



Bombay Government Gazette.

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THURSDAY, 19TH SEPTEMBER 1844.

[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 verbal tenders will be received at this Office at 12 o'clock on the 15th October 1844, for supplying by Contract the undermentioned articles to the Remount Department.

Boat for the transport of horses from hence to Mangalore.

Gram for one year from the 1st Nov. 1844.

Hay Ditto Ditto.

Line and miscellaneous articles for one or two years as may be agreed upon, from 1st November 1844.

The Gram furnished under the contracts must be cleaned, and of the kind denominated, Bhownuggur 1st sort, and Ghattee 1st sort, and the Hay must be of the best description, and persons wishing to offer for these contracts will be required to state *viva voce*, the number of Pounds Avoirdupois, per Companies Rupees, at which they will undertake to furnish the Articles in such quantity and at such periods as they may be required.

A list of the Line and miscellaneous articles with prices affixed may be obtained, and samples thereof seen on application at this Office every day, Sundays excepted, from 10 till 4 o'clock. Persons desirous of obtaining these contracts will be required to bid a per centage below the rates exhibited in the list above adverted to, at which they will undertake to furnish the whole of the articles embraced therein, in such manner or quantity, and at such times as they may be demanded.

The whole of the articles are to be delivered at the Remount Lines Bunder, or elsewhere if required, free of expence to Government, and are to be subject to rejection at the discretion of the agent if tendered of an inferior description or not corresponding with the musters,

No person will be allowed to bid for either of the above Contracts who has not previously deposited the undermentioned sums, to be forfeit-

ed in the event of delay, evasion or refusal to execute the necessary deed of contracts, viz.

Contract for the supply of Gram (100) one hundred Rs.
Ditto... for Hay (50) Fifty Rupees.
Ditto... for Line Articles.. (50) Ditto.
Ditto... for Boat (50) Ditto.

and in the event of their offer being accepted they will be required to give deposits or unexceptionable security as follows.

For the Contract of Gram (1000) one Thousand Rs.
Ditto... for ... Hay, (500) Five hundred Rs.
Ditto... for .. Boat, (400) Four hundred Rs.
Ditto.. for Line & miscellaneous articles (400) do.

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

A. W. THORNHILL,
Joint Remount Agent.

Remount Office Bombay, }
11th Sept. 1844. }

Notice.

Verbal tenders will be received at the office of Superintendent of Repairs, at 3 o'clock P. M. on Monday the 23rd instant, for the construction by contract of the undermentioned Streets:—

1. Moonshee Yacoob Street.
2. Bengal Poorah Street.

Estimates of the quantity of labor and Materials to be expended, and Plans and descriptive accounts of the Works, will in the mean time remain open for inspection in this office, where any additional information regarding the same may be obtained.

A deposit of 2 per cent will be required from the lowest bidder, to be forfeited in case of any evasion in signing the Deed of Contract and the offers of parties who are not prepared to lodge the deposit at the time of sale, will not be registered.

J. J. F. CRUICKSHANK, Capt.
Superintendent of Repairs.
Bombay, 17th September 1844.

Notice.

Verbal tenders will be received at this Office at 1 o'clock, on Saturday next the 21st instant, for the supply of the following articles, viz:

- 1 Desk Writing, Teakwood with Book Case.
- 30 Cubic Feet Timber Blackwood for making Drum Hoops, in logs of 6, 12 or 18 feet long, so as to admit of being sawn into lengths about 8 Inches thick, and of straight grain without flaws.
- 1 Ruler, Ebony Parallel common 18 Inch.
- 1 Case Instruments Mathematical 2nd size.
- 8 Ivory Rectangular, Plotting Scales.
- 24 Yards Buntin Europe, Light Blue.
- 16 Drum Hoops Red.
- 3 Horns Bugle, Light Infantry.
- 3 Pair Compasses, Dividers Spring, of sizes.
- 1 Set, Table Blackwood, for Capt. Cabin, 9 feet by 4½ made to draw.

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.

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

D. DAVIDSON, Capt.
Deputy Commy. Genl.

Bombay, Deputy Commy. Genl's. }
Office, 17th September 1844. }

Notice.

To be sold by Public Auction on Friday the 20th September next, at 12 o'clock, at the Naval Cooperage on the Esplanade on account of Her Majesty's Government, the Sundry Condemned and unserviceable victualling Stores landed from Her Majesty's Ships Clio and Nimrod.

BOADEN & Co.
Naval Commission Agents.

Bombay, 14th Sept. 1844.

Notification.

Major B. Seton, Town Major, having taken charge of the portion of the effects of the late Surgeon H. Chatterton, of the Medical Establishment of this Presidency, found at Bombay, has after paying the authorized charges, lodged the balance Rs. (1847-12-1) Rupees One thousand eight hundred & forty seven, Annas twelve, and pie one, with the Sub-Treasurer.

BRUCE SETON, Major,
Town Major.

Bombay 14th September 1844.

Insolvent Debtors Court.

Notice is hereby given, that in consequence of the next Court day, i. e. 3rd Monday in September instant, being a Holiday, a Special Court will be held on Wednesday the 25th instant, at 12 o'clock A. M.

J. P. LARKINS,
Chief Clerk.

Bombay, 13th September 1844.

નખલા દેવાદારોની ફોરટમધે

ખબર ડીઆંથી આપેઆમે આવેલે આ વતી ફોરટનો દાડો જે તીરીજો શીમવાર આ લતા શપટેખબર મહીનામો ફેરવેલો હતો તે દાને તેવારજે તેથી ચાલતા મહીનાની તારીખ ૨૫ મી ને પુરવારને દીને ૧૨ કલાકે શવારે એ કૂપરનાં વીરોશ કારંણે ફોરટ ખેશવાની ફેરેલીજે ક

૧ જે-પી-લારક્લીનશ શાહિખ
ડી.ક. કલારક શાહી

શ્રી મુખાજનો ડી.ક. કલારક
શાહિખની હાજીશ તારીખ ૧૩
મી શપટેખબર ૧૮૪૪

(A True Translation.)

JOHN VAUPELL,

Chief Translator.

NOTICE

Is hereby given, that persons desirous of entering into a contract with this Department for supplying Cloths Country, for the term of two years, from the 1st day of October next, may on application at this Office from 10 A. M. till 5 P. M. daily (Sundays excepted,) obtain a list of the prices and such other information relating thereto, as may be required.

Verbal offers for the contract will be received at this Office at 12 o'clock on Friday the 20th instant, when persons will be required to bid a per centage below the prices exhibited in the abovementioned list, on the understanding that the articles are to be of good quality and delivered in good condition free of all charges to the Indenting Departments.

The Contractor will be required to comply immediately with all emergent demands for the articles included in the abovementioned list, and others of less urgency must be met within the period stated in the supply requisition book, in failure thereof, the articles or such others as may be required in lieu, 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 expences incurred, or 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 bid for the Contract unless he previously deposits in this Office the sum of Rupees (300) three hundred, which will be forfeited in the event of delay, evasion or refusal to execute the necessary deed of Contract, and should his offer be accepted he must be prepared to add thereto a further sum of Rupees (1,000) one thousand, which also will be held as security for the due performance of the engagement.

The Annual outlay on account of this Contract is estimated at Rupees (9684) or thereabouts. Further particulars will be communicated at the time of bidding, but no reasons will be assigned for the rejecting any offer.

D. DAVIDSON, Capt.
Depty. Commy, Genl.

Bombay, Deputy Commissary }
Genl's. Office, 4th Sept. 1844. }

Notice.

A small parcel addressed to Corporal Thomas Bulton, Meerut, and containing a small purse of little value is believed to have dropped from the Blaugy Bag between Bombay and Tannah; any person bringing it to the Post Office will if required be rewarded.

JOHN GORDON.
Post Master General.

Bombay, Genl. Post }
Office, 11th Sept. 1844. }

Notice

Is hereby given, that persons desirous of entering into a Contract for conveying Stores, supplying followers, and performing the Hammillage duties of this department for three years from the 1st of December next, may on application at this Office from 10 A. M. till 5 P. M. daily, (Sundays excepted) obtain a statement of the same with the rates affixed, and such other information as they may require.

Verbal offers for the contract will be received at this Office at 12 o'clock on Monday the 30th instant, when persons will be required to bid a per centage below the rates specified in the statement above adverted to, at which they will undertake to perform the whole of the duties embraced therein in a prompt and satisfactory manner.

The Contractor will be bound to furnish immediately all such carriage and such number of followers as may from time to time be required, or in failing to do so, such description of carriage and followers as may be required will be procured at his risk and loss, and in all such cases an advance of Rupees (30) thirty per cent upon the amount of expences incurred, or a fine of Rs. (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 Rs. (1000) one thousand, which will be forfeited in the event of delay, evasion or refusal to execute the deed of Contract, should his offer be accepted, he will be required to produce unexceptionable personal security in Company's Rupees (20,000) twenty thousand, for the due performance of the engagement.

The annual outlay on account of the foregoing contract is estimated at about Rs. (30,000) or thereabouts. All further particulars relating to which will be communicated at the time of bidding and no reason will be assigned for rejecting any offer.

