



Bombay Government Gazette.

Published by Authority.

In advance, 3 Rs. per quarter.

THURSDAY, 21st OCTOBER 1841.

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.

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.

Notice

Is hereby given, that a resale of the Contract advertised for in the Government Gazette under date the 12th August last, for the supply of Rafters, Bamboos, small Timber, Baskets &c. to this Department for two years, will take place at this office, on Friday the 22d instant, on the terms and conditions mentioned in the advertisement above quoted, with the exception that the Contract will commence from the 1st November next.

A List of the articles together with such other information as may be required will be furnished on application at this Office, from 10 till 6 o'clock daily, Sundays excepted.

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

C. THRESHIE, Capt.

Actg. Depy. Comy. Genl. in Charge.

Bombay, Depy. Comy. }
 Genl's Office, 11th October 1841.

Notice

Is hereby given, that persons desirous of entering into a Contract, for supplying cold drawn Castor Oil of the Country Manufacture, to this Department, for two years from the 1st of November next, will on application at this Office, from 10 A. M. till 6 P. M. daily, Sundays excepted, be shewn the muster and furnished with a list of the prices and such other information relating thereto as they may require.

Verbal offers for the Contract will be received at this Office at 12 o'clock, on Friday the 29th instant, when persons will be required to bid a percentage below the price specified in the list above adverted to, at which they will undertake to furnish Castor Oil equal in quality to the muster deposited in this Office, in such quantity as may from time to time be demanded.

The Contractor will be required to comply immediately with all emergent demands and others less urgent must be completed within the

period stated in the supply notes, or in failing to do so, the article or such others as may be required in that behalf, will be purchased at his risk and loss, and in all such cases an advance of Rupees (30) thirty per cent upon the amount of expense incurred or a fine of Rupees (50) fifty at the option of the Executive Officer, will be levied as liquidated damages for each and every such 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 (100) one hundred Rupees in cash, which will be forfeited in the event of delay, evasion or refusal to execute the necessary deed of Contract should his offer be accepted, in which case he must be prepared to add thereto the further sum of (200) two hundred Rupees to be held 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, Depy. Comy. }
 Genl's Office, 13th October 1841.

Notification.

Notice is hereby given, that about 578 Chests of Opium, the produce of Malwa, Goozerat, and Khandeish, will be sold by public auction on account of Government, on Thursday the 21st instant, at 11 o'clock A. M. at the Office of the Opium Agent, where samples of the Opium may now be seen.

The Opium will be put up in lots of 5 Chests; purchasers will be required to make an immediate deposit of 10 per cent, and to pay the remainder, and clear away their lots within 15 days after the day of sale.—Parties not clearing away their purchases, within the prescribed time, will forfeit the deposit money.

W. ESCOMBE,

Actg. Opium Agent.

Bombay, 11th October 1841.

Price Current of Meat.

QUOTED BY THE BUTCHERS.
Bombay, 18th October 1841.

ARTICLES.		Price.	
BEEF.		Rs.	A. P.
Prime piece.	1st sort at 8 pounds.	1	..
Ditto	2nd do. 10 do.	1	..
Ditto	3rd do. 12 do.	1	..
Bresket & round,	1st sort at 10 do.	1	..
Ditto	2nd do. 12 do.	1	..
Ditto	3rd do. 14 do.	1	..
Meat for soup.	14 do.	1	..
Shin	1st do. each.	4	..
Ditto	2nd do. do.	3	..
Tongue	Large do.	4	..
Ditto	Small do.	3	..
Heart	Large do.	3	..
Ditto	small do.	2	..
Feet.	four.	4	..
Marrow Bone.	each.	1	6
Suet.	per pound	4	..
VEAL.			
Hind quarter.	1st sort 2 lb.	1	..
Ditto	2nd do. 3 lb.	1	..
Ditto	3rd do. 4 lb.	1	..
Fore quarter.	1st do. 3 lb.	1	..
Ditto	2nd do. 4 lb.	1	..
Ditto	3rd do. 5 lb.	1	..
Head, feet, liver, & heart	1st sort.	1	..
Ditto	Ditto 2nd do.	1	4
Ditto	ditto 3rd do.	1	2
MUTTON.			
Mutton	1st sort. per pound.	2	4
Ditto Breast.	1st do. do.	1	6
Ditto Saddle.	1st do. do.	3	6
Ditto	2nd do. do.	1	10
Ditto Breast.	2nd do. do.	1	4
Ditto Saddle.	2nd do. do.	2	6
Ditto	3rd do. do.	1	3
Ditto Breast.	3rd do. do.	1	..
Ditto Saddle.	3rd do. do.	1	6
Head and four feet.	do.	2	..
Liver and heart.	do.	1	..
Tongue.	each.	6	..
Brain.	do.	4	..
Suet.	per pound.	2	6
MUTTON FOR NATIVES.			
First sort.	per pound.	..	..
Second sort.	do.	..	..
Third sort.	do.	..	..
KID.			
Hind Quarter	1st sort. 2 lb.	1	..
Ditto	2nd do. 2½ do.	1	..
Ditto	3rd do. 3 do.	1	..
Fore quarter	1st do. 2½ do.	1	..
Ditto	2nd do. 3 do.	1	..
Ditto	3rd do. 3½ do.	1	..
Head, feet, liver, & heart.	do.	4	..
LAMB.			
Hind quarter,	1st sort. 3½ do.	1	..
Ditto	2nd do. 4 do.	1	..
Ditto	3rd do. 4½ do.	1	..
Fore quarter.	1st do. 4 do.	1	..
Ditto	2nd do. 4½ do.	1	..
Ditto	3rd do. 5 do.	1	..
Head, feet, liver, & heart.	do.	3	..
PORK, FRESH.			
Pork.	10 pounds.	1	..
Pigs large size roasting.	each.	1	4
Ditto small size roasting.	each.	1	..
Head.	20 pounds.	1	..
Sausages.	4 ditto.	1	..
Trotters large.	per four.	1	4
Ditto small.	do.	9	..
Liver and heart large.	do.	2	..
Ditto ditto small.	do.	1	6

Published by order of the Court of Petty Sessions,
J. WATSON, Clerk of Markets.

NOTICE.

To be sold by Public Auction, on Monday the 25th instant, at 12 o'clock, at the Office of the undersigned, on account of Her Majesty's Government, the undermentioned Unserviceable Naval Stores returned from Her Majesty's Ship Endymion, Captain the Hon'ble F. W. Grey, vizt.

Copper, old Pieces, weighing.... 26½ lbs.
Copper Sheathing, old, ,, 14 cwt.
Sheating copper Nails, ,, 6 lbs.
Rope, Coir, old..... ,, 3½ cwt.

The above must be cleared away, and the money paid immediately they are sold.

BOADEN, & Co.

Naval Commission Agents.

Bombay, 19th October 1841.

TENDERS FOR THE SUPPLY OF CLOTHING TO THE NIZAM'S ARMY.

1. The Resident at Hyderabad (on the part of the Nizam's Government) will, until the 30th November 1841, receive Tenders for the supply of Clothing to the Nizam's Regular Army.

