



Bombay Government Gazette.

PUBLISHED BY AUTHORITY.

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THURSDAY, 20TH SEPTEMBER 1844,

[Four annas per Copy.]

NOTIFICATION.

Bombay Castle, 4th August 1831.

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.

GENERAL DEPARTMENT.

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.

The Honorable the Governor will be happy to receive Gentlemen at Breakfast on the mornings of Saturday at 9 o'clock, commencing from Saturday the 28th instant.

Gentlemen are particularly requested to notify their intention of coming to Breakfast to the Aide de Camp in waiting, in writing, the day previous before 12 o'clock, either at the Town Major's office or at Parell, as great inconvenience has occurred from this having been omitted on former occasions.

F. L. ARTHUR, Capt,
Military Secy.

Govt. House Parell, 24th
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 23RD 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.

Notice.

With reference to the Government Notification of the 18th instant, (General Department,) regarding the use of sealing wax on Letters for the overland mail, the public are hereby informed, that it is the intention of the Post Master General of Bombay, for the future to separate the sealed letters from all others, and to pack them in boxes where they can only mutually work mischief to one another.

JOHN GORDON,
Post Master Genl.

Bombay General Post Office,
25th September 1844.

Wanted.

To hire for the use of Government, a Godown within the Fort Walls, for lodging Commissariat Stores &c. Sealed Tenders for which will be received at this office on Monday next 30th instant, at 1 o'clock P. M.

D. DAVIDSON, Capt.
Deputy Commissary General.

Bombay, Depy. Commy. Genl's. }
Office, 24th September 1814. }

Notice.

Verbal tenders will be received at this office at 1 o'clock, on Saturday next the 28th instant, for the supply of the following articles, viz :

- 1 Rule Ebony, Parallel, 18 inch common.
- 1 Case Instruments Mathematical 2nd size.
- 8 Ivory Rectangular, Plotting Scales.
- 24 Yards Buntin Europe, Light Blue.
- 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.
- 4 Chimney glasses for lamps as per muster.
- 1 Lathe with apparatus, Tools, &c. &c. complete.
- 2 No. Shears capable of cutting 32 ounces copper.
- 2604 Files Bastard and Rough of sorts and sizes.
- 200 Pounds of Fire Clay.
- 2 Dozen Locks, Cupboard Brass, Eur. Patent.
- 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 18 inches thick.

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, 24th September 1844. }

Notice.

To be sold by public auction on Monday the 30th instant, near the Saluting Battery, a quantity of unserviceable Eynce Wood, slab pieces arranged in lots.

The lots to be paid for previous to their being cleared away, and if not cleared away within three days to be resold at the risk of the purchaser, any information on the subject may be obtained by application at this Office,

J. ESTRIDGE, Captain,
Engineer to the Dock Yard.

Bombay, Engr. Office 21st September 1844.

जाहिरनामा

रुसाजे साळटोंग व्याटरीजवळ ऐनी लांकडाचे निकामी तत्त्याचे लाट करून ठेविले आहेत त चालते महिन्याचो तारीख २० सोमवारचरोजो जाहोर ललांव करून विकले जातील .

लाट काढून नेण्याचे पुर्वी त्याचा पैको द्यावा आणि तीन दिवसाच आंत लाट काढून वनेले तर पुन्हा ते विकलेजातील व त्याचे जाखम खरो ददाराचे माथापडेल व ह्यावावद दुसरें काहों पुसणे अनल्ल्यास गादोचेदं जिनिघर माहवाचे आफिसांत पुसले असतां मालुम होईल .

निशाणा

जं. एस्कोज. कपतान

गोदोचे दं जिनिघर

तारीख २२माचे सपटेंबर सन १८४४ दसवो म काम मुंबई गोदोचे दं जिनिघरचें आफिस.

W. ESCOMBE, Secy. to Govt.

जाहिरनामा

अहेदुंले शाखुधकुंटीगा जेआटरी पारी जे नना लाफसाना नफांमा तफताना लाट करी ने गोठरी मुफके ते यालता महीनानी तारीख ३० शीमवारने रोजे जाहोर लेलाव करी वेयांमां आवशे .

