



# Bombay Government Gazette.

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## 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 officers 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.

## Bank of Bombay.

Notice is hereby given, that under Section XIII. of Act III. of 1840, the annual general meeting of Proprietors will be held at the Bank's office in the Fort, on Monday the 14th day of December at eleven o'clock A. M., for the election of two Directors in the room of Captain H. B. Turner and A. G. Latham Esquire, who go out by rotation on that day.

By order of the Board of Directors,

J. STUART,

Secretary & Treasurer.

Bombay, 26th November 1846.

## Notification.

The Government of India having been pleased to permit the free export of Salt shipped from the Port of Bombay for ports whether British or Foreign not on the Continent of India or in the Island of Ceylon, Notice is hereby given, that parties desirous of availing themselves of this privilege will be required to enter into a security bond for the amount of duty leviable on the salt so exported under Government Notification of the 14th September 1844, which bond will be cancelled on the production, within six months from its date, of a certificate of the salt having been imported at the port of its destination, signed by the Collector of Customs or other similar officer at that port, and on failure of this the bond will be enforced.

H. H. GLASS,

Collector of Customs.

Bombay Collector of Customs }  
Office, 2nd December 1846. }

## Public Order

To regulate the religious procession of the Mohurrum, and for the preservation of the public peace during that festival, sanctioned by the Honorable the Governor in Council, as provided for by Rule, Ordinance and Regulation II. A. D. 1827.

1st. Every person desirous of erecting or carrying about a *Taboot*, *Punjia*, or *Dholeaka Punjia* at the ensuing Mohurrum, must obtain a license from the Magistrates of Police, and a license will be granted to no person except Mussulmans.

2nd. The licenses shall bear the signatures of the Magistrates of Police, and all persons obtaining them shall be bound to produce them when demanded by any authority having a right so to do; any refusal to do so shall be held to be a breach of these rules.

3rd. Each *Taboot* is to have but one set of "Tassa," one set of "Dholee," one "Kurnah" and fifteen "Hillals."

4th. Any person who may be seen carrying a Sword, Dirk, Bludgeon, or other offensive weapon, will be taken into custody.

5th. *Taboots* meeting on the public road, are to give way to one another in the same manner that carriages do, each *Taboot* keeping to the left.

6th. *Taboots* are not permitted to go abreast on the public road, but they are to follow each other in a peaceable manner.

7th. No *Taboots* are allowed to go in procession on the last night of the Mohurrum before 12 o'clock, or to continue so after 3 o'clock in the following morning. These processions are limited (on the last night and day of the Mohurrum) to the Blendy Bazaar Road, Duncan Road, Chinch Bunder and Market Streets; and *Taboots* are not to be taken out on the last day before 12 o'clock; and on meeting carriages and horsemen are strictly enjoined to cease playing country music until they shall have passed, the *Taboots* keeping the left side of the



road; and it is directed that they be thrown into the sea and the ceremony concluded by 5 o'clock P. M.

8th. No procession of the Zool Junnah, or Horse, through the public streets or roads will be permitted.

9th. All persons licensed to sell Spirituous Liquors and all vendors of Opium and Bhang are enjoined to keep their shops closed; and persons found selling any thing of an intoxicating nature during the aforesaid period, will be taken into custody and punished.

10th. Any persons violating any of the above rules, or behaving in any manner likely to create a breach of the peace, or making a disturbance of any kind, will be immediately taken into custody and dealt with according to Law.

M. LARKEN,

Actg. Senior Magistrate of Police.

E. F. DANVERS,

Junior Magistrate of Police.

L. C. C. RIVETT,

Magistrate of Police.

Bombay, 25th November 1846.

اشتهار نامه

احکام طریق بر آوردن تابوت ها و امنیت خلق ۶۶ در ایام اشوره موافق قانون دویم پولس سنه ۱۸۲۷ عیسوی سرکار جلالت مدار نواب مستطاب گو نر صاحب بها در در اجلاس کونسل معینی و مقرر فرموده است

اول آنکه هر کسی که دین ماه محرم خواهد که بناي تابوت یا پنجه یا پنجه در لابگذارد یا در شوارع بگذراند باید که از ماجستریت پولس پروانه بگیرد و سواي مسلمان بد بگری پروانه داد نخواهد شد

دویم آنکه هر کسی بر پروانه مذکور مجیم صاحبان پولس لازم است که بوده باشند هرگاه عملداری مختار بد بدن پروانه حیات است آن پروانه را بشخواهد به بیند بر اولام است که پروانه را بة عملدار نشان بدهد و هرگاه کسی نمودن پروانه را قبول نه نماید چنین خواهند دانست که ار این حکم را شکسته

سینوم پیش هرتا بوت یک دست تاها و یک دست تهلوی و یک دست کرنا و پانزده عدد مشمول حال بدارند زیاده ازین ندارند

چهارم در دست هر کسی که شمشیر یا خنجر یا سوت و هر قسم اسلحه کاری باشد او را گرفتار کرده در پهنگاه خواهند داشت

پنجم در شوارع عام تابوت ها که با هم مقابل می شوند آن وقت مزور است که موافق آئین گاری واسپ بظرف چپ برود و آن دیگر هم بر جانب چپ خود برود

ششم هیچ تابوت بشارع عام نزدیک و در پهلوئی یک دیگر نروند مگر بطریق آسودگی و اصلاح عقب یک دیگر نروند هفتم شب دهم محرم قبل از ساعت

دوازده و بعد از ساعت سه تا بوقت را هیچ نگرداند و شب و روز دهم محرم هر تابوتی که در شهر می گرداند فقط در بیهندی بازار

و دانی روت و چپ بندر و مار کیت بگردانند و روز دهم قبل از ساعت دوازده تابوت را هیچ بیرون نیاروند و اگر در میان راه گاری واسپ

سوار ملاقی شود باو نشان حکم است که نمی التمال سازها را بند نمایند تا که آن ها بگذرند و بجهت آسانی این کار بهر تابوت حکم است که از طرف چپ بگذرد و حکم است که بوقت عصر تا ساعت پنج

تابوت ها را در آب انداخته از جمیع شرایط آن فارغ شوند هشتم گردانیدن ذالجناح در شارع

مام یا خاص نخواهند گذاشت نهم مردم ما نیکه شراب و افیون و بنگ می فروشند بر او شان حکم است که دکان های خود را بند نمایند و هر کسی که در مدت مذکوره از شراب مسکوره بفروشد او را گرفتار نموده

سزا خواهند داد دهم اگر احدی خلاف آئین مرقومه الصدر رفتار نماید یا کاری که متضمن فتنه و فساد بود از هر طریق نماید او را فی الفور گرفتار نموده بموجب قانون سزا خواهند داد

تقریباً نو مبر ۱۸۴۶ من مقام منبئی پواس انیس میحیم یم لارکن اگنی سنیر ماجستریت صاحب پولس ای انانورس

جونیر ماجستریت صاحب پولس ال می سی ریوت ما جستریت صاحب پولس

W. ESCOMBE, Secy. to Govt.



जाहिर नामें

अहेबुने शने १८२७ नं पोलीशनां जीजा  
कायेदा परमांणे तापुतना हाडासां तापु  
तो भाडार प्रेरववा फाडुठेके ते भाजत त  
था लोकोने डीलो इरफत नडी थायेते भाजत  
पंहेगांन आली नवाज मुशतेताज इजरत हं  
नराजल गवरनर शाहेज भाडाडुर दर लज  
लाश फोशल अयेअये मुकरर करीने कुफम  
परमायेके \*

१-आवता मोहोरंमना दीवशां तापुत  
अथवा पंजा अथवा दुलीना पंजा भांधवा  
ने अथवा प्रेरववांनी जेनी पुशी होशे  
तेणे पोलीशना माणुशतरेट शाहेजो पार्शेथी  
परवानो लीधो जेअये अने मुशलमान शी  
वाये जीजा फोछने परवानो मलनार न  
थी \*

२-परवाना कुपर पोलीशना माणुशतरेट  
शाहेजोनी शडी जेअये-अने जे लोफ पर  
वाना जेशे तेणे जे अमलदारने परवानो जे  
वानो अमतीआरके तेणे जेवाने मागो अे  
दले तेणे देजाडवो जेअये अे परवानो देजा  
डवाने नाफेइशे अेटले आ कुफम तोडो अे  
हेवु जालामां आवशे \*

३-इरअेफ तापुत शाथे ताशा जोड अेफ  
तथा ठोली जोड अेफ तथा करना अेफ तथा  
मशाल पंटर अे करतां जाशती राजवा नडी \*

४-जेफोछ माएश तलवार अथवा पंन  
जर अथवा शोरो अथवा जीजु फांछ इथी  
आर लछजतां नजरे पडशे तेहेने पफडीने  
पेहेरामां राजशे \*

५-मोटा रशता कुपर तापुत शांम शांम  
आवशे तेवारे इरअेफ तापुते पोतानी डा  
जी भाजु पफडीने गाडीअो जे रीते अेफअेफ  
ने रशतो करेके ते परमांने तापुतेअे कर  
वो \*

६-मोटा रशता पर तापुते अेफ अेफ  
नीशाडे यालवुं नडी परंनु अेफ अेफनी पा  
छल शकुफाछथी यालवुं \*

७-फतलनी राते आर फलाफ आगमज  
तथा पराहेदेनां तरए फलाफ पठी तापुत  
प्रवाने जवा हेशे नडी तथा फतलनी रा  
ते तथा जीजे दीवशे तापुत परवाने नीफ  
लशे तेणे लीडोअजार तथा डंकीनरोड तथा  
शीअंअर तथा मारकीत अेटला रशता अेथी

८-प्रवा तथा शयेटनां दीवशे आर फलाफ  
अगाव तापुत भाडार फाडाडवा नडी ने  
रशतामां गाडीअो तथा घोडा शवार मले  
तो ते गाडीअो तथा घोडा शवार जामे तां  
हं लगी ताशा वगरे वजाडवा नडी अने र  
शतानी डाजी भाजुअे रेहेवुं अेहेवो शफत  
कुफमके तथा शंजना पांय फलाफ सुधी तापु  
त दरीआमां नांजीने तेनी करीआ पुरी कर  
वी \*

९-जुलजना अेटले घोडानी शवारी मो  
टा शरता तथा गलीअोमां प्रेरववा हेशे न  
डी \*

१०-दाइ वेयवाना परा जेवोने मलेलाके ते  
णे तथा अफीए तथा लांग वेयनारा अेवो  
नी कुफांनो भांध राजवी अेहेवो तेहेने कुफम  
के तथा फेरी जूनश जेफोछ शहर कु मुदत  
मां वेयतां पफडाशेती तेहेने पफडीने पेहेरा  
मां राजीने शज्जा करशे \*

१०-शहर कु कुफम जेफोछ तोडशे अथवा  
लोकोने डीलो इरफत थाये हेवुं फांछ कर  
शे अथवा फोछ तरेनी प्रीशाए करशेती तेने  
तेज वजत फेड करी कायेदा परमांणे शज्जा  
करशे \*

नीशानी

अे-मलारकीन

आफंदीज पोलीशनां शीनीअर माणुशतरेट

छ-अेफ-डानवरश

पोलीशनां जुनीअर माणुशतरेट

अेल-शी-शी-रीयेट

पोलीशनां माणुशतरेट

तारीज २५ मी माहे नवअंअर शने १८४६

जशवी मुफाम मुंभाछ \*

W. ESCOMBE, Secy. to Govt.

जाहिरनामा

रेसाजेसन १८२० चे पोलीसचे दुसरे कायद्याप्रमाणे ता  
मुताचे दिवसांत तापुत वाचेर फिरावयास काढितात त्याचि  
सो व लोकांस हत्ताहरकत नव्हावो त्याचिसो बंदिमान आ  
लिनवाव सुलताव इजरत इनरावल गवरनर वाहेव वाहा  
दुर दरदजलास वोंसल याचो सुकरर करून हा सुकूम च  
मोविला आचे

१ वेते सोहरमचे दिवसांत तापुत अथवा पंज्या अथवा  
दुस्राचा पंज्या वांधावयाचो अथवा मिरयात जेण्याचो आ  
चो छशो असेल त्याणे पोलीसचे माजिल्ले ठसाचेव वाजपाळ  
न परवाना घेतला पांचि जे आणि सुसलमावाधिवाच दुसरे  
कोणास परवाना मिळणार नाचो



१ परवान्यावर पोलिसचे माजिलेट चाहेबांच्या सहा अशाच्या आणि जे लोक परवाने घेतोले त्यांनी व्या असलेला रीस परवाने पाडाण्याचा अखत्यार आहे त्यांनी पाडावयाचा मागील असता त्यांस दाखविले पाडिजेत परवाने दाखवावयास नाही व्हटले असता हा दुकूम तोडला असेजाणतील

२ चरकर ताबुतापुढें ताशाचा ओड एक व डोलोचाओड एक व करणा एक व हिलाल पधरा यापेक्षां व्याजती अकरने

३ जोमनुय तलवार अथवा खंजीर अथवा सोटा अथवा दुसरे काही हत्यार घेऊन जाताना दरोड पडेल त्यास घडून पाचार्यांत ठेवितोले

४ मोत्या रख्यावर ताबुत समोरासमोर घेतोले तेव्हां चरकर ताबुताने आपली डानो बाजू घडून गाथा व्या रिताने एकमेकास रक्षा करतात त्याप्रमाणे त्या ताबुताने करावा

५ मोत्या रख्यावर एकएकाचे बराबर ताबुतानो चालून घे परंतु एकएकाचे पाडिमोगें सल्लुबागे चालावें

७ कत्तलचे रात्रीस बारा कलाकापूर्वी व पाहाटेचे तीन कलाकानंतर ताबुत मिरवावयास जाउदेणार नाहीत व कत्तलचे रात्रीस व दुसरे दिवसीं ताबुत मिरवावयास निघतोले त्याणी भंडोवाजार व डंकनरोड व चौचबंदर व मारकीट रतव्या रख्यानोसाव मिरवावे व घेवटचे दिवसीं बारा कलाकापूर्वी ताबुत बाहेर काढूनघेत व रख्यांत गाथा व घोडेखार भेटले असता त्या गाथा व घोडेखार जातेंत परीयंत ताशेवगैरे बायें बाजकनयंत आणि रख्याचे डावेबाजूस राचायेंअसा सल्ल दुकूम आहे व रंध्याकाळचे पांचकलाक पर्यंत ताबुत दर्यांत घुडऊन सोकळें व्हावें असा दुकूम आहे

८ झुलजना म्हणजे घोवाचोखारी मोथारख्यावरून कीवा गख्यांतून मिरऊदेशारनाहीं

९ दाकविकण्याचे पटे व्यास मिळाले आहेत त्याणी वअकू वभांग विकणारे याणी आपलीं दुकाने बंददेवावीं असा त्यांस दुकूम आहे व कैफो जिन्नस जोकोणी सदरळ सुदतींत विकताना सांपडेल त्यास पाचार्यांत ठेऊन सजा करतोले

१० सदरदुकूम ओकोणीतोडतोले कीवा लोकांस दसाचरकत घेइल असा वर्तणूक करतोले कीवा कोणतेचो तडेंचा फिसाद करतोले तर त्यांसतेचक्षणी केंदकरून कायद्याप्रमाणे सजा करतोले

निश्चानी  
रम. लारकीन

पोलीसचे आकटींग सिनोयर माजी ल्हेट  
र. रफ. डानवर्स  
पोलीसचे जुनोयर माजी ल्हेट  
रल - सी - सी - रीवोट  
पोलीसचे माजिलेट

तारीख १५ माचे नवेबर सन १८४६ इसवी सुकास सुबई  
W. ESCOMBE. Secy. to Govt.

**Interpretation**

On Regulation XXII. of 1827, Section III. Clause 4th.

On a question raised in a case before the Court it was declared that the provisions of Regulation XXII. of 1827 are not applicable to all residents in camps, but to those only belonging to, or connected with, the Bombay Army.

By the *Sudder Foujdaree Adawlut.*  
W. H. HARRISON,  
Register.

Bombay, *Sudder Foujdaree Adawlut,*  
16th November 1846.

**Ecclesiastical.**

Notice is hereby given, that the Reverend George Luscomb Allen, Chaplain at Deesa, has been appointed Surrogate by the Right Reverend the Lord Bishop of Bombay for and throughout the Archdeaconry of Bombay, within the jurisdiction and Diocese of Bombay.

And that all persons residing within the district of the above named Surrogate requiring dispensations or licenses of marriage under the Episcopal seal, may on application to him 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.  
J. P. LARKINS,  
Registrar.

Bombay, 28th November 1846.

**Notice.**

Sealed tenders will be received at the office of the Superintendent of Repairs up to Wednesday next the 9th instant, until 12 o'clock P. M., for execution by contract of the undermentioned works, and the tenders will be opened by the acting Superintendent of Repairs at 2 P. M. of that day, when parties tendering are requested to attend.

- 1. Constructing a sewer with cross drains in Ballajee Shamsset street.
  - 2. Constructing six unmade streets situated between the Parelh, Duncan, Erskine and Obelisk roads.
  - 3. Constructing six public urinaries within the Fort and in the vicinity of Bhoolshwer.
- Estimates of the quantity of labor and materials to be expended, 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 from 10 to 5 P. M. Sundays excepted.

A deposit of 2 per cent on the amount of estimates will be required from the person at the time of submitting his tender to be forfeited in case of any evasion in signing the deed of contract.

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

J. H. G. CRAWFORD, Capt.  
Acting Supt. of Repairs,  
Bombay,  
Supt. of Repair's Office,  
1st December 1846.

**Notice.**

From the 1st December proximo, there will be on sale at the Teak plantations under Singhur in the Mahal of Donja near Poona, a quantity of teak thinnings, the same comprize rafters, small posts, sticks and firewood. Application to be made to the Forest's Karkoon or the Forest Mucadum at Donja.

Terms of sale, ready cash, or a months credit on security given to the Mahalkurie of Donja, any lots purchased to be removed within a month or thereafter to remain at the risk of the purchaser, with exception of firewood, which may be removed gradually as in former years.

ALEXANDER GIBSON,  
Interim Conservator of Forests.  
25th November 1846.



**JUDICIAL DEPARTMENT.**

It is hereby notified for general information that the Judicial Commissioner for the Konkan and Guzerat is expected to arrive at the undermentioned stations on the following dates.

Tannah.....	1st December 1846.
Surat.....	25th ditto....do.
Broach.....	8th January 1847.
Kaira.....	20th ditto....do.
Ahmedabad.....	24th ditto....do.
Dholka.....	9th February
Dhundooka.....	12th ditto....do.
Gogo.....	17th ditto....do.
Colaba.....	25th ditto....do.

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

W. ESCOMBE, *Secy. to Govt.*

Bombay Castle, 2nd Decr. 1846.

**Notice**

Is hereby given, that sealed tenders will be received at this office until 2 o'clock on Friday next the 4th instant, for supplying tonnage to the amount of 8,000 caudies more or less, for the conveyance of artificers to Aden on country craft.

The tonnage for the above artificers will be received during the present month.

The tenders should show the rates per candy at which the vessels properly found and perfectly sea worthy for the conveyance of the artificers in question will be furnished, on the distinct understanding that the vessels shall be surveyed and rejected if reported by a Committee as defective or incomplete.

A moiety of the freight will be paid in Bombay and the remainder at the port of debarkation on the correct delivery of the followers, provisions &c.

A cash deposit will be required for the due performance of the engagement to the extent of Rupees 2,500, which will be refunded on the receipt of the acknowledgment for the correct delivery of the followers, provisions &c., but in the event of delay or refusal to make the supply after the tenders are once accepted, the deposit will be forfeited, nor will any reason be assigned for the rejection of any of the tenders.