2. The following is to be complete with Pads, Shoulder Straps, Cotton Wings for the Grenadier & Light Companies, Buttons with the Number of the Regiment and to be made up in every respect, as worn in the Company's Army and according to a Muster Jacket to be forwarded.

3. It is to be delivered at the following Stations and subject to survey on arrival.

Hyderabad ..	5	14th of the whole, more or less,
Aurungabad ..	4	14th do. do.
Ellichpoor. ..	3	14th do. do.
Hingolee. ..	2	14th do. do.

4. The Tenders will express the Price of one of each article as hereafter detailed, and is to include every charge for Packing, Carriage &c. and to be delivered at the several Stations above mentioned, on or before the 15th November 1842.

5. The Resident reserves to himself the right of rejecting any Tender without assigning a reason for it.

6. The person or persons to whom the Contract is eventually given, will be expected to furnish the security of a respectable House of Agency for the due fulfilment of their Contract, in the sum of Company's Rupees (20,000) twenty thousand.

7. The mode of payment will be as under.

8. One third of the Estimate on the Contract being closed and approved of, and the receipt of the Clothing Indents acknowledged.

9. One third when the Clothing is half finished, and the other third, when it is delivered surveyed and approved of, at the several Stations.

10. The Tenders are to be addressed, "To the Military Secretary to the Resident, Hyderabad," and to be superscribed "Tenders for Clothing."

11. Any further information that may be required will be afforded on application to the above Officer.

Probable amount of Clothing (more or less) required.

Artillery and Store Department.

6 Store Sergeants Jackets with Chevrons,
1 Barrack Sergeants. .. do. with do.
3 Quarter Master Sergeants do. with do.
4 Subadars.
8 Jemadars.
4 Color Havildars with Chevrons,
16 Havildars do.

- 8 Buglers
 11 Bheesties.
 20 Naiques with Cheverons.
 24 Lance Naiques with do.
 273 Golundauz.
 2 Havildars of "Gun Lascars" with Cheverons.
 4 Naiques do. do.
 74 Gun Lascars.
 4 Havildars of Ordnance Drivers.
 8 Naiques do.
 200 Ordnance Drivers.
 2 Havildars of Carriage Drivers with Cheverons.
 2 Naiques do. do. do.
 54 Carriage Drivers.
 3 Syrangs.
 4 First Tindals.
 6 Second Tindals.
 123 Store Lascars.
 6 Store Serjeants Caps complete with Gilt Ornaments.
 1 Barrack Serjeant. do. do. do. do. do.
 3 Quartermaster Serjeants do. do.
 12 Subadars & Jemadars Sashes.
 10 Staff Serjeants do.
 28 Havildars do.
 4 Color Badges.
 4 Prs. Gold Epaulettes for Subadar Majors.
 8 Prs. of Straps with Gold Fringe for Jemadars.

Infantry.

- 16 Staff Serjeants Jackets with Cheverons.
 64 Subedars do.
 72 Jamadars do.
 64 Color Havildars do. with do.
 264 Havildars do. with do.
 16 Drum and Fife Majors.
 32 Buglers.
 136 Drummers and Fifers.
 64 Bheesties.
 64 Regimental Lascars.
 320 Naiques with Cheverons
 320 Lance Naiques do.
 4720 Privates.
 16 Staff Serjeant's Caps complete with Gilt Ornaments.
 1 Drum Majors do. complete do.
 136 Subadars & Jemadars Sashes.
 16 Staff Serjeants do.
 344 Havildars, Drum and Fife Majors do.
 64 Color Badges.
 8 Pairs of Gold Epaulettes for Subadar Majors.
 32 Pairs of Straps with Gold Bullion for Subadars of Battn. Cos.
 16 Pairs of Wings with Gold Bullion for Subadars of Grenadier & Light Cos.
 56 Pairs of Straps with Gold Fringe for Jemadars of Battn. Cos.
 16 Pairs Drum and Fife Majors Wing.
Company of Pioneers.
 1 Subadars Jacket.
 3 Jemadars do.
 1 Color Havildars do. with Cheverons.
 5 Havildars do. do.
 2 Buglers.
 1 Bheesty.
 1 Regimental Lascar.
 6 Naiques with Cheverons.
 6 Lance Naiques with do.
 96 Privates.
 4 Subadars and Jemadars Sashes.
 6 Havildars do.
 1 Color Badge.
 1 Pair Gold Epaulettes for Subadar Major.
 3 Pairs of Straps with Gold fringes for Jemadars.

Company of Hill Rangers and Bheels.

- 1 Subedars Jacket.
 3 Jemadars do.
 1 Color Havildars do. with Cheverons.
 5 Havildars do. do. with do.
 8 Naiques do. do. with do.
 3 Buglers.
 150 Privates.
 4 Subadars and Jemadars Sashes.
 6 Havildars do.
 1 Color Badge.
 1 Pair of Strap with Gold Bullion for Subadar.
 3 Pairs Straps with Gold Fringe for Jemadars.

The Corps to be furnished with Clothing are as follows.

1st Compy. Artillery and 4th Regt. Infantry.	
General Depôt.	5th Do.
2nd do. and Store Dept.	6th Do.
3rd Do. and do.	7th Do.
4th Do. and do.	8th Do.
1st Regt. Infantry.	Company of Pioneers.
2nd Regt. do.	Ditto of Hill Rangers and Bheels.
3rd " do.	

The tenders to express the Price of "One" of each Article, including all charges.

By order, &c.

E. SUTHERLAND, Major.
 Milty. Secy's. Office, Hydrabad } Milly. Secy.
 Residency, 15th September 1841. }

Advertisement.

A passage is required for the conveyance of 47 Native Convicts, more or less, to Singapore.

- 2 Soldiers of Her Majesty's 18th, to China.
 1 Pensioned Seaman of the I. N. } England.
 1 Unfit Seaman of the I. N. }
 3 Europeans to the Isle of France, Calcutta, or direct to New South Wales.
 1 Recruit of Sappers and Miners, to Calcutta.

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

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

By order &c,

H. C. BOULDERSON,
 Acty. Assit. Supt. I. N.

Bombay, 20th Oct. 1841.

**Marine Department.
Notice**

Is hereby given, that it is the intention of the Hon'ble the Governor in Council, to dispatch a Steamer, with a Mail for Suez, on Monday the 1st of November next.

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

Bombay Castle, 17th September 1841.

Notice

Is hereby given, that a Post Office Packet for China and Singapore, per Ship, Sir Herbert Compton, will be closed on the 24th instant, at 5 o'clock P. M.

JOHN GORDON,
 Acty. Post Mr. Genl.

Bombay, Genl. Post Office, }
 20th October 1841. }

List of Unclaimed Packages in the Custom House.

