



Bombay Government Gazette.

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THURSDAY, 29th JULY 1841.

Four annas per Copy.

NOTIFICATION.

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, 4th August 1831.

GENERAL DEPARTMENT.

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 28TH JUNE, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 28th of June 1841.

ACT No.—OF 1841.

An Act for declaring and amending Section XII. Regulation III of 1803, of the Bengal Code, concerning the dismissal of Suits for neglecting to proceed in the same.

I. It is hereby enacted, that if a Plaintiff in any Court shall, at any time, neglect to proceed in his suit for six weeks, the Suit shall be dismissed; and it shall not be necessary to give the Plaintiff any notice previous to dismissing his Suit. The Suit shall be dismissed as of course after the expiration of six weeks without any proceeding on the part of the Court, or of the Defendant or otherwise, or assignment of any reasons unless the Plaintiff, upon special application, shall have previously satisfied the Court of the propriety of allowing further time. The Court shall record upon the proceedings the reasons at large for allowing further time in all cases in which further time may be allowed, but it shall not be necessary to specify the reasons for refusing any application for further time.

II. And it is hereby enacted, that in all cases in which a Suit is dismissed under the preceding Section, the Court shall award to the Defendant the costs he may have incurred in the Suit. But such dismissal of a Suit shall be no impediment to the institution of a new Suit, where the party is not precluded by lapse of time or otherwise than by the mere circumstances of having instituted the Suit dismissed and of such dismissal.

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 28th day of September next.

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

Bank of Bombay.

Notice is hereby given, that the Annual General Meeting of Proprietors will be held in the Bank's Office on Monday, the 2nd August at 11 o'clock A. M. under Clause XXXVI of Act III of 1840, when the Directors will have the pleasure to submit a Statement of the affairs of the Bank up to 30th June ultimo.

By order of the Board,
W. W. CARGILL.
Secy. and Treasurer,

Bombay, 19th July 1841.

કુમાધની બેંક

બંકર ખખર આપામો આવકેને બેંકની
શનદ ૧૮૪૦ કાએદો ૩ કલમ ૩૬ મીમો
દશએવા પરમાંલે તારીખ ૨ આગરાત શો
મવારને દીને શવારનાં આગીઆર કલાને
બેંકની હાકીશમો તાગીદારોની શલા મલ
શે તારે તારીખ ૩૦ મી જુન શુધી બેંકનો
ને કારત્તાર કાએકે તેનો મજકુર કરેકતર
શ એતલે વડીવાતદાર બંકરે કરશે *

બમોવજબ કુકમ ખોરડ

નીશાણી

૬બલીઠુ—૬બલીઠુ—કારગલ

શકરતારી ૫ તારીખેરર

તા. ૧૯ મી જુલાઈ ૧૮૪૧ *

W. R. MORRIS, Secy. to Govt.

BOMBAY CIVIL SERVICE LIST.

Corrected up to the 30th ultimo, to be had at the Government Gazette Office, at 2 Rs. per copy to non-subscribers, and 1½ Rs. to subscribers.

Bombay, 14th July 1841.

Notification.**POLITICAL DEPARTMENT.***Bombay Castle, 21st July 1841.*

The Honorable the Governor in Council is pleased to publish for general information the following Statement of the revised rates of Duties levied on all merchandize in transit on the Indus, Garrah and Sutlej Rivers, within the territories of the Sheiks, and of the Nawab Bahawal Khan.

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

Statement of the rates of duty levied by the Sheik Government on the Sutlej and Indus Rivers.

Grain, Wood, and Lime-stone, duty free.	
All other commodities to pay duty according to the measurement of boats as follows.	
Duty on a boat not exceeding 250 maunds measurement, proceeding from the foot of the Hills, Roopur, or Loodiana to Mithenkote Rojhan, or from Rojhan Mithenkote to Loodiana, Roopur, or the foot of the Hills.. ..	Rs. 50
<i>viz.</i>	
From the foot of the Hills to Ferozepore, or back.. ..	20
From Ferozepore to Bahawalpore, or back.. ..	15
From Bahawalpore to Mithenkote Rojhan, or back.. ..	15
The whole voyage up or down.. ..	50
On a boat above 250 maunds but not exceeding 500 maunds measurement proceeding &c. &c. &c.. ..	100
<i>viz.</i>	
From the foot of the Hills to Ferozepore, or back.. ..	40
From Ferozepore to Bahawalpore, or back.. ..	30
From Bahawalpore to Mithenkote Rojhan, or back.. ..	30
The whole voyage up or down.. ..	100
On a boat above 500 maunds &c. &c.. ..	Rs. 150
<i>viz.</i>	
From the foot of the Hills to Ferozepore, or back.. ..	60
From Ferozepore to Bahawalpore, or back.. ..	45
From Bahawalpore to Mithenkote Rojhan, or back.. ..	45
The whole voyage up or down....	150

Boats to be classed 1, 2 or 3, and the same to be written on the boat, and every boat to be registered.

Statement of the rates of duty levied by the Bahawalpore Government on the Sutlej and Indus rivers.

Grain, Wood and Lime-stone, duty free.

All other commodities to pay duty according to the measurement of boats as follows.

Duty on a boat not exceeding 250 maunds, from Rojhan Mithenkote to Loodiana, Roopur, or the foot of the Hills, or from the foot of the

Hills, Roopur or Loodiana to Rojhan Mithenkote.. ..	Rs. 10
Above 250 maunds and not exceeding 500 maunds.. ..	20
Above 500 maunds.. ..	40

(Signed) GEORGE CLEAK,
Agent to the Governor General.

(True copy,)

J. P. WILLOUGHBY,
Sec. to Govt.

INTERPRETATION on Clause I, Section III, of Regulation XXII of 1827.

On a question referred, it was declared, that the Native Troops and Camp Followers of the Madras Army serving in the Bombay Territory are not amenable to the above law, but are subject to the ordinary jurisdiction established by Regulation over such Territory.

*By order of the Sudder
Foujdaree Adawlut.*

G. GRANT, Register.

*Bombay, Sudder Foujdaree }
Adawlut, 29th June 1841. }*

Notice.

Required by this Department Freight to Calcutta for 18 Boxes of Medicines consigned to the Supreme Government, and measuring about (5) five Tons more or less; all further particulars relative to which may be ascertained by application at this office, every day from 10 till 5 o'clock, Sundays excepted.

C. THRESHIE, Capt.

*Sub Assist. Comy. Genl. in Charge.
Bombay, Dy. Comy. Gls. Office.
26th July 1841.*

TENDER FOR GREEN GRASS.

Tenders will be received by the Agent for Gun Powder, at the Powder Works at Mazagon, up to 12 o'clock on the 3rd proximo, for the supply of Green Grass to the Cattle of the Gun Powder Manufactory for two months, at 84 Pounds per head daily, commencing from the 15th August next. The Grass to be fresh-cut and of good quality, and to be delivered by weight at the Cattle House, in the Powder Works, before 9 o'clock every morning.

The Tenders to specify the amount at which the Green Grass will be thus supplied per Bullock for a month of 30 days, and a deposit of (250) two hundred and fifty Rupees will be required from the Contractor, to be forfeited in the event of evasion, delay or other infringement of the terms of his Contract.

M. F. WILLOUGHBY, *Captain
Acting Agent. for Gun Powder.*

Mazagon, 21st July 1841.

Advertisement.

To be sold by public Outcry, on Tuesday the 3rd proximo, at 12 o'clock in the forenoon, a quantity of Chips assorted, and Rubbish collected from the works carried on in the Dock Yard, and made into lots of about a Candy each.

Terms of sale.—The lots to be paid for on the spot and to be immediately removed from the Dock-yard.

G. SIMPSON,
Indian Naval Storekeeper.

Bombay, 28th July 1841.

Captain E. W. Kennett, Commanding Left Wing 13th Regiment Native Infantry, having as President of the Committee, taken charge of the Effects of the late Corporal Potherby, late Sub Assistant Overseer, Engineer Department of Public Works, who died at Broach on 18th May 1841, has, after paying household expences, Servant wages &c. &c. remitted the Balance, amounting to Rs seventy, nine annas and six-pies, (70-9-6) to the Military Secretary to Government, on the 15th instant.

Broach, July 22nd, 1841.

Notification.

TERRITORIAL DEPARTMENT.

FINANCE.

No. 888 of 1841.

Notice is hereby given, that the following Sets of Bills of Exchange, drawn by the Government of Bombay, on the Government of India in Calcutta, at Thirty days sight, will be disposed of on Friday the 6th of August next, by public sale, at the General Treasury, at one o'clock P. M., viz.

75 Sets of Bills of Co's. Rs. 1,000 each	Co's. Rs. 25,000
10 do.....	2,000 each....
10 do.....	3,000 each....
20 do.....	5,000 each....
10 do.....	10,000 each....
5 do.....	20,000 each....
5 do.....	25,000 each....

