



# Bombay Government Gazette.

Published by Authority.

In advance, 3 Rs. per quarter.

THURSDAY 24TH DECEMBER 1840.

Four annas per Copy.

## NOTIFICATION.

Bombay Castle, 4th August 1831.

GENERAL DEPARTMENT.

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

Bombay Castle, 18th January 1832.

When official notifications from the government are 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 30TH NOVEMBER, 1840.

The following Extract from the proceedings of the Right Hon'ble the Governor General in Council, in the Legislative Department, under date the 30th November 1840, is published for general information.

Read a second time the Draft of proposed Act date the 3rd June 1839, and published in the Calcutta Gazette of the 8th of the same month, for the protection of moveable and immovable property against wrongful possession in cases of successions.

*Resolution.*—The Right Hon'ble the Governor General in Council resolves, that the following amended Draft on the subject, be republished for general information:

ACT No. — OF 1840.

*Act for the protection of moveable and immovable property against wrongful possession in cases of successions.*

1. Whereas much inconvenience has been experienced, where persons have died possessed of moveable and immovable property, and the same has been taken upon pretended claims of right by gift or succession; the difficulty of ascertaining the precise nature of the moveable property in such cases, the opportunities for misappropriating such property and also the profits of real property, the delays of a regular suit when vexatiously protracted, and the inability of heirs when out of possession to prosecute their rights, affording strong temptations for the employment of force or fraud in order to obtain possession. And whereas, from the above causes, the circumstance of actual possession, when taken upon a succession, does not afford an indication of rightful title equal to that of a decision by a Judge after hearing all parties in a summary suit; though such summary suit may not be suffi-

cient to prevent a party removed from possession thereby from instituting a regular suit,—and whereas such summary suit, though it will take away many of the temptations which exist for assuming wrongful possession upon a succession will be too tardy a remedy for obviating them all, especially as regards moveable property. And whereas it may be expedient prior to the determination of the summary suit to appoint a Curator to take charge of property upon a succession, where there is reason to apprehend danger of misappropriation, waste or neglect, and where such appointment will, in the opinion of the authority making the same, be beneficial under all the circumstances of the case. And whereas it will be very inconvenient to interfere with successions to estates by the appointment of Curators, or by summary suits unless satisfactory grounds for such proceedings shall appear, and unless such proceedings shall be required by or on the behalf of parties giving satisfactory proof that they are likely to be materially prejudiced if left to the ordinary remedy of a regular suit;—

It is hereby enacted, that whenever a person dies leaving property, moveable or immovable, it shall be lawful for any person claiming a right by succession thereto, or to any portion thereof, and being out of possession, to make application to the Judge of the Court of the District where any part of the property is found or situate for relief, either after actual possession has been taken by another person, or when opposition is apprehended.

II. And it is hereby enacted, that it shall be lawful for any agent, relative, or near friend, or for the Court of Wards in cases within their cognizance in the event of any minor disqualified or absent person being entitled by succession to such property as aforesaid, and being out of possession to make the like application for relief.

III. And it is hereby enacted, that the Judge to whom such application shall be made shall,



in the first place enquire by the solemn declaration of the complainant, and by witnesses and documents at his discretion, whether there be strong reasons for believing that the party in possession is holding possession unlawfully, and that the applicant, or the person on whose behalf he applies is really entitled, and that the application is made *bonâ fide*.

IV. And it is hereby enacted, that in case the Judge shall be satisfied of the existence of such strong grounds of belief but not otherwise, he shall cite the party in possession and give notice of vacant or disturbed possession by publication, and after the expiration of a reasonable time shall determine summarily the right to possession (subject to regular suit as hereinafter mentioned) and shall deliver possession accordingly—provided always, that the Judge shall have the power to appoint an officer who shall take an inventory of effects, and seal or otherwise secure the same upon being applied to for the purpose without delay, whether he shall have concluded the enquiry necessary for citing the party in possession or not.

V. And it is hereby enacted, that in case it shall further appear, upon such application and examination as aforesaid, that danger is to be apprehended of the misappropriation or waste of the property before the summary suit can be determined, and that it is likely to be attended with manifest benefit to the party out of possession, provided he be the lawful owner by succession, and that the delay in obtaining security from the party in possession, or the insufficiency thereof is likely to expose the party out of possession to considerable risk, provided he be the lawful owner; it shall be lawful for the Judge to appoint one or more Curators with the powers hereinafter next mentioned, whose authority shall continue according to the terms of his or their respective appointments, and in no case beyond the determination of the summary suit and the confiscation or delivery of possession in consequence thereof. Provided always that, in the case of land, the Judge may delegate to the Collector or to his officer the powers of a Curator, and also that every appointment of a Curator in respect of any property be duly published.

VI. And it is hereby enacted, that the Judge shall have power to authorize such Curator, either to take possession of the property generally, or until security be given by the party in possession or until inventories of the property shall have been made or for any other purpose necessary for securing the property from misappropriation or waste by the party in possession. Provided always, that it shall be entirely discretionary with the Judge, whether he shall allow the party in possession to continue in such possession on giving security, or not, and any continuance in possession shall be subject to such orders as the Judge may issue touching inventories, or the securing of deeds or other effects.

VII. And it is hereby enacted, that the Judge shall exact from the Curator security for the faithful discharge of his trust, and for rendering satisfactory accounts of the same as hereinafter mentioned, and may authorize him to receive out of the property such remuneration as shall appear reasonable, but in no case exceeding 5 per centum on the personal property and on the annual profits of the real property, all surplus monies realized by the Curator shall be paid into Court, and invested in public Securities for the benefit of the persons entitled thereto upon adjudication of the summary suit. Provided always, that although security shall be required

from the Curator with all reasonable despatch, and, where it is practicable, shall be taken generally to answer all cases for which the person may be afterwards appointed Curator, yet no delay in the taking of security shall prevent the Judge from immediately investing the Curator with the powers of his office.

VIII. And it is hereby enacted, that in all matters regarding the propriety of citing the party in possession, of appointing a Curator, and of nominating individuals to that appointment, the Judge shall demand a report from the Collector, and the Collector is hereby required to furnish the same. In cases of urgency the Judge may proceed, in the first instance, without such report, and he shall not be obliged to act in conformity thereto, but in case of his acting otherwise than according to such report, he shall immediately forward a statement of his reasons to the Court of Sudder Dewanee Adawlut, and the Court of Sudder Dewanee Adawlut if they shall be dissatisfied with such reasons, shall direct the Judge to proceed conformably to the report of the Collector.

IX. And it is hereby enacted, that the Curator shall be subject to all orders of the Judge regarding the institution or the defence of suits, and that all suits may be instituted or defended in the name of the Curator on behalf of the estate, provided that suits concerning the estate which would be triable before the Judge appointing the Curator shall be triable in the Zillah or City Court nearest to that of such Judge.

X. And it is hereby enacted, that pending the custody of the property by the Curator, it shall be lawful for the Judge to make such allowances as upon a summary investigation of the rights and circumstances of the parties interested, he shall consider that necessity may require, taking at his discretion, security for the repayment thereof with interest, in case the party shall, upon the adjudication of the summary suit, appear not to be entitled thereto.

XI. And it is hereby enacted, that the Curator shall file monthly accounts in abstract, and at the period of every three months, if his administration last so long, and upon giving up the possession of the property file a detailed account of his administration to the satisfaction of the Judge.

XII. And it is hereby enacted, that after the Judge of any district shall have appointed any Curator, such appointment shall preclude the Judge of any other district within the same Presidency from appointing any other Curator, provided the first appointment be in respect of the whole of the property of the deceased. But if the appointment be only in respect of a portion of the property of the deceased, this shall not preclude the appointment within the same Presidency of another Curator in respect of the residue or any portion thereof; provided always, that no Judge shall appoint a Curator or entertain a summary suit in respect of property which is the subject of a summary suit previously instituted under this Act before another Judge, and provided further, that if two or more Curators be appointed by different Judges for several parts of an estate, it shall be lawful for the Sudder Dewanee Adawlut to make such order as it shall think fit for the appointment of one Curator of the whole property.

XIII. And it is hereby provided, that this Act shall not be put in force, unless the aforesaid application to the Judge be made within six months of the decease of the proprietor, whose property, is claimed by right in succession,



XIV. And it is hereby enacted, that this Act shall not be put in force to contravene any act of settlement, or in cases in which the deceased proprietor shall have given legal directions for the possession of his property after his decease in the event of minority or otherwise in opposition to such directions, but in every such case so soon as the Judge having jurisdiction over the property of a deceased person, shall be satisfied of the existence of such directions, he shall give effect thereto, appointing the person indicated thereby to be Curator under this Act if so desired.

XV. And it is hereby provided, that this Act shall not be put in force, for the purpose of disturbing the possession of the Court of Wards of any Presidency; and in case a minor, or other disqualified person whose property shall be subject to the Court of Wards, shall be the party on whose behalf application is made under this Act, the Judge, if he determines to cite the party in possession and also to appoint a Curator, shall invest the Court of Wards with the Curatorship of the estate, penning the suit without taking such security as aforesaid, and in case the minor or other disqualified person shall, upon the adjudication of the summary suit appear to be entitled to the property, possession shall be delivered to the Court of Wards.

XVI. And it is hereby provided, that nothing in this Act contained shall be any impediment to the bringing of a regular suit either by the party whose application may have been rejected, before or after citing the party in possession, or by the party who may have been evicted from the possession under this Act.

XVII. And it is hereby enacted, that the decision of the Judge upon the summary suit under this Act shall have no other effect than that of settling the actual possession; but that for this purpose it shall be final, not subject to any appeal or order for review.

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 1st day of March next.

T. H. MADDOCK,

Secy. to the Govt. of India.

## Legislative Department,

FORT WILLIAM,

THE 30th NOVEMBER, 1840.

The following Extract from the Proceedings of the Right Hon'ble the Governor General in Council in the Legislative Department, under date the 30th November 1840, is published for general information.