Number of Packages.	To whom addressed.	By what Ship imported.
1 Box.....	S. D. C. Smythe Esq....	Steamer.
1 Do.....	James Thomas Esq.....	Parland.
2 Do.....	Marked W.....	Berkshire.
1 Do.....	Lieutenant Hoarshhead, H. M. S. Favorite..	Cambridge.
1 Do.....	Captain D. Mellish..	Dartmouth.
1 Bundle.....	W. L. Johnstone Esqr..	Freak.
1 Box.....	Capt. Washington, R. N..	Unknown.
1 Do.....	Marked W. E. E.....	Earl Balcarras.
1 Do.....	J. G. Wotten Esq..	Louisa.
1 Do.....	J. Laing Esq..	Glenelg.
2 Do.....	Revd. T. Male..	Six.
1 Do.....	Lieut. T. B. Bosanquet ..	Repulse.
1 Tin case	J. J. Taunton Esq.,..	From Post Office.
4 Boxes	Marked A. A. C.....	Hannah Kerr.
1 Do.....	Capt. J. Thompson....	Isabella.
1 Do.....	Mr. H. R. Kirley.....	Ditto.
1 Do.....	Lieut. Wm. Hore.....	Steamer Victoria.
1 Do.....	A. B. Orlebar Esqr.....	Ditto.
2 Do.....	Marked P. L. W. Legeyt Esq.....	Castle Huntley.
2 Chairs.....	Do..... Do.....	Ditto.
1 Box.....	Miss Jones.....	Steamer Victoria.
2 Do.....	Major Carpenter.....	Steamer Hugh Lindsay.
1 Couch.....	Ditto.....	Ditto.
2 Tin cases.....	Major Brooks.....	Steamer Victoria.
1 Box.....	B. G. Evans Esq.....	Sarah.

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.

A. SPENS.

Bombay, 20th October 1841.

Depty. Collector of Customs.

GENERAL ORDERS.

MILITARY DEPARTMENT.

BY THE HON'BLE THE GOVERNOR IN COUNCIL.
BOMBAY CASTLE, 14th OCTOBER 1841.

No. 597 of 1841.—Captain G. C. Stockley of the 7th Regiment Native Infantry, is placed at the disposal of the Government of India.

Bombay Castle, 15th October 1841.

No. 598 of 1841.—The following appointment is made :—

5th Regiment Native (Light Infantry.)

Lieutenant A. J. Alcock to be Adjutant, vice Dennis proceeded to Europe.

No. 599 of 1841.—The following order is confirmed :—

An order by Captain D. G. Duff, dated Aden the 11th August 1841, appointing Lieutenant C. P. Rigby to act as Adjutant to the Right Wing of the 16th Regiment Native Infantry, until farther orders.

No. 600 of 1841.—The following order is confirmed :—

An order by Lieutenant Colonel D. Capon, dated Poona the 7th February 1841, appointing Lieutenant Stack to act as Quarter Master and Interpreter in Hindoostance to the 24th Regiment Native Infantry, during the indisposition of Lieutenant Stone, or until farther orders.

Bombay Castle, 16th October 1841.

No. 601 of 1841.—An order by Brigadier Farquharson dated 4th December last, appointing Serjeant Perrins of Her Majesty's 41st Regiment, Commissariat Serjeant in Superintendance of Camels at Karachi, is confirmed.

No. 602 of 1841.—The leave to the Neelgherries granted to Lieutenant J. McGregor of the 21st Regiment Native Infantry, for the benefit of his health, under date the 17th October 1840, is extended until the 31st May 1842, on the same account.

No. 603 of 1841.—Lieutenant O. D. Outley of the 1st Bombay European Regiment, is allowed a furlough to Europe for three years for the benefit of his health, commencing from the date of that Officer's departure from Aden.

No. 604 of 1841.—The following appointment is made.

1st Bombay European Regiment.

Lieutenant H. J. Woodward to be Adjutant, vice Outley proceeding to Europe.

No. 605 of 1841.—By a resolution passed in the Political Department, the Hon'ble the Governor in Council has been pleased to appoint Lieutenant L. M. Valiant of the 1st Regiment Light Cavalry (Lancers) to the temporary charge of the Guicowar Contingent Horse in Kattiwar, during the absence, on sick certificate, of Captain Bury, or until farther orders.

No. 606 of 1841.—Lieutenant W. E. Macleod is appointed Acting Quarter Master and Interpreter to the 20th Regiment Native Infantry, vice Lieutenant Youngusband resigned.

No. 607 of 1841.—The Honorable the Governor in Council is pleased to republish the following General Order by the Government of India:—

No. 216 OF 1841.
General Orders by the Right Honorable the Governor General of India in Council.
FORT WILLIAM, 15TH SEPTEMBER 1841.

The following notification, issued from the Political Department, on the 27th June 1838, is published in General Orders, for the information of the Army.

FORT WILLIAM.
Political Department, 27th June 1838.

The Honorable the President in Council directs, that the following Extract from a despatch from the Honorable the Court of Directors, No. 20, dated the 20th September 1837, and the Resolution of Government of this date, be published for general information.

Para. 15, "Some misunderstanding appearing to have arisen on the subject of our orders, that the net pay of Military Officers in Civil situations shall merge in the consolidated allowance, we think it necessary to state, that the allowance may be drawn for either in one Bill or in two Bills according to convenience; but our intention is, that the Net Military Pay shall be debited to the Military, and the remainder of the allowance to the Political Department."

Resolution. In order to give effect to the instructions contained in this paragraph, it is hereby notified, that the Officers of the different Military Establishments of the three Presidencies, who may now be holding, or may hereafter be appointed to Civil situations on account of which they may draw a consolidated Civil Salary, shall be paid the monthly salary that may fall due to them for the month of July, and subsequently upon separate Bills drawn in the Forms annexed. The Bill in the first of the annexed Forms shall be submitted for audit to the Civil Auditor of the Presidency under which the Officer may be serving, who will audit it with the deduction for Military Pay according to Rank. In cases of ante-dated promotion, when there is back Pay of a superior rank to be paid to an Officer, the adjustment between the Civil and Military Departments shall be made in account, without requiring from the Officer fresh Pay Abstracts.

The adjustment of Subscriptions to Military Funds &c. consequently on such promotion will be made in the audit of subsequent Pay Abstracts. The other Bill for Military payment be submitted to the Military Auditor of the Presidency to which the Officer may belong, and by that Officer will be audited, subject to deductions for funds and other usual or prescribed retrenchments, according to the Military Rules of the Presidency. The Bill so audited will be payable in part of the allowances of the Civil situation at the Treasury of the place unless otherwise desired by the Officer and authorized by the Government. The Military Pay Bill if discharged from a Civil Treasury at a different Presidency, will of course, be credited in account as a remittance to the Presidency to which the Officer may belong.

The Officers of account at the three Presidencies will adjust in their accounts the salaries drawn by Military Officers in Civil employ since the 1st May last, on the same principle as is above prescribed for salaries drawn after the 1st July.

By order of the Honorable the President in Council,
(Signed) H. T. PRINCEP, Secy. to the Govt. of India

FORM A.

Honorable Company..... Dr.
To my Consolidated Civil Salary as _____, for the month of July 1838.....2,000 0 0
Deduct Military Pay drawn in Separate Bill in Military Department as Lieutenant Colonel..... 240 0 0

Received from Civil Department..... Rupees. 1,760 0 0

Errors Excepted,

FORM B.

Pay Abstract for the rank according to the Forms in use at the Presidency to which the Officer belongs. In order that the Military allowances of the Military employe of one Presidency in the Civil Department of another should be regulated according to the condition of his employment, the Military Auditor General of his Presidency is restricted from passing his first Military Pay Bill until he has satisfied himself on that point.

(Signed) J. STUART, Lieut. Col.
Secy. to the Govt. of India, Milly. Department.