85 Sets.

Co's. Rs- 5,00,000

The Bills are to be paid for at the General Treasury on or before Monday the 9th Proximo, and such as may remain unappropriated in consequence of the non-payment of the purchase money, on the close of the Treasury on that day, will be resold on the Saturday following, at the risk of the first purchaser, who will forfeit any advantages that may result from such resale, and be required to make good to Government any loss sustained thereby.

The Sub Treasurer will, as usual, grant a Certificate for the sum of money paid into the General Treasury on account of each set of Bills purchased at this sale, or he will consolidate the amount of two or more Sets of Bills in one Certificate, at the option of the purchaser, provided the Sets of Bills to be so consolidated have been all bought at one and the same rate of exchange.

On the abovementioned Treasury Certificates being presented at the Accountant General's office, the Bills in question will be prepared as soon after as possible, and will be delivered to the parties entitled to them, on their passing a receipt for the same on the back of the Treasury Certificate.

R. T. WEBB,

Dupy. Acct. Genl. in Charge,

Bombay Castle, Acct. Genl's.

Office, 28th July 1841.

Notice.

Verbal Tenders will be received at this Office, at 1 o'clock on Saturday the 31st instant, for the supply of the following Articles, and such others as may be called for, during the intermediate period, viz:

- (1) One Ream Paper, Brown, Europe.
- (80) Eighty Pounds, Nails, Sheathing, Copper, Europe 1½ Inch.

An immediate deposit of (10) Ten 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.

C. THRESHIE, Capt.

Actg. Depy. Asst. Comy: Genl. in Charge,

Bombay, Dy. Comy. Genls. Office.

28th July 1841.

Notice.

The Superintendent of the Indian Navy will receive Tenders, for the conveyance of Packages of Salt Petre Kegs, amounting to 23 Tons more or less, to Calcutta; the Tender to state the rate per Ton and the time when the Kegs will be received; also the time of the Vessel's departure from Bombay.

A Passage is required for the conveyance of 33 Native Convicts, more or less, to Singapore.

1 Soldier of Her Majesty's 2nd Foot, to the Isle of France, Calcutta, or New South Wales.

1 Discharged Soldier of Her Majesty's 2nd Regiment, and 6 European Seamen of the Indian Navy, to England.

Freight is required for the conveyance of 5 Casks, containing Coal Dust, to England, weighing Gross.

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

By order,

H. C. BOULDERSON,

Actg. Assist. Supt. I. N.

Bombay, 27th July 1841.

Notification.

GENERAL DEPARTMENT.

With reference to the Notification of the 30th April last, the Hon'ble the Governor in Council is pleased to publish for general information the following extract from the Bengal Regulation (No. 7) of 1833, being that part of Section 4, which describes the system of weights.

The Tola to be established of 180 Grains Troy, and the other denominations of weight to be derived from this unit, according to the following scale; viz.

- A scale of weights according to this principle described. } 8 Ruttees, 1 Masha, 15 Troy Grains.
- 12 Mashas, 1 Tola, 180 ditto.
- 80 Tolas, (or Sicca Weight) 1 seer, 2½ lbs. Troy.
- 40 Seers, 1 Mun, or Bazar Maund, 100 lbs. Troy.

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

W. R. MORRIS, Secy, to Govt.

Bombay Castle, 28th July 1841.

Opium Memorandum.

BOMBAY.

Passes granted up to the 21st instant	Chests	533
	Total..	<u>533</u>

INDORE.

Passes granted under the Proclamation of 1839 | 40..	Chests	2,140
Ditto under the proclamation of 1840 | 41, up to the 5th June last.....		16,773
	Total..	<u>18,913</u>

IMPORTED.

Balance of former years importation.....	Chests	6,667
Imported from the 25th May 1840, to the 20th July 1841..	„	19,559½
	Total..	<u>26,226½</u>

EXPORTED.

From the 22d May 1840, to the 20th July 1841.....	Chests	18,735½
Ditto from the 21st to the 27th instant.....	„	517
	Total..	<u>19,252½</u>

W. ESCOMBE,
Actg. Opium Agent.

Bombay, 28th July, 1841.

Notice

Is hereby given, that unless "marked per Ship" all letters received at the General Post Office, from Sunday the 20th June to Monday the 19th instant, (both dates inclusive) for transmission to England, Foreign Europe and Egypt, were despatched by the Hon'ble Company's Steamer "Auckland" via Suez, on the 20th instant, @ 11 A. M.

J. H. SHAW,
Actg. Post Mr. Genl.

Bombay, 28th July 1841.

NOTICE

Is hereby given, that persons desirous of entering into a contract with this Department, for the supply of the undermentioned Articles for 2 years from the 1st and 7th of September next respectively, may, on application at this office, from 10 A. M. till 5 P. M. daily, Sundays excepted, obtain separate lists thereof as follows, with the prices affixed, and such other information relating thereto as they may require, vizt.

No. 1.—List comprising Country Medicines &c. to the Medical Storekeeper's Department, and Public Dispensary. Contract to commence from 1st September.

No. 2.—List comprising Rafters, Bamboos, small Timber, Baskets &c. ditto 7th September.

Verbal offers for the contracts will be received at this office, at 12 o'clock, on Friday the 20th proximo, when persons will be required to bid a per-centage below the prices specified in the Lists above adverted to, at which they will undertake to furnish the whole of the

Articles embraced therein, of unexceptionable quality to the Departments requiring them, free of all further expense, in such numbers or quantity, as may from time to time be demanded.

The contractors will be required to comply immediately with all emergent demands for the Articles alluded to, and others less urgent must be completed within the period stated in the supply notes, or in failing to do so, the Articles or such others as may be required in their behalf, will be purchased at their risk and loss, and in all such cases a fine of Rupees Thirty per-cent upon the amount of expenses incurred, or a fine of Rupees Fifty, at the option of the Executive Officer, will be levied as liquidated damages for each and every breach of contract as often as the same may occur.

No person will be allowed to tender for the contract unless he previously deposits in this Office the sum of four hundred (400) Rupees, for list No. 1, and Rupees (150) one hundred and fifty for list No. 2, which will be forfeited in the event of delay, evasion, or refusal to execute the deed of contract should his offer be accepted, in which case he must be prepared to add the further sum of Rupees (400) four hundred to the former, and Rupees (150) one hundred and fifty to the latter, as Security for the due performance of the engagement.

All further particulars will be communicated at the time of bidding, and no reason will be assigned for rejecting any offer,

C. THRESHIE, Capt.

Actg. Depy. Assist. Comy. Genl. in charge,
Bombay, 28th July 1841.

Notice.

A Passage is required for Six European Sappers and Miners to Calcutta. The Superintendent I. N. will receive Tenders for their conveyance and for 23 Tons, more or less, of Packed Salt Petre Kegs,

R. OLIVER, Capt. R.N.
Superintendent I. N.

Bombay, 28th July 1841.

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 Wednesday the 1st September next.

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

P. M. MELVILL, Lieut. Col.
Secy. to Govt.

Bombay Castle, 2nd July 1841.

Required the following description and quantity of Mahratta and Guzeratte new Types, written tenders, fixing the period required to make the supply, will be received at this Office, every day from 10 to 5, Sundays excepted.

800 lbs. Guzeratte type Long Primer body.
100 do. do. do. Great Primer do.

L. C. C. RIVETT,
Supt. Govt. Press.

Bombay Government
Printing Office, 17th
June 1841.

GENERAL ORDERS:**MILITARY DEPARTMENT.**

BY THE HON'BLE THE GOVERNOR IN COUNCIL.
BOMBAY CASTLE, 22nd JULY 1841.

No. 456 of 1841.—Thomas Wagstaff, a Chelsea out-pensioner from Her Majesty's 90th Foot, is permitted to reside and draw his stipend of five pence per diem at Aden, from the 1st April last.

Bombay Castle, 23rd July 1841.

No. 457 of 1841.—The rank of the undermentioned Assistant Surgeons having been received from the Hon'ble the Court of Directors, Commissions are assigned to them from the dates specified opposite their respective names, as follows.

	<i>Medical Establishment.</i>	<i>Date of Rank.</i>
1	Edward John Parker Pridham.....	2d February 1841.
2	John Sproule, M. D.....	.. Do. do. do.
3	William Bowie, M. D.....	.. 10th do. do.
4	Thomas Adolphus Boyrenson, M. D.....	.. 2d March do.
5	George Feddes Forbes.....	.. 6th do. do.
6	James Ebenzer Batho.....	.. 7th do. do.
7	Francis Manisty.....	.. Do. do. do.
8	George Mathieson Ogilvie, M. D.....	.. 9th do. do.
9	William Cellum.....	.. Do. do. do.
10	John James Faithfull.....	.. 11th do. do.
11	William Lochiel Cameron.....	.. 12th do. do.
12	James Lindsay Lowry, M. D.....	.. 18th do. do.
13	Thomas Cannan.....	.. Do. do. do.
14	Humphrey Hudson.....	.. Do. do. do.

No. 458 of 1841.—The Hon'ble the Governor in Council is pleased to dispense with the services of Mr. Acting Assistant Surgeon Cunningham, which are no longer required.