Payment will be made on the disembarkation return at the rate of five candies for each artificer landed, including their provisions, baggage &c.

W. B. SALMON, Capt.

*Depty. Assist. Commy. Genl. in charge.*

Bombay, *Depty Commy. Genl's* }  
*Office, 2nd December 1846. }*

**Notice.**

The effects of Mr. J. Swayne deceased, late Head Clerk in the Shikarpoor Collector's office, are under the seal of this office.

P. GOLDNEY, Capt.

*Collector and Magistrate.*

*Collr's. Office, Shikar- }*  
*poor, 12th Nov. 1846. }*

**Notification.**

With reference to the Post office Notification of the 16th March last, it is hereby notified for general information, that Newspapers, Prices Current and Commercial lists posted for places to which they are to be conveyed by the Peninsular and Oriental Company's Steamers, will in future be charged British packet postage at the rate of 9 pies or three quarter anna, instead of eight pies the rate heretofore levied.

Each Newspaper, Price Current and Commercial list, must be put under a separate cover, two or more under the same cover, will not be received.

A. W. RAVENSCROFT,

*Post Master General.*

Bombay *Genl. Post Office,* }  
*1st December 1846. }*

**Notice**

Is hereby given, that persons desirous of entering into a contract for performing the packing and dammering duties of this department, for the term of one year from the 1st day of January 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 they may require.

Verbal offers for the contract will be received at this Office at 2 o'clock on Friday the 18th instant, when persons will be required to bid a per centage below the prices exhibited in the list above adverted to, at which they will undertake to perform the whole of the work embraced therein in a satisfactory manner.

The contractor will be required to sign and seal a contract stipulating to the above effect, and that he will comply immediately with all emergent orders for packing stores covering and dammering packages, and that other similar duties of less urgency shall be completed within the periods stated in the orders, and that on failure thereof the work may be performed at his risk and loss, and that in all such cases an advance of Rupees (30) thirty per cent upon the amount of expences incurred or a fine of Rupees (50) fifty at the option of the executive officer may be levied as liquidated damages for each and every such breach of contract as often as the same may occur, and that the contract may also in all such cases be put an end to on the part of the East India Company.

No person will be allowed to bid for the contract unless he previously deposits in this office the sum of Rupees (27-0-0) twenty seven in cash, which will be forfeited in the event of delay, evasion or refusal to execute the necessary deed of contract, should his offer be accepted he must be prepared to give unexceptionable bonded security to the extent of Rupees (100) one hundred and nine for the due performance of his contract.

The annual outlay on account of the above contract is estimated at Rupees (547-0-0) or thereabouts. All further particulars will be communicated at the time of bidding and no reason will be assigned for the rejection of any offer.

W. B. SALMON, Capt.

*Depty. Assist. Comy. Genl. in Charge,*

Bombay *Depty. Comy. }*  
*Genl's Office, 2nd Dec. 1846. }*



**Notice**

Is hereby given, that persons desirous of entering into a contract for supplying Copper ware &c. to this department for the term of two years from the 1st day of January 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 they may require.

Verbal offers for the contract will be received at this office at 2 o'clock on Friday the 18th instant, when persons will be required to bid a per centage below the prices exhibited in the above mentioned list, on the understanding that the articles to be supplied under the contract are to be of unexceptionable quality and delivered to the indenting department in good condition, free of all further expences, in such number or quantity as may from time to time be demanded, and that the same will be liable to examination and rejection by a committee of officers appointed on the part of government.

The contractor will be required to sign and seal a contract stipulating to the above effect, and that he will comply immediately with all emergent demands for the articles included in the above mentioned list, and others of less urgency within the period stated in the requisitions made upon him, and that in failure thereof the articles or such others as may be required in lieu thereof may be purchased at his risk and loss, and that in all such cases an advance of Rupees (30) thirty per cent upon the amount of expences incurred or a fine of Rupees (50) fifty, at the option of the executive officer may be levied as liquidated damages for each and every such breach of contract as often as the same may occur, and that the contract may also in all such cases be put an end to on the part of the East India Company.

No person will be allowed to bid for the contract unless he previously deposits in this office the sum of Rupees (120) one hundred and twenty, which will be forfeited in the event of delay, evasion or refusal to execute the necessary deed of contract; should his offer be accepted, he must be prepared to add thereto a further sum of Rupees (200) two hundred, making in all Rupees (320) three hundred and twenty, and unexceptionable bonded security to the extent of Rupees (1283) twelve hundred and eighty-three, to be held by the government as security for the due performance of his contract.

The annual outlay on account of the above contract is estimated at Rupees (6,419-0-0) or thereabouts. All further particulars will be communicated at the time of bidding, and no reason will be assigned for the rejection of any offer.

W. B. SALMON, Capt.  
Depty. Assist. Comy. Genl. in Charge.  
Bombay Depy. Comy. Cent's. }  
Office, 2nd Dec. 1846. }

**Notice**

Is hereby given, that sealed tenders will be received at this office until 2 P. M. on Saturday the 19th instant, for a contract for supplying Naval Stores to this department, for the

term of two years from 1st day of January 1847.

All persons desirous of tendering for the above contract may, on application at this office from 10 A. M. until 5 P. M. obtain daily (Sundays excepted,) a list of the rates and such other information relating thereto as they may require.

The tender must specify both in words and figures the rate per cent below the prices in the list above adverted to, on the understanding that the whole of the articles embraced therein are to be of good quality and delivered in good condition free of all further expences in such number or quantity as may from time to time be demanded to the indenting departments, and will be liable to examination and rejection by a committee of officers appointed on the part of government.

The contractor will be required to sign and seal a contract stipulating to the above effect and that he will comply immediately with all emergent demands for the articles included in the above mentioned list, and others of less urgency within the period stated in the requisitions made upon him, and that in failure thereof, the articles or such others as may be required in lieu may 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 a fine of Rupees (50) fifty at the option of the executive officer may be levied as liquidated damages for each and every such breach of contract as often as the same may occur, and that the contract may also in all such cases be put an end to on the part of the East India Company.

Every person submitting a tender for the above contract will be required to lodge with it the sum of Rupees (1000) one thousand in cash, 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 (2950) two thousand nine hundred and fifty in cash, making in all Rupees (3950) three thousand nine hundred and fifty, and unexceptionable bonded security to the extent of Rupees (15,800) fifteen thousand and eight hundred, to be held by the government as security for the due performance of his contract.

The tenders will be opened at the time already specified in the presence of the parties concerned, or of such as may be in attendance, but none can be taken into consideration which are not accompanied with the requisite deposits.

The annual outlay on account of the above contract is estimated at Rupees (78,986) or thereabouts. All further particulars will be communicated on the receipt and opening of the tenders, and no reason will be assigned in the event of their rejection.

W. B. SALMON, Capt.  
Depty. Assist. Comy. Genl. in Charge,  
Bombay Depy. Comy. }  
Genl. Office, 2nd Dec. 1846. }

**INSOLVENT DEBTORS COURT.**

In the matter of the petition of Augustus Gabriel Roussac, an Insolvent.

Notice is hereby given, that Thursday the third day of December next, is appointed for



further hearing in the above matter, at 12 o'clock in the forenoon.

J. P. LARKINS,  
Chief Clerk.

Bombay, Chief Clerk's Office, }  
this 27th day of Nov. 1846. }

નબલા દેવાદારોની ફોરદ મઘે  
આઠશતશ ગેબરાજલ રૂ  
શાક નબલી આશામીકે  
તેને અરજી આપીકે તે  
બાબતમાં—

બખર આપઆમો આવકે જે આવતા હી  
શંમખર મહીતાની તારીખ ૩ જી ને ભરશે  
પતવારને દીને કુપર લખેલી અરજીની બા  
બત ૫રીથી શાખનવામો આવશે શવાર  
ને પોરે કલાક ૧૨ ને અંમલેક

૧ જે પી—લારજીનશ શાએબ  
ચીક કલાક શરૂ

શ્રી મુબાઇનાં ચીક કલાક  
શાએબની હાખીશ તારીખ ૨૭ મી  
નવમખર શંને ૧૮૪૬ ક

(A true translation.)

J. VAUPELL, Chief Translator.

### Notice.

Verbal tenders will be received at this office at 2 o'clock on Tuesday next the 8th instant, for the supply of the following articles and such others as may be called for during the intermediate period, viz:—

- 1 Set Table Blackwood complete 6 feet by 3½ in three pieces.
- 450 Sheets of Tin Plates Single 14 by 10 inches No. IX.
- 1000 Ditto of ditto ditto Double 17 by 12½ inches DX.
- 100 Pounds Lace Tent broad.
- 2 Sets Tools Carpenters. Europe as per muster.
- 2 Weights Brass loose, 56 pounds.
- 3 Portfolios of Sizes.
- 1 Protractor Circular, common.
- 1 Theodolite with Stand 5 inch.
- 1 Box, Colour Drawing

An immediate deposit of ten per cent will be required to be made by the lowest bidders upon the amount of their offers, which sum will be forfeited in the event of refusal or delay in making the supply within the limited time, all further particulars may be learnt on application at this office from 10 till 5 o'clock daily.

W. B. SALMON, Capt.  
Depty. Assist. Commy. Genl. in Charge.

Bombay, Depty. Commy. Genl's. }  
Office, 2nd December 1846. }

### Notice

Is hereby given, that sealed tenders will be received at this office until 2 P. M. on Tuesday the 15th proximo, for a contract for the supply of Gram, Barley, Kurbee and Boosa, required by the Commissariat Department at Hyderabad, for the term of one year from the 1st of February 1847 to the 31st of January 1848.

All persons desirous of tendering for the above contract, may on application at this office from 10 A. M. till 5 P. M. obtain daily (Sundays excepted,) a list of the rates and such other information relating thereto as they may require.

Tenders must specify both in words and figures the rates per cent below the price in the list above adverted to at which they will undertake to furnish the whole of the articles embraced therein, and it is to be understood that the supplies to be purchased under the contract are to be of a good and unexceptionable quality, deliverable at the Commissariat Department at Hyderabad, free of all expences beyond that agreed upon, subject to the approval of the receiving authorities, and that they are to be delivered in such number or quantity as may from time to time be demanded by the departments requiring them, during the existence of the contract.

The contractor will be required to sign and seal a contract stipulating to the above effect, and that he will comply immediately with all emergent demands for the articles included in the above mentioned list, and others of less urgency, within the period stated in the requisitions made upon him, in failure whereof, the articles on such others as may be required in lieu may 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 a fine of Rupees (50) fifty at the option of the Commissariat officer at Hyderabad, will be levied as liquidated damages for each and every such breach of contract as often as the same may occur, and the contract may also in all such cases be put an end to on the part of the East India Company.

Every person submitting a tender will be required to lodge with it the sum of Rupees (572) five hundred and seventy-two in cash, which will be forfeited in the event of delay, evasion or refusal to execute the necessary deed of contract, should his offer be accepted in which case he must be prepared to give unexceptionable bonded security to the extent of Rupees (2200) two thousand two hundred and ninety, which together with the above deposit amount to be held by the Government as security for the due performance of his contract.

The government shall be at liberty to obtain any portion of those supplies from their own gardens, stores or departments.

The tenders will be opened at the time above specified in presence of the parties concerned or of such as may be in attendance, but none can be taken into consideration that are not accompanied with the requisite deposit.

Retrenchments by the Military Board from the contingent bills to be recovered from the first bills presented for payment. If subsequently such retrenchments are remitted the amount then to be refunded to the contractor,



The annual outlay on account of the above contract is estimated at Rupees (11,449-5-11) or thereabouts, all further particulars will be communicated on the receipt and opening of the tenders and no reason will be assigned in the event of their rejection.

W. B. SALMON, Capt.  
Depty. Asst. Comy Genl. in Charge.

Bombay, Depty. Comy. Genl's. }  
Office, 2nd December 1846. }

### Notice

Is hereby given, that sealed tenders will be received at this office until 2 o'clock on Monday the 14th proximo for entering into separate contracts for supplying miscellaneous articles, Bread fine 1st sort, and Biscuit fine 1st sort, fresh Mutton and fresh Beef, required by the Commissariat Department at Sukkur, for the term of one year from the 1st of February 1847 to the 31st of January 1848.

All persons desirous of tendering for the above contracts, may on application at this office from 10 A. M. till 5 P. M. obtain daily (Sundays excepted) Lists Nos. 1 to 4 of the articles with their prices attached and such other information relating thereto, as they may require.

Tenders must specify both in words and figures the rates per cent below the prices in the lists above adverted to, at which they will undertake to furnish the whole of the articles embraced therein, it being understood that the supplies to be furnished under the contracts are to be of a good and unexceptionable quality, and to be delivered at the Commissariat Department at Sukkur, free of all expences beyond that agreed upon, subject to the approval of the receiving authorities, and that they are to be delivered in such number or quantity, as may from time to time be demanded by the Departments requiring them, during the existence of the contract.

The contractors will be required to sign and seal contracts stipulating to the above effect, and that they will comply immediately with all emergent demands for the articles included in the abovementioned lists, and others of less urgency within the period stated in the requisitions made upon them, in failure whereof, the articles or such others as may be required in lieu may be purchased at their risk and loss, and in all such cases and advance of Rupees (30) thirty per cent upon the amount of expences incurred or a fine of Rupees (50) fifty at the option of the Commissariat officer at Sukkur, will be levied as liquidated damages for each and every such breach of contract as often as the same may occur, and the contracts may also in all such cases be put an end to on the part of the East India Company.

Every person submitting a tender will be required to lodge with them the sums stated opposite the lists respectively.

List No. 1.—For Miscellaneous articles in cash Rupees 50 fifty.

List No. 2.—For Bread fine 1st sort, and Biscuit fine 1st sort, in cash Rupees 1000 one thousand.

List Nos. 3 and 4 for fresh Beef and Mutton, in cash Rupees 600 six hundred.

which will be forfeited in the event of delay, evasion or refusal to execute the necessary deeds of contract; should their tenders be accepted in which case they must be prepared to add further sums in addition thereto respectively.

For List No. 1.—For miscellaneous articles, in cash Rupees 89 eighty nine, making in all Rupees 139 one hundred and thirty-nine.

For List No. 2.—For bread and Biscuit, in cash Rupees 1226, twelve hundred and twenty-six, making in all Rupees (2,226) two thousand two hundred and twenty-six.

For List Nos. 3 & 4.—For Beef and Mutton, in cash Rupees 668 six hundred and sixty-eight, making in all Rupees (1268) twelve hundred and sixty-eight.

and unexceptionable bonded security to the following extent viz:—List No. 1. Rupees 558 five hundred and fifty eight—List No. 2, Rupees 8907 eight thousand nine hundred and seven,—and Lists Nos. 3. and 4. Rupees 5075 five thousand and seventy five, all of which sums deposited and bonded security will be considered deposited and given as security for the due performance of the above engagements.

Government shall be at liberty if necessary, to obtain any portion of the supplies mentioned in List No. 1. either by manufacture in their Jails or from any other of their own departments.

The tenders will be opened at the time above specified, in presence of the parties concerned or of such as may be in attendance, but none can be considered that are not accompanied with the requisite deposit.

Retrenchments by the Military Board from the contingent bills, to be recovered from the contractors from the first bills presented for payment. If subsequently such retrenchments are remitted, the amount then to be refunded to the contractors.

The annual outlay on account of the above contracts are estimated at No. 1, Rupees 2,791.—No. 2, Rupees 44,538.—Nos. 3 and 4 Rupees 25,375. or thereabouts. All further particulars will be communicated on the receipt and opening of the tenders and no reason will be assigned in the event of their rejection.

W. B. SALMON, Capt.

Depty. Assist Comy. Genl. in Charge.  
Bombay, Depty. Comy. }  
Genl. Office, 2nd Dec. 1846. }

### Notice to Mariners.

The decayed state of the Calicut Flag Staff, having rendered it necessary to have the same taken down, it is hereby made known, that until further notice, no Flag will be shewn at that Port.

(Signed) H. V. CONOLLY,

Collector of Malabar.  
Calicut, 16th August 1845.

(A True Copy.)

J. F. THOMAS,  
Chief Secretary.



# General Orders.

BY THE HON'BLE THE GOVERNOR IN COUNCIL.

## MILITARY DEPARTMENT.

BOMBAY CASTLE, 26TH NOVEMBER 1846.

No. 732 of 1846.—Lieutenant J. H. Burke of the Engineers, is directed to proceed to Kurrachee and place himself at the disposal of the Government of Scinde for the purpose of taking charge of the executive duties of the Engineer department at Hyderabad.

*Bombay Castle, 27th November 1846.*

No. 733 of 1846.—The following promotions are made.

### 2nd Regiment European Light Infantry.

*Date of rank.*

Captain A. P. LeMessurier to be Major, Lieutenant H. J. Willoughby to be Captain, and } 24th Nov. 1846.  
Ensign A. C. Frankland to be Lieutenant in succession to Thornton retired..... }

No. 734 of 1846.—The following promotion is made.

### Corps of Engineers.

2nd Lieut. W. F. Marriott to be 1st Lieut. vice Curtis deceased..... 2nd June 1846.

The following officer to be ranked from the dates specified opposite his name and posted to the Corps of Engineers, vice Marriott promoted.

### Rank as 2nd Lieut. in the

	Regiment.	Army.
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Charles Scott..... 2nd June 1846. 9th June 1843.

No. 735 of 1846.—The order by Major Bulkley, dated Bombay the 10th November 1846, appointing Lieut. Goodfellow to act as Staff Officer to the left wing of the 20th Regiment Native Infantry, in room of Lieutenant Barnes who has been reported unable to conduct the duties from indisposition, is confirmed.

No. 736 of 1846.—Private Angus McLeod of the 2nd Regiment European Light Infantry, having paid into the Honorable Company's Treasury the sum required by General Order dated the 7th January 1837, is allowed his discharge from the army.

No. 737 of 1846.—Lieutenant H. W. Holland of the 13th Regiment Native Infantry, has returned to his duty without prejudice to his rank by permission of the Honorable the Court of Directors, date of arrival at Bombay 8th October 1846.

No. 738 of 1846.—The following promotions are made.

### 9th Regiment Native Infantry.

*Date of rank.*

Captain J. B. Bellasis to be Major, Lieut. (B. Captain) J. C. Wright to be Captain, } 13th Nov. 1846.  
and Ensign S. Scott to be Lieut. in succession to Littlewood invalidated..... }

No. 739 of 1846.—The following promotions are made.

### Ordnance Department.

Sub-Conductor S. Norris to be Acting Conductor, and Acting Sub-Conductor H. Doyle } 8th Nov. 1846.  
to be Sub-conductor in succession to Farrow deceased..... }

No. 740 of 1846.—Second Lieutenant C. W. Cramp of the 2nd Battalion Madras Artillery, is allowed leave of absence to proceed to the Western Coast and the Neilgherry Hills from the 8th November 1846 to the 31st October 1847, for the benefit of his health.

*Bombay Castle, 30th November 1846.*

No. 741 of 1846.—Lieutenant Colonel J. R. Woodhouse, of the 3rd Regiment Native Infantry, is allowed a furlough to Europe for three years on medical certificate.

*Bombay Castle, 1st December 1846.*

No. 742 of 1846.—Captain J. G. Johnstone of the Native Veteran Battalion, is allowed a furlough to Europe for three years on medical certificate.

No. 743 of 1846.—The following orders are confirmed.

### • Strength.

1 Major.	27 Havildars.
1 Captain.	14 Drummers & Fifers.
5 Subalterns.	412 Rank & File.
1 Surgeon.	5 Bhesties.
5 Subedars.	1. 2d Hospital Assistant.
5 Jemedars.	1. 1st Grade Apprentice.