By order of the Honorable the Governor in Council,
P. M. MELVILL, Lieut.-Col. 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.
Steamer Berenice.....	Supt. Indian Navv.....	1st November.....	Suez.....	Aden.
Sir H. Compton.....	Aga Mahamed Rahim.....	25th instant.....	China.....	
Madona.....	Messrs. Dirom Carter & Co.....	24th ditto.....	Liverpool.....	
Dindia.....	Do.....	ditto.....	Colombo.....	
Thalia.....	Do. Mc.Gregor Brownrigg & Co.....	ditto.....	Liverpool.....	
Samuel.....	Do. Dirom Carter & Co.....	30th ditto.....	London.....	
Hannah Kerr.....	Do. Ritchie Stewart and Co.....	1st November.....	China.....	
Phoenix.....	Do.....	ditto.....	Liverpool.....	
Margaret.....	Do. W. & A. Graham.....	1st week in Nov.....	London.....	Cape.
Mary.....	Do. B. and A. Hormasjee.....	2nd November.....	Ditto.....	
Sarah.....	Do. Grey & Co.....	5th ditto.....	Ditto.....	Cape.
Repulse.....	Do. Forbes & Co.....	6th ditto.....	Ditto.....	
Castle Huntley.....	Do. Curesjee Gowsajee & Co.....	25th ditto.....	China.....	
Feliance.....	Do. Remington & Co.....	1st Decr.....	London.....	Cape & Tcherry.
Athol.....	Do. Skinner & Co.....	Immediately.....	Ditto.....	
John McLennan.....	Do. B. & A. Hormasjee.....	Despatch.....	Ditto.....	
Ulverstone.....	Do.....	ditto.....	Liverpool.....	

As a general rule, the Packets for sailing Vessels will be closed on the evening before the date of departure.
JOHN GORDON,
Actg. Post Master General.

Notice.

Verbal Tenders will be received at this office at 1 o'clock on Saturday next the 23d instant, for the supply of the following articles, and such others as may be called for, during the intermediate period, viz.

- 500 lbs. Twine, fine, Europe.
- 1 Table for drawing and Tracing Glass.
- 1 Case mathematical Instruments, common.
- 25 Planes, Carpenter, country.
- 1 Measure, Copper, Imperial, 5 Gallons.
- 100 lbs. Senna Leaves.
- 1 Bar Steel, Blister, 3 inch broad by 5 | 8 inch thick.
- 55 Timber, Boat, Small.
- 1 Cupboard, Teakwood.

An immediate deposit of 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.

Acty. Depy. Assist. Comy. Genl. in charge.

Bombay Depy. Comy. }
Genl's. Office, 20th }
August 1841.

Notice

Is hereby given, that unless marked per Ship, all Letters received at the General Post Office, from Thursday the 2nd September, to Friday the 1st October (both dates inclusive) for transmission to England, Foreign Europe, Egypt and Red-Sea, were despatched by the Hon'ble Company's Steamer Cleopatra, via Suez.

JOHN GORDON,

Acty. Post Mr. Genl,

Bombay Genl. Post Office,
20th October 1841.

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 1 1/2 Rs. to subscribers.

Bombay, 6th October 1841.

Opium Memorandum.

BOMBAY.

Passes granted up to the 19th ultimo under the proclamation of 1840 | 41	Chests 544
Ditto ditto under the Proclamation of 1841 | 42 up to the 15th Instant	25
	<u>Total.. 569</u>

MALWA.

Passes granted under the Proclamation of 1839 | 40	Chests 2,140
Ditto under the proclamation of 1840 | 41, up to the 27th September,	" 16,890
	<u>Total.. 19,030</u>

IMPORTED.

Balance of former year's importation	Chests 6,667
Imported from the 25th May 1840, to the 19th instant	" 19,559 1/2
	<u>Total.. 26,226 1/2</u>

EXPORTED.

From the 22d May 1840, to the 12th instant	Chests 22,241 1/2
Ditto from the 13th to the 19th Instant	" 591
	<u>Total.. 22,832 1/2</u>

W. ESCOMBE,
Acty. Opium Agent.

Bombay, 20th Oct. 1841.

Civil Appointments, &c.

GENERAL DEPARTMENT.

Bombay Castle, 16th October 1841.

Assistant surgeon A. Burn, to act as civil surgeon at Broach, vice assistant surgeon J. Mackenzie, placed at the disposal of his excellency the commander in chief.

First hospital assistant Tattin Mahdewjee, of the 11th regiment native infantry, is attached to the jail at Ahmedabad, and second hospital assistant Shumsheer Khan of the Guzerat provincial battalion, to the civil hospital at Ahmedabad.

The undermentioned subordinate medical servants are transferred to the military department.

First hospital assistant Abdool Rhoymon, now attached to the jail at Ahmedabad.

Second hospital assistant Nusserwanjee, now attached to the civil hospital at Ahmedabad.

First grade apprentice Rannoo Bappoojee, now attached to the civil station at Kaira.

Probationer Samuel Watson, is appointed a second grade apprentice, and attached to the civil station at Dharwar, to fill a vacancy.

By order of the Hon'ble the Governor in Council

W. R. MORRIS,
Secy. to Govt.

POLITICAL DEPARTMENT.

Bombay Castle, 18th October 1841.

The Hon'ble the Governor in Council is pleased to appoint assistant surgeon W. Babington, to be civil surgeon to the residency in the Persian Gulf, vice Weatherhead deceased.

JUDICIAL DEPARTMENT.

Bombay Castle, 18th October 1841.

Ferooshah Dunjeeshah Khan Bahadoor, principal sudder ameen at Surat, is allowed leave of absence for a period of one month, on urgent private affairs.

Bombay Castle, 19th October 1841.

The leave of absence granted to Mr. D. Greenhill, puisne judge of the suddur dewanee and suddur foudarree adawlut, on the 7th instant, to visit the Mahabuleshwur hills, is cancelled, at that gentleman's request.

SEPARATE DEPARTMENT.

Bombay Castle, 19th October 1841.

Mr. George Grant is permitted to proceed to Ahmedabad, and to place himself under the orders of the collector at that station, until the next examination of the junior civil servants.

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

J. P. WILLOUGHBY,
Offy. Chief Secy. to Govt.

TERRITORIAL DEPARTMENT,

REVENUE.

Bombay Castle, 15th October 1841.

The leave of absence granted to Mr. G. Inverarity, acting 3rd assistant to the collector of Belgaum, on the 15th ultimo, is extended for a further period of seven days.

Mr. W. A. Goldfinch, to be assistant to the collector and magistrate of Belgaum.

Bombay Castle, 16th October 1841.

Mr. A. N. Shaw, to be acting collector and magistrate of Dharwar.

Mr. H. W. Reeves, to be acting collector and magistrate, and acting political agent at Belgaum.

Mr. R. D. Luard, to be acting sub-collector, and joint magistrate at Nassuck.

These appointments to have effect from the date of Mr. E. B. Mills' departure from Dharwar.

Lieut. G. Wingate, superintendent of the revenue survey in the Decan, is allowed leave for seven days from the 25th instant, under section XI of the absentee regulations, to proceed to the presidency, preparatory to his embarking for Europe.