Bombay Castle, 24th July 1841.

No. 459 of 1841.—Brevet Captain C. Threshie is appointed to act as a Deputy Assistant Commissary General in the Commissariat Department, vice Captain Hartley absent on sick leave.

Bombay Castle, 26th July 1841.

No. 460 of 1841.—The following Native promotion is made:—

Corps of Store Lascars.

Date of Rank:

1st Tindal Shaik Ahmed to be Syrang, to complete the Establishment..... 19th June 1841.

Bombay Castle, 27th July 1841.

No. 461 of 1841.—Captain T. Dounolly, Assistant Adjutant General, Soinde Force, is allowed to proceed to Sea, with leave of absence of one year, for the benefit of his health.

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

MARINE DEPARTMENT.

Bombay Castle, 22nd July 1841.

No. 93 of 1841.—The Hon'ble the Governor in Council is pleased to dispense with the services of Mr. Acting Assistant Surgeon Cunningham, which are no longer required.

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

List of Unclaimed Packages in the Custom House.

<i>Number of Packages</i>	<i>To whom addressed.</i>	<i>By what Ship imported.</i>
1 Box.....	S. D. C. Smythe Esq. 31st Regt. ....	.. Steamer.
1 Do.	James Thomas Esq.....	.. Parland:
1 Do.	Lieut. Hearshead, H. M. S. Favorite..	.. Cambridge.
1 Do.	Capt. D. Mellish.....	.. Dartmouth.
1 Bundle..	W. L. Johnstone Esq.....	.. Freak.
1 Box.....	Capt. Washington, R. N.....	.. Unknown-
1 Do.....	Ensign Ed. Lockley.....	.. Ditto.
1 Do.....	Marked W, E E.....	.. Earl Balcaras.
1 Do.....	Mr. Brown, Courier Office..	.. Asia.
1 Do.....	Lieut. Colonel Bagnold.....	.. Donna Pascoar
1 Do.....	Captain Ramsay, A. B. M.....	.. Ditto.
1 Do.....	Lieut. R. Olpherts.....	.. Halifax Packet.
1 Do.....	E. H. Eggar Esq. 40th Regt..	.. Ditto.
2 Do.....	Marked K. Messrs. Blackwell Cursetjee & Co..	.. Ditto.
1 Do.....	John Basnott.....	.. Lintin.
1 Do.....	Wm. McKenzie Esq.....	.. Lady Feversham.
1 Do.....	Lieutenant H. B. Combe..	.. Duke of Bronte.
1 Do.....	M. Meason Esq. H. M. 40th Regt..	.. Lady Feversham.
1 Do.....	No Mark.....	.. Argile.
1 Do.....	Officer Commanding Troops..	.. Florist.
1 Do.....	J. G. Wotten Esq.....	.. Louisa.
1 Do.....	Muter Esq.....	.. Quintin Leitch.
1 Do.....	Lieut. Wm. Mosley.....	.. Unknown.

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.

J. PYNE,
Collector of Customs.

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.	Touching where.
A Steamer.....	Supt. Indian Navy.....	1st September.....	Suez.....	Aden.
St. Lawrence.....	Messrs. Forbes and Co.....	29th instant.....	Liverpool.....	
Tory.....	Do. Ditto.....	29th ditto.....	Ditto.....	
Shannon.....	Do. Foster and Co.....	29th ditto.....	Ditto.....	
Euxine.....	Do. Grey & Co.....	31st ditto.....	London.....	
Parkfield.....	Do. Ditto.....	ditto.....	China.....	Singapore,
Gussachan.....	Do. Diron Carter & Co.....	1st Proximo.....	Macao.....	Do.
Windsor Castle.....	Do. Higginson and Cardwell.....	1st ditto.....	Liverpool.....	
Lady East.....	Do. Foster and Co.....	2nd ditto.....	Ditto.....	
Luconia.....	Do. Remington & Co.....	3rd ditto.....	China.....	Do.
Argyll.....	Do. McVicar Burn and Co.....	4th ditto.....	Clyde.....	
George IV.....	Do. Ditto.....	ditto.....	Macao.....	Do.
Caledonia.....	Do. McGregor Browarigg & Co.....	5th ditto.....	Liverpool.....	
Wm. Lushington.....	Do. Ditto.....	ditto.....	Ditto.....	
Wm. Shand.....	Do. B. & A. Hormusjee.....	ditto.....	Ditto.....	
Sir H. Compton.....	Do. Aga Mahomed Kahim Esq.....	ditto.....	China.....	Do.
Baboo.....	Do. Diron Carter and Co.....	6th ditto.....	Ceylon.....	
Ardaser.....	Do. Cursetjee Cawasjee and Co.....	10th ditto.....	China.....	Do.
Berkshire.....	Do. Remington and Co.....	ditto.....	London.....	St. Helena.

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

Bombay, Genl. Post Office, 28th July 1841.

J. A. SHAW,
Actg. Post Master General.

Civil Appointments, &c. GENERAL DEPARTMENT.

Bombay Castle, 23rd July 1841.

Surgeon A. Graham is appointed to the medical charge of the Bycallah central schools.

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

W. R. MORRIS, Secy to Govt.

JUDICIAL DEPARTMENT.

Bombay Castle, 22nd July 1841.

Mr. W. Escombe is appointed to act as senior magistrate of police and revenue judge at the presidency, during the absence of Mr. LeGeyt on special duty at Dharwar.

Mr. A. Spens, to act as stipendiary commissioner of the court of requests.

Bombay Castle, 23rd July 1841.

The Hon'ble the Governor in Council is pleased, under the provisions of Act No. xiv of 1835, to appoint lieutenant J. L. P. Hoare of the 15th regiment N. 1. an assistant magistrate in the Candeish collectorate.

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

J. P. WILLOUGHBY,
Secy. to Govt.

JUDICIAL DEPARTMENT.

Bombay Castle, 26th July 1841.

Surgeon A. Graham is appointed surgeon to the gaol of Bombay and the house of correction.

TERRITORIAL DEPARTMENT.

REVENUE.

Bombay Castle 28th, July 1841.

Mr. James McLean, to be uncovenanted assistant to the collector of customs, Bombay, in succession to Mr. W. Wilson.

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

L. R. REID,
Chief Secy.

Military

Arrivals and Departures.

ARRIVALS.

17th July.—Assistant surg. Lowry, M. D. from England.

Do. do.—Cadet E. Lowry, from do.

24th Do.—Surg. J. Boyd, marine battalion, from Poona.

25th Do.—Ensign G. Close, 2nd European R. from do.

Do. do.—Assist. surg. R. Collum, from do.

26th Do.—Capt. R. Guestin, 2nd M. C.

28th Do.—Lient. Pownall, H. A. from Poona.

Do. do.—Lieut. C. Whitehill, 2d European R. from do.

DEPARTURES.

21st July.—Doctor Loinsworth, to Poona.

26th Do.—Assist surg. R. Collum, med. establishment, to Butcher's Island.

Town Major's Office, 28th July 1841.

Shipping Intelligence.

ARRIVALS.

21st July,—Barque Adele, D. Presgrave, master, from Mauritius, 5th July.

Passangers.—Mrs. Motto—Mr. Noel, and Mariane servants

22nd do.—Ship Margaret, S. Blyth, master, from Sydney, 19th May.

25th do.—Brig Six, E. W. Kirkus, master, from London, 4th March, and Madeira, 14th April.

Passengers.—Mr. J. DeSilva, and John Williams.

28th do.—Barque Portland, James Stalker, master, from Sydney, 3rd May, and Batavia 25th June.

Do. do.—Ship Formosa, Alexander Adam, master, from Sydney, 3rd May, and Batavia 25th June.

Passangers.—Mr. Adam, and an European servant.

DEPARTURE.

23rd July.—Ship Monarch, James Booth, master, to Liverpool.

W. ESCOMBE,

Acting Senior Magistrate of Police,
Bombay, 28th July 1841.

Unclaimed Letters.

POST LETTERS.

1 Peera Bhoje Couchman, Cajee Mowla, Bombay.

1 Dinsaw Sorabjee

1 Churnahmah, Ayah at Garrison Paymaster Jones

1 Framjee Eduljee

1 Havaldarney Anuondee, Wife of Annappah Havidar

1 Mucadum of Powder at Bobay Majogam

1 Phillip Nelson, Servt. to the care of Doctor Atron

1 Mr. John Baptist D. Souza, Servt. to Miller Esq.

J. A. SHAW,
Actg. Post Master Genl.

Bombay, 28th July 1841.

High Water

IN THE HARBOUR UNDER THE FOLLOWING DATES.

		A.	M.	P.	M.
1841		H.	M.	H.	M.
July	29th	Thursday	8	7	8 38
"	30th	Friday	9	8	9 34
"	31st	Saturday	9	39	10 10
Augst	1st	Sunday	10	41	" "
"	2nd	Monday	11	19	11 35
"	3rd	Tuesday	11	52	" "
"	4th	Wednesday	"	08	" 25

S U P P L E M E N T



TO THE
BOMBAY GOVERNMENT GAZETTE.