An order by Major Bulkley, dated Bombay the 1st November 1846, appointing Lieutenant G. McB. Barnes to act as Staff Officer to the left wing of the 20th Regiment Native Infantry from the date of its separation from the right wing, and directing Captain Hobson to perform the duties of Staff Officer until Lieutenant Barne's arrival.

An order by Major Troward, dated Camp Vingorla the 1st November 1846, appointing Lieutenant E. McCulloch to act as Adjutant to the 27th Regiment Native Infantry during the absence of Brevet Captain Vaillant on sick leave to the Neilgherries.



An order by Major General MacNeil, dated Poona the 11th November 1846, appointing Lieutenant Green of the 21st Regiment Native Infantry to act as Adjutant to the Poona Recruit Depôt, vice Lieutenant Newnham appointed Assistant Superintendent of Bazars at Poona until further orders.

No. 744 of 1846.—The following gentlemen are admitted to the service in conformity with their appointments by the Hon'ble the Court of Directors as Cadets of Engineers on this establishment, and promoted to 2nd Lieutenants, leaving the dates of their commissions for future adjustment.

*Engineers. Date of arrival at Bombay.*

- No. 506 Mr. Alexander Cowper, . . . . . } 13th Nov. 1846.
  - No. 507 Mr. John William Playfair, . . . . . }
- No. 745 of 1846.—The following promotions are made.

*10th Regiment Native Infantry. Date of rank.*

- Lieutenant H. Vincent to be Captain, and Easign J. W. S. Burns to be Lieutenant in } 20th Nov. 1846.
- succession to Johnstone invalidated, . . . . . }

No. 746 of 1846.—Gunner John Atwell of the 1st Battalion Artillery, having paid into the Honorable Company's Treasury the amount required by Government General order of the 7th January 1837, is allowed his discharge from the army.

No. 747 of 1846.—The Hon'ble the Governor in Council is pleased to publish to the army the following General Order by the Right Hon'ble the Governor General of India, dated 17th November 1846.

The Right Hon'ble the Governor General of India has much pleasure in publishing for the information of the army, the following paragraphs of a Military letter No. 21 of 1846, dated the 22nd September last, from the Hon'ble the Court of Directors.

2nd. We are now informed by the Governor General, that taking into consideration the fact that our European Regiments are less complete in officers than those of Her Majesty's Service, and will permanently continue to be so; and at the same time influenced by the equity of the claim of the officers concerned to equality of promotion with their brother officers of the Native Infantry, His Lordship inclines to the opinion that the addition of two Captains is a justifiable measure, His Lordship accordingly recommends it to our favorable consideration.

Under these circumstances we have resolved to augment the number of Captains in each Regiment of European Infantry from ten to twelve, with date of rank from the date assigned to the augmentation of one Captain to each Regiment of Native Infantry.

The promotions consequent on the increase above authorized will have effect at the three Presidencies from the 24th January 1845.

(Signed) J. STUART, *Lieut. Colonel.*

*Secy. to the Govt. of India Mily. Dept. with the Govr. Genl.*

No. 748 of 1846.—Lieutenant Francis Man, of the 16th Regiment Madras Native Infantry, is allowed leave of absence from the 21st November 1846 to the 31st October 1848, to proceed to the Neilgherry Hills for the benefit of his health.

*Bombay Castle, 2nd December 1846.*

No. 749 of 1846.—The Honorable the Governor in Council has been pleased to appoint Captain A. M. Haselwood, 3rd Regiment Native Infantry, to command the Rutnagherry Rangers, in succession to Major Thornton retired from the army.

No. 750 of 1846.—Captain T. Morse, 27th Regiment Native Infantry, is appointed to act as Fort Adjutant of Bombay, as Director of the Fire Engines, as a Member of the standing Committee of Survey, and as Secretary to the Clothing Board, during the employment of Major Willoughby c. b. upon the personal Staff of the Honorable the Governor, or until further orders.

No. 751 of 1846.—Captain Henry Willoughby, 2nd Regiment European Light Infantry, is appointed Assistant to the Garrison Engineer at the Presidency.

*By order of the Honorable the Governor in Council,*

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

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*M A R I N E D E P A R T M E N T.*

*Bombay Castle, 27th November 1846.*

No. 114 of 1846.—William Friend, Journeyman apprentice, having passed the requisite examination, is promoted to the grade of fourth class country trained Engineer from the 1st October 1846.

*Bombay Castle, 2nd December 1846.*

No. 115 of 1846.—Mr. George Enos Gregory Way, Midshipman, having completed the prescribed period of five years servitude, on the 20th May 1846, and passed the requisite examination, is promoted to the rank of Mate from that date.

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

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



BOMBAY PRICE CURRENT

OF BUTCHERS MEAT, POULTRY, BREAD, FLOUR, ROLONG, MILK, BUTTER, FRUITS, OIL, CANDLES, SOAP, FIREWOOD, SUGAR, GHEE, GRAIN, &c. &c.—QUOTED BY THE DEALERS.

Main table with columns: ARTICLES, PRICE, ARTICLES, PRICE, ARTICLES, PRICE. Categories include BEEF, VEAL SMALL, VEAL LARGE, MUTTON FOR EUROPEANS, MUTTON FOR NATIVES, KID SMALL, KID LARGE, LAMB SMALL, LAMB LARGE, PORK FRESH AND SALT, POULTRY, FRUITS OF SORTS, DRY FRUITS OF SORTS, BREAD, FLOUR, ROLONG, &c., MILK AND BUTTER, FIREWOOD, OIL, CANDLES, AND SOAP, OIL, CANDLES, & SOAP, (continued), and GRAIN OF SORTS.

Vegetables generally sold according to the quantity in the Market, and the choice of the Vegetables.

Bombay Measures by which the Articles are sold.—1 Seers 1 Phylly—17 Phyllies one Phara—8 Pharas one Candy—25 Pharas one Moora.

Bombay weight by which the Articles are sold.—1 Seer is 11 ozs. and 4 dwts.—40 Seers is 1 Maund—1 Maund is 28 English pounds.

A Robin of Rice averages about 15 Phyllies. Published by order of the Board of Conservancy J. WATSON, Clerk of the Markets.

Bombay, 2nd December 1846.



**Notice**

Is hereby given, that the Superintendent of the Indian Navy will receive sealed tenders for the conveyance of one Commissioned Officer, 6 Sergeants, 42 Privates, 4 Women, and 14 Children, invalids of Her Majesty's 25th Regiment (more or less) from Cannanore on the Malabar Coast to England.

The tenders must specify the rate per head in English currency for adults and half for children, and the date when the ship will be at Cannanore to receive the detachment.

The ship is to furnish provisions of the best quality with medical comforts, medicines, water and fuel equal in quantity to twenty weeks consumption, a scale of provisioning will be furnished on application at the Agent of Transports office.

The ship must provide hammock battens and for suspending the knapsacks between decks, also windsails for the ventilation of between decks. A Cabin to be provided for the officer accompanying the invalids, and who is to be accommodated at the Commanders table at the usual rate allowed by Government.

The ship will be surveyed by the officers of government, and the space allotted to the troops, as well as the provisions will be inspected by a committee; two-thirds of the passage money will be paid on receipt of a certificate in Bombay from the Commanding Officer at Cannanore of the troops being embarked, at the exchange of two shillings the Company's Rupee, and the remaining one-third in England after the arrival of the ship and landing of the troops at their destination.

The form of tender will be supplied on application to the Agent for Transports, also any other information required.

By order.

H. B. LYNCH,  
Assist. Supt. I. N.

Superintendent's Office,  
Bombay, 25th November 1846. }

**Notice**

Is hereby given, that the Superintendent of the Indian Navy will receive tenders for the conveyance of the detail of Her Majesty's 17th Regiment as per margin, more or less, to England.

The tenders must specify the rate per head in English currency for adults, and half for children, (should there be any,) and the date when the ship will be ready to sail.

The ship is to furnish provisions of the best quality, with medical comforts, medicines, water and fuel for the troops equal in quantity to twenty weeks consumption. A scale of provisioning will be supplied on application at the Agent for Transport's office.

The ship must provide hammock battens, and for suspending the Knapsacks between decks, in the part of the vessel appropriated to the troops, also wind sails for the ventilation of the between decks, and a separate necessary for the women.

The ship will be surveyed by the officers of government, and the space allotted to the troops as well as the provisions will be inspected by a Committee; two-thirds of the passage money will be paid on embarkation of the troops

at Bombay, at the exchange of two shillings the Company's Rupee, and the remaining one-third in England after the arrival of the ship and landing of the troops at their destination.

The form of tender will be supplied on application to the Agent for transports, also any other information required.

By order.

H. B. LYNCH,  
Assist. Supt. I. N.

Superintendent's Office,  
Bombay, 17th November 1846. }

**Notice.**

The Superintendent of the Indian Navy will receive tenders for ship tonnage for the conveyance of Gun metal to Calcutta. The metal consists of forty-four guns and a quantity of broken Ordnance, the former weighing 37 tons 14 cwt. 2 qrs. 25 lb. and the latter 6 tons 18 cwt. 3 qrs. 7 lb.

The tenders must state the rate per ton weight, and the time the ship will be ready to receive the metal.

One moiety of the freight will be paid on the shipment of the metal, and the other on the production of a certificate of its correct delivery at Calcutta.

Offers will be received by the Superintendent of the Indian Navy, for a passage to England, either to London or Liverpool, for a discharged Gunner of the Artillery, also for passage to London for two Invalided Seamen of the Indian Navy.

By order,  
H. B. LYNCH,  
Assist. Supt. I. N.

Superintendent's Office,  
Bombay, 28th Oct. 1846. }

**Advertisement.**

Passage is required for the conveyance of (23) twenty-three Native Convicts, and (1) one time expired Native Convict to Singapoore.—Also for (1) one European Convict to the Isle of France, Calcutta, Madras, or direct to Van Dieman's Land.

By order,

H. B. LYNCH,  
Assist. Supt. I. N.

Superintendent's Office,  
Bombay, 11th Nov. 1846. }

**Advertisement.**

Notice is hereby given, that the materials of a house, offices, and wall, situated at Colaba opposite the Brigade Major's quarters, and at present in the occupation of W. Elsam Esq. will be sold by public auction at the office of the Collector of Land Revenue at 1 P. M. on Tuesday the 8th December 1846. The property will be on view from the 1st proximo until the time of sale.—The conditions of sale and all other information connected therewith, can be known on application to the Collector of Land Revenue.

RICHARD D'SPOONER,  
Collector of Land Revenue.

Bombay, 23rd November 1846.



### Notice

Is hereby given, that verbal tenders will be received at this office at 12 o'clock in the forenoon, on Thursday the 10th proximo, for the supply of such miscellaneous articles as may be required to meet the demands from the several stations of this division, with the exception of Ahmednugur, for the term of one year from the 1st January next. A list of the articles may be seen and every necessary information obtained by application at this office any day from 10 till 5 o'clock daily "Sundays excepted."

The list in question exhibits the current selling rate of each article in Company's Rupees; and every person coming forward will be required to bid for the contract for the supply of the whole, at a per centage above or below the said rates, as the case may be, and on the understanding that the articles are to be delivered free of any expence beyond the stipulated price, to the several departments at Poona and Kirkee requiring them, while those for outstations of the division, are to be delivered at the Commissariat Stores Poona.

The annual outlay on account of the above contract is estimated at about Rupees 13,000; no person will be permitted to bid who has not previously deposited in this office the sum of Rupees 650, which sum will be forfeited in the event of delay, evasion or refusal to execute the necessary Deed of Contract, and the person whose offer may be excepted, must be prepared to furnish unexceptionable bonded security to the further amount of Company's Rupees 2,600, which together with the above-mentioned deposit will be held as security for the due fulfilment of every part of the contract.

The contractor will be required to comply with all demands without delay or demur, the articles tendered to be unexceptionable, and of the description and quality generally used by the departments requiring them, in failure thereof they will be purchased wherever procurable at his risk and loss, and in all such cases the contractor will be liable to be fined (50) fifty Rupees or (30) thirty per cent on the amount of expenses so incurred, at the option of the Executive Commissariat officer.

Any dispute as to the quality of supplies will be decided by a committee of officers.

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

E. WHICHELO, Capt.  
Deputy Commy. Genl.

Poona, Commt. Office, }  
4th November 1846. }

### Notice.

Major Bulkley as President of the Committee of Adjustment of the estate of the late Lieutenant Curtis, of the Corps of Engineers, after payment of all authorized demands against it, has paid into the hands of the Military Secretary to Government, the balance amounting to Rupees 715-15-6 Seven hundred and fifteen, annas fifteen, and pies six.

All claims received against the estate which the Committee was not empowered to discharge have been, in like manner, transmitted to the Military Secretary to Government, as well as those in favor of the estate.

R. BULKLEY, Major,  
President Committee of Adjustment.

Bombay, 17th September 1846.

### Notice

Tenders will be received up to the 20th December next by this department, for contract of provisioning the Prisoners (about 300) in the Criminal Jail at this station, commencing from 1st January to 31st December 1847; all particulars and conditions may be learnt on application at this office.

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

A. CAMPBELL,  
Senior Assistant Session Judge.

Rutnagheree, Court of Adawlut, }  
19th November, 1846. }

### जाहीनामा

अदालत कोर्टरत्नागिरी जिल्हा कोंकण विद्यमान अजम अडक क्वाथेल साहेब इसकोयूर सिनियर आसिस्टन प्रेशनज डब्ल्यु कोर्ट रत्नागिरी याणी कळावयाकरितां लिहिला जातो जे रत्नागिरी येथील तुर्गांतोल बंदिवान सुमारे २०० यास भा नें देण्याचा सक्ता इ। तारीख १ साहे जानेवारी तागाइत ता। २१ डिसेंबर सन १८४७ पर्यंत बारमाही खावयाचा तो घेण्याची कोणाची सर्जी असेसतर. तारीख २० डिसेंबर सन १८४६ पर्यंत अर्जा घेतल्याजातील

सक्ताप्रकर्णी सर्व कलसबंधीची याद जास पाहण्याची असेल त्याणे यादपोसांत सांगितली असतां समजाविण्यांत येईल

कोणाची अर्जी नाकबूल केली असतां त्याचे कारण समजाविजे जाणार नाहीं

ता १९ साहे नवंबर सन १८४६ इसवी

A. CAMPBELL,  
Senior Assistant Session Judge.

### Notice

Is hereby given, that persons desirous of entering into a contract for supplying Spirits rectified, or Spirits of Wine of country manufacture to this department for one year from the 1st day of January 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 they may require.

Verbal offers for the contract will be received at this office at 2 o'clock on Saturday the 12th proximo, when persons will be required to bid a per centage below the price specified in the list above adverted to, on the understanding that articles to be purchased under the contract are to be of good quality and delivered to the indenting department in good condition, free of all further expense, in such quantity as may from time to time be required, and will be liable to examination and rejection by a committee of officers appointed on the part of Government.

The contractor will be required to sign and seal a contract stipulating to the above effect, and that he will comply immediately with all emergent demands for the articles included in the above-mentioned list, and others of less urgency within the period stated in the requisitions made upon him, and that in failure thereof the article or such other as may be required in lieu thereof may be purchased at his risk and loss, and that in all such cases an advance of Rupees (30) thirty per cent upon the amount of expences incurred, or a fine of Rupees (50) fifty at the option of the executive officer, may



be levied as liquidated damages for each and every such breach of contract as often as the same may occur, and that the contract may also in all such cases be put an end to on the part of the East India Company.

No person will be allowed to bid for the contract unless he previously deposits in this office the sum of Rupees (33-0-0) thirty-three, which will be forfeited in the event of delay, evasion or refusal to execute the necessary deed of contract; should his offer be accepted, he must be prepared to give unexceptionable bonded security to the extent of Rupees (133) one hundred and thirty-three, to be held by the Government as security for the due performance of his contract.

The annual outlay on account of the above contract is estimated at Rupees (668-0-0) or thereabouts. All further particulars will be communicated at the time of bidding, and no reason will be assigned for the rejection of any offer.

W. B. SALMON, Capt.

*Depy. Assist. Comy. Genl. in Charge.*  
*Bombay, Depy. Comy. Genl's. }*  
*Office, 25th Nov. 1846. }*

**Notice**

Is hereby given, that persons desirous of entering into a contract for the articles in the undermentioned Ordnance schedules, to this department for two years to commence from 1st January 1847 to 31st December 1848, may, on application at this office from 10th A. M. to 5 P. M. daily, (Sundays excepted,) obtain the lists thereof with the prices affixed, and such other information relating thereto as they may require.

- No. 1. Schedule, Miscellaneous articles.
- .. 2. ..do. Teak timber &c.

Verbal offers for the contract will be received at the office at 12 o'clock on Tuesday the 15th December 1846, when persons will be required to bid a per centage either above or below the prices specified in the lists above adverted to, at which they will undertake to furnish the whole of the articles embraced therein of unexceptionable quality to the department requiring them free of all further expense, in such number or quantity as may from time to time be demanded.

The contractor will be required to comply immediately with all emergent demands, and others less urgent must be completed within the period stated in the supply notes, or in failing to do so, the articles or such others as may be required in their behalf will be purchased at his risk and loss, and in all such cases an advance of Rupees 25 per cent upon the amount of expenses incurred, or a fine of Rupees 50 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 deposit in this office the following sums,

- For schedule No. 1 Co's. Rs... 590 0 0
- Ditto.. No. 2 .... ,, 230 0 0

which sums will be forfeited in the event of delay, evasion or refusal to execute the neces-

sary deed of contract; should their offer be accepted, in which case they must be prepared to furnish in addition thereto unexceptionable personal securities in the following amounts, for the due and punctual performance of their engagements respectively,

- For schedule No. 1 Co's, Rs. 2,362 0 0
- Ditto .. No. 2 .. ,, .. 918 0 0

As it is not incumbent on the sanctioning authorities to accept of the lowest bid, it is to be understood that the deposits lodged to qualify a person to bid for the contract will not for the future be returned until the bidings have been duly submitted to the authorities for sanction and the tender has been accepted.

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

C. BIRDWOOD, Capt.  
 A. D. C. General, S. D. A.

*Commissariat Office, S. D. A. }*  
*Belgaum, 29th Oct. 1846. }*

**PROCLAMATION.**

**B**OMBAY 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 Thursday the 3rd day of December 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 dependant 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 13th day of Novr. in the ninth year of the Reign of Her Majesty Queen Victoria.

S. S. DICKINSON, Sheriff.



**NOTIFICATION.**

It is hereby notified for general information that in conformity with Sec: XXVII. of the Post Office Rules of the 30th August 1837, no parcel can be received at this office which bears the appearance of having been opened, and reclosed, or otherwise improperly dealt with, or packed in so insecure and careless a manner as to render it impossible to tell whether it has been so dealt with or not; and the public are particularly requested to be careful in all cases to pack parcels intended for transmission by Post in the strongest and most secure manner that circumstances will admit, affixing their private seals when possible on the joinings of the covers, as the extremely loose and careless way in which parcels are packed, affords great facilities to parties who are so inclined, to tamper with their contents.

**W. COURTNEY,**  
*Post Master General.*

*Bombay, Genl. Post Office,*  
8th April 1846.