Bombay Castle, 19th October 1841,

Mr. G. Coles, acting sub-collector of Broach, is permitted to proceed into the districts on deputation, from the 11th instant.

Mr. T. C. Loughnan, acting first assistant to the collector of Dharwar, is permitted to proceed into the Talookas of Bunkapoor, Hooblee and Haugool, on permanent deputation, from the 14th instant.

Bombay Castle, 20th October 1841.

Mr. J. H. Jackson, collector of Tannah, is permitted to proceed into the districts; for the purpose of ascertaining the state of the crops; the civil surgeon at that station, receiving temporary charge of the treasury and other routine duties of the Hoozdor, during the collector's absence.

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

Actg. Secy. to Govt.

Military

Arrivals and Departures.

ARRIVALS.

- 10th Oct.—Lieut Wittard, 13th Regt. from Ahmednuggur.
 11th ditto.—Capt. Christie, 17th Regt. N. I. from England.
 12th ditto.—Lieut. Col. C. A. Elderton, Madras Army from Madras.
 13th ditto.—Lieut. H. Boyé, 22d Regt. from Malligaum.
 Ditto ditto.—Lieut. Dunsterville. Comt. Dept. from Khundallah.
 Ditto ditto.—2d Lieut. G. R. Fuller, Arty. from Ahmednuggur.
 Ditto ditto.—Capt. G. Pope, Staff, from Neilgherries.
 Ditto ditto.—Lieut. A. Raitt, 16th Regt. from Kargh.
 14th ditto.—Capt. Pontardent, Arty. from Scind.
 Ditto ditto.—Ensign Raikes, 16th Regt. from Kairah.
 Ditto ditto.—Major J. Brown, Staff, from Poonah.
 Ditto ditto.—Lieut. C. R. Whitelock, 11th Regt. N. I. from Poonah.
 17th ditto.—Capt. Brown, 16th Regt. N. I. from Poonah.
 Ditto ditto.—Riding Master J. W. Walter, 3d Lt. Cav. from Rajcote.
 19th ditto.—Major Pottinger, Capt. Kelly, Capt. Muller, Capt. Lucas, Lieut. Mansergh, Lieut. Stanton, Lieut. Jones, Ensign Finlay, Ensign Croker, and Assist. Surg. Murtaugh, H. M. 6th Royals, from Aden.
 Ditto ditto.—Lieut. Rose, 1st Eur. Regt. from Aden.
 Ditto ditto.—Cameron, do. do. do.
 Ditto ditto.—Assist. Surg. Collum, Medl. Dept. from Cannanore.
 Ditto ditto.—Lieut. Welman, H. M. 17th, from do.

DEPARTURES.

- 13th Oct.—Ensign W. Dickson, 3d Regt. to Ahmedabad.
 14th ditto.—Capt. R. Bulkley, Staff, to Neilgherry Hills.
 15th ditto.—Lieut. C. M. Barrow, 19th Regt. to do.
 16th ditto.—Assist. Surg. Impey, I. N. to Ahmednuggur.
 19th ditto.—Ensign C. D. Ducat, 13th Regt. N. I. to Surat.

Town Major's Office, 20th October 1841.

Shipping Intelligence.

ARRIVALS.

- 15th Oct.—Arab Brig Fattel Currim, Abdool, Latiff, nacodah, from Mangalore, 14th September 1841.
Passengers.—14 Moghils.
 16th do.—Ship Moffat, J. Gilbert, master, from Port Jackson, 29th July, and Batavia 6th September.
 17th do.—H. C. Cutter Nurbuddah, Hoossain Coon-

jee, syrang, from Surat.

- 18th do.—Ship Forth, N. Heckford, master, from Calcutta, 5th September 1841.
Passengers.—Shaik Tarehan Ally, Agent to the Eastern Steam Navigation Company, Mr. Chamberlain, Engr., 1 Armenian; 2 servants; and 1 Lascar.
 Do. do.—Barque Tanjore, J. McLeod, master, from London, 5th June, and Mauritius 17th September.
Passengers.—2 natives.
 19th do.—H. C. Steam Frigate Auckland, P. Lowe, Esq. commanding, from Aden, 9th instant.
Passengers.—Major W. Pottinger; Captains J. Kelly, F. B. Muller, and F. Lucas; Lieuts. J. Mansergh, E. Stanton, and J. F. Jones; Ensigns G. Finlay, J. R. Croker, and E. F. Crowder; Assistant surg. J. Murtagh, M. D.; 215 Rank and File; 1 Assistant Apothecary; 126 public and private followers, and 1 child, H. M.'s 6th Regt.—Lieut. H. B. Rose, Ensigns D. Cameron, and Scrivener; 120 Rank and File; 57 Women and Children; and 34 Followers, Bombay European Regt.
 20th do.—Barque Chieftain, James Cromarty, master, from Sydney, 18th August 1841.
 Do. do.—Ship Helen; Thomas Hunter, master, from Sydney, N. S. W. 28th August.
 Do. do.—Hon'ble Company's Brig Palinurus, C. S. Strover, acting master, I. N. from Mangalore, 12th October.
Passengers.—Lieut. Welman, H. M.'s 17th; Assist. surg. Collum; Mr. Russell, mariner; J. Roach, Apothecary; 3 Officer's servants, and 9 Hospital servants.

DEPARTURES.

- 12th Oct.—Barque Eleanor, A. McPherson, master, to Liverpool.
 13th ditto.—His Highness the Imam of Muscat's Ship Caroline, H. Jones, master, to Bunderabas, Bushire, Kurrack, and Persin Gulf.
Passengers.—Mrs. Jones, Mrs. Edwards and family, one Aya, and 20 natives.
 14th ditto.—Hon'ble Company's Iron Steamer Indus, Mr. A. Newman, in charge, to Kurrachee.
 17th Oct.—Ship Calcutta, George Lingard, master, to Liverpool.
Passengers.—Mr. H. Moses, and Charles D. Moore.
 Do. do.—Ship Duchess of Argyle, D. Livingstone, master, to Liverpool.
Passengers.—Assistant Surgeon W. H. Allman, M. D. H. M.'s 4th Foot, and 2 children.
 Do. do.—Barque Sterling, G. Foster, master, to Calcutta.
Passengers.—Messrs. A. Nicholl, H. C. Taylor, John Flannagan, and G. Duce.

W. ESCOMBE,

Actg. Senior Magte. of Police.

Bombay 20th October 1841.

Uncollected Letters.

SHIP LETTERS.

