband shall die, beneficially 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 joint-tenancy,) then his Widow shall be entitled in Equity to Dower out of the same Land.

III. And it is hereby further enacted, that when a Husband shall have been entitled to a 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 during which such right of entry or action might be enforced.



No Dower out of Estates disposed of.

have been absolutely in his life time, or by his Will.

Priority to partial Estates, Charges and specially debts.

band, 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.

Dower may be barred by a Declaration in a 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.

Or by a declaration in the Husband's Will.

die wholly or partially intestate when by the Will of her Husband, duly executed 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.

Dower shall be subject to restrictions.

restrictions which shall be declared by the Will of her Husband, duly executed as aforesaid.

Devise of real Estate to the Widow shall bar her Dower.

Dower if the same were not so devised, or any Estate or Interest therein, to or for the benefit of his Widow, such Widow 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.

Bequest of Personal Estate to the Widow shall not bar her Dower.

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.

Agreement, not to bar Dower may be enforced.

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.

Legacies in bar of Dower still entitled to preference.

Widows in satisfaction of Dower are entitled to priority over other Legacies.

IV. And it is hereby further enacted, that no Widow shall be entitled to Dower out of any Land which shall be disposed of by her Husband in his Will.

V. And it is hereby further enacted, that all partial Estates and Interests, and all charges created 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 further enacted, that a Widow shall not be entitled to 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 further enacted, that a Widow shall not be entitled to Dower out of any Land of which her Husband shall die wholly or partially intestate when by the Will of her Husband, duly executed 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 hereby further enacted, that the right of a Widow to Dower shall be subject to any conditions, restrictions or conditions which shall be declared by the Will of her Husband, duly executed as aforesaid.

IX. And it is hereby further enacted, that where a Husband shall devise any Land out of which his Widow 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 Widow 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 further enacted, that no Gift or Bequest made by any Husband to or for the benefit of his Widow 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 it is hereby further enacted, that nothing in this Act contained shall prevent 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.

Certain Dowers abolished.

Act not to take effect before the 1st July 1840.

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 July One Thousand Eight Hundred and Forty, and shall not give to any Will, Deed, Contract, Engagement, or Charge executed, entered into, or created before the said First day of July One Thousand Eight Hundred and Forty, 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.

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

Legislative Department. FORT WILLIAM.

THE 16TH DECEMBER, 1839.

The following Act is passed by the Hon'ble the President of the Council of India in Council on the 16th December 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. XXX of 1839.

An Act for the amendment of the Law of Inheritance.

I. Whereas it is expedient to extend the amendments in the English Law of Inheritance contained in the Statute 3rd and 4th, William IV. Chapter CVI. to the territories of the East India Company in cases which, but for the passing of this Act, would be governed by the English Law of Inheritance as it existed previously to the passing of the aforesaid Statute:

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,

"Land"

"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 word "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 be-



come 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.

**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 first day of July one thousand eight hundred and forty, 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 First day of July one thousand eight hundred and forty, 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 thereto as his former Estate or part thereof.

**IV.** And it is hereby further enacted, that when any person shall have acquired any Land by Purchase under a limitation to the Heirs of their Ancestors, the Land shall descend as if the Ancestor had been the Purchaser.

**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.

**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.

**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.

**VIII.** And it is hereby further enacted and declared that where there shall be a failure of male Paternal Ancestor 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.

**IX.** 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.

**X.** 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.

**XI.** 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.

**XII.** And it is hereby further enacted and declared that where there shall be a failure of male Paternal Ancestor 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.

**XIII.** 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.

**XIV.** 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.

**XV.** 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.

**XVI.** And it is hereby further enacted and declared that where there shall be a failure of male Paternal Ancestor 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 attainted, 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 attainted, shall have died before such descent shall have taken place, then such attainer 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 attainted, unless such Land shall have escheated in consequence of such attainer before the First day of July one thousand eight hundred and forty.

*Act not to extend to any descent before 1st July 1840.*

who shall die before one thousand eight hundred and forty.

*Limitations made before the 1st July 1840 to the Heirs of a person then living, shall take effect as if the Act had not been made.*

XI. And it is hereby further enacted, that where any assurance executed before the said First day of July one thousand eight hundred and forty, or the Will of any person who shall die before that time, 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 at the time aforesaid.

XIII. And it is hereby provided, that this Act shall not be construed to effect 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.

J. P. GRANT,

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

## Legislative Department.

FORT WILLIAM,

THE 16TH DECEMBER, 1839.

The following Draft of a proposed Act was read in Council for the first time on the 16th December 1839.

An Act for the Presidency of Bombay, amending the law concerning Prisoners sentenced to labor or solitude.

I. It is hereby enacted, in modification of Clause 2, Sect. XLV, Regulation XIII of 1827, of the Bombay Code, that no Prisoner confined in any part of the Provinces under the Presidency of Bombay shall be forced to labor in any manner or be confined solitarily, unless such labor or solitary confinement be expressly directed by the sentence of the Court under whose warrant he is confined; and no Prisoner shall be forced to labor or be confined solitarily otherwise than according to his sentence.

II. And it is hereby enacted, in modification of Clause I, Section VII, Regulation XIV of 1829, of the Bombay Code, that wherever under the Laws in force under that Presidency a Prisoner may be sentenced to imprisonment with labor, it shall be lawful for the Court pronouncing such sentence to direct that solitary confinement be combined with the punishment of imprisonment with labor.

Order 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 16th day of March 1840.

J. P. GRANT,

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

## Legislative Department.

FORT WILLIAM.

THE 23D DECEMBER, 1839.

The following Act is passed by the Hon'ble the President of the Council of India in Council on the 23d December 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. XXXI of 1839.

An Act for remedying certain defects in the Statute 9th, George IV, Ch. 74, relating to the Coin.

I. Whereas it is expedient to remedy certain defects in the Statute 9th, George IV, Ch. 74, of which the inconvenience is particularly experienced relating to injuries to the Coin:

It is hereby enacted, that if any person shall fraudulently clip, file, drill, deface, or debase any current gold or silver Coin issued from any Mint of the East India Company, or usually received as money in any part of the territories under the Government of the East India Company, with intent to make the Coin so clipped, filed, drilled, defaced, or debased pass for the current gold or silver Coin so issued, or usually received as money as aforesaid, every such offender shall be guilty of felony, and shall be liable, on conviction, at the discretion of the Court, to be transported to such place as the Court shall direct for life or any term of years, or to be imprisoned for any term not exceeding four years.

II. And it is hereby provided, that it shall not be lawful for any Court, under the authority of this Act, to order the transportation of any person being a native of the East Indies, and not born of European parents to the Eastern Coast of New South Wales, or any of the Islands adjacent thereto.

III. And it is hereby enacted, that this Act shall extend to all persons and over all places over whom on which the criminal jurisdiction of



any of Her Majesty's Courts of Justice within the territories under the Government of the East India Company extends, but not further, or otherwise.

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

## Legislative Department.

FORT WILLIAM,  
THE 23D DECEMBER 1839.

The following Draft of a proposed Act was read in Council for the first time on the 23d December 1839.

ACT No.—of 1839.

An Act for regulating the execution of Sentences of imprisonment passed by Courts Martial.

I. Whereas doubts have arisen whether by the regulations of all the Presidencies sufficient provision is made for all the cases in which sentences of imprisonment by Courts Martial are to be executed:—

It is hereby declared and enacted, that whenever any sentence of a Court Martial shall adjudge imprisonment, or imprisonment with labor for any offence, it is and shall be the duty of every Judge, Magistrate, or other Officer in charge of any Gaol to give effect to such sentence on the offender being delivered into his custody, and on being furnished with a copy of the sentence by the Officer Commanding the Division, Garrison, Regiment or Detachment by whose orders the offender is tried.

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 4th day of February next.

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

Sixth Day's Drawing of the Second Class Saturday the 14th December, 1839.

No. 2936 Prize of 5,000 C. Rupees.  
No. 720 Prize of 2,000 C. Rupees.  
No. 3964 Prize of 1,000 C. Rupees.  
Nos. 1213 2866 and 4782 Prizes of 300 C. Rupees each.

Prizes of 140 C. Rupees each.

27	112	165	170	211	222	271	335
368	454	508	516	535	632	637	676
713	727	754	764	871	925	939	1076
1118	1146	1243	1262	1300	1406	1408	1430
1444	1456	1500	1518	1524	1536	1614	1653
1725	1726	1799	1914	1929	1935	1943	1986
2099	2135	2194	2355	2408	2421	2465	2466
2523	2529	2575	2636	2665	2685	2768	2794
2829	2865	2890	2920	2924	2910	2912	2986
3100	3103	3154	3174	3244	3283	3347	3363
3512	3574	3578	3602	3660	3735	3739	3764
3829	3850	3999	4044	4149	4162	4177	4196
4206	4418	4477	4525	4555	4610	4615	4662
4663	4717	4770	4850	4861	4863	4915	4980

Seventh Day's Drawing of the Second Class; Monday the 16th December, 1839.