Read a second time the Draft of a proposed Act dated the 3d June 1839, and published in the Calcutta Gazette of the 8th of the same month, for facilitating the collection of debts on successions and for the security of parties in paying debts to the representatives of deceased persons.

Resolution—The Right Hon'ble the Governor General in Council resolves, that the following amended Draft on the subject, be republished for general information:

ACT NO. — OF 1840.

Act for the facilitating the collection of debts on successions and for the security of parties paying debts to the representatives of deceased persons.

I. Whereas the use of Probates and Letters of Administration in regard to the property of deceased British subjects and other persons

subject to the Supreme Courts, in their Ecclesiastical Jurisdiction, has been found very expedient, as well for enforcing the rights of persons entitled to such property by succession; as also for the security of all persons having transactions with them. And whereas the occasional use of Probates and Letters of Administration in respect of the property of deceased Natives of India though voluntarily adopted by their representatives for the sake of the advantages arising therefrom, has been attended with much expense and inconvenience, besides creating much legal doubt as to the effect of the authority conferred. And whereas it is expedient to give an express legislative sanction to Probates and Letters granted by the Supreme Courts in respect of the property of deceased Natives, and to authorize instruments having the like effect with Probates and Letters of Administration being granted by the Mofsil Courts, but, in either case, for the purpose of recovering debts only, and the security of debtors paying the same;—

It is hereby enacted, that  
*No debt recoverable without a certificate.* no debtor of any deceased person shall be compelled in any Court of Law to pay his debt to any person claiming to be entitled to the effects of any deceased person or any part thereof, except on the production of a certificate to be obtained in manner hereinafter mentioned, unless the Court shall be of opinion that payment of the debt is withheld from fraudulent or vexatious motives, and not from any reasonable doubt as to the party entitled.

II. And it is hereby enacted, that the Zillah or District Court within the jurisdiction of which any part of the property of the deceased may be found shall have authority to grant a certificate under this Act. The applicant in his petition shall set forth his title. The Judge shall issue notice of application, inviting claimants, and fixing a day for hearing the petition, and in these matters shall proceed as laid down in the Rules in Sections and of Act No. of 1841. (Vide Draft Act respecting Curators.)

III. And it is hereby enacted, that the certificate of the District of Zillah Judge shall be conclusive of the representative title against all debtors to the deceased, and shall afford full indemnity to all debtors paying their debts to the person in whose favor the certificate has been granted.

IV. And it is hereby enacted, that the District or Zillah Judge may take such security as he shall think necessary from any person to whom he shall grant a certificate for rendering an account of debts received by him, and for indemnity of persons who may be entitled to the whole or any part of the monies received by virtue of such certificate, whose right to recover the same by regular suit against the holder of the certificate is not affected by this Act.

V. And it is hereby enacted, that the granting of such certificate may be suspended by an appeal to the Court of Sudder Dewanee Adawlut, which Court may declare the party to whom the certificate should be granted, or may direct such proceedings for the investigation of the title as it shall

Decision of Judge how far final.



think fit. The Court may also upon petition, after a certificate shall have been granted by the District or Zillah Judge, grant a fresh certificate in supercession of the certificate granted by the District or Zillah Judge, and such fresh certificate shall not affect any payments made to the person to whom any former certificate may have been granted without notice that the same has been superseded.

**Local extent of power given by certificate.** VI. And it is hereby enacted, that every certificate shall give authority to the person to whom the same is granted throughout the Presidency within which the same is granted, and no certificate subsequently granted in respect of the same property shall be valid or effectual, except as hereinafter mentioned.

**Government Notes and Dividends.** VII. And it is hereby enacted, that a person certified as aforesaid, may be empowered to receive interest on Government Notes and Dividends on Shares of any Bank or parts thereof, and to negotiate such Securities. He may be also empowered to receive a share of such interest or dividends or to negotiate a share of such Securities. These powers (which shall only arise by express words in the certificate) may be exercised in regard to Government Notes and Certificates of Shares of any Bank, existing within the local jurisdiction of the Supreme Court of that Presidency in which is situate the Court by whom those powers are conferred.

**Payments under certificate void by reason of previous certificate.** VIII. And it is hereby enacted, that where a certificate shall have been granted in cases in which such certificate would be valid, but for the previous grant of a certificate, all payments made to the person holding the later certificate in ignorance of the grant of the previous certificate shall be held good against claims under such previous certificate.

**Certificate after previous grant of Probate or Letters void.** IX. And it is hereby enacted, with regard to the real and personal property of deceased persons whose personal property may by law pass to their personal representatives without any Probate or Letters of Administration obtained in any of Her Majesty's Courts of Justice, that no certificate in respect of any such real or personal property shall be valid. If made after a Probate or Letters of Administration granted in respect of the same, provided assets belonging to the deceased were at the time of his death within the jurisdiction of the Court granting the Probate or Letters of Administration.

**Bonafide payments protected.** X. And it is hereby provided, that where a certificate shall have been granted in cases in which such certificate would be valid, but for a Probate or Letters of Administration previously granted, all payments made to the person holding the certificate in ignorance of the previous granting of the Probate or Letters of Administration, shall be held good against claims under the Probate or Letters of Administration so previously granted.

**Probate or Letters after previous grant of Certificate.** XI. And it is hereby enacted, that no Probate or Letters of Administration shall be valid for the purpose of the recovery of debts or the security of debtors, after a certificate

granted in respect of the same property for which such Probate or Letters of Administration shall have been granted, provided assets belonging to the deceased were at the time of his death within the jurisdiction of the Court making such appointment or granting such certificate.

**Bonafide payments protected.** XII. And it is hereby provided, that where Probate or Letters of Administration may have been granted, in cases in which such Probate or Letters of Administration would be valid, but for the previous grant of a certificate, all payments made in ignorance of the previous grant of the certificate shall be held good against claims under such previous certificate.

**Effect of Probates and Letters granted to Representatives of Hindoos and others.** XIII. And it is hereby declared and enacted, that all Probate and Letters of Administration granted by any of Her Majesty's Courts in cases in which any assets

belonging to deceased persons were, at the time of their deaths, within the jurisdiction of the Court granting the Probate or Letters of Administration, shall have the effect of Probate and Letters of Administration granted in respect of the property of persons whose personal property cannot by law pass to his personal representative without a Probate or Letters of Administration, but for the purpose of the recovery of debts only, and the security of debtors paying the same; except so far as is in this Act provided, and except that this Act shall not be construed to make the taking out of Probate or Letters of Administration necessary for succession to property in any case in which it is not now necessary.

XIV. And it is hereby provided, that nothing in this Act contained shall be held to extend to the real or personal property of any person whose personal property cannot by law pass to the personal representative without a Probate or Letters obtained in one of Her Majesty's Courts of Justice.

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 1st day of March next.

T. H. MADDOCK,  
Secretary to the Govt. of India.

## Legislative Department.

FORT WILLIAM,

THE 23D NOVEMBER, 1840.

The following Act passed by the Right Honorable the Governor General of India in Council, on the 23d November 1840, is hereby promulgated for general information.

ACT No. XXII. OF 1840.

An Act for the punishment of Vagrants within the Towns of Calcutta and of Madras, and the Islands of Bombay and Colaba extorting Alms by offensive and disgusting exhibitions and practices.

I. Whereas great inconvenience is experienced in the Towns of Calcutta and of Madras, and in the Islands of Bombay and Colaba, from Mendicants who endeavour to extort alms by offensive and disgusting exhibitions and practices;—

It is hereby enacted, that persons within the Town of Calcutta or of Madras or within the Islands of Bombay and Colaba who shall seek to extort alms by offensively exhibiting any bodily ailment or deformity, or by any offensive or in-



decent practices or by inflicting, or threatening to inflict, bodily injury on themselves, shall be liable, on conviction before any Justice of the Peace, to imprisonment with or without labor for a term not exceeding one calendar month.

II. And it is hereby enacted, that all persons guilty a second time of any of the above offences, shall be liable, on conviction before a Justice of the Peace, to imprisonment with hard labor for a term not exceeding twice the period assigned for the first offence, and for the same term upon any subsequent conviction.

III. And it is hereby enacted, that persons guilty of any of the offences abovementioned who shall violently resist any Peace Officer attempting to apprehend them, shall be liable, on conviction before a Justice of the Peace, to imprisonment with or without hard labor for a term not exceeding three calendar months.

IV. And it is hereby enacted, that it shall be lawful for the Governor General in Council from time to time, by notice in the Gazette, to extend the provisions of this Act to any towns or districts besides the places specified in this Act.

T. H. MADDOCK,  
Secy. to the Govt. of India.

## Legislative Department.

FORT WILLIAM.

THE 30TH NOVEMBER, 1840.

The following Act passed by the Right Honorable the Governor General of India in Council, on the 30th November 1840, is hereby promulgated for general information.

ACT NO XXIII. OF 1840.

*An Act for executing within the local limits of the jurisdiction of Her Majesty's Courts Legal Process issued by authorities in the Mofussil.*

I. Whereas great inconvenience has been experienced, in consequence of the difficulty of procuring the attendance as witnesses before the Mofussil Authorities of persons resident within the local limits of Her Majesty's Supreme Courts, and, in consequence of justice being often frustrated by reason of persons and property within such limits being exempted from process issued by such authorities, which has also occasioned inconvenience to the inhabitants within such limits, in suits in the Mofussil Courts to which they are parties;—

It is hereby enacted, that any Writ, Warrant, or other Process issued by any Court, Judge, or Magistrate in the territories beyond the local limits of the Supreme Courts of Calcutta, Madras and Bombay respectively, may be executed within those limits in manner following—A copy of such Writ, Warrant, or other Process authenticated as such by the attestation of the Court, Judge, or Magistrate signing or issuing the same, accompanied by a certified translation in the English language, shall be presented to any Judge of Her Majesty's Courts, who may thereupon, under his hand and signature, indorse and direct the same to be executed within the local limits of any of Her Majesty's Courts by the Sheriff or by any Justice of the Peace according to the nature of such Writ, Warrant or other Process.