	Bombay
4 H. V. Hathorn Esq. Bengal G. S.	.. do.
1 F. B. Elton Esq. do. . . . .	.. do.
1 C. Ponsonby, Esq. 22nd R. N. I. . . . .	.. do.
2 D. Fraser Esq. Surgeon . . . . .	.. do.
1 W. Bennett Esq. of Subbalpoor . . . . .	.. do.
1 F. W. MacKenzie Esq. . . . .	.. do.
1 Lieut. Col. Hickey. . . . .	.. do.
1 Colonel Whitehill. . . . .	.. do.
1 Capt. R. A. Bayly, 5th R. N. I. . . . .	.. do.
1 Capt. W. Macan, 6th R. N. I. . . . .	.. do.
1 Capt. Bendford, 13th R. N. I. . . . .	.. do.
1 Capt. W. Taylor, Ship Orient. . . . .	.. do.
1 Capt. West, Ship Oseala . . . . .	.. do.
1 Lieut. F. Wemyss, Engineers. . . . .	.. do.
1 " J. C. Hartley, Bombay Staff. . . . .	.. do.
1 " Berkeley, 37th " . . . . .	.. do.
1 " H. L. Brabagan, B. Artillery. . . . .	.. do.
1 Monsr. A. Schoell's, . . . . .	.. do.
1 Monsr. L. Sarato, . . . . .	.. do.
1 Mr. Thomas Woods, . . . . .	.. do.
1 Mr. R. Methoen, . . . . .	.. do.
1 Mr. John Brown, Ship Parkfield, . . . . .	.. do.
1 Mr. W. H. Marston, I. N. . . . .	.. do.
1 Gunner Heat Willan, Ship Lady East, . . . . .	.. do.

JOHN GORDON,

Actg. Post Master Genl.

*Bombay, General Post Office, }
20th October 1841.*

CONDITIONS AND REMARKS.

All demands at the Toll and Ferries for Palankeen or Hammals, and for Camels at the Ferries, are to be paid for by the person employing them, Gentlemen &c. sending for Carriages &c. to bring their Baggages from any other station, will be required to pay half hire extra to that charged for in the above Table.
Gentlemen &c. halting at any place, will be required to pay batta as follows, viz: to Hammals, Bungymen, and Coolies at 2 annas each, for Carts and Tatoos at 3 annas each, and for Camels 6 annas each per day.

Gentlemen, &c. returning hired Palankeen to Poona, will be required to pay one quarter of the hire charge for a set of Hammals in the above Table.
No charge for the Oil and Torch is included in the above Table for a set of Hammals and Massalchee, or for Palankeen Dawk (but for Panwell the charge is included), which will be an extra charge.
Gentlemen, &c. applying for Posting Palankeen Dawk, will be required to send remittance with their order (letter post paid.)
Gentlemen, &c. applying for Palankeen Dawk, and in case they do not start on the appointed day, shall have to pay batta for such days as the Hammals may have been detained on their account; and should they not go at all, they shall forfeit all claims to the money remitted for that purpose.
A charge of 8 annas will be made as Mookadam's fee on every set of Hammals for Trip, and for Dawks 4 annas a set.

REMARKS.

The rate of Palankeen Dawk in some places are less and in others more, although the distances are nearly the same,—is in consequence of the difficulty of procuring Hammals, and the calls being less frequent.

The rate of hire for Carts, &c. being more for one station and less for another, although the distances are nearly the same,—is in consequence of the difficulty of being engaged on their return.
Notice to be given for posting Palankeen Dawk, 4 days previous, to stations of 50 to 100 miles distance; and 8 days to stations of 150 to 200 miles.
The above rates we hope to reduce hereafter should we meet with that liberal patronage of the Public which we would fain desire.

Poona, 29th September 1841.

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. D. RAMOS, at the Government Press, Apollo Street.

LEGISLATIVE ENACTMENTS.

FORT WILLIAM,
LEGISLATIVE DEPARTMENT,
THE 6TH SEPTEMBER, 1841.

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 6th of September 1841, is hereby promulgated for general information.

ACT No. XIX. of 1841.

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

I. 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 sufficient 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, 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 forcible means of seizing possession are 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, 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 or taking forcible means for seizing possession has no lawful title, and that the applicant, or the person on whose behalf he applies is really entitled, and is likely to be materially prejudiced if left to the ordinary remedy of a regular suit, and that the application is made bona fide.

IV. And it is hereby enacted, that in case the Judge shall be satisfied of the existence of such strong ground of belief but not otherwise, he shall cite the party complained of, 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 complained of 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 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 confirmation 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 there-to 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, where the estate of the deceased person shall consist wholly or in part of land paying revenue to Government, 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 Dewanny Adawlut, and the Court of Sudder Dewanny 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 an express authority shall be requisite in the sennud of the Curator's appointment for the collection of debts or rents; but such express authority shall enable the Curator to give a full acquittance for any sums of money received by virtue thereof.

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 to parties having a prima facie right thereto 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 the accounts of any such Curator as is above described shall be open to the inspection of all parties interested, and it shall be competent for any such interested party to appoint a separate person to keep a duplicate account of all receipts and payments by such Curator. And if it be found that the accounts of any such Curator are in arrear, or if they shall be erroneous or incomplete, or if the Curator shall not produce them whenever he shall be ordered to do so by the Judge, he shall be liable to a fine not exceeding one thousand rupees for every such default.

XIII. 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 Dewanny Adawlut to make such order as it shall think fit for the appointment of one Curator of the whole property.

XIV. 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.

XV. And it is hereby enacted, that this Act shall not be put in force to contravene any public act of Settlement. Neither 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.

XVI. 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 pending 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.

XVII. 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.

XVIII. 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.

XIX. And it is hereby enacted, that it shall be lawful for the Governments of the respective Presidencies to appoint public Curators for any district or number of districts. And the Judge having jurisdiction shall nominate such public Curator or Curators in all cases where the choice of a Curator is left discretionary with him under the preceding provisions of this Act.

XX. And it is hereby enacted, that whenever a person dies leaving moveable or immoveable property within the local limits of the jurisdiction of any of Her Majesty's Supreme Courts, and such Court shall be satisfied that danger is to be apprehended of the misappropriation and waste of the property before it can be ascertained who may be legally entitled to the succession to such property, it shall be lawful for the said Court to authorize and enjoin the Ecclesiastical Registrar, or one or more Curators to collect such effects and hold or deposit or invest the same in such manner and place and upon such security and subject to such orders and directions as the Court may deem expedient.

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

()

**FORT WILLIAM,
LEGISLATIVE DEPARTMENT,
THE 6TH SEPTEMBER 1841,**

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 6th of September 1841, is hereby promulgated for general information :

ACT No. XX. OF 1841.

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

I. Whereas it is expedient to provide greater security for persons paying to the Representatives of deceased Hindoos, Mahomedans, and others not usually designated as British Subjects, debts which are payable in respect of the estates of such deceased persons, and to facilitate the collection of such debts by removing all doubts as to the legal title to demand and receive the same:—

It is hereby enacted, that *No debt recoverable without a certificate.* a person shall be compelled in any Court of Law to pay his debts 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 or of a Probate or Letters of Administration, 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 upon the appointed day or as soon after as may be convenient shall determine the right to the certificate, and grant the same accordingly.

III. And it is hereby enacted, that the certificate of the District or 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 Dewanny Adawlut, which Court may declare the party to whom the certificate should be granted, or may direct such further proceedings for the investigation of the title as it shall think fit. The Court may also upon peti-

tion, after a certificate shall have been granted by the District or Zillah Judge, grant a fresh certificate in supersession 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, but shall entitle the person named therein to receive all monies that may have been recovered under the first certificate from the person to whom the same may have been granted.

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.

VII. And it is hereby enacted, that a person certified as aforesaid, may be empowered to receive interest on Government Notes and Dividends, or 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. But these powers shall only arise by express words in the 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 latter certificate in ignorance of the grant of the previous certificate shall be held good against claims under such previous certificate.