लाट फाडी लकजवा आगामज तेनां पै शाआपवाने तए दीवशानी अंहर लाट फाडी नही लकजरोतो करी ते वेयांमां आवशे तेनुं जिपंम पारीद्वारने माझे पडशे त था जे जायत ज जु फक पुठपु होमेतो गोदीनी जणनीअरे शाहजना हरीशमा पुठेयी मालुम थशे .

निशाणा

जे-अेशतरीज कपतान

गोदीना जणनीअरे

तारीख २१ माहे शपटेंबर शने १८४४ जशवी मुफांम मुंजक गोदीना जणनीअरनी हरीश .

W. ESCOMBE, Secy. to Govt.

Notice.

Is hereby given, that a Pattimar which was confiscated on the 15th April last, in consequence of having illegally imported Opium into Bombay, and now lying at the Musjeed Bunder, will be sold by public Auction at the Town Custom House, on Friday the 27th instant at 12 o'clock.

Intending purchasers will be shewn the Vessel, Mast, Sails &c. any day previous to the sale, by applying to the Floating Officer on the Musjeed Bunder station,

H. H. GLASS,
Collector of Customs.

Bombay, 24th September 1844.

जाहिरनामा

हेनाजे मुंबईमध्ये अफाण चारानं आणिलें म्हणून एक पतेमारो तारीख १५वो अप्रैल सन १८४४ च राजां जपकेवो आहे आणि हलां मघोद वं दराजवळ आहे तो चालते महिन्याचो तारीख २७ वो शुक्रवारचे राजां वारावाजाना कोटां तोल मांडवोमध्ये जाहिरलिखांव कळविकलो जाईल.

ज्यालोकांचा खरोद करण्याचा दरादा असे ल त्याणो विक्रोपुर्वी काणतहो दिवशीं मसिदबं दरचे ठाण्यावरोल झोटांगच अमलदारास पुसलें अमतां पतेमारो व डोल व सिडें वगैरा त्यांस पाहावयास मिळेल.

निशाणो

एच. एच. ग्लास.

कठमच कालेकटर.

तारीख २४ माहे सपटेंबर सन १८४४ इसवी मु काम मुंबई कठम हैस.

W. ESCOMBE, Sec. to Govt.

जाहिरनामा

जेहेंकुंजे मुंजमं योरीथी अप्रीए वा वाना शमजथी अफे पतेमारी तारीख १५ अप्रैल शने १८४४ रोजे जपत करीके ते लाल मशीद अंदर आगालके ते पतेमारी खालता महीनानी तारीख २७ मी शुक्रवार रने रोजेजारवागत फीट माहेली मांडवीमे जाहिर लेलाव करीने वेथरी क

जे लोकोतो मरीद करवानो धरादो होअे तेयोअे वेयाएना आगामन फीज दीवशे म शीद अंदरना ठाएा कूपरना फुलोटांगाना अ मलदारने पुकाथी वांहाए तथा तेनां डोल तथा त्रुंनां शड वगैरे तेकुंने देभाडरी क

नीशाणी

अेय-अेय-गलाश

कशतंमना फलेकटर

तारीख २४ माहे सपटेंबर शने १८४४ एशवी मुकामं मुजम कशतंम हाकुश क

W. ESCOMBE, Secy. to Govt.

Advertisement.

Passage is required for the conveyance of (27) twenty seven Native Convicts, & (4) four time expired Convicts, (more or less) to Singapore. Also for two European Convicts to the Isle of France, Calcutta, Madras, 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 (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,

H. B. LYNCH,

Assist. Supt. I. N.

Bombay, 25th September 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 18th instant 677
Ditto from 19th to the 24th instant. 66

743

Chests.. 14,068

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 24th instant..... 13,839½

Chests.. 17,583½

EXPORTED.