D. DAVIDSON, Captain,
Depty. Commy. Genl.

Bombay, Depy. Comy. Genl's. }
Office, 4th Sept. 1844. }

જાહેર ખબર

શુરતનાં નાંમદાર એજેંટ ગવરનર શાહુજી ખાહાકુરની શરકારથી આ જાહેર ખબર આ પામાં આવેલે કે તારીખ ૩ જુન શને ૧૮૪૩ માં શવંત ૧૮૫૬ નાં જેઠ શુદ્ધ ૫ ને રોજે ખ તેલો ૧ નાંમે પ્રતે મુખારેક ડેડેલ શુખાત ખાં શુલાખખાં માલેક દાદાભાઈ રતનજીવાલે પરગણે મરોલીજી ગાંમવાસી ખોરશી આગલ જોખમાંઆ—તેમાંનો ફેટલોએક માલ ન વશારીના શર શુખાના લોકોએ તપરકે કરો તે ખદલ શર શુખા પારોશી શરકારના કુકુ મ મુખખ ફેટલાએક રૂ. આવેલાકે—તે રૂ. જે વેપારી કુતાર વગેરેને નુકશાન થકુ હો એ તેને વેફેચાનાકે—વાશતે આજથી મા શ ૧ ની મુદતમાં એ ખતેલો જોખમાં આ થી જેને જેટલું નુકશાન પોંચુ હોએ તેણે આ વીને હુમારી હુબુરમાં જાહેરે કરકું કે તેનાં નુકશાન કુપર વીચર કરવામાં આવશે—ને એ ઠરાવેલી મુદતમાં કોઈ હુખર થઈ જા હેર નહીં કરેતો પાછલથી તેની વાત શાંભલવામાં નહીં આવે—તારીખ ૧૬ આગશ્ટ શને ૧૮૪૪ *

R. K. ARBUTHNOT,
Agent for the Hon'ble the Govr. at Surat.

Notification.

MARINE DEPARTMENT.

Notice is hereby given, that the Hon'ble the Governor in Council intends to despatch the monthly Mail Steamers to Suez, during the ensuing Season, on the dates specified below, viz.

- The Oct. Steamer on Tuesday the 1st Oct.
- „ November „ on Friday the 1st Nov.
- „ December „ on Monday the 2nd Dec.
- „ January „ on Wednesday the 1st Jan.
- „ February „ on Saturday the 1st Feb.
- „ March „ on Saturday the 1st March.
- „ April „ on Tuesday the 1st April.
- „ May „ on Thursday the 1st May.

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

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

Bombay Castle, 2nd September 1844.

Notice

Is hereby given to the public, that the English and Murathee Dictionary which was commenced by Captain Molesworth, and is under completion by Captain Candy, is passing through

the Press, and that persons desirous of obtaining it as it comes from the Press, may receive it letter by letter. The letters A B and C are now ready.

The size of the work cannot be exactly stated but it is calculated that it will consist of about 800 quarto pages.

To bring it within the means of the great body of persons who may wish to purchase it, Government has fixed the price of it in sheets at 12 Rupees.

Persons wishing to receive it as it comes from the Press, are requested to address the Superintendent of the Government Press or the Superintendent of the Poona College, paying in advance the sum of 12 Rupees and giving directions for the forwarding of the work to them.

T. CANDY.

Ecclesiastical.

Notice is hereby given, that the Reverend Claudius Sandys, Assistant Chaplain at Belgaum, has been appointed Surrogate by the Right Reverend the Lord Bishop of Bombay, in and for the District of Belgaum, in the Archdeaconry of Bombay, within the Jurisdiction and diocese of Bombay.

And that all persons in the above Archdeaconry, requiring dispensations or Licenses of Marriages under the Episcopal Seal, may on application to him the above Surrogate, or to the Registrar of the Bishop's Consistory Court at Bombay, obtain the same on complying with the necessary forms.

*By order of the Right Reverend Thomas,
Lord Bishop of Bombay.*

C. H. BAINBRIDGE,
Registrar.

Dated this 18th day of Sept. 1844.

Advertisement.

Passage is required for the conveyance of (18) eighteen Native Convicts, & (4) four time expired Convicts, (more or less) to Singapore. Also for two European Convicts to the Isle of France, Calcutta, or direct to Van Dieman's Land,

Tenders will be received by the Superintendent Indian Navy, for passage to London, for a Quarter Master Serjeant (a Lunatic) of the Artillery, and a Steerage passage to London for one time-expired Boiler Maker, and (1) one time expired Engineer.

The Tenders should specify the rate per head, whether the vessel has a Surgeon on board, and the date when she will leave.

A Scale of victualing should accompany the tender.

By order,

F. G. BONE,
for Assist. Supt. I. N.

Bombay, 18th September 1844.

PROCLAMATION.

BOMBAY TO WIT. By virtue of a precept to me directed, I hereby proclaim and give notice, that the Sessions of Oyer and Terminer and General Gaol Delivery, will be holden before the Supreme Court of Judicature

at Bombay, at the Court House, on Wednesday the 25th day of Sept. instant, at eleven o'clock in the forenoon, for the trial of all Treasons, Murders and other Felonies, Perjuries, Trespasses and other Crimes, and Misdemeanors, had, done, or committed within the Town and Island of Bombay, and the Limits thereof, and the Factories subordinate thereto, and also to enquire, hear and determine, in like manner, all Treasons, Murders, Felonies, Forgeries, Perjuries, Crimes, Extortions, Misdemeanors, Trespasses, Wrongs, Oppressions, had done or committed, by any of Her Majesty's British Subjects, in any of the Territories which now are subject to, or dependent upon the said Government of Bombay, or within any of the Dominions of the Native Princes of India, in alliance with the said Government.

And also, that at the same time and place, will be holden a Session of Admiralty, for the trial of all Treasons, Murders, Piracies, Robberies, Trespasses, Misdemeanors, and other Crimes and Offences, had, done perpetrated or committed on the High Seas.

And I hereby give notice to all persons bound to prosecute, and give evidence, at the above Sessions, or in any way concerned therein, that they are to attend, at the time and place above mentioned, and not to depart without leave of the Court.

And I hereby give notice, to all Justices of the Peace, Coroners, Escheators, and also all Chief Constables and Bailiffs of the Town and Island of Bombay, and the Limits thereof, that they be then and there, in their own persons, with their Rolls, Records, Indictments and other Remembrances, to do those things, which to their offices in that behalf appertain to be done. —Dated this Second day of September in the Sixth year of the Reign of Her Majesty Queen Victoria.

W. DE BLAQUIERE,
Sheriff.

Bombay, 11th September 1844.

Interpretation

On Section III of Regulation IV of 1830.

On a question referred it was declared that besides those cases provided for by the Interpretation of 20th September 1841 Any sentence passed by an Assistant Magistrate may be quashed by the Magistrate, and the case committed for trial to the Session Court.

In Re Kumabhaee Ogurbhæe and Muckunbhæe Ogurbhæe,

By the Sudder Foujdaree Adawlut.

W. H. HARRISON,
Register,

*Bombay, Sudder Foujdaree Adawlut, }
14th August 1844. }*

Notice.

Post Office Packets for Kurrachee, and Scinde, & likewise the Persian Gulf, per H. C. Steamer Auckland, will be closed on Tuesday next the 24th instant, at 5 o'clock.

JOHN GORDON,
Post Master Genl,

*Bombay General Post Office,
18th September 1844.*

GENERAL ORDERS.

BY THE HON'BLE THE GOVERNOR IN COUNCIL.

MILITARY DEPARTMENT.

BOMBAY CASTLE, 10TH SEPTEMBER 1844.

No. 513 of 1844.—The Hon'ble the Governor in Council is pleased to sanction an exchange at their own request, between 2nd Lieut. Henry George Raverty, of the 1st Bombay European Regiment (Fusiliers,) and Ensign Thomas Bromley, of the 3rd Regiment N. I. each joining as junior of their rank, under the provisions of the G. O. of the 1st February 1838.

No. 514 of 1844.—The order by Major Browne, dated Bombay the 24th July 1844, appointing Lieutenant J. C. Coley, to act as Quarter Master, and Ensign J. F. Lester, as Interpreter to the 10th Regiment N. I. consequent on the appointment of Lieut. Vincent, to be Quarter Master to the Marine Battalion, until further orders is confirmed.

Bombay Castle, 13th September 1844.

No. 516 of 1844.—Major and Brevet Lieut. Colonel W. Wyllie, c. n. of the 21st Regiment N. I. is allowed a Furlough to Europe for three years agreeably to the Regulations.

No. 517 of 1844.—The leave to sea granted to Major G. Taylor, of the Invalid Establishment under date the 5th November 1842, and extended in Government General Order of the 9th December 1843, and 10th April last, for the benefit of his health, is further prolonged until the 1st November next, to enable him to return to his duty.

No. 518 of 1844.—The following appointment is made in the Adjutant Generals Department.

Major H. Hancock, of the 19th Regiment N. I. to be Deputy Adjutant General of the Army, vice Lieut. Colonel Hagart, appointed Adjutant General of the Army; date of appointment 27th August 1844.

No. 519 of 1844.—The Artillery detachment order by Brevet Captain H. Brett, dated Hyderabad the 9th August 1844, appointing 2nd Lieut. Murray, to be adjutant to the Artillery at that Station, vice Lieut. Aitken proceeded to Kurrachee with his Troop, is confirmed.

No. 520 of 1844.—The Hon'ble the Governor in Council is pleased to direct the publication of the following Act passed, to remove doubts as to the power of appointing, convening and confirming the sentences of Courts-Martial in the East Indies:—

ANNO SEPTIMO

VICTORIÆ REGINÆ

CAP. XVIII.