Published by authority.

THURSDAY, 29TH JULY 1841.

Notification.
GENERAL DEPARTMENT.

The following Scale of Rates of Hire which have in conformity with the Provisions of Act IV. of 1841 been established for the various descriptions of Conveyances on the Island of Bombay, is published for general information.

RATES OF FARE FOR BOATS AND HARBOUR CRAFT AT BOMBAY.

Bunder Boats, from 1st October to 31st May.

1st Class.	For Trip of two hours	2	..
	For every additional hour.. ..	8	..
	For a whole day.. ..	5	..
2d Do.	For a trip of two hours.. ..	1	8
	For every additional hour.. ..	6	..
	For a whole day.. ..	4	..
3rd Do.	For a trip of two hours.. ..	1	..
	For every additional hour	4	..
	For a whole day.. ..	3	..

MONSOON.

From 1st of June to 30th September.

1st Class.	From any of the Bunders to any Ship in the Harbour and not detained more than two hours	3	..
	For every additional hour, till it amounts to six Rupees which is considered a whole day's pay or twelve hours	8	..
2d Do.	For a trip of two hours	2	..
	For every additional hour	6	..
	For a whole day	5	..
3d Do.	For a trip of two hours.. ..	1	8
	For every additional hour....	4	..
	For a whole day.. ..	4	..

BUNDER BOATS ARE DIVIDED INTO 3 CLASSES.

1st Class having a Crew of 13 men.
2nd Ditto.. .. ditto 9 men.
3rd Ditto .. ditto 7 men.

COTTON BOATS.

	Fair season.	Monsoon.
In Harbour, per day	2	12
For half a day, under six hours.. ..	1	12
To Panwell and Tannah, to be discharged at those places....	5	7
To those places and back.. ..	7	10
To Nagotna.. ..	7	10
To Ditto and back to Bombay.. ..	10	12
To Caranja and Elephanta.. ..	3	4
To those places and back.. ..	4	6

DINGIES.

For a Trip of two hours	8	1
For every additional hour....	2	3
For a whole day.. ..	1	8

HAMALLS.

Each Hamall, per day....	.. .. .	4..
Any time not exceeding 3 hours..	.. .. .	2..
If detained beyond 6 P. M. till 12....	.. .. .	1..
If detained after 12.. .. .	.. .. .	2..
Hire of each Palkee for one day..	.. .. .	4..
Hire of ditto any time less than 3 hours..	.. .. .	2..

NUMBER OF HAMALLS TO EACH PALKEE.

For each Palkee within the Fort or limits of the Esplanade.	4 Hamalls
From the Fort to Girgaum....	4
From the Fort to Chowpattee.....	4
From the Fort to Malabar Point.....	8
From the Fort to Bycullah..	4
From the Fort to Breach-Candy..	6
From the Fort to Love Grove..	8
From the Fort to Mazagon..	4
From the Fort to Chinchpogly and Parell..	6
From the Fort to Mantoonga, Sion or Mahim..	8
From the Fort to Colabah....	4

RATE OF FARE FOR CONVEYANCES, BUGGIES, & BULLOCK RIDING CARTS.

	Buggy & Horse &c.	Bullock Cart Riding.		Buggy & Horse &c.	Bullock Cart Riding.
From the Fort to Sion.	2 1/2 ..	1 8 ..	& back..	3 ..	2 ..
Ditto do. to Matoonga.....	1 8 ..	1 ..	.....	2 ..	1 4 ..
Ditto do. to Parell.....	1 ..	12 ..	.....	1 8 ..	1 ..
Ditto do. to Chinchpogly & Bycullah..	12 ..	8 ..	.....	1 4 ..	12 ..
Ditto do. to Mazagon....	8 ..	6 ..	.....	1 ..	8 ..
Ditto do. to Bhendy Bazar & Moombadavee..	8 ..	6 ..	.....	12 ..	8 ..
Ditto do. to Colabah....	8 ..	6 ..	.....	1 8 ..	8 ..
Ditto do. to Small Colabah..	8 ..	4 ..	.....	12 ..	6 ..
Ditto do. to Mahim....	1 12 ..	1 ..	.....	2 8 ..	1 4 ..
Ditto do. to Worlee....	1 12 ..	1 ..	.....	2 8 ..	1 4 ..
Ditto do. to Small Worlee..	1 2 ..	12 ..	.....	1 12 ..	1 ..
Ditto do. to Malabar Point....	1 ..	8 ..	.....	1 8 ..	12 ..
Ditto do. to Breach Candy..	12 ..	6 ..	.....	1 4 ..	9 ..
Ditto the Sailor's Home to the Appollo Pier..	6 ..	4 ..	.....	12 ..	6 ..
Ditto do. to Custom House Pier....	6 ..	4 ..	.....	12 ..	6 ..
The whole day from Sun-rise to Sun-set..	3 ..	1 8 ..			

Any Buggy or Cart detained by the Hirer shall be paid for at the rate of 3 Annas per hour as long as so detained.

Any distance not specified in this scale of rates shall be paid for at the rate of 3 Annas per mile.

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

Bombay Castle, 28th July 1841.

W. R. MORRIS,
Secy. to Govt.

Legislative Department.

FORT WILLIAM,
THE 5TH JULY, 1841.

The following Act passed by the Right Honorable the Governor General of India in Council on the 5th of July 1841, is hereby promulgated for general information:

ACT NO. X. OF 1841.

An Act for prescribing the Rules to be observed, in order that ships or vessels belonging to ports within the territories under the Government of the East India Company, or belonging to Native Princes or States, or their subjects, may become entitled to the privileges of British ships under a proclamation of the Governor General of India in Council, made in pursuance of the Statute 3d and 4th Victoria Ch. LVI.

Preamble. I, Whereas by a Statute passed in the 3d and 4th years of Her Majesty Queen Victoria, entitled "An Act to regulate the trade of ships built and trading within the limits of the East India Company's Charter" it is enacted "that it shall be lawful for the Governor General of India in Council, by Proclamation, to declare that all ships or vessels built or to be built within the limits of the Charter of the East India Company, being owned by Her Majesty's subjects for whom the said Governor General in Council has power to legislate and belonging, under the Regulations hereinafter provided for, to any ports in the territories under the Government of the said Company, shall be deemed to be British ships for all the purposes of trade within the said limits, including the Cape of Good Hope, and the territories and dependencies thereof; provided that upon such declaration being made the said Governor General in Council shall, and the said Governor General in Council is hereby accordingly empowered to make Regulations, to be enforced by suitable penalties, concerning the registering, licensing, and ascertaining the admeasurement of the tonnage and burden, and generally for the trading within the limits aforesaid of such ships or vessels." And whereas it is further enacted in the same Statute as follows, that is to say, "And whereas it may be expedient to admit to similar privileges and advantages any ships or vessels belonging to Native Princes or States in subordinate alliance with, or having subsidiary treaties with the East India Company, or owned by subjects of any such Princes or States, be it therefore enacted that the Governor General of India in Council may by such Regulations as aforesaid, such Regulations being subject as aforesaid, admit to the privileges and advantages of British ships for the purposes of trade within the limits of the Charter of the said Company, including the Cape of Good Hope and the territories and dependencies thereof, or to any of such privileges and advantages, any ships or vessels belonging to such Princes or States, or any of them, or owned by subjects of any such Princes or States; but any such Regulations shall provide for the granting to such ships or vessels fit and convenient licences or passes, and generally for the trading within the limits aforesaid of such ships or vessels." And whereas in pursuance of such enactments it is expedient to frame such Regu-

lations as are mentioned therein, the compliance with which shall be required in order that ships or vessels may be deemed British ships, or be admitted to the privileges and advantages of British ships under such Proclamation as aforesaid;—

It is hereby enacted, that no ship or vessel shall be deemed a British ship under such Proclamation as aforesaid (except as regards ships or vessels registered before the passing of this Act, or having a pass at the time of passing thereof) unless the person or persons claiming property therein shall have caused the same to have been registered at some one of the ports hereinafter mentioned within the territories of the East India Company, and shall have obtained a certificate of such registry from the person or persons authorized to make such registry and grant such certificate as hereinafter directed; the form of which certificate shall be as follows:

"This is to certify, that in pursuance of the Act No. X of 1841, of the Governor General of India in Council (here insert the names and occupation and residence of subscribing owners) having made and subscribed the declaration required by the said Act and having declared that (he or they) together with (names, occupations and residence of non-subscribing owners,) (is or are) sole owner or owners, in the proportions specified on the back hereof, of the ship or vessel called the (ship's name) of (place at which the vessel shall be registered) which is of the burthen of (number of tons), and whereof (master's name) is master, and that the said ship or vessel was (when and where built) and (name and employment of Surveying Officer) having certified to us, that the said ship or vessel has (number) decks and (number) masts, that her (here insert the measurement as ascertained by the rules hereinafter mentioned) that she is (how rigged) rigged with a (standing or running) bowsprit, is (description of stern) sterned, (carvel or clincher) built, has (whether any or no) gallery, and (kind of head, if any) head: and the said subscribing owners having consented and agreed to the above description, the said ship or vessel called the (name) has been duly registered at the port of (name of port), certified under our hands at the Custom House, in the said port of (name of port), this (date) day of (name of month) in the year (words at length).