IX. And it is hereby enacted, with regard to the property of deceased Hindoos, Mohomedans and other persons not usually designated by the term British Subjects, that no certificate in respect of any such 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 local jurisdiction of the Court granting the Probate or Letters of Administration.

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.

XI. And it is hereby enacted, that no Probate or Letters of Administration shall be valid for the recovery of debts or for 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 be-

longing to the deceased were at the time of his death within the jurisdiction of the Court granting such certificate.

*Bona fide pay-
ments 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.

XIII. And whereas under Act No. XIX. of 1841, Curators may be invested with certain powers which are conferred on persons obtaining certificates under this Act, and which belong to Executors and Administrators, it is hereby enacted that Curators appointed under the said Act shall not exercise any powers which, but for that Act, would lawfully belong to such persons obtaining certificates, Executors or Administrators where a certificate, Probate or Letters of Administration has been actually obtained; but all persons who may have paid debts or rents to a Curator authorized by a Judge to receive the same shall be indemnified and the Curator shall be responsible for the payment of the same to the person who has obtained a certificate, the Executor, or Administrator, as the case may be.

*Effect of Probates
and Letters granted
to Representatives of
Hindoo and others.* XIV. And it is hereby declared and enacted, that all Probates 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 local 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 British Subjects 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.

XV. And it is hereby provided that nothing in this Act contained shall be held to extend to the property of any person usually designated as a British Subject.

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

FORT WILLIAM.
LEGISLATIVE DEPARTMENT,
THE 6TH SEPTEMBER, 1841.

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 6th of September 1841, is hereby promulgated for general information:

ACT No. XXI. of 1841.

An Act for the better Prevention of Local Nuisances.

I. It is hereby enacted, that it shall be lawful for any Magistrate, when the public benefit and comfort are in question, to cause unlawful obstructions and nuisances to be removed from thoroughfares and public places, and to suppress or cause to be removed to a different place, trades or occupations injurious to the health or comfort of the community, and to prevent such construction of buildings and such disposal of combustible substances as may appear to him likely to occasion conflagration, and to cause the removal of buildings in such state of weakness, as by the probability of their falling, may appear to him to expose individuals to danger.

II. And it is hereby enacted, that, in exercising the authority conferred by the above sec-

tion, the Magistrate shall after holding such enquiry as may satisfy him of the necessity of proceeding under this Act, issue an injunction, which, if practicable, shall be served personally on the parties concerned; but if such service shall be impracticable or very inconvenient, the injunction shall be notified by oral proclamation, and a written notice thereof shall be set up at such place or places as may be best adapted for conveying information to the parties concerned. And in case such injunction be not obeyed, the Magistrate may compel observance thereof by force, and punish disobedience by fine not exceeding 200 Rupees or by imprisonment without labor for any period not exceeding one month, and if the Magistrate finds it necessary to incur expence in removing noxious or dangerous articles or buildings, it shall be lawful for him to sell the same or their materials by public auction in order to defray the charge, delivering any surplus that may remain to the owner. And it shall be lawful for the Magistrate to compel, under the like penalty, the owners of tanks or wells adjacent to any public thoroughfare to fence the same in such manner as to prevent danger to the public arising therefrom.

III. And it is hereby provided and declared, that it shall be lawful for any person affected by such injunction or written notice as is above described, if he shall object thereto, to claim, by written petition to be presented to the Magistrate within the period of ten days if reasonably practicable, if not, within the shortest reasonable further time from the receipt of such injunction or the publication of such notice, that a Jury or Panchayet may be appointed to try and decide the question; and the Magistrate shall, on receiving such petition, pass order thereupon for the appointment of a Jury or Panchayet, which shall consist of not less than five persons, whereof the President and one-half of the other Members shall be nominated by the Magistrate from the residents in the vicinity, and the remaining Members shall be nominated by the party petitioning. And the Magistrate shall suspend the further execution of the injunction or order pending such enquiry, and be guided by the decision of the said Jury which shall be according to the opinion of the majority. Provided however that if the petitioner shall by neglect or in any other way prevent the appointment of such Jury or Panchayet, or if, from any cause the Jury so appointed shall not decide and report within a reasonable time to be fixed in the order for their appointment, their functions shall cease from the date of the expiration of such period, unless they be continued by special order of the Magistrate, and if from any of the above causes no decision be made by a Jury or Panchayet, the Magistrate's order shall take effect as if not opposed.

IV. And it is hereby provided, that all the proceedings of Magistrates under the authority of this Act shall be subject to the like appeal as other orders of Magistrates according to the Regulations of the respective Presidencies.

V. And it is hereby enacted, that this Act shall not be applicable within the local limits of Her Majesty's Courts of Justice.

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

FORT WILLIAM.
LEGISLATIVE DEPARTMENT,
THE 13TH SEPTEMBER, 1841.

The following Extract from the Proceedings of the Right Hon'ble the Governor General in Council, in the Legislative Department, under

date the 13th of September 1841, is published for general information :

Read a second time the Draft of a proposed Act, dated the 28th of June 1841, and published in the Calcutta Gazette of the 30th of the same month for amending such parts of the Bengal and Madras Codes as concern the dismissal of Suits and Appeals for neglecting to proceed in the same.

Resolution.—The Right Hon'ble the Governor General in Council resolves that the following Amended Draft on the subject be re-published for general information :

ACT No.—OF 1841.

An Act for Amending such parts of the Bengal and Madras Codes as concern the dismissal of Suits and Appeals for neglecting to proceed in the same.

I. It is hereby enacted, that if a Plaintiff or Appellant in any Court shall, at any time, neglect to proceed in his Suit or Appeal for six weeks, the Suit or Appeal shall be dismissed; and it shall not be necessary to give the Plaintiff or Appellant any notice previous to dismissing his Suit or Appeal. The Suit or Appeal 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 or Appellant, 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 or Appeal is dismissed under the preceding Section the Court shall award to the Defendant or Respondent the costs he may have incurred in the Suit or Appeal. But such dismissal shall be no impediment to the institution of a new Suit or Appeal, where the party is not precluded by lapse of time, or otherwise than by the mere circumstances of having instituted the Suit or Appeal dismissed and of such dismissal, and such dismissed Suit or Appeal shall not prevent lapse of time under the Law of Limitations being incurred.

III. And it is hereby enacted, that Clause 2, Section 27, Regulation XXIII. 1814, of the Bengal Code, is repealed, and no appeal shall lie against the decision passed in accordance with the provisions of the preceding Clauses of this Act; other than a summary appeal on the fact of default.

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 13th day of December next.

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

FORT WILLIAM.
LEGISLATIVE DEPARTMENT.

THE 20TH SEPTEMBER 1841.

The following Draft of a proposed Act was read in Council for the first time on the 20th of September 1841.

ACT No.—of 1841.

An Act for the better Management and Disbursement of certain Public Funds, and Monies for Police and Municipal purposes throughout the Islands of Bombay and Colaba.

I. It is hereby enacted, that all sums of money which shall hereafter be collected under the authority of,

The 33 Geo. 3, Cap. 52, Sec. 158.

Rule, Ordinance & Regulation 2 of 1812, Act 6. Rule, Ordinance and Regulation 2 of 1813.