An Act to remove Doubts as to the Power of appointing, convening, and confirming the Sentences of Courts-martial in the *East Indies*.

[6th June 1844.]

Whereas Doubts have arisen as to the proper Authority by which, in certain cases Courts-Martial may be appointed and convened, and the sentences thereof confirmed, in the *East Indies* and elsewhere; and it is important to the Maintenance of good Order and Military Discipline that such Doubts should be removed; be it therefore enacted by the Queen's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same;

Any Officer who may convene or confirm Courts-martial for the Queen's Troops, or for the East India Company's Troops, may convene or confirm Courts martial for any Troops under his actual Command.

That any Law, Custom, Usage, Statute, Regulations, Articles of War, or Warrant to the contrary notwithstanding, any General or other Officer who may from time to time have Power to appoint or convene General or District or other Courts-martial, for the Trial of Offences committed by any of the Officers or Soldiers in the Service of Her Majesty, or by any of the Officers, Soldiers, or Followers in the Service of the *East India Company*, not being Natives of the *East Indies* or other places within the limits of the said Company's Charter, or by any of the Officers, Soldiers, or Followers

in the Service of the said Company, being Natives of the *East Indies* or other places within the limits aforesaid, shall, without any further or other Authority or Warrant, have Power and Authority to appoint or convene General or District or other Courts-martial (as the Case may be) to be holden for the Trial of offences committed by any Officer, Soldier, or Follower in any of the said Services, who may be under the actual Command or who may be or come within the local Limits of the Command of such General or other Officer, although the Power of such Officer as to appointing or convening Courts-martial might but for this Act extend to One or more of the said Services only, or to some only of the Forces belonging to any One or more or such Services; and that in like Manner, any General or other Officer who may from Time to Time have Power to confirm Sentences of General or District or other Courts-martial for the Trial of offences committed by any of the Officers or Soldiers in the Service of Her Majesty, or by any of the Officers, Soldiers, or Followers in the Service of the *East India Company*, not being Natives as aforesaid, or by any of the Officers, Soldiers or Followers in the Service of the *East India Company*, being such Natives as aforesaid, shall, without any further or other Authority or Warrant, have Power and Authority to confirm Sentences of General or District or other Courts-martial (as the Case may be,) held for the Trial of any Officer or Soldier or Follower in any of the said Services, who may be under the actual Command, or who may be or come within the local Limits of the Commands of such General or other Officer, although the Power of such Officer as to confirming the Sentences of Courts-martial, might but for this Act extend to One or more of the said Services only, or to some only of the Forces belonging to any One or more of such Services.

Offenders may be tried where-soever they may be serving or the Offence may have been committed.

II. And be it enacted, That the said several Powers may be exercised as aforesaid to whichever of the Presidencies of *Fort William*, *Fort Saint George* or *Bombay* the Offender may belong, or whether the General or other Officer appointing or convening the Court-martial, or confirming the Sentence, may be the Officer commanding in chief in *India*, or at the Presidency to which the Offender may belong, or at any other

Presidency, or may hold his Command or his Power to appoint, convene, or confirm the Sentences of Courts-martial from or under the Officer commanding in chief in *India*, or at the Presidency to which the Offender may belong, or at any other Presidency or may hold such Command or Power from or under any other Authority whatsoever, or whether the Offence shall have been committed before or after the Officer appointing or convening the Court or confirming the Sentence shall have taken the Command, or before or after the Offender shall have been under the Command of such Officer, or before or after the Offender shall have come within the local Limits of the Command of such Officer, or wheresoever, whether within the Presidency to which the Offender may belong, or within any other Presidency, Possessions, or Territories under the Government of the said Company, or on the High Seas, or elsewhere the Offender may be serving, or the Offence shall have been committed, or the Court-martial shall be appointed, convened, or held.

Her Majesty may authorize Commanders-in-Chief to delegate Power of confirming Sentences of General Courts-martial.

III. And be it enacted, That any Articles of War or Usage to the contrary notwithstanding, Her Majesty may grant Warrants under Her Sign Manual severally, empowering the Officer commanding in chief the Forces in *India*, and the General or other Officer commanding the Forces at each or any of the Presidencies of *Fort William*, *Fort Saint George* and *Bombay* for the Time being; to authorize any General or other Officer of a Field Officer, having the Command of any body of the Troops of Her Majesty or of the said Company, serving in the Possessions or Territories which are or may be under the Government of the said Company or elsewhere, to confirm the Sentences of General Courts-martial which shall be holden for the Trial of Offences committed by any Officer, Soldier, or Follower of or belonging to such Troops; and the Officer commanding in chief the Forces in *India*, or the General or other Officer commanding the Forces at any of the said Presidencies, being so empowered, may authorize any such General or other Officer to confirm such Classes of Sentences only, or Sentences passed for such Classes of Offences only, or on such Classes of Persons only as he may think fit, reserving to himself the Power of confirming Sentences in all such Cases as such General or other Officer may not be authorized to confirm, or may think fit to send for the Decision of such Officer Commanding in Chief the Forces in *India*, or of such Officer commanding the Forces at one of the said Presidencies.

IV. And be it enacted, That when by any Act of Parliament, or Articles of War, the Sentence of a Court-martial is not to be carried into execution until confirmed by the General or other Officer Commanding in Chief at the Presidency in the Territories subordinate to which the Offender shall have been tried, with the Concurrence of the Governor General in Council, or Governor in Council, or Governor of such Presidency, it shall not be necessary, in any such Case, that a Sentence so confirmed, with such Concurrence, should in addition, be reported to or approved or confirmed by the General or other Officer commanding in chief the Forces of the Presidency to which the Offender may belong; and the Officer confirming the Sentence, with such Concurrence, and in all other Cases the Officer authorized under the provisions in this Act contained to confirm the Sentence of any Court-martial, shall have power to cause the same to be put into execution, or to suspend, mitigate, or remit the same.

No other confirmation necessary except in certain cases.

V. And be it enacted, that nothing in this Act contained shall empower any Person not otherwise duly authorized in that Behalf to confirm any Sentence of Death, Transportation or Cashiering on any Commissioned Officer employed upon Her Majesty's Staff, or serving in any of Her Majesty's regular Regiments; and that nothing in this Act contained shall empower any Officer, other than those hereinafter mentioned, to confirm the Sentence of Death, Transportation, or Cashiering on a Commissioned Officer of the *East India Company's Service*; (that is to say) the General or other Officer commanding in chief at the Presidency within which, or in Territories subordinate to which, the Offender shall have been tried, or the General commanding in chief the Army to which the Division, Brigade, or Party in which the Offender may be serving shall belong or be attached.

Act not otherwise to affect Laws now in Force.

VI. Provided always, and be it enacted, that save as herein before is expressly provided, this act shall not alter or affect the Laws, Statutes Regulations, Articles of War, usages, or Customs which now are or hereafter may be in force, with respect to Her Majesty's Forces or the Forces of the said *East India Company*, whether Natives or not of the *East Indies*, or other places within the limits of the said Company's charter: provided also, that this act shall not be construed as declaring or interpreting the extent of Her Majesty's Royal Prerogative, or the meaning of any former Act or of any Article of War.

Act to extend only to the East Indies.

VII. And be it enacted. That the Provisions of this act shall apply to all such persons as may from time to time be liable to Martial Law under the Provisions of any Act of Parliament or Articles of War, and who may from time to time be serving or may be or come within the Limits of the Charter of the *East India Company*, construing the same as extending to all places and Seas, Eastward of the *Cape of Good Hope* to the *Straits of Magellan*.

Continuance of Act as to Her Majesty's Forces.

VIII. And be it enacted, that, so far as regards Officers and Soldiers in Her Majesty's Service, this Act shall continue in force so long only as there may be in force some Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

Bombay Castle, 16th September 1844.

No. 521 of 1844.—Ensign James Campbell of the 22nd Regiment Native Infantry, is allowed a furlough to Europe for one year, on urgent private affairs.

No. 522 of 1844.—Lieutenant C. P. Rigby of the 16th Regiment Native Infantry, is allowed a furlough to Europe for the period of three years, for the benefit of his health.

No. 523 of 1844.—The following despatch from the Hon'ble the Court of Directors No. 44 dated 31st July last, is published for general information.

The services of Lieutenant C. D. Grant of the Madras Establishment, being required for duty with a Detachment of Recruits, proceeding to Bombay on the ship "Eliza," he has proceeded in that vessel accordingly; and will as usual be entitled to Indian allowances on his reaching Bombay and a free passage to Madras. This Officer has our permission to remain at Bombay for a period of three months on his private affairs.

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

Notification.

GENERAL DEPARTMENT.

Under instructions from the Government of India the Hon'ble the Governor in Council is pleased to notify, that to those Civil Servants who under the old Absentee Regulations of January 1840, had up to the promulgation of the amended rules of May 1843 acquired a title to the indulgence, by a continued residence of 22 or 33 months at their respective Stations, leave of absence free from deduction, may at the discretion of Government and provided it be attended with no inconvenience to the public service, be granted for two or three months as the case may be, under Section 11 of the Regulations prior to their amendment.

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

Bombay Castle, 18th September 1844.

Notification.

GENERAL DEPARTMENT.

Information having been received that many of the letters despatched from Bombay, by the Overland Mail on the 20th May last, were found on their arrival in London, to be much mutilated owing to the melting of the wax with which they had been sealed, the Public are hereby again recommended in all possible cases to use wafers, in preference to wax, in sealing letters sent from India by the Overland Mail.