(Signed) — Collector or Registrar of Shipping.

And on the back of such certificate of registry, there shall be an account of the parts, or shares held by each of the owners mentioned and described in such certificate in the form and manner following:

<i>Names of several owners within mentioned.</i>	<i>Number of shares held by each owner.</i>
Name .....	..... Thirty-two.
Name .....	..... Sixteen.
Name .....	..... Eight.
&c. &c."	

(Signed) — Collector

11. And it is hereby enacted, that the ports at which registration shall be made, shall be the ports of Calcutta, Madras, Bombay, Singapore and such other places subordinate to the local Governments of India, as such Governments respectively may, from time to time, declare to be registering ports under this Act.

Provided, that ships or vessels built at any place other than any of such ports, shall be allowed to make their first voyage to any of such ports, being the ports at which it is intended they shall be registered, under a certificate to be granted by the principal British Officer at the place where the ship is built, or if there be no British Officer in authority there, then by three merchants of such place, which certificate shall contain all the particulars with regard to the ownership and description of the ships or vessels contained in a certificate of registry, and shall specify the ports at which it is intended that they shall respectively be registered, and which certificate shall have all the effect of a certificate of registry under this Act, during the first voyage from the place of building to the ports at which the ships or vessels respectively, shall be afterwards registered. Provided that such ships or vessels so proceeding on their first voyage as aforesaid shall be deemed British ships only whilst duly prosecuting such first voyage for the purpose of registry, and if they be not registered within a reasonable time after their arrival at the port of registry the owner or owners, or master or other person having or taking the command or charge of such ship or vessel shall be liable on information in any Court of Her Majesty or the East India Company by the Advocates General of the respective Presidencies to a penalty not exceeding 5,000 rupees.

Registrars.

III. And it is hereby enacted, that the persons authorized to make such registry, and to grant such certificates as aforesaid, shall be the persons now authorized to make registry of ships or vessels under the Statute 3 and 4 W. 4. Ch 35, and such other or different persons as the local Governments may from time to time appoint for the ports under their respective Presidencies.

Book of Registry.

IV. And it is hereby enacted, that at every port where registry shall be made in pursuance of this Act, a book shall be kept by the Registering Officer in which all the particulars contained in the form of the certificate of the registry hereinbefore directed to be used shall be duly entered; and every registry shall be numbered in progression beginning such progressive numeration at the commencement of each and every year. And such Registering Officer shall forthwith, or within one month at the furthest, send to the Government of the Presidency to which he is subordinate a true and exact copy, together with the number of every certificate which shall be by him so granted.

Declaration.

V. And it is hereby enacted, that no registry shall henceforth be made or certificate be granted, until the following declaration be made or subscribed before the Registering Officer, by the owner or major part of the owners of the ship or vessel required to be registered.

I. A. B., of (place of residence and occupation) do truly declare that the ship or vessel (name) of (port or place) whereof (master's name) is at present master, being (kind of built, burthen, & cetera, as described in the certificate of the Surveying Officer) was (when and where) built and that I the said (A. B.) and the other owners (names and occupations if any and where they respectively reside) am (or are) sole owner (or owners) of the said vessel, and that no other person or persons whatever hath or have any right, title, interest, share, or property therein or thereto; and that I the said (A. B.) and the

said other owners (if any) am (or are) truly and bonâ fide a subject (or subjects) of Her Majesty for whom the Governor General of India in Council has power to legislate, and that no person not being subject as aforesaid, directly or indirectly, hath any share or part interest in the said ship or vessel. Provided that if the Registering Officer shall see occasion to doubt the truth of any of the facts contained in the above declaration to be conclusive, but may refuse the registry or certificate, and his discretion exercised in this behalf shall be subject only to an appeal to the local Government to which he is subordinate.

VI. And it is hereby enacted, that in case the required number of joint owners of any ship or vessel shall not personally attend to make and subscribe the declaration hereinbefore directed to be made and subscribed, then and in such case such owner or owners as shall personally attend and make and subscribe the declarations aforesaid, shall further declare that the part owner or part owners of such ship or vessel then absent, is or are not resident within twenty miles of such port or place, and hath or have not to the best of his or their knowledge or belief, wilfully absented himself or themselves in order to avoid the making the declaration hereinbefore directed to be made and subscribed, or is or are prevented by illness from attending to make and subscribe the said declaration.

VII. And in order to enable the Registering Officer to grant a certificate truly and accurately

describing every ship or vessel to be registered in pursuance of this Act, and also to enable all other Officers of Customs on due examination, to discover whether any such ship or vessel is the same with that for which a certificate is alleged to have been granted, it is hereby enacted, that previous to the registering or granting of any certificate of registry as aforesaid some one or more person or persons appointed by the local Governments respectively, taking to his or their assistance if he or they shall judge it necessary, one or more person or persons skilled in the building and admeasurement of ships, shall go on board of every such ship or vessel that is to be registered, and shall strictly and accurately examine and admeasure every such ship or vessel as to all and every particular contained in the form of the certificate hereinbefore directed in the presence of the master, or of any other person who shall be appointed for that purpose on the part of the owner or owners, or in his or their absence by the said master, and shall deliver a true and just account in writing of all such particulars of the built, description, and admeasurement of every such ship or vessel as are specified in the form of the certificate above recited to the Officer authorized to make such registry and grant such certificate of registry as aforesaid; and the said master or other person attending on the part of the owner or owners is hereby required to sign his name also to the certificate of such Surveying or Examining Officer, in testimony of the truth thereof, provided such master or other person shall consent and agree to the several particulars set forth and described therein.

VIII. And it is hereby enacted, that from and after the commencement of this Act the tonnage of every ship or vessel required by law to be registered, shall, previous to her being registered,

be measured, and ascertained while her hold is clear, and according to the following rule; (that is to say) divide the length of the upper deck between the afterpart of the stem and the forepart of the stern post into six equal parts. Depths : at the foremost, the middle, and the aftermost of those points of division, measure in feet and decimal parts of a foot the depths from the underside of the upper deck to the ceiling at the limber starke. In the case of a break in the upper deck, the depths are to be measured from a line stretched in a continuation of the deck. Breadths : divide each of those three depths into five equal parts and measure the inside breadths at the following points, videlicet, at one-fifth and at four-fifths from the upper deck of the foremost and aftermost depths, and at two-fifths and four-fifths from the upper deck of the midship depth. Length : at half the midship depth measure the length of the vessel from the afterpart of the stem to the forepart of the stern-post, then to twice the midship depth add the foremost and the aftermost depths for the sum of the depths ; add together the upper and lower breadths at the foremost division, three times the upper breadth, and the lower breadth, at the midship division, and the upper and twice the lower breadth at the after division, for the sum of the breadths ; then multiply the sum of the depths by the sum of the breadths, and this product by the length, and divide the final product by three thousand five hundred, which will give the number of tons for register. If the vessel have a poop or half deck, or a break in the upper deck, measure the inside mean length, breadth and height of such part thereof as may be included within the bulk head ; multiply these three measurements together, and dividing the product by 92.4 the quotient will be the number of tons to be added to the result as above found. In order to ascertain the tonnage of open vessels the depths are to be measured from the upper edge of the upper strake.

Measurement of Steam-vessels.

applied for the purpose of ascertaining the tonnage of any ship or vessel propelled by steam, the tonnage due to the cubical contents of the engine room shall be deducted from the total tonnage of the vessel as determined by either of the rules aforesaid, and the remainder shall be deemed the true register tonnage of the said ship or vessel. The tonnage due to the cubical contents of the engine room shall be determined in the following manner ; that is to say, measure the inside length of the engine room in feet and decimal parts of a foot from the foremost to the aftermost bulk-head, then multiply the said length by the depth of the ship or vessel at the midship division as aforesaid, and the product by the inside breadth at the same division at two-fifths of the depth from the deck taken as aforesaid, and divide the last product by 92.4, and the quotient shall be deemed the tonnage due to the cubical contents of the engine room.

Alterations in Steam-vessels requiring new Registry.

X. And it is hereby provided, that the tonnage due to the cubical contents of the engine room and also the length of the engine room shall be set forth in the certificate of registry as part of the description of the ship or vessel, and that any alteration of such tonnage due to the cubical contents of the engine room, or of such length of the engine room, af-

ter registry, shall be deemed to be an alteration requiring registry de novo within the meaning of the said Act for the registering of ships or vessels.