No. 3846 Prize of 2,000 C. Rupees.  
No. 2164 Prize of 1,000 C. Rupees.  
No. 4576 Prize of 500 C. Rupees.  
Nos. 195 684 and 3797 Prizes of 300 C. Rupees each.

Prizes of 140 C. Rupees each.

93	108	131	147	148	175	209	252
262	342	395	413	416	505	542	559
575	580	586	615	673	711	737	874
967	1022	1043	1065	1086	1113	1167	1246
1259	1318	1320	1324	1336	1355	1412	1413
1431	1472	1517	1558	1618	1627	1653	1707

1732	1747	1760	1772	1849	1948	1972	2101
2210	2245	2266	2347	2363	2430	2509	2537
2540	2592	2600	2687	2706	2754	2787	3026
3029	3052	3066	3152	3165	3171	3180	3224
3264	3288	3319	3332	3341	3381	3457	3543
3690	3696	3803	3807	3814	3840	3963	4006
4046	4050	4067	4076	4083	4105	4136	4193
4195	4294	4295	4302	4425	4494	4616	4620
4648	4661	4678	4693	4695	4774	4784	4787
4811	4855	4896	4913	4978	4992		

Eighth Day's Drawing of the Second Class: Wednesday, the 18th December 1839.

No. 4368 Prize of 2,000 C. Rupees.  
No. 4966 Prize of 1,000 C. Rupees.  
No. 2821 Prize of 300 C. Rupees.

Prizes of 140 C. Rupees each.

26	44	84	135	172	180	276	284
352	457	458	502	513	600	608	671
740	777	782	810	821	823	905	907
911	940	998	1011	1016	1029	1052	1053
1068	1133	1153	1185	1206	1307	1357	1441
1650	1651	1693	1694	1712	1727	1775	1790
1796	1829	1954	1960	1984	1991	1995	1999
2091	2102	2154	2160	2272	2367	2379	2434
2462	2469	2524	2530	2670	2672	2720	2779
2783	2904	2907	2914	2916	2973	2987	3037
3109	3181	3185	3240	3271	3306	3338	3343
3358	3551	3666	3644	3700	3723	3882	3890
3908	3914	3938	4214	4475	4518	4570	4632
4683	4864	4971	4881	4911	4916	4977	4984

## Notice

Is hereby given, that verbal tenders will be received at this office for the repairs of a number of Iron Cotts, which may be seen in the Barrack Stores.

W. G. DUNCAN, Lieut,  
Barrack Master, presidency.

Bombay, 21st December 1839.

## Advertisement.

A passage is required for the conveyance of Two Sergeants, five Corporals and ten Privates of H. M. 6th Foot, to England.

By order.

T. E. ROGERS,  
Acting Assist. Supt. I. N.

Bombay, 7th January 1840.

## IN THE COURT FOR THE RELIEF OF INSOLVENT DEBTORS BOMBAY.

NOTICE IS HEREBY GIVEN.

That Narron Munjee, Bapshaw Venaick Senoy, Jeewajee Jamsetjee, and Pestonjee Jamsetjee, Insolvents, have respectively filed Schedules of their estates and effects in my office, and that by order of the said Court bearing date the sixth day of January instant, the matters of the said Insolvents Petitions are ordered to be heard on the third monday in the month of January instant, at the hour of ten o'clock in the morning.

Any creditor or creditors wishing to oppose the discharge of the abovenamed Insolvents, must give notice thereof to the Chief Clerk, at least three days before the day appointed for the hearing, and also file his, her or their claims, together with an affidavit in support thereof at the office of the said Chief Clerk, on paying the usual fees.

J. P. LARKINS,  
Chief Clerk.

Bombay, 7th January 1840.



# Circular.

No. 2106 OF 1839.

Bombay, Suddur Foujdaree Udalt, 25th December 1839.

To,

ALL THE ZILLA MAGISTRATES.

SIR. I am directed by the Judges of the Sadur Foujdaree Udalt, to inform you, under instructions from Government, that thirty six Convicts under sentence of transportation recently embarked on board the Barque "Virginia" at Bombay for Singapore, are reported to have effected their escape from that Vessel while off the Coast in the vicinity of Mangalore, and to request that you will adopt immediate measures for their re-apprehension.

You will herewith receive lists of the Company's and Queen's escaped Convicts. A descriptive roll of the latter is expected from the Sheriff of Bombay, and will be forwarded to you, without delay.

I have the honor to be, Sir,  
Your most Obedient Servant.  
G. GRANT, Acting Register.

List of Convicts to be forwarded to Singapore on board the Barque Virginia in conformity with their Sentences &c. as per letter from the Superintendent of the Indian Navy, dated the 4th December 1839.

No.	Names.	Sex.	Condition.	Caste.	Crime.	Country.	Height.	Age	Date of Sentence	Sentence
							Feet. Inches.			
1	Luckma bin Chimajee Chorghah...	Male.	Hale and in possession of all his Members.	Collee	Instigating and aiding in Murder...	Khamaptee Turf Austhmy, Talooka Rajpooree...	5 3	30	10th June 1839.	
2	Kewjee bin Naojee Gawaree.....	do..	ditto.	Ditto.	Treason..	Mowra Anut Turf Wuddur Purgannah Khair, Zillah Poona	5 7	28	26th July do.	
3	Dheera Ranchore .....	do..	Ditto.	ditto.	Murder...	Jarolee village, in the Mahada Purgunnah	5 7 1/2	23	1st April do.	
4	Haja Unda .....	do..	Ditto.	ditto.	Gang Robbery Wounding & Murder	Lakurya village, in the Goga Purgunnah	5 4	32	20th May do.	
5	Rana Waja....	do..	ditto.	ditto.	Do.	Ditto.....	5 1	50	Do. do. do.	
6	Jeeva Heera...	do..	ditto.	ditto.	Do.	Panchipley village, in the Bhow-nuggur Purgunnah...	5 5	25	Do. do. do.	
7	Deewala Nana .....	do..	ditto.	Bhoye	Murder .....	Nubhoye village, in the Dhodka Purgunnah	5 6	19	10th June do.	
8	Rugga Sullam..	do..	ditto.	Colie.....	Do.	Ungaree village, in the Tusra Purgunnah	5 1 1/2	22	4th Sept. do.	
9	Dooda Poonje..	do..	ditto.	Khewas...	Gang Robbery wounding & Murder	Punchipley village, in the Bhow-nuggur Purgunnah...	5 5	32	9th do. do.	
10	Sugram (Fathers name unknown.)	do..	ditto.	Ditto..	Robbery and attempt to Murder..	Bhownuggur....	5 3 1/2	30	30th do. do.	
11	Jewa Bheema...	do..	ditto.	Auhir. ....	Gang Robbery, Wounding & Murder	Lakurya village, in the Goga Purgunnah	5 7	30	20th May do.	
12	Joseph Fernandez..	do..	ditto.	Christian	Wilful Murder.....	Hurferreh Purgunnah, Goa..	5 3	20	5th August do.	
13	Kona bin Gutcha..	do..	ditto.	Bhoyee....	Do.	Budamee, Zilla Belgaum...	5 7	45	19th do. do.	
14	Sunwar Semgeacha....	do..	ditto.	Colee	Aiding and abetting in the Murder.	Colery Danden....	5	20	1st Oct. do.	
15	Bhowania Heeracha..	do..	ditto.	Ditto.	Do....	Ditto.....	5 5	25	Do. do. do.	
16	Nuthwa, alias Westa Bomanya.	do..	ditto.	Bheel.....	Gang Robbery by night accompanied with Murder and wounding.	Khuror Village Unklesur Purgunnah.	5 3	30	22nd July do.	
17	Kesra Madya.....	do..	ditto.	Ditto.	Do.	Ditto.....	5 2	25	Do. do. do.	
18	Meethera Weesla..	do..	ditto.	Kolie.	Murder....	Batta Village, Corasee Purgunnah.	5 3	25	Do. do. do.	
19	Mokun Gulah, alias Jorah Dhurma.	do..	ditto.	Ditto	Ditto.	Shapoor, Sunkhera Purgunnah, Guikwar Country.	5 8	27	22nd July 1839.	
20	Garo bin Dewjee..	do..	ditto.	Murratta.	Do. and Treason....	Somereee, Prant Waree.....	5 2	35	20th Sept. do.	
21	Putlia Wd. Meeya.	do..	ditto.	Mossuman	} Gang robbery accompanied by force.	Dakree Talooka Moodebehal..	5 6	50	26th Augt. do.	
22	Balla Wd. Hummunta.	do..	ditto.	Ramoossee.		Vankalee Talooka Moodebehal..	5 6	30	26th Do. do.	
23	Bassia Wd. Dadapa.....	do..	ditto.	Lingayet Wanee.		Goodnul Talooka Moodebehal..	5 5	35	Do. do. do.	
24	Hybuttee bin Dowlatta Kurekur..	do..	ditto.	Murratta..	Murder.....	Mongay Howrem, Talooka Ryghur.	5 7	30	2nd Novr. do.	