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

Bombay Castle, 18th Sept. 1844.

OPIUM MEMORANDUM.

Passes granted at Indore under the Proclamation of 1843 44, from 27th October 1843 to the 27th July last.	Chests 13,325
Ditto at Bombay from the 17th October 1843 to the 11th instant.	„ 677
	<u>Chests.. 14,002</u>

IMPORTED.

Under the passes granted previous to the 1st October 1843.	Chests 3,744
Ditto the Proclamation of 1843 44, from the 1st October 1843 to the 11th instant.	13,830½
	<u>Chests.. 17,583½</u>

EXPORTED.

From the 1st October 1843 to the 11th instant.	Chests 17,656½
Sir Herbert Compton.	574½
Advocate.	27
Benares.	6
	<u>607½</u>
	<u>Chests.. 18,264</u>

H. H. GLASS,
Opium Agent.

Bombay, 18th September 1844.

NOTIFICATION.

TERRITORIAL DEPARTMENT

FINANCE.

With reference to the Notification of this Government, dated the 23rd April 1842, published in a Supplement to the Government Gazette of the 28th Idem; the Hon'ble the Governor in Council is pleased to republish for general information, the following Notification issued by the Government of India under date the 23rd ultimo:—

No. 1301.

FORT WILLIAM.

FINANCIAL DEPARTMENT; THE 3RD AUGUST 1844.

Notice is hereby given, that the advances of cash that may be made by the Government of Bengal, Madras and Bombay, to Merchants, on bills of exchange, in favor of the Hon'ble the Court of Directors of the East India Company, to be secured by the hypothecation of goods, will from the date of the publication of this notice at the several Presidencies, and until further orders, be extended from three-fifths to three-fourths of the ascertained value of each consignment, and that the rate of exchange at which the Bills are to be drawn will be 1s. 11d. per Company's Rupee, until further notice. In all other respects the existing terms and conditions of these advances will remain in force, and be the same as advertised in the Calcutta Gazette under date the 1st April 1842.

It is further noticed for general information, in pursuance of instructions received from the Hon'ble the Court of Director, that the amount intended to be advanced in India on hypothecation for the year 1844 | 45, will not exceed the value of £ 800,000 sterling, and that it has been and continues to be the object of the Honorable Court gradually to increase the proportion of the Annual Home Remittance realized by bills upon India, and to diminish that by advances in India upon hypothecation of goods to the East India Company.

*By order of the Right Hon'ble the
Governor General of India in Council,*
(Signed) J. A. DORIN,
Secy. to the Govt. of India

*Republished by order of the Hon'ble
the Governor in Council.*

E. H. TOWNSEND,
Secretary to Government.

Bombay Castle, 18th Sept. 1844.

INSOLVENT DEBTORS COURT.

Petitions and Assignments.

Nursing Cojajee, confectioner, Marwaddy, formerly residing at Market, without the Fort of Bombay, filed 24th August 1844.

Emanuel Druston, a Sectioner in the Secretary's Office, Indo Briton, formerly residing in Small Colaba, without the Fort of Bombay, filed 30th August 1844.

Ootumchund Mungoomull, General merchant, who lately traded in Bombay under the name and Firm of Neechuldass Ootumchund, Hindoo, formerly residing in Tailor Street, without the Fort of Bombay, filed 3rd September 1844.

Cawasjee Jamssetjee, Carpenter Parsee, formerly residing at Shapoorjee Sett's Chuckla, within the Fort of Bombay, filed 7th September 1844.

Hurjee Muccoond, and Purshotum Muccoond, Iron Smiths Hindoos, formerly residing at Barbhoy Street, without the Fort of Bombay, filed 7th September 1844.

Meea Essoob Ally Goolam Hoossien, Hawker, Borah, formerly residing at Market without the Fort of Bombay, filed 7th September 1844.

Meea Ahmud Beg Mahomed, late a domestic servant in the service of Rhyntoolla Ahmudjee, Mahomedan, formerly residing at Maman Wadda, without the Fort of Bombay, filed 14th September 1844.

Sadanund Morojee, late a Clerk in the Military Board, Hindoo, formerly residing in Nanawaddy, without the Fort of Bombay, filed 14th September 1844.

Govind Rambhut Amenker, Priest Bramin, formerly residing in Phunnus Waddy, without the Fort of Bombay, filed 14th September 1844.

J. P. LARKINS,
Chief Clerk.

Bombay, 17th September 1844.

नमला देवादारोनी फोरट मध्ये

अरज्जुओ तथा व्वालाओ

नरशीठा फोअज्जु मीथाअवालो मारवाडी आगाल श्री मुअभाअनां फोटभांअंर मारकीत आगाल रेहेतोहोतो तेनी तारीअ २४ मी आगाल शने १८४४ ने दाडे दाअल करीके

अमानीकुअल दरशदंन शकरतारी व्वाफीश मेनो शोकरंनर अनदोअरीदंन आगाल श्री मुअभाअनां फोटभाअर नाअला फोलाअमां रे हेतोहोतो तेनी तारीअ ३० मी आगाल श ३० ने १८४४ ने दाडे दाअल करीके

कुंतंअयंदे मंअज्जुअल शरवे यीअनो वेपा री ने आगाल श्री मुअभाअमध्ये नीअलदाश कुंतंअयंदे नांमे तथा पेडीअ वेपार अलाव तोहोतो डीनकु आगाल श्री मुअभाअनां फोटभाअर डीपीओलीओ रेहेतोहोतो तेनी तारीअ ३० शपदंअअर १८४४ ने दाडे दाअल करीके

कांकुशज्जु नंअशेअज्जु अुथार पारशी आगाल श्री मुअभाअनां फोटमध्ये शापुरज्जु शेरनां य

अला आगाल रेहेतोहोतो तेनी तारीअ ७ मी शपदंअअर शने १८४४ ने दाडे दाअल करीके

अरज्जु अकुंतंअ तथा परशीतंअ अकुंतंअ पुअरशी डीनकुओ आगाल श्री मुअभाअनां फोटभाअर अरलाअनां मेओलाओ रेहेतोहोतो तेनी तारीअ ७ मी शपदंअअर १ ने १८४४ ने दाडे दाअल करीके

मीआ अज्जुअअली अुनाअ अशेन रेरी ओ हेरो आगाल श्री मुअभाअनां फोटभाअर मारकीत आगाल रेहेतोहोतो तेनी तारीअ ७ मी शपदंअअर शने १८४४ ने दाडे दाअल करीके

मीआ आअद ओगामकुंतंअ थोडा दाडा कु पर रींअंअअनुला आअदज्जुनी याअरीओ गेरनो याअर हतो मुशअअन आगाल श्री मुअभाअनां फोटभाअर मेअंनवाडा आगाल रेहेतोहोतो तेनी तारीअ १४ मी शपदंअअर २ शने १८४४ ने दाडे दाअल करीके

शदानंद मोरोज्जु आगाल मीलीतारी ओ रदमो लअनारो हतो डीनकु आगाल श्री मुअभाअनां फोटभाअर नवीवादीमां रेहेतोहोतो तेनी तारीअ १४ मी शपदंअअर शने १८४४ ने दाडे दाअल करीके

गोवीनद रामअद अमेनअर कुपादेआ अरामंअ आगाल श्री मुअभाअना फोटभाअर २ अनशवाडीओ रेहेतोहोतो तेनी तारीअ १४ मी शपदंअअर शने १८४४ ने दाडे दाअल करीके

१ ने—पी—अरकीनश शाअल

यीअ अलारअ शडी

श्री मुअभाअनां यीअ अलारअ शाअलनी व्वाफीश तारीअ १७ मी शपदंअअर शने १८४४

(A True Translation.)

JOHN VAUPELL,
Chief Translator.

PACKETS.

It is hereby notified for general information, that Packets are open at this Office, for the reception of letters for despatch by the following Vessels:—

NAMES OF VESSELS.	AGENTS.	DATE OF INTENDED DEPARTURE.	TO WHAT PORT.	TOUCHING WHERE.
A Steamer.....	Superintendent Indian Navy	1st October...1844..	Suez.....	Aden.
Ditto.....	Ditto.....Ditto.....	1st November. do...	Do.....	Do.
Auckland.....	Ditto.....Ditto.....	25th instant.....	Persian Gulf.....	Karrachee.
Ellen.....	Messrs. Leckie & Co.....	19th do.....	London.....	
Britannia.....	Frith and Co.....	19th do.....	Do.....	
John McVicar.....	McVicar Burn & Co.....	21st do.....	Calcutta.....	
Tory.....	Remington & Co.....	22nd do.....	Madras.....	
Delhi.....	Dirom Hunter & Co.....	24th do.....	Liverpool.....	
John Knox.....	Leckie & Co.....	30th do.....	London.....	
Nelson.....	W. & A. Graham & Co.....	1st October.....	Do.....	
Ardascer.....	Curtsejee Cawasjee & Co.....	1st do.....	China.....	Singapore.
United Kingdom.....	W. & T. Edmond & Co.....	15th do.....	Liverpool.....	
Athol.....	William Nicol & Co.....	Despatch.....	Clyde.....	
Carthagenia.....	Campbell Miller & Co.....	Ditto.....	Liverpool.....	

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

Bombay, General Post Office, 18th September 1844.

JOHN GORDON,
Post Master General.