XI. And it is hereby enacted, that for the purpose of ascertaining the tonnage of all such ships whether belonging to the United Kingdom or otherwise, as there shall be occasion to measure while their cargoes are on board, the following rule shall be observed and is hereby established ; (that is to say,) measure, first the length on the upper deck between the afterpart of the stem and the forepart of the stern-post ; secondly, the inside breadth on the underside of the upper deck at the middle point of the length ; and, thirdly, the depth from the underside of the upper deck down the pump-well to the skin, multiply these three dimensions together, and divide the product by one hundred and thirty, and the quotient will be the amount of the register tonnage of such ships.

XII. And it is hereby enacted, that the true amount of the register tonnage of every merchant ship or vessel belonging to the United Kingdom, to be ascertained according to the rule by this Act established in respect of such ships, shall be deeply carved or cut in figures of at least three inches in length on the main beam of every such ship or vessel, prior to her being registered.

XIII. And it is hereby provided, that Country Craft employed in Coasting voyages not exceeding the burden of 200 tons, may be registered and the tonnage marked according to rules to be prescribed from time to time by the respective local Governments.

XIV. And it is hereby enacted, that whenever the tonnage of any ship or vessel shall have been ascertained according to the rules herein prescribed such account of tonnage shall ever after be deemed the tonnage of such ship or vessel, and shall be repeated in every subsequent registry of such ship or vessel, unless it shall happen that any alteration has been made in the form of burthen of such ship or vessel, or it shall be discovered that the tonnage of such ship or vessel had been erroneously taken and computed.

XV. And it is hereby enacted, that if such certificate as aforesaid shall be sold, lent, or

otherwise disposed of to any person or persons whatever than those for whose use it is granted, or shall be made use of for the service of any other ship or vessel than the ship or vessel for which it is granted, such certificate shall thenceforth be utterly void, and the master or any owner of the ship or vessel who shall be proved to have sold, lent, or disposed of such certificate or made use of the same as aforesaid, or shall have concurred in, or been privy to the committing any such offence, shall be liable upon conviction by information as aforesaid to a penalty not exceeding 10,000 rupees. And in case such ship or vessel shall be lost or taken by the enemy, burnt, or broken up or otherwise prevented from returning to the

port at which she is registered, or shall on any account have lost and forfeited the privileges of a British ship, or shall have been seized and legally condemned for illicit trading, or shall have been taken in execution for debt and sold by due process of law, or shall have been sold to the Crown or the East India Company, or shall under any circumstances have been registered *de novo*, the certificate, if preserved, shall be delivered up, within one month after the arrival of the master in any port or place in the territories of the East India Company to the Registering Officer at such port, in default whereof the master or any of the owners shall be liable on conviction by information as aforesaid in a penalty not exceeding 5,000 rupees. And if any person not being such subject as aforesaid shall purchase or otherwise become entitled to the whole or to any part or share of or any interest in such ship or vessel, and the same shall be within the limits of any port of the territories of the East India Company, then and in such case the certificate of registry shall within seven days after such purchase or transfer of property in such ship or vessel, be delivered up to the Registering Officer at such port, and if such ship or vessel shall be in any place not within the territories of the East India Company when such purchase or transfer of property shall take place, then the certificate shall be delivered up within fourteen days after the arrival of such ship or vessel, or of the master thereof in any port of the territories of the East India Company to the Registering Officer at such port, in default whereof the master or any of the owners shall be liable on conviction before any Justice of the Peace in a penalty not exceeding 5,000 rupees recoverable in manner provided by Act No. 2 of 1839.

Change of Master.

XVI. And it is hereby enacted, that when and so often as the master of any ship or vessel registered in manner herein before directed shall be changed, the master or owner of such ship or vessel shall deliver to the person or persons hereinbefore authorized to make such registry and grant such certificates of registry at the port where such change shall take place, if it be a port within the territories of the East India Company, the certificate of registry belonging to such ship or vessel, who shall thereupon indorse and subscribe a memorandum of such change, and shall forthwith give notice of the same to the proper officer of the port or place where such ship or vessel was last registered pursuant to this Act, who shall likewise make a memorandum of the same in the book of registers which is hereby directed and required to be kept, and shall forthwith give notice thereof in like manner as of the original entry. But if the change do not take place in any port within the territories of the East India Company, then such delivery, memorandum and indorsement shall be made and notice given at the first port within the territories of the East India Company at which the new master shall arrive after such change. In default of which delivery of the certificate such new master or any of the owners shall be liable on conviction before a Justice of the Peace, to a penalty not exceeding 5,000 rupees recoverable as aforesaid.

Name of Ship.

XVII. And it is hereby enacted, that it shall not be lawful for any owner or owners of any ship or vessel, to give any name to such ship or vessel other than that by which she was first registered in pursuance of this

Act, and that the owner or owners of all and every ship or vessel which shall be so registered, shall before such ship or vessel after such registry, shall begin to take in any cargo, paint or cause to be painted, in white or yellow letters of a length of not less than four inches, upon a black ground on some conspicuous part of the stern, the name by which such ship or vessel shall have been registered pursuant to this Act, and the port to which she belongs in a distinct and legible manner, and shall so keep and preserve the same, and that if such owner or owners, or master or other person having or taking the charge or command of such ship or vessel, shall permit such ship or vessel to begin to take in cargo before the name of such ship or vessel has been so painted as aforesaid, or shall wilfully alter, erase, obliterate, or in any wise hide or conceal, or cause or procure or permit the same to be done or shall in any written or printed paper, or other document describe such ship or vessel by any name other than that by which she was first registered pursuant to this Act, or shall verbally describe, or cause or procure or permit such ship or vessel to be described by any other name to any Officer or Officers of Revenue in the due execution of his or their duty, then and in every such case the certificate of registry shall thenceforth become utterly void, and such owner or owners, or master or other person having or taking the charge or command of such ship or vessel shall be liable on information as aforesaid to a penalty not exceeding 10,000 rupees.

Certificate of building.

XVIII. And it is hereby enacted, that all and every person and persons who shall apply for a certificate of the registry of any ship or vessel shall, and they are hereby required to produce to the person or persons authorized to grant such certificate, a true and full particular under the hand of the builder of such ship or vessel, or in case the want of such certificate can be satisfactorily accounted for, then to produce other sufficient evidence of the proper denomination, and of the time when and the place where such ship or vessel was built, and also an exact account of the tonnage of such ship or vessel, and shall also make and subscribe a declaration before the person or persons hereinbefore authorized to grant such certificate that the ship or vessel for which such certificate is required is the same with that which is so described by the builder as aforesaid.

Certificate lost or mislaid.

XIX. And it is hereby enacted, that if the certificate of registry of any ship or vessel shall be lost or mislaid, so that the same cannot be found or obtained for the use of such ship or vessel when needful, and proof thereof shall be made to the satisfaction of the Registering Officer of the port at which the ship is registered, such Officer shall and may, where the certificate shall have been lost or mislaid, permit such ship or vessel to be registered *de novo*, and a certificate thereof to be granted. Provided always, that if such ship or vessel be absent and far distant from the port to which she belongs, or by reason of the absence of the owner or owners, or of any other impediment, registry of the same cannot then be made in sufficient time, such Registering Officer shall and may grant a license for the present use of such ship or vessel, which license shall for the time and to the extent specified therein, and no longer, be of the same force and virtue as a certificate of registry granted under this Act. Provided always, that if the certificate of registry shall at any time afterwards be

found, the same shall be forthwith delivered to the proper Officers of Customs to be cancelled, and that no illegal use be made of the same, in default whereof the original certificate and the renewed certificate and license shall thenceforth become utterly void, and any person wilfully detaining the certificate so required to be cancelled, or making any illegal use thereof, shall be liable on conviction before any Justice in a penalty not exceeding 5,000 rupees recoverable as aforesaid.

Detention of Certificate.

XX. And whereas it is not proper that any person under any pretence whatever should detain the certificate of registry of any ship or vessel, or hold the same for any purpose other than the lawful use and navigation of the ship or vessel for which it was granted, it is therefore hereby enacted that in case any person who shall have received or obtained by any means or for any purpose whatever the certificate of the registry of any such ship or vessel (whether such person shall claim to be the master or to be the owner or one of the owners of such ship or vessel, or not,) shall wilfully detain and refuse to deliver up the same to the proper Officers of Customs, for the purposes of such ship or vessel, as occasion shall require, or to the person or persons having the actual command, possession, and management of such ship or vessel as the ostensible and reputed master, or as the ostensible and reputed owner or owners thereof, it may and shall be lawful to and for any such last mentioned person to make complaint on oath of such detainer and refusal to any Justice of the Peace residing near to the place where such detainer and refusal shall be, and on such complaint the said Justice shall and is hereby required by warrant under his hand & seal, to cause the person so complained against to be brought before him to be examined touching such detainer and refusal, and if it shall appear to the said Justice on examination of such person or otherwise that the said certificate of registry is not lost or mislaid, but is wilfully detained by the said person, such person shall be subject on conviction before such Justice to a penalty not exceeding 1,000 rupees, recoverable as aforesaid, and the said Justice shall, and he is hereby required to certify the aforesaid detainer, refusal, and conviction to the person or persons who granted such certificate of registry for such ship or vessel who shall, on the terms and conditions of law being complied with make registry of such ship or vessel de novo, and grant a certificate thereof conformably to law, notifying on the back of such certificate the ground upon which the ship or vessel was so registered de novo; and if the person who shall have detained and refused to deliver up such certificate of registry as aforesaid, or shall be verily believed to have detained the same, shall have absconded so that the said warrant of the Justice cannot be executed upon him, and proof thereof shall be made to the satisfaction of the Registering Officer of the port at which the ship or vessel was registered, it shall be lawful for the said Officer to permit such ship or vessel to be registered de novo, or otherwise in his discretion, to grant a license for the present use of such ship or vessel in like manner as is hereinbefore provided in the case wherein the certificate of registry is lost or mislaid.