II. And it is hereby provided, that upon the delivery of every such Writ, Warrant or Process so indorsed as aforesaid to any such Sheriff as aforesaid, every such Sheriff shall make a memorandum of the date of such delivery, and shall execute such Writ, Warrant or Process in like manner as if the same had originally issued from any of Her Majesty's Courts and had been delivered at the date as appearing by the memoran-

dum; and such Sheriff shall make no distinction as to priority or otherwise between the execution of any Writ, Warrant or other Process originally issued from any of Her Majesty's Courts, and the execution of any Writ, Warrant or other Process, under this Act. But every Writ, Warrant and other Process, whether original or indorsed as aforesaid, shall, amongst each other, be subject to the same rules touching the mode and order of execution as are now established in respect of Writs, Warrants, and other Process originally issued from Her Majesty's Courts of Justice.

III. And it is hereby enacted, that every such Sheriff shall be liable to be proceeded against in Her Majesty's Courts of Justice for all matters touching the execution of any Writ, Warrant or other Process executed under this Act, in like manner as if the same had originally issued from any of Her Majesty's Courts of Justice. And all persons and property seized or detained under any Writ, Warrant or Process executed by virtue of this Act shall be dealt with in like manner as if such persons or property had been seized or detained under the like Writ, Warrant or other Process issued from any of Her Majesty's Courts of Justice.

IV. And it is hereby enacted, that all persons disobeying or obstructing the execution of any Writ, Warrant or other Process indorsed under this Act, shall be punishable in Her Majesty's Courts of Justice, in like manner as if the same had issued from such Courts; Provided always that, in the case of process for the attendance of witnesses, Her Majesty's Courts shall be governed by the like rules touching expenses and other matters as are established in regard to Subpoenas issued from such Courts.

V. And it is hereby enacted, in the case of persons seized or detained by virtue of any Writ, Warrant or other Process executed under the authority of this Act by any Justice of the Peace or by any Sheriff, it shall be the duty of every such Sheriff or Justice of the Peace if so required by the indorsement of the Judge, to deliver the party in custody to such authority or persons as shall be particularly specified in such indorsement, and who shall have been charged with the execution of the Writ, Warrant or other Process by the authority originally issuing the same, and for that purpose to cause the party in custody to be conveyed to any place within the Company's territories beyond the local limits of the jurisdiction of Her Majesty's Courts.

VI. And it is hereby provided, that in the case of any Writ, Warrant or other Process required to be indorsed under the authority of this Act, it shall be lawful for the Judge who shall be required to indorse the same, to remit the same for amendment to the authority issuing the same if the same shall appear to be defective in any matter of form.

VII. And it is hereby provided, that in the case of any Writ, Warrant or other Process required to be indorsed under the authority of this Act, for the seizure or detention of any person, it shall be lawful for the Judge who shall be required to indorse the same to direct by indorsement that bail (the amount and number of Sureties to be specified in such indorsement) may be taken; and for this purpose to call for such documents and to make such enquiry as he shall think proper.

VIII. And whereas it is expedient, that offenders sentenced by the Mofussil authorities to imprisonment with or without hard labour,



should be subjected to the most improved rules of prison-discipline, which cannot, in all cases, be conveniently done except in the prisons locally situate within the jurisdiction of Her Majesty's Supreme Courts, it is hereby enacted, that all Civil and Criminal Gaols and Houses of Correction within the jurisdiction of any of Her Majesty's Supreme Courts, shall, according to the nature of the case, be liable to be used by the Sheriff for the purposes of this Act, and the parties imprisoned therein under the authority of this Act shall be liable to the prison-discipline thereof, and all sentences of imprisonment passed by any Judge, Court or Magistrate in the territories of the East India Company beyond the local limits of Her Majesty's Supreme Courts, may be executed in whole or in part within any of the Gaols or Houses of Correction aforesaid, provided that a copy of the Warrant of Commitment or other Process authorizing the imprisonment be so indorsed as aforesaid, and such indorsement contain the necessary directions.

F. H. MADDOCK,  
Secy. to the Govt. of India.

**Notification.**

**GENERAL DEPARTMENT.**

In consequence of the insertion, through an oversight, of the words, "inevitable accident" in Section V. of the Rules of the 21st October last, the Honorable the Governor in Council, in order to prevent misconception, has directed the publication of the following amended Section, which is to be substituted for the present 5th Section.

"That the Act of the 33rd Geo. 3rd, Cap. 52, Section 70, as it respects Civil Servants, applies only to cases of sickness or infirmity, and that no Civil Servant be hereafter considered eligible to return to the service, after five years absence, under that enactment, who has failed to obtain, agreeably to the foregoing Regulations, an extension of leave, under the circumstances referred to in the Act."

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

W. R. MORRIS,  
Secy. to Govt.

Bombay Castle, 22nd December 1840.

**Notice**

Verbal offers will be received at this office, at 1 o'clock on Saturday the 26th instant, for the supply of the following articles and such others as may be called for during the intermediate period.

5,000 Tin plates, double, each 16½ inches by 12½.

48. Quadrants, Gunner, Spirit.

72 Scales, Gunner, Brass.

34° Rules, Folding, Artificers, with slides.

An immediate deposit of 10 per cent will be required to be made by the lowest bidders upon the amount of their offers; all further particulars may be learnt on application at this Office from 10 till 5 o'clock daily.

J. C. HARTLEY, Lieut.

Deputy Assist Comy. Genl. in Charge.

Bombay, Depy. Comy. Genl's. Office.  
22nd December 1840.

**Notification.**

With reference to the Notification of the 18th, and published in the Government Ga-

zette of the 20th December 1832, requiring Members of "Warden's Official Fund," who have been, or may hereafter be pensioned, on the ground of incapacity for further service; to furnish renewed medical certificates of their continued utter disqualification, every six months; the Committee for the Control and Management of that Institution, publishes the following List of Pensioners, who are affected by the above rule, for the information and guidance of disbursing officers.

- |                          |                           |
|--------------------------|---------------------------|
| 1 Annundraw Babooraw.    | 20 Muccoondrow Narrayen.  |
| 2 Bulvantraw Narrayen.   | 21 Noordeen Purkar.       |
| 3 Blawoo Mhyput.         | 22 Pandoorung Mahadeo.    |
| 4 Babooraw Sunker.       | 23 Purmanuud Chustuaran.  |
| 5 Bapoojee Blasker.      | 24 Ramrow Moresherwer.    |
| 6 Balljee Sewram.        | 25 Ramajee Hurry.         |
| 7 Bajee Bullal Lotteker. | 26 Ramchunder Bapoojee.   |
| 8 Bapshaw Yenaik.        | 27 Ramrow Gopall.         |
| 9 Dajee Narrayen.        | 28 Ramchunder Bhugwant.   |
| 10 Fukeer Mirza Mahomed. | 29 Sooltan Khan.          |
| 11 Fernandes, S.         | 30 Syud Abdulscauder.     |
| 12 Gunnesh Gangather.    | 31 Sunkerraw Appajee.     |
| 13 GovindShamrowChowbul. | 32 Stephen, P.            |
| 14 Horne, F.             | 33 Tarrachand Sakerchund. |
| 15 Houston, F.           | 34 Vissajee Punt.         |
| 16 Jugonath Govindjee.   | 35 Vencutrow.             |
| 17 Kewul Wussandass.     | 36 Wittul Gunnesh.        |
| 18 Luximon Govindjee.    | 37 WussoonjeeSunkerjee.   |
| 19 Luximon Mahadeo.      | 38 Wassoodew Luxanon.     |

„ J. H. CRAWFORD,  
„ L. R. REID,  
„ J. PYNE.

Bombay, W. O. F's. }  
Office, 21st Dec. 1840. }

**Notice**

Is hereby given, that the Court of Petty Sessions has issued directions to its Officers, in conformity with Article XII, Rule, Ordinance and Regulations, 111 of 1815, to remove all Bales of Cotton and other annoying substances found lying outside the line of Posts recently erected in Marino Street, and that the same will be sold for the benefit of the Police Fund.

The attention of the public is likewise called to the provisions of the aforesaid enactment in reference to the other Streets in the Fort.

By order of the Court of Petty Sessions.  
L. C. C. RIVETT,  
Clerk.

Bombay, 17th December 1840.

**Notice.**

Verbal Tenders will be received at the Mint, on Monday the 11th of January 1841, at 12 o'clock, for the following works.

1st. Making windows and window frames, for the upper story of the Steam Engine Factory, now erecting in the Dock Yard.

2nd. Planking the floor of the upper story of the same.

3rd. Roofing the same.

Plans and specifications of each work may be seen on application at the Mint Engineer's Office, daily, from 10 till 4.

The party whose tender may be accepted, must deposit the sum of Rupees 200, to be forfeited in case of any delay or evasion in signing the contract.

H. B. TURNER, Capt.  
Engineers.

Bombay, 16th December 1840.



**Opium Memorandum.**

BOMBAY.

Passes granted up to the 31st instant..... Chests 208  
 Total 208

INDORE.

Passes granted on account of the Proclamation for 1839 | 40. Chests 2,140  
 Ditto under the proclamation for 1840 | 41 up to the 31st instant..... " 8,446  
 Total 10,586

IMPORTED.

Balance of last year's importation..... Chests 6,667  
 Imported from the 25th May to the 15th December 1840. " 6,345  
 Ditto from the 16th to the 22d instant..... " 1,389  
 Total 14,401

EXPORTED.

From the 22nd May to the 15th December 1840..... Chests 7,723½  
 Ditto from the 16th to the 22d instant..... " 319  
 Total 8,042½

F. BOURCHIER,  
 Opium Agent.

Bombay, 23rd December 1840.

**Notice.**

On Monday next, the 23th instant, will be sold by Public Auction, on account of the Hon'ble Company, at this Office, at 12 o'clock the undermentioned articles of Presents and Unserviceable Furniture, viz:

- 1 Pair of Cashmere Shawls.
- 1 Piece of Kincoob.
- 1 Turban.
- 2 Pieces of Jamdane.
- 1 Silver Waiter,
- 1 Kincoob covering.
- 2 Small Persian Carpets,
- 1 Calcutta Gold-mohur.
- 16 Desks of different sizes.
- 1 Pukka.