استظهارنامه

بجہت اظهار بر عامہ خلا بق استظهار د اده  
میشود کہ ہر بستہ کہ چنیں معلوم شود کہ  
کشورہ شدہ ود و بارہ بستہ شدہ یا  
بقشمی د بگر تغییر و تبدیل د ران راہ یافتہ یا  
از روی تساہل و عدم توجہ چنان بستہ شدہ  
کہ محال است کسی تواند گفت کہ تغییر و  
تبدیلی در آن شدہ است یا نہ چنیں  
بستہ را بموجب قلم بیست و ہفتم ۲۷ از قانون  
د اکذا بہ مرقومہ ۲۰ اگست سنہ  
۱۸۳۷ عیسوی درین کارخانہ نہ اہند  
کرفت لہذا عامہ خلا بق ہر کارہ بستہ خواہند  
از راہ د اک از سال د از نہ یا بد کہ بنہایت  
انظباط و احتیاط بہ بند نہ بہر قسمی کہ ان  
بستہ قابل بستن یا شدہ و اگر ممکن با شد  
وصلہای لثافہ بستہ را بمہر خود مہور نماہند  
زیرا کہ دست د از بی ہر مال د اخل چنیں  
بستہ کہ تساہل و بی احتیاطی در بستن ان  
شدہ ہستیا ر آسان میشون ہر کسا نیکہ چنیں  
عمل منظور نظر ایشان باشد

صحیح و یلیم کورتنی

پوسٹ ماسٹر جنرل

تاریخ ۸ ماہ اپریل سنہ ۱۸۴۶ عیسوی

مقام ممبئی جنرل پوسٹ آفیس  
**W. ESCOMBE,** Secy. to Govt.

**जाहीरनामा**

रेषाजे सर्वोच मानुम हेाण्याकरितां जाहीर के  
लं जातिजे तारीख ३० आगष्ट सन १८३७ चे पो  
ष्ट आफिसाचे कानूनचे सत्ताविषावे कलमावर  
इकूम बौंदडो उघडून पुन्हा बंद केलोआहे अ  
थवा तोंत कांहीं घालमेल केलोआहे अथवा  
घालमेल केलोआहे कोवा नाहों हं सांगवत ना

हों अभी बेसलामत व अव्यवस्थीत रीतोन बंद  
केलोआहे म्हणोन दिख्वास तीबोंदडो जनरल  
पोस्टआफीसांत घेणारनाहोंत त्यास बौंदड्या डा  
केतून पाठवावयाच्या असतील त्यासर्व बनुमकेल  
तितक्या फार मजबुतीने व मसुकीम रीतोन बंद  
करण्याविषी लोकांनी फारचौकस असावें व वनु  
सकेल तेव्हां वेष्टणाचे सांध्यावर आपलो खानगो  
माहर करावो कांको बौंदड्या अव्यवस्थीत री  
तोन बंद करतात तेणेकरून त्यांतिल मालांत द  
गाबाजो करण्याविषी व्यालोकांचो नजर असते  
त्यांस मोठी सवड सांपडते.

निष्ठाणो

डब्ल्यु. कोटनी.

पोष्टमास्तर जनरल

तारीख ८ माहे आप्रिल सन १८४६ इसवी मास  
बद जनरल पोष्टआफिस.

**W. ESCOMBE,** Secy. to Govt.

जाहीरनामा

मेहेबुजे शरवेते मांजुम थवा शाउ जाहेर  
करामो आवेके जे तारीख ३० आगष्ट १८  
ने १८३७ नां पोशद हाफ्रीशना कानून माहे  
ली २७मी कलम अमुजम जीएडी कुधाडी  
ने परी अंए करीके अथवा तमां कध धाल  
मेल करीके अथवा धालमेल थएके के नडी  
जे नथी कडी शकानु मेहेवी रीते जेशलां  
मत तथा गखलतथी अंए करीके मेहेबु जे  
आमां आवशेतो ते जीएडीने जनरल पोश  
द हाफ्रीशमां लेंतार नडी वाशते जीएडीयो  
द कमाथी मोकलवानी होजे ते शरवे जनी  
शके ते परमांजे धएली मजपुतीथी तथा मु  
शतकीत अंए करवा शाउ लोकोजे धएजे यो  
कश रेहेबु जेधजे अते जनी शके तारे ली  
हाफ्रीशना शांधा कुपर पोतानी मांतगी मोहे  
द करती कांजेके जीएडीयो गखलतथी अंए  
करेके तेथी तेमांता माजमो दगाभाज क  
रवा वीशो जे लोकोनी नजर होजे तेवने ध  
ए श्रुतउ पडेके \*

नीशांनी

डमलीकु-फोरटनी

पोशद माशतर जनरल

तारीख ८ माहे मेपरेल शने १८४६

धशयी मुकाम मुजध जनरल पोशद

हाफ्रीश \*

**W. ESCOMBE,** Sec. to Govt.



**Bombay Education Society.**

Notice is hereby given, that applications for leave of absence of any child in the Central Schools Byculla, during the ensuing Christmas holidays, should be made to the respective Committees without delay, by letter addressed

To THE SECRETARY,

BOMBAY EDUCATION SOCIETY.

No application received after the 5th day of December next can be considered.

*Parties applying are requested to state.*

1. Their relationship to the child applied for.
2. Their name, occupation and place of residence,

W. K. FLETCHER,

*Secretary.*

*Byculla, 11th November 1846.*

**Notice**

Is hereby given, that persons desirous of entering into a contract with this Department for supplying Tin ware of country manufacture, for the term of two years from the 1st day of January 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 2 o'clock on Saturday the 5th proximo, when persons will be required to bid a per centage below the prices exhibited in the above mentioned list, on the understanding that the articles are to be of good quality and delivered in good condition free of all charges, in such number or quantity as may from time to time be demanded, to the Indenting Departments, and which will be liable to examination and rejection by a committee of officers appointed on the part of Government.

The contractor will be required to sign and seal a contract stipulating to the above effect, and that he will comply immediately with all emergent demands for the articles included in the abovementioned list, and others of less urgency within the period stated in the requisitions made upon him, in failure whereof, the articles or such others as may be required in lieu may 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 a fine of Rupees (50) fifty at the option of the executive officer may be levied as liquidated damages for each and every such breach of contract as often as the same may occur, and the contract may also in all such cases be put an end to on the part of the East India Company.

No person will be allowed to bid for the contract unless he previously deposits in this office the sum of Rupees (16-0-0) sixteen in cash, which will be forfeited in the event of delay, evasion on refusal to execute the necessary deed of contract, and shall his offer be excepted, in which case he must be prepared to give unexceptionable bonded security to the extent of Rupees (65-0-0) sixty-five to be held by the

Government as security for the due performance of his contract.

The annual outlay on account of the above contract is estimated at Rupees (320-0-0) or thereabouts. All further particulars will be communicated at the time of bidding, and no reason will be assigned for the rejection of any offer.

W. B. SALMON, Capt.

*Depty. Assist. Commy. Genl. in Charge.*

*Bombay, Deputy Commy. Genl's. }*

*Office, 18th November 1846. }*

**Notification.**

Notice is hereby given, that under instructions from the Government of India, letters posted in Bombay cannot be received for transmission by the Government Expresses despatched hence to Calcutta and Madras on the arrival of the Overland Mails, those Expresses being specially intended for Europe letters and intelligence.

W. COURTNEY,

*Post Master General.*

*Bombay Genl. Post Office, }*

*4th March 1846. }*

**OPIUM MEMORANDUM.**

FOR THE SEASON OF 1845 | 46.

Passes granted at Indore from 1st October 1845 up to the 26th May last. . . . . Chests	12,635
Ditto at Bombay from 1st October 1845 to the 30th September 1846. . . . . Chests	959
	<u>13,594</u>

Imported into Bombay of the above passes up to the 1st instant. . . . . Chests	13,396½
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Exported from the above up to the 1st instant. . . . . Chests	10,390½
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FOR THE SEASON OF 1846 | 47.

Passes granted at Indore from 1st Oct. up to the 16th November 1846. . . . . Chests	3,648
Ditto do. from 17th to 23rd do. do. . . . .	424
	<u>4,072</u>

Ditto granted at Bombay from 1st Oct. 1846 up to the 24th November 1846. . . . .	209
Ditto ditto from 25th to 1st Instant. . . . .	149
	<u>358</u>

4,430

Imported into Bombay of the above passes up to the 24th ultimo. . . . . Chests	286
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Ditto into ditto from 25th ultimo to the 1st instant . . . . . „	151
	<u>437</u>

J. D. INVERARITY,

*Deputy Opium Agent.*

*Bombay, Opium Agent's Office, }*

*2nd December 1846. }*



## Notification.

Notice is hereby given, that by a Treasury Warrant under date 11th September 1845, among other Regulations, certain rates of British Packet Postage have been established upon all Letters, Newspapers and Prices Current, conveyed from Port to Port in the East Indies, China &c. by the new lines of Packet boats recently put in operation under the additional contract made by Her Majesty's Government, with the Peninsular and Oriental Steam Navigation Company,

*These rates of Packet Postage are as follows.*

One Shilling per half ounce for letters, according to the scale of weight now in operation in the united Kingdom,

One Penny for each Newspaper, whether British, Colonial or Foreign, conveyed between any of Her Majesty's Colonies and a Foreign Port, or between any two Foreign Ports,

One Penny for each British or Colonial printed Price Current, or printed Commercial List conveyed between any of Her Majesty's Colonies.

Two Pence for each printed Price Current or printed Commercial list, whether British, Colonial or Foreign, conveyed between a British Colony and a Foreign Port or between two Foreign Ports.

British or Colonial Newspapers passing by these packets between any of Her Majesty's Colonies will not be liable to any postage for the Sea conveyance,

The prepayment of the British Packet postage on letters, is optional, when conveyed between the Indian Offices of Bombay, Aden, Calcutta, Madras, Penang & Singapore, and the Islands of Ceylon and Hongkong, or between any two of the Indian offices above enumerated; but when dispatched to a Foreign Country or Possession, such as China, Manilla &c, the above postage must be paid in advance at the Despatching Office.

The Postage chargeable on Newspapers and Prices Current and Commercial lists forwarded by these Packet Boats must in all cases be paid in advance.

The public are requested to take notice that by this Warrant, Letters &c. sent from Bombay to Point de Galle for dispatch thence to any Port in India or China, or to any of the settlements to the Eastward by the Peninsular and Oriental Company's Steamers will be liable to the above rate of British packet postage in addition to the postage at present leviable from hence to Galle; and also that when addressed to a Foreign Country or Possession the postage in question, must, in all cases be paid in advance at the despatching office

The British Packet postage above referred to, will, till further notice be converted into Indian currency at the rate of two shillings the rupee.

The above arrangement will come into operation in this Presidency on the 1st day of May next.

W. COURTNEY,  
Post. Mr. Genl.

Bombay Genl. Post Office }  
16th March 1846. }

## CIVIL APPOINTMENTS, &c. TERRITORIAL DEPARTMENT.

REVENUE.

*Bombay Castle, 1st December 1846.*

Mr. H. W. Reeves Collector and Magistrate of Belgaum, and Political Agent in the Southern Maratta Country, is allowed leave of absence under Sections V. & VI. of the Absentee Regulations, for two years to proceed to the Cape of Good Hope on medical certificate.

*Bombay Castle, 2nd December 1846.*

Mr. L. Reid, to be third Assistant to the Collector and Magistrate of Poona.

Mr. A. Rogers, Acting second Assistant to the Collector of Broach, is placed in permanent charge of the districts of Hansote and Unklesur.

Mr. J. H. Pelly, first Assistant to the Collector of Surat, is allowed seventeen days leave of absence from the 15th instant, under Section XI of the Absentee Regulations, to proceed to the Presidency on private affairs.

GENERAL DEPARTMENT.

*Bombay Castle, 28th November 1846.*

Lieutenant C. H. Morse of the 14th Regiment Native Infantry, to be Post Master of Belgaum.

*Bombay Castle, 1st December 1846.*

Mr. W. Escombe, having returned to the Presidency will resume charge of the General, Judicial and Persian Departments.

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

GENERAL DEPARTMENT.

*Bombay Castle, 1st December 1846.*

The Reverend P. Anderson, Assistant Chaplain of Malligaum, is allowed leave of absence to visit the Presidency on medical certificate for one month from the date of departure from his station.

Lieutenant Cowper, second Assistant Superintendent of roads, is allowed leave of absence for one month to visit the Presidency on private affairs.

Assistant Surgeon P. Cruickshank, Civil Surgeon at Rutnaghery, is allowed a further extension of of leave from the 16th ultimo to the 31st instant, to remain at the Mahabeshwar Hills on medical certificate.

Surgeon J. P. Malcolmson, Civil Surgeon at Aden, received charge of the Post office at that place from Lieutenant C. J. Cruttenden on the 19th October last.

*Bombay Castle, 2nd December 1846.*

Captain D. Archer delivered over charge of the Belgaum Post office to Captain Donnelly, Assistant Adjutant General S. D. A. on the 16th ultimo.

First Grade apprentice Balcrustna of the 23rd Regiment Native Infantry, to be transferred to the Oculist department, vice Hurry Trimbeck promoted.

The following disposition list of furloughs is published for information.

Furloughs available	Admitted.
on this date. . . 7	Mr. J. H. Pelly.

JUDICIAL DEPARTMENT.

*Bombay Castle, 1st December 1846.*

Mr. W. Simson having reported his return to Bombay, the unexpired portion of the extended leave of absence granted to him on the 11th August last is cancelled, and he is permitted to resume his office of Puisne Judge of the Sudder Dewanee and Sudder Poudaree Adawlut.

Henry Baldwin Herrick, Esquire, resumed charge of the office of Clerk of the Crown on the 17th ultimo.

*Bombay Castle, 2nd December 1846.*

J. Holland, Esquire, to be Sheriff of Bombay for the ensuing year

Captain A. M. Haselwood of the 3rd Regiment Native Infantry, to be Commandant of the Rutnagherry Rangers.

Mr. A. K. Corfield, Acting Senior Assistant Judge and Session Judge of Surat for the detached station of Broach, having resumed charge of his duties on the 23rd October last the unexpired por-



tion of the leave of absence granted to him on the 14th idem, is cancelled.

The Honorable the Judges of the Supreme Court of Judicature have granted leave of absence for four months from the 10th ultimo, to Mr. Spencer Compton, Registrar on the Ecclesiastical side of the Supreme Court, and examiner in Equity, and have appointed Mr. O. W. Ketterer to act in those situations during Mr. Compton's absence.

The Judges have also granted leave of absence for six weeks from the 21st ultimo, to Mr. C. A. West, Clerk of the Court for conducting small causes, and have appointed Mr. J. P. Larkins to act as Clerk of the said Court during the absence of Mr. West.

The leave of absence for fifteen days granted to Mr. C. Forjett, principal Sudder Ameen of Ahmednuggur on the 4th ultimo, under Section II. of the Absentee Rules for Unconvenanted servants, dated the 24th July last, is cancelled.

The Judges of the Sudder Dewanee Adawlut have issued sanads to the following individuals empowering them to practice as Vukeels in the Courts specified.

Rajaram Luxmedass in the Court of Surat.  
Jumnadass Gordhundass ditto do. do.  
Wittul Hemraz..... ditto do. Ahmedabad  
Nursing Row Rowjee... ditto do. Sholapoor.  
Purushram Ramkrishna.. ditto do. do.  
Bhugwant Jaywant..... ditto do. do.  
Paudoorung Harry Joshee ditto Sudder. Adawlut.

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

#### POLITICAL DEPARTMENT

Bombay Castle, 28th November 1846.

Mr. H. L. Anderson, Assistant to the Political Agent in the Southern Mahratta Country, is permitted to proceed on deputation into the districts from the 1st instant.

By order of the Hon'ble the Governor in Council.  
A. MALET, Secy. to Govt.

### Military

#### Arrivals and Departures.

1846. ARRIVALS.

25th Nov.—Lieut. D MacDougall, Horse Artillery, from Poona.  
" " —Lieut. W. Stevenson, do. from do.  
26th " —Assistant Surgeon J. Mackenzie, 8th Regiment N. I. from Ahmedabad.  
28th " —Surgeon General J. Bird, Staff, from Malaheshwar.  
" " —Ensign P. Hutchinson, 20th Regt. N. I. from Ahmednuggur.  
29th " —Lieut. F. P. Teschemaker, Artillery, from Kurrachee.  
" " —2nd Lieutenant A. R. Mark, do. from Belgaum.  
" " —Lieut. B. W. Ramsay, 14th Lt. Dragoons, from Ferozepoor.  
" " —Assist. Surg. J. M. Hyslop, I. N. from Kurrachee.  
" " —2nd Lieut. W. W. Anderson, Arty. from Malligaum.  
" " —Capt. Jones, 12th Regt. N. I. from Scinde.  
" " —Supt. Surg. J. McLennan, from Khandalla.  
" " —Capt. C. Giberne, 29th Regt. N. I. from Poona.  
" " —Lieut. W. C. Rich, 46th Regt. N. I. from Neilgherry Hills.  
" " —Capt. H. B. Blogg, 7th M. L. C. from Sea.  
" " —Major Outley, 26th Regt. B. N. I. from Neilgherry Hills.  
" " —Assist. Surg. M. Style, Medl. Establishment, from ditto.  
1st Dec.—Cadet J. M. Gow, Infantry, from England.  
" " —Major F. White, c. b. H. M.'s 8th Foot, from do.  
" " —Cadet F. Keys, Infantry, from do.  
" " —Lieut. F. C. Kane, 15th Regt. N. I. from Vingorla.

" " —Assistant Surgeon J. Deas, medical Establishment, from England.  
" " —Lieut. Colonel Wm. Cavaye, Infantry, from do.

#### DEPARTURES.

25th Nov.—Lieut. McAndrew, 78th Highlanders, to Belgaum.  
" " —Lieut. and Adjutant S. Thacker, 9th Regt. N. I. to Nassick.  
28th " —Captain G. A. Marshall, 18th Regt. M. N. I. to Nagpore.  
29th " —Lieut. E. Charter, 8th or King's, to Poona.  
" " —Lieut. C. G. Souther, do. to do.  
" " —Lieut. J. E. Bowles, 23rd N. L. I. to Khandalla.  
" " —Ensign T. R. Burton Phillipson, 27th Regt. N. I. to Belgaum.  
1st Dec.—Capt. C. Giberne, 29th Regt. N. I. to Poona.  
" " —Capt. E. H. Hart, 19th Regt. to Surat.  
" " —Lieut. G. K. Bell, Artillery to England.  
" " —2nd Lieut. F. Conybeare, Arty. to Surat.

Town Major's Office, 2nd Dec. 1846.

### SHIPPING INTELLIGENCE.

1846. ARRIVALS.

24th Nov.—Ship St. Lawrence, J. Newlandy, from Liverpool 13th July.  
25th " —Ship Dorisiana, B. D. Freeman, from Liverpool 23rd July.  
Passenger.—Mrs. Freeman.  
26th " —Ship William Stewart, W. Jamison, from Greenock 1st August.  
" " —Ship Lascar, R. Thompson, from London 11th August.  
27th " —Steamer Sir J. R. Carnac, G. Beyts, from Surat 26th instant.  
Passengers.—Fifty natives.  
" " —French Brig of War Ducomedie, Capt. Guillam, from Surat 26th instant.  
28th " —Ship Mor. T. Alston, from Hong-kong 1st October.  
29th " —H. M. Steamer Seaforth, J. W. Higgs Esq. r. n., from Colombo 23rd and Cannanore 26th instant.  
Passengers.—J. Drummond Esq. H. M.'s 10th Hussars, and native servant.  
" " —H. M. Steamer Indus, Mr. C. Kingcome, from Kurrachee 26th November.  
Passengers.—Mr. A. Dawes, Acting Master I. N.; M. J. Stockham, Purser I. N.; Mrs. Wallace; Capt. Ramsay, H. M.'s 14th Dragoons; Captain Neynoe, H. M.'s 17th Regt.; Captain Jones, 12th N. I.; Lieut. Rigaud, H. M.'s 60th Rifles; Lieut. Cohan, H. M.'s 86th Regt.; Assist. Surgeon Wicers, M. D.; Assist. Surg. Hyslop, M. D.; Lieut. Teschemaker, Arty.; Revd. J. C. Marchetta R. C. Chaplain; Mr. Spark; one Warrant officer, eleven Non-commissioned rank and file of different corps, four children, two European public followers, two native Non-commissioned rank and file of different corps, four public and twenty one private followers, two parsee merchants, one persian moonshee.  
30th " —Steamer Sir Charles Forbes, W. H. Litchfield, from Ceylon, left Point de Galle 22nd, Colombo 23rd, Cochin, Ponany and Calicut 26th, Cannanore 27th, Mangalore 28th, Goa and Vingorla 29th instant.  
Passengers.—Sir W. Hoste, Bart. Commander r. n.; W. Simpson Esq. Bengal C. S.; Capt. Gribble, H. C. S.; Capt. F. J. Banks; Capt. Blogg, 7th M. Lt. Cavy.; Lieut. Rich, 46th M. N. I.; and Lieut. Kane, 15th Bombay N. I.; Khaikusroo Hormusjee Esq. Ardaseer Rustomjee Esq.; Mitchell, servant to Sir W. Hoste; Morris Searle; seven native servants, one native ser-



vant from Goa, and eighteen 3rd class passengers.  
1st Dec.—Ship Malabar, W. H. Pare, from London 25th July. Cape 4th October and Columbo 17th ultimo.