Civil Appointments &c.**TERRITORIAL DEPARTMENT—REVENUE.**

Bombay Castle, 17th September 1844.

Mr. B. H. Ellis, Third Assistant to the Collector of Rutnagherrie, is allowed leave of absence for a period of one month, from the 24th instant, to proceed to the Presidency for the purpose of undergoing an examination in the Muratha Language.

Bombay, Castle, 18th September 1844.

Sir R. K. Arbuthnot, Bt. Collector of Surat, is allowed leave of absence for a period of 12 days under Section, XII of the absentee regulations, to proceed to the Presidency on private affairs.

Lieutenant Evans, Assistant to the Superintendent of the Revenue Survey and assessment in the Dukan, is allowed leave of absence for one month, from the 1st proximo, under Sec. XI. of the absentee rules, to proceed to the Mahableshwur Hills on private affairs.

Lieutenant Kemball, Assistant to the Superintendent of the Revenue Survey and Assessment in the Southern Marhatta Country, is permitted to proceed to the Presidency, for the purpose of undergoing an examination in the Marhatta language.

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

E. H. TOWNSEND,
Secy. to Govt.

GENERAL DEPARTMENT.

Bombay Castle, 18th September 1844.

The Reverend R. Y. Keays, Junior Presidency and Garrison Chaplain, is allowed leave of absence from the 10th October to the 10th November next, to visit Malcolm Peth on private affairs.

The Reverend F. C. P. Reynolds Assistant Chaplain at Kirkee, is allowed leave of absence for one month from the 30th instant, on private affairs.

The Hon'ble the Governor in Council is pleased to publish the following letter (No. 32) dated 31st July last, from the Hon'ble the Court of Directors.

PUBLIC DEPARTMENT.

No. 32 OF 1844.

OUR GOVERNOR IN COUNCIL.
at Bombay.

PARA: 1. We have to inform you, that we have appointed Mr. Francis Lloyd, and Mr. John McDonnell Robertson, Members of the Civil Service at your Presidency, with the rank expressed in their respective certificates.

2. We have granted to Mr. William Edward Frere of your Civil Establishment such an extension of Furlough, as will allow him to return to his duty by the October Mail Steamer.

We are, &c.

(Signed) JOHN SHEPHERD,
HENRY WILLOCK,
and other Directors

London, 31st July 1844.

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

W. ESCOMBE,
Secy. to Govt.

Military Arrivals and Departures.**ARRIVALS.**

11th Sept.—	Lieut. Col. S. B. Boileau, H. M. 22nd Regt. from Poona.
12th "	—Major W. Jacob, Artillery, from do.
14th "	—Lieut. C. Barrow, Fort Adj. Surat, from do.
" "	—Major LeMessurier, 14th Regt. N. I. from Kurrachee.
" "	—Ensign H. T. Walker, 1st Fusiliers, from Poona.
" "	—Lieut. H. C. Walpole, 16th M. N. I. from Belgaum.
" "	—Lieut. J. G. Petrie, Artillery, from Poona.
" "	—Surgeon E. W. Edwards, 23rd Regt. from do.
" "	—Major J. Scott, 23rd Regt. from Poona.
" "	—Lieut. S. J. Whitehill, do. from do.
" "	—Captain Stock, do. from do.
" "	—Lieut. Bowles, do. from do.
" "	— J. Peyton, do. from do.
" "	— Baird, do. from do.
15th "	—Captain Geo. Rowley, 2nd Lt. Cavy. from Hyderabad.
16th "	—Lieut. P. S. Fearon, 14th Regt. from Kurrachee.
" "	—Ensign R. M. Westropp, do. from do.
" "	—Lieut. S. J. Whitehill, do. from do.
" "	—Ensign E. Waddington, do. from Poona.
" "	— J. T. Nicholson, do. from do.
" "	— E. Henderson, do. from do.
17th "	—Lieut. F. Forbes, 3rd Regt. from Kurrachee.
" "	—Ensign Bacon, 25th Regt. from do.
" "	—Lieut. Young, 7th B. Lt. Cav. from do.

" " — " C. B. Stevens, 23rd Rt. L. I. from Dharwar.
 " " — Lieut. Aitken, 20th M. N. I. from Belgaum.
 " " — Ensign T. W. Mackenzie, 8th Rt. from Poona.

DEPARTURES.

12th Sept.—Lieut. Thomas Higgs, Arty. to Surat.
 " " — " Curtis, Engineers, to Poona.
 15th " — Captain Geo. Rowley, 2nd Lt. Cavy. to do.

Town Major's Office, 18th September 1844.

SHIPPING INTELLIGENCE.

ARRIVALS.

11th Sept.—Barque Recorder, J. Sharp, from Liverpool 25th May.
Passenger—Mr. George Farrars.
 12th " —H. C. Steamer Atalanta, Lieut. J. W. Young, from Surat Bar, 11th instant.
 13th " —H. C. Steam Frigate Auckland, H. A. Hornsby Esq. Commander from Surat Bar, 12th instant.
 15th " —H. C. Steamer Nemesis, R. S. Ross, from Surat 14th instant.
Passengers.—Revd. McHogg, and three Natives.
 16th " —Barque Chance, J. Cood, from London 28th March, and Aden 4th instant.
Passenger from Aden.—One Native.
 " " —Ship Douthorp, G. L. Marwood, from London 1st May, and Rio de Janeiro 8th July.
 17th " —Barque Lord Western, W. W. Rice, from Calcutta 27th July.

DEPARTURES.

12th Sept.—Steamer Sir J. Carnac, P. Duverger, to Surat.
Passengers.—Lieut. Higgs, and Natives.
 " " —Brig Eliza, J. S. Grange, to Colombo.
Passengers.—G. Faric, and G. Kerr, Esqs. and eleven Native servants.
 14th " —Barque Sir Herbert Compton, F. S. Boulton, to Singapore and China.
Passengers.—Messrs. Lancaster, Turquhart, Burrow, and D. Sillar.
 15th " —Barque John Panter, W. Harries, to Calcutta.
 16th " —Barque Benares, T. Clark, to Malay Coast and Bencoolen.
Passengers.—Mrs. Clark, and seven Parsees.
 17th " Ship Larne, J. Wilson, to China.

P. W. LEGEYT,
 Senior Magistrate of Police.

Bombay, 18th Sept. 1844.

List of Unclaimed Ship Letters.

1 Andrew, Captain " Barque Sophia" .. Bombay.
 1 Byrnes, Fredrick Engineer Apprentice .. do.
 2 Carpendale, Esq. John .. do.
 1 Cummins, Mr. William, Post Office .. do.
 1 Dalrymple, Captain James do .. do.
 4 Figg, Esq. F. E. (Newspapers) .. do.
 1 Godfrey, Mr. C. W. Assist. Apothecary .. do.
 1 Giles, Esq. Edward .. do.
 1 Gordon, Mr. James (Ship Planet) .. do.
 1 Hervey, Captain Charles .. do.
 1 Jones, Mr. John .. do.
 1 Jemsetjee Burjorjee .. do.
 2 Lindfield, Serjeant (Newspapers) .. do.
 3 Mildmay, Esq. A. St. John H. M.'s, 86th Rt. do.
 1 McKenna, Mr. J. H. Lieut. of Artillery .. do.
 1 Murray, Mr. J. A .. do.
 1 Martin, Esq. Jun. James .. do.
 1 Martin, Mr. R .. do.
 1 Shaw, Mr. James (Newspapers) .. do.
 2 Shaw, Mr. James (Letters) .. do.
 1 Smith, Huffnagel and Balfour .. do.
 1 Souza, Simão de .. do.
 1 Sayers, Mr. P .. do.
 1 Say, Mr. William .. do.
 2 Stisted, Captain .. do.

1 Thomas, Esq. S. do.
 1 Taylor, Mr. J. H. do.
 1 Weeks, Dr. do.

JOHN GORDON,
 Post Master General.

Bombay Genl. Post Office, }
 18th Sept. 1844. }

FORT WILLIAM,
 HOME DEPARTMENT.
 LEGISLATIVE.

THE 10TH AUGUST, 1844.

The following Act passed by the Governor General of India in Council, on the 10th August 1844, is hereby promulgated for general information.

ACT No. XVII. OF 1844.

An Act for the Administration of Justice and Collection of the Revenue in the Territory which formed the State of Colaba, and which has lapsed to the British Government.

I. It is hereby enacted, that from and after the First day of October 1844, the Administration of Civil and Criminal Justice, the Superintendence of the Police, and the Collection and Superintendence of the Revenues of every description within that portion of the lapsed Territory of Colaba, which is bounded on the East by the Nagotna River, and the Talookas of Sunkse and Rujpooree, on the South by the Rewodunda River, on the West by the Sea, including the Islands of Colaba, Oonderee and Khanderee, (Henery and Kenery) and on the North by the Harbour of Bombay, shall vest in such Agent to the Governor of the Presidency of Bombay as shall be appointed by the Governor in Council, and shall be exercised by the said Agent with the aid of such Assistants as may be appointed by the said Governor in Council.

II. And it is hereby enacted, that it shall be competent to the Governor in Council of Bombay, by an Order in Council, to prescribe such Rules as he may deem proper for the guidance of the Agent aforesaid, and of all the Officers subordinate to his control and authority, and to determine to what extent the decision of the Agent in Civil Suits shall be final, and in what Suits an Appeal shall lie to the Sudder Udalt, and to define the authority to be exercised by the Agent in Criminal Trials, and what cases he shall submit to the decision of the Foujdaree Udalt.