By order of the Hon'ble,  
 the Governor in Council.  
 W. WEBB,

Offg. Genl. Pay Master.

Bombay, General Pay Office,  
 23rd December 1840.

**Notice**

The Superintendent of the Indian Navy will receive Tenders for Ship Tonnage, for the conveyance of (250) two hundred and fifty Tons of Timber, more or less, from Bepoor, Panany, or Calicut, to Madras; the particulars of dimensions of the different logs of Timber may be ascertained on application at the Superintendent's office.

The Superintendent of the Indian Navy will receive tenders, for the conveyance, from Quilon

to Madras, of one hundred and sixty seven Boxes, containing Ten Lacks of Rupees worth of Chuckrums. The tenders must state about what time the Vessel may be expected to receive the Treasure at Quilon. The Vessel will be surveyed by Government officers, and no reason given for rejecting the tenders.

A Passage is required for the conveyance of 52 Native Convicts, more or less, to Singapore.

2 European Convicts, to the Isle of France, Calcutta, or direct to New South Wales.  
 2 Privates of H. M. 4th Light Dragoons, 3 Children and 1 European Seaman, to London.

Freight is required for the conveyance of Casks, containing Coal Dust, to England, weighing Gross.

Tons.	Cwt.	Qr.	lbs.
2	8	0	15

The Superintendent of the Indian Navy will receive Tenders, for the conveyance of Packages of Hoops and Kegs to Calcutta, being 19½ Tons (more or less) measurement.

By order,

J. C. IBBS,

For Assist. Supt. I. N.

Bombay, 23rd December 1840.

**Bank of Bombay.**

NOTICE is hereby given, that at the Annual General Meeting of Proprietors of the Bank, of Bombay, held under Clause XIII of Act III. of 1840, on Monday the 14th instant, at 11 o'clock A. M.

James Henry Crawford Esqr. President, in the Chair.

Marcus F. Brownrigg Esquire, and John Skinner Esquire, were unanimously elected Directors, in the room of Framjee Cawasjee Esqr. and Captain John Swanson, who retired by rotation on that day.

Also, that at the same Meeting, under Clause XIV of the said Act, and in pursuance of the notice published by the Directors under date the 1st instant, Lieutenant Colonel Stratford Powell was unanimously elected to be a Director, in the room of Lieutenant Colonel George Moore, resigned.

By order of the Board of Directors.

W. W. CARGILL,

Secretary and Treasurer.

Bombay, 17th December 1840.

**सुंभदचो व्यांक**

खबरदीखी जति ऐमोजे मन १८४० चे तीसरे कायद्यातील तरावे कसमना अनंत्य सुंभदचे व्यांक चे भागीदार सुंभदकोचो वारधीकमना तारोख १४ डीसेंबर सन १८४० सोमवारचे राजा प्रोतःकाळचे आकरावोजता जौलीत्यात जेमसु शेनरी काफर्ड, इसकायर प्रसीदेंट मुखखाना हेति तेव्हा फ्राम जोकावमजो इसकोयर व कपतान ज्यान खानमन साचेवयोणो तेदोवसो पळोप्रमाणे डरेकटसचे ह म सोडले त्याचेजाग्यावर मारकस. एफ. जैनराँ ग इसकायर व ज्यान इसतोनर ईक यर दोष स



रवांच्यासंमताने डरेकटर नेमले आणखी लेफ्टनेट करनल व्वाज मोरसाहेब याणी डरेकटर चेकामटाकले त्याचे जाग्यावर सदर डक कायद्याती ल सवदावे कलमाप्रमाणे व तारीख १ जोशेवरसन १८४० रोजी डरेकटरस याणोजाहोर नामाफेला त्याअनवचे सदर ल सभेने लेफ्टनेट करनल खाट फोर्ड पवेल साहेब यास सरवांच्या संमताने डरेकटर नेमले

समाजोवे हकुम वार्डअफ डरेकटर

निग्राणी

डब्ल्यु. डब्ल्यु. कारगोल

सकटारी व च्येसरर

तारीख १७ माहे जोशेवर सन १८४० दा मासुंबद

W. R. MORRIS, Sec. to Govt.

मुंभाछनी जेमांफ

जअर आमेपामां आवेके मेचीने शने

१८४० ना तीज फामेदा माहेली १३ मी

फलंम परमांणे मुंभाछनी जेमांफना लाजली

दारेनी मंडलीनी दर वरशनी शाला तारी

ज १४ दीरोमअर शने १८४० छशवी शी

मवारने रोने शवारनां अजलीआर वाजाते थ

छ तेमां जेमश हेनरी फराफर २२ छशकुमेर

परशीडेनट मुपशमाने हुता तेवारे फरामज

फावशज छशकुमेर व फपतांन अन मुयांन

शान शाहेज मेमेमे ते दीवशे पाली पर

मांणे डरेकटरनी फ्राम छोडु तेमेनी जगा

कूपर मारफश मेफ. पुरोनरीफ छशकुमेर

तथा अन छशकीनर छशकुमेर मेमेने श

रवे शालाना मेफ वीयारथी डरेकटर मुफरर

फरा जीनु लफरनेनट फरनेल अरज मोर

शाहेजे डरेकटरनी फ्राम छोडु तेमेनी जगा

कूपर—कूपर लजेला फामेदानी १४ मी फ

लंम परमांणे तथा तारीज १ दीरोमअर श

ने १८४० ने रोने डरेकटरोमे अहर नासु

फर ते जमुजज कूपर लजेला शालामे लफ

रनेनट फरनेल छशरारट फोरड पवेल शाहे

ज मेमेने शरवना मंतपी डरेकटर मुफरर

फरा

जमेवनेज कुफ्रंम जोरड अफ डरेकटर

नीशाली

डंजलीकू—डंजलीकू—फारजील

शफरतारी व तारीमेर

तारीज १७ दीरोमअर शने १८४०

छशवी मुंफाम मुंभाछ

W. R. MORRIS, Secy. to Govt.

**Notification.**

TERRITORIAL DEPARTMENT,  
FINANCE.

Notice is hereby given, that until further Orders, the Opium Agent and Superintendent of Stationery has been authorized to accept Tenders for Advances to be made on Bills drawn on London and Liverpool, in the manner and under the conditions specified in the Notification of the 14th December 1838, at the rate of 2s. 2d. the Company's Rupee, granting orders on the General Treasury for the amount, payable twenty days after sight.

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

L. R. REID,  
Chief Secy.

Bombay Castle, 7th December 1840.

**Notice**

Is hereby given, that persons desirous of entering into a contract for supplying this Department with Stationery, for two years from the 1st January 1841, on the conditions hereafter mentioned, may, on application at this Office, obtain a list thereof, and such other information relating thereto, as they may require.

Persons applying for the list are expected to tender for the supply, and are required to insert at the foot thereof, both in words and figures, the per-centage above or below the rates specified therein, at which they will undertake to furnish the whole of the articles of unexceptionable quality, and in such quantities as may from time to time be required. The list is to be enclosed in a sealed envelope and returned to this office, by 12 o'clock on Monday the 28th December.

The tenders must be accompanied by a deposit of (200) two hundred Rupees, which will be forfeited in the event of delay, evasion or refusal to execute the deed of contract, and the person whose tender may be accepted by Government, must be prepared to add the further sum of (800) eight hundred Rupees, as security for the due performance of the engagement.

The proposals will be opened at the time specified; no reason will be assigned for the rejection of any tender, nor will any be recorded that may not be accompanied by the required security of two hundred Rupees.

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

F. BOURCHIER,  
Supt. of Stationery.

Bombay, 14th December 1840.

**Notice.**

Captain J. Hobson, Staff Officer and President of the Committee on the effects of the late Lieutenant Western, Engineer Corps, has this day remitted to the Secretary to Government, Military Department, the sum of Rupees (2342-1-6) Two thousand three hundred and forty-two, anna, 1, and pies 6, being the balance of proceeds, after paying servants wages, funeral charges, &c.

Aden, 4th December 1840.



**GENERAL ORDERS.***MILITARY DEPARTMENT.*

BY THE HON'BLE THE GOVERNOR IN COUNCIL.

BOMBAY CASTLE, 17th DECEMBER 1840.

No. 826 of 1840.—By a resolution passed in the General Department, 1st Hospital Assistant Antonio Baptista, doing duty with the 3rd Regiment Light Cavalry, is transferred to the Civil Hospital at Rajcote, No. 827 of 1840.—Captain J. E. Lang of the Native Veteran Battalion, is allowed a furlough to Europe for three years, for the benefit of his health.

No. 828 of 1840.—Surgeon J. Doig is directed to resume his appointment as Deputy Medical Storekeeper at Belgaum.

*Bombay Castle, 18th December 1840.*

No. 829 of 1840.—Second Corporal Thomas Guthrie of the Sappers and Miners, who was placed at the disposal of the Military Board, for temporary employment in the department of public works, by Government General Order No. 326, dated 6th May last, is appointed Corporal Sub-Assistant Overseer from the 4th August last.

*Bombay Castle, 21st December 1840.*

No. 830 of 1840.—The following Extract of a letter from the Hon'ble the Court of Directors, No. 57, dated the 2nd September last, is published to the army.

1st. We have appointed Mr. William Travers Holbrow, now abroad, a Cadet of Infantry on your Establishment, subject to the usual conditions.

2nd. Mr. Holbrow's order of Rank will be transmitted to you in due course.

No. 831 of 1840.—The following Extract from despatches No. 64 and No. 67, dated respectively the 30th September, and 21st October last, are published for general information.

*Letter dated 30th September 1840, No. 64.*

1. We have appointed Mr. William Selwood Hewett, now abroad, a Cadet of Infantry on your Establishment, subject to the usual conditions.