*Passengers.*—Mrs. Cavaye; Mrs. White, and child; Mrs. Parry, and child; Mrs. Rowland, and child; Mrs. Pare; Mrs. Deas; Mrs. Elliot; two Misses Elliot; Lieut. Colonel Cavaye, 3rd N. I.; Major F. White; Lieutenants Aldridge and Steward, H. M's. 8th Foot; Dr. Deas, Bombay Army; Messrs. Kays and Gow, Cadets Bombay Army;—from the Cape Mrs. Shaw, and two children; Mrs. Loughnan; A. N. Shaw, and Loughnan Esquire Bo. C. S.; M. B. Binning Esq. M. C. S. Landed at Columbo Mrs. Smith; Misses Frazer and J. Frazer; Messrs. Chitty, and St. Clair, and Master Smith.—Landed on the Coast, Mr. Huxham;—Steerage, Madames McArthur, McIsley, Masceron, Abbott,

Bateman, and Martin; Miss Ann McArthur; Messrs B. Hunt, C. Monnet, and H. Handley; Lewis de Souza, Shaik Essa, Shaik Ismail, Mary Ann Rose and Salma, servants.

DEPARTURES.

24th Nov.—Steamer Phlox, J. B. Church, to Surat.  
*Passengers.*—Lieut. E. P. Arthur, Adjutant Guzerat Irregular Horse; Lieut. Hardy; and one hundred and fifty natives.  
25th „ —Ship Julia, H. Jones, to the Malabar Coast and Calcutta.  
*Passengers.*—Mrs. Jones and child, and five natives.  
26th „ —Arab Barque Hydree, to Cochin and Colombo.  
*Passengers.*—Mr. E. B. Clarke, and six natives.

M. LARKEN,  
*Acting Senior Magistrate of Police.*

*Bombay Police office, }  
2nd December 1846. }*

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

*Subscribers are requested on change of stations to intimate the same to this Office.*

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Printed and Published by D. NICKER, at the Government Press, Apollo Street.



# LEGISLATIVE ENACTMENTS.

## FORT WILLIAM, HOME DEPARTMENT, LEGISLATIVE.

The 24th Oct. 1846.—The following Draft of a proposed Act was read in Council for the first time on the 24th October 1846.

ACT No.—OF 1846.

### *Concerning the binding of Apprentices.*

Whereas it is expedient to facilitate the setting-out and instruction of the children of persons, inhabitants in the Territories under the Government of the East India Company, following European manners and usages, particularly orphans and destitute children brought up by public Charities, in Arts, Trades, Crafts and employments, by which when they come to mature age they may be enabled to gain a livelihood; and whereas it is considered proper for this end to promote the system of Apprenticeship, which has partially obtained hitherto, by legal provisions calculated to render the contract between Master and Apprentice effectual for the reciprocal benefit of the parties.

I. It is hereby enacted, that it shall be lawful for any person, inhabiting in any part of the Territories under the Government of the East India Company to take, retain, or become an Apprentice.

II. Provided that no person shall be bound as an Apprentice except by his Parent or Guardian, and it is hereby declared that an orphan or destitute person brought up by any public charity may be bound by the Governors, Directors or Managers thereof as his Guardians for this purpose.

III. And provided that no person shall be bound as an Apprentice, who is under the age of 10 years, and that no person above the age of 13 years, shall be so bound without his own consent; and that no person shall be so bound for a term to extend beyond the time at which he will attain the age of 21 years.

IV. And provided that no person shall be bound to serve as an Apprentice out of the Territories under the Government of the East India Company, except on board a Ship or Vessel.

V. And it is hereby enacted, that when any person shall be bound as an Apprentice to any Officer of Government as such, for employment in the public service, in the event of the resignation or removal of such Officer, the Apprentice shall be considered as bound in the same manner to his successor.

VI. And it is hereby enacted, that any boy being of the age of 13 years, may be bound as an Apprentice in the Sea Service to any of Her Majesty's subjects being the Owner or Owners of any registered Ship or Vessel, belonging to and trading from any Port in the said Territories declared to be a Registering Port under Act X. of 1841, to be employed in any such Ship or Vessel the property of such person, and while so employed to be instructed in the craft and duties of a Seaman, provided that the Master or such Ship or Vessel shall be a British Subject, or for Sea Service in any Ship or Vessel of the East India Company belonging to any such Port, commanded by a British subject, in which case the contract shall be made with the Master Attendant at such Port or any Officer appointed to represent the East India Company in this behalf, who shall appoint the Ship or Vessel in which such Apprentice is to serve from time to time.

VII. And it is hereby enacted, that the Master or Commander of any Ship or Vessel in which an Apprentice bound under the last Section shall be appointed to serve by the party to whom he is bound, shall be deemed the Agent of such party for the purposes of this Act.

VIII. And it is hereby enacted, that every contract of Apprenticeship shall be reduced to writing, which writing shall set forth distinctly the conditions agreed upon, particularly specifying the age of the Apprentice and the term for which he is bound, what he is to be taught, where and how he is to be employed, and whether under the immediate superintendence and direction of the Master or of an Agent for him, and what provision is to be made for his maintenance, lodging and clothing, especially whether he is to be lodged and boarded in the house, and as a member of the family of the Master, or of his Agent, or otherwise; or if the Apprentice shall be bound to serve in a Sea-going Vessel, or in a Vessel employed in river navigation where his berth is to be on board, and how and with whom he is to mess, and what provisions, clothing and bedding are to be supplied to him, and how he is to be provided for when he is not on board.

IX. And it is hereby enacted, that every such contract shall be in duplicate, and that each copy shall be signed by the person to whom the Apprentice is bound, and by the person or persons by whom he is bound, and by the Apprentice himself when he is above the age of 13 years; provided that when the Apprentice is bound by the Governors, Directors or Managers of a Public Charity, the signature of two of them, or of their Secretary or Officer on their behalf, shall be sufficient.

X. And it is hereby enacted, that no such contract shall be valid unless it be executed in the manner aforesaid, nor until it has been registered in the Office of the Chief Magistrate of the Place or District where it has been executed, or if the Apprentice shall be bound to the Sea Service in the office of the person appointed under Act X. of 1841, to make Registry of Ships and Vessels at the Port where the Apprentice is to enter on the said Service.

XI. And it is hereby enacted, that when the Apprentice is bound to serve at some other place than that where the contract has been executed, out of the jurisdiction of the Magistrate in whose office it has been registered, the Master within one month after the arrival of the Apprentice at such place, by himself or by his Agent, under whom the Apprentice is to be employed according to the contract, shall apply to the Chief Magistrate of the District to Register the Contract in his office.

XII. And it is hereby enacted, that if the Master shall fail to register the contract within one month as directed in the last Section, he shall not be entitled to apply to a Magistrate to take cognizance of any cause of complaint he may have against the Apprentice in the manner hereinafter provided, but it shall nevertheless be competent to any Magistrate to take cognizance of complaints against the Master on application made to him on behalf of the Apprentice.

XIII. And it is hereby enacted, that when by the contract of Apprenticeship the Apprentice is bound to service at a certain place, or in a certain District, or in a certain trade or business, and the Master desires to remove him to some other place or District, or to employ him in some other trade or business, or in any other way than as stipulated in the contract, he shall be at liberty to do so with the consent of the person or persons by whom the Apprentice was bound, and with the consent of the Apprentice himself if he is above the age of 13 years, provided that the alterations agreed to shall be expressed in writing on each copy of the contract with the signature of the proper parties according to Section VIII of this Act;



and shall be registered in the office of the Chief Magistrate of the place or District where the Apprentice shall have been employed.

XIV. And it is hereby enacted, that when an Apprentice shall be removed under the last Section, the provision of Section XI. and Section XII. shall be applicable.

XV. And it is hereby enacted, that in the case of a Sea Apprentice, when the contract of Apprenticeship is registered, as above directed, the name and description of the Vessel in which such Apprentice is to serve, and the name and description of the Master or Commander thereof as a British subject, shall be certified on each copy of the contract with the signature of the Master of the Apprentice, and shall be entered in the book of Registry; and that if the Apprentice shall be transferred to any other Vessel the transfer shall be noted and registered in like manner.

XVI. And it is hereby enacted, that a contract of Apprenticeship may be determined at any time before the expiration of the term specified in it by the consent of all the parties, provided that such consent shall be certified in writing on each copy of the contract with the signature of all the parties, according to Section IX. of this Act, and shall be registered in the office where the contract was first registered, or in that of the Chief Magistrate of the place or District where the Apprentice shall have been last employed.

XVII. And it is hereby enacted, that the Master of any Apprentice bound under this Act may with the consent of the persons by whom he was bound and with the consent of the Apprentice himself and not otherwise, assign such Apprentice to any other person, who is willing to take him for the residue of the term mentioned in the contract of Apprenticeship, and subject to the conditions thereof, provided that such person shall by endorsement under his own hand on each copy of the contract declare his acceptance of such Apprentice, and acknowledge himself bound by the agreements and covenants therein mentioned to be performed on the part of the Master, and that the consent of the other parties aforesaid shall be expressed in writing on the same and signed by them respectively. And that such assignment shall be registered in the office where the contract was first registered, or in that of the Chief Magistrate of the District where the Apprentice shall have been last employed.

XVIII. And it is hereby enacted, that upon complaint made to any Magistrate in the said Territories by or on behalf of any Apprentice bound under this Act, of misusage, or of refusal or neglect to provide for him, or to give him instruction according to the contract of Apprenticeship, or of cruelty, or other ill-treatment by his Master, or by the Agent under whom he shall have been placed by his Master, if it shall appear to the Magistrate that there is cause for the complaint, it shall be lawful for him to summon the Master, or his Agent, as the case may be, if he shall be within his jurisdiction, to appear before him at a reasonable time, to be stated in the Summons, to answer the complaint, and at such time, whether the Master or his Agent be present or not (service of the Summons being proved) to examine into the matter of the complaint, and upon proof thereof to impose upon the offender, whether he shall be the Master or his Agent, a reasonable fine not exceeding 200 Rupees; and if the offender shall not pay the fine to levy the same by distress and sale of his Goods and Chattels, and in case the offender shall not be the Master but his Agent, by distress and sale of the Goods and Chattels of the Master also. And if there shall not be found sufficient Goods and Chattels whereon to levy the

same, to commit the offender to prison until the fine shall be discharged, provided that he shall not be kept in prison for a period exceeding two months; and provided that if sentence shall have been passed after an *ex parte* investigation the offender shall not be committed to prison until he has been brought before the Magistrate, and having been personally called upon to discharge the penalty has failed to do so.

XIX. And it is hereby enacted, that in a case in which a Magistrate shall have passed sentence upon the Master of an Apprentice or Agent under the last Section, it shall be lawful for him at his discretion to adjudge that the Apprentices shall be discharged, and if any premium shall have been paid on the binding of such Apprentice to make an order upon the Master to refund the whole or any part thereof, and in case the sum ordered to be refunded by such Master shall not be paid to the person or persons directed in any such order to receive the same, to levy the same by distress upon the Goods and Chattels of such Master with the costs and charges of such distress; and if there shall not be found sufficient Goods and Chattels whereon to levy the same, to commit such Master to prison for any term not exceeding two months, unless the sum ordered to be refunded with all costs shall be sooner paid and satisfied.

XX. Provided that when the Master of an Apprentice shall have been committed to prison in default of payment of a fine imposed under Section XVIII. of this Act, the imprisonment to which he may be subjected under the last Section in default of payment of the sum ordered to be refunded, shall not extend beyond the time which in addition to the term ordered under Section XVIII. shall make up the period of three months.

XXI. And it is hereby enacted, that when a Magistrate shall order the discharge of an Apprentice under Section XIX. of this Act, any sum that may be levied under Section XVIII., together with the whole or a part of any sum that may be levied under Section XIX., shall be applied at the discretion of the Magistrate for the purpose of binding or placing out the discharged Apprentice with a new Master, or otherwise for his use and benefit.

XXII. And it is hereby enacted, that upon complaint made by any Master of an Apprentice bound to him under this Act or by his Agent, against such Apprentice, to any Magistrate of any place or district in the said Territories where such Apprentice shall be employed, or in the case of a Sea Apprentice where he shall be in the course of his employment, of any misdemeanor, misconduct or ill behaviour of such Apprentice, or if such Apprentice shall have absconded, upon complaint made thereof by the Master or his Agent, to any Magistrate of the place or District where such Apprentice shall be found, or where he shall have been employed, it shall be lawful for any such Magistrate in the latter case to issue his Warrant for apprehending such Apprentice, and in either case to hear and determine the complaint and to punish the offender by committing him to a house of correction or to prison, there to be held to hard labour for a reasonable time not exceeding three months, or if the offender be a boy of such tender years as to make punishment in the way of School discipline more suitable, by inflicting on him corporal chastisement not exceeding ten stripes with a light ratan, provided that it shall be lawful for the Magistrate instead of committing such offender to a house of correction or to prison to be held to hard labour as aforesaid, to pass an order for his being kept in solitary confinement in any suitable place in or out of prison for a period not exceeding three weeks; or if the Magistrate deem any such punishment unfitting, to pass an order to the Master of



the Apprentice or his Agent to keep the offender in close confinement in his own house or on board the Vessel to which he may belong, upon a reduced diet for a period not exceeding one month, and at his discretion to direct that at the expiration of the stated period the Apprentice shall be again brought up before him that he may satisfy himself that he has been properly dealt with.

XXIII. And it is hereby enacted, that it shall be lawful for the Magistrate on proof of wilful and continual misconduct on the part of the Apprentice, whereby it shall appear that he is incorrigible, and on the demand of the Master, to adjudge that the contract of Apprenticeship shall be determined. Provided that it shall be at the discretion of the Magistrate on a consideration of the circumstances to order the refund of a part of any premium that may have been paid to the Master on binding such Apprentice, to the person or persons by whom it was paid on behalf of such Apprentice.

XXIV. Provided always, that no Magistrate shall entertain a complaint on the part of a Master against an Apprentice under this Act, unless it be preferred within one month after the cause of complaint shall have arisen, or if the cause of complaint shall have arisen on board a Ship or Vessel on a voyage within one month after the arrival thereof at a port or place in the said Territories. And that no Magistrate shall entertain a complaint on the part of an Apprentice against his Master or the Agent of his Master under this Act, unless it be preferred within three months after the cause of complaint shall have arisen, or if the cause of complaint shall have arisen on board a Ship or Vessel on a voyage within three months after the arrival thereof at a port or place in the said Territories.

XXV. And it is hereby enacted, that if the Master of any Apprentice shall die before the expiration of the term for which such Apprentice shall have been bound, the contract of Apprenticeship shall be considered as determined; provided that if any premium shall have been paid to such Master on the binding of the Apprentice to him, a proportionate part thereof shall be returned by the Executors or Administrators out of the Estate of the deceased to the person or persons who shall have paid the same, to be employed by such person or persons towards the binding out such Apprentice to a new Master, unless the Executor or Administrator of the deceased Master or some Member of his family living with him at the time of his death shall continue the business in which such Apprentice shall have been employed, and shall within three months from the decease of the late Master make offer in writing to retain the Apprentice on the terms of the original contract, in which case the Estate of the deceased shall be discharged from all liability on account of such premium.

XXVI. And it is hereby enacted, that if such offer to retain the Apprentice shall be made as aforesaid and shall be consented to by such Apprentice, and the person or persons by whom he shall have been bound, the same shall be fully expressed and certified on each copy of the original contract of Apprenticeship with the signature of the parties respectively; and such certificate shall be registered in the office of the Chief Magistrate of the place or District where such Apprentice shall have been employed, or in the case of a Sea Apprentice in the office in which the original contract shall have been registered, and the Apprentice shall be considered as bound to the person or persons so retaining him for the remaining part of the term specified in the said contract.

XXVII. Provided always, that if the Master of any Apprentice bound under this Act shall die during the term of Apprenticeship, such Appren-

tice shall be entitled to maintenance for three months from and after the decease of his Master, out of the assets left by him; provided that during such three months such Apprentice shall continue to live with and serve as an Apprentice the Executor or Administrator of such Master, or such person as he shall appoint.

XXVIII. And it is hereby enacted, that when a Commission of Bankruptcy shall be issued against any person to whom an Apprentice shall have been bound under this Act, or when such person shall be adjudged to have committed an Act of Insolvency, such Apprentice shall be discharged from all obligation under the contract of Apprenticeship, provided that if any premium shall have been paid on binding him as an Apprentice the person or persons by whom he shall have been bound shall be entitled to claim a proportionate part thereof as a debt against the Estate of the Bankrupt or Insolvent.

XXIX. And it is hereby enacted, that when application shall be made to a Magistrate or other Registering Officer for the registration of an original contract of Apprenticeship under Section X. of this Act or of a certificate of the consent of parties to the removal of an Apprentice from the place at which he was originally bound to serve, or to any other alteration of the contract under Section XIV., or of a certificate of the transfer of a Sea Apprentice from one Vessel to another under Section XV., or of a certificate of the consent of parties to the determination of a contract of Apprenticeship under Section XVI., or to the assignment of an Apprentice under Section XVII., or to the retaining of an Apprentice after the death of the Master to whom he was bound, by the Executor or Administrator or a Member of the family of the deceased under Section XXV. without which registration such Acts respectively shall not be valid, it shall be at the discretion of the Magistrate or Officer to call for the attendance of the parties before him to attest the contract or certificate, provided that on every such occasion the Magistrate or Officer shall require the Apprentice to be brought before him whether the other parties shall be required to attend in person or not, and provided that whenever any such registration shall be made, a certificate of the registration shall be made on each copy of the contract, and signed by the Magistrate or other Registering Officer.

XXX. And it is hereby enacted, that for the purposes of this Act all British subjects, as well as other persons in the Territories under the Government of the East India Company without the local limits of the jurisdictions of Her Majesty's Supreme Courts, shall be amenable to the jurisdiction of the Magistrates of the East India Company.

XXXI. And it is hereby enacted, that from any sentence or order passed by any Magistrate without the local limits aforesaid, an appeal shall lie to the Court of Session to which such Magistrate shall be subordinate, provided the appeal be made within one month from the date of the sentence or order.

XXXII. And it is hereby enacted, that the words "Master," "person" and "he" in this Act shall be understood to include several persons as well as one person, and females as well as males, and bodies corporate as well as individuals, unless there be something in the context repugnant to such construction.

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 January next.

G. A. BUSHBY, *Secy. to the Govt. of India.*



FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE.

THE 31ST OCTOBER 1846.

The following Draft of a proposed Act was read in Council for the first time on the 31st of October 1846.

ACT No. — OF 1846.