From the 1st October 1843 to the 18th instant..... Chests 18,264
Per "Barque Masdew"..... 57

Chests.. 18,321

H. H. GLASS,
Opium Agent.

Bombay, 25th September 1844.

Notification.

MARINE DEPARTMENT.

Notice is hereby given, that the Hon'ble the Governor in Council intends to de-patch 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.

GENERAL ORDERS.

BY THE HON'BLE THE GOVERNOR IN COUNCIL,

MILITARY DEPARTMENT.

BOMBAY CASTLE, 19TH SEPTEMBER 1844.

No. 524 of 1844.—Captain C. Threshie, Deputy Assistant Commissary General, Southern Division of the Army, is allowed leave of absence to visit the Presidency, from the 20th August to the 7th October next, on private affairs. Captain W. S. Adams performing his Commissariat duties, and Captain Guerin of the 2nd Regiment European Light Infantry, performing his Bazaar duties on his responsibility during his absence.

Bombay Castle, 20th September 1844.

No. 525 of 1844.—The following appointments are made consequent on the decease of Major General Fearon, the removal from the Staff of Brigadier Gibbon, and the temporary employment on the Divisional Staff of Brigadier Hughes c. b.

Brigadier Manson c. b. to command the 1st Class Brigade at Mhow.

Lieutenant Colonel Payne, to be Brigadier on the establishment and to command the Brigade at Baroda.

Lieutenant Colonel W. D. Robertson, to be a Brigadier on the Establishment and to command the Brigade at Deesa.

Lieutenant Colonel Hickeys to command at Ahmednuggur until further orders; but not to assume the command until the season admits of Brigadier Manson proceeding to Mhow.

No. 526 of 1844.—Major W. Jacob, Agent for gun powder, having returned to the Presidency from the special duty upon which he has been employed, resumed charge of his appointment on the 12th instant.

No. 527 of 1844.—Mr. James William Henry, is admitted to the service in conformity with his appointment by the Hon'ble the Court of Directors, as a Cadet of Infantry on this Establishment, and promoted to Ensign, leaving the date of his commission for future Adjustment. Date of arrival at Bombay 7th September 1844.

Assistant Surgeon A. Durham of the Medical Establishment, has returned to his duty without prejudice to his Rank, by permission of the Hon'ble the Court of Directors. Date of arrival at Bombay 8th September 1844.

No. 528 of 1844.—The Rank of Assistant Surgeon William Fraser, M. D. having been received from the Hon'ble the Court of Directors, Commission is assigned to him from the 28th June 1844, the date of his departure from Europe.

No. 529 of 1844.—The following appointments are made.

	<i>Regiment of Artillery.</i>	<i>Date of appointment.</i>
Brevet Captain J. M. Glasse, to be Adjutant to the Golundauze Battalion vice Woosnam proceeded to Europe.....		} 27th August 1844.

Lieutenant G. P. Sealy to be Quarter Master and Interpreter to the Golundauze Battalion, vice Brevet Captain Gaisford appointed to a special duty on the frontier of the Sholapore Collectorate.....		} 8th August 1844.
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No. 530 of 1844.—Lieutenant E. S. Niblock of the 7th Regiment Native Infantry, is allowed leave of absence for a period of twelve months, to proceed to Sea and Egypt for the benefit of his health.

No. 531 of 1844.—Captain J. Ramsay Deputy Assistant Commissary General at Deesa, is allowed leave of absence from the 10th October to the 10th December next, to visit the Presidency on private affairs, Captain Hogg of the 1st Bombay European Regiment Fusiliers, performing his duties during his absence upon his responsibility.

No. 532 of 1844.—The leave of absence granted to James Bird Esq. Inspector General of Hospitals, in General Order No. 473, under date the 14th August, is extended to the 20th proximo, to remain in the Deccan on Medical certificate.

No. 533 of 1844.—The following orders are confirmed.