Tannah, Konkun Court of Adalut, 7th December 1839.

(Signed) J. W. WOODCOCK,  
Acting Assistant Session Judge in charge of S. S.

True Copy.  
J. P. WILLOUGHBY, Secretary to Government.

Transportation beyond Seas for the term of their natural lives.



List of Convicts from the Supreme Court of Judicature under sentence of transportation.

Numbers.	Names.	Sentence.	Date of sentence.
1	Jewajee Huckeenjee	Sented to be transported to Singapore each for the term of his natural life.	28th September 1839.
2	Saduck Ali		
4	Abdul Kurreen		
3	Scedee Almas		
5	Rungapa Kundapa		
6	Mooljee Jewa		
7	Jeyram Moolchund	Sented to be transported to Singapore each for the term of fourteen years.	
8	Hameer Rudhoo		
9	Babeea Baleea		
10	Purshotum Jetta		
11	Vella Premjee		
12	Assoo Moolchund		

Bombay Castle, 12th December 1839. J. P. WILLOUGHBY, Secy. to Govt.

List of Unclaimed Packages in the Custom House.

Number of Packages.	To whom addressed.	By what Ship imported.
1 Box	Capt Halo, 22nd B'bay N. I. care of Messrs. Leckie & Co.	Bombay.
1 Do	Qr. Mr. Carroll, 18th Royal Irish Regt.	Ditto.
3 Do	Lieut. G. L. Cotter, Horse Arty.	Ellora.
1 Do	Ditto Snell, 1st Regt. Madras Light Cavalry	Inglis.
1 Do	Mrs. J. Bowstead, care of Messrs. Leckie & Co.	Childe Harold,
3 Do	John Hickens Esq. 40th R. N. I.	Malabar.
1 Do	R. L. Bryan Esqr. H. M. Ship Cruiser	Triumph.
1 Do	Capt. John Gray, H. M. 40th Regiment, care of Messrs. Frith & Co.	Clarissa,
3 Do	J. Jackson Esq. care of Messrs. Forbes & Co.	Triumph.
1 Parcel	Captain J. P. Woodward, 9th Regt. N. I. care of W. Roberts Esqr.	Inglis.
2 Boxes	Marked W. M. Nagorcoil	Unknown,
1 Do	Cornet Nield, 1st Cavalry	"Ann."
1 Do	F. Aorshead, H. M. Ship Favorite	Cambridge.
1 Do	Mark H. care of W. McCullum Esquire	Colombo.
1 Parcel	Ensign John Snow Aked, 4th Regt. B. N. I. care of Capt. G. F. Hughes	Malabar.
1 Case	15th Regiment B. N. I.	Ditto.
3 Do	Qr. Master Laison, 17th Foot.	Wm. Harris.

Parties applying for such Boxes or Packages, will have the goodness to send Invoices, showing the Contents and Value, and to depute persons to be present at the opening of them at this Office.

W. S. BOYD,  
Collector of Customs.

Bombay, Custom House, 8th January 1840.

**P A C K E T S .**

It is hereby notified for general information, that Packets for the reception of letters for despatch by the following vessels are open at this office.

Names of Vessels.	Agents.	Date of intended Departure.	To what port.	To what place where.
A Steamer	Supt. Indian Navy	31st Inst.	Suez	Aden.
Ditto	Do	29th February	do	do.
Burdell	Messrs. McGregor Brownrigg & Co.	15th January	Madras	Colombo.
Strabane	Do. W. Nicol & Co.	24th do.	Clyde	do.
Balfour	Do. Dixon Carter & Co.	25th do.	Liverpool	St. Helena.
Fatima	Do. W. Nicol & Co.	With Despatch.	do	do.
Pontiac	Do. Edward Blythe & Co.	do	do	do.

E. E. ELLIOT,  
Post Master General.

Bombay, Genl. Post Office, 8th January 1840.



# GENERAL ORDERS.

## MILITARY DEPARTMENT.

BY THE HONORABLE THE GOVERNOR IN COUNCIL:

BOMBAY CASTLE, 2nd JANUARY 1840.

No. 2 of 1840.—The following promotions are made:—

<i>Regiment of Artillery.</i>	<i>Date of Rank.</i>
Captain M. C. Decluzean to be Major, Lieutenant (Brevet Captain) J. Grant to be Captain, and 2nd Lieutenant F. C. Pownoll to be 1st Lieutenant, in succession to Cooke deceased.	} 13th December 1839.

No. 3 of 1840.—The following orders are confirmed:—

An order by Lieutenant Colonel W. Spiller, Commanding Scinde Reserve Force, dated the 5th October last, appointing Captain Brett to act as Adjutant and Quarter-Master to the Details of Artillery Scinde Reserve Force, till further orders.

An order by the Officer Commanding at Dharwar, dated the 17th ultimo, directing Assistant Surgeon Manley, M. B. of the 47th Regiment Madras Native Infantry, to assume the medical charge of the Civil Department at that Station until further orders.

No. 4 of 1840.—Mr. George Forster Shum is admitted to the service in conformity with his appointment by the Hon'ble the Court of Directors, as a Cadet of Infantry on this establishment, and promoted to Ensign, his Rank has already been settled; date of arrival at Bombay, 28th December 1839.

No. 5 of 1840.—Captain M. F. Willoughby of the Artillery, is appointed Commissary of Ordnance at Ahmedabad, in succession to Captain Decluzean promoted. Captain Lucas is to act in that appointment during the time Captain Willoughby may remain in charge of the Gunpowder Agency.

No. 6 of 1840.—The Hon'ble the Governor in Council is pleased to reduce the rate of Batta to Store and Tent Lascars and Bheesties attached, who may be enlisted after the 31st December 1839, to Rupees one and eight Annas per mensem.

The scale of Invalid Pension is fixed for the above, and for Syrangs and Tindals who may be enlisted after the above date, at half Pay. No Pension is to be allowed when the service is short of twenty years.

*Bombay Castle, 4th January 1840.*

No. 7 of 1840.—The following order is confirmed:—

An order by Major General Willis, dated the 13th November last, directing the Assistant Adjutant General to conduct the duties of the Acting Deputy Assistant Quarter Master General Northern Division of the Army, during the absence of Lieutenant Evans, on sick certificate or until further orders.

*Bombay Castle, 6th January 1840.*

No. 8 of 1840.—It is hereby announced that the undermentioned Rolls of Remittances to Europe by Officers, Non-Commissioned Officers, and Soldiers of Her Majesty's and the Hon'ble Company's Service were sent to the Hon'ble the Court of Directors by the Steamer Zenobia.

1st. General Rolls for the Quarter ending 31st October 1839, of Family Remittances of Commissioned Officers of Her Majesty's Forces serving under this Presidency.

- 1 General Roll from the Commissioned Officers of Her Majesty's 4th Light Dragoons.
- 2 General ditto..... ditto..... of the 2nd or Queen's Royal Regiment and Staff.
- 3 General ditto..... ditto..... of the 6th 17th and 40th Regiments of Foot.

2nd. General Rolls for the Quarter ending 31st October 1839, of Family Remittances of Non-Commissioned Officers and Soldiers in Her Majesty's Forces serving under this Presidency.

- 1 General Roll from the Non-Commissioned Officers of Her Majesty's 4th Light Dragoons.
- 2 Ditto..... ditto..... of the 2nd or Queen's Royal Regiment.
- 3 Ditto..... ditto..... of the 6th 17th and 40th Regiments of Foot.

3rd. General Rolls for the Quarter ending 31st October 1839, of effects and credits of deceased Commissioned Officers in Her Majesty's Regiments serving under this Presidency.

- 1 General Roll from the Commissioned Officers of Her Majesty's 4th Light Dragoons.
- 2 Ditto..... ditto..... of the 6th Regiment of Foot.

4th. General Rolls for the Quarter ending 31st October 1839, of effects and credits of deceased Non-Commissioned Officers and Soldiers in Her Majesty's Regiments serving under this Presidency.

- 1 General Roll from the Non-Commissioned Officers and Soldiers of Her Majesty's 4th Light Dragoons.
- 2 Ditto..... ditto..... of the 2nd or Queen's Royal Regiment.
- 3 Ditto..... ditto..... of the 6th and 40th Regiments of Foot.

5th. General Rolls of Remittances on account of Regimental necessaries in Her Majesty's Regiments serving under this Presidency.

- 1 General Roll on account of Regimental necessaries of Her Majesty's 4th Light Dragoons from the 1st of August to the 31st October 1839.
- 2 Ditto..... ditto..... of the 6th Regiment of Foot ditto....do.
- 3 Ditto..... ditto..... of the 40th ditto..... do..... do.

6th. General Roll for the Quarter ending 31st October 1839, of Family Remittances of Commissioned Officers of the Hon'ble Company's Service.

- 1 General Roll from the Commissioned Officers of the Hon'ble Company's Regiments.

7th. Ditto..... do..... ditto from the Warrant Officers in the Hon'ble Company's Service.

- 1 General Roll from the Warrant Officers of the Hon'ble Company.