Proclamation dated 23d July 1817, by Governor in Council of Bombay, of an Order of the Court of Directors, dated 29th January, 1817, made under the authority of the Charter of the Court of Requests of Bombay, dated 8th January, 1753.

Rule, Ordinance and Regulation 1 of 1818.

Rule, Ordinance and Regulation 2, of 1827.

Regulation 19 of 1827, Cap. 2, 3, 4 and 6.

Regulation 32 of 1827.

Or under Act No. 28 of 1839.

Shall no longer be disbursed by the persons or in the manner heretofore done, but the same shall be paid into the General Treasury and form a Fund to be denominated the "Municipal Fund."

II. And it is hereby enacted, that the sums authorized to be collected under the provisions of Cap. 4, Sec. 26, Clauses 1 and 2 of Regulation 19 of 1827, shall in future be collected by such person as the Governor in Council shall appoint.

III. And it is hereby enacted, that the said Municipal Fund shall be placed under the supervision and control of a body to be denominated "The Board of Conservancy," and which shall be composed of seven Members, of whom the Senior Magistrate of Police shall be Chairman, and the Superintendent of Police an ex-officio Member, and the other Members shall consist of two Europeans and three Native Justices of the Peace, to be elected by Her Majesty's Bench of Justices, who shall continue in office for a period of five years, when a new election of the same Members, or of two other European and three other Native Members shall be made to form the Board, and who shall remain in office for the like period of five years, and so on from five years to five years a fresh election shall take place, and in case of vacancy occurring among any of the said last named five Members, the said Bench of Justices shall supply the same by electing some other European or Native Justices in their place.

IV. And it is hereby enacted, that the said Board shall have authority to make disbursements from the said Fund for the purposes hereinafter mentioned, but in the first instance and before any such disbursements shall be made a sum of Rs. 45,000 shall thereout be deducted and paid by monthly instalments into the General Treasury to be applied by the Governor in Council for and on account of the expenses of the General Police throughout the Islands of Bombay and Colaba, and in the event of such expenses being at any time hereafter increased by a necessary augmentation of the Police force or through any other good cause, a further sum of money in proportion thereto shall be paid out of the said Fund into the General Treasury to be applied on account thereof.

V. And it is hereby enacted, that after the deduction and payment of such sum of money the residue of the said Fund shall be appropriated and disbursed by the said Board for the following purposes.

1. Defraying the expense of the Establishments necessary for the purposes of this Act.

2. Repairing, cleansing, draining and lighting the Public Roads, Streets, Bridges, Tanks, Market places, and other Public places of a like kind.

VI. And it is hereby enacted, that it shall be lawful for the said Board to construct any new Roads or Streets, or other public works tending to the improvement of the said Islands,

connected with the comfort and health of the Inhabitants thereof, which in their discretion they shall deem necessary, and for that purpose shall cause estimates and plans to be framed and submitted to the Governor in Council of Bombay for his sanction, but no such new Road or Street or other public works shall be constructed without such sanction of the Governor in Council first had and obtained.

VII. And it is hereby enacted, that it shall be lawful for the said Board of Conservancy to nominate and appoint, subject to the approval of the Governor in Council of Bombay, such persons as they may deem fit to perform the duties of the following offices;

Superintendent of Repairs, Clerk of the Markets, and Overseers, Scavenger.

And such persons shall be under the immediate orders and control of the said Board, and shall receive such salaries to be paid out of the said Fund as the Governor in Council shall think fit and approve of.

VIII. And it is hereby enacted, that the said Board shall bring to account all Items of receipt and shall as soon as practicable after 30th April of each year render the Governor in Council a yearly account of their receipts and disbursements under this Act, and the same shall be audited by such persons as the Governor in Council shall appoint, and when passed shall be registered in the office of the Clerk of Her Majesty's Justices.

IX. And it is hereby enacted, that Sections 16, 23, 27 and 28 of Regulation 19 of 1827, shall be and they are hereby repealed.

X. And it is hereby enacted and declared, that the Terms "Police Fund," "County Fund," and "Assessment Fund," used in any Rule, Ordinance and Regulation in force in the Islands of Bombay and Colaba, shall be taken to mean the "Municipal Fund," described in this Act.

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 20th day of December next.

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

FORT WILLIAM.
LEGISLATIVE DEPARTMENT.

THE 27TH SEPTEMBER, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 27th September 1841.

ACT No.—OF 1841.

An Act for amending the provisions of the Bengal Code touching Criminal Appeals, and the revision of Sentences and Orders of Criminal Courts.

I. Whereas the provisions of the Bengal Code concerning Criminal Appeals and revision of Sentences and Orders of Criminal Courts required to be amended;—

It is hereby enacted, that those parts of the Bengal Code which concern the powers and duties of the Criminal Courts in respect to appeals

and revision of sentences of a Lower Court by a higher, are repealed.

II. And it is hereby enacted, that from every sentence or order passed in Criminal trials, or in Judicial proceedings other than Criminal trials, by an Assistant to a Magistrate, or by a Sudder Ameen, or by a Law Officer, or by any other Officer under a Magistrate empowered to try Criminal cases within the limitation prescribed by Sections VIII, and IX, Regulation IX, 1793 there shall be permitted one appeal in such cases to the Magistrate, Joint Magistrate or Officer exercising the powers of Magistrate within one month from the date of such Sentence or Order. And from every Sentence or Order passed in Criminal trials or in judicial proceedings other than Criminal trials by a Magistrate, Joint Magistrate or Assistant to a Magistrate beyond the limitation prescribed by Sections VIII. and IX, Regulation IX, 1793, Section IV, Regulation XVI, 1795, and Sections VIII. and IX, Regulation VI, 1803, there shall be permitted within one month as aforesaid one appeal to the Sessions Judge, And from every Sentence or Order passed in a Criminal trial by a Sessions Judge, there shall be permitted within one month as aforesaid one appeal to the Court of Nizamut Adawlut. And except as provided in the next Section of this Act the Sentences or Orders passed upon such appeals shall be final.

III. And it is hereby enacted, that it shall be at all times lawful for the Courts of Nizamut Adawlut to call for the records of any Criminal trials of any Subordinate Court and to pass upon them such orders as may seem fit.

IV. Provided however, and it is hereby enacted, that it shall not be lawful for the Court of Nizamut Adawlut in cases so called for or for any Criminal Court in Appeals preferred to it, to enhance any punishment awarded, or to punish any person acquitted by the Court below.

V. And it is hereby enacted, that it shall be at all times lawful for a Sessions Judge and for a Magistrate, Joint Magistrate or Officer exercising the powers of Magistrate, to call for and examine the records of any Court immediately subordinate to their respective Courts, for the purpose of satisfying themselves as to the regularity of the proceedings of such Subordinate Courts: But it shall not be lawful for any Court under the degree of the Nizamut Adawlut to alter any Sentence or Order of any Subordinate Court, except upon Appeal by parties concerned, duly made according to the provision of this Act.

VI. And it is hereby enacted, that nothing in this Act contained shall be held to alter or interfere with the powers and duties of a Superintendent of Police as laid down in Act No. XXIV of 1837, and other parts of the Bengal Code.

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 27th day of November next.

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