An order by Lieutenant Colonel W. D. Robertson, dated Deesa the 21st August 1844, directing Lieutenant Colonel M. Soppitt, of the 1st Bombay European Regiment Fusiliers, the next Senior Officer, to assume command of the Deesa Brigade, from the 25th ultimo, during the time the former Officer may remain in temporary command of the Northern Division of the Army, or until further orders.

An order by Brigadier A. Manson, c. b. dated Ahmednuggur the 5th September 1844, directing Lieutenant Sealy of the 1st Battalion of Artillery, to perform the duties of Interpreter to the 15th Regiment Native Infantry, consequent on the departure of Lieutenant Rose to take up his appointment of acting Adjutant to the Candesh Bheel Corps; or until further orders.

No. 534 of 1844.—The following General order No. 249, by the Right Hon'ble the Governor General of India in Council, under date the 30th August, is republished at this Presidency.

The appointment of Lieutenant Colonel Douglas, of Her Majesty's 78th Highlanders, to the command of the Troops at Kurrachie, as a Brigadier of the 2nd class, published in the orders by His Excellency Major General Sir C. Napier c. c. b. Governor of Scinde, under date the 24th May 1843, is confirmed.

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

Bombay Castle, 21st September 1844.

No. 535 of 1844.—The following General Order by His Excellency the Commander in Chief, is confirmed as a temporary measure.

Captain P. W. Clarke, of the 2nd Grenadier Regiment Native Infantry, is appointed acting Brigade Major at Poona, from the 7th instant, as a temporary measure, vice Captain Watkins proceeding to the Presidency with his Regiment.

No. 536 of 1844.—Corporal F. Fitzroy attached as an Artificer in the Gun Carriage Department, is permitted to purchase his discharge from the Army, under the provisions of General Order of the 7th January 1837.

Bombay Castle, 23rd September 1844.

No. 537 of 1844.—Assistant Surgeon J. J. Faithful, is placed at the disposal of the Superintendent Indian Navy, for duty in that branch of the service.

Bombay Castle, 24th September 1844.

No. 538 of 1844.—Assistant Surgeon D. Grierson, M. D. is appointed to the Medical charge of the Lunatic Asylum at Colaba.

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

MARINE DEPARTMENT.

Bombay Castle, 19th September 1844.

No. 101 of 1844.—The following despatch from the Hon'ble the Court of Directors, No. 53, dated 31st July last, is published for general information:—

We have permitted Lieutenant F. E. Manners of the Indian Navy to return to his duty.

Bombay Castle, 20th September 1844.

No. 102 of 1844.—Lieutenant G. Quanborough of the Invalid Establishment Indian Navy, is allowed leave of absence for a period of twelve months to proceed to the Malabar Coast.

Bombay Castle, 21st September 1844.

No. 103 of 1844.—The following extract Paras. 1 and 2 of a despatch from the Hon'ble the Court of Directors No. 50, dated 31st July last, is published for general information.

Letter from No. 14 dated 1st February 1844.

Forwards a Letter from Superintendent of the Indian Navy together with proceedings of a Court Martial on Lieutenant John Bird I. N. and requests instructions regarding that officer, Government states that in the mean time they have directed the Superintendent Indian Navy to exercise his own discretion as to the disposal of Mr. Bird's services.

1. We have perused Sir Robert Oliver's Letter and the proceedings of the Court Martial to which it refers with much concern, the charge preferred against Lieutenant Bird before the Court Martial was "for highly culpable neglect of duty whilst in temporary command of the Hon'ble Company's Steam Packet "Cleopatra" in the Sea of Suez, on the 6th October 1843, in having, whilst in Pilot Water and in the neighbourhood of Land and Shoals, omitted to have the lead going, in direct disobedience of and inattention to the orders contained in Article 1st, Sec. 6 Cap. 8 of the instructions relating to the Hon'ble Company's service at Sea, and the General Orders by the Superintendent of the Indian Navy dated 11th November 1840, 23rd July 1841 and 13th May 1842, through which neglect and disobedience of orders the aforesaid vessel was run aground and seriously injured to the great hazard of the loss of the vessel and of the Crew and Passengers."