8th. Ditto..... do..... ditto from the Non-Commissioned Officers and Privates of the Hon'ble Company's Regiments.

- 1 General Roll from the Non-Commissioned Officers and Privates of the Hon'ble Company's Regiments.



No. 9 of 1840.—The Hon'ble the Governor in Council is pleased to direct that the Details of Pioneers at Dharwar and Allegaum, be placed at the disposal of the Commander of the Forces for Service at Aden. They will proceed to the Presidency without delay. The Detail at Dharwar will be replaced by Detachment of Madras Sappers and Miners at Belgaum.

No. 10 of 1840.—The following promotion and removals are made:

*Promotion.*

Ensign H. J. Pelly, from the 8th Regiment Native Infantry, to be Lieutenant, and removed to the 26th Regiment Native Infantry, with date of Rank from the 26th October 1839, to fill a vacancy.

*Removals.*

Ensign G. Stack, from the 1st European Regiment to the 24th Regiment Native Infantry, as 1st Ensign.

Ensign E. H. S. Bowdich, from the 2nd or Grenadier Regiment to the 26th Regiment Native Infantry, as 1st Ensign.

Ensign G. F. Thorne, from the 1st European Regiment to the 14th Regiment Native Infantry, as 1st Ensign.

Ensign W. B. Shubrick, from the 9th Regiment, to the 25th Regiment Native Infantry, as 2nd Ensign.

Ensign W. Balfingall, from the 5th to the 24th Regiment Native Infantry, as 2nd Ensign.

Ensign J. S. Kemball, from the 12th to the 26th Regiment Native Infantry, as 2nd Ensign.

The undermentioned Cadets for the Infantry, are permanently posted to Regiments to fill existing vacancies, and dates of Commissions assigned them as follows.

	Rank as Ensign in the		To what Regiment appointed.
	Regiment.	Army.	
1 John Drummin Stewart,.....	8th Octr. 1839.	2nd Jan'y. 1839.	14th Regt. N. I.
2 Frederick Stanley,.....	Do. do. do. do.	Do. do. do. do.	11th do.
3 Robert Phayre,.....	Do. do. do. do.	26th do. do.	25th do.
4 Charles Cottingham Johnstone,.....	Do. do. do. do.	3rd Feby. do.	6th do.
5 Thomas Edward Stone,.....	Do. do. do. do.	Do. do. do. do.	24th do.
6 Frederick Cuerton,.....	Do. do. do. do.	Do. do. do. do.	21st do.
7 James Miles,.....	Do. do. do. do.	Do. do. do. do.	8th do.
8 George Mackenzie,.....	Do. do. do. do.	Do. do. do. do.	17th do.
9 George Samuel Montgomery,.....	Do. do. do. do.	Do. do. do. do.	26th do.
10 Pellew Matson Briggs,.....	Do. do. do. do.	Do. do. do. do.	14th do.
11 William Stewart Forneaux,.....	Do. do. do. do.	Do. do. do. do.	19th do.
12 John Edwin Bowles,.....	Do. do. do. do.	Do. do. do. do.	1st Euro. Regt.
13 William Fleming Sandwith,.....	Do. do. do. do.	6th do. do.	23rd Regt. N. I.
14 Charles Frederick Kneller,.....	Do. do. do. do.	10th do. do.	2nd Euro. Regt.
15 Robert William Wheatstone,.....	Do. do. do. do.	18th do. do.	11th Regt. N. I.
16 Edward Charles Marston,.....	Do. do. do. do.	Do. do. do. do.	7th do.
17 Brook Kay,.....	Do. do. do. do.	17th March do.	25th do.
18 John Wray,.....	Do. do. do. do.	11th Juno. do.	6th do.
19 John Sherbrooke Gell,.....	Do. do. do. do.	Do. do. do. do.	24th do.
20 David John St. Clair,.....	Do. do. do. do.	Do. do. do. do.	10th do.
21 Edward Alfred Green,.....	Do. do. do. do.	Do. do. do. do.	13th do.
22 John William Morison,.....	Do. do. do. do.	Do. do. do. do.	21st do.
23 David Hamilton Jameson,.....	Do. do. do. do.	Do. do. do. do.	2nd Gr. Regt. N. I.
24 James Fisher Waller Poley,.....	Do. do. do. do.	Do. do. do. do.	8th Regt. N. I.
25 John Guillum Scott, (Not arrived)...	Do. do. do. do.	Do. do. do. do.	1st Euro. Regt.
26 John Pogson,.....	Do. do. do. do.	Do. do. do. do.	22nd Regt. N. I.
27 George Leigh Lye, (Not arrived).....	Do. do. do. do.	Do. do. do. do.	17th do.
28 Ewen Grant,.....	Do. do. do. do.	12th do. do.	1st Gr. Regt. N. I.
29 Frederick Levien,.....	Do. do. do. do.	Do. do. do. do.	3rd Regt. N. I.
30 William Ludwick,.....	Do. do. do. do.	Do. do. do. do.	15th do.
31 William Barry Gray,.....	Do. do. do. do.	Do. do. do. do.	12th do.
32 James Hunter,.....	Do. do. do. do.	Do. do. do. do.	26th do.
33 Charles Richard Baugh,.....	Do. do. do. do.	Do. do. do. do.	4th do.
34 Frederick Wolley,.....	Do. do. do. do.	Do. do. do. do.	9th do.
35 William Henry Snell,.....	Do. do. do. do.	3rd July do.	14th do.
36 John Augustus Wood,.....	Do. do. do. do.	6th do. do.	19th do.
37 Francis Seton Kempt,.....	Do. do. do. do.	Do. do. do. do.	20th do.
38 George Forster Shum,.....	Do. do. do. do.	7th do. do.	1st Euro. Regt.
39 William Powlett Shakespear,.....	Do. do. do. do.	21st do. do.	5th Regt. N. I.
40 John Peyton,.....	19th do. do.	29th do. do.	2nd Euro. Regt.
41 Willoughby Brassey,.....	26th do. do.	Do. do. do.	23rd Regt. N. I.
42 Deter Eicke,.....	12th Novr. do.	Do. do. do.	2nd Euro. Regt.
43 Frederick George Green,.....	Do. do. do. do.	Do. do. do. do.	11th Regt. N. I.
44 Charles John Bouchier,.....	6th Decr. do.	3rd August do.	7th do.

No. 11 of 1840.—The undermentioned Officers have returned to their duty, without prejudice to their rank, by permission of the Hon'ble the Court of Directors.

*Date of arrival at Bombay.*

Captain C. H. Delamain, of the 3rd Regiment Light Cavalry..... }  
 Brevet Captain T. Maughan, of the 12th Regiment Native Infantry..... } 31st Decr. 1839.

No. 12 of 1840.—By a Resolution passed in the General Department under date the 3rd instant, Lieutenant A. G. Shaw, 22nd Regiment Native Infantry, was appointed an Assistant to the Superintendent of Roads &c.



No. 13 of 1840.—The following extract dated 4th ultimo, from Field Orders by Brigadier Gordon, Commanding in Upper Scinde, is confirmed as a temporary measure.

Quarter Master Sergeant J. Rendell, 23rd Regiment Native Infantry, is appointed to act as a Sub-Commandant in the Commissariat Department.

No. 14 of 1840.—Lieutenant Colonel T. Leighton, of the 16th Regiment Native Infantry, received charge of the Commissary General's Office, from Lieutenant Colonel C. B. James, Commissary General, on the 27th ultimo.

No. 15 of 1840.—The following extract of a General Order by the Right Hon'ble the Governor General, dated Camp Bussu, 5th November, is re-published at this Presidency.

EXTRACT OF GENERAL ORDERS BY THE RIGHT HON'BLE THE GOVERNOR GENERAL.

Camp, Bussu, 5th November 1839.

With reference to General Orders Nos. 83 and 94 of the 17th April and 1st May 1837, the Right Hon'ble the Governor General has much pleasure in admitting from the 23rd July 1839, to the 3rd Class of the "Order of Merit" the undermentioned Native Commissioned and Non-Commissioned Officers and Men of the Bombay Corps of Sappers and Miners, recommended by His Excellency the Commander in Chief of the Army of the Indus to that distinction, for their gallant conduct, on the occasion of the assault of the strong Fortress of Ghuznoe in Afghanistan.

Bombay Establishment.

1st Company.

Jemedar... Bhewaney Sing.	1	Private.. Shaik Ahmeer.
1 Naik.. .. Guugla Sing.	1	.. .. Seetal Sing. (2nd).
1 Private... Sewraj Sing.	4	.. .. Ram Pursau.

(Signed) J. STUART, Lieutenant Colonel,  
Secy. to the Govt. of India, Milly. Dept. with the Right Hon'ble the G. G.

(True Extract.)

(Signed) WM. CUBITT, Major,  
Mjy. Secy. to the Govt. of India, Milly. Dept.

ERRATUM.

In the General Order dated 27th ultimo, No. 694, for "Lieutenant P. W. Clarke" read "Lieutenant Walpole H. Clarke."