III. And it is hereby enacted, that upon the receipt of any Criminal Trials referred by the Agent under the Rules which may be hereafter prescribed by the Governor in Council, the Foujdaree Udalt shall proceed to pass a final judgment or such other order as may, after mature consideration, seem to the Court requisite and proper, in the same manner, as if the trial had been sent up in ordinary course from a Sessions Judge.

IV. And it is hereby enacted, that upon the receipt of any Appeal from a decree of the Agent duly preferred under the Rules to be prescribed as aforesaid, the Court of Sudder Udalt shall proceed to try and determine it in the same manner as Appeals from the Zillah Courts.

V. And it is hereby enacted, that each of the portions of the lapsed Territory or Colaba not included within the boundaries specified in Section I. of this Act, shall be subject to the same Laws and Regulations and shall be governed in all respects in the same manner as the portions of the Territories subject to the Government of Bombay, by which such portions of the said lapsed Territory may be respectively surrounded, or to which such portions of the said lapsed Territory may be respectively contiguous.

T. R. DAVIDSON,
 Offg. Secy. to the Govt. of India.

FORT WILLIAM,
 HOME DEPARTMENT,
 LEGISLATIVE,

THE 10TH AUGUST, 1844.

The following Draft of a proposed Act was read in Council for the first time on the 10th of August, 1844.

ACT No. — OF 1844.

An Act for repealing Act V. of 1840, and extending the principle of the said Act to persons of all religious persuasions.

Whereas it was enacted by Act V. of 1840, that, except as hereinafter provided, instead of any oath or declaration then authorized or required by Law, every individual of the Hindoo or Mahomedan persuasion within the Territories of the East India Company, should make affirmation to the following effect:

“ I solemnly affirm, in the presence of Almighty God, that what I shall state shall be the truth, the whole truth, and nothing but the truth ”

And whereas it is expedient, that the principle of the said Act should be extended to persons of all religious persuasions :

I. It is therefore hereby enacted, that Act V. of 1840 be repealed, except so far as regards affirmations made by persons of the Hindoo or Mahomedan persuasion before the passing of this Act.

II. And it is hereby further enacted, that, except as hereinafter provided, instead of any oath or declaration now authorized or required by Law, every person of whatever religious persuasion within the Territories subject to the Government of the East India Company, shall make affirmation to the following effect :

“ I solemnly affirm, in the presence of Almighty God, that what I shall state shall be the truth, the whole truth, and nothing but the truth.”

III. And it is hereby enacted, that if any person making such affirmation as aforesaid, shall wilfully and falsely state any matter or thing which if the same had been sworn before the passing of Act V. of 1840, or before the passing of this Act, would have amounted to perjury, every such offender shall be subject in all Courts to the same punishment to which persons convicted of perjury were subject before the passing of Act V. of 1840, or before the passing of this Act.

IV. And it is hereby enacted, that any person causing or procuring another to commit the offence defined in the last preceding Section of this Act, shall be subject in all Courts to the same punishment to which persons convicted of subornation of perjury were subject before the passing of Act V. of 1840, or before the passing of this Act.

V. And it is hereby provided, that this Act shall not extend to any declaration made under the authority of Act XXI. of 1837, nor to any declaration or affirmation made in any of Her Majesty's Courts of Justice.

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

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

T. R. DAVIDSON,
Offy. Secy. to the Govt. of India.

FORT WILLIAM,
HOME DEPARTMENT,
LEGISLATIVE,
THE 24TH AUGUST, 1844.

The following Draft of a proposed Act was read in Council for the first time on the 24th of August 1844.

An Act to amend Act No. XII. of 1841, entitled

“ An Act for amending the Bengal Code in regard to Sales of Land for Arrears of Revenue.”

Whereas it is found expedient to amend the existing law for the realization of the Land Revenue :

It is hereby enacted, that from the day of 18, the third and following Sections of Act No. XII. of 1841 are repealed.

II. And it is hereby enacted, that if the whole or a portion of a kist or instalment of any month of the era according to which the settlement and kist bundee of any Mehal have been

regulated, be unpaid on the first of the following month of such era, the sum so remaining unpaid shall be considered an arrear of Revenue.

III. And it is hereby enacted, that upon the promulgation of this Act, the Sudder Board of Revenue at Calcutta shall determine upon what dates all arrears of Revenue and all demands, which by the Regulations and Acts in force are directed to be realized in the same manner as arrears of Revenue, shall be paid up in each District in the Provinces under their jurisdiction, in default of which payment the Estates in arrear in those Districts, except as hereinafter provided, shall absolutely be sold at Public Auction to the highest bidder. And the said Board shall give notice of the dates so fixed in the official Gazettes, and shall direct corresponding publication to be made as far as regards each District, in the language of that District, in the office of the Collector or Deputy Collector or other Officer duly authorized to hold sales under this Act, in the Courts of the Judge, Magistrate, (or Joint Magistrate, as the case may be,) Principal Sudder Ameens, Sudder Ameens and Mooniffs, and at every Thannah Station of that District; and the dates so fixed shall not be changed except by the said Board by advertisement and notifications, in the manner above described, to be issued at least three months before the close of the official year preceding that in which the new date is, or dates are, to take effect.

IV. Provided always, and it is hereby enacted, that no Estates shall be sold for the recovery of arrears or demands, other than those of current revenue due from the Estate itself, such Estate being a permanently settled Estate and not under attachment by order of any Judicial authority,

otherwise than after a notification in the language of the District, specifying the nature and amount of the arrear or demand, and the latest date on which payment thereof shall be received, shall have been affixed for a period of not less than fifteen clear days preceding the date fixed for payment, in the office of the Collector or other Officer duly authorized to hold sales under this Act, in the Court of the Judge within whose jurisdiction the land advertised lies, in the Courts of the Principal Sudder Ameens, and Sudder Ameens of the District, and in the Mooniff's Court and Police Thannah of the Division in which the Estate to which the notice relates, or a part of it, is situated, the same to be certified by the receipt of the Officer at whose office such publication may have been made; and also at the Cutcherry of the Malgoozar of the Estate, or at some conspicuous place upon the Estate the same to be certified by the Peon or other person employed for the purpose.

V. And it is hereby enacted, that no payment on account of arrears or demands of which the latest date of payment shall have been fixed in the manner prescribed in Section III. or IV. or both, shall be received after sunset of the date so fixed. And the Collector or other Officer duly authorized to hold sales under this Act shall as soon as possible after the said date issue notifications in the language of the District, to be affixed in his own office and in the Court of the Judge of the District, and to be published in the official Gazettes, specifying the Estate or Estates which will be absolutely sold as aforesaid, and the day on which the sale of the same will commence, which day not be less than fifteen or more than thirty clear days from the date of affixing the notification in the office of the Collector or other Officer as aforesaid. And all

Estates, except as hereinafter provided, on account

[See Section VI. of the present Act.]

[N. B. Alterations and additions are printed in Italics.]

of which at sunset of the latest date of payment an arrear or demand as aforesaid may be due, shall on the day notified for absolute sale, or on the day or days following, as hereinafter provided, be put up to public Auction by and in the presence of the Collector or other Officer as aforesaid, and shall be sold to the highest bidder. And no payment, or tender of payment, made subsequent to sunset of the said latest date of payment shall bar or interfere with the sale, either at the time of sale or after its conclusion.

VI. And it is hereby enacted, that whenever an Estate is notified for absolute sale as provided by Section V. of this Act, the Collector or other Officer as aforesaid shall affix a proclamation in the language of the District, in his own office, and as soon thereafter as may be in the Moonisiff's Courts and Police Thanahs within which the Estate, or any part of it is situated, and also at the Cutcherry of the Malgoozar of the Estate, or at some conspicuous place upon the Estate, forbidding the ryots and undertenants to pay rent to the defaulting Proprietor or Proprietors from the date of the day after that fixed for the last day of payment notification, on pain of not being entitled to credit in their accounts with the purchaser for any sums paid after the date aforesaid.

VII. And it is hereby enacted, that in Districts not permanently settled and in the Province of Benares, no sale shall take place for arrears of Land Revenue or other demand of Government, without the special sanction of the Sudder Board of Revenue, previously obtained in each several case of sale.

VIII. And it is hereby enacted, that no claim to abatement or remission of Revenue unless the same shall have been allowed by the authority of Government, nor any private demand or cause of action whatever held or supposed to be held by any defaulter against Government shall bar a sale, or render a sale under this Act void or voidable; nor shall the plea that money belonging to the defaulter, and sufficient to pay the balance or part of it, was in the Collector's hands, bar a sale or render a sale under this Act void or voidable, unless such money stand in the defaulter's name alone and without dispute, and unless, after application in due time made by the defaulter, the Collector shall have neglected, or refused on insufficient grounds, to transfer it to the credit of the Estate.

IX. And it is hereby enacted, that Collector's shall, at any time before sunset of the fixed day of payment receive as a deposit from any party not being a Proprietor of the Estate in arrear, the amount of the arrear of Revenue due from it, to be carried to the credit of the said Estate at sunset as aforesaid, unless before that time the arrears shall have been liquidated by a Proprietor of the Estate. And in case the party so depositing, whose money shall have been credited to the Estate in the manner aforesaid, shall be a plaintiff in a suit pending before a Court of Justice for the possession of the same or any part thereof, it shall be competent to the Judge of the Zillah in which such Estate is situated, to order the said party to be put into temporary possession of the said Estate, subject to the rules in force for taking security in the cases of appellants and defendants. And if the party depositing, whose money shall have been credited as aforesaid, shall prove before a competent Civil Court that the deposit was made in order to protect an interest of the said party, which would have been endangered, or damaged by the sale of

the Estate, he shall be entitled to recover the amount of the deposit with interest, from the Proprietors of the said Estate.