2. Master Hewett's order of rank will be transmitted to you in due course.

*Letter dated 21st October 1840, No. 67.*

1. We have appointed Mr. Jonathan Augustus Spry Faulknor, now aboard, a Cadet of Infantry on your Establishment, subject to the usual conditions.

2. Master Faulknor's order of rank will be transmitted in due course.

*Bombay Castle, 22nd December 1840.*

No. 832 of 1840.—The following Extracts of letters from the Hon'ble the Court of Directors (Nos. 58, 59, and 68) dated 9th and 30th September and 23rd October last, are published for general information.

*Letter No. 58, dated 9th September 1840.*

1st We have permitted the undermentioned Officers to return to their duty, vizt.

Captain G. S. Brown (in November).

Lieutenant W. B. Ponsobly.

Assistant Surgeon Chares Lush.

2nd. We have granted additional leave to the following Officers, vizt:—

Lieutenant Colonel F. Hickey, . . . . . }  
 Captain Vincent F. Kennett, . . . . . } For six months.  
 Lieutenant G. P. Kennett, . . . . . }

2nd Lieutenant H. Wood, for 3 months.

3rd. The following Officers have been permitted to retire from the service, vizt.

Captain W. Wade.—This vacancy has effect from the 16th September 1838.

Captain Owen Poole, of the Invalid Establishment.

*Letter No. 63 dated 30th September 1840.*

1st The undermentioned Officers have been permitted to return to their duty, vizt.

Captain R. M. M. Cooke.

„ A. N. Maclean.

„ W. E. Rawlinson.

Lieutenant Joshua Tait.

„ A. B. Rathbone.

„ F. Wells.

„ H. W. Diggle.

2nd. We have granted additional leave to Captain Edward H. Hart, for 6 months.

*Letter No. 68, dated 28th October 1840.*

1st. We have granted additional leave for six months to Lieutenant Thomas R. Morse of your Establishment.

2nd. Major Holden Dunbabin, of the Invalid Establishment, has been permitted to retire from the Service.

No. 833 of 1840.—The following Extract of a letter from the Hon'ble the Court of Directors (No. 70) dated the 4th November last, is published to the army.

1st. In our Letter No. 67 of 1840 of the 21st ultimo, we authorized you to admit, as a Cadet of Infantry on your Establishment, Mr. J. A. S. Foulknor, who was then abroad.

2nd. We now inform you that in consequence of Mr. Foulknor having returned to this country, he has been enabled to complete the forms of his appointment here.

3rd. We shall transmit to you his order of rank in due course.

**MARINE DEPARTMENT.***Bombay Castle, 17th December 1840.*

No. 137 of 1840.—Lieutenant M. W. Lynch, Indian Navy, Commanding the Steamer Nimrod, on the Tigris, is allowed a furlough to Europe for three years, for the recovery of his health.

*Bombay Castle, 18th December 1840.*

No. 138 of 1840.—The following temporary appointments and arrangements are confirmed:—

By the Superintendent of the Indian Navy.

1st. Ensign Furneaux of the 1st Bombay European Regiment, proceeding to Aden, to be accommodated with a passage on board the Berenice from the date of sailing of that Vessel.



- 2nd. Reverend G. C. Jackson, proceeding to Vingorla, to be accommodated with a passage to that Port, on board the Cleopatra, at the Commander's table, from the date of sailing of that Vessel.
- 3rd. Major Waddington, proceeding to Kurrachee, to be accommodated with a passage to that Port, on board the Cleopatra, at the Commander's table, from the date of sailing of that Vessel,
- 4th. Ensign Moyle of the 10th Regiment Native Infantry, proceeding to Aden, to be accommodated with a passage to that Port, on board the Victoria, from the date of sailing of that Vessel.
- 5th. Mr. Purser Stockham, proceeding to join the Elphinstone, to be accommodated with a passage to Aden, on board the Honorable Company's Steam Vessel Victoria, from the date of sailing of that Vessel.
- 6th. Lieutenant W. E. Campbell, on detached duty to Kurrachee, from the 3rd to the 18th of September last,
- 7th. Mr. David Higgs, Engineer, proceeding to join the Euphrates Steamer, to be accommodated with a passage on board the Tigris, at the Warrant Officer's table, from the 18th of May to the 14th of July 1838.
- 8th. Lieutenant Thomas, Commanding the Left Wing of the 8th Regiment Native Infantry, proceeding to Kurrachee, to be accommodated with a passage to that Port, on board the Sesostri, at the Commander's table, from the 27th of September to the 1st of October last.
- 9th. Lieutenant D. Chadwick of the 8th Regiment Native Infantry, proceeding to Kurrachee, to be accommodated with a passage to that Port, on board the Sesostri, at the Commander's table, from the 27th of September to the 1st of October last.
- 10th. Ensign Pelly of the 8th Regiment Native Infantry, proceeding to Kurrachee, to be accommodated with a passage to that Port, on board the Sesostri, at the Commander's table, from the 27th of September to the 1st of October last.

By the Senior Indian Naval Officer in the Red Sea.

- 11th. Mr. Beytes, Acting Clerk of the Elphinstone, to do duty as Acting Purser of that Vessel during the absence of Mr. Purser Taynton, proceeding to Bombay on Medical certificate, from the 1st of September last.
- 12th. Lieutenant Cruttenden, proceeding on special duty on board the Honorable Company's Brig of War Euphrates, to be accommodated with a passage on board that Vessel, at the Wardroom Mess from the date of sailing of that Vessel.
- 13th. Mr. George Smith, Boatswain of the Euphrates Brig, proceeding to the Presidency, to be accommodated with a passage on board the Brig Taptee, at the Warrant Officer's Table, from the 26th of August last.
- 14th. Mr. Richard Klyne, Acting Gunner of the Euphrates Brig, proceeding to the Presidency, to be accommodated with a passage on board the Taptee Brig, at the Warrant Officer's table, from the 26th of August to the 23rd of September last.

By the Senior Indian Naval Officer Commanding the Steam Flotilla, on the River Indus.

- 15th. Lieutenant Hogg, of the 2nd Grenadiers, to be accommodated with a passage on board the Hon'ble Company's Iron Steam Vessel Meteor, from the 6th to the 8th of October last, at the Commander's Table.
- 16th. Captain Lyons of the 23rd Regiment Native Infantry, to be accommodated with a passage on board the Hon'ble Company's Iron Steam Vessel Meteor, from the 6th to the 17th of October last, at the Commander's Table.
- 17th. Lieutenant Stock of the 23rd Regiment Native Infantry, to be accommodated with a passage on board the Hon'ble Company's Iron Steam Vessel Meteor, from the 6th to the 17th of October last, at the Commander's Table.
- 18th. Lieutenant Blake of the Bombay Artillery, to be accommodated with a passage on board the Hon'ble Company's Iron Steam Vessel Meteor, from the 6th to the 17th of October last, at the Commander's Table.
- 19th. Lieutenant R. S. Wilson, of the 52nd Regiment Madras Native Infantry, to be accommodated with a passage on board the Hon'ble Company's Iron Steam Vessel Meteor, from the 6th to the 17th of October last, at the Commander's Table.
- 20th. Mr. Charles Patterson, Clerk Indian Navy, to be accommodated with a passage on board the Hon'ble Company's Iron Steam Vessel Meteor, from the 2nd to the 17th of October last, at the Commander's Table.

By order of the Hon'ble the Governor in Council,  
E. M. WILLOUGHBY, Major, Actg. Secy. to Govt.

PACKETS.

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.	Touching where.
H. C. S. Victoria.	Supt Indian Navy	1st July 1811.	Suez.	Aden.
A Steamer.	Do. Ditto	1st February.	Do.	Do.
Indian.	Messrs. B. & A. Hornumjee.	24th December.	Liverpool.	St. Helena.
Bombay	Do. Biram Carter and Co.	26th do.	London.	
Brilliant.	Do. Skinner & Co.	1st January.	Greenock.	
Woodman.	Do. Edward Bates Esq.	1st January.	Liverpool.	
Malabar.	Do. Skinner & Co.	2nd January.	London.	Cape.
Charlotte.	Do. Jamssetjee Jeejeebhoy son & Co.	3rd January.	Macao.	Singapore.
Herefordshire.	Do. D & M. Pestonjee.	4th do.	London.	
Childe Harold.	Do. Foster & Co.	4th do.	Ditto.	
Helenor.	Do. McGregor-Brownrigg & Co.	5th do.	Calcutta.	Cape, Colombo.
Frances Spright	Do. Foster & Co.	5th do.	London.	
Duke of Lancaster.	Do. Ritchie Stewart & Co.	10th do.	China.	
Superior.	Do. MacVicar Burt.	10th do.	Liverpool.	
Princess Charlotte.	Do. Snyrs Livingston & Co.	10th do.	Ditto.	
Mor.	Do. Jamssetjee Jeejeebhoy son & Co.	15th do.	Macao.	sing apoor,
Mary Bulmer.	Higginson and Cardwell	Despatch.	Liverpool.	

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

Bombay, Genl. Post Office, 23d December 1840.

E. E. ELLIOT,  
Post Master General.



### Marine Department.

Notice is hereby given, that it is the intention of the Honorable the Governor in Council, to despatch a Steamer, from hence for Suez, on Friday the 1st of January 1841.

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

E. M. WILLOUGHBY, Major,  
*Actg. Secy. to Govt.*

Bombay Castle, 10th November 1840.

### Notice

Is hereby given, that the Overland Mail, to be conveyed to Suez by the Hon'ble Company's Steamer "Victoria" on Friday the 1st Proximo, will be closed at this Office, at 1 o'clock P. M. precisely.

An after Packet will however be kept open till 3 o'clock P. M. on the terms already published in the Government Gazette of the 5th September 1839.

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

Bombay, Genl Post }  
Office, 23d Dec. 1840. }

### Marine Department.

Notice is hereby given, that it is the intention of the Honorable the Governor in Council, to despatch a Steamer, with a Mail for Suez, on Monday the 1st of February next.

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

E. M. WILLOUGHBY, Major,  
*Actg. Secy. to Govt.*

Bombay Castle, 13th December 1840.