In the General Order dated the 27th ultimo, No. 698, announcing the retirement of Surgeon Carstairs, from this date, read 21st instant.

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

MARINE DEPARTMENT.

Bombay Castle, 3rd January 1840.—

No. 2 of 1840.—The Hon'ble the Governor in Council has received a statement from Lieutenant Colonel Powell, Adjutant General of the Army, of having been treated with marked incivility and disrespect by Midshipman Balfour, on board of the Hon'ble Company's Steamer *Beronic* on the 21st November last, which has been confirmed to a great extent by Midshipman Balfour's own explanation, with the only excuse that he did not know the visitor to be Lieutenant Colonel Powell. His Honor in Council feels compelled thus publicly to notice with his displeasure the conduct of Midshipman Balfour, who holding an appointment in an honorable profession, should have felt it his duty and his pride to conduct himself with gentlemanly propriety of demeanour towards all persons whether informed or not of their rank and station in life.

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



List of Letters despatched per "Virginia" on the 14th December 1839, and supposed to have been destroyed during the Mutiny on board of that Vessel on her way to China.

Received from	No.	Addressed to.
H. M. S. Wellesley..	1	Capt. H. Smith, Macao.
Ditto.....	1	Right Hon'ble Lord J. Churchill, do.
Ditto.....	1	Officer Commanding, Malacca.
Ditto.....	1	Captain Commanding Officer Singapore.
W. Dyer Esq.....	1	Capt. Smith, Singapore.
Ditto.....	1	Capt. R. H. King, do.
Terrl. Dept. No. 663.	1	H. M. Clark Esq. Canton.
Judl. Dept. No. 2939.	1	Hon'ble the Resident Counsellor, Penang
Ditto No. 3002...	1	Do. do. do. Malacca.
Ditto No. 2940...	1	Do. do. do. Singapore.
Steamer Letter from England.....	1	Captain Right Honorable Lord Churchill, Macao.
	1	A. Knight, R. N. do.
	1	George Huntley, R. N. do.
	1	Messrs. Dent & Co. Canton.
	1	George Harrow, R. N. Singapore.
	1	F. Brooke Esq. Macao.
	1	Monsieur Regerean, Penang.
	1	J. C. Boswell Esq. P. of W. Island.
	1	John Drummond Esq. Macao.
	1	Capt. H. H. Hornsley, Penang.
	1	Capt. A. Scanton, Canton.
	1	H. A. Stracy Esq. Macao.
	1	W. Maitland Esq. Singapore.
	1	Mr. G. Waller, P. of W. Island.
Ship Letter.....	1	Ao Sr F. Scabra, Macao.
	1	Mr. Stockdale, Canton.
Secundrabad....	1	Mr. W. W. Pele, er, to Maccao.
Poonah.....	1	Mr. Thomas J. Stewart. China.
Bassein.....	1	W. Lester Esq. Canton.
Mahabeshwar....	1	John Page Esq. China.
Ahmedabad.....	1	Mr F. Collier, do.
Bombay.....	1	Messrs. M. L. Fraser and Co. Singapore.
	1	Norojee Dorabjee Mettall, Macao
	1	W. C. Lezeyt Fsq. do.
	1	Pomanjee Koutoojee, China.
	1	Cowasjee Eduljee Esq. do.
	1	Pestonjee Cowasjee Esq. do.
	1	Waskerjee Jamssetjee Esq. do.
	1	Cpt. F. B. Lucas, 8th R. N. I. Penang.
	6	Rev. E. White (Newspapers) Singapore.
	1	Editor of the Chinese Repository do Canton.
	9	The Hon'ble the Governor do. Penang.
	3	The Chief of English Factory, do, Canton.
	1	George Waller Esq. (letter) Penang.
	1	Rev. E. White, Singapore.
	1	Capt. B. Scott, do.
	1	Mrs. Elmslie, Macao.

E. E. ELLIOT,  
Post Master General.

Bombay, General Post Office,  
8th January 1840.

**Notice.**

The Superintendent of the Indian Navy will receive sealed tenders for Ship Tonnage, to convey Troops and Stores to Aden.

The tenders are to express the rate per Head for European and Native Troops, as also for Women and Children.

European 60, more or less.  
Native 200, more or less.

The tenders will be opened at 1 o'clock P. M. on the 11th instant.

No reason will be assigned for the rejection of any tender.

By order.  
T. E. ROGERS,  
Actg. Assist. Supt. I. N.

Bombay, 7th January 1840.

**MARINE DEPARTMENT.**

**Notice**

Is hereby given, that in consequence of its having been found necessary to substitute the Atalanta for the Hugh Lindsay for the conveyance of the next Mail for Suez, the departure of the Steamer is deferred from the 25th to the 31st instant.

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

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

Bombay Castle, 6th January 1840.

**MARINE DEPARTMENT.**

**Notice**

Is hereby given, that it is the intention of the Hon'ble the Governor in Council to despatch a Steamer with a Mail for Suez, on Saturday the 29th of February.

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

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

Bombay Castle, 7th January 1840.

**Notice**

Is hereby given, that the intended sale on the 10th instant, of the contract for the supply to this Department of sundry articles consisting of Iron, English and Swedish of sorts, Cordage, Europe &c. for which verbal offers were invited in the "Bombay Government Gazette" of the 2nd instant, is cancelled.

F. D. BAGSHAWE, Capt. Sub-Assist. Commy. Genl. in Charge.

Bombay, Depty. Commy. Genl's. Office, 7th January 1840.

**Advertisement.**

A Passage is required for the conveyance of an European Convict, to the Isle of France, Calcutta, or direct to New South Wales.

2 Native ditto, to Singapore.

By order,  
T. E. ROGERS,

Actg. Assist. Supt. I. N.

Bombay, 7th January 1840.

**Advertisement.**

Tonnage is required for the conveyance of a Box of the undermentioned size, to Glasgow, vizt.

Length.	Breadth.	Depth.
F. I.	F. I.	F. I.
2 0	1 4 $\frac{1}{2}$	1 4 $\frac{1}{4}$

By order,

T. E. ROGERS,

Actg. Assist. Supt. I. N.

Bombay, 7th January 1840.

With reference to the Notification which appeared in the Government Gazette of the 12th ultimo, respecting tenders for the supply of Stores for the Mint and Hon'ble Company's Steam Vessels—Notice is hereby given, that the date for receiving the Tenders for the supplies is postponed until 12 o'clock on Mouday the 20th instant.

H. B. TURNER, Capt. Mint Engineer.

Bombay, 7th January 1840.



**Notice**

Is hereby given, that about 80 Candies of Wynaad Cardamoms, the produce of the last season, will be sold by public auction, at the Tellicherry Custom House, on the 16th January next, in lots of 10 Candies of 560 lbs.

Of the above quantity, one sixth may be expected to be of the 1st sort, two-sixths of the 2nd sort, and the remaining three-sixths of the 3rd sort.

The Cardamoms will be opened for inspection at the Custom House, during ten days previous to the day of sale.

Ten per cent of the purchase money to be deposited at the time the lots are knocked down, and the remainder to be paid and the lots removed within fifteen days from the day of sale, in default of which, they will be resold at the risk of the first purchaser, and the amount of the deposit forfeited to Government.

E. P. THOMPSON,  
Acting Principal Collector.

**अह्तर नामु**

मेवुने गळ मोशंभमां कृतपंन थमेलां वे नीळमाडनी मेवळीमेो मेव्शी भांडीके ते आवता मडीनानी तारीप १५ ने दीने ता लयडी माडिला कशरंम हाकुशमां अह्तर ली लाकु करीने येयाशे अने तनां लाट पांयशो शाड रतलनी मेक भांडी मे परमांणे दश भांडीने लाट १ करशे \*

कूपर लजेली मेवळीभांधी १/६ मेक शशरं म अकुंश पेहेली श्रीशंभनी तथा ३/६ जे श शरंम अकुंश भांळ श्रीशंभनी तथा भाकी रहु ली ३/६ तरणे शशरंम अकुंश तारीळ श्रीशंभ नी नीकलरो \*

लीलांकुनी तारीपना दश दाडा अगाकु कूपर लजेली मेवळीमेो जेवा शाड रापशो लाट नामे लपाशो मेटले पारीदीना ज्येज कूपर दर शेकडे रका दश परमांणे ज्येज अ मानत रापशो तथा भाकी रहुलो ज्येज ली लाकुनी तारीपथी पंदर दाडाभां लरीने लाट दाडाडी लज्जवा नडीतो ते लाट करी येयाशे तेनु जेजम पेहेला पारीदारने माथे पडशो तथा अमानततो ज्येज शरकार दाप ल थरो \*

**नीशाणी**

ध-पी-टांपशंन

आकटीग परीनशीपाल कलेकरदर.

ता. ११ दीशेभज राने १८३८ ध

शवी मुा. कलीकोट मलजार प.