The evidence adduced fully bore out that charge, and although it was admitted by Lieutenant Bird that the lead was not kept going, the Court in the first instance fully acquitted him of the charge: His Excellency the Commander in Chief however felt it impossible to "concur in the correctness of the verdict of acquittal, which appeared to him to be directly contrary both to the parole and written evidence" and he therefore directed the reassembly of the Court Martial for the purpose of revising its Finding, whereupon the Court found Lieutenant Bird "guilty of having omitted to have the lead going in the vicinity of land;" but they acquitted him of the remainder of the charge and therefore sentenced him "to be reprimanded in such manner as His Excellency the Commander in Chief may direct."

2. This sentence was confirmed but not approved by the Commander in Chief who considered the revised decision of the Court "to be erroneous in the limited extent of conviction, and incommensurate in the award," we entirely concur in this opinion as well as in the just and highly appropriate remarks of His Excellency in giving effect to the very inadequate sentence of the Court Martial, those remarks have already been published by you in General Orders, and we confidently hope with a beneficial result.

Bombay Castle, 23rd September 1844.

No. 104 of 1844.—Assistant Surgeon J. J. Faithful is placed at the disposal of the Superintendent Indian Navy for duty in that branch of the Service.

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

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

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.....	Suez.....	Aden.
Ditto.....	Ditto.....	1st November.....	Do.....	Do.
Delhi.....	Messrs. Dirom Hunter & Co	28th instant.....	Liverpool.....	Singapore.
Ardascer.....	" Cursetjee Cawasjee & Co	2nd proximo.....	China.....	
United Kingdom	" W. & T. Edmond & Co	15th do.....	Liverpool	
Nelson.....	" W. & A. Graham & Co	Despatch.....	London.....	
Wild Irish Girl.....	" Campbell Miller & Co.....	Ditto.....	Liverpool.....	
Amazon.....	" Forbes & Co.....	Ditto.....	Calcutta.....	
John Knox.....	" Leckie & Co.....	Ditto.....	London.....	
Mary Alice.....	" W. Nicol & Co.....	Ditto.....	Do.....	
Emma.....	" Brownrigg & Co.....	Ditto.....	Liverpool.....	
Australia.....	" Leckie & Co.....	Ditto.....	Do.....	
Lord Western.....	" Dadoo Meya Jussub	Ditto.....	Mocha.....	Aden.

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

Bombay, General Post Office, 25th September 1844.

JOHN GORDON,
Post Master General.

Notice

Is hereby given, that the Overland Mail to be conveyed by the Hon'ble Company's Steamer "Victoria," will be closed at this Office on Tuesday next the 1st Proximo at 3 P. M.

Letters and newspapers will be received as usual for the after Packet until 4 o'clock P. M. on payment of one Rupee on each. No pre-paid letters via Southampton will be received for the after Packet.

JOHN GORDON,
Post Mr. Genl,

Bombay Genl. Post Office,
25th September 1844.

Insolvent Debtors Court.

Days appointed for hearing.

Cawasjee Ranjee, alias Cawasjee Ranjee Ruttonjee, 1st Monday in October next, at 11 o'clock A. M.

Emanuel Druston, ditto ditto.
Meea Essoobally Goolam Hoossien, do. do.

Opposing Creditors must file their claims verified by affidavit, and pay the usual fees at the Chief Clerk's office, at least 3 days before the Insolvents have filed Schedules of their Estates and Effects in my office.

Dividend.

William Armstrong Fallo, 1st Monday in October next.

J. P. LARKINS,
Chief Clerk.

Bombay, 25th September 1844.