### Civil Appointments, &c.

#### TERRITORIAL DEPARTMENT, REVENUE.

Bombay Castle, 23rd December 1840.

Mr. E. H. Townsend, collector and magistrate of Belgaum, is allowed leave of absence, on sick certificate, from the 18th instant, up to the date of the sailing of the "Childe Harold" for the Cape of Good Hope.

Mr. A. Elphinston, collector of Rutnaagee, having returned to his station on the 18th instant, the unexpired portion of the leave of absence granted to him on the 7th ultimo, is cancelled.

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

#### GENERAL DEPARTMENT.

Bombay Castle, 22nd December 1840.

The Hon'ble the Governor in Council is pleased to notify the following promotions in the civil service.

*To be Senior Merchants.*

*Date of Rank.*

Archibald Spens, ..... } 3rd July 1840.

Hugh Poyntz Malet, ..... }

*To be Junior Merchants.*

John Hinde Pelly, Junior, ..... }

John Nugent Roze, ..... }

John William Woodcock, ..... }

Arthur King Corfield, ..... }

Henry Hebbert, ..... }

Arthur Wellington Jones, ..... }

*To be Factors.*

Duncan Davidson, ..... }

Arthur Andrew Charles Forbes, ..... }

William Hart, ..... }

Edward Leighton Jenkins, ..... }

John Robley Morgan, ..... }

23rd Sept. 1840.

Captain Thomas Candy, superintendent of the Poona college, is permitted to repair to the presidency, for a short time on duty.

Bombay Castle, 23d December 1840.

F. Bouchier Esquire, opium agent and superintendent of stationery, and stipendiary commissioner of the court of requests, is allowed leave of absence for twelve months, to proceed to the Cape of Good Hope, for the benefit of his health.

C Sims Esquire, to act for Mr. Bouchier, during his absence.

W. Stubbs Esquire, has been permitted to resign the East India Company's civil service, from the 13th instant.

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

### POLITICAL DEPARTMENT.

Bombay Castle, 19th December 1840.

Mr. J. M. Davies, political superintendent at Colaba, is allowed leave of absence to visit the presidency, from the 26th instant to the 2nd proximo, under section xi of the absentee regulation.

Bombay Castle, 21st December 1840.

Ensign H. A. Adams, adjutant of the Sawant Waree local corps, is permitted to visit the presidency from the 26th instant to the 31st proximo, on urgent private affairs.

Bombay Castle, 23rd December 1840.

Captain Troward, commandant of the Sawant Waree local corps, having resumed charge of his duties on the 9th instant, the unexpired portion of the leave of absence, on private affairs, granted to that officer, on the 2nd instant, is cancelled from the former date.

### JUDICIAL DEPARTMENT.

Bombay Castle, 23rd December 1840.

Subedar Major Moosajee Ballajee, of the 19th regiment native infantry, is appointed commandant of the Tannah Rangers, vice Wallace Mahomed deceased.

The judges of the sudder dewanee adawlut have issued a Sunnud, bearing date the 14th instant, to Annand Row Janordhan, authorizing him to practice as a Vukeel in the zillah court of Tannah.

Lieutenant J. W. Auld, adjutant of the Bheel corps in Candeish, having returned to his duty on the 24th ultimo, the unexpired portion of the leave of absence granted to that officer on the 4th ultimo, is cancelled.

G. A. E. Campbell esquire, assistant judge and session judge of Poona, and assistant agent for Sardars in the Deccan, resumed charge of his office on the 12th instant.

P. W. LeGeyt esquire, late register of the sudder dewanee and sudder foudjaree adawlut, is allowed leave of absence for two days by which he exceeded the prescribed period for travelling from Poona to Bombay, in December 1838.

P. W. LeGeyt esquire, senior magistrate of police and revenue judge at the presidency, is allowed an extension to the 7th of September last, of the leave of absence granted to him on the 10th of August last.

*By order of the Hon'ble the Governor in Council,*  
J. P. WILLOUGHBY,  
*Secy. to Govt.*

### Military

#### Arrivals and Departures.

##### ARRIVALS.

16th Dec.—Capt. R. W. Sparrow, 18th R. M. N. I. from Belgaum.

Do. do.—Lieut. M. Wittard, 15th R. from Tannah.

17th Do.—Capt. Westly, N. V. B.

19th Do.—Capt. J. R. Wilson, Nizam's army, from Aurangabad.

Do. do.—Capt. A. Bradford, 43th R. N. I. from Neilgherries.

Do. do.—Surgeon R. Reddle, do. do. from Muctul.

21st Do.—Capt. Skinner, staff, from Poona.

Do. do.—Ensign C. W. Walker, 5th R. N. I. from do.

20th do.—Capt. G. Wilson, 26th R. N. I. from Dewan.

22nd Do.—Major George Twinlow, Nizam's Army, from Ellichpoo.

##### DEPARTURES.

19th Dec.—Ensign H. N. Robertson, 5th R. N. I. to Kurrachee.



Do. do.—Lieut. Evans, 1st E. R. to Mahbleswar.  
 21st Do.—Lieut. Heyman, 15th R. N. I. to Tannah.  
 22nd Do.—Assist. surg. Jopp, 2nd Queen's to Deesa.  
 Do. do.—Do Thompson, 11th R. to Ahmedabad.  
*Town Major Office, 23rd Dec. 1840.*

## Shipping Intelligence.

### ARRIVALS.

17th Dec.—The E. I. C. Cutter Nurbada, Husson Chojee, syrang, from a cruize.  
 18th Do.—Barque Ruparell, W. H. Eldred, master, from Singapore, 8th November 1840.  
*Passengers.*—6 Natives.  
 Do. do.—Ship Nurbadda, F. Patrick, master, from Calcutta, left Sandheads, 27th November 1840.  
*Passenger.*—One native ayah  
 Do. do.—Ship St George, G. H. Heaton, master, from Singapore, 2nd Nov. 1840.  
*Passengers.*—Dr. Nesbitt, R. N.—Mr. and Mrs. Stewart—Mr. H. Connew—Mr. W. Earns—Miss Love—and 3 Native Servants.  
 21st Ditto.—Barque Parsee, W. Clivas, master, from New Castle, 15th July 1840.  
 Do. do.—Barque Olive Branch, W. S. Lindsay, master, from Shields, 16th July, and Plymouth 1st August 1840.  
 21st Do.—Darque Adele, G. Middleton, master, from Singapore, 14th October 1840.  
*Passengers.*—2 Arabs.—and 10 convicts.  
 22nd Do.—Brig Hamoody, J. V. Ramos, master, from Punany, 10th instant.  
 Do. do.—Ship Ingleborough, James R. Rea, master, from Bristol, 27th July 1840.  

### DEPARTURES.

  
 16th Dec.—Ship Charlotte, J. Picket, master, to China.  
 17th Do.—Ship Charles Forbes, T. Wills, master, to China.  
*Passengers.*—7 Parsees.  
 Do. do.—Ship Java, J. Peckering, master, to China.  
 19th Do.—The E. I. C. Cutter Margaret, Maujee Ally, syrang, on a cruize.  
 Do. do.—The Bel. C. Steamer Sesostris, R. Moresby Esq., Captain, to Kurratchee.  
*Passengers.*—Troops.  
 19th Do.—Ship Francis E. Corkhill, master, to Liverpool.  
*Passengers.*—Mr and Mrs. Shipperd, Mr. Robertson, and Mr. Cotes.  
 Do. do.—French Barque L. Adele, L. Clere, master, to Marseille.  
 20th Do.—Ship Lowjee Family, R. Ayres, master, to China.  
 Do. do.—Barque Indian Queen, J. D. Shrive, master, to Colombo and Calcutta.  
*Passengers.*—Mr. Teit—Mrs. Teit—Miss Wasley—Mr. T. Teit—Mr. H. Timbrock—and 5 Armenians.

DANIEL ROSS,  
 Master Attendant.

Bombay, 23rd December 1840.

## Unclaimed Letters and Parcels

2 Mr. George Delves, Supt. of Roads..... Bombay.  
 1 William Rich Esq., Cadet for the Madras Establishment... .. do.  
 1 Messrs. Laurence & Co. No. 7 Waterloo Street, opposite Bomonjee Daanbhoy.. do.  
 1 Sergeant Major Cheppendale, 9th Regt. N.I. do.  
 1 Mr. John Woolley, Burrows Lane, Girgaum.. .. do.

1 Mrs. Captain Jones.... .. do.  
 1 James Maclean Esq. near Gorahunder, Bassein.... .. do.  
 1 Captain W. Macan, 6th Regt. N. I., .. do.  
 1 Lieut. Grey, 12th Regt. N. I., .. do.  
 1 Captain A. M. L. Maclean, 67th Regt. Bengal N. I..... .. do.  
 1 Captain Gacy, Her M. 17th Regt. Grenadier Company, Colaba.. .. do.  
 3 Sub-Conductor H. Munro, Department of Public Works, on Sick Certificate..... dq.  
 1 F. Anderson Esq..... .. do.  
 1 Mary Anne Tubbee..... .. do.  
 1 Anna Rodrigues, Aya to Mrs. Farrree, care of Mrs. Valiant..... .. do.  
 1 Sergt. Major F. Tolening, 4th (the 20th) Lt. Dragons, enroute to Bombay.. .. do.  
 1 Lieut. Gravat, 2d Queens Royal.. .. do.  
 1 Messrs. Hoornagie, & Co .. .. do.  
 1 Mr. Vicente Carlos, 2d Assist. of Conv. Hospital..... .. do.  
 1 Mr. Simon Fraser, near the Bazar, Poona. do.  
 1 Sr. Luis Maria de Silva, Kavel.. .. do.  
 1 Sora. Sopia Bello, por favor do Sor. Candido Dias Netto, Clerk to the Marine Office..... .. do.  
 1 Shaii Mohamed Butler.. .. dq.  
 1 Mr. Caetano de Souza, Servant of Mr. Campbell Esq.. .. do.  
 1 Jemsetjee Herajee, Metona.. .. do.  
 1 Ao. Senhor Antonio de Souza.. .. do.  
 1 Mrs. Frances Coolmore, kind card of Captain De Silva..... .. do.  
 1 Ramall Shreenavash Esq.. .. do.  
 8 Mr. Jennings.. .. do.  
 1 Meera Haussanally.. .. do.  
 1 Balall Thalam Gore Hoom.. .. do.  
 1 Widow Budunbee, at the Doby Towlow, or the Surcaree Coova... .. do.  
 1 Torabsha.. .. do.  
 1 Cassoo Peetambar, Nagparah, near Bombay.. .. do.  
 1 Cawasjee Jumsedjee.... .. do.  
 1 Muhomed Butler.. .. do.  
 1 Yowvan, Mrs. Wiles Servant.. .. do.  
 1 Mrs. Frances Coolmore, Panjee.. .. do.  
 1 Mrs. Seraphina Hurtle, care of Mrs. Col. Valiant..... .. do.  
 1 Amrootrow Tent Lascar, care of His Excellency the Commauder in Chief..... do.  
 1 Pestonjee Dadabhoy.. .. do.  
 1 Dossabhoj Dhujee, Gunbow Well-Street in the House of Macka Tubae.. .. do.  
 1 Paul Collins, care of John King 6th Regt. of Foot.. .. do.