X. And it is hereby enacted, that no Estate shall be liable to sale for the recovery of arrears which have accrued during the period of its being under the management of the Court of Wards, and no Estate the sole property of a minor or minors, and descended to him or them by the regular course of inheritance duly notified to the Collector for the information of the Court of Wards, but of which the Court of Wards has not assumed the management under Regulation VI. 1822, shall be sold for arrears of Revenue accruing subsequently to his or their succession to the same, until the minor or minors, or one of them shall have attained the full age of 18 years. And no Estate held under attachment by the Revenue Authorities, otherwise than by order of a Judicial Authority, shall be liable to sale for arrears accruing whilst at was so held under attachment. And no Estate held under attachment by a Revenue Officer, in pursuance of an order of a Judicial Authority, shall be liable to sale for the recovery of arrears of Revenue accruing during the period of such attachment, until after the end of the year in which such arrears accrued.

XI. And it is hereby enacted, that it shall be competent to the Collector at any time before the sale of an Estate shall have commenced to exempt such Estate from sale, and in like manner it shall be competent to the Commissioner of Revenue at any time before the sale of an Estate shall have commenced, to exempt such Estate from sale, by a special order to the Collector to that effect in each case; and no sale of an Estate shall be legal if held after the receipt of an order of exemption in respect to such Estate. Provided however, and it is hereby enacted, that the Collector or Commissioner shall duly record in a proceeding the reason for granting such exemption; and provided also, that an order for exemption so issued by the Commissioner shall not affect the legality of a sale which may have taken place before the receipt by the Collector of the order for exempting it from sale.

XII. And it is hereby enacted, that sales shall ordinarily be made by the Collector or other Officer duly authorized by Government in that behalf in the Land Revenue Cutcherry at the Sudder Station of the District; provided however, that it shall be competent to the Sudder Board to prescribe a place for holding sales other than such Cutcherry whenever they shall consider it beneficial to the parties concerned.

XIII. And it is hereby enacted, that in case the Collector, or other Officer as aforesaid, shall be unable from sickness, from the occurrence of a holiday, or from any other cause, to commence the sale on the day of sale fixed as aforesaid, or if having commenced it, he be unable from any cause to complete it, he shall be competent to adjourn it to the next day following, not being Sunday or other close holiday, recording his reasons for such adjournment, forwarding a copy of such record to the Commissioner of Revenue, and announcing the adjournment by a written proclamation stuck up in his Cutcherry, and so on, from day to day, until he shall be able to commence upon, or to complete the sale, but with the exception of adjournments so made, recorded, and reported, each sale shall invariably be made on the day of sale fixed in the manner aforesaid.

XIV. And it is hereby enacted, that on the day of sales fixed according to Section V. of this Act, sales shall proceed in regular order; the Estate to be sold bearing the lowest number on the Towjee or Registers in use in the Collector's

Office of the District being put up first, and so on, in regular sequence; and it shall not be lawful for the Collector or other Officer as aforesaid to put up any Estate out of its regular order by number, *except where it may be necessary to do so on default of deposit, as provided in Section XV. of this Act.*

XV. And it is hereby enacted, that the party who shall be declared the purchaser of an Estate at any such public sale as aforesaid, shall be required to deposit immediately, or as soon after the conclusion of the sale of the Estate as the Collector may think necessary, either in Cash, Bank of Bengal Notes or Post Bills, or Government Securities duly indorsed, 25 per cent, on the amount of his bid, and in default of such deposit, the Estate shall forthwith be put up again and sold.

XVI. And it is hereby enacted, that the full amount of purchase money shall be made good by the purchaser before sunset of the thirtieth day from that on which the sale of the Estate bought by him took place, reckoning that day as one of the thirty; or if the thirtieth day be a Sunday or other close holiday, then on the first office day after the thirtieth; and in default of payment within the prescribed period as aforesaid, then and afterwards as often as such default shall occur, the deposit shall be forfeited to Government, the Estate shall be re-sold, and the defaulting purchaser shall forfeit all claim to the Estate, or to any part of the sum for which it may subsequently be sold; and in the event of the proceeds of the sale which may be eventually consummated being less than the price bid by the defaulting bidder aforesaid, the difference shall be leviable from him by any process authorized for realizing an arrear of public Revenue, and it shall be so levied and credited to the defaulting Proprietor of the Estate sold; and if default of payment of purchase money shall have occurred more than once, the defaulting bidders shall be held jointly and severally responsible for such difference to the extent of the amount of their respective bids. Provided always, that every such re-sale shall be made after notification in the form prescribed by Section V. of this Act. *Provided also that no payment or tender of payment of the arrear for which the Estate was first sold shall bar a re-sale under this Section.*

XVII. And it is hereby enacted, that it shall be lawful for the Commissioner of Revenue to receive an appeal against any sale made under this Act if preferred to him on or before the fifteenth day from the date of sale, reckoning as in Section XVI, or if preferred to the Collector for transmission to the Commissioner on or before the tenth day from the day of sale, and not otherwise: and the Commissioner shall be competent in every case of appeal so preferred, to annul any sale of an Estate made under this Act, which shall appear to him not to have been conducted according to the provisions of this Act, awarding at the same time to the purchaser a payment from the Proprietor of any moderate compensation for his loss, if the sale shall have been occasioned by neglect of the Proprietor, such compensation not to exceed interest, at the current rate of Government Securities, on the amount of deposit or balance of purchase money during the period of its being retained in the Collector's Office, and the order of the Commissioner shall in such cases, be final.

XVIII. And it is hereby enacted, that it shall be competent to the Commissioner of Revenue on the ground of hardship or injustice to suspend the passing of final orders in any case of appeal from a sale and to represent the case to the Sudder Board of Revenue, who, if they see

cause, may recommend to the Local Government to annul the sale; and the Local Government in any such case, may annul the sale and cause the Estate to be restored to the Proprietor on such conditions as may appear equitable and proper.

XIX. And it is hereby enacted, that all sales of which the purchase money has been paid up as prescribed in Section XVI, of this Act, and against which no appeal shall have been preferred, shall be final and conclusive at noon of the thirtieth day from the day of sale, reckoning the said day of sale as the first of the said thirty days. And sales against which an appeal may have been preferred, and the appeal dismissed by the Commissioner, shall be final and conclusive from the date of such dismissal, if more than thirty days from the day of sale, or if less, than at noon of the thirtieth day as above provided.

XX. And it is hereby enacted, that immediately upon a sale becoming final and conclusive, the Collector or other Officer as aforesaid, shall give to the purchaser a Certificate of Title in the following form:

I certify that A. B. has purchased at Public Auction, under Act _____ Mehal C, and that his purchase has taken effect on and since the _____ day of _____ (being the date of the day after that fixed for the last day of payment.)
(Signed) D. F., Collector.

And the said certificate shall be deemed in any Court of Justice sufficient evidence of the title to the Estate sold being vested in the person or persons named from the date specified: and the Collector shall also notify such transfer by written proclamation in his own Cutcherry, and in those of the Moonsiff and Darogah of the jurisdictions within which any part of the Estate sold shall be situated, and also at the Cutcherry of the Malgoozar of the Estate, or on some conspicuous place on the Estate; and shall apply the purchase money first to the liquidation of all arrears due upon the fixed day of payment; and secondly, to the liquidation of all outstanding demands debited to the Muzal in the Public accounts of the District, holding the residue, if any, in deposit on account of the late recorded Proprietor or Proprietors of the Estate sold, to be paid to their receipt on demand in the manner following: to wit, in shares proportioned to their recorded interest in the Estate sold, if such distinction of shares were recorded, or if not, then as an aggregate sum to the whole body of Proprietors upon their joint receipt. Provided that, if prior to payment of any surplus that may remain of the purchase money after liquidation of all Government arrears and dues to the Proprietor of the Estate sold, or his representative, the same may be claimed by creditors in satisfaction of debts due by him to them, or by any one creditor, such surplus shall not be payable to any such claimant, nor shall it be withheld from the Proprietor by attachment, except under precept, and in satisfaction of decrees of Court for such debts. And if the balance of purchase money have in any such case been paid away in liquidation of the Proprietor's just debts by order of any Court, and a decree shall afterwards pass for annulling the sale, the Proprietor shall not be restored to possession until the amount so paid away be returned by him with interest.

XXI. And it is hereby enacted, that any suit brought to oust the certified purchaser as aforesaid, on the ground that the purchase was made on behalf of another person, not the certified

purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed with costs.

XXII. And it is hereby enacted, that the annulment of a sale by a Commissioner shall be publicly notified by the Collector or other Officer as aforesaid, in the same manner as the becoming

final and conclusive of sales is required to be notified by Section XX. of this Act, and the

amount of deposit and balance of purchase money shall be forthwith returned to the purchaser, with interest thereon, at the highest rate of the current Public Securities, from the dates on which they were respectively paid in, to the date on which the refund is actually made.