નખલા દેવાદારોની ફોરટમધે

શાંતલવાનાં દાડા ઠરાવેલા

કાવશજી રાંનજી તેને કાવશજી રાંનજી ર તંનજી પણ ફેરફેર પેલા શીમવાર આવતા અફરોબર મહીનામો ૧૧ કલાકે શવારને પોરે *

જમાનુએલ દરશરંણ દાડો કૂપર લખા પ રમાંણે *

મીઆ જશુખાલી ચુલામ કુશોન દાડો કૂ પર લખા પરમાંણે *

આડા આવનાર લેહનાદારો પોતાનાં દા વા શાંતનનાંમાથી શાખુત કરેલા શાથે ચી ક કલારક શાફિનની હાફીશામો ઓઠામો ઓઠા દીન ૩ અગાજૂથી દાખલ કરવા જો જમ્મે તે તેની ઠરાવેલી ફી એટલે દશગુરી પેણ આપવી તે ફંગાલોઈ પોતાની પેણ દેનદે નાની લીપો હમારી હાફીશામ નોઘાવીઠે * ઠાલાંની વેહિયાંન

કૂલમ આરમજશતરાંગ કાલણ ૧ શીમ વાર આવતા અફરોબર મહીનામો *

૧ જે-પી-લારકીનશા શાફિન

ચીક કલારક શહી

શ્રી ચુખાજનાં ચીક કલારક
શાફિનની હાફીશા તારીખ ૨૫
મી શપટેમબર ૧૮૪૪

(A True Translation.)
JOHN VAUPELL,
Chief Translator.

જાહેર ખબર

શુરતનાં નાંમદાર એજેટ ગવરનર શાફિન ખાહાકુરની શરકારથી આ જાહેર ખબર આ પામાં આવેઠે કે તારીખ ૩ જુન શને ૧૮૪૩ માં શવંત ૧૮૪૫ નાં જેઠ શુદ પ ને રોજે ખ તેલો ૧ નાંમે પ્રતે ચુખારેક ટંડેલ શુખા ખાં ચુલાખખાં માલેક દાદાભાજ રતનજીવાલો પરગણે મરોલીનું ગાંમવાસી ખોરશી આગ લ જોખમાઓ-તેમાંનો ફેરલોએક માલ ન વશારીના શર શુખાના લોકોએ તખરકે કરો તે બદલ શર શુખા પાશોથી શરકારના કુકુ મ ચુખખ ફેરલાએક શા આવેલાઠે-તે ર જે વેપારી કુતાર વગેરેને નુકશાન થકુ હો એ તેને વેહિયાનાઠે-વાશતે આજથી મા શ ૧ ની મુદતમાં એ ખતેલો જોખમાઓ થી જેને જેલું નુકશાન પોંચુ હોએ તેણે આ વીને હમારી જુવરમાં જાહેર કરતું કે તેનાં નુકશાન કૂપર વીચાર કરવામાં આવશે-તે એ ઠરાવેલી મુદતમાં કોઈ હાજર થઈ જા હેર નહીં કરેતો પાઠલથી તેની વાત શાંત લવામાં નહીં આવે-તારીખ ૧૫ આગશત શને ૧૮૪૪ *

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

Civil Appointments &c.

POLITICAL DEPARTMENT.
Bombay Castle, 21st September 1844.
Mr. Assistant Surgeon William Campbell M. D. is appointed Civil Surgeon to the Residency in the Persian Gulf.

Bombay Castle, 25th September 1844.
Lieut. J. A. Evans, acting second in command of the Guzerat Irregular Horse, is allowed leave of absence from the 20th November to the 20th December next, to proceed to Rajcote on urgent private affairs.

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

GENERAL DEPARTMENT.

Bombay Castle, 21st September 1844.
Assistant Surgeon D. Grierson, M. D. is appointed to the Medical charge of the Lunatic Asylum at Colaba.

JUDICIAL DEPARTMENT.

Bombay Castle, 23rd September 1844.
Mr. W. H. Harrison, Register of the Sudder Dewanee and Sudder Foujdaree Adawlut, is allowed leave of absence for a period of one month from the

10th proximo, under Section XI. of the absentee Regulations.

Bombay, Castle, 25th September 1844.