रीनशीपाल कलेकरदरनी हाप्रीश

W. R. MORRIS, Secy. to Govt.

जाहीर नामा

रेषजे गेले मोसुमेत उतपेन झालेच्या वैनीया डच्या एलच्या ऐषोखंडो आचेत त्याचेते महोन्याची ता॥१६ वेरोजोतालचेरो येयोल कछम हैमांत जा हीर लेलांवकरन विकच्या जांतोल व त्याचे लाट ५६० रत्तजाचो एकखंडो घाप्रमाणे दाहाखंडोच लाट १ असे करतील

सदरज्ज एलच्या पैकीं एकशष्टमांश पहोल्या प्रती च्या वदेान शष्टमांश दुसर प्रतीच्या ववाकीराही लेले तीनशष्टमांश तीसरे प्रतीच्या निघतील

लेलावाचे तारखेचे दाहादीवष अगोधर सदर ज्ज एलच्या पाहाण्याकरोतां ठेवतील

लाटनावोपडले म्हजजे खरेदीचे ऐवजावरदर श्रेकडा टके दाहाप्रमाणे ऐवजअमानत ठेवावाववा कीराहीले लो ऐवज लेलांवाचे तारखेपासुनपंधरा दिवसांत भरुन लाटकाढुन न्यावे नाहीतर त लाट पुन्हाविकतील व त्याचेजाखोव पहोले खरोददारां चेमाथांपडेल व अमानतोचा ऐवज सरकार दाख लहेहाइल

ता॥११ माहेडीजंवर सन	निशाणी
१८३८ द्वा॥माकालोकोट	इ. पी. टांपसन
मलवार प्रिनसीपाल	अकटॉग प्रिनसीपालका
कालेंकटरसाहवाचेइफोस	लेकटर

W. R. MORRIS, Secy. to Govt.

**Notice**

Is hereby given, that verbal Tenders will be received at this office on Saturday the 11th instant, at 1 o'clock P. M. for supplying to this department Country Craft to the extent of (1,000), One thousand Candies, for the conveyance of Timber and Plank from Calicut and its neighbouring Ports to Bombay.

The tenderers will be required to bid a specific rate per Candy at which they will agree to supply Boats every way fit for the above purpose, and must at the same time be prepared to state the period when the vessels will be ready for despatch to Calicut &c. on the understanding, that they will be surveyed and rejected, if found defective, or not properly equipped in Stores, Crew, &c.

Persons desirous of bidding, will be required to make a deposit of Rs (200) two hundred to be forfeited in the event of delay, evasion or refusal on the part of the person whose offer may be accepted to execute the necessary deed of contract.

Unexceptionable security will be required for the due performance of the engagement, and no reason will be assigned for the rejection of any offer.

All further particulars will be communicated at the time of sale.

F. D. BAGSHAWE, Capt.  
Sub. Asst. Commy. Genl. in Charge.  
Bombay, Depy. Commy. Genl's  
Office, 4th January 1840.

**अह्तर नामु**

मेवुने कमीशारी जंनराय शाहेभना भा



તામાં એક હજાર ખાડીના ગામડી નાંદાં  
 નાં ખારકશો કલિકોટ તથા તેનેના આશપા  
 શનાં ઉંદરથી લાકડા તથા પાટીઆ મુખાઇ લા  
 વવા શારૂ એજએય તે આપવા બાબતની મુ  
 ખબુખાની અરજ ચાલતા મડીનાની તારી  
 ખ ૧૧ શનીવારને દાહડે બપોરના એક વા  
 ગતે હુપર લખેલી હાકીશમો શાંભલી બેશે  
 અરજદારે હુપર લખેલા કામ શારૂ શંધી ત  
 હરે લાએક એવાં ખારકશો આપવાને કહ્ય  
 લ કરશે તેનો તાલ દર ખાડીનો મુકરર લી  
 લાહુમો બોલવો અને તે ખારકશો કલિકોટ  
 વગેરે મોકલવા શારૂ ફેટલી મુદતમાં તથ  
 આર થશે તે પંણ તેજ વખત કહેવાને તથ  
 આર રહેલુ અને જખરદારે શારૂ શમખુ  
 કે તે ખારકશો તપાશી બેશે તેમાં કાંઈ ક  
 શુર હશે અથવા શામાં તથા ખલાશીઆ  
 વગેરે ખરાખર નહી હશેતો તે ખારકશો ૨  
 ૬ કરશે \*

જે લોકોની લીલાહૂમાં બોલવાની ખુશી  
 હોશે તેણાંએ રૂ. ૨૦૦ ખશી અમાનત  
 રાખવા અને જે શખશનો અરજ કહ્યુલ થશે  
 તેણે જખરનો કાગલ કરી આપવાને ઢીલ  
 લ કરશે અથવા આનાકાની કરશે અથવા  
 નામકર બેશેતો હુપર લખેલા રૂપેઆ શરકા  
 ૨ દાખલ થશે \*

કરાર શારીપહે પારપાડી આપવા બાબત  
 માતખર ખમીન આપવો અને જેનો અરજ  
 નાકહ્યુલ થશે તેમુ કારણ કહેશે નહી \*  
 ખીબે શંધો તપશીલ લીલાહૂની વખત  
 બહરે કરામાં આવશે \*

નીશાલી

એક-ડી-ખાગશા-કપતાંન  
 શખ આશીશરેટ કમીશારી

જંનરાલ જન ચારજ

તા. ૪ માહે બનેવારી શને ૧૮૪૦  
 જશવી મુ. મુખાઇ કીપુદી કમીશા  
 રી જંનરાલ શાહેખની હાકીશ \*

W. R. MORRIS, Secy. to Govt.

**Notice.**

Verbal offers will be received at this office,  
 at 12 o'clock on Saturday next the 11th ins-  
 tant, for the supply of the following articles,  
 vizt.

- (22) Twenty two Couch Beds of sizes.
- (44) Forty four Ditto.... Pillows ditto.
- (24) Twenty four Stools, Blackwood, as per muster.

- (1) One Blackwood Table, large, covered with cloth, with drawers and locks, and two moveable slopes.
- (1) One Press, Record, Blackwood.
- (1) One Ditto.... Ditto.. with drawers.
- (2) Two Desks. writing.
- (1) One Treasure Chest, Iron.
- (20) Twenty Bottles, Glass, large, to contain 9 Gallons each.
- (1) One Chest Tools, Armourers, Europe.
- (1) One Chest Tools, Mining, Country.
- (2) Two Book Cases, each height 6 feet 5 inches and breadth 5 feet 2 inches.

The articles will be put up separately and persons desirous of obtaining the supply will be required to offer a per-centage below the prices exhibited in a list which may be seen at this office prior to, and during the time of bidding; and the persons whose offers are the lowest will be required to make an immediate deposit of twenty per cent upon the amount of their offers as security for the due performance of their engagements; all further particulars may be known on application at this office from 10 till 5 o'clock daily.

No reason will be assigned for the rejection of any offer.

F. D. BAGSHAWE. Capt.  
 Sub- Assist. Commy. Genl. in Charge.

Bombay, Depty. Commy. Genl's.  
 Office, 8th January 1840.

**Notification.**

With reference to a Circular addressed by the Acting Register of the Suddur Fouzdares Adawlut, to the Zilla Magistrates, dated the 25th ultimo, and published in the Government Gazette of the 26th ultimo, the Honorable the Governor in Council has been pleased to authorize a Reward of Rupees 500 to be paid to any person or persons who shall give such information as may lead to the apprehension of any of the three run-away Convicts named in the margin, and a Reward of Rupees 100 for the apprehension of each of the other Convicts therein named.

W. C. LEGEY, T.

Actg. Senior Magistrate of Police.  
 Bombay, 7th January 1840.

**Opium Memorandum.**

BOMBAY.

Passes granted up to the 1st instant..... Chests 1,463

INDORE.

Passes granted up to the 30th April 1839.. to the .....

18,999

IMPORTED.

From the 16th October 1838, to the 30th December last.. Chests 20,460

EXPORTED.

From the 8th November 1838, to the 30th December last.. Chests 11,327  
 Ditto from the 31st ultimo, to the 7th instant..... 312

Total 11,640

F. BOURCHIER,  
 Opium Agent.

Bombay, 8th January 1840.



**BOMBAY CIVIL SERVICE LIST.**

Will shortly be printed at the Government Printing Press, a list of the Civil Servants on the Bombay Establishment as they stood on the 1st January 1840, showing also the names and designations of the various Officers employed in the Political, Revenue, Judicial, General, Survey, and Tank and Road Departments under the Bombay Presidency.—This Work will be published quarterly, and parties desirous of subscribing to it are requested to intimate their wishes to the Superintendent of the Government Press.

Price to Subscribers. Rs 1 8 0 } per copy.  
To Non-Subscribers. Rs 2 0 0 }

By order of the Hon'ble  
the Governor in Council,  
L. R. REID,  
Chief Secy.

Bombay Castle, 8th January 1840.

**Notification.**

**GENERAL DEPARTMENT.**

1. The Hon'ble the Governor in Council is pleased to direct, that all Indents hitherto referred on the Chief Engineer, for surveying instruments, and drawing materials of every description, be in future made on the Senior Commissary of Ordnance.