XXIII. And it is hereby enacted, that the party certified as the Proprietor of an Estate by purchase at public sale for the recovery of arrears of Revenue, shall be answerable for all instalments of

Revenue of Government which may fall due subsequently to the fixed day of payment aforesaid.

XXIV. And it is hereby enacted, that no sale for arrears of Revenue or other demands realizable in the same manner, made after the taking effect of this Act, shall be set aside by a Court of Justice, except upon the ground of its having been

made contrary to the provisions of this Act: And except the contravention there-

to shall have been declared and specified in an appeal made to the Commissioner under Section XVII. of this Act, and except the action in the Civil Court be instituted within one year, from the date of the sale becoming final and conclusive as provided in Section XIX. of this Act: And no person shall be entitled to contest the legality of a sale after having received any portion, of the purchase money: Provided, however, and it is hereby enacted, that nothing in this Act contained shall be construed to debar any person considering himself wronged by any act or circumstance connected with a sale under this Act, from his remedy in a personal action for damages against the individual by whose act or omission he considers himself to have been wronged.

XXV. And it is hereby enacted, that in the

event of a sale being reversed by a final decree of a Court of Justice, the purchase money

shall be refunded to the purchaser by Government, together with interest at the highest rate of the current Public Securities.

XXVI. And it is hereby enacted, that the purchaser of an Estate sold under this Act, for the recovery of arrears due on account of the same, in the permanently settled Districts of Ben-

gal, Behar, Orissa and Be-

nares, shall acquire the Estate free from all encumbrances which may have been imposed upon it after the time of settlement, and shall be entitled after notice given under Section X. Regulation V. 1812, to enhance at discretion, any thing in the existing Regulations to the contrary notwithstanding) the rents of all under-tenures in the said Estate, and to eject all tenants thereof, with the following exceptions:

First. Tenures which were held as Istemraee or Moeurrere at a fixed rent, more than 12 years before the permanent Settlement.

Secondly. Tenures existing at the time of the Decennial Settlement, which have not been, or may not be, proved to be liable to increase of

assessment on the grounds stated in Section LI. Regulation VIII. of 1793.

Thirdly. Lands held by Khood Kasht or Kudeeme Ryotts having rights of occupancy at fixed rents or at rents assessable according to fixed rules under the Regulations in force.

Fourthly. Lands held under bonâ fide leases, at fair rents, temporary or perpetual, for the erection of dwelling houses, or manufactories or for mines, gardens, tanks, canals, places of worship, burying grounds, clearing of jungle, or like beneficial purposes, such lands continuing to be used for the purposes specified in the leases.

Fifthly. Farms granted in good faith at fair rents and for specified areas by a former Proprietor, for terms not exceeding twenty years, under written leases, registered within a month from their date. Provided that a written notice, specifying full particulars of the position, rent and areas of the lands, the terms of the lease and the names of the parties shall at the same time be given by the latter to the Collector in every case, and the Collector shall be at liberty to object to the same in the event of his seeing reason to believe that the security of the Public Revenue will be materially affected thereby. The exception declared in this Clause shall not extend to leases objected to by the Collector, by a notification to be fixed up in his Office, with the sanction of the Commissioner, within three months of the date of the notice so made to him by the parties. Provided also, that a purchaser of an Estate at a sale for arrears of Revenue shall be at liberty by suit in Court to set aside all such farms although the same be under written and duly registered leases, and although such notice may have been given as aforesaid, if the same shall not have been granted in good faith at fair rents.

XXVII. And it is hereby enacted, that the purchaser of an Estate sold under this Act for the recovery of arrears due on account

of the same in Districts other than those mentioned in Section XXVI. shall acquire the Estate free from all encumbrances which may have been imposed upon it after the time of settlement, and shall be competent to avoid and annul all tenures which may have originated with the defaulter or his predecessors, being representatives or assignees of the original engager, as well as all agreements with ryotts or the like, settled or credited by the first engager or his representatives, subsequently to the last settlement, as well as all tenures which the first engager may, under the conditions of his settlement, have been competent to set aside, alter, or renew, saving always and except bonâ fide leases of ground for the erection of dwelling houses, or buildings, or for offices thereunto belonging, or for gardens, tanks, canals, water-courses, or the like purposes, which leases or engagements shall, so long as the land is duly appropriated to such purposes, and the stipulated rent paid, continue in force and effect. Provided that nothing in this Act contained shall be construed to entitle any purchaser of land at a public sale, to demand a higher rate of rent from any persons whose tenure or agreement may be annulled as aforesaid, than was demandable by the former Malgoozar, except in cases in which such persons may have held their lands under engagements, stipulating for a lower rate of rent than would have been justly demandable for the land, in consequence of abatements having been granted by the former Malgoozars from the old established rates by special favor, or for a consideration, or the like, or in cases in which it may be proved that according to the custom of the Per-

gunnah, Mouzah, or other local division such persons are liable to be called upon for any new assessment, or other demand not interdicted by the Regulations of Government.

XXVIII. And it is hereby enacted, that it shall be competent to the Local Government when it shall seem proper at any time before a sale for arrears shall have been actually made, to direct it to be made, subject to the leases, assign-

[Section XXIX. of the present Act.]

ments, or other encumbrances, with which a Proprietor in possession, his ancestors, or predecessors may have burthened his assessed Estate, or to such of them as shall appear proper. In all such cases, notice of the condition imposed by the Local Government shall be given by the Collector at the time of calling up the lot for sale, and such further notification shall be made as the Local Government may direct; Provided, however, that in case the sale so restricted shall not realize an amount equal to the arrear due at the time of sale, or there shall appear ground to apprehend that by reason of the restriction the future realization of the Revenue will be endangered, it shall be competent to the local Government at any time before such restricted sale shall have become final and conclusive in the manner laid down in Section XIX. of this Act, to direct the sale to be cancelled, a new sale of the Estate to be made without other restrictions than those continued in the exceptions specified in Clauses 1 to 5 of Sec. XXVI, of this Act. If after the sale has become final and conclusive, occasion should again arise to bring to sale for arrears an Estate purchased with a restriction of the above description, it shall at all times be competent to the Local Government to direct that the *Muhal* shall be sold without any other restriction than those contained in the exceptions specified in Clauses 1 to 5 of Sec. XXVI. of this Act, or with the reservation before reserved. In the former event, should the purchase money realized by the unrestricted sale exceed in a large amount the sum obtained at the restricted sale, it shall further be competent to the Local Government to direct a portion, or the whole of the excess to be paid to persons whose interests having been reserved at the first, shall become void at the second sale.

XXIX. And it is hereby enacted, that excepting Copartners of Estates under Butwarrah who may have saved their shares from sale under Sections 33 and 34, Regulation XIX. 1814, any recorded or unrecorded Proprietor or Copartner who may purchase in his own name or in the name of another the Estate of which he is Proprietor or Copartner; or who by re-purchase or otherwise, may recover possession of the said Estate after it has been sold for arrears under this Act; and likewise any purchaser of an Estate sold for other arrears or demands than those accruing upon itself, shall by such purchase acquire the Estate subject to all its encumbrances existing at the time of sale, and shall not acquire any rights in respect to ryotts and under-tenants which were not possessed by the previous Proprietor at the time of the sale of the said Estate.

XXX. And it is hereby enacted, that arrears of rent which on the fixed day of payment may be due to the defaulter from his tenants, shall, in the event of a sale, be recoverable by him

[Section XXXI. of the present Act.]

after the said fixed day by any process except distraint which might have been used by him for that purpose on or before the said fixed day.

XXXI. And it is hereby enacted, that any Collector or Officer exercising the powers of Collector, in respect to sales, shall be compe-

tent to punish any contempt committed in his presence in open Cutcherry or Office for the time being, by fine to an extent not exceeding Co.'s Rs. 200, commutable, if not paid, to imprisonment in the civil jail for a period not exceeding one month; and the Magistrate to whom such an offender may be sent by a Collector as aforesaid, shall carry his sentence into effect. Provided that an appeal from any order passed under this Sections shall lie to the Revenue Commissioner, whose decision shall be final.

XXXII. And it is hereby enacted, that a default to make good a bid by making the deposit required by Section XV. of this Act shall be held to be a contempt.

XXXIII. And it is hereby enacted, that the operation of this Act shall be confined to the Provinces of Bengal, Behar, Orissa and Benares, now subject to the General Regulations, and to the Ceded and Conquered Provinces similarly subject to the General Regulations, under the Government of the Presidencies of Fort William in Bengal, and nothing in this Act contained shall affect land in the Town of Calcutta, or the settlements of Singapore, Penang or Malacca.

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 24th day of October next.

T. R. DAVIDSON,
Offg. Secy. to the Govt. of India.

Private Advertisement.

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Application having been made to the Supreme Court of Judicature at Bombay, that Letters of administration (with an exemplification with the Will annexed) of His Excellency Sir William Hay Macnaghten, Baronet late Envoy and Minister on the part of the Supreme Government of India at the Court of Shah Shoojah Ool Moolk of Cabool, deceased, may be granted to Gideon Colquhoun the Younger of Bombay British merchant a Member of the Firm of Messrs. Forbes and Company of Bombay British Merchants one of the constituted Attornies of Dame Frances Macnaghten the Widow of the said deceased (reserving the right of the other Attornies to come in and apply for the same when they or any or either of them may deem it expedient.)

All persons concerned therein are hereby apprized thereof.—Dated this 9th day of September 1844.

CHARLES H. BAINBRIDGE,
Proctor.