XXI. And it is hereby enacted, that if any ship or vessel after she shall have been registered pursuant to the directions of this Act, shall in any manner whatever be altered so as not to correspond with all the particulars contained in the cer-

tificate of her registry, or if any alteration shall take place in the ownership of any ship or vessel, or of any share or shares thereof in such cases such ship or vessel shall be registered de novo in manner hereinbefore required as soon as she returns to the port to which she belongs, or to any other port within the territories of the East India Company, on failure whereof such ship or vessel shall be deemed to be a ship or vessel not duly registered, and any person making use of a certificate for the purposes of any ship or vessel which has been granted in respect of the same, after the same ought to have been registered de novo, shall be liable on conviction before any Justice to a penalty not exceeding 5,000 rupees recoverable as aforesaid.

Testimony of Registering Officers.

XXII. And whereas great inconvenience may arise from the Registering Officers being served with subpoenas requiring them to bring with them and produce, on trials in Courts of Law relative to the ownership of vessels, or otherwise the declaration required to be taken by the owners thereof prior to the registering thereof, and the books of registry, or copies or extracts therefrom. And whereas it would tend much to the dispatch of business if the attendance of such Registering Officers with the same upon such trials were dispensed with, it is therefore hereby enacted, that the Registering Officer at any port or place, and the person or persons acting for them respectively, shall, upon every reasonable request by any person or persons, whomsoever, produce and exhibit for his, her or their inspection and examination any declaration made by any such owner or owners, and also any register or entry in any book or books of registry required, and shall upon every reasonable request by any person or persons whomsoever, permit him, her or them to take a copy or copies, or an extract or extracts thereof respectively, and that the copy and copies of any such oath or declaration, registry or entry, shall upon being proved to be true copy or copies thereof respectively be allowed and received as evidence upon every trial at law, without the production of the original or originals, and without the testimony or attendance of any Registering Officer, or other person or persons acting for them respectively, in all cases, as fully and to all intents and purposes as such original or originals if produced by any Registering Officer, or other person or persons acting for them, could or might legally be admitted or received in evidence.

False declaration. Falsifying documents.

XXIII. And it is hereby enacted, that if any person or persons shall falsely make declaration to any of the matters hereinbefore required to be verified by declaration, or if any person or persons shall counterfeit, erase, alter, or falsify any certificate or other instrument in writing required or directed to be obtained, granted, or produced by this Act, or shall knowingly or wilfully make use of any certificate or other instrument so counterfeited, erased, altered, falsified, or shall wilfully grant such certificate or other instrument in writing knowing it to be false, such person or persons shall for every such offence be liable on conviction upon information as aforesaid to a penalty not exceeding 10,000 rupees. And if any such offence be committed by the owner of any ship or vessel, the certificate of such ship or vessel shall thenceforth be wholly void.

XXIV. And it is hereby enacted, that in *Ships of Native States*, any ship or vessel duly registered under this Act, or sailing under the British Navigation Law shall come to be owned by a Native Prince or State, or by any subject of such Native Prince or State as aforesaid, it shall be lawful for the Governor of Fort William in Bengal, or for the Governor in Council of any Presidency, to continue to such ship or vessel the privileges and advantages of a British ship for the purposes aforesaid by a pass to be issued under the Company's seal and subscribed by a Secretary to Government, stating the voyage or voyages for which the same is to have effect, and the period for which it is to last; and it shall be lawful for the Governor of Fort William in Bengal, or the Governor in Council of any Presidency, to issue a similar pass conferring the privileges and advantages of a British ship for the purposes aforesaid under this Act to any ship or vessel built within the dominions of such Native Prince or State, & owned by such Prince or State, or by any of their subjects, provided always, that the ships belonging to Native Princes or States, or their subjects in respect of which passes may be granted under this Act shall during the voyage or voyages, or the period for which any such pass shall be granted be commanded by a subject of Her Majesty for whom the Governor General in Council has power to legislate.

XXV. And it is hereby enacted, that the fees demandable in respect of the granting any certificate or pass under this Act shall be fixed from time to time according to the directions of the Governor General in Council, but so that the same shall not exceed the amount of fees now payable for registering or granting passes to ships or vessels at the different Presidencies.

XXVI. And it is hereby declared and enacted, that all ships or vessels registered under this Act shall be deemed to belong to the ports at which they shall be respectively registered. And all ships or vessels being registered or in respect of which passes may have been granted which are unexpired at the time of passing this Act, shall for the purpose of being deemed British ships be deemed to belong to the ports at which they may have been registered or when passes shall have been granted which are unexpired, at which such passes may have been respectively granted. And such ships or vessels built and owned as required by the Statute 3 and 4 Vict. Ch. 56, shall continue subject to all the rules in force at the respective Presidencies before the passing of this Act touching the registering, measurement, granting passes or other requisitions in respect of the same, and shall not be subject to the provisions of this Act, or any provisions of the Statute law, a compliance with which may heretofore have been necessary in

order that ships or vessels built and owned as aforesaid might be deemed British ships for the purposes of trade.

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

PROCLAMATION.

The Governor General of India in Council hereby declares that all ships and vessels built or to be built within the limits of the Charter of the East India Company (as those limits are defined by the Statute 3d and 4th of Queen Victoria, Cap. 56, entitled "An Act further to regulate the trade of ships built and trading within the limits of the East India Company's Charter,") being owned by Her Majesty's subjects for whom the said Governor General in Council has power to legislate and belonging under the provisions of the Act passed by the Governor General in Council, No. X of 1841, to any ports in the territories under the Government of the East India Company shall be deemed to be British ships for all purposes of trade within the said limits, including the Cape of Good Hope and the territories and dependencies thereof.

By Order of the Right Hon'ble the Governor General of India in Council,

T. H. MADDOCK,
Secy. to the Govt. of India.
Fort William, the 5th July 1841.

Notification.

With reference to the notice published in the Government Gazette on the 3rd May last, it is further intimated that the Licences for the sale of Spirituous Liquors, renewed on the 1st November 1840, are hereby further renewed till the 1st November next.

J. PYNE,
Collector of Land Revenue.

W. ESCOMBE,
Acting Senior Magistrate of Police.
Bombay, collector's office,
28th July 1841.

Bank of Bombay.

Notice is hereby given, that the Annual General Meeting of Proprietors will be held in the Bank's Office on Monday, the 2nd August at 11 o'clock A. M. under Clause XX XVI of Act III of 1840, when the Directors will have the pleasure to submit a Statement of the affairs of the Bank up to 30th June ultimo.

The Directors further intimate that it is their intention to submit to the Meeting a proposal for the Establishment of a "Branch Bank."

By order of the Board,
W. W. CARGILL,
Secy. and Treasurer,
Bombay, 29th July 1841.



TO THE
BOMBAY GOVERNMENT GAZETTE.

Published by authority.

FRIDAY, 30TH JULY, 1841.

Legislative Department.

FORT WILLIAM.

THE 5TH JULY 1841.

The following Act passed by the Right Honorable the Governor General of India in Council on the 5th of July 1841, is hereby promulgated for general information.

ACT No. XI OF 1841.

An Act for consolidating and amending the Regulations concerning Military Courts of Requests for Native Officers and Soldiers in the Service of the East India Company.

I. It is hereby enacted, that all Regulations and parts of Regulations concerning Military Courts of Requests are repealed; provided always, that nothing in this Act contained shall be held to alter or affect the jurisdiction of a single Officer duly authorized and appointed under the Rules in force in the Madras and Bombay Presidencies for the trial of small suits in Military Bazars at Cantonments and Stations occupied by the troops of those Presidencies respectively, or the trial by punchayet of suits against Military persons according to the Rules in force under the Madras Presidency.

II. And it is hereby enacted, subject to the aforesaid proviso, that within the territories of the East India Company actions of debt and other personal actions against Native Officers, Soldiers and other persons amenable to Articles of War for the Native Forces in the Military Service of the East India Company, or residing within any Station or Cantonment, and carrying on any trade or business in a Military Bazar, shall be cognizable before a Military Court and not elsewhere, provided the value in question shall not exceed 200 Rupees, and the defendant was a person of the description abovementioned, when the cause of action arose, and when the suit was instituted. Provided that no suit shall be brought before any Military Court under this Act to determine any dispute of caste or concerning any right to real property.