2. All Superintendents of Surveys, being Commissioned Officers, otherwise the Civil Authority under whose directions the Survey may be conducted; and all other Officers at present in charge of, or hitherto in the habit of indenting for articles of this description are hereby directed to furnish the Military Board by the 1st July, annually, with a return of the drawing materials and surveying instruments in charge, accompanied by a statement of the probable requirement of their establishments during the ensuing year, in order that the several requisitions may be included in the General Indent, framed in that Office, for transmission to the Hon'ble Court of Directors.

3. No alteration is intended in the usual course of application, for sanction, which will still be made to Government by Civil Officers and Surveyors as heretofore.

By order of the Hon'ble  
the Governor in Council,  
W. R. MORRIS,  
Secy. to Govt.

Bombay Castle, 8th January 1840.

**Notice**

Is hereby given, that Sealed Tenders will be received at the Mint Engineer's Office, until 12 o'clock on Wednesday the 15th Instant, for the supply of 100 Tons of English or Glasgow Coal.

H. B. TURNER,  
Mint Engineer.

Bombay, 8th January 1840.

**Notice**

The Superintendent of the Indian Navy will receive sealed tenders for Ship Tonnage, to take up Troops and Stores to Kurrachee, and to bring down Invalids from that place.

The tenders are to express the rate per trip, allowing (20) twenty working days for loading

also at what rate per demurrage if the Ship be employed for one month certain.

The rate of demurrage per diem to be stated if detained by Government beyond one month.

The Tenders will be opened at 1 o'clock p. m. on Saturday the 11th instant.

No reason will be assigned for the rejection any tender.

By order.

T. E. ROGERS,

Actg. Assist. Supt. I. N.

Bombay, 6th January 1840.

**Notification.**

No. 1298 of 1839.

**TERRITORIAL DEPARTMENT.**

**FINANCE.**

The attention of all Officers in the Civil Departments of the Bombay Presidency is hereby directed to the 2nd Paragraph of the Circular Letter from this Department of the 21st May 1834, No. 556, in which it is stated that, *fractional parts of Pies are not admissible into the public accounts*, the Honorable the Governor in Council having been pleased to determine that the rule in question shall be extended to all Departments under this Presidency, and to instruct the Heads of the Department of Accounts to take measures for its strict adoption in all the Civil Departments of Government.

J. H. CRAWFORD,  
Accountant General.

Bombay Castle, 19th December 1839.

જાણીતું નામુ

એવુલે આફોરેટ જનરાલ શાહુખના હાકી  
શાંખી તારીખ ૨૧ માંહે મે શને ૧૮૩૪ ને  
ખર પપડ ના શરકીલુવર એટલે એકશાં ફુ  
ફ્રમ મોકલો તેની ખાજી કલમમાં લખુકે  
શરકારી હીશાખમાં પેઠના અહુશ ગાંભવા  
નહી તે ચાલ મુખાજ છલાકા માંહેલાં શરવે  
ખાતાઓમાં ચલાવવી એવો ખંદગાન આલી  
નવાખ મુશતતાખ હજરત હંનરાખલ ગવર  
નર શાહુખ ખાહુકુર દર છખલાશ ફોશલ  
એએએ ઠરાવ કરીને તે ચાલ શરકારના  
શરવ શીલીલ ખાતામાં ખરાખર ચાલે એવુ  
ફરતુ માટે હીશાખના મુખ ખાતાના શાહુખ  
ને ફુકમ કરોકે તે શાર મુખાજ છલાકા મા  
હેલા ખાતાના શરવ અમલદારોએ હુપર લ  
ખેલી કલમ હુપર ધાન રાખવુ \*

નીશાહી

જાણીતું નામુ

આફોરેટ જનરાલ

તા. ૧૯ માંહે હીશીમખર શને ૧૮૩૯  
છશી મુખાજ આફોરેટ જન  
રાલ શાહુખની હાકીશ \*

W. S. BOYD, Acting Secy.



जाहीर नामा

ऐसाजे आर्कॉटेट जनराल साहेबाचे हफीसाद  
 न ता११ मे सन१८३४ नंबर ५५६ नाचे सरकुलर  
 म्हणजे वट डकुम पाठविला त्याचेदुसरे कलमात  
 लिहिले आहेकीं सरकारी हिशेबांत पदचे अंग्रध  
 वनधे तीचाल मुंबई इलाक्यांतील सवखात्यांत चाला  
 वीअसावंदीगान आलीनवाव मुसताब हजरतहन  
 रावल गवरनर साहेब बाहादुर दरइजलास कौस  
 लयाणी ठरावकहून तीचाल सरकारचे सर्वसोवो  
 लखात्यांत बराबर चालेअसेकरावे म्हणुन हीशेव  
 चेमुख्यात्याचे साहेबास डकुम केलाआहे याक  
 रीतांमुंबई इलाक्यांतील सोबोखत्याचे सर्व अमल  
 दारानीसदरुड कलमावरलक्ष घावे  
 ता॥ १८ माहे डिजंबर सन निशाणी  
 १८३८ इ। मू॥ मुंबई अ जे एच क्राफड  
 कॉटेट जनरालचे हफीस अकाटेट जनराल  
 W. S. BOYD, Actg. Secy.

Notice

Is hereby given, that the Acting Principal Collector of Malabar, will purchase all such Salt, the produce of Bombay, or the places subordinate thereto, as may be required for the use of the undermentioned Gollahs, until the 31st January next, at the rates detailed below.

Cannanore, as much as will be required to fill all the Store Rooms Rs. 35 per Garce.	
Calicut, . . . do . . . do . . .	35 . . .
Tellicherry . . . do . . . do . . .	31 . . .
Tonany, . . . do . . . do . . .	37 . . .
Chowghaut . . . do . . . do . . .	38 . . .

(Signed) E. P. THOMPSON,  
Acting Principal Collector.

Malabar, Princ. Collr's Office,  
Calicut, 30th December 1839.

(True Copy.)

W. S. BOYD,  
Collector of Customs.

अदर नामु

अेवुचे मुंभाज अथवा मुंभाज ताभा मां  
 देली जगायामां पाफेलु मीकु नीयां लजेला  
 गौला शाहू जेदुलु जेजमे तेदेलु मलभारमां  
 ना आकटीगा परनेशीपाल फलेफटर शाहेज  
 तारीज ३१ माहे जानेवारी शने १८४० शु  
 धी नीया लजेला दरो परमांऐ देयांऐ लेशे  
 फांनानेदमां शंधी वपारी लराये अेदलु  
 मीकु दर गारशेना ३० ३५ परमांऐ  
 फालीफोट कूपर परमांऐ ३० ३५ परमांऐ  
 जालयरी कूपर परमांऐ ३० ३४ परमांऐ  
 पुएानी कूपर परमांऐ ३० ३७ परमांऐ  
 यदुंधार कूपर परमांऐ ३० ३८ परमांऐ

नीशाणी

ध-पी-टांपशन

आकटीगा परनेशीपाल फलेफटर.

ता. ३० दीशेमभर शने १८३६ ध  
 शयी मू० फलीफोट मलभार प  
 रीनशीपाल फलेफटरनी शाहीश  
 परीनफल

नीशाणी

SMALI—मेश—भाजS

५शरभना फलेफटर

W. R. MORRIS, Secy. to Govt.

जाहीर नामा

ऐसाजे मुंबई अथवा मुंबईताव्यांतोळ जाग्यांत  
 पिकलेले मोट खाली लिहिलेले गोव्याकरीतां जि  
 तके पाहोजे तितके मलबार येथील अकटींग प्रो  
 नसोपाल कालिकटर साहेब ता॥ १ जानेवारी सन  
 १८४० परीयंत खाली लिहिलेले दरप्रमाणे खरी  
 द घेतील

कानानुर येथे सगव्याखारी भरावयास जीत  
 के लागेल तितके दरगारभेस हपये ३५ प्रमाणे  
 कालीकॉट कीतां ३५ परमाणे  
 तालचेरी कीतां ३४ परमाणे  
 पुणानी कीता ३७ परमाणे  
 चौघाट कीतां ३८ परमाणे

ता॥३० माहे डिजंबर सन	निशाणी
१८३८ इ। मू॥कालीकॉट	द पो टांपसन
मलबारचे प्रोनसोपाल	अकटींग पिनसोपाल
जालिकटर चेचफीन	कालिकटर
	खरीनकल
	डब्ल्यु एस बार्ड
	कडमचे कालिकटर

W. R. MORRIS, Secy. to Govt.

Civil Appointments, &c. TERRITORIAL DEPARTMENT.

REVENUE.

Bombay Castle, 2nd January 1840.

Mr. G. J. Blane is confirmed in the appointment of first assistant to the collector and magistrate of Sholapoor.

Bombay Castle, 3rd January 1840.

Mr. W. S. Boyd received charge on the 31st ultimo from Mr. Bruce, of the offices of collector of land revenue and sea customs at the presidency, and reporter general on external commerce.