E. E. ELLIOT,  
 Post Master General.

Bombay, General Post Office,  
 23d December 1840.

## High Water

IN THE HARBOUR UNDER THE FOLLOWING DATES.

	A.	M.	P.	M.
1840.				
Decr. 24th Thursday.....	11	32	11	52
.. 25th Friday.....	0	0	0	10
.. 26th Saturday.....	0	29	0	46
.. 27th Sunday.....	1	04	1	21
.. 28th Monday.....	1	39	1	56
.. 29th Tuesday.....	2	13	2	29
.. 30th Wednesday...	2	46	3	03

N. B. The price of the Bombay Government Gazette to private Subscribers is Three Rupees per quarter or 4 Annas per copy, payable in advance, and to Non-subscribers 8 Annas per copy. It is particularly requested to be noticed, that the price of the Government Gazette is the same whether it be taken for the whole or part of the quarter, as no subscriptions will be received for broken periods.  
 Subscribers are requested on change of station to intimate the same to this Office.

Printed and Published by F. DE RAMOS, at the Government Press, APOLLO STREET.





## BOMBAY GOVERNMENT GAZETTE.

E X T R A O R D I N A R Y.

Published by authority.

THURSDAY, 25TH DECEMBER 1840.

SECRET DEPARTMENT.

Bombay Castle, 24th December 1840.

In publishing for general information, the two following despatches from Major Forbes, dated the 7th September and 2nd October last, and of the letters therein referred to, from Major Clibborn of the 1st Grenadier Regiment, the Hon'ble the Governor in Council, while he expresses his deep regret at the loss of so many valuable Officers and brave Men, has great satisfaction in recording his highest admiration at the gallant conduct of Major Clibborn, and the whole of the Officers and Men, composing the Detachment under his Command, when attempting to relieve the Out-post at Kahun, in the month of August last.

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

J. P. WILLOUGHBY, Secy. Govt.

To,

THE SECRETARY TO GOVERNMENT.

Military Department,

SIR,

Bombay.

It is with feelings of the deepest concern, that I forward for the information of the Honorable the Governor of Bombay in Council, the Report of a reverse which has befallen a Detachment of this Brigade under command of Major Clibborn, sent to the relief of the Murree Fort of Kahun, at present held by a Detachment of the 5th Regiment Native Infantry; the details of this disastrous occurrence are fully entered into by Major Clibborn, and it is evident, that our total ignorance of the impracticability of the road, of the opposition that was likely to be offered, and of the Stations where water was procurable (notwithstanding this very spot was so recently the scene of Lieutenant Clarke's misfortune) had led to this severe check to our Arms.

I should premise, that in consequence of arrangements made by the late Brigadier Stevenson, C. B. to relieve the Kahun Out-post, whose provisions are half allowance, were calculated to last till the 10th instant only, I directed the march of a Force of the strength, noted in the margin, on the 12th ultimo from Sukkur, under Major Clibborn's Command. My instructions to that Officer were to leave 200 of his own Regiment and a two month's supply of provisions in the Fort, and to bring away the Detachment of the 5th Regiment Native Infantry. The information received from the Political authorities was such, as to lead me to believe, that the strength of the Force was not only fully adequate to overcome any opposition that it might meet with, but that its numbers were greater than the exigency of the service required. To avoid all risk however, I objected to withdraw a single Man; but the impracticable nature of the Country, and the want of Water on the road, has set all my calculations at defiance. The behaviour of the Troops (many of them young Recruits recently joined the Ranks) under severe privation, when attacked by an overwhelming Force, merits the highest praise; and the cool and determined conduct of Major Clibborn under such trying circumstances, although his efforts were unavailing, entitles him to the greatest credit. The long list of killed, including, I regret to say, four European Officers, and the very small proportion of wounded (so contrary to the usual contingencies on such occasions) shows the undaunted bravery with which the Troops fought; their gallantry was however unavailing against the pressing want of thirst; and they had the mortification of being obliged to sacrifice their Guns, Treasure, Stores and Materials, from inability to move them, and retreat before an Enemy they had defeated. In addition to the heavy loss the service has sustained in the Officers who fell in the action, I have to regret the death of Captain Heighington of the 1st Grenadiers, of over-exertion and fatigue, the day after his return from the Hills; but I sincerely trust, that this will be the last of our casualties.—Major Clibborn notices the gallant bravery of Lieutenant Lock of the Poona Irregular, and Lieutenant Malcolm of the Scinde Horse, and the great number of their Men who fell, shows, how nobly they did their duty.

3. It is unnecessary for me to comment any further on this melancholy disaster, as the report will, I trust, prove to His Excellency the Governor in Council, that nothing was wanting on the part of either Officers or Men, to endeavour to carry thro' the service on which they were ordered; circumstances over



which they had no controul, have led to their failure; but altho' unfortunate, I trust they may not be deemed unworthy of the praise they have so nobly sought.

I have, &c.

(Signed) D. FORBES, Major,  
Commanding Upper Sinde.

Camp Sukker, 7th September 1840.

To,

Captain DOWN,

Major of Brigade, Upper Scinde.

SIR,

It is with feelings of the deepest pain, that I have to acquaint you, for the information of the Officer Commanding in Upper Scinde, with the total failure of the Convoy intended to have thrown supplies into the Murree Fort of Kalun. The impracticability of the route, defended by an active Enemy, and the absolute want of Water at the Pass of Nufosk have been the cause of this sad disaster.

I must here observe, that on the 29th ultimo, the Convoy encamped at the mouth of the Pass of Surtof, where Lieutenant Clarke's party was cut up, and at 2 A. M. on the morning of the 30th August, commenced the ascent over this Mountain Pass, one mile in extent; and by unceasing exertions on the part of the Seapoys, the Guns and Stores were dragged and conveyed to the halting ground on the top, by 6 o'clock P. M. through a burning sun:—there we halted till 2 A. M. of the 31st, to rest the Castle, but the Troops were obliged to be under Arms the greater part of the night, in consequence of the Enemy's Skirmishers firing into our Camp, and the Men therefore got little rest after their severe labour of the previous day.—At 2 A. M. we marched for the encamping ground below the Pass of Nufosk, distance 6 miles. At day light we approached slowly on a good road to the foot of the second range of Mountains, through which lay the route to Kalun, and here the road strikes off to the right immediately under the base of the Mountain, passing over ruts and ravines that presented obstacles to the passage of the Guns, which were surmounted by the cheerful and unceasing exertions of the Seapoys; but their labours were greatly increased by the upsetting here of one of the 12 pr. Howitzers with the Limber and Horses; however, after great perseverance and labour, the advance of the Convoy consisting of six Divisions of Infantry, about 450 Strong, 2—12 pr. Howitzers, and 50 of the Sinde Horse, arrived at the halting ground. On approaching the Mountains, we could perceive considerable bodies of the Enemy crowning the heights, who kept up a brisk fire on the Convoy while approaching its ground. The Guns were placed in position to enfilade the summit of the Pass in front of us, which to our wearied and exhausted Troops rose in a zig-zag course up the side of a precipitous Mountain. It was now 10 A. M. and the heat fearfully oppressive.—A Letter from Captain Browne, in Kalun, of the 27th ultimo, reported that abundance of Water had fallen, and no doubt we should find a sufficiency at our ground. The reports of the Guides on arrival were, that there was no Water, and the little remaining in the wretched Pauckauls from the last halting ground on the top of the Surtof Pass (where neither Water or Forage exists) was dried up. Under these circumstances it was evident, that the whole Force and Cattle must perish from thirst, unless the Pass of Nufosk be carried, beyond which, water was said to be procurable, and the Fort of Kalun distant about 6 miles. I waited anxiously till  $\frac{1}{2}$  past 1 A. M. for the arrival of the Rear Guard, consisting of 1st and 2nd Comd<sup>ts</sup> the Right Flank Company of the 1st Grenadier Regiment, one Howitzer, and the Poona Companies about 160 Horse under Lieutenant Lock. At 2 A. M. the dispositions for attacking the Pass were made, and the Left Flank Companies of the 1st and 2nd Grenadier Regiments attached to the Convoy were appointed to storm the Height, supported by the remaining divisions, 317 Strong, leaving the Colors of the Regiment under charge of the Right Flank Company. During the whole of the morning we were exposed to the fire of musketry, taken, no doubt, from Lieutenant Clarke's party. At about 2 P. M. the Flank Companies of the 1st and 2d Grenadiers were led on with admirable coolness and order by Captain Raitt, 1st Grenadiers, supported by the remaining Companies, 1st Grenadiers, and 50 Volunteers Poona Auxiliary Horse, under Lieutenant Lock, who kept up a galling fire on such of the Enemy as appeared above the crest of the Mountain, and the Howitzer threw Shrapnel, shells to clear the head of the Pass, while the storming party advanced up the steep face of the Mountain.—It was perceived that the road, at all times barely practicable for Guns, had been altogether destroyed, and in many places admitted of only one Man advancing at a time, and in other parts breast-works surmounted by thorn-bushes were built across the road. The Enemy opened a heavy fire, and many fell, but the ledge of the head of the Pass was gained, and the party ready to rush on, when a dense mass of the Enemy rose above the crest of the Mountain, and overwhelmed the storming party with musketry, and showers of stones; while others fell on them with their Sabres, committing a fearful havoc on the retreating Seapoys. I immediately ordered in the advance Companies to the support of the Guns and Colors; about eight hundred of the Enemy rushed down the Mountain with the most determined gallantry, and with such impetuosity, that I had barely time to form them, and some confusion ensued, greatly to be attributed to the numerous raw Recruits, I was obliged to put into the Ranks for the present service.—The Men however fought well, and kept up so brisk a fire, that with several well-applied rounds of Grape from Captain Stamford's Howitzers, the Enemy was repulsed with considerable slaughter, leaving about 200 and upwards lying dead on the Field, and in the Nullah around.