Mr. W. Simson, Puisne Judge of the Sudder Dewanee and Sudder Foujdaree Adawlut, is allowed leave of absence for a period of three months from the 1st proximo, under Sec. XI. of the Absentee Regulations.

Bappoojee Gunnesh Officiating Shastree of the Broach Adawlut, is confined in that situation.

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

Military

Arrivals and Departures.

ARRIVALS.

- 15th Aug.—Ensign William Souther, 48th Regt. M. N. I. from Nassick.
- 18th Sept.—Cornet Lionel Seymour, Cavalry, from Poona.
- “ “ Vety. Surg. A. T. Poett, 2nd Cavalry, from Scinde.
- 20th “ Capt. J. W. Rickards, 21st M. N. I. from Kulladghee.
- “ “ Lieut. E. C. Fenning, Marine B. N. I. from Poona.
- “ “ Assist. Surg. J. J. Faithful, from do.
- “ “ Lieut. P. L. Leader, 2nd or Queen's, from do.
- “ “ Capt. Thresie, Staff, from Belgaum.
- 21st “ Lieut. Remington, 15th Regt. N. I. from Ahmednuggur.
- “ “ Lieut. Col. J. Outram, 23rd Regt. from Mundleisair.
- 23rd “ Lieut. W. S. Hewett, 11th Regt. N. I. from Ahmedabad.
- “ “ Lieut. J. D. Williams, do. from do.
- “ “ 2nd Lieut. R. Cowper, 1st Fusiliers, from Deesa.
- “ “ Col. Farrell, 25th Regt. from Poona.
- “ “ Lieut. C. W. Walker, from do
- “ “ Lieut. Col. W. Wylie, c. b. 21st Regt. from Vingoria.
- “ “ Lieut. McGregor, 21st Regt. from Poona.
- 24th “ Major H. Hancock, Staff, from do.
- 25th “ Lieut. T. P. Sandwith, 1st Gr. from Rajcote.

DEPARTURES.

- 18th Sept.—Ensign S. N. Raikes, 18th Regt. to Bhooj.
- 19th “ Captain S. Parr, 23rd Regt. N. L. I. to Tannah.
- 21st “ Lieut. C. M. Barrow, 19th Regt. N. I. to Surat.
- “ “ Asst. Surg. A. Durham, m. d. 11th Regt. N. I. to Ahmedabad.
- 23rd “ Ensign R. M. Westropp, 14th Regt. N. I. to Poona.
- 25th “ Lieut. John G. Petrie, Arty. to Scinde.
- “ “ Major H. Macan, 17th Regt. to do.
- “ “ Lieut. McGregor, 21st Regt. to do.
- “ “ Asst. Surg. R. Hosken, 6th N. I. to do.
- “ “ G. G. Forbes, do. to do.
- “ “ Lieut. J. S. Allan, 49th M. N. I.
- “ “ Vety. Surg. A. T. Poett, 2nd Light Cav. to Hydrabad.

Town Major's Office, 25th September 1844.

SHIPPING INTELLIGENCE.

ARRIVALS.

- Sept. 18th—Steamer Sir J. R. Carnac, P. Duvrger, from Surat 16th instant.
Passengers—Mr. Tucker C. S. and fifty five natives.
- “ 18th—Barque Mary Alice, J. Gardner, from Bussorah, Bushire and Muscat 9th September
Passengers—Mrs. Gardner; S. J. Johanness; and eight natives.
- “ “ —Ship Fuzelburry, J. Mckay, from Bussorah 28th July, and Muscat 10th September.
Passengers—26 Natives.
- “ “ —Barque “Union” M. Todd, from Liverpool 11th May,

- “ 21st—American Ship Amazon, L. L. Batchelden, from Boston 26th May.
Passengers—Messrs. Davis and Wyman.

DEPARTURES.