Bombay Castle, 8th January 1840.

Mr. W. J. Turquand, assistant collector and magistrate of Tanna, is placed in permanent charge of the Kalian Prant, for the present.

Sir Robert Arbuthnot, collector of Ahmedabad, is allowed to proceed into the districts, on deputation, from the 7th ultimo.

Mr. Suart, assistant collector, received charge of the collectorate of Sholapoor from Mr. Simson, on the 18th ultimo.

Mr. Reeves, acting sub-collector of Nassick, is allowed to proceed into the districts, on deputation.

TERRITORIAL DEPARTMENT. FINANCE.

Bombay Castle, 3rd January 1840.

Mr. W. C. Bruce, mint master, received charge of the mint from Mr. Doveton, on the 31st ultimo.

Mr. W. R. Morris, to be a Member of the Mint Committee, in succession to Mr. Bruce.

Mr. R. T. Webb received charge of the offices of the sub-treasurer, general pay master and superintendent of stamps, on the 2nd instant.



**ECCLESIASTICAL DEPARTMENT.**

*Bombay Castle, 8th January 1840.*

The Reverend W. M. Burnell, chaplain to the Scinde Reserve Force, is allowed an extension of six days, of the leave of absence granted him on the 16th October last.

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

**L. R. REID,**  
*Chief Secy. to Govt.*

**GENERAL DEPARTMENT.**

*Bombay Castle, 31st December 1839.*

Assistant Surgeon B. White, vaccinator in the N. E. D. of Guzerat, was allowed leave of absence to visit the presidency, on sick certificate, from the 1st to the 30th of November last.

Assistant Surgeon Peart, civil surgeon at Broach, is allowed leave of absence from the 1st to the 20th proximo; to visit the presidency, for the purpose of appearing before the annual civil examination committee, his duties during his absence being performed by assistant surgeon Nicholson.

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

**W. S. BOYD,**  
*Secy. to Govt.*

*Bombay Castle, 3rd January 1840.*

The Honorable the Governor in Council is pleased to appoint Lieutenant A. G. Shaw, 22nd Regiment Native Infantry, to be an assistant to the superintendent of roads &c.

*Bombay Castle, 7th January 1840.*

The Reverend A. Stackhouse, chaplain at Aden, is allowed leave of absence from his duty for one month, in consequence of ill health.

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

**W. R. MORRIS,**  
*Secy. to Govt.*

**JUDICIAL DEPARTMENT.**

*Bombay Castle, 7th January 1840.*

Mr. W. Richardson, senior assistant judge and session judge at Broach, resumed charge of the udawlut at that station on the 27th ultimo.

*Bombay Castle, 8th January 1840.*

Mr. H. H. Glass, judge and session judge of Ahmednuggur, is allowed an extension for fifteen days, of the leave of absence granted to him on the 7th of November last, to remain at the presidency, on urgent private affairs.

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

**J. P. WILLOUGHBY,**  
*Secy. to Govt.*

**Military**

**Arrivals and Departures.**

**ARRIVALS.**

- 31st Decr.—Capt. F. Twedale, 8th b. c. from Europe.
- Do. do.—Assist. surg. John Deas, r. n. from Suez.
- Do. do.—Capt. Maughan, 13th r. from England.
- 1st Jany.—Lieut. L. Macqueen, 3d m. c. from Mah- bleswar.
- Do. do.—Lieut. Wellerst, 5th r. n. i. from Scinde.
- 2d Do.—Ensign C. Kneller, from Tarowell.
- Do. do.—Assist. surg. Roe, m. d. from Jaulnah.
- 4th Do.—Lieut. G. F. Sympton, 1st e. r. from Poona.
- 6th Ensign T. E. Taylor, 18th r. from Baroda.
- Do. do.—Major Marshall, 25th r. from Poona.
- Do. do.—Capt. Candy, from Concan.
- 7th Do.—Assist. surg. Bradley, n. s. from Scinde.
- Do. do.—Lieut. W. Ommanney, 2d m. c. from Bas- sorah.
- 8th Do.—Major Waddington, Engineers, from Poona.

**DEPARTURES.**

- 31st Decr.—Lieut. col. Crawford, 3d r. to England.
- Do. do.—Assist. surg. M. Thompson, m. d. to Sea.
- Do. do.—Ensign Kneller, 25th r. to Tarowell.
- 1st Jany.—Captain J. Outram, 23rd r. to Scinde.
- Do. do.—Lieut. Morse, 8th r. n. i. to England.
- Do. do.—Dy. Assist. Comy. W. Roper, to Aurunga- bad.

- Do. do.—Lieut. & adjt. Jopp, 16th r. n. i. to Poona;
- 3d Do.—Capt. Trevelyan, 2d c. to ditto.
- Do. do.—Lieut. Orrock, 16th r. to Tannah.
- 4th Do.—Lieut. J. F. Porter, to Cannanore.
- Do. do.—Suptg. surgeon Henderson, to Gozerat.
- 5th Do.—Captain H. P. Lawrence, to Hydrabad.
- 6th Do.—Assist. Surg. Calvert, to do.

*Town Major's Office, 8th January 1839.*

**Shipping Intelligence.**

**ARRIVAL.**

2nd Jany.—Brig Balfour, W. Foster, master, from Liverpool, 2d September 1839.

**DEPARTURES.**

- 1st Jany.—The E. I. C. Steamer Zenobia, Lieut. A. H. Gordon, commanding, to Suez.
- Passengers.—Major and Mrs. G. F. Penley—Mrs. Stewart, and 2 children—Lieut. col. Crawford, and his Lady and one child—J. S. Lowe Esq.—Major R. Lowe—B. Doveton Esq.—G. Arbuthnot Esq.—Mrs. Col. F. Roome—Lieut. H. E. Fane—Lieut. J. Wylde—John Jevonnie Esq.—Sir Henry Darell, Bart.—R. Diggles Esq.—A. C. Pacheco Esq.—Revd. Joao N. de Souza—S. D. Murray Esq.—Commr. F. P. Dobree—Mr. Pio Antonio Lobo, 3d class—Mr. Caetano F. de Souza, do.—Mr. Wm. Campbell, do.—2 native servants to Aden—one European servant of Mrs. Stewart, one native do. of Lieut. col. Crawford, one do. of Mrs. col. Roome.
- Do. do.—Ship Malabar, R. Pollock, master, to Lon- don.
- Passengers.—Sir H. Fane—Col. Fane—Genl. Torrens —Capt. & Mrs. Mitchell—Dr. Wood—Capt. & Mrs. Woodcock—W. H. Wathen Esq.—Mrs. Holland, and 2 children—Capt. Fraser—Lieut. & Mrs. Wilson—Mrs. Lewis—Capt. Oliver—Mr. Morse—Lieut. Taylor & 65 Invalids.
- 3rd Do.—Barque Herald, W. Watt, master, to Co- lombo.
- 4th Do.—French Brig Solid, J. L. Pallier, master, to Mangalore, Cochin, and Bourbon.
- Passenger.—Adamolle, supercargo.
- Do. do.—The E. I. C. Schooner Emily, Mr. Blower, in charge, to Persian Gulpher, and Karrack.
- Do. do.—H. M. Ship Wellesley, T. Maitland, Esqr, Captain, to Sea.

**D. ROSS,**  
*Master Attendant.*

*Bombay, 8th January 1840.*

**Unclaimed Letters.**

**SHIP LETTERS.**

- 1 Mrs. Mackintosh, care of Capt. Mackintosh
- 2nd Gr. Regt..... Bombay.
- 1 Mrs. Dr. Young..... do.
- 1 Dr. Young..... do.
- 1 F. M. Lewin Esq. C. S. Gallig, Messenger, do.
- 1 C. R. Baugh Esq. B. N. I..... do.
- 2 R. R. Little Esq. B. Artillery..... do.
- 1 Major W. Lardner, H. E. S..... do.
- 1 Capt. W. Burnett B. E. R..... do.
- 3 Capt. H. C. Morse, Asst. Qr. Mr. Genl..... do.
- 1 Capt Withcombe, Brig Sandwhich.... Mocha.
- 1 John Hvard Esq. Do. Do..... do.
- 2 R. N. Hunt Esq. Do. Do..... do.
- 1 Mr. James Black..... Bombay.
- 1 Mr. W. G. Pilson..... do.
- 1 Mr. C. G. Gosant..... do.
- 1 Mr. W. H. Payne..... do.

**E. E. ELLIOT,**  
*Post Master General.*

*Bombay, Genl. Post Office,*  
*8th January 1840..*

*High water in the harbour under the following dates.*

1840.	A.	M.	P.	M.
	H.	U.	H.	M.
Jany. 9th Thursday.....	1	46	2	3
.. 10th Friday.....	2	20	2	37
.. 11th Saturday.....	2	55	3	16
.. 12th Sunday.....	3	38	4	6
.. 13th Monday.....	4	34	5	11
.. 14th Tuesday.....	5	48	6	38
.. 15th Wednesday.....	7	28	8	14