*An Act for constituting Commissioners for the improvement of the Town of Calcutta, partly by appointment of the Government and partly by election of the Rate-payers.*

Whereas by the 158th Section of the 52d Chapter of the Statute 33, George III., certain powers and duties in regard to the collection and disbursement of the Assessment thereby authorized to be made by the Justices of the Peace within or for the Presidency of Fort William, were conferred and imposed upon the said Justices. And whereas by Act No. XXIV. of 1840, certain changes were made in the Law relating to the said Assessment.

And whereas it is apparent that the Sewerage and Drainage of the Town of Calcutta, and the supply of water for the domestic use of the inhabitants thereof, and for the due cleansing of Drains therein, and the means of providing for the due ventilation of the Town, and the making convenient lines of communication by spacious streets, and the preventing and removing of nuisances, and the due provision of adequate means for the relief of the sick poor in the said Town are very defective, all which cause excessive disease and great mortality. And whereas the Laws and Regulations now in force, and the pecuniary means applicable to the said objects are wholly insufficient for the remedy of so great a mischief, and whereas it is expedient that remedy should be had therein.

I. It is hereby enacted, that Act No. XXIV. of 1840, entitled an Act for amending the Law with respect to Rates for municipal purposes within the Town of Calcutta, is repealed.

II. And it is hereby enacted, that all the said powers and duties in regard to the collection and disbursement of the said Assessments shall from and after the day of  
cease to be exercised and performed by the said Justices for the Town of Calcutta, and shall be exercised and performed by a Board of Commissioners to be called the Commissioners for the Improvement of the Town of Calcutta, of whom six shall be appointed by the Governor of Bengal, and eight shall be elected by the Rate-payers of the Town of Calcutta, that is to say, by the Rate-payers of each of the following Divisions, viz.

*1st or Upper North Division.*

- A North by Mahrattah Ditch.  
South by Cotton Street and Meerbhur's Ghaut Street.  
East by Chitpore Road.  
West by River Hooghly.
- B North by the Mahrattah Ditch.  
South by Mutchoa Bazar.  
West by Chitpore Road.  
East by Central Road.
- C North and East by Circular Road.  
South by Mutchoa Bazar Road.  
West by Central Road.

*2d or Lower North Division.*

- A North by Cotton Street and Meerbhur's Ghaut Street.  
South by Police Ghaut, Hare Street, North side of Tank Square and Loll Bazar.  
East by Chitpore Road.  
West by the River Hooghly.
- B North by Mutchoa Bazar, South by Bow Bazar Street.

East by Central Road.

West by Chitpore Road.

- C North by Mutchoa Bazar.  
South by Bow Bazar Street.  
East by Circular Road.  
West by Central Road.

*3d or Upper South Division.*

- A North by Police Ghaut, Hare Street, North side of Tank Square and Loll Bazar.  
South by East and West Esplanade Row.  
East by Cossitollah Street.  
West by the River Hooghly.
- B North by Bow Bazar Street.  
South by Dhurrumtollah.  
West by Cossitollah.  
East by Central Road.
- C North by Boitakhanna Street.  
South by Dhurrumtollah ditto.  
East by Circular Road.  
West by Central Road.

*4th or Lower South Division.*

- A North by Dhurrumtollah Street.  
South by Park Street.  
East by Circular Road.  
West by Chowringhee Road.
- B South and East by Circular Road.  
North by Park Street.  
West by Chowringhee Road;

or of such other Divisions as the Governor of Bengal may from time to time appoint.

III. And it is hereby enacted, that the said Commissioners shall severally receive out of the said Assessments, such Salaries as may from time to time be fixed by the Governor of Bengal, with the concurrence of the Governor General in Council, and that for the exercise and performance of all the powers and duties hereinbefore or hereinafter conferred and imposed upon the said Commissioners, five shall be a quorum. Provided always and it is hereby enacted, that it shall be lawful for any one of the said Commissioners to issue a warrant of Distress for the recovery of any arrears of any rates or taxes accruing under the said 158th Section of the said Statute or under this Act.

IV. And it is hereby enacted, that the time and place and manner of the elections of the said elective Commissioners in each of the said Divisions shall be according to such scheme as shall be agreed upon by a general meeting of the Rate-payers of the said Town, consisting of not less than one hundred for the said Rate-payers, and presented on behalf of such meeting to the Governor of Bengal and approved by him. But so as such elections shall take place annually.

Provided always and it is hereby enacted, that if no such general meeting of the Rate-payers of the said Town shall be held within three months from the passing of this Act, or if no such scheme shall be presented on behalf of such meeting to the Governor of Bengal within three months after such meeting shall have been held, it shall then be lawful for the said Governor of Bengal to prepare a scheme according to which the time, place and manner of the said elections shall take place.

Provided also and it is hereby enacted, that in either case the scheme shall be laid by the Governor of Bengal before the Governor General in Council for his approbation, and shall not be in force until such approbation shall have been signified in writing.

V. And it is hereby enacted, that the said Commissioners shall from and after the said day have power within the said Town to levy upon the Owners and Users of the several kinds of Carriages, Carts and Horses mentioned in the Schedule to this Act annexed, taxes according to the rate mentioned in the said Schedule, and that the said Commis-







**FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,  
THE 31ST OCTOBER 1846.**

The following Draft of a proposed Act was read in Council for the first time on the 31st of October 1846.

ACT NO — OF 1847.

*To enable the Commissioners who may be appointed under Act to purchase real or personal property for the improvement of the Town of Calcutta.*

Whereas by Act of 1846, entitled an Act for constituting Commissioners for the improvement of the Town of Calcutta, partly by appointment of the Government and partly by election of the Rate-payers, provision was made for the appointment and election of such Commissioners.

And whereas it is expedient, that provision should be made to enable such Commissioners, when they shall have been appointed to purchase real or personal property for the purposes aforesaid in manner hereinafter mentioned.

And whereas it is probable that benevolent and public spirited individuals with the view of contributing to the improvement and adornment of the said Town may be desirous of settling real or personal property by Deed or Will upon such Commissioners.

I. It is therefore enacted, that the said Commissioners shall be Trustees for and on behalf of the Government of Fort William in Bengal, and of the inhabitants of Calcutta, and shall sue and be sued at Law and in Equity in Her Majesty's Supreme Court of Judicature at Fort William by the name of the Commissioners for the Improvement of the Town of Calcutta, and shall have a common seal, and shall have power to take, purchase and hold lands, tenements, hereditaments, goods, chattels and other property, as such Trustees for the purposes aforesaid.

II. And it is enacted, that whenever it shall appear to the said Commissioners, or a majority of them, that it is necessary they should purchase any houses, buildings or grounds for the purposes aforesaid, the said Commissioners shall represent the same to the Governor of Bengal, and if he shall consent thereto, but not otherwise, shall enter into treaties for the purchase of such houses, buildings or grounds with the owners thereof, and in case they shall not be able to come to agreement with such owners, then the said Commissioners shall apply to the Sheriff of Calcutta to summon a Jury, and the said Sheriff shall forthwith summon a Jury in manner hereinafter mentioned, to assess the price which the said Commissioners shall pay to the said owner or owners for the purchase of such houses, buildings and grounds with all appurtenances as aforesaid.

III. And whereas it is expedient to make provision for those cases in which the said Commissioners may be able to purchase lands, buildings or tenements by agreement, it is enacted, that it shall and may be lawful for the said Commissioners to agree with the Owners of any lands, buildings or tenements by this Act authorized to be taken and which shall be required for the purposes of this Act, and with all parties having any estate or interest in such lands, buildings or tenements, or by this Act, or by any other authority or power enabled to sell and convey the same, for the absolute purchase of any such lands, buildings or tenements, or such parts thereof as they shall think proper, and of all estates and interests in such lands of what kind soever.

IV. And it is enacted, that it shall and may be lawful for all parties being seized, possessed of or entitled to any such lands, buildings or tenements, or any estate or interest therein to sell and convey or release the same to the said Commissioners and to enter into all necessary agreements for that purpose, and particularly it shall be lawful for all or any of the following parties so seized, possessed or entitled as aforesaid so to sell, convey or release (that is to say) all corporations, tenants in tail, or for life married women seized in their own right or entitled to dower, guardians, committees of lunatics and idiots, trustees or feofees in trust for charitable or other purposes, executors and administrators, and all parties for the time being entitled to the receipt of the rents and profits of any such lands in possession, or subject to any estate in dower, or to any lease for life or for lives, and years or for years, or any less interest, and the power so to sell and convey or release as aforesaid, may lawfully be exercised by all such parties not only on behalf of themselves and their respective Heirs, Executors, Administrators and Successors, but also for and on behalf of every person entitled in reversion, remainder or expectancy after them, or in defeasance of the estates of such parties, and as to such married women whether they be of full age or not as if they were sole and of full age, and as to such guardians on behalf of their wards, and as to such committees on behalf of the lunatics and idiots of whom they are the committees respectively, and that to the same extent as such wives, wards, lunatics and idiots respectively could have exercised the same power under the authority of this Act if they had respectively been under no disability, and as to such Trustees, Executors and Administrators on behalf of their cestui-que trusts whether infants issue unborn, lunatics, femes covert or other persons, and that to the same extent as such cestui-que trusts respectively could have exercised the same powers under the authority of this Act if they had respectively been under no disability.

V. And it is enacted, that the purchase money, consideration or compensation to be paid or given for any lands, buildings or tenements to be purchased or taken from any party under any disability or incapacity, and not having any power to sell or convey such lands except under the provisions of this Act, and the compensation to be paid for any permanent damage or injury to any such lands, buildings or tenements, shall in all cases be determined by the verdict of a jury to be summoned as hereinafter provided.

VI. And it is enacted, that it shall be lawful for any person seized in fee or entitled absolutely for his own benefit to any lands, buildings or tenements authorized to be purchased for the purposes of this Act to sell and convey such lands, buildings or tenements, or any part thereof, unto the said Commissioners in consideration of an annual rent-charge payable by the said Commissioners, but except as aforesaid the consideration to be paid for the purchase of any such lands, buildings or tenements, or for any damage done thereto, shall be in a gross sum.

VII. And it is enacted, that the yearly rent reserved by any conveyance of lands, buildings or tenements purchased by the said Commissioners for the purposes of this Act shall be charged on the rates hereinafter authorized to be raised and levied, and shall be paid by the said Commissioners as such rents become payable, and if at any time any such rents be not paid within thirty days after they so become payable, and after demand thereof in writing, the person to whom any such rent shall be payable, may recover the same from the said Commissioners with costs of suit by action of debt in the said Supreme Court.



VIII. And it is enacted, that when the said Commissioners shall require to purchase or take any of the lands, buildings or tenements which by this Act they are authorized to purchase or take they shall give notice thereof to all the parties interested in such lands, or to the parties enabled by this Act to sell and convey or release the same, or such of the said parties as shall after diligent inquiry be known to the said Commissioners, and by such notice shall demand from such parties the particulars of their estate and interest in such lands and of the claims made by them in respect thereof, and as to the compensation to be made to all parties for the damage that may be sustained by them by reason of the execution of the works.

IX. And it is enacted, that all notices required to be served by the said Commissioners upon the parties interested in or entitled to sell any such lands, buildings or tenements shall either be served personally on such parties or left at their last usual place of abode if any such can after diligent inquiry be found, and in case any such parties shall be absent from the said Town or cannot be found after diligent inquiry, such notices shall be left with the occupier of such lands, or if there be no such occupier shall be affixed upon some conspicuous part of such lands.

X. And it is enacted, that if the party claiming compensation desire to have the same settled by arbitration and signify such desire by notice in writing to the said Commissioners before they have issued their warrant to the Sheriff to summon a jury in respect of such lands under the provisions hereinafter contained, stating in such notice the nature of the interest in respect of which such party claims compensation and the amount of the compensation so claimed the same shall be so settled by arbitration accordingly, but unless the party claiming compensation shall as aforesaid signify his desire to have the question of such compensation settled by arbitration, or if when the matter shall have been referred to arbitration the arbitrators or the umpire shall for three months have failed to make their or his award, or if no final award shall be made, the question of such compensation shall be settled by the verdict of a jury as hereinafter provided.

XI. And it is enacted, that when any question of disputed compensation by this Act authorized or required to be settled by arbitration shall have arisen, then unless both parties shall concur in the appointment of a single arbitrator, each party on the request of the other party shall nominate and appoint an arbitrator to which two arbitrators such dispute shall be referred, and every appointment of an arbitrator shall be made on the part of the said Commissioners, under the hands of two of the said Commissioners, or of their Clerk duly authorized by such two Commissioners, and on the part of any other party under the hand of such party, or if such party be a corporation aggregate under the common seal of such corporation, and such appointment shall be delivered to the arbitrator or arbitrators, and shall be deemed a submission to arbitration on the part of the party by whom the same shall be made, and after any such appointment shall have been made neither party shall have power to revoke the same without the consent of the other, nor shall the death of either party operate as a revocation, and if after any such dispute shall have arisen and after a request in writing in which shall be stated the matter so required to be referred to arbitration shall have been served by the one party on the other party to appoint an arbitrator, such last mentioned party fail within four-

teen days after such service to appoint such arbitrator, then upon such failure the party making the request, and having himself appointed an arbitrator may appoint such arbitrator to act on behalf of both parties, and such arbitrator may proceed to hear and determine the matters which shall be in dispute, and in such case the award or determination of such single arbitrator shall be final.

XII. And it is enacted, that if before the matters so referred shall be determined, any arbitrator appointed by either party shall die or become incapable to act, the party by whom such arbitrator was appointed may nominate and appoint in writing some other person to act in his place, and if for the space of seven days after notice in writing from the other party for that purpose he shall fail to do so, the remaining or other arbitrator may proceed to hear and determine the matters which shall be in dispute, and every arbitrator who shall be so substituted as aforesaid shall have the same power and authorities as were vested in the former arbitrator at the time of such his death or disability aforesaid.

XIII. And it is enacted, that where more than one arbitrator shall have been appointed such arbitrators shall before they enter upon the matters referred to them nominate and appoint by writing under their hands an umpire to decide on any such matters on which they shall differ, or which shall be referred to him under the provisions of this Act, and if such umpire shall die or become incapable to act, they shall forthwith after such death or incapacity appoint another umpire in his place, and the decision of every such umpire on the matters so referred to him shall be final.

XIV. And it is enacted, that if in either of the cases aforesaid the said arbitrators shall refuse, or shall for seven days after request of either party to such arbitration, neglect to appoint an umpire, any two of the Magistrates of Calcutta shall on the application of either party to such arbitration appoint an umpire, and the decision of such umpire on the matters on which the arbitrators shall differ or which shall be referred to him under this Act shall be final.

XV. And it is enacted, that when a single arbitrator shall have been appointed as hereinbefore provided, and such arbitrator shall die or become incapable to act before he shall have made his award, the matters referred to him shall be determined by arbitrators under the provisions of this Act in the same manner as if such arbitrator had not been appointed.

XVI. And it is enacted, that if where more than one arbitrator shall have been appointed either of the arbitrators refuse, or for seven days after the day of his appointment shall neglect to act, the other arbitrator may proceed to hear and determine the matters in dispute, and the decision of such other arbitrator shall be as effectual as if he had been the single arbitrator appointed by both parties.

XVII. And it is enacted, that if where more than one arbitrator shall have been appointed, and where neither of them shall refuse or neglect to act as aforesaid, but such arbitrators shall fail to make their award within twenty-one days after the day on which the last of such arbitrators shall have been appointed, or within such extended time, (if any) as shall have been appointed for that purpose by both such arbitrators under their hands, the matters referred to them shall be determined by the umpire to be appointed as aforesaid.

XVIII. And it is enacted, that the said arbitrators or their umpire may call for the production of any documents in the possession or power of either party which they or he may think necessary for determining the question in dispute, and may examine the parties or their witnesses on oath or



solemn affirmation, and administer the oaths and solemn affirmations necessary for that purpose.

XIX. And it is enacted, that before any such arbitrator or umpire as aforesaid shall enter into the consideration of any matters referred to him he shall in the presence of a Magistrate of Calcutta make and subscribe the following declaration, that is to say—

I, A. B., do solemnly and sincerely declare that I will faithfully and honestly to the best of my skill and ability hear and determine the matters referred to me under the provisions of the Act

( )

A. B.

Made and subscribed  
in the presence of

C. D.

And such declaration shall be annexed to the award when made, and if any arbitrator or umpire having made such declaration shall wilfully act contrary thereto, he shall be deemed guilty of a misdemeanour.

XX. And it is enacted, that all the costs of any such arbitration and incident thereto, shall be settled by the said arbitrators and shall be borne by the said Commissioners, unless the arbitrators shall award the same or a less sum than shall have been offered by the said Commissioners in which case each party shall bear their own costs incident to the said arbitration, and the costs of the said arbitrators shall be borne by the parties in equal proportions.

XXI. And it is enacted, that the said arbitrators or the said umpire, as the case may be, shall deliver their award in writing to the said Commissioners, and the said Commissioners shall retain the same, and on demand made at the office of their clerk shall forthwith at their own expense furnish a copy thereof to the other party to the arbitration, and shall at all reasonable times when thereunto required produce the said award and allow the same to be inspected or examined at the office of their said clerk by such party or any person appointed by him for that purpose.

XXII. And it is enacted, that the submission to any such arbitration as aforesaid may be made a rule of the said Supreme Court on the application of either or any party thereto, and may be enforced against all necessary parties by any rule, order or decree of the said Court notwithstanding that any or either of the said parties are not otherwise subject to the jurisdiction of the said Court.

XXIII. And it is enacted, that no award made with respect to any question referred to arbitration under the provisions of this Act shall be set aside for irregularity or error in matter of form.

XXIV. And it is enacted, that in every case in which a dispute or difference shall arise between the said Commissioners, and any person or persons whose property they may intend or desire to purchase for the purposes of this Act as to the amount of compensation to be paid for the said property which difference and dispute either of the said parties shall refuse to settle by arbitration the said Commissioners shall issue a warrant in writing signed by any one of them and sealed with their common seal to the Sheriff of Calcutta, requiring him to summon a jury for the purpose of settling the said difference or dispute, and if such Sheriff be interested in the matter in dispute such warrant shall be addressed and sent to the Coroner of Calcutta, and if the said Sheriff and the said Coroner be both of them interested in the said matter then the said warrant shall be addressed and sent to the last person who shall have filled the office of Sheriff of Calcutta who is not interested in the said matter, and who is at the time of the issuing the said warrant an inhabitant of the said Town of Calcutta, and every such

Sheriff, Coroner, or Ex-Sheriff shall have power if he think fit to appoint a Deputy or Assessor.

XXV. And it is enacted, that throughout the enactments contained in this Act relative to a reference to a jury where the term Sheriff is used the provisions applicable thereto shall be held to apply to every Coroner or other person lawfully acting in the place of the Sheriff, and in every case in which any such warrant as aforesaid shall have been directed to any other person than the said Sheriff of Calcutta, such Sheriff shall immediately on receiving notice of the delivery of the warrant on application being made to him for that purpose deliver over to the person to whom the said warrant shall have been directed, or to any other fit and proper person appointed by him to receive the same the Juror's book and special Juror's list for the Town of Calcutta.

XXVI. And it is enacted, that upon the receipt of such warrant as aforesaid the Sheriff shall summon a jury of twenty-four indifferent persons duly qualified to act as common jurymen in Her Majesty's Supreme Court of Judicature aforesaid, to meet at a convenient time and place to be appointed by him for that purpose, such time not being less than fourteen nor more than twenty-one days after the receipt of such warrant, and such place not being more than \_\_\_\_\_ miles from the lands, buildings or tenements concerning and relating to which the said difference or dispute shall have arisen, unless by consent of the parties interested some other time and place be agreed upon and settled, and the said Sheriff shall forthwith give notice to the said Commissioners of the time and place so appointed by him.