I lament to report, that our loss in the assault has fallen heavily on the European Officers and the service; and his Regiment have sustained a severe loss in Captain Raitt, 1st Grenadiers, who fell leading the storming party. I also lament to report the loss of Lieutenant Moore, 1st Grenadiers, and Lieutenant Franklin, and Ensign Williams, 2d Grenadiers, killed; and Lieutenant Lock of the Poona Auxiliary Horse (who with 50 Men of the Ressallah gallantly volunteered to act as Skirmishers in the assault) was severely wounded, but I am happy to say, he is out of danger. The accompanying report will place the Commanding Officer in



possession of the heavy loss that my Regiment has sustained in the action at the Pass of Nufoosk, and it was during the attack of the Enemy on the Colors of the Regiment, that the greatest part of the Convoy was driven off.

The Enemy had been repulsed with great slaughter, and most of their influential Men were lying dead around us; yet the Pass remained in their possession, and their numbers were very great;—in fact, the combined tribes of the Beeloochees amounting to several thousands. At this period, about  $\frac{1}{2}$  past 3 P. M. the heat was dreadfully intense, and the sufferings of the Men and Cattle, from exhaustion and thirst, became painfully apparent; and the Guide Meer Hussain having reported, that they had discovered Water in a Nullah about  $\frac{1}{2}$  a coss off, I immediately ordered the whole of the Puckaul Bheesties, and Camel Puckauls, with the Gun Horses under the Escort of fifty of the Irregular Horse to proceed for Water, and many of the Officers' Horse accompanied the Escort; but the heat and thirst increased, and the cries of the wounded and dying for Water! Water! was unceasing. The few bottles of Beer among the Officers' baggage, given at first to allay the wants of the greatest sufferers, gave rise latterly to scenes of absolute frenzy and despair. In this manner we remained till sun-set, anxiously awaiting the arrival of the Water-party, while an occasional fire of Musketry from the heights, replied to by our Guns, continued. About sun-set some stragglers from the Water-party came in, reporting that the Water-party had been surrounded in a Nullah; others that the Guides had acted treacherously, and led off the whole party to Surtof. Under these circumstances it became necessary to determine what should be done; I had already lost about 150 Men of my small Force, (small, when the nature of the country and the size of the Convoy, were to be considered) the remainder were inebbled with thirst, and the exertions of the two previous days; and to add our different difficulties, most of the Camel-men, Dooly-bearers &c. had absconded during the action, after plundering the Commissariat of loads of Flour, &c. The Gun Horses were gone, and the Men of the Golundauze so prostrated from fatigue and thirst, that latterly they could scarcely rise to fire a Gun. In this state, I found it impossible, allowing that I made a successful attack on the Pass, to Convoy either the Stores or Guns over it, particularly as the road had been destroyed, and after a mature deliberation, I found that it would be impracticable to carry out the object of the Convoy to throw provisions into Kahun; and further that unless the Water-party, Horses, &c. returned soon, my whole Force, Cattle and Followers, must perish of thirst; the sad alternative devolved upon me, of deciding on the abandonment of the unfortunate Garrison of Kahun, the Stores and Materials of the Detachment, and the chance presented itself by a rapid retreat to the water at Surtof, of saving my Troops and numerous Followers, with such Carriage and Stores as their inebbled state would permit me to bring off; I therefore resolved, unless the Gun Horses and Water arrived by 10 P. M., to move off quietly with my Troops; and such continuing to be the case at that hour, I directed Captain Stamford to spike his Guns, and we moved off with as much quietness as the frantic state of the Men would permit, I am grieved to add, we were obliged to abandon everything, Stores, Guns, Camp Equipage, &c. the desertion of the Camel-drivers having put it out of my power to remove them. The wounded were carried on Camels, and by day-light we had partly descended the Pass of Surtof, when the Baggage and Stores, with all the Treasure, Regimental, and the remainder of the Commissariat fell into the hands of the Enemy. Many Followers were here massacred. Without food or Tents, it was impossible that the Detachment could rest till it reached Poolajee, and a merciful Providence had enabled me to conduct with safety to this place the Detachment under my Command.—Many deaths have occurred from the heat and incessant marching; but I hope to see the Men recover after a few days rest.—At present I have put the whole under Horse sheds at Poolajee, and have every hope, with assistance from Major Smee at Lehree, on being able to move on shortly to Sukkur; for, excepting its Arms and the Colors of the Regiment, the Detachment is completely disorganized.

I forgot to mention, that the unfortunate Water-party was surrounded in a Nullah, and with the exception of 25 Gun Horses, a few Followers and private Horses, was cut up; the Survivors joined us on the march during the whole progress, at this inclement season of heat, of this Detachment I have been indebted to Lieutenants Lock and Malcolm, for their cheerful and arduous exertions, and therefore respectfully mention their names, as deserving every commendation. In conclusion of this mortifying tissue of disasters, occasioned solely by the intense heat, thirst, and too sanguine reports of a route altogether impracticable, if opposed by a determined and active Enemy such as the Murrees have proved themselves to be, I, as the unfortunate Commander of the above responsible Convoy, earnestly solicit, that a rigid enquiry may be instituted into my conduct.

I have the honor to be, &c.

Camp Phoolajee, 4th September 1840.

(Signed) T. CLIBBORN, Major,

Commanding Field Detachment.

P. S. In continuation of the preceding report, I deeply lament to acquaint you of the death of Captain Heighington of the 1st Grenadiers, which took place yesterday evening at 8 P. M. at this Post, from the effects of excessive fatigue and exposure to the sun, on the late march.

(Signed) T. CLIBBORN, Major,

Commanding Field Detachment, 1st Grenadiers.

4th September 1840.







To,

THE MILITARY SECRETARY TO GOVERNMENT,

Bombay.

SIR,

I have the honor to transmit, for the information of the Hon'ble the Governor in Council, copy of a letter to my address, dated the 29th ultimo, from Major Clibborn, late Commanding a Detachment, for the relief of the Out-post of Kahun, being Supplemental to his original report under date the 4th of September, detailing the transactions attendant on that occasion.

I have the honor to be, &c.  
(Signed) D. FORBES, Major,  
Commanding in Upper Sinde.

Camp Sukkur, 2nd October 1840.

TO,

THE MAJOR OF BRIGADE, UPPER SINDE,

SIR,

I have the honor to address you, with reference to my report of the 4th instant, conveying the disastrous intelligence of the failure of my Convoy, to effect the relief of Kahun; as on reperusal of that report, on my arrival here, I find that from having only partially noticed the exertions of individual Officers under my Command, an erroneous impression may have been conveyed, that I was dissatisfied with the conduct of the majority, whereby, not only much injustice would be done both to the 1st Grenadier Regiment and Detachment 2nd Grenadiers under my orders, but also to the Officers serving with them on that arduous service, I had every reason to applaud the generally correct and Soldier-like manner in which the laborious duties of the Convoy were carried on both by Officers and Men, whether on Picquet, Rear Guard, or other duties that unavoidably exposed them to the heat of this scorching region.

In forwarding a general list of recommendations, I omitted to express my obligations to Ensign Stanley, 5th Regiment Native Infantry, who joined my Corps at Poolajee, to assist in bringing down Captain Browne's Detachment 5th Regiment Native Infantry, when relieved from Kahun, and who took charge of one of the Howitzers, in the action of Nufosk with considerable effect, and on every occurrence throughout this service, proved himself a good and zealous Officer.

In addition to the Officers previously mentioned in my report of the 4th instant, who fell in the gallant discharge of their duty, Captain Heighington, 1st Grenadier Regiment (since dead) commanded the Rear Guard on the 31st August, and brought it in safety, although greatly retarded by the difficulties of the road.—Lieutenant Peacocke, 1st Grenadiers, and Ensign Evan Grant (now 3rd Regiment Native Infantry) were present with the left support in the action of Nufosk, and Ensign and Acting Adjutant Panning, 1st Grenadier Regiment, commanded the right support, the latter Officer did every thing that could be expected from such young and inexperienced Soldiers.

The arrangements made for the conveyance of the Sick and Wounded by Mr. Assistant Surgeon Kirk, of the 1st Grenadier Regiment, and their safe arrival here after so long and fatiguing a march, sufficiently testifies the care and ability exercised by this Officer, and I have great pleasure in acknowledging his valuable assistance.

My anxiety to remove any false impressions, or rectify omissions that rendered my report of the 4th instant incomplete, penned as it was, while oppressed with excessive fatigue, will, I trust, be sufficient excuse for troubling the Officer Commanding in Upper Sinde with this communication.

I have the honor to be, &amp;c.

(Signed) T. CLIBBORN, Major,

Camp Sukkur, 29th September 1840.

1st Grenadier Regt. late Commanding Field Detachment.

(True Copies.)

J. P. WILLOUGHBY, Secy. to Govt.