III. And it is hereby enacted, that the Commanding Officer of any Station or Cantonment, or Officer commanding any portion of Troops in the field, is authorized to convene such Military Courts. And such Courts shall be composed, according to the orders of the Commander in Chief for the time being of the Presidency within which the Station or Cantonment is situate, or in the absence of such orders, according to the discretion of the Convening Officer, either of not less than three European Commissioned Officers, or of not less than three Native Commissioned Officers, and in the latter case, with an European Officer of not less than five years' standing, to superintend and record the proceedings. Provided that if there be not a sufficient number of Officers to constitute a Court at the Station or Cantonment where any cause of action may arise, or where the defendant may be residing, the suit shall be determined at the nearest Station or Cantonment where a Military Court can be duly constituted as aforesaid.

IV. And it is hereby enacted, that such Military Court shall be convened monthly and shall be holden on some convenient day before the issue of the pay for each month.

V. And it is hereby enacted, that the forms of proceeding in every such Court shall be conformable to the usages observed on trials before Courts Martial held for the Native Troops in the service of the East India Company as far as the same are applicable. And any such Court shall have the like power of summoning witnesses as is possessed by Courts Martial. Provided always, that every such Court shall have the power of examining the parties to any suit and of requiring or dispensing with their attendance at its discretion. And every such Court shall have the like power of taking the examinations of absent parties and witnesses as is possessed by the Civil Courts of the East India Company, under Act No. VII. of 1841, provided that the depositions taken under a Commission issued by any Military Court of Requests shall be receivable in evidence before any such Court subsequently held; Provided also that Commissions may be issued by Military Courts of Request under this Act pursuant to the provisions of Act No. VII. of 1841, notwithstanding the Courts to which the Commissions may be directed are not situate beyond the jurisdiction of such Military Courts.

VI. And it is hereby enacted, that witnesses omitting to attend, refusing to give evidence, or committing perjury, and persons suborning witnesses to commit perjury, shall be tried and punished, if amenable to Articles of War, by a Court Martial, subject to all the Rules contained in such Articles of War for the punishment of such offences in regard to trials for Military offences; and if not amenable to Articles of War, they may be tried and punished in the nearest of the Courts of the East India Company for the administration of Criminal Justice (whether such Court have ordinarily jurisdiction over such person in Criminal matters not) in like manner as if such offences had been committed in regard to any trial before such nearest Court.

VII. And it is hereby enacted, that any person, Civil or Military, European or Native, using menacing words, signs, or gestures, or otherwise interrupting (whether being personally present or not), the proceedings of any Military Court of Requests shall be punishable, if amenable to Articles of War, by a Court Martial or if not amenable to Articles of War, in the nearest of the Courts of the East India Company for the administration of Criminal Justice (whether such Court have ordinarily jurisdiction over such person in Criminal matters or not,) in like manner as if the offence had been committed in regard to any proceeding of the Court to which it is so referred.

VIII. And it is hereby enacted, that a record shall be kept of proceedings in every case tried before any Military Court of Request. And such record shall contain the substance of the evidence given and the nature of such evidence

as may have been rejected on the ground of its not being legally admissible, or relevant, or on other grounds, and the same shall be signed by the Members of the said Court. And such record or a copy thereof shall, with as little delay as is practicable, after the conclusion of the proceedings, be transmitted by the European President, or Superintending Officer of every such Court to the Officer Commanding the Station or Cantonment.

IX. And it is hereby enacted, that where a demand shall exceed the amount of 200 Rupees, or where several separate demands shall exceed such amount, no more shall be recoverable from any one defendant by the same plaintiff or plaintiffs than the sum of 200 Rupees only—and the judgment in respect of any demand in a Court of Requests shall be a bar to the recovery of the same demand or of any other or further demand for the same cause of action in any other Court whatever, provided that the liability accrued before the time of instituting the suit in the Military Court—and it shall be competent for every such Military Court to investigate any counterclaim alleged by any defendant. And it shall be competent for every such Military Court to allow the interest for money agreed on between the parties, provided the same does not exceed the usage of the country in ordinary money transactions. And every contract made after the passing of this Act upon which a demand for debt exceeding 20 Rupees is founded, not being money due for goods bought and delivered, shall be in writing and expressed in the language of the defendant and signed by him, or on his behalf by some other person than the plaintiff. Provided that it shall not be competent to any Court of Requests to admit any suit for a debt which has accrued upwards of six years, unless a direct promise to pay within six years or enforcement of the suit be proved.

X. And it is hereby enacted, that on failure of either of the parties to a suit to attend either personally or by representative, or to produce his witnesses according as he shall be required by any Military Court of Requests, such Court on being satisfied that the party has been duly apprized of what is required of him, may proceed to the termination of the suit in his absence. And if the decree in any such case shall be against the plaintiff, it shall not be competent for him to commence a new suit for the same cause of action.

XI. And it is hereby enacted, that it shall be lawful for the Commanding Officer to whom the proceedings have been transmitted as aforesaid to return the same for revision either by the same or another Military Court of Requests. And in every such case the second decree shall be final, unless for error in points of law, when the same shall be transmitted to the Commander in Chief who shall have power to annul the proceedings without prejudice to any future suit. Provided always, that in the case of any new trial the Court may receive evidence which was not adduced at the first trial.

XII. And it is hereby enacted, that every plaintiff shall prefer his claim in writing and shall deliver the same to the Station Staff-Officer. The claims shall be entered in a Schedule by the Station Staff-Officer, which Schedule is to be sent to Adjutants of Corps or Heads of Departments two days at least before the assembly of the Court, and the Adjutants or Heads of Departments shall be responsible that the defendants belonging to their respective Corps or Establishments have been duly summoned.

XIII. And it is hereby enacted, that every decree of any Military Court of Requests shall be published in the Station Orders before the same is executed.

XIV. And it is hereby enacted, that the execution of decrees of Military Courts of Requests may be either general or special, according to the sentence of the Court. Provided always, that the Commanding Officer may, notwithstanding the di-

rection of the Court, order that the execution shall be general or special at his discretion.

XV. And it is hereby enacted, that in cases in which the execution is to be general, the debt if not paid forthwith, shall under the authority of the Commanding Officer in writing to be signed by him, be levied by seizure and public sale of such of the Debtor's Goods (under which term are included houses or other erections within the limits of Stations and Cantonments) as may be found within the limits of the Station or Cantonment, or elsewhere; and if sufficient Goods are not to be found, the debtor, if not a Soldier, shall be arrested and imprisoned in any Civil Goal near to the Station or Cantonment, (for which purpose the provisions of Act. No. 2, of 1840 shall be applicable) or in any other convenient place of confinement situate within the limits of the Station or Cantonment, for the space of two months, unless the debt be sooner paid, and his Goods, if found within the limits of the Station or Cantonments or elsewhere at any subsequent time, shall be liable to be seized and sold in satisfaction of the debt. And if the debtor be a Soldier and the debt be not liquidated by sale of his Effects, Accoutrements and Necessaries excepted, an order may be issued for payment of the residue by monthly deduction from the pay issued to the debtor under the Rules which follow.

XVI. And it is hereby enacted, that where the execution is to be special, the debt shall be satisfied out of the pay and allowances of the debtor and not otherwise. And a certificate of the decree and direction or order thereon certified under the hand of the Commanding Officer and signed by him shall be a sufficient authority for making such stoppages. Provided always, that no more than one half of the pay and allowances of any Commissioned Officer, or than one-fourth of the pay and allowances of any Non-Commissioned Officer or Soldier shall be stopped in any one month.

XVII. And it is hereby enacted, that in places beyond the Frontier of the territories of the East India Company, actions of debt and other personal actions may be brought before such Military Courts as aforesaid against persons so amenable as aforesaid for any amount of demand: Provided that such Military Courts beyond the Frontier shall be composed of European Officers—and provided, that if the amount of claim shall exceed 200 Rupees an appeal shall lie to the Court of Sudder Adawlut of the nearest Presidency according to the rules in force with regard to appeals from subordinate Civil Courts.

XVIII. And it is hereby enacted, that this Act shall not affect the proceedings upon any suit heretofore commenced or which shall be commenced before the tenth day of August next.

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

Legislative Department.

FORT WILLIAM,
THE 28TH JUNE, 1841.

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 28th of June 1841, is hereby promulgated for general information.

Act No. IX of 1841.

An Act concerning the adjudication of certain penalties imposed by Act XXV. of 1840, for the better protection of the Abkaree Revenue within the Presidency of Fort William in Bengal.

1. It is hereby enacted in modification of Section XIV., Act XXV. of 1840, that Offenders punishable under the said Section of the said Act shall be liable to a fine not exceeding 200 Rupees, or to imprisonment for a term not exceeding three months, and in case of non-payment of the fine to imprisonment not exceeding the same term. And the sentence shall in every case be adjudged by a Superintendent of Abkaree Revenue, indicated in Section II. of the said Act.

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