XXVII. And it is enacted, that out of and from the number of jurors appearing upon such summons as aforesaid, a jury of twelve persons shall be drawn by the said Sheriff in such manner and form as juries for trials of offences before the said Supreme Court are by the rules and orders of the said Court required to be drawn, and if a sufficient number of the jurymen so summoned as aforesaid do not appear in obedience to such summons as aforesaid the Sheriff shall return other indifferent men duly qualified as aforesaid of the bye-standers or others that can speedily be procured to make up the jury to the said number of twelve persons, and the said Commissioners and all other parties interested in the said lands, buildings or tenements may have and make their challenges against any of the said jurymen according to the course and practice of the said Supreme Court, but neither the said Commissioners nor any of the said parties interested as aforesaid shall challenge the array.

XXVIII. And it is enacted, that in every such inquiry as aforesaid the said Sheriff shall preside, and the party or parties claiming compensation from the said Commissioners shall be deemed the plaintiff or plaintiffs as the case may be, and shall have all such rights and privileges as the plaintiff is entitled to in the trial of actions at law in the Court of Queen's Bench at Westminster, and if the said Commissioners or any person interested in the said lands, buildings or tenements so request in writing the said Sheriff shall summon before him, any person who shall by the said Commissioners, or any person interested as aforesaid be considered necessary to be examined as a witness touching the matters in question, and on the like request the said Sheriff shall order the said jury or any six or more of them to view the place or matter in controversy in like manner as views may be had in the trial of actions at law in the Court of Queen's Bench at Westminster.

XXIX. And it is enacted, that if the said Sheriff make default in any matter hereinbefore



required to be done by him in relation to any such trial or inquiry as aforesaid, he shall forfeit and pay the sum of Five Hundred Rupees for every such offence, and such penalty shall be recoverable by the said Commissioners by an action of debt or on the case in the said Supreme Court, and if any person summoned and returned upon any jury under this Act, whether common or special, do not appear, or if appearing do refuse to make such lawful oath or affirmation as the said Sheriff may require, or in any other manner willfully neglect his duty, he shall unless he shew reasonable excuse for the said default or neglect to the satisfaction of the said Sheriff forfeit a sum not exceeding One Hundred Rupees, and every such penalty as aforesaid payable by a Sheriff or jurymen as aforesaid shall be applied in satisfaction of the costs of the said inquiry so far as the same will extend, and in addition to the penalty hereby imposed as aforesaid every such jurymen shall in all respects be subject to the same regulations, pains and penalties as if such jury were retained for a trial in the said Supreme Court.

XXX. And it is enacted, that if any person who shall have been duly summoned to give evidence upon any such enquiry, and to whom a tender of his reasonable expenses shall have been made, fail to appear at the time and place specified in the summons without sufficient cause, or if any person whether summoned or not who shall appear as a witness on any such inquiry refuse to be examined on oath or affirmation touching the subject matter in dispute every person so offending shall forfeit and pay to the party aggrieved thereby a sum not exceeding One Hundred Rupees.

XXXI. And it is enacted, that the said Commissioners shall give to all parties interested in any lands, buildings or tenements concerning or relating to which an inquiry hath been appointed to be held by the said Sheriff notice of the time and place of such inquiry, not less than ten days before the same is to be held, and the said notice shall be in writing, and shall be served on each of the said parties personally or left at his last known place of abode in the said Town, or if he have no such place of abode then the said notice for every such person shall be twice publicly advertised in one or more of the newspapers published within the said Town.

XXXII. And it is enacted, that if at any such inquiry any party claiming compensation shall fail to appear in person or by his Counsel or Agent, such inquiry shall not be proceeded with so far as concerns the compensation claimed by such absent party, but the compensation to be paid by the said Commissioners to such absent party shall be settled and determined by a surveyor to be named and appointed by any two of the Magistrates of Calcutta without prejudice to such inquiry then and there proceeding before such Sheriff so far as concerns any compensation claimed by any other party or parties interested in such compensation in respect of the same premises who shall so appear.

XXXIII. And it is enacted, that before any jury shall proceed on any such inquiry as aforesaid to inquire of and assess compensation or damages in respect of which their verdict is to be given they shall make oath, or if they object to make oath they shall make a solemn affirmation that they will truly and faithfully enquire of and assess such compensation or damages, and the said Sheriff shall administer such oaths and affirmations as well as the oaths and affirmations of all persons called upon to give evidence.

XXXIV. And it is enacted, that where such inquiry as aforesaid shall relate to the value of any lands, buildings, or tenements to be purchased,

and also to compensation claimed for injury done or to be done to any other lands, buildings, or tenements held therewith the jury shall deliver their verdict separately for the sum of money to be paid for the purchase of the lands, buildings, or tenements required by the said Commissioners, or of any interest therein belonging to the party or parties with whom the question of disputed compensation shall have arisen, or which under the provisions herein contained he is enabled to sell or convey, and for the sum of money to be paid by way of compensation for the damage if any sustained or to be sustained by the said party or parties by reason of the severing of the lands, buildings or tenements taken from the other lands, buildings or tenements of the said party or parties, or otherwise injuriously affecting such last mentioned lands, buildings, or tenements by the exercise of the powers conferred by this Act.

XXXV. And it is enacted, that the Sheriff before whom such inquiry as aforesaid shall be held shall give judgment for the purchase money or compensation assessed by such jury as aforesaid, and the verdict and judgment shall thereupon be signed by such Sheriff, and being so signed shall be delivered to and kept by the Keeper of the Records in the said Supreme Court among the Records of the said Supreme Court, and such verdicts and judgments shall be deemed Records, and the same or true copies or exemplifications thereof shall be good evidence in all Courts and elsewhere, and all persons may inspect the said verdicts and judgments, and may have copies or exemplifications thereof, or extracts therefrom, on paying for each inspection of any such verdict and judgment they sum of Eight Annas, and for every one hundred words copied or extracted therefrom Four Annas, which copies, exemplifications or extracts the said Keeper of the Records is hereby required to make out and sign and certify the same to be true.

XXXVI. And it is enacted, that on every such inquiry before a jury as aforesaid where the verdict of the jury shall be given for a greater sum than the sum previously offered by the said Commissioners all the costs of such inquiry shall be borne by the said Commissioners, but if the verdict of the jury shall be for the same or less sum than the sum previously offered by the said Commissioners one-half of the costs of summoning, impanelling and returning the jury, and of taking the inquiry and recording the verdict and judgment thereon shall be delayed by the parties claiming the said compensation or purchase money, and the other half by the said Commissioners, and each party shall bear his own costs other than as aforesaid incident to such inquiry.

XXXVII. And it is enacted, that the costs of any such inquiry as aforesaid shall in case of differences arising regarding the same be settled by the Taxing Officer of the said Supreme Court on the application of either party, and such costs shall include all reasonable costs, charges and expenses incurred in summoning, returning and impanelling the jury, taking the enquiry, the attendance of witnesses, the employment of Counsel and Attornies, the recording the verdict and judgement thereon and otherwise incident to such inquiry.

XXXVIII. And it is enacted, that if any such costs shall be payable by the said Commissioners, and if within seven days after demand duly made at the Office of the Clerk of the said Commissioners such costs be not paid to the party entitled to receive the same, they may and shall be recoverable by distress, and on application to any Magistrate of Calcutta he shall issue his warrant accordingly, and if any such costs shall be payable by the Owner of any lands, buildings or tenements,



or of any interest therein the same may be deducted and retained by the said Commissioners out of any money awarded by the jury to such Owner or determined by the valuation of a Surveyor under the provisions hereinafter contained, and the payment or deposit of the remainder, if any, of such money shall be deemed payment and satisfaction of the whole thereof, or if such costs shall exceed the amount of the money so awarded or determined the excess may and shall be recoverable by distress, and on application to any Magistrate of Calcutta he shall issue his warrant accordingly.

XXXIX. And it is enacted, that if either party in such case of disputed compensation as aforesaid desire such question to be tried before a special jury such question shall be so tried, provided that notice of such desire if given by the other party be given to the said Commissioners before they have issued their warrant as aforesaid to the Sheriff, and for that purpose the said Commissioners shall by their warrant to the Sheriff require him to nominate a special jury for such trial and thereupon the Sheriff shall as soon as conveniently may be after the receipt by him of such warrant summon the said Commissioners, and the said other party to appear before him by themselves or their Attornies at some convenient time and place to be appointed by him for the purpose of nominating a special jury (not being less than five nor more than eight days from the service of such summons) and at the time and place so appointed the said Sheriff shall proceed to nominate and strike a special jury in the manner in which such juries shall be required by the Rules and Orders of the said Supreme Court for trials in the said Court, and the said Sheriff shall appoint a day not later than the eighth day after the striking of such jury for the parties or their Agents to appear before him to reduce the number of such jury, and thereof shall give four days notice to the said Commissioners, and the said other party, and on the day so appointed the Sheriff shall proceed to reduce the said special jury to the number of twenty in the manner used and accustomed in the said Supreme Court.

XL. And it is enacted, that the special jury on such inquiry as last aforesaid shall consist of twelve of the said twenty who shall first appear on the names being called over, the said Commissioners and the said other party having respectively their lawful challenges against any of the said jurymen, and if a full jury do not appear, and if after such challenges a full jury do not remain, then upon the application of the said Commissioners or of the said other party, the Sheriff shall add to the list of such jury the names of any other disinterested persons qualified to act as special or common jurymen in the said Supreme Court who shall not have been previously struck off the aforesaid list, and who may be then in attendance before the said Sheriff, or can speedily be procured so as to complete such special jury, the said Commissioners and the said other party having respectively their lawful challenges against such persons, and the Sheriff shall proceed to the trial and adjudication of the matters in question by such jury, and such trial shall be attended in all respects with the like incidents and consequences, and the like penalties shall be applicable as hereinbefore provided in the case of a trial by a common jury.

XLI. And it is enacted, that any other inquiry than that for the trial of which such special jury may have been struck and reduced as aforesaid may be tried by such jury, provided the said Commissioners and all the other parties interested therein respectively shall give their consent to such trial.

XLII. And it is enacted, that where the purchase money or compensation to be paid by the

said Commissioners for any lands, buildings or tenements to be purchased or used by the said Commissioners shall be payable to any person who by reason of absence from the Presidency of Bengal is prevented from treating, or who cannot after diligent inquiry be found, or who shall not appear at the time appointed for the inquiry before the jury as hereinafter provided after due notice thereof given to him, such purchase money or such compensation to be paid for any permanent injury to such lands, buildings or tenements shall be such as shall be determined by the valuation of such able practical Surveyor as two of the Magistrates of Calcutta aforesaid shall nominate for that purpose as hereinafter provided.

XLIII. And it is enacted, that upon application of the said Commissioners to two of the Magistrates of Calcutta aforesaid, and upon such proof as shall be satisfactory to them that any such party is by reason of absence prevented from treating, or cannot after diligent inquiry be found, or that such party failed to appear on such inquiry before a jury as aforesaid after due notice given to him for that purpose, such Magistrates shall by writing under their hands nominate an able practical Surveyor, approved by the said Commissioners, to determine the amount of such purchase money or compensation as aforesaid, and such Surveyor shall determine the same accordingly, and shall annex to his valuation a declaration in writing signed by him of the correctness thereof.

XLIV. And it is enacted, that before any such Surveyor shall enter upon the duty of making such valuation as aforesaid, he shall in the presence of such Magistrates, or one of them make, and subscribe the declaration following at the foot of such nomination by the said Magistrates as aforesaid, that is to say—

I, A. B., do solemnly and sincerely declare, that I will faithfully, impartially and honestly, according to the best of my skill and ability execute the duty of making the valuation hereby referred to me.

A. B.

Made and subscribed  
in the presence of

C. D.

And if any such Surveyor, shall corruptly make such declaration, or having made such declaration, shall wilfully act contrary thereto he shall be deemed guilty of a misdemeanour.

XLV. And it is enacted, that the said nomination and declaration shall be annexed to the valuation to be made by such Surveyor and shall be preserved together therewith by the Clerk to the said Commissioners, and he shall at all reasonable times produce at his office the said valuation and other documents on demand to the Owner of lands, buildings or tenements comprized in such valuation and to all other parties interested therein.

XLVI. And it is enacted, that in estimating the purchase money or compensation to be paid by the said Commissioners in any of the cases aforesaid, regard shall be had by the Magistrates, Arbitrators or Surveyors, as the case may be, not only to the value of the lands, buildings or tenements to be purchased by the said Commissioners, but also to the damage if any to be sustained by the Owners of the lands, buildings or tenements by reason of the severing of the said lands, buildings or tenements taken from other lands, buildings or tenements of such Owner, or otherwise injuriously affecting such other lands, buildings or tenements by the exercise of the powers of this Act.

XLVII. And it is enacted, that where the compensation payable in respect of any land, buildings or premises, or any interest therein, shall have



been ascertained by the valuation of a Surveyor and deposited as hereafter provided by reason that the Owner of or party entitled to convey such lands, buildings and tenements, or such interest therein as aforesaid, could not be found or was absent, and such Owner or party shall be dissatisfied with such valuation it shall be lawful for him before he shall have applied as hereinafter provided for payment or investment of the monies so deposited under the provisions herein contained, by notice in writing to the said Commissioners to require the question of such compensation to be submitted to arbitration, and thereupon the same shall be so submitted accordingly in the same manner as in other cases of disputed compensation hereinbefore authorized or required to be submitted to arbitration.

XLVIII. And it is enacted, that the question to be submitted to the arbitrators in the case last aforesaid shall be whether the said sum so deposited as aforesaid by the said Commissioners was a sufficient sum, or whether any and what further sum ought to be paid or deposited by them.

XLIX. And it is enacted, that if the arbitrators shall award a further sum to be paid or deposited by the said Commissioners they shall pay or deposit, as the case may require, such further sum within fourteen days after the making of such award, or in default thereof the same may be recovered with costs by action or suit in the said Supreme Court.

L. And it is enacted, that if the arbitrators shall determine that the sum so paid or deposited was sufficient the costs of and incident to such arbitration to be determined by the arbitrators shall be in the discretion of the arbitrators, but if the arbitrators shall determine that a further sum ought to be paid or deposited by the said Commissioners all the costs of and incident to the arbitration shall be borne by the said Commissioners.

LI. And it is enacted, that if any party shall be entitled to any compensation in respect of any lands, buildings or tenements, or of any interest therein which shall have been taken for or injuriously affected by the execution of the works of the said Commissioners, and for which the said Commissioners shall not have made satisfaction under the provisions of this Act, such party may have the same settled either by arbitration or by the verdict of a jury as he shall think fit; and if the said party desire to have the same settled by arbitration it shall be lawful for him to give notice in writing to the said Commissioners of such his desire, stating in such notice the nature of the interest in such lands, buildings or tenements in respect of which he claims compensation and the amount of the compensation so claimed therein, and unless the said Commissioners be willing to pay the amount of the compensation so claimed, and shall enter into a written agreement for that purpose within twenty-one days after the receipt of any such notice from any party so entitled, the same shall be settled by arbitration in the manner herein provided, or if the party so entitled as aforesaid desire to have such question of compensation settled by jury it shall be lawful for him to give notice in writing of such his desire to the said Commissioners, stating such particulars as aforesaid, and unless the said Commissioners be willing to pay the amount of compensation so claimed and enter into a written agreement for that purpose, they shall within twenty-one days after the receipt of such notice issue their warrant to the Sheriff to summon a jury for settling the same in the manner herein provided, and in default thereof they shall be liable to pay to the party so entitled as aforesaid the amount of the compensation so claimed, and the same may be recovered by him by action of debt or on the case in the said Supreme Court.

LII. And it is enacted, that so soon as the amount of the purchase money or compensation to be paid by the said Commissioners in respect of any lands, houses, tenements or hereditaments, or any interest therein, shall be ascertained, fixed, awarded or settled, in any of the modes sanctioned and appointed by this Act as aforesaid, if the said lands, houses, tenements or hereditaments, shall have been purchased or taken by the said Commissioners from any person or persons not entitled to sell or convey the same except under the provisions of this Act, as being tenant for life or in tail, married woman, guardian, committee, trustee, Executor or Administrator, or person having a partial or qualified interest therein, or who shall refuse to accept such purchase money or compensation or neglect or fail to make out a title to such lands, houses, tenements or hereditaments, or to the interest therein claimed by him to the satisfaction of the said Commissioners, or shall refuse to convey or release the same, or shall be absent from the Presidency of Bengal, or cannot after diligent enquiry be found, the said Commissioners are hereby empowered and required forthwith to invest the said purchase money or amount of compensation in some of the Securities or Promissory Notes of the East India Company, commonly called Company's Paper, at the current price of the day, and to deposit the same with the Government Agent at Fort William aforesaid in the name and with the privity of the Accountant General of the said Supreme Court to be placed by him to the account of such Accountant General to the credit of the parties interested, or who may be or become interested in such lands, houses, tenements or hereditaments, describing both them and the said parties so far as the said Commissioners can do pursuant to the course of proceeding in the said Court under the Rules, Orders and Regulations of the said Court regarding monies paid into the said Court in matters and causes depending before it on its Equity side, and such Securities shall remain so deposited and the interest thereon shall be regularly received by the said Government Agent and credited to the said account, and when and so often as the said interest so received by the said Government Agent shall amount to a sufficient sum for that purpose such interest shall be invested by the said Government Agent from time to time in other such Securities as aforesaid, and such monies, principal and interest, shall remain so invested and deposited until the same be applied under the authority of the said Court upon the petition of the party who would have been entitled to the rents and profits of the land, houses, tenements and hereditaments in respect of which such monies shall have been deposited, to some one or more of the following purposes, that is to say, In the discharge of any debt or incumbrance affecting the lands, tenements and hereditaments in respect of which such money shall have been paid or affecting other lands settled therewith to the same or the like uses, trusts or purposes, or in the purchase of other lands, tenements or hereditaments to be conveyed, limited and settled upon the like uses, trusts and purposes, and in the same manner as the lands, tenements or hereditaments in respect of which such money shall have been paid stood settled, or if such money shall be paid in respect of any buildings taken under the authority of this Act, or injured by the proximity of the works in removing or replacing such buildings or substituting others in their stead, or in payment to any person who shall become absolutely entitled to such money, and until such monies can or shall be so applied the interest, dividends and annual proceeds of such Company's Paper shall and may upon the like petition and order be paid to the party or parties who would



for the time being have been entitled to receive the rents and profits of the said lands, houses, tenements and hereditaments.

LIII. And it is enacted, that where any purchase money or compensation paid as aforesaid under the provisions of this Act shall have been paid in respect of any lease for a life or lives, or years, or any estate in lands, tenements or hereditaments less than the whole fee simple thereof, or in respect of any reversion dependent on any such lease or estate, it shall be lawful for the said Supreme Court on the petition of any party interested in such money to order that the same shall be laid out, invested, accumulated & paid in such manner as the said Court may consider will give to the parties interested in such money the same benefit therefrom as they might lawfully have had from the lease, estate or reversion in respect of which such money shall have been paid or as near thereto as may be.