- Sept. 17th—Barque Advocate, T. Wilkinson, to China.
- “ “ —Ship Larne, John Wilson, to China.
Passenger—Mr. J. T. Glen.
- “ 19th—Barque Ellen, Henry Worrall, to London.
- “ “ —Barque “Britania” David Gallatly, to London.
Passenger—Henry Gurbett Esq.
- “ 21st—Barque Masdew, S. H. Phillips, to China.
- “ “ —Steamer Sir J. R. Carnac, P. Duvrger, to Surat.
- “ “ —Ship John McVicar, N. McLeod, to Calcutta.
Passenger—J. Burt Esq.
- “ 22nd—Ship Fuzzel Currim, J. L. Ballantyne, to the Malabar Coast and Calcutta.
Passengers—eight natives.

E. F. DANVERS,

Junior Magistrate of Police.

Bombay Police Office, 25th Sept. 1844.

FORT WILLIAM, HOME DEPARTMENT, LEGISLATIVE, THE 7TH SEPTEMBER, 1844.

The following Act, passed by the Governor General of India in Council, on the 7th September 1844, is hereby promulgated for general information.

ACT. No. XVIII. OF 1844.

An Act for the better control and management of Jails within the Bengal Presidency.

I. It is hereby enacted, that so much of the provisions of any Regulation of the Bengal Code, or of any Act of the Government of India, as vests the Judges of Circuit, the Commissioners of Circuit, the Superintendents of Police and the Sudder Nizamut Adawlut, with control and superintendence over the several Jails of the Presidency of Fort William in Bengal, the Prisoners confined in them, the Establishments thereunto belonging, and the places of banishment or transportation of Prisoners, is repealed.

II. And it is hereby enacted, that the whole of the said control and superintendence shall be vested in the Magistrates and Joint Magistrates, acting under the instructions of the Zillah and City Judges, and that the Magistrates, Joint Magistrates and Zillah and City Judges, shall be guided in regard to all matters relating to the Jails under their charge, the Prisoners confined in them, the Establishments thereunto belonging, and the places of banishment or transportation of Prisoners, by such orders as they may receive from their respective Local Governments.

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 hundee 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 be 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 Moonisiffs, 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,

[N. B. This Section provides for the different kinds of arrears mentioned in Sec: VIII of the present Act.]

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 Moonisiff'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.]

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 Thannahs 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 ryotts 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

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

[Section XXVIII. of the present Act.]

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 engagement 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 Pergunnah, 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, assignments, or other encumbrances,

[Section XXIX. of the present Act.]

with which a Proprietor in possession, his ancestors, or predecessors may have burdened 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

[Section XXX. of the present Act.]

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 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 competent to punish any contempt committed in his presence in open Catcherry or Office for the time

[Section XXXII. of the present Act.]

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 Section 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.

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.*

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SUPPLEMENT



TO THE BOMBAY GOVERNMENT GAZETTE.

Published by authority.

FRIDAY, 27TH SEPTEMBER 1844.

FORT WILLIAM,
HOME DEPARTMENT.
LEGISLATIVE.

THE 14TH SEPTEMBER 1844.

The following Act is brought up before the Legislative Council this day—The Governor General of India in Council being desirous that no time should be lost in passing the Act—

Resolved, That the Rule requiring that no Draft of a Law should be ordered to be published till at least one week shall have elapsed from the day on which it was first laid before the Council of India in its Legislative Department, and that the Rules requiring that all Acts of the Governor General of India in Council shall be brought up for second reading in two months, or in three months from the date of the first reading, be suspended in respect to the following proposed Act, and that it be at once passed into Law.

Act No. XIX. of 1844.

An Act for abolishing Town Duties and Mookhats, and all Taxes upon Trades and Professions within the Presidency of Bombay.

It is hereby enacted, that from the 1st day of October 1844, all Town Dutes, Kusub Veeras, Mohturfas, Ballootee Taxes, and Cesses of every kind on Trades or Professions under whatsoever name, levied within the Presidency of Bombay, and not forming a part of the Land Revenue, shall be abolished.

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

Govt. Printing Office.—D. Nicker, Printer.