LIV. And it is enacted, that upon payment or deposit in manner hereinbefore mentioned of the purchase money or compensation agreed or awarded to be paid in respect of any lands, tenements or hereditaments purchased or taken by the said Commissioners under the provisions of this Act, the Owners of and all parties by this Act enabled to sell or convey such lands, tenements and hereditaments shall when required so to do by the said Commissioners, duly convey such lands to the said Commissioners, or as they shall direct, and in default thereof, or if such party fail to adduce a good title to such lands, tenements and hereditaments to the satisfaction of the said Commissioners, it shall be lawful for the said Commissioners if they think fit to execute a deed of sale under their common seal, containing a description of the lands, tenements and hereditaments in respect of which such default shall be made, and reciting the purchase or taking thereof, and the names of the parties from whom the same were purchased or taken, and the payment made in respect thereof, and declaring the fact of such default having been made, and thereupon all the estate and interest in such lands, tenements and hereditaments of, or capable of being sold and conveyed by the party with whom the said Commissioners shall have made such agreement, or to whom such purchase money or compensation shall have been awarded by a jury or by arbitrators, or by a Surveyor appointed by any Magistrate or Magistrates, or as hereinbefore provided, shall vest absolutely in the said Commissioners, and as against such parties and all parties on behalf of whom they are hereinbefore enabled to sell and convey the said Commissioners shall be entitled to immediate possession of such lands, tenements and hereditaments.

LV. And it is enacted, that if the Owner of any such lands, tenements and hereditaments purchased or taken by the said Commissioners, or of any interest therein, on tender of the purchase money or compensation agreed or awarded to be paid in respect thereof, shall refuse to accept the same, or neglect or fail to make out a title to such lands, tenements and hereditaments, or to the interest therein claimed by him to the satisfaction of the said Commissioners, or if he refuse to convey or release such lands, tenements and hereditaments as directed and required by the said Commissioners, or if any such Owner be absent from the Presidency of Bengal, or cannot after diligent inquiry be found or fail to appear on the inquiry before a jury as hereinbefore provided, it shall be lawful for the said Commissioners to place the purchase money or compensation payable in respect of such lands, tenements and hereditaments, or any interest therein to the credit of the parties interested in such lands, tenements and hereditaments (the said parties being described so far as the said Commissioners can des-

cribe them) subject to the controul and disposition of the said Supreme Court, and it shall be lawful for the said Commissioners if they shall think fit to execute a deed of sale under their common seal containing a description of the lands, tenements and hereditaments in respect whereof such purchase money or compensation shall have been placed to credit, and declaring the circumstances under which and the names of the parties to whose credit such purchase money or compensation shall have been placed, and thereupon all the estate and interest in such lands, tenements and hereditaments of the parties for whose use and in respect whereof such purchase money or compensation shall have been placed to credit, shall vest absolutely in the said Commissioners, and as against such parties they shall be entitled to immediate possession of such lands, tenements and hereditaments.

LVI. And it is enacted, that upon the application by petition of any party making claim to the money so placed to credit as last aforesaid, or any part thereof, or to the lands, buildings or tenements in respect whereof the same shall have been so placed to credit, or any part of such lands, buildings or tenements, or any interest in the same the said Supreme Court on its Equity side may in a summary way as to the said Court shall seem fit, order such money to be laid out or invested in Company's Paper and deposited as aforesaid with the said Government Agent, and may order distribution thereof or payment of the interest thereof according to the respective estates, titles or interest of the parties making claim to such money, lands, buildings or tenements, or any part thereof, and may make such other order in the premises as to the said Court shall seem just.

LVII. And it is enacted, that the said Commissioners shall not be deemed necessary or competent parties to any such proceeding in the said Supreme Court, but that due notice shall be given according to the course and practice of the said Court in matters before it by summary petition by the party or parties petitioning to all other parties interested to whom it shall be competent to appear in such summary suit to defend and maintain their respective rights and interests.

LVIII. And it is enacted, that in this Act the following words and expressions shall have the several meanings hereby assigned to them unless there be something in the subject or context repugnant to such construction (that is to say) words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number, words importing the masculine gender only shall include females unless the word male is used. The word "person" shall include corporations whether aggregate or sole. The words "oath," "affirmation" and "solemn affirmation" when used alone shall include oath or affirmation or other declaration lawfully substituted for an oath in such case by any Legislative Act of the Governor General of India in Council, or by any Act of the Parliament of Great Britain extended to India. The word "Street" shall include any square, circus, street, court, alley, footpath, highway, lane, road, thoroughfare, public passage, or other public place within the said Town. The words "the said Commissioners" shall mean the Commissioners for the time being appointed or elected under the provisions of Act No. of 1847.

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 31st day of January next.

G. A. BUSHBY,  
Secy. to the Govt. of India.



FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

*The 7th November 1846.*—The following Draft of a proposed Act was read in Council for the first time on the 7th of November 1846.

ACT No. — OF 1846.

*An Act for the Survey and Assessment of Lands in the Town of Calcutta, within the local limits of the jurisdiction of Her Majesty's Supreme Court of Judicature.*

I. Whereas by reason of the defect of compulsory provision for the registration or mutations of Landed Property and from other causes, the Lands liable to the payment of ground rent in the Town of Calcutta, within the local limits of the jurisdiction of Her Majesty's Supreme Court of Judicature, cannot in many instances be identified, and the proprietors thereof cannot be ascertained, so that the dues of Government from the said lands cannot be realized with certainty and regularity, and it has become necessary to form a more correct assessment, and a new registry of such lands, and to make provision for the compulsory registration of all mutations of property therein :

It is therefore hereby enacted, that whenever an Officer shall be appointed by the Governor of Bengal to survey and assess the Lands, situate within the said local limits of the jurisdiction of Her Majesty's Supreme Court, such Officer shall, by public notification, require all persons, owing or occupying lands and tenements within the said local limits, to appear before him in person or by duly constituted Attorney within a reasonable time, not being less than one month from the date of the notification at whatever place within the said limits his office may be held, with all Pottahs, Ground-rent Bills, Bills of Sale, and other writings, in virtue of which they may own, or occupy such lands, and to attend him from day to day during his enquiries.

II. And it is hereby enacted, that the said Officer shall for the purposes of this Act have full power and authority at all reasonable hours in the day time to enter or to direct his subordinate Officers to enter into and upon any land or tenement within the said local limits, and in and upon the land on which any house, building or other erection is built or building, or intended to be built, and into and upon any buildings or any part thereof without being liable to any action at law or suit in Equity, or any other legal proceedings or molestation whatsoever for or on account of such entry, or of any thing done or to be done in any part thereof in pursuance of this Act. Provided, that such Officer or Subordinate Officers shall not enter upon any lands or tenements which may be occupied at the time, unless with the consent of the occupier thereof, without previously giving the said occupier reasonable notice of his or their intention to do so.

III. And it is hereby enacted, that if any person at any time shall obstruct or molest the said Officer or any of his Subordinate Officers in the performance and execution of his or their duty, or any thing which they are required to do by or by virtue of or in consequence of this Act, every such person so offending shall on conviction before a Magistrate for the Town of Calcutta forfeit and pay for every such offence any sum not exceeding 200 Rupees.

IV. And whereas such notification as is directed by Section I. of this Act may not in all cases be effectual, it is therefore hereby enacted, that it shall be lawful for the Surveying Officer to cause any person owning or occupying lands or

tenements within the said local limits, to be served with a special notice under his official seal and signature, stating the purpose for which the attendance of such person is required, and any document which such person is to bring with him and the period within which such person is to attend, and if such person cannot be found the notice shall be affixed to his usual place of residence.

V. And it is hereby enacted, that if any person shall wilfully omit to obey any lawful summons to attend before the Surveying Officer personally, or by duly constituted Attorney, or to produce any document which he is required by the said Officer to produce, or to answer any lawful question put by the said Officer, it shall be competent to the said Officer to impose upon such person a daily fine, not exceeding Ten Rupees, so long as he may be recusant, such fine, if not paid to be recoverable summarily by distraint and sale of the defaulter's personal property.

VI. And it is hereby enacted, that it shall be competent to the Surveying Officer to examine the parties whom he may summon on oath, or solemn affirmation, and any person who after making such oath or affirmation may wilfully and knowingly depose falsely before such Officer on any point material to the question under his investigation shall be held to be guilty of perjury, and shall be committed by any Magistrate of the Town of Calcutta for trial before Her Majesty's Supreme Court of Judicature.

VII. And it is hereby enacted, that the person or persons who may have been in bona fide possession of any parcel of land as proprietor for one year previous to the date of the proceedings of the Surveying Officer shall be registered and settled with as proprietor, and all other claimants shall be left to their remedies at Law or Equity in the proper Courts, provided always that no action shall lie against the Surveying Officer in Her Majesty's Supreme Court or in any other Court, for decisions passed by him under this Section.

VIII. And it is hereby enacted, that if after the notification prescribed by Section I. of this Act, and after due enquiry by the Surveying Officer no claimant shall be discovered for any parcel of land, the Surveying Officer shall put up a notice for one month on the said parcel, and in the event of no claimant appearing within that time such parcel shall be registered as the property of the State.

IX. And it is hereby enacted, that all lands of which the rate as at present assessed cannot be traced, or which have not heretofore been assessed, shall be assessed at the rate of Three Rupees per beegah.

X. And it is hereby enacted, that the Surveying Officer shall submit his proceedings in every case to the Revenue Commissioner of the Division who shall be competent to revise and alter them, and no settlement of the Surveying Officer shall be binding until it has received the confirmation of the said Commissioner, whose confirmation shall be final.

XI. And it is hereby enacted, that an appeal shall lie against any order passed by the Surveying Officer under this Act if preferred within one month from the date thereof to the Revenue Commissioner of the Division, whose decision in every case of appeal shall be final.

XII. And it is hereby enacted, that after the final orders of the Revenue Commissioner of the Division have been passed in any case, it shall be competent to the Surveying Officer to conclude the Settlement with the party or parties entitled to engage under the said orders by granting a pottah or lease, and taking a caboolout or counterpart engagement.

XIII. And it is hereby enacted, that whenever a settlement for any parcel of land has been con-



cluded, every new right therein or to any part thereof whether acquired by inheritance, gift, purchase or otherwise shall be registered by the party or parties to whom such right shall have accrued within three months after such right shall have accrued, and all land, any new right wherein has not been registered, shall be liable to an assessment of Six Rupees per beegah until every new right therein shall have been registered.

XIV. And it is hereby enacted, that when a claim to hold land lakhiraj or free of assessment shall be set up, the Surveying Officer shall investigate the claim, and record his proceedings in the case, and report the same for the orders of the Commissioner of Revenue whose decision on the merits of such claim shall be final.

XV. And it is hereby enacted, that for the purpose of such investigation it shall be lawful for the Surveying Officer by writing under his hand, to summon any person whatsoever to attend as a witness at a time and place to be specified in such summons, and that every witness, so duly summoned to attend as aforesaid, who shall not attend, or who attending shall refuse to give evidence on oath or solemn affirmation or declaration or to answer all such questions as the Surveying Officer may legally demand, shall be liable to be attached in the Supreme Court upon complaint made in like manner as if such witness had neglected to attend on any trial in such Supreme Court.

XVI. And it is hereby enacted, that any witness examined before such Surveying Officer shall be examined upon oath, which such Surveying Officer is hereby authorized to administer. Provided always that in all cases wherein a solemn declaration or affirmation would be allowed in Her Majesty's Courts of Judicature to be substituted for an oath, the said Surveying Officer shall substitute such solemn declaration or affirmation for an oath.

XVII. And it is hereby enacted, that any witness wilfully and knowingly giving false testimony on oath or solemn declaration or affirmation before such Surveying Officer shall be deemed guilty of wilful and corrupt perjury.

XVIII. And it is hereby enacted, that lakhiraj tenures of which uninterrupted possession shall have been held exempt from assessment from the 12th August 1765 to the present time shall be valid; and that no other lakhiraj tenures shall be deemed valid unless the same shall be held under a grant from the British Government, which grant shall not have expired.

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 7th day of January next.

G. A. BUSHBY, *Secy. to the Govt. of India.*

**FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE.**

*The 7th November, 1846.*—The following Draft of a proposed Act was read in Council for the first time on the 7th of November 1846.

Act No. — OF 1846.

*An Act to regulate distresses for small Rents in Calcutta.*

I. It is hereby enacted, that it shall be lawful for the Commissioners of the Court of Commissioners for the recovery of Small Debts in and for the Settlement of Fort William in Bengal to appoint four or more persons to be Bailiffs and Appraisers for the purposes of this Act, and to fix such remuneration for the services of the said Officers as shall appear to the said Commissioners expedient, and

that such persons shall be duly sworn before the said Commissioners, and shall also give security to be approved by the said Commissioners faithfully to discharge the duties of their office, and that the said Commissioners shall have power to suspend or remove such persons so appointed, provided that it shall be lawful for the said Commissioners to appoint the Bailiffs who may be attached from time to time to the said Court to the office of Distraining Bailiffs and Appraisers for the purposes of this Act, and to award to the said Officers such remuneration in addition to their respective salaries drawn from the said Court as to the said Commissioners shall appear expedient.

II. And it is hereby enacted, that it shall be lawful for any Commissioner of the said Court upon the Affidavit of any party claiming to be entitled to arrears of rent of any House or Premises situate in Calcutta not exceeding the amount of 100 Rupees, stating the amount of such arrears and for what time and at what rate the same became due, to issue a warrant under his hand and seal in the Form contained in the Schedule to this Act annexed (marked A) addressed to any one of such Officers directing him to levy the amount of such rent, together with the costs of the said distress in the manner therein mentioned, provided that it shall be lawful for any of the said Commissioners upon personal examination of the party applying for such warrant to grant or withhold the same at the discretion of the said Commissioner.

III. And it is hereby enacted, that by virtue of such warrant it shall be lawful for such Officer to seize the whole or such part of the Goods and Chattels upon the said premises as shall be sufficient to cover the amount of the said rent together with the costs of the said distress and that he shall thereupon make an Inventory of the Goods and Chattels so seized, and shall give a notice in writing in the Form in the Schedule to this Act annexed (marked B.) to the party from whom such rent is claimed to be due, or to any other person upon behalf of such party upon the said premises that the said Goods and Chattels will be appraised and sold in manner therein mentioned. And that the said Officer shall file in the said Court true copies of the said Inventory and Notice, provided that it shall be lawful for the party from whom such rent is claimed to be due, at any time within five days from such seizure, to apply to any Commissioner of the said Court to discharge or suspend such warrant, and it shall be lawful for such Commissioner to discharge or suspend such warrant accordingly, with or without costs, provided always that it shall be lawful for any of the said Commissioners in his discretion to give reasonable time to such party to pay the said rent.

IV. And it is hereby enacted, that in default of such application it shall be lawful for any two of such Officers at the expiration of five days from such seizure to appraise the Goods and Chattels so seized and to give notice of the sale thereof at such time and place as they shall direct, after an interval of not less than two days, and that they shall file in the said Court a true copy of the said Notice, and that the same shall be sold accordingly, and that the said Officers shall forthwith after realization of the produce of the said sale, pay over the amount thereof to the Chief Clerk of the said Court, and the amount of such produce shall be applied in satisfaction of the sum claimed to be due, together with the costs of the said distress, and that the surplus, if any, shall be returned to the party from whom the said rent was claimed to be due, provided that it shall be lawful for such party to direct that such sale shall take place in any other manner, such party giving security for any extra costs attending such mode of sale.



V. And it is hereby enacted, that no costs shall be taken or demanded for such distress except those contained in the Schedule to this Act annexed (marked C) and that it shall be lawful for the said Commissioners to apply the sum so raised as costs, towards the payment of the contingent charges and remuneration of the said Bailiffs and Appraisers as shall appear to the said Commissioners expedient, and that the Chief Clerk of the said Court shall keep a book in which all sums received as costs upon distresses made under the provisions of this Act, and all sums paid as remunerations to the said Bailiffs and Appraisers, and all contingent charges incurred in respect of such distresses shall be duly entered, and that the Chief Clerk of the said Court shall also enter in the said book all sums realized by sale of the Goods and Chattels distrained and paid over to the landlords under the provisions of this Act.

VI. And it is hereby enacted, that after the passing of this Act no distress shall be levied for arrears of rent amounting to Rupees 100, or less, except under the provisions of this Act, and that any person, except such Officer as appointed levying or attempting to levy any such distress shall be guilty of a misdemeanor, and shall be liable to be punished by fine and imprisonment for the same in addition to any other liability he may have incurred by such trespass.

VII. And it is hereby enacted, that this Act shall not extend to any arrears of rent exceeding 100 Rs. nor in respect of any House or Premises situate out of Calcutta, nor to any rent due to Government, nor to any seizure except on the Premises in respect of which such rent is claimed.

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

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after the 7th day of January next.

G. A. BUSHBY,  
Secy. to the Govt. of India.

A.

*In the Court of Commissioners for the Recovery of Small Debts in and for the Settlement of Fort William in Bengal.*

*Form of Warrant.*

I hereby direct you to distraint the Goods and Chattels on the premises of A. B., situate in \_\_\_\_\_ in the Town of Calcutta, for the sum of \_\_\_\_\_ Rs. being the amount of \_\_\_\_\_ months rent due to C. D. for the same on the \_\_\_\_\_ day of \_\_\_\_\_ last according to the provisions of the Act No. \_\_\_\_\_ of 18 \_\_\_\_\_

Dated the \_\_\_\_\_ day of \_\_\_\_\_  
(Signed and Sealed.)

B.

*In the Court of Commissioners for the Recovery of small Debts in and for the Settlement of Fort William in Bengal.*

To E. F. Sworn Bailiff and Appraiser.

*Form of Inventory and Notice.*

(State particulars of Goods seized.)

Take Notice that I have this day seized the

Goods and Chattels contained in the above Inventory for the sum of \_\_\_\_\_ Rs., being the amount of \_\_\_\_\_ month's rent due to C. D. at \_\_\_\_\_ last, and that unless you pay the amount thereof, together with the Costs of this Distress within five days from the date hereof, or obtain an order from one of the Commissioners of the Court of Requests to the contrary, the same will be appraised and sold pursuant to the provisions of the Act No. \_\_\_\_\_ of 18 \_\_\_\_\_

(Signed) E. F.,  
Sworn Bailiff and Appraiser.

To A. B.

C.

*In the Court of Commissioners for the Recovery of Small Debts in and for the Settlement of Fort William in Bengal.*

*Costs of Distress*

Affidavit, .....	1 Rupee.
Warrant, .....	1 ditto.
Seizure, .....	1 ditto.
Inventory, .....	1 ditto.
Notice, .....	1 ditto.
Appraisement and Expenses of Sale, .....	½ Anna in Rupee.

D.

*In the Court of Commissioners for the Recovery of Small Debts in and for the Settlement of Fort William in Bengal.*

A. B. \_\_\_\_\_ (Plaintiff),

versus

C. D. \_\_\_\_\_ (Defendant.)

A. B., Inhabitant of \_\_\_\_\_, in the Town of Calcutta, \_\_\_\_\_ maketh oath and saith, that C. D. \_\_\_\_\_, who is also an Inhabitant of the Town of Calcutta, is justly indebted to this Deponent in the sum of \_\_\_\_\_ Company's Rupees \_\_\_\_\_ for arrears of rent of the House and Premises No. \_\_\_\_\_, situate at \_\_\_\_\_, in the Town of Calcutta, due for \_\_\_\_\_ month, to wit from \_\_\_\_\_ to \_\_\_\_\_, at the rate of \_\_\_\_\_ Co.'s Rs. \_\_\_\_\_ per mensem.

Sworn before me the \_\_\_\_\_ day of \_\_\_\_\_ 184 \_\_\_\_\_

Commissioner.

E.

*In Court of Commissioners for the Recovery of Small Debts in and for the Settlement of Fort William in Bengal.*

Take Notice that we have appraised the Goods and Chattels seized on the \_\_\_\_\_ under the provisions of the Act \_\_\_\_\_ of \_\_\_\_\_, of which a Notice and Inventory had been duly served upon you under date the \_\_\_\_\_, and that the said Goods and Chattels will be sold on the \_\_\_\_\_ at \_\_\_\_\_ pursuant to the provisions of the said Act.

(Signed) E. F.,  
G. H.,

Sworn Bailiffs and Appraisers.

To A. B.